

THE KU-KLUX CONSPIRACY.

This 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.

CONDITION OF AFFAIRS IN THE SOUTHERN STATES.

SOUTH CAROLINA—Continued.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1870.

HAMPTON PARKER (colored) sworn and examined.

By the CHAIRMAN :

Question. Do you live in this county ?

Answer. Yes, sir. I live about eight miles and a half from here, at Mr. King's place, below that old camp ground.

Question. How long have you lived in this county.

Answer. I suppose about twenty years.

Question. Where did you live before ?

Answer. I was born in the low country, and my old master moved up here. Mr. Parker lives out here now at Rich Hill.

Question. What business do you follow ?

Answer. I follow farming.

Question. Have you land rented, or do you work on shares ?

Answer. I am working on shares now.

Question. Have the Ku-Klux ever been to disturb you ?

Answer. Yes, sir.

Question. When ?

Answer. I reckon it has been about two months ago, as nigh as I can get at it.

Question. Go on and tell the committee what they did to you.

Answer. They whipped me. They came in upon me and whipped me. When they first came in they asked me who did I belong to. I told them my name was Hampton Parker. They said, "Who did you belong to?" I said, "Mr. Parker I used to belong to, and go by the name of Hampton Parker." "Where do you live now?" they said. I said, "I am staying now at Mr. Sam. Mean's place, farming." They first asked me if I had a gun, and to bring out that gun. I had brought the gun out before. I had stepped out when I heard an owl over the fence, but that was when they came to the first house. I had heard an owl, and had stepped out after it. They were coming down the line then. I took the gun out then; I sat it over my door; when I came back I laid it in the corner of the chimney. They made such an alarm that it scared me, and they asked me where was the gun, and I said, "It is here." They told me to get it. I told them I would get it. They said, "Get it quick." I said, "I left it lying in the chimney," and I went to get it, and they asked me what I was doing with it. I told them I had 'low'd to shoot at the owl that was going to catch the chickens. They said I was a d—d liar. I said no, I was not. He said, "I'm going to shoot you." I said, "O, no, master; I have done no harm." Says he, "I'm going to shoot you." Says I, "Please don't." He says, "I will do it;" and he took a pistol and rammed it to my breast, and said, "Do you know what this is?" I says, "Yes; I know." They

knocked it against my head. I had two pistols, one at my breast and another at my head. They brought in the gun; I had it loaded; they put it against my breast, and said, "Do you know what is in that?" I said, "Yes, sir." They asked me for cartridges. I told them I knew nothing about them, for I never saw any in my life. They asked for my pistol. I said I never had one. They asked for a line to hang me. I told them I had no line. I had this coat lying on a stick. They dragged it down. They had broken the door down. They pulled this over my head. I told him, "Master, I have a handkerchief in my pocket." They took that and drew it across my eyes so tight that they almost put my eyes out. I 'low'd that would be the last of me, though I was not guilty of anything. They said, "Let's go." It was just as blind as midnight to me, but I knew that they were neighborhood people, and God knows it. They took me by the arm and double-quickened me about one hundred and eighty or two hundred yards. I was a cripple too. They asked me what crippled me. I told them, "Driving the coach for my boss all the time." They said, "I will cripple you better than that. Hurry up, and let's go to the other company." I could not see, being blindfolded. By the time I got there, just in the twinkling of an eye, they had hauled off my shirt this side and that side, and tore it loose and took it off. They didn't give me time or wait for me to unbutton it; they jerked it right off, and slipped it over my head; and they hauled my suspenders over my shoulders. They got over the fence, and cut and handed brushes with the peaches and all on them; they were young peach trees about as big as the end of my finger. Then they gave me about forty or fifty lashes that cut me into the flesh. I never have had such a whipping since I have been a man grown; I might have got it when I was a little boy, for little children have to have whippings; but I have always tried to behave myself, and act like a negro ought to act, and I didn't think there would be ever such a time as this. I had laid out in the woods for months like I was a dromedary or a hog or a cow, afraid to go into the house; that was hard, I think, for poor negroes; but I knew it was neighborhood people did it.

Question. Do you know who they were?

Answer. I could not preserve the voices at all when I was blindfolded, they were talking so furious.

Question. What makes you think they were neighborhood people?

Answer. I know it because, there has been so much riding about in the neighborhood, since so many of them have happened.

Question. How were they dressed?

Answer. One had horns—the one that put the pistol to my breast. I was right by the fireplace. I was turning up my old eyes to find him out, but his voice was so curious I couldn't tell, and for fear I could tell him he had me blindfolded in the twinkling of an eye. When he got my ammunition and gun that was all they wanted.

Question. Did they take the gun?

Answer. Yes, sir. I have never seen it since.

Question. What kind of a gun was it?

Answer. It was a breech-loading gun.

Question. Where did you get it?

Answer. I bought it from Bill Littlejohn; it used to belong to Mr. Littlejohn. I had one small gun, and we made a swap.

Question. Was it your own gun?

Answer. Yes, sir. I paid the money for the first gun, which I swapped with Bill, because his gun was heavier. I didn't get the gun to do any injury, and had not done any injury with it since.

Question. Have you ever heard of it since that time?

Answer. Not hide nor hoof of it since, nor never will under God's sunshine.

Question. Was that all?

Answer. Yes, sir. I will never tell no lie.

Question. Was anybody else whipped there?

Answer. Yes, sir; another man in my neighborhood, who is out here sitting down on the steps.

Question. What is his name?

Answer. Joe. He belonged to Dr. Miller, and lived up on Tiger.

Question. Was he whipped the same night?

Answer. Yes, sir; and double-quickened.

Question. Have you told all that you saw and heard?

Answer. I have told you all that I know that will justify. I didn't think no such thing would ever happen in our country.

Question. How old are you?

Answer. About sixty something, sir; a poor old critter, trying to live right and do what is right, as near as I can, and then to be cut up without having done nothing, for I had done no harm.

Question. How long have you slept out?

Answer. Two months.

Question. Had you slept out before that?

Answer. No, sir; not until just before they come upon us. After they killed old uncle Wally out there—when they had killed such an old man as that, with a head as white as that paper, I didn't know how soon they might come to send me up.

Question. Have you any family?

Answer. No, sir. I have sisters and brothers.

Question. You live by yourself?

Answer. I live on Mr. Mean's place; we are cropping together.

By Mr. STEVENSON:

Question. How do the other colored people feel out there?

Answer. They all have to sleep in the woods.

Question. How do the white republicans feel?

Answer. I don't know what they have to say about it. They were as much troubled as I was.

Question. They were disturbed too?

Answer. A good many of them, I suppose, was disturbed, and a good many of them were as much disturbed as I was. I expect some of them have been here to-day.

By Mr. VAN TRUMP:

Question. What white people that you know of?

Answer. Mr. Henly, Mr. Foster, and Mr. Gossett, and they disturbed Mr. Bates too; that is as far as I know.

Question. How do you know that all the colored people in all that whole region are sleeping in the woods?

Answer. I have heard them say so; that they cannot rest at night.

Question. Have you heard everybody say so?

Answer. Yes, sir; several have said so. The colored people have to rest in the woods.

Question. That is not all.

Answer. No, sir; but there is not many in the neighborhood. They are pretty nigh shuffled out of that neighborhood.

Question. Where have they gone?

Answer. I don't know. They had orders to leave.

Question. How long have they been gone?

Answer. They have gone since the planting of the crops, and have had to leave the crops, I suppose, like it is in other places.

Question. Where have they gone from?

Answer. Several have left from Mr. Bates's place, but that is not in my neighborhood.

Question. Who left your neighborhood, and where have they gone to?

Answer. I don't know where they have gone to.

Question. How many families have left?

Answer. Two families left our neighborhood.

Question. Why did they leave?

Answer. They had to leave.

Question. On what account?

Answer. On account of the Ku-Klux.

Question. How do you know that?

Answer. They said they could not stay. They told others, and it passed from others.

Question. Is it a habit of you colored people never to move about?

Answer. We have to move about.

Question. Do you not have to move about every season?

Answer. Yes, sir; but if you start your farm, you wish Providence to provide for you and finish your farm work; but if you have to run away from it by enemies, of course you can't tend to it, nor any one else can tend to it, and you lose it. If you have orders to leave you are obliged to leave.

Question. I ask you if it was not a habit of the colored people to leave?

Answer. Yes, sir; when the season is out, after they have made their farms, but not while they have their farms all ready in order to then leave it.

Question. Who has left in that way?

Answer. Several there.

Question. Who are they?

Answer. I called two families from Mr. Bates's.

Question. Who else?

Answer. I know a family down here at Mr. Parker's, right were I live. They had to leave and go where Master Edward is. They is right in his yard.

By Mr. STEVENSON:

Question. Do you know how much these people have planted, or had to give up on Mr. Bates's farm?

Answer. I don't know.

Question. Are there not several fields there?

Answer. I know there is a good many fields, but I can't tell.

Question. Are there not several fields along the railroad that had to be thrown up?

Answer. There is several. Mr. Foster and Mr. Ira Tinley have that field, and have some of it in corn. I left home to work at it.

Question. Do you know how much cotton had to be given up there by any of Mr. Bates's people?

Answer. A ten-acre field; it is lying open now. Mr. Bates and Mr. Tinley have got to tend it, but finding they could not take the grass out, they dug it up and put corn in there.

Question. There is another field that has nothing in it now?

Answer. Yes, sir.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

JOSEPH MILLER (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. Down here near Mr. Bates's; down the railroad about eight miles and a half.

Question. What do you follow?

Answer. Farming.

Question. How old are you?

Answer. I am going on fifty-four years.

Question. Were you raised in this county?

Answer. I was raised on Tiger here. I live about fifteen miles from where I was raised.

Question. Have the Ku-Klux been to see you at any time?

Answer. Yes, sir.

Question. State when it was, and what they did and said.

Answer. I don't know that I can tell exactly the time, but I think it was about the 1st of April. They came to my house about a couple of hours into the night. I was already abed and asleep. I had just laid down and got to sleep. I heard a parcel of men running; I heard them say, "Surround this house." It frightened me right smart. Some came on one side and some on the other. They came to the door and halted, and was breaking it. I said, "Stop, don't break it down." "If you don't open it quick," they said, "we will break it down." "Hold on a minute," I says, "and I will open it;" and I opened it. They commanded me to make up a light. I went to make up a light, and they stood over me. When I made up the light he said, "I want those guns and pistols you have got." "I had a gun," I said, "but no pistols." Says he, "Don't tell me a lie or I will blow your brains out." I said, "I have but one gun in the house." "Where is it?" says he. "In the rack there over the door," I says. Said he, "Get down on your knees," and cursing me. I got down. "Put yourself back in bed, and pretty quick." I goes and laid down again. "Have you got any shots?" said he. I says, "No, sir." "Have you any powder?" No, sir. "If I catch you in a lie we will blow your brains out." Says I, "I have neither of them; I have nothing here but the old gun I have told you about." "Is it loaded?" he asked me; I said, "No, sir." He said, "Is not there a gun down at the other house beyond?" He meant that of the old man that just went out—Hampton Parker. He lives fifty or a hundred yards from me. "Has he a gun?" I said, "Yes sir; he has got a gun." He stepped to the door and said to some of his company, "Go down and get that gun in that house." He stood about there awhile until he went down in front of his house, and he said to me, "Don't you open your mouth to me any more to night; cover up yourself." I laid there until they went down to this old man's house. After a while they took this old man out before they did me, and went out of the gate with him. There were several standing at the door, and one came in after this old man went out of the gate. He came back to me and asked me, "Have you any water here?" I says, "Yes, sir." He says, "Is there any poison in the water?" "No, sir; I don't put poison in the water to drink myself." He spoke again, "Don't you open your mouth any more to-night." I heard the rest of the company going out of the gate. He started out. Some of the company said, "Go back and bring the old man with you." Then this man came back in the house and came to the bed where I was and said, "Old man, hold up here." I didn't know what he was going to do. When I held up he jerked the pillow-case off and pulled it over my neck and says, "Come, go with me." "Where do you want me to go?" I says. Said he, "We are not going to kill you, only whip you a little. Come along and don't say any more." He made me get up and he carried me near two hundred yards from the house, and going along says, "I don't want any harm of you, old man. I shall not bother you any more after to-night." After going where we went, they whipped that old man right smart before they whipped me, and I heard

them consulting whether to whip me or not, and some said "Yes," and he turned around and gave me about twenty or twenty-five lashes, I reckon, on the naked skin, and then took me by the arm, with a pillow-case over my head, and turned me around to go to the house at a pretty fast walk. When he got ready to leave me he said "Run," and he turned around as quick as he could. I stepped off pretty pert, and then they shot. I don't know whether they shot at me; but they shot the guns over my head I think. I did not see any more, gentlemen, at all until next morning. I went down, and my gun was lying there broken where they whipped me.

Question. How far was the place where they whipped you from where they whipped Hampton Parker?

Answer. They whipped us together; him first and then me.

Question. Had they taken him out?

Answer. They took him out. They came by my house to go to the road.

By Mr. VAN TRUMP:

Question. How far apart are your houses?

Answer. Fifty yards. He asked me if he—that is, if Hamp Parker—had a gun. I told him he had. He sent a man down to get him, and they brought him up before they took me out of the bed.

Question. When they brought you out did they take you to the old man's house?

Answer. They had to go by my house to the road.

Question. When they took you out and whipped you, did they take you in the direction of the old man's house?

Answer. No, sir. They went the way they came.

Question. Did you know any of these men?

Answer. I didn't see but two men, and they had great long horns, and were disfigured. I can't tell how they were, for they would not suffer me to look at them. When I was making up the light he stood over me, and right behind me when I was going back. And he made me cover myself up.

Question. What did they whip you with?

Answer. I think it was a kind of peach-tree brush. They have not bothered me any since. I wanted to ask them what they did it for, but they would not suffer me to talk to them at all.

Question. Have you been sleeping in your house since?

Answer. Yes, sir. They told me they would not bother me any more. Of course I looked for men in that house ever since. I am watching about. I could hear them make a noise and I thought they were probably going by. I took care of my farm ever since, and they have not bothered me.

Question. Have you a family?

Answer. Yes, sir.

Question. Do they live with you?

Answer. Yes, sir.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

SAMUEL GAFFNEY (colored) sworn and examined.

By the CHAIRMAN:

Question. Do you live in this county?

Answer. Yes, sir.

Question. In what part of it?

Answer. Up in the upper part of the district next to North Carolina, away high up the country.

Question. What do you follow?

Answer. Farming.

Question. Have you land rented?

Answer. No, sir; I bought a piece of land.

Question. How much land have you bought?

Answer. One hundred and fifty acres.

Question. Have you paid for it?

Answer. No, sir; I pay \$100 every year; I am to give \$300.

Question. How long have you lived in that neighborhood?

Answer. Three years.

Question. Where were you raised?

Answer. Down here on the main old post road, not far from Thicketty, at Richards's old place.

Question. In this county?

Answer. Yes, sir.

Question. Have men in disguise come to your place at any time?

Answer. Yes, sir.

Question. When?

Answer. I think it was in March last.

Question. Go on and tell the committee how they came there, and what they said and did to you.

Answer. They came and took me out, and said to me, after they took me out, that they had nothing against me more than one thing. I asked them what that was. They said voting a radical ticket; for voting a radical ticket was all they had against me.

Question. Go on with your statement; was there anything more?

Answer. No, sir; not particular. I don't believe they said anything else to me. I don't remember. They hit me a few lashes; about fifteen licks.

Question. What with?

Answer. With a sort of stick; a sort of brush stick, a thorny thing.

Question. What time of night was it?

Answer. Between 1 and 2 o'clock.

Question. How many men were there?

Answer. I think there were, as well as I can recollect, about twenty or thirty.

Question. Were they disguised in any way?

Answer. Yes, sir.

Question. How?

Answer. They had horns on, and pictures all over their faces, that looked like these false faces.

Question. How were they dressed on their bodies?

Answer. Some had on white; some had white cotton gowns or something of that sort.

Question. Were they armed?

Answer. They had two guns I think, as well as I can recollect, and a pistol or two.

Question. Did they say anything to you after they whipped you?

Answer. They said, be sure never to vote another radical ticket.

Question. What did you say to them?

Answer. I never said nothing at all.

Question. Have there been any other persons whipped in that neighborhood that you know of?

Answer. Yes, sir; there have been some others whipped about in there. There have not been so many whipped right in that settlement. Down on the river they whipped right smart they said.

Question. Do you know of any in your own immediate neighborhood?

Answer. No; I don't believe I do.

Question. Do you know any of those who were there, and took part in whipping you?

Answer. No, sir; I can't swear to any of them.

Question. Have you taken any part in politics more than voting?

Answer. No, sir; not at all; never a word was said out of me. I went and voted, and turned around and came home. I didn't stay longer than to put my ticket in.

Question. Have you a family?

Answer. Yes, sir; a pretty large family.

Question. Can you read?

Answer. No, sir.

Question. How have you felt as to being secure ever since that time?

Answer. I have felt sort o' doubtful. They told me they would not come on me any more, though. I forgot to tell that.

Question. But have they never been there since?

Answer. No, sir.

By Mr VAN TRUMP:

Question. Did you buy this land of the land commission?

Answer. No, sir; I bought it from a gentleman there.

SPARTANBURGH, SOUTH CAROLINA, July 15, 1871.

SAMUEL GAFFNEY (colored) recalled and examined.

By the CHAIRMAN:

Question. You have been sworn here before?

Answer. Yes sir.

Question. What day were you examined before?

Answer. Monday evening,

Question. Did you go back home?

Answer. Yes, sir.

Question. To what part of the county; where do you live?

Answer. I live in the upper part of this district, close to Buck Creek. It is not far from Buck Creek.

Question. Have the Ku-Klux been at your house since, and if so; what was done?

Answer. They came to my house Thursday night, and took my gun and some beads and some ammunition.

Question. Where were you?

Answer. I ran out. I run away when I heard them coming. They came as hard as their horses could fetch them.

Question. How many were there?

Answer. About six or seven.

Question. Were they disguised?

Answer. Yes, sir; that is what the women folks said.

Question. Who else was there beside you?

Answer. No one but just the children.

Question. Was your wife there?

Answer. Yes, sir; her and the children.

Question. Did they ask for you; you say you ran out?

Answer. Yes, sir; they asked where I was, and what business I had here.

Question. Where?

Answer. Here at this meeting.

Question. At this committee?

Answer. Yes, sir.

Question. Is that what your wife said to you when you came back?

Answer. Yes, sir.

Question. How long did you stay out?

Answer. All night—from about 3 o'clock until daybreak.

Question. What time did they come?

Answer. About 3 o'clock.

Question. What kind of a gun was this?

Answer. Just a little small shot-gun.

Question. Was it your own?

Answer. Yes, sir; I bought it right here when I went away from here and carried it home. I bought it here in the store, and the ammunition, to scare the crows out of my field. They were mighty bad.

Question. Did you know any of these men?

Answer. No, sir; I was not in there.

Question. You saw them coming?

Answer. I heard them coming.

Question. Is that all you know about it?

Answer. I don't think I know anything more about them.

By Mr. STEVENSON:

Question. This was last Thursday night?

Answer. Yes, sir.

Question. What did they do with your gun?

Answer. They carried it off.

By Mr. VAN TRUMP:

Question. Did you come right to town the next day—yesterday?

Answer. No, sir; I staid part of the way on the way last night, and came up here to-day. I wouldn't trust myself to stay there.

Question. What did you come to town for?

Answer. I came to tell that they had been after me again, for I could not stay at home and they after me.

Question. To tell who?

Answer. To report it to you gentlemen.

Question. You didn't see them yourself?

Answer. No, sir.

Question. Did you hear them?

Answer. O, yes, sir; I was right close to the house and heard them talk.

Question. What time of night was it?

Answer. About 3 o'clock.

Question. What wakened you up?

Answer. The horses. They came a tearing.

Question. You lived right on the road?

Answer. On the big road.

Question. On the public road?

Answer. Yes, sir.

Question. You say the noise of the horses awakened you ?

Answer. Yes, sir.

Question. How, galloping ?

Answer. Yes, sir. They came as hard as the horses could fetch them. They went on by, thinking I would think they went on, but they turned around.

Question. Did you get out before they came back ?

Answer. Before they got into the house I got out of the house and got out of the way.

Question. You did not see whether they were disguised at all or not ?

Answer. No, sir ; the women told me they were disguised.

Question. Did you see how many there were ?

Answer. She saw how many.

Question. How many were there ?

Answer. She said there was five or six of them. She said there was two or three out with the horses. I heard them talking out at the horses myself.

Question. Did you hear them say anything ? Could you tell what they were talking about ?

Answer. No, sir ; only the one out at the horses.

Question. What did he say ?

Answer. I could hear him talking and ordering those at the house ; calling them out.

Question. What inquiry did they make of your wife about you as you say your wife told you ?

Answer. They asked what did I come up here for ?

Question. Up where ?

Answer. Up here to the 'mittee.

Question. To the 'mittee ?

Answer. Yes, sir ; they asked what business did I have up here ?

Question. You do not know that except by what your wife tells you ?

Answer. No, sir.

Question. How old is she ?

Answer. About fifty years of age.

Question. Is she able to travel ?

Answer. Yes, sir.

Question. Why didn't she come to be a witness instead of you ?

Answer. I didn't think it was any use to fetch her.

Question. Is she not the very person who knows ?

Answer. It is true enough ; she ought to know.

Question. She knows more about it than you do ?

Answer. Yes, sir.

Question. Why didn't you bring her ?

Answer. She couldn't have walked along up here all the way.

Question. You have no horse ?

Answer. No, sir ; and I can't stay there the way they are riding about there.

Question. In what township is that ?

Answer. Cherokee.

Question. You say you bought the shot-gun in town and bought ammunition with it ?

Answer. Yes, sir ; and caps. They took my caps and all, and I forgot to tell they took a box of matches.

Question. You bought your gun and ammunition to shoot crows ?

Answer. Yes, sir ; out in the field.

Question. What are they eating at this time of the year ?

Answer. Little watermelons.

By the CHAIRMAN :

Question. Are you afraid to go back ?

Answer. Yes, sir ; I am going to hire out on the railroad.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

LUCY McMILLAN (colored) sworn and examined.

By the CHAIRMAN :

Question. Where do you live ?

Answer. Up in the country. I live on McMillan's place, right at the foot of the road.

Question. How far is it ?

Answer. Twelve miles.

Question. Are you married ?

Answer. I am not married. I am single now. I was married. My husband was taken away from me and carried off twelve years ago.

Question. He was carried off before the war?

Answer. Yes, sir; the year before the war; twelve years ago this November coming.

Question. How old are you now?

Answer. I am called forty-six. I am forty-five or six.

Question. Did the Ku-Klux come where you lived at any time?

Answer. They came there once before they burned my house down. The way it was was this: John Hunter's wife came to my house on Saturday morning, and told they were going to whip me. I was afraid of them; there was so much talk of Ku-Klux drowning people, and whipping people, and killing them. My house was only a little piece from the river, so I laid out at night in the woods. The Sunday evening after Isham McCrary was whipped I went up, and a white man, John McMillan, came along and says to me, "Lucy, you had better stay at home, for they will whip you anyhow." I said if they have to, they might whip me in the woods, for I am afraid to stay there. Monday night they came in and burned my house down; I dodged out alongside of the road not far off, and saw them. I was sitting right not far off, and as they came along the river I knew some of them. I knew John McMillan, and Kennedy McMillan, and Billy Bush, and John Hunter. They were all together. I was not far off, and I saw them. They went right on to my house. When they passed me I run further up on the hill to get out of the way of them. They went there and knocked down and beat my house a right smart while. And then they all got still, and directly I saw the fire rise.

Question. How many of these men were there?

Answer. A good many; I couldn't tell how many, but these I knew. The others I didn't.

Question. Were these on foot or on horseback?

Answer. These were walking that I could call the names of, but the others were riding. I work with these boys every day. One of them I raised from a child, and I knew them! I have lived with them twelve years.

Question. How were they dressed?

Answer. They had just such cloth as this white cotton frock made into old gowns; and some had black faces, and some red, and some had horns on their heads before, and they came a-talking by me and I knew their voices.

Question. How far were you from where they were?

Answer. Not very far. I was in the woods, squatted down, and staid still until they passed; but then I run further up the hill.

Question. Have you any family with you there?

Answer. I had one little daughter with me. I had one grown daughter, but my grown daughter had been up the country to my mother's staying, and my little girl was staying there with me.

Question. Had you your little girl out with you?

Answer. Yes, sir; I could not leave her there.

Question. What was the reason given for burning your house?

Answer. There was speaking down there last year and I came to it. They all kept at me to go. I went home and they quizzed me to hear what was said, and I told them as far as my senses allowed me.

Question. Where was the speaking?

Answer. Here in this town. I went on and told them, and then they all said I was making laws; or going to have the land, and the Ku-Klux were going to beat me for bragging that I would have land. John Hunter told them on me, I suppose, that I said I was going to have land.

Question. Did you report that you were going to have land?

Answer. No, sir; but he reported. I said to John that I wanted to rent land enough from Bob McMillan for me and my daughter to tend on this side of the river. He reported me that I said I would have all the land on this side of the river before I left.

Question. Whose land was this on which the house was burned?

Answer. Bob McMillan's.

Question. Was that the house you lived in?

Answer. Yes, sir.

Question. Was he with these men?

Answer. No, sir; but his son Kennedy was along.

Question. Was that the only reason you know for your house being burned?

Answer. That is all the reason. All the Ku-Klux said all that they had against me was that I was bragging and boasting that I wanted the land.

Question. Who told you that?

Answer. John Hunter's folks told me that. They told me I was bragging and boasting that I would have the land, and the Ku-Klux were going to whip me for that.

By Mr. VAN TRUMP:

Question. Do you mean to say that they said they burned the house for that reason?

Answer. No, sir; they burned the house because they could not catch me. I don't know any other reason.

By the CHAIRMAN:

Question. Is this all the experience you had with the Ku-Klux?

Answer. Yes, sir; they never had anything against me. I was mighty good to them and to all the white folks. If they had anything in the world against me I don't know what it is. I have never heard it, and I have made good inquiry to find out what was against me, and I had nothing against me. When they called on me to work, I worked as good as I could. If they were a mind to pay me, I took it. If they wouldn't, I had to do without it. I took whatever they gave me.

Question. What is your daughter's name?

Answer. Mary.

Question. The one who was with you that night?

Answer. That was Caroline, a little thing. She is seven years old.

Question. Is that the whole of the statement you have to make about this proceeding?

Answer. Yes, sir; that is all I know anything of at all. If they had anything more against me, I don't know.

By Mr. VAN TRUMP:

Question. Are Kennedy and John McMillan sons of Robert McMillan?

Answer. John McMillan is his brother.

Question. Is John McMillan Robert McMillan's brother?

Answer. Yes, sir; and William Bush married his sister.

Question. Kennedy McMillan is a son of Robert McMillan, on whose land you live?

Answer. Yes, sir.

Question. And John McMillan is the brother of Robert McMillan?

Answer. Yes, sir.

Question. And Billy Bush married a sister of Robert McMillan?

Answer. Yes, sir.

Question. Do you live on Robert McMillan's land?

Answer. Yes, sir, I did. I am not at home now.

Question. You stated to the chairman that you live now on Robert McMillan's land?

Answer. I did live there until they burned my house down. I have been here in town ever since.

Question. Then you made a misstatement at first?

Answer. I lived there before my house was burned. I had no house after that, and could not live there, and I was afraid to stay in the settlement.

Question. Who was John Hunter?

Answer. He is a colored man. I worked for him all last summer. I worked with him hoeing his cotton and corn.

Question. What was he doing with these Ku-Klux?

Answer. I don't know. He was with them.

Question. Had Kennedy McMillan any disguise on?

Answer. Yes, sir; he had a disguise.

Question. What was it?

Answer. He was like the rest.

Question. Did he have a white cotton frock?

Answer. Yes, sir.

Question. With a mask on his face?

Answer. Yes, sir; only around his mouth and eyes. The mouths were naked.

Question. They had places for the eyes and mouth.

Answer. Yes, sir.

Question. And all the rest of the face was covered?

Answer. Yes, sir.

Question. Was the chin covered and below?

Answer. Yes, sir.

Question. What kind of a hat had they?

Answer. No hat, but horns.

Question. Did they have a covering for their heads?

Answer. Yes, sir; but the horns were fixed. It looked like rags stuffed with cotton.

Question. Is that the way Kennedy was dressed?

Answer. Yes, sir.

Question. And John McMillan?

Answer. Yes, sir.

Question. All?

Answer. Yes, sir.

Question. What difficulty had John and Kennedy against you, who was living on their father's and uncle's place?

Answer. That was the excuse, that I was bragging that I would have land.

Question. Did they excuse themselves for burning your house?

Answer. They didn't say they burned it. I didn't see them fire it, but it was fired among them. I was above the house.

Question. What was the quarrel between you and Kennedy and John before that?

Answer. None. I can tell you one thing: I hired him my son. He promised me \$3 a month for him. I took him away from him. He had promised him \$3, and didn't stand up to his promise, so I took him away, and I 'lowed he held that against me. I sent him down to the railroad, but he ran away and went back.

Question. Is Robert McMillan a respectable man there?

Answer. He always treated me very well.

Question. Does he own a farm there?

Answer. He has a large farm there.

Question. How did you come to be named Lucy McMillan?

Answer. I was a slave of Robert McMillan. I always belonged to him.

Question. You helped to raise Kennedy and John?

Answer. Not John, but Kennedy I did. When he was a little boy I was with him.

Question. Did he always like you?

Answer. Yes, sir. They always pretended to like us.

Question. That is while you were a slave?

Answer. Yes, sir, while I was a slave, but never afterward. They didn't care for us then.

Question. But they gave you a house?

Answer. Bob gave me a house to live in; but that was the only excuse.

Question. But you say that they have never excused themselves for it?

Answer. I say they have no excuse against me, but they didn't like my coming there.

Question. How do you know?

Answer. They talked a heap to me about it. I went to the house and they told me, "I don't want any of your d——d radicals to come about me."

Question. Who was it that said so?

Answer. That was the children.

Question. Kennedy is twenty years old?

Answer. He is not the one that said it.

Question. Who did?

Answer. Marcus did.

Question. How old is Mark?

Answer. Seventeen years old.

Question. Was Marcus along that night?

Answer. No, sir. He said he didn't want any d——d radicals about. As I went past where they were digging taters, he said, "I don't want any of your d——d radicals about me."

Question. You went there afterward often?

Answer. No, sir, not often after that.

Question. Didn't you neighbor with your old master afterwards?

Answer. I went there sometimes.

Question. Were you living in his house?

Answer. Yes, he had built it.

Question. So that Kennedy McMillan burned his father's house instead of your house?

Answer. I can't say he burned it, but he was there.

Question. You believe he burned it?

Answer. I sort o' have an idea that he had a hand in it.

Question. Do you not want us to believe it?

Answer. Yes, I want you to believe what is right.

Question. Do you believe it?

Answer. I don't know whether to believe it or not, but he was there.

Question. What sort of a house was it?

Answer. Just a small house.

Question. Built of what?

Answer. Of logs with a rock chimney to it.

Question. You say you saw four men coming down?

Answer. Yes, sir; I saw them going down to the house.

Question. What time of night was it?

Answer. About two or three hours before day on Monday night.

Question. How far were you from the house when they passed?

Answer. I don't know how far.

Question. A quarter of a mile?

Answer. No, sir; not so far.

Question. Half a quarter?

Answer. Yes, sir; I reckon.

Question. Where did you go then?

Answer. I run further up the hill a little from the house.

Question. Could you see the house?

Answer. I could see them all down there.

Question. What sort of a night was it?

Answer. A moonshiny night. The moon was shining bright.

Question. What did they do when they come down there?

Answer. Just hollered "Hi! Yi!" like they were hissing a dog on, and shooting off their pistols one after the other.

Question. Did anybody else go down?

Answer. Yes, sir; a good many others. They were riding; these were walking.

Question. How many more went down with them?

Answer. I don't know how many more. Some came in from out to old Bill Goodwin's.

Question. How many did you see at and around the house?

Answer. I didn't count any except those I knew.

Question. Why didn't you count the others?

Answer. I didn't know them.

Question. You could have counted them without knowing them?

Answer. I didn't think to count them.

Question. How many altogether; a dozen?

Answer. Yes, sir; I reckon.

Question. How long did they stay?

Answer. About half an hour, beating and mashing the house and then all was still.

Question. How beating it?

Answer. Beating on the door. At first they hollered to open the door.

Question. If they wanted you away they could have got you out without burning the house?

Answer. Yes, sir; if they had told me to go away.

Question. What was it worth?

Answer. I don't know.

Question. Had it a floor?

Answer. Yes, sir.

Question. Had it a chimney?

Answer. Yes, sir; a rock chimney.

Question. How many rooms.

Answer. One room.

Question. Was it tight?

Answer. The logs were not very tight.

Question. What sort of a roof had it?

Answer. Four feet boards.

Question. Nailed on?

Answer. Oak boards.

Question. Was it a good roof?

Answer. Yes, sir.

Question. Was there a garret or loft in it?

Answer. No, sir. There was a place made to put a loft in but there was no loft in.

Question. Was there a floor above?

Answer. No, sir; only two or three planks.

Question. There was a good floor in the house and a rock chimney?

Answer. Yes, sir; a good floor in the house.

Question. And you think these boys burned that house?

Answer. I think they did. I think they burned it.

Question. You saw them stay half an hour?

Answer. Yes, sir; they staid an hour before they left. The house was not quite burned down at daylight.

Question. Was it made of dry logs?

Answer. Yes, sir. It was a dry time then.

Question. How did you know Kennedy McMillan?

Answer. I knew him. I raised him. I heard his voice talking.

Question. You would know him in his ordinary dress, but he was in disguise?

Answer. I knew his voice.

Question. You are positive?

Answer. Yes, sir; I am as satisfied as can be.

Question. No doubt at all?

Answer. No, sir; no doubt at all.

Question. If it cost him his life you would swear to it because you know it was him?

Answer. I know it was him.

Question. And John McMillan?

Answer. I know him perfectly well. I heard them talking when they came by, I knew their voices perfectly well.

Question. Even the shape of his body was hidden by the robe, and the mask was over his face?

Answer. Yes, sir; but I knew his walk and voice.

Question. What sort of a walk.

Answer. A long step; tolerably tall boy and slim.

Question. Does not any man that is slim make long steps?

Answer. Yes, sir; but I knew him. I knew it. I knew it.

Question. How do you know it was John?

Answer. He is a little, low fellow. A low man. I know his voice, and he didn't talk about as anybody else. I knew John McMillan and Bill Bush. I have worked with them too much. I don't care what they put upon them, I know them.

Question. After this house was burned old Robert McMillan did not build you another house?

Answer. No, sir.

Question. You did not like that much?

Answer. No, sir; I'd low'd he could do as he please.

Question. Did you not think that as you had been his slave he ought to have built you a house?

Answer. I thought as I had worked for him so long and lost my living for him that he ought to give me a chance to live.

Question. Because you have been his slave and they liked you, and because the house was burned, and because Robert McMillan did not give you another one, you think hard of him?

Answer. I didn't think they treated me right about it, burning me out in that way.

Question. Did you ask him about it?

Answer. No, sir; I never spoke about it; I am afraid to stay in the settlement.

Question. Have any persons told you that they thought Kennedy and those other boys burned it?

Answer. Yes, sir. Sally Bush said on Tuesday after the house was burned, the next Tuesday week I went down to my house, and John Hunter she said, came up to little Bob McMillan in a hurry, and says to little Bob that I accused him of burning my house down, but I never said a word about John burning the house, and little Bob said, "Well, if you burned it, you will have to bear the burden of it."

Question. Did anybody else tell you that Kennedy and those boys burned it?

Answer. No, sir. Halie McCrary told me that Harriet Hunter told her that John Hunter burned it. She is a sister of John Hunter's wife.

Question. John Hunter is the negro man who was there?

Answer. Yes, sir; she says Kennedy burned it.

Question. How did she know it?

Answer. I don't know. She said Halie McCrary said if I had gone to her she would have told me who burned it down.

Question. Halie McCrary is a colored woman?

Answer. Yes, sir.

Question. And she said that Kennedy and those others burned it?

Answer. Yes, sir; she says Harriet Hunter told her so.

Question. Why did they have John Hunter along?

Answer. I don't know. He wanted to be a Ku-Klux, too. I suppose he thought it was a pretty name.

Question. Was he disguised?

Answer. Yes, sir; he was along with them that night.

Question. Was he dressed like the rest of them?

Answer. Yes, sir.

Question. Disguised with a mask over his face?

Answer. Yes, sir, with fixings on his face?

Question. With horns on his head?

Answer. Yes, sir.

Question. How did you know him?

Answer. I knew John Hunter by his voice and all. He is a small man. I know his voice talking just as good as can be.

Question. You are satisfied about all these facts?

Answer. I am satisfied it was John.

Question. Why did you not sue these men for burning this house?

Answer. I don't know how to sue them; I came down here and reported them. I didn't know anything about suing.

Question. Who did you report them to?

Answer. Mr. Fleming, I believe, is his name.

Question. How long after the fire?

Answer. On Wednesday; the house was burned on Monday.

Question. What did Mr. Fleming say?

Answer. He told me that he would arrest them.

Question. Did he do it ?

Answer. No, sir.

Question. Have you seen him since ?

Answer. No, sir.

Question. Is he a government officer ?

Answer. I don't know. They told me to go to him.

Question. You went to him on the Wednesday afterwards, and he said he would have them arrested ?

Answer. Yes, sir.

Question. And he has never done it ?

Answer. No, sir.

Question. You have never seen him about it ?

Answer. No, sir.

Question. Where do you live now ?

Answer. Here in town.

Question. With whom ?

Answer. I am just washing and living as I can.

Question. With whom ?

Answer. With a woman down on the road.

Question. You have seen Mr. Fleming often ?

Answer. Yes, sir; I have seen him.

Question. Did you ever ask him why he did not arrest these men ?

Answer. No, sir.

Question. You didn't care ?

Answer. Yes, sir, I did care, but I didn't think anything was done, and I gave it up.

Question. Did you not know you could put those men in the penitentiary ?

Answer. I didn't have sense enough to know anything about the law; I didn't know anything about it, but they told me to go to that man.

Question. Whatever Mr. Fleming thought about it when he said he would arrest them, the fact is he has not arrested them since ?

Answer. No, sir, he has not.

Question. Where were these boys when you first saw the fire—Kennedy, Billy Bush, and Hunter ?

Answer. They were all at my house when the fire first rose.

Question. When you first saw the fire, where were these men ?

Answer. They were down at the house. They staid there until they got it to burning, and then they all left after the house was burning.

Question. You said you reckoned they left ?

Answer. They did leave.

Question. Did you see them leave ?

Answer. I did; some would go this way and some went that way.

Question. Was the house ablaze ?

Answer. Yes, sir.

Question. All over ?

Answer. Yes, sir, all over.

Question. You did not try to put it out ?

Answer. No, sir.

Question. How many men did you see ?

Answer. I don't know how many.

Question. Did you see them riding in the light of the burning house ?

Answer. They just went off from the house on horseback.

Question. Where ?

Answer. Some passed me, and some went out the other road.

Question. They all came from one direction ?

Answer. No, sir; some came from one way and some from another.

Question. Where did they meet ?

Answer. At my house. I reckon they must have had it made up; some came down the river, and some from the other way.

Question. Did they all come at once ?

Answer. They all met there.

Question. Did they come down together or scattering ?

Answer. They were coming down the road all together.

Question. Those that passed you on the road when you went up on the hill were all together ?

Answer. Yes, sir.

Question. Were Kennedy and John McMillan and Billy Bush with them ?

Answer. Yes, sir; they were all talking together.

Question. In what direction from them was Robert McMillan's house ?

Answer. Right the way they came.

Question. So they must have come from it ?

Answer. Yes, sir; or from Johnny's or from somewhere there.

Question. All this is a true tale you have told?

Answer. Yes, sir.

Question. The whole thing?

Answer. Yes, sir; I am not going to tell a lie for anybody, because it is no use.

Question. You know you have been sworn to tell the truth?

Answer. Yes, sir.

Question. Do you know what the consequences will be if you do not?

Answer. I know the consequences will be with me at the day of the resurrection, that I must be just and He will be just to us all.

Question. You are satisfied that you are doing justice to Kennedy McMillan, a boy you helped to raise, a son of your-old master, when you say that he went down there and burned your house?

Answer. Yes, sir; because I know he had no cause to interrupt me. |

By the CHAIRMAN:

Question. Did you and your husband both belong to the same master?

Answer. My husband belonged to Joe Berry Prince, and I belonged to George Fisher, and he brought me to this town and sold me to John Lee, and I got away and laid in the bushes three months, and Robert McMillan bought me.

By Mr. STEVENSON:

Question. Who is John Hunter?

Answer. He used to belong to Patton Hunter. He was killed for robbing. John was along with him, but John got away and came down to South Carolina.

Question. Killed for what?

Answer. Robbing people. His master was killed for robbing, and they said he was along with him when they shot his master, and he run away to South Carolina.

Question. Where did his master live?

Answer. In Columbus, down in Polk County, North Carolina. John run away and has been down here since.

Question. Has John Hunter any politics? What party does he belong to?

Answer. I don't know what you mean by party.

Question. Is he a radical or democrat?

Answer. He voted the radical ticket, but he has turned.

Question. When did he turn?

Answer. He turned from radical I reckon; at least he went with the Ku-Klux.

Question. When did he vote the radical ticket?

Answer. Last year when they were voting, he slipped around and voted. He didn't want the white folks to know how he voted.

Question. How do you know?

Answer. That's what they said. He slipped around and they asked him what he slipped around for, and he said he had a great mind not to vote. I don't know whether he ever turned, but he is a Ku-Klux. They all call him a Ku-Klux.

By Mr. VAN TRUMP:

Question. Who said so?

Answer. They all say it. I saw him with them not only that night, but other people see him, as well as myself. Mr. Donnegan said he understood about John Hunter being a Ku-Klux, and his father-in-law said he believed John Hunter whipped him.

Question. Could you not tell all the mystery about the Ku-Klux?

Answer. I don't know as I could.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

WILLIS SMITH (colored) sworn and examined.

By the CHAIRMAN:

Question. Do you live in this county?

Answer. Yes, sir.

Question. In what part?

Answer. Limestone Township.

Question. How long have you lived there?

Answer. I have been living there almost all my life.

Question. How old are you?

Answer. About twenty-five.

Question. What is your occupation?

Answer. About this business?

Question. What do you follow? Are you a farmer or a mechanic?

Answer. I am a farmer.

Question. Whose land do you live on?

Answer. I am living on Quinn Camp's place this year. Dr. Lee Smith rented it and got me to tend it for him.

Question. Have the Ku-Klux come to you at any time?

Answer. Yes, sir, they came to me. I was at a gathering one night and they came there. I was there and they ordered me out, to come out that night, and they took me out and they whipped me a great deal.

Question. At a gathering?

Answer. Yes, sir, I was at a gathering one night.

Question. Were you ordered out from the gathering?

Answer. No, sir; they ordered me out. The Ku-Klux ordered me out of the gathering. I was asked to a party to play the fiddle for them.

Question. Were you ordered out from the gathering?

Answer. The Ku-Klux, they ordered me and several more from the gathering.

Question. Who were they?

Answer. I really don't know who they were; they were disguised and I could not tell. It was dark in the house. I was nearly through. They come just as we were about to break up.

Question. Do you mean the Ku-Klux came to the gathering?

Answer. Yes, sir, they came there themselves and asked for me.

Question. Where was this gathering?

Answer. Over to widow Smith's. They took me out and asked me what principle I was. I told them I was a man tried always to go as far as was right. They asked me whether democrat or radical. I told them that I had been so far a radical in principle. They said that was what they were hunting for. They were hunting for democrats. They wanted to whip all the democrats they could find. I told them I had been of that principle, the radical principle, since it was first come out; for that reason I followed it so far; but I didn't want to follow a thing that was leading me wrong, and I told them that I was perfectly willing to have no more to do with it and throw it up. They told me they would take me on up anyhow, and I really take my oath I didn't know any of them at all, not a man of them; but they did it.

Question. Did they whip you?

Answer. Yes, sir, they whipped me; and they broke my fiddle all to pieces and smashed it up. I don't know what man did it. They had me out of doors with that crowd around me.

Question. How did they whip you?

Answer. Three or four of them made me stand in a place and four or five whipped me at once.

Question. With what?

Answer. With brushes and with common switches as big as my thumb, and some as big as a chair-round.

Question. How many were there?

Answer. I couldn't give you any idea. I had an opinion so far, but I never undertook to count them, for I didn't have time. I thought there might have been about twenty-five right there present.

Question. How many were there at that gathering?

Answer. I don't know how many. Several of us were at the gathering. I never have inquired to know how many there were.

Question. Did they come into the gathering where you all were?

Answer. Yes, sir; they come right into the house. I was sitting back and they come right into the lot, right over the corner of the house, and ordered "Close up, close up, there are some in here;" and they run in two or three in the house, and tore the door down and bulged it in and ordered us to come right out, and I laid my fiddle down and come out.

Question. Were those people at the gathering where you were playing the fiddle white or colored?

Answer. They were colored people.

Question. Did they take out any others?

Answer. The same night?

Question. Yes.

Answer. O, yes, sir; they took at least five or six of us out and whipped some of them.

Question. Who else was whipped beside yourself?

Answer. Jake Montgomery and Curtis Lipscomb, and Pete Hines, and another little fellow named Bud Garrison, and I think there was one or two more, or several more; but I hate to make mention of things I don't understand.

By Mr. VAN TRUMP:

Question. Is it right that you should do so?

Answer. I don't want to give no opinion I don't remember of.

By the CHAIRMAN:

Question. Were these men that you have named whipped?

Answer. Yes, sir; they were certainly whipped.

Question. How do you know?

Answer. I was right present.

Question. Were you together?

Answer. Yes, sir; all right together. They ordered us all out together, and we all went out together, and they whipped us. They whipped me and one fellow together, and they took the brush they whipped the other fellow with and they made him whip on me and they whipped on him. That is true.

Question. What did they say they were whipping these other men for?

Answer. I don't know, exactly; but I did hear them say one or two words, and I have really forgotten, for I didn't want to get in business I am not capable of answering for. If you fetch them up they can answer. I never heard them about Ku-Klux, but I have heard others say they said a couple of words; but I have never been at the place or said much about it. After they whipped me I laid down things and have not done much. I thought I would stay at home. If they had gatherings and they asked me to play the fiddle, I would not go to get a beating. If they beat me they must beat me at home.

Question. Have they troubled you since?

Answer. No, sir. That was the first time I ever saw one.

Question. Where have you been living since?

Answer. Right there, at the place where they whipped me.

Question. Have you felt safe since?

Answer. I have not felt safe. I didn't know what they might do. I have heard of their whipping some of them over again; and I didn't know but they might whip me again. The way it was going on any man would be scared.

Question. Let me understand your expression. Do you think these whippings are like the measles, and only come to a man once?

Answer. They didn't threaten me any way at all; but after they got hold of me once it got me on a threat. I don't say they made a threat to me. I won't swear it.

Question. You have heard of their repeating it?

Answer. Yes, sir; among others, but not me. That is the reason I said I don't know what they might do with me; but I never heard them make any threats to me.

By Mr. STEVENSON:

Question. How many colored men were at this gathering, or shucking?

Answer. Me, and Jake Montgomery, and Curtis, and a fellow named Green Peeler, and Swan McUpson—that was his own house—

Question. State about how many there were without giving the names. Were there twenty or thirty of you together?

Answer. No, sir.

Question. How many were there?

Answer. I can't tell you, really, as I have said.

Question. Did this break up the meeting?

Answer. Yes, sir; it broke it plumb up. It never went on no more, and I reckon will not down there unless times get better.

Question. Did they whip them all?

Answer. They did, pretty generally. I don't think they whipped them all, but they kicked them about and knocked them about with their feet, but didn't whip them.

Question. Did they scatter them?

Answer. Yes, sir.

Question. Did they say they were looking after democrats to whip them?

Answer. Yes, sir; they said that.

Question. Were you a democrat?

Answer. I was not at the present time.

Question. Are you now?

Answer. I am not, I hate to say. I don't know what sort of notion I will have to do. I was not at the present time.

Question. How were the rest of them that were whipped?

Answer. I think they were all pretty much of the same notion I was, of the grown fellows.

Question. How are they now?

Answer. I have not asked a word since. Some of them were saying if it kept on the same they could not be radical; if the radicals were going to be friends to them it was time they were putting out, for they were being knocked about and beat up for the principle, and they took up with it when it first came up, and it was wrong to put it down. I think if it is a right thing to go on, and if it is not a right thing a man should not undertake it.

By Mr. VAN TRUMP:

Question. Have you been in the habit of making speeches in the Loyal League?

Answer. No, sir.

Question. You were talking about principles so much in that oratorical kind of way that I thought you might have been making speeches.

Answer. No, sir; I have made no speeches, but I have read a good many. I think I have told what I know of the business.

Question. Where was this ball given?

Answer. At the Widow Smith's.

Question. A white woman?

Answer. Yes, sir. It was on her premises.

Question. In her house?

Answer. No, sir; on her premises.

Question. Were you there fiddling?

Answer. Yes, sir.

Question. How did these Ku-Klux fellows come in on you there?

Answer. They came like any other man would come to a house.

Question. Did they all come in at one door?

Answer. Yes, sir; there was but one door. They all come to the door outside and stood around.

Question. Did you see them before they got to the door?

Answer. No, sir; the door was shut when they came, and they threw the door off the hinges.

Question. How did they do it; quickly or violently?

Answer. They threw it off the hinges—iron hinges. My brother put them there. It was no trouble to take it off the hinges.

Question. Did they knock it off or lift it off?

Answer. They come up and halted close up before they touched the door.

Question. Were they dancing while they were shooting at the door?

Answer. Yes, sir. They stopped it as soon as they fired. There was no dancing after they fired.

Question. And immediately the door fell in and these men came in?

Answer. Yes, sir. I stopped fiddling as soon as he began firing, and they hallooed, "Close up," and two or three men came and took the door off its hinges.

Question. Were those men all on foot?

Answer. Yes, sir, when they came.

Question. You did not see any horses anywhere?

Answer. No, sir.

Question. Do you think there were as many as twenty-five?

Answer. Yes, sir; as high as twenty-five.

Question. Why do you think there were that many precisely, when you cannot think how many there were of your own party?

Answer. I said it looked like there might be. I don't say it for a man to take it as the firm truth, but tell you as you ask me. You asked me for what I knew about it; but to tell you I knew them I could not tell.

Question. Did they all come into the house?

Answer. No, sir.

Question. How many did come in?

Answer. I can't answer. They came in as high as four and ordered us all out doors. I don't know how many went in, for I never went back.

Question. Do you say that as many as four came in and ordered out eight, or ten, or twelve colored men?

Answer. Yes, sir; four men came in the house and said for us after they got in—one of the Ku-Klux said, "What will we do with these men?" and he said, "We'll order them out, and take them up with us, and whip the last one of them."

Question. They took you and the four, Curtis, Montgomery, and Bud Garrison, and Peter Hines?

Answer. Yes, sir; and they kicked Swan McUpson and kicked Green Peeler.

Question. Why did they not take the others?

Answer. They were every one small fellows. I say I don't know; they maybe whipped as high as six or seven.

Question. How many did they take out of the house and march off?

Answer. That I can't answer. As high as six or seven, I think, in all.

Question. Did you say a while ago it was eight or ten?

Answer. In all, eight or ten—women and all—in the house. I didn't mean eight or ten men. I said six or seven good-sized fellows, and eight or ten, women and all, in the house.

Question. How many women were there?

Answer. There was four; but they never touched any of them. I never saw that. I heard some one say they smacked one of them, but I didn't see it.

Question. You say there were some little ones there—little boys?

Answer. Yes, sir; most of them were small fellows.

Question. Who got up that dance?

Answer. Swan McUpson. It was at his house.

Question. He only invited six or seven of you colored men around there?

Answer. Yes, sir; I don't know how many he invited. He sent me word to come and play the fiddle.

Question. You do not know that he invited more than were there?

Answer. No, sir; I don't know whether all he invited were there or not.

Question. Do not you know that that ball, or dance, gave dissatisfaction to quite a number of colored people; that he insulted quite a number of colored people; and that they felt out of humor by not having been invited?

Answer. I reckon not.

Question. Do not you know?

Answer. I don't know it. I never had a chance to know. I don't think he insulted any of them, for he asked all around, as far as I know.

Question. How many did he ask that were not there?

Answer. I never heard of his asking; but from what I was told he asked a good many, and several he asked didn't come.

Question. Why did not you answer that a while ago, when I asked you, and you said you did not know that anybody else was invited than those that were there; but now you say a number were asked who did not come?

Answer. I mustn't have understood you then.

Question. You may correct yourself now.

Answer. That is so.

Question. You know he invited quite a number who did not come?

Answer. Yes, sir; but I don't know who they were.

Question. Do not you know that quite a number of colored people in that neighborhood made a fuss because they were not invited to that dance?

Answer. No, sir; I don't know it.

Question. Was Swan McUpson among those taken out by the Ku-Klux?

Answer. Yes, sir.

Question. Why didn't you think of him a while ago?

Answer. I called him over.

Question. No, you did not.

Answer. He was one I named to you; one I counted over to you.

Question. Not quite. Think of that again. You named Pete Hines, Jake Montgomery, and Bud Garrison, and Curtis Lipscomb?

Answer. Yes, sir, and Swan McUpson.

Question. No, sir; not quite. Think of that.

Answer. I didn't wish to come up here to tell anything but the truth, and I don't aim to do it.

Question. You are telling the truth now when you say that he was whipped?

Answer. Yes, sir; he will say it himself.

Question. Was he severely whipped?

Answer. Right smart. I have not had a word with him since that.

Question. You say when they first came in you laid down your fiddle?

Answer. Yes, sir.

Question. Where?

Answer. Down by my side; and when they ordered me up I took my fiddle and laid it on the bed.

Question. And then they took you out and whipped you?

Answer. Yes, sir; and ordered me off.

Question. Did they go back in the house again?

Answer. After they whipped us?

Question. Yes.

Answer. No, sir; I don't think they came back again.

Question. When did they break your fiddle?

Answer. Before they left the house.

Question. You just said that you laid it on the floor, or on the bed, and then they took you out?

Answer. It was the same time. I laid my fiddle on the bed—this way—and they ordered me out; and just as I got out they did it.

Question. Why did not you state that when I asked you about the fiddle?

Answer. Didn't I?

Question. No. You stated in answer to the chairman that the fiddle was broken by the Ku-Klux, but you stated to me that the fiddle was laid on the floor, and that when you were taken out you laid it on the bed, and they took you out and whipped you, and then they broke the fiddle?

Answer. Yes, sir.

Question. Why did not you tell me that long before ?

Answer. I tried to answer as right as I could.

Question. Did you know any of these men ?

Answer. No, sir.

Question. They were completely disguised ?

Answer. Yes, sir. I don't believe I should have known them if they had come in the day-time.

Question. You cannot tell whether they were black men or white men ?

Answer. No, sir. I have said all the time that I never knew them, and I aim to die so.

SPARTANBURGH, SOUTH CAROLINA, July 10, 1871.

JAMES GAFFNEY (colored) sworn and examined :

By the CHAIRMAN :

Question. Do you live in this county ?

Answer. Yes, sir.

Question. In what part of it ?

Answer. In the upper edge by North Carolina ; the other side of Pacolet.

Question. How long have you lived there ?

Answer. I have been living there five years.

Question. Were you raised in that part of the country ?

Answer. No, sir ; I was raised down, not far from Cherokee Ford Iron Works, at Widow Gaffney's, where I was born.

Question. What business do you follow ?

Answer. Farming.

Question. Are you working as a hand or have you land rented ?

Answer. Land rented.

Question. Have you at any time seen the Ku-Klux ?

Answer. Yes, sir.

Question. When ?

Answer. I saw them Monday night two weeks ago.

Question. Go on and tell us what you saw and what they said and did ?

Answer. They came in. I was lying down, and I heard something coming. I raised up, I was about half asleep, and I just shut my doors and never did a thing. They came to the door and pushed and tore, and both doors flew open. They run in the house and I jumped up and run out of the house and got away. My wife was in there and made a fuss, and so I came back, and then they got me and took me off from the house, and hit me five or six times about the head with a pistol. Then they took me off. One said when they hit me, "Don't abuse him in that way !" They took me up in the woods, and laid me down and whipped me up there.

Question. Whipped you with what ?

Answer. With hickories.

Question. How much did they whip you ?

Answer. About forty licks, I reckon.

Question. Did they tell you why they were whipping you ?

Answer. Yes, sir.

Question. What did they say ?

Answer. Because I voted like I did. At the last corn gathering they had had a dispute ; that was at the corn shucking ; and they throwed it up to me.

Question. Was anything else said ?

Answer. That was all, I think. They told me next time I voted I must vote a democratic ticket, and they would not pester me any more.

Question. Did you promise that ?

Answer. Yes, sir ; I told them I would. Me and the fellows at the corn shucking had a dispute, and when I was whipped they threw that up to me.

By Mr. STEVENSON :

Question. What did you say ?

Answer. We were just talking to one another what we would do, and they said I had said I could whip any of them. They threw that up to me.

By the CHAIRMAN :

Question. Have you told what they said ?

Answer. Yes, sir.

Question. How many were there ?

Answer. About a dozen, I reckon ; I never counted them.

Question. Were they disguised ?

Answer. Yes, sir.

Question. How?

Answer. Some of them had dough-faces like you see in the stores, and some had horns. They were soft horns, like they were stuffed with cotton, and were right around the head.

Question. Had they arms?

Answer. They had pistols.

Question. How did they come?

Answer. They rode to within about one hundred and fifty yards, and then hitched the horses and came to the house a foot.

Question. What did they whip you with?

Answer. With some big hickories.

Question. Did it cut your skin?

Answer. Yes, sir; I have got the scars all on my back now.

Question. How much of a family have you?

Answer. Just me and my wife.

Question. How have you felt about these things, in regard to your safety there? Have you felt that you were safe in living there since that time?

Answer. Yes, sir; I have been sort o' uneasy there, ever since they have been there.

Question. What were you uneasy about?

Answer. I was afraid they might come and whip me, or do something to me again. Some of them they had whipped twice.

Question. Did you ever stay out at night from your house?

Answer. Yes, sir.

Question. Why?

Answer. On account of the Ku-Klux.

Question. Was that before or since you were whipped?

Answer. Before I was whipped. I never staid out since I was whipped.

Question. Have there ever been any others in that neighborhood to whom they were doing the same thing?

Answer. Yes, sir; almost all of them of the black ones, and a good many white ones that I have heard.

Question. Did you know any of the men who were at your house?

Answer. No, sir; I never would swear to them. I had ideas who they were; that they were the same who were at the corn shucking.

Question. What corn-shucking?

Answer. At Mr. Bush's.

Question. Did you see enough of them to be able to swear who they were?

Answer. No, sir; I could not.

By Mr. STEVENSON:

Question. You say you promised to vote the democratic ticket?

Answer. Yes, sir.

Question. What did you do that for?

Answer. Just to get off from them.

Question. Do you mean to do it?

Answer. No, sir; I didn't mean to do it when I told them so. I said it to get away from them. I thought if I said I would not, that they might kill me.

Question. Do not you suppose they will kill you if you do not do it?

Answer. I do not know, sir. I didn't aim to do it when I said it. I don't aim to vote any way unless times is better than what I have seen.

By Mr. VAN TRUMP:

Question. How does it happen that you were more afraid before the Ku-Klux came upon you than you have been since?

Answer. They said they would not pester me any more.

Question. You think there were about a dozen of these men?

Answer. Yes, sir.

Question. Were they all masked—disguised?

Answer. Yes, sir; all were disguised with something on their faces.

Question. What was the first thing they said to you when they came to the house?

Answer. "Where is he, where is he; God damn him, where is he?" Some had sort of curious voices.

Question. Are they all swearing fellows?

Answer. Yes, sir; I never saw anybody curse so hard as they did. They pushed one on door and one the other.

Question. Who did they name when they asked "where is he?"

Answer. They never called no name, but said, "where is he?"

Question. And then they pushed, first, the door in?

Answer. They pushed it open and then holloed "where is he?"

Question. Where did they find you?

Answer. I ran out of doors and got plumb off; but I came back, my wife took on so.

Question. Where were they when you got back?

Answer. Some of them were in the house and some around the house.

Question. Were those in the house looking for you or talking to your wife?

Answer. Some were talking to her and some had a chunk of fire looking for me.

Question. What did they say to you?

Answer. They said, "What are you doing out here, you damned nigger?"

Question. What else?

Answer. That is all. They asked me about a gun and pistols.

Question. Why did not you tell that before? Did they ask about guns and pistols before they asked about voting?

Answer. Yes, sir.

Question. Why did you omit telling that before?

Answer. They asked me so many questions I can't tell all they did ask me.

Question. Have not you been told by some white men here that the most important thing for you to recollect was about the voting?

Answer. No, sir.

Question. You have had no talk with white men about that?

Answer. No, sir.

Question. How many days have you been here?

Answer. Five days, I believe.

Question. Are you staying with some of the colored people?

Answer. Yes, sir; in town.

Question. Has any man talked to you about your testimony?

Answer. No, sir.

Question. Not one?

Answer. No, sir.

Question. Have any of the colored brethren talked to you about it?

Answer. Yes, sir.

Question. What did they say?

Answer. Just that I must not tell no stories.

Question. They were cautioning you?

Answer. Yes, sir.

Question. They seemed anxious to keep you straight?

Answer. Yes, sir.

Question. Was not something said about what you should say as to their having talked to you about voting?

Answer. No, sir.

Question. Was it simply because you forgot the matter of the guns and pistols that you did not state that awhile ago?

Answer. Yes, sir; they said so much.

Question. Did they talk with you long?

Answer. Yes, sir; ever so long.

Question. What about?

Answer. About first one thing and then another—pistols and guns, and how to vote.

Question. Did they seem to be after pistols and guns among the colored people?

Answer. Yes, sir; they wanted pistols and guns.

Question. Did they get one from you?

Answer. No, sir; I didn't have any.

Question. Did they seem satisfied when you told them that?

Answer. Yes, sir.

Question. Then you got to talking about voting?

Answer. Yes, sir.

Question. And talked a long while about it?

Answer. Yes, sir.

Question. How long?

Answer. About a quarter of an hour; it was a foolish thing about one thing and another.

Question. Then they took you out and whipped you, notwithstanding you had promised to vote the democratic ticket?

Answer. Yes, sir; I promised that to get away from them.

Question. Did you promise that before or after they whipped you?

Answer. After they whipped me.

Question. Did they ask that before they whipped you?

Answer. Yes, sir.

Question. Did not you tell them the first time they asked you, that you would vote the democratic ticket?

Answer. You ask me how I would vote the first time?

Question. You said that before they whipped you you were talking about how you had voted.

Answer. Yes, sir, I told them I had voted.

Question. Did they not ask you how you were going to vote before they whipped you?

Answer. No, sir.

Question. If they had asked you whether you would vote the democratic ticket before they whipped you, you would have told them so?

Answer. Yes, sir.

Question. You would have been more anxious then to save yourself a whipping than afterward, if possible?

Answer. Yes, sir.

Question. And yet they did not ask you then?

Answer. No, sir.

Question. You are sure of that?

Answer. Yes, sir.

Question. Why?

Answer. Because I know they didn't ask me until after the whipping.

Question. They seemed to think they could get a promise out of a man after a whipping better than before?

Answer. Yes, sir, I suppose so.

Question. Something was said by these men, while whipping you, about the dispute at the corn-shucking?

Answer. Yes, sir.

Question. What was it?

Answer. They got to quarreling, and some throwed corn.

Question. Who did?

Answer. Me and Littleberry Gilbert, and Kinchen Gilbert, and Buddy Pope, and Craig Pope.

Question. All white men?

Answer. Yes, sir.

Question. Were you the only colored man there?

Answer. No, sir, my brother, younger than I am, was there.

Question. Were there other colored people?

Answer. Yes, sir, three or four more.

Question. How many white men were there?

Answer. Kinchen Gilbert, and Bud Pope, and Littleberry Gilbert, and another Pope, and Cragin Pope, and Jim Russell, and Isham Hines, and Rufus Colman, and George Ezell, and Tom Linder.

Question. Did you all get in the quarrel?

Answer. Yes, sir.

Question. All the white people against you two colored people?

Answer. Yes, sir.

Question. Did you get into a big quarrel?

Answer. Yes, sir; they were quarreling mightily for awhile, and some of them got that stopped.

Question. Eight or ten white men?

Answer. Yes, sir, more than that.

Question. You and your brother got into a quarrel with them?

Answer. Yes, sir. My brother throwed corn back and they started to jump on him.

Question. You got pretty nearly to fighting?

Answer. Yes, sir.

Question. And you two were disposed to fight that whole crowd?

Answer. Yes, sir; but none of the rest said anything.

By Mr. STEVENSON:

Question. What Russells were those?

Answer. Barney Russell and Jim Russell were at that corn-shucking.

Question. What Barney Russell?

Answer. I've heard he is in jail now. Both of the brothers were there.

Question. What were you shucking corn for?

Answer. Mr. Bush had a corn-shucking, and we were all at the corn-shucking.

By Mr. VAN TRUMP:

Question. It was a corn-shucking frolic?

Answer. Yes, sir.

Question. A large crowd of white men?

Answer. Yes, sir.

Question. And you two colored men only?

Answer. No, sir. We two were the only ones in the fuss, but there were more colored people there.

SPARTANBURGH, SOUTH CAROLINA, July 11, 1871.

JOHN WINSMITH sworn and examined.

By the CHAIRMAN :

Question. Doctor Winsmith, how long have you resided in this county ?*Answer.* Sixty-eight years.*Question.* Are you a native of the county ?*Answer.* I am. I was born sixty-eight years ago.*Question.* In what business or profession are you engaged ?*Answer.* I am a planter and a physician.*Question.* We have been informed, doctor, that you have been visited at your plantation in this county—*Answer.* At my residence.*Question.* By some men in disguise. We desire that you will state the circumstances connected with that visit to your house. First give the time.*Answer.* I believe it was on the night of the 22d of March last. My house is inclosed with a fence, and the front part of the house is separated by a paling from the back part where my chamber is, which opens on a portico overlooking the back yard. Between 12 and 1 o'clock I was awakened by a noise in the back yard. I generally, when I hear anything, go out and look, and I did so at that time, going out in my night-clothes. Just as I opened the door I saw two men standing there, and I heard a loud noise in the front piazza of kicking and knocking at the door, evidently by a good many persons. Two persons were standing within about eight feet of my portico in the back yard. Both were disguised. One was a large man; the other was a small man. The larger one, from his voice and movement, may have been between thirty and forty years of age. I do not think the smaller one was so old from the manner in which he moved. As soon as I opened the door the larger one hallooed, "Come around here, boys; here's the damned rascal." I stepped back immediately. I had a couple of single-barreled pistols lying on the bureau or in the drawers in my chamber. I have had them thirty years. I picked them up, and cocked one of them, intending to shoot them down right then, but my wife was asleep, and as I went out I pulled the door to so as to make as little noise as possible. I suppose they saw the pistols as I came out, for they both ran around the house about twenty feet to the corner. I jumped out and fired after them as they went around the corner—not more than twenty or twenty-two feet from me—with one pistol. It was a very dark night. The two were running together. The large one, who had called the others, started first, and the little one after him. I had a good aim on them and am accustomed to shooting pistols. I could only have missed them by their not being right together, and by its being so dark that I could not see them plainly. I do not think I could have missed them except by their being so that the ball passed between them. One of the party was afterward heard by my wife to say, when they asked him if he was hit: "He shot through my clothes." I did not speak a word to them. Those two were all I saw.*Question.* How many others were there ?*Answer.* When these ran I heard the crowd coming in from the front yard by a gate which opens through. I turned to meet them with the other pistol, and intended to get near enough to kill one of them. They began to fire at me as I went down the walk which separates the front from the back gate. They hit me several times, but I saw nobody and went on. I expected certainly to meet them at the gate; there was nobody there when I got there, but still they kept up the firing; all were ahead of me. I discharged my last pistol at the flash of a gun under the hedges. I suppose it was at some person, though I shot merely at the flash of a gun. The others were all ahead. I saw only those two that I have mentioned; the others were hidden under hedges and by the corners of the house and the cover that could be found in the yard. One of them must have been lying down, as he shot me in the thigh. The ball entered near the bone and went out about three inches higher than the point at which it entered, so that he must have been lying on the ground when he fired. The ball went clear through the thigh, and very near the bone, but without touching it.*Question.* In how many places were you struck ?*Answer.* Seven balls hit me; one went through this arm above the wrist and broke one bone. One made a flesh-wound just through the elbow, and five went through the body from the hips down; one in the abdomen.*Question.* Was your life in danger by these wounds ?*Answer.* It certainly was.*Question.* Were the wounds of such a character as to endanger your life ?*Answer.* Yes, sir. The two physicians who were there said they did not think I could recover at all.*Question.* How were those two men dressed whom you saw ?*Answer.* They had on disguises; one of them was dark, the large one particularly so; the other one I could not see plainly, it was so dark; both were disguised.

Question. In what manner were they disguised?

Answer. With the faces covered up; they had coverings over them, but it was a very dark night and I couldn't tell colors.

Question. At what time of night?

Answer. Between 12 and 1 o'clock.

Question. Was there anything else occurred than that which you have given to us?

Answer. Yes, sir.

Question. What?

Answer. They said—but this was not said in my hearing, for when I fired the last pistol, I felt so badly shot that I could not stand, and I didn't think proper to go back into the house, but fell back into the open place behind my kitchen about a hundred yards, and by the time I walked there I had to lie down, for I should have fallen. I lay down there and was unconscious for a moment; I suppose I fainted, I don't know how long. The wounds bled very profusely. As soon as I got up I hallooed for the servants; nobody answered, until an old negro woman at last came; the men had all run off. There were some men about the yard, but they had all run off. The old negro woman then informed my wife and had some other negro women to come. They brought some sheets out and rolled me over on them, and, carrying me into the house, laid me down. My wife went for a physician three-quarters of a mile; there was nobody else to go, for the negro women were afraid to go.

Question. Was anything else said by these parties?

Answer. When I went back they did not attempt to follow me. They broke open the door of the chamber which my wife had locked and went in; my wife was in the adjoining room; she had lit a candle and put it in that room, but was herself sitting in the dark room adjoining. Seven or eight of them came into the lighted room; they were disguised. She went in there and they all went out; they were peeping about under the bed and in the drawers.

By Mr. VAN TRUMP:

Question. Who was she?

Answer. My wife. All went out except one, who appeared to be the spokesman, and he said, "We came after this man Winsmith, this radical." She said to him, "If you are after my husband and say he is a radical, I will tell you what, perhaps, I ought not to say, but you tell a lie; he is no radical; he is a conservative and not radical in anything." Said he, "Why does he act with the radicals, then?" She did not reply. Said he, "If he is not, why don't he come out in the newspapers and say so?" She did not reply. Said he, "He is in favor of social equality with the negroes." She did not reply. Said he, "You have arms in the house?" She answered, "If we have arms, go and get them." "Well," said he, "the negroes have arms." "Why don't you go and get them from the negroes, then?" she said. "The negroes say you have arms in the house," said the man. "Tell the negroes to go in and get them, then, if we have them." The one that was standing out, the large one, said, "Don't stand in there talking; let us go." When he got to the door he said, "We are a rough set of boys; we are a rough set of boys; we'll be back again," and off they went.

By the CHAIRMAN:

Question. This conversation between your wife and them was reported to you by her?

Answer. Yes, sir; immediately afterward.

Question. Does that embrace all that was said?

Answer. Yes, sir; all that was said; she heard more; she heard a large number talking out in the yard, evidently talking among themselves; there was where one of them said, "He shot through my clothes."

Question. Meaning that you had shot through his clothes?

Answer. Yes, sir. They asked him if he was hurt.

Question. Did you recognize either of the two you saw?

Answer. No, sir; for it was only that one word or expression that I heard them use; it was a very dark night, and I do not see very well at night; when I went out they ran.

Question. Had you been taking such part in the political affairs of the State or county as to identify yourself with either party?

Answer. I voted for Governor Scott in the election for governor.

Question. What had been your previous action in political life?

Answer. Well, sir, we never had had democrats or republicans in South Carolina; it was something new; we all acted together heretofore; we had at one time nullifiers and secessionists and Union men.

Question. You are a native South Carolinian?

Answer. I am a native of South Carolina, and if any man should say that I was not as true to the country as any citizen of South Carolina, I would tell him that he said what he knew was not true. But I am not in favor of ultraism. I so voted in

the canvass for governor and said so at the court-house. I was opposed to secession, but when the State had seceded I was as true as any man and contributed more for the support of the war than any other man in this district.

Question. Since the war had you been in office?

Answer. No, sir. When I voted with the republican party I was requested or asked if I would not have office, and I declined, as you will see in the file of the Union published here about the time, which stated that I was conservative—was a very moderate republican, and had refused to accept any office.

Question. Had you advocated what they attributed to you in this conversation with your wife—social equality with negroes?

Answer. Far from it.

Question. Were there any arms in your house?

Answer. No, sir, except my own private arms, and an old rusty gun in possession of a negro that he bought soon after the war. It was not worth a cent and would not shoot.

Question. Were they asking for arms belonging to you?

Answer. No, sir. I am thoroughly satisfied that it had been circulated by one or two malicious persons, who had some spite at me, that I had got arms to put them in the hands of the negroes on the place; I have no doubt about that, and I have no doubt of this, said having been made in consequence of that having been circulated through this organization, though I have no particular evidence of that.

Question. Something has been said in connection with this transaction concerning the roads in the neighborhood of your house having been picketed that night with negroes.

Answer. I have no doubt it is utterly false; I have never heard it before; there is no such report in that neighborhood at all; it is utterly false; the negroes were as unsuspecting as I was, never dreaming of anybody coming to my place. The roads were not picketed; this party came openly; there are plenty of persons to prove it; they came by Glen Springs openly, though they were disguised.

Question. Give any information you have, which you believe to be reliable, as to the whole transaction.

Answer. They came about thirty in number by Glen Springs, a public place, a watering-place. At the door, some who were ahead stopped, and one or two got down in the piazza and did not appear to be shy.

By Mr. VAN TRUMP:

Question. Was this in the daylight or night-time?

Answer. This was between 11 and 12 o'clock at night, I suppose, when they were at Glen Springs.

By the CHAIRMAN:

Question. How far is that from your house?

Answer. About two miles. They all came up about thirty in number to near Mrs. Bobo's, about half a mile off, where the Spartanburgh road comes down and intersects. I have heard that Mrs. Bobo says that others met them there coming by the other road, and some had been sitting in the piazza for an hour waiting for them. That was in the piazza of the store at the cross-road which leads from Spartanburgh.

By Mr. VAN TRUMP:

Question. Was it understood at Mrs. Bobo's that a new reinforcement came there?

Answer. Yes, sir, others came and joined them.

Question. Was that a part of those that left Glen Springs?

Answer. No, sir; it was understood that others met them there, and that several had been there in the old store piazza opposite her house, having waited for them.

Question. Was that a portion of the party from Glen Springs?

Answer. No, sir, but some that met them there.

By the CHAIRMAN:

Question. Is that the road which intersects the Glen Spring road leading down from this place to your house?

Answer. Yes, sir. They went up and asked Mrs. Bobo if she had any rope, I understand. She said she had no rope but her well-rope. They said one of them had broken his stirrup. They appeared not to be apprehensive of being seen. They did not appear to be at all apprehensive that the pickets would see them. They did not make any movement or effort to keep concealed except to conceal their individuality. There was no attempt to disguise the force going along, but each individual of the force was disguised.

Question. Mrs. Bobo's is half a mile from your place?

Answer. No, sir; half a mile from Glen Springs—two miles from my place. They appeared to have organized fully at Mrs. Bobo's.

Question. Have you any knowledge of the roads in that neighborhood being picketed by negroes?

Answer. No, sir. Nobody else has ever heard of such a thing, I suppose. I never

heard of it, and I would have heard of it if there had been such a thing. The negroes have been remarkably quiet in that neighborhood.

Question. To what do you attribute the visit of these men?

Answer. I have said that it has been circulated by some persons maliciously that the negroes had some arms, and that had been reported to this organization, and they had come.

Question. What has been the effect upon the sense of security felt by the citizens in your part of the county, or, if you can speak of it, in the whole county, by these raids of disguised men?

Answer. No one feels secure at all. I think no respectable citizen, who has the reputation of being a man of means, and who has a settled character, feels secure. I have heard many strong democrats say, "I don't think I am any safer than you are."

Question. Is that sense of insecurity increasing with these instances of violence?

Answer. Certainly, it is. There are few men in the neighborhood who do not have their houses thoroughly armed, and we never thought of such a thing before.

Question. In your belief, knowing this county for sixty-eight years, is there any adequate redress for these injuries in the civil courts?

Answer. None in the world. I am glad to give my opinion on that point. I consider our State government a perfect and entire failure, utterly incompetent. There is no effort made at all to investigate or arrest this thing. People are afraid to talk about it. Many have told me, "I wanted to come and see you, but I was afraid." They feared the men of this organization might take offense at it.

Question. To what extent in your opinion does this organization carry its purposes? Do they carry them to the extent of inflicting these injuries and afterward screening individual members from punishment?

Answer. That has always been said to be the principle of the organization; nobody appears to doubt it, so far as I see, except I see some doubts expressed in the newspapers.

Question. Is the belief of that fact a potent means here of preventing an effort to bring them to justice?

Answer. It appears so. The civil authorities appear to be entirely paralyzed by the belief that it is dangerous for them to act; they make no efforts; there was no investigation of this case of mine; others have been whipped.

Question. To what extent has that whipping gone in your county?

Answer. To a very great extent, as I have heard, though I don't know it of my own knowledge.

Question. To what extent has this practice gone of requiring men to do what it was intimated you ought to do—publish your principles in the newspapers?

Answer. I believe that is required of every man that is said to be a republican, or radical, as they call them. I know there was a meeting at Glen Springs of the colored people. The planters all around there felt that their crops were in a state of insecurity, as the negroes might leave at any time. They got them to have a meeting in which the negroes disavowed any intention of hereafter interfering or taking any action in political matters. This was published in the newspapers.

Question. Had you personal knowledge of any of those negroes?

Answer. Yes, sir. Some of them lived on my place.

Question. Was their action voluntary?

Answer. It was influenced by a sense of insecurity—personal insecurity. At Mr. Zimmerman's, my neighbor at Glen Springs, I think about a dozen left their crops and went away at one time—heads of families. Perhaps, if you will examine him, he can give you more definite information. The proceedings of that meeting held at Glen Springs were published in the paper here, The Carolina Spartan. Some of the negroes on my place asked me what I thought of it. I did not like to advise them, but I said I see no impropriety in your acting for your personal security; in fact, I talked in such a way that they saw that I thought it would be best for them to do it.

By Mr. STEVENSON:

Question. I hand you a copy of the South Carolina Spartan, May 11, 1871. Will you look at that card and state who are the signers?

Answer. Yes, sir. These all live on the plantation of Major Elihu Smith, and some of them have been the leading republican negroes in the district heretofore; two of them, Orange Mack and Wofford, have been the leading republicans.

Question. Are they those you speak of as having renounced the republican party?

Answer. Yes, sir; and subsequently at a public meeting at which the colored people appeared, about two or three weeks subsequent to that paper.

Question. Here is an account of that meeting in the Spartan of May 25; is it not?

Answer. Yes, sir. Mr. E. C. Smith, mentioned there, is an active democrat, and nephew of mine. He thought there was great danger of his hands being run off, and they were planting largely.

By Mr. VAN TRUMP:

Question. Is that Dr. Smith the representative?

Answer. No, sir; that is Dr. Bob Smith—no relation. Dr. Bob Smith was present, however, and spoke at this meeting. There was also another meeting at Fair Forest Township, adjoining Glen Springs Township, where they adopted the same resolutions. *Question.* That occurred May 27, and is published in the paper of June 8?

Answer. Yes, sir.

Question. And they indorsed the proceedings at Walnut Grove?

Answer. Yes, sir; they did. We felt great insecurity about our crops, if the colored laborers left. I think about a dozen from Mr. Zimmerman's plantation were leaving. The men left their families behind.

By Mr. VAN TRUMP:

Question. Where did they go?

Answer. I understand that they have gone to the edge of Tennessee; so I have heard.

By the CHAIRMAN:

Question. Do you know James Henley?

Answer. No, sir. I know some Henleys, but I do not know whether it is him or not. There are Henleys in Fair Forest.

By Mr. STEVENSON:

Question. What was the general understanding among the people as to the motive for inserting these cards renouncing the republican party?

Answer. The general understanding was that they were intimidated by this organization. As a means of personal security they did that. A man is whipped, and he inserts a notice and makes a publication to keep from being whipped again. I suppose there is but one opinion on that subject.

Question. A man is whipped and inserts a card, or makes a publication, to keep from being whipped?

Answer. Yes, sir.

Question. I find upon examining the Carolina Spartan, a file of which I submit to you from January 5, 1871, to July 6, 1871, inclusive, the cards of forty-five persons?

Answer. Yes, sir; and I give you my understanding of it. I have not heard any one express a different opinion.

By the CHAIRMAN:

Question. Living as you do in this community, and having your opportunities of observation, give us your belief as to what class or classes of men compose this organization.

Answer. My opinion is that now it has fallen into the hands of a very lawless, vagabond set. I think originally it was under better regulation. When it first commenced men of more character governed it. A good many of them are a set of drunken vagabonds. I understand they make it a point always to have plenty of spirits along; and from what I have heard of their noise about Glen Springs when they passed, I suppose they must have been intoxicated.

Question. From the nature of your county, it being an agricultural community, is it at all possible that such bodies of men could be brought together at one time without previous organization and concert?

Answer. Not at all; it is not possible. The men who came to my house I have no doubt were a regular organization. I am inclined to think that several outrages have been committed by a few persons and perhaps independent of the organization; some of the outrages that have been committed on negroes were so.

Question. Take the number who were at the raid upon your house, thirty —

Answer. I suppose about forty from my information.

Question. Take that number in a country of this character, could it be possible to get forty men together on one night without there having been notice beforehand that they were to meet?

Answer. No, sir; it was regularly organized some time before, I have no doubt. I have no doubt there are men who had control and command of the party. I do not think they intended to kill me, if that is proper for me to say. I do not think they came there for that; but I did not feel inclined to put myself in their hands to inflict any indignity on me. I will tell all of it.

By Mr. VAN TRUMP:

Question. Was not an expression used there that night by some men to the effect that they did not intend to hurt you, and if you had not fired on them they would not have fired on you?

Answer. I was just coming to that; this small man who came in and talked with my wife said, "We came here to give him a peaceable talk and he fired on us." My wife replied, "My husband always defends his premises and always will continue to do it

as long as he lives." They came into my yard in disguise, and when the tall one shouted out, "Here is the damn rascal," I thought the only proper reply was a shot from a pistol.

By the CHAIRMAN :

Question. You did not recognize that as the salutation for a peaceable talk ?

Answer. No, sir; and I did not think they would run so; I had heard that they were brave fellows; but these scoundrels ran as fast as they could.

Question. Of how many were your family composed that night ?

Answer. Myself and wife; only us two, and I have no doubt the scoundrels knew it. I am sixty-eight and my wife is about fifty-nine. I will also state that when this larger man called to the one in the house to "come, don't be talking," he said, "I don't want the lady to be alarmed."

Question. You live in a country-place ?

Answer. Yes, sir; but I have a near neighbor who heard the firing and wanted to come, but his family clutched on him and would not let him go for fear he would be killed.

Question. Within what period of time did these outrages begin in your county ?

Answer. They have not prevailed to any extent until since about the time of the last election; they commenced about that time—the time of the last State election, which was in October.

Question. Have you given any attention so as to be able to state with accuracy the number of persons who have been whipped and visited in this county ?

Answer. No, sir; I have nothing definite upon that subject.

By Mr. STEVENSON :

Question. You say you think that originally this organization was in the hands of men of more character ?

Answer. Yes, sir; more respectable men. I am inclined to think so because they acted more guardedly and more with a view to maintain their self-respect and reputation. I think it must have been so.

Question. I do not find published any manifestoes of the order in this county.

Answer. None have ever been published in this county; no Ku-Klux manifestoes, I think, have been published here; but they have in Union County.

Question. I see some in the file of the newspaper here copied from the Union papers ?

Answer. Yes, sir; they occurred in Union; if there had been any published in this county I would remember it.

Question. I call your attention to one or two of them, which I think indicate that persons of some intelligence were concerned in their preparation; I show you one in the paper of March 2, 1871.

Answer. I remember that.

Question. Here is one also, March 23.

Answer. Yes, sir.

Question. Do you think that these papers emanate from men of education and intelligence ?

Answer. I have no means of forming an exact opinion, but I should think they did emanate from men who are at the head of the respectable part of this organization; I have been long a member of the legislature, in the house and senate, and in most of the conventions which have been held, and I know our people.

By the CHAIRMAN :

Question. How long were you a member of the house or senate ?

Answer. About fifteen years; I do not remember the exact time, and I have been a member of most of the conventions which have been held.

By Mr. STEVENSON :

Question. In giving your opinion that the order of the Ku-Klux was originally in the hands of men of more character and intelligence than at present, upon what do you base that opinion ?

Answer. Upon the character of the outrages to a great extent; they then appeared to exercise more judgment and discrimination; they have now degenerated to a certain extent into drunken brawls under the head of some leaders who have got to be leaders under appointment, I suppose.

Question. Have you any opinion as to the extent or the numbers of the order ?

Answer. I have no particular information on that point, more than that it is pretty numerous in this district.

Question. By district, do you mean county ?

Answer. Yes, sir; I speak by the old name sometimes; they are now counties; the State government, in my opinion, is a perfect failure in South Carolina; I think it should be superseded because it gives no protection to the citizens in any way; I think that the people, the settled substantial people of any party, entertain that opinion to a great extent.

Question. You think it would be better to have martial law then?

Answer. I do not know; I would not say that.

Question. I do not understand you then?

Answer. I have not had a definite opinion upon the subject; I think we ought to be reconstructed over again; a second reconstruction is wanted; the whole State government, legislature, executive, and judicial, I think, is a perfect failure.

By Mr. VAN TRUMP:

Question. In other words, I understand you to mean that if there had been no such reconstruction as Congress has adopted, things would be better?

Answer. Yes, sir; I am willing to give you my opinion fully upon that point; I think after the surrender of our armies, if the South had been perfectly quiescent and entered into no political organization at all, but had gone back into the Union in a quiet way, we should not have had half so much reconstruction as we did have.

Question. Do you call that a full answer to my question?

Answer. Yes, sir; if there is anything further desired, make the suggestion and I will add to it.

Question. If I understand you, it was the formation of some political organization prior to the reconstruction acts that superinduced these acts.

Answer. Yes, sir; in the form in which they were introduced; I do not think Abraham Lincoln was in favor of colored suffrage; we have no evidence that he ever was.

Question. What political organization in the State of South Carolina do you allude to which necessarily brought the reconstruction acts of Congress?

Answer. The course of the Confederate States in forming political organizations and acting with a political party in opposition to the governing party of the United States.

Question. Where did that occur?

Answer. It occurred here in South Carolina and in all the Southern States; they formed a democratic party in the election for President and Vice-President; they took an active part for Seymour and Blair; but, in my view, they surrendered to the Government, and the republican party then was the Government.

Question. It was the party having possession of the Government?

Answer. Yes, sir; it had possession and it appears to me, and it was then my opinion, that having surrendered to the republican party it became us to be perfectly quiet and form no political organization until we were fully reinstated in the Union.

Question. You think that would have been better policy?

Answer. Yes, sir.

Question. Does not the question come to this, that because the people of the South saw fit to arrange themselves in harmony with what is known as the democratic party these terrible acts of reconstruction were passed.

Answer. I think the acts of reconstruction were based, to a certain extent, upon these causes. The asperities engendered by the war and the subsequent political organization in the Southern States were the causes. I can add this much, further, as my opinion, that if that thing were to be gone over again, if everything were quiet and the Southern States were harmonious, I think that parts of the reconstruction acts would never have been forced upon the South, for they would never have been considered necessary.

Question. In other words, if there had been no democratic party in the South there would have been no reconstruction policy?

Answer. No, sir; they would have felt it to be unnecessary; if there had been none of the war asperity in the confederacy it would have been so.

Question. Do you think the Southern people had no right to declare themselves democrats or republicans?

Answer. I will not say that; I am not now speaking of rights, but I say it was the height of impolicy and was suicidal in us to take part in politics before we were thoroughly in the Union.

Question. You say that now looking back upon those times.

Answer. No, sir; I thought so then, and I gave evidence of it when in the legislature.

Question. Did you belong to some organization yourself?

Answer. Yes, sir; and I was in a convention.

Question. What convention?

Answer. The convention called by the provisional government—by the President, Andrew Johnson. I was subsequently in the legislature and opposed the colored code upon the ground —

Question. Did you never vote what was called the democratic ticket in the South since the war?

Answer. Yes, sir; I voted for Seymour and Blair.

Question. Then you knew that you did wrong?

Answer. Yes, sir; I did not think my vote would make any difference; but if none of the people had voted at all it would have been perfectly quiet.

Question. You think that if they had adhered to the policy of not voting at all it would have been better?

Answer. Yes; I think we should not have taken any part in politics until thoroughly reëstablished.

Question. That is your position now, and you stand in harmony with General Orr in that position.

Answer. I do not know how far General Orr's opinion may go; I am conservative in my opinion; I will act with any party that proposes measures which I think are for the benefit of the country.

Question. I understand you to say that you believe this Ku-Klux organization is in the hands of drunken vagabonds?

Answer. To a certain extent; a great many of that class are in it.

Question. I will ask you as to the character of the population of a certain district up here in the Cowpens region, whether that has not always been, under any system of law or administration, rather a lawless people?

Answer. I do not know that it has, sir.

Question. Are they not a rough people?

Answer. They are to a certain extent an uneducated people, but I could not say they are a lawless people. I have canvassed all through that country and found them very civil. They are to a certain extent uneducated.

Question. Have they not been in the last few years carrying on illicit distilling?

Answer. Yes, sir; they make whisky.

Question. Are they a rough, uneducated people?

Answer. They are, some of them, uneducated, but I have found them an agreeable and clever people.

Question. You say that originally this organization was under better men?

Answer. Yes, sir; men of intelligence, but now men of lawless character are in it, ready to commit any acts at all—murder or anything else.

By Mr. STEVENSON:

Question. How far is your house from Cowpens battle-ground?

Answer. About thirty miles; but I know every part of Spartanburg County very well; I have canvassed it.

By Mr. VAN TRUMP:

Question. Originally, and about the time of the last election, when this organization was formed, you say it was composed of better men?

Answer. I think better men acted in it.

Question. You think so because when they commenced operations they were more guarded.

Answer. Yes, sir.

Question. Would not that be natural in the beginning of any outlaws' operations?

Answer. That may be so; that the same men may have become emboldened by success and become greater blackguards than at first.

Question. Is not that the natural consequence?

Answer. It might be so.

Question. Did you see anything done by these men to make you believe that what was uttered there to your wife was not true, to wit, that they did not intend to hurt you, and if you had not commenced firing they would not have fired at all?

Answer. I think the declaration of the man there was evidence that they intended to perpetrate some indignity upon me.

Question. From the rough way in which he accosted you?

Answer. Yes, sir.

Question. But the fact is you fired first?

Answer. Yes, sir.

Question. Without a word of expostulation?

Answer. That is what was said. I never spoke a word.

Question. As soon as you fired they ran?

Answer. Before I fired they ran; when I stepped back and got my pistols and returned and pulled the door after me I suppose they saw my pistols, for they ran at once. I ran after them and fired as they went around the corner. When I was at one corner the party came back to the corner and fired upon me.

Question. You understand that one object of their visiting you was to see about arms?

Answer. That is what the man who was in the house said.

Question. Have you not a son who is a brigadier general in the new militia organization?

Answer. I have a son who was; but he has resigned.

Question. Was he, then?

Answer. He was.

Question. Was it not a fact that there were sent to him or that he received from the governor, at Columbia, several hundred stand of arms?

Answer. I do not know how many; some arms were sent to him.

Question. Were there not three or four hundred?

Answer. I do not know how many.

Question. If these men knew everything about you they would be likely to know as much about your son?

Answer. Yes, sir; the arms were sent to him, but he had them locked up in the post office and never distributed them.

By the CHAIRMAN:

Question. In this town?

Answer. Yes, sir; in the post office. He never distributed them except to the town council and to the sheriff, to defend the town; he did that under my advice not to distribute them. I suppose I have done more than any one else to prevent the distribution of arms. I told Governor Scott of it, himself.

By Mr. VAN TRUMP:

Question. Did you disapprove of the late canvass for governor?

Answer. Yes, sir.

Question. Why?

Answer. A meeting was held in the court-house to appoint delegates to Columbia.

Question. To nominate a candidate for governor?

Answer. Yes, sir.

Question. Which party?

Answer. The democratic party. After the meeting was pretty well over I went in. Before I sat down I was called upon to speak. I responded that I had not come in to speak or take part, but as I had long been connected with the people as their representative, I would give my opinion; that was, that if they sent delegates to Columbia they should instruct them not to make nominations for governor, but pass resolutions advising the people to vote for the men best qualified for office, without regard to political considerations.

Question. Did you join the meeting?

Answer. I gave that advice. The motive for that advice was this: While it was desirable to have a governor, the chance of electing a democratic governor in South Carolina was utterly impossible, and if we got up an excited canvass it would be an injury to the country, as the event has proved.

Question. Then you disapproved of the canvass, so far as the democrats were concerned?

Answer. Yes, sir.

Question. Did you attend any republican convention for a like purpose?

Answer. No, sir.

Question. You did not give them the same advice?

Answer. No, sir; I did not attend any republican convention.

Question. But the republicans did nominate Governor Scott?

Answer. They had nominated him before that.

Question. Had you determined to vote for Scott before you made that speech?

Answer. No, sir; I had not then determined to vote for him.

Question. Did you vote for him?

Answer. Yes, sir.

Question. What do you mean by saying the State government is a failure?

Answer. It does not give protection to the people either in property or person, and I consider a government which does not protect its citizens an utter failure.

Question. What is the reason of that?

Answer. That I cannot tell you; I can tell you the fact.

Question. You say the courts of this State are utterly inefficient to check or punish these secret outrages?

Answer. I have not exactly said it in those words. I said the government was inefficient. I do not think the governor tries; I do not think he gives himself any trouble about it.

Question. What makes him so easy?

Answer. I do not think he gives himself trouble about it; he is only interested in collecting the largest amount of taxes he can, and in manipulating the State bonds so that they shall keep at the highest price.

Question. I infer that you are sorry for having voted for Scott.

Answer. I could not have done worse; but, at the same time, if I had voted for Judge Carpenter, and he had been elected, it would have been just as bad.

Question. That is your opinion of both men?

Answer. That was my opinion then, that neither of them was qualified for governor, when I voted for Scott.

Question. Then I understand you to mean that the State government in all its ramifications is in about as bad a condition as it can be?

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.

Question. I am satisfied that you are a man of courage and resolution, or you would not have acted as you did. Now, why did not you take up the tracks the next morning?

Answer. The next morning I could not turn over in my bed; I was pretty near dead.

Question. Where was your son?

Answer. He was here in Spartanburgh.

Question. Did he know it next day?

Answer. He was here in court, and I would not let them send up.

Question. He was then in the office of general?

Answer. No, sir; the militia is not organized.

Question. He is your son and has been a general?

Answer. He had no command. He had been a general by appointment of Governor Orr and Governor Scott.

Question. Do you know any reason why he should be like the rest of the people?

Answer. I suppose he was afraid, and perhaps he ought to have been more than any one else.

Question. You would not have been afraid?

Answer. I cannot say whether I would or not. If I had had a few persons with me I cannot say that I would have felt afraid.

Question. Could they not have soon raised a posse here enough to track these men?

Answer. He had no authority to raise a posse; he was not a civil officer.

Question. Could he not have put that machinery into motion?

Answer. I do not know how he could have done it.

By Mr. STEVENSON:

Question. You were asked whether any open opposition was made to the enforcement of law. Did you not hear of a raid made upon the jail here for the rescue of a man?

Answer. Yes, sir.

Question. The man was a prisoner, and to be hung the next day?

Answer. Yes, sir; I have heard of it; I did not have any knowledge of it myself.

Question. Did you not hear of the proceedings by which men were taken out of jail in Union County and murdered?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Was not that by these same Ku-Klux?

Answer. Yes, sir.

Question. But I asked you as to whether there was a resistance to the service of process?

Answer. Yes, sir; I understood you.

By Mr. STEVENSON:

Question. You have said that there would be no difficulty in arresting men after an affidavit was made?

Answer. No, sir; not so strongly as that. I do not think there might not be some difficulty. I think our sheriff would arrest the men if it was put in his hands. I do not know whether he would take the process himself or not; the magistrates issue the warrants generally to the constables; no magistrate has been found to issue a warrant.

Question. Would not there probably be great difficulty in convicting in the State court?

Answer. I think so.

Question. Do you know whether the purposes of this organization extend to the defense of its members?

Answer. Upon the very day before the night on which I was shot I had been here and the court was in session; the word came up here of the outrage having been committed, and the court had not a word to utter in regard to it, nor did the grand jury. I have been asked why I did not follow the parties up. I was almost dead the next day; unable to turn in my bed; two physicians had pronounced the opinion that I would die.

Question. As to this case of outrage you speak of the day before in court here, was it not the fact that because the grand jury could not find out who committed the act, no bill was found?

Answer. It appeared to me to be the duty of the court and grand jury to do something in a case of the kind.

By Mr. STEVENSON:

Question. Did you understand that no attempt was made to ascertain who the parties were?

Answer. None in the world; the judge ran over this business very carelessly. It was thought that he was himself intimidated, and he slunk off to the place where he lives. There was no attempt at all by the grand jury or the court.

Question. Is it not the understanding that the whole county is permeated by this organization, and nobody knows to what extent?

Answer. I think that is the understanding, but that it prevails to a greater extent in some sections than in others, or they are more active in committing outrages.

Question. And that the machinery of justice is paralyzed?

Answer. Yes, sir. Nobody is arrested, and no attempt is made to arrest anybody, so far as I know.

By Mr. VAN TRUMP:

Question. Do you not know that several cases are going on now?

Answer. Not by the civil authorities; I do not know that any were arrested by the civil authority.

By Mr. STEVENSON:

Question. There are a few cases that have been undertaken by the United States authorities within a few days?

Answer. I did not know it.

Question. You spoke of corruption in the State government, including the legislature. Do you understand whether or not these corruptions are confined to any one party exclusively?

Answer. I do not understand that they are. I have heard it remarked that they are all one—one party just as corrupt as the other there. I do not know it myself. I know some of the men. We have members from the Spartanburgh district of whom my personal knowledge is sufficient, I think, to exempt them from that imputation.

By Mr. VAN TRUMP:

Question. They are democrats, are they?

Answer. Yes, sir; and my personal knowledge is sufficient to exempt them from that imputation.

Question. Do you not know that there is about seventy-five republican majority in the legislature?

Answer. Yes, sir.

Question. It would be a vain expenditure of money to expend much on twenty democrats?

Answer. That might be.

By Mr. STEVENSON:

Question. Have you understood that they made these jobs that have been passed through the legislature party questions?

Answer. I have heard that they were not, but that the jobs in the legislature were got through independent of party organization.

By the CHAIRMAN:

Question. The wrongs complained of in regard to the State government seem to be a source of complaint to both parties. Do you suppose, from the character of this Ku-Klux organization, that it was endeavoring to reform the State government by means of these outrages?

Answer. I have no doubt it has attempted to operate on the vote in this district. That is the object in this district.

Question. That being the case, do you know of any instance in which they have directed their attention to any but the members of one party, or those whom they supposed to have been in sympathy with that party?

Answer. I have not heard of any case except those supposed to be in sympathy with one party. At my house, when my wife said I was not a radical, they asked, "Why does he act with them? Why don't he come out in the papers and say so?"

Question. Do you know Major Warley of this State?

Answer. Yes, sir.

Question. To which party does he belong?

Answer. I think he is a democrat. I have known nothing of him since we met in the legislature. From his course in the tax payers' convention, I think he was a conservative democrat.

Question. I find in the proceedings of the tax payers' convention a speech by Mr. Warley, in which he denounced the preceding legislature in these words, which I quote to call your attention to another question: "If I have displayed zeal and ardor in this exposure of fraud and vice, it is because I would save the State, not from ignorant and corrupt legislators so much as from rich aspiring and unprincipled men, some of them imported, it is true, but many of them degenerate and unworthy sons of that noble though now impoverished mother whom they rob." Have you known any of the men of that class, who are charged with having corrupted the legislature, natives of South Carolina, who have been visited by the Ku-Klux?

Answer. No, sir; I do not know any of that class who have attempted to corrupt the legislature that have been visited by the Ku-Klux.

By Mr. VAN TRUMP:

Question. Taking the legislature of South Carolina just as you find it, largely made up of ignorant uneducated negroes, is it your opinion that these negroes could be more easily approached with money, and more easily corrupted than white men?

Answer. Easier than such white men as had always heretofore been elected to our legislature, they certainly were; but there are white men as low as the negroes in the legislature. The white men who formerly occupied seats in the legislature, with a few exceptions, could not be corrupted by money.

By the CHAIRMAN:

Question. Is it not a fact that the corruption of negroes has been charged, to a great extent, to natives of the State?

Answer. To a certain extent, and to others, too. The sentiment is that white men of the republican party, both foreigners and natives, have been equally active in corruption.

Question. Not wishing at all to palliate, but rather to condemn everybody connected with this corruption, I call your attention to another extract from a speech made in this taxpayers' convention held last May, by Mr. Warley:

"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."

In view of the denunciation of both, how do you account for the fact that neither in this nor in any other portion of the State, have any of these native South Carolinians been made the subject of these lawless outrages?

Answer. From the fact that they have been attempted to be inflicted upon republicans, sir.

By Mr. VAN TRUMP:

Question. Have you any knowledge as to what particular native South Carolinians Mr. Warley alludes to?

Answer. Yes, sir; I cannot say I have knowledge, but I have a very definite opinion. It may not be proper to mention names. Mr. Warley is there speaking of the railroad appropriation; the men connected with that are the men he alludes to. I can speak generally without indelicacy. Some of our native South Carolinians, heretofore prominent, were active in getting that through the legislature.

Question. If you have delicacy in naming them we can find out by other means.

Answer. I can give my opinion, but it would not do any good, I think. If it is asked as a necessary question, I will answer it, but it is easy to form an opinion on this subject. I forgot to tell you, Mr. Van Trump, why I voted for Scott. He told me in conversation that he would make all the effort he could to reform the State government. On the stand here I heard Judge Carpenter and General Butler, the democratic candidates for governor and lieutenant-governor, say that they were stronger republicans than General Scott was, and better republicans; and I thought he was republican enough for me, and that day I made up my mind to vote for Scott. General Butler said that he had been to Washington; his illustrious namesake and General Logan had interested themselves to get his disabilities removed, and I thought they must have thought he was going to do something or they would not have done it.

By Mr. STEVENSON:

Question. What is your height, doctor?

Answer. Six feet.

Question. What do you weigh?

Answer. At the time I was shot I weighed about a hundred and eighty pounds, but not so much now by very many pounds.

SPARTANBURGH, SOUTH CAROLINA, July 11, 1871.

WILLIAM G. BRYANT sworn and examined.

By the CHAIRMAN:

Question. Have you any recollection of where you were on the night preceding the last election—the election in October?

Answer. Yes, sir.

Question. Do you recollect of hearing the next day of who were whipped down in Limestone Township?

Answer. Yes, sir; I heard of several.

Question. Who did you hear of?

Answer. I heard of a man named Champion being whipped—a white man—and of a negro woman, and of two negro men, and of a white man, I think, by the name of Price, if I mistake not.

Question. Did you, on that night preceding the election, see any considerable body of men, three or four or more?

Answer. No, sir.

Question. On the night they were whipped?

Answer. No, sir.

Question. Have you made any statement to the effect that you did see any body of men on that night?

Answer. I made a statement that I saw one man.

Question. Who was that?

Answer. Do I have to answer that question?

Question. That is what we desire, to get at information. Was he in disguise?

Answer. When I saw him he was not.

Question. Our purpose is to ascertain, if we can, who were the men who were out there on that night when these people were whipped, and if you will go on and state any facts that you think have a bearing on that subject, please to do so without special questions.

Answer. So far as that question is concerned, I will give you a narrative without questioning.

Question. I would prefer you should do it in that way.

Answer. On the Sunday night previous to the election on Wednesday, the 19th—

By Mr. VAN TRUMP:

Question. The first night that you have been asked about was the night before the election; is this the same night?

Answer. No, sir; I do not mean it as the same night.

By the CHAIRMAN:

Question. Go on with your narrative in your own way.

Answer. I was in Cleveland County, North Carolina, six miles this side of Shelby Court-House. It was my purpose to be at Limestone Springs on Wednesday, at the election for the legislature. I came over on Monday morning, which, I believe, would have been the 17th, and crossed Broad River at Surratt's, and came over and took dinner with an old gentleman named Turner. There he related to me the depredations carried on on Saturday night and on Sunday night. I did not see them. He stated that these men were whipped—badly whipped—and other depredations committed in connection with the whipping. I came from Turner's in the direction of home, some seven or eight miles, and staid all night. I staid one mile this side of Cowpens Furnace, in this county. I learned that there was going to be no election at Limestone Springs; that the election was broken up. It was my purpose to be there. It was broken up—so said the citizens—by the violence of some parties unknown to me.

Question. Did that relate to the whipping of the managers?

Answer. It was so said.

Question. Proceed with your statement.

Answer. I staid on Monday night one mile this side of Cowpens Furnace. There was a man passed by me. I staid at a camp right in the fork of a road one mile this side of Cowpens Furnace, in Spartanburgh county; that was Monday night, the 17th, sir. He asked me my name—it was very dark, you understand, and I think it was about 9 o'clock; I had a small fire, but there was no light, only what the coals gave. He asked me how far it was to Camp's Cross Roads. I told him it was three miles. He asked me which road went there. I told him the road he was in—the right-hand road there. The old road was the highest, but it was filled up and thrown away out of use. He then asked me my name. I gave him my name. I asked him his name. He said he was a stranger in that country. I then asked him what time in the evening it was he passed my house. I live six and a half miles from here, on the Rutherfordton road. He said he supposed about an hour by sun. It was too dark then for me to identify his person, but his voice I was well acquainted with—more of that after a while. He came on back next morning, and I had learned by Mr. Turner, after his giving an explanation of their whipping so many citizens in that country, that two negroes, one named Witt, and another Charley, former owners, Lipscomb and Fernandes, had fled from there, one to Spartanburgh, and the other to Laurens. I said to him jokingly I didn't suppose they would get Witt or Charley that night. He says simply, "Why?" I told him I had learned that one had gone to Spartanburgh and the other to Laurens for protection. About an hour before day I heard him pass back.

Question. Who?

Answer. The same man that had passed by me. Now you may ask questions and see why I knew it was the same man, but I will come to that directly. I heard a man come by the camp and accosted him in this way: "I suppose you didn't get Witt nor Charley," and he says "No." He came on back home that morning, and I never got home until evening; late in the evening I came home, but he passed my house as he went home. I had heard of his making some statements that I did not think was correct; that I knew were not correct—that were false, as representing me, my own person and personal character.

Question. That who was doing this?

Answer. This same man. He made them after he came to this town. I heard this. I came into town a few days afterward, and a gentleman with me from my own neighborhood, and I saw this man walking down here by the livery stables, and I says, "I will ask that gentleman concerning the reports I have heard he has made, and his declaration toward me;" and I came up to him and asked him, and he said he hadn't made them. He asked me who told me. I told him. He says, "Let us go to him, for I did not make them." I told him, "I don't go about chasing up news now-a-days; it was not worth

while," and asked him some questions. I asked him if he found the Cross Roads that he inquired of me some nights before. He said he did. I asked him how he knew when he got there—how he knew the place—being that he was a stranger. He said he knew by a post oak that stood in the forks of the road. The road crossed in this way, [illustrating,] and there was the post oak. I asked him how he knew the post oak when it was so dark. He said he rode up and felt the blaze on it. I said, "Were the other boys there when you got there?" He says, "No, sir." I asked how long was it. He said three-quarters of an hour before they came. I said, "Did you alight?" He said, "No, sir; I sat on my horse all the time." I asked, "Did they come?" He said, "Yes, sir; they came, but after three-quarters of an hour."

Question. Go on.

Answer. That is about all of it. You must ask now any questions you please.

Question. Who was the man who came to you in your camp there that you spoke of—what is his name?

Answer. Miles Gentry.

Question. Where does he live?

Answer. Somewhere in this town.

Question. What night was that?

Answer. Monday night, the 17th of October.

Question. Was that the night after you heard Champion was whipped?

Answer. It was the night after I heard he was whipped.

Question. How was he dressed that night; was he in his ordinary dress or in disguise?

Answer. I don't think he was in disguise. I thought he was in ordinary dress. It was dark, and I could not see whether he was or not, but it was not my impression that he was disguised.

Question. Did you see him clearly enough to recognize him that night?

Answer. I did not see him clearly enough, and would not have recognized him but that I knew his voice, and the statement I have made to you—don't you understand?

Question. You spoke to him in this town on the supposition that he was the man, and then this conversation followed?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Is Miles Gentry the same man you met in town and put these questions to?

Answer. Yes, sir.

Question. The same man that rode to the cross-roads?

Answer. Yes, sir.

Question. The same man that waited three-quarters of an hour for the boys?

Answer. Yes, sir.

Question. The same individual all the time?

Answer. Yes, sir; all the time. Now will you please to understand me; when he passed my camp that night it was dark, and my fire was nearly out, and I could not have recognized his person. I was acquainted with his voice. He asked my name—I believe he knew—I said Bryant. He said which Bryant. I said, "W. G." I asked without further question what time he passed my house—for I lived on the road—and he said, "I am a stranger in this part of the country." I said, "You rode very hard;" that is twenty-one miles from this town.

Question. Had you no suspicion at that time of who he was?

Answer. I knew who it was, so far as voice would be concerned after a long acquaintance.

Question. Do you say the point where this occurred was twenty-one miles from this town?

Answer. Yes, sir.

By the CHAIRMAN:

Question. What time of night was that?

Answer. I can't tell.

Question. Where was this cross-roads?

Answer. Camp's cross roads—three miles from where I was.

Question. Was any person whipped on that night that you knew of out there?

Answer. I didn't hear of any this night. This was Monday night.

Question. Was it the Monday night preceding the election?

Answer. Yes, sir; on Sunday and Saturday night the whipping took place, I was informed.

Question. What boys did you refer to as meeting this man?

Answer. I jokingly meant what he had went to meet.

Question. What do you mean?

Answer. I mean just this: from the information I had learned of the depredations committed, I meant that he had went to meet a set of men who were going to commit more crime.

By Mr. VAN TRUMP:

Question. You meant the Ku-Klux?

Answer. I did, sir; that is what I meant.

By the CHAIRMAN:

Question. Did you speak that to him in such a way that he would understand what you did mean?

Answer. I do not know whether he did or not. I spoke it to him as I speak it to you. I asked him first if he found his place. He said yes. I asked how he recognized it. He said by the post oak in the forks of the road. "How?" "By the blaze." "How did you know the blaze?" "I felt it." I said, "How long did you wait; were the boys there," or "How long did you wait?" He said they were not there, but he waited three-quarters of an hour. I asked, "Did you alight?" He said that he sat on his horse.

By Mr. VAN TRUMP:

Question. He did not ask you who the boys were?

Answer. No, sir.

By the CHAIRMAN:

Question. Did you say anything to Mr. Gentry about having been at the meeting of the Ku-Klux?

Answer. No, sir.

Question. Or about knowing of the whipping to Champion or Clem Bowden?

Answer. No, sir.

Question. Have you given all the conversation?

Answer. I have given you what occurred between him and me there and here.

Question. Did you tell him distinctly that you recognized him out there that night, or just begin the conversation in the manner in which you stated here?

Answer. I began it in the manner in which I stated it. He knew—but it would not be proper for me to say—I was going to say he knew I recognized him. I recognized him by his voice, but as to his person I could not say I recognized it, because it was dark, but his voice was familiar, and his conversation that took place proved that I recognized him, and I asked him what time he passed my house, and I being very familiar, and his telling me what time he passed—

Question. Had you been well acquainted with him before?

Answer. Yes, sir; very well.

Question. Did he give you any caution about saying anything on the subject?

Answer. None whatever.

Question. Was there anything said about men being disguised at all between you and him?

Answer. Not a word, sir, I don't think.

Question. Did you ask him anything about what he was out there for?

Answer. I didn't ask him anything what he was there for.

Question. And he did not tell you?

Answer. He didn't tell me. Just as I before stated, I asked him if he found the place, and if he recognized the place, and jokingly asked him how long before the boys came. You may infer from that I had a notion from the information I had that day and the two nights previous.

Question. You live six miles and a half from town?

Answer. Yes, sir; on the Rutherfordton road.

Question. What is your business?

Answer. I am a farmer. I have spent a good deal of my life in teaching. I am a farmer by trade.

Question. How long have you lived in this neighborhood or county?

Answer. I have lived in this county, with the exception of fifteen years, all my life, and that fifteen years was in the adjoining county of Greenville.

Question. How old are you?

Answer. Sixty-two on the 8th of September last; so my age is recorded. I followed teaching school about fifteen years in Greenville County.

By Mr. VAN TRUMP:

Question. What was it you said about the night before the last election?

Answer. I don't think I said anything about it. I don't think you will find it so recorded on your minutes. The night before was Tuesday night, and I was that night at home.

Question. When did you understand that the whipping of Champion and these other parties took place?

Answer. On Sunday and Saturday night, which I believe would inclose the 15th and 16th of October.

Question. It was on two nights—Saturday and Sunday night?

Answer. Yes, sir.

Question. When and where did you see “this man,” that being the way you characterized him in the first place, whom you now call “Gentry?”

Answer. In this county, about one mile this side of Cowpens Furnace, on the road leading either to Limestone, or Surratt’s Ferry, or to Cowpens Furnace.

Question. When was that?

Answer. It was on the 17th of October, I think.

Question. What day was it?

Answer. On Monday night, sir.

Question. That was the first you saw of him?

Answer. Yes, sir; on that occasion up there.

Question. On Monday night, the 17th of October?

Answer. Yes, sir; I think it was the 17th of October.

Question. Some whipping had taken place the night before?

Answer. Yes, sir; two nights previous to that—Saturday and Sunday nights.

Question. Were you living at the place where you first saw him?

Answer. No, sir.

Question. What were you doing there?

Answer. I was camped there. I had been traveling a little.

Question. Where had you been?

Answer. To North Carolina.

Question. On what business.

Answer. Some various business.

Question. What was it?

Answer. Some of the business was to see my relations; that is one thing. That is the most correct I could give. Others was to look at the country.

Question. Nothing else?

Answer. I can’t say that there was anything else in particular, sir.

Question. Who did you take to North Carolina with you?

Answer. A young lady, my sister-in-law.

Question. What for?

Answer. To introduce her; to take her to her brother-in-law’s—her sister’s—in Polk County, North Carolina.

Question. Then the principal business was not to see your friends, but to take your sister-in-law?

Answer. I can’t say it was my principal business. I had friends there that I hadn’t seen for several years. I went to see them.

Question. What trouble or difficulty was it that occurred before that which led you to take your sister-in-law to North Carolina?

Answer. I didn’t have any.

Question. You swear so?

Answer. I didn’t hear any trouble or difficulty. In what way do you mean? Speak it plain, so I can understand you.

Question. You understand whether there was difficulty?

Answer. No, sir; I don’t understand that there was any difficulty. There was a misgiving got up after I had gone.

Question. What was it?

Answer. It was settled when I got back. It was an error.

Question. What was it—a misgiving?

Answer. Yes, sir. That don’t concern the case I was qualified on.

Question. Are you to judge of the matter?

Answer. No, sir; but I leave it to the chairman.

The CHAIRMAN. It is a proper question to test your recollection.

By Mr. VAN TRUMP:

Question. What was the misgiving?

Answer. It was that I oughtn’t to have taken her.

Question. Why?

Answer. Because they didn’t think it was my place.

Question. What was the reason of that?

Answer. They had got out rumors after I had gone. I am satisfied or was told—and it took me some trouble to clear them up—that I had taken her for my own purposes, if you want to know the whole of it; that was the rumor after I got back, not before I started.

Question. Were you a married man?

Answer. I was, sir.

Question. You did not know anything of the misgiving before you went?

Answer. No, sir; not until after I got back.

Question. How did you clear up that misgiving?

Answer. Stating to the people where I had staid; how I introduced her at the general hotels where I had staid.

Question. How long before the 17th of October was it when you went to North Carolina?

Answer. On the 26th of September.

Question. You went there with this sister-in-law on the 26th of September?

Answer. I did not go to North Carolina on the 26th of September. I left on the 26th.

Question. Where did you leave your wife?

Answer. At camp meeting.

Question. Did you start from camp meeting?

Answer. I started from home.

Question. You had been at camp meeting, and you left your wife at camp meeting?

Answer. Yes, sir.

Question. You went from home with your sister-in-law?

Answer. Yes, sir.

Question. How long did you stay at home?

Answer. I do not know. There was time-pieces there, but I did not notice.

Question. You had a time-piece?

Answer. Yes, sir.

Question. Where was it?

Answer. At home.

Question. Do you mean a clock?

Answer. Yes, sir; and watch, too.

Question. Did you look at them?

Answer. No, sir.

Question. What time did you get home with your sister-in-law?

Answer. I suppose about 10 o'clock.

Question. In the day-time?

Answer. In the night-time.

Question. How far was the camp meeting from your home?

Answer. About three miles.

Question. Did you leave in the night-time from the camp meeting?

Answer. Yes, sir.

Question. When did you and your sister-in-law determine to go to North Carolina?

Answer. At the camp meeting. She wanted to go to her sister's. I had a letter from her brother-in-law that he was coming to Polk County on some business, and she wanted me to take her there to see her sister. It is a little town called Marshall.

Question. Was this sister-in-law your wife's sister?

Answer. She was.

Question. Was she younger than your wife?

Answer. Yes, sir.

Question. How much younger?

Answer. I do not know.

Question. Give us your best impression.

Answer. May-be I can give you a pretty good statement, [figuring with a pencil upon paper;] I suppose about thirteen years.

Question. Younger than your wife?

Answer. Yes, sir.

Question. What was her age?

Answer. Going on about nineteen.

Question. Your wife, then, is younger than you are?

Answer. Yes, sir; and very likely, too.

Question. Good-looking?

Answer. A good-looking woman; yes, sir.

Question. Was this sister-in-law as good-looking as she was?

Answer. I would not hardly think she was. My wife is a very good-looking woman. When did your sister-in-law and you at the camp meeting come to the conclusion to go to North Carolina?

Answer. I said part of it or most of it occurred at the camp meeting. She had asked me before that to take her to her brother-in-law's; some other was at my house.

Question. In the presence of your wife?

Answer. I do not know whether she was present or not.

Question. When did you finally agree to go—was it on the camp-ground?

Answer. I do not generally do anything I don't wish my wife to know.

Question. Where on the camp-ground and at what particular time did you and her finally agree to go to North Carolina?

Answer. Sunday evening, I think.

Question. How long before you started home?

Answer. How many hours or days?

Question. What was the time?

Answer. I do not know just what the time was; it might have been on Sunday at 1 o'clock.

Question. Was it Sunday night you left the camp-ground?

Answer. Yes, sir.

Question. Did you say what time you left the camp-ground?

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

Question. You said you got home about 10 o'clock?

Answer. I think I said 9 o'clock.

Question. I think you said 10 o'clock; what do you think?

Answer. I told you I didn't notice the clock then.

Question. You said it was about 10?

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

Question. Did you start for home about night or not?

Answer. About dark—it is three miles.

Question. And it took you from just about night until 10 o'clock to get home?

Answer. No, sir; I think I said about 9 o'clock. Has the gentleman got it recorded?

Question. I am not under oath as a witness, and I can say I do not know.

Answer. I do not know, either.

Question. How did you travel home?

Answer. On foot.

Question. Why did not your wife go home with you?

Answer. That is what I do not know.

Question. Did you tell her you were going home?

Answer. No, sir.

Question. Did you take your wife there to camp-meeting?

Answer. I did.

Question. With your sister-in-law?

Answer. No, sir.

Question. I understood you to say you took your sister-in-law to the camp-meeting?

Answer. No, sir; I did not say so.

Question. Who did take her there?

Answer. I do not know without she took herself.

Question. Was it understood and agreed between you and her to meet at the camp-ground?

Answer. I do not think there was any understanding to that effect.

Question. Where did your sister-in-law live before that camp-meeting?

Answer. At her father's.

Question. How far from your home?

Answer. About two miles.

Question. Did you go by her house to the camp ground?

Answer. No, sir.

Question. Did you come by there?

Answer. No, sir.

Question. How long before the camp-meeting did you see your sister-in-law last?

Answer. I do not know that I can answer.

Question. You did not tell your wife that you and your sister-in-law were going home that night on foot after night?

Answer. No, sir; I did not.

Question. You did not tell her that you were going to North Carolina after you got home?

Answer. No, sir.

Question. And that you were going to stay nearly a month in North Carolina?

Answer. I did not.

Question. When did you and your sister-in-law leave home for North Carolina?

Answer. I think that question has been answered and recorded.

Question. I think not.

Answer. I am on oath and you are not.

By the CHAIRMAN:

Question. Answer the question.

Answer. I think it was the 26th of September.

By Mr. VAN TRUMP:

Question. Was that the next morning that you got home?

Answer. Yes, sir.

Question. How early?

Answer. Very early.

Question. How did you go to North Carolina—how did you travel?

Answer. I came here first and staid until Tuesday, I believe.

Question. With her?

Answer. Yes, sir.

Question. Who was in the house with you and your sister-in-law that night?

Answer. Where?

Question. At your house.

Answer. No person.

Question. You and her staid there together?

Answer. What time I did stay there we were together.

Question. You both staid in the house that night?

Answer. Yes, sir.

Question. Nobody else was there that night?

Answer. No, sir.

Question. You came to town the next morning with this sister-in-law of yours?

Answer. No, sir; I did not say that.

Question. You came?

Answer. Yes, sir; I came.

Question. Where did you meet your sister-in-law after that?

Answer. I met her above here a piece.

Question. Was it agreed between you and her before you left that morning where you were to meet?

Answer. Yes, sir; and to take her to North Carolina.

Question. What did you come to town for?

Answer. On business.

Question. What business?

Answer. I was owing some money and some money was owing me.

Question. You wanted to pay what you owed, and get what was due you?

Answer. Yes, sir; to pay and collect.

Question. Was it your intention when you left to return?

Answer. It was.

Question. Why did you want to settle up your business?

Answer. I did not want to settle up—I left a good deal unsettled.

Question. How did you travel to North Carolina?

Answer. Most of the time we were afoot—a heap of the time.

Question. In what other mode did you travel?

Answer. Sometimes I hired vehicles.

Question. As you found them along the road?

Answer. Yes, sir.

Question. What was the distance from your house to where you went in North Carolina?

Answer. I suppose seventy-five miles.

Question. The most of it you and this girl walked?

Answer. Some part of the way we walked and some we did not.

Question. You said most of it—do you change that?

Answer. No, sir.

Question. Where did you go to in North Carolina?

Answer. I went to Polk County.

Question. To what house?

Answer. Principally to Polk County.

Question. To what house in Polk County?

Answer. At a man named Hinstons.

Question. A relative of yours?

Answer. No, sir.

Question. Of your sister-in-law?

Answer. No, sir.

Question. How long did you stay there?

Answer. All night until next day some time.

Question. You did not intend to stay there long?

Answer. No, sir.

Question. You did stay with her at several other points on the way?

Answer. Yes, sir.

Question. Where did you start to go?

Answer. To Haywood.

Question. Is that a town?

Answer. No, sir; but Asheville—that is a little town

Question. Who did you intend to see there?

Answer. My brother-in-law and sister.

Question. What is his name?

Answer. M. C. Mackabee.

Question. Where does he live?

Answer. Close to Asheville.

Question. Is Asheville his post office?

Answer. I think it is; he then did not live at Asheville. Unknown to me—I hadn't

heard it—he had moved to a little town on the Tennessee line. I cannot think of the name. He had moved there, but I did not know it; I thought he lived at Asheville.

Question. You went to see Mackabee?

Answer. Yes, sir.

Question. He is your brother-in-law?

Answer. Yes, sir.

Question. Who else did you say you went to see?

Answer. I did not say anybody.

Question. Yes, you did?

Answer. I might have said I went to see several of my relations.

Question. You mentioned you went particularly to see several?

Answer. Refer to the book and see.

Question. What do you mean by "the book"—do you mean what the Reporter has taken down?

Answer. Yes, sir.

Question. Did you not say you went to see Mackabee and some other particular relations?

Answer. Yes, sir.

Question. What relations?

Answer. Mackabee.

Question. What particular relations?

Answer. I do not think I named any relations particularly.

Question. Did you not say you went to see Mackabee and another particular relation?

Answer. And other relations, I said. I do not know whether I said particular or not. I do not think I gave the name.

Question. Did not you say your sister-in-law?

Answer. I said Mackabee's wife was my sister-in-law.

Question. Did you not say you went to see her?

Answer. I said I went to see her if she was where I thought she was. I went to see Mackabee, and his wife would have been my sister-in-law, but they had moved to that little town.

Question. How long did you stay at Mackabee's?

Answer. I did not see him; he had moved.

Question. Did you follow him?

Answer. No, sir; I turned back for home.

Question. Right away?

Answer. Yes, sir, when I found he was gone.

Question. You went to North Carolina to see Mackabee and his wife, and turned right back home?

Answer. Yes, sir.

Question. With your sister-in-law?

Answer. Yes, sir. I came back out of my way somewhat to see some of my relatives.

Question. How far did Mackabee live from Asheville?

Answer. I think, sir, as well as I recollect, about forty-five miles.

Question. You had already traveled about seventy-five miles to see him?

Answer. I think about that.

Question. Having heard that he had moved forty-five miles, you turned about and came home?

Answer. Yes, sir.

Question. Did you come back by the same road that you went?

Answer. No, sir.

Question. What road did you come back by?

Answer. Up the Rutherfordton road.

Question. Did you stop at Rutherfordton?

Answer. No, sir; I stopped a little this side.

Question. How long?

Answer. Through the evening.

Question. How were you traveling with this sister-in-law?

Answer. On foot right there.

Question. Had you any wardrobe along?

Answer. Yes—spare clothes?

Question. Yes.

Answer. Yes.

Question. Had she a bundle too?

Answer. No, sir.

Question. How did she carry her clothes?

Answer. I don't think she had any along, except what she had on.

Question. Where did you go from Rutherfordton?

Answer. The next place I stopped at.

Question. You were traveling right on?

Answer. Yes, sir.

Question. Do you recollect what time you got to Asheville, where you supposed your brother-in-law lived?

Answer. No, sir.

Question. How many days were you going from your home to Asheville?

Answer. I do not remember that, for I staid sometimes with some of my relations.

Question. Going out?

Answer. Yes, sir.

Question. What relations.

Answer. Do you want their names?

Question. Yes, sir.

Answer. Thomas McDade and Spartan McDade.

Question. Where do they live?

Answer. They lived on the head of these rivers out here.

Question. What is the nearest town?

Answer. They live nearest to Columbus Court-House, North Carolina.

Question. Is that their nearest post office?

Answer. I do not know, sir.

Question. How far from Columbus did they live?

Answer. About twelve miles, I think, if I am not mistaken.

Question. Did they live close together?

Answer. They lived about four miles from one another.

Question. On the same road you traveled?

Answer. It was on the road I traveled.

Question. Was that the main traveled road to Asheville?

Answer. No, sir; not the main traveled road to Asheville.

Question. What road did they live on?

Answer. I cannot tell you what road they lived on.

Question. How did you find out where they were.

Answer. I knew where they lived.

Question. Do you not know the road they lived on?

Answer. I do not think it was any road that has any name.

Question. Which one did you come to first?

Answer. Thomas.

Question. How long did you stay there?

Answer. Until next day some time.

Question. Did he know this sister-in-law of yours?

Answer. I told him who she was.

Question. Did he inquire of you why your wife was not along?

Answer. No, sir.

Question. Not a word about that?

Answer. No, sir.

Question. How long did you stay there?

Answer. From one day to the next.

Question. And next day you went to the other relation?

Answer. Yes, sir.

Question. What time did you leave Thomas's the next day?

Answer. I reckon about 10 o'clock.

Question. What time did you get to the other party?

Answer. I cannot say what time; I reckon it was about toward 12; they said it was four miles.

Question. How long did you stay there?

Answer. Until next day.

Question. Then you started to Asheville?

Answer. Yes, sir.

Question. Did you stop at any other point between that and Asheville?

Answer. No, sir.

Question. You went direct to Asheville?

Answer. Yes, sir.

Question. How long did it take you to travel from your home to Asheville?

Answer. I do not know, as I have said.

Question. You have refreshed your mind about the different stopping places?

Answer. Yes, sir, but I do not know.

Question. Guess at it the best you can do.

Answer. Well, sir, it would be a guess, without I had more time to make a calculation, for I do not know.

Question. About how many miles could you travel each day on foot with these little catch-ups of rides that you got?

Answer. I do not know that either, or how far we did go, or how many days we were going.

Question. You cannot give us any one day's extent of travel, either by riding or walking?

Answer. Yes, sir, I could come pretty nigh that; I suppose some days twelve or fifteen miles.

Question. You took it leisurely?

Answer. Yes, sir, I suppose so.

Question. When you hired a conveyance, did you jog on at a pretty good trot?

Answer. Yes, sir.

Question. Taking the time you stopped at Thomas Dade's and the other party's over night and part of a day, and the distance to Asheville, being seventy-five miles, were you over four or five days going to Asheville?

Answer. Yes, sir, I think so.

Question. How much more?

Answer. I do not know.

Question. Give us an opinion.

Answer. I will make as good a calculation as I can. It might have been seven or eight days.

Question. Getting to Asheville and finding your brother-in-law not there, you were not disposed to follow him further, although you had gone seventy miles, and you turned back home?

Answer. I traveled back home.

Question. How did you travel back home?

Answer. By Rutherford.

Question. Did you stop with any relatives?

Answer. I stopped not far from Rutherford. I stopped with a man named Lemasters.

Question. Any relation of yours?

Answer. Yes, sir; a brother-in-law.

Question. How long did you stay there?

Answer. A piece of a day.

Question. How far does he live from Rutherfordton?

Answer. About two miles.

Question. That is his nearest post office, is it?

Answer. Yes, sir.

Question. Would a letter reach him at Rutherfordton?

Answer. Yes, sir; I think that is his post office.

Question. You say you staid there a piece of a day; did you jog on homeward?

Answer. Yes, sir.

Question. Where did you go to then?

Answer. That night?

Question. Yes, sir; did you stop at another relative's?

Answer. No, sir.

Question. Did you stop at a public house?

Answer. We stopped with a man named Owens, I think.

Question. You and your sister-in-law staid there all night?

Answer. Yes, sir; I had an acquaintance.

Question. Did you sleep together in the same house?

Answer. Yes, sir; under the same roof, but I think she slept in a different room.

Question. You think so?

Answer. Yes, sir; I know it.

Question. Why did you not say you know it?

Answer. I spoke cautiously, you know, at first.

Question. I advise you to be cautious.

Answer. I am cautious.

Question. It is what a witness ought to be. You staid there one night; where did you go the next night?

Answer. I think the next day was a wet day—very wet; and a man named Eaves lived close by, and —

Question. And you stopped there next night?

Answer. No, sir; I staid with him the next night, part of the night. He came up for me to go with him, and talk with him.

Question. Where were you, that he came from his house to get you to come down to his house and talk?

Answer. With a man named Owens.

Question. And that is the man you spoke of before?

Answer. Yes, sir.

Question. Then you did not travel that day towards home?

Answer. No, sir; it was a wet day.

Question. That was a lost day?

Answer. Yes, sir; it was a wet day.

Question. Was the next day a wet day?

Answer. The third day? no sir.

Question. How far did you travel that day?

Answer. I do not know how far. I am not able to say. We got next day, I think, to a cousin of mine named Dillon.

Question. You had another relative there?

Answer. Yes, sir.

Question. It makes no difference what road you traveled in that country you came to a relative over night?

Answer. I cannot say so.

Question. You stayed with him that night?

Answer. Yes, sir.

Question. Did you travel on next morning?

Answer. No, sir.

Question. What did you do?

Answer. Staid there.

Question. How long?

Answer. Next day and next day—three days.

Question. What is his name?

Answer. Dillon.

Question. Where does he live?

Answer. Six miles, I think, southeast from Shelby Court-House.

Question. Is Shelby Court-House his post office where he gets his mail matter?

Answer. I do not know.

Question. Is there any nearer post office that you know of?

Answer. No, sir.

Question. At the end of three days you took up your staff again and walked?

Answer. Yes, sir.

Question. Where to?

Answer. That was for home.

Question. Did you get home?

Answer. Yes, sir.

Question. What did you say about home?

Answer. I understood you asked me if I walked that day.

Question. I asked did you take up your staff and travel that day; you said you did for home; did you get home?

Answer. No, sir.

Question. Where did you get to?

Answer. A mile this side of Cowpens Furnace.

Question. That is in this county?

Answer. Yes, sir.

Question. Near Cowpens battle-ground?

Answer. I suppose it is.

Question. Is that the place where you camped?

Answer. Yes, sir.

Question. Who was with you?

Answer. Nobody but her. I aimed to have staid at the Cowpens Furnace when I was told the gentleman was not at home. I generally staid at what was called good houses; don't you understand?

Question. I have of no doubt of that.

Answer. I then came on a mile, and it looked a little like rain, and a man named Henderson—

Question. Henry Henderson?

Answer. I do not know his given name.

Question. What about him?

Answer. He told me he did not take in travelers, or want to be interrupted.

Question. Was he the only gentleman who lived there?

Answer. Yes, sir; the only one I knew of.

Question. Was there any other in the neighborhood?

Answer. I do not know of any other; I was a stranger.

Question. What time of day was that?

Answer. Getting dusk; that was a portion of the night I camped out. I went to the house and tried to get to stay, and they did not seem disposed to. It looked a little like rain.

Question. They had plenty of room?

Answer. I do not think they had. I asked them if they would take us in if it rained. They said they would if it rained.

Question. Then you started off for your camp?

Answer. Yes, sir; it was right close to Henderson's.

Question. How far did you go to your camp?

Answer. Not two hundred yards.

Question. What do you mean by a camp?

Answer. Only a fire built up; that was the only time I did that. We generally staid at good houses.

Question. What time did you strike your camp?

Answer. About deep dusk.

Question. Was this girl with you when this man came along?

Answer. Yes, sir.

Question. Where is she now?

Answer. At her father's, I suppose.

Question. Where is that?

Answer. At her father's, about two miles from here.

Question. What is his name?

Answer. Lemuel Gossett.

Question. It was about dusk when you struck your camp?

Answer. Yes, sir.

Question. What night was that?

Answer. Monday night.

Question. What day of the month was Monday?

Answer. About the 17th.

Question. What month?

Answer. October.

Question. How near was that to your home—where you lived at home?

Answer. I do not know, sir. I expect it was about nineteen miles

Question. Were you then on your way home?

Answer. Yes, sir.

Question. It was about dusk when you struck up your camp?

Answer. Yes, sir.

Question. You say you built a little fire?

Answer. Yes, sir.

Question. When this man came along you said there was no light?

Answer. Only a little fire.

Question. Just some coals, you said?

Answer. Yes, sir; that was all.

Question. He came riding along?

Answer. Yes, sir.

Question. Did you hail him or did he hail you?

Answer. I think he hailed me, maybe.

Question. Maybe; but I want the fact?

Answer. I think he spoke to me first.

Question. What did he say?

Answer. The first word he said?

Question. Yes, sir.

Answer. I think he asked me how far it was to Camp's Cross-roads. I think that was the first.

Question. What did you tell him?

Answer. I told him about two miles.

Question. What was the next question?

Answer. What was the next question?

Question. Yes.

Answer. I think he asked me which of the roads went there.

Question. What did you tell him?

Answer. I told him the road he was in—the right hand.

Question. Was that all that took place?

Answer. He asked me my name.

Question. Did you tell him?

Answer. I told him.

Question. What then?

Answer. I asked him his name. He said he was a stranger over there.

Question. He did not tell you his name?

Answer. No, sir.

Question. As you say now, you knew who that man was then?

Answer. I said I then thought I recognized him by his voice.

Question. You say you were well acquainted with him long before that?

Answer. Yes, sir.

Question. What kept you from speaking out to Mr. Gentry?

Answer. I don't think it would have been anything.

Question. You had nothing on your mind to prevent you?

Answer. Nothing; for I told him my name very deliberately, and asked him what time he passed my house.

Question. How long did he stop with you?

Answer. Just a few minutes—not many.

Question. You did not speak to him as knowing him at all?

Answer. Yes, sir; I asked him his name.

Question. You were satisfied with that, although you knew this was Mr. Gentry?

Answer. Yes, sir.

Question. You say there was nothing in your mind to cause you to refrain from addressing him as Mr. Gentry?

Answer. I say so.

Question. When next did you see him?

Answer. I do not know.

Question. How long was it?

Answer. Probably a week or two.

Question. Where did you see him?

Answer. In the streets here.

Question. Was that the first time you had seen him since that night?

Answer. Yes, sir.

Question. What took place between you?

Answer. I told him I had heard of some things he had said.

Question. What had you heard he had said?

Answer. He said he hadn't said it.

Question. I ask what you had heard he had said?

Answer. I had heard he had said that he came across me camping out with that young woman; that would have been so because I couldn't get no inn that night.

Question. That irritated you?

Answer. No, sir; I don't know that it irritated me. I have not done nothing. The citizens, wherever I have any account of, know I treated her for what she was, and treated her the same.

Question. You had a purpose in seeing Mr. Gentry, and was determined to have an explanation of what you had heard he had said?

Answer. I asked him what did he say. He said he hadn't said anything wrong. He proposed to go and see the man. He said he hadn't said anything wrong or seen anything wrong.

Question. Did he admit to you that he had said what you had heard he had said?

Answer. No, sir; he didn't admit to me that he had said what I had heard he had said.

Question. Did he not propose to go and see the very man who had reported it on him?

Answer. Yes, sir.

Question. And you declined?

Answer. Yes, sir.

Question. Who was that?

Answer. My brother.

Question. Who?

Answer. Marcus Bryant.

Question. Is Dr. Bryant your brother?

Answer. What Dr. Bryant do you refer to?

Question. Dr. Javan Bryant.

Answer. He is my nephew.

Question. Did Dr. Bryant tell you what Mr. Gentry said?

Answer. No, sir; I don't wish to be so understood.

Question. I ask you who told you?

Answer. I said my brother Marcus.

Question. Where does your brother Marcus live?

Answer. About a quarter of a mile from me.

Question. How far from town?

Answer. About six miles and a quarter from town.

Question. Mr. Gentry proposed at once to go and see him?

Answer. Yes, sir.

Question. Did not Mr. Gentry deny having said any such thing?

Answer. Yes, sir.

Question. Were you satisfied with that, and did you not push it any further?

Answer. I didn't push it any further.

Question. You must have felt some concern about it, when, the first time you saw Mr. Gentry, you made an attack on him about what he had been saying?

Answer. I had this much about it, that if he had stated what I had heard he had said, it was not so.

Question. You said he said that you were camped out with your sister-in-law?

Answer. But that was not all.

Question. State what he did say.

Answer. He stated that he didn't say it.

Question. What was it that you had heard he had said?

Answer. He said we were both lying on the same cover.

Question. You could not well lie on anything else?

Answer. Yes, sir, we could.

Question. How did you lie?

Answer. She lay there [on this side] and I lay there, [on that side.]

Question. You might have been still on the same cover?

Answer. But it was not.

Question. Did you lie there all the night?

Answer. Nearly all night. I heard the gentleman up where I had asked permission to stay the night before; I heard him up before day.

Question. Had it rained?

Answer. No, sir. I went to his house to know whether I could get breakfast.

Question. Did you get it?

Answer. Yes, sir.

Question. Where did you go?

Answer. To my home.

Question. To your regular home?

Answer. Yes, sir.

Question. Did you take your sister-in-law there?

Answer. No, sir, to her father's. The roads forked before we got to my house and she went to her father's. I went with her to that.

Question. How far?

Answer. A mile and a half.

Question. You went where?

Answer. I went to my home.

Question. Was your wife there?

Answer. Yes, sir.

Question. Was she surprised at your long absence?

Answer. She might have been.

Question. Was she?

Answer. Surprised at it? I expect she was a little.

Question. Do you not know that she was?

Answer. She seemed a little surprised at my coming up.

Question. Was there not a difficulty between you and her about it?

Answer. Not at all—not at all.

Question. You had been gone from the 26th of September until the 17th of October, had you not?

Answer. Yes, sir; I think that was about the time.

Question. You were all that time in traveling up to and from Asheville?

Answer. Yes, sir; but not direct.

Question. How much out of the way did you go?

Answer. I had heard, sir, my brother-in-law—you have not asked me that, and I did not think to state it—that my brother-in-law had been indicted for stilling once before that. He was a native of this county and had been indicted for stilling.

Question. I did not ask for that.

Answer. You wanted to have the narrative, and I had heard or got a few lines from him to know if it was so that the Greenville court was to set in a few days before I started.

The CHAIRMAN. If Judge Van Trump does not want to know this you need not tell it.

The WITNESS. He wanted to know the reason why I started, and the reason it took me so long to get there, and I wanted to tell that.

By Mr. VAN TRUMP:

Question. What is your politics?

Answer. I am a very poor politician, sir.

Question. Poor or rich, what is it?

Answer. My politics would be republican-conservative.

Question. You voted the republican ticket, did you not?

Answer. I never have voted the republican ticket. That would be my politics if it was expressed.

Question. To come back again to when you met Mr. Gentry here in town; tell all that took place then?

Answer. I think I did.

Question. No, you have not.

Answer. Ask the questions, and I will tell you to the best of my knowledge.

Question. Did you and he allude to the fact of seeing each other on the road that night?

Answer. Yes, sir,

Question. What was said?

Answer. In connection with that ?

Question. Of course.

Answer. I don't remember that anything special was said at all.

Question. Try to tax your memory, now.

Answer. I do.

Question. You say that was the first time you saw Mr. Gentry after the time when you saw him that night as you were camped ?

Answer. Yes, sir.

Question. Nothing special was said that you know of ?

Answer. No, sir ; nothing special to introduce our meeting.

Question. You introduced the subject of whether he had said that about the girl ?

Answer. I mean outside of what I have already stated.

Question. I ask for all that took place between you and Gentry.

Answer. I have stated it all.

Question. State it again.

Answer. I met Mr. Gentry and related to him that I thought there was some misunderstanding in connection with what he had said, which I have stated. He said he had said nothing. He asked me who told me.

Question. Did you tell him what you had heard he had said, exactly to word it ?

Answer. Yes, sir.

Question. And he denied it ?

Answer. Yes, sir.

Question. And proposed to go and see your brother ?

Answer. Yes, sir.

Question. Did your brother say he had said it ?

Answer. I never conversed with him about it.

Question. How did you get the news from your brother about it ?

Answer. Since that conversation.

Question. Do you not live close to your brother ?

Answer. Yes, sir.

Question. You had talked with him ?

Answer. Yes, sir. I don't think my brother told me, but his wife told me that my brother said that Gentry had said this.

Question. And Gentry proposed to go and see him ?

Answer. Yes, sir.

Question. And you would not go ?

Answer. I did not have time.

Question. What next was said ?

Answer. I asked him if he found the place he inquired for.

Question. Did you mention the place ?

Answer. Yes, sir.

Question. Speak the words he spoke then.

Answer. I asked him if he found Camp's Cross Roads that he inquired for. He said he did.

Question. What else ?

Answer. I asked him how he designated or knew the place, as he said he was a stranger over there. He said he knew of a post oak that stood in the road or in the forks of the road. I jokingly asked him.

Question. Is that all he said—that he found the tree ?

Answer. He did not say how he found it. He said he rode up to it and felt at it.

Question. What did he find by feeling ?

Answer. The blaze.

Question. Had you told him of that oak or the blaze ?

Answer. I hadn't, because I didn't know anything about it.

Question. Now, Mr. Bryant, when and to whom did you first detail all of these facts ?

Answer. These facts I have stated ?

Question. About Gentry.

Answer. I think, sir, the only time I detailed these facts was in a written note that was written down probably by Dr. Bryant and Mr. Fleming after the election.

Question. The last election ?

Answer. Yes, sir.

Question. How long after the election ?

Answer. I can't say.

Question. This circumstance took place just before the election ?

Answer. Yes, sir.

Question. How long after the election did you tell that ?

Answer. I don't know.

Question. Give us an idea of how long ?

Answer. I don't suppose it was very long ; I don't know. I'll tell you what I do know : I know it was before the contested election was decided.

Question. Was it during the heat of that contested election?

Answer. Yes, sir.

Question. To Mr. Fleming and your nephew, Dr. Bryant?

Answer. Yes, sir.

Question. Where did you meet them?

Answer. In this town.

Question. Did you meet them together?

Answer. Yes, sir.

Question. Where?

Answer. On the street here.

Question. Did you tell it on the street?

Answer. No, sir.

Question. Where did you go to?

Answer. To Mr. Fleming's office.

Question. Did you tell them you wanted to see them?

Answer. No, sir; they wanted to see me.

Question. About what?

Answer. About that thing.

Question. How did they know about it?

Answer. I do not know.

Question. Had you told anybody?

Answer. I don't think I did.

Question. Do you know?

Answer. I don't know that I had told any person; if I had, I don't recollect.

Question. They commenced talking to you about this thing of Gentry?

Answer. Yes, sir.

Question. What did they say?

Answer. They got to talking about the election being broken up at Limestone Springs.

Question. What had that to do with Gentry?

Answer. They told me they understood I passed through there.

Question. What had that to do with Gentry?

Answer. Nothing that I know of. They asked me what I heard passing through that vicinity. I stated as I have here.

Question. Did you state the Gentry matter?

Answer. My memory is not correct whether I did or not.

Question. You say they talked to you about it?

Answer. Yes, sir; about what had transpired.

Question. Did they speak of the specific thing between you and Gentry so that you knew what they alluded to?

Answer. I would not be willing to make a correct statement on that whether they did or not.

Question. Then you might have been mistaken in saying a while ago that they knew it before you told them?

Answer. Did I say that?

Question. I understood you so.

Answer. I said that they had heard something; that I had passed through that vicinity and heard about these men being whipped.

Question. But I was asking how they came to know about Gentry. You said they knew of it before you told them. I am talking about Gentry, and you about Champion. Will you bear that in mind?

Answer. I will.

Question. Did you say they knew this thing before you told them?

Answer. I said if they did I didn't know how it was. I said if they did know it I don't remember how they knew it.

Question. Have you forgotten that you distinctly stated a minute ago that they had been informed in some way of the Gentry matter before this interview?

Answer. Did I state that?

Question. I think you did. I will not discuss it with you.

Answer. I don't think I did.

Question. Do you recollect now whether they knew it before you told them?

Answer. I don't know that they did.

Question. You went to the doctor's office?

Answer. To Mr. Fleming's office.

Question. Now you cannot tell whether they or you first commenced on the Gentry matter?

Answer. No, sir, I don't know.

Question. What was said and done in regard to the Gentry matter there, by whomsoever it was commenced?

Answer. What was taken down?

Question. I did not ask what was taken down, but what was said or done in the office about the Gentry matter between you three?

Answer. As I told you before, I don't remember whether the Gentry case was taken down or not; but I recollect that the circumstance of my hearing of these whippings was taken down; not that I saw any of it.

Question. You related that?

Answer. Yes, sir.

Question. You do not remember whether anything was said about the Gentry matter there?

Answer. There might have been or might not; I don't remember.

Question. You say that the first persons you told were Mr. Fleming and the doctor?

Answer. About what?

Question. About this Gentry circumstance?

Answer. No, I don't know that I did.

Question. I think you did. Take your time to think of it.

Answer. I am taking my time. (Pausing.)

Question. Can you now say whether the first persons you told that to were Mr. Fleming and Dr. Bryant? What is your best recollection about that, without reference to what you have said to the Reporter about it?

Answer. I say I don't remember.

Question. Can you not recollect who you told first?

Answer. I don't remember that I told any person. I recollect giving a statement of the circumstances as I heard they occurred in that vicinity.

Question. You mean as to the whippings?

Answer. Yes, sir, as I heard them.

Question. But that does not include this Gentry matter, as you think?

Answer. I am not positive; I can't say.

Question. That is, you cannot say who you first told about this Gentry matter?

Answer. No, sir, I don't think I can; I don't remember.

Question. How long ago was it that you first told somebody?

Answer. I don't remember of telling it.

Question. To nobody?

Answer. I recollect of speaking to the gentleman who went with me when I met Mr. Gentry, and having some conversation about it afterwards.

Question. How is that?

Answer. I recollect of the gentleman who went with me when I met Mr. Gentry in the street, and having some conversation about it afterwards.

Question. You say a gentleman was with you when you had this conversation with Gentry on the street?

Answer. Yes, sir.

Question. Who was he?

Answer. Berryman Barnet.

Question. Where does he live?

Answer. On this road.

Question. Which road?

Answer. On the Rutherford road.

Question. How far from here?

Answer. About a mile and a quarter from here.

Question. Did he hear all that took place between you and Mr. Gentry?

Answer. I do not know.

Question. How close was he standing?

Answer. I do not know. He was in company with me, and heard part of the conversation.

Question. Where did you meet Mr. Gentry?

Answer. Down here, not far from the livery stables.

Question. His stables?

Answer. Yes, sir, I suppose so.

Question. By Miles Gentry you mean L. M. Gentry of this town, who has the livery stable?

Answer. Yes, sir.

Question. And this man was along?

Answer. Yes, sir.

Question. Did he go down there with you?

Answer. We were just coming into town, me and him.

Question. Did you come together?

Answer. Yes, sir.

Question. Did you go down to the stables together?

Answer. No, sir, we came that way.

Question. You were coming to town together?

Answer. Yes, sir.

Question. Were you on horseback?

Answer. We had them hitched at the Baptist church, and walked together.

Question. You walked to Mr. Gentry's?

Answer. We were not at Mr. Gentry's.

Question. Where were you?

Answer. At the livery stables.

Question. At Mr. Gentry's stables?

Answer. I don't know that they are his. They are called his, but they change once in a while.

Question. Change what?

Answer. Change owners.

Question. Is that the fact, that sometimes Mr. Gentry owns them, and sometimes some one else?

Answer. Yes, sir.

Question. You were standing together?

Answer. Yes, sir; me and the man with me. I think we were pretty close together.

Question. You think he might have heard this conversation if he had paid attention to it?

Answer. I think he might have, some or all of it. I don't know.

Question. You said that you said something to the gentleman who was along with you, and went on to describe where you met him and who he was. Now, when did you have any talk with him about this Gentry matter?

Answer. I think if you understood me aright this gentleman was with me, and not with Mr. Gentry, when we met him.

Question. I understood that you said something to this gentleman you have mentioned. What was it you said to him?

Answer. I said we had some conversation about it since.

Question. With that gentleman?

Answer. Yes, sir.

Question. What was that conversation?

Answer. Merely talking over the circumstances.

Question. You told him exactly as you have told it here?

Answer. Told that man; yes, sir.

Question. How long was it after this meeting with Mr. Gentry that this conversation with that gentleman occurred?

Answer. I don't know.

Question. About how long was it?

Answer. I don't know.

Question. How long is it since you have talked with anybody on this subject?

Answer. I think I named it—I think me and this same man named it a few evenings ago.

Question. To whom did you name it?

Answer. To Mr. Barnett.

Question. But to whom did you name it?

Answer. I do not remember that I named it to any person.

Question. How did it come to be known to the committee here, so that you were summoned here; do you know that?

Answer. No, I can't say that I do.

Question. Do you say that you do not know how this committee became acquainted with these facts?

Answer. It may be possible—I say my recollection fails me—that these men, Dr. Bryant and Mr. Fleming, in taking down the circumstances that occurred, or that I was told occurred, in whipping these people as I came through that vicinity—it may be that the Gentry case was talked over, but I don't know now whether it was or not.

Question. You are giving your recollection now to some extent, are you?

Answer. That is about what I stated before. I don't wish to keep back anything I know, or any question you see fit to ask.

Question. We will not discuss your disposition. We have our opinions about it, perhaps. Whether you talked about it at the time that they took it down or not, do you not know that since that time Fleming and the doctor knew it?

Answer. I don't think we had any conversation about it.

Question. Do you not know they knew it?

Answer. I don't know.

Question. Have you talked with them lately about it?

Answer. No, sir, I have not talked with them.

Question. How long have you been in town?

Answer. I came in town this morning.

Question. Have you been in town lately?

Answer. No, sir.

Question. How long since?

Answer. Three weeks, I think.

Question. Have you seen Mr. Fleming and Dr. Bryant since you have been here?

Answer. No, sir; not since I was here.

Question. But during this visit to the town, to be a witness, have you seen them?

Answer. No, sir. I saw Mr. Fleming since I have been here this morning.

Question. You have not seen Dr. Bryant?

Answer. No, sir.

Question. Had you a talk with Mr. Fleming about this?

Answer. No, sir.

Question. Not a bit?

Answer. No, sir.

Question. Had you three weeks ago?

Answer. No, sir.

Question. Do you know by what means you became a witness here?

Answer. No, sir; I did not know what I was summoned for when I came up here.

Question. Did you ever hear how this Gentry transaction came to be reported in the country?

Answer. No, sir; I never heard it got to be reported to the country.

Question. Were you astonished this morning when you were inquired of about it?

Answer. I am thinking of something that may be would give you and me satisfaction, and it is a new thought, and may be it is correct, but I am not certain, and will not tell it positively; but it strikes me that this man Barnet might have related that circumstance to a man named Cessler. I don't know that that is so.

Question. What makes you have that idea about it?

Answer. What makes me have an idea about it was, I asked Barnet a few evenings ago, when we had a conversation, and he said he thought the local people who knew nothing about these matters would be troubled as witnesses—don't you understand, here? And I went on to remark I didn't know what such a man as me would be troubled for witnessing for, and he made some statement, how I don't know, but he made some statement that allowed me to infer that likely he had told Cessler that conversation that he had heard, but this is not positive. I am not talking now like I was on my oath, and Cessler might have it through Dr. Bryant.

Question. How long ago did he tell Cessler, if he did tell him?

Answer. He didn't say.

Question. From the state of feeling in this county on this question, if you had told a living person at any time, shortly after this conversation with Gentry, or a long time afterward, or some time ago, that Miles Gentry had done such a thing, would it not have rung through this county like a tocsin, if it had got to be known in any way?

Answer. That I don't know.

Question. Do you not believe it would?

Answer. It looks reasonable like it might.

Question. You do not have a very good feeling toward Mr. Gentry?

Answer. O, me and Mr. Gentry are friendly. I don't wish him any harm.

Question. You are certain of that?

Answer. Very friendly.

Question. Did you tell your wife that your sister-in-law had been with you all that time when you got home?

Answer. Yes, sir.

SPANTANBURGH, SOUTH CAROLINA, July 11, 1871.

STEPHEN DECATUR SPLAWN sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. In North Carolina, in Rutherford County.

Question. In what part of that county?

Answer. I live near the State line, this side of main Broad River.

Question. In what township?

Answer. I believe it is the fourth.

Question. Do they go by numbers?

Answer. Yes, sir. It is called Hickory Grub. Some call it Silver Springs.

Question. How long have you lived there?

Answer. Ever since I was born.

Question. How old are you?

Answer. Agreeable to the last account I can get, I am going on sixty ever since the 4th day of this month.

Question. Have you had anything to do in North Carolina with an organization known as the White Brotherhood?

Answer. No, sir.

Question. Or with an organization known as the Constitutional Union Guards?

Answer. I never heard of that name before, sir, that I recollect.

Question. Did you have anything to do with an organization known as the Invisible Empire or Invisible Circle?

Answer. I never had anything to do with any secret organization whatever.

Question. Have you had anything to do with any society?

Answer. Hold on. Let me explain a little. I am speaking too fast. Once on a time, just after the surrender, I was called on to join a secret organization, and I proposed to do it.

Question. What was that?

Answer. It was called the Union League.

Question. Did you join it?

Answer. My brother-in-law just proposed to me that if I would go, but I told him I was opposed to any secret organization whatever. He said that he thought it would be the best for me. I knew he was pretty well posted anyhow. He said for me to go to where their meeting was and to go in.

Question. Did you go?

Answer. I went into the house and I got this far, that if I liked it I would remain, and if I didn't I would not, and that everything that I saw I would keep secret; but I didn't like it well enough to go into it, and did not go into it more than just as I told you. He said if I would go into it I could make money, where if I didn't I could not. I told him I didn't wish to go into no secret organization; that farming had always been my business, and I expected to make my living by farming, and not by anything else. I just went up there that day and went into the house. They swore me to secrecy, and I have kept it secret.

By Mr. VAN TRUMP:

Question. You have never been there since?

Answer. No, sir.

Question. You say a brother-in-law asked you to go there?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Who was he?

Answer. Miles Paget.

By Mr. VAN TRUMP:

Question. Was he a democrat or republican?

Answer. A republican.

By the CHAIRMAN:

Question. Is that all that you know of secret societies in North Carolina?

Answer. That is all I know.

Question. Do you know anything of an organization commonly called the Ku-Klux order?

Answer. No, sir.

Question. Is there no such order in Rutherford County?

Answer. If there is I don't know it. Now, I don't know. I'll tell you, and you can judge for yourself. There is a man like this in our country there. He is sometimes there and sometimes not there. He has been there. He is a mighty bad man, and he proposed some time ago—so I heard, though I don't know it to be so—but one of my neighbors told me he heard him make this proposition: that he had a crowd made up of men to meet up with the Ku-Klux. He said they had been on him and had abused him, the Ku-Klux had, and he intended, and had a crowd made up, and, damn them, he could be a Ku-Klux too; and then he proposed this. This was at Fort's mill. Mr. Fort was telling me about it. He turned to a negro boy staying there and asked him if he wouldn't go into it with him to go Ku-Kluxing.

Question. Who was that man?

Answer. A man named Jack Burke.

Question. Does he live in that county?

Answer. He is sometimes there and sometimes in Spartanburgh; sometimes one place and sometimes another. He is what I call an outlaw, and nobody can come up with him. He did some time ago, reports say, go in on Mr. Cudd or on his wife. He was not at home, and he abused his wife pretty much. He threatened her powerful, and abused her considerably. Cudd told me so himself, and his wife told me. Then he went the second time on Cudd, and snapped his pistol and bursted down the door. Cudd said he was disguised. He burst down his door and snapped his pistol twice at him, and he shoved him out of the door with a chair, and run out of the other door and got away.

Question. Is this the only man of whom you have heard as being in the Ku-Klux business in Rutherford County—this Burke?

Answer. Yes, sir.

Question. You say he is the only man?

Answer. Yes, sir; I think so.

Question. Have you heard nothing about any recent occurrences in that county caused by Ku-Klux?

Answer. Yes, sir; I have heard, but it is report, you know. It is reported that there was an inroad made on Rutherfordton some time ago.

Question. You know nothing about that?

Answer. No, sir; only by report.

Question. Have you heard anything about the oath that these Ku-Klux take in your State?

Answer. No, sir.

Question. Have you never heard anything about it?

Answer. No, sir.

Question. Don't know what it is?

Answer. No, sir.

Question. Let me read to you an oath, and after I have read it I will ask you if you have heard it:

"You solemnly swear in the presence of Almighty God that you will never reveal the name of the person who initiated you; and that you will never reveal what is now about to come to your knowledge; and that you are not now a member of the Red String Order, Union League, Heroes of America, Grand Army of the Republic, or any other organization whose aim and intention is to destroy the rights of the South, or of the States, or of the people, or to elevate the negro to a political equality with yourself; and that you are opposed to all such principles: So help you God.

"You further swear before Almighty God that you will be true to the principles of this brotherhood and the members thereof; and that you will never reveal any of the secrets, orders, acts, or edicts, and that you will never make known to any person, not a known member of this brotherhood, that you are a member yourself, or who are members; and that you will never assist in initiating, or allow to be initiated, if you can prevent it, any one belonging to the Red String Order, Union League, Heroes of America, Grand Army of the Republic, or any one holding radical views or opinions; and should any member of this brotherhood, or their families be in danger, you will inform them of their danger, and, if necessary, you will go to their assistance; and that you will oppose all radicals and negroes in all of their political designs; and that should any radical or negro impose on, abuse, or injure any member of this brotherhood, you will assist in punishing him in any manner the camp may direct.

"You further swear that you will obey all calls and summonses of the chief of your camp or brotherhood, should it be in your power so to do.

"Given upon this your obligation, that you will never give the word of distress unless you are in great need of assistance; and should you hear it given by any brother, you will go to his or their assistance; and should any member reveal any of the secrets, acts, orders, or edicts of the brotherhood, you will assist in punishing him in any way the camp may direct or approve of: So help you God."

Have you ever heard that oath before?

Answer. I never have.

Question. Did you ever take it?

Answer. I never did.

Question. Have you no knowledge of it whatever?

Answer. Never a word; never heard of it before in my life.

Question. How many persons have you heard of that have been whipped in Rutherford County?

Answer. I have heard of several. I don't know exactly how many. If you call to me their names I can tell some of them.

Question. Can you tell how many?

Answer. There is a man up about Rutherford named Biggerstaff.

Question. Anybody else?

Answer. I heard of some negroes being whipped, but I don't know their names.

Question. How many of them?

Answer. One or two.

Question. Any in your own neighborhood?

Answer. No, sir.

Question. How near to you was the nearest one whipped?

Answer. This was in Spartanburgh. There was one who was whipped here along in the spring some time. I don't remember what time it was.

Question. Who was that?

Answer. A negro. I don't remember his name. He lives close to me.

Question. How near to you?

Answer. Three miles or three miles and a half.

Question. On whose place?

Answer. On a place he has bought himself from a man named Horn. I saw him here to-day. I am so bad about recollecting names. He is a yellow man, an old man.

Question. Are those the only cases you have heard of in your neighborhood?

Answer. I believe so.

Question. Were you present at a conversation between a man named Skip Price and a man named Henderson at any time?

Answer. No, sir.

Question. You do not remember it?

Answer. No, sir; I don't.

Question. At the house of Skip Price?

Answer. No, sir.

Question. Do you know Henderson?

Answer. Yes, sir.

Question. And Skip Price?

Answer. Yes, sir.

Question. Where is Skip?

Answer. He was summoned to come here. He is my son-in-law, and he said to me to tell this committee that his wife is in a helpless condition, looking for a little one; and his wife was very bad off that evening that we started—me and my son started Sunday evening, and he was aiming to come with us—but his wife was looking for a little one, and we concluded it would be best for him to stay at home with his wife until we come and got back, and then I could stay. If she got down she would need some assistance, and there would be nobody to go after any one.

Question. Does Skip live by himself?

Answer. Yes, sir.

Question. Nobody but himself?

Answer. Nobody but his wife and child.

Question. Your daughter's mother, your wife, is living?

Answer. Yes, sir.

Question. How far is it to Skip's house?

Answer. Between a quarter and a half a mile.

Question. Were you present when Skip was summoned?

Answer. No, sir.

Question. You do not know whether he answered the officer that he would not come; that he was afraid to come down here, for fear he would be arrested for stilling?

Answer. No, sir.

Question. Did you and he have a conversation before you came as to whether you would come or not?

Answer. No, sir; I told the officer I would come, and I always try to do what I say I will do.

Question. You are here now, and we only want to get at the truth.

Answer. That is what I aim to tell you.

Question. You were not present at any conversation between Henderson and Skip Price?

Answer. No, sir.

Question. Were you ever a member of any organization that Skip Price had the list of?

Answer. No, sir.

Question. Do you know a man named John Nodine up there?

Answer. Yes, sir.

Question. Is he a democrat or a republican?

Answer. He is a republican.

Question. Did you ever hear of any proposition to whip him?

Answer. No, sir; I never did.

Question. No such propositions were ever made to you?

Answer. No, sir.

Question. Did you hear of any being made to whip him?

Answer. Not that I recollect.

Question. Do you know of a man named Tom Westbrooke?

Answer. Yes, sir.

Question. Did you ever hear of a proposition to whip him?

Answer. I don't think I ever did.

Question. Be sure.

Answer. I don't think I ever did. Tom Westbrooke lives in a quarter of a mile of my house.

Question. You know whether you ever did hear of such a proposition?

Answer. I don't think I ever did. If I ever have I have no recollection of it at this time. I don't think I ever did.

Question. Do you know Skip Price?

Answer. Yes, sir; he is my son-in-law.

Question. Do you know of his connection with the Ku-Klux in any way?

Answer. I do not.

Question. Do you know Commodore Perry Price?

Answer. Only from character. If I ever saw him I didn't know him.

Question. What relation is he to Skip?

Answer. Some relation, but I cannot tell you now. I heard Tom Westbrook say himself that there was some men come in on him one night, and took him out of his bed, and took him out of doors.

Question. You did hear that? What did they do with him?

Answer. He said they didn't hurt him. They questioned him a little, but he did not say what they questioned him for, or anything about it. They just questioned him a little, and told him that he was all right, and to be a good man and a friend to his country, and behave himself, and he would be all right.

Question. He told you that?

Answer. Yes, sir.

Question. He lives within half a mile of you?

Answer. Yes, sir.

Question. What time of night did he say they took him out?

Answer. I don't remember what time of night he said it was. He told me he tracked the mat—the tracks that had come to his house—to Broad River, and that he could not get the tracks any further than this John Nodine's; that the tracks went right to John Nodine's.

Question. Did he tell you he knew who the men were?

Answer. No; he said he didn't know any of them; but his daughter said Nodine was one of them. He went on to Nodine and told Nodine about it, and made Nodine very mad with Westbrook, he supposed. That is what Tom told me.

Question. Where does he live?

Answer. On the bank of the river. It is only a hundred yards from Tom's house to his house where they crossed the river, but Tom said the tracks hadn't crossed the river and they didn't go up or down the river; that is, the horse's track.

Question. Did he say whether the men were in disguise or not?

Answer. I think they were.

Question. When did Westbrook tell you that that happened?

Answer. That was some time along last spring.

Question. Is that what you call Ku-Kluxing up there, coming in disguises and taking men out of houses at night?

Answer. I don't know what you may call it. I will tell you the Ku-Klux has got to be such a common by-word that the children and all call their mammies Ku-Klux and daddies Ku-Klux, and everything is called Ku-Klux.

Question. What has made it so common?

Answer. There has been so much talk about it. It has got to be a by-word with almost everybody.

Question. Has there been no reality about it as well as talk? Have not people been killed in your county by Ku-Klux?

Answer. I do not know really if there was. I have heard of men being killed, said to be by Ku-Klux, but I don't know.

Question. These occurrences are what has made it so common?

Answer. I suppose so.

Question. Do they use that word to frighten the children up there?

Answer. No, sir; it is just a common by-word; that is all I can tell you. It is just common talk with boys and the like; they call one another Ku-Klux.

Question. You have no knowledge of them, and even if your name was given by anybody up there on a list of men belonging to the Ku-Klux you would say that you have no knowledge of the order and do not belong to it?

Answer. I do not; I have no knowledge of it.

By Mr. STEVENSON:

Question. Do you belong to any military organization?

Answer. No, sir.

Question. To any camp; to anything called a camp?

Answer. I don't know what you mean by that.

Question. Do you belong to anything called a camp?

Answer. I do not. I will tell you all that I belong to. I belong to the Baptist church. I am a member of the Baptist church, and that is everything that I have ever subscribed to in the world—the only organization. All that I have ever belonged to is to be a member of the Baptist church.

By the CHAIRMAN:

Question. Is Thaddeus Splawn here also?

Answer. Yes, sir.

Question. Is he your brother?

Answer. No, sir; he is my son.

Question. Is Esau Price here?

Answer. No, sir; not that I know of.

Question. Where is he?

Answer. He is at home, I expect, for he is not able to come here from what I hear of him.

By Mr. VAN TRUMP:

Question. Is he a young or old man?

Answer. He is a pretty old man. He has got some kind of a disease. He is very sick, I suppose.

By the CHAIRMAN:

Question. Is Earl Smith here?

Answer. I do not know.

Question. Where is he?

Answer. I do not know.

Question. Would you know him?

Answer. I do not know whether I would or not. I have seen the man. I have seen these Smith boys. I forget their names and their father's name. I cannot call it to mind.

Question. They live in Spartanburgh County?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Do you know Henry Henderson?

Answer. Yes, sir.

Question. When did you first know him?

Answer. I have seen him ever since he was born, pretty much.

Question. Did he remove or partially remove to North Carolina some time last year or this year?

Answer. Yes, sir.

Question. What time was it?

Answer. I reckon it was about Christmas.

Question. What did he do in the way of fixing his residence in North Carolina?

Answer. He came up there. His father lives on my father-in-law's plantation.

Question. What is your father-in-law's name?

Answer. Lancaster.

Question. Henderson's father lives on your father-in-law's plantation?

Answer. Yes, sir. He came up there to my father-in-law's plantation. He said he couldn't manage it all, and he would take in his son to help him 'tend the farm. He moved up there, and they built a new house for him to live in.

Question. Did he ever finally go up there with his family and stay?

Answer. Yes; his family was moved up there, and I think pretty much all. There were some things that they didn't move, I think.

Question. Was the house finished?

Answer. I don't know whether they intended to do anything more to it or not. It was very open, but still the chimney was up and the floor in.

Question. How long did Henry Henderson stay there?

Answer. I reckon it was a month or so.

Question. Where did he go to from there, as you understand?

Answer. He went to Columbia; that is, I heard so.

Question. It is understood that he is there now, according to your information?

Answer. Yes, sir.

Question. Did you hear or understand that before he went to Columbia he stopped here in Spartanburgh a week or two?

Answer. I heard so.

Question. Were he and Skip Price acquainted with each other?

Answer. Yes, sir.

Question. Were they somehow related by marriage, and if so, how?

Answer. Yes, sir. Henry Henderson married Perry Price's daughter.

Question. What relation is Perry Price to Skip Price?

Answer. I can't tell, but there is some relationship.

Question. State if you know of any difficulty that occurred between Skip Price and Henry Henderson before he left that part of the country. Give us the full history of it, beginning at the beginning.

Answer. Henry Henderson had moved up there, as I told you, and Middleton Henderson had bought a still from Skip Price. He is a brother-in-law of Henry Hender-

son. He was to pay for it in whisky; and after Henry moved up there they agreed to go into the still together and both pay for the still.

Question. Who?

Answer. Henry and Middleton, the one that bought the still. Skip Price went over there. The time was out that they were to pay the whisky; you remember they were to pay for the still in whiskey. He went to see about getting the whisky.

Question. Where did he go to?

Answer. To Henry's house, to his father's house. Henry moved first into his father's house, and they were all living in his father's house.

Question. Go on.

Answer. Skip Price went over and told him he wanted his whisky for his still, and that he must have either the still or the whisky, one or the other.

Question. Had he delivered the still to Henderson?

Answer. Yes, sir. I don't know whether they had any hard words or not, more than he just told them he intended to have one or the other. He was compelled to have pay for his still, and he intended to have either that or the still. I suppose he was to have the still back again or the pay for the still, according to the contract. That is what he told me; and he said he just told them that he had to have the still or the whisky, one or the other. I reckon there was some hard feeling gotten up between the two. Anyhow, Price got sort o' tight, they said.

Question. Do you mean he got intoxicated?

Answer. Yes, sir. He started home and got up. Now, this new house I spoke of is about half way from old Mr. Henderson's, where he had been to his own house; and there he went into that house and laid down and went to sleep, nobody living there and no doors. He followed him.

Question. Who followed him?

Answer. Henry did. His father told me that, Henry's father. He followed him up there and swore he intended to have revenge out of him; and one of the young Mr. Smiths—I can't think of his name to save my life, but he is a brother to this one.

Question. Earle Smith?

Answer. Yes, sir. He was present and saw him strike him. He was lying asleep, he said, and he struck him in the head with a very heavy oak board. I was there the next day, for I had got to the creek and couldn't get across for high water.

Question. Tell us first what occurred during the night.

Answer. Price just lay there all night.

Question. That is, Henderson's father told you that?

Answer. Yes, sir. He said he didn't think he was as bad hurt as he was. I said, "What is the reason you didn't let his wife or family know something about it? you were living close by." "Yes," says he, "Stephen"—he always called me Stephen—"but I didn't know he was as bad hurt as he was."

Question. Or that he was drunk?

Answer. Yes, sir. He said, "If I had known he was as bad hurt as he was, I would have certainly let you know it." Says I, "Sandy, I believe he may die."

Question. What was his condition?

Answer. He was struck across the top of the back of the head with this board, and he had as deep a gash as I ever saw on anybody's head. It stood open the width of my three fingers. The doctor came and sowed it up—Dr. Camp. He said it was a very doubtful case. He lay for three days, and sometimes in the course of the three days there was no pulse to be discovered at all, not in his heel or anywhere.

Question. Because he had lost so much blood?

Answer. Yes, sir.

Question. Was there anybody with him that night?

Answer. Sandy said he had come and staid.

Question. The father of Henry?

Answer. Yes, sir. He said to me, "Henry has always been a mighty bad boy; I never could govern him; he will be hung." Says I, "Yes, I think he'll be hung for this, for Price will die, and I intend to law him just as certain as I live. I believe he'll be hung for killing Price." He said he believed so too.

Question. What did Sandy say about his being with him that night? Was anybody with him that night at your house or not?

Answer. From what I heard, Sandy staid with him part of the time until I came next morning with my wagon and brought him to my house; but he didn't think he was injured so bad. He said he didn't think so or he would have let us know.

Question. What next occurred?

Answer. He was taken to my house and was likely to die, and the word got out that Henderson had struck him with this board.

Question. What became of Henderson about that time?

Answer. I never saw Henderson after that morning that I went with my wagon for Price.

Question. Is that the time you understood he came to Columbia?

Answer. When he left there ?

Question. Yes.

Answer. The understanding was with all the people, and in fact his father told me, he was gone to Columbia; but that was away after that that he had stopped here somewhere in Spartanburgh and was here about Spartanburgh a week or two; but I don't know that for certain. We heard, and his brother-in-law told me, that he was certainly in Columbia.

Question. If he swears that he left there for fear of his life from the Ku-Klux that were there, it is not true, is it, or how is that ?

Answer. I do not think that can be it. Anyhow, he left immediately after this injury to Price. I told his father, "Sandy, he'll be hung for Skip Price;" and Sandy said, "He shan't stay about me;" and the next day I heard he was gone.

Question. How long did Price lie injured in that way ? How soon did he recover so that it was understood that he was safe ?

Answer. It was a week or two.

Question. Has Henderson ever been back there since ?

Answer. Not that I know of.

Question. Is that all that you know about it ?

Answer. I think it is.

Question. Henry Henderson speaks of a large crowd that met before your house one evening about dusk. Did you know about that ?

Answer. What time was that ?

Question. I do not know what time it was. It was directly after an interview, I suppose.

Answer. There was a great many people at my house when Price was there. He was taken to my house and staid there until he got better. There was a good many people at my house, both women and children and men, for they all expected him to die.

Question. How long had Henry been there from the time he came there to live with his father before this trouble with Skip ?

Answer. I reckon it was about a month or so; I don't know exactly how long. It might have been longer or shorter time, but I think it was about that time.

By the CHAIRMAN :

Question. Were Skip Price and Henderson both drunk on the night of this fracas ?

Answer. I don't know; I wasn't there; it was only what they told me.

Question. What was your understanding ?

Answer. I have no understanding about it, whether Henderson was drunk, but I think he was not. That is my impression.

Question. Was it a carousing drunken spree or not ?

Answer. I only know what they told me. Myson is here, and he was right there. He went with Price.

SPARTANBURG, SOUTH CAROLINA, July 11, 1871.

JAMES THADDEUS SPLAWN sworn and examined.

By the CHAIRMAN :

Question. How old are you ?

Answer. I was born October 11, 1840.

Question. Where do you live ?

Answer. In Rutherford County, North Carolina.

Question. Do you know the township ?

Answer. Silver Spring, I believe, sir.

Question. What business do you follow ?

Answer. Farming.

Question. Have you any knowledge of a man named Skip Price ?

Answer. Yes, sir; well, not particular—Skip Price—we call him Skip Price, but his name is Berryman Price; because I am on oath now, and I have to tell the truth. He signs his name B. T. Price.

Question. Have you ever had any talk with him about this Ku-Klux organization ?

Answer. No, sir; I don't know that I ever did.

Question. You never did ?

Answer. No, sir.

Question. Do you know anything about it ?

Answer. No, sir.

Question. Have you never heard of it ?

Answer. Ku-Klux; yes, sir, I have heard of it. There is a good deal of talk in our county about the Ku-Klux parties, but I don't know anything about them.

Question. Have you ever taken an oath as a member of any secret organization in Rutherford County?

Answer. No, sir; I belong to no secret organization whatever.

Question. None of any kind?

Answer. No, sir; no kind whatever.

Question. Have you ever come into Spartanburgh County, in this State, and been initiated into any secret organization?

Answer. No, sir; I never.

Question. Have you ever heard of an organization called the White Brotherhood?

Answer. I have heard of it, but then I don't know much about it. I have heard something about it, but I don't know what about it. I don't know much about it.

Question. You do not know much about it?

Answer. I have heard that there was such an organization; but I don't know anything about it.

Question. What was its purpose?

Answer. I don't know. I've heard of such a thing, that there was such an organization. I don't know that there is or is not.

Question. Who told you about it?

Answer. I can't tell you; it's a rumor?

Question. Have you heard of a secret organization called the Constitutional Union Guards?

Answer. No, sir; I never heard of it.

Question. Have you heard of one called the Invisible Empire?

Answer. No, sir; I don't know that I have.

Question. The only one you have heard of is what is called the Ku-Klux?

Answer. Ku-Klux; I have heard of them. I suppose there has been some depredation committed in our country by what is called Ku-Klux. I don't know who it is by.

Question. Do you know anybody who belongs to that organization?

Answer. No, sir. I know some that is said to belong to it, but I don't know it within myself.

Question. Who in your neighborhood is said to belong to them?

Answer. Well, there is one Burke that has been committing depredation in our country, and it is supposed by the people there that he is a Ku-Klux.

Question. Anybody else?

Answer. Burke told one of my neighbors, Fort, the miller—he has got a mill and we all get our grinding done there—he said he had a plan for all these things. But he is a drinking character and I don't know.

Question. Did you hear this yourself?

Answer. No, sir; it is hearsay with me.

Question. Is anybody else said to belong?

Answer. Burke and his men and—let me see, just let me study a minute. Yes, there is one man, my father-in-law. He is a strict observer of the laws of the State and the United States, and he was coming in one night, by the Ku-Klux—supposed to be Ku-Klux—

Question. Who is he?

Answer. Thomas Westbrooke. He is my father-in-law. He was coming in one night—I married his oldest daughter; but his second daughter says she will swear to a certain man. That certain man lives at the big island right at the ford of the river. This same man had threatened my father-in-law because he came down. You know the Yankees came in here some year or two ago in Spartanburgh and come up about the battle-ground, and him and Mr. Ben Blanton came to see me to go with them to see the Yankees and see what the issue was going to be in the country. We didn't know what was the matter, what was the signs of the times. He went down and this man threatened him; he told him he would be Ku-Kluxed. Says he, "We don't ask you any odds, you Yankees." He says, "The whisky ring don't ask you any odds,"—something of that kind. Now you'll have to call on Westbrooke to get the straight of this.

Question. And who was this man who said this to Westbrooke?

Answer. It was John Nodine, who lives at the big island at the Ford road. He is an an elderly man. He has a son John.

Question. Was Westbrooke accounted one of the Yankees?

Answer. No, sir. He asked him because Westbrooke was trying to carry out the laws of the United States and the State. He went to see this man to carry out the law, and he said he asked him and the Yankees no odds; and he said he would be Ku-Kluxed in ten days.

Question. Was this Westbrooke or the man you mentioned who said that?

Answer. Westbrooke can tell you all about this thing. He is my father-in-law, and has told this thing to me time and again; and you can see him.

Question. Were these Yankees revenue officers or soldiers?

Answer. They were something like soldiers, sent in to collect the revenue.

Question. The whisky tax ?

Answer. Yes, sir ; I suppose so.

Question. Nodine told Westbrooke he would be Ku-Kluxed ?

Answer. Yes, sir.

Question. Was that because he observed the laws of the State and the United States that they were going to Ku-Klux him ?

Answer. I suppose so ; because he was observing the laws of the State and the United States. Says he, "The whisky ring ask you and the Yankees no odds." You ask him about it. He has told me, and this is hearsay from him and me.

Question. Is Nodine considered as belonging to the whisky ring ?

Answer. I expect so ; but I don't want to know anything on that.

Question. Is that the impression ?

Answer. I suppose so.

Question. There is nobody else there that you know of who belongs to the Ku-Klux ?

Answer. This man Burke.

Question. You have given Burke and Nodine.

Answer. He has gone on some person named Cudd, Mr. Cudd, and has committed some powerful depredations, and finally mightily nearly killed out Cudd.

Question. Do you mean that he was killed ?

Answer. He has cut him so that the people of the country thought he would die.

Question. You said Burke and his men ; how many men ?

Answer. I don't know. He came a talking, and said "me and my men" will do thus and so. This man John Fort is a responsible man. He used to be a negro-trader before the war. He used to be a rich man, and he is responsible. I would be glad you would see him.

Question. Do you know how many men Burke has ?

Answer. No, sir ; but this man he committed the depredations on, Cudd, is son-in-law to a woman named Martha Harris, that he tried to commit a rape on ; him and another man, I think ; they tried to commit it, and one told her if she told it he would kill her, and another said he would beat her to death.

Question. Do you consider Burke a Ku-Klux up there ?

Answer. He is one of these outraging fellows, men that cares neither for law nor gospel.

Question. And he has a number of men who go with him in that way ?

Answer. Yes, sir.

Question. That is the understanding in your country ?

Answer. Yes, sir.

Question. Have you had any knowledge at all of any time when those men were going out to hurt anybody ?

Answer. I never have, nor anywhere been nigh me. I have expected them time and again on me, but they have never been on me nor my father-in-law. If it was not for the timber he would be in sight.

Question. You say you know nothing of the Ku-Klux ?

Answer. No, sir.

Question. You are not a member of the organization, and have nothing to do with them ?

Answer. No, sir ; I know nothing about them.

By Mr. STEVENSON :

Question. Did you know Skip Price was getting up a band ?

Answer. No, sir.

Question. How did he happen to get your name on his list ?

Answer. He has not got my name on his list, I don't suppose.

Question. How do you know ?

Answer. If he has, it has been by his own responsibility.

Question. Did you ever see his list ?

Answer. I never did.

By Mr. VAN TRUMP :

Question. What do you know about a difficulty between Skip Price and Henry Henderson, about a quarrel and an injury received ? Do you know of it ?

Answer. Yes, sir.

Question. What was it ?

Answer. Mr. Henderson, or the Hendersons, I don't know who ; I shall not testify that particularly —

Question. State what you know.

Answer. These boys, the Henderson boys, had bought a still, you understand me, from Price and my brother-in law, Painter, and was to give them whisky for it. They were to pay for it in whisky at a certain time ; but the time had passed some time, and Price came by my house Sunday and said he was going down to see about getting his

whisky, and wanted me to go with him. I went along. He says, "If he pays us the whisky, we'll get a dram." So I went along and went down to Henderson's. Mid Henderson, I suppose, was the proprietor——

Question. Tell what took place?

Answer. Henry Henderson lived in Spartanburgh, but he had moved up and built a new house, and was just completing it; but my notion was that they were in cahoot, and were going to buy the still and run the blockade——

Question. Tell what you know about the difficulty between Price and Henderson.

Answer. Well, I think they were buying this to run the blockade. I have to tell it all to get straight along——

Question. Will you just tell what occurred between Henry Henderson and Skip Price about that still, if you were there?

Answer. I went down with them to get the whisky, and no whisky could be got, except Skip got some for us boys, as he promised for us boys. He bought it and paid for it. He said none was paid on the still. We drank some. Skip got tight, particular tight. Now we call him Skip, but his name is Berryman Price, and he is my brother-in-law. His name is B. T. Price. He was particular tight, and some of the friends carried him. He started home, and they got to this new house that this man was building. That was half-way home. This man, Henderson, had rented the ground from my grandfather——

Question. I do not want to know anything about that. Will you just tell what took place there, confining yourself to that?

Answer. I don't know how to do. I want to tell the truth, and the whole truth, and nothing but the truth.

Question. What occurred at the house?

Answer. He had a new house built, and some of the parties with us started home with Price. He was tight, you know, and was troublesome to carry, and they fetched him to this house and laid him down there, and he went to sleep; and we came by directly and he was lying fast asleep, and one of Sandy Henderson's little boys was with him, and we told him to take care of Price. It was only a little ways to his home, where he could go after he waked. We went on to our homes; Bill Westbrooke and myself, and another man or two, I don't remember who, at present. We went on home, and the next morning, the first thing I knew, the old man came to my house and said Henry Henderson——; now what he said is all I know about it, for I didn't see it——

Question. Where did you find Price?

Answer. This old man came to my house, and, says he, "Henry Henderson has killed Skip Price."

By the CHAIRMAN:

Question. Was that his father who said so?

Answer. His father-in-law. He married my sister.

Question. You were not there at all when Henry Henderson hit Skip Price?

Answer. No, sir, I was not there.

By Mr. VAN TRUMP:

Question. Did you see Price after he was hurt?

Answer. Yes, sir. I went over with a wagon myself, and Price was there, and said he felt in the house thus and so, and he had his knife and was going to leave it, and he said, "Leave Skip's knife," and he threw me the knife; that was Skip's knife. We call him Skip, but his name is B. T. Price. That is all I know about it.

Question. Where did Henry Henderson go?

Answer. I understood he went to Spartanburgh, and, after that, to Columbia, South Carolina.

Question. How soon did he leave after Skip was hurt?

Answer. He staid there a day or two; but his father, Henry's father, came over there, and there was a great deal said. Everybody thought Skip Price would die. They couldn't find a pulse in his heel. He was the nighest dead of any man I ever saw.

Question. Did Henderson leave?

Answer. He was nighest dead, I say, of any man I ever saw.

Question. Answer me. Did Henderson leave?

Answer. He did; and the old man told his father he intended to run the law on him, living or dead.

By the CHAIRMAN:

Question. When you say they intended to run the blockade, do you mean that they intended to make whisky without paying tax?

Answer. I don't know what they intended.

Question. What do you mean by running the blockade?

Answer. I suppose that is it.

By Mr. STEVENSON :

Question. You say Skip had his knife there ?

Answer. Yes, sir.

Question. Did not you hear Skip got up, while he was drunk there, and flourished his knife around and whetted it on the jamb, and was going to slash around with it ; did not you hear about that ?

Answer. 'This here man Smith—

Question. Just answer me whether you heard about that.

Answer. Please give me time to recollect the other man's name.

Question. You need not tell me that nor who told you, but just answer whether you heard so.

Answer. Those men that came there to go for witnesses on the case saw it. This man tried to wake Price up for supper ; so I am told. They shoved him about to wake him up for supper, to eat supper with them, and he waked up or was sort o' drowsy about and so on. I don't know how it was.

Question. Was not he flourishing his knife in Henderson's house ?

Answer. I don't know ; I never heard of that.

Question. How did he happen to have his knife out ?

Answer. I don't know that he did have it out. It looks reasonable that he had, from the fact that Henderson had his knife, and he had lost his knife.

Question. Have you been drinking to-day since you came here ?

Answer. No, sir ; not particular. I dranked a dram this morning.

Question. Have you not been drinking generally ?

Answer. No, sir.

Question. Are you not under the influence of liquor now ?

Answer. I don't know that I am, particular.

SPARTANBURGH, SOUTH CAROLINA, July 11, 1871.

LAFAYETTE CHAFFIN sworn and examined.

By the CHAIRMAN :

Question. Where do you live ?

Answer. About eight miles below here.

Question. In what township ?

Answer. White Plains.

Question. What do you follow ?

Answer. Farming ; but I have been wagoning this year and farming together. I have a one-horse farm and run a team on the road.

Question. How old are you ?

Answer. I am twenty-three years of age.

Question. Have you any knowledge of the existence of a band of disguised men in your township or neighborhood ?

Answer. No, sir.

Question. Do you know a colored man named John Lipscomb ?

Answer. Yes, sir.

Question. Where were you the night that he was whipped ?

Answer. One night I was at home, and the last time they were visited there (or I suppose they were) I was in Shelby, North Carolina, with my team.

Question. Was he whipped twice ?

Answer. Yes, sir, he was visited twice, I suppose ; I only heard that.

Question. When was the first time ?

Answer. I don't know exactly the time. I never noticed it. I never paid any attention to it. I can prove—

Question. You say you were in North Carolina at that time ?

Answer. No, sir ; I can't say I know exactly the time, not even the month. I had a colored boy with me that lives at my house ; but when I came home my family was telling me about it.

Question. It occurred when you were in North Carolina ?

Answer. Yes, sir.

Question. When was that ?

Answer. I don't know. I expect he could tell you better than I.

Question. When were you in North Carolina ?

Answer. I am there all the time backward and forward. I wagon all the time. I was there about twice a week.

Question. But this time Lipscomb was whipped you heard it talked of when you got home ?

Answer. Yes, sir.

Question. When was that?

Answer. I don't remember. I have no idea particularly. It must have been two or three—but I can't say.

Question. Was it two or three or one or two months ago?

Answer. I can't say with any safety at all; Mr. Lipscomb can tell you better.

Question. When was the second time?

Answer. The first time I was at home.

Question. You mean the first time he was whipped?

Answer. Yes, sir, the first time I suppose that they went there; when I heard they went there.

Question. I thought you said that the first time he was whipped you were in North Carolina.

Answer. No, sir; the second time. The first time he was whipped I was at home, and there was a gentleman at my house named Turner, telling it at my house.

Question. When was that?

Answer. That was just a while before the second time.

Question. Can you fix the month?

Answer. No, sir.

Question. Was it May, or April, or June?

Answer. I think probably it must have been in May, because it has been some time ago. I don't remember the time or the month. It is very seldom I am at home.

Question. Do you follow wagoning?

Answer. Yes, sir, I have a wagon on the road. Me and another man named Turner had one together, and we go with it most of the time. I go with it part of the time and he part of the time; and I have a farm going on too.

Question. Did you hear of Lipscomb and his wife and her sister being whipped?

Answer. No, sir; I heard them saying after I came back home that a party of men had been there and whipped some family; but I didn't know for certain which one's were whipped, or nothing at all about it.

Question. You heard that after you got back, and the first time you heard that Lipscomb was whipped so was when you were at home?

Answer. Yes, sir.

Question. That was in May?

Answer. No, sir, I think that was along the latter part of April; but I am not certain.

Question. How long after that did you hear of his being whipped while you were in North Carolina?

Answer. A couple of weeks, may be, or not quite so long.

Question. How long were you away that time?

Answer. Three days.

Question. Have you any means of knowing what three days these were?

Answer. No, sir.

Question. Do you not keep any books?

Answer. No, sir.

Question. You cannot tell whether it was the middle or latter part of May?

Answer. No, sir.

Question. You think it was about two weeks after the first whipping?

Answer. I think it was.

Question. Did you hear of the whipping of Lipscomb's wife and her sister at all?

Answer. After the second or first?

Question. No; I will come to that after a while. Did you hear at all of his wife and her sister being whipped?

Answer. I don't know whether I had or not. They whipped some family, but I don't know which one. That is what I heard. I don't know anything about it. This is only hearsay.

Question. Was there whipping—whoever was whipped—at a different time from these two times you have mentioned?

Answer. No, sir; it was at the last time, I suppose. The second time they were visited by the party of disguised men, I suppose.

Question. How far does Lipscomb live from where you live?

Answer. About a mile, or a little further.

Question. How long has he lived there?

Answer. Some three years, I reckon.

Question. Is he a colored man?

Answer. Yes, sir.

Question. Have you never heard that you were charged with being in that party that whipped Lipscomb?

Answer. No, sir; I never heard it. I never knew what I was here for at all until now. I had nothing to do with the parties, or anybody's business but my own, and I am from home all the time, nearly.

Question. Do you know of any secret organization existing in that part of Spartanburgh County?

Answer. No, sir.

Question. Neither the Invisible Circle?

Answer. No, sir.

Question. Nor the Invisible Empire?

Answer. No, sir.

Question. Nor the White Brotherhood?

Answer. No, sir.

Question. Nor the Constitutional Union Guards?

Answer. No, sir.

Question. Nor the Ku-Klux?

Answer. No, sir.

Question. You have no knowledge of any of them?

Answer. No, sir.

Question. No membership in any of them?

Answer. No, sir; nor I don't know nothing about any secret organization.

Question. Look at the handwriting of this notice, [submitting to the witness a paper below given.] Can you read it?

Answer. Yes, sir.

Question. Read it to us.

Answer. This first word I can't exactly make out: "I think that John Peat ought to be run out of this country. If he don't leave, I kill him. If he is a mind to risk his — he can stay; but he will not stay very long. Death will be his doom."

[The following is a literal copy of the above-mentioned paper: "I think that John Peat ought to be run out of this country if hee doant leve i kill him if hee is mine to resk ett it hee can stay butt he will not stay very long, death will bee his doom." Below it appears a rude pen-and-ink sketch of two human figures, the one on the right pointing a cocked pistol at the other.]

Question. What is the picture there below?

Answer. God! you can't prove it by me. I don't know anything about it.

Question. Is that your handwriting?

Answer. No, sir; I never saw it before. It is nothing of mine. I can show you my handwriting if you want to see it.

Question. What is the name there?

Answer. John Pete.

Question. Is Lipscomb known by that name?

Answer. Yes, sir; John Pete Lipscomb. He used to belong to a man named Pete Lipscomb, I suppose.

Question. You say you know nothing about this notice?

Answer. No, sir.

Question. You never saw it before?

Answer. No, sir; nothing about it at all, and I know by them pictures being there that he judges it is mine, because I drawed sometimes, but I do not profess to draw such things as that.

Question. You do draw sometimes?

Answer. Yes, sir; I draw flowers. He thinks it is me by that.

Question. You think that is why he thinks you wrote it?

Answer. I think so. It might be.

Question. Were you never aware before that he had that suspicion?

Answer. No, sir, I never heard anything about it. I am a man that tends to my own business.

By Mr. STEVENSON:

Question. Whose handwriting is that?

Answer. I can't tell you. I never saw a handwriting like it before that I know of.

Question. Were you never invited to join this secret association?

Answer. No, sir; no secret organization at all.

Question. Did nobody ever ask you to join any of the associations, bands, or companies, or clubs?

Answer. Yes, sir; I have been invited to join what was called, I believe it was the democratic club; but there is no secret order about that. It was just to come here and form a club of democrats or something like that. Every man to vote at the election. I never went to meet them. It was a public thing.

Question. When was it?

Answer. Some two or three years ago. It was the time that the Union Leagues were about here; then they had what was called the democratic club, I believe. But there was no secret order about it, and people went up to appoint delegates, or something or other—the men that they wished to vote for or something that way; to know who was democrats, but no secret order at all. It was in open daylight and a public place.

Question. How do you know? You did not join it?

Answer. I know I never joined, for I never went up at all.

Question. You are speaking of what you understood it to be?

Answer. Yes, sir. I never went.

Question. Did anybody ever approach you to join this other organization?

Answer. No, sir.

Question. What is the name of it? How do the boys in the neighborhood call it?

Answer. You can't prove it by me.

Question. What?

Answer. I don't know anything about it.

Question. Have you never heard of it?

Answer. I have heard the people talking about Ku-Klux, Ku-Klux, Ku-Klux.

Question. But how do the men themselves that belong to it call it?

Answer. I don't know anybody that belongs to it.

Question. Did you never know anybody that belonged to it?

Answer. No, sir; I don't know anybody that belongs to any secret organization.

Question. Where does your wagon run?

Answer. From here to North Carolina.

Question. To what points?

Answer. From Catawba to Lincoln and Cleveland, and I have hauled some from McDowell.

Question. Do you go through Rutherfordton?

Answer. I go through it. I never hauled any from Rutherford.

Question. And yet you never met anybody that belonged to this order, so far as you know?

Answer. Not so far as I know. I might have seen a good many people that belonged, but I didn't know it.

Question. Nobody invited you to join?

Answer. No, sir. I never am at home at all, hardly, but when I have a few minutes to stay I stay at home.

Question. How long has it been running here?

Answer. Six or eight months, or may be longer; I have heard of Ku-Klux, but to say I know a Ku-Klux I don't, or any man belonging to any secret order. I say secret orders—I know some men that belongs to Masons.

Question. But that is not political?

Answer. No, sir.

Question. Does your partner Turner belong to it?

Answer. No, sir. If he does, it is unbeknown to me.

Question. Is it not a little curious that this thing should exist through all that region and you know nothing about it?

Answer. I don't know. It don't look very curious to me.

Question. Why?

Answer. Because I am not at home enough. If I was at home enough I might know.

Question. In passing through the country I should think you would know better than if you were at home?

Answer. I am no politician and do not follow political matters at all. I do my trading and business and have nothing to do with politics at all.

By Mr. VAN TRUMP:

Question. He asks if it is not curious that you do not know anything about it. You understand him to mean knowing personally about it?

Answer. Yes, sir, I understand that.

Question. You have heard of it?

Answer. Yes, sir, ever since they have been in existence.

Question. It is rather an astounding fact that nobody knows them except those belonging to the order?

Answer. Yes, sir, only those.

Question. You spoke of trading here and back. Is it not the fact that the whole of the trade of that part of North Carolina is with this town, Spartanburgh?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Do you haul any spirits in your wagon?

Answer. No, sir, I don't. It is a thing I don't deal in. I don't drink it, nor I don't haul it. I have hauled nothing but flour and bacon, and I have hauled a good deal of bacon, flour, and wheat.

SPARTANBURGH, SOUTH CAROLINA, July 11, 1871.

JOHN LIPSCOMB (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?*Answer.* I am staying here in town, now.*Question.* How long have you been staying here?*Answer.* I moved here on the 27th of April.*Question.* Where did you live before that?*Answer.* At Hiram Sanders', two miles from the other side of the rolling-mill.*Question.* In what township?*Answer.* White Plains.*Question.* What did you do there?*Answer.* I had a farm there.*Question.* Was it rented?*Answer.* Yes, sir.*Question.* Who did you rent it from?*Answer.* From Hiram Sanders.*Question.* Did the Ku-Klux come to your place at any time?*Answer.* Yes, sir, they came twice.*Question.* Go on and tell us about the first time.*Answer.* My first beginning of Ku-Kluxing was this: I have heard tell of them all the time, and of promises of their coming there, and they didn't come unexpected, for people said they had promised to come.*Question.* You heard that?*Answer.* Yes, sir.*Question.* Go on and tell what they did.*Answer.* I went up to about a mile of Limestone Springs Saturday, and came back by where a colored lady lives, and she said she heard that they were coming Saturday night; I went on, and told my people to expect them. I had a sick mule, or Mr. Sanders did; I went to put it up about dusk. When we were putting it up, a couple of gentlemen passed by us, going to where they were to meet. I told my wife not to fasten the doors, but leave them open; that the Ku-Klux would be there that night, for I had seen them myself. I laid out, but they came; I laid out a while, and saw them when they did come, and when they came, they came to my house, and hallooed and knocked the doors down, and went in and could not find me, and came out and dragged my old stepfather out, and told him to go back, the d—d old radical, go back in the house and stay! They told my wife to tell me by God they expected to have me, if they had to burn the woods and search the ashes; that I was a d—d good old radical. She told me that in the morning; I went up and told Mr. Hiram Sanders next morning. They went on from there and left, and never came back until the Thursday night following; then they came back again. When they came, they rushed up and hallooed, "All right!" just before they stepped to the door; I was, in about twenty yards. They ran and knocked down the one door, and then knocked down the other door, and asked my wife where I was; she said she didn't know. They went on and pulled Uncle Burr out again, and made him double-quick back to the house, and whipped him. They went on to Mr. Sanders' house, and there was a whisky wagon there, and they got some whisky and came back, and took my wife, tied her hands behind her, and her sister, and then five of them went in and whipped her, and struck her head with the pistols, and told her to tell me that they would have me; that they were from the Ku-Klux, and they intended to have me; that they came from hell, and would have me.*Question.* How many were there the first night?*Answer.* The first night I could not count but twelve or fifteen; I counted may be ten, but ten of them I got counted.*Question.* You saw two pass along in the evening?*Answer.* Yes, sir; going by to meet the crowd.*Question.* They were disguised as Ku-Klux, then?*Answer.* Yes, sir.*Question.* Did you know them?*Answer.* Yes, sir.*Question.* How did you know they were going to meet anybody?*Answer.* Because when they passed me I was expecting, from what I heard, and so I went out; and, sure enough, after a while the crowd met.*Question.* How did you know the two men who passed you at dusk; were they with the Ku-Klux when they came back?*Answer.* Because I knew them when they passed, and knew them when they came to the house.*Question.* Did you recognize them when they came back?*Answer.* Yes, sir.

Question. Who were they?

Answer. There was Mr. Chaffin, and there was Mr. Hammers.

Question. What Mr. Chaffin?

Answer. Mr. 'Fate Chaffin.

By Mr. VAN TRUMP:

Question. What is the real name; is that his name?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Do you know his full name?

Answer. His right name is 'Fate, and his father's name was Chaffin.

Question. Did you know them when they came back among the Ku-Klux?

Answer. Yes, sir; I knew them when they came to my house.

Question. How did you know they were with the Ku-Klux?

Answer. They came there, and came with these Ku-Klux, and I knew the men when they came.

Question. How did you know them; had they disguises on?

Answer. They had little pieces of paper on their faces—dough faces—that came that far, [covering the front of the face.] Some of them, I reckon, were like the dough faces in the stores.

Question. The second night, did you know any of them?

Answer. Yes, sir.

Question. Who were they?

Answer. One of them was Camp Griffin, and Cy Bagwell, widow Bagwell's son, and Chame Allen.

Question. Did you know anybody else among them?

Answer. Then when they whipped my wife, widow Petty's son, Lum Petty.

Question. Are those all you knew?

Answer. Yes, sir; all that I knew that night.

Question. Did you say they whipped you the second night?

Answer. They didn't whip me any time at all. They whipped my step-father, and my wife, and my wife's sister. My wife was with me, and I took my mother there to take care of her. I was not whipped at all; I was lying away.

Question. Were you lying out?

Answer. Yes, sir; I had been lying out a month or two before that.

Question. Can you read?

Answer. No, sir.

Question. Do you know anything about this notice? [Referring to the notice set forth in the testimony of the witness, Lafayette Chaffin.]

Answer. Yes, sir.

Question. Where did you get that?

Answer. At Gochee 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 Gochee meeting-house. I was standing looking at the gentleman when he wrote it and stuck it up on the side of the tree. I was not expecting anything of the kind; I only saw him doing it. I went on to my mother's and eat dinner, about a quarter of a mile from there; and on Monday I was back to church; and Tuesday I was back to church. And I went home to pull fodder, and left my wife to go down to church until the next Sunday following. It was a big meeting, and they got to telling me about this paper being there; and I said it was only a plaything. I thought there was nothing against me, though I saw them writing and sticking it up. My wife kept at me to go and get the paper and take it in the law. I said I would, and went down; and when I went down, they had torn it off the tree. I expect they heard I was coming to get it; they had torn it all off piece by piece; and I took the pieces and put them together on this piece of paper, as you see them.

Question. Did you see the man write that?

Answer. Yes, sir.

Question. When?

Answer. Last August.

Question. Where?

Answer. At Gochee 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 do you know that is the same paper?

Answer. Because I was described to the paper before I went to get it.

Question. What is that ?

Answer. They described the paper to me before I went to get it ; what was on it. I fetched the paper home, and a week after I brought it I showed it to a white gentleman who put it right ; but he didn't know who it was ; but I saw him standing there, but he didn't know it.

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 did you know it was that paper he was writing ?

Answer. Because I saw him writing some, and saw him stick it up to the tree.

Question. Did any one tell you what was written when Chaffin was writing ?

Answer. No, sir ; not right then, not right that day, but a day or two after that day.

Question. You say that was last August ?

Answer. Yes, sir ; I took this home and put it in my box.

Question. When did you bring it in here ?

Answer. I had it up here with me all the time. I have not thrown it away.

Question. You have been living up here since ?

Answer. I moved up here about two months ago.

Question. Did you fix the day when they first came to your house ?

Answer. They came there in April.

Question. Last April ?

Answer. Yes, sir ; last April passed, about the 23d or 24th.

Question. Is that all you know about this transaction yourself ?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. You say it was the 23d or 24th of April ?

Answer. Yes, sir ; about that.

Question. What makes you fix that time ?

Answer. Because it was the twentieth something, or about the twentieth something. I moved here the 27th. It was three or four days before I moved here. That is the reason I know. I rented a house a year ago.

Question. Where was it that a woman told you the Ku-Klux were going to kill you ?

Answer. She lives two or three miles from my house, on Mr. Garrison's premises.

Question. You were going by ?

Answer. I stopped as I came back by there.

Question. Where had you been ?

Answer. At widow Petty's, at Limestone Springs, getting a debt.

Question. How came you to stop at this woman's ?

Answer. I was acquainted with her.

Question. How long did you stay ?

Answer. About fifteen minutes.

Question. What were you talking about ?

Answer. I was not talking about anything, only I asked for a drink of water, and she commenced telling me about the Ku-Klux coming.

Question. What did she say ?

Answer. She understood that they were going to ride the Saturday night following. "I guess you may be expecting them Saturday."

Question. Did she not tell you they were going to call on you ?

Answer. Yes, sir.

Question. Did she say how she knew that ?

Answer. She said she heard it.

Question. Did she say she belonged to them ?

Answer. No, sir.

Question. Did she say who she heard it from ?

Answer. No, sir.

Question. Did you ask for the source of her information ?

Answer. Yes, sir ; she said I could look for myself ; she had told me all she was going to tell me.

Question. She seemed to be mysterious about it ?

Answer. I reckon she was like a great many others. She was afraid to tell me at the time, and no doubt the lady would have told me if she thought they would not punish her. I reckon she would have told me provided she thought she would not be punished. She was afraid the Ku-Klux would be after her. She told me to look out for myself.

Question. Did it surprise you to discover that she knew they were coming to you on Saturday night?

Answer. I had heard so much of their coming I didn't know whether it was certain; but I knew it was no harm to lay out as I had been always doing.

Question. Did it surprise you that she knew?

Answer. Surprise?

Question. Don't you know what surprise is?

Answer. Yes, sir.

Question. What is it?

Answer. What I take to be surprise, is when anything happens unexpected to you.

Question. She didn't surprise you?

Answer. I can't say so. I had heard so much that they were coming I didn't know but she had.

Question. Were you surprised that she knew about it?

Answer. No, sir.

Question. How could she know?

Answer. She is living in the country where all the Ku-Klux bands lies and could hear things pass like a good many others.

Question. Do the Ku-Klux give notice when they are going to turn out?

Answer. I expect they do.

Question. The Ku-Klux did come that Saturday night?

Answer. Yes, sir.

Question. What is the name of this colored woman that told you?

Answer. Mary Griffin they call her.

Question. How long was that before the Saturday night they did come?

Answer. She told me Saturday morning. They came Saturday night.

Question. You didn't stay at home that night?

Answer. I didn't stay in the house, but in the field. I laid out.

Question. Where did you lie?

Answer. I laid out in the field close to my house.

Question. What time in the evening did you go to the field?

Answer. Me?

Question. Yes, you.

Answer. I left just about a little after sundown.

Question. What time did you see these men?

Answer. About dusk.

Question. Were they on horseback?

Answer. Yes, sir.

Question. They were not disguised?

Answer. No, sir; no more than the faces.

Question. How did you tell the chairman awhile ago that when you first saw the two men they were not disguised?

Answer. I said they had dough faces on.

Question. No; you said that was when you saw them at the house?

Answer. That is what I am talking about.

Question. But I am talking about the time you first saw them?

Answer. O, they were not disguised then; I didn't understand you.

Question. Then the two men, when you first saw them in the road, were not disguised?

Answer. No, sir; not when they were riding up.

Question. Where were they riding?

Answer. Along the road by the side of the fence.

Question. A public road?

Answer. Yes, sir.

Question. What part of the field were you in?

Answer. I was in Mr. Sanders's premises.

Question. In what part of that field were you?

Answer. Right close to the fence.

Question. How far from the fence?

Answer. I reckon as far as from here to that bed across the hall, [ten yards.]

Question. What was in the field to hide you?

Answer. Nothing at all.

Question. Were you standing there?

Answer. Yes, sir; I was standing there helping up a mule.

Question. You had not gone out yet to sleep?

Answer. No, sir; I didn't go to sleep that night.

Question. Did you go back to the house again?

Answer. Yes, sir; when I got done with the mule.

Question. What time did you get back?

Answer. I went back about half an hour in the night to my house. I didn't go in.

Question. How dark was it when these two men went by?

Answer. About common dusk like. You could see them very well.

Question. How far were you from them when these two horsemen passed by?

Answer. I said about as far as from here to that bed across the hall; ten or thirteen yards, or a few steps farther.

Question. You said you were that far in the field, and there was a fence between you?

Answer. There was the field here, and fence there, and the road out here, [illustrating.] That is the way it was.

Question. You were about fifteen yards from these men?

Answer. Yes, sir; ten or fifteen.

Question. Were they talking when they went by?

Answer. They tried to talk some French talk; trying to do it, but didn't do it.

Question. What sort of talk?

Answer. I don't know—sort of Dutch.

Question. Trying to talk Ku-Klux talk?

Answer. Yes, sir; I reckon so.

Question. Did they see you?

Answer. I don't know whether they did or not. They had all the chance to see me.

Question. They were not disguised?

Answer. No, sir.

Question. Just in common clothes?

Answer. Yes, sir; and were talking French.

Question. Could you understand them?

Answer. No, sir; only I heard them say something about Ku-Klux.

Question. That is about the way you understood it?

Answer. Yes, sir.

Question. Did you think they were practicing on talking Ku-Klux?

Answer. I don't know; they were talking that way.

Question. How far was that from your house?

Answer. I don't know how many yards it was; a right smart piece from my house.

Question. Did they see you?

Answer. Not as I know of; they had a chance to see me.

Question. Did they look toward you?

Answer. They looked back as they passed.

Question. You recollect that?

Answer. Yes, sir.

Question. What did they say as they looked back?

Answer. They were trying to talk Ku-Klux fashion.

Question. You swear that now, here to-day?

Answer. Yes, sir.

Question. You know it is true?

Answer. Yes, sir.

Question. When did you see these two men again, the next time?

Answer. On the Thursday night following, next.

Question. When on the same night did you see them again. You saw these men first on Saturday evening?

Answer. Yes, sir; at dusk.

Question. When did you next see them?

Answer. I saw them again the same night.

Question. At what time of the night?

Answer. Between 10 and 11 o'clock at night they came to my house.

Question. How many came?

Answer. About fifteen.

Question. Which way did they come from?

Answer. They came from pretty much the way I saw them.

Question. When they came were they going in the same way in which these two were traveling in the evening?

Answer. Yes, sir; they all came together. They came from by Sanders's son's house and by my house to the old man's house, and then left.

Question. You say this body of Ku-Klux, at 10 or 11 o'clock, came from the same direction these two men came from when you saw them?

Answer. Yes, sir.

Question. Where were you when you saw the fifteen coming?

Answer. I was there at home.

Question. At what place at home?

Answer. I was lying out there in the field.

Question. How far from the house?

Answer. I don't know if it was exactly fifty yards; but I will say thirty-five or forty.

Question. Were you at the same place where you were in the dusk of the evening when you saw these two men?

Answer. No, sir.

Question. What sort of a night was it?

Answer. It was a starlight night, but fair.

Question. Any moon?

Answer. No, sir; not late at night.

Question. There was no moon at 10 or 11 o'clock?

Answer. No, sir.

Question. Was it a clear night?

Answer. It was a clear night.

Question. Did you get any nearer to the house than the fifty yards?

Answer. I did before they came.

Question. But when these men were there did you go toward the house?

Answer. I went close up after they came; I stepped up a little closer.

Question. How much closer?

Answer. I reckon ten steps closer; may be a little more.

Question. Then you were about forty steps off?

Answer. Yes, at the first beginning.

Question. They were right up to the house?

Answer. Yes, sir.

Question. Where did they go to?

Answer. They went on from there up to Mr. Sanders's.

Question. Where did they go first, right up to the door?

Answer. Yes, sir; right up in the yard, and up to my house.

Question. Could you distinguish any men there, even if they had had no masks on, no disguises, under that starlight, forty yards from where they were?

Answer. Yes, sir; I could. If I am as used to a man as I am to myself, pretty nigh, I think I could.

Question. Who do you think you are used to?

Answer. I am used to them; they were living right there in one field, in a manner.

Question. Who?

Answer. Mr. Chaffin, and Mr. Griffin, and Mr. Cy. Bagwell tends the crop right beside me.

Question. Who else?

Answer. There is Mr. Petty's son, that is, Mr. Lum Petty.

Question. Two Pettys?

Answer. No, sir; only one Petty.

Question. Who else?

Answer. I didn't know anybody else of them.

Question. You say you knew Fate Chaffin and Griffin to be the same two men you saw passing?

Answer. Yes, sir.

Question. What sort of horses did they ride?

Answer. One rode a mare and the other a gray horse.

Question. When?

Answer. On Saturday evening.

Question. How were they riding at 10 or 11 o'clock?

Answer. Some were riding.

Question. But these two men?

Answer. These two men were with the same crowd, but riding a mare and a horse also.

Question. What sort of a mare?

Answer. A little bay mare.

Question. What sort of an animal did the other ride?

Answer. A gray horse.

Question. Were these the same horses you saw in the evening?

Answer. Yes, sir.

Question. Did Griffin and Chaffin have the same sort of disguises as the other men?

Answer. Griffin had only a pocket handkerchief tied over his face.

Question. Why did you not tell that before?

Answer. You asked me if they were talking French and I told you; and you asked me if they had anything on. When they passed me they had nothing on, but when they came to my house they had doe-faces on.

Question. Which had the doe-faces on?

Answer. Several had.

Question. But I am speaking of these two men, Griffin and Chaffin.

Answer. Griffin had a handkerchief tied over his face.

Question. Chaffin had what?

Answer. Chaffin had a doe-face on.

Question. What is a doe-face?

Answer. A piece of paper they call a doe-face.

Question. Did he wear it all over his face?

Answer. No, sir; it came down this way.

Question. What was on his head?

Answer. His hat.

Question. What hat?

Answer. His white hat; his every-day hat.

Question. What shape hat was it?

Answer. It was shaped pretty much like this wool hat.

Question. Did he wear a white hat at that time?

Answer. Yes, sir.

Question. Did he wear that in the evening?

Answer. Yes, sir.

Question. What sort of a gown had he on?

Answer. None; only his every-day clothes.

Question. Had any of the rest gowns on?

Answer. No, sir; only their every-day clothes.

Question. How is it that you did not know the rest?

Answer. I just made out what I could, and them that I couldn't I didn't.

Question. What church were you at on Sunday evening? What was the name of that church?

Answer. Gochee meeting-house.

Question. How far is that from your house?

Answer. I don't know exactly how far they call it, but some says one way and some another. I take it to be about five miles.

Question. Was there preaching there that night?

Answer. Yes, sir.

Question. Did you have preaching again before you saw this man writing?

Answer. No, sir.

Question. When you saw this man writing the notice, was it after preaching was over?

Answer. That was when they were preaching when he wrote that.

Question. Why were you not in the house to hear the preaching?

Answer. The house was very crowded, and there was so many couldn't get in. I had been in there, but came out about twenty minutes.

Question. Then there were so many that could not get in the church because it was so crowded?

Answer. That's the reason I was not in.

Question. You say that many could not get in?

Answer. Yes, sir.

Question. Were they standing about the door?

Answer. Yes, sir; people were all about there.

Question. Were you at the door?

Answer. No, sir; I was off from the door twenty or twenty-five yards.

Question. How many were standing around you?

Answer. There were several white ones standing around me.

Question. This was a church where both colored and white people went?

Answer. Yes, sir; white and black.

Question. Were there a good many white and black there?

Answer. Yes, sir.

Question. You were standing twenty yards from the door, with a party of white people and colored people with you?

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 around 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 didn't 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 it?

Answer. I heard it several days before.

Question. Why did you not go before and get it?

Answer. I didn't pay attention to it. I went to fetch it, may be, about the last of the week, and John Whitely passed my house. He was standing beside him when he wrote this paper; I saw John Whitely coming by my house, and I goes to my box and got the paper and showed it to him, and he acknowledged that he knew who wrote the paper, but he would not tell who did it.

Question. Where does John Whitely live?

Answer. On Mrs. Hammer's premises, on Pacolet.

Question. Is he a young or old man?

Answer. A young man, but he has a family.

Question. Who was present when John Whitely told you?

Answer. My wife and wife's sister and brother, and I don't know but he told some white people.

Question. How do you know?

Answer. They told me so.

Question. Who?

Answer. William Sanders's son Myers.

Question. Myers Sanders, a white man, told you that Whitely told him that he knew who wrote it?

Answer. He told me that John Whitely said he knew who did it, but didn't tell who; and John Whitely told me he knew who did it, but wouldn't tell me.

Question. Why is not Myers Sanders here to tell that fact?

Answer. He is not here; he is at home.

Question. How far from here?

Answer. About ten miles from here.

Question. Why have you not got him here to tell that fact, that John Whitely told him that something that he told you?

Answer. He told me.

Question. But why is he not here?

Answer. Nobody summoned him here, I suppose.

Question. What sort of a paper was it that Chaffin was writing when you saw him writing on that day, right in the face of a public meeting; such a paper as this?

Answer. He was writing on a piece of white paper like that.

Question. About that size?

Answer. A little broader, may be; but I saw some of it torn off.

Question. I did not ask you to argue the case; just tell me the facts.

Answer. It was just about such a size piece of paper, as nigh as I could get at it.

Question. How could you see that he was writing such a paper when you could not see whether he was writing with pen or pencil?

Answer. I was out too far; I didn't see him get any ink. I just saw him writing, but whether with ink or pencil I could not tell.

Question. Now, Lipscomb, tell me how many people were in sight when Chaffin was writing that paper and stuck it up on 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. How many could have noticed it?

Answer. I know those that were right around him when he was writing it—standing there—saw it and knew it.

Question. Did you see anybody else who saw it?

Answer. No, sir. I don't know.

Question. How many were standing there that could have seen it if they wanted to? Fifty?

Answer. No, sir. I don't know that there were so many that could have seen it.

Question. Were they all black and white people?

Answer. No, sir; there was mighty few black people that could see it among them.

Question. Was the tree nearer the church than Chaffin was when he wrote it?

Answer. Yes, sir.

Question. How much nearer? How far had he to walk from where he wrote to go to the tree?

Answer. May be twenty steps.

Question. You were about twenty steps from the church?

Answer. Yes, sir.

Question. And he was about thirty steps, when he was writing, still further off?

Answer. Yes, sir.

Question. So that if he came back toward the church after he wrote the paper he came about as near the church as you were?

Answer. Yes, sir; mighty nigh it.

Question. And the people were standing all around there?

Answer. Yes, sir.

Question. And you saw him write 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 of people, but he stuck it 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. Didn't 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 not he 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 been pretty much gone.

Question. You are a pretty smart nigger, 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 before all the crowd left then?

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 didn't 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 that 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 write something on a paper, that he stuck that 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 sworn half a dozen times to-day that he stuck it up?

Answer. He must have stuck it up, if he wrote it. If I wrote a thing and didn't stick it up it would be my fault.

Question. Have you not said half a dozen times that you saw him write this paper and 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 write this paper and stick it up on that 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.

SPARTANBURGH, SOUTH CAROLINA, July 11, 1871.

REUBEN BRYANT sworn and examined.

By the CHAIRMAN:

Question. In what part of this county do you live?

Answer. On the lower side.

Question. In what township?

Answer. Pacolet Depot Township.

Question. What do you follow there ?

Answer. Farming.

Question. How long have you lived in this county ?

Answer. Ever since I was born.

Question. How old are you ?

Answer. I shall be sixty-seven years old on the 16th of October, if I live to see it ; so my parents say ; sixty-seven or sixty-eight.

Question. Have the Ku-Klux been at your house at any time ?

Answer. Yes, sir ; they called themselves Ku-Klux.

Question. Proceed and state to the committee all that occurred at that time, and when it was.

Answer. It was the last of last May. It was the same night they were at General Bates's, and was somewhere about the last of May—I cannot tell the exact day of the month. I didn't expect to be called, and I didn't memorize it.

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

Answer. They came some time after midnight. When I found them out they had the house surrounded, and they hallooed and told me they wanted some guns, and if I would get up and give the guns to them they wouldn't hurt me ; and if I did not they intended to have them. I told them if they would promise not to hurt me I would get up and give them the guns. I knew that if they intended to have them they could have them.

Question. What guns had you there ?

Answer. It was a couple of United States guns that my son had brought there for me and my tenant. I had them wrapped up securely. They have to be wrapped up securely. I never shot them at all. One was up-stairs and the other down-stairs, to be there if I wanted to use it at any time. I gave them the first one, the one I really claim. I didn't consider it his, but it was in my care. I told them I claimed no other. They told me I was a God damned liar ; that there was another gun there, and they intended to have both. They didn't come into the house. I had given them one, and the other I had, and blundered up for the other ; they wouldn't let me get a light.

Question. Was that all that occurred with them at that time ?

Answer. They didn't hurt me at that time. They talked, some of them, very imprudent.

Question. What did they say ?

Answer. They cursed me when I opened the door ; the one I called the captain and another man was standing one side and the other the other, and he seemed to be very boisterous and called me a God damned old hypocrite and a traitor, and a turn-coat ; the captain—I called him that—took notice ; none of the rest did ; he appeared to be a moderator ; he tried to keep order ; he said he had always heard I was a gentleman ; he had always understood I was a gentleman, and I should not be hurt.

Question. Was this all that occurred ?

Answer. Do you want all the talk that I can recollect that they said ?

Question. Tell us all they said and did, without special questions.

Answer. They told me I must go and have my name registered in The Spartan ; that I was a democrat ; I had always been a democrat ; and when my son came out as a republican candidate, of course I voted for him ; I voted the republican ticket that time only, and it was an easy matter for me to do that, because I had always been a democrat ; that had been my principles ; they said they intended to kill my son just as certain as he was then living or anything could be, if he did not go immediately and announce his principles and have it published in the paper ; they said nothing was any surer than that they were certain to kill him.

Question. What son ?

Answer. The only son I had then—Dr. Javan Bryant.

Question. Had he been a candidate for the legislature ?

Answer. Yes, sir.

Question. In pursuance of that did you publish a notice in the paper ?

Answer. I sent up a little notice : "This is to certify I have always been a friend of my country and a democrat in principle, although I did at the last election vote a republican ticket."

Question. Would you have done that if it had not been for this visit and demand ?

Answer. By no means ; and when I came to this place I was advised by one of the prominent lawyers not to do it ; that they all knew my principles and did not blame me a bit for voting for my son.

Question. What motive led you to make this publication ?

Answer. They said they would visit me again and play hob with me if I did not.

Question. Was it the apprehension of that ?

Answer. Yes, sir ; I didn't want to be killed ; it was very easy for them to do it, and I would not have belied my conscience hardly to have saved my life.

Question. How many of these men were there ?

Answer. I could not tell you, if I was to guess; they were all around the house besides those before the door.

Question. How were they dressed?

Answer. It was in the night; they seemed to be one color and another another; the one I called captain was spotted all over; the one who stood by was the one who talked so impudently.

Question. Did you recognize any of them?

Answer. I couldn't swear positively to any of them. I could tell you who I believe this one was who talked so mean and impudent. Would that do any good?

Question. Tell us why you believe so.

Answer. You see they all talked somewhat Irish. The captain made very good Irish in his speech. The others would disguise their speech this way and that way; they were not so well trained in it. They asked me where I got the guns, and how. I told them, and this one spoke and says, "What is the reason he didn't give them to me?" and then he spoke in his own language that word.

Question. Did you recognize him from that?

Answer. I can tell you who I believe he was; but will I not be in danger? I have not told anybody yet.

Question. That is for you to judge.

Answer. They might come and devour me. [Pausing.] I don't want to pull down a sword upon my own head. They have got the one I believe was there already indicted for Ku-Kluxing at another place, bound over to court. That is the one I believe it was. It is for his conduct at another place the same night.

Question. I think you had better give us the name.

Answer. But you'll publish it, won't you?

Question. It will be in the testimony when it is published.

Answer. I cannot swear positively to him, understand that. I tell you he spoke in his own language one word, and his behavior and his general talk comported with the man I believe it was, and his size and all.

Question. Is that the only one you recognized?

Answer. Yes, sir. I suppose I am sworn to tell my opinion.

Question. You are sworn to tell the whole truth about it.

Answer. I believe it was John Vandiver. He is indicted for going into General Bates's house the same night. They recognized him, and he is now bound over for it.

Question. Was this the same night that the visit was made to General Bates's house?

Answer. Yes, sir; so I understood. I was not at General Bates's.

Question. Was this the only visit they ever made to your house?

Answer. The only visit they ever made that I know of; that I am sure of; but I believe they were there another night, a portion of them; but I didn't see them.

Question. Were you at home the second night?

Answer. No, sir.

Question. Where were you?

Answer. I was lying out in the woods, if you want to hear the truth, trying to save my life, and my wife, too. I had no other family.

Question. What took you to the woods?

Answer. I was afraid they would come and devour me.

Question. Had there been any threat made?

Answer. They threatened that night that they would give me four days to do it, and some prominent friends advised me not to. They said my politics was so well known, and I didn't have my name put in that paper, and the four days had expired, and I was afraid. If they had asked I would have give them everything I had in the house.

Question. You say your wife lay out?

Answer. Yes, sir.

Question. How old is she?

Answer. Twenty-six.

Question. A young wife?

Answer. Yes, sir; and as right and fine a woman as any, I reckon. She has brought me a fine son since that time, just a few nights after that. She was in a bad fix to see that awful looking gang there that night.

Question. Are there other people in your neighborhood who have been lying in the woods?

Answer. The neighborhood, sir, is generally under the dread and fear, if you can believe what they state. I believe what I have heard them say of the Ku-Klux. You see I live on the road, and they pass there frequently, right along my house.

Question. Have you seen the Ku-Klux pass?

Answer. I have seen men pass I believed were them.

Question. But when they were in disguise, riding as such?

Answer. No, sir, I didn't see them in disguise.

Question. Who did you refer to as passing along the road?

Answer. Those that they said were Ku-Klux.

Question. Have there been many instances of people lying out in the woods?

Answer. I have heard of many, very many, instances. They said General Bates laid out for weeks previous to this, afraid to be in his own house; but this is only what I have heard. I have told you all that I know myself.

Question. Have people told you they laid in the woods for this reason?

Answer. I have heard it rumored all around. I have an old neighbor between eighty and ninety years old, as he says—he lives almost in sight of me—as harmless a man as there is in the State, a hard-working old man. His children have all left him to work for his living in his old age. These men went there and threatened to shoot the poor old man, and abused him tremendously.

Question. Who was that man?

Answer. Joseph Harvey. His daughter wanted to know what they wanted. She said they had done no harm. One of them said, "It is that damned old father of yours we are after." She turned and hallooed and screamed, and the old man raised up in bed; but she kept between them and him, and begged so powerful, though they cursed a great deal, they didn't hurt her. This I had from them.

SPARTANBURGH, SOUTH CAROLINA, July 11, 1871.

SANCHO DANIELS (colored) sworn and examined.

By the CHAIRMAN:

Question. In what part of Spartanburgh County do you live?

Answer. Beech Springs.

Question. What do you do there?

Answer. Farm.

Question. How long have you lived there?

Answer. Three years last Christmas.

Question. Were you raised in that neighborhood?

Answer. No, sir; I was raised about seven miles below here.

Question. Have the Ku-Klux been to see you at any time?

Answer. Yes, sir; they came to my house.

Question. When?

Answer. On Friday night; I don't remember what time in the month, but the same night they came to Sam Simmons's. They came from his house on to my house.

Question. What month was it?

Answer. I think it was in May. He knows the time, I reckon. It was the same night, and it was Friday night.

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

Answer. They came to my house, and came in the piazza and hallooed, "Holloa!" I was lying down, but I was not asleep. I made no answer at first. They commenced hallooing again, and said, "Halloa, my good friend." I said "Halloa!" They said, "Get up and open the door." I got up and commenced fire to kindle a light. I thought I would make a light to see how to put on my clothes, to see, if they came in the house, that I could take a good look at them; but I considered that the moon was shining bright enough; and when I commenced putting on my pants they said, "Hurry, hurry up; hurry, hurry, open the door; we want water; we are thirsty;" and I opened the door, and stepped out among them; and they said, "These are your good old radical friends come to see you; what do you think about it?" I says, "I am here." He said, "You voted for us, and we have come to see you." I said, "I am right here." They said, "Have you got any water?" I said, "No, sir; not very much here; there is a little." They said, "Go and get us all in the branch, by Christ!" I said, "There is no branch close by here, but I will go with you until we find one." He says, "Did you vote?" I said, "Yes." He said, "How many times?" I said, "To my recollection I voted four times." "You did?" says he. I said, "Yes." "What sort of a ticket?" he asked. "A radical ticket," I said. "Well, by Christ, you will go dead," he says. I said to him just that way, "Well, sir." He said, "What makes you vote the radical ticket?" I says, "Well, sir, I thought I was right." He says, "What makes you believe you were right?" I says, "It was the first party started since I was free. I was never allowed into none before, and they started first, and so I joined that party, and swore I would vote for it, and that I was ready to do so." And I said, "We know the white folks never did allow us to equalize with them in any measures before, and I didn't think I had any right to equalize with them in that measure." They said, "Yes, you did have rights, and to-night you will go dead." I said, "Well, sir." They said, "Have you a line or rope here?" I said, "No, sir, I haven't any here. I have one down at the plow in the field." "O, by Christ," he says, "that is too far. Have you any old hanks here?" I told him there was four or five hanks in the house. One man answered, "O,

by Christ, I think he will do. Will you tell us one thing?" I said, "I don't know." He said, "Don't you tell us you don't know, or you will go dead," and they put up pistols to my face. I said, "I have told you all I know. If there is anything more, ask me and I will tell you." He said, "Will you promise us before God to-night that you will not vote the radical ticket, but vote for the democratic party?" I said, "I don't know." He says, "Don't you say that; you'll go dead to-night. Don't say that," and they put pistols to my face again. "You promise us to-night you will not vote." I said, "I don't promise you I won't vote it, but I don't know." He said, "What makes you don't know?" I said, "I thought I wouldn't vote at all either side." He said, "Who did you tell so?" I said, "I told Mr. Wingo so." He says, "What did he say to you then?" I said, "He told me if I quit the radical party to not be out like a dog, but go on the other side."

Question. What did you tell him?

Answer. I told him I didn't know whether I would vote or not, because I didn't want to vote at all; they kept up so much fuss. He said, "Didn't any of your good old democratic friends talk to you about it?" I said, "None but Mr. Miers Pollard, and he didn't say very much." "What did he say to you?" He told me that it was just left to a man's honor to do just as he pleased; vote for the democrats, if he wanted to, or vote for the radicals—just any way he saw cause to vote. I then thought I had as well stick to the same party I had sworn to stick to, and I did so. They said, "Is that all he said to you?" I said, "Yes, sir." They said, "We want you to vote the democratic ticket next time." I told him it was sort o' hard for me to say. They said, "You give us a promise to-night that you will vote the democratic ticket." I said to him, "Well, I will"—just that way. He then said, "Did you ever hear tell of the Ku-Klux?" I said, "Yes." They said, "Did you ever see any?" I said, "No, sir." He said, "Do you want to see them?" I said, "That's hard for me to say, for I may say I don't want to see them, and see them anyhow." He said, "Yes, by Christ, you'll see them, you'll go dead to-night." One says, "I think he will do. Whenever the election comes on again you go and vote the democratic ticket, and get as many to do it as you can. Now go back in the door, and if you let it get outside of these walls, we will come back here, and you'll go dead, sir."

Question. Was that the end of it?

Answer. Yes, sir.

Question. Did you go back to the house?

Answer. I hadn't gone out. I had just stepped down from the door to the piazza, and they were there.

Question. How many of them were there?

Answer. As nigh as I could recollect, five were talking to me, and two went in the house, and the others stood at the bars with the horses.

Question. Were they disguised?

Answer. Yes, sir; from the head to the feet.

Question. Did you know any of them?

Answer. No, sir; I didn't see anything about them that I could tell.

Question. Is that all you know about it?

Answer. Yes, sir; that is all I know about the business at that time

By Mr. VAN TRUMP:

Question. How often have you said over the speech you have just made to us?

Answer. I have told it but once, at Mr. Poinier's. That was last Tuesday morning.

Question. Who was there?

Answer. This man that called me up here, and Mr. Poinier.

Question. Do you mean the Sergeant-at-Arms?

Answer. Yes, sir.

Question. How came you to tell it there to Mr. Poinier?

Answer. The news came to me on Monday evening that I was to be here on Tuesday morning.

Question. How did the news get to you?

Answer. Sam Simmons brought it.

Question. That is the man who was visited the same night that you were?

Answer. Yes, sir.

Question. How far did you and Sam live from each other?

Answer. About a mile.

Question. You see each other frequently?

Answer. Yes, sir; pretty regularly.

Question. Did you and him ever sit down together and say over your speeches?

Answer. No, sir; not at all.

Question. Do you know that your tone and manner of expression are very much like Simmons's speech here the other day?

Answer. No, sir. I never heard in particular what he said. I have heard a little of it down in the office.

Question. What office?

Answer. Where I gave in, down at Mr. Poinier's.

Question. Was Simmons there?

Answer. Yes, sir.

Question. Did he make his speech there?

Answer. They were pretty well done when I went up. I didn't know where to go up; but after I come up there he talked a little.

Question. Who told you to go there?

Answer. I was sitting right down on the other side of the stores there, and a little boy came up there, and was talking about a man that stopped a buggy, and he asked me if I knew him. I told him that I didn't live here; that I came down on business. I told that boy so. He says, "What sort o' business?" I said, "I can't say. Did you see where those black men went to?" He says, "Up in that office;" and then I went up there.

Question. There were four or five black men in Mr. Poinier's office?

Answer. Yes, sir.

Question. Black men who have been witnesses here?

Answer. Yes, sir.

Question. Is Mr. Poinier United States commissioner here?

Answer. I don't know.

Question. When you told the Ku-Klux you had voted four times, did you mean four times at one election?

Answer. Four times altogether; one time every year.

SPARTANBURGH, SOUTH CAROLINA, July 11, 1871.

SPENCER SNODDY (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. At Widow Dodd's.

Question. What part of this county is that in?

Answer. It is what they call the Beech Spring township.

Question. What do you do there?

Answer. Farm it, sir.

Question. Were you raised there?

Answer. No, sir.

Question. Where were you raised?

Answer. Five miles above there.

Question. How old are you?

Answer. I reckon I am about twenty-seven years old, as near as I can recollect it.

Question. Have the Ku-Klux come to you at any time?

Answer. Yes, sir.

Question. Go on and tell us what they said and did to you, and first state when it was.

Answer. They came to me on the first Saturday night in May.

Question. What did they say and do?

Answer. When they came I came to the door and they asked me out, and I walked out; and then they took me off a piece down to the other black man's house and told me they were going to whip me. I says, "You have to do it, then, sir; go on." Then he kept me there, and we stopped. And he says, "Pull off your coat." I pulled off my coat. "Pull off your shirt." I started to pull it off, and he says, "You needn't pull it clean off. Undo your gallowses." I threw them off, and he turned up my shirt and made me kneel down, and when I knelt down he whipped me.

Question. How much?

Answer. I couldn't tell you how much they gave me. At first I counted fifteen, but they pinned on me so tight I couldn't count the others.

Question. Did they hurt you?

Answer. Yes, sir, bad.

Question. Did they cut your skin any?

Answer. Yes, sir; across my back.

Question. What did they whip you with?

Answer. With a switch.

Question. What did they say to you?

Answer. They said, after they got done whipping me, "Who did you vote for?" I said, "For Scott." They said, "What did you do that for?" I said, "Of course I thought that was best." He said, "Didn't you know any better?" I told him "No,

sir, I didn't know any better right then." Then he says, "Now the next time vote right;" and that was the last he said to me.

Question. Did you know how many of them there were?

Answer. No, sir; I couldn't tell how many of them there were.

Question. Were they disguised?

Answer. Yes, sir.

Question. Could you tell who they were?

Answer. No, sir.

Question. Had they arms?

Answer. I saw three pistols among them.

Question. What time of night was this?

Answer. I think it was about 10 o'clock.

Question. Have you a family there?

Answer. Yes, sir.

Question. Did it frighten them?

Answer. Yes, sir, it frightened them.

Question. Have you been sleeping in your house since then?

Answer. Yes, sir.

Question. Had you been before?

Answer. Yes, sir.

Question. You have not been afraid to sleep in your house?

Answer. No, sir.

Question. Was this the only time they came to see you?

Answer. That was all the time. They never come but once.

By Mr. VAN TRUMP:

Question. Have you been training in Mr. Poinier's office? Have you been making speeches in Poinier's office?

Answer. No, sir.

Question. You have not been telling this story of yours?

Answer. No, sir.

Question. To nobody?

Answer. No, sir.

SPARTANBURGH, SOUTH CAROLINA, July 11, 1871.

HENRY LIPSCOMB (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. Up here in Spartanburgh district—over the other side of the district—with a man named Elias Burnett, on his land.

Question. How long have you lived in this county or district?

Answer. I came up here on New Year's day, on Sunday, and they whipped me on Monday about midnight, and they gave me ten days to get away, and I got away in eleven days.

Question. Go on with your story.

Answer. They came about midnight. I had been lying out from corn-cutting time up until New Year's day. That year New Year's day came on Sunday, and I wanted to do a good day's work on New Year's. I said, "Its Sunday and I'll make a good day's work to-morrow, and may be then it will be good the whole year if I live." I went home and I was discontented in my house. It was raining. I was sick. I had been afflicted and couldn't put my arm over my head. I had been lying out; and way in the night a man came hallooing at my my door, "I come, Old Harry, to-night to take your 'hoce.'" *Question.* What is your "hoce?"

Answer. I reckon he meant that they came to take me, or kill me, I reckon. That is the word he spoke to me. He commenced, "Open the door, God damn you; God damn your old soul, open the door, God damn you." I run about my house back and forward. I had a place on the top open with a board to get out. When I got the boards open I was afraid to get out for fear they would shoot. One of them hallooed, "He is coming," and I staid in until I thought I had to come out or be killed. Then I said, "Adeline, open the door," and he hailed back, "No, God damn you, I'll open it myself," and he picked up a rock and threw it first, but it didn't break it; and then he picked up a steer-yoke and it bursted it down and he went to burst into the house, but he said, "No, let me see what I am doing," and he struck fire on a ball that gave a light through the whole house, and he jumped in and gathered me by this shoulder here and packed me out and threw me down, and commenced beating and choking me. My daughter was

hallooing, "Don't kill my father," and he says, "God damn you, hush. Stop your mouth," and he hauled back and struck her on the mouth, and that was the last of her. He says, "God damn you, get up." I got up. They took me on to the woods and stripped me stark naked. Said he, "God damn you, get down;" I got down and they commenced beating. Three beat, as nigh as I could recollect; seeing them by the moonshine, they looked like there were eight or ten men. He said, "Look here, look here; if you run I'll shoot you," and they stood there with guns. He says when I looked around, "Stand in front of me, and don't stand looking around." They knocked and beat me, and when they got done he said, "Do you know any of us?" coming right close up. The moonshine was very bright. Says I, "No." Says he, "Not a man?" Says I, "No." "If you do you may rely on it, I don't care where you go to, I can get to you. I have come a long ways and he has come a long ways." That is what he said. When the man first spoke at the door I knew his voice, and that is the way I could tell a body. His mother was my wife's young mistress. I knew when he was born, and so I knew him by his voice, and I believe it was him, if I have to die for it. I know I am standing before you men and I have to account for it hereafter. If I can't read I am sorry for it.

Question. Who was that man?

Answer. Bob Stacey.

Question. How were these men dressed?

Answer. This man had on white altogether plumb all around and a disguise across the face, a little white, and I could see red eyes and lips.

Question. Did you know any of the rest of them?

Answer. They didn't none talk but him, only two words, and when my daughter says, "Don't kill my father," he says, "No, God damn you, I intend to cut his ——" (my behind,) "all to pieces."

Question. Was that all?

Answer. That is all, I think.

Question. Did they ever come to you again?

Answer. They didn't come to me exactly; they threatened me. I can tell how it was. I came up to Mr. Burnett's. I had sold all my fodder—what little I had. He says I might have a fodder-stack down there where I moved, and he said, "You can count it out as you want it." That was Mr. Burnett. I counted out so much, and Sunday I went out. I had a pig, and I had bought a sow, and I thought she had killed it; she was strange to it; and when I come to look, who should I see at my crib but two white men, and I went to them, and it was Jim Russell and Littleberry Gilbert. Says he, "Harry, how much fodder did you have?" I told him how many bundles I had got. He says, "Your little boy has brought some down." I said, "Yes, sir, I told him to fetch it and I could count it; your father-in-law told me to do that." He says, "They said they had twenty-five bundles, and he said they had thirty." The boys had thrown a few bundles in the crib. Says I, "It's all right; I allow to count them myself, and be straight with it"——

Question. Does this matter relate to any threatening?

Answer. Yes, sir.

Question. Get to the point as soon as you can.

Answer. I goes over to see Mr. Burnett, and I told him to count it, but to take him along. He comes up there and we were all there. I spoke to them all, and I says to him, "That's the way it was: you counted some that was in there before," and then he raised up a chair and says, "God damn him, kill him, kill him;" and Jim Russell raised up a chair, and I says, "A man can kill me, but he can't scare me." He says, "God damn you, the Ku-Klux had you and ought to have killed you." Says I, "They did have me, true enough. They come like a thief-roving robber in the night and tried to steal my life away." By that time we got out of doors. Says he, "Old man, I told Mr. Burnett I thought you was a fine fellow." Says I, "Go and ask him." Says he, "If there was a thousand Ku-Klux coming to your house, old man, I could surrender them as quick as death."

Question. Do what?

Answer. Keep them from coming on me, he meant.

Question. Who said that?

Answer. Jim Russell.

Question. Is that the end of it?

Answer. Yes, sir.

Question. Who among them were Ku-Klux that you have spoken of—those that threatened you?

Answer. I should suppose that the man that threatened me was.

Question. Do you know that?

Answer. I wouldn't swear it positively that he was.

Question. Who is that?

Answer. Jim Russell. I wouldn't swear it positively.

Question. Is this all you have to say of what you know about the Ku-Klux?

Answer. All I know about the Ku-Klux coming to me but this here Stacey.

Question. Had you slept in your house before this time until they came to you?

Answer. I hadn't slept in my house more than about three nights from September until before the time they whipped me.

Question. Why were you afraid to sleep in your house?

Answer. They had killed Mr. Alf. Owens, a white man, down there, and a black man named Jim Peeler and one named Tom. Roundtree—they couldn't get him out of his house and set his house on fire and killed him; and I could hear them as they passed along. I could hear them say they allowed to go to every radical man's house, and that scared me.

Question. Did you sleep in the woods?

Answer. Yes, sir; and in the barn where I thrashed wheat. I laid out all the time.

Question. Had you a family?

Answer. Yes, sir; I had ten in the family.

Question. Did any of them sleep out?

Answer. Yes, sir; one of my daughters slept out. What she slept out for was the Ku-Klux came around to a man named Gabriel Anstell, and beat him unmercifully, and his wife run to my house when they were beating him, and told me that the Ku-Klux had Gabe and was going to kill him. My daughter was at home, and Gabriel's wife came to let me know it, and I told my daughter to run over to the house to try to defend this man. The truth shall be the truth. I had no weapon there. I had one little gun, but no account. This other black man had a gun, a mighty good one, where I sent. My daughter run over there, and before she got back they had abused this man, and started down towards home. It was like here was the house, and here was the creek, [illustrating,] and she stood by the creek, and couldn't get back, and they stopped right still there, and she was here, and heard them talking.

Question. Did she tell you this?

Answer. Yes, sir.

Question. Did she after that sleep in the woods?

Answer. Yes, sir.

Question. That was why?

Answer. Yes, sir; they had a lawsuit then, and we sent down to Union, and Mr. Bunsen—they told us he was a colonel—he came up, and Bud. Williams too, to try the case. They tried it.

Question. What case?

Answer. The case of the Ku-Klux that whipped brother Gabe Anstell; and my daughter was a witness of knowing him, being close to him, right beside the road when they were talking. They had them up and tried them, and she went in and swore to Bob Stacey and Bob Gaffney.

Question. Both white men?

Answer. Yes, sir; Bob Gaffney is Dr. Gaffney's son.

Question. Then she laid out?

Answer. Yes, sir; they knocked around, and gave bond for security, and as soon as they let them out, he says to my daughter, to her face, "Damn you, I'll Ku-Klux you;" and he went home kicking up his heels and dancing, and raised up a pistol, and he says, "Danin you, here's what I call 'Bunty,' and if I get you anywhere I'll shoot you," and from that they began to Ku-Klux, and my dear friends they killed and laid out there—I can't express what they did do.

Question. Were the colored people there afraid?

Answer. They were not so afraid at the start. At the election they were not afraid. They went up and voted, every one of them, and some swam the river in order to, and some waded; but after the Ku-Kluxing started, and they whipped some, and killed some, and got their guns, they were scared, and laid out; they couldn't stand it.

By Mr. STEVENSON:

Question. What was on this ball they threw into your house?

Answer. It smelt sort o' like spirits of turpentine to me. It was afire. He struck a match of fire and it flashed right up to give a light. It flashed like a man would set a row of broom-straw afire, and as they came in they stamped it out.

Question. It was not coal-oil?

Answer. I don't know what it was. I never saw such a thing.

Question. Did you ever see benzine burn?

Answer. No, sir; I knew this man by his voice. There was a man up here before you the other day. I heard him cursing us, and some one said, "Who is that?" and I knew his voice then, and I said, "It is Barney Russell." Some said it wasn't him, but I said, "I have heard that man's voice too much;" and when the people looked after he came out, it was him. It is not worth while, when I knew a man ever since he was born. When he took hold of me, and asked me if I knew him, of course I told him I didn't know, or he would have killed me. Another man up here told me, his name is Kimball—I was working for him, and says I, "I am troubled; I am in difficulty; I am scared; I am

not able to do the work I can do." "What is the matter?" says he. I says, "I hear talk of Ku-Klux here, and if they get me again they will kill me." Says he, "Old man, I don't think they will hurt you; just go on." Says I, "Mr. Kimball, I don't expect you know anything about it, but may be in places you will talk before them, and I want you to talk for me the best you can." Says he, "Old man, the Ku-Klux had me up at Carpenter's store, and I proved myself clear and honest, and I have voted the democratic ticket, and they never disturbed me; but," says he, "of course, every radical man will have to bear the law of a democrat, every one of them."

Question. What is that?

Answer. He said every radical man had to abide by the law of the democrats when they come to a house.

By Mr. VAN TRUMP:

Question. Who was that?

Answer. Jim Kimball; he lives up here. I had lately moved up there and hadn't got good acquainted in the settlement. There is another man down in our settlement named Manus Kyle. He says, at Squire Peeler's house, where a woman was cooking, says he, "Squire?" He says "What?" He says, "Why should you have these damned radicals on your land?" and the old man says, "Why, why not?" Says he, "God damn them, they are like a mole sweeping the dirt from under your feet." The old man says, "Supposing they all were democrats, then how?" Says he, "God damn them, let them go elsewhere. I'm one that will help make up the club at Cherokee Ford with forty, and I'll take my gun on my shoulder in need to shoot a God damned nigger." Now this woman told me that. I was not there, but this woman, that was the cook, heard it and told me. I was next day helping to kill a hog there, and I throwed it up to them, and Mrs. Peeler, the white lady of the house, said the Ku-Klux will come out of North Carolina and cut him all to pieces. This black woman is there that heard it.

Question. Have you got any more cock-and-a-bull stories to tell?

Answer. I haven't got any more to tell now. I haven't told a single lie. If I have to die for it, I've said the truth. I didn't say anything but what I can answer for hereafter.

Question. I am speaking about what you heard was said at Peeler's.

Answer. Yes, sir.

Question. Do you want to tell anything more that you have heard about them there?

Answer. No, sir, I don't want to tell any more.

Question. You say a number of men were killed?

Answer. Yes, sir.

Question. Name them.

Answer. Daniel Peeler was killed. I'll distinguish the names in both ways. He was a black man; he would go by the name of two men. Tom Roundtree.

Question. Is Daniel Peeler and Tom Roundtree the same man?

Answer. No, sir, they are two men. Jim Peeler and Strap Jeffers was killed.

Question. Who else?

Answer. Mr. Owens was killed; he was a white man.

Question. Who else?

Answer. That's all I have spoken of.

Question. Where did Daniel Peeler live?

Answer. Right there where I did. He married my sister's daughter.

Question. When was he killed?

Answer. He was killed since I come up here.

Question. How was he killed?

Answer. He was shot with eight balls. They told me when I went back about it. I saw his grave. They put eight balls in him, right through here, [through the body.]

Question. Who put them in him?

Answer. I don't know, for I was not there.

Question. You do not know how he was killed?

Answer. No, sir. He was out in the road when they found him. His wife was there. His wife's baby was about two weeks old when they killed him. When I heard it I was a good way off and was afraid to go down there. I went over to Mr. McDowell's, and my daughter was there and they sent her word that Daniel had been dead two weeks; and Mr. Bryant Bonner, that came over there, said he was killed, so my daughter said.

Question. Nobody knew how he was killed, did they?

Answer. They knew the men were there that they called Ku-Klux, and shot him.

Question. You said they did not know whether it was Ku-Klux or not?

Answer. I couldn't tell; but the people down there told me so.

Question. You have been telling for the last hour what other people said.

Answer. I have been telling what I heard.

Question. I asked you who killed him; you did not know, and I asked if it was the Ku-Klux?

Answer. It is what they call the Ku-Klux. I have heard them say so.

Question. Was not Tom Roundtree in another county?

Answer. Yes, sir, in York district.

Question. A good ways from here?

Answer. Yes, sir.

Question. You do not know the particular history of that case?

Answer. No, sir, but I knew the man, and knew that he was killed.

Question. Where was James Peeler?

Answer. He lived in Union district, right below me.

Question. That is not in Spartanburgh?

Answer. No, sir; but in the same district. I was whipped in Union district.

Question. Was James Peeler killed while you was there?

Answer. Yes, sir.

Question. How far did he live from you?

Answer. About six miles, on Sam Jeffers' land.

Question. Then these killings you have been talking about were not in Spartanburgh district?

Answer. No, sir; in Union district and York.

Question. Does Elias Burnett live in Union?

Answer. No, sir; in Spartanburgh.

Question. Were you whipped in Spartanburgh?

Answer. No, sir; I was whipped in Union, but they gave me ten days.

Question. I understood you lived at Burnett's, and that you were whipped there?

Answer. No, sir; I was whipped in Union district, and they gave me ten days to get away from there.

Question. Then you have been talking all this time about Union and York Counties, and we did not know it?

Answer. I was whipped in Union, and the Ku-Klux, all disguised men, gave me ten days to get away, and I came up to Elias Burnett's.

Question. You first came to Elias Burnett's; when did you leave?

Answer. According to my little, weak knowledge, all the way I had to remember the day, for I couldn't set it down—New Year's was on Sunday; that is the way I count it. They whipped me on Monday, the day after New Year's, and they gave me ten days from that day to get away.

Question. And you got away on the eleventh?

Answer. Yes, sir.

Question. Was that about the middle of January that you got to Burnett's?

Answer. Yes, sir; concluding to go there, and then when I got there I was no better off than before.

Question. You had never lived in that neighborhood before you went to Burnett's in January?

Answer. No, sir.

Question. Where did you get acquainted with Bob Stacey?

Answer. My master that owned me, Robert Lapscomb, lived in Spartanburgh district, and Mr. Stacey lived just over our fence. We worked all, you may say, right there. I would run to this fence, and they would plow to this fence. That was in Spartanburgh district.

Question. Before you came to Burnett's you lived close to the line of Spartanburgh and Union?

Answer. Yes, sir; I lived a quarter of a mile from the Union and Spartanburgh line.

Question. How far had you to move from where you lived in Union district, where you were whipped, to Burnett's? What is the distance?

Answer. About thirty miles.

Question. Did Stacey live near Burnett's?

Answer. No, sir; Stacey lives off about thirty miles from Burnett's.

Question. This Bob Stacey was down at Union?

Answer. It was Union district. I was at his grandfather's, remember.

Question. You say Bob was the son of your master?

Answer. His mother was my wife's young mistress. I had a wife there all the time I was a slave, and Stacey went down to Peeler's and married Isaac Peeler's daughter, and they came to be nigh neighbors to me, and then I had a wife at Isaac Peeler's all the time.

Question. Were these two Peelers who were killed white or black men?

Answer. Black men.

Question. Named after the white family?

Answer. Yes, sir.

Question. What made you think Bob Stacey was a Ku-Klux?

Answer. Because I knew his talk when he first spoke at the door.

Question. You had known him ever since he was a child?

Answer. Yes, sir.

Question. Was he disguised like the rest?

Answer. Yes, sir.

Question. You are satisfied that Bob Stacey was one?

Answer. Yes, sir.

Question. Did you ever tell that in Union district?

Answer. No, sir. I wouldn't tell it down there; I was afraid.

Question. What would induce Robert Stacey, who had known you from boyhood, to treat you so terribly, so badly?

Answer. He said, when he took me out and had me down, "God damn you, God damn you, I'll show you how to swear against good, innocent men!"

Question. Who did you swear against?

Answer. I told you about the law suit. I didn't swear against any one, but at the law suit we had at Mr. Olin's with Mr. Bunsen my daughter swore against him.

Question. How came it that you didn't tell that fact before; that is, what Stacey said about you swearing against good, innocent men? Why did you not tell that to the Senator when he was examining you, and you were asked to tell all that the Ku-Klux said and did that night?

Answer. I told all that I could remember.

Question. You remember it now?

Answer. Yes, sir. There was so much, I told only what I could remember. This came to me. I knew what he said to me.

Question. He said, "God damn you, you'll be a witness against innocent men?"

Answer. Yes, sir. He said, "I'll show you how to be a witness against innocent men."

Question. That was when he told you to get down?

Answer. I told him I didn't never swear against any man. He said, "If you didn't, Sal has." That is my daughter.

Question. What did you say?

Answer. I said I didn't desire her to do it.

Question. What did he say?

Answer. Nothing; only, "God damn you, go on, get down!" and then he beat me.

Question. All that you did not remember to tell the Senator when he asked you several times to tell all they said and did?

Answer. I told you all I could remember.

Question. How was that? You say that is all Bob Stacey said? Take your time and think about it.

Answer. That and his beating me as much as he wanted. He gave me ten. He asked, did I know any of them? I told him no, I didn't; I didn't know any one of them.

Question. Was Bob Stacey the only one who talked to you?

Answer. He was the only man that talked there that I heard talk; only two words, and that is when my daughter spoke.

Question. You say you know that was Robert Stacey by his voice?

Answer. Yes, sir; by his voice it must have been him. I don't want to put nothing on no person at all in the world, but this child I knew when he was born. I have been with him and I know his voice; but I saw his nature and truth and feeling by his voice, when he hallooed at me. The last of my family was in the house when he hallooed, and they said "that's Bob Stacey's voice."

Question. Why did not you tell that before?

Answer. I told the same thing; I told that I knew his voice.

Question. You say that when he first spoke at the door some of the family in the house said "that's Bob Stacey's voice?"

Answer. I said we all said it's Bob Stacey's voice.

Question. Why did not you tell that before?

Answer. I thought it was not any use to fetch it all in.

Question. The chairman told you to tell all that was said and done?

Answer. It is impossible for me to tell all that has been said and done; but I can tell so much as I know was done.

Question. Now you say that you knew Robert Stacey was there because you knew his voice. Was there any other thing by which you knew him?

Answer. By height and build, as I told you before. His height and build were all the way I knew him. I didn't know him by his voice.

Question. A great many men are built alike?

Answer. Yes, sir.

Question. Is it not a fact that a great many voices are alike?

Answer. A great many are; that is true enough.

Question. Is it not possible that you are doing your old acquaintance, Robert Stacey, about whom I know nothing, a great injustice by this kind of testimony?

Answer. No, sir, I am not doing him wrong. I would not tell a lie on a man, not for my own sake, because I have to die.

Question. Did you say the Ku-Klux that night counterfeited their voices?

Answer. He tried to counterfeit his, but he didn't. He didn't counterfeit his voice

when he first came up and spoke, but we knew his voice; but he talked so fast he could not counterfeit his voice, and when he had me down he could not counterfeit his voice.

Question. Why could not he?

Answer. It was [speaking rapidly] God damn you, God damn you, God damn you, God damn you, God damn you, God damn you, God damn you, God damn you.

Question. Did he say "God damn you" as fast as that?

Answer. Yes, sir; he kept saying it and beating me. Then they quit him from that and took him off and beat me regular.

Question. Did he keep saying "God damn you," and not counterfeit his voice?

Answer. No, sir; he might have tried it, but he couldn't. I knew his voice.

Question. When he did try to counterfeit it how did he do it?

Answer. [In deep base.] God damn you.

Question. In that deep guttural tone you are imitating?

Answer. Yes, sir. In that way he tried to get in when he first come to the door: [in bass voice,] "halloo! open the door; God damn you, God damn you, God damn you."

Question. I thought you said he spoke in his natural voice?

Answer. No; he tried to conceal his voice.

Question. Just now you were trying to imitate him with his voice in a deep guttural tone?

Answer. Well, he tried to alter his voice, but he couldn't alter it enough for me not to know it.

Question. Why could he not try to counterfeit it all the time—what was the reason?

Answer. I can't tell you. I reckon he wanted to beat me. They all had me down. They had me down, I reckon, and they were in a hurry.

Question. If you came to this neighborhood where you now live as late as January last, how have you got so much knowledge as to make you swear you knew that James Russell and Littleberry Gilbert and Barnett Russell were Ku-Klux—did you say they were?

Answer. I said I think they were. They threatened me and Julius Cantrell. How he came to threaten me, I told you; about the fodder he came to threaten me. Julius Cantrell told me about these things. They were building a still-house. I was 'splaining all these things.

Question. Were you just beginning to 'splain?

Answer. No, sir; I was explaining how I got at the reason they didn't Ku-Klux me. They were beginning to make frolics at night.

Question. Who did?

Answer. Russell and the men in the country.

Question. How near about did they make frolics?

Answer. Pretty close to my house, a mile or a half a mile may be, I can't tell where they were.

Question. How do you know they made frolics?

Answer. Jim Russell told me there was going to be a frolic. He had been up dancing and knocking about. I take it for granted, I did not know any better. Barney Russell wanted to go, and he would say to Julius, come for him to still some, that is, still some whisky. Julius told me he was afraid to stay there. Says he —.

Question. All you know about that is what Julius told you?

Answer. Yes, sir.

Question. I do not want to hear anything about what he said.

Answer. Then I will not say it.

SPARTANBURGH, SOUTH CAROLINA, July 12, 1871.

NELSON OGLESBY (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. At Mrs. Dewberry's.

Question. Where is that?

Answer. In Spartanburgh district.

Question. How long have you lived there?

Answer. I just moved there this year.

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

Answer. Yes, sir.

Question. Where was that?

Answer. Over at Mrs. Dewberry's, where I live now.

Question. Were you whipped?

Answer. Yes, sir.

Question. When was it?

Answer. I can't tell exactly what day, but it has been about a month ago, I reckon.

Question. How many were there?

Answer. Four of them came to the house, and went to the kitchen—the cook-house, where I stayed when I first moved up, and bursted the door. The children were all in there. We were all staying in the house with our mistress. She was afraid to stay in the house by herself. We all waked up. We heard a mighty fuss. I slipped my pants on.

Question. And they took you out and whipped you?

Answer. Yes, sir.

Question. How many lashes did they give you?

Answer. I reckon about twenty-five or thirty, just as hard as they could put it on.

Question. Did they say what they whipped you for?

Answer. It was about some tales they had heard.

Question. What time of night was it?

Answer. It was just before daybreak.

By Mr. VAN TRUMP:

Question. You are staying with your old mistress?

Answer. Yes, sir.

Question. At her house?

Answer. Yes, sir.

Question. Had you no place to stay yourself?

Answer. Yes, sir; but I am making a farm for her.

Question. Were you there just that night or living there?

Answer. I was living there altogether.

Question. Have you a wife and children?

Answer. Yes, sir.

Question. How many children?

Answer. Seven of us in the family.

Question. You were all living in the house of Mrs. Dewberry, a widow lady?

Answer. Yes, sir.

Question. Was she there that night?

Answer. Yes, sir.

Question. Was she awakened?

Answer. Yes, sir.

Question. Did these men speak to her?

Answer. Yes, sir.

Question. Where was she?

Answer. We all staid in the same room. She was afraid to stay in the other room by herself.

Question. How old is she?

Answer. She is pretty far along in age.

Question. About how old?

Answer. I cannot tell you exactly.

Question. Has she no husband?

Answer. No.

Question. Has she any children of her own?

Answer. Yes, sir; she has a son up here. He is the sheriff.

Question. Do you say she is the mother of Sheriff Dewberry?

Answer. Yes, sir, and he got me there to make this farm for his mother, and to stay there and to see to everything on the place.

Question. There was nobody else there but your family and old Mrs. Dewberry?

Answer. That is all.

Question. What tales did they say you had been telling?

Answer. The time the black ones they said were rising away down here somewhere, I don't know just where. Some of the white ones up that way spoke to me about it, and I told them I thought that was a mighty bad way for them to be doing. I thought they had better be at home and trying to make a living, and everything quiet.

Question. Was that the tale?

Answer. That was the news.

Question. Was that what they charged you with that night, telling tales about that?

Answer. Yes, sir.

Question. All the tale you told was to condemn the black people for rising?

Answer. Yes, sir.

Question. Did you say there were four men?

Answer. Yes, sir; four men came up to the house.

Question. Had they disguises on?

Answer. They had little somethings over their faces, and with jeans clothes and coats just like they had been going out to a meeting.

Question. Such clothes as black men wear generally?

Answer. No, sir; very nicely made.

Question. Could you see whether they were black or white?

Answer. No, sir; my little boy said next morning that there was one black one with them, and they told that one to put this thing over his face, or these boys would know him.

Question. To what?

Answer. To pull the rag down over his face so that the boys would not know him.

Question. Your boy told you that some of these other men said that the black man must pull it over his face so that he would not be known?

Answer. Yes, sir.

Question. And they charged you with saying that these black men had better have been attending to their own business than rising?

Answer. Yes, sir.

Question. What do you mean by rising?

Answer. You recollect we heard of the black ones rising somewhere?

Question. Had there been talk about the black people rising?

Answer. Yes, sir; and they said I knew it. That was the report that got out, and I declared I never said a word about it, only what I said just now.

Question. But they said you did?

Answer. Yes, sir, and whipped me for it.

By the CHAIRMAN:

Question. Had you had any conversation of any kind with anybody about this rising?

Answer. No, sir; no kind at all, only the white men was telling me about it, and I said they had better be hard at labor trying to make a living like myself.

Question. Do you know who the men were who did whip you?

Answer. No, sir, not exactly. I know them by their walk and build pretty much.

Question. Who do you believe they were?

Answer. Yes, sir.

Question. Tell us who they were, according to your belief?

Answer. A man that lived the other side of my house there.

Question. What is his name?

Answer. Abner Waters.

Question. Who else?

Answer. That is about all the one I had any belief was in the gang.

Question. Is he a white or a black man?

Answer. He is a white man.

Question. How do you know one of them was a black man?

Answer. That is what the children told us the next morning.

Question. Did you see his face?

Answer. They said they saw his face, and that they told this man to cover his face, or these boys might know him.

Question. Did the boys know who he was?

Answer. No, sir; they were so scared they did not know exactly who he was.

Question. That was all that was charged against you—what you had said about the rising?

Answer. Yes, sir.

Question. Where was this rising?

Answer. I think it was somewhere down about Chester.

Question. It was about them that you were charged with having said this, that you thought that it would be better for them to be at their work?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. You say you had said to some white men that your opinion was that these black men had better attend to their own business?

Answer. Yes, sir; that was my principles.

Question. Were all four of these men disguised?

Answer. Yes, sir; they had something over their faces.

SPARTANBURGH, SOUTH CAROLINA, July 12, 1871.

JOHN HINES (colored) sworn and examined.

By the CHAIRMAN :

Question. Where do you live ?*Answer.* Out on the battle-ground.*Question.* Who do you live with ?*Answer.* Zebe [Zebulon] Cantrell.*Question.* Do you work for him ?*Answer.* Yes, sir.*Question.* Did the Ku-Klux visit you at any time ?*Answer.* Yes, sir. They visited me several times.*Question.* When ?*Answer.* The last time was about the last of May.*Question.* What did they do to you ?*Answer.* They never did anything to me. They never got hold of me. They inquired for me, and beat a little boy that stays at my house, right smart.*Question.* Are you married ?*Answer.* No, sir. I stay with my aunt.*Question.* Did you see them ?*Answer.* Yes, sir.*Question.* What did they want with you ?*Answer.* They said they wanted to whip me, and wanted my gun.*Question.* What for ?*Answer.* They never told me, but they told her it was for voting for the damned radicals. They told my aunt that.*Question.* Was that the last time ?*Answer.* The last time they came they told her that.*Question.* How many times did they come ?*Answer.* Four times before that, I think. This last time makes five times.*Question.* Why were you not there ?*Answer.* Because I knew they wanted to whip me, and I left.*Question.* Where were you ?*Answer.* I was outside one night. I was at old man Cantrell's, and started home and heard something about his lot, and I could hear them hurrying up, I thought, and he asked me what I heard. I told him I didn't know, but I heard some talking. I went on, and when I got to the gate I heard them hallooing, "March up," but I got away.*Question.* They have not whipped you at all ?*Answer.* No, sir. I saw them that night and heard them halloo "March up," and they followed on after me to my house, and I heard them coming, and ran out the back side. I told aunt Rose they were coming, and she stood in the door, and one of them hallooed to her to get out of the door or he would shoot her out ; and she stepped out of the door on to the piazza, and one went up and drew his gun on her, and another drew the bench on her.*Question.* Did they hurt her ?*Answer.* They punched her on one side of the head with a gun.

By Mr. VAN TRUMP:

Question. Did you see that ?*Answer.* I saw that myself ; I was by the crib. When they went back I went up and peeped at them through a crack in the side of the house.

By the CHAIRMAN :

Question. How many were there ?*Answer.* About nine.*Question.* Did you see them go at any other time ?*Answer.* I saw them putting their horses in the stable one night.*Question.* Who ?*Answer.* I do not know. I knew two of them that came to my house riding ; I suppose they were the same crowd.*Question.* Who were they ?*Answer.* Lewis Jolly and Bill Jolly and Jerry Gedney. They were the ones that abused my aunt and the little boy.*Question.* Did you see them put them in the stable ?*Answer.* I saw them putting them in. I thought I heard Mr. Cantrell say I was not anywhere about ; he knew I was gone home. He asked me what I heard, and I told him I thought I heard somebody up there. He said to them that he thought I was not about there. I could not swear it was him, but I thought it was him ; that was when he was putting his horses back in the stable. I heard them when they came, and they had no horses, and I believe they took the horses out of his stable.

Question. You believe that this crowd were on Cantrell's horses ?

Answer. Yes, sir ; I saw the horses. I was standing at the crib, and they hitched them by the yard. I knew the horses, and I went to his stable to see certain if they were not his horses.

Question. To see who brought them back ?

Answer. Yes, sir.

Question. Were these men disguised ?

Answer. No, sir, they had taken off their false faces down at his house. They made him get up and treat them.

Question. How did you know them ; was it light ?

Answer. No, sir ; I could not get close enough to see them. I heard one of them asking something about me, and he said he thought I was gone.

Question. That was before when they marched up ?

Answer. When Mr. Cantrell asked me about what I heard, I told him I did not know what it was. I told him I did not know, but they halloosed " March up " and then I went on.

Question. When was it that you saw these three men ?

Answer. I do not know what date it was, but it was right smart since Christmas ; somewhere along about March or February.

By Mr. STEVENSON :

Question. You were working for Mr. Cantrell ?

Answer. Yes, sir.

Question. Is he a farmer ?

Answer. Yes, sir.

Question. Does he own the land there ?

Answer. Yes, sir. I was hauling wood for him that day that that happened

By Mr. VAN TRUMP :

Question. Are you working for Mr. Cantrell yet ?

Answer. No, sir ; the Ku-Klux got so bad I had to leave.

Question. What was it that Cantrell said at the stable ?

Answer. He said he thought I was gone. I believed that to be him. He said he thought John was not to be caught.

Question. These three men were the only men you saw on horses that night ?

Answer. No, sir ; there were several others, but I knew two of them to be on his horses. John Jolly and Lewis Jolly was on a mule I worked with that day, and a horse.

Question. What was Gedney riding ?

Answer. He was riding his own mule.

Question. Did you see them getting them out of the stable ?

Answer. No, sir. I saw them on the mules over at our house. I saw them ride up and hitch.

Question. That was the first time you saw them ?

Answer. Yes, sir, that night.

Question. Did you work the mule that day ?

Answer. Yes, sir ; and the horse that day, hauling.

Question. Did you put them in the stable ?

Answer. No, sir ; the children did.

Question. What time of night was this ?

Answer. About nine o'clock.

Question. And this was the last of May ?

Answer. I expect it was about the last of February or March.

Question. Are you speaking of the last time they were there ?

Answer. No, sir ; the last time was about the last of May.

Question. The first you saw of these two Jollys they were on Cantrell's mules ?

Answer. On his mule and his horse coming up to my house, and they halloosed to my aunt to get out of the door.

Question. That was about nine o'clock ?

Answer. Yes, sir.

Question. And in March ?

Answer. I do not know. It was February or March, or somewhere there.

Question. Was it cold weather ?

Answer. It was pretty cold weather.

Question. What had you been doing with the mules that day ?

Answer. Hauling wood. I had hauled with them myself.

Question. What sort of a day was it ?

Answer. A sort of drizzly day.

Question. What did they do with the mules after they rode out ?

Answer. They brought them back and put them in the stable.

Question. Did they leave the house after you saw them on the mules?

Answer. Yes, sir; they got on the mules at my house and left the house.

Question. At eleven o'clock?

Answer. Yes, sir.

Question. What time did they get back?

Answer. About four o'clock, before day next morning.

Question. Where were you at that time?

Answer. Over at Mr. Cantrell's barn. The stable was adjoining the barn.

Question. Did Mr. Cantrell go with them?

Answer. Ku-Kluxing? Not that night, I do not think.

Question. Is he a Ku-Klux?

Answer. He did not go that night.

Question. Do you think he is a Ku-Klux?

Answer. I do not believe he has been out, but he is beholding to the business.

Question. You believe he lends his mules for it?

Answer. I know he is knowing to their going out.

Question. How do you know that?

Answer. Because I saw him catching his mules one night for them, for these men to ride. Him and his black man caught them.

Question. When was that?

Answer. Sometime in May.

Question. Where did they take them?

Answer. They carried them to the house for the men. The men were down against his white house, and he carried them down for them to ride.

Question. You saw that?

Answer. I saw them catch them and carry them down there.

Question. Who got on them?

Answer. I do not know. I did not know any of those in the crowd that night.

Question. Were they disguised?

Answer. Yes, sir.

Question. What time of night was it?

Answer. It was about an hour or an hour and a half in the night, I reckon.

Question. Did Cantrell go with them that night?

Answer. No, sir; he never went with them.

Question. Did he catch the mules?

Answer. Yes, sir. He pretended that they made him. They did not strike him.

Question. Were you close enough to see?

Answer. I was outside of the gate. They never saw me.

Question. Who helped him?

Answer. Aust. Cantrell, a blackman that Mr. Cantrell raised.

Question. Did he raise you?

Answer. No, sir.

Question. Is that black man there yet?

Answer. Yes, sir.

Question. At this time in March, when they rode off with the mules, did you not think it was curious that Cantrell let them go?

Answer. He said he did not know anything about it. I do not know whether he did or not. I should not suppose that he knew anything about it. He was not out that night when they caught the mules, because they caught the mules, or what I took to be that, when I was standing in the door and heard that noise; they were catching the mules; that was when he asked me what I heard.

Question. They were riding up to your house then?

Answer. Yes, sir.

Question. How far is your house from Cantrell's.

Answer. I reckon nearly half a mile.

Question. Were you at Cantrell's house when this occurred?

Answer. Yes, sir; I was there when they made the fuss, and when they said, "March up." I started from the gate, and went the nigh way to my house, and when I got there, I told them I heard the Ku-Klux over yon by the old man's, and I expect they are coming here.

Question. Where were the men when you were standing at the gate?

Answer. By the stable, back up there.

Question. How far from there?

Answer. About two hundred yards, or over that.

Question. How could you see them at the stable?

Answer. No, sir; but I could hear them.

Question. Could they see you?

Answer. No, sir, not after night.

Question. Was it dark?

Answer. Yes, sir. About 9 o'clock at night.

Question. They commenced operations pretty early that night?

Answer. They commenced about that time.

Question. Where does Lewis Jolly live?

Answer. I believe he works at Preston Goforth's.

Question. Where does Bill Jolly live?

Answer. I do not know where he goes. His mother lives close there.

Question. Where does Gedney live?

Answer. In North Carolina, just the other side of North Carolina line. He married a girl that Mr. Cantrell raised. Mr. William Jolly—I worked for him.

Question. How near were you to the two Jollys and Gedney when you discovered them?

Answer. They were outside of the house. I was peeping through a crack.

Question. Was there a light?

Answer. Yes, sir; because I threw in a piece of pine when I went into the house and told the people they were coming.

Question. Was that your house?

Answer. My house.

Question. What did you want a light in the house for?

Answer. Because I wanted to see who they were. I would be outside.

Question. You were not frightened?

Answer. No, sir, because I heard they were coming for me before.

Question. You staid outside of the house peeping through a crack?

Answer. Yes, sir. They were about the fire-place, one of them, and I saw them.

Question. Who made the light from the pine that you threw in?

Answer. I put the pine in the fire, and it just kindled up.

Question. Did you put it in after these men came up?

Answer. No, sir; while they were coming. I went the near way. I knew they were after my gun and things, and I went on to get them out.

Question. You went ahead seeing that they were coming, and made a light before they came?

Answer. I threw a piece of pine on, and the pine caught, and I took my gun and walked out.

Question. Did you not say you kindled the pine?

Answer. I threw it on the fire and it caught.

Question. Where were the Ku-Klux then?

Answer. They were coming under the hill.

Question. How far from you then?

Answer. I suppose something over two hundred yards off when I went out of doors.

Question. Were they riding?

Answer. Yes, sir.

Question. Were they coming fast?

Answer. No, sir; not very fast.

Question. How did you hear them?

Answer. I heard the horses.

Question. You stood at the crack of the house looking in?

Answer. I stepped off by the side of the crib when they first came. When they went in I went up. The old woman was outside when they first came, and one drew a bench on her, and another a gun, and they followed her in, and then I went up and peeped in and saw them.

Question. Who did you see?

Answer. I saw Lewis Jolly standing close to her, with his pistol close to her forehead, like he was going to shoot her.

Question. Who else?

Answer. Jerry Gedney and Bill Jolly and Lewis Jolly.

Question. How many more came up to the house?

Answer. There were about nine, I suppose, of them.

Question. Did any others go into the house?

Answer. They all went into the house.

Question. All were disguised?

Answer. Yes, sir.

Question. Describe how they were disguised, and first these three men?

Answer. Bill Jolly had a net knitted—a head-net over his face.

Question. What else?

Answer. That is about all. He had his hat turned wrong side out. It was a black hat. Lewis Jolly had a kind of red knit cravat, or something over his head.

Question. What else?

Answer. Jerry Gedney had his clothes turned wrong-side out, and a false face of paper.

Question. Could you see a part of their faces?

Answer. Yes, sir.

Question. What part?

Answer. They had their mouths covered, and that was about all. They had a little strip up here, and Bill Jolly had the net only over his face.

Question. You say they had only their mouths covered?

Answer. Yes, sir; around this way like, and the thing over their heads that way.

Question. What were their mouths covered with?

Answer. Lewis Jolly's was covered with a net.

Question. His whole face was covered?

Answer. No, sir; he had it sort o' round his mouth, this way, and up each side of his face.

Question. You saw all of his face except his mouth?

Answer. Yes, sir.

Question. His eyes?

Answer. Yes, sir.

Question. You saw his nose, cheeks, and chin?

Answer. Well, I saw his eyes.

Question. Had he put it on to keep the frost out?

Answer. I don't know. He had it to keep from being known.

Question. You swear he had no other disguise?

Answer. Lewis Jolly had a cravat on.

Question. What else had Lewis on?

Answer. A knit cravat.

Answer. That was wrapped around his mouth or tied up around his head?

Answer. Yes, sir.

Question. So that all the forehead, and the nose, and the cheeks were exposed?

Answer. Yes, sir; I could see up along here and this part, but not his mouth.

Question. You saw every part of his head except his mouth?

Answer. Yes, sir; except this part.

Question. He had no gown on?

Answer. No, sir; only his clothes.

Question. Describe Bill Jolly.

Answer. He had a head-net over his face.

Question. How?

Answer. It seemed to be pulled over his face and tied back of his head. He had a high hat on.

Question. What covered his face?

Answer. His face was covered with a net.

Question. How much of his face?

Answer. All of his face.

Question. All?

Answer. Yes, sir; eyes and everything.

Question. Could you see the full expression of his face through the net?

Answer. Yes, sir; I could see it through the net enough to know it was him.

Question. You are certain of that?

Answer. Yes, sir.

Question. How was Gedney disguised?

Answer. He had a false face of paper, and he had his clothes wrong side out.

Question. Was his whole face covered?

Answer. No, sir.

Question. How much was not covered?

Answer. There were places torn in the paper, so that I could see a little of his face.

Question. You are sure these three men were Lewis Jolly, Bill Jolly, and Jerry Gedney?

Answer. Yes, sir.

Question. After they first visited the premises, hunting for you, in March, you staid with Cantrell until the last of May?

Answer. No, sir; I staid about, off and on now and then.

Question. What were you doing now and then?

Answer. Just knocking about. I would come here to the railroad, and work a week or two, and then go back.

Question. Believing all the time that Cantrell was a Ku-Klux.

Answer. I don't believe he went out, but I believe he was beholding to the business.

By Mr. STEVENSON:

Question. Was this net one of these woolen comforters they tie around their necks in winter.

Answer. No, sir; it was one the ladies has over their heads. This cravat was a red woolen comforter.

SPARTANBURGH, SOUTH CAROLINA, July 12, 1871.

JACOB MONTGOMERY (colored) sworn and examined.

By Mr. STEVENSON:

Question. How old are you?*Answer.* Twenty-six last March?*Question.* Where do you live?*Answer.* On Mr. Camp's plantation, down in Limestone, on Thicketty.*Question.* In this county?*Answer.* Yes, sir.*Question.* What do you do?*Answer.* Farm.*Question.* Have you ever been visited by the Ku-Klux?*Answer.* Yes, sir.*Question.* When?*Answer.* It was in April; I think about the 1st of April.*Question.* Last April?*Answer.* Yes, sir.*Question.* What did they do to you?*Answer.* They whipped me and knocked me over the head with pistols.*Question.* Tell all that they said and did.*Answer.* When they first came I was at the party. They did not whip me at home. They came in and cursed, and went on.

By Mr. Van TRUMP:

Question. Were you at a party when the Ku-Klux came?*Answer.* Yes, sir.

By Mr. STEVENSON:

Question. Go on with your statement.*Answer.* They came up and shot over the corner of the house, and holleréd out "Close up" to their men, and bursted the door down and rushed in; and I jumped up and turned my back to the fire-place, and they rushed up and poked a pistol in my face, and said, "G—d d—n them, they are! all here." He said, "Are you scared?" I said, "No." They said they had me now. I said, "It is too late now to be scared; you can do what you please." They said, "March them out from the light," and they marched us out from the light; and one hollered to bring out a light and see how many they had. They other said, "No, we will not have any light in the crowd." One said, "Let us march them to the graves." They said their holes were open and they would carry them in the graves with them. They took us from there close to the grave-yard, and they whipped us and told us never to be so many niggers together in that way, or they would kill us. They asked me if I didn't aim to leave the land because they whipped me. I said, "No." They said, "If you leave, we will kill you; but if you stick to him we will stick to you." I told them I tried to be a good boy, but I would go out and enjoy myself sometimes. They made us run up the road, and they blew a whistle and went up the road.*Question.* How many were there of you?*Answer.* About eleven of us, they kicked and knocked about.*Question.* Where was this party?*Answer.* At Lina Smith's.*Question.* Near Limestone?*Answer.* Yes, sir; in about six or seven mile of Limestone.*Question.* Did you hear what was said to the other men they whipped?*Answer.* I heard what they said to some of them; some I didn't hear; I was so frightened. They said to one, did he recollect that he owed Mrs. Turner. He said he did. They said, why don't you pay your debts? and they jumped on him then and beat him about right smart; and they said to another where did he live; and he said at Mr. David Grammel's. They asked him why he had left Joseph Harris and went to David Grammel's. I can't recollect all they said, but they jumped on him and beat him.*Question.* How did they beat him?*Answer.* They got hickories and a surcingle, or something, and beat him. Four or five whipped on a fellow at one time.*Question.* Did you hear what they said to anybody else?*Answer.* There was one fellow, Will Smith, that you tried here.*Question.* Do you mean that we have examined him?*Answer.* Yes, sir. They asked him how many corn crops he would gather by going home. He told them he didn't aim to gather off of any one.*Question.* Did they whip him?*Answer.* They whipped him.*Question.* How many Ku-Klux were there?

Answer. I wasn't certain, but they looked like twenty. They said to us that there was five hundred scattered around the woods. I don't think there was more than twenty in the crowd.

Question. Were they disguised?

Answer. Yes, sir.

Question. How were they disguised?

Answer. They had on, some of them, white gowns, and some had flax linen, and some red calico, and some red caps, and white horns stuffed with cotton. And some had flannel around coon-skin caps, and faces on, and next to the caps their gowns came down so that I could not see only the legs below the knees.

Question. You could see the pants from the gown down; the faces were covered?

Answer. Yes, sir, only a little hole at the eyes, not bigger than a man's finger nail.

Question. Did you know any of them?

Answer. No, sir. They did not let us stay in the house any time, but marched us right out of doors.

Question. Have you been troubled with them at any other time?

Answer. No, sir.

Question. Have you since?

Answer. No, sir.

By Mr. VAN TRUMP:

Question. How many of you colored men were in that party?

Answer. Men and women?

Question. No, I only ask for the number of men.

Answer. I don't know exactly how many men there were; not more than five or six grown men. There were some boys.

Question. Did they whip the boys?

Answer. They did whip the boys and men together. They whipped two that belonged on the place.

Question. Did you take your guns there?

Answer. No, sir, we had none. They asked us if we had. That is why they knocked the women about to make them own that we had them; but we didn't have them.

Question. How far was that party from the battle-ground of Cowpens?

Answer. I don't know; I had just moved up there about a couple of months. I have not been out none since they whipped me, and I don't know the settlement.

Question. These Ku-Klux seemed to know you negroes, all of you, didn't they?

Answer. They came in and asked our names first.

Question. But this fellow asked about owing Mrs. Turner?

Answer. Yes, sir.

Question. They seemed to know you after they knew your names?

Answer. Yes, sir, they seemed to know him. He lived right where they whipped them.

By Mr. STEVENSON:

Question. Did you stay with the man you were living with?

Answer. Yes, sir.

Question. What were you doing there?

Answer. I am farming.

Question. On shares?

Answer. Yes, sir.

SPARTANBURGH, SOUTH CAROLINA, July 12, 1871.

CALEB JENKINS (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. Up here about eleven miles, in Campobello.

Question. How long have you lived there?

Answer. Two years.

Question. Were you raised in this county?

Answer. I was raised in Orangeburgh.

Question. Did the Ku-Klux come to where you live at any time?

Answer. Yes, sir. They came there on Saturday night, about the 1st of April.

Question. Tell us, as briefly as you can, what they said and did.

Answer. They came in on me, and the gentlemen hit at the door and called my name, "Caleb, open the door." I got up and said, "I will open the door." As I got up he fired three balls, and shot three times in the house, and told me to raise a light. I hastened and raised a light. He asked me did I know him. I looked at him and said,

"I thought I knew your voice, but I can't say I know you." He says, "You don't know me, I am from Manassas." I said, "I don't know; I never was at Manassas." He says, "Raise a light. Have you any fatty bread?" "No, sir," I said, "I haven't any fatty bread."

Question. What is that?

Answer. Bread with lard in it.

Question. Bread with cracklings?

Answer. Yes, sir; he asked, "Do you know what I came for?" I said, "No, sir." He said "I came to kill you." I said, "Very well; I don't know what I have done." "How did you vote?" I said, "I voted the Union ticket." He said, "Didn't you know that was not right?" I said, "That is the way they told me was right." He says, "I'll Union you." They told me to pull off; I had to pull off; I pulled off my shirt, and he gave me about forty lashes, as near as I can tell.

Question. With what?

Answer. With a hickory; and then they took my gun from me.

Question. What then?

Answer. They told me to leave there in ten days or they would sacrifice my life.

Question. Did you leave?

Answer. Yes, sir.

Question. Where are you living now?

Answer. In Spartanburgh, down here.

Question. Campobello is where you did live when this happened?

Answer. Yes, sir.

Question. Are you a mechanic?

Answer. No, sir; I am a cook all my days.

Question. How old are you?

Answer. I am forty-eight years old.

By Mr. VAN TRUMP:

Question. You say they took your gun?

Answer. Yes, sir.

Question. What sort of a gun was it?

Answer. A double-barreled shot gun.

Question. Where did you get it?

Answer. I bought it from a neighboring man right there by me.

Question. Did you belong to a militia company?

Answer. No, sir; I never belonged to no company at all.

By Mr. STEVENSON:

Question. Did you have a family?

Answer. Yes, sir; I had eight children.

Question. Did you bring them away with you?

Answer. Yes, sir; I fetched them all with me.

Question. Did you bring your furniture?

Answer. No, sir; my things are all there yet.

Question. Why did you not bring them?

Answer. Because the time was out and they are there yet.

Question. Are you afraid to go back for them?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Could you not send for them?

Answer. They were so busy hauling; I tried in three or four places, but I could not get them to.

Question. Are you afraid to go up there in daylight to get your furniture?

Answer. Yes, sir, I am, to tell the fact about it.

Question. You were pretty badly frightened, then?

Answer. Yes, sir; they threatened me.

Question. How far is it from here?

Answer. Eleven miles.

Question. You could go up there with a wagon in daylight and back again?

Answer. Yes, sir; very easy.

Question. Did anybody here persuade you not to go up there?

Answer. No, sir.

Question. Have you been talking about your whipping with a good many friends here?

Answer. But that same night they whipped me, they whipped five or six others; three families were whipped that night.

Question. I ask if some white people here have not been talking with you about your whipping?

Answer. Yes, sir; Mr. Twitty was asking me about it.

Question. Anybody else?

Answer. No, sir; not that I recollect of; I never said much about it any way.

Question. Is there any white person here that has talked with you except Mr. Twitty?

Answer. No, sir; no white person here talked with me anything about it but Mr. Twitty, that I recollect.

Question. Who are you living with?

Answer. I am living with Mr. Twitty—cooking for him.

Question. Are you living in a house by yourself with your family?

Answer. Yes, sir; I am just cooking for him and staying in a room up street here where my children is; he didn't want my children in the yard; and I just cook for him.

Question. Have you bought new furniture?

Answer. No, sir, only what the children have on their backs; we now just lay down on the floor with no covering, no beds.

Question. You brought nothing away with you?

Answer. No, sir.

Question. This was about the 1st of April, and three months ago?

Answer. Yes, sir; it was just when we commenced planting corn; I had planted a small patch of corn before that week.

Question. What furniture have you left up there?

Answer. My bedding, and all my little things in my house; I drove my cow on with me.

Question. Did you not intend to go back for the furniture?

Answer. I did; I want to try to hire somebody, as soon as I can work and make a little to hire somebody to go out.

Question. Is it because you have no time to leave your cooking?

Answer. Yes, sir; I have time; I don't put myself so I could not have time when I want it.

Question. You say you are so frightened that you don't go eleven miles for your furniture; that's the reason you did not bring it?

Answer. Yes, sir.

SPARTANBURGH, SOUTH CAROLINA, July 12, 1871.

MERVIN GIVENS (colored) sworn and examined.

By Mr. Stevenson:

Question. Your name in old times was Mery Moss?

Answer. Yes, sir; but since freedom I don't go by master's name. My name now is Givens.

Question. What is your age?

Answer. About forty I expect.

Question. Where do you live?

Answer. With Silas Miles.

Question. Where is that?

Answer. Five miles from here on the straight Columbia road.

Question. Is it at General Bates's place?

Answer. No, sir; it is on the road by Cedar Springs.

Question. Did you not live on General Bates's place?

Answer. No, sir.

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

Answer. Yes, sir.

Question. When?

Answer. About the last of April.

Question. Tell what they said and did.

Answer. I was asleep when they came to my house, and did not know anything about them until they broke in on me.

Question. What time of night was it?

Answer. About twelve o'clock at night. They broke in on me and frightened me right smart, being asleep. They ordered me to get up and make a light. As quick as I could gather my senses I bounced up and made a light, but not quick enough. They jumped at me and struck me with a pistol, and made a knot that you can see there now. By the time I made the light I caught the voice of them, and as soon as I could see by the light, I looked around and saw by the size of the men and voice so that I could judge right off who it was. By that time they jerked the case off the pillow and jerked it over my head and ordered me out of doors. That was all I saw in the house. After they carried me out of doors I saw nothing more. They

pulled the pillow-slip over my head and told me if I took it off they would shoot me. They carried me out and whipped me powerful.

Question. With what?

Answer. With sticks and hickories. They whipped me powerful.

Question. How many lashes?

Answer. I can't tell. I had no knowledge at all about it. May be a hundred or two. Two men whipped me and both at once.

Question. Did they say anything to you?

Answer. They cursed me and told me I had voted the radical ticket, and they intended to beat me so I would not vote it again.

Question. Did you know any of them?

Answer. Yes, sir; I think I know them.

Question. What were their names?

Answer. One was named John Thomson, and the other was John Zimmerman. Those are the two men I think it was.

Question. How many were there in all?

Answer. I didn't see but the two. After they took me out I was blindfolded; but I could judge from the horse tracks that there were more than two horses there. Some were horses and some mules. It was a wet, rainy night; they whipped me stark naked. I had a brown undershirt on and they tore it clean off.

Question. Could you not judge whether there were more than two?

Answer. No, sir; they would not give me time. They whirled me right around and told me to go when they got through whipping, and I just split right off without trying to see anything more.

Question. How far did you live from General Bates's place then?

Answer. I expect it was five miles.

Question. Did you know what the Ku-Klux had done there?

Answer. No, sir. I didn't live in the settlement at all. I heard a heap, but I didn't know it.

Question. Did you know whether the people were driven off of his place?

Answer. I think a good many were.

Question. Did you know any of them who lived there?

Answer. I used to know them in old times, but I have almost forgotten, people have changed about so.

By Mr. VAN TRUMP:

Question. There were, then, two men who came to your house?

Answer. Yes, sir; that was all I could see.

Question. Were they disguised?

Answer. Yes, sir.

Question. How?

Answer. They had on some some sort of gray-looking clothes, and much the same sort of thing over their face. One of them had a sort of high hat with tassel and sort of horns.

Question. How far did John Thomson live from there?

Answer. I think it is two or three miles.

Question. Were you acquainted with him?

Answer. Yes, sir.

Question. Where?

Answer. At my house. My wife did a good deal of washing for them both. I was very well acquainted with the size and their voices. They were boys I was raised with. John Zimmerman is a play-boy I have been with all my life.

Question. How old is John?

Answer. About twenty-five years.

Question. A married man?

Answer. No, sir, single.

Question. How old is John Thomson?

Answer. I don't know his age. They lived farther below. The way I got acquainted with him, they kept a grocery shop.

Question. Does living below make any difference about your knowing his age?

Answer. I never got acquainted with him until last winter.

Question. Can you not form an idea of his age?

Answer. He may be the same age; he is a young gentleman.

Question. Not married?

Answer. No, sir.

Question. Were their faces completely covered?

Answer. Yes, sir; I could not see them.

Question. Then it is only by judging by their voices and size that you believe it was them?

Answer. Yes, sir.

Question. Did you tell anybody else it was John Thomson?

Answer. I have never named it.

Question. Why?

Answer. I was afraid to.

Question. Are you afraid now?

Answer. I am not afraid to own the truth as nigh as I can.

Question. Is there any difference in owning to the truth on the 12th of July and on the 1st of April?

Answer. The black people have injured themselves very much by talking, and I was afraid.

Question. You are not afraid now?

Answer. No, sir; because I hope there will be a stop put to it.

Question. Why do you hope so?

Answer. Because I believe that gentlemen have got it in hand that is coming to do something for us.

Question. Do you think we three gentlemen can stop it?

Answer. No, sir; but I think you can get some help.

Question. Has anybody been telling you that?

Answer. No, sir; nobody told me that.

Question. You did not see any horses when Thomson and Zimmerman came up to the house in the night?

Answer. No, sir; but over where they whipped, I went down next morning after my shirt, and the horses were hitched within about ten steps of the fence.

Question. You thought there were more than Thomson and Zimmerman, judging by the horse tracks?

Answer. Yes, sir.

Question. You said some were horse and some were mule tracks; can you tell the difference?

Answer. Yes, sir; I can tell the difference in the size of a horse's track and a mule's.

Question. Is there much difference?

Answer. Yes, sir.

Question. If both are shod?

Answer. Yes, sir; there is a great difference in the shape, and I have shod horses and mules, and I am very well acquainted with both kinds of feet.

Question. Why did you not commence a prosecution against Thomson and Zimmerman?

Answer. I am like all the rest, I reckon; I am too cowardly.

Question. Why do you not do it now; you are not cowardly now?

Answer. I shouldn't have done it now.

Question. I am talking about bringing suit for that abuse on that night. Why do you not have them arrested?

Answer. It ought to be done.

Question. Why do you not do it?

Answer. For fear they would shoot me. If I was to bring them up here and could not prove the thing exactly on them, and they were to get out of it, I would not expect to live much longer.

SPARTANBURGH, SOUTH CAROLINA, July 12, 1871.

ELIPHAZ SMITH (colored) sworn and examined.

By Mr. STEVENSON:

Question. You were called Finch, were you not?

Answer. Yes, sir; I belonged to him; but my name is Smith.

Question. Where do you live?

Answer. At Cedar Springs.

Question. How old are you?

Answer. I will be forty, I think, next June.

Question. At whose place do you live?

Answer. At Widow Walker's.

Question. What do you do?

Answer. Farming.

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

Answer. Yes, sir.

Question. When?

Answer. I think it was in April.

Question. What did they do?

Answer. Whipped me and abused me very bad.

Question. Tell what they said and did.

Answer. They came and knocked at the door and hollered, "Here is the Ku-Klux." I waited; it was right beside my bed. "Here, you woman, where is the man that owns this house," they hollered. I laid still and then raised up and said, "He is here." He said, "Stand in front of me, G—d d—n you, or I will blow your brains out. Where is the sheet?" He took a sheet and put it over my head. "Take off your breeches and shirt," he said. I took them off. He said, "Who did you vote for?" I said, "For Scott." He says, "I will Scott you, G—d d—n you," and he let in on me just as hard as he could jerk.

Question. How many did they strike you?

Answer. Two at a time.

Question. But how many licks?

Answer. I can't tell. They disabled me so I could not feed myself for two days.

Question. Did they cut you?

Answer. O, yes, sir.

Question. Did you see how many there were?

Answer. No, sir. I didn't see but two men; one was right at my bed and the other at the door, and kept dodging backward and forward.

Question. Did you know them?

Answer. No, sir. I can't say I knew any one person.

Question. Did they visit anybody else the same night?

Answer. Yes, sir; this last man that was in here just now.

Question. The last witness, (Mervin Givens)?

Answer. Yes, sir.

Question. Any one else?

Answer. No, sir; not near us, but they did at Glen Springs and Dr. Jones's, but that is seven miles off; that was the same night.

Question. Did you hear of the Ku-Klux being at General Bates's the same night?

Answer. Yes, sir; I heard them pass up the road.

Question. Did you hear the next morning that they had been at General Bates's?

Answer. Yes, sir; but they were passing up and down the road every night.

Question. How far off is that?

Answer. I reckon it is six miles.

Question. Did you know the people on his plantation?

Answer. Not much; I just know them when I see them.

SPARTANBURGH, SOUTH CAROLINA, July 12, 1871.

THOMAS M. GRAHAM sworn and examined.

By the CHAIRMAN:

Question. In what county do you reside?

Answer. In York County.

Question. How long have you resided in that county?

Answer. Better than two years.

Question. Are you a native of the State?

Answer. Yes, sir.

Question. What is your occupation?

Answer. I am a merchant.

Question. The general purpose of our committee is to ascertain the manner in which the laws are executed in this State, and the security of life, person, and property. Will you give us your information bearing on these two questions, and state the extent of your acquaintance in York or the adjoining counties?

Answer. As far as the execution of the law is concerned, I don't think there is any obstruction at all. Our sheriff has no trouble in executing any papers that come into his office.

Question. Are criminals proceeded against when crimes are committed?

Answer. Yes, sir; in cases where affidavits are made against them. They are in all cases I know of.

Question. Are affidavits generally made where crimes are committed in your county?

Answer. I think so. There have been some cases where affidavits have not been made.

Question. Have you anything further to say upon that branch of the general question which I have put as to the execution of the laws?

Answer. No, sir; I think that covers it all.

Question. What do you say as the other branch of the question, in reference to the security of life, person, and property in that county?

Answer. I think a man has perfect security there, sir.

Question. Has there been no lawlessness in that county?

Answer. Yes, sir.

Question. What has been its character?

Answer. The first violence committed there was, I think, upon Roundtree—John Roundtree; he was killed some time last winter; I think in November or December, or along there.

Question. In what manner?

Answer. He was killed at his own house by disguised parties. His wife made an affidavit to three men being in the party. They were arrested, tried, and proved themselves clear—that they were not the parties.

Question. Was it done by proving an *alibi*?

Answer. Yes, sir. They were tried before Judge Thomas. There was a negro man in that neighborhood at that time, a Baptist preacher, by the name of Furman Wilson. He came to the coroner upon that occasion, and he acted very strangely. I think he laid around York probably a day before he made known what he was after, and then didn't go back with the coroner when the coroner went to the place. Finally he left there and went to Chester.

Question. When you say these men were tried, do you mean before a jury?

Answer. Yes, sir.

Question. In court?

Answer. Yes, sir.

Question. Was it a jury composed of whites and blacks?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. A mixed jury—of whites and blacks?

Answer. Yes, sir. This man, Furman, has since been arrested for that murder, and he is now in the Chester jail awaiting a trial. We have had no court since. We will have no courts, as I understand it, until 1872.

Question. How is that?

Answer. On account of the act of the legislature authorizing the governor to appoint jury commissioners, and these jury commissioners, as I understand, have to be confirmed by the senate. This appointment was made just at the heels, or winding up of the legislature, and they could not be confirmed. I think that is pretty much the case all over the State.

Question. So that in consequence of that defect in legislation you cannot hold your courts until 1872?

Answer. No, sir; we cannot.

By the CHAIRMAN:

Question. You say he is in jail at Chester now?

Answer. Yes, sir; he run off to Chester. This negro was born and raised in Chester. The solicitor talked about ordering him up to the Yorkville jail, but the sheriff begged him to keep him in Chester. They don't want him.

Question. So that as far as the Roundtree case is concerned three have been tried and acquitted, and one is awaiting trial?

Answer. Yes, sir.

Question. Had you any knowledge of the manner in which he was killed?

Answer. Yes, sir; he was shot, so his wife said.

Question. By disguised people?

Answer. Yes, sir.

Question. Did you pay enough attention to that trial to be informed of the general features of it?

Answer. No, sir; I was not at the trial.

Question. What was Roundtree?

Answer. He was a negro man, and a very bad man as I understand. He was a man that lived on the public road; always had liquor about him, and a crowd of negroes, and very frequently men were hailed by him in the road and made to tell where they were going to. He always kept his crowd around him, and I have heard men say they had to go around his place for fear of being stopped by him. But he had gone to Charlotte and sold some cotton, and the supposition in York is that he was murdered by Furman, for the money he had on hand.

Question. Did the evidence disclose whether they were white or black men who murdered him?

Answer. No, sir; I don't think it did.

Question. How many were there?

Answer. I don't know. This woman, his wife, swore to three men that day, and Captain Faris wanted her to swear to two other men—William C. Black, and his son, Dr. John Black. She was about to swear to them, but there was a negro man present who lived with Black, and woke Black up at the time this affair was going on, and he

told her, "You need not swear to Mr. Black nor John Black, because I know they were at home, and I waked them up at the firing."

Question. Did she tell you this?

Answer. That is what I understood was said at the coroner's examination.

Question. Assuming that Roundtree had been guilty of those offenses charged, of improperly stopping men on the highway, does your legal machinery reach such offenses, or correct such evils, or punish the unlawful sale of liquor, or the improper arrest of men on the highway?

Answer. I have never known a case of a man being indicted in court for that. Nothing has ever been made out of it.

Question. Go on with other cases.

Mr. VAN TRUMP. If you will take them all up consecutively it will save time in cross-examination.

Answer. Well, sir, the next case of killing, I think, was Anderson Brown. There had been a good deal of burning done right in that neighborhood, within four or five miles of the town of York.

By the CHAIRMAN:

Question. Can you fix the date of Roundtree's killing before you go further?

Answer. No, sir; I cannot. I think it was some time in December or November last, but I don't know exactly when.

Question. Proceed with your statement.

Answer. One night, probably in January last, there were six gin-houses and barns and stables burned around York, within four or five miles of the town of York, and a few nights afterward, this man Anderson was killed; and it is supposed he was killed for these burnings. They thought probably he was interested in it. I don't know. That was the reason given for his being killed.

Question. When was he killed?

Answer. I think it was in January.

Question. Go on, without my calling your attention to special cases, if you know them.

Answer. Then the next case, I think, was Jim Williams, or Williamson. He is known in York as Jim Rainey. He was captain of a militia company down at McConnellsville. He was hung. After that there was a negro shot at Dr. Barron's place.

Question. Do you know his name?

Answer. His name was Fed Williams.

Question. What time was that?

Answer. I think that was in February.

Question. When was Jim Williams hung?

Answer. About the 1st of February or last of January, or somewhere there. Jim Williams was hung the day that Captain Christopher come to York, whatever that was. This man Fed was shot, but not killed. He is alive now. He was shot through. That was done in daylight.

By Mr. VAN TRUMP:

Question. Do you mean Captain Christopher of the Federal Army, and do you refer to his coming there with troops?

Answer. Yes; his company was the first company that came there. I think that was done the night that Captain Christopher got there, and I think that was in February.

By the CHAIRMAN:

Question. Proceed with your statement.

Answer. I think these are all the killings I recollect of.

Question. Is that the extent of the violence that you know of in that county?

Answer. There have been some whippings.

Question. To what extent?

Answer. I declare I can't tell you. There have been some parties whipped, but not a great many. If there have been I have never heard of it.

Question. Do you know any cases?

Answer. No, sir.

Question. Do you know any names?

Answer. No, sir. I am not well acquainted with the negroes in York.

Question. Have you any idea of how many they have been?

Answer. I declare I can't say. I could not tell you. There have not been very many.

Question. Do you mean by that to say that the number has been so few or so many that you do not know?

Answer. No; I don't know how many.

Question. Have you no idea?

Answer. No, sir.

Question. Is it a subject that has received so little attention from you that you really don't know whether there have been any or not?

Answer. Yes, sir, I know there have been some, because we generally hear of these things—hear them spoken of. I think, probably, fifteen or twenty.

Question. Do the killing of these men, Roundtree, Anderson Brown, Jim Williams or Williamson, and the shooting of Fed Williams, and the fifteen or twenty whippings that you have spoken of, comprise all the acts of lawlessness by these disguised men, or general acts of lawlessness that have come to your knowledge in that county?

Answer. That is as far as I recollect—no; these disguised men came into the town of York one night.

Question. What did they do?

Answer. They came in, I suppose, after the county treasurer.

Question. When was that?

Answer. In February some time, shortly after Captain Christopher came to York.

Question. What time in February was that?

Answer. I declare I can't tell you.

By Mr. STEVENSON:

Question. Do you say that was after the company of United States troops came there?

Answer. No, sir; he came there on Monday, and this party came in on Sunday night before the troops came in.

By the CHAIRMAN:

Question. How many of them were there?

Answer. I don't know.

Question. Did you see them?

Answer. No, sir.

Question. Were you at home that night?

Answer. Yes, sir; I came very near running right into them, too.

Question. From what direction did they come, do you know?

Answer. No, sir.

Question. Have you any knowledge about it?

Answer. No, sir, not from what direction they came. My first information was, my son sent for me and my oldest son to come up the street. He was sleeping in the store. He heard this fuss, and thought it was a fuss between the negroes and the whites, and sent for me and my son John to come and bring our guns; that the row had begun. My son sleeping in the store then started right down the street and got right among them before he knew what it was. I started to go, and a neighbor, Joseph Herndon, and my son; my son John went ahead of us. He had got nearly to Rose's house when he came across three or four of them, and found what it was, and came back. Mr. Herndon and I were going down to Rose's Hotel, but my son said, standing in Dr. Lindsey's piazza—he said, "You old men had better not go down there." He said it was the Ku-Klux.

Question. Who was that said so?

Answer. My son that had gone down. That was the second one. When we found out what it was, Mr. Herndon asked me if I would not go back home and tell his daughters. There was great excitement among the ladies. He asked me if I would tell them what it was, and that there was no fight going on between the whites and blacks. I went to his house, and then to my own house, and staid there and didn't go up the street any more. I don't know how many there were. I have understood there were about twenty or twenty-five of them.

Question. Was it understood what their purpose was; you say it was ascertained that it was not a fight between the whites and the blacks?

Answer. The supposition was that they came for the county treasurer.

Question. For what purpose?

Answer. I suppose to hang him or kill him.

Question. You say your son went out with his gun. What time did he get back?

Answer. I reckon it was 12 or 1 o'clock when he sent for me. It was not long.

Question. Do you know whether he took any part in the proceedings while there?

Answer. No, sir; he didn't.

Question. Either to defend the county treasurer or assist them?

Answer. The county treasurer was not there.

Question. Where was he?

Answer. He had gone off.

Question. That night?

Answer. Yes, sir; when he heard the fuss he slipped out of his window and got away.

Question. Was his office entered?

Answer. Yes, sir.

Question. Did the citizens there whose attention was thus called to it take any interest in the proceedings?

Answer. Yes, sir; several men went into the house. They didn't stay long there. The party just broke in and found he was not there and went out; but Dr. Crenshaw and

several other citizens went in to see that there was no fire set to the building or anything of the sort.

Question. Then it was understood by those who were called up that these twenty men were there to hang the county treasurer?

Answer. That was so supposed.

Question. And that after he fled they had entered the treasurer's office?

Answer. Yes, I understand from an old woman that was in his house that he got up when they bursted the front door, and told her it was the Ku-Klux, and slid out of the back window.

Question. Was any effort made by the citizens there to prevent their entering that office or to punish them for it?

Answer. O, we didn't know them.

Question. You say you knew their purpose?

Answer. We were aroused by their breaking into the house.

Question. How many were aroused that night?

Answer. I don't know.

Question. You were up?

Answer. Yes, sir.

Question. How far did you live from there?

Answer. About half a mile.

Question. You went there?

Answer. No, sir; I got about half way; that was to my store.

Question. How many people were about?

Answer. I can't tell you.

Question. Were not quite a number aroused?

Answer. I didn't see any myself but Mr. Herndon and my son John.

Question. How far was your store where your son slept and which was between your house and the county treasurer's?

Answer. It was about half way; about a quarter of a mile.

Question. In what part of the town is the treasurer's office?

Answer. On the main street.

Question. In the center of the town?

Answer. No, sir; down toward the depot.

Question. Is it a thickly peopled part of the town?

Answer. No, sir; rather thinly settled district. Dr. Crenshaw lived opposite and Dr. Bratton near by.

Question. Was any effort made to arrest these men?

Answer. No, sir.

Question. Was any reward offered by the authorities of the county?

Answer. No, sir.

Question. Nor by the governor?

Answer. No, sir.

Question. Nor by anybody?

Answer. Nobody that I know of.

Question. Were they permitted to ride out of town that same night?

Answer. Yes, sir; I suppose so.

Question. Were they disguised?

Answer. I understood they were.

Question. Was this attributed to Ku-Klux by the public sentiment there?

Answer. Yes, sir; that was the supposition that it was the Ku-Klux.

Question. Is there such an organization existing there?

Answer. I don't know whether there is an organization or not; I doubt it myself. There is a great deal said about the Ku-Klux organization, but my own impression is that each neighborhood furnishes its own organization, although I don't know.

Question. You think there is an organization in each neighborhood?

Answer. That is, where this violence has taken place.

Question. Then do you think there is one in the town of York?

Answer. No, sir; I do not think so.

Question. Where did these men come from?

Answer. I understood they came from the country. At least there is a miller—Mr. Culp—who lives two and a half miles from York, who tends to Mr. Herndon's mill, and who says they passed his house. That is two and a half miles northwest of York.

Question. What would be the motive, if this is a neighborhood organization only, for people to go from that part of the country into town? What are understood to be the purposes of this neighborhood organization?

Answer. Well, this man Rose had put the people of that county to a good deal of trouble. He was looked upon as the author of all these burnings.

By Mr. VAN TRUMP:

Question. Was that the treasurer?

Answer. Yes, sir; the county treasurer.

By the CHAIRMAN:

Question. Is there any evidence of that?

Answer. I don't know whether there is or not. But I know one thing, that since he left there we have had no fuss.

By Mr. STEVENSON:

Question. Has he left?

Answer. Yes, sir; he run off with \$12,000 of county money.

Question. At that time?

Answer. Yes, sir; shortly afterward. He went into Captain Christopher's camp. He ran off on Sunday night, and Tuesday he came back to Captain Christopher's camp and staid there three or four, or five days; and one night Captain Christopher's camp was fired into, and the sheriff was sent for and charged Rose with having done it; and Captain Christopher became satisfied that Rose was the man, and told him to get out of his camp, and he went off that night. He dressed himself up in soldiers' clothes and went off to Columbia and has never been heard of since, except in Canada. He is in Canada.

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.

By the CHAIRMAN:

Question. From whom did you get your knowledge that Rose got up and fired five or six shots?

Answer. I heard the neighborhood talk about it.

Question. I want the names?

Answer. Mr. Benjamin F. Boyd.

Question. Did he see him?

Answer. He heard the firing.

Question. Is that the only one?

Answer. I expect the whole neighborhood heard him.

Question. I did not ask who heard it, but who saw him.

Answer. I don't know anybody who saw him.

Question. Have you anything else than general rumor that Rose fired these shots that night?

Answer. No, sir.

By Mr. VAN TRUMP:

Question. That was the general opinion of Yorkville?

Answer. Yes, sir; no one staid there with him.

By the CHAIRMAN:

Question. Were any proceedings taken against him? If it was the general belief that he was guilty of so infamous a crime as to suggest or was a party to an arson of that character, were any proceedings taken to bring him to justice?

Answer. I don't know whether there was or not.

Question. How long was it before the raid occurred?

Answer. I don't know how long; perhaps a week.

Question. An event of that kind would fix itself in your memory?

Answer. I can't tell. I don't know.

Question. When did these burnings occur?

Answer. In February.

Question. This raid was in February?

Answer. Yes, sir.

Question. Was the county treasurer's office in Rose's house?

Answer. Yes, sir; he had kept a hotel. Rose was not there himself. His father keeps a house in Columbia. The family live in Columbia.

Question. Was Rose the county treasurer?

Answer. Young Rose, the county treasurer, was there. He lived there.

Question. Was it the old or young Rose that fired the shots?

Answer. The young Rose; Edward M. Rose, county treasurer.

Question. Was he living in the same building in which the county treasurer's office was kept?

Answer. Yes, sir.

Question. That is the place to which these men went when this thing occurred?

Answer. Yes, sir.

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 didn't 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.

Question. What has that to do with Rose?

Answer. Well, Rose was a man that was governed by these men, in a great measure.

Question. I desire to have the connection it has in your mind with this Ku-Klux raid. What had Dr. Neagle's remark to do with Rose?

Answer. I think that Dr. Neagle and men like him were the cause of a great deal of this trouble.

Question. But you bring that in as connected with the raid on the county treasurer. I desire to know its connection?

Answer. That is my reason for thinking so.

Question. You connected what Dr. Neagle said with the raid on the county treasurer. What is the connection?

Answer. I think his talk probably brought about that sort of thing.

Question. Supposing this to be all true, does the public sentiment of your town approve of reaching men of that class by raids of this character?

Answer. No, sir; it does not.

Question. Then why was no effort made to arrest this man?

Answer. There was no chance to do it. These men only stayed a short time, and not one-half of the citizens knew it; but when they did find it out it was when they were about going or gone.

Question. Was there not a publication made immediately after that in the newspaper of your town, the Yorkville Enquirer, which undertook to make light of this whole affair, rather indorsing it, which article was rebuked by the Charleston or Columbia papers?

Answer. I don't know about that, but I know our editor is not a man of that sort.

Question. Do you recognize the paper which I now show you as the article which appeared in the Yorkville paper?

Answer. Yes, sir.

Question. There is the article from the Yorkville Enquirer as reprinted in the Columbia Daily Union of March 11, 1871. It contains first the letter of Rose to his father and then the editorial comments, and is as follows :

"AID TO THE KU-KLUX.

"The Columbia *Phoenix* publishes the following letter, addressed by E. M. Rose, the county treasurer, to his father in Columbia :

"DEAR FATHER : The K. K. K. made a raid on me Saturday night, but I got out of the way. They destroyed all of my papers, but left the tax duplicate. The troops arrived yesterday. I came in last night. Russel's liquors and the record of the county commissioners were all destroyed. They have broken everything that they could—doors, &c., and took out of the safe about \$1,000, it may be less, but I cannot tell yet. They fired about one hundred and fifty shots at me as I was running.

"Your son,

'E.'

"From what we have been able to learn after careful investigation, since the above letter was published, we find that it contains several statements which must be taken *cum grano salis*.

"The treasurer says : 'The K. K. K. made a raid on me Saturday night, but I got out of the way.' This is so ; or at least he 'got out of the way.' The 'raid,' however was made about 1 o'clock on Monday morning.

"They destroyed all my papers, but left tax duplicate.' Men of credibility, several of them filling the highest offices in the county, examined the treasurer's office on Monday morning after the 'raid,' and found the records and tax books of the office undisturbed.

"The troops arrived yesterday. I came in last night.' These statements, we doubt not, are true. The 'troops' arrived and the treasurer was on the streets Tuesday.

"Russel's liquors and the records of the county commissioners were all destroyed.' The chairman of the board informs us that but one paper is missing from his office, and he believes he will yet find it.

"They have broken everything they could, doors, &c.' Less than \$20 would pay for all the repairs necessary for the broken panels of two doors, and the fastenings or catches broken on some of the other doors.

"And took out of the safe about \$1000. It may be less, I cannot tell yet.' The latter clause is true; for when the letter was written he did not have the key from the time he left the building. It is supposed that three witnesses will prove that said treasurer, when 'he got out of the way,' in fact had all the tax money about him; and divers witnesses will depose to his subsequent statements that no money was missing.

"They fired about one hundred shots at me as I was running.' Only about thirty witnesses, citizens who reside in the immediate neighborhood, can testify that but one—a pistol shot—was fired at a dog, who, by his yelping, did not get 'out of the way.'

"We deem it due to all parties to make the above corrections which we do in an impartial spirit and only after thoroughly investigating the matter, and feeling convinced that our statements are based upon perfectly reliable authority."—(*Yorkville Enquirer*.)

Did such an article as that appear in the Yorkville Enquirer ?

Answer. Yes, sir.

Question. Is that the democratic paper there ?

Answer. Yes, sir. That writing shows there that this treasurer reported that they had stolen some four or five thousand dollars from him. And he said again that they had only taken about one thousand dollars.

Question. Did the tone of that article meet the public sentiment of your town ?

Answer. I don't know.

Question. Did it meet yours ?

Answer. Our conduct since that will show altogether different.

Question. After reading this article do you recollect any comment upon it in the Columbia papers, the *Phoenix* or Union ?

Answer. No, sir ; I don't remember much about it. I know the Yorkville editor is a very moderate man, and opposed to all that sort of thing.

Question. You think this article in the Yorkville Enquirer reflected the sentiments of your community on all that sort of proceedings, taking the whole article, and taking the statement of the treasurer in his note, without a word of condemnation of the proceedings against the county treasurer ?

Answer. I think if you had the whole article you would see a different state of things.

Question. Is not that the whole of the article from the Yorkville Enquirer ?

Answer. I think not.

Question. I would be very glad if you would furnish it ?

Answer. I can't do it, but I know he has always condemned that.

Question. Then I understand you to say that you do not know or believe in the existence of an organization of this kind in the county of York?

Answer. I don't think so.

Question. Taking the manner in which your county is populated and its extent, would it be possible for twenty or thirty men to meet together on the spur of the moment and carry out a raid of that kind, unless there was an agreement on the previous day to come together?

Answer. There might be something of that kind; but what I mean by an organization is this: When Captain Christopher came to York he came with the belief that there was a regular organized band of Ku-Klux; that everybody was a Ku-Klux. He was actually scared when he came there. There is no such organization as that it is certain. There might be to some extent a neighborhood party of boys who might say, "We will meet to-morrow night and do so and so." I have no doubt such an organization does exist.

Question. You say, taking the fact that that county is sparsely populated, that it would be not practicable for a body of thirty men to collect for these proceedings without a previous agreement?

Answer. Yes, sir; that is my opinion.

Question. And that it only refers to neighborhoods?

Answer. Yes, sir.

Question. Now, in how many townships or neighborhoods in your county have there been whippings, if any?

Answer. I don't know. This man Roundtree was twenty-two miles northwest of York; Brown was about three miles west of York.

Question. Was that in a different township?

Answer. It was.

Question. It was different from the township where Roundtree was killed?

Answer. Yes, sir. Jim Williamson was about twelve or fourteen miles south on King's Mountain Railroad.

Question. That was another township?

Answer. Yes, sir.

Question. Where was Fed Williams shot?

Answer. Fed Williams was shot about three miles east of the town.

Question. Is that still another township?

Answer. I don't know whether it is in York township or not.

Question. Then these four persons were killed at widely different places?

Answer. Yes, sir; three of them were killed and one was shot.

Question. Were the persons you heard of, as having been whipped in different townships or all in one township?

Answer. They were scattered about. I don't know exactly where they were.

Question. Then your idea is that this organization, whatever its character, exists wherever these occurrences have taken place?

Answer. I don't know whether it does or not; it seems so to me. I don't know to what extent it exists, or anything about it.

Question. Do you know whether your son took any part that night?

Answer. No, sir, he didn't.

Question. Neither on one side or the other?

Answer. No, sir.

Question. Were your sons not charged with participating and acting with the men who came in?

Answer. No, sir; there were no charges brought against him. Jim Williams was hung, and the coroner was sent for to come down there next morning, and when they got down they found Williams's company drawn up there, very much excited. He was captain of a militia company, and his lieutenant was in command, and they were making very heavy threats against the people of the place, and the coroner got them to go away. When he got there they had surrounded the body of Williams—seventy odd of them. It was hanging on a tree. The coroner told them to go away, or he would have to prosecute them; that he did not come there for a fuss, or anything of the sort, but in the discharge of the duties of his office. They took the body up to Bratton's store and held an inquest. That day the negroes threatened to kill that neighborhood out that night. There were very few white persons there. They threatened to kill from the cradle up. That evening John Bratton and E. A. Crawford wrote a note to Major Avery to bring some men down to protect them; that they were fearful that they were going to be killed that night; and that all the women and children had gathered in one house that night and were very much alarmed. In the afternoon Major Avery started off with fifteen or twenty men.

By Mr. VAN TRUMP:

Question. Is Avery an United States officer?

Answer. No, sir; a citizen; a merchant there.

Question. Go on?

Answer. They went down to Bratton's house and stayed all night. This lieutenant came in the mean time, hearing that they were there, and told Major Avery he wanted him to take what guns they had there and deliver them up to the sheriff. There had been an order from General Anderson, of Columbia, to bring in the guns. Major Avery told him no, he didn't come there for guns; he only came to protect the families.

Question. This was the colored lieutenant?

Answer. Yes, sir; but he insisted so strong that Major Avery took the guns—fifteen or twenty of them. The next morning, when Avery and his party came in from Bratton's, Captain Christopher arrested them, and reported he had arrested so many Ku-Klux, and my son was in that party.

Question. Was that what originated the charge?

Answer. Yes, sir.

By the CHAIRMAN:

Question. That charge having been made, it is due to you and your son to give you the opportunity to answer it. Do you know whether he has or has not had anything to do with that organization?

Answer. No, sir, he has not.

Question. We have been examining into this raid on the county treasurer. If you know of any other instances of lawlessness in your county go on and state them.

Answer. There is no other that I recollect of. I have no notes to go by, but if you will suggest any case, I will answer.

Question. I ask, generally, for your knowledge, to give you an opportunity to state what you know of the condition of affairs in that county.

Answer. The county has been very quiet since Rose left there.

By Mr. VAN TRUMP:

Question. Where did Rose go to?

Answer. I think he is in Canada.

Question. Is that a well-ascertained fact that he took \$12,000 of the county funds?

Answer. Yes, sir; Mr. McCauley, the chief clerk of the State auditor's office, told me that was the fact.

By the CHAIRMAN:

Question. Are you through with your general statement?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Where was Rose originally from?

Answer. He was born and raised in York.

Question. Was he an active man in the management of the negroes in that county?

Answer. Very.

Question. Did he belong to a Loyal League then?

Answer. I know he did, for he told me so himself.

Question. Was that League mostly made up of black men?

Answer. Yes, sir.

Question. Were the negroes of York County at any time armed by the governor of the State?

Answer. Yes, sir.

Question. How many companies?

Answer. I think there were four companies armed. There was one in the town, and this Jim Williams had his company, which was armed.

Question. This man that was killed?

Answer. Yes, sir;—hanged. And there was one company at Rock Hill, and one somewhere else up in the northern part of the county.

Question. What was the strength of each company?

Answer. From ninety to one hundred men.

Question. Have they their guns yet?

Answer. No, sir; their guns were taken away from them.

Question. At what time were they armed last summer?

Answer. They were armed in the summer some time; I can't tell you exactly what time.

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 reelection?

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 street 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 come out on the street?

Answer. Yes, sir. Their guns and ammunition were all kept there.

Question. That was the end of it?

Answer. Yes, sir.

Question. You say you have lived at York about two years?

Answer. Yes, sir.

Question. Where did you live preceding that time?

Answer. In Chester.

Question. Is that an adjoining county?

Answer. Yes, sir.

Question. So that notwithstanding you have been living only two years in York you know it very well?

Answer. Yes, sir. I was sent to York as United States assistant assessor.

Question. When?

Answer. In 1869?

Question. How long did you hold the office?

Answer. I was one of the first assistant assessors appointed in the State, and held it until Mr. Baldwin, in Columbia, was appointed.

Question. As a United States officer, in regard to the revenue did you find any difficulty in executing your duties as such?

Answer. I never did, sir.

Question. You say the wife of Roundtree swore against three men, and they were arrested?

Answer. Yes, sir.

Question. You have no knowledge, not being present, of the weight, or directness, or conclusiveness of that testimony, or whether it was a mere suspicion?

Answer. I don't think it amounted to anything. I heard Judge Thomas talking about it afterward; he said it was a mere suspicion on her part.

Question. Is Judge Thomas the presiding judge of that circuit?

Answer. Yes, sir.

Question. What are his politics?

Answer. Republican.

Question. You say she swore at the suggestion of some person; who?

Answer. Captain Faris.

Question. Who was he?

Answer. Captain of the first militia company raised in York.

Question. White or black man?

Answer. A white man. That was a mixed company. He was appointed to office two years ago.

Question. If he was a white man in command of that mixed company, I suppose he was a republican?

Answer. Yes, sir.

Question. A very warm one, and active?

Answer. Yes, sir.

Question. Zealous in the cause in that county?

Answer. Yes, sir.

Question. You say he suggested two other names—the white man—to this woman?

Answer. Yes, sir; William Black and his son.

Question. On what ground did he do that?

Answer. Mr. Black thinks it was because he didn't like him.

Question. And this colored woman, Roundtree, seemed willing to go right on with it after that?

Answer. Yes, sir.

Question. And there was a negro man present who was in the family of Black, and corrected her because he knew they were not there, as he had awakened them when he heard the firing that killed Roundtree?

Answer. Yes, sir.

Question. How large a town is Yorkville?

Answer. I think there are about fifteen hundred inhabitants.

Question. Negroes and all?

Answer. Yes, sir.

Question. What are the proportions of the races?

Answer. They are pretty equally divided.

Question. So that as to white inhabitants this is a very small place?

Answer. Yes, sir.

Question. And scattered, too, at that?

Answer. Yes, sir.

Question. What is the relative proportion of the people, white and black, in York County?

Answer. There are a few more whites than blacks, I think; I don't know.

Question. Then your county officers are all republicans?

Answer. Yes, sir.

Question. This Rose is a republican?

Answer. He was appointed by the governor.

Question. What is a county school commissioner? We have never yet heard what it was. State what are his duties.

Answer. His duties are to see that—now I don't know that I am familiar enough with that thing.

By the CHAIRMAN :

Question. Are they prescribed by law ?

Answer. Yes, sir. He is to go around and see that the school-houses are built; and, I think, the law requires all children of a certain age to be sent to school.

By Mr. VAN TRUMP :

Question. Are there any school-houses built in Yorkville ?

Answer. No, sir.

Question. Any in South Carolina ?

Answer. No, sir; not any.

Question. Is he constantly engaged ?

Answer. No, sir.

Question. Is he engaged at all ?

Answer. Our man is a saddler, and he does not devote much of his time to his office as commissioner.

Question. If a man is school commissioner, according to the present system of schools in South Carolina, would it interfere with his proper business at all ?

Answer. No, sir.

Question. The chairman showed you a printed slip; can you tell from its appearance at what time it was printed ?

Answer. No, sir.

By the CHAIRMAN :

Question. There is a memorandum on the margin giving the date, March 11 ?

Answer. Yes, sir.

By Mr. VAN TRUMP :

Question. You do not know how extended the article may have been, looking at that slight extract which is submitted ?

Answer. No, sir; I don't remember at all.

Question. It is hardly worth while to inquire of you what we all know, that editors take out just so much of an article of their opponents as suits their purposes ?

Answer. Yes, sir. But I will say this much of Mr. Grist, that he is opposed to these outrages; he has written a great many articles condemning them in the warmest manner.

The CHAIRMAN. The reason I notice it is, I understand that to be one of the best papers, and one that has preserved the best tone on this subject among the journals of this country. I notice it to show that in a paper of that character the public sentiment was such that he introduced the article making the corrections there mentioned without condemning the whole business. If the rest of the article will rebuke that I will be glad to have it put in the record, but I suppose that is the whole article.

By Mr. VAN TRUMP :

Question. What has been the public action and sentiment in regard to these outrages? Has it encouraged or repressed them? Have there been any public meetings?

Answer. Yes, sir.

Question. Describe them.

Answer. Shortly after Colonel Merrill came to York he called upon Captain Witherspoon and Dr. Bratton and Dr. Lindsey, and other leading citizens there, and had a conference with them, and told them he wanted them to say that he was satisfied they could put down all this lawlessness, and he wanted them to use all their best endeavors to do so. These men called a meeting forthwith. There were papers prepared condemning this thing; calling upon the citizens to not countenance it; to use every effort to put it down; declaring that the thing was all wrong; and to stand up for law and order. Each township had one of these papers circulated in it, and I think nearly every respectable man and woman of influence in every township signed it. We have had perfect quiet since. There has not been a case since of disturbance of any kind whatever.

Question. When was this?

Answer. Shortly after Colonel Merrill came to York. I don't know the date. But last Sunday night, three weeks ago, there was a great excitement in camp. Colonel Merrill had the guard doubled at his stable and around his camp, and it was said he had six men placed around his house and distributed ammunition to his troops, and a garden fence let down to make a lane from his stables to the rear of the camp. Monday morning the citizens heard of it and called a meeting forthwith to know what it meant. I suppose twenty or thirty of the best men were requested to meet at Captain Witherspoon's office. They were preparing a letter to Colonel Merrill; but just as they commenced it Colonel Merrill came up to the clerk's office, close by, and a suggestion was made to send for him. He was sent for, and the chairman of the meeting told him what we had heard; that we were sorry to hear it; that we understood he was looking for a raid of the Ku-Klux on his camp that night.

Question. That was understood before your meeting?

Answer. Yes, sir; we heard that was the cause of it, and we sent for Colonel Merrill and he came in. He made light of it, and said he had information that there was to be a raid made on his camp; that he had had the information a week, and had reported it to his officer, to his headquarters; but he went on to say that he didn't believe there was any such intention, because it was only ten or twelve indiscreet young men, and he had their names.

Question. Is he there in command?

Answer. Yes, sir; he is in command of the cavalry and one infantry company there. He said he had the names of these young men and the evidence to convict them; that he knew all about it; that he had seen them Sunday afternoon while preaching was going on in his camp. Our preachers preach at his camp.

Question. Do other citizens attend also?

Answer. Yes, sir. He said he saw one of the young men reconnoitering the ground for the attack; he said that his information regarding the Ku-Klux was perfect, and he knew all about it, and who they were, and the whole circumstance. He was about to go off, and I said to him: "Colonel, you don't appear to know what we are after here. Some time ago you asked us, as citizens, to put a stop to this thing. We have pledged you our word that we will do so. We have made an effort in that direction, caused papers to be circulated all over the country and men to sign them to put this down. Now you say you have the names of twelve men who are Ku-Klux, and have the evidence. What we want is this: we demand that you give us the names of these twelve men so we can prosecute them. We will show you whether we will prosecute them; whether we are earnest in this matter;" but he would not do it.

Question. Did he peremptorily decline?

Answer. He said he could not do it.

Question. For what reason?

Answer. He said it would not do to expose his plans, &c.

Question. Was that the end of it?

Answer. Yes, sir.

Question. Has there been any attack made on his camp?

Answer. No, sir.

Question. What do these companies number?

Answer. I do not know the number. There have been a good many desertions. I think there have been fifty-odd desertions in the infantry company.

Question. Are they not in camp regularly picketed every night?

Answer. Yes, sir. His men didn't believe there was an attack in contemplation, because they go everywhere over the country. They go ten miles into the country by themselves, and nobody interferes with them. The people treat them right.

Question. Has Colonel Merrill never explained that thing since?

Answer. No, sir.

Question. He has never explained why he made that statement and refused to give up the names of these supposed offenders?

Answer. No, sir; he never made any explanation; he refused to give us the names.

Question. Has he made any effort to get hold of them?

Answer. No, sir; not that I know of.

Question. Can you give us an idea of the strength of these companies?

Answer. I think when they came there there were ninety men in each company.

Question. How many are there now?

Answer. I reckon there are from seventy-five to eighty in the whole command now, in the two companies.

Question. Not more than that?

Answer. I don't think so; but I can't tell, for I don't know. I must say that I do believe the people in our country are honest in this thing about stopping these disturbances. I think the good people are determined to do it if they can. They have no disposition or desire to encourage these things. They are opposed to it. I know if Colonel Merrill will furnish the names of these men he spoke of, there is no kind of doubt that they will be prosecuted.

Question. If he has them he may get hold of them with his force.

Answer. Yes, sir; he need not use his force to capture them. The sheriff can execute any paper in the world in York County, I believe.

Question. Do you know of any organized system outside of this supposed Ku-Klux matter, for the intimidation of negroes in regard to their right to vote in York County?

Answer. No, sir; there was none.

Question. Was the election last year peaceable or otherwise?

Answer. Yes, sir.

Question. Were all the negroes allowed to vote?

Answer. Yes, sir.

Question. Did you hear of any disturbances at the polls?

Answer. There was none in York.

Question. Did you know of any in the county?

Answer. No, sir.

By the CHAIRMAN:

Question. I wish to ask you as to a fact connected with the signing of those papers circulated in your county to get signatures, saying they would coöperate with Colonel Merrill in putting down outrages.

Answer. Yes, sir; with the sheriff, and so on.

Question. Is it not a fact that two copies were made, one delivered to Colonel Merrill, pledging the citizens to coöperate with him in putting down all these outrages and bring the offenders to justice; and another for publication, in which the words were inserted that it was only to be applicable to cases occurring thereafter; and did all these gentlemen who were engaged in getting these papers not give to Major Merrill as the reason, that, unless it was confined to the cases occurring thereafter, you could not get the names of the people of the townships to them?

Answer. I don't think so.

Question. Do you say it is not the fact?

Answer. I don't think it is the fact. I think the paper which was given to Colonel Merrill and that which was published was the same paper.

Question. Who delivered the paper to Colonel Merrill?

Answer. I don't know.

Question. Were you a party to those proceedings?

Answer. Yes, sir; but there was a committee appointed from that committee.

Question. Give us the names of the committee.

Answer. I can't do it.

Question. Do you state here as a fact now, that there were not two papers, one pledging general coöperation, and the other restricting that coöperation to cases occurring thereafter?

Answer. If there was any difference I don't know it.

Question. That the reason for the distinction was, that they could not get signatures to the one that pledged general coöperation, and they had to insert that provision limiting it to cases occurring in the future?

Answer. I don't think so; at least I never heard it before.

Question. You say it is not the fact, so far as you know?

Answer. I never heard of it before.

Question. Was the pledge given?

Answer. It was made public.

Question. Was the pledge which was made public confined to cases in the future, or did it go back and pledge a coöperation in reference to cases past?

Answer. I declare I don't know; it was published, but I don't know which it was.

Question. Was there any difficulty of that kind?

Answer. None that I heard of.

Question. Were you on that committee?

Answer. The large committee or the sub-committee?

Question. The committee which was appointed to obtain signatures.

Answer. No, sir; they were sent to parties by the prominent individuals in each township. For instance, in William C. Black's township, a paper was sent to him, and to any prominent man in the town, and I think the papers were all right.

Question. Can you give the names of the gentlemen composing that committee; or were they published?

Answer. I don't remember whether they were published.

Question. Can you give them to us?

Answer. Mr. Clawson, the register in bankruptcy, and J. R. Bratton, and I think Dr. Lindsey, and Captain I. D. Witherspoon.

Question. Was Mr. Briggs a member of that committee?

Answer. I don't remember whether he was or not. There were a good many—I don't remember them.

Question. Colonel Merrill had called the people together and said his purpose was to operate vigorously in ascertaining whether there was such an organization, and with that purpose avowed, to operate vigorously in ascertaining whether the Ku-Klux organization existed, he asked the coöperation of the citizens to assist him in suppressing it, did he?

Answer. Major Merrill called this meeting. There were two meetings. He first called a small meeting of a few, that met him at his headquarters, and he talked over all this Ku-Klux matter. He said that he knew who they were, and all this sort of thing, but he knew the citizens could put a stop to it; that he knew who they were, but was not disposed to trouble them if they would desist and have nothing more to do with it. Then this meeting called another meeting for Wednesday, I think that was it. I was not present at that first meeting. I was at the next meeting. I recollect what was said at the meeting the second time.

Question. Was it your idea, after you became a member of the committee, that the proceedings were to be confined entirely to suppressing it in the future, and that they had nothing to do with proceeding against anybody who had been guilty in the past?

Answer. I don't know what my notions were about that. I didn't have any notions about that.

Question. It was understood that Colonel Merrill's desire was to operate vigorously against the Ku-Klux?

Answer. Yes, sir.

Question. When was that meeting?

Answer. I can't tell you.

Question. Was it as late as May?

Answer. I don't know certain.

Question. I find an abstract of the proceedings of that meeting in the Yorkville Enquirer of May 18.

Answer. I don't know; it was not long ago.

Question. Then about three weeks ago he prepared, as your citizens understood, to receive and resist an attack of the Ku-Klux, and your citizens deemed it their duty to call him to account for it?

Answer. No, sir; they called a meeting to know what was the matter. When we found out what was the matter, we offered to prosecute these parties if he would give us the names.

Question. What were you going to address him about?

Answer. We didn't know what the excitement was.

Question. That could have been ascertained by simple inquiry.

Answer. Yes, sir; but we had pledged ourselves to put a stop to this thing, and we were going to act as a whole—as a community.

Question. Did you object to Colonel Merrill taking part in this business?

Answer. We sent for him when we learned he had prepared to resist an attack.

Question. What was your purpose? Was it to call him to account?

Answer. No, sir; to get the facts from him, so as to prosecute these parties. We wanted the evidence and the names of the parties so we could prosecute them.

Question. You say he declined to give them?

Answer. Yes, sir; he never gave them to us.

Question. Was that given as the purpose of the meeting, that you wanted names to prosecute?

Answer. Yes, sir.

Question. You gave that reason to him?

Answer. Yes, sir.

Question. That was the only reason for calling the meeting?

Answer. The only one I recollect of.

Question. Did he give any other reason for making his preparations that evening?

Answer. No, sir.

Question. Do you know whether Colonel Merrill has encountered any difficulty—

Answer. I think not.

Question. Do you know whether Colonel Merrill has encountered any difficulty in carrying out his plans, from his apprehension and belief that his own designs, with reference to capturing men at any time, have been communicated to the Ku-Klux order or organization itself?

Answer. No, sir; I didn't know that. I don't think so.

Question. Do you know whether it was his intention that very night to send out a detachment with a belief that he could capture and bring in the young men who intended to go on a raid that night?

Answer. No, sir; that was not his intention.

Question. How do you know?

Answer. He said they were going to attack him, and he made his plans to gobble them up when they came in.

Question. Did he tell you all about his intentions with reference to each thing he had done that night?

Answer. No, sir.

Question. You now feel disposed to complain of him because he did not give you the names?

Answer. We thought he ought to have given us the names.

Question. And the tone has been of complaint since then, complaining against Colonel Merrill?

Answer. No, sir; I don't think it is complaint.

Question. Then why this statement?

Answer. The simple thing is this: I said this to show this committee that we are honest in this thing, and want to carry out this thing.

Question. What has been the cause of desertion from Colonel Merrill's companies?

Answer. I don't know; I think most of the desertions were before Colonel Merrill

came. Captain Christopher was very severe on them. Some of Colonel Merrill's men deserted.

Question. Has there been any influence brought to make them desert?

Answer. No, sir. The people of the neighborhood treat Colonel Merrill with great respect. The gentlemen call upon the colonel, and the ladies of the community visit the colonel and his wife. They have that sort of respect for him.

Question. I thought your statement was a complaint against him?

Answer. No, sir.

By Mr. VAN TRUMP:

Question. Has the treatment of the colonel been remarkably kind by the leading people of Yorkville?

Answer. Yes, sir.

Question. Now, in regard to your introducing this item of testimony, you did not volunteer it, Mr. Graham, but I asked you, and my intention was not by way of complaint of Colonel Merrill, but to show the disposition of the people there to ferret out these wrongs and violences there, in conjunction with the colonel or otherwise.

Answer. Yes, sir.

Question. Something has been said about two sets of papers for signature and publication. Was it or not a fact that two sets of papers were got up at the same time to be sent out to the same locality?

Answer. No, sir; I never heard of that before. If there were different papers they must have been sent to different places.

Question. There were no two sets of papers for people to sign both?

Answer. No, sir; not that I know of.

Question. If there was any difference in the papers it was from some one preparing one paper for some locality different from what some other person might have prepared for another locality?

Answer. Yes, sir.

By the CHAIRMAN:

Question. In making your effort to stop these proceedings had you any idea in sending out your papers who were the men heading them in the different townships?

Answer. I had not.

Question. Had not the committee?

Answer. I don't know. I did not.

Question. Can you give us the names of the men in the different townships to whom you sent them?

Answer. I don't know.

Question. Can you get a list of them?

Answer. I expect Mr. Grist could give you a list of them. He published them all in his paper—all the names on the different papers from the different towns, with the signatures.

Question. But the men who were sent to get signatures, can you name them?

Answer. Not all of them, but I can tell some of them.

Question. Who?

Answer. William C. Black; I think Colonel Cadd Jones—Cadwallader Jones, but known as Cadd Jones. I think Major McKenzie was one. May be Colonel Ellison. I don't remember who all they were, but they were the most prominent men in the township that were sent.

Question. Do you know whether these men, in undertaking the suppression of these disorders, went to men whom they believed to be connected with the organization?

Answer. No, sir; I do not know.

Question. But you say since then these disorders have stopped?

Answer. I don't think we have had any fuss since the county treasurer went away.

Question. Was that in February?

Answer. February or March.

Question. There have been no disturbances since?

Answer. No, sir; not that I heard of.

Question. Nor since these circulars?

Answer. No, sir.

Question. So that they really ceased before these circulars were issued?

Answer. I think so; our county is just as quiet as Sunday, so far as I know.

Question. According to the view of Colonel Merrill, did he not state to that meeting his firm belief that there was an organization of this kind?

Answer. Yes, sir; he says so yet.

By Mr. VAN TRUMP:

Question. But he says he knows of it?

Answer. Yes, sir; he said he knew the men.

By the CHAIRMAN:

Question. I see he has stated that in a published statement. "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 said that he had in his possession the names of a number of 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." I see that in an editorial in the Yorkville Enquirer of May 18, 1871. Was that at the first meeting?

Answer. Yes, sir.

Question. That statement having been made, did you demand the proof then, at the very outset of the business?

Answer. I don't know. I was not at that first meeting that Major Merrill called.

Question. I presume that is a correct report of it, as it is printed in the Yorkville Enquirer?

Answer. I don't remember the account. I presume I saw it at the time. I know this much: that the parties engaged in it, I think, had the purpose to carry out what Major Merrill wanted.

Question. Have you any idea of the existence either of the "Invisible Circle" or any other secret organization to which acts of this kind can be attributed in York County?

Answer. Do I know any of them?

Question. Have you any knowledge of the organization itself, or any man who was a member of it?

Answer. No, sir.

Question. Have you any knowledge of any secret organization, political or otherwise, in that county, whose object or operation has been to commit or countenance these outrages?

Answer. No, sir.

Question. Neither directly nor indirectly?

Answer. None.

By Mr. STEVENSON:

Question. Were the men accused by the wife of Roundtree white or black?

Answer. White men.

Question. The man named Black was the one whom somebody wanted her to accuse?

Answer. Yes, sir.

Question. What do you know personally of that?

Answer. Nothing at all, only what I heard. I was not there. It was William C. Black, and the other, John Black.

By Mr. VAN TRUMP:

Question. What is the character of William C. Black?

Answer. As respectable a man as there is in the State. He used to represent York in the State legislature.

Question. An intelligent man?

Answer. Yes, sir.

Question. An old man?

Answer. Yes, sir; sixty or seventy.

By Mr. STEVENSON:

Question. You entered into this arrangement suggested by Colonel Merrill yourselves?

Answer. Yes, sir.

Question. How did you understand it—as applying to the future, or the past and future?

Answer. I never thought of that thing.

Question. Have you done anything to ascertain who committed those past outrages and bring the offenders to punishment?

Answer. No, sir.

Question. Has anybody?

Answer. I don't know of any men having gone out to look it up; I know I have not.

Question. You don't know that anybody has?

Answer. Nothing, except that in that meeting.

Question. How do you expect to put down future operations of this kind if you know nothing of their past proceedings?

Answer. If we could come across them in any way, if anybody knew the fact, and would let us know it, we would prosecute them.

Question. If anybody would come to you with the evidence and names of parties, you would assist to prosecute?

Answer. Or if I found it out myself.

Question. But you say that nobody undertook to find out?

Answer. I didn't ride over the country to find them out.

Question. Nor did anybody else try to?

Answer. No, sir; we have had no other difficulties since that meeting.

Question. Do you intend to let all these past proceedings go?

Answer. The murder of Roundtree was looked into.

Question. And failed?

Answer. Yes, sir.

Question. Do you not intend to try and find out the perpetrators of these past proceedings?

Answer. Yes, sir; if we can find out.

Question. Are you doing anything to find that out?

Answer. I don't know that we are, any further than we would about anything else.

Question. Suppose so many white men had been killed by negroes, would you rest in that county in that way?

Answer. I don't know.

Question. What do you think about it?

Answer. If it was done in such a way that we could not find it out, we would be forced to.

Question. You do not seem to have tried to find this out?

Answer. I don't know whether we could try to find the other out.

Question. Do you think you would or not? Tell us frankly.

Answer. I would, I know I would, in any case, white or black.

Question. You have not in this case?

Answer. I have not gone about looking up things, because I would not know how to commence at it.

Question. Do you understand my question?

Answer. I understand you to ask, "Have you or any other men there undertaken to look that thing up?"

Question. No; my question is, whether, if the same number and character of outrages had been committed by blacks on whites, and all you knew was a supposition that blacks had done this to whites, would you rest as quietly as you are doing now about this?

Answer. I think it would be the same thing.

Question. You think it would from your knowledge of these people?

Answer. I think so.

Question. I understand you to say the whites were very uneasy there in town, fearing attacks by blacks?

Answer. Yes, sir.

Question. What arrangement did you make to defend yourselves?

Answer. We brought our shot-guns and pistols down, and got them ready and in order.

Question. Was that pretty general among the whites?

Answer. Yes, sir; but they didn't turn out.

Question. I did not ask who turned out; but what arrangement did you make in anticipation of the trouble?

Answer. That was all of the arrangement; every man had his gun loaded.

Question. How was that arrangement made?

Answer. By parties who made it themselves.

Question. Was there not some understanding among you citizens?

Answer. O, yes; after the first night there was a regular organization.

Question. What form did it take?

Answer. The town was guarded.

Question. Who had charge of the guard?

Answer. I think Colonel Coward was at the head of affairs. He was the night General Anderson came there.

Question. Who is Colonel Coward?

Answer. A gentlemen in charge of a school there.

Question. Who is he?

Answer. He is a very respectable man.

Question. How did he get his title?

Answer. He was a colonel in the confederate army.

Question. Who was next to him in charge?

Answer. I don't know. I think there was Colonel Coward, and Roland Thomson, and I forget who else—whether anybody else.

Question. How many men do you think there were really?

Answer. I suppose thirty or forty men.

Question. Did they turn out pretty generally that night when the raid was made on the treasury?

Answer. No, sir; that was away in the middle of the night, when everybody was asleep.

Question. You turned out yourself?

Answer. Yes, sir, when sent for.

Question. And your sons and neighbors did?

Answer. Yes, sir.

Question. Did you hear of other citizens being on the street?

Answer. No, sir; Dr. Crenshaw, an old man of eighty, and Thomas Davis, next door

Question. Did men of that age turn out?

Answer. He went over to see that there was no fire about. There is a bar-room in the house.

Question. Is it a hotel?

Answer. No, sir; it had been a hotel once. There was a bar-room, and some women in there, and the doctor saw a light in there, and I heard him say myself he went over to see that the fire might not roll down on the floor and set it afire.

Question. Did anybody follow that band of Ku-Klux on that night?

Answer. I think not. They were not in town long. I don't suppose they were in town after they came out of Rose's. They just rode through town whooping and hallooing.

Question. Was any effort made to trace them?

Answer. No, sir. They had a mule killed.

Question. How?

Answer. He was shot.

Question. Anybody shoot at them?

Answer. Yes, sir.

Question. Who killed him?

Answer. I don't know, sir.

Question. Did you never hear?

Answer. No, sir; perhaps they shot him themselves. I didn't see them do it. I heard other men say they saw him. He was killed right in the edge of town.

Question. What did the man say who told you that?

Answer. He said he saw the dead mule.

Question. But did not see him killed?

Answer. No, sir; saw him next morning.

Question. Does nobody in your town know where these men came from?

Answer. No, sir; at least I don't. I don't think anybody does.

Question. Have you ever heard anybody say?

Answer. No, sir.

Question. Have you never heard anybody say who it was that did these Ku-Klux acts?

Answer. No, sir.

Question. Did you never hear anybody say or suggest who was in control of them?

Answer. No, sir.

Question. In this meeting of your committee did you have any talk together as to who these parties were?

Answer. No, sir.

Question. How did you know but what the men running the Ku-Klux were right there in your committee?

Answer. I don't know. They might have been for all I know. I can only speak for myself.

Question. How do you know but what your whole town is undermined?

Answer. I don't think so.

Question. How do you know?

Answer. I don't think so.

Question. But how do you know it?

Answer. I think if men were engaged in that sort of business, going all night, you could tell it next day.

Question. But people in town need not go out of town. They could run it without going out of town?

Answer. But that was the only time the Ku-Klux were ever in the place.

Question. But they might have leaders in that town who run it in the county?

Answer. I don't know who the leaders were.

Question. You have seen political parties managed in that way, by the chairman not going out of town much?

Answer. I don't know much about political parties.

Question. Were you not a politician?

Answer. Not much of a one. I quit politics in 1860.

Question. What party did you belong to in 1863?

Answer. I was a Union man in 1860.

Question. I speak of 1863?

Answer. In 1863 I didn't vote at all. I would not vote for the democratic nominee, and I would not vote for the other man.

Question. Did you vote for President?

Answer. No, sir.

Question. Neither way?

Answer. No, sir.

Question. You held a Federal office at that time?

Answer. Yes, sir.

Question. Did you vote in 1870?

Answer. Yes, sir.

Question. How?

Answer. I voted the democratic ticket square.

Question. There was no democratic ticket, was there?

Answer. Well, the reform ticket. I voted for two negroes at that time.

Question. You had made some progress then since 1868?

Answer. I don't know whether you can call it progress or not. I voted in 1870 and did not in 1868.

Question. You say that your sons do not belong to the Ku-Klux?

Answer. No, sir.

Question. How do you know?

Answer. I know they don't.

Question. How do you know it?

Answer. One of them sleeps every night over my own room. I know he does not, and I don't think the other does.

Question. You think so because he has not been out?

Answer. He has not been out.

Question. You say they do not belong, because they have not been out at night to your knowledge?

Answer. No, sir; they do not go out at night.

Question. That is your reason?

Answer. Yes, sir. I have no idea that they do.

Question. Do you think all who belong to the organization go out on raids?

Answer. I don't know that they do, but it strikes me —

Question. Go on with your answer?

Answer. It strikes me as if a man belonging to that sort of a party would go out with it.

Question. I want to know whether it is your opinion, from what you have heard and know of this organization, that all the operations consist in going out upon these raids?

Answer. No; I don't know anything about it.

Question. Might there not be a great many members of the organization who control and direct these operations, and who yet do not actually go out upon the raids?

Answer. That I do not know. There might be and might not be. I don't know anything about it.

Question. Have you ever asked your sons whether they belong to it?

Answer. Yes, sir. I have heard them condemn it.

Question. Why did you ask them?

Answer. Well, talking about it. Talking about such outrages.

Question. But I ask you whether you ever asked your sons whether they ever belonged to such an organization.

Answer. No, sir; I never asked them that question. I never believed they belonged to it.

Question. What class of men do belong to it?

Answer. I don't know, sir.

Question. According to your belief?

Answer. I don't know, sir.

Question. What is your belief about it?

Answer. I don't know. I cannot tell you; for I know nothing about it.

Question. Are you absolutely in the dark as to who belongs to it?

Answer. I am.

Question. Is it not a little curious that these things should run on there and you know nothing at all about it?

Answer. These things happen usually a good ways from us. I don't know anything about it.

Question. This band came into the town?

Answer. Yes, sir, once; but only a short time.

Question. Are the leading citizens there as little informed as you are?

Answer. I think so. I don't think any of them know anything about it.

By Mr. VAN TRUMP:

Question. Mr. Stevenson asked you whether there would be any difficulty, supposing some white men were murdered by negroes, in bringing them to punishment. I ask whether a white man was not hung in this very county a short while ago for killing a negro?

Answer. I have understood so. The sheriff told me so. .

By Mr. STEVENSON:

Question. You mean in Spartanburgh County?

Answer. Yes, sir. The sheriff, on yesterday, told me about it.

SPARTANBURGH, SOUTH CAROLINA, July 12, 1871.

HUGH THOMAS sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?

Answer. Within about three-quarters of a mile of Bivinsville factory, on the road to Rutherford.

Question. What is your occupation?

Answer. Farming, at present.

Question. How long have you resided in this county?

Answer. I was born and raised in this State.

Question. Our purpose here is to inquire into the manner in which the laws are executed and the safety of person and property in this region of the State. Any information that you can give us bearing upon this question please state in your own way to the committee.

Answer. Well, sir, I know but very little about the law myself. I have always been a farmer, though I had a little difficulty with a man named Turner.

Question. We do not care about inquiring into your private difficulties. Our purpose is to ascertain now the general administration of the law in all law suits between individuals.

Answer. The law, as far as I know, has protected me as far as ever.

Question. If you intended that as an illustration of the administration of the laws here I have no objection to your stating it; but you seemed to be about to go on as if we were inquiring into your business. You think the laws are executed here so as to give security and protect life and property?

Answer. I think they are.

Question. Have you any knowledge of the extent to which person and property are insecure?

Answer. Well, sir, I have heard of a good deal of outrages being done around in the country, but I am not knowing as to who it was or anything of the kind. I have heard of outbreaks.

Question. Of what kind?

Answer. There have been men, I have heard, been whipping, you know, and such things as that. I have heard of it, but I only know it from hearsay. It seems to be peaceable and quiet around where I live; it has been since these riotous kind of doings.

Question. You have had none in your own immediate neighborhood?

Answer. No, sir.

Question. What is the nearest instance you have had to you?

Answer. I believe the nearest was not more than a mile or a mile and a half off. There were some negroes, it was said, some Ku-Klux went in on. This was on Mr. Hilliard Thomas's place.

Question. Were they whipped.

Answer. A couple of negro men on his place were whipped there. One had been one of his slaves before the war, and was named Dick, I believe.

Question. Dick Thomas?

Answer. Yes, sir.

Question. Has he any other name?

Answer. No, sir. I think he resides with the same man yet.

Question. Who was the other one?

Answer. I don't know that I can tell. I think he belonged to some one else and was just living there.

Question. Were those two men whipped?

Answer. I heard so.

Question. Had you any reason to believe it?

Answer. No, sir; it was only just hearsay.

Question. Had you any reason to disbelieve it?

Answer. No, sir; it was just a current thing in that neighborhood.

Question. When was that?

Answer. Last winter some time.

Question. You have heard of it in other places?

Answer. Yes, sir; I have heard it reported in Limestone and below.

Question. Have you ever taken interest enough to inquire whether it was true or not?

Answer. No, sir; I couldn't say it was true. I never saw a man that was whipped to say anything to him or see anything of it.

Question. From the extent of your inquiry and knowledge in reference to the state of things in this county, how many persons are you willing to say have been whipped in it?

Answer. I couldn't say positively that there was any one.

Question. Is your belief on this subject so uncertain that you are unwilling to say that anybody has been whipped in the county?

Answer. I believe they have been whipped.

Question. How many?

Answer. Those two negroes, from what I could learn, must have been whipped; but that is all that is in my neighborhood that I had any knowledge of their being whipped.

Question. How far do you live from where Dr. Jones lives?

Answer. I don't know him.

Question. How far do you live from where General Bates lives?

Answer. About five miles.

Question. How far do you live from where Dr. Winsmith lives?

Answer. About eighteen miles.

Question. Then those two negroes are the only persons that you know of being whipped?

Answer. Yes, sir; right in our settlement.

Question. Have you heard of no other lawless proceedings?

Answer. Not in that neighborhood, but in the county there has been a great deal of talk of Ku-Klux, and all this sort o' thing of Ku-Klux riding around; and I saw it in the paper about them in Union.

Question. You never saw them?

Answer. I never saw one in my life, or if I did I never knew it. I never took any part in this matter; never owned any slaves before the war, or bothered with them in any way.

Question. Have you heard of anybody being punished in court for these proceedings?

Answer. No, sir.

By Mr. VAN TRUMP:

Question. Do you know what fact you were called here to testify to?

Answer. There was, last winter I think it was, some men came to my house and abused us very much. They came there wanting corn, and I didn't have any at present for feeding stock with, and they said they'd be damned if they didn't intend to have it anyhow, and got down. He jerked a paling or two off of the gate. I was down sick at the time, and they came to the door and jammed against it, and said they would break it down if I didn't open. There was some rumor of Ku-Klux at the time, and I didn't know but it was them.

Question. Was it after night?

Answer. Yes, sir.

Question. At what time?

Answer. Between 8 and 9 o'clock. I opened the door, and they came in, and they were drunk, and said, "God damn you," and drew their knives on me. I saw I was overpowered. There were two white men and one black man. They told me I must let them have it, and I did. I couldn't resist even one man when I was sick. They worried me half the night, and abused my family, and threatened me with the negroes too.

Question. What did they say?

Answer. I said I didn't know but what you were Ku-Klux. I had heard that they were a band of men, and it was no use to try to resist. They said damn me, they would Ku-Klux me; and one of them, Emory, said he had a hundred negroes at his command.

Question. Emory who?

Answer. Bird—Emory Bird. He lives in the Limestone. He said that he had a hundred negroes that he could fetch out, and he halloed. I suppose this was to alarm me from drinking courage. The other said he didn't think there were so many. They went on that way, and I tried to get them off; but didn't get them off until about midnight. There was nobody hurt. They didn't strike anybody.

Question. Did they get the corn?

Answer. Yes, sir.

Question. How much corn?

Answer. I let them have half a bushel. They had two mules.

Question. They had stock along?

Answer. Yes, sir; a two-horse wagon.

Question. Is that all that occurred that night?

Answer. Well, they abused my wife a good deal and me too, and threatened a good deal as other drunken men would.

Question. How far does Emory live from you ?

Answer. Over toward Limestone eight or ten miles.

Question. Do you know his politics ?

Answer. I have heard he belonged to the League party. I don't know about that.

Question. Who was the other white man ?

Answer. Henry Turner. He lives in the neighborhood of Limestone.

Question. What is his politics ?

Answer. I don't know ; because I am not a man that knows much about these things. I never went into this thing much myself.

Question. What are your politics ; how did you vote ?

Answer. I voted the democrat ticket when I voted.

Question. Was that pretty well known in your neighborhood ?

Answer. I do not know how that was, whether these men knew I had voted that way or not.

Question. Was it known in your neighborhood ?

Answer. I think it was.

Question. What election did you attend ?

Answer. At Bivinsville.

Question. Were you there at the last election in your township ?

Answer. Yes, sir.

Question. Were you there all day, or how long ?

Answer. No, sir, I just came here ; this is the last place.

Question. Where did you go to vote at the last election ?

Answer. It was here, at this place.

By the CHAIRMAN :

Question. Give us the date when this affair occurred of which you have spoken ; what month was it ?

Answer. I couldn't tell you to save my life ; it was somewhere during last winter.

Question. About what time last winter ?

Answer. I can't tell, for my life.

Question. You say these three men had a two-horse wagon ?

Answer. Yes, sir.

Question. Had they two horses or mules in the wagon ?

Answer. It was dark, and I couldn't tell.

Question. They were traveling with a two-horse wagon, and were in the wagon ?

Answer. Yes, sir.

Question. They were going from this place ?

Answer. Yes, sir.

Question. Were they drunk ?

Answer. Yes, sir. I don't know that the black man had drunk a drop.

Question. You think the two white men were drunk and the black man was sober ?

Answer. Yes, sir ; I think the two white men were drinking very much and the black man didn't drink at all.

Question. They demanded corn and you gave them some to feed their stock ?

Answer. Yes, sir.

Question. They used abusive language ?

Answer. Yes, sir.

Question. Did they take hold of anybody ?

Answer. No, sir.

Question. But they behaved in a rude manner as drunken men ?

Answer. Yes, sir.

Question. Was a word said about politics ?

Answer. I don't know that there was a word said about politics that night.

Question. When he demanded the corn and you did not give it, this man said he had a hundred negroes at command ?

Answer. Yes, sir ; he said he could Ku-Klux me if I didn't mind.

Question. And the other one said, not that many ?

Answer. Yes, sir.

Question. What did the black man say ?

Answer. They were cruel to him. I was pitying him. It was cold and they wouldn't let him come in at all to the fire. I wanted him to.

Question. They were two drunken men who abused him and abused you ?

Answer. Yes, sir.

Question. Why did not you have them arrested ?

Answer. I did. I had them taken before Mr. Poinier, and these outrages were going on and it laid over, I don't know how long, and was turned over to Mr. Irwin.

Question. The trial-justice Irwin ?

Answer. Yes, sir ; it was tried and I got satisfaction.

Question. How ?

Answer. They found a true bill against the men.

Question. They were tried in court?

Answer. Yes, sir.

Question. And convicted and punished?

Answer. Yes, sir; punished according to law. I got satisfaction.

SPARTANBURGH, SOUTH CAROLINA, July 12, 1871.

ROBERT M. SMITH sworn and examined.

By the CHAIRMAN:

Question. Dr. Smith, are you a member of the legislature of this State?

Answer. I have been a member of the legislature since 1868.

Question. You are a citizen of this county and a native of it?

Answer. Yes, sir.

Question. The duty devolved upon the committee is to inquire into the efficiency with which the laws are executed in this State, and the security of life, person, and property therein. Whatever information you have that will be in the line of the committee's duties and throw light upon those inquiries please give to us.

Answer. The laws, Mr. Chairman, have been tolerably well executed; in other words, there has been no resistance to the execution of the laws in this portion of the country, that I had any knowledge of. The condition of the country, though, is anything but pleasant. As to the law protecting life and property, so far as property is concerned I have not heard of any violence used toward that. I have not heard of any losses either by incendiaries or otherwise, that is, absolute losses; but there has been violence in our country.

Question. Of what character is that violence and against whom is it directed?

Answer. It would take me some time to answer that question.

Mr. VAN TRUMP. Answer it in full. We want the facts, whatever they are.

Answer. Well, violence has been offered against various parties for various reasons; so I have heard; rumor says it. I do not know positively what those reasons are, but rumor states that they are various. Violence by night-riders has occurred in this country, and night-walkers also. There have been two men, rumor tells me, murdered within the last twelve months.

By the CHAIRMAN:

Question. In what part of the country?

Answer. In the Pacolet Depot country. There was a man named Johnson killed about Christmas time, or during those days—either just preceding Christmas or New Year's; it was some time in the holidays. There was also a man by the name of Fowler, Wally Fowler, killed in the Glen Springs township. That has been more recently. I do not know that I can designate the month, but it was within the last few months.

Question. Have those two persons been killed?

Answer. Yes, sir; by parties unknown. So the coroner's inquest stated.

Question. Were they killed by parties in disguise, do you know?

Answer. I have no recollection as to whether the coroner's inquest made that statement or not. I am only speaking from my recollection of the coroner's report.

Question. And general opinion?

Answer. Yes, sir.

Question. Is that the extent to which violence has proceeded in the county?

Answer. From general rumor, there has been a good deal more violence. Dr. Win-smith was shot in my country, probably in the month of March—I cannot say exactly. It was in court week.

Question. Was it in May?

Answer. It was further back than May. It was during our spring court; I would say it was the last week in March or first week in April, because our court convenes the third Monday in March, and this was during that court, and our court held two or three weeks.

Question. Is that the extent to which that class of offenses have been perpetrated?

Answer. No, sir; I have heard of various parties. I cannot name them, but I recollect a gentleman named John Genobles, who was reported as having been whipped in my township. I have seen him frequently, but I do not know that it is true; it is only report.

Question. Have these cases been so numerous as to give rise to a very disturbed and unsettled state of affairs in your country?

Answer. No, sir; not necessarily. I do not think they have from my information. I live in a country where there is a large element reported as being persecuted—in fact I

believe they are in the majority numerically—and Mr. Genobles, Dr. Winsmith, and Wally Fowler are the only cases I have heard of in that immediate country or township.

Question. To what element do you refer as being persecuted?

Answer. I refer to the republican party. That is what they speak. To be plain with it, the statements have been that they were whipped on account of their republican proclivities; that is common rumor.

Question. Those three that you spoke of are the only ones that you know of in your immediate vicinity who have been disturbed?

Answer. Yes, sir; I do not know that they have been disturbed upon that ground; but I answer your question generally.

Question. My question was without reference to the political aspect of the question at all, whether the cases of violence had not been such as to produce an uneasy and disturbed condition of affairs in the county?

Answer. Yes, sir; there has been some uneasiness manifested by some, according to their declarations; but for a fair understanding of this, I would state that in the country these things have been stated to be exclusively directed to the republicans, and in that view I make my statement.

Question. Have there been any cases in which violence by disguised persons has been offered to any others than republicans?

Answer. Yes, sir; but not by disguised persons.

Question. Has there been any organized violence of any character directed against any of your citizens of any party for which there is no redress?

Answer. Yes, sir; we thought so. The commonalty of the people thought so. They looked upon the Union League, as it was organized in our county, and the threats emanating from it, as an organization detrimental to our interests and to the peace of the country.

Question. Did that proceed in any instance that you know of to violence against the people here? If so, state it.

Answer. Violence was offered at various elections by committees reported to be from that organization. They were members of that organization; whether they were committees proper I could not say. That was the common rumor.

Question. When was that?

Answer. In 1868, at the presidential election; and last year we had a great deal of that in our last general election in this State.

Question. In this county?

Answer. Yes, sir; a great deal of it; there was a general dissatisfaction of the people. I do not know that you would say it was a general dissatisfaction, but a general uneasiness, originating from threats that had been made by that organization.

Question. Were they carried out in any instance that you are aware of? If so, state it, for we desire the whole truth.

Answer. Yes, sir; my box (or poll) is all I could speak definitely of, because these are delicate statements; in other words, I do not want to speak of rumors.

By Mr. VAN TRUMP:

Question. That is what you are entitled to do.

Answer. I would rather speak of facts first. In the box where I was, some were threatened to be gutted if they voted democratic by a committee reported to me as being organized for that purpose.

By the CHAIRMAN:

Question. Were the names of the committee given to you?

Answer. No, sir; there were ten or twelve of them. I expect I could give two or three of the names.

Question. Will you name them?

Answer. There was a man called Ralph Foster—that is the name that was given to me—and Moses Shafier or Moses Strap. I don't know which name he goes by. They were two negroes participating. A man named Amos had the knife drawn. I think it was Amos Miller. I asked for his name. My purpose was to prosecute them. They threatened violence against an old man living on my place, and he came to me; he wanted protection.

By Mr. VAN TRUMP:

Question. A black man?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Was he prevented from voting?

Answer. No, sir; he was threatened. He said he voted, though I did not see it cast.

Question. Was he visited with violence afterward?

Answer. No, sir; he is now dead. He died of old age. There was a number there that told me they wanted to vote a certain ticket, but were intimidated.

Question. Colored men?

Answer. Yes, sir.

Question. Was any prosecution instituted against those parties?

Answer. No, sir; a prosecution at that time we considered worthless. In fact it was very difficult to get a prosecution up at that time. The excitement ran very high in this country; party lines were strictly drawn, and we had no men to apply to with any show of success.

Question. Why not?

Answer. We had declarations, rumor states, and I suppose it could be proven, that it made no difference what a man did if he had identified himself with that party; that Governor Scott was pledged to protect him. It was made by a trial justice below us. That was the general feeling of the country, that it was useless to attempt a prosecution. You see the trial justice system of our county and State at that time, as we imagined, and rumor stated, and as I believe was not denied, was gotten up to carry out certain ends.

Question. Was this party feeling all on one side?

Answer. No, sir; party lines were very rigidly drawn, but we only occupied one side of the question when the judiciary was involved.

Question. There was high party excitement on both sides?

Answer. Yes, sir; unnecessarily high.

Question. I suppose it is nothing unusual for charges of that kind to be made by parties in times of high party excitement?

Answer. It is unusual for this country.

Question. Go on with anything more that you have to state in answer to the general question. You were giving this first instance of violence.

Answer. Yes, sir; and wherein there was unusual feeling on the part of the citizens of the country in consequence of it. Well, the fact is the whole country was unpleasantly placed—that is, it felt that it had no tribunal before which to go for protection. We had a set of trial justices that were a disgrace to civilization. We had some that advised stealing, and all kinds of characters.

Question. Who did that?

Answer. William H. Walker, I am told, did; I have it from several men.

Question. Is he a trial justice of this county?

Answer. Not at this time.

Question. Was he then?

Answer. He was then.

Question. Has he been removed?

Answer. Yes, sir.

Question. Who removed him?

Answer. I assisted.

Question. The governor did it?

Answer. Yes, sir; Governor Scott. These facts were based on that representation.

Question. Did you find him unwilling to remove incompetent and dishonest men upon proper representation?

Answer. Very willing after the last legislature met, but he booted any recommendations from the democratic party last spring as to filling appointments.

Question. Is that an unusual circumstance in the distribution of political appointments, for one party to rule out the other?

Answer. No, sir; not in political appointments; but it is unusual in this country in judicial appointments. We always make a test of qualification and honesty; we have heretofore done so.

Question. How far back do you date that?

Answer. We date that back since I was a boy until recently. Then Governor Scott very willingly removed these fellows, or these gentlemen—I don't wish to be recorded as calling them "fellows"—these men, after he had secured his election.

Question. Is not the state of party feeling such at present that every man connected with the republican party is denounced by the other party as dishonest?

Answer. O, no, sir.

Question. And, on the other hand, is there not an exceedingly bitter state of feeling in the republican party against the democratic party?

Answer. In isolated cases it is, but not in general; we ran a republican for governor. We don't make a man's political principles a test of qualification; we look upon his honesty and integrity; we have been reared under that idea. It is not the strongest partisans that have been formerly getting positions, but latterly they have.

Question. Is that one reason for dissatisfaction in this State, that men of the democratic party who are competent and honest are not appointed to office by a republican administration?

Answer. No, sir; not solely that—with good recommendation. It has been generally throughout the State according to fitness. I have recommended several republicans for magistrates before the trial justice system came in, and got them appointed; but

there was certain work to perform, and then those recommendations were ruled out, and they picked up men representing every phase of social station to fill those places, from men who had been convicted of felony up.

Question. Have there been any in this county convicted of felony ?

Answer. Yes, sir.

Question. Who ?

Answer. William H. Walker.

Question. What felony ?

Answer. Cotton-stealing.

Question. Where ? In this court ?

Answer. Yes, sir.

Question. When was it ?

Answer. In 1865 or 1866 ; I will not say which.

By Mr. VAN TRUMP :

Question. Was that before he was appointed trial justice ?

Answer. Yes, sir ; before reconstruction.

By the CHAIRMAN :

Question. Before what tribunal was he convicted ?

Answer. Before the circuit court.

Question. It was before reconstruction ?

Answer. Yes, sir ; we had it under the provisional government.

Question. What attitude had Walker taken in the war ? Was he in it on either side ?

Answer. Yes, sir ; I saw him in the service.

Question. On which side ?

Answer. On the confederate side. I think he had a substitute in too, also.

By Mr. STEVENSON :

Question. When was he removed ?

Answer. Some time in February last, I suppose ; I cannot tell ; it was during the session of this last legislature. We broke up, I believe, about the 7th of March.

By the CHAIRMAN :

Question. Have you anything else to state on the general condition of things ?

Answer. Yes ; but not strictly of a local character. The people of this State were generally disturbed or uneasy with regard to the manner in which the State government was administered. It was very corruptly administered ; the legislature was corrupt. That produced a considerable degree of uneasiness and dissatisfaction among the people.

Question. Proceed and make any further statement that you wish to make as to whether that has affected the security of person and property here.

Answer. I think that a great deal of this violence has originated from the feeling of insecurity on the part of the citizens, brought about by a corrupt administration of the government, from the legislature down to county officers and trial justices. It has been notoriously corrupt from one end to the other. Another cause of these disturbances, I think, was the arming of one class of the citizens in this State against the others ; in other words, arming one class of citizens and refusing arms to the other, together with these threats emanating from demagogues and circulating through the country. That produced uneasiness, and the people felt that self-preservation was the first law of nature.

Question. Do you wish to state anything further ?

Answer. I do not remember just now. I know many things, and can answer questions as to particulars.

Question. You have spoken of the corruption of the legislature. When was that charge first made ?

Answer. In 1868, before we had been there three weeks.

Question. Was that confined to individuals in the legislature, or was it a general charge against the whole legislature ?

Answer. At that time the whole legislature was bulked together as a corrupt body by a great many people, but sometimes there were honorable exceptions made, as people at that time understood it to be a republican legislature ; but the objection was not upon its republicanism.

Question. When the charge came down to individual members, was it confined to men of either party ?

Answer. Yes, sir ; it was strictly confined, with one exception, to the republican party, and in the majority of cases to carpet-baggers, unfortunately.

Question. Give us the name of the exception, so that he may have the benefit of it. Who was he ?

Answer. There was a gentleman from Horry, elected by the democratic party, that report says was purchased.

Question. What was his name?

Answer. His name is James Beaty. He was in the lower house.

Question. That was in 1863?

Answer. Yes, sir. He was not in the last house.

Question. Was he in the special session?

Answer. No, sir; some man resigned or died, and he came in his place.

Question. That was the only democrat you heard charged in 1863?

Answer. Yes, sir; during the session of the legislature. During the canvass it was charged that the members of the democratic party generally were more cheaply bought than the others, but no specific charge was made. This was specific and provable, but that was general and a kind of electioneering charge.

Question. Beaty's case, to which you referred, was specific and provable?

Answer. So I was informed.

Question. Who bought him?

Answer. My information was that Tim Hurley bought him through Wilson Cooke, and refused to pay for him after they bought him.

Question. Who were they?

Answer. Tim Hurley was a lobbyist from Charleston, and Wilson Cooke was a member from Greenville.

Question. On what issue was Beaty bought?

Answer. I think it was whether the phosphate bill should become a law, notwithstanding the veto.

Question. Were not the persons or members interested in the phosphate bill members of the democratic party?

Answer. I do not know that.

Question. Are the names of the persons interested in the phosphate bill inserted in the bill as corporators?

Answer. I think so. I know some of them. I think George W. Williams is one of them.

Question. Is it your practice here to insert the names of interested parties in that manner?

Answer. Yes, sir; we insert the corporators generally, with the privilege of associating others.

Question. Have you a knowledge of who the persons were who pressed the passage of that bill?

Answer. I do not know any of them personally; but George W. Williams, I recollect distinctly, was one.

Question. Who was he?

Answer. A commission merchant of Charleston.

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?

Answer. 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.

By Mr. STEVENSON:

Question. It was approved February 25, 1869.

Answer. Yes, sir; that is it. It passed on to the session of 1870.

By the CHAIRMAN:

Question. Did the same general charge of corruption prevail against the legislature?

Answer. Yes, sir; that was the last legislature.

Question. You had one in 1871?

Answer. That was the same legislature going into the other. The other was 1868-'69.

Question. Now I inquire as to 1870-'71. When does your session commence?

Answer. In November, on the fourth Tuesday.

Question. That act being approved in February, 1869, of course it was passed in 1869?

Answer. Yes, sir.

Question. Come down to 1869-'70. Did the same charge prevail then as to the first session of the present legislature?

Answer. That was 1870-'71.

Question. I asked when did the first charge begin, and you stated it referred to the legislators of 1868.

Answer. Yes, sir; but the first charge against any member of the democratic party was made on the passage of the phosphate bill.

Question. That was in February, 1869?

Answer. Yes, sir.

Question. Now go on to 1869-'70. Were the same general charges of corruption made against that legislature?

Answer. I think that was the time the phosphate bill was passed.

Question. Well, the next winter were the same charges made against members?

Answer. Yes, sir; ever since I have been there there have been charges against members of the legislature.

Question. In that legislature were the charges confined to men of either political party?

Answer. I do not remember any special act that was passed.

Question. I speak generally, and ask you, as you say it was a matter of general notoriety.

By Mr. STEVENSON.

Question. Will you look at the act which I submit to you and state if that is the one referred to?

Answer. That is not the act to which I referred. This is not the act which was vetoed by the governor.

By the CHAIRMAN.

Question. Was it at the next session that the act was vetoed?

Answer. Yes, sir; this is 1869-'70.

Question. Then it is in reference to 1869-'70 that you say no member of the democratic party was charged with corruption except Beatty?

Answer. I never heard of any.

Question. In 1870-'71 were the same general charges continued against the legislature?

Answer. Yes, sir.

Question. Was that confined to members of either party, or did it extend to both political parties?

Answer. I do not think I have ever seen in any public print that the democratic party was charged with any corruption in the last legislature; but there was an undercurrent there against some senators of the democratic party.

Question. What do you mean by that ?

Answer. I mean by an under-current that it never came to the public prints.

Question. Do you mean there was a charge current there ?

Answer. No, sir ; but I heard it ; it was an under-current. I heard the intimation. It was upon this Greenville consolidation bill.

Question. It was against whom ?

Answer. Against a democratic senator.

Question. How many ?

Answer. Only one.

Question. You say in the campaign of 1870-'71 the charge was general ?

Answer. Yes, sir.

Question. And that it assumed the form there that the democratic members sold at lower prices than the republicans ?

Answer. Yes, sir.

By Mr. VAN TRUMP.

Question. Did you state that ?

Answer. Yes, sir ; I said that was the campaign statement. It was my statement that in the campaign argument in the public prints the republicans stated that the democratic members of the legislature could be cheaper bought than anybody else ; but when they were brought to the specific charge they could not prove anything except Beaty.

By the CHAIRMAN :

Question. That was the form of it—one charging the other party, the whole mass of them ?

Answer. Yes, sir ; but only in the papers ; no specific charges at all except against Beaty.

Question. Was there not what in common acceptation is called a ring formed and named the "Forty Thieves ?"

Answer. Yes, sir, there was ; so report said.

Question. Have you sufficient knowledge of the members of the legislature to say who were charged with composing that ring of "Forty Thieves ?"

Answer. I know what the papers stated.

Question. I would like you to give it.

Answer. I could not give the forty names. I remember O'Connell and Rush as identified with it. I saw them in the public prints.

Question. Were there no members of the democratic party in public estimation charged with being members of that ring ?

Answer. I never heard of it, sir.

Question. In any form ?

Answer. No, sir. I don't know the actual existence of that ring, only the general charge.

Question. We all know how readily those charges are made by both political parties.

Answer. I have heard the charge made against them directly on the floor of the house by members of their own party, and not refuted.

Question. Heard who charged ?

Answer. The "Forty Thieves" charged with being a corrupt body, and certain men charged with being members of the "Forty Thieves." It was by R. C. De Large.

Question. Was that ring composed of democrats and republicans ?

Answer. I never heard that.

Question. Do I understand you as saying that this corruption in the legislature is one reason for these acts of violence that have been occurring in this part of the State ?

Answer. I would not say it is a direct reason ; but that in connection with others it produces an uneasiness on the part of the people.

Question. By what class of men do you think these acts of violence are committed ; who are those night-riders and night-walkers, as you call them ?

Answer. I think they would embrace all classes.

Question. Do you mean the respectable ?

Answer. I would imagine so. I have no data by which to judge, but I would suppose that in a thing that I imagine is formidable there would be some respectable men. My opinion is that there are organizations in this State of considerable extent.

Question. And that they embrace both the low lawless men of bad character and respectable men ?

Answer. Yes, sir ; I think both races and both political parties.

Question. In these secret organizations ?

Answer. Yes, sir.

Question. I call your attention particularly to those who go in disguise at night. Do you believe they embrace men of respectable standing and character ?

Answer. I could not say that they do or do not, but my impression is that there are some who claim to be respectable in that class.

Question. To bring the matter more to a point, do you believe that this organization, commonly known as Ku-Klux, embraces men of all characters and of both races?

Answer. I do, sir.

Question. What is the ground of your belief when you say that the colored race is in the Ku-Klux organization?

Answer. In speaking of the Ku-Klux organizations my opinion is that there are different grades or divisions of it. I think there are some Ku-Klux who are strictly composed of democratic members. I do not think there are any but democrats in them. That is an opinion only. I think there are other organizations that are mixed, and I think there are some that are absolutely republicans and composed chiefly of negroes.

Question. Having that belief, what is the design, in your estimation, of that class of the Ku-Klux organization which is composed entirely of democratic members?

Answer. Those that are composed of democrats, if any are exclusively of that kind, are the class that see the laws are powerless, as administered, to secure persons or property, and they have had to resort to this measure to prevent stealing and incendiarism, &c., and I think that is as far as that class goes.

Question. To which class belong those who are engaged in the whipping of negroes?

Answer. I think that is composed of what might be called a kind of clandestine organization, embracing all races and politics, and that that is to avenge private injuries and wrongs, either imaginary or real.

Question. Then there are three classes of Ku-Klux, according to your notion?

Answer. Yes, sir; as I would style Ku-Klux.

Question. Having asked you the design of these Ku-Klux organizations composed exclusively of democrats, what is the design of those composed of republicans and chiefly of negroes?

Answer. I suppose that as to that third class, for I think I have answered as to two classes, and that is the third class, if I would so classify them—that is only an inference of mine, however—that they have various views, various ideas to carry out. In my opinion they are led on by a set of fellows—in our country we characterize them as demagogues—who do not care what occurs so they live, and are willing to produce commotion and turbulence, anything, to keep soldiers here. We have a great deal of those, in my opinion.

Question. Having given those three classes, as you state them, have you any knowledge of any class in which any considerable number of negroes have gone disguised and committed any outrages?

Answer. I have not any definite knowledge of any parties going; only rumor; I only base this upon rumor.

Question. Have you any information, such as you would give credit to, of any considerable body of negroes who have gone in disguise?

Answer. Common rumor states that they pass through my country.

Question. What wrong did they commit?

Answer. Whippings.

Question. Whom did they whip?

Answer. They generally whipped negroes. I don't know that I heard of their whipping white men except once. Rumor says that Mrs. Genobles says that half of the party who whipped her husband were negroes.

Question. Do you believe that?

Answer. I am not able to say. I would not give an opinion upon that.

Question. What other cases?

Answer. There was some whipping done in Glen Springs Township, near David Harris's, recently, at the house of Patrick Tanner.

Question. How recently?

Answer. I think it was only about a week or two weeks ago last Monday. All I heard of it was the fact that the thing occurred, and occurred about an hour after his return home from an absence of some time, and was supposed to have been perpetrated by some personal enemies of his who followed him up.

Question. Were they negroes?

Answer. Yes, sir; that was the report.

Question. Do you know John Thompson, jr.?

Answer. Yes, sir; I know a John Thompson in my country.

Question. Is he a negro?

Answer. No, sir.

Question. If the man upon whom that outrage was committed swears that John Thompson, jr., was one of the men who committed it upon him, would you still think it was done by negroes?

Answer. No, sir; because I stated it only from rumor.

Question. The rumor is that was one of the cases in which negroes did the whipping?

Answer. Yes, sir; and the rumor connected with the same statement I first heard about the affair.

Question. From whom did you get the rumor that negroes whipped the man at Patrick Turner's?

Answer. I do not know that I could state. It was talked about.

Question. It is very recent?

Answer. Yes, sir; and there are many such affairs. I can't charge my mind. I don't know that I can tell who told me first.

Question. Do you believe they are colored men?

Answer. I could not give an opinion. To say I believe he was whipped at all would be stretching the thing.

Question. Have there been any other instances in which colored men have been out, in disguise, whipping?

Answer. Not in that section of country, or any other, except in newspaper reports, where negroes have committed outrages in other counties.

Question. Now take the other class. If thirty or forty negroes were all to testify that they had been whipped, and that the persons whipping them told them at the time that they did so in order to compel them to abandon their political party and vote with the democratic party, or a similar statement, would you still adhere to the idea that this exclusively democratic Ku-Klux organization did nothing but protect their own lives and property?

Answer. In a case of that kind I have to merely give an opinion. I would not think it at all strange, though I don't understand the question direct.

Question. My question is this: you stated that you believed the purpose of this exclusively democratic organization was to protect their own property and lives. If thirty or forty negroes were to testify that they had been whipped by organized bands of men in disguise, who told them at the time that they did it because they voted the radical ticket, and required them to vote the democratic ticket in future, would you still adhere to the opinion that the purpose of the exclusively democratic organization was to protect life and property?

Answer. I can understand very readily why either of these two latter classes would resort to that means. They would wreak out their personal vengeance for imaginary damage under the guise of politics. I can see that readily. I don't think any party that has ever whipped any one in this country, simply because they were stealing or burning, told them it was for politics.

Question. Does this third class, which you think is to wreak private vengeance and is composed of both parties, make a guise of politics to cover the whipping?

Answer. Yes, sir; anything to cover the whipping, and I will give you my reason. It is this: I imagine that there are men in the Ku-Klux organization who are still democrats, who have more sense than to go about whipping the inoffensive, ignorant negroes who have no political opinions whatever.

Question. Having given us your theory, if it is true, would not democrats and republicans alike be visited and whipped by this organization?

Answer. Certainly, for stealing or anything of the sort.

Question. You are a member of the legislature and acquainted with the people of this county, in which it is alleged that there has been a great deal of whipping; will you give us the name of any and every democrat you have ever heard of as having been visited by this organization and whipped in this county?

Answer. I have never heard of many being visited anywhere, democrat or republican, only a few in my immediate country.

Question. Is there a single democrat in this county who has been visited and whipped by any of this organization?

Answer. I do not know that I recollect any.

Question. Or punished in any way?

Answer. I do not know that I could cite any special case.

Question. Can you give a single name?

Answer. I could give the names of some who had been threatened, &c., and notices left, but I do not know that I could give the name of any who have been whipped; I don't think I can.

Question. You have mentioned several names that have been visited—Dr. Winsmith is one.

Answer. As to his politics I do not know what it is.

Question. Did you understand that that visit had any connection with politics at all?

Answer. I think not, sir; that was the impression in that country, that politics had nothing to do with it.

Question. Did you not learn that they had made the declaration there to his wife that if he was not a republican he ought to publish it in "the Spartan" here?

Answer. I never heard of that. I heard that they made a statement to her that they did not come there to shoot him, and would not have done it had he not shot at them; that their business was to look for arms.

Question. You did not hear the other part of it?

Answer. No, sir.

Question. It was understood that the doctor had openly acted as an independent man and voted for Scott?

Answer. Yes, sir; but as to there being any change in his political principles, I doubt very materially whether there was.

Question. You had heard of General Bates's house being visited?

Answer. Yes, sir.

Question. Is he a republican or a democrat?

Answer. He has always told me he was a democrat.

Question. Has he acted with the democratic party recently?

Answer. He has told me that he supported me, and I am one of the unwashed democrats in this county.

Question. But he is an independent man, who voted for either side?

Answer. Yes, sir.

Question. And independent enough to have voted for the republicans at that time?

Answer. I think he voted for Governor Scott at the last election, but I think he supported me too; he told me so.

Question. Do you set him down as a republican or democrat?

Answer. I should put him down as a democrat, as I understand democracy.

Question. But one who voted for Scott?

Answer. Yes, sir; numbers of others voted for Scott who were democrats.

Question. In the cases of the negroes who have been visited and whipped, were they democrats or republicans generally?

Answer. I think they belonged to the republican party, because you may set down the negroes, ninety-nine out of a hundred, as republicans.

Question. And it is against them principally that these whippings have been directed?

Answer. I think so. So far as my information has gone it is principally against them, and that is why I stated it is not politics. It has generally been characters who wielded no influence in politics whatever, and my information has been that they have been characters, with one or two exceptions, who were troublesome in the community.

Question. Have you known any white men who have been called upon, and required, under pain of future visit or death, to renounce their principles and publish that in the newspapers?

Answer. Report states that they visited a man named Houston Foster, but did not whip him, but made him dance; but I don't think he ever renounced his principles. He was always a democrat. He stated that he was a democrat, and they doubted him, I suppose.

Question. Were there others in the same neighborhood—a Mr. Henley?

Answer. Yes, sir; I have been told that Mr. Henley has been whipped.

Question. Is he a decent man?

Answer. I know him when I see him, that is all.

Question. Do you know anything against him?

Answer. No, sir.

Question. Has he a good reputation in that neighborhood?

By Mr. VAN TRUMP:

Question. Do you know anything about him?

Answer. No, sir.

By the CHAIRMAN:

Question. Do you still think these organizations have nothing of politics in them?

Answer. I do not see wherein it is. I would say that if there is anything political in them, those are very ignorant men that do not know how to strike to make it pay politically.

Question. They make mistakes sometimes?

Answer. I would say it is a mistake from one end to the other, if it is political.

Question. You have stated that, in one portion of it, or its history, you thought there were men of character and standing in it?

Answer. Yes, sir; there are men of character and standing in the democratic party I think identified with the Ku-Klux, but my opinion is that they never meddled with any men except those whom the law could not reach, and who committed depredations on persons and property.

Question. What is the information upon which you make up this opinion as to the three classes?

Answer. Just general observation. I have generally been considered a conservative man in this country, and have tried to keep the county peaceable, and advised against all violence from every source, and have investigated as thoroughly as I could. I was not officially authorized to do these things, but I got up all the evidences I could, and summed them together, and this statement of mine is the conclusion I have come to.

Question. It has been a silent investigation; you have not taken any active measures?

Answer. No, sir; only I have inquired of all parties—different political parties and races whom I would suppose directly interested in these outrages. Where their friends and families have been outraged, I have asked them and their friends for a full and candid statement of the causes that they thought brought these things about, and I have come to this conclusion.

Question. Whose families have you visited in making these inquiries?

Answer. I have asked in regard to that man White being whipped—Samuel F. White. The report in that country was that he was whipped. I asked his brother-in-law what could be the cause. He stated that his brother-in-law had several personal enemies. He tried to deny his being whipped at all.

Question. His brother-in-law denied it?

Answer. Yes, sir; he stated that Samuel F. White denied it, and James W. White, his nephew, also denied it. He told me.

Question. Did you take that as the evidence of his not having been whipped, or of his fear to disclose it?

Answer. I do not think Samuel F. White is the man to fear.

Question. Suppose he had testified here that he had been whipped?

Answer. I have not heard it. If he should swear absolutely that he had been whipped, I would take his testimony; but he is a man of very good sense, and it would seem strange that he should swear to a statement here different from his statement in the country.

Question. Have you not heard that the victims of these outrages are afraid to disclose the names of the perpetrators?

Answer. No, sir.

Question. Have you never heard that?

Answer. No, sir; because there were several public meetings held in my country and I talked to them and advised them. Mr. Stevenson spoke to me about that meeting the other day. I advised them if they knew any man in any organization to report him to me and I would see him duly prosecuted; and I heard nothing like fear. They told me they would do so.

Question. Was anybody reported?

Answer. No, sir. That is a section where very little has been done, and I do not suppose they knew much about it.

By Mr. VAN TRUMP:

Question. The chairman asks you if thirty or forty negroes should swear, as witnesses, that they had been visited by disguised men, and that those disguised men told them they were whipped because they voted the radical ticket, you would not have a different opinion. I ask you, would not that depend upon the manner and circumstances and the character of those negroes themselves testifying, and upon your being present to see them and observe their testimony as given?

Answer. Entirely so, sir.

Question. The chairman assumes that thirty or forty of these negroes have so stated. To correct whatever impression that assumption may have on the record, I will assume that there was not more than half that number that so stated.

The CHAIRMAN. The record will settle that.

By Mr. VAN TRUMP:

Question. Suppose that these negro witnesses in the cross-examination were absolutely convicted of falsehood, would not that affect your mind?

Answer. Yes, sir.

Question. And some perhaps having so very simple a tale, with very few facts about it, that you could not catch them, you would have to take their testimony according to the manner of delivery, the evident intelligence of the negro, and your idea of his honesty. All these things would have to come before you to enable you to say whether you would change your mind upon any given proposition in regard to it?

Answer. Yes, sir; certainly.

Question. You were asked if Patrick Tanner had sworn that John Thompson, his son-in-law, was one of the party in disguise; would you think the party were negroes? If he had a full mask over his face, and if it were the fact that the witness must have observed as far as he did, in all the trepidation and fear and all the surrounding circumstances of that visit, would not your belief, as to whether Thompson was or was not present in that party who did the whipping, depend very largely on your conviction as to the truth of what the witness said?

Answer. Certainly, certainly; and further than that, I would not believe any man that would swear that he knew a man in disguise in the dark who had not spoken to him at the time.

Question. Suppose these men had also sworn that these men counterfeited their voices and had masks and disguises on, and yet they knew them by their voices and build, would you have much confidence in them?

Answer. I would not have any if they said the voices were disguised.

Question. Who was this George W. Williams you spoke of?

Answer. He is a commission merchant of Charleston.

Question. Is he not a republican?

Answer. I do not know his political status.

Question. Do you recollect anything, either by actual knowledge or common rumor, of Tim Hurley telegraphing to Williams for money about the time of the passage of this phosphate bill over the veto of the governor?

Answer. The rumor was it was \$60,000. A man told me that he saw him carry a large bundle over from the bank to the State-house the night the bill was passed. I didn't see that.

Question. Do you recollect by what majority that bill was passed before being vetoed?

Answer. No, sir; I do not know. In fact, there was no question raised upon its first passage. A very objectionable feature of the bill was stricken out in the Senate. The word "exclusive" was stricken out; that is, the exclusive right to dig phosphates. That removed all the objectionable features from the bill, and we didn't look upon it as a monopoly. There was very little contest about it. But the governor, in his veto message, showed wherein the striking out of the word "exclusive" had no effect. That changed many votes, and money was then necessary to get it passed.

Question. Were the ayes and noes called on the passage of the bill before the governor vetoed it?

Answer. I do not remember.

Question. Do you recollect whether it was considered absolutely necessary to get an increased number of votes to repass it?

Answer. The constitution of this State requires a two-thirds vote to pass a bill over the veto of the governor.

Question. But you do not know how the first vote was—whether two-thirds or not?

Answer. No, sir.

Question. Was it the understanding that it required an increase of the vote?

Answer. It was understood that it would require an increased number of votes, and also some who voted for it at the first passage, now, after reading the veto of the governor and his explanation, would not support it again, unless they "saw light."

Question. How was that increased vote obtained? State any facts that gave rise to the impression of fraud, or the use of money to procure the necessary votes to carry that bill over the veto.

Answer. I could only give the fact that was generally stated there on the floor—not in public speeches, but among the members—that money was being used by the thousand, and Hurley was very busy on the floor that evening.

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.

Question. Was it publicly understood during that session of the legislature that he telegraphed for \$60,000 to Williams, the banker?

Answer. I don't know to whom, but the report was that he telegraphed to Charleston.

Question. To Williams?

Answer. It was to parties interested.

Question. Do not you know that Williams of Charleston drew for that money; that Tim Hurley telegraphed upon the banking-house of Scott, Williams & Co. for it?

Answer. I do not know the fact.

Question. Was that rumored?

Answer. Yes, sir.

Question. Williams of Charleston was connected with that rumor?

Answer. Yes, sir.

Question. You say that legislative corruption commenced in 1868?

Answer. So far as my knowledge goes.

Question. Was that the time the negro first came into the legislature?

Answer. Yes, sir.

Question. And then the rumors of corruption commenced?

Answer. Yes, sir. I do not want to be understood as saying that simply because the negro was there corruption commenced.

Question. I am not asking your inferences, but the fact is that the reports and impressions and rumors of corruption commenced in the legislature of 1868?

Answer. Yes, sir.

Question. Another fact is that that was the legislature in which the debut of the negro occurred as a legislator?

Answer. Yes, sir.

Question. You were asked by the chairman whether in this region the republicans are not universally denounced by democrats, and you say no?

Answer. No, sir; not because they are republicans.

Question. If a man living here is a republican, and is a respectable and honest man, he is not necessarily denounced by the democrats because he is a republican?

Answer. No, sir; no such thing occurs.

Question. But there is a class of republicans that the democrats do denounce?

Answer. Yes, sir.

Question. What are they called?

Answer. They are known by the name of scalawags here.

Question. There is another class in juxtaposition to them, known as carpet-baggers?

Answer. We are not troubled with many of them. Mr. Poinier is the only one here.

Question. This is a democratic county, and there are not many offices to be got here?

Answer. Yes, sir; and both parties have considerable antagonism to the carpet-bagger—the native republican and the native democrat.

Question. The senator asks you also whether it is not unusual to select men, out of the opposite political party to fill the offices, and you say it is not unusual?

Answer. It is not unusual for us to pick out men, for one party to appoint men from the other party. It is unusual for us to take them strictly as partisans. We do not appoint a man to position strictly because he is a democrat or republican.

Question. You are speaking now of what you would do, but the question is whether it is not unusual anywhere for one party in the majority to fill the offices out of the other party; and you answered yes.

Answer. It is unusual as a general thing.

Question. But that is where a different state of things must necessarily exist, is it not? Take, for instance, a party like the republican party of South Carolina, made up exclusively of low, ignorant negroes, where there are not intelligent men in the country among them to fill all the offices. Then ought it to be unusual for that party to look to their opponents to get men in office?

Answer. No, sir.

Question. Do you think they ought to do it?

Answer. I think that the matter of qualification ought to be regarded where it was known that the men of the party in power were incompetent; where a competent number could not be found in the party in power to fill the offices. In that case wisdom would indicate that we should select from the other party.

Question. Wisdom and justice both?

Answer. Yes, sir.

Question. While in another State, like Pennsylvania, where there are two great parties, each of which embody a large number of competent men, much larger than the number of offices, men of high intelligence and qualification, it is not unusual nor unexpected that the party in power should select good men out of their own party, is it?

Answer. My understanding is that in those cases they always stick rigidly to their party, having good men in both parties.

Question. But is not South Carolina a most extraordinary exception to that rule?

Answer. Certainly it is; because if you take the republican party in South Carolina, drawing party lines rigidly, ninety-nine out of a hundred of them are not fit to hold the offices, or administer them either for themselves or anybody else.

Question. In other words, you cannot find in the republican party in South Carolina enough men of integrity, ability, and intelligence to fill the offices?

Answer. No, sir.

Question. Because nine-tenths of the republican party are ignorant negroes, an ignorance for which they are not responsible?

Answer. Very few white men, comparatively, belong to the republican party in South Carolina. There are more in this mountain and Piedmont country than anywhere else. You do not find them below, except in large cities. In Laurens and Newberry I should say there were not twenty-five white men identified with the republican party.

Question. Will you state what effect the order of Governor Scott to arm as high as fourteen or fifteen full regiments of negro men, at the same time denying arms to white men, had upon the feelings and fears and apprehensions of the people of South Carolina?

Answer. It had considerable effect. It alarmed them to such an extent that in various localities they kept guards at night and were afraid to go to sleep. The roads were picketed.

Question. What is the natural disposition and character of the negro in South Carolina, as you find him just emerged from slavery and wholly ignorant? Would not the sudden placing of arms in their hands make them arrogant, defiant, and reckless?

Answer. Yes, sir; they are of that character of people that their passions are very easily wrought upon.

Question. Would the very fact of placing arms in their hands as organized bodies by the government be very suggestive to them of how they should use them?

Answer. No, sir; they have not the slightest idea of what use they are to make of them.

Question. What idea have they, or would they have, under such circumstances?

Answer. Whatever unscrupulous and designing men would tell them to do—men in whom they had confidence.

Question. Have there been many such men in South Carolina?

Answer. Yes, sir; a good many.

Question. Is there a county without them?

Answer. No, sir;

Question. Is there a single county in South Carolina without its carpet-bagger or carpet-baggers, more or less?

Answer. No, sir; and not a single county without its scalawag, as we call them; not one.

Question. What would be the danger in a great question of politics, like that which we are now examining, with a body like those negroes to be brought as witnesses where there were in the county seat, say, three or four active, unscrupulous, ambitious partisan men? What influence would they have over those negroes if they choose to exert it?

Answer. They could make them do anything they saw fit to do.

Question. If the negroes were impressed with the idea that those men were their great and special friends, would they still have greater influence over them?

Answer. Yes, sir; and these men could induce them to assassinate the country, the whole country, if they had any assurance that they would be protected in it, and made to believe at the same time that their rights were involved and this was necessary to secure it.

Question. How would it be as to the character of witnesses if they were brought to testify, should these men undertake to take hold of them?

Answer. I should take their testimony with a great deal of allowance. I should judge it carefully, taking into consideration all the circumstances surrounding, and all the influences bearing upon them.

Question. Did your legislature adjourn in March last?

Answer. Yes, sir.

Question. About what time in March?

Answer. A few days after the 1st, probably the 5th, 6th, or 7th. I reckon it was about the 6th or 7th. I think we were to have adjourned on the 1st, and it was postponed until the 7th.

Question. From the 1st to the 7th you were very busily engaged, sitting day and night, to close up business by the 7th?

Answer. Yes, sir; the most active time we had was in the latter part of the session.

Question. Did you not, every night, have a night session until 11 o'clock?

Answer. Yes, sir; during some nights until after 12 o'clock, and until 3 o'clock probably.

Question. Right in the midst of this pressure of legislative business and long sittings I find this singular entry: that the joint resolution about Baker was taken up and put upon its second reading. A discussion ensued, and at 11.30 a. m. the speaker declared the house adjourned until 7 p. m. That seems to have been March 4, 1871.

Answer. I would like to make a statement in connection with the resolution for Baker. L. A. Baker had introduced a bill for indemnity for burning a little log-house, a store, which he said was burned because of his politics. It was investigated. He was a man who induced the negroes to bring in cotton, and somebody burned him out. About \$300 was the amount of the loss. He introduced a claim for \$12,000, and I was disposed to dispute it and defeat it, and it was voted down. The night previous we sat until

12 o'clock. There were only a dozen members perhaps, but I made it a point to be always there, as there were matters of that kind being pressed, and I raised the point of order the day before, and it came up for discussion that morning and was defeated. I learned from rumor that the parties present were to get 50 per cent. of it, as they had in most of the claims. They were to have 60 per cent. for the building at Cedar Springs; they only paid 30 per cent. on the indebtedness. The parties who purchased it would not report on the claim until they could buy it for 30 per cent., and then they charged the estate the full amount. This was a claim of the same character.

Question. Now that you have finished the Baker matter, will you state why it was that in this pressure for time upon the legislature in order to get through their legislative business by the 7th of March—why was it that that evening, pending that resolution, the house adjourned from 11.30 a. m. to 7 p. m.?

Answer. Let me see the journal and refresh my mind. [Examining journal of house, March 4, 1871, page 590.] That was the day that they adjourned for a horse-race, according to my recollection.

Question. Was that stated on the floor?

Answer. Yes, sir; that statement was made. Some one opposed the adjournment on the ground that we had no right to adjourn for horse-races.

Question. That question was mooted right there?

Answer. Yes, sir.

Question. What horse-race was it?

Answer. I don't know who the parties were, except that Moses's mare was to run.

Question. Who was Moses?

Answer. Frank Moses, jr., the speaker of the house of representatives. The report was that his mare was to run.

Question. You did not go to the race?

Answer. No, sir.

Question. Was it not expressly stated that Moses's horse was to run that afternoon?

Answer. I don't know that it was expressed.

Question. Whose was the opposing horse?

Answer. I don't remember.

Question. Did it belong to a colored man named Whipper, a colored member also?

Answer. His horse sometimes ran. I do not know whether it was then or not.

Question. Did you hear what the stakes were they ran for?

Answer. Some lost for a thousand, some for five hundred.

Question. What was the stake on that horse?

Answer. A thousand dollars.

Question. Who lost?

Answer. Moses's nag. What makes me think of it is the circumstance afterward. I inquired at the end who won. They said he was beaten, and I said Frank Moses didn't have the opportunity of counting or he would not have come in behind. I referred to the consolidation bill, where we believed he outcounted us.

Question. Whipper ran his—a negro member who had a horse that ran?

Answer. Yes, sir.

Question. You do not know whether he ran on that day?

Answer. No, sir; I do not remember particularly.

Question. Is there any other member named Whipper in that house?

Answer. No, sir.

Question. I see here a resolution which was introduced on the last day by Mr. Whipper, and adopted, page 627: That the house vote the Hon. F. J. Moses, speaker of the house of representatives for South Carolina, a gratuity of \$1,000, as a recognition of the able manner in which he has discharged the duties of the chair; Mr. Boston moved to reconsider; Mr. Whipper moved to lay the motion to reconsider on the table; on which the yeas and nays were taken, and resulted, yeas 49, nays 29. How do the democrats stand there, in the negative?

Answer. I do not see many of them here. There is a very slim attendance. Doyle, Dusenberry, Hagood, myself, and Wilson are all the democrats that voted in the negative. There are none, I think, in the affirmative.

Question. Are you sure?

Answer. I know the democrats.

By Mr. STEVENSON:

Question. How many democrats were there in the house?

Answer. I think we had fourteen. We had, originally, sixteen, but they turned out two from Chesterfield so as to secure a constitutional vote to carry the Greenville Railroad consolidation bill.

By Mr. VAN TRUMP:

Question. Although this resolution is worded as being a gratuity for the able manner

in which he discharged the duties of the chair, what was the public impression there at the time?

Answer. I do not know that I heard.

Question. Did not you know right away?

Answer. Yes, sir.

Question. Have you heard what was the general impression at Columbia?

Answer. No, sir; I am remote from there. I only get the mail once a week.

Question. If you have anything you want to say, or any new fact you think of, you can now state it.

Answer. I do not know as I have any other material fact. I have been connected with politics for two or three years, and have observed a good deal; but I do not think of anything more now.

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 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 on 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.

By the CHAIRMAN:

Question. You have been asked a question which assumed that the republican party in this State has not got intelligence enough, either among whites or blacks, to fill all the offices. In testifying here upon your oath do you state that as the fact, and as applicable all over the State?

Answer. As far as my knowledge goes, taking my county for precedent.

Question. That there are not, in that whole party, enough men of intelligence and integrity to fill the public offices?

Answer. Not to fill them as they ought to be.

Question. You say that of the whole State?

Answer. I say it of the State, taking my county as an instance; and we have more white republicans, and the presumption is, more intelligence among them here than in other counties.

Question. Do I understand you to say that there are not in this county enough men of intelligence and integrity in the republican party to fill the offices?

Answer. Yes, sir; that would aspire to office.

Question. Are there not republicans enough here of integrity and intelligence and capacity to fill the offices?

Answer. I would say positively that there is not.

Question. Do you then say that all the public officers who are republicans in this county are corrupt and dishonest men?

Answer. I would not say that. There are some good men in the republican party in this county in office, men that are honest.

Question. The question was put to you in reference to the character of those negroes who were here testifying, assuming that they had been in the hands of four or five active, ambitious, unscrupulous men—and I will ask there, is that the character of any of the republican officers of your place here?

Answer. I should so designate them?

Question. Let us know who they are?

Answer. I would take William McGill Fleming as a man unscrupulous in every sense of the word, and Enoch Cannon, the postmaster.

Question. Who else?

Answer. Casey is reported as not a very square man, but I have had no dealings with him.

Question. He is marshal?

Answer. Yes, sir. I have never heard anything alleged against the official acts of Franklin Camp as county treasurer, but I have against his bondsman, who assumed charge of it. Mr. Cummings stood his security on the bond and consequently took charge of it. I have heard a great deal of complaint against him.

Question. Among the men that you have named, do you know that any of these men have been undertaking to influence these witnesses?

Answer. I do not know it as a positive fact.

Question. Do you know it as a fact at all?

Answer. I have heard such rumors.

Question. You have heard such rumors?

Answer. No, sir; I wouldn't say that. I have not heard these specific men pointed out, but I have heard that the witnesses were going through a packing process.

Question. Who did you hear that from?

Answer. It was just rumor upon the street.

Question. And this was within a day or two? As this whole investigation affects the character of your county, I want to know the name of the man who said that.

Answer. I think L. M. Gentry made such a statement as that; I do not know whether he stated it as a fact or as a rumor.

Question. Did anybody else state it as a fact?

Answer. I have heard it talked of but couldn't come down specifically to the man.

Question. Do you know as a fact that anybody, either connected with this committee, or any of your citizens, has undertaken to induce any negro here to state anything else than the truth?

Answer. I don't know it as a fact.

Question. Is it a fact to your knowledge?

Answer. No, sir; to my knowledge it is not a fact, because I have not taken any interest in it.

Question. Do you not know as a fact that Mr. L. M. Gentry himself has spoken to

more of the negroes to know what their testimony would be, or to as many of them, as any other white man in town?

Answer. No, sir; I have not seen him speak to a single man.

Question. Has he not been in attendance at this house, and as a member of a committee appointed by the democrats of this place to see after this investigation?

Answer. I do not know as to that fact; I have seen him about the hotel here.

Question. Conceding that it is entirely proper that somebody should locally attend to the business here, has not that been his business?

Answer. That is my understanding, that his business was to be here to introduce some witnesses.

Question. To look after the outside matters?

Answer. Yes, sir.

Question. Was not that to ascertain what the negroes were to swear to as witnesses?

Answer. No, sir; I would think he was more sensible than that, because he would not get anything out of them.

Question. I do not know how that is, but one or two of them have testified that he did speak to them.

Answer. I would not have attempted such a thing.

Question. Why not?

Answer. Because I know the negro's nature and the influences brought to bear upon him generally in matters of this kind.

Question. What are they?

Answer. It would be hard to tell all of them. I have heard rumor but could not trace it, and cannot give my authority. I have heard a rumor that a report has been circulated here by the marshal that every negro that would come here and swear to a Ku-Klux should have \$2 a day.

Question. You have heard that rumor?

Answer. Yes, sir.

Question. Rumors of that kind are started here, are they?

Answer. I have heard that.

Question. Who is given as the authority for that?

Answer. I have given no attention to it.

Question. You heard that the marshal had said that?

Answer. Yes, sir.

Question. Do you give that the color that the marshal offered that as an inducement for the negroes to come, or that the marshal was giving information of what is the lawful pay of witnesses?

Answer. I could not say as to that; nor can I say the marshal has used any undue influences. Mr. Casey is a gentleman I have had but little association with.

Question. Has there not been a studied effort to undervalue and attack any testimony given here in regard to these outrages in this county?

Answer. Not that I know of. I have only talked with two or three on that side. I have talked with Colonel Cannon.

Question. Have you not heard surprise expressed that there are so many whippings proven here; that they did not believe them as they had never heard of them?

Answer. Yes, sir; and to be candid, we, in our end of the county, do not believe it.

Question. Notwithstanding the negroes swear to it?

Answer. That is no strange thing.

Question. And in many instances show their backs where they had been whipped?

Mr. VAN TRUMP. In how many instances?

The CHAIRMAN. Where one had his ear cut, and another showed the ball with which he had been shot, and another offered to take off his coat, &c.

Answer. Unless there was something to test the age of the scars, they might have been received in slavery times. Five hundred cases is the number reported to have been found here.

Question. Has there been surprise expressed at the number that have been found here?

Answer. Yes, sir. I do not know about the town, but the report to us in our part is five hundred, and we do not give credit to it.

Question. But I am speaking of the number who have actually been here?

Answer. I do not know what they are.

Question. Have you not heard surprise expressed here in Spartanburgh that there should have been so many here in this part of the county?

Answer. No, sir; I never heard about it.

Question. You spoke of two classes here, of whom carpet-baggers was one?

Answer. Yes, sir.

Question. You say you have but one here?

Answer. Yes, sir.

Question. Mr. Poinier you named as one

Answer. Yes, sir.

Question. He came here, as I understand, to marry a wife, did he not?

Answer. I have heard that rumor, but I am not acquainted with his domestic matters.

Question. Coming here without any intention of taking any office in the first instance?

Answer. I know he got an office very quickly after he changed.

Question. Do you not know that he was induced here to take the office at the instance of those who could not hold the post office?

Answer. I do not know that.

Question. Still, whatever his motive in coming here, he is styled a carpet-bagger?

Answer. All who have drifted here are recognized as carpet-baggers. He was recognized as a carpet-bagger while he was in the democratic party in 1863, and did active service in that campaign, and but for the fact of his being a carpet-bagger, he would have been nominated for Congress; but that was to his prejudice, being a carpet-bagger.

By Mr. VAN TRUMP:

Question. They thought he came here merely as an adventurer?

Answer. I suppose so.

By the CHAIRMAN:

Question. Another class you mentioned was the scalawags?

Answer. Yes, sir.

Question. That term you apply to the native South Carolinians?

Answer. Yes, sir.

Question. To those who join the republican party?

Answer. Not necessarily because they are republicans.

Question. Why not?

Answer. Because there are some clever men in the republican party.

Question. What do you call such a man?

Answer. I call him a republican. I never heard a definition of the word "scalawag," but my idea is that he is rather a dirty kind of character that drifted off among the negroes to use them to aggrandize himself.

Question. Is it not a fact that every native white man who identifies himself with the republican party actively, is called a scalawag?

Answer. I do not know that it is so broad as that. I have always understood the word scalawag to apply to a dirty fellow.

Question. Is it not used as a word of reproach against some of the best men in your State, because they joined the republican party?

Answer. I will not say that; the simple fact of joining the republican party has never brought reproach upon any man; it has been his acts anterior to that and subsequent that did it.

Question. Still you think there is not political feeling here or in other parts of the county that has led these parties to array themselves against each other?

Answer. No, sir; I do not think these acts of domestic violence have their causes in politics.

Question. I am not speaking of acts of violence, but of this bitterness of feeling that leads to charges against parties.

Answer. It is not from the fact that they are republicans that there is bitterness against them, but their acts after they enter the republican party; there are some republicans in this place against whom I hear nothing; but the man who joins that party runs the risk at once of being stigmatized; it depends entirely on his acts. The time has passed for men joining the republican party here without reproach attaching.

Question. I thought so.

Answer. But those who first went into the party and acted respectably are respected; but the republican party of this State has conducted itself in such a manner that it has brought odium upon itself, not only from the democratic party, but all thinking men of its own party; and whenever a man who has been actively engaged in the democratic party turns over to the republican party, he is immediately suspected of a selfish motive, and we imagine, taking into consideration all the circumstances, that he has placed himself in a very good position to become a very bad man.

Question. In other words, no native South Carolinian now can join the republican party here and get credit for honesty of purpose. Is not that the real state of feeling?

Answer. He could not do it; it would be a moral impossibility for him to do a thing of that sort, and then have the respect of the republican party. He has fought it too long and too bitterly.

By Mr. VAN TRUMP:

Question. In the present corrupt condition of the republican party, it would be considered a bad time to leave the democratic party and go into the republican party?

Answer. Yes, sir; a great many would leave the democratic party, but are afraid to

Question. I will read to you a definition of carpet-bagger by a very distinguished man, and ask if you consider that a fair description of the men coming here from the North simply as adventurers, mixing with the negroes and getting office:

"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 suttlers' 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."

"These fellows, many of them long-faced, and with eyes rolled up, are greatly concerned for the education of the blacks, and for the salvation of their souls. 'Let us pray,' they say; but they spell pray with an 'e,' and, thus spelled, they obey the apostolic injunction to 'pray without ceasing.'

"The time has been, and still is, when it was perilous to be known as a republican or an abolitionist in the South; but it never called the blush of shame to any man's cheek to be so called, until these thieving carpet-baggers went there—never! They got into the legislatures; they went to issuing State bonds; they pretended to use them in aid of railroads and other improvements. But the improvements were not made, and the bonds stuck in the issuers' pockets. That is the pity of it."

That is a definition by the Hon. Horace Greeley. Is that correct?

Answer. He is nearer right than any man I ever heard describe it before; but they are not all of that character.

Question. They are coming here and mingling with the blacks to get advantage thereby?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. I understood that Mr. Poinier was characterized as a carpet-bagger when he came?

Answer. Yes, sir.

Question. And is yet?

Answer. Yes, sir.

Question. After he married here he coöperated with the democratic party until when?

Answer. Well, during the last presidential canvass he coöperated with them; I don't know that I could state definitely when he bolted.

Question. Since he became a republican what office has he held?

Answer. He was appointed trial justice. I think he was United States commissioner previous to his turning and afterwards.

Question. Then he has got no office by favoring the negroes?

Answer. I don't know that he has.

Question. Do you not know that instead of making money he has been losing it in publishing his paper here?

Answer. I do not know that.

Question. Do you suppose that such a paper as that makes any money?

Answer. I have not the most distant idea of printing, or what amount of circulation it would require, or what it would cost, or anything about it. He got his position as a magistrate, I believe, upon my recommendation, or as a trial justice. He took all the offices he has taken by appointment.

Question. And at the request of democrats?

Answer. I would not say that.

Question. He took that one at the request of a democrat?

Answer. Yes, sir; and I think I recommended him for some other position.

Question. Did he not take the post office at the request of a democrat?

Answer. I do not know. I do not live in town.

Question. My information is that he has taken all that he holds at the request of men of both parties.

Answer. That may be true.

Question. You were a member of the legislature elected in 1868?

Answer. Yes, sir.

Question. How many democrats were elected to the house in that legislature?

Answer. I think on joint ballot we had either eighteen or twenty, and I think there were six senators.

Question. What counties elected democratic members to the house in 1868?

Answer. There was Spartanburgh, Pickens, Anderson, Lancaster, and Horry.

Question. What is the name of the member from Lexington?

Answer. In 1868 we had none in the commencement of the session. There was Lewis

and Purvis. Lewis resigned and was succeeded by a democrat. F. S. Lewis was a democrat and I think was on the medical committee with myself.

Question. You spoke of this phosphate bill. I find it was not passed in 1869, but in the spring of 1870.

Answer. Yes, sir; in March, 1870, over the governor's veto.

Question. What was the objection to that bill?

Answer. The first objection to the bill, as I understood it, after it was canvassed, was that the word "exclusive," giving them the exclusive right, was objectionable—so much so that it could not pass the senate. I do not know whether that was prior to its passing the house or not, but the question had never been raised until then. I think at the instance of Mr. Corbin it was stricken out; it is my impression that it was him. The first impression among the members was then that there was no objection to the bill, though the bill had not been thoroughly investigated until the governor vetoed it and set forth those facts, which produced quite a change in the ideas of members and put them upon a thorough investigation. The consequence was, I think, that a good many who voted for it on its first passage failed to vote for it finally.

Question. They claimed that the effect of the bill was to make it as exclusive as if that word "exclusive" had been retained?

Answer. Yes, sir.

Question. Since that the legislature has passed other bills giving rights of that kind?

Answer. Yes, sir; but I think that is a question now before the judiciary. The first legislature claimed the power to grant the exclusive right.

Question. But they have since passed other bills?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Has not the attorney general given his opinion that the phosphate bill confers an exclusive right and that it was conferred by that bill which passed over the veto?

Answer. Yes, sir; I so understand it.

By Mr. STEVENSON:

Question. But the legislature does not so construe it?

Answer. No, sir; it seems so, from their action at the last session.

Question. Do not you remember that you voted for the bill yourself on its original passage?

Answer. I did.

Question. It passed by a vote of 92 to 7?

Answer. Yes, sir; I voted for it. I understood that the objectionable features of the bill were stricken out.

Question. I find on pages 447-8 of the journals of the house of representatives for February 24, 1870, that the bill "to grant to certain persons therein named and their associates the right to dig and mine in the beds of the navigable streams and waters of the State of South Carolina for phosphate rocks and phosphate deposits" was passed—yeas 92, nays 7?

Answer. I voted for that in order to develop the interests of the country.

Question. Do you know any democrats who voted against it on its first passage?

Answer. I do not know that I do, because no question had been raised at that time.

Question. How did it pass the senate on its first passage?

Answer. I do not know. I heard there were objections raised in the senate, and Mr. Corbin modified it in order to give satisfaction. My recollection is that he moved to strike out the word "exclusive."

Question. Did any democrats vote against it on its passage in the senate?

Answer. I do not know.

Question. Is Mr. Arnim?

Answer. I believe so.

Question. Was not Mr. Foster?

Answer. Yes, sir; Reid and Rodgers—four republicans and three democrats then.

Question. You say after the governor vetoed it money was sent there?

Answer. That was the impression. I did not see it. It was talked of unblushingly. I think you will see my protest entered there on the passage of that bill over the veto.

Question. Do you give that reason?

Answer. Yes, sir.

Question. That corruption appeared?

Answer. Yes, sir.

Question. Did you enter a protest upon that ground?

Answer. Yes, sir. I do not know whether it is on the journals.

Question. On the vote to pass it over the veto of the governor, I see (senate journal March 1, 1870, page 516) that you and your associates from this county changed your votes; then Mr. Bryant, Mr. Littlejohn, and yourself voted against it?

Answer. Yes, sir.

Question. I will call your attention, now, to those who voted against it. What is the general impression there about Moses, the speaker, this horse-racer, as to whether he is in these jobs or not? I desire an answer to the question, direct. What is the rumor?

Answer. Do you mean public rumor outside or inside?

Question. Both.

Answer. Well, the public rumor outside and inside is that he is connected with many of these jobs?

Question. And open to corruption?

Answer. That is the rumor. I have heard members charge it, but I have never seen any act of Moses himself to satisfy me it is so. I never saw him receive a bribe or have one offered. He did appoint committees that caused us to suspect something.

Question. If this story is correct about a thousand dollars being given to make up his loss on a horse-race, it would be evidence against him, would it not?

Answer. It would if that is true.

Question. Who is Bosemon?

Answer. He is a member from Charleston; a colored man; a physician.

Question. Who is Brodie?

Answer. He is a republican.

Question. Who is Clyburn?

Answer. A democrat from Lancaster.

Question. Hagood?

Answer. He is a democrat from Pickens.

Question. Jenks?

Answer. He is a republican from Charleston.

Question. D. J. J. Johnson?

Answer. He is a republican. I do not know what county he was from.

Question. Jervay?

Answer. A republican from Charleston.

Question. Kuh?

Answer. He is from Beaufort.

Question. William McKinlay?

Answer. From Charleston; a republican.

Question. McIntyre?

Answer. He is from Colleton; a republican.

Question. Who is Moore?

Answer. I do not know whether there are two or not. There was one John Moore, who was a democrat.

Question. Neagle?

Answer. He was comptroller general and was from York. He was then comptroller general and a member of the legislature also.

Question. Are there any rumors affecting his integrity?

Answer. There always have been since 1868.

Question. Pettingill?

Answer. He is a carpet-bagger from Williamsburgh.

Question. A white man and a republican?

Answer. Yes, sir.

Question. Stewart?

Answer. Stewart was a democrat from Lancaster.

Question. Stoeber?

Answer. Stoeber is a republican. I don't remember his county.

Question. A white man or black man?

Answer. White; a German.

Question. Stolbrand?

Answer. From Beaufort; a white man and a republican.

Question. A carpet-bagger?

Answer. Yes, sir; superintendent of the penitentiary.

Question. Robert M. Smith; that is yourself?

Answer. Yes, sir.

Question. You never heard of any notorious charges against yourself?

Answer. I did during the canvass; some very serious ones.

Question. Shrewsberry?

Answer. He is from Chesterfield.

Question. What is he?

Answer. A colored man and a republican, said to be an honest man.

Question. Wilson?

Answer. Wilson is a white man, a democrat from Anderson.

Question. Wilder?

Answer. A colored man from Richland.

Question. Woolley?

Answer. A white man and a republican, from Edgefield.

Question. A carpet-bagger?

Answer. I think not; I think he is a hatter by trade.

Question. A scalawag?

Answer. I do not know whether his actions have been such as to warrant that epithet.

Question. Then a large majority of these were republicans, and many colored men?

Answer. Yes, sir.

Question. And some carpet-baggers?

Answer. Pettingill and Kuh and Stolbrand and Jenks were carpet-baggers.

Question. Were not several of these from Charleston?

Answer. I do not think any but Jenks were.

Question. Among them are Moses and Neagley. Are any of the others that I have named men against whom charges have been brought? I will read that list again: Bosemon, Brodie, Clyburn, Hagood, Jenks, Johnson, Jervay—

Answer. Jervay was charged, in his action in relation to the claim of Jenks, that it did not comport with his former history. He opposed the claim for a good while, and then turned over; and he was branded by some of the public press also.

Question. Kuh, Littlejohn, McKinlay, McIntyre—

Answer. He is considered very corrupt, and was called one of the "forty thieves."

Question. Moore, Pettingill—

Answer. I do not know that I heard anything against him.

Question. Stewart?

Answer. Nothing against him.

Question. Stoerber, Stolbrand—

Answer. Nothing against him.

Question. Shrewsberry—

Answer. He was recognized as an honest man in the legislature and out of it.

Question. Wilson, Wilder, Woolley—

Answer. I never heard anything charged against them.

Question. Have these charges of corruption affected the reputation of the governor?

Answer. They did at a time. It was thought he was connected with some of these things, in the passage of some of them. In the passage of the Sterling fund bill it was thought that the governor was going to make something out of that, and a couple of bills relieving the treasury of a couple of millions that he would make money, and his strict adhesion to the Blue Ridge Railroad made people think so.

Question. How do you account for the fact if there was \$60,000 to corrupt the legislature that such men as I have named withstood that phosphate bill and voted against the bill?

Answer. Men have different prices, and Hurley would buy the cheapest. A good many of these men would be terribly hard to buy. Men against whom corruption has been charged have made a considerable pile.

Question. That is the way you account for it?

Answer. Yes, sir. If they are corrupt, those against whom corruption has been charged.

Question. How do you account for finding yourself in such company as the governor and Moses and Neagle, and some others that we have named?

Answer. I account for it in this way: that even bad men sometimes do right, and when they do right and go with me I do not fall out with them. Their going in that direction, and my going that way, is no evidence that we were right.

Question. You are mistaken, I think, as to your protest. It does not show any charge of corruption at all.

Answer. If it has not been garbled it does. I have a copy of it at home. Will you read it?

Question. I will.

"I desire to record my vote against the passage of the phosphate bill because—

"First. It is a monopoly, and inconsistent with the political institutions of our government.

"Second. Because it will deprive thousands of workingmen of the enjoyment of those benefits which they have heretofore enjoyed as the result of honest labor in the rivers of the State.

"R. M. SMITH."

Answer. That has been garbled. My second position or second reason was, "because it is known"—I am giving my recollection, not stating it verbatim—"because it is known upon this floor that money has been used by the thousand," or something to that amount. I have it at home in the morning journal. I can produce it.

Question. I would be obliged to you if you would produce that.

Answer. I will do so, and can produce it in the morning papers of the State. That has been garbled. I can say positively that that has been garbled. I am glad that

this has been brought up. That was no uncommon thing, and sometimes protests were rigidly stricken out by the speaker of the house. He sat as umpire. I stated three reasons, and one was that thousands were expended in carrying the bill.

Question. As to this phosphate company, assuming that money was used there—and according to my opinion I do not consider it improbable, nor do I wish to palliate in any way the proceeding, but to know who was responsible for it—I have here the names of the corporators. Will you give us all the information you have on the subject? The act is found on page 381 of the Statutes at Large of South Carolina, being part first of the acts of the regular session of 1869–70. I will call over the names of the corporators. I presume that if the money was used, they furnished it. If you have any knowledge to the contrary will you state it?

Answer. I have no knowledge that money was used.

Question. If money was used, it is to be presumed that the corporators furnished it?

Answer. Yes, sir, undoubtedly.

Question. George W. Williams—who is he?

Answer. A commission merchant, a cotton factor of Charleston, a very wealthy man, a Scotchman.

Question. Charles S. Coa is next?

Answer. I think he is a Philadelphian.

Question. Do you know his politics?

Answer. No, sir.

Question. James H. Taylor?

Answer. I do not know his politics; I saw the man.

Question. Where is he from?

Answer. Charleston.

Question. An old citizen?

Answer. I could not say. I only saw him there in connection with the railroad at Columbia.

Question. Joseph R. Robertson?

Answer. I do not know him?

Question. Edwin Platt?

Answer. I do not know him.

Question. William L. Bradley?

Answer. I do not know him.

Question. James Bridge, jr.?

Answer. I do not know him.

Question. William Birnie?

Answer. I think he is a citizen of Charleston. I do not know where he has been formerly. My impression is that he is a Charlestonian.

Question. That is all the information you have as to these men?

Answer. Yes, sir. I do not know a single one of the corporators. I saw Mr. Coa at Columbia. I had no introduction to him. And I saw a Mr. Taylor—said to be Taylor—that I think is the same man.

By Mr. VAN TRUMP:

Question. Did not you understand that Coa had been a great railroad man in New York, a banker for railroads?

Answer. My understanding was that he was connected with fertilizing companies somewhere up North.

By Mr. STEVENSON:

Question. Who is the president of the Blue Ridge Railroad?

Answer. John W. Harrison, of Anderson County.

Question. Is he an old citizen?

Answer. I think so.

Question. A democrat?

Answer. I do not know his politics.

By Mr. VAN TRUMP:

Question. Do not you know that General Harrison is a republican?

Answer. I only know from rumor.

By Mr. STEVENSON:

Question. Do you know under whose management that railroad company was

Answer. Yes, sir; not who the directors.

Question. Did you hear of corruption alleged in any other matters during the term, besides this phosphate company and the Blue Ridge Railroad bill?

Answer. Yes, sir; in the Charleston and Savannah Railroad.

Question. Under what management is that?

Answer. Under Isaacs and this man Taylor too. Isaacs was there, whether an owner

or a lobbyist I don't know. I introduced a bill to extend the Spartanburgh and Union Railroad, and carried it through the House, but it failed in the Senate for want of money.

Question. Was there corruption?

Answer. It was defeated—the men I had to assist me—it was defeated for want of money. I never saw a dollar, and the president never said a word to me about the matter.

Question. Do you mean there was not enough, or there was not any?

Answer. I do not know that any money was used; but it was defeated in the Senate, and the statement was made to a friend of mine that it would take \$20,000 to put it through; but the thing stopped right there. I was informed by those who knew, that it would take \$20,000 to put it through.

Question. Is it not generally understood and admitted, that to a great extent the corruption of the legislature has been introduced by the old citizens of South Carolina, interested in various measures and jobs, furnishing the money to corrupt the legislature?

Answer. No, sir; I would not say that. I do not think that to be true.

Question. To no extent?

Answer. To a limited extent, I expect it has been so. I think J. W. Harrison paid some money to get a favorable report from the committee in regard to his railroad.

By Mr. VAN TRUMP:

Question. Who is he?

Answer. President of the railroad; living at Anderson.

Question. Do you claim him as a democrat?

Answer. No, sir; but he is an old citizen, and I was asked about old citizens.

By Mr. STEVENSON:

Question. And this phosphate company, as far as you know them, were old citizens?

Answer. Yes, sir; as far as I know them. I think George W. Williams is.

Question. Have you ever heard of any of these men who are charged with corrupting the legislature having been visited by Ku-Klux?

Answer. I do not know that I have. I think, though, that if the Ku-Klux would do their duty, they would strike somewhere there.

By Mr. VAN TRUMP:

Question. Do they live in the Ku-Klux region?

Answer. No, sir; they live in the low country, where the combined causes that produced Ku-Kluxism do not exist.

By Mr. STEVENSON:

Question. Is there a large negro population there?

Answer. Yes, sir.

Question. Is there not just as much corruption in office there?

Answer. Yes, sir; but that has not been the absolute cause. The antagonism of labor has had a great deal to do with this thing.

Question. Has there not been an antagonism of labor there?

Answer. No, sir; not a great deal.

Question. Are there poor white people in those pine woods?

Answer. Yes, sir; but not so many.

Question. Enough to make Ku-Klux bands?

Answer. I don't know.

Question. Four or five in a band?

Answer. Possibly; but it may be that there are land-owners enough to supply the demand of this poor class of people, and there are no cases there. In this country the old land-holders and slave-holders have generally retained their former slaves on the place, and treated them kindly. Consequently there is a considerable antagonism between the poor laboring class and the negro.

By Mr. VAN TRUMP:

Question. It is not only a question of labor, but of social caste?

Answer. To a considerable degree, it is; because, under our present system and constitution, they look upon it that they are placed upon hardly an equality with the negro, and instead of holding that position above the negro which they once occupied, they are placed below him in several instances.

By Mr. STEVENSON:

Question. Upon such a theory as that, how would you account for such a case as this where the Ku-Klux whipped a man and a woman, and a whole family, perhaps, and told them it was done because they did not make good hands, and they must work better?

Answer. I have never heard of such an instance.

Question. Suppose such a case.

Answer. If such a thing as that was to occur, I should think that they imagined that there was no redress before the law to protect themselves, and that these parties were in debt to them, and probably stealing; and without sufficient manual labor the proprietor would not come out even.

Question. That might be done in the interest of the proprietor?

Answer. Yes, sir.

Question. That would not be done in the interest of the laboring class?

Answer. No, sir.

Question. Suppose a man should be whipped and told that if he left his present employer he would be visited again and punished for it?

Answer. I would not know for what a thing of that kind could be done.

By Mr. VAN TRUMP:

Question. Can you pretend to account for all the vagaries of Ku-Kluxism?

Answer. O, no, sir; I can only give my reasons. I know that there is a strong antagonism existing between the two races, and a large amount of it is in consequence of the fact that the poor man thought his children would be forced into equality with the negroes in the schools, knowing that the rich man could employ a private teacher. Under the constitution of the State it is provided that there shall be compulsory means to force all parties to school under sixteen, without regard to race. That became a very sensitive matter with the poorer class of people.

By Mr. STEVENSON:

Question. Have there been any mixed schools established by law?

Answer. No, sir.

Question. When were the common schools established?

Answer. In 1863 or 1869.

Question. Then that apprehension ought to have been dissipated before this?

Answer. Yes, sir; but the people have learned generally that they have only evaded the requirements of the constitution for the present; for I heard it proclaimed upon the floor, and upon the stump, that these things would be. But I do not think that Ku-Kluxing now has to a great extent arisen from that fact alone. It has been a combination of circumstances, but that has been a very sensitive point with them. I have heard all grades speak of that.

Question. You have given your opinion as to the value of the testimony of the negro in testifying to the identity of a man by his voice or other circumstances. Do you believe that it is possible for negroes so to imitate the voices of white men as to deceive other negroes and make them believe that they were white men?

Answer. Yes, sir. If you understood the character and habits of the negro as well as I do, you would know that he is more adapted to mimicking than anybody else—more than the white man.

Question. Can they imitate the sound and disguise themselves as speaking a brogue in their talk and accent?

Answer. O, yes, sir; much more so than the white men can. That is a peculiar characteristic of the negro.

Question. You think that is possible?

Answer. Yes, sir.

Question. From your knowledge of the negro character, do you mean to be understood as assuming, or supposing, that all the negroes who come before this committee to testify may have been induced to commit perjury—to lie straight along?

Answer. I would not say they would all be induced to, but it is possible to induce them to do that thing, sir, especially if you use threats. They are the most sensitive race of people on that point. Their fear of a threat of personal injury is greater than their love of money.

Question. Then it is your opinion that any number of negro witnesses that might have been brought here, or may be brought here, might be induced to come here and swear falsely?

Answer. I would not say that of them as a mass, but I say men acquainted with the general character of the negroes in this county can pick out two hundred that they can manipulate.

Question. Could not two hundred white men in this county be found who would lie on oath?

Answer. Yes, sir; probably.

Question. Is it not part of the Ku-Klux regulation that a man shall deny that he belongs to it?

Answer. I do not know.

Question. Have you not heard that rumor?

Answer. I have heard it rumored.

Question. That they were required to swear for their order?

Answer. No, sir; not that.

Question. Have you not heard it was a part of their regulation to defend and protect each other from prosecution?

Answer. No, sir.

Question. On the jury and in the witness-box?

Answer. No, sir.

Question. And under all circumstances?

Answer. No, sir; I have never heard anything said in regard to that matter except upon one or two occasions, and that was a brother Mason in Columbia. He said he had heard that it was an obligation to be taken, but not so rigid, as he understood, as the Masonic obligation, and if you are a Mason you will know what that amounted to.

Question. Then the sum of the matter is, you know nothing at all of this organization?

Answer. Nothing, only from rumor.

Question. Is it not singular that such an organization should exist all over this county and you not know anything more about it?

Answer. I do not think it is singular at all, because it is generally known from the commencement that I was opposed to anything like violence or mob law, or anything of the kind. I have always been rigidly opposed to anything of the sort.

MR. VAN TRUMP. In asking that question Mr. Stevenson assumes that it is an organization all through this county, and you fail to notice that fact.

MR. STEVENSON. If the Doctor wishes to discredit that supposition he can do so.

THE WITNESS. That there is an organization? I stated some time back in the examination that my impression was that there were organizations, and I divided them into three classes.

By MR. VAN TRUMP:

Question. But all through the county?

Answer. I do not know whether I heard that part of the question. I did not mean to say entirely through the county.

By MR. STEVENSON:

Question. What part are they in?

Answer. In the northern and western parts, I have heard, and a great many have come from North Carolina.

Question. Do you believe that they have come from North Carolina?

Answer. I believe it as much as I believe they are in existence, because I got it from the same source.

Question. In the northern and western parts?

Answer. No, the northern and eastern parts, I intended to say. I have not heard of any in my part of the county, and I am very proud to state that in our box there has been no violence committed by the Ku-Klux that I have ever heard of.

Question. Where is Mount Zion precinct?

Answer. Across west of here, about sunset.

Question. Where is Beech Spring?

Answer. It is in Beech Spring Township, Spartanburgh County.

Question. Have you heard of their operating there?

Answer. No, sir.

Question. Do you take the democratic paper?

Answer. Yes, sir; but frequently our paper is irregular. I would more likely have seen it in the Daily Union.

Question. I find in the Carolina Spartan, the democratic organ published here, for February 2, 1871—

Answer. I was not here, I was in Columbia then.

Question. —an account of a public meeting held at Beech Spring, in which Mr. M. B. Chapman was called to the chair. Do you know him?

Answer. If it is Mark Chapman, I know him. He is a brother-in-law of the representative.

Question. Is he a democrat?

Answer. I suppose so. I am not prepared to say.

Question. At that meeting a committee to draft a preamble and resolutions was appointed consisting of R. Turner—

Answer. Randolph Turner.

Question. J. R. Frey, J. W. Wingo—

Answer. I do not know him.

Question. C. Thomasson, C. C. Turner—

Answer. There are two of them.

Question. J. J. Caldwell?

Answer. I don't know him.

Question. P. Chapman?

Answer. I don't know him by name.

Question. Are the Turners democrats?

Answer. Col. Turner is a republican and ran against me the last time; but C. C., the late representative, lives there, and I think he has a nephew of the same name.

By Mr. VAN TRUMP:

Question. Which ran against you?

Answer. The old one.

By Mr. STEVENSON:

Question. The older Turner lives right there?

Answer. Yes, sir; the other Turner also right close.

Question. They say:

"Whereas, in our opinion, the recent troubles so much talked of, of late, must have had their origin in certain organized political bodies known by the names of Union League and Ku-Klux: Therefore, be it

"*Resolved*, 1st. That we look upon such organizations as dangerous to the peace and quietness of the county, and propose to use our efforts to arrest all such organizations and bring them before the civil tribunal of the county, so soon as the judiciary is filled by officers competent to execute the law."

And yet you say you never heard of the existence of the Ku-Klux in the western part of this county?

Answer. I said they were in the northern and eastern part; but this does not state that anything of this sort exists over there. I can explain why that thing was gotten up. I now recollect it. When I came up home Christmas, a man named Anthony Johnson had been killed and there was a good deal of excitement in the country; and I being a representative of the people, together with Duncan—I do not know whether the other two members were present—it being sales-day, we were called upon to address the people on the duties of citizens, and we requested that there should be meetings of that sort held in various towns to turn public sentiment, and that is one meeting held pursuant to that action which we had taken. I think they were held in various portions of the county.

Mr. STEVENSON. The proceedings are reported in the Carolina Spartan of February 2, 1871. [They are as follows:]

"PUBLIC MEETING.

"A public meeting was held in Beech Spring School District, No. 2, Mount Zion Precinct, on January 21st, 1871, to consider the state of the country. Whereupon M. B. Chapman was called to the chair, and in a few brief remarks set forth our duty in the premises. After which he appointed a committee to draft a preamble and resolutions, consisting of R. Turner, J. R. Frey, J. W. Wingo, C. Thomasson, C. C. Turner, J. J. Caldwell, and P. Chapman, who set forth the following preamble and resolutions, as covering the causes of all the recent disturbances, and which were unanimously passed, after which the meeting adjourned:

"Whereas, in our opinion, the recent troubles so much talked of, of late, must have had their origin in certain organized political bodies, known by the names of Union League and Ku-Klux: Therefore, be it

"*Resolved*, 1st. That we look upon such organizations as dangerous to the peace and quietness of the county, and propose to use our efforts to arrest all such organizations and bring them before the civil tribunal of the county, so soon as the judiciary is filled by officers competent to execute the law.

"*Resolved*, 2d. That these proceedings be published in the Carolina Spartan.

"N. B. CHAPMAN, *Chairman*.

"R. TURNER, *Secretary*."

By Mr. STEVENSON:

Question. I see that you addressed a letter to Mr. Trimmier, the editor of this paper, January 18, 1871, which is signed by Senator Foster and Representatives Duncan, Smith, Wofford, and Lyle jointly?

Answer. Yes, sir; that followed just after our meeting.

Question. Will you look at that paper and say whether that is the letter?

Answer. Yes, sir; I signed that; I signed a paper similar to that. I do not remember the wording of it.

[The letter is as follows:

(From the Carolina Spartan, Spartanburgh, South Carolina, January 26, 1871.)

"F. M. TRIMMIER, Esq., *Editor Carolina Spartan*:

"We have read with gratification your editorial in the issue of your paper of the 12th instant with reference to the resolution unanimously passed by the public meet-

ing held on sales-day of January for the purpose of taking into consideration the outrages which have recently occurred in portions of our county. We would heartily indorse your suggestion, that the people of Spartanburgh County hold sub-meetings for the purposes contemplated in the resolution referred to, which meetings should be composed of all citizens, without reference to political opinion or past differences, embracing all who have an interest in the quiet and good order of the county. Surely this is no time to discuss past records. It is folly to engage in crimination and recrimination. Let those who are wholly innocent cast the first stone. A genuine and abiding peace can be attained only by the restoration of mutual confidence and trust between all classes, and we are sure this can be accomplished through the meetings of the citizens as suggested. As far as the executive can contribute to this end, by the appointment of good officers to administer the laws, he has given us assurances of his intention to do so. We know that the good people of Spartanburgh County will join, irrespective of party, in an earnest support of the laws and its officers in the legitimate discharge of their duties. In the discharge of this high duty the citizens cannot afford to be circumscribed by party lines or fettered by party sympathies.

"Let us all rise in this hour above the atmosphere which surrounds the partizan, and the work is already accomplished. We would reiterate your suggestions, and submit what we have said to the serious and honest consideration of our fellow-citizens, feeling assured that it will be received in the spirit in which we have written—in all sincerity and honesty of purpose.

"JOEL FOSTER.

"A. R. DUNCAN.

"R. M. SMITH.

"J. L. WOFFORD.

"J. BANKS LYLE.

"COLUMBIA, January 18, 1871."]

Question. What do you mean by saying in this letter, "Surely this is no time to discuss past records. It is folly to engage in crimination and recrimination. Let those who are wholly innocent cast the first stone?"

Answer. That was in regard to criminations. You see the political lines had been closely drawn, and a good deal of bad blood got up. Our ballot-box had been tampered with, and the whole country excited. I didn't draught that. Mr. Duncan did it. My impression is that we intended to have peace, to let these past differences go, and have all the good citizens meet and restore confidence among each other; but unfortunately cold water was thrown upon it. While I was making my speech in there, men outside were saying it would be worth nothing—men whose statements to the country now would seem to have required them at that time to have been parties to making peace. This followed that. We wanted them to drop all these things.

By Mr. VAN TRUMP:

Question. The political bitterness?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Does it not mean more than that; that nobody was to be prosecuted for the past, but that the past was to be buried?

Answer. Yes, sir; to bury the past, have no more persecutions.

Question. But what do you mean by persecution—arresting for Ku-Kluxing?

Answer. O, no, sir.

Question. Did you mean to expose the Ku-Klux Klan?

Answer. Yes, sir. When the box had been broken up, and such a desperate effort made to defeat us by these parties, it got their blood up, so we thought it was time to speak to them, and we would not have anything more to do with that matter, not to pass it, and it was dropped. The contestants dropped it.

Question. But how about the Ku-Klux?

Answer. I have not got through. Under this excitement there was at that time a kind of public sentiment indorsing the action of the Ku-Klux. We wanted to counteract that thing. That was my view in having the meeting at the court-house, to break down any public sentiment in favor of Ku-Kluxing.

Question. But did you mean to go back and dig up the Ku-Kluxing and punish the members?

Answer. Yes, sir; certainly we would have done that.

Question. Why is it not done now?

Answer. How could I do it? It is impossible; I was not a judicial officer. If it is a fact that there is an organization as formidable as I have been told, and as desperate as it is represented, I would be very foolish to attack them alone. Then at Glenn Springs, some time back—I don't remember the date of it, but directly after this man Wally Fowler was killed, probably two or three weeks afterwards, not far from that time—

Question. Was that before or after this card?

Answer. It was after this card. It was after we adjourned. It was during May. Dr. Smith had the names of twelve or fifteen men in the Carolina Spartan, renouncing allegiance to the republican party; and he, Dr. W. F. Smith, told me the negroes requested him to ask me to meet them at Glenn Springs the succeeding Saturday, and make them a speech, and get a general understanding of the condition of the country, &c., a kind of citizens' meeting. I complied with the request and went there. There were some resolutions adopted; I have forgotten their character, but I tried to prevent their assuming a political character. These negroes wished we would try to get up a list or piece of writing and let them all sign their names to it. I objected to it on the ground that a good deal of bitterness existed against the negroes who were renouncing the republican party, and for their benefit I advised them not to put themselves in the public print; and they took my counsel. Saturday morning I was called upon to address another meeting of like character, and they were very anxious to put their names in the Spartan, and I objected to that and gave my reason that there were men in that country, black and white, who would molest them, and that the fact of putting their names in the public record would identify them so that they would become objects of violence from their own party. Upon that statement they declined signing that paper.

By Mr. VAN TRUMP:

Question. Dr. Winsmith has told about this meeting?

Answer. He was not at either of the meetings.

Question. He spoke of a meeting there?

Answer. That might have been at some other time; he was not there at that meeting.

Question. I think he spoke of your being there.

Answer. Last fall he and myself met at a political meeting.

Question. I do not remember whether the doctor said he was there or not. He spoke of a Glenn Springs meeting, and I think he said you were there.

Answer. He may have said so.

By Mr. STEVENSON:

Question. Instead, then, of coming out in the public print and renouncing their party, these men just passed a resolution?

Answer. Yes, sir.

Question. That was at the Glenn Springs meeting?

Answer. Yes, sir.

Question. And at the other they merely ratified them?

Answer. Yes, sir. I do not remember what the resolutions were.

Question. How many colored people were present at either of these meetings?

Answer. I should suppose thirty or forty at Glenn Springs, and not more than half that at Walnut Grove; but we met a good many negroes at Glenn Springs as we came away.

Question. They made some mistake about the time?

Answer. Yes, sir.

Question. Did they concur in the action you had taken?

Answer. Yes, sir, so far as I know. I didn't converse with them. I rode off with C. C. Smith.

Question. Was that your understanding?

Answer. Yes, sir. They requested me to go back and make another speech to the negroes at Walnut Grove, but they said to me it was getting up excitement and would bring on trouble; and I said, "Just stop it if it is going to bring you into trouble with your race."

Mr. STEVENSON. The proceedings of the Glenn Springs meeting, the Walnut Grove meeting, in Fair Forest Township, and the meeting at Limestone Springs, mentioned by this witness, and more fully by Colonel Gabriel Cannon, are as follows:

[From the Carolina Spartan, Spartanburgh, May 25, 1871.]

"For the Carolina Spartan.

"MR. EDITOR: At the request of the colored citizens of Glenn Springs Township, a meeting was held at that place on Saturday, the 20th instant, to confer with the white citizens as to the best means of restoring peace in the county. A large number of both white and colored were present. Major E. P. Smith was called to the chair, and a committee of nine was appointed, consisting of four white and five colored, to arrange business for the meeting. Dr. R. M. Smith addressed the meeting in a few pertinent remarks, stating the condition of the country, &c.

"The committee reported the following preamble and resolutions, which were unanimously adopted:

"Whereas the present condition of our country demands that our people should

meet together to devise some means for the better preservation of peace, for the protection of life and property, and for the support and maintenance of the laws. We greatly deplore the present state of lawlessness that exists in the country, and earnestly request all good citizens to use their influence in suppressing the same, that peace, order, and prosperity may reign throughout the entire country: Be it

Resolved, That we, the colored citizens of Glenn Springs Township, who have heretofore supported the radical party, having been deceived by the leaders of that party, will no longer be used as tools or instruments in placing such men into office, but will hereafter identify ourselves with the interests of the good people among whom we have been brought up.

"We earnestly request the citizens of other townships to hold similar meetings.

"E. C. SMITH, *Secretary*.

"GLENN SPRINGS, SOUTH CAROLINA, May 20, 1871."

[From the Carolina Spartan, Spartanburgh, June 8, 1871.]

"For the Carolina Spartan.

"MR. EDITOR: At the especial request of the colored citizens of Fair Forest Township, there was a meeting held at Walnut Grove on the 27th ultimo, for the purpose of conferring with the people of the aforesaid township as to the best means of restoring peace and quiet in the country. Isaac Smith, esq., was called to the chair. After the favor of an address from Dr. R. M. Smith, explanatory to the present condition of affairs in the State, also the true intent of the present meeting, the proceedings of the Glenn Springs Township were read by the chairman and were unanimously adopted.

"ISAAC SMITH, *Chairman*.

"F. W. HIGGINS, *Secretary*.

"WALNUT GROVE, May 27, 1871."

[From the Carolina Spartan, Spartanburgh, February 2,]

"[COMMUNICATED.]

"PUBLIC MEETING.

"DEAR SPARTAN: There was a very large meeting of the citizens of Limestone Springs Township and surrounding country held at Limestone Springs on Saturday, 21st ultimo. The Rev. M. C. Barnett was called to the chair, and P. O. Lemons appointed secretary. The chairman briefly explained the object of the meeting. Captain Lyle and Colonel Cannon being present were called on to address the meeting. Captain Lyle told of the acts and doings of the legislature. He said as to acts they acted a great deal, and as to doings they had done nothing. He regretted the condition of the country and advised all classes of citizens to yield in obedience to the civil law and assist in enforcing the same against all acts of outrage, such as had been practiced in some sections of the county for several months past, saying it was both the duty and the interest of all to maintain law and order. Colonel Cannon spoke next. He said he was gratified to see so large an assemblage of both white and colored citizens. It showed plainly that they felt a lively interest in the peace and safety of the country. The condition of the country and the excitement (particularly in the legislature) was such as to require every citizen to exert his influence in allaying the excitement and enforcing the civil law. He was gratified to know that the officers of the law had in no case been resisted, the sheriff could with safety go into any part of the county and arrest any man against whom he had a charge (viz, if he could find him) without opposition. He believed the prime cause of our troubles had been the action of incompetent and corrupt officials, who, in their official capacity, had committed outrages upon the rights of the people, causing them to feel as though all law was suspended and the will of those officials was the law of the land. But he was glad to say to them that Governor Scott had sent a special agent to inquire into and report to him the facts. He had had several interviews with the agent, General Anderson, who said Governor Scott would remove incompetent and bad men from office, and appoint honest and competent men in their stead. He, the speaker, replied, if the Governor would fulfill that promise, he would pledge for the peace and good order of the county—other citizens of the county joined in the pledge, and he now hoped that large meetings of both colors and parties would unite in the pledge in good faith. Martial law had been threatened; the governor was opposed to it, and we must sustain the governor in his present course. The speaker said he had not supported Scott heretofore, believing his administration to be opposed to the welfare of the people, but the past is gone; we must sustain him when he is right.

"The remarks of both gentlemen were well received by the whole crowd, supposed to be not less than two hundred and fifty white, and near two hundred colored citizens. We are proud to say we have never seen a more harmonious meeting, good order and undivided attention the whole time.

"A committee of ten having been appointed, consisting of H. G. Gaffney, S. S. Ross, Thos. Little, T. W. Gaffney, J. L. McKown, M. M. Montgomery, Samuel Littlejohn, William Waters, Rev. B. Bonner, and J. J. Magness, were appointed, and, on motion, the secretary was added to prepare business for the meeting, who, after a short absence, submitted the following report:

"Whereas repeated acts of violence have been perpetrated in this township and surrounding country, all of which are in opposition to the civil law and calculated to retard the prosperity of the country and lead to a state of barbarity and despotism, endangering the lives and liberties of our people: Therefore, be it

"*Resolved*, That we, the law-abiding citizens of this vicinity and neighborhood, do deprecate these acts, and earnestly call on the perpetrators of such to desist, and aid in the restoration of order and quietude among us.

"*Resolved*, That we pledge our aid to the civil authorities in the restoration of peace and the security of the lives, liberties, and property of all classes of our people.

"*Resolved*, That the secretary furnish the Spartan with a copy of these proceedings for publication. All of which was unanimously adopted.

"P. O. LEMONS, *Secretary*."

By Mr. VAN TRUMP:

Question. Mr. Stevenson asked you what was the character of Moses in regard to jobs. I would ask you as to one only, because we have been a long time in your examination. What was the impression there at Columbia in regard to the profit that he made on the purchase of arms, rifled muskets, to be distributed to the negro militia?

Answer. I could not tell you that; I heard of a specified amount; but there was a rumor of a large amount, and Hart, the private secretary of the governor, asked me to introduce a resolution looking into that, but it was at a time when the governor and all of them were very much down on me, and I did not do it.

Question. Was it not the current belief that Moses bought those muskets at \$6, and sold them to the State at \$8 apiece?

Answer. There was a rumor that he bought them at a speculation, so much so that he came out in a card; but I do not remember the nature of it.

Question. Was it not understood that no private corporation bill could be passed without a bonus?

Answer. That was the common rumor.

Question. Was not a mystic expression used when a member was applied to or spoken of, that he had not "seen light" yet?

Answer. Yes, sir; that was a common expression.

Question. How was that understood?

Answer. That the proper man hadn't come to him with a tangible argument.

Question. Was that common talk?

Answer. Yes, sir, in the lobby; and I have heard it from members on the floor.

By Mr. STEVENSON:

Question. You say the governor, during last winter, agreed to accept the recommendations of the democratic members from the different counties?

Answer. Yes, sir, he did.

Question. And to make changes in the offices where they recommended them?

Answer. Yes, sir, I believe he did in all the trial justices. That was all that we asked, and we did not change all of them, but two or three we were willing to keep.

By Mr. VAN TRUMP:

Question. You mean as to this county?

Answer. Yes, sir; some are holding over from their first appointment. They had given tolerable satisfaction, and it was a request of the governor that if there were any republicans in the localities where officials were needed, with all the qualities that we required, that we must recommend them, and we did so.

By Mr. STEVENSON:

Question. Where you could not find proper republicans, you recommended democrats?

Answer. Yes, sir.

Question. That ought to be satisfactory to the people of this county?

Answer. I have not heard any complaint of the trial justices.

Question. You have not heard any complaint about officers since?

Answer. No, sir, not of any consequence.

Question. Nothing that would justify Ku-Klux?

Answer. No, sir. The most serious objection was by Dr. Bryant against Mr. Irwin, a republican.

By Mr. VAN TRUMP:

Question. Is he a republican?

Answer. Yes, Bryant is a republican, and objected to Mr. Irwin. I suppose he had his reasons. Mr. Irwin had made a full and fair statement in regard to the last election and the boxes, which was against the interests of the doctor, and therefore he became unpopular with this little ring.

By the CHAIRMAN:

Question. Statements have been made—let them come from whom they may—intimating that the funds placed at the service of this committee have been used to buy up testimony?

Answer. I have not heard that.

Question. I understand the tendency of this story, and I intend to follow it up as far as I can. Had you heard that Clem Bowden was whipped before the committee was come into this town?

Answer. I have never heard of such a man.

Question. Had you heard of Daniel Lipscomb being whipped before it was known that this committee was coming here?

Answer. I do not know him; he is a colored man. I heard of a Daniel Lipscomb being whipped last fall. I recollect, when they were contesting our election in the legislature, that Daniel Lipscomb was summoned before the committee on privileges and elections.

Question. Do you know whether Mr. Gentry—a gentleman who has given color to this statement—swore himself, before it was known that this committee was coming here, that both those men had been whipped?

Answer. No, sir, I do not know.

Question. Did you know of the whipping of Mr. Genobles before you knew that this committee was coming here?

Answer. Yes, sir, I knew it a week afterward at sales-day. He lives in my country.

Question. Had you heard of a man named Elias Thompson being whipped, or called on by the Ku-Klux, before this committee came here?

Answer. I do not know him.

Question. Did you know of Pinckney Dodd?

Answer. No, sir.

Question. Of Julius Cantrell?

Answer. No, sir.

Question. Had you heard of Wallis Fowler?

Answer. Yes, sir; that is the one that was killed.

Question. Did you hear of his being killed before this committee came here?

Answer. Yes, sir; two days after it occurred.

Question. And of his wife being abused?

Answer. No, sir; I did not hear that.

Question. Did you hear of three other men being whipped the same night that Fowler was killed?

Answer. Yes, sir; I heard of a man named Elias Finch being whipped about that time. It is Elias that used to belong to Finch. I saw him here yesterday, or the day before. I heard of a man named Matthew Lancaster being shot on that night, but no whipping that I remember.

Question. Have you heard of a man named Jackson Surratt being whipped?

Answer. I do not know him.

Question. You say there has not been much of this in your own immediate neighborhood?

Answer. No, sir.

Question. Do you know Isham McCrary?

Answer. No, sir; I don't know him at all.

Question. You had not heard before our coming here of his being whipped?

Answer. No, sir.

Question. Had you heard of a man named James Henly being called upon and whipped before this committee came here?

Answer. I heard of his being called upon, but not of his being whipped.

Question. Of Eli Hood?

Answer. I don't know him.

Question. Had you heard of him?

Answer. No, sir.

Question. Of Samuel F. White?

Answer. Yes, sir; I heard that case spoken of. That, I think, occurred about the time Dr. Winsmith was shot.

Question. Of A. H. Foster; had you heard of his being called upon before the committee came?

Answer. No, sir; I do not know the man.

Question. Didn't you tell us about having heard of that; the old man that they made to dance?

Answer. I do not know him by those initials. Houston Foster is the man I am thinking of.

Question. That is the man.

Answer. I heard of his being made to dance. I didn't know that those were his initials.

Question. Of Samuel Bonner, a negro man ?

Answer. No sir.

Question. Of Jefferson Huskins ?

Answer. I didn't know such a man was in the county.

Question. Of Matthew Lancaster ?

Answer. Yes sir, I said him. Dr. Sumpter Means, I heard, said he took a ball out of his head.

Question. You heard of Dr. Winsmith being shot before there was any talk of this committee coming here ?

Answer. Yes, sir ; two days after it occurred.

Question. Of a man named Champion ?

Answer. I have heard of an old man Champion, a magistrate in the Limestone country, being whipped the day before the election.

Question. Did you hear of John Lipscomb being whipped ?

Answer. No, sir.

Question. Of a negro named Henry Lipscomb ?

Answer. No, sir.

Question. A number of those I have gone over you had heard of ?

Answer. Yes, sir ; those that I stated I had heard of.

Question. You heard of these before the committee came here, or anything was said of the committee's coming here ?

Answer. Yes, sir.

SPARTANBURGH, SOUTH CAROLINA, July 13, 1871.

GABRIEL CANNON sworn and examined.

By Mr. VAN TRUMP :

Question. Colonel, are you a resident of this county ?

Answer. Yes, sir ; I was born here, and am now sixty-five years of age.

Question. State to the committee what public trust you have held in the State of South Carolina.

Answer. I was four years a representative before the war, and sixteen years, consecutively, a senator—the first term commencing in 1842 and the last ending in 1862. I was elected to my last term in the senate in 1858, and it closed in 1862.

Question. Is that all ?

Answer. No, sir ; I was elected lieutenant governor of the State.

Question. In what year ?

Answer. In 1856, and was lieutenant governor for two years. It was a practice in this State for the lieutenant governor to remain in his seat in the senate unless called upon to act as governor. I was not called upon, and retained my seat.

Question. The lieutenant governor was not at that time *ex-officio* president of the senate ?

Answer. No, sir.

Question. What else ?

Answer. I was elected to the legislature under the provisional government in 1865, and served for two years. During the war I did not run. I would not permit my name to be used as a candidate.

Question. Is that all ?

Answer. Those are the public offices I have held.

Question. What was your position in regard to the question of the secession of the State ?

Answer. I was opposed to secession at the time.

Question. What was your position in the great contest in 1832 in nullification ?

Answer. I was a quiet young man, though a Union man.

Question. Did you take an active part in politics ?

Answer. No, sir ; I was engaged in business.

Question. But was opposed to the nullification party then ?

Answer. Yes, sir ; I was.

Question. And was a Union man ?

Answer. In 1852 I was opposed to secession again. We had a great contest here in 1852. I was opposed to secession then. I will observe, however, that when my State seceded I went with my State.

Question. And sustained it during the war?

Answer. Yes, sir; and at the close of the war I went and took an oath to support the United States—the Constitution of the United States. I went to Greenville, and was there qualified by the military that was there. I have observed or endeavored to observe my oath religiously ever since.

By the CHAIRMAN:

Question. Colonel Cannon, the duty devolved upon the committee, under the resolution under which they are appointed, is to inquire into the efficiency with which the laws are executed in the late insurrectionary States, and the security of life, person, and property therein. Please go on and give the committee any information you can which will throw light on these inquiries.

Answer. Well, sir, I cannot call to my mind any time when the civil authorities have been resisted in any shape or form. I think, however, that the officers appointed to administer the laws have been to a great extent the cause of the laws not having been administered properly. The judges are elected by the legislature, as you are aware, I presume, and it has been our misfortune to have inefficient judges here. The magistracy are all appointed by Governor Scott, and we feel that a great many of them have been very incompetent, and, we think, corrupt. The courts have been held, if not regularly, we have had frequent courts. Persons have been tried and convicted of various offenses when brought before the courts, and a goodly number, I do not know how many, sent to the penitentiary, but from the penitentiary many of them have been turned loose upon the community, and have come back to their old haunts, or are in some other part of the country. As to the security of life and property, I have heard nothing of any difficulty more than ordinary; that is, nothing of a public character, until just before the last election—nothing at all. I will mention, however, that just before the last election, as I am informed, and I have no doubt of it, though of my own knowledge I know nothing of it, there was a difficulty happened above Limestone Springs; that is, there were, perhaps, a couple of men, and the report is that they were whipped.

Question. Who were they?

Answer. I think one was Champion, if I mistake not, a white man, and the other was a negro. That is my recollection of it. I think that was the first I ever heard of any violence at all. My opinion is, if I am to state opinions—Am I to give my opinion?

By Mr. VAN TRUMP:

Question. Yes, sir; from the information you received generally.

Answer. From general information, my opinion is, that the excuse at least given for that was, that there was a company of colored militia made up there, and that threats had been made by the colored militia, or the managers of election, that as each man went in to vote, they should go and vote one at a time between sentinels, and vote and retire. This is from information.

By the CHAIRMAN:

Question. Have you made such investigation of that as to enable you to give your belief as to whether it is true or not?

Answer. The information is such, and I have no doubt of such declarations having been made by those persons; it was a kind of braggadocio, perhaps, before the election. I presume that was what led to that occurrence, but I do not know. After the election, however—I think it was after the election, but I am not positive—certain parties went over, according to my information, with a trial justice, perhaps, and arrested parties, and rumor says—I desire to be understood now that this is rumor—that these officers turned one prisoner at least over into the hands of a band of colored men that were a good deal excited, and rumor says they double-quickened that old man until he fainted.

By Mr. VAN TRUMP:

Question. What was his name?

Answer. O. P. McArthur.

By the CHAIRMAN:

Question. Proceed with your statement.

Answer. All, as far as I know, had been quiet; that is, there had been no outbreaks up to that time; that is, just before the election. I think one great cause was, that Governor Scott—at least it was done by his authority—had armed the colored people. In looking over the official documents, I see that over seven thousand stand of arms were handed out during the year, the times of issue running up to just about the date of the election—almost entirely before it.

Question. Do you refer to this county or to the State?

Answer. To the State. I saw it stated that a little less than two hundred came to this county, according to my recollection, and a large amount of ammunition was

handed out to various parties. That seemed to arouse the people. I thought, more than anything that had ever happened. That, together with the appointment of incompetent, and, I think, corrupt officials, was one of the great causes of the disturbances, from the fact that up to that time they had been quiet, so far as I knew. You ask me as to the security of life?

Question. Yes, sir; of person and of property.

Answer. There I have to speak from information entirely. There have been two murders committed in this county. One, I think, was a colored man, who had been appointed trial justice, and I suppose that it was on account of his official acts. That is my information. The other was said to be a very good, correct negro, on the plantation of Dr. Jones, down here. Dr. Jones's son told me he did not think there was any politics in it, but that his father had bought several plantations—some two, if not more—which had been occupied by white renters; that he had turned them off, and supplied their places with colored men, and he viewed that as a personal matter altogether.

By Mr. VAN TRUMP:

Question. Was the name of the victim Wallace Fowler?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Did you know Wallace?

Answer. No, sir.

Question. Go on with your statement. I desire to have your full statement, as you wish to make it, without interrupting you with any special questions.

Answer. As to the security of property, I cannot call to mind any destruction of property in this county. Rumor has it that a large number of gin-houses and barns, and perhaps other buildings in York County, the adjoining county, just across the river, have been burned. I know of none in this county; that is, at this time my mind does not center upon any, and I have regarded property generally as secure, but I have heard that incendiary language had been used to these colored people; but this I do not know.

Question. Is there any further statement you wish to make in answer to that general question?

Answer. I am thinking. I would like to be deliberate. Do you wish my opinion as to the causes of disturbance?

Question. I do not wish to dictate. I put the general question in the general form, and anything which you think will throw light on the two subjects of inquiry suggested we would be glad to have from you.

Answer. As I observed just now, all was quiet up to that time, and I think the causes of the disturbances were the arming of the colored population; the appointment of incompetent and corrupt officials to discharge the duties of the various offices, and the manner in which the last election was managed here. There are various facts about that as to the bad management of that election, which others are, perhaps, better prepared to give than myself. And we have frequently heard men say, "Why, when a man is convicted and sentenced to be punished, he is turned out." I think that during the last month there were, as I have observed in looking over the records, about two hundred and five pardons sent out, of which twenty-one were for whites, if I am not mistaken, and the balance colored men, pardoned and sent out, so that it seemed, even when the laws were executed and criminals sentenced, as if the executive dismissed them.

Question. If that is the whole of the statement you wish to make, I will ask you a few questions. You say two hundred stand of arms were sent into this county?

Answer. Something less than two hundred.

Question. Were they ever distributed?

Answer. I do not know that they were. I understood that a portion of them were sent out, but whether they were distributed or not, I do not know.

Question. Was not a large portion of them kept in the custody of the officer, here in this town?

Answer. I presume so—I do not know.

Question. You know in the same manner in which you know these other facts, do you not, that the large bulk of them were deposited in the jail?

Answer. I understood they were deposited in the post office.

Question. Either in the post office or jail, was not a large portion at one time left in the jail?

Answer. I do not know—I think so.

Question. Then the large portion of them were not distributed in the county?

Answer. I think not.

Question. Was any negro company armed in this town?

Answer. Not that I know of.

Question. Has not the order for arming the negro militia been revoked in the State?

Answer. I do not know that it has generally. The governor invited a number of gentlemen, among whom I was one, to consult with him, and we pressed upon him the necessity of calling in the arms.

Question. Has not that been done in many of the counties?

Answer. So far as this county is concerned, they were not to any extent armed by the State. I do not know that they were.

Question. So far as the trial justices or magistrates in this county of whom you have spoken were concerned, were they not at the instance of your members of the legislature dismissed in every case in which there was either incompetency or corruption alleged, and new men appointed?

Answer. Latterly some of them have been, as I am informed.

Question. Has it not been done in every case in which there was a charge of either incompetency or corruption in this county?

Answer. I cannot say—not being a member of the legislature, I don't know what was done.

Question. Your information is, that whenever and wherever your members of the legislature, who are democrats, have represented to the governor that there were incompetent or corrupt men in place, as trial justices, he has removed them and appointed others suggested by those gentlemen?

Answer. The members of the legislature can better answer that than myself, as I am not informed.

Question. What is your information on the subject?

Answer. I do know that some have been, but I do not know about all.

Question. So far as the election in this county is concerned, there was, I believe, complaint in reference to it?

Answer. Great complaint.

Question. As I understand, the republican members of the legislature were returned as elected, and a contest resulted: which side was returned as elected? I do not ask for the history of the affair, but the fact.

Answer. My information is this: that the election boxes were returned here. I know they were guarded, for, I think, it was nine or ten days.

Question. Of which party were the members of the legislature who had the return at the opening of the session—republicans or democrats?

Answer. That needs an explanation; at least my information is, that the republicans were returned in the majority return, but one of the commissioners of election made a minority return, and from the statements made there, the majority report was set aside, and the minority report adopted.

Question. Do you mean by the State canvassers or in the State legislature? I simply want to get at the fact of who were the contestants, and who were the holders of the seats when the legislature met—to which party did they belong?

Answer. The democratic party were the holders.

Question. And the republicans made a contest?

Answer. Yes, sir.

Question. After that contest was made, the republicans withdrew from it, did they not?

Answer. I am not prepared to say. They were there for some considerable time.

Question. You are not acquainted with the transaction?

Answer. No, sir, not thoroughly. You will have others better acquainted with it before you.

Question. So far as the arming of the militia is concerned, you think that the appointment of corrupt men in the county to office, and the dissatisfaction with the election, may be given as the causes for these proceedings. Of course, dissatisfaction with the election could not account for those which occurred before the election?

Answer. The election law was then known just as well as now.

Question. But the election proper, and the manner in which it was conducted, could not have been a reason for the acts committed previous to that time, as the whipping of Mr. Champion and Clem. Bowden, &c.

Answer. No, sir, of course not—anything that happened after the election; but I understood it was for a kind of braggadocio.

Question. Now, as to these whippings through the county, of which, I believe, the only instances you have given are Champion and Bowden; have any of them occurred since the removal of the trial justices, and since the contest for that election was settled?

Answer. I presume they have, sir; I occasionally hear of such things.

Question. Do you think that those causes, having been remedied, are still operative to account for them?

Answer. My impression is that the parties that are now engaged are parties operating in this way: It is a contest, I presume, between the laborers; that is my opinion—it is a set of men now that have, perhaps, but little property. I believe the general intel-

ligence and the property-holders of the country, throughout the country, or throughout my county, so far as I am informed, deprecate anything like violence very much.

Question. Then you think just now that those engaged in this business were carrying on a contest between the two classes of laborers?

Answer. I think that is part; of course there is private revenge.

Question. Am I to infer that the first cases were inaugurated by a different class from these?

Answer. I would not be surprised if better men were engaged at first; this is a bare opinion.

Question. What was their purpose?

Answer. According to my information, it was because of the bad government, and the excitement growing out of it.

Question. Was it their purpose to overthrow this bad government by that kind of violence?

Answer. I think not. I do not think there has been any disposition to oppose the General Government in any shape or form.

Question. What was to be the effect of their banding together to commit such an act, for instance, as that against Champion? Was that to anticipate violence by violence?

Answer. I think it was, as I said just now, brought about by his braggadocio, from what I learned.

Question. You think men of good character were engaged in these operations in the beginning?

Answer. I do not know as to that. I think probably men of better character at first than now.

Question. Colonel, that is one of the mysteries that has struck me; and from you as an intelligent gentleman, and one long acquainted with this State, that have long been in public life here, I would like to know if there is no knowledge of who these men are, and the individuals?

Answer. I have none.

Question. Where is it you got your impression or belief of the causes from?

Answer. From general rumor.

Question. Who says this?

Answer. I cannot give you any individuals now, but the rumor comes in. We see newspaper statements, and we know that such things exist. For instance, as the election law, and the bad officials.

Question. Is it your belief that the men who give these excuses are the men who commit the offenses?

Answer. I cannot say.

Question. You have a belief on the subject?

Answer. No, sir; I cannot say that I have any opinion as to who commit the offenses.

Question. But you have now given your opinion as to the causes; will you state by whom you have heard such causes assigned?

Answer. I do not know that I ever heard any man assign particularly the causes. It is only in general conversation. It is my opinion from the outrages, because I have seen that the public mind has been greatly agitated from those causes. I cannot refer you to any individual, as I said before.

Question. Yet you think men of principle, who are interested in the good order of society, would enter into a lawless organization?

Answer. I cannot think so, sir.

Question. Do you think lawless men, men who disregard the law themselves, would be so much interested in the preservation of order as to organize for the purpose of punishing those who they themselves think are disobeying the law?

Answer. In many instances, or in some instances, I will say, these trial justices have rendered themselves obnoxious to individuals, and I think a great deal of this has been private matter.

Question. But I wish to get at the elements which compose this organization. You say you do not think men of principle would enter a lawless organization?

Answer. I do not think they are.

Question. Then would lawless men undertake to correct what you complain of as evils and violations of law by organizing to punish them in this way? Would not their sympathies be with the bad men who were breaking the laws?

Answer. When men become excited and feel personal injury, they sometimes do things they would not otherwise do.

Question. Then out of what element is it your belief that the organizations which commit these offenses, violations of law, whatever they may be, are composed?

Answer. I have told you they are mostly now by small bands of men, and very often for private revenge, or something of the kind. And I believe, further, that there are some persons—I say this from information and from the statement of Dr. Jones's son

particularly—who would seem to like to have the negroes out of the way to get better homes.

Question. You say you have heard of Wallace Fowler as a harmless man by character?

Answer. Yes, sir; I do not know that I ever heard of him before his death, but afterward I heard him spoken of as a good negro.

Question. You do not know his family?

Answer. No, sir; nothing of him at all.

Question. Knowing these colored people, or at least many of them, if their statements were to the effect that the men who called upon them gave other reasons—political reasons—what effect would that have upon your belief as to the causes of these acts of violence?

Answer. Will you state that again?

Question. If these colored people called upon, as Wallace Fowler was visited, were to give in testimony the statement that political reasons were assigned by the persons who committed the outrages upon them, what effect would that statement have upon your belief as to the causes of these acts of violence?

Answer. I do not know. I must confess that I have but little confidence in the mass of colored testimony; their want of intelligence is such, and then, I think, they have been drilled in these Union Leagues, and sworn—that is what I understand—until they are completely under the control of certain men. Their voting appears to have been entirely controlled by them, and under all these circumstances there are very few of them I could put much confidence in. As to the mass of testimony coming from them, I must say it would be of very doubtful character to me.

Question. Have they enough intelligence to fabricate a story, and sustain it upon cross-examination, as a rule?

Answer. You are a better judge of that than I am.

Question. You have given their want of intelligence as a reason for not having confidence in their testimony; that prompted my inquiry.

By Mr. VAN TRUMP:

Question. And I understand you to answer that the Senator is better qualified to judge of these particular negroes, because they have been before us?

Answer. Yes, sir; I am speaking of these particular ones.

By the CHAIRMAN:

Question. Have they generally intelligence enough to fabricate a story, and sustain themselves before a court upon cross-examination? Have they that kind of shrewdness?

Answer. My opinion is that they have had assistance.

Question. That is a matter in which we are vitally interested, and one in which we propose to make some inquiry before we get through. Who, so far as these witnesses are concerned, do you believe has given them assistance?

Answer. I do not know these witnesses, sir. I do not know any man here. I spoke of the Union League.

Question. I make this question direct. Do you assert or believe that any witness called here has been drilled or trained to give testimony before this committee?

Answer. I do not know.

Question. If so, I intend that the person who has done it shall be disclosed.

Answer. I have no knowledge of it at all.

Question. Who has started that statement for the purpose of affecting either the testimony of the witnesses or the reputation of this committee? I have heard the statement before; it has been sworn to here by one gentleman.

Answer. I just give my opinion. You have seen their character and intelligence.

Question. Then you do not undertake to say that any witness examined here, either according to your information or knowledge, has been drilled or trained to give his testimony here?

Answer. No, sir; I do not pretend to say that. I spoke of negro testimony in general. I do not know who you have had before you.

Question. So far as negroes are concerned, we have your opinion. Do you know Dr. Winsmith?

Answer. I do, sir.

Question. Do you know his wife?

Answer. I barely know her. I cannot say that I have any acquaintance with her.

Question. If a band of these men of this organization were to call upon such a gentleman as Dr. Winsmith, and say to his wife that if he did not belong to the republican organization he ought to come out and say so in the public newspapers, would you attribute any political motive to such a visit as that, he being absent from the room at the time when they said this to his wife?

Answer. Well, sir, it seems as though that question required me to explain his politics.

Question. What is that?

Answer. If a band of men called and said he must explain what side he belonged to, that would seem to be a political question, sir, of course.

Question. Upon this question of the character of the testimony here, if Dr. Winsmith were to make that statement before this committee, or any tribunal, would you discredit it?

Answer. I could not discredit him, sir.

Question. Do you know a Mr. Henley, in this county?

Answer. What is his first name?

Question. James Henley.

Answer. I do not think I do. I do not remember that I do.

Question. Do you know Reuben Bryant?

Answer. Yes, sir.

Question. Now, if Reuben Bryant were to make a statement of that character, would you credit it?

Answer. Mr. Bryant lives a considerable distance from me. I cannot say that I am intimate with him. I know nothing to the contrary, though, sir.

Question. Do you think that is a community in which the rights of individuals are secure where means of that kind are resorted to to influence political opinion, and men escape punishment for such offenses?

Answer. No, sir, unless a restraint could be put upon it.

Question. In other words, if Dr. Winsmith may be intimidated by a band of the class of men to-day, you may be to-morrow by a class on the other side?

Answer. If lawlessness is to go unpunished, of course no man is secure.

Question. Is there any doubt about the fact in this county that numerous men have been visited by this very organization you have spoken of—let its original purpose be what it may—and required publicly to renounce their political opinions?

Answer. I have seen a good many renunciations in the papers, but I cannot say why.

Question. Had that practice ever developed in this county prior to the last election?

Answer. Not that I recollect of.

Question. You have resided in the county how long?

Answer. Sixty-five years—born here.

Question. Either under your state of affairs before the war, or since, had that practice ever prevailed until since the last election?

Answer. I do not say since the last election, for I do not remember when this began.

Question. Did it begin before the last election?

Answer. I cannot say. You asked me of the old regime; under the old regime I never heard of such a thing.

Question. Or since the war until after the last election?

Answer. I cannot say; I think it was prior to the last election in some cases.

Question. Have there been any cases to your knowledge in this county in which this killing by this organization, whatever it may have been, has been indiscriminate, so far as party is concerned, or have they been confined to one party; and, if so, to which one?

Answer. Well, sir, I am not able to answer that question directly. My opinion is, from my best information, that the majority of them have been of the democratic party.

Question. The majority of those visited?

Answer. O, no, sir.

Question. The majority of those who composed the organization?

Answer. Yes, sir; that is my opinion.

Question. I will repeat the question, as I see that my question was open to the misconstruction you put upon it, and I will put it again in this form: Do you know of instances in which these persons have called upon and either punished democrats or required them to denounce their political faith?

Answer. There are some men—I really cannot tell you what their politics are.

Question. Are there any in which you have known them to be active and decided democrats?

Answer. Well, sir; there is Bates. I really am not able to say what General Bates is himself. He has been spoken of as a democrat.

Question. Is he not understood to have acted at the last election in favor of Governor Scott?

Answer. I am not prepared to say.

Question. You do not know of your own knowledge how that is?

Answer. No, sir.

Question. Is General Bates's case under investigation in the courts?

Answer. Yes, sir.

Question. He is indicted for shooting a man alleged to have visited his house?

Answer. Yes, sir.

Question. And I may say here that that is the only reason we have for not calling him here.

Answer. He is now under bonds for trial, as I learn.

Question. Have you answered the question fully?

Answer. There are men that have been arrested and brought here who I do not know. I do not know them personally or politically.

Question. You mean arrested for these Ku-Klux offenses?

Answer. Yes, sir; and now in jail.

Question. You referred to two hundred and five pardons.

Answer. That is what is reported.

Question. It is not stated in connection with the numbers of pardons, in the governor's message, that a large portion of them were convicts whose terms of imprisonment were about to expire?

Answer. I have not it before me, and cannot answer.

Question. On page 4 of the governor's message I find the following, and I will remark that you are correct in saying that there are two hundred and five pardons:

"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."

Is not that the statement which the governor made in connection with the number of pardons?

Answer. You have read it. I presume so.

Question. Is it unusual with the executive of this State, or any of the States, to pursue that course, either to prevent the forfeiture of civil rights or for other reasons?

Answer. I am not prepared to say, because formerly we had no penitentiary, and, of course, there was no such practice then; and as to the practice in other States, I am not prepared to say, sir.

By Mr. VAN TRUMP:

Question. If I understand you, you said, in reply to the chairman, that up to the time of the last election, or shortly before it, things were quiet in this county?

Answer. Entirely quiet, as far as my knowledge goes.

Question. And it was this terrible experiment of arming the negroes that was the great cause of uneasiness and alarm of the people, and the excitement throughout the country?

Answer. I think that was one of the prime causes, and perhaps the principal cause.

Question. In the then state of feeling between these two races, however produced, whether growing naturally out of their relations, or superinduced by bad men and bad advice to the negroes, was it not the most dangerous thing that could have been conceived to arm the negroes?

Answer. I think so.

Question. Especially if it is the fact that the white men were refused arms from the same quarters?

Answer. The white men were refused arms. A company was made up in this county—this village, really, and they were not received.

Question. The chairman has asked you to explain a great deal of the operations of this Ku-Klux organization; is it possible for any man to explain all their actions and vagaries?

Answer. I think not, sir.

Question. The whole theory being that they are a disguised party, they would probably be as likely to disguise their expressions as their bodies?

Answer. Yes, sir.

Question. I quote a question to and an answer by a witness, as it appears in Miscellaneous Document No. 17, part 2, House of Representatives, Forty-first Congress, second session, page 27, in the contested case of Mr. A. S. Wallace vs. W. D. Simpson, fourth congressional district, South Carolina:

"Question. Did you hear the speech of Gabriel Cannon and Dr. Blake on that day?

"Answer. I did.

"Question. Did Mr. Cannon threaten colored voters if they voted the republican ticket?

"Answer. He did. He said, 'We own the lands; you live on them; you eat our bread and meat, and if you vote for our enemies, the radicals, you will get your earth, two by six; you will go like the Indians, and your bones will whiten our hill-sides.'"

Question. Is that a correct interpretation of what you said in the speech to which he alludes?

Answer. No, sir.

Question. The above is an extract from the testimony of H. H. Foster?

Answer. He is a colored man here in town. That was in the canvass of 1868. It was in reply to a speech made by Major Wallace, who was then a candidate for Congress. In his speech he referred to me twice to prove that he had been a faithful representative, &c. We had been in the legislature for many years together. The second time he mentioned my name I rose up and said, "When the speaker is through (or when the gentleman is through) I will explain."

Question. Was this a republican or a democratic meeting?

Answer. It was a republican meeting. I was sitting quietly. He referred to me as I observed, and the second time that he referred to me to prove his course I said that.

Question. Did he refer to you upon any principal question, or in regard to his course generally?

Answer. I think one of his references was in relation to a bill that he had introduced in the legislature of South Carolina to put free negroes into slavery. I was in the legislature at the time. When I got up I addressed both white and colored. I told the negroes that they had been deceived; that they had been promised, as I understood, "forty acres of land." That was the common expression all over the country that they had been promised, as I understood, "forty acres and a mule." I told them the various ways in which they had been called into the night Leagues, &c., and asked them, "On whose land now do you live? Have you got the land?" These, now, may not be the exact words, but this is the purport of what I intended to say. I said, "If you wait for them"—or that was on my mind—I said, "If you wait for them, all you will get from them will be three by six." I think that was what I said. You read two by six; I said three by six. My intention was to convey the idea to them that they would never get that land, but if they followed this delusion—not that we would give them this, but that all they would get would be three by six. That was what I intended to convey. There was a Mr. Scott; is he reported there?

Question. I do not know.

Answer. He was present at the time. In the investigation he was in Columbia and he was gotten before the investigating committee, as I understood. I happened in Columbia very soon afterward. Mr. Scott came to me and told me he was dissatisfied; that he thought he had been misrepresented in his testimony. He told me what his testimony was and desired to correct it. I went with Mr. Scott then, as he desired to correct it, to hunt up his testimony and see what he had sworn to. But upon application at Mr. Wallace's office, young Mr. Wallace informed us that he could not find the testimony, and that he supposed that his father had taken it away.

Question. You never saw this testimony until you saw it quoted in the speech by the Hon. Mr. Stevenson?

Answer. I never saw it until I saw that, and Mr. Scott went with a desire, as he said, to have it corrected.

By Mr. STEVENSON:

Question. I do not find any testimony by a man named Scott in this document except Governor Scott.

Answer. It is Thomas C. Scott. That statement is, according to my recollection, the purport of what I said.

By Mr. VAN TRUMP:

Question. [Submitting a document.] Examine that official report in regard to the penitentiary and see you have stated the number already as an aggregate. Now state the number of white persons pardoned and of black.

Answer. I looked over this yesterday. The number of white persons, if counted correctly, was twenty-one, and of colored one hundred and eighty-four.

Question. I will ask you whether under the law of South Carolina it makes any difference whether prisoners are pardoned just before the expiration of their terms, or at any other time, as to their political status?

Answer. I am informed that it does, sir.

Question. Does it make any difference when a prisoner is pardoned, whether a short or a long time before the expiration of his term?

Answer. No, sir; I presume not.

Question. He retains his franchise?

Answer. If he is pardoned before his term expires, he retains his franchise.

Question. I have made an abstract from the report of the adjutant general of South Carolina just published, and not yet distributed, of the number of arms issued during last summer, to the negro militia of this State. I will ask you if I called upon you with me to compare this abstract with the official document itself?

Answer. You did.

Question. [Submitting the document below given.] Is that the paper we compared?

Answer. Yes, sir; I think that is the paper, for I have drawn off a copy of it myself.

Question. What is the grand total of arms furnished?

Answer. Seven thousand two hundred and twenty-two stand of arms.

Question. Were the most of them rifle muskets, as distinguished from Winchester rifles?

Answer. Yes, sir; most of them. These arms were handed out to white men in many instances—Joe Crews, for instance.

Question. Name any others.

Answer. I do not remember any others.

By the CHAIRMAN:

Question. To whom at this place?

Answer. To General J. C. Winsmith here.

Mr. STEVENSON. And understood to be for the negro militia?

Mr. VAN TRUMP. Was there any other organized militia?

Answer. Not that I know of, sir.

The document above mentioned is as follows:

ARMS.

1870.

March 1.	Captain H. L. Benford	60	rifle muskets.
No date.	Captain Jos. Green	70	do.
March 1.	Captain W. H. Mishaw	78	do.
No date.	Captain Joseph W. Lloyd	90	do.
"	Captain P. L. Miller	70	do.
"	Captain J. H. Stewart	80	do.
"	Captain George Smith	70	do.
June 28.	Captain J. S. Smith	96	do.
Aug. 3.	Captain H. C. Minot	80	do.
May 15.	Captain William J. Thomas	96	do.
May 15.	Captain Jacob Thompson	90	do.
June 7.	Captain Benjamin Williams	80	do.
June 10.	Captain Walter Maxy, jr	85	do.
June 18.	Captain J. J. Goodwin	96	do.
June 18.	Captain John T. Gilmore	96	do.
June 21.	Captain Theodore Ingles	80	do.
June 22.	Captain R. O'Neale, jr	80	do.
May 21.	Lieutenant Colonel Robert Smalls	400	do.
Aug. 1.	Col. P. L. Wiggins	600	do.
Sept. 28.	Major J. N. Hayne	20	do.
June 18.	Captain J. A. Berry	72	do.
July 15.	Captain R. W. Cousart	96	do.
June 13.	Hon. T. J. Coghlan	160	do.
Sept. 21.	Captain Columbus Shiver	80	do.
Aug. 29.	Captain Sandy Stratford	96	do.
Aug. 3.	Captain Samuel Keith	80	do.
Aug. 3.	Captain Alexander Owens	80	do.
June 21.	Captain Cary Harris	80	do.
June 21.	Captain Wallace Morgan	80	do.
Sept. 2.	Captain Isham Raiford	96	do.
June 24.	Captain Isaac Wrynis	80	do.
June 13.	Captain J. D. Boston	95	do.
June 3.	Captain J. P. Hudson	96	do.
June 13.	Captain J. T. Henderson	93	do.
June 13.	Captain M. S. Young	94	do.
Aug. 8.	Captain A. S. Richardson	90	do.
Oct. 7.	Captain John H. Payne	96	do.
Sept. 3.	Captain J. Embly	96	do.
Sept. 15.	Captain C. H. Green	96	do.
Oct. 6.	Captain E. L. Mann	96	breech-loading rifles.
Aug. 18.	Captain Henry Kennedy	93	rifle muskets.
Sept. 23.	Brigadier General J. C. Winsmith	192	do.
June 30.	Lieutenant Colonel Joseph Crews	300	do.
Aug. 2.	Lieutenant Colonel Joseph Crews	320	do.
Aug. 18.	Captain L. Dow Reed	82	do.
Aug. 18.	Captain J. A. Walker	98	do.
Aug. 18.	Captain James Wallace	98	do.
No date.	Captain Milton Williams	96	do.

1870.

June 23.	Captain John Lee.....	96	rifle muskets.
June 25.	Captain W. L. Kee.....	96	do.
June 24.	Captain Andrew Stewart.....	96	do.
June 17.	Captain James H. Cook.....	96	do.
June 23.	Captain Andy Walker.....	96	do.
June 10.	Captain Henry Johnson.....	96	do.
July 9.	Captain Thomas Moorehead.....	96	do.
Sept. 6.	Captain Jacob Moore.....	96	do.
No date.	Captain George Adams.....	96	do.
No date.	Chief Constable J. B. Hubbard.....	430	Winchester rifles.
Oct. 25.	Chief Constable J. B. Hubbard.....	2	do.
No date.	Superintendent of Penitentiary, C. J. Stolbrand.....	17	do.
June 13.	Lieutenant Colonel Joseph Crews.....	50	do.
Oct. 10.	Captain Augustus Cooper.....	96	do.
Oct. 22.	W. F. Hague, Esq.....	7	do.
Oct. 20.	James M. Allen.....	3	do.
Oct. 1.	C. C. Puffer.....	9	do.
Oct. 8.	Thomas Anderson.....	5	do.
Oct. 27.	D. R. Phifer and H. C. Corwin.....	6	do.
June 21.	John N. Sumpter.....	90	do.
June 15.	H. E. Hayne.....	90	do.
Total.....		7, 222	

Question. [Submitting a document below given.] There is an abstract in regard to the amount of ammunition issued, taken from the same public document. Did I with you compare that abstract with the official record itself, and if so, is it correct?

Answer. You did.

Question. What is the aggregate number of rounds of ammunition?

Answer. Eighty-eight thousand two hundred—if there is no mistake in the addition, and I believe there is not.

The document above mentioned is as follows :

AMMUNITION :

		Rounds.
1870.		
Aug. 1.	Colonel William N. Taft.....	10, 000
May 15.	Captain William J. Thomas.....	500
Aug. 1.	Colonel P. L. Wiggin.....	5, 000
Sept. 28.	Major James N. Hayne.....	1, 000
Oct. 18.	Lieutenant Frank Carter.....	500
Aug. 29.	Captain Sandy Stratford.....	500
June 21.	Captain Carey Harris.....	2, 000
Oct. 7.	Captain P. R. Rivers.....	500
July 1.	Samuel Dogan.....	10, 000
Oct. 6.	Colonel E. L. Mann.....	1, 000
Sept. 27.	Captain Henry Kennedy.....	500
Sept. 23.	Brigadier General Winsmith.....	5, 000
No date.	T. J. P. Owens.....	10, 000
Aug. 31.	J. S. Mobly.....	10, 000
June 30.	Lieutenant Colonel Joseph Crews.....	2, 000
Aug. 2.	Lieutenant Colonel Joseph Crews.....	8, 000
Aug. 26.	Major J. C. Reister.....	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
Oct. 22.	W. F. Hague.....	400
Oct. 20.	James M. Allen.....	150
Oct. 1.	C. C. Puffer.....	450
Oct. 8.	Thomas Anderson.....	250
Oct. 27.	D. R. Phifer and H. C. Corwin.....	600
Total.....		88, 200

Question. Do you know anything of a Company H, Second Regiment National Guards, South Carolina, under the command of Captain R. O'Neill, jr.?

Answer. No, sir.

Question. [Submitting a document below given.] There is another abstract made in the same way. Did you with myself compare that abstract with the original official record, in regard to the "monthly expenditures of the contingent fund of the governor for the last year, (1869 and 1870)"?

Answer. Yes, sir.

Question. Is it correct to our comparison?

Answer. It is correct according to the additions made there.

Question. What is the gross amount expended that year?

Answer. \$49,386 27.

The above mentioned document is as follows :

Monthly expenditures of the contingent fund of the governor for 1869-'70 :

November, 1869.....	\$5,890 56
December, 1869.....	12,637 00
January, 1870.....	4,267 37
February, 1870.....	6,445 76
March, 1870.....	5,848 68
April, 1870.....	1,492 00
May, 1870.....	2,522 40
June, 1870.....	1,461 90
July, 1870.....	1,708 95
August, 1870.....	1,595 30
September, 1870.....	1,836 10
October, 1870.....	3,683 35
Total for one year	<u>49,386 27</u>

Question. [Submitting a document below given.] There is an abstract of the other contingent funds, made from that same document, that we in like manner compared with that official record?

Answer. Yes, sir; it is correct. It contains several contingent funds of different departments. The contingent fund of the other officers was \$41,987 12.

Question. Now add the governor's contingent fund to that, and what is the grand total of the contingent expenses for the State of South Carolina for that year?

Answer. \$91,373 39.

The above mentioned document is as follows :

Contingent fund, secretary of state, for 1870.....	\$1,000,00
" " comptroller general's office, for 1870.....	992,70
" " state auditor, for 1870.....	1,309,45
" " state treasurer, for 1870.....	926,69
" " superintendent education, for 1870.....	900,00
" " attorney general, for 1870.....	992,98
" " adjutant and inspector general, for 1870.....	2,500,00
" " chief constable, for 1870.....	500,00
" " legislative library, for 1870.....	395,50
" " contingent accounts, for 1870.....	31,434,65
" " supreme court, for 1870.....	1,035,15
" " governor.....	<u>41,987,12</u>
Grand total.....	<u>49,386,27</u>
	<u>91,373,39</u>

Question. [Submitting a document.] Here is an abstract of certain special expenditures from the same official record; did we, in like manner, compare that with that record?

Answer. I do not remember that

Question. I find the salaries set out in this document for 1870, at \$185,830 34. Is that the official report of the comptroller general for 1860?

Answer. Yes, sir.

Question. Please read over the several salaries as reported in this document.

Answer. Under the head of "Estimates of supplies required for the support of the government for the year commencing the 1st of October, 1860," I find these items:

Salary of the governor.....	\$3,500
Salary of private secretary of the governor.....	500
Salary of the messenger of the governor.....	250

Salaries of clerks of senate and house of representatives.....	\$2,500
Salaries of other officers of senate and house of representatives.....	1,600
Salaries of the keeper of the State-house and librarian.....	1,700
Salary of the chief justice.....	3,500
Salaries of chancellors and judges.....	30,000
Salaries of attorneys general and solicitors.....	5,600
Salaries of clerks and messengers of court of appeals.....	1,700
Salaries of librarians of courts of appeals.....	400
Salary of State reporter.....	1,500
Salary of comptroller general.....	2,000
Salary of comptroller's clerk.....	750
Salaries of two treasurers.....	3,600
Salaries of the assessor for St. Philip's and St. Michael's.....	1,000

Under the head of "South Carolina College :"

Salaries of president and professors of South Carolina College.....	\$20,500
Salaries of other officers of the institution.....	1,700
Salary of commissioner to superintendent public works.....	150
Salary of adjutant and inspector general.....	2,500
Salary of quartermaster general.....	500
Salaries of arsenal keepers and physicians.....	1,900
Salary of secretary of state, for military commissions.....	800
Salary of superintendent fire-proof building, Charleston.....	100
Salary of port physician.....	800
Salary of physician to jail.....	500
Salary of physician to citadel magazine.....	500

Question. Turn to the same report and see what was expended for the support of the University of South Carolina for that year.

Answer. It was then called the South Carolina College. It is the same institution with the name changed. It is \$24,200.

Question. Turn to the item in the report for the present year and state what amount is it?

Answer. "Support of the University of South Carolina, \$3,615 78." That is in the report for the year ending October 31, 1870.

Question. Is it possible that the salaries of the professors may be included in the statement of salaries amounting to \$185,830 34?

Answer. That may be so, sir.

Question. Was it a law or custom in South Carolina, prior to the war, to furnish a mansion for the governor?

Answer. No, sir. There was, I think, generally appropriated either three or four hundred dollars for rent. I think it was \$300 for rent of the governor's house.

Question. Read these two items in the report for the year ending October 31, 1870, as to the governor's house.

Answer. "Fitting up grounds, governor's mansion, \$1,424 69."

"Fitting up governor's residence, \$4,970 98."

Question. Please read from the report for 1870 the expenses of the legislature at their regular session.

Answer. "For the fiscal year ending October 31, 1870, legislative expenses, regular session, 1869, \$210,540 98."

Question. Now read the corresponding item in the report of the comptroller general for 1860.

Answer. "Comptroller general's report commencing 1st October, 1860 : pay of members, solicitors, &c., \$18,000." That is the estimate of supplies; both are estimates. It was always made so much, if so much would be necessary.

Question. [Exhibiting a document.] Is that the official report of the comptroller general for 1855?

Answer. Yes, sir.

Question. Turn to page 47 of that document under the head of "Estimate of supplies required for the support of the government for the year commencing October 1, 1855," in regard to the estimated cost of the legislature, and read that.

Answer. "Pay of members, solicitors, &c., \$18,000."

Question. Were these estimates generally correct, colonel?

Answer. Yes, sir; I think they were generally covered.

Question. How long did the session of the South Carolina legislature ordinarily last during those years that you were a member of it?

Answer. A fraction over three weeks, generally.

Question. How long do they last now?

Answer. The extra and regular session of 1868, I think, ran over nearly six months—the two sessions together.

Question. What is the difference between the pay and mileage of members now and in 1855 and 1860?

Answer. In 1855 and 1860 the pay was \$3 *per diem*, and the milage 10 cents per mile. Now the *per diem* I understand to be \$6, and the mileage 20 cents per mile.

Question. I find an item here of expenditure for the fiscal year ending October 31, 1870, "Paid committee of investigation, third congressional district, \$17,583 65." Is that all that was paid that committee, do you recollect?

Answer. "Paid committee of investigation, third congressional district, \$17,583 65." I am not informed whether that is all or not.

Question. [Exhibiting a document.] Is that an official document—the message of the governor and accompanying documents for 1869?

Answer. Yes, sir; it is so stated on the back.

Question. Turn to page 75 and read the following entry:

Answer. "Committee of investigation, third congressional district, \$10,281 80."

Question. That, undoubtedly, refers to the same committee, because it refers to the same congressional district, unless there were two investigations and two committees?

Answer. I heard of but one investigating committee.

Question. What do you know about that transaction?

Answer. This is the fourth congressional district in which we now are, and that was out of my district.

Question. Upon what authority, did you ever know or hear, was it, that the State legislature of South Carolina had to investigate elections pertaining to the General Government of the United States?

Answer. It was a matter of surprise to me that the legislature should attempt to make a congressional investigation.

Question. Was the celebrated Joseph Crews at the head of that committee?

Answer. I understand so, sir.

Question. [Exhibiting a document.] Now, turn to the 51st page of the Report of the Comptroller General for the year ending October 31, 1870, and read the following entry:

Answer. "Permanent printing, \$22,316 46."

Question. Now, turn to the official document report of comptroller general for 1855, and read the two following entries marked there:

Answer. "Printing for the legislature, \$4,000." "Printing of acts, resolutions, &c., \$2,500."

Question. I see an entry here on the document entitled message of the governor, and accompanying documents, page 76, "Estimate of supplies," the following item which I will ask you to read:

Answer. "Three code commissioners, \$10,500."

Question. What were the duties of that board of commissioners?

Answer. I understand it was to make a code of the laws of South Carolina.

Question. How do you understand that they executed that?

Answer. Rumor has it that it was a simple copying from other documents—I think principally from the —

By the CHAIRMAN:

Question. I suppose they made a report, colonel?

Answer. Yes, sir, I suppose so; I am not informed sufficiently to answer that question.

By Mr. VAN TRUMP:

Question. I ask you to turn to page 117 of the same document to "Account to the State of the South Carolina of H. H. Kimpton, financial agent of the State."

Answer. This is December, 1869, "Cash paid premium on \$200,000 of gold, \$40,250."

Question. Now turn to page 118 of the same document and read the item there marked.

Answer. This is under January, 1870, "To cash paid premium on \$100,000, gold, \$22,362 50."

Question. Do you know any way of explaining those items with the current rates of premium on gold at those periods?

Answer. I do not now remember what the premium was at that time.

Question. Has it, for the last eighteen months or two years, been over 13 per cent.?

Answer. I have not a distinct recollection enough about that to state.

Question. Here is a memorandum that you handed me; state what it is; I don't understand it. I believe it is something in regard to the effect of this taxation.

Answer. Yes, sir; these are extracts taken from publications in the newspapers with regard to the number of executions issued—that is, tax executions issued in Kershaw district.

Question. Does that mean county?

Answer. Yes, sir; in Kershaw County 3,600 tax executions were said to be issued.

By the CHAIRMAN:

Question. What did you read from?

Answer. It is my own memorandum that I took out of a newspaper publication.

Question. To what date does it refer?

Answer. To the last year.

By Mr. VAN TRUMP:

Question. Proceed with your statement.

Answer. The newspaper also stated, "Suspended by Governor Scott until after the election."

Question. In that county?

Answer. Yes, sir, in that county; "86,000 acres in Williamsburgh County. One-sixth of the whole county was reported to be under tax executions."

By the CHAIRMAN:

Question. Does it mean that the governor suspended the executions?

Answer. That is the statement in the paper. That is all I know about it. "One-sixth part of the lands in Darlington were said to be under tax executions. One-tenth of the lands in Fairfield County also."

Question. Are you giving this as your own knowledge?

Answer. It is a newspaper statement.

Question. Do you know anything about it?

Answer. No, sir, I do not, but the statements were made in the newspaper.

By Mr. VAN TRUMP:

Question. What was the fact in that year in regard to the double tax as it is called—that is, paying two taxes in the one year—what was the result of that?

Answer. This was last year that I have down here; the double tax was proposed to be collected this year.

Question. What would have been the amount collected if the double tax had been collected?

Answer. The South Carolina tax to be paid this year, the State tax amounts to \$1,647,000; the county tax was put down at \$618,047; making a total of \$2,265,047.

Question. If there had been a double tax collected for that year what would it have amounted to?

Answer. The law required them to commence to collect another tax in this year—some time in November, I think—that is put down at \$1,281,000 for the State, and \$549,000 for the counties, making in all \$1,830,000 for the additional tax, and an aggregate of the two taxes of \$4,095,047.

Question. State why that has not been and probably will not be collected.

Answer. There was a general dissatisfaction, and in the tax-payers' convention we waited on the governor and he promised us there that he would suspend the penalty for non-payment of taxes until the 1st of March next.

Question. But not suspend the collection of the double tax proper?

Answer. The tax would commence as provided by law, but would be extended on, and the penalty not enforced until next March. The reason they gave, as I understand it, was to change the fiscal year.

By Mr. STEVENSON:

Question. Collecting the tax in the fall instead of the next spring for the then ensuing year?

Answer. That was the reason, but the operation would have been to have collected off of the State \$4,095,047, if these statements be correct.

Question. In a single year for two years?

Answer. It would have been collected in a single year, but it was for two years.

By Mr. VAN TRUMP:

Question. Turn to page 39 of the report of the comptroller general of South Carolina for 1855, and give the aggregate report of the taxation of the upper and lower divisions.

Answer. The result is \$399,739 67.

Question. How much of that tax is on slaves?

Answer. \$231,117 60.

Question. Turn to this document, being message of Governor Scott and accompanying documents for the year ending October 31, 1870, page 67, and state what is the aggregate amount of the expenditures for that year?

Answer. \$1,830,840 32; that is the footing.

Question. Will you now turn to the report of the comptroller general for 1855, page 16, and read the following?

Answer. "The call for such a statement was made privately, on more than one occasion, at the session of 1854, and as a matter of information may be made useful:

"Gross taxes, under act of 1850 for year 1851.....	\$515,678 88
"Gross taxes, under act of 1851 for year 1852.....	349,931 28
"Gross taxes, under act of 1852 for year 1853.....	361,775 87
"Gross taxes, under act of 1853 for year 1854.....	429,975 99
"Gross taxes, under act of 1854 for year 1855.....	399,739 67
"Making a total of.....	2,057,101 69
"Commissions of tax collectors, averaging about 5½ per cent.....	\$113,140 55
"Net aggregate for last five years.....	1,943,961 14
"Averaging three hundred and eighty-eight thousand seven hundred and ninety-two dollars and twenty-two cents (\$388,792 22) per annum for the last five years."	

Question. So that it appears that the aggregate or gross amount of taxation for five years prior to the war, gives but a little over the actual expenditures for the one year ending October 31, 1870; is that the fact?

Answer. Yes, sir.

Question. Now, to make some explanation of this enormous amount of expenditures for the cost of legislation, I will ask you if that is the veto of Governor Scott on that bill making appropriations for legislative expenses?

Answer. Yes, sir; it is so understood to be.

Question. Will you read it?

Answer. It is as follows:

"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."

Question. I hand you a printed slip—from what paper is that slip taken?

Answer. The republican paper printed in Charleston.

Question. I will ask you if the following is an editorial in a republican paper printed at Charleston, under date of Saturday, March 18, 1871, on the subject of legislative extravagance, fraud, and corruption?

Answer. Yes, sir; it is as follows:

[From the Charleston Republican, March 18, 1871.]

"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 when 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 which he cannot buy. And this gentleman is a member of the legislature! He had declared that the bill could be passed for

\$80,000. 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.

"Does this not satisfy the Union that even though we do not give names we know there was bribery, and that it was our duty to rebuke it? It may not satisfy that journal, but the people themselves need no more proof."

By the CHAIRMAN:

Question. What is the title of the paper?

Answer. The Charleston Republican. It is republican in politics. I take the paper myself.

By Mr. VAN TRUMP:

Question. Is it the acknowledged republican paper published there?

Answer. Yes, sir.

Question. Is there a republican paper published there called the Missionary Record?

Answer. Yes, sir.

Question. Edited by whom?

Answer. By R. H. Cain, a colored man.

Question. I ask if the following appeared in that paper as an editorial?

Answer. Yes, sir; it is as follows:

"A GRAPHIC PICTURE.

"The Guardian says: The split among the Charleston radicals is developing some curious pictures of radical rascality, and exposing the corruptions and fraud and bribery which had kept that party alive for the past four years. The Rev. R. H. Cain has had some troubles with his wing of the party, and in a recent issue of the Missionary Record he lets off the following against certain elements in the party:

"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 have dictated to the mass 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 shall think."

Question. Unless you desire to state something further that you know of, I have no further questions to ask you.

Answer. I desire to state a little matter in regard to my own course. There had been some outrages, as I was informed, in the neighborhood of Limestone Springs; and at the request of some citizens there a meeting was gotten up, and I went over myself to address them. That was, I think, during last winter, sir. There was a very considerable crowd there. I made a speech to them and urged upon them the necessity of obeying the laws, abstaining from all violence, and giving every peaceable citizen his quiet and security at home, urging upon them the great danger of these lawless mobs, as it might involve the country in great difficulties, and the injustice it was bringing upon individuals. The meeting unanimously, as far as I could judge, sustained me in what I had said, and passed resolutions affirmatively. Since that I have not heard of any troubles in that section of the country. Here, a few weeks ago, perhaps a month or something over, I was requested to go to a place eight miles below and make a speech to them. There was a considerable crowd of neighbors came out there.

By Mr. STEVENSON:

Question. Was that at Glenn Springs?

Answer. No, sir; it was in the neighborhood of General Bates's plantation, embracing a considerable part of the same country, however, or at least in that direction. I made them a speech there, and I warned them against these acts of violence. I endeavored to appeal to their patriotism and then to their fears. I told them that such acts would do great injury to their country and they were endangering the peace and good order of the country. I said, further, "I do not know that there is one here, but if there is and you start out on your raids at night, appointing a time when you expect to be at home, before you arrive at home you may be taken up by the cavalry which is now at Spartanburgh, and instead of returning home you may be arrested and taken off, perhaps, to Washington City or I do not know where." I endeavored to enforce upon them not only the difficulties they might bring the country into, but the personal difficulties that might be attached to them individually, and my own course has been all the time to endeavor to keep these things quiet. I have advised and sent out word in various directions to intelligent men to endeavor to keep the peace and keep down these lawless bands.

By the CHAIRMAN:

Question. Is that the whole of the statement you desire to make?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Have you anything further to state?

Answer. I would mention one thing in regard to taxation. They have a board called the board of equalization in Columbia, and after the assessment of the property had been made for the State, a return was made to Columbia, and although it was made by assessors said to be sworn, they doubled the tax in Columbia upon the real estate in Spartanburgh.

By Mr. VAN TRUMP:

Question. Do you mean that they doubled it on Spartanburgh County and not upon other counties, or what others?

Answer. Many others. I think it was on Greenville. They equalized, as they said, the whole State; where they conceived it was not high enough they added.

By Mr. STEVENSON:

Question. They doubled the valuation of the land?

Answer. In some places they doubled it; in some places not so much. I speak of this county alone.

Question. What was the average valuation of lands in Spartanburgh County?

Answer. I really do not know.

Question. Do you know about what it was?

Answer. No, sir.

Question. Do you know what it is now?

Answer. No, sir.

Question. Do you know about what it is?

Answer. No, sir.

Question. Do you own lands here?

Answer. Yes, sir.

Question. How much?

Answer. About two thousand acres, sir.

Question. Did you own that land before the war?

Answer. Yes, sir; most of it.

Question. What is your land valued at?

Answer. I gave in my bottom, I think, as well as I now recollect—and I shall have to make out my estimate again in a few days—at \$30 an acre, and then down to the barren lands I have, which I would be willing to take \$1 an acre for.

By Mr. VAN TRUMP:

Question. I will ask one question here. Was there any tax on personal property, with a few exceptions, before the war; and if so, what are the exceptions?

Answer. The taxes were raised entirely, I think, before the war, on negroes, real estate, merchandise, professions, banks, and I do not remember of anything else; but common property of the country, such as horses, cattle, wagons, mules, was not taxed at all.

Question. And personal property generally?

Answer. Personal property generally was exempt.

Question. How is it now?

Answer. Everything is now to be valued and taxed. It is an *ad valorem* tax.

By Mr. STEVENSON:

Question. Do you not think that is right, that property should pay its part—all property?

Answer. I consider, of course, that an *ad valorem* tax is right.

Question. You were giving a valuation of your own property. You say the highest of your bottom lands you valued at \$30. How much is there of that?

Answer. I have some seventy-five or eighty acres. I estimated it as well as I could.

Question. What was the average of the remainder?

Answer. It went down. Some of my uplands, which are at a distance above here, and not near the village, I gave in at about \$5 an acre, and old field and poor, barren lands down, I think some as low down as \$1.

Question. Which was the greater in amount, the lands valued at \$1 per acre, or those at \$5?

Answer. The greater number of acres were the poor lands.

Question. I infer, then, that the average valuation of your lands would fall somewhere under \$5 an acre?

Answer. It is a question I had not thought of averaging.

Question. If the greater part was down as low as \$1—

Answer. Or one dollar and a half.

Question. Can you give us an exact statement?

Answer. I could at another time.

Question. Could you to-day or to-morrow?

Answer. I think so.

Question. Can you get the figures here in town?

Answer. I think so.

Question. I wish you would furnish them.

Answer. Yes, sir; I have a large body of poor land up there, and some river land.

Question. Can you not give us also the average valuation of the lands of Spartanburgh County made by the board of equalization?

Answer. You can get it better, probably, from the county commissioner, who will be here before you, perhaps.

Question. I supposed you could get it. You have furnished us a great many figures.

Answer. I could.

Question. I suppose you are the best financier we have examined?

Answer. I have tried to keep the figures along.

Question. Do you know the average valuation of the lands in the State?

Answer. I do not.

Question. Can you give us an approximate?

Answer. I do not think I can, for it is a thing which has not come within any business transaction in any way. I do not remember to have paid any attention to it.

Question. You spoke of Kershaw County as having a great many executions for delinquent tax?

Answer. Yes, sir.

Question. Is that county one of the upper counties?

Answer. No, sir.

Question. Is it classed among the low counties?

Answer. I think so. You will find the town of Camden in Kershaw.

Question. Is it a cotton-planting region?

Answer. Yes, sir.

Question. Do you know what the lands are valued at there?

Answer. I do not. This statement I just took from the newspaper.

Question. Then it would appear that thirty-six hundred people there had failed to pay their taxes?

Answer. That was the newspaper statement.

Question. That county has a railroad running through it?

Answer. I think there is a branch running to Camden.

Question. Is the county of Williamsburgh a low county—a cotton-planting county?

Answer. Yes, sir; I think so.

Question. It has a railroad running through it, I see, from Charleston.

Answer. You can see better from the map than I can tell you. I know nothing about that region.

Question. There, you say, the report was that eighty-six thousand acres were delinquent.

Answer. That was the newspaper article.

Question. Darlington is a county which has two railroads crossing each other at Florence?

Answer. Yes, sir.

Question. You say there was one-sixth of the whole county delinquent?

Answer. It is so reported in the newspapers.

Question. And in Fairfield County, which also has two railroads, one-tenth of the county?

Answer. It was so reported.

Question. That is an upland county?

Answer. It is one of the middle districts.

Question. Adjoining the county where Columbia is?

Answer. Yes, sir.

Question. Is it not a fact that the lands of South Carolina were, before the war, owned in large quantities by a few men?

Answer. In some parts of the country they were.

Question. Was not that generally the case?

Answer. A great many men owned large bodies, but there were a great many small tracts through this county.

Question. How many land-owners were there before the war?

Answer. I think I remember to have seen a statement from the tax collector here, some time before the war, making it between eighteen and nineteen hundred.

Question. Was not nearly the entire real estate in this county owned by about two hundred men before the war?

Answer. I think not.

Question. I speak as to quantity. Of course a man might own a little lot in a town, but I speak of the farming lands.

Answer. I think not; perhaps the better lands were. But I am not prepared to answer this, for I do not know.

Question. State whether it was not generally the case that the farming lands in this State were owned by a few men in large quantities?

Answer. Not in this county.

Question. I speak of the whole State.

Answer. I cannot tell you how it was. It was understood that in many sections wealthy men had large bodies of land.

Question. How was it in Williamsburgh, Darlington, Fairfield, and Kershaw?

Answer. I do not remember ever to have been in Darlington, Williamsburgh, or Kershaw. I have been in Fairfield frequently.

Question. Have you any knowledge of the state of things there by which you could answer my question?

Answer. No, sir; I have not.

Question. You were in the State senate for how long?

Answer. Sixteen years.

Question. Is it not true that the war broke up most of the large planters, or greatly impoverished them?

Answer. I think that most of the large planters in the parishes and on the islands were broken up because they came in contact with the Army.

Question. And the loss of their slaves?

Answer. Yes, sir; I think so, and many of the large planters in the middle districts suffered very much. That is my opinion, sir.

Question. Has there not been an indisposition among the tax-payers in this State since reconstruction to pay taxes; have they not refused or neglected to pay them in many instances?

Answer. I cannot say that any portion of the State has refused.

Question. I do not mean whole portions of the State, but tax-payers individually.

Answer. I do not know of any individual who was able having refused to pay.

Question. Have you understood that such a sentiment prevailed or not?

Answer. When it was reported that we were to be doubly taxed in the present year, there was a sentiment that the people could not stand it, and that it was impossible for them to pay so large an amount in one year.

Question. You do not quite answer my question. I would like to know whether in your knowledge tax-payers in this State have not refused and neglected to pay taxes when they might have done it?

Answer. It does not come into my knowledge.

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.

Question. You spoke of a company of white militia that was raised here last fall or summer; who commanded it?

Answer. They were never received, I understand.

Question. Who raised it?

Answer. I think Duncan, here, raised it, or was elected captain.

Question. Who is he?

Answer. David R. Duncan, a member of the legislature.

Question. Who was he?

Answer. He was David R. Duncan then.

Question. What part did he take in the war, for instance?

Answer. He was in the army.

Question. In the rebel army?

Answer. Yes, sir.

Question. Do you know who his lieutenants were?

Answer. I do not, sir; but he will be before you probably, and can give you all that information.

Question. It was exclusively a white company, the one he proposed to raise?

Answer. Yes, sir; I think so.

Question. I asked you who was his lieutenant in the proposed organization?

Answer. I do not remember now; the fact is, being far over the military age, I took no interest in it.

Question. Do you know what reason the governor assigned for not accepting that company?

Answer. I do not; I do not know that he assigned any.

Question. Do you know what reason he assigned for not accepting such companies generally in the State?

Answer. I do not.

Question. Did you not hear that the reason was that their loyalty was doubted?

Answer. Well, sir, I do not remember to have heard it. We hear so many things—reports of that kind.

Question. You speak of the examination into the third congressional district of South

Carolina, made by the legislature: was not that upon allegations of violence and lawlessness committed during the election in 1868?

Answer. I think it was under an act of the legislature. I suppose it was.

Question. I asked was it not upon such allegations that an inquiry was made into the facts?

Answer. That is presumable.

Question. Do you not know that it was alleged that in the third district, adjoining this district, and in this district, many thousands of republican voters were prevented by violence and intimidation from voting in the congressional election in 1868?

Answer. Such may have been alleged, but I never have believed it.

Question. Do you not know that it was alleged?

Answer. I think it has been alleged; but right there, as you ask me that, I will state that I have never known a more quiet election in my life than that election, where I was.

Question. Where were you?

Answer. I was twelve miles from here; at what is called White Plains, at the election. At the election before, I was here.

Question. You have spoken of Mr. H. H. Foster, whoever he may be, and say you think he is a colored citizen of this town?

Answer. I think so.

Question. Do you know him personally?

Answer. Yes, sir; I believe I do, if I am not mistaken in the man.

Question. If you are not mistaken in the man, he is a colored citizen in this town?

Answer. Yes, sir; colored men frequently change their names, or go by different names, and we hardly know them certainly by name; but I think I know him.

Question. Are you aware that he made these statements as a part of his evidence, in the contested election case of Wallace against Simpson for the representation of this district in Congress, upon the election of 1868:

Question. Where did you vote at that election?

Answer. At Spartanburgh Court-House. I was one of a crowd of eleven who started to vote the republican ticket, with tickets in our hands, and I was the only one who got voting that ticket. The others were turned back, and some of them compelled to vote the democratic ticket. The crowd that blocked up the way to the polls was threatening and menacing; so much so that republicans were afraid to pass through it."

Were you aware that he and many others testified to prevailing violence at that election?

Answer. I was not.

Question. You do not know that that was one cause that might have led the governor to suspect the white militia?

Answer. No, sir; and further, I do not believe there were any such acts here in the election of 1868.

By Mr. VAN TRUMP:

Question. And let me ask if Spartanburgh is in that congressional district?

Answer. No, sir; it is not.

By Mr. STEVENSON:

Question. But this testimony relates to this district and this town. You have already been examined as to your speech on that day?

Answer. What day?

Question. On the day of the meeting here, prior to the election of 1868, in which it was alleged that you had spoken as follows:

"We own the lands; you live on them; you eat our bread and meat; and if you vote for our enemies, the radicals, you will get your earth, two by six; you will go like the Indians, and your bones will whiten our hill-sides."

You have stated what you recollect to have said?

Answer. Yes, sir.

Question. You think you said three feet by six?

Answer. Yes, sir; it is giving a little more room.

Question. That is a grave a little wider than usual, is it not? Are not graves in this country generally made two by six?

Answer. I think they are three by six.

Question. Do you recollect of saying nothing at all about the Indians in comparison?

Answer. I think I did.

Question. What did you say about them?

Answer. My recollection is this: that if they continued in that course, and to be deceived, that they might go like the Indians had gone, and whose bones are now bleaching.

Question. There was something, then, about bones?

Answer. Yes, sir; I think my allusion was this, that they would finally go out and become extinct, and I referred to the Indians, whose bones are bleaching.

Question. You are represented here as having said, "You will go like the Indians, and your bones will whiten our hill-sides." Is that the substance of what you did say?

Answer. Not exactly; I spoke of the Indians' bones which whiten, and that they would be extinguished, if that was their only chance.

Question. That is, if they went on following these leaders?

Answer. Yes, sir; if they continued and depended upon the forty acres and the mule they were to get.

Question. It did not relate entirely to looking for the forty acres and the mule. Did it not relate to their following political leaders who were deceiving them?

Answer. Yes, sir; if they continued to be deceived by these leaders.

Question. Then that was what was to become of them?

Answer. Yes, sir.

Question. How did you suppose that would come about?

Answer. Because I thought, and still think, they are used as tools and instruments in most cases.

Question. Following these leaders would not scatter their bones nor bleach them as Indians, would it?

Answer. The course that was being pursued I felt would lead them on in that way, until they would really have no political existence if they followed them.

Question. Having no political existence would not exterminate them, would it?

Answer. Well, sir, let me explain my meaning.

Question. If you please, I would like to have it.

Answer. My meaning was just this: they had been deceived by the promises of this, that, and the other; they had been promised homes and mules; this was the common expression—not that I know the fact—and that if they followed them, and continued to follow these false promises, &c., that would be the result.

Question. But how was that to bring about the result?

Answer. It was very evident that if they followed on they could get nothing from the party promising them, because they had nothing here; that was my allusion.

Question. I do not understand how men erring politically, however much they might err, would thereby cause their bones to whiten the hill-sides.

Answer. I do not say their bones, if you will understand it. I suppose they might go—that is, gradually waste away like the Indians, whose bones are now whitening the western hills, or something to that effect; but I made no threat; I did not intend any whatever.

Question. It was rather a prediction?

Answer. Yes, sir.

Question. How was it to be brought about?

Answer. I think I have explained it, sir, all I can.

Question. Have you given all the explanation you wish?

Answer. I think I have explained. I am willing to give any explanation I can.

Question. You know Mr. Thomas C. Scott?

Answer. Yes, sir.

Question. Was he a democrat or a republican?

Answer. I really do not know; he was a young fellow about here. I do not know his politics.

Question. White or black?

Answer. A white man.

Question. You say you met him in Columbia after he had testified?

Answer. Yes, sir.

Question. When?

Answer. I do not remember. It was a very short time, I think a few days after. In what year was that testimony taken?

Question. I am asking for your recollection.

Answer. My recollection is it was some time after that speech was made.

Question. Your speech was made in 1863?

Answer. Yes, sir; I do not remember when exactly; I did not charge my mind with it.

Question. Was that in 1870 you met him?

Answer. No, sir; it was while Major Wallace was getting up testimony, but I suppose I learned that Major Wallace got witnesses to go to Columbia and give in their testimony there. He may have examined some here; Mr. Scott told me he had been examined, and that he was not satisfied; he feared that he had been misrepresented, and he wanted me to go over with him and see what was put down.

Question. How did he come to tell you that?

Answer. I put up at the hotel where he was; he was managing about there, I believe.

Question. What did you say to him?

Answer. I asked him what his testimony was; he said what he had—I do not remember whether he told me exactly what it was—but he said he feared that they had misrepresented him.

Question. In what respect?

Answer. In his testimony, that they had stated something like you read there and he wanted it corrected.

Question. In what respect?

Answer. He wanted to correct the statement and let it go exactly in his own words. He feared they had put in something he did not want to say.

Question. Did he say what?

Answer. I asked him, and he said, "Let us go and have it corrected." We went first to the printing office, where we expected to find a young man that Mr. Scott said had been with him before, and then went to Mr. Wallace's office, so that he might see what he had been put down as having sworn to. Upon inquiry we learned from Major Wallace's son, Robert, that the testimony was taken away, and he could not find it. I observed that Mr. Scott wished to correct it, and Mr. Scott told him so himself.

Question. I see he was examined March 8, 1870; had he been examined before that?

Answer. I do not remember when, sir; he was examined, I know; I was there a short time afterward; I presume that was the time.

Question. You said before, that it could not have been 1870?

Answer. I was thinking of 1871; I presume that was the time; that will be March a year ago.

Question. Did he speak of correcting his testimony in any other respect as related to you?

Answer. No, sir; he was talking to me principally because he came to me when I got there; he had been living here, and he said he was afraid he was put down in some way wrong; he had become suspicious that they had not reported him correctly, and he wanted to go and see; I said I would go with him, because I wanted to know what he had sworn.

Question. I see he testified on page 26 of Miscellaneous Document No. 17, part 2, second session Forty-first Congress, as follows:

"*Question.* Were any threats made either in the clubs, by the speakers, or through the press of the democratic party to discharge from employment any employes if they voted the republican ticket?"

"*Answer.* No; but they said they would not employ them again, and passed such resolutions in their democratic clubs."

Did you know that that was done?

Answer. I think some clubs did, sir; that they would not employ them again.

Question. I read further:

"*Question.* Did you hear any of the democratic State canvassers threaten colored men that if they voted the radical ticket they should not live on their land, or be employed by them in any way—by members of the democratic party?"

"*Answer.* Yes; I heard Gabriel Cannon, State canvasser, say, in addressing the colored people, that if they voted the radical ticket, they would lose their friends and wander about like Indians; get their length two by six, and their bones would whiten the hills, as they were dependent upon us for everything—bread, employment, and sustenance; that those who professed to be their friends were not their friends, as all they wanted was to make them vote the radical ticket, as they (the radicals) wanted their votes, and that was all."

That is Mr. Scott's testimony?

Answer. I have given the version of that; I do think that was all they wanted—their votes.

Question. Then you did say something like this?

Answer. I did, or I say it now; that is my opinion.

Question. He is asked further:

"*Question.* Did you see democrats in no way connected with the election taking down the names of such colored persons as voted the radical ticket?"

"*Answer.* Yes, I did; one was Mr. Lee, and I did it myself."

"*Question.* Do you know what was the object of taking down the names of republican voters?"

"*Answer.* Yes; that the democrats might know who to employ in the future."

"*Question.* Did you see certificates given to colored men who voted the democratic ticket that they were democrats?"

"*Answer.* Yes; I saw Mr. Blake and other members of the club give them."

Did you know anything about giving certificates of democracy to negroes?

Answer. I think it was done, sir.

Question. He is asked further:

"*Question.* Do you know the object of giving those certificates to colored persons who voted the democratic ticket?"

"*Answer.* Yes, that they could get employment from any one, and could rent houses and lands the next year."

"*Question.* What party do you belong to?"

Answer. Democratic, sir."

You were cognizant of these facts, were you, taking down the names of voters?
Answer. The names of voters were taken down.

Question. And giving them certificates?

Answer. I think they got certificates as democratic negroes. Of course the object was to know who to employ; of course it was to give them the preference.

Question. Do you think that was right?

Answer. I cannot say much about that; it is a matter of opinion.

Question. I want your opinion?

Answer. We all generally employ our friends, you know.

By Mr. VAN TRUMP:

Question. Is that done by both parties here?

Answer. I think so; I think both parties do.

By Mr. STEVENSON:

Question. I do not suppose you have any scruple as to giving your opinion as to whether it was right?

Answer. Politically and otherwise, I have always tried, without doing others an injury, to benefit my friends.

Question. I would like to have an answer to my question.

Answer. Put it again, will you?

Question. Do you think that was right?

By Mr. VAN TRUMP:

Question. As an abstract proposition, or as applicable to the state of things on both sides at that time?

By Mr. STEVENSON:

Question. I would like an answer before your explanation.

Answer. The way things went then, I had no objection to it.

Question. You did it, did you not?

Answer. No, sir; because I had white renters on my land.

Question. You favored that policy?

Answer. Yes; I believed we should give the preference to those who had the boldness to come out and be independent.

Question. Then, in your speech, did you not mean that they would be starved out and their bones would whiten the hills if they followed these leaders?

Answer. If they had no one to depend upon for support or land than the leaders here, then they would have no support, because the leaders of that party here were not able to support them.

Question. You meant to convey the impression that the democrats would throw them off, and they would have to depend on the leaders they were following?

Answer. I meant to convey the impression that if they followed these leaders, such as were leading them in the midnight councils here, and depended on them entirely—if that was their only dependence that would be their situation.

Question. Did you not mean to express that that would be their only dependence?

Answer. No, sir; because I knew it would not be; but if that was their only dependence—if they depended on them entirely; in other words, they must have their supplies to some extent from the other party.

Question. Yet you say you knew that was not their only dependence?

Answer. Of course I knew the party here could not sustain them.

By Mr. VAN TRUMP:

Question. On which party do they now depend for support and employment?

Answer. I think nine-tenths or nineteen-twentieths will be found upon land that belongs to democrats.

By Mr. STEVENSON:

Question. Because the democrats own all the land?

Answer. Yes, sir; very few of their party own land.

By Mr. VAN TRUMP:

Question. To save time, I will ask here, where do they generally go for acts of kindness, to these carpet-baggers or to the democrats?

Answer. I think it is universally to the democrats.

By Mr. STEVENSON:

Question. What carpet-baggers have you in this county?

Answer. I did not mention carpet-baggers myself. I answered that they go to the democrats, I think generally. I did not say anything about carpet-baggers here.

Question. You think it is a great favor to these colored people to employ them on your land?

Answer. Well, sir, if they were not to get employment, where would they go?

Question. What would become of the lands if they were not employed?

Answer. That is another question.

Question. I notice it grows up into pine if it is let alone, and does not seem profitable?

Answer. A great deal grows up into pine.

Question. Is it not mutually beneficial to the land-owners and the negro farmers that they should work the land?

Answer. Yes, sir; I consider that, if they could be let alone and be quiet, the negro is the best labor we could get.

Question. If it was not for these politics?

Answer. If they could be let alone; but they are frequently drawn off to political meetings, and interrupted in that way and neglecting their business, until labor in many sections becomes uncertain—not reliable.

Question. That is, the negro acts about like the white man—goes to political meetings?

Answer. He neglects business.

Question. Laboring white men in this country, a great many of them, attend to their business closely?

Answer. That is your declaration, not mine.

Question. I want to know whether you agree with me?

Answer. I was not making any distinction in color, but only speaking of the neglect in business.

Question. Is it not true that planting operations have been disturbed by these Ku-Klux driving the hands off the places?

Answer. I have heard such reports, sir.

Question. You say you made special efforts to quiet these troubles?

Answer. I have, sir.

Question. You held meetings for that purpose?

Answer. I have gone to two political meetings, appointed especially for the purpose, and made speeches.

Question. What was the character of the resolutions passed at those meetings?

Answer. Against violence, and urging the peace and quiet of the country.

Question. Were those resolutions published?

Answer. I do not remember whether they were or not. The last ones were not, I think. The secretary, as Colonel Foster told me afterward, never made them out.

Question. Who was the secretary?

Answer. I think his name was Harmon.

Question. Did you see the report of the Glenn Springs meeting which Mr. Smith addressed?

Answer. I do not remember whether I did or not.

Question. Did the negroes promise at these meetings, by resolution or otherwise, to stop following these leaders who it was alleged had misled them?

Answer. At the last meeting I do not think there was a negro there; that was of whites altogether.

Question. How was it at the other?

Answer. At the other there was quite a large number of negroes, and after I was done addressing the mixed crowd I stepped forward and talked to a few negroes, and told them what I considered the effect of that would be.

Question. Of what?

Answer. Of that meeting; that it would quiet the country, because the white men had passed resolutions, and we hoped they would all go home and feel perfectly quiet, or feel safe at home, and attend to their business, and they seemed very well satisfied.

Question. Did the negroes take any action at that meeting?

Answer. No, sir; only they seemed to acquiesce in the advice I had given.

Question. Since you attended these meetings you say you have heard of no trouble in those regions?

Answer. Not in the Limestone region; there is in the region of Batesville here.

Question. Although you had been down there?

Answer. Yes, sir; my last speech was made in General Bates's neighborhood.

Question. Where are your own possessions?

Answer. Fifteen miles above here, nearly north.

Question. How do you account for the effect of your address at Limestone Springs?

Answer. Governor Scott had sent General Anderson up here, as he reported to me, with a promise that he would remove these objectionable officials, (trial justices,) and appoint better men, and that he would do all that he could to give us competent and honest officials. I stated to them there, upon the authority of General Anderson, who had come up here, what Governor Scott had said, and requested them now to stop this,

for Governor Scott had promised us better officials; and he did appoint a man in that neighborhood who gave satisfaction, and since that I have heard of no trouble in that immediate neighborhood.

Question. Do you think you had the Ku-Klux leaders there in the meeting?

Answer. I cannot say. I do not know.

Question. It was the Ku-Klux that had been making the disturbances?

Answer. Yes, sir; but they are an invisible body, so far as I know.

Question. How do you account for the effect of your advice on the Ku-Klux?

Answer. There was a large number of white and colored people collected, and the promise, I suppose, went to them, if they were not there, because it was publicly made to the country.

Question. You think it was the promise of the governor, and not your advice?

Answer. I think it was the assurance that there should be better officials in the future; and I was intimately acquainted in the country, and urged upon them the importance and told them the danger.

Question. Were the leading and respectable men of that neighborhood there?

Answer. Generally, sir.

Question. And the effect of that meeting, so far as you know, was to bring quiet to that neighborhood?

Answer. It has been quiet, so far as I have understood, since. I think that meeting had a good effect.

Question. How do you account for the fact that your going down and assembling the white people there should quiet the Ku-Klux operations?

Answer. Well, sir, I think it was learning that they were to have better officials, and, indeed, my having explained to them the dangers, and getting the good men of the country active in it, endeavoring to educate public opinion, and all thinking men, to appreciate the dangers, and try to correct these improper acts; that is my opinion.

Question. It would appear, then, that these Ku-Klux were either good men themselves, or men who took the advice of good men?

Answer. I cannot say as to that. A bad man may be alarmed sometimes.

Question. You think possibly they may have been intimidated by what you said of the possible consequences to themselves?

Answer. I cannot say as to that. I have given you what I said. You must draw your own inference.

Question. Of course we are entirely in the dark as to who are the Ku-Klux, and of course we must inquire of witnesses. I will ask you a question which you may not consider very complimentary, but yet we must find out what we can of —

Answer. I am prepared to answer.

Question. —who are the leaders of this Ku-Klux Klan; therefore I ask you whether you are one?

Answer. I am not, sir,

Question. Have you ever belonged to any secret organization, band, or association?

Answer. Never, sir. I belonged to a democratic club here. We were holding our meetings openly in the court-house, and invited all the world in to us. Mr. Poinier and Dr. Cummings, and many others here, were members. Mr. Poinier and Dr. Cummings were both appointed to go and make democratic speeches.

Question. That was in 1868?

Answer. Yes, sir; but as to belonging to any secret organization, I am willing to answer, or having any knowledge of the existence or formation of any of these clubs, or organizations I have none.

Question. Is it possible that this democratic club has, in the country parts of this county, degenerated into the Ku-Klux Klan?

Answer. I think not, sir.

Question. Was there any arrangement for the defense of the white citizens of the town talked over in this club?

Answer. Not that I remember of in the club, but it has frequently, or at least occasionally, been spoken of, that we ought to be prepared, or did not know what might come.

Question. You did prepare, did you not?

Answer. I did not. I suppose some others did.

Question. I ask you as to the members of the club generally—

Answer. I did not speak of the club.

Question. I speak of the club.

Answer. I did not. I understood your question and stopped you. It was not the action of the club by any means.

Question. What was it, then?

Answer. The citizens felt, and spoke as though they felt, there was danger.

Question. Were those citizens members of the club?

Answer. I do not remember now.

Question. Were not the white voting citizens generally members of that club—the democrats I mean?

Answer. A great many were, and many were not. Many in this town were not.

Question. How many were there of the members of the club in this town?

Answer. I think over a hundred; and some from the adjoining neighborhood, &c. All was open, though.

Question. Were there clubs in other parts of the county?

Answer. Yes, sir; democratic clubs.

Question. Are you not aware that the violence alleged to have existed in these two districts—that is, the third and fourth congressional districts—in 1868, sprang from those democratic clubs?

Answer. I am not, sir, nor do I think it was the case.

Question. I ask as to the allegation?

Answer. I do not know. I believe there have been many allegations made upon false premises.

Question. Then whatever organization there is in this Ku-Klux Klan, it is, in your opinion, an organization outside of the democratic clubs?

Answer. Yes, sir.

Question. An additional organization?

Answer. I think the democratic clubs have long since despaired, so far as I know.

Question. Is it possible that they have turned into Ku-Klux clubs?

Answer. No, sir. I answered just now it was not, in my opinion.

Question. I asked you before whether they had been used as such. Now, I ask you whether they have been turned into them?

Answer. I think not.

Question. Who are the leaders of the Ku-Klux?

Answer. I told you I did not know a man.

Question. Have you never heard the leadership of this Klan imputed to anybody?

Answer. No, sir. I know nothing more than you do, only what I have heard. I have stated that distinctly. I have no knowledge in any shape or form, only that they exist.

Question. And their actions?

Answer. By rumor—what you or any other man could hear in the streets from reports.

Question. Is it not a little curious that a man of your general intelligence and information as to this county should know nothing whatsoever of the existence of this order except as it creeps out in violence?

Mr. VAN TRUMP. Are you to argue it?

The WITNESS. Are we to argue it, gentlemen? If so, we will fix for a general argument. I do not think there is any curiosity about it. As I understand these people, they go in the night-time, and in disguise; and while I am asleep how am I to know? I have no information on the subject.

By Mr. STEVENSON:

Question. What is your opinion as to the extent of the outrages committed by the Ku-Klux Klan in this county; how many of them?

Answer. I think there have been two murders committed. One was upon the person of a trial justice by the name of—

Question. You have gone over that; I do not care to have it repeated. I ask for your summary—your opinion.

Answer. I have no knowledge; I have no guess; I do not think there have been a great many; I cannot think so; I have not heard.

Question. Did you publish a card upon that subject?

Answer. What subject?

Question. Stating how many outrages you supposed had been committed.

Answer. Me?

Question. Yes, sir.

Answer. No, sir; I do not think I ever have. I do not remember to have ever published a card of any sort.

Question. You have never published a card stating that no more than a dozen persons had been whipped in this county?

Answer. I do not remember to have published any card about it, sir. I may have said before persons that I did not think there was.

By Mr. VAN TRUMP:

Question. At some time?

Answer. At some time past.

By Mr. STEVENSON:

Question. I have been informed that you have published such a card.

Answer. I would like to see it.

By the CHAIRMAN:

Question. My attention is just called by an editorial to a card published by the colonel, and printed in the Daily Union, of Columbia.

Answer. Yes, sir; I was thinking of that, and that was some time ago.

Question. It is published on the 18th of May, and the card is dated the 9th of May?

Answer. Yes, sir; we were in Columbia when this report came that coals of fire had been put upon the body of this Fowler, a dying man, and I had been with Dr. Jones's son and had talked with him, and he had said nothing about it, and I published the card in Columbia.

Question. This card is in answer to a communication signed "Senex," in the course of which it is said—but I will have to read a considerable part of it:

"Since October last," says Senex, "no week has passed during which some outrage of the kind has not been perpetrated in this county," having allusion to shooting and whipping. Again, he says, "the shooting of thirty or forty persons, and whipping of hundreds, does not disturb the *quiet serene* of the Democracy in the least." Now, Mr. Editor, who your correspondent Senex is, we do not positively know, as you are aware of having declined to give his name when called on by one of us for that purpose, nor do we know where he obtained the evidence that led to these conclusions. On the other hand, we are citizens of Spartanburgh. We know that the assertions that the occurrence of one case of this kind every week—the shooting of thirty or forty, and the whipping of hundreds—is so wildly exaggerated as to make it unworthy of belief."

"The shooting of Anthony Johnson, a colored man, near Pacolet Depot, who was killed, and of Dr. Wismith, who, we are glad to say, is recovering, constitute the only cases of this kind that came within our knowledge in Spartanburgh. The cases of whipping may have been more common, probably as many as a dozen, but Senex says *hundreds*, and that means at least *two* hundred; and if he were writing over his own signature, and if he is a responsible man, then he ought to be required to produce the evidence upon which these assertions were made."

Answer. Yes, sir; that was drawn up by Captain Woodruff.

By the STEVENSON:

Question. Then you did publish substantially such a card?

Answer. Yes, sir; I was thinking of this place at the time; but that we published in Columbia, in answer to a card which Senex had published, and he said "the shooting of thirty or forty persons." At that time I had not heard so much about the whipping as I have since—that was in May.

Question. One other question I will ask you, in justice to Mr. Wallace. You have spoken here incidentally of a bill—

Mr. VAN TRUMP. In answer to a question of mine. The character of the act was brought in by my question. The witness did not volunteer it.

By Mr. STEVENSON:

Question. You spoke incidentally of a bill introduced by Mr. Wallace in the South Carolina legislature, before the war, relative to free negroes?

Answer. Yes, sir.

Question. I have heard that charged frequently. I want you to explain what it is. What was the provision of his bill?

Answer. My recollection is this: that he introduced a bill to permit free negroes to sell themselves into slavery. That is my recollection, and to sell free negroes for a limited time for certain crimes.

Question. Now, was not this the case: that before the war the law of South Carolina punished with death a free negro who committed certain offenses for which a white man would not be punished with death?

Answer. We had very few cases of that kind on hand. There were special provisions in the statute laws for the trial of slaves and free persons of color.

Question. And penalties applied?

Answer. Yes, sir.

Question. Which were not applied to the white man?

Answer. I think so, in the case of certain offenses, but I am not able to say—the laws will show.

Question. Do you know there was a difference in the application of the criminal code?

Answer. O, yes; there is no doubt about that.

Question. How were they tried?

Answer. Before magistrates and freeholders.

Question. A jury of six, was it not?

Answer. There were a few cases—I do not remember, but it was a jury of freeholders

Question. And a magistrate, without appeal?

Answer. No; they could appeal. They could appear with counsel.

Question. Could appeal to higher courts?

Answer. Yes, sir; I think so; that is my impression, but these things were so rare that I cannot remember.

Question. Was not this the provision of the bill, that in cases where free negroes were convicted of crimes of which the penalty was death, instead of being executed they might be sold into slavery for a limited time?

Answer. I think not.

Question. You do not so recollect?

Answer. I do not so recollect it.

Question. How do you remember it; were they to be sold for life?

Answer. I do not remember that they were to be sold at all, not being familiar with the practice then; I cannot tell, for I really do not know.

Question. You have spoken in regard to the bill without knowledge or the subject of its details?

Answer. Of Colonel Wallace's bill?

Question. Yes.

Answer. Oh, no; I spoke of —

Question. That is the question I asked.

Answer. I understood you to ask me what the law was prior to that.

Question. My latter question was in relation to Mr. Wallace's bill.

Answer. You now ask me the provisions of Colonel Wallace's bill.

Question. I ask, was not this the provision of the bill, that in cases where free negroes were convicted of crimes of which the penalty was death, instead of being executed they might be sold into slavery for a limited time?

Answer. You mean the provision of Mr. Wallace's bill?

Question. Yes, sir.

Answer. I think it was this, to allow them to sell themselves into slavery, if they desired to; and that for certain crimes, which I do not remember, they might be sold into slavery for a limited time. That is the provision of Mr. Wallace's bill, I think. Understand me, I was not bringing this out to implicate Major Wallace at all.

MR. VAN TRUMP. It was brought out by my question that Mr. Wallace called on him to explain a certain thing, and I asked what it was. If there is any odium I want it to be on me.

By MR. STEVENSON:

Question. Do you wish to be understood as intending to imply that that bill was a cruelty to the free negroes?

Answer. I do not, sir.

Question. Was it not rather introduced to mitigate their condition?

Answer. In a word, I do not find any fault with Colonel Wallace for his bill. That answers the question.

Question. It was, then, a bill which you, as a humane man, might have approved?

Answer. I do not remember what my opinions were. I do not find any fault with him for it.

Question. You did not find any fault with him at that time

Answer. I do not remember that I did.

By MR. VAN TRUMP:

Question. The merit or demerit of Mr. Wallace's bill might largely depend upon the state of the law on the same subject.

Answer. Yes, sir; certainly. I do not remember what the law was before.

By MR. STEVENSON:

Question. Do you recollect whether, at the same legislature, there was a bill introduced by some one else to sell the free negroes of South Carolina into slavery?

Answer. Not to my recollection.

Question. You do not remember that fact?

Answer. No, sir.

Question. And the fact that Mr. Wallace moved to table that bill, and it was done?

Answer. I do not remember that. I suppose I should not have thought of Mr. Wallace if it had not been brought against him.

By the CHAIRMAN:

Question. While a large portion of your examination has been very interesting, historically and statistically, I feel more interested in getting at the remedy for the evils upon us now; at this meeting which you attended, I understand that you distinctly assumed the ground that there was a Ku-Klux organization in the county?

Answer. Which meeting?

Question. At Limestone Springs.

Answer. Yes, sir; I had been informed—I desire to be distinctly understood—I had

been informed that some negroes had been whipped there, and that there was a state of feeling among the colored people there of insecurity.

Question. That there may be no misapprehension I find in the Spartan, of February 2, a report of that meeting, wherein the substance of what you stated is purported to be given, and, I presume, is pretty near correct. I will read it:

"He was gratified to know that the officers of the law had in no case been resisted; the sheriff could, with safety, go into any part of the county and arrest any man against whom he had a charge, (viz, if he could find him,) without opposition."

Then, after stating the causes of the troubles, which will appear in the whole meeting, you say:

"He had had several interviews with the agent, General Anderson, who said Governor Scott would remove incompetent and bad men from office and appoint honest and competent men in their stead. He (the speaker) replied that if the governor would fulfill that promise he would pledge for the peace and good order of the county. Other citizens of the county joined in the pledge, and he now hoped that large meetings of both colors and parties would unite in the pledge in good faith."

Answer. Yes, sir.

Question. I ask whether Governor Scott did not, after that, remove the incompetent officers complained of?

Answer. He did in that neighborhood, but some others are not removed.

Question. Has it not been general throughout the county that where the complaints have been made the removals have been made and others appointed?

Answer. He has made a good many, or several, I think, sir.

Question. In that township Mr. Lyle, a member of the legislature, lives?

Answer. Yes, sir.

Question. He spoke from the same stand with you?

Answer. Yes, sir.

Question. Of course you have no idea that Mr. Lyle is a member of the Ku-Klux organization, or was at that time?

Answer. I have not.

Question. I deem it due here to say, so that it may be known, that my information from Washington is that the Ku-Klux in Rutherford County, North Carolina, who are confessing, have given the information that Mr. Lyle was in council with the commanders of the Klan, who planned and carried out the raid on Rutherfordton; having given his name and the circumstances, I shall send for him to explain that.

Answer. That is all new to me.

MR. VAN TRUMP. I have not heard of it before.

THE WITNESS. I had not.

THE CHAIRMAN. I do not want him to decline to come. I want him to appear.

THE WITNESS. It is twenty miles from here.

THE CHAIRMAN. If he is innocent, I want him to have the opportunity of clearing himself; and otherwise, I want to get at him. I want to follow this subject a little. You gave as one reason for this state of things, the inefficiency of your judiciary, also. I notice in this paper the resignation of Judge Vernon, against whom I understand there was no charge of either want of intelligence, or fairness or impartiality on the bench, but simply of incompetence because of intemperance. I read the concluding sentence of the article commenting on his resignation in the Spartan of February 2:

"Fairness and impartiality have certainly characterized, throughout the judicial ermine of Judge Vernon."

Following that I find in the paper of the 9th of March a notice is given of the election of Judge Moses. I understood you to say that the legislature elected the judges here.

Answer. That is correct.

Question. They are not elected by the people?

Answer. No, sir.

Question. In that paper entire confidence is expressed in the capacity of Judge Moses. The remarks are as follows:

"Colonel Montgomery Moses, of Sumter, has been elected judge of this judicial circuit. The Sumter Watchman, a paper in Judge Moses's native town, and where he now lives, says: 'He is one of the oldest members of the Sumter bar; is a brother of Chief Justice Moses, with whom he held a law partnership for many years. We doubt not he will give his best abilities to the office, aiming to hold the scales of justice at a balance and to administer the law independent of all party considerations. He acted with the conservatives in 1868, and he declares that, in securing his election, he would make no sacrifice of political position.'"

That is dated 9th of March; now, since that have there not been repeated outrages in this county?

Answer. Yes, sir; I think there have been several.

Question. And prior to that you had assumed, in a public speech, the existence of the order, and was satisfied it did exist?

Answer. I did believe it.

Question. As an evidence of public sentiment in this county I will read an extract from the same paper, which announces the appointment of Judge Moses after these meetings were held. This is a statement made in copying from the Union Times:

"The Union Times, in noticing the 'situation' in that county, says: 'In this county order and quiet reigns supreme, and our people are pursuing their vocations as if nothing had ever occurred to disturb their peace. Captain Stewart's men walk their 'lonely rounds' without suspicion or thought of danger, and the colored people are putting themselves under the wings of the Ku-Klux for protection. So one of them told us.'"

Then follows the remarks of the editor of the Spartan:

"We are glad to report a like condition of affairs in Spartanburgh, except that Captain Stewart is not here. We expect no further troubles, and hope there may be no new causes of trouble. Our people much prefer a quiet state of affairs. We cannot report the colored people under the wings of the Ku-Klux, as the Times says they are in Union. Perhaps this is because we have no Ku-Klux in Spartanburgh."

In the same number of that paper, noticing the bill before Congress for the suppression of the Ku-Klux, the editor remarks in reference to the commissioners proposed to be appointed:

"There are few of the respectable men in the south who would be willing to act in such a capacity, and as about one thousand are to be appointed, Sambo will have an unusual opportunity for promotion—perhaps we should say *elevation*."

Do you understand that to mean that if a negro would accept that position he would be likely to be hung?

Answer. It is really news to me. I never heard of it or thought of it. I rarely see that.

Question. Is that what you understand by that language?

Answer. I do not know that I caught it exactly.

Question. "*Elevation*" is in italics.

Answer. It may mean that they will be elevated to heaven. (The witness examines the article above mentioned.)

Question. What do you understand by that?

Answer. I do not know; it may be to elevate him to position or hang him.

Question. Would not the plain understanding of that, addressed to an ignorant crowd, mean that the negro who would accept that position would deserve to be hung?

Answer. It is a thing I had not thought of. I do not think our people are so disposed—that is, the good citizens.

Question. You say this has entirely escaped your attention in a paper published in your own town?

Answer. I very often do not look at it. I look at the papers from abroad.

Question. Can such things appear in a paper where there is an unequivocal denunciation of the outrages of the Ku-Klux?

Answer. I suppose the editor makes his own comments—it might admit of two constructions. The fact is that I do not remember ever to have seen or thought of that.

Question. That is the paper of the 9th of March. I proceed to the paper of the 23d.

Answer. You had better bring up the editor.

Question. I want to get at the remedy for these evils, not to reflect on the editor or anybody else. In this paper of Spartan of March 23, quoting from the Phoenix, occur these words:

"And there can be no genuine and lasting peace until this State passes into other hands, and we are remitted to 'cheerful and wholesome self-government.' Until this period we must do all that is possible to improve our surroundings; but South Carolina cannot be tranquil and prosperous until she stands redeemed of the influences that now control her destinies."

In the state of public feeling that existed here at that time would not that be construed by these men who were carrying on these lawless operations to approve their operations to get possession of the State government?

Answer. No, sir; for I think it is self-evident that we cannot have prosperity until we have at least a change in the present administration of affairs. Mr. Chamberlain, before the committee of eleven in the tax-payers' convention, said "that the brains and intelligence of the country must be brought to its support, or it would fall to pieces of its own rottenness." I do not think that last article is susceptible of the construction you give it.

Question. I do not want to screen official misconduct or corruption, but I want to get at the fact whether there does not exist a state of affairs in this county, in which language of this kind would be very naturally construed into an approval of these acts which you say you believe were instigated because of the bad State government.

Answer. I have no doubt that was the cause of it, but I cannot say that the construction you put upon it is correct.

Question. Then after that article, appearing on the 9th of March, denying the exist-

ence of the Ku-Klux in this county—after you had addressed the people to remedy the evil, I find on the 30th of March the outrage on Dr. Winsmith, his notice—

Answer. I remember that.

Question. So that the Ku-Klux did exist before this denial was put in the paper, and other outrages continued afterward?

Answer. I am not responsible for that paper, by any means, but I have given my opinions as to the Ku-Klux, and you have them.

Question. In that connection I will ask, is not this paper the acknowledged organ of the democratic party in this county?

Answer. It is the only democratic paper.

Question. And, as I understand, published by a gentleman of intelligence and standing here in the party?

Answer. It is published by Mr. Trimmier. He is considered a gentleman of good character.

Question. So I supposed. I do not wish to reflect on his character further than his position may do it. I follow that, going to the 28th of April, which seems to be after the arrival of the military, and after the shooting of Dr. Winsmith, and there I find the following under the editorial head in this newspaper:

“A REVEREND GENTLEMAN’S’ EVENING PRAYER.

(“Supposed to have been uttered on the evening of the arrival of the United States cavalry at this place.)

“Now I lay me down to sleep,
I pray thee, Grant, my body keep,
Just let thy soldiers round me stand,
And drive away the Ku-Klux band;
That I may have one night of rest,
With consciousness of safety blessed.”

Is that sufficiently indicative to point out any minister of the gospel here?

Answer. I think so.

Question. Who?

Answer. I think it is Dr. Cummings.

Question. It then follows:

“And though my conscience sting no more,
And keep me wakeful evermore,
I think I can make out to snore,
A grateful song I then will raise,
Thy soldiers and thy grace to praise.
Amen.

“SPARTANBURGH, SOUTH CAROLINA, April 10, 1871.”

I cite that as an indication of public opinion here as to the coming of the soldiers and as to the feeling of men, who, after the shooting of Dr. Winsmith, were apprehensive.

Answer. I have no doubt it referred to that gentleman.

Question. And this was after Dr. Winsmith was shot in his own house?

Answer. Yes, sir, I believe so; I have not the dates myself.

Question. And following that, on the 11th of May, appears the murder of Wallace Fowler, here called Wally Olin, on Colonel Jones’s plantation. They condemn that proceeding?

Answer. Yes, sir; that was an outrage.

Question. In the paper of the 18th follows a card dated the 9th, in which you spoke of the number of cases that you supposed had occurred in this county?

Answer. Yes, sir.

Question. And in the paper of the 15th of June I find a communication published with reference to the taking of the recognizance of General Bates for his appearance in court, and quoting the language of Judge Orr, before whom he was bailed. Alluding to Judge Orr the writer says:

“The judge expressed his condemnation of the acts of lawlessness which have been reported from this county in very decided and unmeasured terms. He wished that the proceedings had been brought before him at Spartanburgh. He wanted to tell our people the trouble they were bringing upon themselves. Martial law, with all its attendant horrors, would be soon visited upon a community which would not be persuaded by gentler means to obey the law and keep the peace.”

That is a communication signed “*Amicus Pius.*”

Answer. Yes, sir.

Question. Now, it appears that notwithstanding your well-directed efforts, which were successful in Limestone Township, from some influence these outrages have continued in this county until within the last two weeks. We have one case before us, showing a man whipped within two weeks.

Answer I suppose you have had that explained more fully than I can.

Question. I stated as a fact, that we have had a case before us of a man whipped within the last two weeks. Now, in this state of things, if the number of persons whipped in this county should turn out to amount to fifty or a hundred, and certainly if they amount to two hundred, would you not consider it right that this committee should give an intimation to the citizens through you, or through other citizens, that if these things continue, and especially if any of the witnesses called here by either side, by either party, and who have been before this committee, should be made the subject of Ku-Klux outrages, that it would be right for this committee to say to the public, that the civil law is utterly inefficient in this county?

Answer. Well, sir, I hope that this investigation will arouse a feeling in this county that will change the state of things, and I think I may safely say that a number of the good citizens of the country will traverse the county and warn them of their danger. I am ready, for one, to go into any part of it—for I feel the danger. I have warned them of martial law. When martial law comes, the innocent and the guilty may be brought out. I am willing, for one, and I volunteer, as I have done heretofore, to go into any part of this county and call the citizens together, and warn the good citizens of the country that there is danger. I hope that this committee will at least allow us that opportunity.

Question. I am very glad we have come to that point, for I think it is the sincere desire of the committee to aid in ending trouble, instead of causing any. In the next place, I wish further to put this question in that point of view. Do you not think that, in order to give any assurance of continued protection in this county, it will be necessary, not only that there shall be a condemnation in words of these proceedings, but active measures taken to discover, arrest, and punish the perpetrators of past offenses?

Answer. Yes, sir; yes, sir. I am perfectly willing.

Question. I have been informed, to speak plainly—

Answer. I like plain talk—

Question.—by the United States commissioner in this place, that since he has undertaken to arrest the men implicated by testimony taken by him—whether that testimony shall be sustained in court or not I do not know—many citizens have said to him that he is only stirring up trouble and must desist; that it will do no good. Now, I feel bound to say that I think if that has been the case—and I speak it upon his information—that it is a fatal step towards bringing about insecurity here, and instead of any one seeking to deter him from carrying on prosecutions he ought to be sustained by every one. It may be that many of the charges are unfounded, but that will be decided in the courts.

Answer. Yes, sir.

Question. But I think instead of preventing prosecutions, where there is any reasonable ground of belief the citizens ought to encourage them.

Answer. Yes, sir.

MR. VAN TRUMP. Now that the Senator has made a statement to go into the report, I wish to make one in connection with it. While we ought to be anxious to ferret out the perpetrators of these outrages, we ought to be very careful to not throw out insinuations; to not injure persons perhaps innocent; and I make this remark in view of the remark of the Senator as to the United States commissioner, that if he has stated the fact he himself ought to be called as a witness to enumerate, indicate, and point out the very men who have thus expressed themselves.

THE CHAIRMAN. I wish to have it understood that I have not been informed that he has been threatened—that he has been advised in this way.

THE WITNESS. I want to be distinctly understood here, the good citizens of this county must come to its relief. We must go out and stop this if possible, and I am willing to go into any hole or corner of the county, and I do hope that no harsh measures may be taken for anything that is passed, but give us the chance.

THE CHAIRMAN. As we are on this subject, I will say this: The testimony may perhaps disclose a state of things that many people and some members of the committee may deem exaggerated; as I have already said, the purpose of the committee is to suppress instead of stirring up strife and disorder. I think it is proper to say, if any doubt of that kind remains, I, as chairman of the committee, will advise them to take such testimony as we may at this time, and that we adjourn from this place with the understanding that we will return here after the committee shall assemble in the fall, if the circumstances at all seem to require it, to verify the truth of the statements made, or ascertain the true condition of things.

MR. STEVENSON. I believe, Mr. Chairman, the entire sub-committee are in favor of fully investigating every one of these outrages on the spot where they have been committed; and therefore if there shall reach Washington, in the interval between this time and the 20th of September, when the general committee meets, reports of new violences anywhere, I shall vote for a full investigation thereof right on the spot.

THE WITNESS. On the spot. We hope that will be the case. I have been looking at

this thing. I have seen it. I have felt the dread of martial law. As I observed a while ago, the great fault, in my judgment, is in the incompetency of the officials. The truth is that all the officials, except the few who are elected—the county officers—are appointed by Governor Scott, and therefore we have no chance; but I think that now we can bring such a state of things before the public that even these violent men will take the hint and stop. And I do trust that the committee will give us the chance, because if martial law is declared, the innocent must suffer with the guilty.

By the CHAIRMAN:

Question. The expenses of the State government of South Carolina for the years of 1855 and 1860, which you have given us from the comptroller general's report, were estimated expenses?

Answer. I believe so, sir.

Question. Have you the report which would show the actual expenses for the year commencing October 1, 1866, of which you have given the estimate?

Answer. I have not it here, sir. The estimates are generally made up from data that you had taken, and I think the estimates have generally covered the actual expenses.

Question. The point I desire to get at is that the year 1860 having been given, and as that year would embrace the year in which the State seceded and the war began, I would like to have the actual expenses instead of the estimates.

Answer. That would come out the next year.

Question. Have you that?

Answer. I have not it here; I suppose I have it among my old papers. This is the estimate of supplies for the year commencing October 1, 1860.

Question. Did I correctly understand you when you gave testimony of matter that you had taken from a newspaper, in reference to executions in Kershaw County, when I supposed those that you first gave were executions upon judgments, or were they all executions for the collection of taxes?

Answer. I understood that they were tax executions, from the newspaper, which was speaking of the taxes, of the expenses, &c., of the government, and of the enormous taxation.

Question. I took up the idea that the first number to which you referred were executions issued upon judgments obtained between private parties.

Answer. Between private parties; my impression was it was so.

Question. I do not understand how the governor could suspend them. You now state that they were entirely executions for taxes due the State government?

Answer. That is my recollection of the newspaper article.

Question. What paper was that article taken from?

Answer. I do not remember.

Question. Was it a paper published during the last political campaign?

Answer. I do not remember now. I took it as I found it, without putting down the dates—not expecting to be called.

Question. You have not the article now, but simply the pencil memorandum you took from it?

Answer. Yes, sir.

Question. Was there not a great deal of heated matter published during the last campaign, upon both sides, that you would not like to vouch for?

Answer. I would not like to vouch for the authenticity of any newspaper article.

Question. You have no knowledge whether it was correct or not?

Answer. O, no, sir.

Question. With reference to the State expenditures, do not the different circumstances under which the State government was inaugurated necessarily involve a larger amount of expenditure now than during the years to which you have referred, '55 and '60?

Answer. I do not see that they necessarily do, but the increase of officers and the various increases of expenditure, of course in the way they have it, do, but not necessarily.

Question. Would not the increased cost of living, or, if you put it otherwise, the difference in the value of money, account for it?

Answer. It might to that extent.

Question. Would it not involve very nearly double the amount?

Answer. Not nearly double the amount. It might to some extent.

Question. Has not that been your experience since the war, that the cost of material and living, and everything that enters into actual expenses of sustaining a government, are almost double?

Answer. A great many of the expenses have largely increased.

Question. Do the expenditures you have given embrace any portion of the appropriations made to pay the arrearages of interest which accrued on the State debt during the war?

Answer. I think not, sir.

Question. I do not mean the debt incurred during the war, but I mean the interest that accrued on the preëxisting debt?

Answer. I understand you. I think it was in 1865 or 1866 that the legislature passed an act to fund the then due coupons, embracing all that would be due up to July, 1867; after July, 1867, the legislature had to provide for it.

Question. If I am correct, there was during the war an accumulation of interest on the debt which existed at the beginning of the war?

Answer. Yes, sir.

Question. That interest was not paid during the war?

Answer. I presume not a great deal of it.

Question. Were there any appropriations made in this year to meet that accrued interest—I mean in 1869-70? I inquire, for I do not know.

MR. VAN TRUMP. That was for the year ending October, 1870.

By the CHAIRMAN:

Question. I speak as to the year you were examined upon.

Answer. My understanding was that the accrued interest was to be funded, and new bonds given up to July, 1867. That is my recollection.

Question. Does that enter into the expenses you have referred to in any manner in any of these estimates?

Answer. I think it does not. I think those bonds were issued, and the interest on the bonds would come into it. That is my recollection.

By MR. VAN TRUMP:

Question. While these estimates for the year beginning on the 1st of October, 1860, may have been increased by the intervention of the war—though that does not appear here in these estimates—that contingency would not apply to the estimates of 1855?

Answer. Not at all, sir.

Question. We do not know how far the estimates may have been exceeded by the actual expenses in that portion of 1861 that was included in the estimates for that year, do we?

Answer. No, sir; we do not know.

Question. But if I understand you, the estimates prior to that time, according to your recollection, always covered the actual expenditures?

Answer. I think that there was very seldom, if ever, any deficiency.

Question. No deficiency bills were passed?

Answer. I do not remember that there were. I suppose it became a pretty fixed sum in regard to all these known expenditures, from the fact that we have appropriated the same amount in each year for the pay of the legislators—\$18,000.

Question. Does that apply to the general state of things in the expenditures of the government prior to 1861?

Answer. Generally, what the expenses would be was very nearly estimated.

Question. Would not the actual taxes for those years be a criterion to know whether they were exceeded or not?

Answer. Yes, sir.

Question. I find the taxes levied and collected for 1855 were \$399,739 67; that, taken with the estimates, would be a pretty good criterion to show that the estimates were not too short for the expenses of the government?

Answer. My impression is that that is rather below the usual amount. I think it has gone to sometimes four or five hundred thousand dollars, when there was anything like an extraordinary appropriation, such as building court-houses and the like of that, which were called extraordinary appropriations.

Question. That report of the comptroller general, giving the aggregate of five years, and striking the average, would certainly be a test of what the expenses had been for those five years?

Answer. Yes, sir; that must be a test for those five years.

Question. From your recollection and memorandum of what that newspaper stated in regard to these tax executions, 3,600 executions were in Kershaw County?

Answer. Yes, sir.

Question. Is Kershaw a pretty extensive, rich, and thickly-populated county?

Answer. I am not acquainted with it.

Question. And these executions would issue for delinquencies on personal as well as real property, would they not? If a man was delinquent in his payment of taxes for personal property, an execution would go out for that as well as real estate?

Answer. My impression is that sometimes several executions have been issued against the same man for delinquencies for a year or two past.

Question. And they would be in separate executions?

Answer. Yes, sir; and probably that was the case there.

Question. Would these 3,600 executions for taxes necessarily be confined to real estate executions?

Answer. No, sir.

Question. They would be on personal property, as well as on real estate delinquents?

Answer. O, yes, sir. They would be on any kind of property where there was a deficiency, even if it was a dog, I suppose.

By Mr. STEVENSON:

Question. Would they apply to poll-tax?

Answer. I do not know; but I presume so.

By Mr. VAN TRUMP:

Question. The same process of collection applies to all taxes?

Answer. I presume they apply to all taxes. That was my impression.

Question. You have been asked whether there were not threats, and you admit that there had been some proceedings in the direction of discharging negroes if they continued to vote the radical ticket?

Answer. I do not remember of any threats of discharging, but of not employing them the next year.

Question. Do you say, from your personal knowledge of the people in all the States, that that kind of thing is peculiar to South Carolina?

Answer. I am not prepared to say.

Question. You have not been acquainted in the North?

Answer. No, sir.

Question. You do not know that hundreds of instances of the same kind occur there?

Answer. I have heard rumors that those who employ hands employed in factories, or anything of the kind, would turn off those who did not support their political party. I cannot say it myself, but that has been frequently said.

Question. The chairman has asked you to give a construction to an editorial article in the Spartan paper, a thing which is patent on its face for anybody to interpret, as to what was meant by promoting the negro and perhaps elevating?

Answer. Yes, sir.

Question. Now, taking the legal rule to give the most liberal construction where innocence or guilt is concerned, might not that have been a sarcastic remark, implying that, however much you might promote a negro to office, he never could elevate himself up to it?

Answer. It is very reasonable, sir, that it might be so.

Question. You were asked whether there were not some organized efforts on the part of democrats here to arm or defend themselves in these clubs. I understood you to say that you did not know that there was anything of the sort done in the clubs.

Answer. I think not.

Question. But you have heard remarks on the streets by democrats?

Answer. Yes, sir.

Question. That they intended to take care of themselves?

Answer. Yes, sir; that it was necessary.

Question. Did you think that was wonderful, in the face of the chief magistrate arming what might be almost said to be a hostile race?

Answer. No, sir; I thought it was prudent for men to be prepared for an assault; not to make the attack, but for defense.

By the CHAIRMAN:

Question. Let me understand your last remark when you spoke of a hostile race—

Answer. I did not use the expression.

Question. You answered the question assuming that. Is it true that the negro is actually hostile to white men? Is there a state of hostile feeling between them?

Answer. I do not think that he is naturally, unless excited by inflammatory speeches from others.

Question. I understood you to say in your testimony, in the first place, that although incendiary appeals had been made to the negroes in this county, you were not aware that any act had been done by them in pursuance of those appeals, and no property had been burnt in this county?

Answer. I do not know that I remarked that incendiary appeals had been made.

Question. You made some remark of the kind. I may not quote you exactly.

Answer. I do not remember positively. I have heard of such things, but I do not know of their having committed any in this county. I mentioned York, and that I had understood they were there.

Question. So far as hostility has displayed itself in this county, has it not been on the part of this organization, and as bands, against the negroes?

Answer. I do not know that I have heard of any absolutely hostile acts on the part of negroes, except I have heard it remarked that they were hostile among themselves in cases where one of their number would differ with them in politics. I have heard these remarks.

Question. But I am speaking of the relations between the two races; have not acts

of hostility been on the part of these hostile bands, composed of whoever they may be, against the negroes?

Answer. I have heard of negroes being with those who were committing outrages.

Question. But so far as you know of acts of actual hostility, have they not been in the largest measure by these disguised bands, at night, against negroes?

Answer. I do not know of any acts of hostility at all except from general report. I have heard of negroes being hostile—that is, having committed acts of hostility.

Question. You misunderstand me still. Have you not heard of many instances in which these armed bands have committed acts of hostility against negroes?

Answer. I have, of several.

Question. Now, have there been any in which negroes as a race have manifested hostility to the whites?

Answer. Not open acts.

Question. I suppose you did not intend to carry out the idea that there was actual hostility between the races?

Answer. No, sir; I did not.

Question. I desire to get at the rate of taxation. You say you own two thousand acres of land in this county. Can you give us the amount of taxation levied on your land for the last year, or about the amount?

Answer. My whole tax—State taxes and county taxes—last year was a little short of \$400.

Question. What was the proportion between the State and county taxes?

Answer. I think the State tax was nine mills, if I do not forget.

Question. Nine mills to the dollar?

Answer. Yes, sir; and about five mills—I think it was about thirteen mills on the dollar.

Question. Of that the proportions are, nine mills of State taxes, and five or four, if it was thirteen altogether, of county taxes?

Answer. Yes, sir; I think so; but the county commissioner will be before you and can inform you precisely.

Question. That was your whole tax?

Answer. Yes, sir.

Question. That included your personal as well as real estate?

Answer. Yes, sir.

Question. Can you tell us how much of that would be assessed on your lands?

Answer. That included my property in this State. I have property out of the State.

Question. That included all your property in this State?

Answer. Yes, sir; real estate as well as personal.

Question. Can you tell the proportion which your land bore to the general valuation? I do not wish to inquire into your private affairs.

Answer. I do not think I can, for my real estate is mixed—it is land in the country, and some little town property in lots, and I do not know how to separate them.

Question. About \$400 was all you paid?

Answer. A little less than \$400.

Question. That includes State and county, and the State would be a little more than double the county tax?

Answer. Not so much, perhaps.

By Mr. STEVENSON:

Question. Perhaps the witness can separate his personal tax from his real estate?

Answer. I think my personal property here was estimated at about \$14,000 or \$15,000.

By the CHAIRMAN:

Question. The taxes on that are embraced in the whole \$400?

Answer. Yes, sir; and my recollection now is that my landed estate and personal property here in this county were very nearly equal.

Question. That would make the whole valuation in this county about \$30,000?

Answer. Yes, sir.

Question. You say you have land outside of this county, in this State?

Answer. No, sir; I have land in North Carolina, but not elsewhere in South Carolina.

By Mr. STEVENSON:

Question. Then the taxes on your real estate are about one-half of the whole which you paid?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. That would be nearly \$200 on \$15,000 valuation of real estate?

Answer. Yes, sir; something approximating that.

By Mr. STEVENSON:

Question. That would include two thousand acres of land and more or less town property?

Answer. Yes, sir; two lots.

By Mr. VAN TRUMP:

Question. But two thousand acres of what is in general very poor land?

Answer. Very poor land, three-fourths of it.

By Mr. STEVENSON:

Question. I desire to ask about the conduct of the negroes here. Were you here during the war?

Answer. No, sir; I was in the county, on my plantation.

Question. You were in the county?

Answer. Yes, sir.

Question. Was not the conduct of the negroes during the war quiet and obedient?

Answer. Yes, sir; so far as I know, I think it was generally.

Question. Have they been disposed to be unruly? Had they not a very fair opportunity then, when the great body of white men were gone?

Answer. Yes, sir; a very fair opportunity.

By Mr. VAN TRUMP:

Question. Would they not be quiet now if they were left alone by outside meddlers?

Answer. Yes, sir; I think so.

By Mr. STEVENSON:

Question. If they had been left alone entirely would they have been still in slavery?

Answer. No, sir.

Question. Do you think they would have been free but for the war?

Answer. No, sir; I do not think they would, but you asked me how they were during the war, and I told you I thought they behaved very well during the war, and would have continued to behave well but for outsiders that have come in since the war.

SPARTANBURGH, SOUTH CAROLINA, July 13, 1871.

SIMPSON BOBO sworn and examined.

By the CHAIRMAN:

Question. How long have you lived in this county?

Answer. Sixty-seven, going on sixty-eight years.

Question. What is your profession?

Answer. My principal business has been at the bar—law.

Question. You are still a practicing lawyer at this bar?

Answer. Yes, sir. I am engaged, besides that, in farming, making iron, and a variety of things; but that is my leading business.

Question. The general end of our inquiry is to ascertain the extent to which the civil laws are executed in the late insurrectionary States, and the degree of security enjoyed for life, person, and property therein. Without special interrogation, will you please go on and give us any information you have that will throw light upon these inquiries?

Answer. Well, sir, that is a very general question, and opens a field that I might talk about for a week, perhaps; but I want to get it into some shape. There has been in this part of the country, and, I suppose, to some extent, through the whole of the South, some disturbances, some irregularities since the close of the war. There have been in this particular section of the country some. I confess that, with all the light I have on the subject, I have been surprised that there have been no more irregularities, from the peculiar circumstances in which we have been placed. You know we have gone through one of the most remarkable changes in our relations to each other that has been known, perhaps, in the history of the world. The negro that was our slave has become our master suddenly—"just turned up," as a very familiar mode of expression among the negroes has it; the bottom rail has got on top, the negro being suddenly placed in that relation. That very circumstance has produced in itself a very unpleasant state of feeling. But my impression is, that any one looking at it philosophically, to the state of the country as it was and as it is—any one living here and knowing all about it, will be surprised that there has been as little disturbance as there has been. If the Government had given us a good government; if it had let us remain under a military government, none of these troubles would have been in this country. Until the military rule was removed from South Carolina, I do not remem-

ber of a single disturbance that was of any consequence. When the Army withdrew, at first there were a few disturbances, but after that there were none. Our people were disposed to be quiet. I do honestly believe that the southern people, when they surrendered at Appomattox, were in earnest, and intended to submit to the changed state of affairs without disturbances.—I think that is their feeling yet, and that the better class of our people all over this country are just that way now. We want to be at peace. That is the principal feeling, but, as I have said, there have been disturbances. There have been a great many cases—I say a great many—a good many cases of the whipping of negroes in this county and some of the adjoining counties, some for one purpose and some for another. I think some of them have been political, and some of them have been with a view of answering special ends. For instance, upon this subject, to give you an idea of it, now, you gentlemen from the North know very little about the negroes. They are great thieves. The body of the negroes are really so. These Ku-Klux, as they are called—disguised men—take up these negroes. They take up a negro whom they know has been guilty of stealing, and make him state all that he knows about others stealing, if they can. They first find out that a fellow has been stealing. Down here, on Ennoree River, some thirty miles from here, the neighbors were losing their cotton, last fall, to a great extent. The negroes would go into the field at night and carry it off. They caught one negro at it. They told him nothing about it, and a few neighbors put on disguises and went and took up that fellow. Well, the negroes had an impression at first that they were ghosts. They had an idea that they knew more about things than other people. It was different from any appearance that exhibited itself. They took him up, and asked him if he could tell what he was taken up for. He hesitated for a while. They insisted upon his giving out what they had taken him up for. He says: "I guess you have got me here for stealing Massa Jones's cotton." Well, that was the fact. That was what they took him up for. They said yes, that was it. They said, "Have you stolen anything else? Do you know of anybody who has stolen?" And if they did not know of anything else, (in this case he did not,) they said to him, "Now, we are going to whip you for that; but if you go home, and go to work, we will have no more trouble with you." They whipped him and turned him loose; and a day or two afterward they took up another, and this fellow had talked about it, and so the moment they took this man up, he said it was for the killing of such a man's pig. So it was with several others that they called on and caught up, and they say it has cured the neighborhood of stealing. That is a sample of a great many cases of the kind that have occurred. Another sample I will give you is of this sort: The lower class of white people—that is a proper mode of expression—the lower class of white people have a great prejudice against the negro, because he is a competitor for common labor, and wherever they come into collision, these fellows form themselves into a Klan, and take up negroes that come in their way, and punish them. I have heard a great many cases of that kind—not known positively, but people said it was so. They take up a negro; for instance, a white man rents a tract of land to a negro. Some white man wants to get the land. The owner prefers giving it to the negro. For the purpose of punishing the negro, he will then get up a parcel of neighbors, and in disguise they will go and whip the negro half to death. Another case is of this sort: I have iron works. I have been bothered a great deal in getting up a proper foundry since the war. Iron-founders before the war were all negroes. They will not work all the week. These blasting furnaces have to be run all the week, Sundays and all, and since the war I have been troubled in getting a blast; they blowed out from one cause or another. The result is, I have not been able to make anything at iron since the war. I got a white man at last from North Carolina, just over the line, who is a founder. He came over, and I employed him. He agreed to run the furnace through the blast for so much. He run it beautifully, and was going on finely for about six or eight weeks. I was there and saw it. It is only twenty miles from here. I called one day, and he said, "Are you pleased with the concern thus far?" I told him yes. Says he, "I must have higher wages, or I will quit." I was looking for that, for I knew the character of that class of men. I said, "Go to the clerk and settle, and you can go." He says, "I don't want to disturb your business. I will stay until Saturday, and you can get somebody in my place." I went off for a negro that I had all along in my eye. I knew that, following the white man, I would get control of the negro, and he would mind his business. I put the negro in the furnace, and about a week afterward somebody came there and took that founder out and beat him dreadfully. I have no more doubt than I have of anything I didn't see, that it was that founder who came over from North Carolina with a few fellows and beat that negro.

By Mr. VAN TRUMP:

Question. Were they disguised men?

Answer. Yes, sir; they were disguised. The white man had remarkable flaxen hair—bright flaxen hair—and the negro said he saw his hair, and he knew it was him.

Question. He was perfectly satisfied it was him?

Answer. The negro had no doubt about it. There were twelve or fourteen of them, and every one of them gave him a few licks every round, beginning at number one. He said they called it out in that way, number one, number two, and so on, and they all whipped him, and then turned him loose.

By the CHAIRMAN:

Question. That is the negro's account to you?

Answer. Yes, sir; and I have no doubt about that.

Question. At what time did this thing occur down on the river that you spoke of first?

Answer. It was last fall; at the cotton-picking time.

Question. Who were the persons that instituted that mode of deterring the negroes from stealing?

Answer. I do not know who one of them was.

Question. Where did you get the account of it?

Answer. From some person in the neighborhood; I do not know who.

Question. One of the parties who did it?

Answer. No, sir.

Question. Was it one of the negroes who was whipped?

Answer. No, sir; some white man from the neighborhood.

Question. How did he know?

Answer. I don't know how. I told you it was only reports down there. I don't know anything about it. That is the way I heard it. I did not get it from any authority.

Question. I understood from the particularity with which you gave the conversation even, that you had it authentically from somebody?

Answer. No, sir; I premised it by telling you that I didn't know whether it was right or not, only I heard it. I do not know anything about any of these things myself.

Question. But that is the way you think these things began?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Is it not likely that the negroes told it?

Answer. Yes, sir; I think so.

By the CHAIRMAN:

Question. Then this is not an authentic account of how this thing originated, but only a reason given for it?

Answer. Yes, sir.

Question. Now, would there be any difficulty in a case of that kind, where the negro had stolen cotton or pork with any evidence against him, to bring him into court and convict him?

Answer. No doubt of it at all. That is the right way for them to do.

Question. But they took the law into their own hands?

Answer. It was all wrong, certainly.

Question. There was nothing to justify that?

Answer. No, sir; nothing at all.

Question. The civil tribunals were open to them?

Answer. Yes, sir.

Question. There was no difficulty in enforcing the law at all?

Answer. No, sir; none at all.

Question. The other case was at your own establishment?

Answer. Yes, sir.

Question. So that when the negro steals, he is whipped?

Answer. Yes, sir.

Question. And when he works industriously, he is whipped?

Answer. Yes, sir.

Question. Let the case be what it may?

Answer. Yes, sir.

Question. Now, have any of these men who have whipped the negro unlawfully, either for stealing or for doing honest work, been brought into court and punished?

Answer. Not a single case that I know of, because they are all just as this case I told you of. If that fellow in North Carolina had been here, I would have prevented or prosecuted him; but he was in North Carolina, and I could not get hold of him without great trouble.

Question. You have given us this case in which the negroes were whipped for stealing, and the other case for working, and you have stated that some of the cases you have no doubt were political. What cases did those refer to? Name any one specially.

Answer. I can tell you one that I thought was political. It struck me so; I didn't see any other motive for it, and I do not know but one that occurred in this part of the county that could be traced to that specifically. That is the case of a negro, Johnson, a trial justice, who was killed. That I suppose you have heard of. I have always thought he was killed on account of his being appointed a trial justice. He was a stupid, ignorant fellow, unfit for that or any office. He was appointed by Governor Scott, and my judgment is, a great deal of trouble, a large amount of the trouble in this county, has grown out of that; that is, out of the dreadful management of our public officers. They appointed, in this county, a lot of men wholly unfit for office, as trial justices. That was the only negro appointed. There was one white man. My recollection is that he was the first man I heard of being whipped at all—a fellow by the name of Champion; a case which you probably have heard of.

Question. Yes, sir; we have heard of him.

Answer. He was a trial justice, and a very stupid, ignorant creature, and a drunken fellow.

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.

Question. Have there been any of that class against white men as well as negroes?

Answer. Do you mean been any prosecutions?

Question. No; I mean have there been any cases in which white men as well as negroes have been visited by this violence?

Answer. There have been a few—a very few I have heard of. This man Champion was one, and I have heard of some others whose names I do not remember now—but very few. The cases are mostly negroes.

Question. Can you name any white man you have heard of?

Answer. I think I heard of a fellow; I can't call his name now, but it is familiar. There were two men in the same neighborhood. Blackwell—Finch Blackwell was one. I heard he was whipped.

Question. Did you hear of Dr. Winsmith's case?

Answer. But that was a shooting.

Question. I am asking about violence by men in disguise?

Answer. Yes, sir, there was that case of Winsmith; he was a white man, but I thought you were inquiring about whippings.

Question. I speak of violence of every class.

Answer. Dr. Winsmith is the only white man shot that I know of, except those shot in quarrels constantly.

Question. Did you hear of any colored men being killed?

Answer. This fellow Johnson I have told you about, and a fellow named Fowler, on Dr. Jones's place, are about the only ones I remember of.

Question. Have you heard of any others who have been called upon for the purpose of intimidating them, or forcing them to renounce their political opinions?

Answer. I have heard of cases of that kind, but coming from both sides, but I have got no case that I could rely upon. I might say I have heard. I had one case coming from the radicals, of a negro. The negro told me about it, but that is the only case I have heard of.

Question. That is the only case?

Answer. Yes, sir, the only case that comes that near to me. I have heard as many from one side, I think, as the other. Individuals of both sides did threaten, I expect; that has been reported.

Question. Have you noticed any publications in the newspapers of that character, in which men renounced their political opinions?

Answer. Yes, sir; there have been several such cases.

Question. In which paper did they appear—in the democratic or republican newspaper?

Answer. I think they are usually in the democratic paper. It would be natural that they should be there.

Question. Why more natural that they should be there if the threats were on both sides?

Answer. Because all the cases of renouncing have been from the radical party; all the cases are from the radicals. I heard of no renouncing from the other party. If there have been any, I don't know it.

Question. Have you heard of any cases in which men in disguise have whipped men and required them to renounce their democratic principles?

Answer. Yes; I have heard of cases.

Question. Name any that you have heard of.

Answer. I declare I don't think I can tell you a single case by name. I have heard of a few cases where it has been said of negroes that they have been required to do so; and it was reported that John Genobles, a man who was a witness here before you, was whipped.

Question. To make him renounce his democratic principles?

Answer. No, sir; his radical principles.

Question. But, first, I ask for the names of the men who have been required to renounce their democratic principles.

Answer. I do not know anybody that has done it from compulsion. I don't know that I have heard of a single case of that sort; but I have heard of cases where they required them to—where they have been whipped to make them say they would give up their radical principles.

Question. Has that not been followed by publications in the newspapers to that effect?

Answer. Not that I know of. It may have been that these publications came from them, or some of them, but I don't know.

Question. This case of Mr. Genobles brings to my mind a fact that I had better state to you, to let you explain.

Answer. Yes, sir.

The CHAIRMAN. He has been examined before us, and the statement was that he was required to appear on the court-house steps, and there renounce his republican principles, and he did so. In that connection a statement was made by a witness before this committee, that you had requested the sheriff to suspend the sales, in order that this man might have the opportunity to make the renunciation. I will request the judge to read you the very words.

Judge VAN TRUMP. I will read from the testimony of a Mr. Poinier in regard to a certain sales meeting, and also in regard to a certain Mr. Genobles getting up and renouncing his republicanism:

Question. Is there a general attendance of the people of the county on these days?

Answer. Yes, sir; a very general attendance, and it was, perhaps, larger on that day. It seemed to be understood among the people, and among the leading citizens of the town, that this old man was to make this public renunciation; for old Mr. Bobo, a prominent lawyer—the oldest lawyer at the bar there—went to the sheriff and asked him to suspend the sales, in order that this old man could make his speech before the crowd dispersed."

The WITNESS. I say, without hesitation, that it is utterly, utterly false, and without the least semblance of excuse. There is not one word of truth. I knew no more about it than you did until after he had done it. There was a tract of land to be sold that a poor old man had, which I was looking after, to make his property go off; and when his land was disposed of, I went immediately to my office. If there was any suspicion as that at the sales, I have heard nothing of it, and heard nothing at all of his renunciation until a very busy man in town here came to my office door afterward, and said, "Genobles has renounced his republican principles from the steps of the court-house."

By Mr. VAN TRUMP:

Question. Then it is not true that you requested a suspension of the sales to let him make that speech?

Answer. It is utterly false. Not only false—but the sales were not suspended. I know they were not, so far as my interest was concerned, and I do not know anything about the speech.

By the CHAIRMAN:

Question. Do you know Mr. Genobles?

Answer. Yes, sir.

Question. How long has he lived in this county?

Answer. Ever since I knew him he has lived here. I think I have known him twenty-five or thirty years. He may have been raised here. He is an humble man.

Question. A farmer?

Answer. Yes, sir.

Question. An honest man?

Answer. So far as I know, he is.

Question. Have you no information that he made this publication in pursuance of a demand by a band in disguise?

Answer. No, sir.

Question. Have you never heard that?

Answer. I have heard that. It was published in the republican paper here. It was published that week that he was compelled to make that speech.

Question. Have there not been numerous cases of that kind in this county?

Answer. Not that I know of.

Question. Has not the number of them attracted your attention as they appeared in the newspapers?

Answer. Not much. I suppose there have been half a dozen sets of persons who have put their names in the newspapers in that way. I should suppose less than twenty, altogether. But, of course, I am guessing. I should think not more than that.

Question. Would you be surprised if an examination of the files would show forty-two or forty-three such cases since January last?

Answer. It would not surprise me, because I have kept no account.

Question. Have you heard of none of them being whipped to produce that effect?

Answer. Except Mr. Genobles; he is the only case I have heard of. There were five or six—perhaps six—persons from the iron-works that I have charge of renounced their republican principles. Neither of them were whipped, I know. How they came to do it, except from its being entirely voluntary, I don't know.

Answer. So far as they were concerned, I know they were not whipped, and I don't think there was any disposition to restrain them there at all. They could do as they pleased.

Question. Did not the impression get abroad in many parts of the county that the only safety men had was by such a renunciation?

Answer. I do not think so.

Question. To protect themselves against being whipped or killed?

Answer. I do not think so. I do not think that impression got out, except it was with some very imaginative body. I never dreamed of any such thing, nor have I met with anybody who did. I do know there have been some villainous falsehoods about that thing—they may have come to your ears—most shameful falsehoods. For instance, some one published an article in the Columbia Union, and my recollection is, said that there were from forty to fifty persons who had been shot in this county by the Ku-Klux; or between fifty and sixty.

Question. Who was he?

Answer. I don't know who; some one writing from this district, giving an account of this fellow Fowler, who was killed down at Jones's. Some gentlemen at Columbia from this county, who had just gone down, saw that notice, and published in the paper the next day a statement that it was false, and giving the names of the only persons they knew that had been shot. They gave the names, and that same person came out, or the same signature came out, in a day or two, and stated that the report which they gave was not true; but that there had been from thirty to forty, according to my recollection, cases that had occurred within the last six months.

Question. You refer to the card of Colonel Cannon and Mr. Woodruff?

Answer. Yes, sir; I have taken some trouble to inquire into that matter, and only three persons have been shot by disguised persons in this county that I have heard of. If there were others, I have not been able to find it out.

Question. The same communication referred to the number of whippings. Have you taken the trouble to inquire into that?

Answer. No, sir. I knew they were more numerous, and it would be difficult to find out. It would have been useless to inquire.

By Mr. STEVENSON:

Question. What knowledge have you of this organization called the Ku-Klux?

Answer. I have none in the world, sir; nothing more, I suppose, than yourself. I suppose you have heard since you have been here as much as I have heard in my life. I do not know a single individual connected with it, and never did; the thing has been in existence here; these people have been acting in disguise here, and are called Ku-Klux. That is all I know about it. I meant to say, with regard to these men that killed that fellow Johnson, that they were not of this section of the country. I am satisfied of it. They were from abroad, I think, from the fact that they were at the house of a merchant, within a mile or two of the place where the negro was killed. There were five of them, I think I heard there, not having any disguise at all, and went into that store

at a late hour of the night, and got him to make a light and prepared their fire-arms; and he said he had never seen either of them before in his life, and knew none of them; and he was a merchant well acquainted in this county.

Question. Where was that?

Answer. In the neighborhood of the Pacolet depot.

Question. Where did the merchant see them?

Answer. At the depot.

Question. You inferred that they did not belong there, because he did not know them?

Answer. He had not seen them.

Question. Did all that were there go into that store?

Answer. All that he knew of went in, and he did not know them. I am inclined to think they were all that were along.

Question. You have no knowledge of this organization, or who belongs to it?

Answer. None at all.

Question. Have you no opinion?

Answer. Well, no; I don't think I have any opinion about who does belong to it. I don't think I have any opinion about it.

Question. Have you ever made any special effort to ascertain the character of the organization or who compose it?

Answer. I have not. I should feel like I were looking for a needle in a hay-stack.

Question. Were you here when the raid was made on the jail last fall?

Answer. No, sir; I was not at home.

Question. I suppose, if the citizens had taken arms then and followed these men diligently, they might perhaps have captured some of them?

Answer. I think very likely. I don't know how long they staid.

Question. Was there any effort made of that sort?

Answer. I do not know. My impression was that they went through right to the jail—rode in from the east and went back that way. I was not at home that night.

Question. They came from the east?

Answer. Yes, sir; they came up that street.

Question. The firmness of the jailor prevented their getting the man out?

Answer. Yes, sir; there is no doubt about it.

Question. That man whom they wanted to get out was a convicted murderer?

Answer. He murdered a negro.

By Mr. VAN TRUMP:

Question. Was he a white man?

Answer. Yes, sir.

Question. Was he hanged afterward?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Has there been to your knowledge any effort made on the part of the leading citizens of this county to ferret out and ascertain who those men are and what their organization is?

Answer. I don't know that there has.

Question. Or to bring them to punishment?

Answer. I do not think there has at all. It is one of those things which, if I were going to look out, I would find great embarrassment in knowing where to start. But I do say this: that the leading men of this county have denounced it, and discouraged it, and talked against it.

Question. That is all they have done?

Answer. They have done nothing more. I don't know that they could have done anything more.

Question. What is your opinion as to the character of the men who compose it?

Answer. That you got pretty well from what I said before. I think they are generally of the lower class of men; most of them are of that sort.

Question. Most of them?

Answer. I do not think I have any right to make any exception at all, nor do I know that they are; but I judge that they are of that lower class of people. That is my impression. If I was going to judge anybody, any set of men, to have been more respectable that went in disguise, I would select that set that went to Union and took out those men. I think it is rather likely that these were men in disguise, and were respectable men.

Question. Why did you think so?

Answer. From the manner in which they conducted that thing. It was done by order and system. There was some evidence of management and skill in the transaction that I thought would not have come from common, stupid, ignorant men. For instance, they dressed a fellow in white clothes—that is the story I was told about it—and they set him at the door, and brought the negroes out one at a time. He was

standing at the door, and they would call him Stevens—that was the name of the man whom these prisoners had murdered. They would say to him, “Was this one of your murderers, Stevens?” They would say that to the man who personated Stevens’s ghost, and he would say, “Yes.” And they would say, “Well, take him off,” and another would be brought out, and he would answer, “Yes,” and they would take him off. And in that crowd were two that this man said were not his murderers. The prisoners were in there for murder, and true bills found against them, but the jury acquitted these two men. This proved that these parties had taken pains to look into that thing with great care. As one of the citizens told me, some of their citizens went there to shield one of the men at one time. He was satisfied that that fellow was innocent; and although they came there determined to kill them, he thought possibly he might, by his being a prominent man, control them.

By the CHAIRMAN:

Question. Did it ever strike you that the action that night and the action of the jury afterward might be strong evidence of the connection of the jury with that proceeding?

Answer. I cannot tell.

By Mr. STEVENSON:

Question. Do you suppose they considered the evidence of Stevens’s ghost?

Answer. No, sir, I hardly think so; I reckon they had searched into that thing, and found that these two fellows were not concerned in it. These men I mention went to get one fellow out at the last time, and the report I had was he said he went to see the leader. There was a guard stationed around when he came up to the crowd, and they halted him. He said he wanted to see the leader. They said, “What for?” He said there was a negro in there that was not guilty, and he hoped they would let him off; that he wanted to see the captain. Thinking they would not interfere with him, he advanced; but as soon as he got a little beyond the line, the man brought his gun up, and said, “Halt.” He halted, and felt that it was rather an unpleasant situation for him, and went back; but that negro was not hurt.

Question. Who was that citizen?

Answer. Dr. Thomson went there. That was what I heard.

Question. Of what place?

Answer. Of Unionville.

Question. Where did you hear this account of the proceedings at Union?

Answer. At Union. I practice law there.

Question. Who told you about it?

Answer. I can’t tell you that. It was talked about there generally.

Question. Who gave you this very interesting account of Stevens’s ghost?

Answer. I cannot tell that. I think that was told me at the bar in the village by some lawyers. I can’t tell who.

Question. Your impression was, that it was a very respectable and intelligent class of people?

Answer. I judge from that circumstance that there was method in their management which could not have come from an ordinary mob.

Question. Did you learn anything at Union to cause you to doubt that it was that class of citizens who were concerned in it?

Answer. That is all I know about it.

Question. You did not learn anything to give you a contrary impression?

Answer. No, sir.

Question. Did you learn who managed it?

Answer. No, sir.

Question. Did you inquire?

Answer. I don’t know that I did, for it would not have been worth while.

Question. Was it by men in the town?

Answer. I have no idea that it was.

Question. Where do you suppose they came from?

Answer. I heard they crossed Grinnell Shoals, Pacolet River, fourteen miles from there. Do you recollect Jonesville as you came up the railroad?

Question. Yes, sir. Then it was toward this county?

Answer. No, sir; toward the iron works and Broad River.

Question. Toward Cowpens Furnace.

Answer. Yes, sir; but it is still further to the right. They came out this way if that was true. There are two roads to go; one that turned off just this side of Union village, about three miles this side, and another about nine miles this side.

Question. Was that ford where they crossed in Union County?

Answer. Yes, sir.

Question. What is the inference as to where they came from, that is, as far as they were traced?

Answer. My notion, if I should have to guess, would be that they were persons either

from about the Iron Works, or from this and York Counties and Union, all coming together there, or else from North Carolina.

Question. What brought people from North Carolina to interfere in Union County affairs?

Answer. No doubt some Union men instructed them about it.

Question. And so they came from this county or York?

Answer. Yes, sir. I have no doubt that somebody from down there knew them and told them. It could not have been otherwise.

Question. Then it must have been a coöperation of men in Union County and men from other parts?

Answer. Yes, sir, but I do not know anything about it myself.

Question. How many crossed that ford?

Answer. I don't know the number of them. I understood at Union that their estimate of the whole was one hundred and fifty.

Question. Whose estimate?

Answer. Whoever was talking to me about it. I don't know who. I think it was about one hundred and fifty. I have heard a much larger estimate than that, and I have heard a much less estimate than that. I think I heard somebody who thought there were five hundred, and I heard somebody who thought there were only seventy-five. I think seventy-five was the least.

Question. Has there been any prosecution of anybody for that?

Answer. No, sir, none that I have heard of.

Question. Has there been any attempt to find out who they were, or follow or track them down?

Answer. No, sir, I do not know of any. I don't know anything more about it than merely the excitement.

Question. Do you know whether any persons left here to participate in that?

Answer. No, sir, I do not. I have no suspicion of any one that left here. It may be possible that there was.

Question. You have not any suspicion against anybody connected with these proceedings in particular?

Answer. No, sir.

Question. Except those men that interfered with your furnace?

Answer. That was a North Carolina man. He had lived there.

Question. You think he brought a clan down?

Answer. Yes, sir. He brought his clan with him.

Question. Your information as to that comes from your negro foreman who thought he recognized him by certain signs?

Answer. Yes, sir; he said enough about it to have made me indict him if I had had a chance at the fellow, and I would have tried him. It is questionable, though, whether the evidence would have been sufficient, but I would if I thought it was. If I have been more urgent in my defense of any people in this part of the country since the war than another, it has been the negroes. I have defended them without pay or reward, with as much zeal as was in my power to do. I felt sympathy for them.

Question. Would you not like to get a good case on this Ku-Klux and put them through?

Answer. O, yes, sir. I would put them through just as quick as anybody else if I could catch them.

By the CHAIRMAN:

Question. Has there not been a good deal of intemperate declamation to this lower class of people in this county rather calculated to excite them against both negroes and carpet-baggers?

Answer. Yes, sir; there has been a good deal of talk—a good deal of very bitter talk against them, and on both sides.

Question. You know the subject has been discussed very freely in the county, and a great deal of very hard saying on both sides. Has it not gone to the extent that the announcement has been made in speeches that the carpet-baggers should leave this State, and if they do not leave it that people would be justified in proceeding to measures to hang, or drive them out?

Answer. I do not think so. I have heard of no declamation of that kind at all. I do believe, for myself, and have said that much for myself, that the carpet-baggers have done more to bring about the irregularities in this country than everybody else put together, and if we could get rid of them I believe the country could be in perfect peace in twenty-four hours.

Question. Have you said that in public speeches?

Answer. No, sir; but I would not have hesitated to say so if I had had occasion; that they have been the greatest enemies of the State.

Question. Have there been such utterances as, "If the gallant Ku-Klux boys go through their work there will be no radicals left?"

Answer. Not that I heard.

Question. Has there been a public sentiment here that rather winked at these proceedings against the colored men and white men in the county?

Answer. I don't think there has. There is this much with regard to that I may say for myself. I do not believe I have made a public speech—a political speech—since the election of 1868. I do not think I have, myself, and I have not gone out to public meetings at all. I have kept away from them.

By Mr. VAN TRUMP:

Question. Have you heard of any carpet-baggers in this county being Ku-Klux?

Answer. No, sir; there are no carpet-baggers in this county—not one, except Poinier. He may be called a carpet-bagger now, but he came here a good democrat, and a thorough denouncer of negro government, as thorough-going as any man we have.

Question. This language which you say, in reply to the chairman, has been uttered, belongs to both sides?

Answer. Yes, sir.

Question. Have you heard anything about these men that manage Loyal Leagues threatening white people with negroes?

Answer. I have heard of it repeatedly.

Question. I do not propose to examine you in regard to these Union County affairs, because we are going there to examine into them, I suppose; but I will ask you whether, in your opinion, the arming of these negroes has not produced as much, if not more, difficulty than anything else that has occurred in this State?

Answer. It is one of the leading things that has produced excitement in the State. It did when it first came out. It produced an immense overflow of public indignation all over this country, all over the State.

Question. What was the character of the last election in this county? Was it reasonably quiet under the circumstances, or rather a remarkably quiet election through the county?

Answer. On the day of the election there was no disturbance that I know of.

Question. In this place, you mean?

Answer. I mean in the whole county. If there was any disturbance on the day of election I didn't know it. I never heard of it; or, if I did, I have forgotten it. But upon this subject I would like to say what would be well enough just there to be said. I suppose you have all seen the act of the legislature in regard to the elections—the election law, as it is called?

Question. Yes, sir.

Answer. Well, any disinterested man on earth reading that law would conclude, I think, that it was intended to carry the election for the republicans, whether they received the greatest number of votes or not. I want to show that that was the animus of that thing. To give one statement: This man, McGill Fleming—he is here and you can examine him—told me he reported to the legislature that this county had gone republican. He reported it to the State canvassers. The county had voted, and after they counted all the votes there were upward of two thousand majority for the democrats. I am not positive now about the numbers. He reported boxes that had irregularities sufficient to give the majority to the republican party. Mr. Irvin, who was one of the commissioners for this county, dissented from him about that, agreed that some of the boxes should be left out, but still declared the democratic ticket elected by some six or seven hundred votes. There was a good deal of excitement about that thing. And when Mr. Fleming came back he told me that he had made out that report under instructions from the State canvassers, and that he had their letter instructing him to make out that report as he had done it.

By the CHAIRMAN:

Question. Was not his statement to this effect, that he had submitted certain questions to the State canvassers as to what would be his duty in the event of certain irregularities appearing? Was that not his statement?

Answer. No, sir; he did not tell me a thing of what he wrote to them. He told me he had instructions from them to do as he did.

Question. That he had instructions that if certain irregularities occurred the boxes were to be thrown out, and he made this report in accordance with these instructions, and was it not the case that when the State canvassers came to examine these returns they overruled his decision?

Answer. They did.

Question. And the men elected by the votes here got their seats?

Answer. Yes, sir; that was the result of it.

Question. The republican candidates here contested the election and carried it through a large portion of the session and they finally withdrew it?

Answer. Yes, sir.

Question. You say Mr. Poinier is the only carpet-bagger you have in this county?

Answer. So far as I know, he is.

Question. What then has caused the trouble with your negroes in this county, if there is any?

Answer. What I mean to say is, I don't think the disturbances here have been political at all. It has been private piques.

Question. Have there been any disturbances on the part of the negroes?

Answer. Yes, sir; there have been no negro Ku-Kluxing each other except that I heard of.

Question. You speak of the carpet-baggers causing the trouble, but you have none in this county, you say?

Answer. But I speak of them in the State. The carpet-baggers in the State have got the negroes to themselves and have the control of the State, and have everything in their own hands, and have appointed a parcel of inferior men to office wholly unfit for the offices; in that way produced a want of regularity, and then they have taxed us to an amount beyond endurance, and we say that comes from the carpet-baggers.

Question. That is as to the State at large; but I will ask about this county. I ask if the negroes have been trained in the Union Leagues?

Answer. Yes, sir.

Question. Who has done it in this county?

Answer. The scalawags have done it here. I will tell you how they originated it.

Question. By scalawags you mean native South Carolinians?

Answer. Yes, sir.

Question. One who has become a republican?

Answer. Yes, sir. The first organization of the Union League was by some traveling negro preachers, as I understood, in this county. They called them together to organize churches. That was their excuse; but they did really organize Union Leagues, as I heard. That started them. They were carpet-baggers—that is, they were negroes from abroad; but they did not stop here.

Question. Negro carpet-baggers?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. In connection with your idea that one of the causes of these unfortunate difficulties in this most unfortunate State is the appointment of these negroes, who are so totally inefficient, as is understood and reported, I will ask you what is the character, as to population, of the county of Abbeville? Has it a large majority of negroes, or otherwise?

Answer. There is a majority of negroes in Abbeville, but what majority I don't know. I think it is pretty large.

Question. Are there not twenty thousand negroes there?

Answer. I do not remember; but there is a controlling majority.

Question. Is that the Abbeville Press and Banner? [Exhibiting a newspaper to the witness.]

Answer. Yes, sir; published at Abbeville.

Question. Is the Hon. James L. Orr circuit judge of the district in which Abbeville is?

Answer. Yes, sir.

Question. Does that purport to be an official order of his of a few days ago?

Answer. Yes, sir; I have seen this before.

(It is as follows:)

“IN THE SESSIONS, ABBEVILLE COUNTY, JUNE TERM, 1871.

“That the said presentment be filed and published.

“On hearing the presentment of the grand jury at this term of the court, ordered, that so much thereof as relates to the condition of the public roads, and the repairing of certain bridges; so much as relates to the general management of the poor-house; so much as relates to the repairs necessary to be done on the jail, and the furniture required in the clerk's office, and the furnishing of the grand-jury room, be copied by the clerk of this court, and served upon the board of county commissioners for this county.

“It is further ordered, that a rule be served upon Thomas M. Williamson, school commissioner for Abbeville County, requiring him to show cause to this court on the third Monday in October next, being the first day of the next term of the court of sessions for this county, why he should not be indicted for being in such a state of habitual intoxication as to disqualify him from properly performing the duties of his said office; also for not visiting the public schools of the county, as required by law.

“It is further ordered, that a rule be served upon Arthur Jefferson, one of the board of county commissioners for this county, requiring him to show cause to this court on the same day last mentioned, why he should not be indicted for having overdrawn

the amount of pay allotted him by law as county commissioner; also for incompetency to perform the duties of his said office.

"It is further ordered, that a rule be served upon M. Kaphan, trial justice for Abbeville County, requiring him to show cause, on the same day last mentioned, to this court, why he should not be indicted for compounding a felony in the matter of Franklin Wilson, charged with grand larceny; also for having upon a warrant, issued by him, charged more than the costs allowed by law in the case of the State *vs.* Frank Edwards and Alleck McKelsy; also with having compelled the prosecutor, in the case of the State *vs.* E. R. Perryman and J. L. Bonchillon, to pay the costs of said prosecution.

"It is further ordered, that a rule be served upon J. R. Tarrant, trial justice for Abbeville County, requiring him to show cause to this court, on the same day last mentioned, why he should not be indicted for malpractice in office, in having charged illegal costs in the matter of James Seals and J. W. Ricard, and having promoted unnecessary litigation by virtue of his said office.

"It is further ordered, that a rule be served upon D. G. Hawthorn, trial justice for Abbeville County, requiring him to show cause to this court, on the same day last mentioned, why he should not be indicted for malpractice in office, in having charged more than the costs allowed by law in the cases issued by him, and for having promoted and encouraged unnecessary litigation by virtue of his office.

"It is further ordered, that Sally Jones, Adeline McDonald, Nancy Wardlaw, and Lavinia Sims, be served with rules requiring them to show cause on the said third Monday in October next, why they should not be indicted for keeping disorderly houses.

"It is further ordered, that so much of said presentment as relates to the assessing and collection of taxes be copied by the clerk of this court and transmitted to the senator and members of the house of representatives from this county, to be by them laid before their respective bodies.

"JAMES L. ORR.

"JULY 3, 1871."

Question. Do you understand that a majority at least of the county officers, including trial justices, are negroes in Abbeville?

Answer. I think they were; I have not heard recently about it. I think nearly all of them were negroes at first. That is my information, but I do not know certainly about it.

Question. What is the process of judicial proceeding upon an indictment being found by the grand jury? Is it the practice for the presiding judge to make orders calling upon them to make answer to the indictment?

Answer. Yes, sir.

Question. That is an official paper, then?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Do you say that as a county it has a large colored majority?

Answer. Yes, sir; a handsome majority.

Question. Have you heard of trouble there?

Answer. I have heard of no Ku-Kluxing there. That fellow Randolph, murdered on the railroad, was killed in Abbeville County. That produced more excitement than almost any other one case.

Question. He was a republican officer and was shot on the platform of a train?

Answer. Yes, sir; that was in Abbeville. That is the only case I now remember.

Question. That was in 1868?

Answer. Yes, sir; during the canvass. I think he was then a candidate for Congress, if I am not mistaken.

Question. How are the grand juries made up in South Carolina now?

Answer. They are made up now by the county auditor or chairman of the county commissioners, and a special commissioner appointed by the governor and approved by the senate.

Question. Are they made up exclusively of whites?

Answer. Not necessarily.

By Mr. VAN TRUMP:

Question. Would they be likely to be?

Answer. They might be. It would be just as those commissioners chose to make them.

Question. Would they be likely to be so in a republican county?

Answer. In this county, where there is an overwhelming majority of democrats, I think a majority of the grand jury are negroes. I have heard so. I think so.

By Mr. STEVENSON :

Question. It is, then, quite probable that the majority of the grand jury by which these presentments were found, were negroes?

Answer. Yes, sir ; I think so.

Question. They do appear to be executing justice upon office-holders?

Answer. If you only knew what materials were there you would say it would be just as likely, so far as that is concerned, just as possible that there is but one white man on it as more, and that that one was the one who did it. The negroes are quiet on a jury ; they have no more to do with it than your foot. That is my information about it. When they are in the jury-box they do not pretend to say anything at all, but go with the majority. They are very stupid in the jury-box. They have never known anything about business at all. They are controlled by the white men that are on the jury.

Question. Then it is very possible that these indictments may have been improperly found?

Answer. Yes, sir ; the whole affair may be improper altogether, and it has to be submitted to a trial by a petty jury to see.

Question. The presumption is, from your knowledge and opinion of the negro character, as you give it, that this is just as likely to be wrong as right?

Answer. O, no ; I don't think that. I think it is more likely to be right ; but I do not think this comes from the negro majority.

Question. You do not give them any credit for it?

Answer. No, sir ; because I do not consider that the negro has business capacity to do anything ; that is, the common negro. There are some educated ones ; now and then you catch one that can do business.

Question. You seem to lack faith in them?

Answer. I lack faith in them without instruction. That is one of the troubles you have thrown upon us. You have thrown the negro upon an equality with the white man in this country, and he knows neither how to take care of himself or anybody else.

By the CHAIRMAN :

Question. Do you take no credit to yourselves for having rejected the fourteenth amendment, which would have left the question of negro suffrage, and all that, in your own hands?

Answer. No, sir ; we do not think you should have presented it to us for our judgment, and I do not think you have any excuse for it, because we would not take your part of the Constitution.

Question. Do you take no credit for having rejected it?

Answer. I think we ought to have done it ; I think a man ought to act according to his convictions, and not policy.

Question. Notwithstanding you think you ought to have done it, you put the whole blame on Congress?

Answer. Yes, sir ; every bit of it. I think you ought to have taken altogether a different course about it, and have given us a chance to let this thing come gradually in. If you had done that you would have found the white man coöperating with you without any embarrassment. But you have thrown the negro ahead of the white man in this country, and the effect is there is a great want of coöperation. I agree with you that so far as the substantial interests of the country are concerned, it would have been much better for us to have adopted the fourteenth amendment.

By Mr. VAN TRUMP :

Question. But standing on principle, you could not?

Answer. We could not.

By Mr. STEVENSON :

Question. I do not understand how the negro has been put ahead of the white man.

Answer. It is that way. There is a majority of negroes in this State, and the carpet-baggers have got hold of them and are masters of the State.

Question. It is because they are in a majority?

Answer. Yes, sir.

By Mr. VAN TRUMP :

Question. You think there really cannot be any fruits derived from a discussion before a negro audience on political subjects?

Answer. No, sir ; none. You might speak to the negroes of this State for a thousand years and they would know nothing about government unless they were educated.

By Mr. STEVENSON :

Question. Then the obligation would seem to be very great upon the white people to treat them kindly and educate them?

Answer. Yes, sir; there is a very great obligation upon us to treat them kindly.

By Mr. VAN TRUMP:

Question. Take the ordinary negro—not one having the chance of close contact with educated whites in the family, but the average negro—and put him on a jury, I understand you to say that he would have no more appreciation of his position, thus suddenly thrown into that place, than a new-born infant?

Answer. Not a bit more. He is perfectly passive.

Question. In his condition as a slave he never knew what a grand jury was?

Answer. No, sir; no more than a horse.

By Mr. STEVENSON:

Question. Except when he was hanging on an indictment?

Answer. Then he knew it.

Question. They made pretty good slaves?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Before the war was it the practice to put this class of men you now think compose the Ku-Klux upon your grand juries and other juries?

Answer. O, yes; we took every free white man upon a jury. It formerly was not so, but we were doing it before the war. We put them into a box—every name—and then somebody (an infant or a little boy unable to read) would draw out the names. The effect was we always got substantial juries. Some inferior men were upon them, but the jury, in the average, was of substantial men.

Question. Do you think the public interests are safer in the hands of the men who will compose an organization which outrages manhood and decency and all law than in the hands of the negroes?

Answer. I do not think these particular individuals constitute more than a very few of them. They were very few. I think perhaps in half a dozen years they would not one of them get upon a jury.

Question. I understand that some three hundred or four hundred persons were in the band at Union?

Answer. But they were not of one county?

Question. That I do not know yet.

Answer. I have no idea there were three or four hundred yet.

By Mr. STEVENSON:

Question. But these were good citizens, were they?

Answer. I think these men were an average. That was one of those common things that occur in the Western States. You and Judge Van Trump have heard of these cases in extreme outrages. It is common for the people to rise up and take the law in their own hands. That is what we have heard.

By the CHAIRMAN:

Question. It is not a very common thing, but a very rare thing?

Answer. It is not rare in the Western States.

By Mr. STEVENSON:

Question. I have not heard of such a thing in Ohio since I can remember?

Answer. I do not know about Ohio, but I think in those new countries you can find many of them.

UNIONVILLE, SOUTH CAROLINA, July 17, 1871.

The CHAIRMAN. I have received the following communication from Samuel T. Poinier, of Spartanburgh:

“SPARTANBURGH, SOUTH CAROLINA, July 15, 1871.

“DEAR SIR: In my examination before your committee, held in Washington June 7, 1871, I stated that Mr. Simpson Bobo, on the occasion of Mr. John Genobles being compelled to renounce his political opinions from the court-house steps, requested the sheriff of the county to suspend his sales in order that Mr. Genobles might have an opportunity of making his public renunciation.

“Since my return home I learn from the sheriff that I was mistaken in my information, and feel convinced that I committed an error in my statement.

“In justice, therefore, to myself and to Mr. Bobo, I respectfully request that so much of my evidence as refers to Mr. Bobo may be expunged from your journals.

“The fact to which I referred was generally stated on the street at the time of the occurrence, and I believed it to be correct.

"I left home the second day after the incident happened, and had no opportunity of hearing the report contradicted before I appeared before your committee.

"Very respectfully, your obedient servant,

"SAMUEL T. POINIER.

"Hon. JOHN SCOTT,

"*Chairman of Committee on Southern Outrages.*"

SPARTANBURGH, SOUTH CAROLINA, *July 13, 1871.*

JOEL FOSTER sworn and examined.

By the CHAIRMAN:

Question. The duty imposed upon this committee by the resolution under which it was constituted is that of inquiring into the manner in which the laws are executed in the late insurrectionary States, and the security of life, person, and property in them. Will you give us what information you have bearing upon these questions so far as the State of South Carolina is affected, and especially this portion of it?

Answer. I think, sir, that there has been but little difficulty in executing the law; I have heard of no instance where the civil authorities have been resisted. I do not remember to have heard of any at this time; property seems to be safe.

Question. To what extent have violators of the law escaped detection and punishment?

Answer. Well, sir, there have been some violations of the law that I have heard of. I have but little personal knowledge of these things. There have been violations of law, however, and parties have been punished and brought to justice.

Question. My question is, to what extent have violators of the law escaped detection and punishment?

Answer. I cannot tell; I do not know; a great many, I think. The laws have been violated in many instances, and parties not knowing who they were have not been able to bring them to justice.

Question. Are you a citizen of this county?

Answer. I am.

Question. What is your occupation?

Answer. Well, sir, I am, at this time, an assistant cashier in a bank, or was, and am such now, and have been for some time. I am a farmer by occupation, and have been a planter.

Question. Are you a member of the legislature?

Answer. I am a member of the legislature.

Question. Has your acquaintance in the county been such as to enable you to speak of the condition of things in the county?

Answer. Well, sir, I have not traveled a great deal over the county. I have been confined mostly to the limits of the corporation. I live just outside of the corporation at a short distance, and I have been through the county but a few times since the war.

Question. If you have anything else to add in reply to the general question I put, state it without special interrogatory?

Answer. As far as my traveling through the county is concerned I know very little, very little. I have generally found the people, as far as I have traveled, very peaceable and quiet. I have heard of difficulties but know nothing of them personally; I have heard of some armed bands about in different sections of the country, but know nothing of them; I have no personal knowledge of them.

The CHAIRMAN. I have nothing further to ask if you have nothing further to say.

By Mr. STEVENSON:

Question. What do you know about the Ku-Klux?

Answer. I have no personal knowledge of them; all that I know is what I have heard in the streets, at different times, that there were Ku-Klux in the country and around here.

Question. Do you mean in this county?

Answer. I have been in parts of the county not much of late.

Question. Do you mean that you heard of their being in different parts of the county?

Answer. Yes; I heard more of it while in Columbia than I heard here.

Question. Have you ever seen anybody who said he was a Ku-Klux?

Answer. I saw a man who I heard said on the streets was a Ku-Klux, but he was from the Mississippi River, in Tennessee, and came out here to purchase some property.

Question. Here to Spartanburgh?

Answer. Yes, sir; some man with property here from the west; I have heard he said he was a Ku-Klux. I did not hear so from him; I have never seen a man that I knew

was a Ku-Klux, nor never have had any ground to suspect any man of being a Ku-Klux.

Question. Have you ever made inquiry to find out who they are?

Answer. I have made some inquiry but I have not been able to find out.

Question. You never have been able to get hold of any of them?

Answer. No, sir.

Question. What class of people do you suppose they are?

Answer. I do not know except from rumor.

Question. I want your judgment upon the subject.

Answer. I have heard on both sides. I have heard this charged to the democrats, and I have heard that there have been some others engaged in it. I do not know anything about it.

Question. I do not speak of them particularly, but what class of society do they belong to?

Answer. Well, sir, I cannot tell you that. I do not know of any members—of any persons of first-class society belonging to them or any other. All that I know is some persons were brought down here in the country.

Question. Under arrest?

Answer. Yes, sir. They belonged to a common class of society.

Question. To a common class?

Answer. Yes, sir.

Question. How long have you been in the legislature?

Answer. Since 1865.

Question. You were elected in 1868 and re-elected in 1870?

Answer. No, sir; I drew the four years' term.

Question. There was a great deal said about corruption in the legislature, and I suppose you have heard something of it?

Answer. I have heard a great deal of it.

Question. What measures are specially alluded to in connection with charges of corruption?

Answer. The Greenville and the Blue Ridge Railroads, and the sterling bond bill. There was a bill passed the legislature to promote the consolidation of those two roads.

Question. Was there not some legislation touching the Greenville and Columbia road separately?

Answer. Yes, sir.

Question. In relation to a change of the security?

Answer. Yes, sir; on both roads—the Greenville road and the Blue Ridge road.

Question. Are not charges of corruption made in connection with that legislation?

Answer. Yes, sir.

Question. You were in the Senate?

Answer. Yes, sir.

Question. How did you vote on that bill?

Answer. I voted against the bill.

Question. Are you sure of that?

Answer. I think so. It was my intention to do so.

Question. I may not have found the proper record, but I have here, on page 139, senate journal, January 13, 1869, the following record: "The bill to reenact certain acts lending the name and credit of the State to the Greenville and Columbia Railroad Company, and to validate the action of said company thereunder, received its third reading. On the question of agreeing to the bill, Mr. Rainey called for the yeas and nays. They were ordered and are as follows:" and among the yeas I find your name, Foster.

Answer. That, I think, was a previous bill. That is 1869.

Question. Was there no complaint against that legislation?

Answer. No, sir. I think not.

Question. What is that legislation?

Answer. Well, sir, I do not believe that I remember now. I alluded to the bills of last winter—the bills for the promotion of the consolidation of these two roads.

Question. That is another bill and that you think you voted against?

Answer. Yes, sir.

Question. This bill was in favor of the Greenville Railroad that you voted for?

Answer. Yes, sir. That bill you have read about was something in relation to the legislation that had transpired previously. I do not remember the circumstances particularly about it. I voted for it.

Question. Do you know whether any charges of corruption are made in relation to the bill to enable the Bank of South Carolina to settle its business or close its business, entitled "A bill to facilitate the settlement of the affairs of the Bank of South Carolina," redeeming and funding old notes?

Answer. Yes, sir.

Question. Are not charges of corruption made in connection with that?

Answer. Yes, sir; I think there were charges of corruption.

Question. How many democrats were in the senate at that time?

Answer. There were only six in the senate.

Question. Do you know whether there was any division on the passage of that bill through the senate?

Answer. I do not remember now, sir.

Question. The record of senate proceedings of March 18, 1869, shows that that bill was passed without a division.

Answer. That was about the first time I had ever been in the legislature, and I do not remember much about the business now. I do not remember how it stood. There were some charges, though, of corruption about that time. It was charged that that measure was gotten up for the purpose of getting control of the funds of the State Bank.

Question. We understand that there were charges of corruption. I desire to know if there was any party division on the subject. What counties were represented by the democrats?

Answer. Pickens, Anderson, Spartanburgh, Lancaster, Horry, and Oconee.

Question. Were any charges of corruption made against what was called the land commission management?

Answer. Yes, sir; there were charges of corruption.

Question. Was not a committee appointed to examine into that question?

Answer. Yes, sir.

Question. When?

Answer. Last winter.

Question. Of whom did that committee consist?

Answer. Dr. Hayes was chairman of the committee. I was a member of the committee. There were two or three on the part of the senate and several on the part of the house. It was a joint committee. I cannot call all the names.

Question. It was a joint committee and you were a member?

Answer. Yes, sir.

Question. Did you make any investigation?

Answer. Yes, sir; we investigated it to some extent, but did not conclude the investigation, though.

Question. So far as you investigated it will you give to this committee the result of your inquiry?

Answer. There was a good deal of excitement in the legislature from the fact that there was no report made by Mr. Leslie.

Question. Was he first land commissioner?

Answer. Yes, sir; he was called upon frequently for a report by senators, and it was never produced. It appeared that there was a great deal of speculation in the lands that were sold to the State, purchased at one price and sold at a higher price to the State. There were a good many members of the legislature that were appointed agents under Mr. Leslie in different counties, to look after lands and purchase lands. It appeared in the investigation that there was a good deal of money realized by the parties selling to the State. The State purchased these lands for the benefit of the poor—I think mostly for the negroes, that was my impression; and there sprung up a considerable mania for speculation, and we considered that these lands were purchased at too high a rate to benefit the persons who were intended to be benefited by the State.

Question. That was the suspicion?

Answer. That was the suspicion. That was my impression, and that was spoken about in different sections of the country.

Question. And then your committee proceeded to examine?

Answer. Yes, sir; we regarded the price as an imposition upon that class of people who were to receive the benefit of it. We considered that this evil could have been prevented by the commission, by watching more particularly the interests of the State. There were \$200,000 appropriated at one time and \$500,000 at another, to be invested in lands, and it appears in the testimony of Mr. Parker, the treasurer, that about \$580,000—I have not the data to go upon here; I have not the testimony before me except that I sketched down a little of what I could recollect of it—but about \$580,000 was expended, nearly all of which was invested in lands. I think Mr. Parker said all except about \$30,000. This amount of \$580,000 was all that could be raised on the \$700,000 of bonds that had been given out. From Mr. Parker's testimony it does not appear that the land commissioner ever had any control of these bonds or any money paid over to him as land commissioner. It does not appear from the twenty-five or thirty persons who testified.

Question. That is, from the vendors of land?

Answer. The vendors of land. I cannot say that all of them were vendors of land; some were not; some were surveyors of land; but these lands, it appeared, were, many

of them, very poor, entirely too poor for settlement. According to the testimony of one witness, (the surveyor,) in relation to lands in Pickens County, in this State, a great portion of them were entirely too poor for settlement; and I think some of the lands in this district were too poor for remunerative culture, and I think in other parts of the State a great many of the lands were represented as being poor, and some of them very good. Some of these lands, according to the testimony, have been settled. I think a larger proportion of them, though, are still unsettled.

Question. That is, by homestead purchasers?

Answer. Yes, sir, by homestead purchasers. I think in this county very little of the lands were settled. I don't think, however, that there has been more than about nineteen hundred or two thousand acres purchased in this county. That was purchased of General Bates, I think. I have not heard of any other purchases in this county.

Question. Was not that land good?

Answer. It is not the opinion of the settlement—of some people who live in the neighborhood. There is an old surveyor who resides in the neighborhood, who is very well acquainted with the land in that neighborhood, who says a great deal of these lands are very poor—that a large proportion of these lands are very poor; a good deal consists of old-field and gullies, and some of the woodland is very poor.

Question. Do you know what was paid for that land?

Answer. General Bates, in his testimony, said he was to receive \$12,000 for the land, but got \$10,000.

Question. How many acres were there?

Answer. Two thousand acres. He got \$10,000; that is, he received checks for \$10,000, and \$2,000 were retained by the land commissioners.

By Mr. VAN TRUMP:

Question. For what purpose?

Answer. This testimony goes on in this way, according to my recollection, that he employed a man to aid him in selling the land, (a man that he supposed had some influence with the land commissioner,) and he agreed to give him \$500 to aid him in this thing, and he offered the land commissioner \$500 to complete the trade, but he did not do it at that bid. He continued to advance until he got up to \$1,500, when the trade was completed, and he received \$10,000 of checks instead of \$12,000. I see, though, upon the second report of the land commissioner which I have with me—

Question. Who was he?

Answer. De Large.

Question. The colored member of Congress?

Answer. Yes sir. I see from that report that the number of acres put down here was 1,976½ acres, and that it cost \$12,617. Now I know the general character of some of these lands down here. I have been born and raised not very far from them, within five or six or seven miles, and that they have been generally considered pretty poor lands, some seemed very poor, and a good many of them have been cut down and worn. They were in several tracts.

By Mr. STEVENSON:

Question. Do you not know that this land cost General Bates more than he received for it?

Answer. I think he got a great deal of these lands since the war from other parties; a good deal of these lands were bought since the war from the neighbors. Some of these lands may have been owned by other parties, and Bates may have been made the instrument of effecting the sale for the most that he could get for them.

By Mr. VAN TRUMP:

Question. Was he not inquired of in regard to that when he was a witness?

Answer. No, sir; it was not known at that time. It may have been so. I do not pretend, however, to say that that is so. Bates held the land.

Question. How much land did Bates own before that time?

Answer. I think he said that he retained in his homestead about seven hundred acres, and it seems here that there must have been about five hundred acres more in his own tract—of his home tract. I see this put down here in different tracts. He gave a general testimony, however, that he sold these lands. He said in his testimony that he was embarrassed in his circumstances, and was compelled to sell the land, and that if he had not been embarrassed he would not have sold the land.

By Mr. STEVENSON:

Question. He had to carry heavy security debts?

Answer. Yes, sir. I think there were some judgments here against him. He said to the committee that he was involved, but I understand from a letter on the subject of these lands, from Squire Sloan, that they were purchased in different tracts, and laid off in different tracts.

By Mr. VAN TRUMP:

Question. Who is 'Squire Sloan?

Answer. He is a surveyor—a very respectable character down at Pacolet Depot.

Question. Did he survey them?

Answer. Some of them; he was well acquainted with the lands. He lives close to them.

Question. Have you that letter?

Answer. I have. I was getting this up to complete the testimony when we went back in the fall. The testimony has not yet been completed.

Question. Did you write to him for information?

Answer. Yes, sir; I wrote to him that I wanted all the information about these lands I could get. Mr. Quin Camp here, I think, was the surveyor of these lands. I will give you the amount of the lands. I will read what he states: Bates's land, 508 acres; Hammett & Lipscomb's, 350 acres; Poole & Fowler tract, 253 acres; M. C. Lee tract, 534 acres; Thomson tract, 331½ acres; making a total of 1,976½ acres down there. (The letter above referred to is as follows:)

“PACOLET DEPOT, SOUTH CAROLINA, May 15, 1871.

“DEAR SIR: According to promise I sat myself this evening to give you such information as I have obtained relative to the great Spartanburgh land fraud. I have De Large's report before me, and find that Bates sold the land commissioner 1,976½ acres, of which 761 was claimed by him, being lots 508 and 253; and 108 of the small tract is now in court of common pleas, claimed by John P. Fowler. The balance of the 253 is occupied by a tenant, cultivating a one-horse farm, perhaps 20 or 25 acres at the furthest. The tract of 331½ acres was purchased of Major H. J. Thomson, which you will see was sold to the land commissioner, at \$6 per acre, for which Thomson, I think, got \$1,500. A part of this tract, I think about 130 acres, Thomson bought at the probate judge's sale as the real estate of Samuel and Thomas Hermons, for, I think, \$60, though you can examine the record and see. Thomson also bought 60 acres, a part of the same tract, since the war, for one bale of cotton and \$50. From these prices you see that the land must be considered very poor. This whole tract is very poor, and mostly old fields and gullies, and would not bring \$2 per acre from any man or woman that ever had that much money. Now, of the above Thomson tract, there is one lot of 40 acres, said to be sold, but the purchaser told me he never expected to pay for it, for in a few years it would be worthless. Mr. Wade Hermon and Thomson, the former proprietor, have rented from Bates all the balance fit to cultivate, which is not over 30 acres, except a patch rented by Mrs. Kirby from Bates also.

“The next lot I shall consider is the 350-acre lot which was purchased from Captain Hammett and John H. Lipscomb, both of which lots you can find on record in the probate judge's office. Hammett says his part was 150 acres, which would leave 200 acres in Lipscomb. Both the above tracts I surveyed, but I have forgotten the amount. I do not believe there are 200 acres in Lipscomb's lot. It might originally have had 200, but the former owner had sold a portion. Consequently I am inclined to think the government was gouged in the number of acres, though it makes but little difference any way, for it is one of the poorest places in creation, and not a single acre is under fence. John H. Lipscomb bought it at his father's sale since the war for \$300, and his mother told me she thought he got \$490 for it from the government, but Captain Hammett is of opinion that he did not get so much. Hammett told me he got \$600 for his. I think there is a family living on the place, but cultivating no land except a patch or two. Hammett bought the place at Mrs. Wood's sale for \$300. The above tract—the 350 acres—should have been noted in the report as the Hammett-Lipscomb lot.

“The next lot in rotation is the M. C. Lee purchase, 534 acres; there is not a single one cultivated on this place except what Lee himself does. He rented from Bates and is working about 25 acres of it. There is a family living on the place besides Mr. Lee's, but its head is a day laborer for Mr. Lee. Mr. Lee told me he did not realize quite \$5 per acre. They all appear to be reticent, which makes it probable that Bates may have placed them under obligations to him. Three-fourths of this tract would not bring \$1 per acre.

“The next and last tract is 508 acres of Bates's own land, contiguous to his own place, and a part of it. Of this tract I understand that his son Eliptas has purchased an 80-acre lot. It joins me, and for the sake of its proximity to other lands in the neighborhood a poor landless man of this community offered to purchase the same lot (or perhaps not quite so many acres) from Bates about the time it was being lotted off, and pay the price in cash. But he was flatly told he should have it for \$50 an acre. The balance of this tract has two family tenants upon it. The white family is cultivating a one-horse crop, Bates finding the horse-power and food. The other family are negroes, and the man a blacksmith, who works through the county at his trade when he can. The balance of his time he and his family works a half-horse crop. Then of the balance, which is not very much, I think Bates himself works a patch or two. In

the 508 acres there is not 20 acres of original woods on it, but plenty of old barren fields and gullies, and really is not worth one-third the money he got for it.

"The foregoing is a fair history of the whole concern, hastily thrown together, which you can cull and fix up for him (Bates) and his ring in the proper light. It is a work that needs doing and I am glad you propose doing it, and relieving me of the undertaking, as I had contemplated engaging in it.

"Yours, with great respect,

"J. F. SLOAN.

"Colonel JOEL FOSTER,

"Spartanburgh C. H., South Carolina."

"RECAPITULATION.

	No. of acres.	Cost per acre.	Price at which it was sold to Government.	Approximate real cost as bought from owners.	Approximate actual cost.
Bates & Lord.....	508	\$7 00	\$3,550 00	.....	\$1,524 00
Hammett & Lipsecomb.....	350	6 00	2,100 00	\$1,090 00	850 00
Poole & Fowler tract.....	253	7 00	1,771 00	.....	506 00
M. C. Lee tract.....	534	6 00	3,204 00	2,500 00	1,600 00
Thomson tract.....	331½	6 00	1,986 00	1,655 00	827 00
Total.....	1,976½	.....	12,517 00	.....	5,409 00

"The above figures compose only, I suppose, a small fraud, compared to others by the same parties. The extraordinary price paid for the land is comparatively tolerable, when compared with the systematic combinations of the ring to pay them a bounty for rascality. Instead of the government paying \$12,517, \$5,409 should have been the highest cash price.

"Yours, truly,

"J. F. SLOAN."

By Mr. VAN TRUMP:

Question. What was the name of this gentleman?

Answer. 'Squire Sloan?

Question. Did 'Squire Sloan know that you were writing to him in the character of a member of a committee?

Answer. He knew I was writing to him to get all the information I could on these lands.

Question. As a committee man?

Answer. I suppose so. That was my object and intention. I asked him for information as to the settlement on the places, and the probability of having them settled, &c. Mr. Bates reported in his testimony that there were some seven or eight or nine settlements on the places that had been made, and that arrangements were likely to be made for the settlement of the balance.

By Mr. STEVENSON:

Question. What is the date of this letter?

Answer. May 15, 1871.

Question. What were the dates of the sale?

Answer. I do not remember the dates of the sale. It was last winter it occurred. Since the session of the legislature, I was looking out for information on this land question, being on that committee.

Question. The sum of the matter is, that there were about 2,000 acres sold for about \$12,000?

Answer. Yes, sir; the land commissioner's report states the amount. Mr. Bates, in his testimony, could not remember exactly the amount he got for it; but he said he thought it was about \$12,000 that he sold it for, but that he got \$10,000.

Question. Of course there was some good land and some poor land on it?

Answer. I do not think that is a settlement for very fine lands. There may be some very fair land, but it cannot be called really good land.

Question. How far is it from the railroad?

Answer. The railroad passes through a part of it, I think. I don't know about that. It runs through Bates's farm.

Question. Did you examine any other vendors of these lands?

Answer. Yes, sir; Mr. Biggers, of the Clarendon district. He had sold, I don't know how much, but he had been buying and selling land. I am inclined to think—but I cannot say positively—that he was a man who came down from Ohio, and was acquainted with Governor Scott, and engaged in buying lands and selling them to the government.

Question. He acted as an agent, I suppose, for I do not find his name among the vendors.

Answer. Yes, sir; you will find his name there occasionally.

Question. How many of the vendors did you examine?

Answer. I think, twenty-five or thirty; perhaps thirty.

By MR. VAN TRUMP:

Question. Do you mean twenty-five or thirty witnesses altogether?

Answer. Yes, sir; witnesses altogether. Some few of them were not vendors. We didn't have time. If we had commenced early, and sent for the men, we could; but we thought we would catch them about Columbia, coming in from different parts of the State—business men. We caught up a good many and examined them. There did not seem to be a great deal of interest taken in the matter by the committee. The chairman was rarely present.

Question. You took an interest in it, did you not?

Answer. I was requested to take the chair and act. Dr. Hayes was absent. Dr. Hayes came in once or twice afterwards when I was in the chair; he may have come in several times. I offered him the chair each time, but he did not take it.

Question. You prosecuted the investigation?

Answer. Yes, sir.

Question. You are a democrat, are you not?

Answer. Yes, sir.

Question. You examined twenty-five or thirty witnesses?

Answer. Yes, sir.

Question. Nearly all of whom were men who had sold land to the State?

Answer. Yes, sir; bought and sold lands. Some of them were agents of the land commissioner, who had purchased land for the land commission.

Question. But I am speaking now of the vendors. The great majority of these witnesses were vendors to the State?

Answer. Yes, sir; and a good many of them had sold land to the State. Let me run over them: We examined Bigger. I don't remember whether he was an agent or a purchaser—a seller of land to the State.

Question. He is entered there as a vendor?

Answer. I did not examine Mr. F. J. Moses, jr., but he was concerned in some land.

Question. Who is he?

Answer. He is speaker of the house of representatives. We did not examine him. We put off this thing until too late to go through with it, owing to the difficulty of getting the committee together, unless they were determined to have some investigation of the matter. The land commissioner thought it was important that it should be done, and urged me to go on with it. Sometimes some members of the committee were in there, and at other times they were not.

Question. But you proceeded?

Answer. I proceeded for a while—nearly to the close of the session—and turned over the papers to the chairman of the committee, or directed that to be done. Here is Mr. Cochran, bought a good deal of land in Anderson and Pickens. We did not examine him, but examined the surveyor with reference to a great deal of this land lying in Pickens and Anderson. Some of them were purchased in Oconee, and I do not remember of any information from these lands.

Question. State whether you found in any other cases any evidence of improper practices in the purchase or sale of these lands?

Answer. In the case of Dr. Lunney, from Darlington, formerly a senator—

Question. When was he a senator?

Answer. He was defeated at the last election. He was not elected, but I don't know that he was a candidate. He was a senator in Whittemore's place, and Whittemore was reelected from that county.

Question. Who is Lunney?

Answer. He is a carpet-bagger, I understand.

Question. I find that he purchased a tract of land, as stated in his testimony, at sheriff's sale, for the land commissioner, Mr. Leslie, and he went to the land commissioner and told them he had made this purchase, and required them to pay him \$1,000 down, and in the event that the whole amount was not paid against such a time, not a remote time, against the month, I think it was, that the \$1,000 that was paid should be forfeited.

Question. Forfeited by the government?

Answer. Yes, sir. I suppose that the governor, having a good deal to look after, one thing and another, paid but little attention to the time, and he got in with that R. J. Donaldson to furnish him a part of the capital. He was speculating a good deal in lands, and might have furnished it all—I am certain of a part—to pay up the money at the time it was to be paid, and he claimed the land then as his own purchase, and claimed the forfeiture. So the testimony runs. He sold the land then to the government, or to the State, for some five or six thousand dollars more than he was to give for it at the sheriff's sale. That appears in the testimony of Mr. Lunney.

By Mr. STEVENSON:

Question. Which tract is that?

Answer. I don't know. I do not see his name here. I do not remember what tract it was. Mr. Leslie had him sent for from Charleston to give the testimony in that case.

By Mr. VAN TRUMP:

Question. Then Lunney got the thousand dollars forfeiture, and five or six thousand dollars advance besides?

Answer. Yes, sir; that is my impression from his testimony. There was a large margin. He claimed the forfeiture and the land as the money was not paid at the time.

Question. Was there, at the time, a commissioner under Leslie, to attend to this land?

Answer. I think Lunney was authorized by Mr. Leslie to make this purchase. I am not positive, but I think so. I think he was authorized by Mr. Leslie, the land commissioner, to make this purchase at the sheriff's sale for the benefit of the State.

Question. If that was not the fact, then there was some other person who was a land commissioner for that county?

Answer. I don't know whether there was or not.

Question. Was it not universal that there was a special commissioner in each county of the State, whose duty it was to attend the sheriff's sale?

Answer. There may have been, but I cannot swear to it.

By Mr. STEVENSON:

Question. I find here, under the name of John Lunney, Darlington, two tracts, one of 637 acres, and another of 86½ acres, for the aggregate sum of \$11,603 25?

Answer. Yes, sir; those were the tracts, I suppose. He sold me this. He said in his testimony that he had offered the land to the Government at precisely the figures that it cost him.

Question. And on the terms, time of payment, and all?

Answer. Yes, sir; that was my understanding of the matter, and the government paid him \$1,000, which was to be forfeited. That testimony, I believe, has already been noted. It was to be forfeited in the event that the money was not paid within a month—I think it was a month—and if paid within a month this was to be the government's land at cost. But the money was not paid. He claimed the land as his own, and then sold it to the government afterward for that price.

By Mr. VAN TRUMP:

Question. That price as stated in the report?

Answer. Yes, sir; and that was about five or six thousand dollars more than he gave for the land at the sheriff's sale.

By Mr. STEVENSON:

Question. He made a good speculation on that?

Answer. Yes, sir.

Question. Did it appear in the testimony that the land commissioner received any part of the money?

Answer. I don't think that the land commissioner received any margin at all; that is, that Leslie received any margin at all. We examined only one single case under De Large's administration. That was General Bates's. The resolution authorized us to examine the past and present land commissioner. I don't think he received any margin at all; but it does not appear in any testimony taken that there was any margin at all in his favor.

Question. You refer to the first land commissioner?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Do you mean that with reference to one case or all the cases?

Answer. With reference to all the cases. He had the right, I suppose, to go and buy land and sell it to the land commission, except he was an agent. I do not think an agent ought to have done that, but at the same time I think persons who went out to

buy land had the right, perhaps, to sell these lands for as much as they could get for them by proper means.

By Mr. STEVENSON :

Question. You think that Lunney pressed a hard bargain?

Answer. I think he did, and Mr. Leslie thought so too.

Question. Had the land commissioner authority to make such a contingent bargain as that; were there any limits on his powers of contracting?

Answer. I do not think there was any limit. I think he had the privilege of purchasing to the best advantage, but subject to the advisory board.

Question. Captain Parker, the treasurer, stated in his testimony—who was he?

Answer. He was one of the advisory board. Captain Parker said that he purchased of Mr. Oakes the land called Hell-Hole Swamp, on the Manigault land. I think the Manigault land, and I am pretty certain of it from the fact that he said he paid to Mr. Oakes, of Charleston, a broker. He said he purchased this land of Mr. Oakes, thinking \$3 an acre was cheap for land represented to be good. He had no doubt then that, as Mr. Oakes was a broker, there was a considerable margin; he didn't say how much.

Question. This is the 12,000 acres of Manigault land?

Answer. Yes, sir.

Question. And that he bought it at \$3 an acre, and considered it cheap, comparing the price being paid for lands. What was actually paid for Hell-Hole Swamp was \$36,000?

Answer. Yes, sir.

Question. For 12,000 acres?

Answer. Yes, sir.

Question. Do you know anything about that tract of land?

Answer. I understand that a great deal of that land is in swamp, and Captain Parker said that if drained it would be very valuable land—rich land; but I suppose it will be expensive to drain them. It is flat, and a good deal of these lands are pine lands; and some very valuable lands are upon that place. It is represented as being too sickly to be inhabited, except by those who are acclimated.

Question. Is it on the coast?

Answer. Yes, sir.

Question. Was it a plantation before the war?

Answer. I think so. It was the Manigault place. I think it was a plantation.

Question. State generally whether you found any evidence that any other of these transactions were questionable or objectionable.

Answer. There was some evidence—I don't know that I recollect it distinctly enough to tell it now—that showed a little; I don't remember the name. It was a small place, however, and only involved about \$100 margin; I don't remember it. I think most of these lands were sold at a pretty considerable margin to the land commissioner and the advisory board.

Question. To whom did that margin go?

Answer. To the vendors of the land. That is all I could find out.

Question. To some agent?

Answer. No, sir; to those who sold land to the State. They may have been agents, or may not have been.

Question. I don't understand you.

Answer. I don't know who were the agents—all the agents. I know some were called agents.

Question. I am speaking of this \$100 margin.

Answer. I don't know whether he was an agent or not. There are many people, for instance Mr. Leslie, who say this thing was conducted in this way: Where the members of the Legislature recommended the purchase of land in a county as land suitable for settlement, and they brought on the proper number of acres and vouchers as to the quality, enough to satisfy him as to the quality of the land, amount, and so on, that he generally purchased upon their recommendation for the benefit of the people of that county; so Mr. Leslie said.

Question. Who is Mr. Schley?

Answer. I am not acquainted with Mr. Schley.

Question. Is he an old citizen?

Answer. I don't know.

Question. What did you find as to the sellers generally? Were they old citizens of the State or not?

Answer. We found from those who were sworn; for instance, there were useless lands sold by the marshals of Abbeville, who were old settlers. There was a lot of land sold to the land commission. They were citizens. I have not investigated the prices. There was a great deal of land bought by the agents and others, offered by different parties; for instance, I do not think that General Bates was an agent, but he offered his lands for sale. He desired to sell them.

[The hour of 6 o'clock having arrived, the committee rose and postponed the fur-

ther examination of this witness until the following morning, July 14, 1871, at 9 o'clock, when it was resumed as follows:]

The WITNESS. I wish to state that after General Bates's testimony was read in the senate, where it was introduced, having been called for by Mr. Leslie, the land commissioner, these charges appeared that General Bates had made against De Large, and he was informed of the fact. He (De Large) was in Columbia at that time, I think, suffering from a gunshot wound in the hand. He sent a letter into the senate denying these charges in very positive terms.

By Mr. STEVENSON:

Question. That has never been tried or determined?

Answer. No, sir. There it stands.

By Mr. VAN TRUMP:

Question. What was the charge?

Answer. The charge was that he had made advances or propositions to De Large to complete the land trade with him; that he had employed a man who had some influence; to use his—to use his expression, he had understood that they "needed greasing down there," and he employed a man who had some influence with him, for \$500, to assist him in making a sale. That he had offered \$500, and advanced from time to time until it reached \$1,500, making \$2,000 actually received less than the amount for which he had really sold the land.

By Mr. STEVENSON:

Question. If I understand you correctly, De Large was land commissioner?

Answer. Yes, sir.

Question. And he could buy only with the consent of the board?

Answer. That is true.

Question. As I understand it, the board had sent a surveyor or an inspector to examine these lands, and agreed to take them, but there was some difficulty in getting De Large to close the transaction?

Answer. I don't know about sending an inspector. The lands were surveyed, I think, by Mr. Quin Camp, of this place, after they were purchased.

Question. You mean the agreement was made, but not consummated?

Answer. The deeds were drawn up, I suppose. I don't know.

Question. Am I right as to this point, that the arrangement had been made, or the agreement with the board, and that De Large being the officer who was to conclude it, delayed and seemed indifferent or reluctant about it; and according to Mr. Bates's statement, he found it necessary to give him this bonus to get him to close the matter up?

Answer. Yes, sir; that was my impression; and that De Large denies.

By Mr. VAN TRUMP:

Question. Did Mr. Bates himself make the charge?

Answer. Yes, sir; in his testimony. He said that was how he had effected the sale of these lands.

By Mr. STEVENSON:

Question. He excused himself, by saying he found it necessary in order to get the matter concluded?

Answer. Yes, sir.

Question. This Hell-Hole Swamp, I understand you to say, is the property sold by Mr. Schley, and called the Manigault tract?

Answer. Yes, sir; that was my understanding of it.

Question. Does that include the whole of the land sold by Mr. Schley?

Answer. Captain Parker, the treasurer, informed me that there was a body of this land sold, naming the number of acres, (but I do not remember it without referring,) at \$3 an acre. He agreed to give it to Mr. Oakes (he told me) for this land, a broker of Charleston.

Question. That was the 12,000-acre lot?

Answer. Yes, sir, I think so.

Question. Is this document the last report of the land commissioner? [Submitting a document.]

Answer. That is the last I have seen. Mr. Leslie never made a report, I think.

Question. That is the report of Mr. R. C. De Large as land commissioner, and is dated February 5, 1871?

Answer. Yes, sir.

Question. This purports to give in Schedules A and B, the amount of land purchased for the State by Mr. De Large and his predecessor, Mr. Leslie, the first land commissioner, with the names of the vendors, the number of acres, the amount paid, and the names of the counties in which they were situated, as well as the names of the tracts?

Answer. Yes, sir; it purports to be that.

Question. I find that Schedule A seems to be divided into two parts. In the first part there are 42,576½ acres, for which \$255,055 60 were paid?

Answer. Yes, sir.

Question. I find in what is called Schedule A continued, 26,912 acres, for which \$118,763 were paid; and that by Schedule B, 34,589½ acres were purchased for \$173,500 25. According to the calculation I have made, it seems to be 104,077 acres and a fraction, costing a total amount of \$549,329 85. This is about \$5 per acre.

Answer. Yes, sir.

Mr. STEVENSON. I suggest that the whole of this report be put in evidence.

[The report of R. C. De Large, land commissioner, will be found appended to the testimony of this witness.]

Question. I notice that there is one lot of 420 acres bought of Mr. Marshall, of which the cost is not given. I see there is one lot there not given. Do you know what that lot cost?

Answer. I do not know. I have not investigated that yet. That is the official report, but my evidence is not made up altogether on that official report. My evidence in relation to the payment on the land is derived from the testimony of Captain Parker, the treasurer.

Question. You have already stated it?

Answer. Yes, sir; I have already stated that.

Question. Is there anything else you want to say about this land commission, and your investigation upon it?

Answer. Have I stated previously that Captain Parker said that Mr. Leslie had never had any bonds in his hands, or money?

Question. Yes, sir.

Answer. Then I do not remember anything else at this time.

Question. Have you any knowledge as to whether the Ku-Klux Klan or any members of it have visited Columbia?

Answer. I have not, sir.

Question. Have you any knowledge of an organization called the Council of Safety?

Answer. I have seen what was called the "Council of Safety"—a little pamphlet.

Question. Where did you get that?

Answer. I saw it in Columbia. It was handed to me by Major Seibels.

Question. Who is he?

Answer. He was chairman of the democratic executive committee of the State, I think.

Question. What did he say?

Answer. Well, sir, he asked me if I had any opportunity—well, when I first came across that I was passing up the street and saw him with a package of little rolls under his arm or in his hand, and asked him what they were. He told me it was the Council of Safety, and handed me one, and I glanced at it a little. He handed me then two or three—I never had but three—to send up to Lawrence, but I didn't send them. I took them down to my room and threw them into my trunk. I read over one of them, and it lay in my trunk until I came home.

Question. When was that?

Answer. That was last winter; I don't remember the exact date I brought these home. As I passed along the depot I left one on the table in the depot with my son to see what it was. He was there. I heard Mr. Poinier say the other day, or a short time ago, in a conversation with him, that perhaps I was charged with circulating these things. I told him I had not circulated them; and told him this circumstance, that I had left one at my son's and he had never read it at all. It lay on his table there until he heard I was charged with it. The other I handed to a near connection here some time ago.

Question. Who was that?

Answer. Don Fleming; and the other lay in my trunk until the other day. Really I didn't understand what the contents of it were until I took it up and read it a few days ago—that is, since Mr. Poinier and I had the conversation, which was a short time since.

Question. Who is Don Fleming?

Answer. He is a merchant at this place.

Question. Is he a democrat?

Answer. Yes, sir, I think so.

Question. Is your son a democrat?

Answer. I think so, sir, if he is anything.

Question. Was Mr. Fleming in the rebel army?

Answer. Yes, sir.

Question. Was your son in that service?

Answer. Yes, sir.

Question. Your son told you—I presume you got your information from him—that he had never read it until what was said about yourself?

Answer. Yes, sir.

Question. Do you know whether either of these gentlemen formed any association on the basis of that constitution?

Answer. Well, sir, I don't think so. It never has come within my knowledge, and I have never heard of an organization formed in this county under it, or anywhere else.

Question. When did you give the constitution to Mr. Fleming?

Answer. Some short time ago, sir.

Question. About when?

Answer. Three or four or five weeks ago, or may be longer. I don't remember the precise time.

Question. Do you know who prepared that constitution?

Answer. I do not sir.

Question. Have you ever seen any other book or print or writing purporting to be a constitution of any such society?

Answer. I never have, sir.

Question. Did you organize any committee yourself under that constitution?

Answer. I never did, sir.

Question. Or any other?

Answer. I never did, sir.

Question. Have you ever given or offered to give to any person any card or paper as a protection against the Ku-Klux?

Answer. I did, sir.

Question. To whom?

Answer. Not against Ku-Klux particularly, but against his receiving any damage in any way. The circumstances are these: When I came home last winter I found Joe Young, the barber here, whose family are servants of mine. I had raised his family, and he lived with his family. He had belonged to Dr. Young, of Georgia, and he followed me to this State, hiring his time. I came here and he seemed to be very much alarmed. I was in conversation with him, and asked him the cause of his alarm and so on, and he told me he was going to have a guard around his house for his protection. That he had been informed that he would be visited by the Ku-Klux. Said I, "Joe, I don't think I would do it. It will attract public notice, and it will attract this band more than anything else, perhaps, to have such a guard as you would have—a colored guard—around you, and if I were in your place I would not do it. If you are alarmed you come to my house and you are welcome to stay there." I had always known him. I had him about me a great deal, and in my family, and I was anxious to afford him any protection in my power that I could. I said to him, "I will get up a paper and will have it signed by the respectable citizens of the county, setting forth your character as a clever, honest boy, and it may have a tendency to afford you protection and prevent any outrages being committed upon your person." I advised him to that course and the matter dropped there. I did not provide the paper. He never asked for it any more. He seemed, though, to get into a better state of feeling after a while, that is, as far as his appearance went. I had but little conversation with him afterwards upon the subject. Then last winter I took his son down to Columbia.

Question. When was that?

Answer. That was, I think, about the Christmas holidays.

Question. But I mean the first talk you had.

Answer. I think about the Christmas holidays was when I came home, and I had taken his son down in December or November. I had written up to send his son down; that I could get him a berth as page; and I continued him as page there the whole of the winter. It was purely to relieve him—to do all I could for the relief of his feelings that influenced me.

By Mr. VAN TRUMP:

Question. You intended that paper to be signed by divers citizens of the county?

Answer. Yes, sir; I intended to go around here and get the most respectable names of citizens to sign that paper, that it might have an influence on reasonable men, if there were any reasonable men engaged in that organization.

Question. Is that the barber who is under Mr. Givins's office?

Answer. No, sir; he was the barber under this (Palmetto) house at that time. What I did was through the kindest feelings toward him.

By Mr. STEVENSON:

Question. You did not assume to have control over the Ku-Klux?

Answer. Not at all; but, as I have said in my testimony, I did not know any man on earth who was identified with them in any way, except the instance from Tennessee that I mentioned. I had no knowledge of them myself, and never was identified with them in any way; never knew any of them, nor knew about them, except as the acts of this organization, or whatever it was, would show out.

By the CHAIRMAN :

Question. I desire to ask a question in connection with this statement which you have made. Was this barber afterward visited by the Ku-Klux in the country?

Answer. Not that I know of. I never heard of it if he was.

Question. Had he a family in the country?

Answer. He had a family just out a piece, in the suburbs of the town.

Question. Near town?

Answer. Yes, sir.

Question. We have been informed of one that was visited in the country and had to take refuge in the chimney. Have you heard of that case?

Answer. No, sir.

By Mr. STEVENSON :

Question. You said, I believe, that you wanted to make some statement in regard to legislation. If you desire to make any further explanation in regard to the legislature, you can do so now.

Answer. I just wanted to say that I thought about these things last night, and looked over the acts, and took a few notes in relation to the questions that you would put to me as to whether I voted upon a certain Greenville Railroad measure. I voted for an act to reenact certain acts lending the credit of the State to the Greenville and Columbia Railroad Company, and to validate the action of said company thereunder. This act was to alter and amend an act lending the credit of the State to the company in the readjustment of their debt, ratified by the legislature under the provisional government of the State. The same was reenacted and continued in force, and all the acting of said company pursuant to the provisions of said act shall be validated and confirmed. This act enables the company to fund the interest due upon the mortgage and guaranteed debt for six months. The comptroller general is authorized to indorse, or was authorized to indorse, the name and credit of the State upon the bonds and certificates of the company to the amount of \$50,000. The statutory lien was extended to cover the additional amount. The condition was that the company should consent to a tax upon the road, in conformity with the second section of the twelfth article of the constitution. I don't remember any particular charges of corruption in this matter. Then the other was the act to close the operations of the Bank of the State, about which you asked me.

Question. Yes, sir, I did.

Answer. Well, the governor was authorized and required to take charge of all the property and assets of the bank and sell them at public auction, at his discretion, having regard to the interests of the State, and all debts and choses in action to be collected by the attorney general, and proceeds of sales and collections to be placed in the treasury, subject to the governor's order; to report the same to the next succeeding legislature. It authorized all bills issued prior to January, 1860, to be funded in six per cent. bonds, provided the bills be presented to the treasury before 1869. It was believed that there was much corruption in this measure. I have no knowledge of any myself, but that was the impression that prevailed, from the fact that these State bills were bought up at a merely nominal price—ten, twenty, thirty, forty, fifty, perhaps, in some instances, sixty cents on the dollar. They were being bought up continually by government officers and brokers and merchants through the country, and dealt in, I suppose, pretty largely, from the report, by those who were aware of what legislative action would likely be had. It resulted very advantageously to them. There was about a million and a quarter of these bills funded, and the bonds after funding were worth very soon 60 and 70 cents on the dollar, making a very considerable speculation out of it. There sprung up a considerable speculation at that time in these bank bills. Now, a great many people who had these bank bills were under the impression that they would still at the same time answer the purpose of tax-paying—of paying their taxes—and held on to them. There are some of these bills that were sold even as late as last winter. There was not a sufficient amount of them—no bond could be issued under \$50—there was not a sufficient amount of them, and they were set to the credit of those who had surrendered any bills to the treasury to make out a bond; they were set to their credit on the treasurer's books. There is an instance here in this vicinity of a man authorizing me to sell a remnant of \$20 that he had, for which the treasurer paid him 75 cents on the dollar. That was last winter. His object was, I suppose, to fund that with other remnants that he had on hand, or would buy up, and bills of the same sort could have been bought. These were not registered and might have been bought for perhaps 40 cents in the streets. That is about my idea of the matter. There was a great deal of speculation in these bills. People were riding through the country buying them up. Merchants were taking them in, and officers of the treasury were buying them. I sold some myself that were sent to me, to one of the officers of State. Captain Parker bought some from me.

By Mr. VAN TRUMP :

Question. I understand you to say that a good many members of the legislature were appointed sub-commissioners or sub-agents under Mr. Leslie in the several counties of the State on this land commission?

Answer. Yes, sir; a good many of them were appointed. It was understood that most of the appointments were among the members of the legislature.

Question. The majority of the thirty-one, if there was one to each county, were members of the legislature?

Answer. I can't say as to what the majority was.

Question. The effect of your testimony seems to be, if I recollect, to exonerate Leslie, the first commissioner, from participating in any of these alleged frauds in the administration of this office?

Answer. The investigation is still incomplete, but it does not appear as far as it has gone that there was any margin in his favor, or that he had made anything at buying lands and selling lands. It does not appear that he was in collusion with any of these vendors of land. I will state there another thing, that he was very active in the committee-room in hunting up and sending for and bringing witnesses, and he, knowing a great deal more about the business than any of the senators, seemed to be very rigid. He took the privilege of asking some questions, and was very rigid in his examination of some of them, and stated to them, "If you know anything at all for or against me, tell it." He said to me, "I want you to ferret this thing out rigidly, and if you can find anything for or against me, I want it known."

Question. Was it understood, or did it appear in the examination before that committee, that Mr. Leslie had not much to do in the management of that business? Was it not confined to the advisory board principally?

Answer. He had approved of a good many purchases, but he told me that the advisory board had made some purchases under his protest; that he had protested against them, and they had made some purchases.

Question. They could overrule him in that direction?

Answer. Yes, sir, they could.

Question. They could act without his coöperation?

Answer. Yes, sir; they could do it.

Question. Who formed that board?

Answer. I think it was Governor Scott and Mr. Neagle.

Question. The treasurer?

Answer. Yes, sir; I think he was one of the board. Captain Parker was one, I am certain, and Mr. Cardozo was for a while, but I understood he resigned. I don't know that to be a fact.

Question. Have you stated all that?

Answer. I think so.

Question. Did it appear in the testimony, so far as it went in the examination, that Captain Parker had some connection with the selling and buying of these lands?

Answer. Yes, sir; Captain Parker, in his testimony, according to my understanding, was the purchaser of this Hell-Hole Swamp place.

Question. From some other party?

Answer. No, sir; from Oakes. I understood he purchased this land from Oakes.

Question. In behalf of the State?

Answer. Yes, sir.

Question. Then it was Oakes, and not this man Schley, who sold it?

Answer. It was Oakes, he said in his testimony, I am pretty certain, from the fact that he said Oakes was a land broker, and he expected that there was some margin.

Question. Did you say that you never heard of this man Schley, who undertakes, on the record, sales to the State amounting to 26,912 acres of land?

Answer. I do not know him. I may have heard of him. I think that Colonel Haywood, in some testimony of his, spoke of the Schley land, but I do not remember the particulars of his testimony. There were only a few of them. I speak from memory; I am drawing upon my memory now. This testimony in relation to that must be, to some extent, imperfect, from the fact that I have no data by me. The testimony is all in Columbia in the hands of the chairman proper of the committee.

Question. At any rate you recollect that Parker, the State treasurer and a member of this advisory board, testified to the fact that he had purchased of a man named Oakes this Manigault or Hell-Hole Swamp track of 12,000 acres?

Answer. Yes, sir; at \$3 an acre. That was his testimony, I remember that.

Question. So that if Parker testified aright this report is not correct in stating that that tract was bought of P. T. Schley?

Answer. I didn't know anything about the Schley land until that report came into my hands.

Question. If Parker bought these lands of Oakes he didn't buy them of Schley, did he?

Answer. No, sir; it may be that Schley is in that concern; that Oakes is connected with Schley in some way. If so, I don't know it.

By Mr. STEVENSON :

Question. Did you not understand that Oakes acted as a real estate broker for Mr. Schley ?

Answer. I understood from Mr. Parker, the treasurer, that he was a real estate broker.

Question. That Oakes was a broker through whom this was purchased ?

Answer. That Oakes was the broker from whom he purchased this Hell-Hole Swamp.

Question. As a broker ?

Answer. I asked him about the margin, and he said he was a broker, and he supposed he made some margin in his favor.

Question. Of course, if there was a margin to him it would be as a broker, and not as an owner ?

Answer. I am confining myself to my recollection of the testimony handed in before me.

Question. Is it anything unusual for land brokers to sell land for the owners in Charleston ?

Answer. No, sir, I think not.

By Mr. VAN TRUMP :

Question. But Captain Parker did not say whether or not Oakes was acting as a broker for somebody else or acting for himself ?

Answer. He didn't say. He merely said he was a broker.

Question. He merely said Oakes was a broker, and he had bought the 12,000 acres from Oakes ?

Answer. Yes, sir.

Question. What did you understand ? I desire you shall be a little more definite. You have specified something in regard to the character of this Hell-Hole tract. What is its character as a swamp ?

Answer. I understand there was a large amount of swamp connected with it. Mr. Parker said so. He said that he was under the impression that these swamps in some way might be drained and rendered very valuable.

Question. In the hands of speculators who could hold on to it during that time ?

Answer. That is what he said to me.

By the CHAIRMAN :

Question. Did he say they were to be held by a speculator ?

Answer. No, sir, he didn't say that. He said what I have repeated.

By Mr. VAN TRUMP :

Question. I understood you to say, either as your opinion or as Captain Parker's testimony, that these lands might, as you understood, be made valuable if they were drained ?

Answer. I suppose they are very rich lands, and might be made valuable if they could be drained. I don't know whether they could be or not.

Question. If this land commission was instituted with the honest purpose of furnishing homesteads in various small tracts for the colored people—perhaps white people too—would it be possible for purchasers of that class to drain these immense swamps ?

Answer. I think not. It would require, I think, from what I have understood about these swamps down there, a great deal of capital.

Question. And combination of proprietors ?

Answer. Yes, sir.

Question. Then if this is the character of that purchase it is wholly a useless purchase for the purpose if the land commission was honestly intended to provide homes for the poor ?

Answer. Some part certainly is so, I think.

Question. Have you any idea of what proportion of the 12,000 acres was included in these swamps ?

Answer. I did not ascertain. There was a large amount of swamp on it, I understood.

Question. I understood you to say that General Bates charged against Mr. De Large that he had advanced sums equal to \$1,500 as a premium or bonus for the contract for the sale of his lands, and that De Large denied it ?

Answer. That is his testimony.

Question. General Bates swore to it ?

Answer. Yes, sir.

Question. Did De Large deny it under oath ?

Answer. No, sir; he denied it in a letter to the Senate. De Large was not about. It was understood that he had arrived in Columbia, but was confined to his room from a gunshot wound that he had received in the hand at Charleston previously.

Question. Did De Large explain the discrepancy that Bates swore to of the amount of \$10,000 received by him (Bates) when the land he set down in the report as costing \$12,000; did he explain that ?

Answer. No, sir; according to my recollection he simply denied the fact.

Question. Who moved in the legislature this committee of investigation; a democrat or a republican?

Answer. Well, I think Mr. Leslie desired an investigation of his acts and doings. Now I don't remember who made the motion. He was very anxious to have it.

Question. Why was he anxious about it; had there been current charges made against him?

Answer. I think he had been charged through all the newspapers from one end of the State to the other, by republicans and democrats, as having been guilty of fraud in the matter. I think there were general charges against him, and he wanted an investigation into the matter. There was a great deal of sparring in the senate between parties, between even Mr. Corbin and himself, upon that matter—members of his own party.

Question. Mr. Stevenson furnished you an addition of the several sums, making an aggregate amount paid for these lands, according to De Large's report, of \$549,329 85; do you know whether or not that amount includes the sum of \$85,335, charged to the expenditures here in the annual report of the comptroller general?

Answer. I don't know, sir.

Question. If that sum is to be added, then the gross amount paid for land, according to the report of the commissioner, would be \$637,664 85, would it not?

Answer. Yes, sir; it makes that amount, it seems. Captain Parker said in his testimony, if I recollect aright, that about—I think there was a fraction—about \$580,000 was the amount that was obtained on the bonds, and that all that amount, with the exception, perhaps, of \$30,000, had been laid out in lands.

Question. Who composed this committee of investigation?

Answer. Well, sir, there were a good many members. Dr. Hayes was chairman of the committee. I was a member. There was a colored man by the name of Bowley; he seemed a very clever colored fellow; there was one by the name of Lee; a man by the name of Gardner. The fact is, I never met all the committee but once or twice, and I don't know their names. I don't know the names of many of the representatives.

Question. There was never a full meeting of the entire committee?

Answer. No, sir, except at the organization, and perhaps one or two meetings afterward; there may have been; I don't remember distinctly.

Question. How long before the adjournment of the legislature did the organization of the committee take place?

Answer. I don't remember when it was organized.

Question. About how long?

Answer. I have no recollection what time. The legislature was in session about three months, and I don't remember. I know I discontinued examining witnesses two or three days before the close.

Question. Then you had got up to within two or three days of the adjournment of the legislature before you quit the investigation of this subject?

Answer. Yes, sir. There were two testimonies read, and only two. They were called for by Mr. Leslie; the testimony of Dr. Lunney and the testimony of General Bates. After they were taken they were called for by Mr. Leslie and read in the senate.

By Mr. STEVENSON:

Question. And that was the only testimony that seemed to make any charges of improper conduct, was it not?

Answer. Yes, sir. Mr. Leslie had the testimony brought and read. He called for it. It was sent in and read by the clerk.

By Mr. VAN TRUMP:

Question. How was that committee composed as to parties; was a large majority of it republican?

Answer. I think I was the only democrat on the committee.

Question. How many members were there?

Answer. I think about seven.

Question. Ordinarily, at your meetings, how many attended?

Answer. Sometimes there were none but myself.

Question. How often did that occur?

Answer. It occurred very frequently. They would come in, one or two of them, and sit awhile and listen to the examination and ask some questions.

Question. They took no part in it?

Answer. When they were there some of them took part in it. I intended to give it up, as the committee-men failed to attend, but Mr. Leslie urged me to continue it. He wanted the thing looked into and the charges on his character removed.

Question. Had republicans, as well as democrats, circulated these reports about corruption in the land commission somewhere?

Answer. Yes, sir; I think so.

Question. And Mr. Leslie appeared to be anxious to have the thing fully investigated?

Answer. Yes, sir; he was very active. He sent for Dr. Lunney to come and be examined; and whenever he could come across any man there he would thrust him into the committee room or bring him in.

Question. Was there a senator named S. A. Swails on that committee?

Answer. I think not.

Question. Are you sure of that?

Answer. I don't remember that he was.

Question. Was there a senator of that name who was also a local land agent for his county?

Answer. There was a Senator Swails; I know him very well.

Question. Is he white or black?

Answer. He is a very bright mulatto.

Question. Was it charged or was there any evidence that he had anything to do with the mismanagement of this thing, as an agent for the county which he represented?

Answer. I don't know; I can't tell you.

Question. Don't you recollect of having papers to that effect before that committee?

Answer. I don't remember now.

Question. They had charged that he sold land to the commission for \$1,500, and it was charged to the State at \$3,000?

Answer. I don't remember that.

Question. Don't you recollect that there are papers now to that effect?

Answer. I may have examined Swails, but I have no recollection of having done so.

Question. Have you no recollection of seeing papers before the committee to that effect?

Answer. No, sir.

Question. Where is Kingstree, South Carolina?

Answer. In Williamsburgh.

Question. Was that the county Swails represented?

Answer. Yes, sir. You see, as I have said several times, the investigation was incomplete. There was a good deal of it to do to render it complete, and many things may appear yet.

Question. I understand that the regular chairman of the committee did not assume the duties of the chair at all?

Answer. Well, on two or three occasions he did, when we organized, and once or twice afterward, and he came in several times. I was placed in the chair in his absence by several of them who were present; that is, I was requested to take the chair by the clerk. It seemed to be vacant when I came in, and I was requested to take the chair, and I continued there; and Dr. Hayes came in several times afterward. He was the regular chairman.

Question. Is Dr. Hayes a senator or representative?

Answer. A senator. I proposed to resign the seat. I rose and offered him his place, but he would not take it; he said go on with it.

Question. Had Dr. Hayes any more pressing or important business to attend to in the senate than you had?

Answer. Several members of the committee said that they had business in the legislature that they were interested in, so that they could not give regular attendance.

Question. Did you, so far as you could do so, in relation to your general duties as senator, use your best exertions to have that investigation prosecuted, and a report made at that legislature?

Answer. I did; I urged it, and Mr. Leslie was very anxious to have the report made, but our stenographer, who acted as stenographer and clerk, did not make out the papers. I turned them over two or three days before the end of the session to the chairman; that is, I told him to do so. I told Dr. Hayes that the papers were at his order; to call on Mr. Fox, the stenographer and clerk, and get them.

Question. At what time did Mr. Leslie resign his office as land commissioner?

Answer. He was not a member at the time of the investigation.

Question. Was De Large already in office?

Answer. De Large was then in office.

Question. Was it understood that the black people, for the reason that this was for their benefit, if honestly intended at all, should have the land commissioner? Was it understood that he should be a colored man?

Answer. There was a report that they had demanded of the governor the land commissioner.

Question. After the appointment of Leslie, or before?

Answer. Leslie was land commissioner; his term had not expired. That they demanded, but Leslie was installed, and, from my understanding, paid no attention to the demand until there was a proposition made to buy him out.

Question. What was the current report of the reason for the resignation of Leslie at last?

Answer. I think the report was that he was bought out; that was the understanding.

Question. A consideration paid for his resignation?

Answer. There were two reports: one was that he was to receive \$20,000; another report was that he was to receive \$25,000. I have no knowledge of these things.

Question. Did you examine into that question at all during the partial labors of the committee?

Answer. No, sir; I did not, from the fact that I did not hear it at that time; now I have no knowledge of this thing; it was reported; I had no knowledge of the report during the investigation.

Question. The present status of your investigation as a committee is, that it is very incomplete?

Answer. Yes, sir; very incomplete and unfinished.

Question. It was no fault of yourself as a member of the committee and the sole democratic member of the committee?

Answer. It was no fault of mine, for I urged them up all I could, and the fact is, I thought it was necessary to go into every county in the State wherever lands were purchased to make the proper investigation.

Question. As this report, with all its correspondence, is now a part of the testimony, I want to see if you can throw any light upon it. I see that H. H. Kimpton, in a letter to De Large, the land commissioner, demanding possession of the land commission bonds, says: "I have the honor to reply that the State treasurer some time since forwarded the said \$500,000 of bonds to me, to be used as collateral security for loans. All of the bonds are now in use as collateral security for moneys advanced to the land commission. I am ready to promptly deliver the bonds to you whenever the loans are paid, or other satisfactory securities are substituted in their place." Under which De Large says: "From this correspondence it will be seen that I have never been in possession of the bonds as contemplated in the act, and that I am consequently in nowise responsible for any disposition that may have been made of them. The lands I have purchased have been paid for through orders on the State treasurer, approved by the chairman of the advisory board."

Answer. I can't give you any light upon that; I have read that.

Question. If De Large's statement is true, the moneys for the payment of these lands were drawn from the treasury of the State, instead of being produced through the agency of these bonds issued for the special purpose of this land commission. That would be necessarily so?

Answer. Yes, sir; I think so, though I can't explain anything in that. That explains itself, I think. I don't think, though, that there were any bonds in the hands of either of them.

Question. Have you ever heard the governor express any reasons why he vetoed the *per diem* and legislative expense bill?

Answer. Yes, sir; I have.

The CHAIRMAN. We have the veto itself. It is in evidence.

By Mr. VAN TRUMP:

Question. Did you ever hear him express any additional or other reasons than those stated in his veto?

Answer. I can state a conversation that took place between the governor and myself, if that is proper. I don't remember perhaps the reasons in the veto just now, though I read it at the time.

Question. If there is nothing more than is in the paper, I do not want the reasons.

Answer. I can make the statement, and if it is consistent with that paper it may go as testimony, and if it is not it may be ruled out.

Question. Go on.

Answer. I was in the governor's office and we were talking about the appropriation bill, and he said it was very large; that it was an outrage, and that he intended to veto the bill, and he gave as his reasons for the veto that the furnishing of the State-house, of the representative hall, and the committee-rooms had cost about \$40,000, or not more than \$40,000, and that they had laid in a claim for \$90,000, or upward, and his object in the veto was to avoid the payment of that amount of money, and he intended to keep it off as long as possible. He was anxious that his veto should be sustained.

Question. Did he say anything about Dennis and his operations?

Answer. Yes, sir; he spoke of it as the Dennis fraud, as John Dennis's operations.

Question. What was the idea among the people at Columbia at the time as a common impression or report of corruption in regard to the bill to permit the consolidation of the Greenville and Blue Ridge Railroads?

Answer. Well, sir, it was thought to be bought through. There was a great deal of influence brought to bear, and great exertion made to get it through. They were tampering with it a good long time. There was a good deal of excited debate upon it, and it was finally carried through.

Question. Over the veto of the governor?

Answer. No, sir; the governor did not veto that bill, sir.

Question. Was that the common impression among the people, that the thing had been carried by corrupt means and money?

Answer. Yes, sir; I think so.

Question. Was it spoken of by both republicans and democrats?

Answer. I heard a great many democrats speak about it in Columbia, and some republicans. I don't remember how many republicans voted against it; some voted against it. I think it is likely—I am not positive—that Mr. Dickson voted against it. I am certain that Mr. Armin voted against it.

Question. Do you know anything further than we have already in regard to the charge of corruption in relation to the passage of the phosphate bill?

Answer. There was said to be a great deal of corruption. There was a great deal of excitement, and several excited speeches were made. Mr. Corbin advocated the bill. Mr. Cain, of Charleston, opposed it vehemently. He came in the next morning and made a speech in favor of it.

Question. Corbin did?

Answer. No, sir; Mr. Cain did. They contended for the exclusive privilege of mining and digging phosphate, and the word "exclusive," Mr. Cain contended, was stricken out, and he then favored the bill.

Question. Was that the Rev. Mr. Cain, of Charleston?

Answer. Yes, sir; and it was thought that there was a great deal of corruption in the passage of that bill. It was spoken of generally.

Question. This Mr. Cain is a colored man, is he not?

Answer. Yes, sir.

Question. The editor of the republican paper called the *Missionary Record*, at Charleston?

Answer. Yes, sir, and a man of a good deal of intelligence.

Question. Has that paper since come out denouncing, perhaps the most violently of any paper in the State, the corruptions of the legislature?

Answer. Yes, sir; it has denounced corruption as violently as almost any paper.

Question. That bill was first vetoed by the governor?

Answer. Yes, sir. I think I have his veto at home.

Question. What was charged to have been the instrument by which the bill was passed over the governor's veto?

Answer. Well, sir, in all these big measures involving a great deal of money, in this as well as others, there was thought to be money employed. That was the general talk and impression among our people.

Question. Did you ever hear of a telegram being sent by Tim Hurley from Columbia to Charleston for money to be used for that purpose?

Answer. Yes, sir; I heard of it.

Question. What was stated about it?

Answer. I have heard that there was a large amount of money deposited in one of the banks there for the purpose of passing it, and I remember of hearing it said that Tim had got it through with less money than he had expected it would take to get it through, and that the balance was appropriated to himself. I have heard these things, but I don't know anything about them.

Question. Was it currently charged and reported there?

Answer. Yes, sir; it was talked about.

Question. Were you also a member of the investigating committee in relation to the bill rendered as expenses by the committee appointed to investigate the election in the third congressional district?

Answer. I was a member of a committee to investigate the accounts, to look into the treasury and see how much money had been drawn out, and how and in what way it was drawn.

Question. What was the result of that examination? How much money was paid for the expenses of that committee?

Answer. My impression is—I have got it into my head, though I may be wrong—that there was about \$27,000 drawn out.

Question. I see in the last annual report I have here, with the accompanying documents, that in the list of expenditures is the item paid to the committee of investigation of the third congressional district, \$17,583 65. Then, in the same report for a previous year, in the account of expenditures, is the charge, "paid the committee of investigation of the third congressional district \$10,231 80," which would make a total of \$27,865 45, if I have added it aright.

Answer. Yes, sir; that is correct.

Question. Crews was chairman of that committee of investigation, was he not?

Answer. Yes, sir.

Question. Did you examine a witness in relation to a certain voucher of \$7,500, said to have been paid to Mr. Dunbar as attorney for the committee?

Answer. Yes, sir.

Mr. VAN TRUMP. I see you ask a question here :

"Question, (by Mr. FOSTER.) Was the warrant, drawn to the order of Mr. Dunbar, paid to him?"

"Answer. Witness declines to answer."

The WITNESS. Yes, sir; he said he would answer no questions. He took that stand, that he would answer no questions that criminated him.

Question. I will ask you whether Mr. Joseph Crews is not acknowledged to be one of the great leaders of the republican party of South Carolina?

Answer. Well, he is, as far as Laurens is concerned. I can't say in the State; there are so many men so far ahead of him in intellect; but I think Joe Crews is understood to do a good deal of dirty work. I don't think his own party, or anybody else, has much confidence in him as a man of integrity.

Question. Has he not had a great deal to do with the affairs of the party in Columbia?

Answer. Yes, sir; he has a good deal to do with it; he is mixed up.

Question. Did Mr. Dunbar swear before you that he never received a cent of that money?

Answer. He did. I asked him what his services would be worth if he had made a charge. He said he supposed they would be worth \$300 or \$400—\$400 perhaps; that he would be pretty liberal generally in charging the State, he judged, and \$400 would be satisfaction for his services.

Question. Were Elliott, the member of Congress, and Judge Wright, the colored judge of the supreme bench, the two other members of the committee of investigation, of which Crews was chairman, into the affairs of the third congressional district?

Answer. Yes, sir; Elliott and Wright were members.

Question. Did Wright, and perhaps Elliott, swear that they had never employed Dunbar as attorney for that committee?

Answer. Judge Wright told me (and Elliott said in his testimony, and so did Wright) that they had this matter of employing an attorney up before them for consideration, and they had determined, as there were two lawyers members of the committee, that it was unnecessary to employ an attorney. Judge Wright said that he agreed to perform the extra service of the committee for about \$500—such as putting the testimony in shape and making up the report for the legislature.

Question. It appears by this report that he did get \$500 for that business?

Answer. Yes, sir; I think that is so. Judge Wright is what you may call a very reliable man. That is the opinion concerning Judge Wright of people that know him. Judge Wright told me, further, that after the time he was elected judge, which was a few days before Christmas, his pay stopped; that he did not receive any after that time, as he thought it was improper for him to do so.

Question. I will read one paragraph to you, and then ask what action was taken on this matter. This is the report of William B. Nash, chairman, Robert Smalls, and J. Foster, of the committee: "It is clear to the minds of your committee that this amount of \$7,500 has been improperly and fraudulently drawn, and they respectfully suggest that the attorney general be instructed to commence legal proceedings in the premises to procure the disbursement of that amount." Were any steps ever taken by the legislature, or governor, to order the attorney general to commence proceedings upon that thing?

Answer. The committee recommended to the Senate that the attorney general be required or requested (I don't remember the word) to take proceedings against Joe Crews for the recovery of the money (\$7,500) which had been illegally drawn out of the treasury.

Question. Did you hear Joe Crews, or have you ever heard what he did say in reply to that proposition?

Answer. He said, on the stand in that committee-room, that he had the right to draw as long as there was anything outstanding against the committee.

Question. But I am speaking now of his remark upon the introduction of this report; what was the defiant expression, if any was used by him?

Answer. I don't remember.

Question. Do you not remember of hearing it currently reported at Columbia that he defied them; that if they intended to prosecute that question against him they would have to extend their penitentiary, because he would have about half of the legislature in with him?

Answer. I don't remember that, sir.

Question. Any how, there has never been any suit commenced?

Answer. Not that I have heard of.

Question. And the \$7,500 has been paid as included in this \$27,000?

Answer. Yes, sir; as the vouchers show.

Question. So that whether Joe Crews made that threat or not, the legislature, instead of instructing the attorney to bring suit, paid the claim?

Answer. No, sir; the claim had been paid before that. One of these had been drawn in September before the meeting of the legislature.

Mr. VAN TRUMP. I request that the report of the special committee appointed to investigate the money transactions of the committee appointed to investigate the electoral affairs of the third congressional district, and also the evidence of Joseph Crews before said committee, be attached to the testimony of this witness. [The documents mentioned will be found appended to the testimony of this witness.]

By the CHAIRMAN:

Question. I understand you to say that whatever has been done in this investigation in regard to the land commission has been done principally by yourself, the only democratic member of the committee?

Answer. Yes, sir; I conducted most of the examination.

Question. So far as you know, has any testimony been developed to sustain the charge which was made that Mr. Leslie was paid money to resign his place in favor of De Large?

Answer. No, sir.

Question. The statement has been already made in testimony in these words, without referring to the witness: "Mr. Leslie, after being in office for some time, was paid \$65,000 to resign, and Mr. De Large was appointed in his place—the present member of Congress from the Charleston district," (page 110, volume 1, testimony relative to South Carolina.) Does the testimony taken by you thus far sustain any charge of that character, of \$65,000 being paid to Mr. Leslie?

Answer. No, sir; I never heard the amount stated so much. One report was \$25,000, another was \$20,000; but I have no evidence. This has never appeared in evidence, and I know nothing about it, except as a report.

By Mr. VAN TRUMP:

Question. Did you examine any witnesses at all on that point?

Answer. No, sir; I examined no witnesses, from the fact that I did not hear of it until the examination was ended.

By Mr. STEVENSON:

Question. You did not hear it at all on the examination? It appeared that there was nothing against Mr. Leslie in evidence?

Answer. The examination was complete before I heard it. I heard it only a day or two before I left Columbia.

By the CHAIRMAN:

Question. In that state of things, the charge never having come to your notice as a member of the committee, and the rumor placing it in one instance at \$25,000, in another at \$20,000, and this charge making it \$65,000, would it not be very rash in any man to swear unqualifiedly that \$65,000 had been actually paid to Mr. Leslie to resign his place?

Answer. I can't answer that question, for I do not know anything about it. This gentleman may have had the testimony to that point, but I have no testimony to what I say. It is only report.

Question. Up to the time you finished whatever examination you have made, had any charge been laid before you, the democratic member of the committee, that Mr. Leslie had been paid \$65,000, or any other sum of money, to resign his place?

Answer. No, sir; neither \$65,000 nor any other amount. I examined several democrats, and there was no charge made. I would here say that Mr. Leslie told me in several conversations, "I have made money, but I have not made it by the land commission. I will tell you some day how I made my money;" but he never told me.

By Mr. VAN TRUMP:

Question. Was that after he resigned?

Answer. Yes, sir.

By the CHAIRMAN:

Question. If he did get money for resigning, I want to get at that fact.

Answer. That is what he said to me. I think it is a hard matter to get at the actual fact.

Question. The same witness says, speaking of the Hell-Hole Swamp property, in answer to the question whether it was a valuable piece of property to be cut up and sold, "No, sir; it cannot be cut up and sold; it is full of snakes and alligators, and I suppose always will be." He further says, "The title is good; they have got a good title to the property, but the property is worthless." Is that an exaggerated or true statement?

Answer. Well, sir, all that I know about it is from Mr. Parker's testimony, and from Colonel Haywood, who was a large planter in the Colleton district, that there was a

large amount of swamp on that place, and I understood him, if I recollect aright, to say that there was valuable land upon the place. I think that Hell-Hole Swamp, from all I have heard of it, was considered a very valuable planting place, though I have never seen it. I have heard of the place but never saw it. I know nothing of it except what I heard after the talk commenced about the purchase.

Question. Had the swamp lands, as you call them, been used as a rice plantation?

Answer. I can't answer that question, for I don't know.

Question. Whatever may be its value, would the statement that it is full of snakes and alligators, and I suppose always will be, and worthless, be a true or exaggerated statement about it?

Answer. Well, sir, having no knowledge of the property except what I have heard, I should think that there were a great many snakes and reptiles of various sorts, and that it is property that, if it could have been drained, would, it is likely, have been put in cultivation as rice land in that county, and would have been very valuable.

Question. I ask for a direct answer to this question. From the testimony elicited before you as to that property, would the statement that it is full of snakes, alligators, and is worthless, be true or exaggerated?

Answer. Well, sir, I think that it would be exaggerated; but I cannot say as to the extent of exaggeration.

Question. I call your attention to another statement of the same witness on this subject: "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." According to the investigation, as far as you have conducted it, is that true?

Answer. I think not. There have been some trades completed and the money has been received upon them, and the titles made.

Question. Have they all been tainted with fraud? or have there been any that are, in your judgment, honest transactions?

Answer. Well, sir, I think there have been some sales made that were honestly made, where people had the land to sell, and were anxious to get the most for it they could; but these lands did not bring as much, nor would not sell for as much down there, as they would in slavery times when they had labor.

Question. How many purchases had Leslie made?

Answer. I can't tell you; we didn't examine into all of them.

Question. But so far as you examined, you did not find any in which Leslie had participated in any of the profits?

Answer. I did not. The testimony shows that.

Question. So that as to the question of the purchases, so far as he was concerned, they were *bona fide* transactions?

Answer. I think so, sir.

Question. Another statement is made by the same witness in this form, the question having been put, "Your information is that \$700,000 was substantially stolen by the officials?" Answered, "Yes, sir; I do not believe that \$100,000 of it was properly invested." Would your investigation bear that statement out, that not \$100,000 of the whole of it was properly invested?

Answer. My opinion has been that the money was not properly invested.

Question. But the point is this. The assumption is that the whole of the \$700,000 was substantially stolen, to which he answered, "Yes, sir; I do not believe that \$100,000 of it was properly invested."

Answer. There was a great deal expended in lands.

Question. Is it an exaggeration to say that not \$100,000 of this money was expended in lands?

Answer. I think so.

By Mr. VAN TRUMP:

Question. While the chairman asks you whether such and such facts did appear before your committee, and other facts did not appear before your committee, I will ask whether the business of your committee is not still wholly unfinished?

Answer. There is a great deal of testimony to be taken in relation to a great many tracts of land that have been testified about. That additional testimony will yet have to be called for to make the investigation complete.

By Mr. STEVENSON:

Question. And there are tracts about which no testimony has been taken at all?

Answer. Yes, sir. Now, in relation to this Bates land that is down here, we will have to call up several witnesses still in relation to that land.

By Mr. VAN TRUMP:

Question. As to this 26,000-acre tract, in gross, purporting to be sold by Schley, you have scarcely investigated that at all yet.

Answer. Scarcely. There is a great deal of it to investigate yet, and I do not see how we can properly do it, without going down in the neighborhood of the land, and sending for persons. My own opinion was that every piece of land, before it was purchased, ought to have been inspected by the land commissioner.

Question. State whether you expect to ever get through with that investigation, unless more attention, industry, and interest are exhibited by the members of the committee generally than during the last session.

Answer. I don't see any prospect of getting through, unless there is more attention paid to it than most the members of the committee have done. There are members of the legislature who have attempted to carry on the investigation during the session of the senate, and at the same time attend to their legislative duties, and it is difficult to do so. You can't get all the members of the committee together at a time, and very often none.

Question. I will ask you in regard to this investigation into the expenses of the committee on the congressional election, what compensation did they get?

Answer. We received no compensation.

Question. I am not asking as to your committee, but the committee which was appointed to investigate the election of members of Congress?

Answer. They got \$6 a day and mileage.

Question. How far into the time of the sitting of the legislature was that pay allowed, and how much was it increased in consequence of running into the session of the legislature?

Answer. Their pay continued, except in the case of Judge Wright. He was elected judge just before Christmas, and did not receive pay after that time. The rest of them received their pay, I think, up to the 23th of February, when the report was made.

Question. When did the session commence?

Answer. The last Monday in November.

Question. Did they receive their pay as members, and \$6 a day as members of the committee during the same time?

Answer. Yes, sir.

Question. Making \$12 a day during the session of the legislature?

Answer. Yes, sir. The report ought have been made at the beginning of the session.

Question. Instead of that it was two months afterward?

Answer. Instead of that it was delayed until near the last of the session.

Question. Is it your understanding that for that time they received double pay—\$6 a day as members of the committee, and \$6 a day as members of the legislature?

Answer. Yes, sir, that is my understanding.

By the CHAIRMAN:

Question. So far as actual information goes, as to the state of this land commission, I suppose you have more knowledge of the true condition of things than anybody else?

Answer. I suppose I have as much knowledge of it, as a general matter, as almost any one else, except the other members of the committee. They have the same opportunity, and the land commission.

Question. You have given it more attention, and have more actual knowledge of it than any one else?

Answer. Yes, sir, I gave it more attention, and have more knowledge of it than any one else, except the land commissioner. In the investigation I gave it more attention.

By Mr. STEVENSON:

Question. You were the only democrat on the committee?

Answer. I was.

Question. It was by general consent that the burden was put upon you?

Answer. It seems so. Mr. Leslie insisted that I should be placed on the committee. I tried to keep off of it, but he insisted upon having me placed there. He said he wanted a democrat placed on the committee.

By Mr. VAN TRUMP:

Question. Is he a republican himself?

Answer. Yes, sir. He seemed to be aware of his innocence, and he thought the report of a democrat would go further toward placing him right before the people. That was about his idea of it, as expressed to me.

(Saturday, July 15, 1871, Joel Foster reappeared, and was examined further, as follows:)

By the CHAIRMAN:

Question. You say you desire to make some explanation of your testimony?

Answer. Yes, sir.

Question. Go on and make it.

Answer. It is just one point. In conversing with General Bates yesterday afternoon, in relation to the sale of his land, he reminded me of the fact that he desired to correct his testimony, and did so.

By Mr. VAN TRUMP :

Question. His testimony before your committee ?

Answer. Yes, sir, before the committee in Columbia ; the investigating committee.

By the CHAIRMAN :

Question. Not before this committee. He has not been called here ?

Answer. No, sir, before the investigating committee in Columbia ; and he says that the correction he made was that the \$500 that he was to pay to a friend to assist him in completing this trade with the land commission was a misapprehension ; that that was the part he corrected. I want to state, however, before this committee, that the testimony was taken from his own lips by the stenographer. He made the statement, and if that was put down there it must have come from his own lips, for I had no knowledge of it otherwise. The testimony was read to him after it was taken and written off, and was signed by him. This is the correction which he says he made. I don't remember about it. I remember that he made a correction, but I don't remember the point that was corrected. He says that was the point. I wish to state that much to this committee.

Question. You appear to make that correction in consequence of your interview with him at your own instance ?

Answer. Yes, sir ; at my own instance, and in consequence of being reminded of it by him.

By Mr. STEVENSON :

Question. What is the fact as you understood it ; is it that he only paid \$1,500 instead of \$2,000 ?

Answer. Yes, sir, \$1,500, instead of \$2,000.

By Mr. VAN TRUMP :

Question. You say that his testimony was taken down by a stenographer in short-hand ?

Answer. Yes, sir.

Question. You say it was subsequently read to him and signed by him ?

Answer. Yes, sir.

Question. Was all that done before he corrected that mistake ?

Answer. Yes, sir, I think so ; that is my impression.

Question. Then he changed that statement, whatever it was, in regard to the \$500, after it was read over to him and signed ?

Answer. Yes, sir ; that is my impression, but I will not state that positively ; but that is my impression, because it was taken down in short-hand, and it was written out directly afterwards for signature, because the people were passing out and in, and it was difficult to find them, and as soon as the testimony was taken it was generally written out in order to get their signature to the testimony.

Question. The statement of the fact, however, in the testimony before it was corrected was that he had paid some friend \$500 to aid him in effecting the purchase ?

Answer. That was my impression, sir.

Question. Is not that his admission to you yesterday, that that fact was corrected ?

Answer. Yes, sir, that that was the correction that he desired to make and did make.

Question. In his interview with you yesterday, although you did not recollect the particular fact which was corrected, he stated that it was this statement of the fact that he had agreed to pay \$500 to a friend ?

Answer. Yes, sir ; he stated that that was the statement which was corrected.

REPORT OF R. C. DE LARGE, LAND COMMISSIONER.

STATE OF SOUTH CAROLINA, OFFICE OF LAND COMMISSIONER,
Columbia, February 25, 1871.

To the Honorable the Senate of the State of South Carolina :

GENTLEMEN : I have the honor to submit herewith my report of the transactions of this office since my appointment as land commissioner, March 1, 1870. This includes—

1. A list of the deeds and property turned over to me by my predecessor, and members of the advisory board, (Schedule A.)
2. A statement of purchases of lands made by myself, (Schedule B.)
3. Reports from Hon. B. F. Jackson, surveyor to the land commission.
4. And returns from county agents, in reference to the settlements thus far effected.

The following deeds of lands, marked Schedule A, were received from Hon. C. P. Leslie, Ex. L. C. S. C., and balances paid on them by myself, as per schedule, by order of the advisory board :

SCHEDULE A.

Counties.	From whom purchased.	Name of tract.	No. acres.	Cost.	Amount paid on same by R. C. De Large.
Abbeville*	G. W. Marshall	Marshall	420		
Abbeville	G. H. Marshall	Marshall	1, 150	\$11, 500 00	
Abbeville	Est. Marshall	Homestead	1, 152	11, 520 00	
Barnwell	J. N. Tregue		330	1, 310 00	
Beaufort	W. J. Brodie	Gilbert and Inverness	780	3, 900 00	
Charleston	F. Sires	Woodville	1, 600	2, 000 00	
Charleston	John A. Tuten	Cattle Bluff	520	3, 552 00	
Chester	A. H. Davega		521	4, 168 00	\$2, 868 00
Chesterfield	H. J. Fox	Five Tracts	4, 556	36, 488 00	
Clarendon	L. A. Bigger	Est. Rhodes	615	1, 375 00	
Colleton	R. J. LaRoche	Hickory Hill	991	3, 000 00	
Darlington	John Lunney	Indian Branch Tract	637	} 11, 603 25	
Darlington	John Lunney	Back Swamp	860†		
Edgefield	T. J. Howard	D. Randall	115	500 00	500 00
Fairfield	C. C. Singleton	Harrison River	1, 091	6, 556 00	
Fairfield	Whilden & Son	Harrison River	2, 333	13, 198 00	
Georgetown	B. H. Rutledge	Oatlands	713	2, 500 00	
Kershaw†	F. J. Moses, jr.	Burrows'	3, 575	14, 000 00	
Lancaster	M. S. Gill	Hoods'	1, 004	8, 032 00	
Marion	E. A. Miles	Mace	200	2, 000 00	
Marion	G. W. Moody	Moody	124	800 00	
Marlborough	J. H. Goodli	House	890	10, 000 00	
Orangeburgh	William Keller	Tynal's	1, 350	4, 000 00	
Richland	T. J. LaMotte	Hunt's	774	1, 600 35	
Richland	J. J. Hugueind	Hopkins'	1, 830	12, 810 00	
Richland	P. F. Frazee	Hickory Hill	712	5, 874 00	
Richland†	O. H. Jones	O'Hanlan's	5, 216‡	36, 505 50	
Williamsburgh	J. N. Heirsch	Cross Roads	2, 138	3, 000 00	
Sumter	J. D. Graham		90	600 00	
Sumter	J. D. Graham	Donald	64	450 00	
Sumter	J. D. Graham		300	350 00	
York	Whitaker	Whitaker	666	3, 028 00	2, 828 00
York	J. M. Lowry	Fishing Creek	1, 383	13, 535 00	3, 400 00
Fairfield†	T. Jordan	Jordan Tract	700	2, 800 00	2, 800 00
Marion§	R. B. Fladger, jr.	Fladger Tract	2, 000	7, 000 00	7, 000 00
Marion	Julius Brown	Brown	872	3, 500 00	3, 500 00
Marion	W. W. Brady	Brady	134	4, 500 00	4, 500 00
Total			42, 576‡	255, 055 60	27, 390 09

* The amount of this deed was left blank.

† This land has been reported by the agent, but the deed has not been turned over.

‡ This deed was received through Hon. J. L. Neagle, as a member of the advisory board, and although the deed is made to me, and I paid for it by direction of the advisory board, yet I had nothing to do with the purchase. It had been surveyed and settled before I was made land commissioner.

§ These lands in Marion were not purchased by myself, but were received from Hon. H. E. Hayne, and I paid for them by direction of the advisory board.

In addition to the foregoing, I would state that I have been informed by Hon. N. G. Parker, as a member of the advisory board, that the following deeds were conveyed by "P. T. Schley, of Charleston, to C. P. Leslie, land commissioner," and are now in possession of the secretary of the advisory board.

Counties.	From whom purchased.	Name of tract.	No. acres.	Cost.
Charleston	P. T. Schley		1, 854	\$12, 978 00
Charleston	P. T. Schley	Manigault	12, 000	36, 000 00
Charleston	P. T. Schley		4, 600	23, 000 00
Colleton	P. T. Schley	Pine Plantation	4, 000	24, 000 00
Colleton	P. T. Schley	Heyward	3, 500	18, 000 00
Colleton	P. T. Schley		958	4, 790 00
Total			26, 912	118, 768 00

NOTE.—Five other tracts in Edgefield County, purchased by my predecessor, amounting to about twenty-five hundred acres, were surveyed and divided by the surveyor to the land commission, and have been settled by the agent for that county, but as the deeds have not come into my possession, and I am not apprised of the amounts paid for them, or from whom they were purchased, they have not been included in the above schedule.

SCHEDULE B.

Counties.	From whom purchased.	Name of tract.	No. acres.	Cost.
Anderson	John R. Cochran	Earle	105	\$525 00
Anderson	John R. Cochran	Martin	317	1,000 00
Anderson	John R. Cochran	Martin	223	1,115 00
Beaufort	Seaborn Drayton	Johnson Tr	519.5	905 25
Beaufort	Macon B. Allen	Rice Hope	1,976	9,880 00
Charleston	Timothy Hurley	Indian Grove	1,441	3,602 50
Charleston	Oplimus Hughes	Greenwich	643.6	6,000 00
Charleston	J. H. Jenks	Curtis	266	2,128 00
Charleston	C. T. Chase	Rushland	924	9,240 00
Chester	B. G. Yocum		730	6,205 00
Colleton	W. M. Cummings	Gilbert	2,732	10,928 00
Colleton	W. M. Cummings	Four Hole	1,040	2,080 00
Colleton	George F. McIntyre		1,200	6,000 00
Colleton	W. P. Brown	River Place	293	894 00
Georgetown	Richard Dozier	Dozier	5,310	18,585 00
Greenville	Cleveland	Cleveland	1,500	10,700 00
Kershaw	S. R. Adams	Ciples	2,585	15,510 00
Lexington	H. W. Purvis	Geiger	2,300	8,050 00
Marion	J. H. Jenks	Britton's Neck	600	3,000 00
Newberry	Thomas M. Paysinger	Beard	964	7,230 00
Newberry	Thomas M. Paysinger	Norman	910	6,825 00
Oconee	John R. Cochran		1,045	6,270 00
Oconee	John R. Cochran		294	1,556 00
Oconee	John R. Cochran		193	1,158 00
Oconee	John R. Cochran	Kyle	357	2,142 00
Oconee	John R. Cochran	Sawmill	154	924 00
Orangeburgh	R. N. Miller		373.5	1,000 00
Pickens	John R. Cochran		327	1,144 00
Pickens	John R. Cochran		428	1,498 00
Pickens	John R. Cochran		135	472 50
Pickens	John R. Cochran		210	735 00
Pickens	John R. Cochran		40	140 00
Pickens	John R. Cochran		362	1,267 00
Richland	P. F. Frazee, sheriff	Disseker	440	1,760 00
Richland	R. K. Scott	J. P. Adams	482	2,892 00
Spartanburgh	B. F. Bates		508	3,556 00
Spartanburgh	B. F. Bates		250	2,100 00
Spartanburgh	B. F. Bates		253	1,771 00
Spartanburgh	B. F. Bates		534	3,204 00
Spartanburgh	B. F. Bates		331.5	1,986 00
York	A. Williford	Fishing Creek	560	3,360 00
York	A. Williford		623	3,763 00
Total			34,589.1	173,506 25

* This tract, by survey, proves to contain 810½ acres.

The following reports of Hon. B. F. Jackson, surveyor to land commission of South Carolina, show the work accomplished in that department :

These reports speak for themselves. I wish to call attention to them, as showing the extent of the labors performed in this department, and some of the many difficulties by which the work has been attended. Besides, this report will partially explain the reason why any report could not be made before. I wished to report not only the lands purchased by the State, and where located, but the fact that they had been surveyed and were ready for settlement. And although the surveys were going forward as rapidly as possible under the circumstances, it was impossible to complete them until about the middle of the present month. At that time I should have had my report ready, but for a serious accident which befell me early in the month, and from which I am still confined to my room.

The following are the reports :

REPORT No. 1.

STATE OF SOUTH CAROLINA, OFFICE OF LAND COMMISSIONER,
SURVEYOR'S DEPARTMENT, Columbia, S. C., June 5, 1870.

SIR : At your request to become informed of the surveys made of the State lands prior to your assuming the duties of your office, I have the honor to report to you the operations of this department of the public service since its organization to the present time.

I began the surveys in September, 1869. At the earnest solicitation of the ex-land commissioner, Hon. C. P. Leslie, I undertook to perform the field-work myself. This was soon acknowledged by himself and the advisory board to be impracticable, and I was permitted to appoint deputy surveyors to do the field-work, while I have myself performed the office-work without any assistance up to the time of your appointment as land commissioner.

In discharging the duties imposed upon me, no pains have been spared to secure accuracy

in the work, and to carry out the law, both in its letter and spirit. Much more pains has been taken than is usual in this class of work, and the maps have been made with great care and labor, not only that they might bear the criticism of accomplished engineers and draughtsmen, but so clearly has the topography of each tract been represented that any one can see at a glance the character of the tract.

In regard to the quality of the lands thus far surveyed, I would say that they were a fair average of the lands in the sections where the purchases have been made. Some of the lands are of very good quality and well adapted to subdivision, as contemplated in the law.

On the other hand, it must be admitted that some of the tracts are of inferior quality of soil, and some, from scarcity of wood or extensive swamps, are not very suitable for division into small farms and settlement by poor men. But I am glad to say that the amount of this kind of land is very small, and most of the land now surveyed can be disposed of, both to the advantage of the State and the purchaser.

The cost of the surveys thus far completed is \$4,881.

In the subjoined table you will find the number of tracts, and the number of lots or small farms into which the same have been divided.

The following is the table:

Counties.	No. tracts.	No. lots.
Barnwell	2	17
Charleston	2	58
Chester	1	9
Chesterfield	1	34
Darlington	2	33
Edgefield	5	71
Fairfield	1	8
Georgetown	1	14
Greenville	3	8
Kershaw	1	76
Lexington	1	19
Orangeburg	1	48
Richland	2	211
Williamsburg	0	48
Total	24	654

This table does not include all the purchases made, but all the surveys made by this office.
Respectfully submitted.

BENJ. F. JACKSON,
Surveyor, L. C. S. S. C.

Hon. R. C. DE LARGE, *L. C. S. S. C.*

REPORT No. 2.

STATE OF SOUTH CAROLINA, OFFICE OF LAND COMMISSIONER, SURVEYOR'S DEPARTMENT, *Columbia, S. C., February 23, 1871.*

SIR: I have the honor to report the operations of this department since June 1st, 1870, the date of my previous report to you. The number of tracts or plantations surveyed is seventy-three. The whole number of lots into which the same have been divided is eleven hundred and forty-nine.

This exhibit, it will be seen, includes nearly all the lands purchased by the State, except what is commonly known as the Schley or Oakes purchases, which have not been surveyed. The vigilance I exercised upon first assuming the duties of surveyor of the public lands, to secure accurate and faithful surveys, I have continued, without interruption, to the present time, and since I received your instructions, in June last, to proceed with the surveys, they have proceeded as rapidly as the nature of the work admitted. Nevertheless various complaints, through the press and otherwise, have reached the office, in reference to what was supposed to be the tardiness with which the surveys proceeded, and fears were expressed that the lands would not be ready for settlement this year by those who wished to purchase.

This was a most erroneous impression and a most groundless fear. The fact is, the surveys have been pushed forward with the utmost vigor until they were finally completed. No one but practical engineers can realize the amount of hard and difficult labor involved in such extensive surveys, especially in this State. Many of the plats accompanying the deeds were made from very careless and inaccurate surveys, and were, consequently, of very little use to the office, while a large number of the deeds were accompanied by no plats whatever. Some of these lands had not been surveyed for fifty or a hundred years,

and the amount of labor required in locating the boundaries of such tracts and obtaining satisfactory and correct plats must be performed to be appreciated. It was also essential that only accomplished surveyors should be employed to do this work, and such as would follow conscientiously the instructions of the office. Not only did it require men of professional skill, but of good judgment, who would divide the land to the best advantage possible for the settlers, and who would carry out in every particular the spirit of the law. These gentlemen have performed their labors faithfully, rendering the State valuable service; and I believe their work has been accomplished in such a manner as will bear the closest scrutiny and criticism. In some of the more malarious districts, it was impossible to commence the surveys until after frost. As soon as it was considered safe, men were sent into the coast counties, and the State lands there were surveyed and divided.

In reference to the quality of the State lands, it has been found to be a good average of the lands in those localities where the purchases have been made.

Most of the tracts have been found well adapted to dividing into small farms and settlements by small farmers. My estimate is that 95 per cent. of the lands purchased by the State are suitable for settlement, and, indeed, almost all the land is already taken up. The number of tracts not adapted to division and settlement, because of the poor quality, swamp, barrens, &c., is very small indeed. The whole number of small farms surveyed and prepared for occupation by this office is seventeen hundred and ninety-one, on which no less than nine or ten thousand persons are residing. The maps of these surveys, which are now in the office, are important documents of State record.

Each tract is represented on a separate sheet of drawing-paper. Their value and safety certainly require that they be given a more permanent form. I would, therefore, earnestly recommend that good copies should be made of each plat, and the whole bound into volumes for permanent record in the secretary of state's office.

The following is a tabular statement of the surveys since June 1, 1870:

Counties.	No. tracts.	No. lots.
Abbeville.....	3	50
Anderson.....	3	16
Beaufort.....	3	87
Charleston.....	3	77
Chester.....	1	14
Chesterfield.....	5	114
Colleton.....	5	162
Edgefield.....	1	2
Fairfield.....	2	82
Georgetown.....	1	132
Greenville.....	1	25
Kershaw.....	1	47
Lancaster.....	3	25
Lexington.....	1	65
Marion.....	7	83
Marlboro.....	1	16
Newberry.....	2	49
Oconee.....	5	60
Orangeburgh.....	1	12
Pickens.....	6	40
Richland.....	5	86
Spartanburgh.....	5	40
Sumter.....	3	7
York.....	5	47
Total.....	<u>73</u>	<u>1, 149</u>

It is due to yourself for me here to acknowledge your uniform kindness and courtesy, and to testify that you have uniformly given me every facility in your power for the performance of my difficult and onerous duties.

Very respectfully, your obedient servant,

BENJ. F. JACKSON,
Surveyor L. C. S. C.

Hon. R. C. DE LARGE, L. C., S. S. C.

From the above reports it will be seen that nearly two thousand small farms are now occupied, or ready to be settled, by those desirous of obtaining land and homes of their own, on the easy terms of the law, which gives the purchaser eight years in which to make his payments

Partial returns from the county agents appointed to settle the lands show that the greater portion of these farms are already occupied. Great numbers of thrifty and industrious families, of both races, have eagerly embraced the opportunity of obtaining homes under this beneficent provision of the government, with a good prospect of paying for their lands in two or three years. In most cases where the land was settled last year, the interest has been promptly met, and in many instances a small payment has been made on the principal. This number would have been largely augmented but for the low price of cotton, and the great scarcity of money, which has seriously affected the laboring classes of the State. Certificates of purchase have only been issued when a payment has been made on the principal. This number is something over three hundred, and the amount received from sales, including interest and principal, is \$5,188 47.

Although certificates have been issued only in the above-mentioned cases, it was deemed advisable to settle the lands with those most likely to succeed in establishing themselves in the independent position of freeholders, although they were unable to begin with making a payment.

In closing this report, I would beg leave to call the attention of the general assembly to some of the provisions of the act creating the land commission. Here it will be seen that, while the law makes the land commissioner alone responsible for the operations of this department of the State government, he is, in effect, only a clerk of the advisory board. Nothing can be done without their sanction. They pass finally on all transactions, and, although in their meetings he has no vote nor voice, he is, under the law, accountable for everything. Besides this, any three of the advisory board can remove the commissioner at any time, with or without cause, and no one may question their proceeding.

It is also provided in the act that the bonds issued for the purchase of lands shall be turned over to the land commissioner. In my case this provision of the law has not been complied with. In evidence of this statement, I have the honor to submit the following correspondence and documents:

No. 1.

OFFICE OF SECRETARY OF STATE,
Columbia, June 10, 1870.

SIR: I have the honor to communicate to you the following resolution, adopted at a meeting of the advisory board to-day.

Very respectfully,

F. L. CARDOZO,
Secretary Advisory Board.

Hon. R. C. DE LARGE, *Land Commissioner, S. C.*

RESOLUTION.

Resolved, That the treasurer be authorized to issue to the land commissioner the bonds appropriated for the purchase of lands under the "Act to provide for the appointment of a land commissioner, and to define his powers and duties;" and the act to amend an act entitled "An act to provide for the appointment of a land commissioner and to define his powers and duties, and for other purposes therein mentioned," and that the land commissioner be authorized to sell them for not less than eighty-five cents on the dollar, or hypothecate them for money to pay for purchases made, and hold them subject to the direction of the advisory board.

A copy from the minutes.

F. L. CARDOZO,
Secretary Advisory Board.

No. 2.

STATE OF SOUTH CAROLINA, OFFICE OF LAND COMMISSIONER,
Columbia, June 10, 1870.

DEAR SIR: Inclosed please find official copy of the resolution adopted by the advisory board.

You will oblige by informing me as to how early a time it will be possible for you to turn over to me the five hundred thousand dollars' worth of bonds issued for the land commissioner, agreeable to said resolution.

Very respectfully,

ROBT. C. DE LARGE,
Land Commissioner.

Hon. N. G. PARKER, *Treasurer of the State of South Carolina.*

No. 3.

STATE TREASURER'S OFFICE,
Columbia, S. C., June 14, 1870.

SIR: I am in receipt of a copy of the resolution adopted by the advisory board of the land commission, which resolution authorizes the treasurer to issue to the land commissioner the bonds appropriated for the purchase of land.

I have the honor to state, in reply, that the bonds were prepared and forwarded to Mr. H. H. Kimpton, financial agent of the State of South Carolina, subject to the order of the land commissioner, as provided in the act authorizing their issue.

Very respectfully, your obedient servant,

NILES G. PARKER,
Treasurer of the State of South Carolina.

Hon. R. C. DE LARGE, *Land Commissioner, S. C.*

No. 4.

OFFICE OF LAND COMMISSIONER,
Columbia, S. C., June 17, 1870.

DEAR SIR: I beg to hand you a copy of a letter from myself to Hon. N. G. Parker, State treasurer, and a copy of communication received in reply.

In accordance with the foregoing, you are respectfully requested to turn over to me the five hundred thousand dollars of bonds issued by the State of South Carolina to the land commission by act of March 1, 1870.

I have the honor to be, very respectfully, your obedient servant,

ROBT. C. DE LARGE,
Land Commissioner S. C.

Hon. H. H. KIMPTON, *Financial Agent of State of South Carolina.*

No. 5.

COLUMBIA, S. C., June 17, 1870.

DEAR SIR: I have received your communication of this date, with a copy of your letter of 10th instant to Hon. N. G. Parker, State treasurer, asking information in regard to the delivery to you of the five hundred thousand dollars of the State bonds authorized to be issued according to an act approved March 1, 1870, with also a copy of the reply of the State treasurer of the 14th instant.

I have the honor to reply that the State treasurer, some time since, forwarded the said five hundred thousand dollars of bonds to me to be used as collateral security for loans. All of the bonds are now in use as collateral security for moneys advanced to the land commission.

I am ready to promptly deliver the bonds to you whenever the loans are paid, or other satisfactory securities are substituted in their place.

Very respectfully, your obedient servant,

H. H. KIMPTON,
Financial Agent State of South Carolina.

Hon. R. C. DE LARGE, *Land Commissioner State of South Carolina.*

From this correspondence it will be seen that I have never been in possession of the bonds, as contemplated in the act; and that I am consequently in nowise responsible for any disposition that may have been made of them. The lands I have purchased have been paid for through orders on the State treasurer, approved by the chairman of the advisory board.

Very respectfully, your obedient servant,

ROBT. C. DE LARGE,
Land Commissioner S. C.

REPORT OF THE SPECIAL COMMITTEE APPOINTED TO INVESTIGATE THE MONEY TRANSACTIONS OF THE COMMITTEE APPOINTED TO INVESTIGATE THE ELECTORAL AFFAIRS OF THE THIRD CONGRESSIONAL DISTRICT.

SENATE COMMITTEE ROOMS, February 6, 1871.

The special committee appointed under Senate resolution to investigate the money transactions of the committee appointed at the regular session of 1868-'69, to investigate the electoral affairs of third congressional district, beg leave respectfully to report:

That your committee have carefully examined the vouchers in the treasurer's office, and

found them to tally with the list of expenditures from that office, which had been referred to the committee by your honorable body.

Your committee would call the attention of the Senate to the amounts appearing on the list furnished by the State Treasurer drawn by "Chairman in favor of J. A. Dunbar," viz:

March 2, 1870	\$1,000
April 19, 1870.....	2,500
May 4, 1870.....	1,500
September 28, 1870.....	2,500
Making a total of.....	<u>7,500</u>

These orders, as appear by the face of the vouchers, were paid to Mr. Dunbar for services rendered as attorney and clerk.

Your honorable body will find, by reference to the accompanying affidavits, that Mr. Dunbar was never employed by the committee as either attorney or clerk; two of the members of the committee being attorneys-at-law, and the stenographer performing the duties of clerk without extra compensation.

It is clear to the minds of your committee that this amount of \$7,500 has been improperly and fraudulently drawn, and they respectfully suggest that the attorney general be instructed to commence legal proceedings in the premises to procure the disbursement of the amount.

They would call attention to the affidavits of Hons. R. B. Elliott, G. F. McIntyre, and Robert Smalls, and that of Mr. Etter, stenographer, and of Mr. Dunbar, the gentleman in whose favor the warrants are drawn, as important evidence in the matter.

W. B. NASH, *Chairman.*

ROBERT SMALLS,

J. FOSTER.

Expenditures investigating committee third congressional district.

1869.				
Nov. 19.	Paid order chairman in favor		J. Crews.....	\$215 20
19.	Do.	Do.	W. J. Etter.....	215 20
24.	Do.	Do.	J. Bryant.....	635 60
26.	Do.	Do.	J. W. Denny.....	160 45
Dec. 15.	Do.	Do.	J. J. Wright.....	132 00
15.	Do.	Do.	G. F. McIntyre.....	132 00
15.	Do.	Do.	R. Smalls.....	132 00
15.	Do.	Do.	R. B. Elliott.....	132 00
15.	Do.	Do.	J. A. Crews.....	132 00
15.	Do.	Do.	J. A. Crews.....	298 00
15.	Do.	Do.	J. J. Wright.....	201 20
15.	Do.	Do.	R. B. Elliott.....	201 20
15.	Do.	Do.	G. F. McIntyre.....	295 60
15.	Do.	Do.	R. Smalls.....	201 20
15.	Do.	Do.	J. E. Etter.....	118 00
15.	Do.	Do.	J. Bryant.....	78 00
15.	Do.	Do.	J. Crews.....	248 00
1870.				
March 2.	Paid order chairman in favor		W. J. Etter.....	588 00
2.	Do.	Do.	J. Crews.....	828 00
2.	Do.	Do.	J. A. Crews.....	588 00
2.	Do.	Do.	R. Smalls.....	828 00
3.	Do.	Do.	R. B. Elliott.....	828 00
3.	Do.	Do.	J. Dunbar.....	1,000 00
3.	Do.	Do.	J. Bryant.....	828 00
3.	Do.	Do.	J. A. Crews.....	240 00
3.	Do.	Do.	W. J. Etter.....	240 00
3.	Do.	Do.	J. J. Wright.....	660 00
4.	Do.	Do.	G. F. McIntyre.....	828 00
April 19.	Do.	Do.		2,500 00
May 4.	Do.	Do.	Jas. Dunbar.....	1,500 00
Sept. -	Do.	Do.	Jas. Dunbar.....	2,500 00
				<hr/> 17,583 65

NILES G. PARKER,
Treasurer State South Carolina.

Evidence of James A. Dunbar.

STATE OF SOUTH CAROLINA :

Personally appeared before me, H. Dickson Corbett, a trial justice in and for the State above mentioned, J. A. Dunbar, who, being duly sworn, deposes and says :

Was retained by Mr. Crews, chairman of the committee, as attorney for said committee, and drew certain warrants on the treasury as such ; said Crews having informed deponent that the rule adopted by the committee was, that the pay and expenses of the committee should be drawn by the chairman of the committee, on the warrant of an attorney. Deponent never drew nor received a dollar from the State treasury for any services rendered to that committee ; simply drew the warrants ; never received a dollar in any shape or form, for services rendered in that matter, from the State treasury. Was retained, to the best of his recollection, about the month of February. As far as actual professional services went, four or five hundred dollars would have been ample remuneration for services rendered the committee by deponent, but he did not receive a single dollar from the treasury in the matter ; has no distinct recollection of the amounts drawn, as deponent understood the warrants to be for the expenses of the committee.

JAMES A. DUNBAR.

Sworn to and subscribed before me, at Columbia, South Carolina, this 6th day of February, A. D. 1870.

H. DICKSON CORBETT,
Trial Justice.

Evidence of William J. Etter.

STATE OF SOUTH CAROLINA :

Personally appeared before me, H. Dickson Corbett, trial justice in and for the State above mentioned, Wm. J. Etter, who, being duly sworn, deposes and says :

Acted as stenographer and clerk of the investigating committee appointed at the regular session of 1868-'69 to investigate the electoral affairs of the third congressional district, and drew pay as such, at the rate of ten dollars per diem, for duties performed in such capacity up to the 28th day of February, 1870 ; knows nothing of any services, either professional or clerical, rendered to the committee by J. A. Dunbar, nor did deponent ever recognize the said J. A. Dunbar as in any way connected with the committee ; has heard the evidence given by the Hons. R. Smalls and R. B. Elliott, and pronounces it correct and true in every particular.

WILLIAM J. ETTER.

Sworn to and subscribed before me, at Columbia, South Carolina, this 6th day of February, A. D. 1871.

H. DICKSON CORBETT,
Trial Justice.

Evidence of J. J. Wright.

STATE OF SOUTH CAROLINA :

Personally appeared before me, Dickson Corbett, trial justice in and for the State afore said, J. J. Wright, who, being duly sworn, deposes and says :

Was a member of the investigating committee appointed under resolution of the general assembly, at the session of 1868-'69, to investigate the electoral affairs of the third congressional district. Deponent received per diem from the time of his qualifying to January 31, 1870. No attorney was employed by the committee, nor did the committee authorize the employment of an attorney, as deponent himself performed all of the work of that character which was required by the committee. The committee discussed the propriety of employing an attorney ; but as such professional services would have entailed an expense of several thousand dollars, it was decided not to employ any legal assistance outside of the committee. Deponent received a fee of five hundred (500) dollars for preparing the report of the committee and extra services.

J. J. WRIGHT.

Sworn to and subscribed before me, at Columbia, South Carolina, this 6th day of February, A. D. 1870.

H. DICKSON CORBETT,
Trial Justice.

Evidence of Hon. G. F. McIntyre.

STATE OF SOUTH CAROLINA :

Personally appeared before me, H. Dickson Corbett, a trial justice in and for the said State, George F. McIntyre, who, being duly sworn, deposes and says :

Was a member of the investigating committee appointed at the regular session of 1868-'69

to investigate the electoral affairs of the third congressional district. Has heard the evidence by the Hons. R. B. Elliott and Robert Smalls, and declares that the said evidence is correct in every particular, and that he fully corroborates the same ; and also that at no time during the session of the committee, did J. A. Dunbar aid or assist the committee, professionally or otherwise.

GEO. F. MCINTYRE.

Sworn to and subscribed before me, at Columbia, South Carolina, this 6th day of February, 1870.

H. DICKSON CORBETT,
Trial Justice.

Evidence of Hon. Robert Smalls.

STATE OF SOUTH CAROLINA :

Personally appeared before me, H. Dickson Corbett, trial justice in and for the State above mentioned, Robert Smalls, who, being duly sworn, deposes and says :

He was a member of the investigating committee appointed at the regular session of 1868-'69 to investigate electoral affairs of the third congressional district. Did not draw pay from the committee after February 28, 1870, as the business and duties of the committee expired on that day. Knows nothing of the employment of J. A. Dunbar as attorney or clerk of said committee. Knows that said J. A. Dunbar did not serve in such capacity while the committee was in actual session. Two members of the committee being of the legal profession, other professional assistance of that character would have been unnecessary. Does not know anything of said committee being in session after the date above mentioned, viz, February 28, 1870.

ROBERT SMALLS.

Sworn to and subscribed before me, at Columbia, South Carolina, this 6th day of February, A. D. 1871.

H. DICKSON CORBETT,
Trial Justice.

Evidence of Hon. R. B. Elliott.

STATE OF SOUTH CAROLINA :

Personally appeared before me, H. Dickson Corbett, trial justice in and for the State above mentioned, R. B. Elliott, who, being duly sworn, deposes and says :

Was a member of the investigating committee appointed at the regular session of 1868-'69 to investigate the electoral affairs of the third congressional district, and served up to the 28th day of February, 1870; drew pay up to that day and no later, and did not claim any compensation after date. Knows nothing of the amounts charged for incidental expenses, as such bills were not presented to the committee for approval, to knowledge of deponent. Does not know anything concerning amounts drawn by Mr. Dunbar as attorney to said committee. Did not, as member of said committee, authorize the retaining of any counsel, for, to the knowledge of deponent, the committee decided, by vote, not to employ any legal assistance, as two of the members, Judge J. J. Wright and deponent, were attorneys at law. Is quite confident that Mr. J. A. Dunbar did not serve the committee as counsel or clerk, or in any other capacity, during the investigation in the several counties of the third congressional district, while deponent was present, neither has it come to his knowledge that the said J. A. Dunbar ever performed such service during any time in the absence of deponent. The committee was discharged from the duties assigned them on the 28th day of February, 1870, to the best recollection of deponent, and if any duty was claimed to have been performed by any one connected with said committee after that date, it was without the knowledge and consent of deponent.

Evidence of Joseph Crews before the special committee appointed to investigate the money transactions of the committee appointed to investigate the electoral affairs of the third congressional district.

Mr. Crews, sworn by Hon. Beverley Nash, chairman of committee :

Has the receipt of the parties to whom money was paid ; does not know whether he has vouchers or not ; thinks that he has ; the report was submitted about the last of February ; does not recollect whether the committee was paid or not ; the members sometimes drew pay in advance ; Mr. Dunbar was retained as attorney and clerk some time when the report was about to be fixed up ; some of the committee retained him ; witness does not remember whether it was by his order or by the order of some other of the committee ; does not believe it was by the action of the committee as a whole ; cannot give an idea of the value

of Mr. Dunbar's services; put no value on Mr. Dunbar's services; considered that he, (deponent,) as chairman of the committee, had the power to employ an attorney, as he did most of the business of the committee; there was no contract with Mr. Wright as to what he was to receive; does not recollect what was said in regard to the employment of counsel; there was something said in the committee.

Question. (By Mr. Foster.) Was the warrant drawn to the order of Mr. Dunbar paid to him?

Answer. Witness declines to answer.

Question. (By Mr. Nash.) Was not one of the orders, dated on the 27th of February, paid in September?

Answer. Witness does not recollect; witness does not conceive that he has a right to think whether Mr. Dunbar's services were worth seven thousand five hundred dollars or not; declines to put a value on such services; the books will show by whom the money was drawn.

Question. Was more money drawn than was necessary to pay the per diem, mileage, stationery account, &c.?

Answer. There were more certificates drawn than was necessary to pay the per diem, mileage, &c., as the attorney was not considered a member of the committee; there was no money asked to pay the expenses in the fourth congressional district, that witness knows of; does not know of any money being drawn on the 3d or 4th of March by the members of the committee, the attorney not being considered a member of said committee; does not remember when the matter was "fixed up;" witness generally took a receipt; has been so situated that he cannot examine the books, &c.

Question. (By Mr. Foster.) Did you consider your committee disbanded after the report was made to the legislature?

Answer. Does not recollect that the committee was discharged; does not know that the committee is discharged to this day.

Question. (By Mr. Foster.) Do you think that the committee has a right to draw on the treasury till (as you term it) properly discharged?

Answer. Witness thinks the committee had a right to draw on the treasury for anything that was due to the committee, till properly discharged.

SPARTANBURGH, SOUTH CAROLINA, July 14, 1871.

WILLIAM IRWIN sworn and examined.

By the CHAIRMAN:

Question. Do you reside in this county?

Answer. Yes, sir.

Question. Where?

Answer. Here, within the corporate limits of this town.

Question. How long have you been here?

Answer. Thirty years, except about four years I was in Greenville.

Question. Are you a native of this State?

Answer. No, sir; I am an Irishman.

Question. Our inquiry is directed to ascertain the manner in which the laws are executed and the security of person and property in this State at this time, more especially in this immediate part of this State. Please go on and state whatever information you have upon these subjects that will be of any benefit in guiding the committee to a conclusion.

Answer. Will you suggest any point I should testify to?

Question. I would if I knew the point to which you were called to testify. In the absence of that knowledge I ask Judge Van Trump to interrogate you.

Answer. I ask you to suggest some one topic that I may answer upon.

Question. The first subject suggested by the inquiry relates to the duty of the committee to ascertain the efficiency with which the laws are executed.

Answer. I presume, then, the question would be my opinion of the Ku-Klux party here?

Question. Go on and give your own view of that subject.

Answer. I think there exists here a very formidable party, which is generally understood to have assumed that name.

Question. To what extent has it interfered with the rights of personal property or the execution of the laws?

Answer. My idea is that there was no opposition to the laws of the United States. I believe that the great corruption and incompetency of our State governments gave rise to it. I will also mention what I think the condition of the country is now. I think, sir, the thing has subsided, or is about to subside.

Question. Having given its cause, proceed to give its operation if you can. How did it operate in consequence of the corruptions of the State government?

Answer. I think, sir, the indignation at the conduct of the officials of the State government and the way in which it was administered attracted the attention of these people. There was a very strong desire to visit their indignation on the negroes. I believe, however, that that was done by and what I would call the off-scouring of the party, because I think that although they belong to the party, there is a certain set who do things without the knowledge of the prominent men.

Question. Having given that as the cause for this very formidable organization of which you spoke, please tell us, if you know, who took charge of that organization in its first inception against the State government?

Answer. I do not think I would be able. I would say they were prominent men in the State.

Question. Tell us who they were in this region, if you know them?

Answer. I do not.

Question. Do you know them in any other part of the State?

Answer. I do not know one that has come within such knowledge, that I have an idea of. I might have an idea of men whose character and temperament I know, who possibly might join such a thing.

Question. Then give us your reason for believing that such men of prominence and character did first organize it?

Answer. I will not say first organized it, but have belonged to it.

Question. Give us your reason for stating that they belonged.

Answer. Well, sir, the organization and system with which some acts of violence and lawlessness were carried on, would indicate to me that they were done by men of more than ordinary intelligence; I hardly know how else to express it.

Question. To which acts of lawlessness do you refer?

Answer. This one in Union in particular, and that I only know by hearsay.

Question. When was that?

Answer. It was the time those negroes were killed.

Question. What was the date?

Answer. I do not remember.

Question. Was it as late as February last?

Answer. I presume so; I think so.

Question. When did the first complaints of corruption and incapacity in the State government make their appearance?

Answer. Two years ago—three, probably.

Question. How has the organization progressed from its first manifestation, according to your belief, down to the present time?

Answer. I think it has deteriorated into a set of low vagabonds, sometimes, who have no regard for person or property, but probably are influenced in a great many instances by personal malice.

Question. Then if I understand you, the respectable men, if there were such, who first went into this organization because of dissatisfaction with the State government, could, if they would, disclose who are the men who were associated with them and who have now got beyond their control?

Answer. I said respectable; allow me to say prominent, because respectability would be a word of different meaning.

Question. But the other point—according to your belief that they could, if they would, disclose who are the lower men below them that are now beyond their control?

Answer. I am not obliged to say they could disclose names.

Question. Give us the names of the respectable men in this community who you believe were in the organization in the beginning?

Answer. I cannot name one. I would not be justified in naming any one. I am not saying it from any dread of the consequences, for if I had the slightest thing to justify me in naming any one, I would do so.

Question. Have you no idea of the respectable men in this county who took that part in it in the beginning?

Answer. No, sir; I may have a floating idea in my own mind, but could not give the name of any person I would think was in it. I may have an idea.

Question. It is a thing which concerns the peace and prosperity of this community now.

Answer. You had half a dozen men before you yesterday, and I might have an idea that such were the men, but still I never would think that such men were guilty of such a thing. Take Gabriel Cannon, and Simpson Bobo, and Joel Foster. Ideas might have entered my mind, but I am convinced they had nothing to do with it.

Question. Then who do you believe were in it?

Answer. I cannot tell.

Question. What do you mean by that?

Answer. I have not the ability or the knowledge to do it.

Question. Then if I understand you, your belief is general, that there must have been respectable and intelligent men who went into it, but you have nothing to indicate who they were?

Answer. No, sir, nothing in the world, because it is the most secretly organized society I have ever heard of.

Question. To the extent of your knowledge let us know what has been the character of the operations of that organization, let it be composed of what class of men it may in this county.

Answer. I have always believed it was a lawless one.

Question. What has been the character of its operations—has it killed?

Answer. Yes, sir.

Question. Or whipped?

Answer. Yes, sir, both.

Question. Or maltreated?

Answer. Yes, sir, done all.

Question. Citizens of this county?

Answer. Yes, sir.

Question. How many has it killed?

Answer. If I had not heard it stated the other day I would not have made it over thirty or forty, but I heard it was hundreds.

Question. You misunderstood me. I asked you how many they have killed.

Answer. I will think and reflect a moment. I understood that all of these persons who were witnesses had been whipped or claimed to have been whipped.

Question. But I asked you of the number who had been killed in the county, not whipped?

Answer. I declare I have no idea. There were seven or eight negroes killed at Union Court-House.

Question. I ask for this county only?

Answer. In this county I can only recollect of two; both were negroes.

Question. Who were they?

Answer. Both negroes; Anthony Johnson was one I have reference to, a trial-justice at that time.

Question. Who was the other?

Answer. There was a negro lately killed; I do not know his name.

Question. Wallace Fowler?

Answer. I think that was the name—on Dr. Jones's place.

Question. How many persons have you heard of as having been whipped in the county?

Answer. They have gone four times above what I had supposed, and what I must suppose they are now, from what outside rumor tells me; for really it had not reached me, except from a few persons who were desirous of finding out, for I had other business to attend to.

Question. What was the number?

Answer. I have heard persons say there were twenty or thirty, and I did not suppose it exceeded that number.

Question. That was before this investigation?

Answer. Yes, sir.

Question. You had no knowledge, then, of even that many?

Answer. I had heard of the increased number a few days before you came here, and I discredited it; I did not think that the number other persons said had been whipped was as large as they now say it is.

Question. Have you any knowledge of whether the negroes here have been unwilling heretofore to disclose the names of persons they believed had whipped them, or the fact that they had been whipped, for fear of further violence?

Answer. I can very easily imagine that could be so, from the character of the organization and the way they were treated.

Question. Was there at any time an apprehension felt of a visit of the Ku-Klux. into this town?

Answer. There was, and I was one of those in company with men who told me they were afraid. I myself seemed under the ban, or, rather, other persons wished me to consider myself so then; I did not; I said I never had the slightest idea they would come in. Some men came into my office and expressed the dread of being visited. I said, "Gentlemen, you can use my office, but I am going home. I have no dread of any such thing." I went home at 11 o'clock at night, after giving them some show of hospitality in my own office.

Question. Did you believe they were honestly under that apprehension?

Answer. Yes, sir; I did believe they were afraid.

Question. How many persons were they?

Answer. Three or four or five.

Question. Who?

Answer. Some United States officers and county officers.

Question. Name those gentlemen you believe were honestly apprehensive of violence in the town here.

Answer. Mr. Casey, deputy United States marshal, was one. I think Enoch Cannon, the postmaster, felt under the same dread; and William McGill Fleming, the treasurer of the county, also; but I think he felt pretty much as I did. He was in the number in my room that night. I heard him express the idea that he was not much afraid, or something of the kind.

Question. What time was that?

Answer. It was during the winter—probably since Christmas, and before and after Christmas—somewhere about that time.

Question. Was it before or after the Ku-Klux had actually ridden into town and demanded a prisoner at the jail?

Answer. I think it was after that.

Question. Was it the case here that members of the republican party did feel alarm in consequence of these demonstrations made throughout the county, and that one made here in the town?

Answer. Letters were received, or said to have been received, by them, which were threatening letters. I thought at the time that those letters were written by persons, probably in one case from personal malice, and in another case to have something like a frolic. I am convinced in my own mind that many of those letters were so prompted.

Question. But was there such a state of feeling here that persons receiving those notices, especially if timid, would be alarmed by them?

Answer. Yes, sir; I should think so. Some of these persons I speak of are naturally more timid than I was by nature.

Question. Had not that been one of the means of creating alarm in the county—the scattering of such notices by the Ku-Klux?

Answer. Yes, sir; I think it was—as a means, I think.

Question. What had tended to put you under the ban?

Answer. My having been united with the republican party. Understand me, I did not think so myself. I may be excused a little egotism because I said I was acting honestly, and was not afraid at any time since I united with the party.

Question. Was it a fact that you had united with the republican party in any instance?

Answer. Yes, sir.

Question. Was that given as a reason why you might be visited?

Answer. To be candid, I think they had the disposition to make me think so because they saw I did not think so.

Question. Who had that disposition?

Answer. Some of those I spoke of. They said I had better look out, too.

Question. You felt no apprehension?

Answer. Not the slightest.

Question. Had you been an active partisan?

Answer. Yes, sir. I would not admit that it was partisanship, but I was looked upon by the democratic party as one who had united with the republican party, and did so.

Question. In what case?

Answer. Voting with the republican party, or the United States officers, for Hon. A. S. Wallace.

Question. That was in 1868?

Answer. No; I am speaking of 1870. I voted for him also in 1868, and at that time I had not united with the party. I voted for him in 1868 for personal motives, and the same motives prompted me in 1870, although I was in the republican ranks. I voted for Governor Scott, because I believed he would make a better officer than his opponent. I saw Carpenter and heard him and believed him to be far inferior to the other, and although then in the republican ranks, this sentiment prompted me because I thought the democrats were not fitted for it as fully as Mr. Wallace. He was not opposed by anybody fit to oppose him. I am free to admit I did not think much of either of the candidates against him; one was a boy from Greenville, and the other, McKissick, from Union, was unfit for the office. Mr. Wallace, the third, was from York.

Question. You have felt independent of party?

Answer. Yes, sir; and was censured by some of the party for it.

Question. I am glad we have found a man like that. Give us your candid belief as to the feeling that prevailed among the negroes and white republicans in the country as to their safety in consequence of these Ku-Klux operations.

Answer. I think they were a good deal excited beyond what was necessary by that organization to which I had united myself—that is, the Union League. I had no other way of uniting myself to the party except through the Union League, or I would not have traveled that road to get there; but the Union League, as they showed it to me,

was nothing I could anywhere find fault with. I was satisfied that I was looked upon as one. I am no politician.

Question. You did enter the Union League?

Answer. Yes, sir.

Question. Can you furnish us a copy, if you have it, of the oath of that Union League?

Answer. I have not it.

Question. As it was organized in South Carolina?

Answer. As it brought me into it. There was nothing any honest man who was desirous of supporting the Government of the United States could find fault with.

Question. What was its purpose as declared and avowed?

Answer. I think that sustaining the Government was its prominent feature.

Question. Did it either inculcate or approve of violence in any form?

Answer. No, sir; by no means; but there were local laws afterward which disgusted me with it.

Question. By-laws?

Answer. Yes, sir.

Question. What were they? We desire to get at all the disturbing causes.

Answer. Local laws or by-laws interfering with the details of—I hardly know how to express it—of things interfering at all events with the independence of persons who went in there, goading them, and showing them they should do so and so with regard to State elections and laws.

Question. Then these by-laws undertook to control their political action?

Answer. Yes, sir.

Question. Did any of them that you spoke of as local either inculcate or approve of violence?

Answer. No, sir.

Question. They did undertake to control the political action of the members?

Answer. Yes, sir.

Question. That you disapproved of?

Answer. Yes, sir; I did not show my disapproval openly at the time; I felt it.

Question. By what means was the control to be exercised?

Answer. The very suggestions of these by-laws, as in other by-laws, were supposed to govern the principles of the organization.

Question. What did the by-laws provide, if you can give them to us; can you furnish them?

Answer. I cannot; it was a whole string of not much sense—nothing, anyhow—drawn up frequently by persons not capable of drawing up by-laws.

By Mr. VAN TRUMP:

Question. Did you take an oath not to divulge these by-laws?

Answer. No, sir; I am not divulging them now. I took an oath not to divulge the constitution I was sworn under.

By the CHAIRMAN:

Question. Has not that constitution been made public?

Answer. The constitution under which I was I do not think was.

Question. I have never been a member of it in any form, and do not know; but I have understood that their constitution had been made public.

Answer. I do not know.

Question. We have not exempted anybody of any organization from disclosing a secret organization of any character.

Answer. I am not disclosing anything, so far as my memory tells me. My oath of installation or initiation would forbid me.

Question. As you say you have not the constitution itself, we want the substance of it, that we may know what it was.

Answer. I merely say the general laws and by-laws; local laws were not such as I could approve.

Question. The by-laws?

Answer. Yes, sir; and general laws.

Question. You say there was no obligation as to keeping them secret; was there any obligation to keep these by-laws secret?

Answer. I looked upon the by-laws as the work of the order afterward, and I am not aware that I am telling them. I take it for granted that I am not telling what each by-law was, but the general tenor of them.

Question. Do you consider yourself bound to keep the by-laws secret?

Answer. I declare I hardly know; I am in doubt about it; the thought never occurred to me before.

Question. We have not exempted any persons from telling what they knew about this secret organization, for it is our purpose to ascertain the causes of the state of affairs.

Answer. I only spoke in general terms. I think the Union League had a great deal to do with the indignation of the people or the democrats against the republican party.

Question. Did that precede the dissatisfaction with the State government?

Answer. I think it was about simultaneous—at least in this part of the country—with the dissatisfaction with the government.

Question. Did members of the Union League, so far as you know, ever proceed to actual violence against members of the opposite party under its order?

Answer. Never under its orders that I know.

Question. Or with its approval?

Answer. No, sir.

Question. Has this other organization, the Ku-Klux, proceeded to actual violence against members of the republican party?

Answer. In some instances I think it has, and in some instances I think it has not proceeded to violence against them as members of the republican party. I did not think it was political.

Question. You think the Ku-Klux was not political?

Answer. In some of its whippings I think it was not. In some cases where men were killed—for instance, Anthony Johnson—I would have to say it was indirectly political but not directly so, because he was made a trial justice from political causes.

By Mr. VAN TRUMP:

Question. How about Fowler?

Answer. I know nothing about that case. I merely heard that.

By the CHAIRMAN:

Question. Have you known any instance in this county in which disguised men, Ku-Klux, have inflicted violence upon members of the democratic party?

Answer. No, sir; that question I only heard discussed yesterday. I never thought of it before. I heard of some three or four persons who were democrats, but I cannot state who they were, and therefore my testimony, I think, is worth nothing. Of course my impression is that the majority of these men whipped were perhaps nine-tenths of them republicans, because they are almost all negroes. There are only a few white men, but I do not think they were punished as republicans.

Question. Have you known any cases where white men have been called upon by this organization and whipped, and required to denounce their political belief?

Answer. I have heard of such and am bound to believe it.

Question. Have you known any case in which any of these men who have either whipped persons when they were in disguise or killed persons have been brought to punishment in this county?

Answer. I have one in my mind; latterly I have.

Question. What?

Answer. My own case, in which I was a civil officer. They are not yet brought to punishment, but they have submitted to the civil law.

Question. What case is that?

Answer. I mentioned to you a while ago that I thought all this matter was subsiding in this county, and was about to give this very case as one proof of that. I presume you gentlemen have heard of General Bates having killed a man?

Question. We have heard of it.

Answer. I was aroused from my bed at 11 o'clock at night to go down and hold an inquest.

Question. You are not the coroner?

Answer. It was too far to the coroner. I am not a coroner. I am a trial justice; I was appointed at the close of the last session of the legislature, some time in February. I went down to General Bates's house. The request was sent by General Bates himself to have the sheriff go there accompanied by the coroner or some other officer.

Question. At whose instance were you appointed a trial justice?

Answer. At the instance of the members of the legislature from this county. I think so. I never applied for it. I am inclined to think it was by their representation. I must have attributed it to that, because just about that time Governor Scott left the nomination to the members of the legislature from each county.

Question. Who was trial justice here before?

Answer. William McGill Fleming.

Question. You occupy his place now?

Answer. I think it might be called a substitute for him.

Question. He is removed?

Answer. Yes, sir.

Question. Go on.

Answer. I went down at 11 o'clock at night to General Bates. He was arrested. I issued a warrant for his arrest. It was a mere matter of form, because he requested to be arrested himself. He mentioned the fact of having killed this man, who had been

at his house he said some nights previous as one of a Ku-Klux party, so called, that entered his house violently. There were four others. The affidavit of his wife, sister, and daughter, made to me, caused me to issue a warrant for these four men. I did so. They were in a portion of the county supposed to be the most lawless and disturbed. The sheriff remained with General Bates. His deputy, a boy—a young man of twenty-five—and myself, went. I had gone to the coroner's inquest unarmed. I arrested one of the men supposed to be a Ku-Klux, on an affidavit made an hour or two before by General Bates's family. I arrested him in company with the officer; took him up and sent a warrant for the other three men, and they were arrested.

By Mr. VAN TRUMP:

Question. That night?

Answer. No, sir; early the next morning. I took this man up town, the first man, and put him in jail, and immediately the sheriff's officer came up with the other three for whom I had issued warrants.

Question. That young man alone, with them?

Answer. There was another younger than himself went with them.

Question. No armed party?

Answer. No, sir; these three men were brought up, and the whole four lodged in jail. The three last brought up were an old man and his two sons, and he took his wife with him, and the wife tried to make out an alibi for her husband, but still I said I could not receive it. He said, "Do you suppose my wife would lie?" I said, "Yes, I never heard of a wife that would not lie to keep her husband out of what you are in for;" therefore he must go to prison. I committed the three men—four altogether. This led me to say this feeling is subsiding. Four men were sworn to by three respectable women to have entered their houses violently at 12 o'clock at night, and I went down in that lawless country and arrested these men.

Question. Did the evidence show that these men who entered that house were disguised?

Answer. Yes, sir; they absolutely swore to that. The object I had in all this was to show that I have a right to say that the country is becoming better, and good order is prevailing.

By the CHAIRMAN:

Question. I will put my question again. Do you know of any single instance in which these disguised men, who have committed these offenses, have been arrested, tried and punished for committing the offenses?

Answer. My answer was somewhat with regard to that. They are not yet punished, but the law is so far regarded.

Question. Have you found any case in which a man has been tried and punished?

Answer. I have not.

Question. You give this as an evidence that this thing is subsiding. How long since these disguised men entered General Bates's house?

Answer. Seven, eight, or nine weeks ago, say two months.

Question. How far is General Bates's residence from here?

Answer. Seven miles, I think.

Question. He is a respectable man, is he not?

Answer. He is a man of some position, sir.

Question. How often has he been in the legislature from this county?

Answer. More than once.

Question. In olden times?

Answer. Yes, sir.

Question. When it was a good indorsement to be there?

Answer. Yes, sir; I think so.

Question. Do you consider anybody a respectable man?

Answer. At all events, a man who had a position—men have different ideas of respectability.

Question. General Bates was in those days a very respectable man, was he not?

Answer. In his public character?

Question. In his private character.

Answer. No, sir; not with me.

Question. But his general character?

Answer. Yes, sir, his general character has passed him through the country as a man of influence.

Question. You and he are not on good terms?

Answer. Yes, sir; very good.

Question. He continued to act with the secession party here during the war, did he not?

Answer. I hardly know. There was a good portion of the time from the beginning when I was away myself, and I do not remember.

Question. Do you not know ?

Answer. I think he was looked upon as one who was not opposed to secession, and sympathized with the rebellion. In other words, I think he was a southern sympathizer.

Question. A property-holder ?

Answer. Yes, sir ; a man who was never accused of any public violation of any propriety, and his integrity was never questioned that I knew of.

Question. Within seven or eight weeks his house, within seven miles of this town, was entered by how many disguised men—you have been a magistrate investigating this case ?

Answer. Yes, sir ; it was by five men.

Question. Were they looking for him ?

Answer. Yes, sir. They called his name—that was the object.

Question. Was he lying out that night ?

Answer. I think so ; so I heard. He was not in the house, but very close.

Question. Was he out for fear of such a visit ?

Answer. I think so. I thought so at the time. Of the five men who thus came in, the family identified four.

Question. His family identified four ?

Answer. They identified five ; there were six. I lost sight of the last one. There were six that visited the house, and they identified five.

Question. Was there a warrant issued for these men, and were they arrested to answer any charge before General Bates killed one of these men ?

Answer. No, sir. The first knowledge I had was only three days previous. It was only three days from the visit of the Ku-Klux to the homicide ; and the same night of that killing I went there.

Question. Then, although they visited his house, there was no proceeding against these disguised men until one of the men who were charged by the ladies as being the persons that had visited his house came back to his house, and General Bates, alleging that an assault was again being made on him to take his life, shot this man ?

Answer. Yes, sir.

Question. And that man's name was Hampton ?

Answer. Yes, sir.

Question. Then, after that, General Bates was bound over to appear for the killing of Hampton, and these four other men were arrested for having visited General Bates's house ?

Answer. That was the first intimation made to me.

Question. Are not those the facts as I have stated them ?

Answer. Yes, sir ; I think there were three days intervened.

Question. You spoke of the fact that these men were arrested as an evidence that the state of feeling here is subsiding. Do they ever resist arrest when the charge of Ku-Klux violence is made against them ?

Answer. It was the first attempt to arrest a Ku-Klux. It was the first time that the application was made to me, and I did not hesitate because I would have attempted it at the risk of my life.

Question. Is it not a part of their system not to resist arrest, but to depend upon their confederates to prove an alibi ?

Answer. If there never was an arrest before, nobody can tell.

Question. Had they never been arrested before ?

Answer. I never knew of it.

Question. The question is whether they had ever been arrested, tried, and punished ?

Answer. I do not think the attempt was ever made to arrest any of them, and I think this was the first attempt ever made to get any one of them.

Question. So that there never had been an attempt to arrest one ?

Answer. Not that I know of, because there was no information lodged before a magistrate.

Question. Had you never heard of an attempt to arrest a man whose friends caused such tremendous excitement here—McArthur ?

Answer. Yes, sir.

Question. Was he or not charged with being a Ku-Klux ?

Answer. Yes, sir. I had forgotten that. I do not remember what it was. McArthur was one, and it led to considerable disturbance and feeling.

Question. Do you know whether any warrants were issued by Mr. Poinier before you, as a trial justice, issued this one ?

Answer. No, except that one of McArthur, and you reminded me of that. I know there were arrests made, but I do not know what was the form of the investigation.

Question. In this case which you supposed was the first arrest, this man said he was able to prove an alibi ?

Answer. Yes, sir, through his wife.

Question. Did the others all attempt to prove alibis ?

Answer. Yes, sir, three did attempt it, and the fourth said he could prove it, but did not attempt it.

Question. So that an alibi is already set up as the defense in all four cases?

Answer. I think that is very likely that will be the defense.

Question. Have you learned the fact that has been the defense of this order throughout these rebellious States, from North Carolina to Louisiana, wherever they have been charged with the offense?

Answer. I have, sir, to some extent.

By Mr. VAN TRUMP :

Question. Can you imagine any other defense which men charged with being members of this peculiar organization can have when a charge of this sort is made, unless it is character and reputation?

Answer. I think you are right, sir, because it is a very strong opportunity and temptation to a wife to say, "My husband was not there at all," and really they can prove nothing else.

By the CHAIRMAN :

Question. Have you learned that it is a part of the system of this organization that the associate members of it are required, as a duty, to swear to an alibi for their confederates when they are charged with this offense? Have you never learned that?

Answer. No, sir, I do not think that anybody outside of themselves knows a thing of their organization.

Question. You think it was organized originally by men of character, respectability, and intelligence?

Answer. Did I say that?

Question. Did you say it?

Answer. I think I said I did not know who it commenced with, but I know that character of men, certainly, since it has come within my knowledge, have, to my belief, exercised considerable control over it.

By Mr. VAN TRUMP :

Question. What cases did you instance for that?

Answer. Only one instance at Union, in which there was a system used and carried out, which would convince any man in the world that it was governed by men of no ordinary mind and capacity.

By the CHAIRMAN :

Question. Has your appointment as trial justice in the county tended to restore confidence and suppress these outrages?

Answer. I think my appointment is more acceptable to the people, democrats and republicans, than that of the man I succeeded.

Question. He had been a confederate soldier in the war?

Answer. Yes, sir, and a good one.

Question. A native South Carolinian?

Answer. Yes, sir.

Question. He had identified himself strongly with the republican party after the close of the war?

Answer. Yes, sir.

Question. Is he a white?

Answer. Yes, sir.

Question. A lawyer?

Answer. Yes, sir, of considerable ability—a young man.

By Mr. VAN TRUMP :

Question. Were you not in the confederate army?

Answer. Yes, sir.

Question. The same as Mr. Fleming?

Answer. No, sir; I did not serve very long in the war. I was not very fond of military affairs, particularly in such cases as that war turned out to be.

Question. Are you looked upon by these people here as a scalawag?

Answer. No, sir; I think not. I am one of the oldest citizens of Spartanburgh, although an Irishman, born in Ireland.

Question. Have the democrats in the county pretty generally known your political sentiments?

Answer. Yes, sir; that I voted for Scott and for Grant, in 1868; and then that I united myself with the republican party because I desired to sustain the General Government; and that is the meaning of my republicanism.

Question. Then it is a fact that a man who bears himself properly in this community, although a republican, and voting a republican ticket, and joining the Union League,

yet, if his deportment is correct, and he discharges all his duties as a citizen, these democrats can treat him with respect, and do it?

Answer. I will leave you to judge. It may appear a little egotism to say I was personifying myself in that way.

Question. I am assuming the position, not you.

Answer. That is the position I occupy.

Question. You have no difficulty with democrats here?

Answer. No, sir.

Question. You were treated with respect?

Answer. I was treated with a little contumely upon joining the party, but my conduct since then has, I think, made me acceptable to both parties, and that without showing any cringing.

Question. If Mr. Fleming has been treated otherwise, it is from facts other than such as I have stated?

Answer. Yes, sir; I have no hesitation in saying that. It is State matters that are looked at in regard to him. He has been a State officer, and fault has been found with his conduct.

Question. And he was removed by the governor?

Answer. Yes, sir.

Question. And you were appointed in his place, in effect?

Answer. Yes, sir, in effect. There is another man appointed magistrate in the town, Mr. J. M. Elford, an old man.

By Mr. STEVENSON :

Question. Have you ever made any republican speeches or canvassed a county?

Answer. I never made a speech in my life.

Question. You have taken no such part as that?

Answer. No, sir.

Question. Have you been about the polls electioneering?

Answer. No, sir; because I was one of the commissioners of election in this town and had to attend the polls officially.

Question. You have taken no active part as a partisan?

Answer. No, sir. On the contrary.

Question. You claim to be an independent citizen, voting the republican ticket when it suits you?

Answer. Yes, sir. I voted for Grant, and voted at the next election for Scott, because I believed him to be a superior man to Carpenter. I saw Carpenter here; and if Scott had not been a better man I would have hunted up somebody else before I would have voted for Carpenter.

Question. It was something of a practical joke to run Carpenter to purify State politics, was it not?

Answer. At that time I was a little more of a partisan in favor of republicanism than I had been before or since. I attempted very little about it, because when I voted for Colonel A. S. Wallace it was from personal motives. He was the only fit man making pretensions for the office—congressman. I had personal feelings for him.

By the CHAIRMAN :

Question. How does it come that the democratic party, which cried out so loudly against incompetence and corruption, happened to get such men as candidates against Mr. Wallace?

Answer. They both came out themselves. I did not think the party brought either of them out.

Question. Were they both democrats?

Answer. Yes, sir. McKissick is a democrat. Local county influence brought out both of them. No one supposed either of them had the slightest chance.

By Mr. VAN TRUMP :

Question. You did not say that McKissick was a corrupt man?

Answer. No, sir.

Question. You thought he was unfit?

Answer. Yes, sir; unfit for that office.

Question. What seemed to be the purpose of those parties—Cannon, Casey, Fleming, and others—who visited your office that night?

Answer. They were really afraid, I think.

Question. Why were you not afraid as well as they, and why should they come to your office?

Answer. They looked upon it as a place of safety.

Question. Did all or most of them stay there that night?

Answer. I left them there.

Question. Why is your office more safe than others?

Answer. It is peculiarly fixed. In the first place, they came to one who sympathized with them, and there being no other place. I did not know that they intended to remain all night when they came.

Question. Had they come there any other night before that for the same purpose?

Answer. I think not.

Question. Did they afterward?

Answer. I think not; they were afterward speaking about it. They stayed only one night.

Question. Was anything said of manifestations made during that day which was a reason for their going there?

Answer. Yes, sir; they gave me an account of rumors they had heard which were calculated to make them feel afraid.

Question. Do you think they were really afraid?

Answer. Yes, sir, I do.

Question. Did you join the Loyal League?

Answer. Yes, sir.

Question. Made up of both whites and blacks—mostly blacks?

Answer. Yes, sir.

Question. You took an oath in order to enter it?

Answer. There was an initiatory ceremony which I would not feel at liberty to mention.

Question. Were not the by-laws in existence then?

Answer. No, sir; some that I spoke of were afterwards made by ourselves, or, at least, by the body.

Question. This oath was of a general character?

Answer. The oath I had no objection to. I was asked if I would join the party, and they showed me the oath and I had no objection to it—any honest man could take it.

Question. You have some doubts whether, in taking this initiatory oath, it does not apply also to the by-laws?

Answer. In speaking of the by-laws I felt as if I committed myself and said what I ought not to; but still I —

By the CHAIRMAN:

Question. I think you had better tell us all about the oath, constitution, and by-laws.

Answer. The fact is I could not do it, because I did not know it; but I felt, having mentioned the by-laws, as if I would have taken it back if I could.

By Mr. VAN TRUMP:

Question. Was it not your impression, a while ago, that the application of this oath might have extended, also, to keeping the by-laws secret? Did you not have that impression?

Answer. I have the idea that it might be so construed.

Question. And therefore you have a reluctance to state the by-laws?

Answer. Yes, sir; but I will say that it is nothing to either encourage violence or anything lawless. It is merely some local prejudices.

Question. I can well understand what they are. They are of such a character, however, that you are reluctant to state them?

Answer. They are of such a character as made it a little more than I would have been willing to have anything to do with, not from politics, but from some little prejudices calculated to create feuds.

Question. Although organized as a political institution, did it not widen and run into other matters that were local?

Answer. Well, I believe I would rather drop the subject.

By the CHAIRMAN:

Question. Did it run into anything else than politics?

Answer. My idea is that we had no politics in this State then. It was mere party sauship.

By Mr. VAN TRUMP:

Question. You became dissatisfied and have not attended since?

Answer. Nobody attended since the election was over. We had no further use for it. That is as near as I can speak about it.

By the CHAIRMAN:

Question. Which election?

Answer. The State and county election.

Question. What year?

Answer. 1870. What I mean by that is, I do not think the League has ever been organized. I do not think there has been but one or two meetings since the election of 1870 was over; even the room is dispensed with.

By Mr. VAN TRUMP:

Question. There is no particular occasion for them to spend their time in them now? It is a long time until election.

Answer. I said they did not meet, except once or twice.

Question. The Senator asked if you knew of a single case where a Ku-Klux had been punished, and you said no.

Answer. I do not call to mind one; if you do, and will refresh my memory, it may be that I will recollect it.

Question. Does not that arise from the fact that it is wholly impossible to find out who they are, except in the cases you spoke of, if you have found the true men?

Answer. Yes, sir; I have been astonished at the mystery in which everything about them is clad.

Question. Do you not believe that wherever and whenever these men are found out and arrested, and proven guilty, they will be punished?

Answer. If the first part is ever done, I have no doubt they will be punished; that is, if they are found out and found guilty, the progressive steps will have been gone through, the finding them out and proving them guilty. Then I have no doubt the civil law would be exercised toward them. There would be an idea, perhaps, that they might be rescued.

Question. Of course, if there is a Ku-Klux Klan to punish, there is a Ku-Klux Klan to rescue?

Answer. Yes, sir.

Question. But, apart from that, the civil law would be enforced?

Answer. I speak of myself as one, a subordinate one, and our sheriff, I know, would use every means in his power.

Question. Would he not get the people generally to aid?

Answer. I am speaking of officers.

Question. Would he not get the people, as a posse to aid, if such a state of things arose as you say, where they were discovered and found out?

Answer. I think they would; but the people would be rather slow in believing such a thing. I want to speak the truth on both sides.

Question. You have been inquired of in regard to the Bates case, and were asked in reference to a portion of these same men visiting Bates's house with an intention of committing further violence; was there any evidence of that?

Answer. No, sir.

Question. What was the understanding or proof before you as to the object of this man who was killed in calling upon Bates?

Answer. I can give you my record of the coroner's inquest, nearly word for word, from memory.

By the CHAIRMAN:

Question. Have you the record? We would be glad to have it?

Answer. I have a copy of it. If you permit me to go to my office, I will bring it.

By Mr. VAN TRUMP:

Question. Was it proved there, or was there any fact tending to prove that this man, having heard that General Bates suspected him, was going to see him to talk with him about it?

Answer. The man who gave this testimony said that this man Hampton came to him and asked him to go and see Bates; that he wanted to speak to him; that he did not intend to do him any harm.

Question. Is Hampton the man who was killed?

Answer. Yes, sir; he approached and there was some altercation or words.

By the CHAIRMAN:

Question. Who approached?

Answer. Hampton approached General Bates. This was inside of his own fence, with a gun in his hand.

Question. Go on.

Answer. I will proceed and be very circumspect, because I have not the papers before me. Hampton approached Bates, who was inside of his yard.

Question. Which had the gun?

Answer. Bates had the gun in his hand. Some words passed between them, and the evidence before me was not whether it was violent language or not. The first thing known was Bates put up his gun in a rapid manner and shot and killed the other man, that is he died immediately afterward; but immediately after Bates shot, a pistol went off in the hands of the party Hampton.

By Mr. VAN TRUMP:

Question. Before he fell, or in the act of falling?

Answer. No, sir; he ran about twenty steps before he fell.

Question. When did the pistol explode?

Answer. Immediately after Bates shot.

Question. Before he ran?

Answer. Before he started to run; and if you ask me the conclusion I would say that the man had the pistol in his hand before Bates shot him.

By Mr. STEVENSON:

Question. Was that the testimony of one of the alleged Ku-Klux?

Answer. No, sir.

By the CHAIRMAN:

Question. Was it the testimony of the man with Hampton?

Answer. Yes, sir; one of his friends.

By Mr. VAN TRUMP:

Question. Were you one of the commissioners appointed to count the vote in 1870?

Answer. I was one of the commissioners of election, and it was a part of the duties devolving upon me by the election laws.

Question. Who has the appointment of such commissioners?

Answer. The governor, I presume.

Question. Who were the other commissioners, and what were their politics, and what was then and what are now your politics?

Answer. Of the other two one was William McGill Fleming, a republican, and the other, Bass Weaver, a colored man and a republican.

Question. You have stated your politics?

Answer. They were then as they are now.

Question. Did you meet as a board to discharge your duties under the law?

Answer. Yes, sir.

Question. Were the votes fairly counted and reported to the State board of canvassers?

Answer. I think not, sir.

Question. Why?

Answer. William McGill Fleming made a report which I demurred to, and I sent in a minority report.

Question. Give us the particulars of all that transaction.

Answer. Then I must refresh my memory.

By Mr. STEVENSON:

Question. Are not those reports documents—both his and yours?

Answer. Yes, sir; they went to Columbia. I have a newspaper in my pocket giving a count of this election. (Producing a newspaper.)

By Mr. VAN TRUMP:

Question. Is that a correct abstract of the votes?

Answer. Yes, sir; pretty much as I understood it, and as it was generally understood. I had also intended to get a copy of the republican paper which contains the returns. (It is as follows:)

Election returns of Spartanburgh County for 1870.

Candidates and offices.	PRECINCTS.															Total.
	Spartanburgh Court-House.	Cannon's Camp Ground.	Cherokee.	White Plains.	Cross Anchor.	Woodruff's.	Parker's.	Hamp Bishop's.	Campobello.	Pacolett Springs.	Walnut Grove.	Glenn Springs.	Cashville.	Holly Springs.		
Governor:																
<i>Carpenter</i>	513	25	204	213	117	151	85	205	152	60	122	80	177	122	2,230	
<i>Scott</i>	338	58	80	59	137	141	125	62	35	135	109	143	117	22	1,562	
Lieutenant governor:																
<i>Butler</i>	579	25	204	217	171	154	84	203	253	62	125	80	175	122	2,351	
<i>Ransier</i>	338	36	80	59	137	140	125	63	32	123	109	143	112	14	1,541	
Congress:																
<i>McKissick</i>	584	23	204	213	217	155	83	205	152	59	123	75	174	121	2,344	
<i>Wallace</i>	352	56	80	59	137	140	124	62	30	132	109	142	115	22	1,590	

Election returns of Spartanburgh County for 1870—Continued.

Candidates and offices.	PRECINCTS.															Total.
	Spartanburgh Court-House.	Cannon's Camp Ground.	Cherokee.	White Plains.	Cross Anchor.	Woodruff's.	Parker's.	Hamp Bishop's.	Campobello.	Pacolet Springs.	Walnut Grove.	Glenn Springs.	Cashville.	Holly Springs.		
Legislature:																
Duncan	579	25	204	211	171	155	84	205	152	16	120	80	185	121	2,343	
Lyle	511	25	204	213	171	152	83	203	150	56	119	81	175	121	2,324	
Wofford	579	25	204	113	171	152	83	205	152	56	119	80	175	121	2,335	
Smith	758	26	204	213	171	152	85	205	151	63	120	74	175	121	2,338	
Johnson	327	55	80	59	137	137	123	60	30	117	109	142	112	14	1,504	
Young, sr	330	55	80	59	137	140	124	62	30	118	109	142	112	14	1,512	
Turner	336	59	80	56	137	137	125	64	29	139	109	142	115	22	1,554	
Briant	340	59	80	59	137	137	125	63	30	138	109	142	115	22	1,556	
County commissioners:																
Blake	567	24	205	208	171	153	84	204	150	52	122	79	173	121	2,313	
Austell	557	25	204	213	171	152	84	205	150	62	121	80	173	121	2,326	
Thorn	557	25	204	214	171	152	84	205	150	52	120	80	174	121	2,310	
Poinier	338	56	82	59	136	139	125	62	33	133	108	142	115	22	1,541	
Shores	329	56	80	59	136	139	124	62	33	137	109	142	115	22	1,543	
Jones	327	56	80	59	136	138	123	60	31	133	109	142	115	18	1,527	
Probate judge:																
Wofford	529	26	207	178	167	171	85	201	138	38	117	161	143	91	2,242	
Tollson	393	57	77	95	138	121	128	66	50	126	114	72	145	37	1,619	
School commissioner:																
Reid	572	26	204	210	170	151	82	204	152	53	120	79	174	112	2,319	
Cannon	338	57	80	59	137	138	125	64	34	126	109	142	114	22	1,545	
Total	922	86	285	75	308	207	203	257	170	200	227	224	287	136	3,677	

The WITNESS. The names of reform candidates in the above table are in *italics*. It will be seen that the reform majorities are as follows: for governor, 718; for lieutenant governor, 840; for Congress, 754; for legislature, 787; for county commissioners, 775; probate judge, 623; school commissioner, 774.

Question. Were the votes fairly counted and reported to the State board of canvassers?

Answer. I thought Mr. Fleming, our chairman, did not make a correct report, and I refused to sign it. I suppose that will be giving it as it took place; that was the first part of it. He made a report which I refused to sign, believing it not correct. I made a minority report.

Question. Were both sent to the State canvassers?

Answer. Yes, sir.

Question. Do you desire to state anything else in reply to that question?

Answer. You see there were three commissioners. The third one united with Mr. Fleming. He was a negro man of some intelligence, but of course not educated. He united with Fleming in his report.

Question. Had Fleming, according to your observation, a large influence over him, or otherwise?

Answer. I think he could influence him, sir, in a way in which I could not.

Question. Do you know whether he was influenced?

Answer. I do not. I have no right to say so here. I might have had my private idea, but I have no right to say so, because he is a fellow of some natural ability, and, I would think, had a will of his own.

Question. State how long a time was occupied or consumed in making the count, and whether the boxes were guarded; and, if so, by whom and how, and what propositions were made by democrats to secure a fair count, and whether they were refused or accepted.

Answer. I will submit and read to you a paper, as part of my testimony, in answer to your question. This was in answer to this man when they charged tampering with the boxes.

By the CHAIRMAN :

Question. It would be better to have the accusation also, in order to make it intelligible.

Answer. It was a charge made by the defeated republican candidates that the reform party had tampered with the boxes.

By Mr. VAN TRUMP:

Question. Now, give us all the facts.

Answer. That was done according to what the law was. I cannot recollect what time it was. The law, I think, made it three days, but I cannot recollect.

Question. One part of the question is as to what propositions were made by the democrats to have the boxes guarded, and was that proposition accepted or refused by the republicans?

Answer. Here is what I say in this paper:

"After the boxes had been returned to the commissioners by the managers of election, they were guarded by a committee appointed by the reform party, with the knowledge and consent of the commissioners, and by their invitation."

I give that as an answer to the question.

Question. I will put the question again. State how long a time was occupied and consumed in counting, and whether the boxes were guarded, by whom and how, and what propositions were made by democrats to secure a fair count, and whether they were refused or accepted.

Answer. I do not remember how long. Three days, I think, was the time appointed by law, and we conformed to the law.

Question. Did you make a minority report, and was it filed or withheld by the chairman?

Answer. I heard a rumor. A person told me that. I made a report and sent it by the chairman, Mr. Fleming himself.

Question. You intended to go to Columbia?

Answer. Yes, sir; I said take mine and present it with yours.

Question. Did he present it?

Answer. They got it in Columbia—it was presented.

Question. Within time?

Answer. Yes, sir, I think in sufficient time, although I have heard some things. You have evidently some information which I only know by hearsay; that is, I heard that he had retained it for a while until he was persuaded by urgent persuasion or urging to give it to the secretary of state.

Question. Had you not reason to believe, and do you not believe, that before the votes were counted certain members of the republican party intended to interfere improperly with the boxes?

Answer. I do not think I could say yes to that question. I hardly know what my impressions were before.

Question. Did you not communicate your fears to several gentlemen (Mr. Bomar and others) on this subject, and advise them to guard the boxes?

Answer. I advised them to guard the boxes, but I do not remember giving them any reason. They may have come to that conclusion. I said put your guard upon your boxes as well as ours. I spoke as though speaking in an official character from the republican party.

Question. Had you guards on the boxes?

Answer. No, sir; there were no guards then, but it was expected there would be—no, it was not, either, because they were in our charge.

Question. Then there were neither republican guards nor democratic guards expected?

Answer. No, sir, there were not.

Question. In communicating to gentlemen on this subject, and saying that they ought to have the boxes guarded, did you not state your fears that they would be improperly interfered with by the republicans?

Answer. I do not remember that. I recommended them to have the boxes guarded so as to rather clear us of any suspicion, for I identified myself with the others, although I might have had my own reasons for telling them, but I do not remember of having said so.

Question. State what declarations were made or acts done by any commissioners or other persons which caused you to suggest a guard on the boxes?

Answer. I cannot state anything of that, either, but I might have had impressions but no acts that I could testify to of others. There might have been impressions on my mind.

Question. Have you no recollection of any fact or thing or words said which induced you to suggest to members of the opposite party that they ought to have guards over these boxes?

Answer. I do not remember, sir; but I have no doubt that I was impressed with something. One object I had in view was to clear both parties, so that there could be no room for any objection to either party.

Question. Did you suggest to the republicans that they ought to put guards around the boxes?

Answer. No, sir; because a republican, the chairman of the committee, had them in charge.

Question. That was Mr. Fleming himself?

Answer. Yes, sir; and I suggested it as fairness to all. I think that was the principal motive that prompted me.

Question. Can you not call to mind any fact or anything or any indication by any body belonging to the republican party which induced you to go to these men and make that suggestion?

Answer. I do not think I stated any.

Question. Whether you stated it or not, cannot you now recall to your mind some fact or reason why you did it?

Answer. I did it that there should be an evident fairness, that they could not accuse us. Although I may have had other reasons, I do not remember of giving any other reason but that.

Question. I do not ask whether you gave any other reason. Are you willing to state that there was no other reason except that general reason?

Answer. I hardly think the question is a fair one, because it would be only giving an impression that I might have and it might be wrong; nor do I recollect what prompted it except that alone.

Question. Do you say it was an impression only which you had, in the total absence of any word or thing said or done by republicans?

Answer. No, sir, I did not say that.

Question. Then bring your recollection to some of these facts or declarations.

Answer. Well, sir, to be plain, I had not then sufficient confidence. I was responsible as well as others, and I had not perfect confidence in how they might be guarded.

Question. Confidence in whom?

Answer. In my colleagues.

Question. That is, Mr. Fleming and the negro?

Answer. Yes, sir; I would rather not say that, but you force me, although I am unwilling to say it. I felt responsible, of course, as one. I had not perfect confidence in my colleagues, Fleming and Weaver.

Question. Did not Fleming make some declaration that induced you to have that impression?

Answer. No, sir; I recollect nothing of the kind. I heard declarations made months ago, before the election, by him, probably, and other men, that they were obliged to carry this election; but in the most quiet times, and twenty years ago, without the least corruption, I have heard that kind of expression, that we must carry this election.

Question. Did you hear Fleming say we must carry this election?

Answer. I heard the expression used by republicans.

Question. Did they say how?

Answer. No, sir.

By the CHAIRMAN:

Question. And only by republicans?

Answer. I think so; just at that time I was not apt to hear any of the other side speak. I was not in very good odor with them at that time, and did not hear the remarks.

By Mr. VAN TRUMP:

Question. Did you hear quite a number of the republicans make that declaration before the election?

Answer. Yes, sir; but I mention that as nothing more than the expression used at all elections: We must do so and so.

Question. Did they say that in a county where there was a thousand majority against them?

Answer. There is a thousand majority, I have heard. They said, however, that they did not believe there was any such majority.

By the CHAIRMAN:

Question. Did the expression refer to the county or the State at large? Was the expression, "we must carry this election?"

Answer. Both, sir; both, sir. I heard it used in reference to the State and the county.

By Mr. VAN TRUMP:

Question. Do you not believe that the boxes or some of them were changed or altered before the counting was done?

Answer. I think this will be an answer: The boxes were sealed over, and when opened by the commissioners seemed to be in perfect order and undisturbed, all except one box, which had the paper over the lock torn. I have asserted, and therefore I must have been of the opinion, that they were not touched.

Question. What box was that?

Answer. Glen Springs, where the republicans had the majority.

Question. Was that the one Mr. Genobles brought to town ?

Answer. I do not remember that ; therefore my answer would be, I had no reason to suppose they were touched before, unless the Glen Springs box, because I so said here in this, (exhibiting a paper.) This is a copy of an affidavit of mine.

Question. State all you know or have heard about any plan of the chairman of the county canvassers or others to declare the republican ticket elected, or to change the votes so as to secure such a result.

Answer. I have heard him express no plan. I only know the results might have brought me to that conclusion ; but I know of no plan entered into.

Question. Do you know whether it did or did not bring you to that conclusion ?

Answer. No, sir ; because it was by a different process he made the report he did. The boxes might never have been touched, for aught I know.

Question. Have not the extravagant provisions and the character of the election laws, the arming and the full equipment of the negro militia in the very face of a refusal of arms to an organization of the white people, the appointment of dishonest, ignorant, and wholly inefficient and incompetent officials created and been the primary and exciting cause of nearly all the difficulties and disturbances in this county ?

Answer. I could answer to the first portion of that question, that the election laws were very odious, and calculated to do so.

Question. How as to the arming of the militia ?

Answer. The arming of the militia was very unsatisfactory to the democratic party.

Question. To the white people ?

Answer. Yes, sir, to the white people ; but those that gave utterance to it were generally democrats ; in fact, all democrats.

Question. I suppose the republicans did not complain much ?

Answer. No, sir ; it was very unsatisfactory, the idea of putting arms in the hands of negroes.

Question. State whether that was not among the leading and primary causes ?

Answer. I think I may with propriety answer—I must answer, “yes,” to all that long question. I do think so.

Question. Is there any difficulty or obstruction to the enforcement of the law against persons known to have violated it ?

Answer. I cannot answer that. The only way I could answer is by pointing to the course I have pursued myself. There has never been an attempt made to bring them to punishment.

Question. Is there any difficulty or obstruction in the enforcement of the law against persons known to have violated the law ?

Answer. A great many persons are of opinion that intimidation prevents the other party from attempting any steps. I must give both sides.

Question. I am asking your opinion ?

Answer. I think that the feeling is among the people that they are afraid to prosecute these persons ; both these and others.

Question. Then is there any difficulty in enforcing the law against persons known to have committed crimes ?

Answer. If there is, it is because those whose rights have been violated are afraid to complain.

Question. That is the only obstruction ?

Answer. Yes, sir, if that is an obstruction ; you can hardly call that an obstruction unless it interferes with something attempted.

By the CHAIRMAN :

Question. Is it not a pretty effectual obstacle ?

Answer. Yes, sir, it is, I think.

By Mr. VAN TRUMP :

Question. Did you not, as an officer of the law, on a recent occasion, go to Batesville in this county and arrest several persons charged with being Ku-Klux without any difficulty whatever ?

Answer. I did. I felt myself as safe as in this room. I may appear to be inconsistent, but I am giving facts as they appeared to me. I think intimidation prevented some, but when it came upon me to act I was not afraid and had no dread.

Question. You think intimidation prevented some parties who had been injured from applying for redress through the civil law ?

Answer. Yes, sir.

Question. Have you ever found any difficulty in enforcing the law as a trial justice since you have been in office ?

Answer. Never, sir ; I have had very little to do. I have had seven or eight criminal cases of negroes, and when they came before me I would generally leave them in the room for a few minutes together to settle it, and consequently I have had no litigation between them.

Question. Do you know of any moneys that have been paid or offered, or said to have been paid or offered to any person to change the tickets in the boxes so as to change the result of the election in this county?

Answer. I do not.

Question. What do you know about a Mr. Bankard, a United States assessor, in connection with any complaint about changing ballots, or disturbing election-boxes in this county?

Answer. I know nothing, sir. I heard a rumor which afterwards I was inclined to disbelieve, which I will not mention.

By the CHAIRMAN:

Question. It would be as well to know how many rumors have got out.

Answer. There was a rumor; it was told me that Mr. Bankard was to receive money for tampering with these boxes. I disbelieve it now. I was inclined at the time to place some confidence in it.

Question. You say that the character of the election laws, the arming of the militia, and the incompetence of men in office, have led to the largest number of these disturbances that have occurred. You answered yes to that question?

Answer. Yes, sir; I think that is about the way.

Question. Your answer of course relates to this Ku-Klux disturbance in this county?

Answer. Yes, sir, my answer relates to the indignation of the people which created the Ku-Kluxism.

Question. With this statement made by you that you cannot name a single man who has had any connection with the organization or with its operations, how do you know what is the motive that prompts the men who do compose that organization?

Answer. From my knowledge of this State, of these men for the last thirty years—I mean of the men of the State generally, not of particular men—from what I know of the general impression in regard to the iniquity of all these things of which you have spoken, I think they are well calculated to arouse the indignation of such men, that is, prominent men, and I know there must be prominent men among them from their conduct. I think those things sufficient to arouse the indignation of any set of men on the face of the earth.

Question. Do you believe those prominent men are the authors of such outrages as the shooting of Dr. Winsmith, the murder of Wallace Fowler, the whipping of Mr. Champion and Clem Bowden?

Answer. On the contrary, I think they had nothing directly to do with that.

Question. Do you believe the lawless blackguards who would do such things would be prompted by the motive of repressing violence and corruption?

Answer. No, sir; you have come to the very point. I think they were prompted by personal feelings; and the other men I spoke of would not descend to such things, but these men were prompted by private motives.

Question. If the victims of these outrages were to say that the men who committed them had, at the time of the whipping, or offense, whatever it may be, told them that it was done because they were republicans, and that they intended to compel them to be democrats, would you still think it was prompted by private malice?

Answer. Yes, sir; I would think that was used as a substitute to hide their real intention. Such men as I think went to whip these negroes were men who had no idea of politics, democratic or republican, I think.

Question. Do you attribute all the whippings in this county to private malice?

Answer. No, sir.

Question. To what motive do you attribute it?

Answer. Some are political, I think.

Question. How do you distinguish them?

Answer. I went down from here to see the body of a white man who was punished, and from my knowledge of that man he was a man of harmless character and obscure in position, but he had been appointed to some office, and I believe in that case it was a political motive which prompted it.

Question. He was whipped because he was in office?

Answer. Because he was put in an office that somebody envied; at all events, I believe it was because, as a republican, he held a State office.

By Mr. STEVENSON:

Question. Was that Mr. Price?

Answer. Yes, sir.

Question. Were you one of the republicans selected to go there and look at him?

Answer. Yes, sir; there was no selection. I volunteered to go myself, and requested some prominent men—democrats here in town—to go with me.

By Mr. VAN TRUMP:

Question. Was that Commodore Perry Price?

Answer. Yes, sir.

By Mr. STEVENSON :

Question. Did they go with you ?

Answer. Yes, sir.

Question. What democrats went with you ?

Answer. John E. Bomar and William K. Blake.

Question. Which one, if either, was chairman of the democratic committee of the county ?

Answer. I don't know that either was—both are prominent men here.

Question. You went down there ; how did you find him ?

Answer. I found him terribly chastised and beaten very severely, very severely.

Question. Was he badly cut ?

Answer. Yes, sir ; very badly used.

Question. All over his person ?

Answer. Yes, sir.

Question. What report did you make of that case ?

Answer. There was no official report.

Question. But to the people ?

Answer. My indignation was very much aroused at it. I expressed this, that if I was in that man's case I would be very apt to hunt up some one to kill—something of that kind.

Question. Do you remember whether any one advised him not to come up here ?

Answer. No, sir ; I do not think any one of that party advised him not to come up. There was no advice, I think, given about it. These two men with me—I forget who went with me ; I think William McGill Fleming was one—I looked upon as two republicans. Indeed I do not think it was either republican or democrat, but we heard of the violence, and I went to these other two men and asked them to see for themselves. Gill Fleming and I were going anyhow.

Question. You wanted both sides to go in order to have a true report ?

Answer. Yes, sir ; I had heard of the calamity.

Question. Do you know what report the democrats made in town when they came back ?

Answer. I heard one, I think both expressed their indignation, probably not as loudly as I did.

By Mr. VAN TRUMP :

Question. They had not quite the temperament that you have ?

Answer. Probably not, but they expressed their indignation and regret that it should have occurred.

By Mr. STEVENSON :

Question. But to the people publicly on the streets, what report did they make ?

Answer. I spoke of the expression I heard publicly. I heard that from Mr. Bomar. I do not think I heard Mr. Blake speak about it, but Mr. Bomar expressed his indignation at it.

Question. In your examination of General Bates's case, did anything appear concerning a request or order left by this band of disguised men that he should put a card in the paper renouncing his supposed connection with the republican party ?

Answer. Nothing appeared to me officially then. I heard of it afterwards, sir. I do not remember about that. I know there was something in my memory about their ordering him to do so.

Question. Upon your theory that the outrages in this county generally have been committed by irresponsible men and not for political purposes, how do you account for the fact that so many men—white men—have been required to put such cards into the paper renouncing their republicanism ?

Answer. In the first place, I do not think I said generally. I said a great many were not political, in my opinion, but prompted by personal malice.

Question. Then you do not wish to be understood as saying that the outrages in this county were not generally political ?

Answer. A great many I did not consider political. I did not consider Dr. Winsmith's case so.

Question. Are you not aware of the fact that in Dr. Winsmith's case they wished to know why he did not put a card in the paper ?

Answer. I have heard the case spoken of, but never heard that spoken of before.

Question. You have heard of Mr. Genobles case, of course ?

Answer. Yes, sir.

Question. In your judgment, had that political bearing ?

Answer. Well, the democrats here took hold of him and made much of him.

Question. You are aware that he did appear and renounce his party ?

Answer. I heard that he did.

Question. You credit it ?

Answer. I have heard since that he never said it.

Question. Then it is a poor way to pick up from public rumor the true state of affairs in these cases?

Answer. I did not say that, but it is very easy to pick up a good many untrue things. General reports may be true, but it is very easy to pick up untrue statements. Mr. Genobles was a man from whose mental caliber and position I could imagine him to contradict himself in opinion. I have never heard of his making it upon oath. If he has I have nothing to say about it.

Question. There is nothing against his character for truth and veracity?

Answer. No, sir. He is a man not imbecile, but probably of no great strength of character.

Question. He is old and feeble?

Answer. Yes, sir.

Question. Do you think that makes it less criminal or outrageous for a band of men to visit him and treat him in that way?

Answer. By no means, except that if he once said he was forced to do that, and then said he never made that statement—not that he was not forced, but that he never made the statement; he has never denied what was said to be the first statement, but denied that he had ever made it at all.

By the CHAIRMAN:

Question. Do you mean that the report is that he has denied that he made the statement on the court-house steps?

Answer. That he said on the court-house steps that he was forced—that they threatened him. That is what I understood. But if he made that statement here to you publicly, I would gladly prefer that that should be taken. Probably the person who told me was telling an untruth about it, and I do not know very much about him anyhow.

Question. If he swore to the fact that he was so forced to act, that would settle the question in your estimation?

Answer. Yes, sir; if you told me he made an affidavit about it here, I would believe it.

By Mr. STEVENSON:

Question. Speaking of rumors in contradistinction to evidence, are your opinions in regard to the Ku-Klux and their proceedings so fixed and settled that they would not yield to the weight of evidence?

Answer. No, sir; I have changed my mind, I think, a dozen times about them within three months. I mean about some details about them; but what I give you here I have been impressed with all the time.

Question. You mean details of such facts as come within your knowledge?

Answer. Yes, sir.

Question. But I mean your opinions derived from your general knowledge of their proceedings, coming from report. Are those opinions so fixed that they would not yield to the weight of testimony?

Answer. I do not know anything that can. I believe that they exist, and no testimony is brought to establish that they did not exist.

Question. But I mean as to the object and character of their proceedings?

Answer. No, sir; I think my mind is fixed as to the general object of their proceedings.

Question. Is it so fixed that it would not yield to testimony?

Answer. There might be convincing testimony. I do not know, but I might change my mind in regard to anything.

By Mr. VAN TRUMP:

Question. In these cases where men in disguise have done violence from private malice, would they not be likely to carry out their theory of disguise in all its parts by giving a false reason for their visits?

Answer. Yes, sir; I think so.

By the CHAIRMAN:

Question. Would they be likely to give the same false reason in fifty distinct cases, or vary it?

Answer. They would try to make it a political reason in all cases.

Question. In all cases?

Answer. I think so.

Question. What was the exact difference of opinion between you in making your minority report and the other judges of the election?

Answer. I am glad you have asked me that. He closed a certain number of boxes altogether.

Question. Threw them out?

Answer. Yes, sir.

Question. On what ground?

Answer. On the ground that the number of votes did not correspond with the record of the managers.

Question. Do you mean that there were more tickets in the boxes than names on the tally list?

Answer. That expresses it—he threw them out.

By Mr. VAN TRUMP:

Question. How was the fact about it?

Answer. The fact appeared to be that there was a difference of one or two.

By the CHAIRMAN:

Question. Did he give as a reason for doing so that he had made inquiry of the State canvassers as to whether boxes should be taken where that state of facts appeared.

Answer. I do not think so, and even if he did I would not be guided by it, because I saw no law for it.

Question. Then he did say that he held that where there were more tickets in the box than names on the list of voters the box should be thrown out altogether?

Answer. Yes, sir.

Question. And you held that where that was the case it was not a sufficient reason for rejecting the whole box?

Answer. Yes, sir; more than that, he made his report without saying a word about the boxes he threw out, but gave the returns of the election as to all the boxes minus those he had thrown out, without saying he had thrown them out.

By Mr. VAN TRUMP:

Question. So that it would appear as if it were a full return?

Answer. Yes, sir; and I said, make a full report and say what you have done.

By the CHAIRMAN:

Question. That would be simply giving the reasons, but he gave the result only.

Answer. Yes, sir; he gave that as though it was the result in Spartanburgh County; that was my principal objection.

Question. Those were your differences?

Answer. Yes, sir.

Question. When that report went to the State canvassers they sustained your report and rejected his, did they not?

Answer. Whether they sustained me or not they declared the men on my report. I took it for granted it was my report that did it.

Question. The members of the legislature that you reported elected were admitted to their seats?

Answer. Yes, sir.

Question. And those men Mr. Fleming reported elected were not admitted?

Answer. They were not.

Question. So that the result of the election as declared by you was made effectual in the legislature?

Answer. Yes, sir.

Question. And then a contest ensued?

Answer. Yes, sir; I hesitated about that to show you. I heard there was another influence exerted below, and possibly it was not my report, for Mr. Poinier made a report also, verbally, sustaining me; that is, sustaining the election which my report sustained. Whether it was the influence of his report or my own, I never found out.

Question. You mean that Mr. Poinier took the position that you, and not Mr. Fleming, was right?

Answer. Yes, sir; the reason I mention that is because Mr. Fleming came home and told me it was Mr. Poinier's influence, but I took that as much as saying that I should not claim too much.

Question. So that, so far as this county was concerned, part of the ballot-boxes, according to your view, were fair and they were so reported?

Answer. And I have been looked upon since as though my report had elected the democratic members; that is about the amount of it.

Question. Then, when the republican candidates, not satisfied with that, made a contest, after that contest had progressed some time, they withdrew from the contest?

Answer. Yes, sir.

Question. So that so far as this county is concerned, if there is any indignation about it, it is because of the mistaken position which was taken by Mr. Fleming alone?

Answer. The indignation is against the election law generally which gave him an opportunity to do this.

Question. But I speak of the actual administration of the law here. It was in consequence of Mr. Fleming's mistaken view?

Answer. He accused Fleming of a corrupt intention of defrauding the people.

Question. And he said that upon his view of the law it required him to reject these boxes?

Answer. Yes, sir; but they attributed to him these motives.

Question. In looking at your newspaper, I find an article which refers to a newspaper outrage. Will you look at it and see whether that article refers to the whipping of Mr. William M. Champion and Clem Bowden?

Answer. Yes, sir; in my opinion it refers to the whipping of Champion. This refers to an editorial in Mr. Poinier's paper, in which Mr. Poinier used language which this editor considered indelicate, thinking he might have made himself equally comprehensible by less improper language. My opinion is it refers to that very case.

THE CHAIRMAN. The article which appears reprinted in the Carolina Spartan of November 3, 1870, from the Unionville Times, is as follows:

"A NEWSPAPER OUTRAGE.

"We have been in editorial life for nearly twenty-five years, and during that time have read the columns of nearly every paper in the country, from the Police Gazette and other equally vulgar sheets, up to the purest religious journal, but have never read anything so completely vulgar, disgusting, and void of all attempt at decency as an article which appeared in the last week's issue of the radical sheet edited for Governor Scott by a fellow by the name of Poinier, in Spartanburgh.

"It pretends to be an account of an outrage committed at Limestone precinct, in that county, upon some colored people by a band of outlaws and villains, on Monday night before the election, who, the editor says, belong to the reform party.

"In Union County Ku-Kluxing of colored people was tried at Fair Forest and on Pacolet, but in both cases it is proven conclusively that the radical party did the Ku-Kluxing, and no running to Scott or calling for vengeance is now heard of among the radicals. We have heard of colored people willing to take a whipping for a few dollars, and many could be induced to swear against the white people anything that the leaders of the radical party may tell them. In the case of the outrages at Spartanburgh, let the witnesses who say they were so infamously outraged, and a few of the radical leaders in that county, be examined and cross-examined fairly in open court, by one or more of our best lawyers, and we feel confident "the truth, the whole truth, and nothing but the truth" will be obtained, which would fasten the whole affair upon one or two scoundrels who have been leading the poor colored people into all sorts of difficulties to secure the election of radical candidates. What care they about abusing a colored person, so that they can keep their hands in the public treasury?

"We have no hesitation in believing that the man who would so disgrace the journalism of the State and insult the decent people of the community in which he lives as to publish such a vulgar and obscene article as appeared in the Spartanburgh Republican last week, is not a whit too good to perpetrate the outrages he attempts to make the people believe were committed by the reformists. By such an outrage he and his party would have all to gain, while the reformists would inflict upon themselves a great injury by it. Pshaw! it is a radical trick to throw out the strong reform-box at Limestone, and it succeeded. As we have before stated, there is nothing so mean, low, and vulgar that many of these petty office-holders of the radical party would not resort to keep themselves in office."—*Unionville Times*.

By Mr. VAN TRUMP:

Question. How many boxes did Fleming reject by his report?

Answer. I was trying to find out to-day by my records but could not

Question. About how many?

Answer. Three or four election precincts.

Question. In regard to these boxes, or some of them, you say the discrepancy between the tally and the number of votes was only one or two?

Answer. I am inclined to think more, probably three or four, but it was very few.

Question. Did Mr. Fleming contend that that was evidence of fraud—a mere discrepancy of one or two votes in a country place?

Answer. I do not remember that; I did not ask him for his reasons.

Question. You got into a discussion as to the propriety of throwing out those boxes?

Answer. Yes, sir.

Question. And also about the mode in which he made his return, that is, reporting the election to Columbia as though those boxes never existed?

Answer. Yes, sir; that is my recollection.

Question. In your discussion with him, did he refuse to make a return of the fact that he had excluded certain boxes, and the ground of that exclusion; did he refuse to put them in his report?

Answer. I do not know; I cannot answer; he did not do it; I do not know whether he refused or not.

Question. Was not that the very point between you?

Answer. There was very little discussion; he seemed to have made up his mind to one case, and I was equally determined not to consent.

Question. You talked about that thing?

Answer. Yes, sir.

Question. You suggested to him, then, that if he did throw out the boxes right-fully he ought to make a return of the fact?

Answer. His return would elect the republicans, and I told him that without the election at all he and I must be perfectly convinced that the other party was elected in this county, and I said it would be iniquitous to make such a return.

Question. While you differed about throwing out the boxes at all, did you not also discuss the question whether he ought not return the fact that he had thrown out some of the boxes in his report?

Answer. I do not remember having said it; I think probably the whole matter dropped that way.

Question. Anyhow, you know he made his full return of the election in this county to the authorities at Columbia, without making mention of his throwing them out?

Answer. That is my recollection, but I do not remember of his refusing to make the return, for I don't think I asked him.

Question. But the fact is he did so return?

Answer. Yes, sir.

SPARTANBURGH, SOUTH CAROLINA, July 14, 1871.

ISAAC HAZARD CANTRELL sworn and examined.

The CHAIRMAN. I will ask Judge VAN TRUMP to please examine this witness, as he is called at his suggestion.

By Mr. VAN TRUMP:

Question. Where do you live?

Answer. In town here, sir.

Question. Do you know a negro named Julius Cantrell?

Answer. Yes, sir.

Question. How does it come that he bears the name of Julius Cantrell?

Answer. They generally took such names as they saw proper when liberated; he was born in my father's kitchen; we raised him; in the division he went to a brother of mine.

Question. He originally belonged to your father?

Answer. Yes, sir; he was born there.

Question. You and him were raised together?

Answer. Yes, sir.

Question. In his examination he says, "One gentleman said to me, 'If you report against the Ku-Klux you will be killed.'" Is that true or false?

Answer. It is false—every word of it.

Question. Then he says, "Hazard Cantrell told me so." Is that true or false?

Answer. It is false—every word of it.

Question. State whatever did take place, and how it came to take place between you, if anything?

Answer. I was walking along up street, going to my shop, and he was sitting on the side-walk and spoke to me; I did not know before that he was in town; I hadn't seen the boy; he had grown up several years and I didn't know him until he spoke to me. He said, "How d'ye." I asked him where he had been living. He told me where he was from, and he told me that if he could not get security he expected to have to go to jail. I asked, "What have you been doing?" He said, "Nothing." Says I, "What have you to go to jail for, then?" Says he, "They want me to swear about the Ku-Klux and stilling." I said, "Is there any guard over you?" He said, "No, there is no guard, but they started to the jail with me and my father-in-law met them and told them I wouldn't leave." In the evening he was here as I came from the post office; going home from my work I went by the post office to see if there was any mail.

Question. Have you told all that occurred before that in the morning interview?

Answer. There was no more than I said, "I reckon they want to scare you; there is no guard over you." In the evening, I came to the post office going home, and he was out there, and the conversation commenced. He seemed to be excited, and didn't know what to do. He wanted some information, and there was one of the boys, I think

probably that lived on the plantation he did—a young man—said, “Julius, your crop is in a bad fix.” I inquired after his crop to see how he was getting along. He intimated that he was going to leave—to run away. Says I, “Julius, there is no use in your running away; there is no use in running off and leaving your crop.” But I had forgot to mention one thing. In the morning, before he came up and told me they were going to put him in jail if he didn’t tell what he knew about Ku-Kluxing and stilling, I said, “What do you know about it?” He said, “They have taken me up, and made me go and say where the still was.” He said Littleberry Gilbert had moved his still, and Russell, a neighbor, expected to have moved his, but it was not gone. Said I, “What do you know about the Ku-Klux?” Says he, “I know nothing about them.” Said I, “If you don’t know nothing about them up there, you oughtn’t to tell anything about it; a heap of them are going and saying what they know nothing about, and it may lead to some one being killed.” I advised him as a family boy and a neighbor. He came to me for advice. I say this upon my oath. I heard he had said these things. A negro was present and heard it—Tobe Hamilton. I met Uncle Tobe, and asked him if he heard it. He said he did.

The CHAIRMAN. You need not state that conversation also.

The WITNESS. He came to us at that time, and he, may be, was asking, or I asked him about it, and says he, “I didn’t swear no such thing against you.”

By Mr. VAN TRUMP:

Question. Had you heard he had sworn that statement against you?

Answer. I had heard on the street that he had sworn so. I says, “What did you swear?” Says he, “I swore you were my old master and a good man, and advised me to swear the truth and nothing else.” I just supposed the boy was excited and didn’t know what he did swear. If he swore it intentionally, he swore a lie; that is all I have got to say about it, because I was advising him. He was a family boy—a family negro. His mother often writes to me about him from Alabama, and I write back to her about him. We brought two of her children to this country.

Question. The point is this: whether or not you advised him not to report against the Ku-Klux or he would be killed?

Answer. I did do so. I advised him not to swear, or to be cautious and swear nothing but what he knew.

Question. Did he apparently approach you or see you by way of getting your advice about what to do?

Answer. Yes, sir; he came to me both times. I didn’t know the boy was on the place. Really, I hadn’t noticed that he was here, or seen him for four or five years. I had like to have not known him when he spoke.

Question. What was your business?

Answer. I was on my way to my shop.

Question. What is your business?

Answer. Manufacturing buggies and wagons, and carrying on blacksmithing.

By the CHAIRMAN:

Question. When the question was put to you about a gentleman having said so before your name was mentioned, you at once answered it was not true?

Answer. I thought he was speaking of me.

Question. He had not said who that gentleman was, and you say you had heard that this man had sworn that?

Answer. Yes, sir.

Question. Who told you how the witness had sworn here?

Answer. Colonel Evans.

Question. Where did he get it?

Answer. I don’t know. I just told what I know.

Question. Who is Colonel Evans?

Answer. He is a gentleman in town here.

Question. What is his occupation?

Answer. He is a lawyer.

Question. Is he a democrat or republican?

Answer. I suppose—I reckon he is what we term a democrat.

Question. Was there any great desire to ascertain what each negro had sworn here?

Answer. I had no knowledge that there was. I think probably that he thought there was something wrong that he swore against me.

Question. As there has been a good deal said here, and currency given to the idea that these negroes were trained, I want to get to the bottom of it. You say this negro went to you, and in the first place told you he was afraid he would have to go to jail?

Answer. Yes, sir; if he didn’t give security!

Question. What did he say he was charged with that required him to go to jail?

Answer. I asked him what he had been doing. He says, “I haven’t been doing any-

thing." I asked, "What are they going to put you in jail for?" He says, "They want me to swear about stilling and Ku-Klux."

Question. What men?

Answer. Mr. Casey, and the men who arrested him.

Question. Did he name anybody?

Answer. Yes, sir; Casey; for I asked him who arrested him.

Question. Did he say Casey wanted him to swear against the Ku-Klux and stilling?

Answer. He said "they." I asked him who. He said, "Casey and some others," but didn't call the others' names.

Question. Did he name Casey?

Answer. Yes, sir.

Question. Then he went on to tell you about stilling?

Answer. Yes, sir; and I asked him what he knew. He said they took him and made him go and show where the stills were.

Question. The stills of Russell and Littleberry Gilbert?

Answer. Yes, sir.

Question. What Russell?

Answer. There are two Russells. Jim Russell he is living with, and I suppose it was him.

Question. Did he say he had shown it?

Answer. Yes, sir; he had gone and shown where the still was. I said, "That's obliged to convict you."

Question. Did he say there had been a still in operation there?

Answer. He didn't say, but I took it for granted. He just merely said this one expected it to have been moved, and it was not moved.

Question. You dropped the remark in the course of your testimony that he said they were going to send him to jail if he did not swear?

Answer. He did say so.

Question. Do you undertake to say that that negro told you they were going to send him to jail if he did not swear falsely against them?

Answer. No, sir; he didn't say anything about falsely. He said they were going to take him to jail, and started with him and got him into the street.

Question. Did you understand he was going to be taken to jail as a witness in this stilling business?

Answer. Yes, sir, and Ku-Klux.

Question. In which was it to be?

Answer. Both.

Question. You understood that there was a prosecution against this man for unlawful stilling?

Answer. Yes, sir, I suppose so.

Question. And they wanted him as a witness?

Answer. Yes, sir, and Ku-Klux.

Question. You asked him if he knew anything about the Ku-Klux?

Answer. No, sir; I said, "What do you know about it?" and he up and told me what he knew about stilling. I said, "What do you know about the Ku-Klux?" and he said, "Nothing." I told him then, I cautioned him to be careful, and swear the truth, and not swear anything only what he knew, because he was an ignorant negro, and I didn't want him to get into difficulty. I advised him as a family negro for his own good.

Question. And you told him if he did not swear what was true he might get killed?

Answer. I told him this: that he might get up, and, by swearing to Dick, Tom, or Harry, be the means of being killed.

Question. You thought that might be the means of his being killed?

Answer. Yes, sir; that he might swear to what he knew nothing about.

Question. Did you mean it might be the means of he being himself killed, or getting them killed?

Answer. It might be the means of being killed himself if he swore against men he knew nothing about.

Question. That is literally the manner in which it occurred, that if he swore what was wrong he might get killed?

Answer. Yes, sir; I advised him for his own good.

Question. Have you any knowledge of any means used in getting these negroes to tell whether they have been Ku-Kluxed or not?

Answer. Some of them have told me they have been whipped.

Question. Have any of them been unwilling to tell that fact from fear?

Answer. Not one I know of. There is an old black man working for me now, and I think I gave him the first work he got in town.

Question. How soon after this man Cantrell was examined were you told of what he had sworn to?

Answer. I don't know; it might have been the next day.

Question. Was it the same day?

Answer. I don't know. I don't know when he was examined.

Question. Do you know when you were told?

Answer. No, sir; I don't remember. I didn't charge my memory or think much about it.

Question. Give us the denial which he made.

Answer. He denied ever swearing such a thing—the boy did.

Question. Did you see him before he left town?

Answer. Yes, sir, I did. He will deny it now ever swearing it to you.

Question. We will see whether he does.

Answer. If he don't—he was excited probably.

Question. You told him that if he swore against the Ku-Klux he would be killed?

Answer. Yes, sir. I understood that if he came up here to swear against the Ku-Klux he would be killed. I feared he did, and asked him about it.

Question. Have you had any knowledge of the Ku-Klux operations in the county?

Answer. O, no, sir. I have been so afflicted for twenty-five years—I am now forty-three—that I didn't even ride by myself in day-time. I have not been out of town or saw one in my life, that I know of.

Question. I did not ask if you had been riding with them, but if you had any knowledge of their operations?

Answer. Only from report, hearsay.

Question. Have any of them indicated to you any of their operations?

Answer. No, sir.

Question. Have you had any communication with any of them on this subject?

Answer. No, sir.

Question. With none of them in any manner whatever?

Answer. O, I have heard men—I don't know who—just in a jesting manner say, "I'm a Ku-Klux."

Question. Who said that?

Answer. I don't know, I can't think, because I know it was just a joke.

Question. How do you know that?

Answer. Because it passed as such and I took it as such. I thought a man that really was wouldn't be fool enough to tell it.

Question. You have had no sympathy with the Ku-Klux? [A pause.] Have you never said they were doing a right good work?

Answer. I said that some things they did was very good work, but as a general thing I have opposed their course.

Question. That has been your impression about a good many of their visits, that they were good work?

Answer. Of some instances I said I thought they deserved punishment.

Question. And you have so spoken of Ku-Klux operations—that you thought they were doing pretty good work in some instances?

Answer. I don't know that I have.

Question. Do you say you have not?

Answer. No, sir; I am not positive. I know in cases I have not sympathized with them.

Question. But in many of them you have?

Answer. O, yes, and I have condemned and opposed them, and do yet.

Question. You have said that in many instances you have thought the work that the Ku-Klux were doing was good work?

Answer. I have said that many instances of bad characters that I knew had been punished and I thought it was a good thing; but I don't know whether the Ku-Klux did it or whether it was other men. There was a case down here of an old negro man killed. His son came to me in my shop and was talking about it the next day.

Question. Who was he?

Answer. He was killed on Dr. Jones's plantation. I don't remember his name. From the character of that boy he was a good boy; everybody gave him a good report.

Question. Who?

Answer. The boy. His son told me he didn't believe the Ku-Klux killed him. They said it was other parties.

Question. That is a case you did not approve of. Now tell us one you did approve of?

Answer. I don't know that I can. I know there have been some instances up here—some that kept bad houses that had been ordered to leave there or do better.

Question. What cases do you refer to?

Answer. Some cases up there in the neighborhood where I live.

Question. What is the name?

Answer. Edgins; but I knew nothing at all about it, only from hearsay.

Question. You thought that was a good work?

Answer. Yes, sir; because I knew their character was of keeping a bad house.

Question. What other case did you approve of and think it was a good work?

Answer. I think that Mr. Hogg above here was keeping a disorderly house.

Question. Where was that?

Answer. Mr. Duncan was telling me about it. He was keeping his mill just the other side of the State line.

Question. The North Carolina line?

Answer. Yes, sir.

Question. What case in this county did you approve of?

Answer. I don't remember, sir. I don't know that there have been a great many that I did approve of. There have been some I thought probable.

Question. Did you ever undertake to find out who committed any of those you disapproved of?

Answer. No, sir; I had no means to know it; but I told the boys that I thought they ought to be found out and punished; and I meant just what I said.

Question. Do you know anything about Russell's still-house or anything about that neighborhood?

Answer. No, sir; I don't ride about. My health has been such I have not rode about for twenty-five years. I am subject to bad spells. I never was at Russell's in my life.

Question. The advice you gave to this boy when he came to you was to come here and tell the truth?

Answer. Yes, sir.

Question. Did you suppose he was coming before this committee when he was brought in here, about distilling?

Answer. Yes, sir. He told me so; that he had to come before this committee.

Question. Did he suppose this committee was going to send him to jail?

Answer. No, sir.

Question. The other men were going to put him in jail?

Answer. Yes, sir, and started to jail with him. I didn't know he was down here until he spoke to me on the sidewalk.

Question. Can you fix the time he first came to you?

Answer. Well, sir, this is Thursday or Friday, is it not? I think it was Tuesday.

Question. Of this week?

Answer. Yes, sir.

Question. That was before he was examined?

Answer. They had just brought him in, if I understood it.

Question. He went back to you after he was examined?

Answer. Yes, sir; the same evening, as I came home from my work, he commenced the conversation. I think it was Tuesday evening.

Question. So that both conversations—the one before he was examined and the one after he was examined—were on the same day?

Answer. He had not been examined either time that I knew of.

Question. I understood you to say he told you what he had sworn?

Answer. But that has been since that I had that conversation. I met him with Tobe Hamilton. Julius came to us up here to the shop. I asked him in the presence of Tobe.

Question. When was that?

Answer. I think that was about day before yesterday, as well as I remember. He had been up before the committee, at any rate.

By Mr. STEVENSON:

Question. What do you say you told him about the truth in testifying?

Answer. I just told him not to tell nothing but what he knew. I said, "There's a heap o' these negroes will get up there and point out men that were disguised and probably cause innocent men to suffer; and may be it may be the means of your being killed." He told me he knew nothing about the Ku-Klux. Said I, "You swear nothing but what you know." He was talking of leaving. He seemed excited. I advised him, "stay and take care of your crop; they'll convict him of stilling."

Question. Did you know he had been helping to distill?

Answer. I didn't, for he didn't tell me. But he was living with the man that was stilling, and I wouldn't have been surprised. I didn't know about stilling.

Question. From your knowledge of the Ku-Klux do you suppose there would be any more danger in a witness testifying to men who were innocent than in testifying to men who were guilty?

Answer. I do think so. I think if a man was an innocent man, and if a lie was sworn against him and put him in the penitentiary, there would be more danger than with a guilty man. The guilty man ought to be punished, but an innocent man don't care to be.

Question. If an innocent man should be erroneously accused would he be more likely to kill his accuser for it than a guilty man would, being accused? What is your judgment?

Answer. That is my judgment.

Question. Then your judgment is that if a witness should make a mistake and charge a man with being a Ku-Klux who was not a Ku-Klux——

Answer. I didn't say a mistake.

Question. I do say a mistake. If a man should make a mistake and charge a man who was not a Ku-Klux with being a Ku-Klux it would be more dangerous, you think, than charging a man who was a Ku-Klux?

Answer. I don't know about that. I know he swore wrongfully against me, but he didn't bear malice.

Question. Do you propose to go and kill him?

Answer. No, sir. If I knew he did it intentionally—but I don't think so. I never said any such thing as he swore to.

Question. You told him that men had been or might get killed for telling on the Ku-Klux?

Answer. But he says I said that if he came and reported the Ku-Klux here the Ku-Klux would kill him.

Question. That is what he said, is it?

Answer. That is what I heard he said, and that is what he [Mr. VAN TRUMP] read there just now, if I mistake not. I advised him to swear nothing but what he knew, for fear he might tell something he didn't know on some innocent man.

Question. Your judgment is that it is more dangerous to testify against an innocent man than against a guilty man of the Ku-Klux?

Answer. Yes, sir. If I were guilty and he should swear against me I could not have the conscience to punish him; but if I were innocent, and he swore a lie against me, and caused me to be punished, he might look out.

Question. If you were a Ku-Klux, however, you would probably have the conscience to do almost anything, would not you?

Answer. I don't know, sir; I don't know what I might. I have always been a man that tried to do——

Question. Have you ever heard, in the calendar of crime, or in your knowledge of crimes, of any worse men than these Ku-Klux?

Answer. There has been a great many bad things done by Ku-Klux, or somebody on their credit. I think my honest conviction is that there is a heap o' work done by malice upon the credit of the Ku-Klux.

Question. Then you think the Ku-Klux are better men than they get credit for?

Answer. I think they are better men than many others. I think others are doing bad on their credit.

Question. In your judgment they are not the real Ku-Klux?

Answer. No, sir; they are not so mean as other men working on their credit.

Question. You think there are worse people in this country than the Ku-Klux?

Answer. Than the genuine Ku-Klux. I see the genuine Ku-Klux advertised to punish them if they catch up with them. I believe there are a heap worse men here than the real, genuine Ku-Klux.

Question. The real, genuine Ku-Klux are a pretty good class of fellows, according to your judgment?

Answer. I wouldn't be surprised if there are worse men than some of them.

Question. Have you joined them?

Answer. No, sir.

Question. Why not?

Answer. I didn't think it worth while to join them. I could have been of no service to them if I had the disposition. I have not been able to do a day's work for thirteen years.

Question. You are not an able-bodied man; have any of them sought to enlist you as a Ku-Klux?

Answer. No, sir.

Question. Has anybody ever invited you to join them?

Answer. No.

Question. Has nobody ever approached you?

Answer. Because if anybody invited me to join them, I should have taken it for granted he was a Ku-Klux himself, and no man ever intimated to me that he was a Ku-Klux.

Question. Do you belong to any order?

Answer. I belong to the Baptist Church, and nothing else.

Question. Is that an order?

Answer. I don't know. What do you mean by "order?" I belong to no Odd Fellows. I am rather an illiterate man.

Question. Do you belong to any political society?

Answer. Well, sir, I think I enrolled my name—but I don't know whether you would call it a society or not—to a reform society a year or two ago. I hardly know what you would term it. I never was in favor of extremes upon either side, and they got up a measure here for who would be best. It is what we call a reform, and I enrolled my

name then; but my name has never been in anything else, unless that thing we called a reform was a society.

Question. You enrolled your name in something you called the reform?

Answer. They called it an organization; I don't know what you would call it—the democratic reform; it is rather a measure between the two extremes, radicals and democrats.

Question. You enrolled your name in it?

Answer. Yes, sir; they took our names. The constitution was read over; it was rather something of a moderate reform, something between, not on extremes.

Question. It had a constitution?

Answer. It had a platform.

Question. Who was the president of it?

Answer. I don't remember who was the president; it was some time ago.

Question. Do you recollect any officers of it?

Answer. I am not certain, but Dr. Kennedy was acting as chairman—different men in town—it seems to me Dr. Kennedy was. People thought the democrats were on extremes. We didn't want to support such men or put them in, and we had no notion of supporting the radical party, and we wanted men rather between the two parties, men that were not on extremes.

Question. How many did they have enrolled?

Answer. We had a pretty strong roll; I don't remember how many.

Question. A couple of hundred?

Answer. I should judge so. It was organized pretty much in town, and all over the country, if I mistake not.

Question. Was it all one?

Answer. It was all the same organization—the same views.

Question. With branches about?

Answer. Yes, sir; in each precinct, as well as I recollect. That is the only thing I ever put my name to or gave any consent to that I know of, or that I have any recollection of.

By the CHAIRMAN:

Question. What was the name of that organization? Was it called the council of safety?

Answer. O, no, sir; it was called the democratic reform party. I think it was pretty much all over the United States. It was rather a reform party from the extreme democrats. It was mostly democratic people that went into it; but some others that were not on extremes went into it too, if I recollect aright.

Question. Were you wanting to get away from the extreme democrats or the extreme republicans?

Answer. Both.

Question. This was a kind of organization between the extreme democrats and extreme republicans?

Answer. Yes, sir. We did this in order to try to put moderate men into office.

Question. Whom did the extreme democrats support?

Answer. They all concluded it was best, pretty much, and most of them went with the organization. They thought it best. I was as much opposed to the extreme democrats as any of the people.

By Mr. VAN TRUMP:

Question. Did that organization you speak of mean anything more than the reform movement last year which formed a ticket, with Judge Carpenter at the head of it—was that it?

Answer. I think that was it.

Mr. VAN TRUMP. As some surprise has just been expressed that this item of testimony should have gotten out, I feel it proper to say, at this point, that I am in communication with some gentlemen here, in order to be informed as to the facts in relation to the questions we are now investigating; and I have asked who this Mr. Cantrell was, and have stated that a negro named Julius Cantrell had stated in his testimony that Mr. Hazard Cantrell had advised him not to appear before the committee, because he would be killed by the Ku-Klux if he did. My purpose was to obtain the testimony of Mr. Hazard Cantrell to show the fact if it should turn out that that statement was not true. That is the manner in which that testimony got out.

The CHAIRMAN. I made the inquiry for this reason: These witnesses were brought by direction of the committee, given to Mr. Poinier and other gentlemen here, who were acquainted with their names, and as we have progressed one of the witnesses on the stand has disclosed the fact that Mr. L. M. Gentry has been disseminating the idea here that money was promised to the witnesses to come here and swear. My information, in addition, was that this Mr. Gentry was one of a committee appointed by the democrats of this town to assist the member of the committee who represents that

party in this investigation; which was proper enough. To that I have no objection, that being the same kind of assistance which the members of the majority of the committee solicited from the citizens here. But when Mr. Gentry so far forgot his duty and what was due to the members of this committee, as to create the impression that authority had been given to buy up the negroes' testimony, I felt that either the democrats who have put him on that committee should disavow such an ungentlemanly proceeding, or that he should take the odium of such a charge.

Mr. VAN TRUMP. Assuming the statement of the Senator to be correct, I indorse every sentiment and every word of it. My communication with this committee has been entirely for the purpose of being aided in eliciting the truth in this investigation. If Mr. Gentry has, without a proper foundation, been guilty of this thing, no man will condemn or denounce, more than myself, him or any other man who would undertake to make such an assertion improperly or without foundation.

THE CHAIRMAN. If there is any foundation for it I want to know it. I want Mr. Gentry here, and shall not be satisfied until I have inquired where he gets his information.

SPARTANBURGH, SOUTH CAROLINA, July 14, 1871.

DAVID R. DUNCAN sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?

Answer. I reside near this town.

Question. What is your occupation?

Answer. I am a lawyer by profession; I have resided in this State for about fifteen years.

Question. You are a member of the legislature of this State?

Answer. Yes, sir.

Question. The general duty devolved upon this committee is to inquire into the efficiency with which the laws are executed, and the degree of security enjoyed for life, person and property in the late insurrectionary States. As we are now inquiring in reference to South Carolina, will you give us whatever information you have that will bear upon those subjects of inquiry relating to this State, or to this section of the State?

Answer. Do you wish a general statement of my knowledge?

Question. I can only ask the general question, for I have no knowledge of any special fact that you can give to the committee.

Answer. You suppose you want my opinion and idea of the condition of the country?

Question. The question itself indicates that we wish to know the degree of efficiency with which the laws are executed in this portion of the country, and the security enjoyed for life, person, and property.

Answer. Personally, I have no knowledge at all of any instance in which the civil law has been obstructed. I have heard—and it is only what I have heard—that, in some districts, there has been complaint of the civil law having been obstructed in this State. A great deal has been said. Last winter, in the legislature, I heard a great many speeches by the members who were advocating martial law there, saying that the civil law was obstructed; but I have never known any instances, personally, in which the civil officers were unable to carry out the legal process in this county—in my own county. I know of no instance of that sort. The most recent, or that which is fresh in my mind now, is a case which happened down some seven or eight miles from this place, at General Bates's. I believe Mr. Irwin was the trial justice —

Question. He has given us a full account of that. That relates simply to the service of process. How far has the law been violated, and life and property disturbed, without any measures being taken to arrest the criminal?

Answer. I have heard of a good many cases where parties were whipped, and the report has generally been that it was by parties unknown, or parties in disguise. I have not heard of any arrests being made, except in that case of General Bates. I remember, last winter, one or two republicans called on me when I came up from Columbia during the recess of the legislature, to know if we could not devise some means to stop these whippings—these outrages, as they were called—and I told them that if the parties could be found out, the officers or the sheriff here would arrest them without hesitation; that I did not think there would be such an opposition to it as would deter the officers of the law from making arrests, but the trouble was to find out the parties who perpetrated these acts.

Question. Did you apprehend any difficulty, supposing they were arrested, in procuring witnesses who knew anything against them to appear and testify, or from encountering in the jury-box members of their own organization?

Answer. That will be, Senator, altogether conjecture on my part. I have no data upon which to found an opinion upon that question, which I would like to stand by; it would be merely my opinion.

Question. Is there no terrorism prevailing in this county, such as would prevent witnesses from testifying to what they know, or which has prevented the people from here from denouncing these men who are guilty of the whippings?

Answer. I think there are many instances—I have no doubt there are many cases—in which parties from timidity would not denounce those who had appeared disguised, not knowing who they were, for fear of some bodily harm, or of something being done to them; but as to any general terrorism I do not think it exists. I do not think there is anything of the kind.

Question. Have you not yourself expressed the apprehension that if you denounced these men who whipped these negroes you would yourself be running some risk in doing so?

Answer. I cannot recall any expression of that sort. I may have said something of the kind. I think I have said something of this sort—that, as I said just now, when called upon by parties to assist in bringing about a better state of things and quiet in the county, I did not know who to approach on the subject.

Question. Were you fearful that you might encounter some of the very men who were in this organization?

Answer. I never thought there was such a general organization in the county or in the State, which had for its object a specific thing—any particular thing; I think that these outrages and outbreaks have been in localities, and that the cause in each locality has been for things confined to that locality.

Question. What has been the exciting cause for this locality, this county?

Answer. I think—and this is merely my opinion—that the first excitement in this county was produced by the forming of volunteer companies, and I believe that Governor Scott thinks so now himself. I talked with him several times last winter. I think he thinks so.

Question. Were they ever armed in this county?

Answer. No, sir; the negroes were not. Two or three companies in Union County and one company out on the road were armed.

Question. You say these things are owing to causes in different localities. I ask as to this particular locality, and the causes operating here?

Answer. Yes, sir; just prior to the election we had a great deal of excitement about the formation of volunteer companies. They formed a volunteer company in this village, and made application to be received, and they were not received; but one or two colored companies were received. That created some excitement. I do not mention this by way of justification, but as a cause.

Question. Were not the white people prior to that time actually armed?

Answer. I expect most of the men who were able to own pistols or guns had them, as they always have had in this country prior to the war. It would be rare to find a family in which a man had not a shot-gun.

Question. Had there not been any apprehension expressed of violence in the election of 1868, or of violence following the election?

Answer. I do not remember now, in this county. I had nothing to do with politics then at all.

Question. What was the ground then given for declining to accept the company formed here into State militia?

Answer. There was no reason given at all.

Question. Do you know what the reason was?

Answer. No, sir; I was not in town; I was out at my place. I was told the next morning when I came in. I was waited upon by some gentlemen and asked if I would act as captain of a company which had been formed. I declined then and told them I had had enough of companies and everything of that sort during the war; that I was sick and tired of it, and begged to be excused. They insisted, and I finally said that I would write down to the governor and send a list, and act nominally as captain for the present, and they could organize afterward. All I did was to send down the list of the company, by express, to the secretary of state. I never received any reply one way or the other.

Question. That company was refused arms, was it?

Answer. No, sir; I received no reply at all.

Question. Was an application made for arms?

Answer. Yes, sir.

Question. And there was no reply?

Answer. No, sir.

Question. Was it not a fact, whether given as a reason or not for refusing arms or declining to answer, that all the persons, or a majority of those in that company, had been in the confederate service?

Answer. Yes, sir; I expect that most of them had, except those who were too young

during the war. It was made up of the young men here in the village. I was very glad myself that arms were not issued, and it would have been a great deal better if no arms at all had been issued.

Question. Was not the reason given for the formation of these negro companies that violence against them was apprehended at the polls, and this was intended for self-protection; whether the real reason or not I do not ask; but was not that the reason given?

Answer. I never heard any reason given by the republican party. I only heard in Columbia last winter that it was simply done for the election, for the time of the election.

Question. That was the charge against the governor?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Arming the black men?

Answer. Yes, sir.

By the CHAIRMAN:

Question. But did not the governor and his friends give as a reason that violence was apprehended against the negroes at the election?

Answer. I do not remember whether that was so or not.

Question. But whether so or not, in this particular county the arms were not actually given out to the negroes?

Answer. No, sir, they were not; I never heard of any being given out until after—I do not know what time—last winter; but after the election some arms were sent up, but never generally distributed, only a few of them, and some of those I understood were given out to members of the other party, the democratic party. That was the time we had some excitement here.

Question. Had the arms actually been sent here before the election at all?

Answer. Yes, sir; I think they were sent just before the election; but General Win-smith said to me that he did not give them out, and did not intend to.

Question. They were in his charge all the time?

Answer. Yes, sir. I coincided with him and told him I thought he was doing very right, and ought not to give them out. I think that, coupled with the election law, produced more excitement in this county, or was really the basis and at the bottom of the excitement that first commenced here. I think that prior to that, a few days before the last election, this county since the war would compare favorably with any other in the State.

Question. I understand that these disturbances have occurred only since about October last?

Answer. Yes, sir.

Question. Do you think, Mr. Duncan, at this time, that during the past few months any man could have actively denounced and taken measures to arrest these Ku-Klux in this county and have felt no apprehension for his personal safety?

Answer. That would depend very much upon the man. I think it would take a man of more than ordinary courage to do it.

Question. Have you felt willing or at liberty to do it yourself?

Answer. If I had been called upon by the sheriff to act as one of his posse to assist in arresting men, I should have done so.

Question. But outside of that have you felt at liberty, actively and openly, to denounce their proceedings?

Answer. I have, on all occasions where I have had an opportunity, speaking with prominent men from different sections of the county here, told them I thought that not only as a matter of policy but principle, the prominent citizens of this county ought to put down these things, and stop them. I addressed a communication to the paper from the legislature last winter, which was signed by the members who were there. I wrote the article myself, which they indorsed, calling upon the citizens to stop them.

Mr. STEVENSON. I have that card here, and will show it to you.

The WITNESS. I recognize that. I wrote it myself. It is as follows:

[From the Carolina Spartan, Spartanburgh, South Carolina, January 26, 1871.]

"F. M. TRIMMER, Esq.,

"Editor Carolina Spartan:

"We have read with gratification your editorial in the issue of your paper of the 12th instant, with reference to the resolution unanimously passed by the public meeting held on sales-day of January, for the purpose of taking into consideration the outrages which have recently occurred in portions of our county. We would heartily indorse your suggestion that the people of Spartanburgh County hold sub-meetings for the

purposes contemplated in the resolution referred to, which meetings should be composed of all citizens, without reference to political opinion or past differences, embracing all who have an interest in the quiet and good order of the county. Surely this is no time to discuss past records. It is folly to engage in crimination and recrimination. Let those who are wholly innocent cast the first stone. A genuine and abiding peace can be attained only by the restoration of mutual confidence and trust between all classes, and we are sure this can be accomplished through the meetings of the citizens as suggested. As far as the executive can contribute to this end by the appointment of good officers to administer the laws, he has given us assurances of his intention to do so. We know that the good people of Spartanburgh County will join, irrespective of party, in an earnest support of the law and its officers in the legitimate discharge of their duties. In the discharge of this high duty the citizens cannot afford to be circumscribed by party lines or fettered by party sympathies. Let us all rise in this hour above the atmosphere which surrounds the partisan, and the work is already accomplished. We would reiterate your suggestions, and submit that we have said to the serious and honest consideration of our fellow-citizens, feeling assured that it will be received in the spirit in which we have written, in all sincerity and honesty of purpose.

"JOEL FOSTER.

"D. R. DUNCAN.

"R. M. SMITH.

"J. L. WOFFORD.

"J. BANKS LYLE.

"COLUMBIA, January 18, 1871."

The WITNESS. Seeing the beginning of that article reminds me of the fact that when we were up during the recess a negro man down at Pacolet was killed.

By Mr. VAN TRUMP:

Question. Johnson?

Answer. Yes, sir, Johnson; and there was a good deal of excitement here in the village about it. I think, so far as my observation went, it was universally condemned here in the town, and on the following sales-day, which was a few days afterward, I went around here and asked the common citizens who come from the country, if they would not assemble in the court-house where we would have a meeting, and take some steps to put down this thing. I proposed some resolutions and they were agreed to. It was suggested that the paper call upon the people of the county to form associations in different sections of the county, and to prepare similar resolutions. The object in my own mind was to create a public sentiment.

By the CHAIRMAN:

Question. Were such associations formed throughout the county?

Answer. I heard of only one or two meetings. This was Monday, and I went down Tuesday to the legislature, and remained two months.

Question. Did they ever do anything but pass resolutions?

Answer. I never heard of any measures.

Question. They never took any active steps to ferret out these parties?

Answer. None that I know of. It was a thing very hard to do, I could imagine. We were puzzled somewhat down there to know what measures to devise.

Question. Have you the idea that if public sentiment was really against crimes of this kind, where thirty or forty men collected in neighborhoods sparsely settled, that a party actively following them could not track them, or that you could not find who made their disguises, and where they assembled, and trace them out?

Answer. I think parties who lived in that locality might do that if they were on the spot or near there, but I can see very well how a dozen or twenty men could go to a man's house off in the country, in disguise, and perpetrate some violence upon him and get off under cover of the darkness and not be discovered, and that act would be condemned by the whole settlement.

Question. But where thirty or forty such cases occurred in a whole county and nobody is arrested, can it be accounted for in any way except it be that there is no active public sentiment that works against them?

Answer. I do think it is remarkable that no one has been discovered.

Question. Was this card that you spoke of after the withdrawal of the contestants for the seats in the legislature from this county?

Answer. I do not remember; you can tell by the date.

By Mr. STEVENSON:

Question. It is dated the 18th of January.

Answer. It is. I did not remember the date, but it seems to me it was before that. I could refresh my memory by looking at the papers.

By the CHAIRMAN:

Question. At that time, when the republicans were contestants for the seats, I believe you were one of the members?

Answer. Yes, sir.

Question. When they withdrew was there not a pledge given that active measures would be taken to suppress these disorders? Did not Mr. Lyle give that pledge for his portion of the county at the time the republican contestants withdrew from the contest for your seats?

Answer. I do not know that it was at that time or that that thing had anything to do with it.

Question. I refer to that as fixing the time. Was it not then stated and that pledge given?

Answer. I do not remember at what time Captain Lyle and Colonel Foster came up from Columbia and held the meeting at Limestone Township, but they did come up and attend a public meeting and tried to stop these outrages. I cannot fix the date.

Question. Did you not urge the friends of the republican contestants for seats in the legislature to use their influence and have the contest withdrawn, giving the assurance that these disturbances would be put down in the county?

Answer. No, sir; not in that way. I can state fully on that point, I think, because that contest made a deep impression on my mind.

By Mr. VAN TRUMP:

Question. State all about it.

Answer. In the contest for the democratic members' seats the protest charged that the democratic members and their friends had tampered with the boxes; that they had robbed the boxes. That thing created a good deal of excitement. I said to some of the republican members in whom I had confidence and who I had every reason to believe were my friends, that the parties who charged that knew it not to be true; that it was being done simply to work upon the credulity and ignorance of the colored portion of the legislature to carry a point in that way, and by so doing they were just simply irritating public sentiment and creating an excitement for nothing; that I would rather resign my seat and give up my place in the legislature; that I did not desire to go there at the expense of having the country aroused and excited; that I would infinitely prefer that they should have their seats, but so long as I was there I felt disposed, since so serious a charge had been made, to meet it. But no arrangement was ever made and no condition precedent was ever made.

By the CHAIRMAN:

Question. I am not putting this in form as a condition precedent, but for the purpose of fixing a time after which they might reasonably expect these disorders to cease. I do not know that it entered into it.

Answer. I had at all times before and after last January said to several members—I think I said it several times to Dr. Cummings—that I was always ready to do anything in my power to stop these outrages.

Question. The fact of that contest being made and causing excitement, I put the question to follow it with this one. After the contest was withdrawn did these outrages still go on in this county?

Answer. I think many of them occurred in this county.

Question. After the contest was withdrawn?

Answer. Yes, sir, and I could never see why. I had often wondered why, as this county had a large democratic majority, it should be so. It was a source of wonder. I remarked frequently that I thought it ought to be the most quiet county in the State.

Question. After the legislature was organized did not Governor Scott, at the instance of the members of the legislature, remove most of the trial justices against whom no complaint had been made in this county?

Answer. Yes, sir; I spoke of that in that letter, I think.

Question. As a member of the legislature did you make the request for the removal of any that were complained of?

Answer. This was the arrangement; they rather put me forward as spokesman. We waited upon Governor Scott, and he remarked to us that he could not be expected after the election to turn out republican officers where they were competent and put in men who did not belong to his party. I said to him, "Governor, we will make out a list and I will promise you my word that wherever there is a republican who is competent to fill this office we will recommend him to be appointed by you, and if we can find intelligent and competent republicans in the county to discharge the duties of trial justices in all the townships we will put all republicans; we will not ask you to do what under similar circumstances we would not do ourselves." He said, "That was very fair." We did put them down on the list; we retained those trial justices we thought were competent who were republicans, and for the rest we recommended others who had coöperated with the democratic party.

Question. Did he adopt your recommendations?

Answer. Yes, sir; I think all were appointed.

Question. All that you recommended were appointed?

Answer. He struck out one; but before the adjournment of the legislature he appointed him.

Question. Did the outrages still continue after that was done?

Answer. I heard of cases of whipping after that was done.

Question. So that the contested election had ceased and the trial justices complained of had been removed and those you recommended substituted and still the outrages went on?

Answer. Yes, sir.

Question. After that, was there any local cause of complaint here, the election having been disposed of, the trial justices removed so far as they were obnoxious and incompetent?

Answer. Nothing to keep up an excitement further than some bills, some measures that were passed by the legislature which seemed to produce general excitement over the whole State and which was the cause of this tax-payers' convention.

Question. Those causes would be operative over the whole State as well as this county?

Answer. Yes, sir.

Question. But were there causes especially applicable to this county to account for these whippings continuing after the local causes were removed?

Answer. I cannot recall any now.

Question. Then, so far as I understand you, the condition of the county is that for all ordinary offenses, such as the violations of the rights of property by crimes like larceny, arson, &c., your courts afford an adequate remedy?

Answer. Yes, sir.

Question. Of all enforcement of civil rights between man and man, your courts afford adequate remedy?

Answer. I think so, unquestionably.

Question. And those cases are generally prosecuted?

Answer. Yes, sir.

Question. The only cases that are not prosecuted and the parties not brought to justice, let the obstacle be what it may, is this class of crimes committed by disguised men?

Answer. Yes, sir. I believe, Senator, that since the passage of the bill by Congress, called the Ku-Klux bill, process could be served in this county. I think there has been such a reaction, and I only think so on account of this matter down at Bates's, that I spoke of. That is the first instance in which parties were arrested for being in disguise. I am disposed to think that there is a considerable change in the feeling and sentiment; I think a reaction.

Question. Have you any doubt that these outrages by persons in disguise were committed in pursuance of an organized system among the people committing them?

Answer. I think there are organizations, although I do not think they emanate from any general head or anything of the sort. I think they are in different localities, that they were confined to different localities. I mean by that, that an outrage committed, for instance down at Woodruff's or Cross Anchor, would not be committed by virtue of anything done in the upper end of the county, any order or anything of the sort. I do not believe it is general.

Question. Are you aware of the fact that members of this organization go across the lines into North Carolina, and come from North Carolina into this State?

Answer. I think that is true.

Question. How do you account for that if the causes are entirely local?

Answer. I suppose that of course they have the means of communicating with each other.

Question. They recognize each other, and communicate with each other?

Answer. I suppose so. It is merely a conjecture upon my part; I have no personal knowledge, and in these remarks I depend upon conjecture. I am not speaking from personal knowledge of my own. I have never seen a man in disguise in my life—I mean of this class.

By Mr. VAN TRUMP:

Question. As between the two States may not the particular locality belong to both States, being on the border—one visiting the other?

Answer. Yes, sir; I think that the majority, of course not all of them, but the majority of these cases have occurred contiguous to the borders of the State. I think that is true of North Carolina and of this State. I do not call any others to mind now but the outrages that I have heard of, and it seems to me that most of them have been at points more remote from the center.

By the CHAIRMAN:

Question. Would your idea that it is a mere local cause and operation be changed if you were satisfied that members of this organization in Limestone Township, Spartanburgh County, South Carolina, had been active in the raid made in the town of Rutherfordton, North Carolina, upon the office of the Rutherfordton Star, that they had participated in the destruction of that office and the whipping of Mr. Justice, at Rutherfordton, North Carolina?

Answer. That would look very much like a general understanding, if that was true; I do not know that it was so.

Question. I put that as a hypothetical case. My information is that two of your citizens have Mr. Justice's pistols, which they took from him on that night—citizens of Limestone Township.

Answer. I had not heard of that.

By Mr. STEVENSON:

Question. You speak of those offenses occurring generally near the State line. Had you not forgotten the Unionville raid, which was the greatest that ever occurred in this State?

Answer. Yes, sir; that was rather, so to speak, an extraordinary affair.

Question. It was done by disguised men?

Answer. Yes, sir.

Question. Understood to be Ku-Klux?

Answer. Yes, sir.

Question. In this card which you published—I understand you wrote it yourself?

Answer. Yes, sir.

Question. There is a passage here I would like to know the meaning of. It says:

“Surely this is no time to discuss past records. It is folly to engage in crimination and recrimination; let those who are wholly innocent cast the first stone.”

I asked Mr. Representative Smith what that meant, and he said he did not know; that he did not write it; that you wrote it. I would like to know its meaning.

Answer. I meant simply this: the campaign, prior to the election for the governorship, was very bitter. Mr. Carpenter had stumped every county, and we had had mass-meetings of both parties in every county, and in some of the counties two or three mass-meetings, and the political excitement was very high. Of course there was abuse on both sides and bitterness, and referring to the discussion of past records I addressed it to the people of this county particularly, for this reason, that the two candidates of the republican party during the campaign were the representatives of the democrats the year before in the legislature, and they had not gone over to the republican party, or did not avow themselves publicly as republicans until after the nomination for representatives, and the people were disposed to abuse them and bear down on them for being what they called turn-coats and renegades, and deserting their colors and all that.

Question. Scalawags?

Answer. No, sir; but that they did it simply to get position, for they were their representatives in the legislature during two years, and we were sent back in their places. They did not get the nomination at the democratic nominating convention.

Question. Did they not take a very poor plan to get office by going over from the democratic party in this county?

Answer. Yes, sir, it turned out so. It was with reference to them that I said that.

Question. Was not your intention a little broader? Was it not to let the past go and to endeavor to prevent outrages in the future, not to have any prosecutions; at least you did not mean to apply this to any prosecutions for what had already been done?

Answer. No, sir; I did not have any such meaning.

Question. You say, “Let those wholly innocent cast the first stone.” Was nobody innocent to cast the first stone?

Answer. I alluded thereto to this bitterness of the campaign. I wrote that piece, I assure you, in all candor and fairness.

Question. I do not mean to say it would not be candid and in a good spirit.

Answer. It was a *bona fide* appeal. I earnestly desired, above all things in the county, that order should prevail and the laws be executed.

Question. I desire to get at the state of public sentiment at the time as shadowed forth by your card. Do you believe you could have got the general coöperation of the leading citizens of this county in an attempt to unearth and prosecute and convict members of the Ku-Klux Klan, be they who they may, in the then existing state of public sentiment in this county?

Answer. I do not believe it could have been, taking into consideration the irritating causes that existed.

Question. Do you believe that the state of public sentiment is such now that the leading influential men in the county would join in a determined effort to prosecute

and convict members of the Ku-Klux Klan, be they whom they may be, for what they have done in the past, their murders, whippings, and other outrages?

Answer. I do not think you could get the citizens to turn out *en masse* generally to hunt up these men, but I think that if a party, say A should go before a trial justice and swear that C came to his house and committed a murder or whipped him, and the sheriff should receive the warrant, I think you could get a *posse* of good citizens who would assist in arresting him.

Question. That is as to the execution of the law; but I am speaking of the voluntary efforts of citizens to unearth and prosecute these men.

Answer. I think they would feel that it is the business of the officers of the law to go and hunt them up. "I am not going to put myself in the business," they would say.

Question. But there are stages when lawlessness overleaps all ordinary execution of the law, and this seems to have been the case in this county. Suppose you should wake up one morning and find one of your first citizens, for instance—to make an extreme case—suppose that Mr. Bobo had been killed during the night, mysteriously murdered, and there was no clew to find out who did it, don't you think there would be an extraordinary effort to ascertain who had done that, and more than the mere officers of the law would interest themselves in the matter?

Answer. I think it would create a good deal of excitement if a man were murdered here. I think it would create a good deal of excitement here in town if an unknown party were killed.

Question. I put this as an extreme case.

Answer. I will mention one that occurred within twelve months, just in sight of town, at a blacksmith-shop. A negro was shot about 8 o'clock at night. No one saw the deed done. They just heard him halloo. They raised the whole town, and the next day there was a great deal of excitement; parties were out everywhere. Several were arrested on suspicion and the court-house was filled with lookers-on to hear the testimony. The magistrate called in one or two lawyers to assist him. He asked me to examine some of the witnesses. Two or three persons were taken up and committed, but no one was convicted or found.

Question. Still there was an extraordinary effort made there?

Answer. Yes, sir.

Question. Why is it that when an outrage is committed, as soon as it is ascertained that it was done by men in disguise all effort seems to cease as if men were paralyzed?

Answer. I think the fact that they were in disguise would answer that. A man would not know where to go or who to follow, who to take up. Members of the legislature asked me last winter, "When a man is whipped or killed why can't the whole country turn out the next day? If I was there, it seems as if I could track them and follow them and find out who they were." But I confess I do not see how it could be done without the whole country were to turn out *en masse*. It is easy for a party of men, as the Senator said awhile ago. A party went from Limestone to Rutherfordton and perpetrated an outrage there, but I do not see how they could track them up and find them out and arrest them. I do not understand that it is said that the whole of any party was from any particular locality.

Question. There must be somebody in the local neighborhood to aid in the performance of the deed. What I wanted to get at was whether the public mind had reached that stage where the citizens were willing to take hold of this matter and unearth and prosecute?

Answer. I think I can say this: that it is nearer that now than it ever has been before; since the passage of this act of Congress I think the public sentiment is nearer that point than it has been since the election.

By Mr. VAN TRUMP:

Question. Mr. Stevenson asked you whether the words which I will read to you from that card or address were not intended by you to be a kind of immunity for the past offenses of the Ku-Klux?

By Mr. STEVENSON:

Question. Immunity so far as the writers are concerned?

Answer. I beg leave to state that I was not authorized by the Ku-Klux to extend immunity to anybody.

By Mr. VAN TRUMP:

Question. "Surely this is no time to discuss past records. It is folly to engage in crimination and recrimination." Now, Ku-Klux nor nobody else can well get into a state of crimination and recrimination, being only one party.

Answer. I was merely using the language of Mr. Webster, which you will remember: "Let those who are wholly innocent cast the first stone."

Question. Mr. Stevenson seems to think that your desire was, so far as the past

offenses of Ku-Klux were concerned, they should be buried and past. Was that your meaning?

Answer. No, sir. I did not understand the gentleman to mean that.

Mr. STEVENSON. I did not mean to express any suspicion that that was his desire, but that that was the meaning of that card. It might be thought that that was the best he could do under the circumstances.

Mr. VAN TRUMP. Then it was a mere question of construction between you and the writer?

Mr. STEVENSON. Yes, sir.

By Mr. VAN TRUMP:

Question. This was intended, I suppose, to apply to political matters between the two parties—charges on one side and back charges on the other?

Answer. I just meant this, and nothing more than this: That the political storm-cloud had burst in October and passed away, and now let us forget everything connected with it.

Question. With that view I am not certain but that you are the first discoverer of what is called the "new departure" in the democratic party.

Answer. I tell you I am a "new-departure" man.

Question. Were you a member of the legislature when you sent to the executive department your notification of a company formed here and requesting arms?

Answer. No, sir.

Question. Were you a practicing lawyer well known in Columbia?

Answer. Yes, sir; I was in the legislature of 1865-'66.

Question. Governor Scott and you were acquainted?

Answer. I had met him once.

Question. How about the secretary of state? Did he know who you were?

Answer. I merely knew him.

Question. Anyhow, you never received any reply to that communication?

Answer. None at all.

Question. You say no arms, with the exception of a very few, were distributed among the negro militia of this county, to your knowledge?

Answer. None were distributed to the militia as a company or body.

Question. A few were distributed to somebody else?

Answer. So I heard. I was in Columbia. None were distributed to negro militia in this county, and I do not think they wanted them.

Question. Was there an arsenal of arms in this county?

Answer. I heard there were a few boxes of guns sent here. I don't know how many.

Question. Sent to General Winsmith?

Answer. Yes, sir; he was the brigadier general.

Question. You did not fix the time?

Answer. No, sir.

Question. Was it not before the election?

Answer. Yes, sir.

Question. I show you a receipt of General J. C. Winsmith, printed on page 609 of the governor's message and accompanying documents, 1870, and ask you to state its date and the number of guns mentioned there.

Answer. This is dated the 23d of September. The election really was on the 19th of October.

Question. How many guns, &c., are receipted for by General Winsmith?

Answer. One hundred and ninety-two rifle-muskets; 192 bayonets and scabbards; 192 tompons; 192 screw-drivers and wrenches; 192 brush-wipers; 48 tumbler-punches; 192 cartridge-boxes; 192 cartridge-box belts; 192 cap-pouches; 192 waist-belts and plates; 192 gun-slings; 10 arm-chests; 5,000 rounds of ammunition. The last article reminds me of the difficulty I encountered in arguing with our people that they ought not to become excited because they were issuing arms; that we ought to repress any feeling of that sort; that I thought this was intended merely for the election, and the thing would die away, and the negroes would never use the arms in an improper manner. But I was met with this argument by the people: "Who in the world, in a time of profound peace, thought buck and ball would be needed for militia?" They could not understand that. I do not think there would have been so much excitement if that ammunition had been withheld, and if the arms had been issued merely to drill with. The people seemed to think it meant something else besides drilling.

By Mr. STEVENSON:

Question. It meant business?

Answer. Yes, sir.

Question. You think the bayonet is not feared so much as the bullet?

Answer. No, sir.

By Mr. VAN TRUMP:

Question. While none of these arms were put in the hands of the negroes, is it not a fact that, in nearly all the counties of the State, they were actually armed with a large amount of ammunition accompanying the arms?

Answer. I believe that is so, sir.

Question. The chairman asked you whether the men enrolled in your company had not all been in the confederate army; you replied nearly all; can any other state of facts exist here; were not nearly all your able-bodied men within the proper age in the confederate army?

Answer. It was pretty clean sweeping here, I think. I think there were a good many young men who were boys during the war, and were not in the army.

Question. I suppose you, being a southern man, do not know whether in the North a large armed force could or could not be raised, without including a considerable number of soldiers who had been in the Federal Army?

Answer. No, sir; I do not know.

Question. The chairman, by way of fixing a point of time, asks you whether this card of yours was not issued as a sort of condition that the republican members who were contesting your seats should withdraw that contest?

The CHAIRMAN. I did not put it as a condition.

Answer. I understood the Senator to say afterwards he did not mean it as a condition precedent.

Question. Was there ever a suggestion made by you or any of the parties connected with that contest that you would issue that card upon condition that they would withdraw from the contest?

Answer. No, sir; none of the contestants ever said a word about writing the card or knew I was going to write it; I never spoke to them about it.

Question. Was any such idea in your mind in getting up that card as the withdrawal of these republican contestants of your seat?

Answer. Not the remotest.

Question. You say the first arrest of actual Ku-Klux was in Bates's case?

Answer. Yes, sir; of persons in disguise.

Question. What has been the reason there have been no arrests; was it because nobody was known as a Ku-Klux?

Answer. I have never heard of any one coming forward and swearing to disguised persons, except in that case. I believe General Bates's family swore to some parties, and they were arrested. He did not swear himself, but some of his family did.

Question. Were they arrested?

Answer. The parties were arrested under the law which was passed by the legislature last winter, punishing persons caught in disguise.

Question. In your opinion, has there been a state of things in this county, since the passage of that law, that where an affidavit has been made identifying persons as having been in disguise and having committed an act of violence, they would not be arrested?

Answer. I have never had reason to think they would not be arrested. I know of no officer but would have proceeded, upon the proper affidavit having been made, to attempt it at any rate, whether he succeeded or not. I do not see the reason why he would not, as in the case of Bates. I do not see why he should not for that or any murder committed.

Question. You do not know of any more reasons applying than in an ordinary murder case?

Answer. No, sir; I think there was a feeling last month among the officers of the law, if affidavits were made to test the thing.

By the CHAIRMAN:

Question. Was there not such an apprehension of consequences as deterred people from making complaint, during several months?

Answer. I think it is true that negroes who may have been whipped would be afraid to inform, not from fear that the parties could not be arrested, but that the proof could not be made.

Question. For fear of consequences to themselves for attempting it, from some of these disguised men?

Answer. I think it is very probable that would be the case. They are an ignorant class and very timid; they have very little personal courage.

SPARTANBURGH, SOUTH CAROLINA, July 14, 1871.

GEORGE W. HAMILTON LEGG sworn and examined.

By the CHAIRMAN :

Question. Where do you live ?

Answer. In this place.

Question. How long have you lived here ?

Answer. I was born in the county and have resided here. I am fifty-six years of age. I have resided here all the time except four years in my youth, when an infant, in Virginia.

Question. What is your occupation ?

Answer. My last regular occupation was farming. I have been a merchant. I am not engaged in any special business at this time.

Question. Give to the committee any knowledge you have which will enable them to determine the efficiency with which the laws are executed in this State, and the degree of security enjoyed for life, person, and property.

Answer. As to the efficiency with which the laws have been executed, I should say that the laws, within the last few years, have not been well executed in this place, for the want of good officers. We have had bad officers. That is the great misfortune. Since the reorganization of our government, our county has been cursed with very inefficient officers.

Question. What class of officers ?

Answer. The magisterial class.

Question. Do you refer to your county officers ?

Answer. I refer to the county officers and to the want of confidence in the officers generally of the State. I say the inefficiency of the county officers in this State has been one of the causes of the failure in executing the laws.

Question. To what extent has there been a failure in this county, and in what class of cases ?

Answer. So far as the law is concerned, in all cases that have been brought up that came within my knowledge, there has been no resistance to the law. I wish you to understand me ; I speak of the incompetency of the officers.

Question. What class of officers ?

Answer. To the magistrates of the county ; they are not competent magistrates.

Question. Any others ?

Answer. And the constabulary appointed by those magistrates. They have been inefficient and ignorant.

Question. Do you refer to any other judicial tribunals ?

Answer. So far as the clerk and sheriff, and judge of probate are concerned, those officers have generally been good officers, well qualified for their duties, and have discharged their duties efficiently, and, so far as I know, without any resistance whatever.

Question. Where has there been any failure ? Have there been unjust decisions, or want of decisions, by the magistrates ?

Answer. The class of men appointed to the offices. The first officers appointed under the present government, since the reorganization of the government, were called magistrates.

Question. All those you have spoken of are elective officers ?

Answer. The constitution says they are elective, but they were not elected ; they were appointed by the governor.

Question. I speak of those of which there was no complaint—the sheriff, judge, and commissioners. You do not complain of them ?

Answer. No, sir.

Question. It is the officers who are appointed that you complain of ?

Answer. Yes, sir.

Question. Take the magistrates. Have they decided unjustly in the cases before them, or been unable altogether to discharge the duties of their offices ?

Answer. I think I can answer that question by saying that from the general rumor through the country, their decisions have, in very many cases, not been just. They have been oppressive. They are ignorant and wholly unfit, a great many of them, for the positions to which they have been appointed.

Question. Has party spirit entered into that question a good deal ?

Answer. In what respect ?

Question. Those officers who, you say, are all good and of whom no complaint is made are all democrats elected by the people of this county ?

Answer. Yes, sir.

Question. And those appointed, and of whom complaint is made, are all republicans ?

Answer. Yes, sir. But hold on ; I am not complaining. I am speaking of the offenses of the officers some time previously, not bringing it down to the present moment.

Question. That being the case, I put the question : does not party spirit enter in a considerable degree into these complaints ?

Answer. I do not think it does, sir.

Question. You think they are entirely free from it?

Answer. I cannot think so, sir.

Question. There is no party spirit in this county, is there?

Answer. O, yes, sir.

Question. But you think it does not enter into these complaints in regard to magistrates?

Answer. It enters into complaints about them. Let me understand you. You think the complaint is because they are republicans?

Question. I want to know if that has anything to do with the complaints at all?

Answer. No, sir, not materially. The great causes of complaint, as I stated, are their want of capacity, their inefficiency, and their want of character. That is what I meant to say. Now there have been some republicans here who have discharged their duties, I think, honestly. I have no doubt about that, but I am speaking of the great bulk of officers appointed.

Question. Are we to take it that, in this county of Spartanburgh, where you say there is party spirit, none of that party spirit has entered into this discrimination—your full indorsement of all the men you elected, and your complaint of all those who are appointed?

Answer. Understand me. The men elected were elected by the democratic party, the reform party, latterly by the reform party. I do not pretend to say but what they were elected by party, and party interest and feeling elected them.

Question. Have you arrived at such a state of purity here that you are not disposed to cover over the faults of your party candidates?

Answer. Men of all parties have felt it, no doubt.

Question. Do you think these appointees of this republican government are not to some extent affected by party spirit in regard to the charges made against them?

Answer. I do not know how I can answer you.

Question. I cannot make it any plainer, if you cannot understand it after all this colloquy. Do you know any cases in which the laws have not been executed, or do you know any cases where trial justices have decided unjustly?

Answer. I have heard of many cases.

Question. Do you know of any instance yourself?

Answer. I cannot at this moment cite you to a special case, but many cases have been reported through the county.

Question. You live in the county town?

Answer. Yes, sir.

Question. How many trial justices are there here?

Answer. In the first place there are five magistrates.

Question. Are there just as likely to be as many cases before the magistrates in a county town as in the country townships?

Answer. Yes, sir; generally more.

Question. Yet you cannot recall one case?

Answer. I recollect that many cases were reported where they had decided an injustice had been done, but I cannot lay my hand upon any.

Question. Did you ever know a case to be decided anywhere in which one party did not complain?

Answer. I expect there have been many such cases.

Question. Did you ever know a case tried, either before a magistrate or any court, in which, after the decision, one side did not complain?

Answer. I cannot say with reference to that, because I cannot tell; but I have heard of cases being decided where there was no complaint, but I cannot tell whether they were decided right or not.

Question. Is there anything else you wish to state in answer to the general question? If so, state it.

Answer. I would like to shape my answers to the questions.

Question. You have the whole question first, the inquiry as to the execution of the law; and you have answered as to that. The other branch of the question is as to the degree of security for life, person, and property in this county.

Answer. So far as security of life and person is concerned, if the laws had been faithfully executed I think that property would be as secure here as anywhere else—life and property—that is, if they were executed properly by the magistracy of the country, if proper efforts were made by them. Of course it is impossible for any civil officers to suppress these sudden outbreaks, riots, or rows, or midnight depredations that might occur.

Question. Is there any organization in this county stronger than the officers of the law, that you know of? I hear that there is an organization.

Answer. The Ku-Klux? There is nothing within my personal knowledge, sir.

Question. Is it your opinion that they are stronger than the officers of the law?

Answer. I cannot say it is. They are like lawless roaming bands, to what extent do not know.

Question. Have any of them been convicted and sent to prison?

Answer. None within my knowledge—none under that charge.

Question. None in this county at all?

Answer. No, sir.

Question. How many cases of violence have you heard of as being committed by them in the county?

Answer. I have heard a good many rumors with regard to whippings and two cases of killing, said to be by the Ku-Klux.

Question. So far as they are permitted to operate without arrest, are life, person, and property secure against them?

Answer. Life and property would not be secure, of course, if they cannot be arrested.

Question. Have you felt any apprehension because of the Ku-Klux in this county?

Answer. I have not, sir, myself.

Question. What is the source of your feeling of safety?

Answer. I have no cause of feeling of apprehension at all, because I have usually tried to conduct myself as a quiet, peaceable citizen, attending to my own business.

Question. Have no quiet, peaceable citizens been molested by them in this county?

Answer. I am not able to tell you with reference to the character of the persons, or all of them, that have been molested.

Question. I am not asking of all of them.

Answer. I have heard of some quiet citizens that I regarded as very clever men that have been molested by them. I will name one: Mr. Foster, down here. I think him a very quiet citizen. I have heard of him.

Question. Then why have you any assurance that they will not come to you?

Answer. I have no apprehension; I have no cause of apprehension.

Question. Had he any reason to fear?

Answer. I cannot answer for him.

Question. You say he is a quiet citizen?

Answer. He is, but I cannot answer for any man's fears. I can answer for myself.

Question. Have you heard of their visit to General Bates's house?

Answer. Yes, sir.

Question. To Dr. Winsmith's house?

Answer. Yes, sir.

Question. To Wallace Fowler?

Answer. Yes, sir.

Question. Was he an innocent, peaceable negro?

Answer. I know very little about him. I have heard him spoken of as a quiet, orderly colored man.

Question. Is Dr. Winsmith a quiet, peaceable citizen?

Answer. He has always been a very good citizen.

Question. Now, with those facts before you, have you no ground for supposing that you might as readily be visited by them as Dr. Winsmith?

Answer. I have had no fears as far as I was concerned.

Question. With what political party do you act?

Answer. I have been a democrat all my life.

Question. Had that anything to do with your sense of security?

Answer. I do not know that it has so far.

Question. Have you known anybody in the county, except those who have either been republicans or acted with the republican party, who have been molested by these people?

Answer. I cannot say that those men were molested by the Ku-Klux.

Question. I ask you if you have heard of their being molested?

Answer. I have not heard of any citizens being disturbed.

Question. Have you any doubt about Dr. Winsmith having been disturbed?

Answer. No, sir.

Question. Have you any doubt of General Bates's house having been disturbed?

Answer. I have heard him say so, sir.

Question. With the certainty on your mind that they have been disturbed I will come back to the question: Have you known anybody in this county who was openly and decidedly a democrat, who has been visited by the Ku-Klux?

Answer. I can answer that question in this way: I think I have heard of some men saying that they have been at their houses.

Question. Name them.

Answer. I think I heard a man named Camp up here in the upper part of the county say they had come to his house—William S. Camp.

Question. What did they come for?

Answer. They stopped and abused him.

Question. What did they do? Did they get anything to eat, did he tell you?

Answer. No, sir.

Question. Did he tell you how many sons he had in the organization?

Answer. No, sir; he said nothing about that. They abused his house. They called and hallooed at the gate.

Question. They just hallooed at the gate; did they attack and abuse him at all?

Answer. No, sir; not at all.

Question. That was in Limestone Township?

Answer. No, sir; it was up here in the upper part of the county somewhere.

Question. They did not do him any harm?

Answer. No, sir.

Question. On good terms with him?

Answer. I don't know anything about the terms.

Question. He was a democrat?

Answer. Yes, sir.

Question. Now can you name any other democrats visited by them?

Answer. I don't remember any other. It may be so, but I cannot bring everything to my memory at one time.

Question. That covers the ground of security to person and property. Is there any other statement which you desire to make? If so, go on with it. I have no special questions to ask you.

Answer. I do not know of any other statement to make, sir.

By Mr. STEVENSON:

Question. Do you understand who these Ku-Klux are?

Answer. I don't know anything about them.

Question. What class of people are they?

Answer. I don't know anything about that.

Question. Have you no impresson about it?

Answer. Well, sir, my impression is that they may be composed of a reckless class of men, if there is such a body; that they must be reckless and regardless.

Question. If there is such a body?

Answer. Yes, sir.

Question. Do you doubt that there is such a body?

Answer. I know nothing of my own knowledge.

Question. Are you not satisfied that there is such a body?

Answer. I do believe there has been such an organization. Whether there is or not I do not know, but I believe it.

Question. What sort of men do you believe compose it?

Answer. It is very hard for me to form an opinion or to give an answer to that question.

Question. I should think you would have some idea on the subject, being a man living in a county infested as this is by such people.

Answer. It would be very hard for me to form an opinion of the class when I never saw them. If I ever saw them I didn't know it.

Question. Is it not a common topic of conversation on the porches and streets, and about?

Answer. Yes, sir; but no man that I hear speak of them knows anything about them.

Question. You mean professes to know?

Answer. That has ever come to my knowledge.

Question. Then you have no impression of what sort of men compose it?

Answer. I think they are reckless; some of them must be certainly reckless.

Question. Some of them?

Answer. Or all of them; I cannot tell what class of men they are.

Question. Have you never heard any suggestion as to who belonged to it?

Answer. I don't know that I have, about this country at all.

Question. Have you as to any men anywhere?

Answer. I have seen some newspaper account that said General Wallace belonged to it. I, maybe, saw something in the newspapers of that kind. That is as far as I have seen.

Question. Is such a story as that credited here?

Answer. I don't think it was.

Question. Did you credit it?

Answer. No, sir; in fact I had no reason to credit it.

Question. Are you sure you have not joined them yourself?

Answer. Me! No, sir, I have not.

Question. Do not you belong to any such organization?

Answer. Ku-Klux?

Question. Yes.

Answer. No, sir; I do not belong to any secret organization.

Question. I hope you will not take offense at the question, because we do not know who does belong.

Answer. I take no offense, but I don't belong to any secret organization—that is, secret political organization.

Question. Do you call this a secret political organization?

Answer. I said no organization. I meant to qualify. There are the Odd Fellows and Masons—I belong to both of them.

Question. This is a secret political organization?

Answer. I don't know anything about that, whether it is or not.

Question. How long have you lived here?

Answer. I am fifty-six years of age, and have lived here that time except four years in my youth.

Question. Did you join the Pale Faces when they were first organized in this country?

Answer. What do you mean by that?

Question. The Pale Faces.

Answer. I don't understand your question, sir. Do you mean the rebellion or the war? What do you mean by the Pale Faces?

Question. If you really do not know, you probably did not join them.

Answer. I do not understand your question.

Question. Did you join such an organization?

Answer. Pale Faces? No, sir; I never joined such an organization as that. I do not understand your question.

Question. Did you join the "white man's party?"

Answer. I tell you I have joined no party. The only party I have been attached to here and joined since the war is to coöperate with a party here which is a public party. That is all the party I have joined here, sir. I thought you had reference to being in the confederate service.

Question. I take that for granted.

Answer. I was, sir, a lieutenant colonel in the confederate service.

By Mr. VAN TRUMP:

Question. You have given some of the causes, as you supposed, which have produced the trouble in South Carolina, the appointment of ignorant, inefficient and incompetent officers. What other causes have produced troubles in South Carolina?

Answer. Well, sir, the election law has been a source of grievance to the people here.

Question. What objection did they have to that?

Answer. To the mode of electing or conducting, or appointing the managers, and the manner in which it was carried on.

Question. The commissioners to manage elections in South Carolina were mostly negroes?

Answer. In South Carolina I am not able to answer it, but I can as to Spartanburgh.

Question. I ask not from your personal knowledge, but what is the public information?

Answer. I have understood that a large body of them were.

Question. Is it understood that they were ignorant men?

Answer. They are ignorant men in this county as a general class.

Question. In the first appointment of county officers in Spartanburgh County what was the character of those officers?

Answer. They were very inefficient and many of them men of very bad character.

Question. How many negroes were appointed in the first place to Spartanburgh County, a county in which I understand there is a large preponderance of white population?

Answer. There is.

Question. How many negroes were appointed here in the first place?

Answer. I do not remember but one magistrate; one trial magistrate was appointed in the county.

Question. One colored magistrate?

Answer. Yes, sir; one colored magistrate.

Question. Were all the rest white men?

Answer. Yes, sir; in the first appointments of magistrates.

Question. Was there any different mode of appointment afterward, and before the present period?

Answer. I intended to explain about the appointment of magistrates. In the first place, instead of electing the magistrates, according to the constitution, the legislature authorized the governor, by some clause or other, to appoint magistrates. They held their term until the 30th of April, 1870. The legislature, prior to that, passed a law creating the office of trial justice, and then the trial justices were appointed, and when the term of the magistrates expired, trial justices took the places of magistrates, that class of officers. We have now trial justices instead of magistrates, and instead of justices of the peace; but it is the same office, pretty much. The first appointments

were composed of very illiterate, ignorant men, and men of very bad character, generally speaking.

Question. White appointments?

Answer. Yes, sir, with some few exceptions.

Question. Then, the people of the county seemed to have as much objection to the appointment of ignorant, inefficient white men, almost, as they had to a negro?

Answer. Yes, sir; it was not so much the color as it was the man that was appointed.

Question. Do you say now, from your knowledge of the county in regard to those first appointments, that the major part of them, whether white or black, were made up from "ignorant, incompetent men?"

Answer. Yes, sir; I do say so; ignorant and incompetent men, of rather bad character, some of them. Some of them were convicts that had been tried and convicted.

Question. Had been in the penitentiary?

Answer. No, sir; they were tried and convicted here of larceny and appointed magistrates after that. That I know to be so. Others have been convicted since for perjury and malicious trespass and other offenses, and were acting as magistrates.

Question. Is it understood by the people of South Carolina that the constitution provides that these officers shall be elected by the people?

Answer. That is the clause of the constitution, that justices of the peace shall be elected by the people.

Question. How does it come, then, that constitution having been formed by the republicans, that Governor Scott disregards that provision of the constitution?

Answer. That is a question. I suppose the legislature, in order to give him the appointing power and the power of patronage, have tried to jump that part of the constitution.

Question. Has the legislature passed any law transferring their power to the governor?

Answer. They passed a law authorizing the governor to make temporary appointments of magistrates, and then created the office of trial justice in place of magistrate. They went into office on the 1st of May, 1870.

Question. If your constitution, at which I have not looked, provides in explicit terms that this office shall be filled by the people by election, and the legislature have attempted, without authority, to transfer that power, I am astonished that some of the citizens of South Carolina have not raised the question before the courts.

Answer. I am not able to answer why they have not.

Question. Why have not some of your lawyers raised the question if this power is conferred on the legislature by the constitution, which is the will of the people, and the legislature have no authority to transfer it to any other person?

Answer. If I had the constitution here I could point out the clause.

Question. We are assuming that that is so.

Answer. I cannot answer the question.

Question. How long since Governor Scott commenced appointing these officers instead of their being elected by the people?

Answer. They have never been elected by the people.

Question. How long ago did the appointment commence?

Answer. I do not know that I can give the exact dates, but it was some time after his inauguration into office that it commenced. As the magistrates' term of office expired the office of trial justice was created.

Question. I would advise the people of South Carolina to raise that question, unless they are utterly without confidence in the supreme judicial tribunal of the State.

Answer. You will find it in the judiciary article in the constitution, where it says expressly that justices of the peace shall be elected by the people.

Question. Then, since the adoption of that constitution, has the legislature attempted to shift that power, fixed by the constitution, by giving a new name to the very office contemplated by the constitution, calling him a trial justice instead of a justice of the peace?

Answer. That has been done, sir. There have been no justices of the peace appointed or elected. Magistrates had been appointed for a certain time; now trial justices are acting.

Question. Do the republicans claim that this law changing the name of the office is constitutional?

Answer. They do.

Question. Why do not the democrats, or some other citizens who want to see the law executed, raise the question?

Answer. The question has not been raised.

Question. What other causes do you know which have produced these disturbances? I ask this not by way of justification or defense of lawless violence, but to show what is the true internal condition of the State of South Carolina.

Answer. Well, the mode of assessment, the assessing of property, the extravagant and exorbitant assessment of property, in many instances, and the very high taxes

imposed on the people, have been serious and great grievances, and complained of by the people.

Question. In speaking of many instances, do you mean that while this assessment is high, it is also unequal as between classes or individuals?

Answer. That has been the complaint since the law has been in force.

Question. That is the public complaint?

Answer. Yes, sir, the almost daily complaint. The constant complaint of the people here is that property is unfairly and improperly assessed, or over-assessed.

Question. Have these high taxes begun to show results by producing oppression?

Answer. It is unquestionable.

Question. The trouble of raising money for the payment of taxes?

Answer. Unquestionably it has borne very heavily upon the people. In many instances it has been very oppressive and they have been almost wholly unable to pay taxes.

Question. That is, the great reduction of the basis of taxation, to wit, property, it being so much less now than during the war, and the expenses of the Government being so much greater, discontent among the people has been produced?

Answer. It has, sir. The system of taxation and the assessment of taxes have been great causes of complaint.

Question. What other causes are there besides inefficient officers and this mode of taxation?

Answer. As I stated, the election laws are unsatisfactory to the people, their mode of taking the election, the manner of the election. It is what the people have been heretofore unaccustomed to; they are dissatisfied with it, and have very little confidence in the manner in which it is conducted.

Question. What particular feature of the election law do they complain of?

Answer. They complain of the appointment of the managers who have been appointed. They are generally ignorant, illiterate men, wholly unsuited to the duties of conducting an election. There is a great want of confidence on the part of the people. They do not believe that the election will be conducted fairly; we have no confidence in it at all.

Question. Is there anything in the corruption or maladministration of the State government which the people complain of?

Answer. Yes, sir, there is great complaint with reference to the affairs of the State government. They regard it as corrupt from one end to the other. By common consent that is the common expression of the people here pretty much throughout the country.

Question. Is that expression confined to any particular party?

Answer. I have heard very strong republicans say that the government was corrupt.

Question. In what particulars did they complain of the corruption of the State government?

Answer. Great extravagance and expenditure of money and frauds. There are many allegations of frauds.

Question. In what particulars?

Answer. For instance, the acts and doing of officials about Columbia, in the land commission, in reference to the land sales there. There was a large appropriation by the legislature for the purchase of lands for freedmen, for homes for persons. Some \$700,000 was said to be appropriated by the legislature.

Question. I will ask whether the corruptions of the State government at Columbia have been so extensive and flagrant that the people just cry out against it, without regard to party?

Answer. They do, sir. There is a general feeling among the people. I have conversed with many very intelligent republicans, who say the State government is corrupt, and they have had good opportunity of knowing. Another great cause of complaint was the distribution of arms in the State and county here.

Question. Was that a great and crying cause?

Answer. It was a source of considerable complaint, giving arms to one class of the people and refusing them to another.

Question. Did it create alarm?

Answer. The people were dissatisfied.

Question. They perhaps were not alarmed here immediately, because, as I understand, the arms were not actually distributed here.

Answer. No, sir.

Question. How about the other counties?

Answer. In the lower part of the State we learned that there was a good deal of uneasiness there among the people.

By the CHAIRMAN:

Question. Has any Ku-Klux told you that he carried on his operations because of the inequality of assessments or taxes?

Answer. No, sir.

Question. Has any Ku-Klux told you that he carried on his operations because of the incapacity of these trial justices?

Answer. Any Ku-Klux?

Question. Yes, sir.

Answer. I don't know a Ku-Klux.

Question. I desire an answer to my question as I put it. Has any Ku-Klux told you that he carried on his operations because of the election laws, or the manner in which they were administered?

Answer. No Ku-Klux that I know.

Question. Has any Ku-Klux told you that he carried on his operations because of the corruptions of the State government at Columbia?

Answer. None that I know of.

Question. Has any one told you that he carried on his operations because of the character of the land commission bill?

Answer. None that I know of.

Question. Or any because of the distribution of arms to the negroes, or the intended distribution of arms?

Answer. None that I know of.

Question. How, then, do you know that any of these are the causes of the operations of the Ku-Klux?

Answer. I don't pretend to say they are the causes of the Ku-Klux operations.

Question. What are they given then for?

Answer. I say they are the causes of dissatisfaction on the part of the people.

Question. Are the people all Ku-Klux?

Answer. No, sir; but these are the causes of the people being dissatisfied.

Question. What connection has that with the Ku-Klux?

Answer. I don't think it has any connection with the Ku-Klux at all.

Question. Then in what connection do you introduce these things?

Mr. VAN TRUMP. I introduced them.

The WITNESS. I want to answer the question intelligently.

The CHAIRMAN (to the witness.) You were asked the causes.

Answer. I have done given the answers to that.

Question. The causes of these disturbances?

Answer. No, sir, the causes of dissatisfaction among the people.

Question. Have those causes anything to do with Ku-Klux operations?

Answer. I can't say what were the causes of the Ku-Klux operations; I can't imagine. The operations of the Ku-Klux might have been personal affairs or political, or I don't know what; I cannot say what causes.

Question. Do you think the men who pay the taxes are the leaders of the Ku-Klux organization?

Answer. I have no idea who are the leaders.

Question. Have you an idea that the tax-payers lead them?

Answer. I have no idea who are the Ku-Klux.

Question. Not the remotest idea?

Answer. I have not.

Question. You cannot give the name of any man that you believe has any connection with them?

Answer. I cannot give you the name of any man.

Question. Have you never heard any man named in this town as having anything to do with the Ku-Klux?

Answer. I do not know that I have.

Question. Try to recollect if you have.

Answer. I don't remember at this time.

Question. Have you never heard a man in this county named as being a leader of the Ku-Klux?

Answer. I don't remember any name of a leader of the Ku-Klux.

Question. Are they spirits, these Ku-Klux, that nobody has even an idea of where they come from or go to?

Answer. Of course they can't be spirits.

Question. Have you never heard any member of the legislature spoken of as being a leader of the Ku-Klux?

Answer. Never.

Question. Captain Lyle?

Answer. No, sir.

Question. Nor Captain Smith?

Answer. No, sir.

Question. Have you never heard any of the county members of the legislature mentioned as having anything to do with the corruptions of the legislature?

Answer. No, sir.

Question. You never heard Captain Smith named ?

Answer. No, sir. Do you mean, sir, in the corruption ?

Question. Yes, sir. Has he never been charged just as the others have been ?

Answer. I don't remember of hearing it, sir, nor of any charge against him.

Question. Have you never heard of any man in the State belonging to the democratic party being charged with any corruption in connection with the State administration or legislation ?

Answer. I have seen, I think, some newspaper paragraphs some time last year, I recollect, stating that the democrats were, some of them, equally as guilty as the republicans.

Question. Have any democrats charged in that way been visited by the Ku-Klux ?

Answer. I don't know who were especially charged with it ; it was a broad newspaper assertion.

Question. You do not know of any ?

Answer. No, sir.

Question. You say there was but one colored magistrate appointed in this county ?

Answer. Only one, that I remember.

Question. Who was he ?

Answer. Anthony Johnson.

Question. What became of him ?

Answer. He was killed.

Question. By whom ?

Answer. It was said to be by the Ku-Klux.

Question. You have said some magistrates appointed in this county were convicted of larceny. Who were they ?

Answer. I don't want to personate any person. The records of the court will show.

Question. As you know them of your own knowledge, you say, I want to know who they were.

Answer. I hope—I don't want to personate.

Question. If the records of the court show it, you cannot hurt their character. Who are they ?

Answer. William H. Walker is one.

Question. What was he convicted of ?

Answer. I think it was grand larceny. I forget the charge. It was larceny ; I forget whether it was grand larceny.

Question. Was it before or after he was appointed ?

Answer. It was before he was appointed.

Question. Was he a white man or a colored man ?

Answer. A white man.

Question. How long before he was appointed ?

Answer. I forget the length of time.

Question. Was it before or since the war ?

Answer. Since the war.

Question. Was he convicted before a jury of this county ?

Answer. Yes, sir.

Question. At what time ; how long ago ?

Answer. I can't refresh my memory without referring.

Question. Was it before or after the reorganization of the regular State government here ?

Answer. I think his conviction was since the organization of the State government.

Question. Can you fix the date ?

Answer. I cannot.

Question. Was there any political feeling in that prosecution against him ?

Answer. I don't think there was political feeling in the prosecution at all. I have no idea there was.

Question. Do you recollect who was the prosecutor ?

Answer. I cannot recall the man at this time. Of course, I did know who it was.

Question. You say it was grand larceny. What was he convicted of stealing ?

Answer. I think it was taking cotton.

Question. Cotton-seed, was it not ?

Answer. No, sir ; cotton.

Question. Seed-cotton ?

Answer. It may have been ; I don't remember.

Question. Was not he indicted for receiving cotton—buying it in his store from others ?

Answer. I don't remember the form of the indictment at this time.

Question. That is one. You said some of these magistrates. Tell us who else were convicted of larceny. I took down your words "some of these magistrates." Can you tell us who else ?

Answer. Another one was indicted ; one for forgery and malicious trespass.

Question. But I want to get through with those convicted of larceny, first.

Answer. If I said that, I only meant one in that class. The other one I alluded to was for perjury and malicious trespass. If you understood me so, I beg to correct that part.

Question. Was it forgery or perjury? You said a moment ago forgery.

Answer. Perjury.

Question. Was he convicted?

Answer. I think he was convicted of perjury. If you will permit me, I will refer to a memoranda, [referring.] Here is one case I will mention, of A. P. Turner, the one indicted for perjury:

"A. P. Turner was tried for perjury and convicted at the July term, 1870, and sentenced. An appeal was taken, and that case is still undisposed of.

"A. P. Turner, malicious trespass, tried November 23th. Convicted the same date. Sentenced to six months imprisonment and \$100 fine. Pardoned January 17, 1871."

That was taken from the sheriff's books.

Question. What malicious trespass was it?

Answer. Willful burning of a man's premises, or injuring his property maliciously.

Question. What was it in this case?

Answer. In this case he set fire to his brother-in-law's fence and woods with the view, it was alleged, of burning up his property. He was indicted in two indictments.

Question. Was that before or after he was appointed?

Answer. This last conviction was after his appointment as magistrate. I think that the charge against him for perjury was pending while he was a magistrate, but I will not be certain.

Question. Those are two cases. Are there any others of trial justices or magistrates in this county convicted of offenses?

Answer. None that I remember of.

Question. Have not both those men been removed by Governor Scott?

Answer. Mr. Walker has been removed as a trial justice.

Question. How about the other one?

Answer. Turner, I think, was never appointed trial justice, but only a magistrate.

Question. What is the difference? You say only a magistrate; it is the same office.

Answer. When the term of magistrate expired, Walker was reappointed, and Turner was not.

Question. And Walker has been removed?

Answer. During the session of the legislature he was removed.

Question. So that you are rid of all these objectionable men in the office of trial justice, so far as that class of men is concerned?

Answer. Yes.

Question. And the Ku-Klux operations still went on after they were put out of office?

Answer. Of course they did. It is said to be going on, and has been going on since.

Question. So that, although two of these causes are removed, the effect still goes on?

Answer. I don't know that that is the cause of the Ku-Klux. I am not giving any cause of Ku-Klux operations.

Question. You cannot give any cause?

Answer. It is impossible for me to give a cause of their operations.

Question. You don't know where they come from or go to, and do not pretend to give any cause?

Answer. No, sir; only the general cause of complaint on the part of the people.

Question. But take any man who complained to you about his taxes; do you suspect him of being a Ku-Klux?

Answer. No, sir.

Question. Do you suspect those men who complain of the election laws of being Ku-Klux?

Answer. No, sir.

Question. Do not they take constitutional and peaceable means of redress?

Answer. Yes, sir; our county is supposed to be law-abiding people.

Question. And you live here in the midst of these disturbances, and cannot give us the remotest idea of these men, where they live, who they are, or what causes induce them to carry on their operations?

Answer. No, sir; I do not know.

By Mr. VAN TRUMP:

Question. How long did Walker retain his office?

Answer. I don't remember; I cannot give you the time.

Question. Was it a year or two?

Answer. I think it was a year, sir; it may have been more or less; I do not remember the dates.

Question. This prosecution against him was commenced and consummated before his appointment?

Answer. Yes, sir; he was appointed after that.

Question. When was he removed ?

Answer. At the last session of the legislature.

Question. Turner was then removed, too ?

Answer. Yes, sir.

Question. Was not that by virtue of a conference the governor had, seeing the bad effects of his appointments, and calling into council even the democrats ? Was not the removal of these two men in consequence of that consultation ?

Answer. I think it was in consequence of a consultation. The governor agreed to appoint those the members from this county recommended.

Question. The governor had become so satisfied that things were going on badly by virtue of his appointing so many bad men to office, that even he himself took the matter into consideration and went into consultation with the opposite party, and the consequence was a better state of things ?

Answer. He did appoint the persons recommended by the members of the legislature, and since then we have had very little complaint on either side.

By Mr. STEVENSON:

Question. You say that Turner was removed on the recommendation of the members of the legislature ?

Answer. Turner was not reappointed.

Question. Then why did you say he was removed ?

Answer. Walker was the one removed, I think. Turner was not reappointed.

Question. On this question of taxes I hear a great deal of complaint. Have you any personal grievances on that score ?

Answer. I have paid pretty high taxes.

Question. How much tax do you pay ?

Answer. I do not pay very high now.

Question. Let us know how much you pay annually.

Answer. My tax is not heavy. If you want to know the true state of my situation I can tell you very clearly, sir.

Question. I want to know how much.

Answer. At one time I was in possession of a very handsome property, if you want to go into my personal affairs.

Question. I did not ask that ; I asked only for the amount of your taxes.

Answer. I was in possession of a handsome property but lost it by the war and other causes, and am reduced to meager circumstances, and consequently my means and property now are very low.

Question. You do not blame the State government for what you lost in the rebellion ?

Answer. I do not charge the State government for my misfortune.

Question. Are you sure you are not blaming the State government for what you lost in the rebellion, or blaming the republican party ?

Answer. I am not blaming the State government for my misfortunes.

Question. Nor the republican party ?

Answer. I have nothing to say about the republican party at all. I have no charges to make at all.

Question. Will you answer as to your taxes ?

Answer. My taxes, sir, are between \$8 and \$10.

Question. Per year ?

Answer. Yes, sir.

Question. That is State and county tax ?

Answer. Yes, sir ; and I pay city tax. My property is small at this time.

Question. What is the average tax on an acre in this county ?

Answer. The tax this year is one dollar on the hundred dollars, or one cent on the dollar on real estate.

Question. What is the average valuation of lands in this county ?

Answer. I don't know that I am able to tell you the average value.

Question. I have here a certificate from the county treasurer and the county auditor stating that the average value of lands in this county is a little under \$1 per acre.

Answer. I cannot tell you about that.

Question. So that the tax on a hundred acres of land will, according to your statement, be \$4 on average land.

Answer. Four dollars on the average. I think I am correct on the amount of the taxes.

Question. Do you consider that very oppressive ?

Answer. It appears so, sir, to what it was formerly.

Question. It was formerly next to nothing.

Answer. O, yes, sir ; the taxes were some item heretofore.

Question. As to this land commission, what did you understand that that law provided ?

Answer. The understanding was that a large amount was appropriated by the legis-

lature—\$200,000 at one time and \$500,000 at another—to buy land in different parts of the State, selling it on time to persons without homes, poor persons, without distinction of color.

Question. Was there any harm in that?

Answer. No, sir; but the great trouble, or the allegation rather, is, that the money is not properly accounted for. That is the charge. I do not give that as my knowledge.

Question. Suppose you knew the fact that there had been over \$500,000 invested in lands at about \$5 an acre, which lands are now held by the State to be distributed in homesteads, would you consider that a very bad thing?

Answer. If carried out in good faith it is not.

Question. Suppose they have bought about a hundred thousand acres at \$5 an acre, would you think that, on its face, a very bad thing?

Answer. If carried out properly and honestly there is no complaint.

Question. I ask you, suppose they had that amount of land at that price, an average of \$5 per acre, would you consider it a bad thing?

Answer. It depends on what class of land it was. A great deal of land in this State is not worth a dollar an acre.

Question. And some a good deal more?

Answer. Yes, sir.

Question. Is not \$5 about the average value in the State?

Answer. I don't know. It depends on locality.

Question. Would you be very much startled, and think it wrong, if you found they had invested half a million and got a hundred thousand acres of land?

Answer. Well, \$5 an acre for land is, for this country, a pretty high average.

Question. You think that a pretty high average?

Answer. Yes, sir; through the State.

Question. Did you know they had so much land ready for distribution?

Answer. I did not know it. I am speaking of the rumor and complaint. I don't know what they have done.

Question. You seem to have taken it all for granted?

Answer. No, sir; I said it was a great cause of allegation of fraud.

Question. Then the people did not seem to inquire much about it?

Answer. There was a great deal of talk about it, and I said complaint of corruption, said to be; I know nothing about the facts.

Question. How much land do you suppose they have really bought?

Answer. I have no idea. I do not remember of seeing any report on the subject, no statement about it. I have seen some newspaper accounts, but paid little attention to it, not enough to remember it or to speak of it, and I cannot say.

By Mr. VAN TRUMP:

Question. Suppose a committee was appointed by the legislature to investigate the frauds of this very land commission; that they partially entered upon the discharge of their duties, in which enough was shown to establish the fact that 12,000 acres in one purchase was mostly composed of a mere swamp, worth nothing unless drained, would you not think before you could come to any definite idea of the value of these lands, that that committee ought to investigate the whole matter, and then it would be better understood?

Answer. Yes, sir, I think so; under such a report as that it would be in doubt.

By the CHAIRMAN:

Question. On this subject of dissatisfaction and complaint, has there been any measure, either of Congress or the State government constituted under it since the reconstruction acts, that has not been the subject of dissatisfaction and complaint by the white people of South Carolina? Have they not complained of everything with reference to general legislation from the reconstruction acts to the present time?

Answer. I cannot say from my knowledge that they have.

Question. What have they been satisfied with?

Answer. I cannot answer that question either. That is a very wide question for me to answer.

Question. Has there not been that sense of discontent resulting from the war that the most of the people are still disposed to complain of all the acts of the Government?

Answer. No, sir; I do not think so. I think the people after the war were perfectly willing to submit to the result, to the situation and condition of affairs, if they could be just let alone. Just let them alone.

Question. That is, if they could have their own way?

Answer. No, sir; all they want is proper government and proper officers to control them.

Mr. STEVENSON. Such as they believe to be proper.

The WITNESS. They have a pretty good idea of what are proper.

By the CHAIRMAN :

Question. The whole controversy would be ended if the State government were put in the hands of the democracy ?

Answer. No, sir ; we don't care so much about that ; but give us impartiality ; give us an impartial, economical government, and it will satisfy the people.

Question. But according to your view that cannot be obtained here until the democratic party get into power ?

Answer. It don't look like there was much chance of changing the state of things with the present state of things.

Question. Is not that the result largely of the intense party feeling that has resulted from the war ?

Answer. Allow me to use the expression, the feeling here has been kept up as much by the radical party as any other. Their great object has been apparently to stir up the elements.

Question. And there has been no object on the other side of that kind ?

Answer. The object of the other party has been to sustain themselves as well as they could.

Question. You are not conscious of any state of deep-seated party feeling ?

Answer. There is deep-seated party feeling in all parties. In all times wherever there is party feeling there must be feeling on that subject.

By Mr. VAN TRUMP :

Question. To know whether or not the people are dissatisfied with bad laws both by Congress and the State legislature, you would have to take up the statutes and look them over ?

Answer. Yes, sir ; how could I tell what the laws were ?

Question. Is it not to be presumed that if the people are silent in regard to a large portion of the laws they acquiesce in them ?

Answer. Yes, sir ; they acquiesce and submit.

By Mr. STEVENSON :

Question. If it be true that the republicans cause all this excitement and trouble, how does it happen that only they get hurt ?

Answer. I am not able to answer how that happens, how they get hurt.

Question. Is it not a little curious that the weaker party, the party in the minority in this county, will constantly outrage the other party ?

Answer. I believe the troubles here may be removed ; there is no party feeling at all. I believe it is greatly a personal and local affair.

Question. What knowledge have you ?

Answer. I have no knowledge of it at all.

Question. This is your conjecture ?

Answer. Yes, sir ; neighborhood troubles, I say a good portion of it is.

Question. Do you think that palliates the evil ?

Answer. No, sir.

Question. Does it not aggravate it ?

Answer. These little local disturbances occur everywhere, in the North as well as here.

Question. Do you hear of Ku-Klux proceedings in the North ?

Answer. No, sir ; not at all.

By Mr. VAN TRUMP :

Question. Have you heard of the great riot in New York the other day ?

Answer. Yes, sir ; of the raid on the Orangemen, and the coal riots in Pennsylvania.

By Mr. STEVENSON :

Question. They proceeded openly, did they not ?

Answer. Yes, sir.

Question. Do you think it better to put on the mask for midnight violence ?

Answer. I don't think it is right to violate the laws, either openly or secretly.

Question. I ask you which is the worst, assuming that both are bad ?

Answer. Of course, a man that does a thing clandestinely is worse than he who does it openly.

By Mr. VAN TRUMP :

Question. You have been answering in regard to these things in view of the State at large in some of your answers, which have then been sought to be applied to this particular county ; is there not a great difference in the two propositions ?

Answer. Yes, sir ; certainly a difference between the State and county. I want my answer to be understood intelligently if I can.

By Mr. STEVENSON:

Question. Is not this the worst county in the State?

Answer. I can't tell about that; I hope not. We have always been a very peaceable sort of people.

SPARTANBURGH, SOUTH CAROLINA, *July 15, 1871.*

P. QUINN CAMP sworn and examined.

By the CHAIRMAN:

Question. Squire Camp, are you a native of this county?

Answer. Yes, sir.

Question. How long have you lived in it?

Answer. Sixty-seven years old and past; I was born and raised here in this county.

Question. Where are you living now?

Answer. In this place, Spartanburgh.

Question. Where did you live before you came here?

Answer. I was born and raised in the township of Limestone, and lived there until last fall.

Question. What was your occupation there?

Answer. Farming, sir.

Question. Please state what circumstances induced you to remove from Limestone to this town.

Answer. It is in consequence of the troubled condition of the country here, threats, &c. I had got it from this band of Ku-Klux, said to be.

Question. Go on and state how near they came to your house, and what occasion it was?

Answer. I had received several messages previous to the occurrence of my leaving there. I was acting as a trial justice, and the first outbreak had been committed below me, on the river, and was brought before me to take cognizance of. We investigated the thing. There was a warrant issued for eleven, of which nine were arrested. Three were proven innocent, and the other six I committed. I thought the case was too severe for me to try them. Three persons had been shot, and bullets put in them, and I thought they should be tried in court here; that was the first thing that set the neighborhood against me there, as I was a republican.

Question. Were those persons charged before you with committing an offense in disguise?

Answer. Yes, sir.

Question. Who were they?

Answer. I don't remember the names of them. There was a Mr. Surratt, a nephew of my wife, and there was Mr. Stacey and Mr. Phillips. I had the names all down at home, and could have brought them if I had thought you needed them. There were six of them.

Question. What time did that occur?

Answer. They had whipped a negro on the 2d of September last, at night.

Question. What negroes?

Answer. Jordan Surratt and his wife and family, and his daughter-in-law.

Question. State whether the Ku-Klux at any time came to your house; and if so, when, and on what occasion?

Answer. It was on the 16th of October last, I believe, they came into the old field right in front of my house, and we heard them going up there, and whipping some person; we heard the licks. My family were surprised and alarmed at it, and left the house and place and everything, except an old negro man and myself. They took to the woods. I heard them whipping them; and after they got through whipping them they left, and took the road right toward my house, and came on fifty or sixty yards, and I heard them halloo, "Right dress!" and then they stopped; and supposing they had stopped there, and divided to surround my house, I then left the house and got out. But they didn't come to my house.

Question. Who was whipped that night?

Answer. Mr. Champion and Clem. Bowden and his wife, and Daniel Linder; and Mr. Irwin was shot.

Question. Do you say this was the same night that William M. Champion was whipped?

Answer. Yes, sir, the same night.

Question. What night in the week was it?

Answer. On Sunday night.

Question. State what you did after that; whether any notice was served on you?

Answer. Immediately, the next morning, I sent to my son up here at Spartanburgh.

I knew the election was to be held at my house on Wednesday. I had been here on Saturday, and understood a garrison was to be sent here to protect the election boxes in the precincts. I sent for one to come and support that box, but when I sent here there was none here. Squire Fleming and Squire Poinier came there to investigate, and take the thing into hand. They came in the night. They made some arrests in the neighborhood, and brought the parties to my house, and kept them there until late Tuesday evening. I found a band was making up in that neighborhood, and I went to them and said that these men would be released. I said, "There's a company making up, and they will be rescued." Then they took their individual bond to meet them here at some future time. I did not notice that time.

Question. Go on with your statement.

Answer. In consequence of the condition and the trouble making in the neighborhood to rescue these prisoners, I thought it was unsafe for me and my family, and we picked up and came here that night.

Question. Have you remained here since?

Answer. Yes, sir. I have been away a few times, but my family has not. I would go there sometimes in the night. In the daytime I was not afraid to be seen there, but no one knew where I staid, if I staid in the neighborhood at night.

Question. Did you consider it safe for you to remain with your family in that neighborhood?

Answer. No, sir.

Question. Why?

Answer. In consequence of the feeling against the republican party. I was a republican.

Question. Have you believed it since that safe to remove your family back, and remain there?

Answer. No, sir.

Question. Did this subject of whippings and violence in that township attract your attention; and, if so, please go on and state whether you have made a list of persons that you know or believe to have been whipped in that township since September last, when that first case came before you?

Answer. Yes, sir; I have been here watching and seeing, fishing up where I could hear cases, getting the men that had been whipped who would give me information, and I have made a list of the cases of whipping that have occurred in what is called Limestone Township. As I was well acquainted in that section with almost every one who lives there, I have made a separate list of that township.

Question. Have you set out the names on that separate list?

Answer. Yes, sir.

Question. Will you furnish that to us?

Answer. Yes, sir. It may be possible that there are one or two cases on that list where the parties live not exactly within the boundaries, but it is supposed that all those live in Limestone Township.

Question. Does this paper contain the names of those parties?

Answer. Yes, sir; just as I have got them along.

Question. From the information given to you and the examination of the individuals are you satisfied that the persons there named have been the subjects of violence in that township or its immediate vicinity?

Answer. Yes, sir; from the best information I could get. I have tried to avoid putting down any one that was not maltreated. Several have been shot; two or three have had their ears cut.

Mr. VAN TRUMP. At this point I submit the following

PROTEST.

The undersigned, a member of the congressional sub-committee sent into the States of South and North Carolina to inquire into the alleged outrages committed in said States by lawless bands of disguised men, hereby protests against the introduction of the proposed several lists of names, now presented, of the supposed victims of such outrages, in addition to, as well as including, the person already called to testify; for the reason that said committee is now in the county in which said outrages are charged to have been committed, and the best evidence of the truth of such charges can be readily obtained by calling the victims themselves of said supposed outrages before said committee, to testify in *propria persona*. And secondly, because said supposed victims are principally negroes, formerly slaves, who are generally known to the community in which they live by two or more names, embracing both the surnames of their former masters or mistresses and the names they have assumed since their emancipation; in consequence of which the cases may be duplicated, and in some instances even triplicated, thereby creating great confusion and uncertainty in the same, without the means of discrimination, detection, or correction.

P. VAN TRUMP.

The CHAIRMAN: To the foregoing protest the majority of the sub-committee answer, that the testimony is proper, because, first, it is impossible for the sub-committee to remain at this time long enough to have all these witnesses hunted up, subpoenaed, and examined, especially in view of the fact declared, that some of them have left the county and even the State.

Second. The list of names furnished affords full opportunity for cross-examination as to identity of the persons named, and it seems to be a well-established fact that since their emancipation the negroes are distinctly known, they having elected either to retain the names of their former masters, or having assumed a new name, by which they are well known in their respective neighborhoods.

Third. Estimates having been given by witnesses called upon the opposing sides, it is proper to introduce such lists of examined and authentic cases, both to show the magnitude of the list and to afford opportunity for contradiction if the lists are exaggerated.

A list of persons who have been whipped and otherwise maltreated in Limestone Township.

- × Jordan Sarratt, whipped, wife & child shot.
- Sarah Sarratt, "
- { Harriett Sarratt, shot.
- × Thomas Austell, whipped.
- × Larkin Kirby, "
- × Trone Anderson & son, whipped.
- × Moses Linder, abused, but not whipped.
- × William Curtis, whipped.
- × Sambo Curtis, "
- × Marcellus Gaffney, "
- × Wilson Lipscomb, " small boy.
- × Zero Lipscomb, "
- × John Turner, "
- × Sidney Sarratt & wife, whipped, to find out.
- × Wilson Lockhart, whipped.
- × Isaac Lipscomb, "
- × Samuel Lipscomb, "
- × Nathan Lipscomb, " money taken.
- × Daniel Lipscomb, "
- × Clem Bowden & wife, whipped.
- × Matthew Huskey, whipped, & \$60 in money taken.
- × Jefferson Huskins, wife, two sons, & two daughters, whipped.
- × Minty & Adaline Clarke, whipped.
- × Harriet Fernandis & daughter, beat with stick.
- × Benjamin Philips, wife, & all the family, whipped.
- × Jack Sarratt, wife, son, & daughter, whipped.
- × John Harris, whipped.
- × Major Cash, "
- × Nelson Ogleby, "
- × Bynam Humphries, whipped.
- × Watt Bobo, "
- × John Sarratt, jun., "
- × Lorenzo Ross, "
- × Lowns Sarratt, " twice.
- × Charity Philips, " & shot, ears cropped.
- × Moses Lipscomb, wife, & daughter, "
- × Calvin Petty & wife, "
- × Richard McCraw, beat.
- × Joseph McCraw.
- × Reuben Philips & wife, beaten.
- × Prear Humphries & Green & Wade, beaten.
- × Spencer Wadkins, beaten badly.
- × Jane Ray, "
- × Ann Bonner & daughter, beaten twice.
- × Alsberry Bonner, "
- × Sam Bonner, "
- × Dock Huskey, "
- × Thomas Camp & Father, Lewis, beaten twice.
- × George McLaughlin & Lucy, "
- × Benjamin Littlejohn, "
- × Anthony Lipscomb, "
- × Moses Eaves, "
- × Samuel Foster, " & robbed of property.

× Wm. M. Champion, whipped.
 × C. P. Price, " badly.
 × U. A. Glover, "
 × Rufus Irvin, shot.
 × Wm. Bright, "
 × Wm. Smith, "
 × Jacob Montgomery, shot.
 × Alberthy Garrison.
 × Governor Macomson.
 × Bud Garrison.
 × Green Petty.
 × Swan Macomson.
 × Peter Hines.
 × Luke Linder.
 × Lifus Littlejohn.
 × Elizabeth Petty.
 × Lucinda Petty.
 × Ann Linder.
 × Adaline Ross.
 × Curtis Lipscomb.
 × Frances Petty.
 × Mitchell Lipscomb
 × Primus Sarratt.
 × Martha Sarratt.
 × Moses Lipscomb, beat, blacksmith.
 × Sarah Sarratt, "
 × Manza Sarratt, whipped 2.
 × Caroline Sarratt, " 2 tim.
 × Mary Sarratt, "
 × Henry Sarratt.
 × Joseph Sarratt.
 × Harry Lipscomb.
 Fuller Sarratt.
 Chesterfield Morgan.
 Gracy Lipscomb.
 Wilson Lipscomb.

By the CHAIRMAN:

Question. What was the state of security felt by the people at large in that township after these whippings commenced?

Answer. The republicans were all set in awe. They were in awe. A great many of them were threatened. On the day of election, many of them came to my house in the precinct and many were threatened there and driven off. So I was told. I was not there on the day of election myself.

Question. Do you say the election was to be held at your house?

Answer. Yes, sir.

Question. Was it held there at that time?

Answer. No, sir; two of the managers qualified on Sunday evening were whipped that night. Mr. Champion and Clem Bowden were whipped. My son was then threatened. He was the other one. He came off with me to this place.

Question. In the state of feeling that resulted from the whipping of Bowden and Champion do you think an election could have been held with any degree of safety there?

Answer. I think not, sir, with any degree of justice at all.

Question. Can you say how many persons on that list are white and how many colored?

Answer. There are about five white, I believe: William M. Champion, C. T. Price, Rufus Irwin, William Bright, and U. A. Glover.

Question. Were they white persons?

Answer. Yes, sir; I have put them all together.

Question. What was the state of things in the township adjoining, to your knowledge?

Answer. In the White Plains Township there was very little said about it, either above or below, when it commenced in Limestone. That was the region of it in the county. My brother-in-law, O. P. McArthur, had been over visiting North Carolina, making his boasts in the neighborhood that they would carry so and-so and leave the balance to the Ku-Klux.

By Mr. VAN TRUMP:

Question. Did you hear that

Answer. I heard him say it.

By the CHAIRMAN :

Question. Was he the man arrested for the whipping of Champion ?

Answer. Yes, sir; the same man. He was the man, in my opinion—I heard his voice, and from the knowledge I had of his voice I believed it to be him giving the word of command when they were near my house. After I left there they went around into White Plains and up into Cherokee, above on both sides. This Ku-Kluxing went out from there.

Question. Have you examined a list which I requested to be prepared of persons who are believed to have been whipped throughout the county ?

Answer. Yes, sir, I have.

Question. Are those persons that you have given in Limestone Township also embraced in that list ?

Answer. Yes, sir, they are embraced in that list.

Question. Have you counted up the number on the list you gave ?

Answer. I ran over it. I think there are about one hundred and eighteen. There is a list of the cases in the whole county which has also been taken, and I looked over those and have taken the names that were not on here before off my list. [Referring to the list set out in the testimony hereafter given of the Reverend A. W. Cummings.]

Question. Are there any others in that list of the whole county, outside of those which you have given, of which you have any knowledge ?

Answer. A very few. I have seen a few of them when they came to this place.

Question. A few of the persons who had been whipped ?

Answer. Yes, sir, a few of those who had been whipped. They being strangers to me, unless my attention was called particularly to it I did not know it.

Question. Did you own a plantation in Limestone Township ?

Answer. Yes, sir.

Question. How large, a one ?

Answer. I have owned a good deal of land there—over a thousand acres of land—but I was behind and in debt when the war broke out and my property was taken from me, so that I had to take the homestead act.

Question. You had had a thousand acres ?

Answer. I had a rise of fourteen hundred acres.

Question. Were you living on that at the time you lived there ?

Answer. Yes, sir. It is right on the road leading between here and Shelby and Lincoln, North Carolina.

By Mr. VAN TRUMP

Question. In whose handwriting is this list ?

Answer. It is mine.

Question. When was it made out ?

Answer. I have been making it out along ; I commenced, and I had some notes of it, but all that has been written down on that sheet of paper since this morning a week ago.

Question. This is not the original book ?

Answer. No, sir. I just took a minute along in my pocket, and I have drawn that off from it.

Question. Why did you not bring the original ?

Answer. It was only just little scraps ; little notes.

Question. What has become of it ?

Answer. I threw them away last Saturday morning in the post office. It was just little notes I had taken.

Question. You commenced in October ?

Answer. I cannot say exactly when.

Question. You kept them on little slips ?

Answer. Sometimes on the back of a letter in my pocket.

Question. You preserved all those faithfully up to last Saturday ?

Answer. Yes, sir.

Question. Then you made a copy of them ?

Answer. Yes, sir.

Question. Why did you not preserve the slips and bring them here ?

Answer. They were so mixed up and litigated. I had no idea of being called.

Question. Mixed up and what ?

Answer. Mixed up and tangled up with little slips that I consolidated.

Question. Had they been mixed up much ?

Answer. There were probably a dozen pieces.

Question. Were there not more ?

Answer. I have taken up a good many names since that, I think.

Question. Since Saturday ?

Answer. Yes, sir.

Question. How many have you added since Saturday that you had not before ?

Answer. I cannot show you without looking. [Examining the list.] The first name added is Jacob Montgomery, and from that down.

Question. You commenced adding new names which had not appeared on the original memoranda from knowledge you received from others since last Saturday?

Answer. Yes, sir; I had heard of a great many of them but had not noted them down; and when I found men here, called on them to give me their names.

Question. You began on Saturday to add to the list as comprised on those original memoranda?

Answer. Yes, sir.

Question. You began with the name of Jacob Montgomery?

Answer. Yes, sir.

Question. Here are two names that seem to not belong to the list at all: "Matthew Lancaster, shot, and Caleb Jenkins?"

Answer. They ought to be stricken off. They do not belong to the list.

Question. Why not?

Answer. They were just marked. It was just because it was marked in calling over this list; they were not in my knowledge.

Question. Are there any others that ought to be stricken off?

Answer. No, sir; [erasing the names.] Those two are stricken off. In calling the list those names were put down there to see if they hadn't been.

Question. You have stricken those two names off on this table here, just now?

Answer. Yes, sir; but they were not counted. "They were not in my knowledge. It was done in calling this list.

By the CHAIRMAN:

Question. Are they counted in making up the one hundred and eighteen?

Answer. No, sir.

By Mr. VAN TRUMP:

Question. Then there are thirty-one left of those added if this is a name, is it?

Answer. "Moses Lipscomb, beat, blacksmith." He is called there blacksmith to designate him from another Moses Lipscomb. He is marked "blacksmith;" that is all that means.

Question. Then there are thirty names you have added to the list since Saturday that were not on the original memoranda?

Answer. Yes, sir; you can count them; it is from that name down that I have shown you.

Question. Will you count them?

[The witness counts the names as directed.]

Answer. Yes, sir; there are thirty of them.

Question. You say you have destroyed those original memoranda?

Answer. Yes, sir; I threw them in the fire-place; tore them up and pitched them in.

Question. You say several were written on the backs of letters?

Answer. Yes, sir; on the backs of envelopes taken from my pockets.

Question. Were they in ink or in pencil?

Answer. All were in pencil. I always carry a pencil with me.

Question. You always carry these memoranda with you too?

Answer. Sometimes I did until I got half a dozen names on one, and then I would put them in a drawer. They would be worn.

Question. Were they not very much worn?

Answer. A good deal.

Question. Were the pencil marks rubbed out in many instances?

Answer. I saw them. I could not distinguish the names, but the knowledge of the names enabled me to make them out.

Question. Are you sure of that?

Answer. Yes, sir.

Question. You were not living on your farm while making out this list?

Answer. No, sir.

Question. Living here in town?

Answer. Yes, sir.

Question. What is the distance?

Answer. Sixteen or seventeen miles; but many of them I made out while at my own place. I would go down there in the day-time. I have been there once in a while.

Question. What day of the month did you come to Spartanburgh town?

Answer. On the 18th.

Question. You then came to stay here?

Answer. Yes, sir.

Question. Because you were afraid to go back?

Answer. Yes, sir.

Question. How often did you go back in the day time?

Answer. I went back. I came here on Tuesday night, and I went back on Thursday. My crop was all to be gathered, and me and my sons went back and helped to gather the crop.

Question. Did you stay more than one day?

Answer. Yes, sir; several days.

Question. At that time?

Answer. Yes, sir.

Question. Where did you stay at nights?

Answer. In the woods.

Question. Have you been back since then?

Answer. O, yes, sir; I have been there frequently since then. This summer I went down there on Monday and staid until Friday night.

Question. You have already stated how Jordan Surratt was used?

Answer. Yes, sir; I have stated that Jordan Surratt was abused.

Question. Who was Thomas Austell?

Answer. A black man at Limestone Springs.

Question. When was he whipped?

Answer. Along last fall some time; I cannot say at what time.

Question. How did you ascertain it?

Answer. From the reports of others that saw him and give them to me.

Question. Who told you?

Answer. I think it was some of my folks living on my place. I think it was Moses Lipscomb, called the blacksmith. He has given me a great many of these names. He is living on my place.

Question. What were the circumstances of Anstell's whipping? Was it by disguised men?

Answer. It was said to be by the Ku-Klux.

Question. After night?

Answer. Yes, sir.

Question. How many of them?

Answer. There were several of them. Several names, all on the same place there, were whipped at the same time.

Question. How many of them?

Answer. Four or five of them.

Question. What are their names? State them without looking at the paper.

Answer. Two or three of the Curtis boys, and the Anstells, some of them; and there is Trone Anderson; I think he is among them.

Question. All on your place?

Answer. No, sir; they are at Limestone Springs. Moses Lipscomb, the blacksmith, living on my place, gave me the information.

Question. Were all these parties whipped the same night?

Answer. I cannot say whether they were whipped the same night or not.

Question. How many of the Curtises were there?

Answer. I do not remember. I think two or three of them. Then Trone Anderson belonged to Colonel Curtis; and many of them are given by different names. Trone Anderson used to belong to Colonel Curtis, and now goes under another name.

Question. How many names does he go by?

Answer. He belonged to Colonel Curtis, and since he has been free he has been Trone Anderson.

Question. Has he had two or three names?

Answer. He has Curtis and Anderson; those are all I have known of.

Question. What are the first names of these Curtises?

Answer. I don't remember now.

Question. Are they all black men?

Answer. Yes, sir.

Question. You do not remember the first names of these Curtises?

Answer. No, sir.

Question. You do not know them?

Answer. I have seen them; but I didn't make the acquaintance of any of the negroes except a few. A negro would call, but I never formed acquaintance with them.

Question. What night were they visited?

Answer. I cannot tell you. I told you so before.

Question. Were they visited by disguised men?

Answer. Yes, sir; that was said.

Question. You are certain of that?

Answer. Yes, sir.

Question. Who told you?

Answer. I believe it was Moses Lipscomb.

Question. Marcellus Gaffney—who was he?

Answer. He belonged to the Captain Gaffney estate, in that same section.

Question. Where was he shot?

Answer. I told you I only took these names as given to me by these men.

Question. But when was he shot?

Answer. Some time along last fall, after the election.

Question. How many men called on him the night he was shot?

Answer. I cannot tell you.

Question. Were they disguised men?

Answer. They were said to be.

Question. What time of the night did they call?

Answer. I cannot tell you that, either.

Question. How many Lipscombs are on this list?

Answer. Probably a dozen; I don't remember that.

Question. You think there were about a dozen?

Answer. Probably a dozen. I don't think there is fully a dozen; but several I know
There are two Moses Lipscombs, and there was a Harry Lipscomb.

Question. How old are the Lipscombs?

Answer. Those two Moses Lipscombs are both very old; I suppose either of them is
sixty or seventy.

Question. What did you say the first names of the Lipscombs were—Harry?

Answer. One is Harry Lipscomb; there are several Lipscombs.

Question. Are they all pretty well advanced in years?

Answer. No, sir; some are young.

Question. How young is the youngest?

Answer. Some are not more than twenty years of age, I suppose—different ages. The
two Moseses are the oldest.

Question. Are any of them under the age of twenty?

Answer. I don't remember that there is. You will see the names on there.

Question. What do you mean by the expression there; is it "to found out?"

Answer. No, sir; it was the wife. We wanted to get her given name.

Question. Did you get it?

Answer. Yes, sir.

Question. What is it?

Answer. I cannot tell you now, but I know when that was marked there I knew
what it was for.

Question. Who is Nathan Lipscomb?

Answer. A black man.

Question. Who gave you information as to his wrongs?

Answer. This Moses Lipscomb. They are always rather connected, and this Moses
Lipscomb, the blacksmith, gave me the information.

Question. Then I understand you the information you got as to the violence com-
mitted upon all the Lipscomb name you received from Moses Lipscomb?

Answer. I think the most of them; I probably saw some of them.

Question. Did you know Nathan Lipscomb?

Answer. I wouldn't know him if he was to come into this room this morning.

Question. Do you know anything that occurred in his case?

Answer. No, sir; it is just what was given to me as I have taken it down.

Question. Do you know when it occurred?

Answer. No, sir. It was last fall some time.

Question. Do you know whether it was last fall or this spring?

Answer. All these names were last fall.

Question. All of this paper?

Answer. No, sir.

Question. But all the Lipscomb names?

Answer. Yes, sir; all the Lipscomb names I think were last fall, as well as I recollect.

Question. How many of these Lipscombs do you know personally?

Answer. I know of two Moses Lipscombs and Harry Lipscomb; that is all I know
personally.

Question. Was anything done to any of the Lipscombs, as reported in this list, that
was unusual?

Answer. I don't know that there was anything; they were beaten and cuffed and
whipped, &c.

Question. Is that all?

Answer. As far as I know and recollect at this time it is. If there is anything it is
marked on there. If shot, I have marked it; if his ears were cut, I marked it.

Question. You do not recollect that anything was peculiar to one of the Lipscombs,
or to Nathan Lipscomb, that did not belong to the other cases?

Answer. I do not remember it.

Question. Was there any property taken from any of these men?

Answer. Some was taken.

Question. What kind of property—personal property?

Answer. Yes, sir.

Question. What?

Answer. Moses Eaves had a gun taken from him and some money—so it was said.

Question. I am speaking of Nathan Lipscomb.

Answer. Some had money taken from them. Dr. Huskie had about sixty dollars in money; but I can't say. When I found out a thing I marked it there.

Question. Who told you about Matthew Huskie?

Answer. I don't remember now who did tell me.

Question. When did his case occur?

Answer. There was one of the Huskies occurred about Christmas—I think between Christmas and New Years.

Question. How many Huskies are on the list?

Answer. Two Huskies, I believe, and several Huskins; they are Huskie and Huskin.

Question. Did you know Matthew Huskie?

Answer. I did not. I knew his master, who raised him.

Question. What did they do to him?

Answer. I suppose they whipped him.

Question. Anything else?

Answer. I cannot tell you just now; I cannot recollect all the circumstances; but as it came to me I marked it down.

Question. Who is Jefferson Huskins?

Answer. A freeman. He has always been free in my neighborhood.

Question. Do you know him?

Answer. Yes, sir. He came from North Carolina; he has been living there.

Question. What was done to him?

Answer. He was whipped, and his family abused and whipped.

Question. What members of his family?

Answer. His wife and daughters—I think three daughters—and I think two sons.

Question. Jefferson Huskins gave you that information?

Answer. Yes, sir; he gave it to me himself.

Question. What persons named Clark are maltreated?

Answer. There were some women named Clark.

Question. Were they colored people?

Answer. Yes, sir.

Question. What was done to them?

Answer. They were whipped.

Question. When?

Answer. I cannot tell you.

Question. Why did you not put down the dates?

Answer. Because it was a month sometimes before I got hold of it. Their brother, my wagoner, gave me their names.

Question. Where does he live?

Answer. Here in town. He drives my wagon. He lives down here.

Question. Here is a name—Fernandes; is it a negro?

Answer. Yes, sir.

Question. How did he get that name?

Answer. From his master's name.

Question. What is the first name of the man (Fernandes) whipped?

Answer. There are two of them; one is Charlie, and the other is Nick.

Question. Was there anybody else named Fernandes, but Charlie and Nick Fernandes whipped and maltreated?

Answer. Charlie's wife was.

Question. What is her name?

Answer. She used to be long to the Pettys. I don't remember; I forget it.

Question. Did you know her?

Answer. She was raised within two miles of where I live.

Question. What was done to her?

Answer. Whipped, beaten, and abused.

Question. Was she alone in the house?

Answer. I don't remember; I think her sister-in-law was with her.

Question. Was her sister-in-law whipped?

Answer. I don't remember.

Question. Was it a sister-in-law or daughter that was with her?

Answer. I don't remember how that was.

Question. Who told you about her?

Answer. Charles Fernandes told me himself.

Question. Here is a man named Phillips; who is he?

Answer. Ben Phillips. He used to belong to my brother-in-law.

Question. Do you know him well?

Answer. Yes, sir.

Question. Who told you about him?

Answer. Watt Linder; Watt Bobo, he is called.

Question. What were the circumstances?

Answer. Watt told me he went to see him; he was whipped, and his wife, daughter, and several children; and his wife was stamped. His wife used to belong to one of my brother-in-law, and Ben to another one.

Question. Here is somebody named Harris—who is he?

Answer. There are a good many of that name in my neighborhood. There are some black persons raised there by the Harrises.

Question. What was done to Harris?

Answer. I don't know.

Question. What is his first name?

Answer. I think there were two or three; I don't remember.

Question. John Harris?

Answer. John Harris lives in the upper part of the township, and was raised by Mr. John Harris that lives in sight of me.

Question. Who told you of him?

Answer. This Watt Bobo. It is in his neighborhood.

Question. Cash—you have a person of that name. Is that right?

Answer. Yes, sir.

Question. Was it a man or a woman?

Answer. I cannot say unless you furnish the name, because Watt Bobo gave me the name; it was in his neighborhood.

Question. How many names did Watt Bobo give you?

Answer. I don't know; he gave me several times. He would give me the names.

Question. Does he live there yet?

Answer. Yes, sir.

Question. Is he a man of years?

Answer. Yes, sir; of sixty years, I suppose.

Question. Here is a man named Oglesby—who is that?

Answer. A black man.

Question. What is his first name?

Answer. I don't remember now.

Question. Do you know him?

Answer. No, sir; I know his master who owned him.

Question. What was done to him?

Answer. I suppose he was whipped; I could not say.

Question. You do not know whether he was whipped or shot or rode on a rail or what?

Answer. No, sir; I can't recollect. As I told you, there are so many of them, and different times and talking—

Question. Who told you about him?

Answer. I do not know; I rather think it was Watt Bobo. As I told you before, he gave me at different times a good many names.

Question. What sort of a negro is Watt Bobo?

Answer. He had a very good character; he belonged to Squire Bobo.

Question. Was he above or below the common intelligence?

Answer. He is a little over the common intelligence of negroes.

Question. I wish you would tell us how many names he gave you?

Answer. I cannot tell.

Question. Was it a large portion of this list?

Answer. No, sir; he has probably given me a dozen, or twice that.

Question. Humphreys—who was that?

Answer. He was raised up near the North Carolina line, where the family of the Humphreys live.

Question. A man or a woman?

Answer. I think probably there is a man and a woman in the list somewhere.

Question. What is the first name of the man?

Answer. I cannot tell you; I do not remember.

Question. Is he married?

Answer. I don't know whether he is or not.

Question. Why do you say there was a woman?

Answer. I say I think there is a woman Humphreys on the list somewhere. I did not say it was his wife.

Question. Here is the veritable Watt Bobo himself. He told you of his own case, of course?

Answer. Yes, sir.

Question. What was done to him?

Answer. They were after him. He kept out of the way for a long time. Then he

went to Cowpens Furnace as a founder, where Mr. Bobo promised he should not be hurt. They went and took him out and whipped him.

Question. That is the way he got the name of Bobo?

Answer. He used to belong to Mr. Lipscomb, and from that to his son-in-law Linder; and sometimes he is called Lipscomb, and sometimes Linder, and sometimes Bobo?

Question. He has three names?

Answer. Yes, sir.

Question. Was he the foreman of the furnace?

Answer. He was the founder, or manager of the furnace.

Question. Was he the only person you have heard of who was whipped at the furnace?

Answer. Yes, sir; I think so.

Question. Probably the same man about whose case some testimony has already been given?

Answer. Yes, sir; I suppose so.

Question. Surratt again—does he belong to this family of Surratt?

Answer. Yes, sir.

Question. Do they live together?

Answer. No, sir. This one belonged to my brother-in-law Surratt, and Ben belonged to my brother-in-law Phillips.

Question. What is this one?

Answer. There are two Jack Surratts there; one is junior and the other senior.

Question. What was done to him?

Answer. He was beaten.

Question. This Humphreys, you understand, had to sleep out, and do not know whether he was whipped?

Answer. I suppose he was whipped and then slept out?

Question. How do you know?

Answer. I don't know; it is by my inference. I have marked them.

Question. You have not said here what was done to him, and you have said he was sleeping out?

Answer. If I have marked him sleeping out, he did.

Question. He is not marked, and you say he was sleeping out?

Answer. No, sir.

Question. Did you not say just now that he was sleeping out?

Answer. No, sir; I said Humphreys, I supposed, was whipped if he slept out, as they were generally. I marked them.

Question. Do you mean to say you attempted to keep a complete record of what was done?

Answer. No, sir. I have taken here a name, or a half a dozen names, and put them down where they were whipped, or their ears cut, or the like of that, but I cannot recollect all, or try to.

Question. Then in the case of every person on this list you put down the injury done?

Answer. Yes, sir; you will find a couple of dots there after the name; that signifies whipped.

Question. How does that come; what do you mean by dots?

Answer. Just marked with a pencil, ditto, ditto. There is "whipped," and under it is ditto, ditto.

Question. Then in all cases where injury was done you marked it, whether whipped or otherwise?

Answer. Yes, sir; if whipped or abused.

Question. If, after a person was noted down here as whipped, others followed who had also been whipped, you made a pencil mark under it for the same thing?

Answer. Yes, sir; some, I think, you will find abused.

Question. Take that list thus far: "Jack Surratt, wife, son, and daughter, whipped," and under the word "wife" you make two little dots?

Answer. Not expecting you or anybody else would see it, I made it just for myself.

Question. You now swear that those dots mean whipped?

Answer. Yes, sir.

Question. That they were intended to be so?

Answer. Yes, sir; to signify whipped. You will find there, in other places, shot, and ears cropped, &c. That was for myself.

Question. Do you swear there were none on this list but those whipped or otherwise maltreated?

Answer. To the best of my knowledge there is not a name down there but what has been mutilated, whipped, or abused in some way.

Question. Do you say you have no names here of persons as to whom there was nothing done but threatening, or who slept out; have you not names here of men who slept out merely from great fear?

Answer. No, sir; I have never intended to put down such a one; they have always been abused, whipped, or beaten, before I put them down.

Question. Some personal violence?

Answer. Yes, sir.

Question. You mean to swear there is not a name as to which you have not received information as to some personal violence?

Answer. Yes, sir; by whipping, or otherwise. There have been numbers that have been lying out continually, but I have not brought their names up at all.

Question. Ross—who is he?

Answer. He used to belong to Dr. D. B. Ross, over on the North Carolina line; he had a great many negroes.

Question. What is his first name?

Answer. I don't remember.

Question. What was done to him?

Answer. I cannot recollect.

Question. [Indicating a name.] Is that another Surratt?

Answer. Yes, sir.

Question. About how many Surratts are there?

Answer. There are a dozen or two. There was a great many. My father-in-law had a great many black ones.

Question. All these Surratts must have belonged to your father-in-law?

Answer. He and his brother had a great many blacks.

Question. What were their names?

Answer. Anthony and John Surratt were their two sons. There are many there of the name of Surratt.

Question. What is that word? [indicating a word.]

Answer. Twice. There is ditto before it, for being whipped, and then "twice."

Question. Here is a fellow named Phillips—who is he, and what was done to him?

Answer. There are two or three Phillipses.

Question. Are you sure there are two or three Phillipses?

Answer. I think there are.

Question. That is your impression?

Answer. There is more than one, I think.

Question. Then there must be two at least?

Answer. Yes, sir.

Question. We have spoken of Benjamin Phillips?

Answer. Yes, sir.

Question. This man is named Charlie Phillips—what was done to him? In the first place do you know him?

Answer. No, sir; as I told you before —

Question. What was done to him?

Answer. I don't remember.

Question. Who told you about him?

By the CHAIRMAN:

Question. Is it not Charity Phillips?

Answer. Yes, sir; there is a Charity Phillips. I took that down for myself; I did not expect anybody else to see it.

By Mr. VAN TRUMP:

Question. Call her Charity Phillips—what was done to her?

Answer. I believe she was shot and whipped. She was near Cowpens Furnace.

Question. Was anything else done to her?

Answer. I think that her ears were cropped.

Question. Who told you about her?

Answer. Two or three told me about her.

Question. Moses Lipscomb and wife—what was done with them?

Answer. They lived out of my neighborhood a little. They were witnesses in this case. I think they were whipped.

Question. Were there any more in the family^a besides Lipscomb and his wife?

Answer. Yes, sir; I think there were some more of his family. He has a son; whether he was with him and whipped there or not I don't remember. I don't remember whether it was him or his daughter.

Question. Were their ears cropped?

Answer. I think not.

Question. Then why do you have those two marks right under the word "cropped?"

Answer. I told you those two just indicate "whipped." Wherever you find those two marks, that means "whipped."

Question. That is what you meant them for when you wrote this?

Answer. Yes, sir.

Question. You swear to that?

Answer. Yes, sir; I told you that before.

Question. What sort of a mark do you make for "shot?"

Answer. I write it "shot." When their ears were cropped I marked that "cropped."

Question. Here is Petty—who is he?

Answer. There are several Petty's there. I think there are two or three of them. I could not say how many, but I think there are more than one.

Question. This is Calvin Petty; what was done to him?

Answer. He was whipped. He was raised within two miles of me.

Question. Do you know him well?

Answer. Yes, sir.

Question. Was anybody whipped with him?

Answer. I think that he and his wife were both whipped.

Question. Were they shot also?

Answer. I don't remember that. They have moved out of my neighborhood away up in the upper corner of the township.

Question. Who told you about that case?

Answer. I cannot say now.

Question. Where were you told, in town or at home?

Answer. I think I was told out at home.

Question. What was done to them?

Answer. I can't recollect.

Question. Were they whipped?

Answer. I think they were whipped. I can't positively recollect all the circumstances.

Question. You say whenever they were whipped you intended two little strokes of the pencil should appear here to signify it?

Answer. Yes, sir; wherever you find two dots.

Question. Where there are three, what does it mean?

Answer. I don't know.

Question. Where there is one, what does that mean?

Answer. I suppose it was intended to be two. It was intended to be two always.

Question. Suppose there are three, what does it mean?

Answer. I didn't make three with the intention of making it of any signification

Question. When there is one, what does it mean?

Answer. It was to be two. I intended it to be two to signify ditto.

Question. You say Calvin Petty and his wife were whipped?

Answer. Yes, sir.

Question. Anything more?

Answer. I think not.

Question. Here is a McCraw?

Answer. A black man.

Question. Do you know him?

Answer. No, sir.

Question. Who told you about him?

Answer. I don't know.

Question. Were you told of him in town or out there?

Answer. I got most of it out there. I don't remember. All that first list I got when I was down there. I heard here of new cases, and I marked them down.

Question. What was done to him?

Answer. I cannot tell you.

Question. Was he shot or whipped?

Answer. I can't tell. If he was shot I don't remember it now.

Question. When you say he was "beat," what do you mean by that?

Answer. He was beat by cuffing him over the head—this blacksmith Lipscomb was.

Question. Do you recollect whether he was beaten or shot?

Answer. No, sir.

Question. How many McCraws, if any, are there?

Answer. I don't remember of but one now; there may be another one

Question. There is a Joseph McCraw right under Richard McCraw—what was done to him?

Answer. I suppose it was about the same. I suppose they were brothers probably.

Question. You only know that because they were brothers it was about the same, beat or shot or whipped?

Answer. I don't know; I suppose it only by the notes. I go by the notes.

Question. When there are no notes at all what does it mean?

Answer. That they have been abused, or some violence of some sort.

Question. What sort of violence?

Answer. I don't know. May be that they entirely escaped, and no mark was made; but I intended to signify it. But that paper was for my own information. I didn't expect any man to see it.

Question. Here is Reuben Phillips—do you know him?

Answer. No, sir.

Question. What was done to him?

Answer. I cannot tell you. He lives above me a piece.

Question. Was anybody else with him that night?

Answer. I do not remember.

Question. Here is another Humphreys—do you recollect his name?

Answer. No, sir.

Question. Is there such a man or woman as Preare Humphreys?

Answer. Yes, sir; Preare Humphreys.

Question. Do you know him?

Answer. No, sir.

Question. You do not know who told you about his case?

Answer. No, sir.

Question. Anybody else with him?

Answer. I don't remember.

Question. When you entered "Preare Humphreys and Green and Wade," what did you mean?

Answer. They were three brothers.

Question. How were they visited?

Answer. I suppose they were whipped. I don't know; I suppose they were whipped. I don't know unless I could see my marks there.

Question. Here is a man named Watkins?

Answer. A black man above me.

Question. What is the first name?

Answer. I don't remember.

Question. What was done to him?

Answer. I don't remember.

Question. A person named Ray—who is he?

Answer. A black person.

Question. A man or woman?

Answer. I don't remember, but I think it was a woman; but I will not be positive.

Question. Jane Ray?

Answer. Yes, sir.

Question. What was done to her?

Answer. I don't remember. There have been so many occurrences of this kind I did not exactly charge my mind with it.

Question. Here are some Bonners—how many Bonners?

Answer. I think there were some three or four of them that have been whipped.

Question. All men grown?

Answer. No, sir; there were some women among them.

Question. Did you know them all?

Answer. They belonged to my sister, sir. She was a widow. I knew them when they were there; they have got shifted about.

Question. Does your sister live in the neighborhood?

Answer. Yes, sir; her husband is dead.

Question. Is she living up there in these troubles?

Answer. Yes, sir.

Question. Do these Bonners ever live with her?

Answer. No, sir; I think only one lives with her.

Question. Which one?

Answer. Sam, I think, is living there with her.

Question. Is your sister alone there through all these troubles?

Answer. Yes, sir. I have a brother staid there through all these troubles; he is one of my worst enemies.

Question. Is that the condition of things in South Carolina?

Answer. Yes, sir.

Question. Brothers hate each other?

Answer. Yes, sir; that is the state of things.

Question. Do you hate him?

Answer. No, sir; I do not.

Question. Do you treat him kindly?

Answer. Yes, sir. I have done nothing against him. I have invited him into my house.

Question. All the hate is on his part?

Answer. Yes, sir. He hates me for being a republican.

Question. You have no objection to his being a democrat?

Answer. No, sir; I want everybody to enjoy his own principles. I would just as soon we should fall out about religion as politics.

Question. Here is Huskie?

Answer. Yes, sir.

Question. Who told you about those Bonners?

Answer. I saw one of them. He told me of the others, I think.

Question. What was done to this Huskie?

Answer. I don't remember now.

Question. Here are two Camps—Thomas Camp, who is he?

Answer. There are two Camps there. I don't know them at all. They didn't belong to my family; they belonged to a connection.

Question. You do not know who told you about them?

Answer. No, sir. His son and his father were both whipped.

Question. McLaughlin?

Answer. He lives in the neighborhood. He was tried before me for stealing a plow, and they investigated it.

Question. Was that before he was whipped?

Answer. Yes, sir.

Question. How long before?

Answer. It was before I left that the investigation took place. After that he was whipped.

Question. He stole somebody's plow?

Answer. Yes, sir; he was accused of it; but it was not proven on him. He had had the plow. It was a breach of trust. He had swapped it off for another one, and the man had him indicted for stealing, and he said it was only a breach of trust; that he had only swapped it for another.

Question. You called that a breach of trust?

Answer. Yes, I should have called it a breach of trust. They made a compromise.

By the CHAIRMAN:

Question. Did he borrow it?

Answer. No, sir; he was working on the gentleman's plantation and had it in his custody. I thought it was more a breach of trust than anything else.

By Mr. VAN TRUMP:

Question. Littlejohn—who is that?

Answer. I think there are two or three of them on that list. There was Ben Littlejohn they whipped.

Question. Here is another Lipscomb—who is Eaves?

Answer. Moses Eaves I told you of some time ago; he was whipped and property taken from him.

Question. What property?

Answer. He had a gun and some other sort of property—I don't remember exactly.

Question. Was there anything but the gun taken?

Answer. I think some said there was some money, but I didn't put it down probably.

Question. Here is Irvin?

Answer. Rufus Irvin.

Question. Who is he?

Answer. He was a white man; he was shot in the shoulder.

Question. Now we come to the dividing line between the list and those added recently. Jacob Montgomery—you say you got these names recently?

Answer. He was here in attendance.

Question. But you said the new list commenced on Jacob Montgomery. You got all names after his name since Saturday?

Answer. Yes, sir; principally men here in attendance.

Question. From the witnesses who were here?

Answer. Yes, sir.

Question. These Lipscombs are a big clan?

Answer. Yes, sir; there are a great many Lipscombs.

Question. Who gave you the name of Jacob Montgomery?

Answer. He gave it to me himself.

Question. What is the first name of this man Garrison?

Answer. Albertha—a woman.

Question. Was she here as a witness?

Answer. No, sir.

Question. Where did you see her?

Answer. I knew her. There were seven or eight of them whipped there at a frolic at the same time. They gave me the names.

Question. Where was that frolic?

Answer. At Widow Smith's Mill, a few miles this side of my place.

Question. What witnesses are here to testify to that case?

Answer. That one and Smith; the two names come together. They were both there, and they gave me these names that were whipped.

Question. How many names were at that frolic that were whipped?

Answer. I forget now, but seven or eight.

Question. Can you give any other names but Montgomery?

Answer. Aleck Montgomery, Albertha Garrison, Bud Garrison—he has some other name too, but is always known by that name. There are several others; I don't remember them.

Question. You got all the names of persons whipped at the frolic from Jake Montgomery?

Answer. Yes, sir; him and Smith.

By the CHAIRMAN:

Question. Willis Smith?

Answer. I think so.

By Mr. VAN TRUMP:

Question. Is Smith down here?

Answer. Yes, sir. It may not be right there, for I think I had his name before.

Question. How many Smiths are on this paper?

Answer. I don't remember of but one now.

Question. I see but the one, but what do you call that?

Answer. [Examining the paper.] William. [Wm.]

Question. That is not Willis, then?

Answer. They all call him Will. I put him down William.

Question. That is the trouble with these negroes; they have so many names?

Answer. He is always called Will Smith. I put him down William. He was at that frolic.

Question. [Indicating a name.] What name is that?

Answer. Macombson. [McUpson.]

Question. Was he one at the frolic?

Answer. Yes, sir.

Question. Was Garrison one?

Answer. Yes, sir.

Question. Were there more than five?

Answer. There is one above Smith there.

Question. Bright?

Answer. No, sir; Bright is a white man. The one above Smith.

Question. That one is Bright.

Answer. The one below, then.

Question. Jacob Montgomery?

Answer. Yes, sir; that is the one. Smith and Montgomery were both whipped.

Question. Smith, Montgomery, Bud Garrison, and Macombson?

Answer. Yes, sir; I think there is another name or two yet.

Question. Who is Petty?

Answer. It is a woman, is it not?

Question. I ask you who it is.

Answer. There was a woman Petty who was whipped there.

Question. At that place?

Answer. I think it was at that place. I know one was whipped.

Question. You say a person, and you think a woman named Petty, was whipped at that frolic?

Answer. I say I have the name of one whipped, whether it was given before or not.

Question. You say a person named Petty, a woman, was whipped at that frolic?

Answer. Yes, sir; but if I had her name before, I would not put it down in that portion of the list. I looked to not have the names twice.

Question. This is Green. Is that a woman's name?

Answer. No, sir.

Question. Was he whipped there?

Answer. Yes, sir; he was given as one whipped there.

Question. There is another Macombson?

Answer. Yes, sir.

Question. What was his first name?

Answer. I do not know; there are two Macombsons there.

Question. Were they both at that frolic?

Answer. I think so, sir.

Question. Who is Hines?

Answer. I don't know. I do not think he was at that frolic. I think he came in afterward.

Question. What is Hines's first name?

Answer. I do not remember. I only know the name of Hines.

Question. Who told you about him?

Answer. I don't remember; some of them that were here; it was among them.

Question. Then you do not recollect who told you even as late as Saturday?

Answer. No, sir; I was talking over so many; there were so many.

Question. Did you get them up all together?

Answer. No, sir; I was two or three hours.

Question. Did you devote all Saturday to this business?

Answer. No, sir.

Question. Was it all done on Saturday?

Answer. Yes, sir.

Question. Where did you find these negroes?

Answer. In the back yard.

Question. You were out there with pencil and paper?

Answer. Whenever I saw one I knew, I asked him. I would ask them if they knew of any parties whipped, and if I hadn't the names down, I put them down, if I was satisfied.

Question. Under whose instructions were you acting?

Answer. Nobody's; but several of us were talking about this in the post office, and they were wishing they had a list of all the cases.

Question. Who were they?

Answer. Dr. Cummings and several others.

Question. This right reverend Dr. Cummings, of this place?

Answer. Yes, sir.

Question. Was Postmaster Cannon one of them?

Answer. He was in there with us. I don't remember whether he took part.

Question. Who first suggested a list?

Answer. Dr. Cummings and I had spoken frequently about having a list, and we then spoke of having a full list, and he said, "Squire, you help me to make out a list," and I tried to get individuals and make it out for myself in Limestone. I said I would try to make it for Limestone, and the doctor would get the others.

Question. Who is Linan?

Answer. I do not know any such name as that.

Question. [Indicating a name.] Is that the name?

Answer. No, sir, that is Linder.

Question. Do you know him?

Answer. I know several Linders. I know Moses Linder.

Question. Is his name on this list?

Answer. Yes, sir.

Question. Where does he live?

Answer. He lives close by me, within a mile and a half. He is a black man.

Question. Who told you about him?

Answer. I don't remember. I heard it divers times, but I don't think I had ever taken the name down. He had told me himself.

Question. What was done to him?

Answer. They got hold of him, and he made his escape after they had abused him some.

Question. That is Moses Linder?

Answer. Yes, sir.

Question. If there is another Linder, what is his name?

Answer. Daniel Linder is another. His name is on that list. He was whipped.

Question. Are there more than two Linders?

Answer. I think so.

Question. Who is the other?

Answer. There are Moses and Daniel, and there is a Wes Linder, but I do not think his name is on there.

Question. Is there a Luke Linder?

Answer. Yes, sir.

Question. You had forgotten him?

Answer. Yes, sir; he did not belong to that family; he belonged to a Linder family living off from me a little. I had forgotten his name.

Question. What do these crosses mean that are placed before the names?

Answer. You see, whenever we would find any name that was on this other list in calling it over, we would mark it that way.

Question. You mean on those memoranda?

Answer. No, sir. You see whenever we got a name on this list, (Dr. Cummings's list,) it was marked off on that. We didn't want to get names on twice.

Question. Then there is another list—the list for the county?

Answer. There is only this list that I have presented of Limestone.

Question. Is that (Dr. Cummings's list) the one you compared with this?

Answer. Yes, sir. Dr. Cummings had the names there, and when we called them over they were marked there on my list to know that it was on this list.

Question. What do you say these crosses mean? Explain that again.

Answer. When we were calling over the county list those crosses were to mark these names.

Question. Do you mean that the names that you testify to here are not on that county list?

Answer. No, sir; they are all on here; but whenever there was a name here that was also there, I marked it to know that it should not be twice on that list.

Question. What was done to Luke Linder?

Answer. I think he was whipped. I can't say positively.

Question. Why have you not got it marked so?

Answer. Here are a good many others—Montgomery and others—that are not marked.

Question. But I am asking about Luke Linder. Why are not those little significant pencil-marks of yours placed there opposite his name?

Answer. You will see there are a good many others there like that.

Question. But I ask about that one?

Answer. It is the same case as the others. Those cases before, I suppose, were marked, and these neglected. I told you before that was only intended for my own satisfaction.

Question. Here is Jake Montgomery, who commences the new list, marked. Was he whipped?

Answer. Yes, sir.

Question. Why were not the rest marked whipped?

Answer. It was just taken for granted.

Question. Taken for granted?

Answer. Yes, sir.

Question. Do you know whether Luke Linder was whipped or not?

Answer. No, sir; only from time to time I asked of these abuses and whippings.

Question. You say that generally?

Answer. Yes, sir; that was reported to me.

Question. You do not know whether they were whipped, merely called upon and warned, or whether they were shot at, or taken out in the woods. It was hit or miss?

Answer. I told you I was particular not to put down any one except he was abused.

Question. How abused?

Answer. By cuffing, shooting, whipping, or something else; and wherever they were shot it is marked so; and if the ears are cropped it is marked. Most of them were whipped.

Question. Having no marks here denoting whipping, you swear in a lump that all the names, from Jacob Montgomery down, were whipped?

Answer. No, sir; but information was given to me that they were whipped and abused, and I have made it a rule to mark those abused.

Question. You take it for granted now that they were whipped?

Answer. That was my inference in taking it down.

Question. Are there any among these that have not the mark made opposite to them that were abused?

Answer. I asked them all not to report to me anybody except he was abused and maltreated in some way.

Question. Were you careful to do that?

Answer. Yes, sir, for I didn't want to make a mistake—exceedingly careful. I didn't want to give a man's name that had not been abused. This thing of being afraid and lying out, I did not count. I didn't count them, for many of them had been lying out for months.

Question. If these little marks—crosses—indicate that they are on the Rev. Mr. Cummings's list, how does it come that the latter part of this paper, numbering several names, has not that mark of the cross? What is the reason of that?

Answer. I do not know.

Question. Are those additional names?

Answer. They were names taken down after they were called, and I looked over again to see if they were on there.

Question. Are those two, three, or four names on the Rev. Mr. Cummings's paper or not?

Answer. I cannot say; I suppose they are.

Question. How did they get there? They are not marked off on your paper.

Answer. What I marked when we looked over it were all marked at that time.

Question. Did you get any since you left the Rev. Mr. Cummings?

Answer. We had several interviews in looking over that list.

Question. Do you know whether these names are on that list or not?

Answer. No, sir.

Question. You do not know why the cross-marks were omitted from those four names?

Answer. I do not. It was not intended for any one else but myself.

Question. What are those two names? [Indicating names.]

Answer. Manza Surratt and Caroline Surratt.

Question. Are not those names almost obliterated?

Answer. Yes, sir.

Question. That is the consequence of having the paper so folded that the part which was on the outside was the part where those names were written?

Answer. Yes, sir.

Question. This paper was made on last Saturday, and you have carried it since?

Answer. Yes, sir, in my coat-pocket.

Question. And within that time those names are almost absolutely rubbed out.

Answer. Yes, sir.

Question. I could not read those names at all if I did not presume that they were Sur-ratts.

Answer. I do not know particularly.

Question. When you carried those original memoranda, was it not the fact that most of the names were really worn out?

Answer. I dare say they might have been, but I had knowledge of a great many of those persons, knowing their names.

Question. You say this paper was made out last Saturday?

Answer. Yes, sir, commenced last Saturday.

Question. How many names are here?

Answer. One hundred and eighteen names, I think.

Question. You had seventy or eighty names on those original memoranda?

Answer. Yes, sir.

Question. Was any name obliterated that you could not recollect?

Answer. No, sir; I did not carry them all the time in my pocket—only a few days—and then threw them in the drawer.

Question. You say many were worn and obliterated?

Answer. Yes, sir, worn, but not obliterated.

Question. Worn out?

Answer. No, sir; I could make them out. I was particular enough not to carry papers to wear them all out.

Question. You were on this business and collecting these names all the time, where you had a chance?

Answer. I wanted to see who had all been whipped.

Question. Have you been a pretty active politician?

Answer. No, sir; I never took any part in politics in my life.

Question. Never took any part in politics?

Answer. No, sir; I have always been a man that tried to stay at home; I never 'tend to anybody's business but my own, and refused many a time before to accept the office of trial justice, or justice of the peace, as it was called, until I found that they had one before by whom it was so abused, that all the neighborhood were at me, and got up a petition, and had me appointed.

Question. Did you belong to the Loyal League?

Answer. Yes, sir; I did.

Question. Was it mostly black?

Answer. Yes, sir; a good many blacks and whites.

Question. If you were not a party man, what were you doing in that League?

Answer. I did not take any hand to lead as to political matters. I believed in the republican principles, but radicalism I was not in favor of. I was a republican. I was born and raised under a republican government, and I wished to support it.

Question. You liked the name "republican?"

Answer. Yes, sir; I have always boasted it, and claimed that I was a republican.

Question. You took an oath when you went into that League?

Answer. A pledge.

Question. An oath?

Answer. Yes, sir; it was a pledge.

Question. What do you call it a pledge for?

Answer. It was like that; it was solemnizing.

Question. Were you not pretty anxious about politics to go into a colored League, and to have to swear to get in? Did you not feel some anxiety to get in?

Answer. I was looked at with contempt because I would not join the democrats' club, and it was thrown into my face that I was a hidden radical, so that I could not go into company. They would say, "Yonder goes a hidden radical."

Question. Was that the reason?

Answer. No, sir. I said I joined it. I was a republican.

Question. Did you meet pretty often in the League?

Answer. About once a month; sometimes once in two months.

Question. Every time there was a meeting you were promptly on hand?

Answer. No, sir; I was often away. I had a good deal of business away. I had the surveying, and did the assessing, and taking the census, &c.

Question. You have been largely in office, then?

Answer. I had to take the census under Squire Irwin here. He applied to me and sent his son to assist.

Question. Were you assessor?

Answer. Yes, sir.

Question. And trial justice?

Answer. No, sir.

Question. Had you any other office then?

Answer. No, sir. I was postmaster in the old times.

Question. But recently?

Answer. No, sir.

Question. Within five or six years?

Answer. No, sir; my daughter has been since the surrender.

Question. She is there yet?

Answer. No, sir; she is here now. The office is closed now.

By the CHAIRMAN:

Question. You commenced to tell about a case in which persons were bound over before you for whipping some men?

Answer. Yes, sir; for whipping Jordan Surratt and his family.

Question. What became of that case?

Answer. It went before the grand jury and they threw it out.

Question. They ignored the bill?

Answer. Yes, sir.

Question. Have there been any persons brought to trial and punished for any of these offenses in that township?

Answer. No, sir, none at all. That was the only indictment ever brought.

Question. Does the present member of the legislature, Captain Lyle, live in that township?

Answer. Yes, sir; at Limestone Springs.

By Mr. STEVENSON:

Question. This McArthur you have mentioned was arrested for the whipping of two of the election officers, I believe?

Answer. Yes, sir; the managers of the election.

Question. Do you know what has become of him?

Answer. It is stated that he has gone to the West. He left here this spring.

Question. He is not in this county that you know of?

Answer. No, sir. It has been talked that he is to come back in July.

By Mr. VAN TRUMP:

Question. Was it not understood that he was to be back yesterday?

Answer. I don't know. I understood he was to come back in July.

By Mr. STEVENSON:

Question. Was he released on his own recognizance?

Answer. Yes, sir.

Question. Did he appear?

Answer. I do not know. I went off Thursday. I suppose some of them appeared, but I don't remember whether he appeared. I was back to my plantation to see about my crop and met some of them coming on here. Whether McArthur was along or not I don't remember.

Question. Did you say that two of the Camps were concerned in that matter, or accused of being in the party?

Answer. From my own knowledge I do not know, but it is said by those whipped that the Camps were along.

Question. Which ones?

Answer. They said Sol Camp and one of his sons. Sol Camp is my brother.

Question. What was the name of the son?

Answer. I did not not ask which one; they said it was one.

Question. Have you but one brother down there with sons?

Answer. Only one brother there. I have three brothers—one here and one in York. Sol A. Camp lives in Limestone Township.

Question. Are those boys brothers-in-law of the livery-stable keeper here, Mr. Gentry?

Answer. Yes, sir.

Question. I forget whether you gave the period of time which this list covers?

Answer. All these outrages have been committed since the 2d of September, when Jordan was whipped. I gave that in the outset, I believe. That was the first outrage committed there.

Question. You say you took the office of postmaster immediately after the surrender?

Answer. No, sir; I had been prior to that, but then I was disfranchised and could not take the oath, and my daughter took it.

Question. That was under President Johnson, was it?

Answer. Yes, sir.

Question. You say that you accepted the office of magistrate or trial justice at the request of your neighbors?

Answer. Yes, sir.

Question. Do you mean your neighbors of both parties?

Answer. A number of my neighbors were in hopes that after I was qualified I would carry out the law in better faith than it had been before.

Question. Do you mean to say that you were requested by men of both parties in that neighborhood to take the office?

Answer. Yes, sir.

Question. Have you ever had any notice served on you to leave this town?

Answer. No, sir. I have received messages by individuals.

Question. By word of mouth?

Answer. Yes, sir.

Question. But never in writing?

Answer. Never written.

By Mr. VAN TRUMP:

Question. You do not mean to say that these Ku-Klux came to you and told you by word of mouth, you a republican?

Answer. Some of my friends heard it and told me that if I did not leave there and change my way of doing they would Ku-Klux me. I always laughed at it.

Question. They were friends?

Answer. Yes, sir. It had not risen to such an excitement as now that they would not speak to each other.

Question. That was before you came to town?

Answer. Yes, sir.

Question. Who told you that?

Answer. Mr. Price, who was whipped. He was a constable under me, and he told me that he heard it frequently.

Question. Was he in communication with these midnight assassins?

Answer. I don't know; he suffered severely by them afterward. He said he found that was the feeling throughout the country after I took hold of this case.

Question. Was that before he was whipped?

Answer. Yes, sir. It was long after I came here that he was whipped.

By Mr. STEVENSON:

Question. Were you here when the troops arrived at this place?

Answer. Yes, sir, I was here. We were looking for troops, as I said before, to protect the election in October. Monday I came here. I was here, afterward, when the militia came, and as long as they staid, and when the cavalry company came.

Question. You were here when the cavalry company came?

Answer. Yes, sir.

Question. When was it?

Answer. I do not recollect; it was some time back.

Question. Were you under any apprehensions of a raid upon this town about that time?

Answer. Yes, sir, I was. I was not lying in my house any night. I was shifting for fear of a raid here.

Question. Were any other of the white republicans, to your knowledge, under similar apprehensions?

Answer. Yes, sir; I know they were. Dr. Cummings was one and my brother Frank another. He is county treasurer here.

Question. Was that generally the case among the white republicans of the town?

Answer. I thought so, sir.

Question. How did they manifest their apprehension?

Answer. By lying out in the nights and not sleeping at home; shifting from one place to another, and not letting it be known where they were staying.

Question. Do you know what ground they had for it?

Answer. I do not know, sir. From what they could find from the country, threats were given out. They did make a raid in here one night. It was the night before a man was to be hung, last fall.

Question. You say threats were coming in?

Answer. Yes, sir.

Question. What were they?

Answer. That they intended to come here and whip and kill out every republican in the town.

By Mr. VAN TRUMP:

Question. You say the rumors were here at that time that there was danger threatened that these disguised men would come here and kill all you republicans?

Answer. That was the rumor.

Question. Where did it come from?

Answer. It came from different sources.

Question. What time was it that you first apprehended a raid upon the town?

Answer. For my own part, I did not apprehend any danger until they made that raid on the jail.

Question. Was not that the whole cause of apprehension here, and nothing else?

Answer. No, sir.

Question. Did not the rumor arise from that fact?

Answer. That confirmed the thing.

Question. Had there been rumors before?

Answer. Yes, sir.

Question. Are you sure of that?

Answer. I had heard some.

Question. Before that company came here to get a white man out who was under sentence of death for killing a negro, and were repelled by the sheriff almost alone, there was an apprehension of a raid upon the town to kill the republicans?

Answer. Yes, sir.

Question. Why did not these men, when they were in town, if they had an object in killing the republicans, make a trial of it when they were right here?

Answer. I don't know anything about them.

Question. You say no names are on this list of persons upon whom violence or abuse was committed by these Ku-Klux prior to the 2d of September?

Answer. Not on my list.

Question. How do you know that?

Answer. Because that was the first that was committed in Limestone Township—I was cognizant of it—that of Jordan Surratt. That was the first transgression, on Jordan Surratt and his family, and it has been followed up since that.

Question. Then I understand that whether this list of yours is accurate or inaccurate, it does embody all that was done in Limestone Township?

Answer. Yes, sir. As I told you, I think there are two or three names that might possibly be from other places.

Question. I understand you say that whether this list is accurate or inaccurate, it does comprehend, or was intended to comprehend, all the acts of violence done in Limestone Township?

Answer. Yes, sir; so far as I could learn.

Question. In other words, the first that took place in Limestone Township was on the 2d of September?

Answer. Yes, sir.

Question. This list comprises all that has occurred within the limits of that township, with the exception of two or three, perhaps?

Answer. Yes, sir.

Question. You say this man McArthur went west?

Answer. Yes, sir.

Question. Was it not understood among the people here, from information received, that this man was expected to be back on the train yesterday?

Answer. I have heard he was to be back in July.

Question. Have you heard whether he has come back or not?

Answer. No, sir.

Question. He is a brother-in-law of yours?

Answer. Yes, sir; he married my sister.

Question. He was arrested at your house?

Answer. No, sir; he was arrested and brought to my house.

Question. There is a great controversy between Mr. Poinier and Mr. Fleming, two eminent republicans here, as to which committed the outrage upon McArthur. Do you know which it was?

Answer. No, sir; because, as I told you, he was my brother-in-law, and we had always been intimate, but they turned to be such inveterate enemies that I did not want to make things worse.

Question. Were you cognizant of the order to double-quick him?

Answer. No, sir; I heard of it.

Question. Did you hear it was so severe through the whole night that he fainted?

Answer. I have heard it here. I saw him when I went in the house, and I didn't go out again, and the knowledge came in and my son went out; and he told me that he told them to stop it.

Question. How long had it been going on?

Answer. I don't know; that is my knowledge of it.

Question. He had been arrested on the information of some negroes who thought they recognized him in this disguise?

Answer. I suppose so. I took no part in the action of Mr. Poinier or Mr. Fleming.

By Mr. STEVENSON:

Question. That was for the Champion case?

Answer. That and three negroes also.

By Mr. VAN TRUMP:

Question. Did Champion make a complaint?

Answer. I don't think so, because he was here.

Question. As much difficulty as there may be between you and your brother-in-law, do you not know that after he was released on his own recognizance, he demanded a trial and was ready for trial?

Answer. I understood he came here—he and others—on Thursday.

Question. And demanded a trial?

Answer. They said they were ready for trial.

Question. There was no trial had?

Answer. I understood there was no trial.

Question. Since then he has gone west—no trial being had?

Answer. Yes, sir.

Question. And you have heard that he was to come back?

Answer. Yes, sir; I have heard so.

By the CHAIRMAN:

Question. Has there not been more public clamor made in this county over the conduct of the crowd toward McArthur that night than over all these cases of outrage in Limestone put together?

Answer. Yes, sir; more than all put together. It has been spread far and near through the county.

By Mr. VAN TRUMP:

Question. There was a great newspaper controversy, I understand, between Mr. Poinier and Mr. Fleming, as to who did it?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. They had to try and throw the odium of it off on each other?

Answer. Yes, sir; each one was trying to defend himself.

SPARTANBURGH, SOUTH CAROLINA, July 15, 1871.

Rev. A. W. CUMMINGS sworn and examined.

By the CHAIRMAN:

Question. Doctor Cummings, please state where you reside?

Answer. I reside in Spartanburgh.

Question. How long have you lived here?

Answer. I have lived here since April, 1866.

Question. Where did you reside before you came to Spartanburgh?

Answer. I resided about twelve years in Asheville, North Carolina; one year prior in Tennessee, before that in Missouri and Southern Illinois.

Question. What is your occupation?

Answer. I was a teacher in all these places.

Question. A teacher of what?

Answer. I was professor of mathematics four years in McKendree College in Southern Illinois, and two years president of that college. I then had charge of the Odd-Fellows Female College, East Tennessee. I was then elected president of the Female College at Asheville, North Carolina, in 1853. I remained there until I came here. The school was suspended, however, in 1863. I was then employed as a minister on a circuit.

Question. In what capacity did you act here?

Answer. I acted here as president of the Female College in this place for two years. The college was then sold; the trustees went into bankruptcy, and the college was stopped and became private property.

Question. In what business are you now engaged?

Answer. I am not doing much business. I am farming a little. I have been, since then, a merchant. After the school suspended, I went into business—indeed, I had some connection with a store before that. My capital was invested to some extent.

Question. Have you held any public positions in this county; if so, state what they were and how you came to hold them.

Answer. I assessed the personal property in this town for 1868 and 1869. In 1868 the assessors were appointed very late and the auditor found difficulty in supplying the place, and requested me to act. I acted as his appointee—the next year under the appointment of Governor Scott. I do not know how I came to hold the office. I never asked for it. In 1869 I assisted Mr. Camp, the county treasurer, in collecting the taxes for 1868.

Question. How did you come to occupy that position of assistant in collecting taxes?

Answer. Mr. Camp was the treasurer and found difficulty in making his bond. He made several bonds and they were rejected. I was then applied to to go on his bond.

Question. Who had the approval of his bond in this county?

Answer. The county commissioners. They rejected his bond two or three times. I was solicited to go on the bond. I consented to do so provided I had some control of the office. It was a large responsibility, and I was not willing to undertake it without having some control in the matter, in order to see if the business was done right.

Question. What was the amount of the bond?

Answer. Ten thousand dollars.

Question. Was it approved with you on it as security?

Answer. No, sir; the county commissioners rejected the bond with my name on it. An appeal was taken by Mr. Camp to the attorney general of the State. I was called on for the schedule of property. I made affidavit that I was worth more than \$10,000, and specified where the property was located. My real estate was worth much more than that.

Question. How much?

Answer. About \$30,000 at that time.

Question. Where was it located?

Answer. In Missouri, Iowa, Illinois, Wisconsin, North Carolina, and here.

Question. How much real estate had you here?

Answer. At that time I had no real estate here except my residence—my house where I reside; I pay taxes on it for \$2,500.

Question. Please go on and state in what relation you have been thrown with the people of the county in consequence of holding these positions, and what knowledge you have of the extent to which the public peace and security have been interfered with by parties of disguised men in this county?

Answer. As to my relations with the people I could hardly say. I have had comparatively little to do with them. I assessed the property here. I assisted in collecting the taxes.

Question. Have you taken any part in the political affairs of the county; if so, state it?

Answer. Where I was eligible I have voted. I voted in the spring of the year 1868 here, and in the fall of 1868, and at all subsequent elections.

Question. During the war did you take a stand with the Southern people?

Answer. Yes, sir. I suppose it would so be considered. I was opposed to the war, but after the war commenced I would have liked to have had the South succeed. My sympathies were with the South in that matter.

Question. In that election of 1868 with which party did you act?

Answer. I could not say that I acted with either party. I voted, though, for the ticket with Governor Seymour heading it—as I used to know him—for President. I voted that entire ticket in 1868. In the spring prior I voted the democratic ticket, with one exception, and he was not on the regular ticket for the county, but he was not a republican, and never has been.

Question. State whether at any time you became apprehensive for your own personal security, and, if so, for what reason?

Answer. I have had reason to feel that I was not secure since the last election, and I know of no cause for it, except that I was supposed to be in sympathy with the administration of the State and the General Government.

Question. What caused that apprehension? Go on and state it fully.

Answer. General threats against republicans, and notices that I received from persons who professed to be friends, or anonymous communications, stating that I had better not sleep at home on particular nights.

Question. Did those facts cause you any apprehension, and if so, what course did you take?

Answer. I have taken no special course on the subject. I left my house on those particular nights designated, but more to satisfy my family than myself. I then positively determined to take the consequences at my own house, and have remained at my home always since. I have said little and done little.

Question. Were you here at the time the raid was made on the jail?

Answer. I was in Columbia that night.

Question. What has been the feeling of the republicans in this town as to their security?

Answer. They have felt entirely insecure almost constantly since the last election

and until the troops came here. I know they have. The young men of the republicans have been going out. They have not been at home much. They have slept out or have been on guard, guarding themselves or their friends from that time until the troops arrived. It is my conviction that an attack would have been made on republicans if the troops had not arrived.

Question. Have you given attention to the outrages on the republicans and colored men in this county by the Ku-Klux?

Answer. I have.

Question. Have you made a list at my request of the persons who you believe to have been the subject of such outrages in this county?

Answer. I have. I will state that General Anderson, the assistant adjutant general of the governor in this State, came here last fall or winter, and sought for an interview with me, in which he wished me to give him the cases of this kind, as far as I had any knowledge. I then made a list of all cases that had been reported to me in what I regarded as an authentic manner, and furnished him that list. I believe that amounted to forty or fifty then, and from that time on I kept a list as the cases came up. Since this committee came here, I have looked over that list and combined it with, or increased it largely from, persons I have seen since you have been in session here. I have also examined the list that Squire Camp had. The list I have prepared for you is as follows:

List of persons who have been outraged in Spartanburgh County, South Carolina.

1. Samuel F. White, whipped.
2. John Genobles, whipped.
3. Moses Cates, whipped.
4. Mathew Lancaster, whipped and shot.
5. William Moss, whipped.
6. Dr. Winsmith, shot—seven wounds.
7. James L. Lanford, whipped.
8. Joseph Miller, whipped.
9. Hampton Parker, whipped.
10. James Henley, whipped.
11. George W. Garner, whipped.
12. Callop Jenkins, whipped.
13. P. L. Speck, whipped.
14. Reuben Bryant, robbed and threatened.
15. B. F. Bates, house broken open and threatened.
16. Anthony Johnson, killed.
- 17, 18. Richard Thomas, whipped; also his father, whipped.
19. Jordan Blanton, whipped.
- 20, 21. Charity Blanton, shot; also her child, shot.
22. Gabriel Austell, whipped three times.
23. Clem Bowden, whipped.
24. Minerva Bowden, whipped.
25. Daniel Lipscomb, whipped.
26. William Champion, whipped.
27. Rufus Irvin, shot.
28. C. P. Price, whipped.
29. L. Surratt, whipped.
30. Moses Eaves, whipped.
31. Sally Blanton, whipped.
32. W. A. Glover, whipped.
33. Moses Linder, whipped.
34. Dock Huskie, whipped.
35. Giles Gaffney, whipped.
36. Alberry Bonner, whipped.
37. Jef. Huskie, whipped.
- 38, 39. Israel Surratt, whipped; also his wife driven from home.
- 40, 41. George McLaughlin, whipped; also his wife; he was driven from the county.
42. Washington Linder, whipped.
43. Benj. Surratt, whipped.
44. Sue Surratt, whipped.
45. Lucy Surratt, whipped.
46. Rev. M. Petty, whipped.
47. Primus Surratt, whipped.
48. Lowndes Surratt, whipped.
49. Calvin Petty, whipped and ears cut.
50. Narcissa Petty, whipped and ears cut.
51. Thomas Austin, whipped.

52. Larkin Kirby, whipped.
53. Charlie Fernandes, seized and dragged from his house, but escaped.
54. Harriet Fernandes, whipped.
55. Lucy Fernandes, whipped.
56. Charity Phillips, whipped and shot.
57. Mathew Huskie, whipped and left for dead.
58. Sam. Foster, whipped.
59. Preston Huskie, whipped.
60. John Huskie, whipped.
61. Sue Huskie, whipped.
62. Sina Huskie, whipped.
63. Christina Huskie, whipped.
64. Mattie Clark, whipped.
65. Adaline Clark, whipped.
66. Lewis Layton, whipped.
67. Martin Sheldon, whipped.
68. Mrs. Bird Jones, beaten with sticks and shovel.
69. Martin Bobo, whipped.
70. Zero Lipscomb, whipped.
71. Jacob Montgomery, whipped.
72. Curtis Lipscomb, whipped.
73. Peter Hines, whipped.
74. Swan McUpson, whipped.
75. Luke Linder, whipped.
76. Bud Garrison, beaten and kicked.
77. Willis Smith, whipped.
78. Glovenia McUpson, whipped.
79. Albertha Garrison, whipped.
80. Eliphus Littlejohn, whipped.
81. Green Peeler, whipped.
82. Newton Curtis, whipped.
83. Isham McCrary, whipped.
84. J. McLean, whipped.
85. Thomas Vernon, whipped.
86. Jacob Wingo, whipped.
87. Joseph Miller, whipped.
88. Hampton Parker, whipped.
89. James Gaffney, whipped.
90. Sam. Gaffney, whipped.
91. Marcellus Gaffney, whipped.
92. John Turner, whipped.
93. Pinkney Wilkie, whipped.
94. Ned Dodd, whipped.
95. Austin Dodd, whipped.
96. Moses Lipscomb, whipped.
97. Lewis Lipscomb, whipped.
98. Mitchell Lipscomb.
99. Toney Foster, whipped.
100. John Harris, whipped.
101. M. Harris, whipped.
102. Thomas Austell, whipped.
103. Larkin Kirby, whipped.
104. Trone Anderson, whipped.
105. Mrs. S. Anderson, whipped.
106. Moses Linder, attacked and abused, but escaped.
107. William Curtis, whipped.
108. Sambo Curtis, whipped.
109. Wilson Lipscomb, whipped.
- 110, 111. Sidney Surratt, whipped; also wife whipped.
112. Wilson Lockhart, whipped.
113. Isaac Lipscomb, whipped.
114. Sam Lipscomb, whipped.
115. Nathan Lipscomb, robbed of money.
116. Mathew Huskie, whipped and robbed of \$50.
117. Jef. Huskins, whipped.
118. Emily Huskins, whipped.
119. Susanna Huskins, whipped.
120. Charity Huskins, whipped.
121. S. C. Huskins, whipped.

- 122, 123, 124, 125. Jack Surratt, wife, son, and daughter, whipped.
126. John Harris, whipped.
127. Major Cash, whipped.
128. Nelson Oglesby, whipped.
129. Benj. Humphries, whipped.
130. John Surratt, whipped.
131. Lorenzo Ross, whipped.
132. Richard McCraw, whipped.
- 133, 134. Renben Phillips and wife, beaten with sticks.
135. Preston Humphries, whipped.
136. Wade Humphries, whipped.
137. Green Humphries, whipped.
138. Spencer Watkins, whipped.
139. Jane Ray, whipped.
- 140, 141. Ann Bonner and daughter, whipped twice.
142. Sam. Bonner, whipped.
143. Thomas Camp, whipped.
144. Lewis Camp, whipped.
145. Benjamin Littlejohn, whipped.
146. Anthony Lipscomb, whipped.
147. P. Huskins, whipped.
148. John Huskins, whipped.
149. Miles Nesbit, whipped.
150. Willis Pearson, whipped.
151. Benj. Leyton, whipped.
152. Wallace Fowler, killed.
153. Mrs. Wallace Fowler, beaten.
154. Lemuel Littlejohn, whipped.
155. Mrs. Lemuel Littlejohn, whipped.
156. Isaac Brough, whipped twice.
157. Minty Brown, whipped.
158. John Draper, whipped.
159. Bill Poole, shot.
160. Thomas Clement, whipped.
161. Charles Carmon, whipped.
162. Levi Ezell, whipped.
163. James Snoddy, whipped.
164. Jacob Clement, whipped.
165. Reuben Dodd, whipped.
166. Simpson Foster, whipped.
167. Jack Rowlan, whipped.
168. Ety Wingo, whipped.
169. Addison Howell, whipped.
170. Jacob Wingo, whipped.
171. Mr. — York, whipped.
172. Jerry Watson, whipped.
173. Jack Turner, robbed.
174. Woodson Barnett, whipped.
175. Jack Burke, whipped.
176. James McLean, whipped.
177. James Gaffney, whipped.
178. Sam Gaffney, whipped.
179. William Bright, whipped.
180. Green Petty, whipped.
181. Eliphus Littlejohn, whipped.
182. James Brannon, robbed.
183. Drayton Hawkins, whipped and robbed.
184. Stephen Cantrell, robbed.
185. Sawney Brown, whipped.
186. Caleb Jenkins, whipped.
187. Elizabeth Petty, whipped.
188. Ann Linder, whipped.
189. Adalino Ross, whipped.
190. Curtis Lipscomb, whipped.
191. Martha Surratt, whipped.
192. Moses Lipscomb, whipped.
193. Mana Surratt, whipped.
194. Manza Surratt, whipped.
195. Caroline Surratt, whipped.
196. Mary Surratt, whipped.

197. Henry Surratt, whipped.
198. Joseph Surratt, whipped.
199. Henry Lipscomb, whipped.
200. Fuller Surratt, whipped.
201. Chest Morgan, whipped.
202. George Lipscomb, whipped.
203. Wilson Lipscomb, whipped.
204. Isham Brown, whipped.
205. William Murph, whipped.
206. Murry Moss, whipped.
207. Eliphus Finch, whipped.
208. Jack Wilkie, whipped.
209. George Boone, whipped.
210. Andy McKinney, house was fired into.
211. Sam Simmons, whipped.
212. Elias Thomson, whipped.
213. Levi Smith, whipped.
214. George High, whipped.
215. Sallie Henderson, whipped and house burned.
216. William Pollard, whipped.
- 217, 218, 219. Three men at Sam Snoddy's, whipped about two weeks ago.
220. William Brown, whipped.
221. Joseph McCraw, whipped.
222. Prince Surratt, whipped.
223. Charity Huskins, whipped.
224. Julius Camp, whipped.
225. Aaron Hughs, killed.
226. Robert Holcomb, hung to death.
227. Dick Brewton, whipped.

Question. State whether you compiled this list in connection with Squire Camp at my request?

Answer. I did, sir.

Question. State whether it embraces the cases which you believe to have occurred, so far as you have been able to learn in regard to them?

Answer. I have looked over this list this morning, and I believe it is accurate. I have heard of other persons being disturbed whose names are not on the list, but I did not know the nature of the affair sufficiently to add them, or put their names on the list. This list, to the best of my knowledge and belief, is accurate as to the persons and the nature of the assaults upon them.

Question. What period of time does that list embrace?

Answer. It embraces the cases from the time of election until recently.

Question. Do you know the time Squire Camp begins his list with?

Answer. No, sir.

Question. Have you any doubt of the occurrence of the large number of cases of whipping and maltreatment by these men in disguise in this county from the investigation you have made?

Answer. I have no doubt of it.

Question. Your name has several times been introduced in questions asked here in a manner which would indicate that there had been some effort on the part of citizens here, and yourself among others, to train or drill these negroes in the stories they were to tell. Were you present at any time when these negroes were examined, and, if so, was any effort made to ascertain anything more than their own statement?

Answer. I have not been present when any negro was examined in reference to any testimony he might give before this committee. The only examination I have any knowledge of has been simply to ask some of them in the yard here if they had been hurt, which question was asked with a view to perfect this list. I have conversed with some whose names have been reported to me before.

Question. Was any effort or any inducement held out in those conversations with the negroes to direct their testimony in any particular channel as to how they should swear, or to induce them to swear in any particular way?

Answer. Not the slightest at any time, when I have been present.

Question. Will you state whether you had sent to Washington, before you knew of the coming of this committee here, a list of persons who had been injured in this county?

Answer. I wrote to Hon. A. S. Wallace some time during the winter, and gave him a list of the cases as far as I knew them; that was some months ago.

Question. To what extent, Doctor, may a man entertain and express, in this community, republican sentiments, consistently with his own personal safety?

Answer. That may be a mere matter of opinion. My conviction is that no man could be recognized as a republican and be safe in this county.

Question. Have you known any instances in this county of these outrages being inflicted upon any other than republicans?

Answer. I have not known of a case of the kind. I have inquired frequently of men who had reported that they had been whipped why they had been whipped, and they said it was because of their voting for or voting with the republicans, or something in connection with their being republicans; and I have inquired whether those who voted with the other party had been disturbed, and have been uniformly told that they knew of no such case.

Question. Do you reside within the limits of the corporation or borough of Spartanburgh?

Answer. Yes, sir; we call it an incorporated town.

Question. Are the taxes paid within those limits?

Answer. Yes, sir.

Question. What is the rate of taxation upon real estate levied by the corporation?

Answer. The rate is 15 cents on the hundred dollars of personal property or real estate for corporation purposes.

Question. What poll-tax is laid by the corporation?

Answer. It is scarcely a poll-tax, but they call it a street tax, or I hardly know what. Each male person between eighteen and forty-five pays \$2.

Question. That is without regard to property?

Answer. Yes, sir; and then fifteen cents on the hundred dollars' worth of property at real estate.

Question. How is the principal part of the corporation taxes raised; is it by licenses on bar-rooms?

Answer. I could not say that. The clerk of the board informed me so, a few days ago. I went to get a temperance item from him a few days since, and he said he had collected over \$1,800 since last September.

Question. How much is paid on each bar-room?

Answer. My recollection is, it is \$400. I may be mistaken as to the amount. I did not inquire of the clerk as to that point.

Question. So far as local taxation is concerned, is it, or not, a fact that this county has by popular vote subscribed \$50,000 to a railroad enterprise?

Answer. Yes, sir; the town, by a small vote, subscribed \$50,000 to the air-line railroad and the county \$200,000.

Question. Every property-holder in Spartanburgh will have to pay his proportion of that \$250,000?

Answer. Yes, sir; we pay in the town double taxes; both town and county taxes for railroad purposes.

Question. Are you a minister of the gospel?

Answer. I am.

Question. In what church?

Answer. The Methodist Episcopal Church. I should say I have devoted very little of my life to ministerial duties. I have been a teacher most of my life, but I have been connected with the ministry.

By Mr. VAN TRUMP:

Question. In whose handwriting is this list?

Answer. I think it is in the handwriting of the clerk in the post office, but I will not be positive.

Question. Where are the original memoranda of your own, from which this was made, if so made?

Answer. Mine are at my residence.

Question. How many names as reported in this list are taken from your memoranda?

Answer. I have the same number upon my list as is there.

Question. This includes the list of Squire Camp?

Answer. Yes, sir.

Question. You have that on your list?

Answer. Yes, sir.

Question. When did you get that?

Answer. Some of it I got last December, and I have been adding to it from time to time. Squire Camp is a near neighbor to me, and we have often conversed upon the subject.

Question. Compared notes with each other?

Answer. Yes, sir; we have often compared notes on these outrages. We have never compared our lists. I did not know Squire Camp was keeping a list until recently. I have often conversed with him about them.

Question. How did you get names from him?

Answer. He gave me the names.

Question. Had he the list with him?

Answer. No, sir.

Question. How did he report them?

Answer. From recollection of the cases that he knew.

Question. How many at a time?

Answer. I cannot say positively.

Question. How often did you meet for that purpose?

Answer. We never met for that purpose, but we were incidentally together.

Question. How often did that occur, then?

Answer. I do not recollect the number of times.

Question. I would like you to recollect as near as you can.

Answer. I recollect that when General Anderson was here, and I was making up a list, Squire Camp was present.

Question. Was not that the time when you got all these names?

Answer. No, sir.

Question. At what other time did you get names from him?

Answer. I do not know that I have obtained since then any names from Squire Camp. I may have done so. He may have mentioned to me some cases and said such a one was a clear case, and then I have added the name, but I do not remember any other particular case except when General Anderson was here.

Question. What time in the fall was General Anderson here?

Answer. I am not positive as to the time.

Question. How long after the election?

Answer. It may have been in November or December. I know it was while the legislature was in session, in the early part of the session. I do not remember the particular date.

Question. But you do recollect that at the time General Anderson was here, whether in November or December, was the time of the first interview with Squire Camp in regard to getting names?

Answer. In reference to names, I think perhaps it was the first time I made any memoranda of names.

Question. Do you not recollect about how many names he gave you?

Answer. I do not. I had on the list I furnished to General Anderson, or made while he was here—for General Anderson did not take the list I made—some forty names; but they were not obtained from Squire Camp.

Question. Some forty names were given to General Anderson at that time that you did not get from Squire Camp?

Answer. I did not say that. I say that forty names were on the list I furnished to General Anderson, or made up while he was here. Some of those names were mentioned to me by Squire Camp; some of them I had known before.

Question. How many names were mentioned by Squire Camp? You say the entire list you furnished to General Anderson at that time contained about forty names?

Answer. That is my recollection.

Question. And some of those you got from Squire Camp?

Answer. I think some were mentioned by Squire Camp that I had not known before.

Question. How many?

Answer. Perhaps a dozen.

Question. Was it not the greater part of the forty?

Answer. No, sir; I do not think it was the greater part. I knew a great many cases. I knew the cases of Bowden, and Price, and Champion. I had seen the parties and others before that time, though I had not written the names. Squire Camp mentioned to me the names of colored people in his neighborhood. Some of them were here in town, and I saw them.

Question. Had you formed an intention of making out a list of these outrages before the visit of General Anderson?

Answer. No, sir; I do not think I had. I had no idea of such, at least.

Question. How often did you meet Squire Camp after that to get names; whether purposely or incidentally?

Answer. It was incidentally always. I never went to Squire Camp to get names, but met him incidentally, and names were mentioned by Squire Camp.

Question. How often did that occur?

Answer. It would be impossible to tell how many times.

Question. Can you give some idea of the number; whether three or four, or half a dozen or a dozen times, or still more?

Answer. My recollection would be so indefinite on that subject that it would be the merest guess to undertake to state it.

Question. Taking all these interviews between you and Squire Camp, whether purposely or incidentally, about how many names did you get from him?

Answer. That I do not know. From other sources?

Question. That you took from him, whether unknown to you or not—detailed by him—whether they corresponded with these or not. How many did he mention?

Answer. I have heard Squire Camp mention that there had been one hundred and eighteen cases in his own township.

Question. How many of these cases did he detail to you in these interviews—naming them to you? You think the first interview was about a dozen?

Answer. Yes, sir; perhaps so.

Question. In the several other interviews, how many others did he mention by name and circumstance?

Answer. I have heard him mention a dozen since, I presume. I may have heard him mention more.

Question. You cannot tell how many of these interviews occurred between you subsequently, nor how many names he mentioned with the circumstances of each case?

Answer. I could not, except it may be a dozen or twenty. I could not definitely state.

Question. Do you put that as the highest possible number, or the lowest possible number, to be exact, or within bounds?

Answer. He has mentioned to me recently that his list that he had in his township contained one hundred and eighteen cases.

Question. But I speak of those interviews prior to this last one, when he mentioned the one hundred and eighteen cases. Taking all the interviews, however many or few, do you mean to say that twenty or thirty cases that he detailed to you is the lowest number or highest number?

Answer. I should say that he has mentioned twenty or thirty cases in detail.

Question. Did he name the parties—you say he had no memorandum with him?

Answer. He had none.

Question. Did he name the parties?

Answer. Yes, sir; when he spoke of the cases.

Question. Did he name the time?

Answer. Generally, he did.

Question. Did he name the circumstance of violence or outrage?

Answer. Yes, sir; he generally did.

Question. Whether whipping or otherwise?

Answer. Yes, sir.

Question. Did he name to you the number of disguised men that visited each party?

Answer. I do not remember whether he ever mentioned the number of disguised men. I do not think he ever did.

Question. And recently he stated to you that he had a list containing one hundred and eighteen outrages in his own township?

Answer. Yes, sir.

Question. Did he have a list then?

Answer. Yes, sir.

Question. Did he show it to you?

Answer. No, sir; he said he had a list.

Question. Was that the last time you saw him in relation to it?

Answer. I have heard him speak of it nearly every day within the last week.

Question. Is that the last time you met him in which he had this list; you say he had it at that time?

Answer. Within a week he has mentioned that he had made up a list of all the cases he knew of in his town, and that list contained one hundred and eighteen cases; but he did not have the list with him. He did not show me the list.

Question. When did you get the list from him?

Answer. I have not copied his list.

Question. Is not his list contained in yours?

Answer. I have had the same names; most of the one hundred and eighteen.

Question. You had most of the one hundred and eighteen in his list on your enumeration?

Answer. Yes, sir.

Question. Did you compare his list with yours?

Answer. I did not.

Question. Who did?

Answer. I do not know. In looking over that list I saw that my list embraced it.

Question. When did you look over his list?

Answer. I have never looked over it.

Question. How, then, did you ascertain that nearly all the names on his list were also on your list?

Answer. I have a separate list from this. I have looked over this list.

Question. I am not speaking of this particular piece of paper, but what this paper represents. You say you never compared your list with his—you never compared them?

Answer. No, sir.

Question. How, then, are you enabled to state that your list includes nearly all of his?

Answer. I have heard him say so; that is all.

Question. There has been no comparison of lists to your knowledge?

Answer. No, sir; I never took his list and mine and compared them.

Question. Take the first name, "Samuel F. White." To which list does it properly belong?

Answer. That is a very noted case. Everybody knows it. I had the case.

Question. You understand from some means that your list comprises nearly all, or all of his?

Answer. Yes, sir.

Question. How did you understand that to satisfy you so that you could speak of it under oath?

Answer. I was present this morning when Squire Camp looked over that list. He said that it embraced his list. I looked it over, and I found it embraced my list.

Question. How did you look over it? did you take the two papers?

Answer. No, sir; he looked over this list and said it embraced all that were in his list. I looked over the list also and saw that it embraced all that I had.

Question. You looked over that list and know that it embraced all your list?

Answer. Yes, sir; they looked over that particular paper.

Question. It was this paper Camp looked over and said it included nearly all of his?

Answer. Yes, sir; I heard him say so to-day.

Question. I ask you again how you undertake to say that this list nearly includes all of his?

Answer. Just by his stating it.

Question. When you swore to this fact positively you did not make that qualification; you do not know, then, whether this includes all of his list except by his statement?

Answer. I do not know it of my own knowledge, sir; I never saw any list of Squire Camps.

Question. In making up your list did you ride through the country to ascertain the names?

Answer. No, sir; I made it up from information which I obtained here in town from different persons.

Question. You took their say-so for the facts.

Answer. Yes, sir.

Question. That is all you know about it?

Answer. That is all I know about it. If a man came to me and told he had been whipped, even if he did not show me the marks, but told me he had been whipped, I inquired into the circumstances, when and where, and why he had been whipped.

Question. How was it that this system of parties coming to you and telling you that they had been whipped was gotten up?

Answer. I could not say.

Question. But it is a fact that all these parties came to you and told you they had been whipped or otherwise maltreated?

Answer. No, sir; not all the parties.

Question. What proportion of your list of names is made up of persons thus outraged who came and informed you of the fact?

Answer. I have no means of saying, certainly. I would say, however, that from fifty to seventy-five persons who had been subjected to some sort of outrage have mentioned that fact to me.

Question. Personally?

Answer. Yes, sir; and in a great many cases when they have mentioned this, I have asked "Who else in your neighborhood have been disturbed?" and they would state other names.

Question. I see a person here named Huskil, to which class does he belong?

Answer. There are several of that family—the Huskie family.

Question. "Huskil," it is here.

Answer. There are two families "Huskins" and "Huskie." I conversed with Huskins, the father of the family.

Question. You say there are two classes of names, including in each several persons "Huskie" and "Huskins?"

Answer. Yes, sir; they are colored people.

Question. This is Huskil; what does that mean?

Answer. It should be—is meant to be—Huskie—k-i-e. I think I have conversed with persons of both families. I recollect distinctly the Huskies. You ask me how I came to make a list. I will answer in more general terms than I have, if you desire it.

Question. Well, sir?

Answer. I have been desirous to secure safety to the people of this county—these poor people I have found so distressed and ruined—and I made the list with the view, and with no other object, than to seek protection for them; and in order that they might be protected, I thought that the facts must be known.

Question. Have you a copy of the list you sent to Mr. Wallace at Washington?

Answer. I think I have, sir. I think I have the names at home. I had a little farm, and I have been pressed with applications for labor by persons driven in here from the country. It was that fact which led me to take an interest in the cases.

Question. Did you mean to say to the chairman, in reply to his question, that you had taken no part in politics at all?

Answer. I did not say I had taken no part. I did not mean to say so. I mean to say I am not a politician.

Question. In reply to the question touching that point, you said you had voted merely. Do you mean that to be a fair and full answer to that question, that you did nothing but vote as a citizen of the country?

Answer. That's about all I did.

Question. What?

Answer. Yes, sir.

Question. Do you belong to the Loyal League?

Answer. I was connected with what they called a League for a few months.

Question. At its first inauguration?

Answer. No, sir.

Question. When was it?

Answer. A few months between last spring and last October.

Question. Did you use any influence, directly or indirectly, upon the government or the authorities of the State to have these arms sent to negroes throughout the country?

Answer. None in the world.

Question. Did you approve of it?

Answer. I never knew there were any sent to the negroes in the country.

Question. You have not known that?

Answer. No, sir.

Question. You do not know there have been about fourteen regularly organized negro regiments in this State, fully armed?

Answer. In the State?

Question. Yes, sir, in the State; I am speaking of that now.

Answer. I have heard there were some negro troops. I have seen them drilling in Columbia. I have heard that there were some negroes enrolled in the militia in some few counties. I never knew how many.

Question. If you intended that your political action should be merely to vote, why did you join this Union League, and it of negroes, too?

Answer. It was made up of both negroes and white men.

Question. How many white men were there in the League that you united yourself with?

Answer. I cannot give the number.

Question. About how many white republicans belonged to this Union League you united yourself with?

Answer. I suppose from twelve to twenty-five. I could not answer definitely.

Question. How large is the League itself, including all colors?

Answer. I have no means of knowing.

Question. A hundred or more?

Answer. O, no, sir.

Question. Where was it?

Answer. In this town.

Question. If you took no other part than voting in politics, and did not desire to, did you think it necessary to join that League in order to vote?

Answer. No, sir; it was not necessary in order to vote, but I had reasons for joining it, just as I should any other association. I thought some good could be accomplished by it.

Question. You took an oath when you went in there, did you not?

Answer. I do not know that I am at liberty to state.

By the CHAIRMAN:

Question. Yes, Doctor, you are, if an answer is required.

By Mr. VAN TRUMP:

Question. You have no objection to saying you took an oath?

Answer. It was an obligation that was in the nature of an oath.

Question. About as solemnly administered as any other oath?

Answer. It was administered in the same manner.

Question. As a minister of the gospel, you felt as solemnly bound by that oath as any other oath?

Answer. Yes, sir, and as much bound to keep it.

Question. Will you give me the nature of that oath? You are not bound to do it, unless you wish to do so.

By the CHAIRMAN:

We do not intend to exense anybody in this committee from disclosing any oath taken in any secret organization whatever.

Answer. The obligation imposed was that of loyalty to the General Government, and I think it embraced also a duty to the State government. There was nothing in it that I felt was at all objectionable. I never saw it in print or otherwise, that I recollect. There was nothing in it that I could object to; nothing to which I or any other good citizen could hesitate to subscribe.

Question. Have you ever seen a copy of that oath?

Answer. I may have, but I have forgotten. I never saw any printed copy.

Question. So that you swore to support the General Government primarily, and secondarily the State government; was that all?

Answer. I could not state the oath particularly. The oath was read to me and it was such a one as I found I could subscribe to.

Question. You have stated particularly the character of the oath in regard to allegiance as to the two forms or branches of government?

Answer. I recollect that much, distinctly.

Question. Is that all you recollect?

Answer. It is at this moment all that I recollect distinctly. I have not thought of it for a long time.

Question. Have you been a stump speaker?

Answer. No, sir; I have not.

Question. Did you attend political meetings outside of the League?

Answer. I have attended a few political meetings.

Question. Do you take an active part in getting them up?

Answer. No, sir; in no case. I have been present when both parties have made addresses in this town, a portion of the time; I do not think I attended through any one meeting. I am sure I never did.

Question. You say it is not safe for a man to express his political sentiments in this county if a republican. Have there not been political speeches made by republicans?

Answer. Yes, sir.

Question. Have there been any disturbances?

Answer. Yes, sir; almost constantly since October.

Question. But at the meetings?

Answer. No, sir.

Question. Yet you say you have felt a fear since the last election in regard to your personal security, even here in the town of Spartanburgh?

Answer. I have felt that republicans are not secure in Spartanburgh.

Question. You mean from the Ku-Klux?

Answer. Yes, sir.

Question. You do not mean from anything else?

Answer. I have no fear of violence from anything else. The only time that the Ku-Klux ever visited this town was on the occasion of a supposed attempt, and undoubtedly was, to rescue a white prisoner in jail who was hung afterward for the murder of a negro.

Question. Is that the only manifestation of Ku-Kluxism within this borough?

Answer. I have heard of one other.

Question. What other?

Answer. They visited the house, so he informed me, of Charles Moore, and took some guns from him. He said they were disguised men.

Question. When was that?

Answer. That was some time during the winter.

Question. How many did he say they were?

Answer. How many men?

Question. Yes.

Answer. I think he said there were four or five. I think he said three came into the house.

Question. Did they get the guns?

Answer. Yes, sir.

Question. Is he a colored man?

Answer. Yes, sir.

Question. Have you got that on your list?

Answer. No, sir.

Question. Why not?

Answer. Well, sir, I do not know why.

Question. Was not that an outrage?

Answer. Well, sir, there are a great many that I have heard of.

Question. There are a great many you have heard of that are not on this list?

Answer. Yes, sir.

Question. How many?

Answer. I have heard of many. In one township I have heard that most of the black men in that township have been whipped, and I do not know that I have any names from that township.

Question. You have heard rumors?

Answer. I have it from officers who had been in the township, and they said that persons stated to them that there was a general whipping; that thirty or forty were whipped at about one time, but I have none of those names.

Question. Do you know Doctor Bryant?

Answer. He was a member of the legislature for two years.

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.

By MR. VAN TRUMP:

Question. (to the witness.) Taking into view the peculiar condition of these unfortunate people of South Carolina, is it not probable that a great many of these reports are false?

Answer. I do not know what reports you refer to.

Question. I refer to such reports as you speak of from that township, the names from which you say you have not got, and also reports generally?

Answer. That was a report in gross that nearly all the negroes in that township had been whipped. That is the report, and I think that it is probable, for I have had the same from other townships—Limestone, for instance.

Question. There was no particular instance in the report you got about that township?

Answer. Where I spoke of forty having been whipped?

Question. No; where you said nearly all the negroes in a township had been whipped.

Answer. I have repeatedly asked how many had been whipped. They have answered, "All except some democratic negroes who have staid there."

Question. In what township have they all, or nearly all, been whipped?

Answer. Limestone.

Question. You have one hundred and eighteen names from there?

Answer. Yes, sir.

Question. Do you think it likely any are omitted there?

Answer. Yes, sir; I think it is probable.

Question. You said there were cases that you did not take down—where you heard in gross of one town in which they were all whipped—not naming the town?

Answer. In regard to Limestone, I say it is my opinion that nearly every colored man who has remained there has been whipped unless he was an avowed democrat; and in regard to White Plains, from which I have no names, I have heard it often stated that there was a great deal of whipping there. I heard a gentleman say, a few days ago, and he was in that neighborhood, that forty were whipped during one night. I believe it because it was in harmony with what I know of Limestone Township.

Question. Is it not likely that you were inclined to believe those stories?

Answer. No, sir; it has been the saddest thing in my life to believe them.

Question. Have you not an inclination of mind to believe it upon every slight expression?

Answer. No, sir.

Question. Then why did you, in answer to a question of mine, which did not necessarily call it out, say that you had heard of a township, without naming it, in which all the negroes were whipped? Did you not seek to create an impression in regard to some other township?

Answer. No, sir.

Question. Why did you not name the town at once when you made the declaration?

Answer. I did not know all the particular cases of parties; I wanted you to understand that so far as I have made the list I have been careful to make it only of well-authenticated cases.

Question. You stated that all the cases were not down because you had heard of a particular township, without naming it, where all or nearly all were whipped. If you made that remark in reference to Limestone, why did you not name it?

Answer. I do not know. I did not see any necessity for it.

Question. You wanted to add to the force of this testimony, did you not?

Answer. No, sir; I have no wish to add to the force of any testimony.

Question. Why did you mention it?

Answer. I mentioned it in connection with that question. I have heard of persons who had been before you here, but I did not know the particular facts in regard to them, and therefore I did not make any list of them. I had no interview with them. I could have had.

Question. You say on several occasions you have received anonymous letters warning you to leave your house or the town on several nights?

Answer. No, sir; I never received anonymous letters.

Question. Well, anonymous communications; was that the term you used?

Answer. Mr. Flemming received a letter in which my name was mentioned, telling him to advise me not to be at home on a particular night.

Question. You said you had received letters warning you not to be at your house?

Answer. I did not intend to say so.

Question. If you did, your explanation is that Mr. Flemming had received a letter in which your name was used?

Answer. Yes, sir.

Question. From a friend?

Answer. From the style of the letter, I believe it was.

Question. Do you think he was a Ku-Klux?

Answer. I think he was, or else he would not have known that on a particular night I would have been in danger.

Question. You think he knew that on those particular nights they would visit you?

Answer. Yes, sir.

Question. You think so because he stated the nights?

Answer. Yes, sir.

Question. And you think he belonged to the Ku-Klux because he knew the particular nights?

Answer. Yes, sir.

Question. You think he was a friend, or he would not have communicated with you at all?

Answer. Yes, sir.

Question. What two particular nights were designated?

Answer. I cannot give the dates. One was somewhere about the 20th of March last—Saturday night; I had just reached home from a journey. The other time it was reported that they would be here. It was a matter that was talked about in the streets, generally, and that the Ku-Klux would be in on a certain night.

Question. Was that one of the nights of which you had been notified in this special communication?

Answer. The first one was.

Question. The other was not?

Answer. It was not.

Question. You think the friend, Ku-Klux as he was, knew the time, or he would not have mentioned it?

Answer. I think he would not have mentioned it without some authority. I could not understand how he could know that without connection with the party.

Question. Did you leave your house that night?

Answer. Yes, sir.

Question. Was anybody left in it?

Answer. Yes, sir, my family.

Question. Was the visit made?

Answer. No, sir.

Question. How do you account for that fact?

Answer. From the fact that the United States troops arrived a day or two before.

Question. Was it after or before the troops arrived that that letter was written to Mr. Flemming?

Answer. I have the letter here dated Tuesday, and the troops arrived on Wednesday, if my recollection is right—the letter was the day before.

Question. Was it not known some time before by most everybody that the troops were coming?

Answer. No, sir.

Question. Not at all?

Answer. I did not know that they were coming.

Question. You believe that the reason the Ku-Klux did not visit you on the night when the Ku-Klux themselves, or some one of them, notified you that they would visit you, was because the United States troops were here?

Answer. They got here that very night.

Question. They got here on Wednesday?

Answer. Perhaps they came up Tuesday night. I left here for North Carolina on Wednesday. On my return on Saturday, Mr. Flemming met me with the letter. I saw he was agitated and I went in and found my family in great distress—my invalid daughter especially.

Question. You have heard of other cases, not on your list, but, not knowing the circumstances, you have not included them in the list?

Answer. Yes, sir.

Question. What do you mean by not knowing the circumstances?

Answer. I had not heard of the details of what was done.

Question. How many cases are there of that sort?

Answer. I could not give the names of many persons.

Question. You had the names of persons visited?

Answer. Yes, sir.

Question. Have you seen the persons since?

Answer. Yes, sir; many of them.

Question. Did you inquire of them about it?

Answer. Yes, sir; where I met, and recognized them, I inquired.

Question. What did you find out?

Answer. I found it was as I heard it.

Question. You found the circumstances, then, substantial?

Answer. Yes, sir.

Question. Did you note them down?

Answer. I had noted them down before in most cases.

Question. But we are speaking of cases not on the list?

Answer. You asked me if I had seen persons?

Question. No, sir; I am quoting your own language. You have said in your testimony that you had heard of other cases not on your list, but not knowing the circumstances, you have not put them down on this list?

Answer. Yes, sir.

Question. Do you now say you have heard of them?

Answer. Yes, sir.

Question. How many or about how many?

Answer. Not on my list?

Question. Yes, sir; cases of which you had heard the circumstances; but which you did not put on your list?

Answer. Well, a great many.

Question. And you have seen some of these persons?

Answer. Yes, sir.

Question. How many?

Answer. I do not remember now of seeing but two persons. I think there were a great many of that class of cases.

Question. You have seen but two persons of the kind?

Answer. Yes, sir, those were two white persons; I do not generally recognize colored persons.

Question. If it was so general that people who had suffered outrages came to you, why was it that these others did not?

Answer. Those persons mentioned were persons that I was familiar with, and hearing of the affair I have spoken to them of it, or they to me, and many of them have applied to me for employment. I suppose a hundred men have applied to me for employment on my farm. I have inquired where they were from, and why they were here, and have given employment, so far as I could, to the poor colored men here seeking employment.

Question. That is the way you made up your list—from what they told you?

Answer. Yes, sir.

Question. And of the hundred not on your list, and the circumstances of which you do not know, there are only two that you can specify?

Answer. Only two. I do not remember now. I say there are many; I do not remember now of more than two cases that are not on the list, where I could have inquired, and have not. I recollect two cases where I might have inquired, but I did not, and they are not on the list.

Question. Then I suppose as you did not put down the names of persons on this list concerning whom you had heard of outrages, because you did not know the circumstances, that I may infer that all the names put down on this list are cases as to which you did know the circumstances.

Answer. Yes, sir; where I have learned enough of the circumstances to satisfy me of their accuracy I have put them down on the list.

Question. Here is a person named Glover; do you know him?

Answer. I know him; I am not much acquainted with him; I have seen him.

Question. What is his first name?

Answer. I do not remember. I only remember one on the list and that is U. A. Glover.

Question. What were the circumstances of the case?

Answer. He was a young man in Limestone Township, a white man, who had acted as constable for his father, who was a trial justice; he came on with Squire Camp.

Question. What was the wrong done him?

Answer. They took him out and whipped him.

Question. Do you know the reason why that was not on Camp's list?

Answer. That is in Limestone Township. I do not know why it should not be on his list—he is a near neighbor of Squire Camp's, but I presume it is on it.

Question. Here is a person named Nesbit, who is that?

Answer. My recollection is that he was a colored man.

Question. Where does he live?

Answer. I am not sufficiently informed now to remember where he lives.

Question. Is he an old or young man?

Answer. I could not answer you; is it Ned Nesbit?

Question. Nesbit.

Answer. Is there no other name?

Question. Yes, sir. Is there a Ned Nesbit on this list?

Answer. I think there is a Ned Nesbit. It is a very common name in this country—Nesbit.

Question. Is Ned Nesbit's name on this list?

Answer. I would not be positive where he lives.

Question. Do you know in what township he lives?

Answer. I do not.

Question. Do you know to whom he formerly belonged?

Answer. No, sir.

Question. Do you know what was done to him?

Answer. I do not remember now.

Question. His name is Miles Nesbit; now do you know him any better?

Answer. I do not remember the case distinctly.

Question. Here is a person named Brown.

Answer. One Brown I remember to have conversed with—Hiram Brown.

Question. Yes, sir, Hiram; I will not mislead you; there is no other Brown on this list except one, beside Hiram, is there?

Answer. I do not know certainly about that.

Question. Where does the Brown whose name is not Hiram live?

Answer. I do not know. I do not know who it is.

Question. What was done to that person?

Answer. I could not answer it, sir.

Question. Do you know whether this Brown whose name is not Hiram was a man or a woman?

Answer. Without examining the list I could not answer.

Question. It seems to be Minty Brown.

Answer. I have heard of a case of Minty Brown.

Question. Did anybody come to you to report these wrongs, who were not the victims of them?

Answer. No, sir; they did not come to me to report them. I have heard them incidentally from other persons.

Question. What proportion of this list belongs to this class of persons—I mean your portion of the list?

Answer. I do not suppose I have conversed with more than fifty or hundred of the whole number of victims themselves.

Question. How many does your list number?

Answer. Something over two hundred to two hundred and twenty-eight, I think.

Question. I am speaking of your list separate and apart from Camp's.

Answer. I have taken all cases where I thought they were perfectly satisfactory.

Question. I asked you the number of your cases?

Answer. I have a list—a complete list made at the request of Senator Scott. It embraces two hundred and twenty-eight.

Question. How many of them belonged to your list?

Answer. There is no case on that list but has been reported to me by the party, or some other person whom I believed.

Question. Do you include in your statement Camp's list?

Answer. That would embrace what Mr. Camp has made into a list.

Question. Then out of all the two hundred and twenty-eight which are on your list and Camp's, from fifty to sixty are the names of victims who themselves gave you the information?

Answer. I should say from fifty to one hundred that I have conversed with—I would not be definite about it—who had told me that they had been whipped or beaten or shot at or something else.

Question. I have understood, doctor, it may be a misapprehension, however, that these negroes in this county have been so terribly intimidated that they were afraid to tell even that they had been whipped. Is that so?

Answer. I think that is so.

Question. There are from fifty to one hundred that have not been afraid?

Answer. I think that they have all been afraid; it has generally been mentioned cautiously.

Question. They have told somebody?

Answer. They have told it to those they could intrust it to.

Question. Even then third parties that have told you must have heard it originally from the blacks, must they not?

Answer. Yes, sir, or some others; they had some source of information of course. I have known of white men who had been whipped and were afraid to tell.

Question. Then deducting that number which you are disposed to state at from fifty to one hundred who personally reported to you, all the balance are those as to whom you got information from third parties?

Answer. Yes, sir.

Question. You had to take their statements merely?

Answer. Yes, sir.

Question. Who were the most active persons who gave you this information?

Answer. Do you wish the names?

Question. Yes.

Answer. Squire Camp has given me a good many names.

Question. We have his list, and you have included that too?

Answer. Mr. Casey has mentioned names; Rev. Mr. Parker has mentioned some names; Doctor Bryant has mentioned some names.

Question. That must have been since his report to the legislature?

Answer. Yes, sir, since then; and the colored people themselves who have spoken of their cases have mentioned their neighbors.

Question. Here is a person on this list named Wings—do you know him?

Answer. I do not remember that I am acquainted with any Wings on that list.

Question. You do not know where he lives?

Answer. No, sir.

Question. You do not know whether he is the person or whether there was somebody else told you of his wrongs?

Answer. I think Wings is a case that I never conversed with.

By the CHAIRMAN:

Question. Judge Van Trump has asked you whether the people who reported these things to you must not have heard them from the victims; was it not, or may it not have been, a part of the system of these men who did the whippings to report immediately that such a negro had been whipped, for the purpose of intimidating others?

Answer. No, sir; I think the information has generally been derived from the blacks themselves.

Question. Was there a state of intimidation such as to make their communications only in confidence or with timidity, as you say, or was it such as prevented them from giving information to the public authorities?

Answer. I think it was. I think they were not willing to be called up as witnesses before the public authorities.

Question. Do you know the fact that a number of witnesses brought here to testify before this committee gave information for the first time before the United States commission against the person whom they said they could identify?

Answer. I do not know that I could say that I know the fact.

Question. When was Doctor Bryant elected by the democrats to the legislature of this county?

Answer. It must have been in the fall of 1868. He served two years prior to the present legislature.

Question. Was he the candidate on the republican ticket last fall?

Answer. Yes, sir.

Question. What has been the state of public feeling toward him as far as his security is concerned?

Answer. I think there is a very intense prejudice against Doctor Bryant.

Question. Does he remain the same in private character that he did before?

Answer. Yes, sir; he has the same character.

By MR. VAN TRUMP:

Question. Was he the candidate for the renomination by the democrats, and did he fail to get it?

Answer. I do not know that fact?

Question. And he did then turn republican immediately after that convention?

Answer. I have heard it so charged, but I do not know the fact?

By MR. STEVENSON:

Question. Did not the reform party at the election last fall profess not to be the democratic party?

Answer. Yes, sir; they did not profess to be democratic. They called themselves "the reform party," and claimed to be republicans.

Question. So that if he was before their convention it was not in name a democratic convention, but a reform convention?

Answer. Yes, sir; I understood Judge Carpenter, the candidate for governor, to be a republican.

Question. They all then, according to their own confessions, left the democratic party?

Answer. Yes, sir; but I did not know much difference as to the creed. There was a difference as to the practice; so far as I read the papers, they avowed about the same doctrines; they were going to let the negroes vote.

Question. When did the legislature to which he was elected a member in 1868 expire?

Answer. It expired in the spring of 1870. I suppose that if there had been an extra session he would have been a member at any time up to that time.

Question. If he made such a report as has been quoted from to any legislature, it must have been some time during the sessions of the legislature, the last of which ended in the spring of 1870?

Answer. Yes, sir; he was appointed by the legislature elected in 1868.

Question. These Ku-Klux operations to which you have testified began last fall?

Answer. I did not believe in the existence of any such people until last October or November. I discarded it, I believed it to be a hoax, a phantom; I did not believe that there were really any such people.

Question. There were however allegations of violence and charges of Ku-Klux in this congressional district in the election of 1868, were there not?

Answer. I do not remember how that was. I know there were charges of unfairness on both sides in the election.

Question. Was this White Plains Township you speak of the one that you had heard from officers who had been there as the township in which there had been a general whipping?

Answer. Yes, sir; that was White Plains.

Question. What officer?

Answer. C. L. Casey, deputy United States marshal in this district.

Question. Had he gone there with some troops in his late visit there?

Answer. I have never heard him mention it until lately; when I understood he had been there on some official business, what particular business I do not know, if I ever knew.

Question. You are not aware as to whether it was when he was arresting these distillers or not?

Answer. I did not know the occasion of his visit.

Question. What did you hear about that?

Answer. Mr. Casey stated that he went to a particular house, I think it was the house of Mrs. Lipscomb, to inquire for certain parties. He inquired of her if there had been any Ku-Klux there lately. She said there had, and I understood him to say that he had received information from various parties that just a few nights before he was there thirty or forty persons had been whipped; I have understood all through that that township was very much disturbed; but I am not much acquainted in it. I do not remember to have met any person from the township.

Question. What is your judgment as to the number of cases which have occurred in this county from the best information you have, within the time covered by this list which you have presented. You have already stated that you only put down cases that you had evidence of satisfactory to yourself. I want to know what, from all your knowledge, will be your estimate of the total number of persons who have been visited and outraged in this county?

Answer. The cases on my list are principally from some three or four townships. There are twelve townships in the county. In one township I have heard of no case, Reidville Township, that I remember of; I have heard of cases in all the others. I think they are worst in Cherokee and Limestone. White Plains may be nearly as bad, but I have not much information about it. Cross Anchor, Woodruff, and Glen Springs, and formerly some in Fair Forest; I have heard of cases in all these townships except in Reidville. I do not remember of any cases there. My opinion would be so indefinite that I could scarcely venture one. I think the cases have been quite numerous in all the townships except Reidville.

Question. Do you believe that you have got half of the cases that have actually occurred?

Answer. I do not think I have.

Question. And you have over two hundred?

Answer. Yes, sir.

Question. Do you think that it is probable that four hundred cases of outrage have occurred in this county?

Answer. Well sir, it looks incredible, but I cannot avoid the conviction that it is true.

Question. You were asked about the visits of the Ku-Klux to this town. You say they have appeared here twice according to your information, once at the jail, and once when they undertook to take the arms away from citizens of the town?

Answer. Yes, sir; I did not see them in either case; but they were mentioned to me.

Question. Have you any positive knowledge as to who the Ku-Klux are, or where they come from?

Answer. I have no positive knowledge.

Question. How do you know but there may be a Klan in town?

Answer. I do not know, sir.

Question. When you were asked about visits to the town—

Answer. My answer has reference to men that appeared here in disguise.

Question. Do you know where these men come from who visited this citizen's house?

Answer. I do not.

Question. Do you know whether they appeared on horseback or not?

Answer. I would not be positive now; I think I asked. It is natural that I should have asked, and I presume I did at the time, but I am not positive now.

Question. Were there only a few of them?

Answer. He stated to me that there were three who entered his house. He described the men as being very large men, I recollect, and I may or may not have heard whether they were mounted—they were masked.

Question. Is it or not the fact that the perfect secrecy and mystery surrounding this organization increases the terror of it?

Answer. I think it does, especially among the colored people.

Question. You do not know, for instance, but that they may be right here in town?

Answer. That is the difficulty. I have often heard it stated that we do not know who our friends are. I have not only heard republicans, but others say so.

By the CHAIRMAN:

Question. As a part of the current history of this canvass of 1863, which was investigated, and in which Doctor Bryant made the minority report, a portion of which Judge

Van Trump has read to you, let me read another portion of it for the purpose of asking you whether it correctly describes the action of the people of this county against the colored race within eight or nine months past :

"It cannot be denied that many of the poor, ignorant and helpless colored people have been shamefully defrauded and abused ; that they have been despised for a color for which they are no more responsible than for their existence, and persecuted for a freedom for which they are no more culpable than for their color."

Does that describe pretty correctly the conduct of some of the people in this county, at least these disguised men, toward the colored people within the last eight or nine months ?

Answer. I think, sir, there has been a great deal of that feeling ; that the colored people are despised because they are colored, and strangely blamed for being free. They are blamed for it in a sort of mysterious way.

By Mr. VAN TRUMP :

Question. In reply to the question as to the whole number of cases in this county, why did you not follow the example of Doctor Franklin and say grace over the whole tub at once ?

Answer. I do not understand your question.

Question. How many townships does your list and 'Squire Camp's include in this county ?

Answer. The list is made up chiefly of Limestone and Cherokee. There is a township above Cherokee, I cannot think of, on the North Carolina line ; and Glen Springs, Pacolet, Woodruff's, and Cross Anchor.

Question. Is that all ?

Answer. I do not remember on the list any from any other township.

Question. If Limestone has one hundred and eighteen, it has nearly one-half of the whole amount ?

Answer. Yes, sir.

Question. Then you say this township of White Plains, of which you have no account whatever, is about as bad, or nearly as bad, according to your understanding, as Limestone ?

Answer. That is my opinion—that it is about as bad as Limestone.

Question. So that you have seven townships out of the twelve, which you included in your list and Camp's ?

Answer. Yes, sir.

Question. There are five townships in the county not included at all ?

Answer. I do not remember of hearing of any cases in one other township that is not on the list, but from all the rest I have heard of cases.

Question. Why have you none of those numerous wrongs from White Plains ?

Answer. It is a remote township down in the vicinity of Union County and I do not see the people from there often.

Question. How far is it ?

Answer. I do not know. It borders on Union County and is the southeast corner of this county. It is quite remote and the people trade at Union. They do not come here much. I have had occasion to pass through Limestone Township, and the people from that township trade here and come to this town.

Question. If Limestone includes almost half of the entire list, including both yours and Camp's, and White Plains is nearly as bad as Limestone, and in nearly all the other townships in the county except Reidville they have been visited more or less by these men and largely visited as you say in some, would not the number eight hundred come nearer the general aggregate than four hundred ?

Answer. I said to you that I thought Limestone was the worst town in the county.

Question. And White Plains nearly as bad ?

Answer. Yes, from general rumor that township has been greatly disturbed, but I have no positive information in regard to it.

Question. But you did say that according to your best information you honestly believed there would have been of this kind of outrages in this county since the election of last fall four hundred cases ?

Answer. Well, sir, I do not believe that is an exaggeration.

By Mr. STEVENSON :

Question. Is it not true that Limestone is the only township that has been thoroughly canvassed ?

Answer. Yes, sir ; that is true. Mr. Camp, my neighbor there, and having a plantation also, and going back and forth, and I occasionally going there myself, I have had more information from it than from any other township, and, moreover, many colored people have come from that township to work on the railroad.

SPARTANBURGH, SOUTH CAROLINA, July 15, 1871.

L. M. GENTRY sworn and examined.

By the CHAIRMAN:

Question. You reside in this place?*Answer.* Yes sir.*Question.* Have you been acting as one of a committee appointed by the democratic citizens of this place to assist in preparing and attending to this investigation—to prompting the committee with anything that it might be thought proper to ask the witness?*Answer.* Yes, sir.*Question.* One of the witnesses sent by you before this committee, or one of the witnesses called before this committee, I will not say sent by you—Dr. Robert M. Smith—has given testimony, of which I cannot recall the exact words, but the substance of which is that you have stated that an offer was made of \$2 a day and mileage of 10 cents a mile, which would be paid to all negroes who would come in and swear to having been outraged?*Answer.* Let me hear that again.*Question.* Dr. Smith has testified in substance that you have stated that an offer of \$2 a day and mileage had been made to all negroes who would come in and swear to having been whipped and outraged. I wish to know your authority for that statement.*Answer.* I will tell you how I heard it. I don't remember to have told Dr. Smith or any one about that. I may have been speaking about it. I heard such a thing as that, that on an occasion, going up in this up-country with some of the United States soldiers—I think it came from a soldier—in which he stated that Mr. Casey, who is now United States deputy marshal here, was telling the people as he went along—the white men—that is the men he came in contact with, that Mr. James Russell and Tom Davis had confessed to being Ku-Klux, and they had just as well own up and come in at once; and that when he met the negroes he asked them first when they had been whipped. If they said not, he said, "Go on down to Spartanburgh and you will be entitled to \$2 a day and ten cents a mile for going and coming," or something to that amount. One of the soldiers told that, I understood.*Question.* Tell us what soldier told that Mr. Casey said that.*Answer.* That I can't tell you. I can find out the name.*Question.* Did any soldiers tell you?*Answer.* No, sir; it is only hearsay, and I don't know that I said it to Dr. Smith.*Question.* Do you undertake to say here that you have no knowledge authorizing you to say that Mr. Casey did offer a reward in that form to induce negroes to come in?*Answer.* I do not, sir.*Question.* Do you wish it to go in the testimony, with your sanction, that Mr. Casey did make any such offer to induce negroes to come here and testify?*Answer.* I don't, because I don't know. That is only hearsay in the street.*Question.* I wanted to give you an opportunity, as the managing member of the committee in this town, to state whether you desired that that assertion should remain on the record as coming from you?*Answer.* No, sir; I don't want to say it. I can get the name of the party that told it, but that is only hearsay.*Question.* Then the only source to which such a statement can be traced is by hearsay to Mr. Casey, the deputy marshal?*Answer.* Yes, sir; this is what I understood the soldier said when he came home, that Mr. Casey said, "You had better confess and come down, because Tom Davis and Jim Russell have confessed." He said you had better come down, &c.*Question.* That is the statement you heard as coming from a soldier?*Answer.* Yes, sir; from some soldier who had told it when he got home. I don't know his name now.

By Mr. STEVENSON:

Question. You said you were one of the committee to prompt this committee in the examination of witnesses?*Answer.* Yes, sir; I believe that is the understanding of the citizens here. I was only requested that if a witness was called up here, and I knew of a question that would be proper to be brought in, to submit it.*Question.* Was it not also a part of your duty to furnish to members of the committee, to one member of the committee at least, the names of witnesses to be called?*Answer.* No, sir; that was not my duty.*Question.* Have you suggested the names of witnesses to be called?*Answer.* I did yesterday evening. I said this: that I thought as long as they had the legislative members it would be better to take D. R. Duncan next and Joel Foster and go regularly through, because that would be kind of linking. I thought it would natur-

ally be permitted by the committee to call them in connection, from the fact that they would tell pretty much the same thing.

Question. I do not wish to be understood as having objected to your furnishing the names of witnesses to the committee.

Answer. No, sir; I did not suppose so.

Question. One thing I would like to know, why, having had the assistance of citizens such as yourself, the names of some persons have not been given us who know something about this Ku-Klux Klan.

Answer. I can't tell you about that.

Question. From inside of it, I mean?

Answer. Yes, sir. I had no idea at all that as many had been visited by Ku-Klux as I have seen up here. When these witnesses came, half of them I didn't know and could not suggest. I didn't know where they were from. I did ask a few of them.

Question. I do not understand that you have suggested the names of witnesses who would prove outrages?

Answer. No, sir.

Question. But rather the names of those who have for the other view of the subject?

Answer. I didn't know them and couldn't do it.

Question. Have you not heretofore heard the names of persons who were suspected or accused of being connected with the Ku-Klux Klan?

Answer. I heard at one time that this uncle of mine, J. P. F. Camp, the treasurer, said he only knew the names of three in town, and these were myself, first, Colonel J. H. Evans, and a brother-in-law I have here, B. F. Camp. These were the only three he knew of.

Question. Where does your brother-in-law live?

Answer. He boards with me. He is in the blacksmith shop in which I am engaged also.

Question. He has not been called?

Answer. No, sir.

Question. Neither has Colonel Evans.

Answer. He can be. He is right here; and either of them can be if you desire it.

Question. I am asking you as to what has been done.

Answer. Neither has been called.

Question. Have you not heard that either your brother-in-law or your nephew, I forget which, who lived down in Limestone Township, have been accused of belonging to this Ku-Klux Klan?

Answer. I learned that from Mr. Poinier just before the last election. He showed me the name of a brother-in-law of mine.

Question. And told you he was going to arrest him that night?

Answer. Yes, sir.

Question. That night you went down to see your brother-in-law?

Answer. Yes, sir. I didn't go to see him. I saw my father-in-law and brother-in-law.

Question. Did you tell them what you had heard?

Answer. I asked them if Mr. Poinier and Mr. Fleming and Mr. Bankard had been there. They said not.

Question. How far is that from here?

Answer. Eighteen miles.

Question. What time did you start?

Answer. About sundown, I think. Perhaps my horse got in a little before sundown. I didn't have him unsaddled; he had been hired out that day.

Question. How did you go?

Answer. On horseback.

Question. When did you get back?

Answer. I got back next morning when the sun was half an hour high.

Question. You rode all night?

Answer. Yes, sir; except when I stopped at Scrugg's.

Question. You rode thirty-six miles that night?

Answer. Yes, sir. I had an appointment next day by the citizens here to go to Walnut Grove, twelve miles, and make a speech.

Question. Did you go down and notify your nephew or brother-in-law—which is it?

Answer. My brother-in-law.

Question. What is his name?

Answer. Clayton Camp.

Question. Has he a brother?

Answer. He has a brother named Peter, younger than himself.

Question. You went down to notify them of the fact that Clayton was to be arrested?

Answer. I will tell you my object. Mr. Poinier can tell you what I told him. I got there about 11 o'clock, or half-past 11 o'clock, and stayed until about 2 o'clock. I tied my horse out to a cedar tree. They are living by the forks of the road. There is a cedar tree there that I hitched my horse to. They were all asleep. My father-in-law

got up in his night-clothes, astonished to see me. He made up a light, and I asked him if these men had been there. He said no. I told him they would be there that night; that I guessed it was about time for them to be there, for they told me they were going to arrest all of them that night; but if they went to arrest the others first they would not get there for some time. He made up a fire, and the old lady came out in her night-clothes, also, from an adjoining room and sat down. I stated the accusation that Clayton Camp had been engaged in Ku-Kluxing on the Sunday night previous. I believe this was Monday night.

Question. That was in the Champion case?

Answer. Yes, sir; they assured me there was nothing of it; that my brother-in-law could not only establish that he was at home, by every member of the family, and went to bed, but that Mr. Summy, of Lincolnton, North Carolina, had called there and staid all night, and my brother-in-law and Summy were together and had walked out into the room just about the time the Ku-Klux came past. They got water at the well. It was just about bed-time, I think 9 or 10 o'clock. That was what they said to me. I told them my reason for coming there was that Mr. Poinier, Mr. Casey, Mr. Bankard, and Mr. Moon, I believe, were all tight, or pretty tight, when they started; that I had seen them buying two or three bottles of whisky from Mr. Schoppaul. I had not thought of coming before that, but thought they might get into a scrape if these men came there drunk, and said that if Clayton could not get security to satisfy them, to go peaceably to Spartanburgh with them. These people can tell you all this to satisfy you, if you desire it. I so told them. When I left, at 2 or half-past 2 o'clock, I told them if they came to have no resistance, but tell Clayton to come on. I would stand for him myself, or could get one to stand for him. I was on a pledge not to go on a bond for security as I had an old sheriff's bond over me.

Question. Are you an officer?

Answer. No, sir; but the bond hangs on me for twenty years.

Question. Not for any misconduct?

Answer. O, no, sir.

Question. You had heard that your brother-in-law had been in the Ku-Klux operation?

Answer. Mr. Poinier told me that and showed me the list down in the stable here.

Question. You never suggested that he should be called as a witness here?

Answer. Clayton Camp?

Question. Yes, sir.

Answer. No, sir; I have not. I don't know anything he could state.

Question. Did you suggest the name of Mr. Lyle?

Answer. I did not. I don't think I did. I perhaps might have suggested his name, as he was a legislator. I don't know, but I don't think so.

Question. Why did you suggest that he should not be called after an order had been made for his subpoena?

Answer. Only because I was told by Judge Van Trump that he could not have so many witnesses to prove the same thing, and Mr. Duncan was living in town, and Dr. R. M. Smith was up here, and I suggested to Peter Camp, who came to summon me as a witness, that there would be no use in his riding twenty miles for a witness when Bob. Smith, who could prove the same thing, was here. I don't know any other reason.

Question. Have you, as a member of this local committee, made any effort to ascertain what witnesses would probably give us the truth on the inside of this organization, and to have them subpoenaed here?

Answer. Well, now sir, I would have liked for you to get the truth, and I think I have tried to have you get it. I desire it. If I have used any effort at all, it is for this committee to get the truth.

Question. Did you not know that Mr. Lyle was accused of having violently interfered with the election at his precinct at the last election?

Answer. I heard that. I heard that he was accused of going to the Cherokee box. I have heard that this week. I don't think I ever heard that before this week or last, at any rate after the committee came here, that Mr. Lyle was accused of going there with arms, a gun or pistol, to that box.

Question. Was he accused of going there and interfering in a violent and menacing manner?

Answer. I had heard that he had been there with a gun, without knowing what he said or did. I was astonished to hear that, too. I had heard from James L. Scruggs, who lives near the box, previous to that election, that Lyle had given Mr. Blackwell a good deal of honor, for he was the conductor of the election and acted that day. I was astonished to hear that Mr. Lyle had carried a gun up to the place of election, after hearing from Mr. James L. Scruggs what Mr. Lyle had said about him.

Question. Do you know how Mr. Lyle got notice that he was wanted here as a witness?

Answer. I cannot say, sir. I think I told James Petty when he was up here that Mr. Lyle would be summoned, I guessed, because he was a legislator.

Question. Does Petty live near there?

Answer. About a mile and a half, or two miles, from Limestone.

Question. When did you tell Petty?

Answer. I can't remember. I think it was the first of this week. He was asking me if any of their people were required. I told him, yes; I thought we would have to have two or three good citizens. I understood there would have to be two or three good citizens from the neighborhood to tell the status of the neighborhood; and as they had had a good deal of trouble in their neighborhood, and there was evidence coming up here, I presumed they would have to have a showing, and they would want the best men in the country to come up here. I don't remember to have said anything to anybody else about it.

By the CHAIRMAN:

Question. I will state, in that connection, that the officer I sent to subpoena Mr. Lyle reports, by affidavit, on his subpoena, that Mr. Lyle left yesterday morning, with his family, for North Carolina.

Answer. I had not heard of that, sir. I can't give that credit, exactly.

Question. That is what the officer swears to.

Answer. Then I would not say a word, if he knows it. I know nothing about it. I have had no communication with Mr. Lyle.

Answer. You had not ridden there between two sons, as you did to notify your brother-in-law?

Answer. No, sir; one trip down there is the only one I have had, and that is the one you have taken down, sir.

Question. Did you ever serve any notice, or send any, to your uncle, Mr. Camp, in the nature of a warning to leave?

Answer. I never did, sir, in my life, nor had anything to do with one, nor do I know that he ever got one. I heard that he had taken a scare, but I didn't understand that Camp had gotten a notice; but he said they had an idea that the Ku-Klux were coming. He got scared and staid out at night. I can say I didn't send him any.

Question. Do you not remember of his accusing you of sending such a notice?

Answer. I didn't know he accused me.

Question. Did he not accuse you of that to your face?

Answer. No, sir; he didn't. I know Mr. Camp is not friendly with me, sir. We don't speak together when we meet.

Question. Where were you on the night of the Unionville raid?

Answer. I can't exactly remember; sir; but I know I was either at the stable here on this street, or at my house. I don't remember the date.

Question. At both times?

Answer. I don't know how long it was, but I didn't hear of one of them until way afterwards. I couldn't give the date of either one.

Question. Did you not ride out of town on the night of one of those raids?

Answer. I can't say that. I did ride out of town, and was informed by the deputy United States marshal next morning, when I went up to pay the revenue tax of Dr. Kilgore, Mr. Casey had sent him notice, and A. B. Woodruff handed me the notice and wanted me to attend to it. Next morning I called to Mr. Casey's office to pay the revenue tax for Dr. B. F. Kilgore. There had been a good deal of talk and excitement about these guns coming here, and our people had been exercised a little about it. It produced general excitement that they were sent here to be put in the hands of the negroes. When I got in there Mr. Casey was arranging these gun-boxes. There were two or three of them that were, if not empty, nearly empty. There were two or three guns standing over in a corner. I asked him what in the world he was doing with those guns, and I said I thought they had produced more trouble than anything else, and I was sorry they ever came here, and asked him what was the matter. He said, "They made a raid on me last night, and the devil could not have kept them out." I asked him who made the raid, and he said the citizens. I asked if he meant the white people or negroes. He said they made a raid; he didn't tell me who, whether whites and blacks together, or blacks or whites. That is about the way I got it, and, says he, "They were after you with a sharp stick last night." These, I think, were his words. I said, "I don't think so, for I don't think I have given them any cause; I have had nothing to do with the trouble here." He spoke about my riding out of town. The circumstances are these: I was informed that an iron wedge my boys had had up in the woods splitting wood had been lost. I had loaned one to Mr. Livingston Bird, a railroad contractor, living on my place. I went down to the stable late at dusk to get my mare to go after this iron wedge, and Mr. P. W. Farrar said to me that he would have to go without his supper until he went to get it. He said that the other boys had gone. I was a little vexed at that, and told him that I thought I had hands enough there to take it time about to go and get something to eat, without me staying there at that time of night. I waited until he went about half a mile, I suppose, up to his house, and came back, and I got on my mare then and rode pretty fast around the corner, and when I got above the Walker House I missed my colt, and came back, and found

it had gone to Dr. Kennedy's gate. I went around the corner of Colonel Leggs's place, up here by the depot, where I turned to go to the farm. There I missed my colt. It had stopped a while at the little blacksmith shop. I went over here where a tenant was building a house, and fell in with him, and talked with him about a quarter of an hour, and then went up to Livingston Bird's shanty and talked there. They sent down to the creek for the wedge, and I got it and went home. I walked up by the college.

Question. What time of night was that?

Answer. I got home, I think, about 8 o'clock.

Question. You were only going out for an iron wedge?

Answer. No, sir; only that. This thing has been talked about a good deal, about the man that hunted the iron wedge at night. I told Mr. Casey about it; that it was very strange any man would suspect a man just going to the corporate limits.

Question. You knew you were suspected in connection with the Ku-Klux?

Answer. Mr. Casey stated that.

Question. You knew that your brothers-in-law were accused here?

Answer. Only from what Mr. Poinier told me about Clayton, and I had heard my uncle in town had said he only knew of three men, Colonel Evans, and Mr. B. F. Camp and myself. I never heard a word of it myself, but heard it as common talk on the street that he had said that.

Mr. VAN TRUMP. In view of the question asked by Mr. Stevenson about this local committee here in town, I will ask you a question.

Mr. STEVENSON. My object in asking about the local committee was to know why we have not had somebody brought before us through whom we could get at the inside of this organization.

By Mr. VAN TRUMP:

Question. Has the action of this committee been more than to furnish the names of witnesses?

Answer. That is all.

Question. Is it not a fact that there were very few questions sent to me to be put in the examination of these witnesses, and did I not complain that enough attention was not paid to that matter?

Answer. You did, sir, and said we were not attending to our business.

By the CHAIRMAN:

Question. I am requested to ask you this question: Did you not say to B. F. Barnett that he and George Setzler had better come out in the Spartan and renounce the republican party, for the Ku-Klux Klan were going to take the country, and it might go very hard with them both if they did not, and that you did not regard this little garrison here very much?

Answer. No, sir; I said this to Mr. Barnett. Mr. Barnett is a very clever man. I talked with Mr. Green; they are special friends of mine. That is Mr. Berryman Barnett.

Question. What did you say to him that you desire to explain?

Answer. I have said to them that I thought this was just an opinion I was giving them as friends; that I thought they were mistaken in the position they were taking here; that I thought this Government was a white man's government, and if we didn't do one thing in the South the white men of the North never would allow any State in the Union, and I thought the sooner they would leave off the party they were voting for the better it would be for them.

Question. You did not state anything about renouncing in the Spartan newspaper, or that the Ku-Klux would rule the country?

Answer. No, sir; I never said anything of the kind. I claim these soldiers here as much as anybody else. I think they are for my protection as much as anybody else.

AGREEMENT.—It is agreed by the committee that it shall be stated on the record as a fact, that citizens of Spartanburgh, on both sides, furnished the names of witnesses to facts to be inquired into during the investigation.

SPARTANBURGH, SOUTH CAROLINA, July 15, 1871.

C. L. CASEY sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?

Answer. In this town, Spartanburgh.

Question. What office do you hold?

Answer. I am deputy United States marshal in this county.

Question. How long have you held that office?

Answer. For almost two years—two years in October.

Question. How long have you resided in this county?

Answer. I was born and raised in this county.

Question. As United States deputy marshal have you traveled through most of the county?

Answer. Yes, sir; I have traveled over the whole county within the last two years.

Question. Did you go out to serve the subpoenas on the witnesses who appeared before this committee?

Answer. I went out to serve some on those fellows in North Carolina—the Splawns and Skip Price—but they were not in the direction I thought they were. They had moved to another place.

Question. When was that?

Answer. It was this week some time, I believe, or last week. I think it was the last of last week.

Question. State if you said anything on the subject of paying witnesses who came in here. If so, state what it was.

Answer. I was after a number of those stilling cases—the witnesses in those cases. They were in that country. That was my object in going, and I was getting these other witnesses from Rutherford, North Carolina. I had the names of over forty witnesses, over in Limestone Township and that county, for illicit distilling.

Question. Had the Sergeant-at-Arms furnished you any names of witnesses to appear before this committee?

Answer. No, sir; only the Splawns and Price.

Question. State what you said, if anything, on the subject of the pay of witnesses who appeared before this committee?

Answer. I said to these parties, "If you will come in and give testimony against the distillers—" I said, "When the Ku-Klux were here didn't they come to the still-houses?" They said, "Yes; they were drinking." Says I, "If you come in and tell on them the law pays you the same as if you were a witness in any case. You get \$2 a day and 10 cents a mile." Some of them lived twenty-five miles from here, and some not so far, and some farther. My purpose was to get them to come in. They are people that would not come in easily.

Question. Was that all you said?

Answer. Yes, sir; except there was one man that was called. He asked me about his pay, and I told him it was \$2 a day; and he told Mr. Dewberry—that is the sheriff—and he says to the negro, "That is better business than if you were at home."

Question. Did you at any time hold out as an inducement for negroes to come here, that they would get \$2 a day if they would testify?

Answer. No, sir; but we have summoned witnesses before our court several times, and the witnesses would not come in for fear they would be killed before they could get away. I have been sent for them several times, and they would not come, and they could not come, and when witnesses got here they had to wait. The witnesses here I have kept every day since Saturday week, and I would tell them, "You will be called soon; and if you don't stay," I said to these parties, "Mr. Poinier says he will arrest you." I was determined to have them.

Question. Did you take any other measures to get the witnesses here before this committee?

Answer. No, sir; it was only to get witnesses to appear before our commissioner's court.

By Mr. VAN TRUMP:

Question. Were not this Splawn and Price witnesses to appear before this committee?

Answer. Yes, sir. They were not in the direction which I expected to find them. They were away.

Question. Still you had these names along?

Answer. Yes, sir; but I didn't summons them.

By the CHAIRMAN:

Question. You did not summons them?

Answer. No, sir.

Question. Will you look at a list of persons outraged, furnished here by Dr. Cummings? [Submitting to the witness the list, which will be found in Dr. Cummings's testimony.]

Answer. This is a list of parties outraged. I have seen this list before.

Question. Have you examined the names on that list?

Answer. Yes, sir; I have run through the names once or twice; but a good many of them I don't know. A good many of them I do know. I have seen the backs of a great many that have been whipped, but I forgot the names, because it became so common a thing that I didn't pay any particular attention to it.

Question. From the information derived by you in riding about the county, do you believe that that list contains the names of all those who have been whipped?

Answer. No, sir; only a small portion of three townships. I don't have reference to portions of the county below here. In Cross Anchor I don't know how many there have been. Some have been killed. Two have been killed in that township.

Question. Do you know what township these cases are in?

Answer. Yes, sir; they are in Glenn Springs, Limestone, Cherokee, and White Plains, and a few in Campobello. Some two are from Woodruff's; three are from Cross Anchor. That is all I see now that I know, that have their names here.

Question. How many persons have been killed in this county that you know of?

Answer. Two were killed in Cross Anchor Township.

Question. Who?

Answer. Aaron House and Bob Holcomb, a colored man. He was the same as killed; he was hanged.

Question. When was that?

Answer. In the fall or winter of 1865.

Question. But I am speaking of cases occurring within the last year?

Answer. Only two: Anthony Johnson and Wallace Fewler, and one woman up here frightened so she died. Another was found dead near Cowpens, but they didn't know whether she froze to death or what was the cause of her death.

Question. How many persons, according to your estimate, have been whipped in this county?

Answer. Well, sir, I believe there have been near five hundred men whipped in the county, if all were taken up. A great many have been whipped that will not tell it. You can't get it from the men themselves. I know in some of the townships there have been numbers whipped, where here on this list you only see one from two places and three from another.

Question. Have you ever met these men in disguise yourself?

Answer. I saw them last winter here in town.

Question. When they made the raid on the jail?

Answer. Yes, sir; they rode under the window of the room where I was sleeping.

Question. How many were there?

Answer. About twenty or twenty-five.

Question. Is that the only time you have seen them?

Answer. Yes, sir.

Question. Has there been any time here when, as a United States officer, you could execute your process with safety without the assistance of troops?

Answer. It has been that way ever since last January a year ago. There has been no chance to execute the laws here without the assistance of the military force.

Question. What class of process do you refer to?

Answer. To United States process.

Question. For what?

Answer. For illicit distilling, process for collecting internal revenue, and one thing and another.

Question. Have you had any process for persons in the Ku-Klux business since the Ku-Klux bill was passed?

Answer. I believe a few have been issued for Ku-Kluxing.

Question. Has the state of affairs improved since that so that you can arrest these parties?

Answer. No, sir; it is worse. I was threatened, not a week ago, to be shot on the streets. Parties sent me word that if I would come out in their section they were ready. I went out with only ten men, up here after these distillers, and these parties up there were going to kill us all the first time we came in there. But they didn't venture on us that night, because we didn't get there until late that night and they didn't have time to organize.

Question. To what extent have people slept in the woods?

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 corn-field 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.

By Mr. STEVENSON:

Question. You spoke as if you had some apprehension when you were out with ten soldiers?

Answer. Yes, sir.

Question. Did you suppose they would attack soldiers?

Answer. Certainly; they did do it.

Question. When?

Answer. On the 11th of January, 1870. They attacked us at Cowpens, about one hundred or one hundred and fifty strong, on eight soldiers and five officers. They shot three of our horses.

Question. That was last year?

Answer. It was in 1870. It was a little more than a year ago.

Question. That was the case where the marshal had a prisoner captured and had to give him up?

Answer. Yes, sir.

Question. There has been nothing of the kind since, has there?

Answer. No, sir, nothing since that.

Question. Are you a member of the Loyal League?

Answer. Yes, sir.

Question. Have you a copy of the oath?

Answer. No, sir, I have not.

Question. Can you get a copy of it?

Answer. Well, I expect I could, maybe, here at the post office, but I don't know. It has been a year or such a matter that they have not had any such meetings.

Question. I understood that you could furnish the committee with a copy?

Answer. Perhaps I can. I never had a copy myself.

Question. We want it?

Answer. I will get one if I can in town for you. If there is not one in the post office I don't know where there is any.

By Mr. VAN TRUMP:

Question. You say you have examined that list?

Answer. Yes, sir.

Question. Have you examined it thoroughly?

Answer. Yes, sir. I looked over all the names yesterday or day before.

Question. Do you say that list is confined to three townships?

Answer. It is confined mostly to one. Almost half of these are from Limestone Township; some are from Pacolet, some are from White Plains, some are from Cherokee, a few from Campobello, two from Woodruff's, and three from Cross Anchor.

Question. You did say the list was confined to three townships?

Answer. Yes, sir, all but a few.

Question. How many are outside of those?

Answer. There are a good many in Pacolet, some in this town, and some in White Plains. The larger portion are in Limestone; some are from Cherokee, a few from Campobello, two from Woodruff's, and three from Cross Anchor.

Question. How do you know there are only two from Woodruff's?

Answer. I know every man in that township. I was born and raised there and took the census there.

Question. Do you know every negro there?

Answer. Yes, every man.

Question. Do you know them when you meet them?

Answer. Yes, every one of them.

Question. Can you distinguish one from another?

Answer. Yes, sir. I have assessed them twice and I have taken the census there once. Unless it was some man that happened to drop in lately, I know every man.

Question. How do you know this list is confined to those three towns, when you say there are a great many cases you don't know?

Answer. Men told me they knew these parties, where they lived.

Question. But you are testifying of your own knowledge?

Answer. I know they didn't live in these other towns, Cross Anchor, Reidsville, and Fair Forest.

Question. How many do not?

Answer. I don't know exactly, but I know that I gave in the names from Woodruff's and Cross Anchor here myself. I said it was no use to give that in.

Question. You say all the names on the list, but a few, belong to three townships?

Answer. Yes, sir.

Question. Now you say a great many names are there of which you do not know where they belong?

Answer. No; I say I have seen a good many names in this town and didn't know the parties; but these parties that told me have seen them; other men that live in these townships have told me that they saw these people there. There are no names furnished from Woodruff's and Cross Anchor but the five, for I put them in myself.

Question. Outside of that list, have you kept any memorandum yourself?

Answer. I did for a while take some when this thing commenced.

Question. When did you begin?

Answer. About December last. The day after the election I went from here to Cross Anchor, because they had threatened out there to shoot the manager, and said they should not allow an election. The whippings commenced the next day. I kept a note of it for a while; me and Mr. Poinier. We put down this and that, and I said afterward, "Everybody in the county is going to be whipped and I will not go on any farther."

Question. When did you come to that conclusion?

Answer. Some time last April, I think.

Question. How many were on your list?

Answer. There were then only eighty-five on, all we had.

Question. Have you seen any other list but what you kept and this list?

Answer. No, sir; these lists are all the lists I have seen.

Question. How do you come to the conclusion at a jump that you believe there are five hundred cases of violence in this county?

Answer. Because there are a number of townships from which there are few or no names here, and where I know the whipping has been going on to a great extent.

Question. But you say there are a great many cases here of which you do not know where the parties are?

Answer. There are many persons on this list I don't know, but they say they live over in this country, where I am not much acquainted. I have only just been through there.

Question. How do you come to that conclusion if you have seen no other list but that one and the one you kept? I suppose the list that you kept is pretty much included in that list?

Answer. No, sir; I kept a list myself of Cross Anchor and Woodruff's.

Question. Are they included in that list?

Answer. No, sir, only five of them. I kept a list from Cross Anchor to Woodruff's because everybody knew me from there. The colored men came to me from there for some time. From other places they reported to others. From all around they reported to Mr. Cannon because he was postmaster.

Question. Of this eighty-five cases received by you how many did you see?

Answer. Not more than twenty out of the eighty-five.

Question. How did you get the balance?

Answer. They would come and tell me, "I was whipped, and this one and that one."

Question. Not the negroes who were whipped?

Answer. Yes, sir; they would say, "I was whipped, and so many others."

Question. But that was only twenty?

Answer. Yes, sir; but they reported that so many others were whipped the same night. That is the way I got my information about it; whether the balance were whipped or not I do not know of my own knowledge.

Question. Did you know all these negroes to be men of truth?

Answer. Some of them might lie, but their backs showed it.

Question. But you could not see more than twenty backs?

Answer. No, sir; I don't know that I noticed twenty backs.

Question. Did you see the backs of all of the twenty?

Answer. I expect I did see twenty.

Question. Then you are satisfied that the twenty had been whipped; but how could you tell about the others that they reported? Could you tell all of them?

Answer. No, sir; they just reported, "I was whipped, and so many others were whipped at the same time."

Question. You speak of Aaron House and Bob Holcomb, killed in 1865. Was that by Ku-Klux?

Answer. Yes, sir; by disguised parties.

Question. Then these Ku-Klux commenced in 1865?

Answer. Yes, sir; these two were killed.

Question. Were they then called Ku-Klux?

Answer. No, sir; they were disguised men.

Question. What were they called?

Answer. Slickers, in those days.

Question. Any other name?

Answer. No, sir.

Question. Were they not called bushwhackers?

Answer. No, sir; they reported themselves Slickers.

Question. What did Slickers mean?

Answer. I don't know. They would just go about hanging. God! they killed in those days. They killed two negroes there.

Question. Did these Slickers go disguised?

Answer. Yes, sir.

Question. Were they disguised like Ku-Klux?

Answer. I don't know. I heard they had some kind of faces. That was the testimony in the coroner's inquest.

Question. How did you find out how many had been whipped?

Answer. They would say so many have been whipped that have given information. There are many more have been threatened. I went to a house within ten days and asked them if they had been whipped around there. A white woman told me that they had been whipping on her place. Mr. Poinier and me were there. They didn't like to own up, but we got it out of them after a while. They owned the place.

Question. You coaxed it out of them that they had been whipped?

Answer. They just owned it. He says if she says it is so, it is so.

Question. How many were there?

Answer. Three were whipped there and there were two at another house.

Question. In cases where you were not so fortunate as to have a white woman to tell you, how did you get at it?

Answer. They generally came and told that they had been whipped.

Question. Then what makes you think there are a great many besides this five hundred?

Answer. They are afraid to tell, for fear of being killed.

Question. How many are there of that kind?

Answer. A good many.

Question. How many?

Answer. There are ten or twelve in a town, anyhow.

Question. Then there would be one hundred and fifty in the county, averaging at that rate through all the towns?

Answer. Yes, sir.

Question. Do you think there are one hundred and fifty more cases of whipping, but not known of?

Answer. Yes, sir; I would not be surprised at it.

Question. Is that what you mean by a great many?

Answer. Yes, sir; that is a good many.

Question. What makes you think there are ten or fifteen in a town?

Answer. They would come here and want to see me privately. I would say, "Go to my office." They would say, "I don't want to go there; other people are watching me." There was one white man came in here, and it took half a day to get him around. Then we had to take him into the post office to get to look at his back.

Question. What white man was that?

Answer. I can't tell his name. He was from Pacolet. Enoch Cannon gave him in.

Question. You could not get him into your office?

Answer. No, sir.

Question. Where did you see him?

Answer. I got him around back of the hotel, and into the post office that way.

Question. How did you know he was whipped?

Answer. He sent word by a colored man that he had been whipped.

Question. What colored man?

Answer. I don't know.

Question. He was not afraid to trust the fact that he had been whipped to a colored man, who was to come down and tell you, and yet was afraid to tell you himself?

Answer. Yes, sir; the negro had been whipped before that himself, and they told him that if he told it they would kill him.

Question. This white man first sent word to you by a negro that he had been whipped?

Answer. Yes, sir; a week before this. I hardly believed he had been whipped, because he told me they first took him out and drew a little switch across him three or four times, and said they would come back and give him hell. They said, "If you let it be known I will kill you."

Question. Then he had been whipped before this?

Answer. Only a switch drawn over him.

Question. But the second time they whipped him they did not threaten to kill him?

Answer. The second time they whipped him they told him that if he told it they would kill him. They told him he must denounce his party, and if he didn't do it they would give him hell; and the next time they gave him one of the worst sort of whippings. They said, "Now, you tell this and we will kill you." He was summoned as a witness in court on Monday and would not come. The parties had him summoned, but could not get him here.

Question. What was his name?

Answer. I can get his name soon. He lives close to Pacolet. It is not Vandiver, but something near that name.

Question. You say that since the election of last year you cannot arrest these parties without troops to assist you?

Answer. I cannot go into some sections without troops. There are some places below here where I can go if I do not go too far off. In Limestone, Cherokee, Pacolet, and Campobello I would not risk my life, because I have received numbers of notices.

Question. Have you those notices?

Answer. No, sir; I don't suppose any of us kept those notices.

Question. Were they written notices?

Answer. Yes, sir. After Fleming and Poinier got one they published it in the papers. We kept them a while and then tore them up.

Question. What did you do with yours?

Answer. I tore it up. They did not do me any good.

Question. How many were there?

Answer. Three or four of them. One gave me notice to resign and leave the county immediately. Dr. Cleveland asked me if I had not received a notice to resign. I was just passing along by.

Question. It had been spoken of before that?

Answer. He was the first man I heard mention it, except that I knew it myself; I had received the notices.

Question. Was that the first one you had received?

Answer. No, sir; I had received one before that.

Question. You had talked of it?

Answer. Yes, sir; that was at Cross Anchor. When I lived there I would not take a letter out of the post office because it was a notice. I told the postmaster when a letter came to me to send it to the dead-letter office.

Question. How many came?

Answer. I may have taken out half a dozen letters.

Question. Were they all notices?

Answer. Yes, sir; they were notices that they were going to run out scallawags and carpet-baggers. I got three here.

Question. That would be nine or ten in all?

Answer. Yes, sir.

Question. You said three a while ago?

Answer. I got three here in this place. I got my mail down in the lower part of the county; but these things were coming, and I said, "Just send them, after this, to the dead-letter office."

Question. Since you have been deputy United States marshal have you attempted to make an arrest and been resisted?

Answer. I attempted to make an effort, but parties said, "You can go down and arrest us for violation of the election laws, but you will not get to the court-house."

Question. Who said that?

Answer. Milton Davis said those words. Down there when I was moderator they charged me up at the door, and got five or six democratic negroes to push over the table. They had told them, "I will give you forty acres of land to go in and vote the democratic ticket." Men that said this hadn't forty acres of land themselves.

Question. Who said that?

Answer. John Ferguson told a negro, "I will give you forty acres of land and a mule to vote the democratic ticket."

Question. When was that?

Answer. That was last April a year.

Question. Was that the first time you heard of forty acres and the mule?

Answer. No, sir; I heard democrats here say Grant and Lincoln were going to do it.

Question. Did you hear about the forty acres and a mule then?

Answer. No, sir; but Lincoln, they said, had promised forty acres and a mule before he was killed.

Question. Was it democrats only that said that?

Answer. Yes, sir; I never heard a republican say it, and I never heard of a democrat being touched in the country.

Question. Do you call that a threat, offering a negro "forty acres of land?"

Answer. No, sir; but I never heard of a democrat being threatened in the county.

Question. I didn't ask you for that.

Answer. I say this violence was committed on these negroes, and they told them they would get forty acres of land, when the men that said it had not forty acres of land. Everybody went around and told the negroes, "You will get forty acres of land and a mule." That was the common cry throughout the country.

Question. How many democrats offered the negroes forty acres of land and a mule?

Answer. I never heard but three or four about Cross Anchor. I have heard it thrown up to the republican party down there, "You are voting forty acres and a mule."

Question. How came you to bring that into your testimony in the midst of an examination into other facts?

Answer. Because it happened right there.

Question. Were you up there arresting them?

Answer. It was that day I told them they had better mind or they would be interfering at the governor's election. They said, "You never mind; by God, we will show them they can't take us to the court-house."

Question. In the midst of that scene, while you were arresting them and they threatening to kill you, did that question of the negroes being offered forty acres and a mule come up?

Answer. This had been first. This was before that.

Question. Why did you skip back to that?

Answer. I tell you this was at the April election.

Question. What did you go back to that for?

Answer. To tell you what I had heard.

Question. I was not inquiring about forty acres and a mule.

Answer. I thought you were.

Question. How many democrats did you hear that from?

Answer. Only from those at Cross Anchor. There were three or four of them.

Question. How did it come up?

Answer. I said, "You have thrown that up to the republicans, and now you are offering forty acres and a mule yourselves, and you have not got forty acres."

Question. You jumped from one point of inquiry to an affair a year before that; you might tell all about that?

Answer. Yes, sir, I expect so.

By Mr. STEVENSON:

Question. When you go out to serve process, what course do you take as to going out and coming back? What is your practice?

Answer. My practice has been, when I do practice by myself, to go out with a few men detailed, going out one course and making it on the ring and coming back another way, because people told me when we were after parties that they would come for them to get them off.

Question. You go out one way, and you come back the other way?

Answer. Yes, sir.

(At a subsequent hour, the above witness, C. L. Casey, was recalled and testified further as follows:)

By Mr. STEVENSON:

Question. Will you look at this pamphlet and state whether that is the ritual, constitution, and by-laws of the National Council of the Union League? [Submitting a pamphlet.]

Answer. Yes, sir, that is what we used here in this county.

Question. I see that it is dated 1870?

Answer. That is about the same thing we used. I think at first we had it with a ribbon in it. We had only a few in this book-shape.

Question. Did you belong to the League here?

Answer. Yes, sir.

Question. That was what you used here?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Your League has not met since October?

Answer. No, sir, not for some time.

Question. Has it not been a year?

Answer. I don't remember when the governor's election was. We have had but a few meetings since that. I think none since October.

Question. Had you a meeting about October?

Answer. Yes, sir, and all along up to that time we had regular meetings.

Question. Have you had new members being admitted since the election?

Answer. No, sir, I don't think there have been any new members admitted since the election, not that I know of.

Question. When was the last meeting?

Answer. Just in September, a little while before the election.

Question. Are you sure this was the thing used then?

Answer. Yes, sir, it was.

Question. Prior to that you had a written form of oath?

Answer. Yes, sir, drawn from that.

Question. These Loyal Leagues had been organized here for several years when you were admitted?

Answer. Yes, sir, they were organized about three years ago.

Mr. STEVENSON. I propose to make this pamphlet an exhibit.

RITUAL, CONSTITUTION, AND BY-LAWS OF THE NATIONAL COUNCIL, U. L. OF A., TOGETHER WITH ALL THE NECESSARY INFORMATION FOR THE COMPLETE WORKING OF SUBORDINATE COUNCILS.

FORM OF A COUNCIL.

OFFICERS AND THEIR STATIONS.

The officers of a council of the U. L. A. are: A president, vice-president, treasurer, secretary, marshal, sergeant-at arms, and chaplain.

The P. occupies the principal station in the room; V. P. at opposite end and in front of the P.; T. at the left hand of the P.; Sec. at right hand of P.; M. near the V. P., guarding the inner door; S. at A. within the outer door; and chaplain at the center of the room, on the right.

NOTE.—One rap calls to order, or seats the council; three raps call up.

EMBLEMS.

Altar, Holy Bible, an American flag, and as many symbols of industry as may be convenient, such as a small anvil, shuttle, or sickle. If possible, let a copy of the Declaration of Independence and of the Constitution of the United States be displayed on the altar. Let the American flag be spread on the altar with an open Bible resting upon it.

OPENING A COUNCIL.

The P. assumes the chair and gives one rap with the gavel.

P.—I am about to open this council. Any present who are not members will retire to the ante-room. Officers will take their respective stations. The marshal will satisfy himself that all present are qualified, and report.

This shall be done by the M. carefully observing whether all present are personally known to him to be members of the U. L. A. If any are strangers, he must demand the pass-word or report their names to the P.

M.—Mr. President! all present are true and worthy.

P.—So may they ever continue!

[Gives three raps.]

If it be not imprudent, let a verse or more of some patriotic ode be sung, after which the chaplain shall offer extempore prayer, or in the following form:

PRAYER.

Let us pray! Eternal God, Supreme Architect and Ruler of the Universe! We humbly beseech Thy protection for the loyal people of the United States of America, and more especially for the members of this patriotic organization. Wilt Thou be pleased to direct and prosper all our consultations to the advancement of Thy glory and the honor and welfare of this nation. Aid and assist the Government in so fixing the foundations thereof that peace, happiness, truth, liberty, justice, and brotherly love may prevail for all time. Save us, we pray Thee, from foreign foes and domestic traitors. Unite us in love for our common country—attach us to the great principles of the Constitution—fill us with reverence for Thee—and may Thy Good Spirit guide, strengthen, and comfort us now and forever. Amen!

[Gives one rap.]

P.—By authority duly invested in me, I declare this council open for the transaction of such business as may be lawfully brought before it.

ORDER OF BUSINESS.

1. Calling the roll of officers.
2. Reading the minutes.
3. Proposition of candidates for membership.
4. Reports of committees on applications for membership.
5. Election of members.

[This may be in any form which secures secrecy and is approved by the council.]

6. Initiation of members.
7. Report of standing committees.
8. Report of special committees.
9. Unfinished business.
10. New business.

NOTE.—Business shall be conducted according to parliamentary usage, subject to appeal to the council.

INITIATION.

Previous to initiation, it shall be the duty of the M. to inform the P. if any are in attendance for initiation.

P.—Brethren! I am about to proceed with the ceremony of initiation. The S. will read the names of those entitled to admission.

This having been done—

P. These have been found worthy. The V. P. will retire and prepare the candidates.

The V. P. retires and approaches the candidates.

V. P.—Gentlemen! Your presence here is a token that you know the objects of this association. Do you give me your word of honor, in the presence of God and this witness, that you will keep secret all you see and hear, unless authorized to reveal the same by competent authority?

Being answered affirmatively—

V. P.—Prepare, then, for introduction to the society of the loyal and patriotic men of the nation.

The V. P. then returns to the council and announces:

V. P.—Mr. P., I find the candidates worthy and willing to proceed.

P.—The V. P. will conduct the candidates to our council.

The V. P. retires to the ante-room. Candidates range themselves behind the V. P., who advances to the inner door and makes the usual alarm.

M.—Who comes here under the private signal of our League?

V. P.—Candidates who, having been duly elected and examined, desire admission to our loyal band.

M.—Mr. P., the V. P. announces candidates who, having been duly elected and examined, desire admission to our loyal band.

P.—The loyal and worthy are always welcome. Admit them. (Three raps.)

The M. opens the door. Candidates, led by the V. P., enter and are arranged in front of the altar. The council form a circle with clasped hands, the P. standing before the altar.

A patriotic ode may here be sung.

P.—Worthy sons of America! we bid you welcome. This circle of freedom and equal rights now encircling you must never be broken by treachery.

Council responds—

C.—Never!

P.—Our cause is a noble one. It is that of our country. None need fear exposure of our purposes. Yet, for the more complete success of our patriotic mission, you are now required to take upon yourself a serious and binding obligation, which I assure you does not conflict in any way with the duties you owe to yourself, your country, or your God. With this assurance on our part, are you willing to proceed?

Being answered in the affirmative—

Before you are the national flag and the open Bible—fit symbols of civil and religious liberty. Place your left hand thereon and raise your right hand towards Heaven, and repeat after me the following

OBLIGATION:

I, (each repeating his own name,) with an uplifted hand, in the presence of God and these witnesses, do solemnly swear, without reservation of any kind, that I will support, protect, and defend the Constitution and Government of the United States of America, one and indivisible, and the flag thereof, against all enemies, foreign and domestic; that I will vote only for those who advocate and support the great principles set forth by this League, to fill any office of honor, profit, or trust in either the State or General Government, and if I am ever called to fill any office, I will faithfully carry out the principles set forth by this League.

And further, that I will protect and defend all worthy members of the Union League of America; and that I will never, in any manner or form, divulge or make known, to any person or persons not *worthy* members of this organization, any of the signs, passwords, grips, proceedings, designs, debates, or plans of this or any other council of this organization, unless authorized so to do by competent authority. And further, that I will aid and defend the working men of the nation, and in all lawful methods endeavor to secure to them the right to labor and enjoy the full fruit of their labor; and that I will not countenance or employ any one who is in any manner hostile to the working men of the nation. And with my hand on the Holy Bible and flag of the United States of America, I acknowledge myself firmly bound and pledged to the faithful performance of this, my solemn obligation, so help me God!

Response by the members—

Hail! worthy and true!

P.—Take your place in this sacred circle. Formed to perpetuate freedom and good government, we trust every added link will make stronger the chain which binds us together.

(Candidate is received as one of the circle.)

Now, joined in one harmonious band, pledged to sustain principles at once noble and holy, raise your united hands towards Heaven, and repeat with me

THE FREEMAN'S PLEDGE.

To defend and perpetuate freedom and the Constitution, the supremacy of law, and the inherent rights of civil and religious freedom; and to accomplish the objects of this organization, I pledge my life, my fortune, and my sacred honor.

(Circle is broken and council resume their seats.)

To the candidate—

P.—Now take your place before the altar, while I communicate to you the secret-work of our organization.

NOTE.—This must be communicated verbally.

The secret-work having been communicated, the P. shall deliver the following

ADDRESS:

GENTLEMEN: This organization was formed during the first year of the late rebellion. All will remember the discouragements of that year and the consequent reaction of the public mind, as evinced in the elections held in the autumn of 1862. Fears were justly entertained that the enemies of our flag and country would obtain control of the lower house of our National Legislature, prevent the further prosecution of the war, and attempt a permanent dismemberment of our glorious Union. In this crisis of our nation's history eleven persons met by appointment in the city of Cleveland, Ohio, and formed the nucleus of the body which has since been so gloriously known as the Union League of America. This was in November, 1862; the work of organization spread rapidly, and in May following the National Council met for the first time, with eighteen States fully represented. From this memorable period the League has continued to gain strength, until it has extended its beneficent sway over the entire Union. From Maine to Florida, and from the Atlantic to the Pacific, our organization counts its members by millions. Our first grand purpose has been happily accomplished. Our flag floats over the entire Union. But the legitimate fruits of the war for the Union are to be secured in the complete ascendancy of the true principles of popular government—equal liberty, education and elevation of the workmen of the nation, and the security of all by means of the elective franchise. It is as true now as in former times that "eternal vigilance is the price of liberty." Placed as sentinels on the outer wall, our councils will ever remain the guardians of the nation's liberties. To sustain these principles and this wise policy you have joined our fraternity. Let no temptation swerve you from the path of wisdom and patriotism. Guard well the priceless treasure of American citizenship, and scorn all the wiles of those enemies who seek to overthrow our institutions founded on an OPEN BIBLE and the flag of the Union. In joining this council you are only on the threshold of this Glorious Temple of Liberty. Before you is a path lit up with the brilliant radiance of a hundred victories. Be faithful to what has already been imparted, and ere long you shall ascend higher and join the society of those who, having served with honor the probation of our first degree, have been admitted to the Inner sanctuary of the Union League of America.

Candidates then take their seats in the council.

FORM OF INSTALLATION.

The services of installation can be performed by a deputy of the State council, to whom power has been granted to organize councils, or by the highest retiring officer present, in case of the election of new officers by a council.

1. The installing officer takes the president's chair, and rapping to order, calls the officers elect of Council No. — to present themselves for installation.

2. The officers elect arrange themselves in line before the installing officer, the president directly in front, the Sec., M., and S. at A. upon the right of the P., the Tr., V. P. on the left.

3. The installing officer rises and propounds the following questions to the officers elect :
Do you, each for yourself, promise, on your honor, faithfully and impartially to perform the duties of the several offices to which you have been respectively elected by this council ?

Answer. I do.

Do you in like manner promise to treat with due and proper respect and obedience your superior officers in this organization, and to observe and enforce its constitution, rules, and usages ?

Answer. I do.

4. The installing officer then calls up the council with three raps of the gavel, and propounds to the council the following question :

Do you, each and all of you, accept these gentlemen for the several offices to which they have been elected, and do you promise to render them due respect and obedience in discharging the duties of the same ?

Answer. We do.

5. The installing officer then says : " By virtue of the authority conferred upon me as an installing officer for the U. L. A. for ———, I do declare these officers for Council No. ——— duly installed, and the council prepared for the transaction of business. The officers will take their proper places in the council chamber."

The installing officer vacates the president's chair, and escorting the president to the chair shall say :

MR. PRESIDENT: It is with much pleasure that I now present you with the emblem of authority. (Presents the gavel to P.) Invested with great honor, you have also grave responsibilities. Into your hands I solemnly commit the destinies of this council. Be wise ! Be firm ! Be true ! Ever remember that our high and holy mission is to uphold the great principles of the nation, and, unmoved by passion or the dictates of faction, strive to make your council "a punishment to evil-doers and a praise to those who do well."

[The installing officer may here address the council or call on the P. so to do.]

CONSTITUTION OF THE NATIONAL COUNCIL.

ARTICLE I.—*Name.*

This organization shall be known as the "UNION LEAGUE OF AMERICA."

ARTICLE II.—*Object.*

The object of this organization shall be to preserve liberty and the Union of the United States of America ; to maintain the Constitution thereof and the supremacy of the laws ; to sustain the Government and assist in putting down its enemies ; to protect, strengthen, and defend all loyal men, without regard to sect, condition, or race ; and to elect honest and reliable Union men to all offices of profit or trust in National, State, and local government ; and to secure equal civil and political rights to all men under the Government.

ARTICLE III.—*Organization.*

This organization shall consist of a national council and one council for each State and Territory and for the District of Columbia, and of such subordinate councils as may by them be established, under regulations not inconsistent with this constitution.

The national council shall be composed of representatives elected by the several State, Territorial, and District councils, and shall have the general superintendence of the League.

The officers and executive committee, designated in the fifth article of the constitution, shall be *ex officio* members of the national council ; but without a right to vote, unless elected representatives in accordance with Article 4th.

ARTICLE IV.—*Ratio of membership.*

The representatives from the State and Territorial councils shall correspond in number with the respective representation of the States and Territories in the two Houses of Congress ; and any member of the Union League of such States, Territories, or District shall be eligible to the position. They shall be elected annually, and shall be entitled to admission into the national council upon the presentation of certificates signed by the president and secretary of the State or Territorial council by which they may be elected. The District council of the District of Columbia shall be entitled to one representative.

ARTICLE V.—*Officers.*

The officers of the national council shall be elected by ballot annually, to serve until their

successors are chosen, and shall consist of a president, two vice-presidents, a recording and corresponding secretary, chaplain, marshal, treasurer, and sergeant-at-arms, with an executive committee, to consist of seven members, resident in the State of New York, or convenient thereto, and one member in each State, Territory, and District, together with the president, vice-presidents, treasurer, and secretaries as *ex officio* members. And any number by them designated shall constitute a quorum.

ARTICLE VI.—*Duties of officers.*

The president shall preside at the meetings of the council. In his absence one of the vice-presidents shall preside, and at other times they shall perform such duties as shall be required of them. The recording secretary shall keep a full and perfect record of the proceedings of the council, and prepare all charters and dispensations. The correspondence of the council shall be prepared by the corresponding or recording secretary, and shall be over his signature or that of the president. Minutes of all correspondence shall be kept by the recording secretary, in a book procured for that purpose.

The treasurer shall receive all moneys, and keep an accurate record of the same.

ARTICLE VII.—*Disbursement of funds.*

All disbursements of funds shall be made by the treasurer, by direction of the executive committee, on orders drawn by the recording secretary, and signed by that officer and the president or one of the vice-presidents.

ARTICLE VIII.—*Executive committee.*

All questions relative to the operations and extension of the organization shall be referred to the executive committee, and shall be primarily acted upon by it.

ARTICLE IX.—*Charters.*

All charters for State and Territorial councils and for the District of Columbia shall emanate from the national council. The national council shall also issue charters for subordinate councils in localities where State, Territorial, or District councils may not exist.

Charters shall be issued over the seal of the council, and shall be signed by the president and the recording secretary. No charter shall be granted except in open council or by the executive committee, and upon the application of nine or more members of the League or of a subordinate council. Charters for State, Territorial, and District councils may be revoked by the national council or by the executive committee for cause, after due notice and an opportunity to be heard on the question of such revocation.

State and Territorial, and the council of the District of Columbia, or their executive committees, may, for cause, provide for the revocation of the charter of any subordinate council issued by them in accordance with the provisions of this section.

ARTICLE X.—*Fees.*

The fee for a charter, dispensation, and the rituals necessary for a State, Territorial, or District council shall be twenty-five dollars, and for a subordinate council five dollars, to be paid to the treasurer of the national council.

ARTICLE XI.—*Dispensations.*

Dispensations for the establishment of councils shall be granted in the same manner as charters. But no person shall be allowed a dispensation except upon the recommendation of a subordinate council, or of at least a two-thirds vote of the members present at the meeting at which the application therefor may be acted upon.

ARTICLE XII.—*Qualifications for membership.*

All loyal citizens of the age of eighteen years and upwards are eligible for membership of this League; also aliens who have declared their intention to become citizens.

No member of this League shall be absolved from the obligation imposed in its ritual.

ARTICLE XIII.—*Business demanding especial attention.*

All matters not provided for in this constitution, and demanding at any time immediate attention, may be fully acted on by the executive committee at any regular meeting, or at special meetings, of which due notice shall be given.

ARTICLE XIV.—*Reports of State and Territorial councils.*

State and Territorial councils shall report yearly to this council. These reports shall include an exact statement of the number of councils, their location, membership, officers, and such other particulars as may be deemed important to a correct and full knowledge of the condition of the League.

The secretary of this council, and each State, Territorial, and District council, shall once in each month transmit to the national council, and to each State, Territorial, and District council, one copy of all blanks, circulars, pamphlets, and publications of their respective councils issued during the preceding month, to the end that all such information may be generally diffused.

ARTICLE XV.—*Annual meeting.*

The annual meeting of the national council shall be held on the second Wednesday of December of each year, at which time the officers in the national council shall be elected by ballot, each representative having one vote, and a majority of all the votes cast shall be necessary to a choice.

ARTICLE XVI.—*Books and blanks.*

The national council shall provide all charters, blanks, and other forms, together with the books and seals necessary for the working of the order; and State, Territorial, and District councils shall be supplied therewith at the cost thereof.

ARTICLE XVII.—*State councils.*

The State and Territorial councils, and the council for the District of Columbia, shall be composed of delegates elected by the subordinate councils within their jurisdiction respectively, under such regulations as may be prescribed by said councils.

ARTICLE XVIII.—*Admission and transfer of members.*

State, Territorial, and District councils may make regulations, conformable to this constitution, concerning the admission to and the transfer of members from subordinate councils, and upon such subjects as the national council may allow or prescribe.

ARTICLE XIX.—*Election of members.*

No person shall be elected to any subordinate council except by three-fourths of all the members present and voting. Each council shall provide that a certain number of trials may be had, not exceeding three, and only one at the same meeting. A person rejected may be again proposed at the expiration of three months. If again rejected, he shall not be proposed until the expiration of six months.

Every person shall be initiated in a council of his own township, district, city, or ward, or in a council nearest his residence; provided there is an active working council therein. A person rejected in a regular council, or admitted in violation of this rule, shall not be allowed the privileges of membership until his disability is removed. The provisions of this article relative to initiations and rejections shall be subject to such modification as the councils of the States, Territories, and District of Columbia may respectively prescribe.

ARTICLE XX.—*Expulsion of members.*

Any council may expel a member for violating his obligation, or for disloyal or dishonorable conduct, after giving the accused one week's notice and a full and fair hearing before the council, by a majority of the votes of the members present and voting at any regular meeting. Immediately after such expulsion notice shall be given to the recording secretary of the State council, who shall notify all the subordinate councils in the State of the fact.

ARTICLE XXI.—*Conflicting State organizations.*

If two or more State organizations exist in any State, the president and executive committee of the national council may call a convention in such State on a basis that will secure equal representation to their several subordinate councils; and in the event of a failure of the separate organizations to consolidate under this constitution, the national executive committee shall determine which, if either, of the State councils shall be recognized as the regular organization.

ARTICLE XXII.—*Alteration or amendment of the constitution.*

This constitution may be altered or amended by a two-thirds vote of all the members of

the national council present at its regular annual meeting, or by a national convention of the League, to be called by the president, upon application to him therefor from not less than five State councils.

FORM OF CONSTITUTION FOR STATE COUNCILS.

I.—NAME.

This organization shall be known as the "STATE COUNCIL OF THE UNION LEAGUE OF AMERICA," for the State of ———.

II.—OBJECT.

The object of this council shall be to preserve liberty and the union of the United States of America; to maintain the Constitution thereof and the supremacy of the laws; to sustain the Government and assist in putting down its enemies; to protect, strengthen, and defend all loyal men, without regard to sect, condition, or race; and to elect honest and reliable Union men to all offices of profit or trust in National, State, and local government; and to secure equal civil and political rights to all men under the Government.

III.—ORGANIZATION.

This organization shall consist of one State council, and such subordinate councils as may be established by the State council.

IV.—STATE COUNCIL.

The State council shall be composed of representatives from the several councils of the State, each of which shall be entitled to such representatives as may by law be established.

Any delegate unable to attend may appoint a substitute, who shall be authorized to act as such delegate at all meetings of the council for the current year. Members present may fill vacancies.

The State council shall have the general superintendence of the League throughout the State, with power to make all rules, regulations, and orders necessary to effect the designs of the League, provided the same do not conflict with this constitution or the constitution of the national council.

V.—OFFICERS.

The officers shall consist of a president, first and second vice-presidents, recording and corresponding secretaries, chaplain, treasurer, marshal, sergeant-at-arms, and a State executive committee, who shall hold office until their successors are chosen. The offices of recording and corresponding secretaries may be filled by the same person.

VI.—DUTIES OF OFFICERS.

President.—The president shall preside at the meetings of the council, and perform such other duty as may be necessary for the good of the order.

Vice-presidents.—In case of the absence, illness, or other disability of the president, a vice-president in the order elected shall act as president *pro tem*.

During the absence of the president from the general office, the vice-president in the order elected may perform the duties assigned the president.

The recording secretary shall keep a perfect record of the proceedings of the State council, prepare all charters and dispensations, and perform such other duties as the executive committee may direct.

The corresponding secretary, during the absence of the recording secretary, shall perform the duties of that officer.

The correspondence shall be prepared by either secretary, over his proper signature, and minutes thereof shall be kept by the recording secretary in a book set apart for that purpose.

The treasurer shall receive all moneys and keep an accurate account of the same; he shall make disbursement thereof on the warrant of the chairman of the executive committee, or of an auditing committee.

The duties of the marshal, sergeant-at-arms, and chaplain shall remain as prescribed in the ritual.

VII.—EXECUTIVE COMMITTEE.

The executive committee shall consist of two members from each judicial district in the State, to be chosen, if possible, by the members present from the several judicial districts,

together with the president, vice-presidents, treasurer, and recording and corresponding secretaries. It shall hold regular monthly meetings, of which a full record shall be kept, open to the inspection of members of this State council; it shall have power to appoint sub-committees of its own body; to remove any officer of the State council, or any member of its own body, for neglect of duty, or for malfeasance in office; and to fill any vacancies thus made until the next ensuing meeting of the State council, and, during the recess of the State council, to transact all the necessary business thereof; to it shall be referred all questions relative to the extension and operations of the League; and such number shall constitute a quorum as it shall provide.

VIII.—ANNUAL MEETING.

The annual meeting of the State council shall be held on the ———, at the ———, unless otherwise ordered by the State council. At this meeting all officers of the State council and representatives to the national council shall be elected by ballot. Each representative shall have one vote, and a majority of all the votes cast shall be necessary to a choice.

IX.—SPECIAL MEETINGS.

Special meetings may be ordered by the executive committee at any time. Notice thereof shall be mailed to the members of the State council ten days prior to the holding of such meeting.

X.—QUORUM.

——— members present at any meeting shall constitute a quorum for the transaction of business; any less number may adjourn from day to day.

XI.—HEADQUARTERS.

The State council shall keep an office in ———, where the executive committee may meet and the routine business be transacted.

XII.—REVENUE.

The executive committee shall make such provision for the procurement of necessary funds as it shall deem just and equitable, and for the general welfare of the order.

XIII.—BOOKS, BLANKS, ETC.

The State council shall provide all charters, rituals, blanks, &c., necessary for the working of the order, and all councils within the State shall be supplied therewith at the cost thereof.

XIV.—ESTABLISHING COUNCILS.

The president shall have power to establish councils throughout the State. A county deputy shall be appointed by the president of the State council in each county of the State, who shall be a resident of the county in which he acts, and whose action shall be confined to his own county; and the executive committee shall have power, in its discretion, upon the nomination of the president, to appoint one or more general State deputies, with authority to establish councils, and to do such other duties pertaining to the advancement and harmonious working of the League in this State as the president shall deem necessary; and such State deputies may be paid for their services and necessary expenses; the amount of which shall be determined by the executive committee. All county deputies may appoint as many assistants as the president shall approve; and all deputies and their assistants may be suspended by the president and removed by the executive committee for inefficiency or other cause.

XV.—CHARTERS.

All charters within this State shall emanate from the State council, and shall be granted only upon application of eight or more members of the League, on the approval of a person duly authorized to institute such council; they shall be issued over the seal of the council, and signed by the president and recording secretary. No council shall have power to initiate members until after it has received its charter, nor shall any charter be issued until the charter fees are paid. Charters may be revoked by the executive committee for cause, after due notice and an opportunity to be heard on the question of revocation.

XVI.—CHARTER FEE.

The fee for a charter, dispensation, rituals, &c., necessary for a subordinate council shall be — dollars, which shall be paid to the person establishing the council, and by him paid to the treasurer of the State council.

XVII.—QUALIFICATIONS FOR MEMBERSHIP.

All loyal citizens of the age of eighteen years and upward are eligible for membership in this League; also aliens who have declared their intention to become citizens. No member of this League shall be absolved from the obligations imposed in its ritual.

XVIII.—ELECTION AND INITIATION OF MEMBERS.

No person shall be elected to any subordinate council except by three-fourths of all the members present and voting. Each council shall provide that a certain number of trials may be had, not exceeding three, and only one at the same meeting. A person rejected may be again proposed at the expiration of three months. If again rejected, he shall not be proposed until the expiration of six months. Candidates for admission may be initiated within three months after their election, and not afterwards unless reelected.

A person rejected in a regular council, or admitted in violation of this rule, shall not be allowed the privileges of membership until this disability is removed.

XIX.—TRANSFERS.

Members in good standing may be transferred on certificate from one council to another, and no applicant by certificate shall be rejected, except by three-fourths of all the members present and voting.

XX.—REPORTS.

Subordinate councils shall, on the first days of January, April, July, and October, report to the secretary of the State council the number of members admitted during the preceding quarter, changes in officers, and such other information as may be desired. Like reports shall be made to the county deputy.

XXI.—CONSTITUTIONS AND BY-LAWS.

The State council, or the executive committee, shall provide a form of constitution and by-laws for the government of subordinate councils.

XXII.—AMENDING CONSTITUTION.

This constitution may be altered or amended by a two-thirds vote of all the members of the State council present at any regular or special meeting: *Provided*, All alterations or amendments shall first be submitted to and ratified by the national council or the national executive committee.

CONSTITUTION AND BY-LAWS FOR SUBORDINATE COUNCILS OF THE U. L. A.

CONSTITUTION.

ARTICLE I.—*Name*.

This council shall be known as — council No. —, in the — of —, county of —, and State of —.

ARTICLE II.—*Object*.

The object of this council shall be to preserve liberty and the union of the United States; to maintain the Constitution thereof, and the supremacy of the laws; to sustain the government and assist in putting down its enemies; to protect, strengthen, and defend all loyal men, without regard to sect, condition, or race; to elect honest and reliable Union men to all offices of profit or trust in National, State, and local government; and to secure equal civil and political rights to all men under the Government.

ARTICLE III.—*Membership*.

No person under eighteen years of age shall be received as a member of this council. Propositions for membership shall be made in writing, and every candidate not vouched

for by two members present, besides the proposer, shall be referred to the executive committee for examination. No person shall be elected to this council, except by three-fourths of all the members present and voting. Each council shall provide that a certain number of trials may be had, not exceeding three, and only one at the same meeting. A person rejected may be again proposed at the expiration of three months. If again rejected, he shall not be proposed until the expiration of six months.

Members may be elected on certificate of transfer by a vote of three-fourths of those present at any meeting.

ARTICLE IV.—*Officers.*

The officers of this council shall consist of a president, vice-president, secretary, treasurer, marshal, sergeant-at-arms, and chaplain, all of whom shall be elected in the month of _____ of each year. Each officer shall hold his position until his successor is elected. A majority of all the members present shall be required to elect officers. All elections shall be by ballot, unless otherwise ordered by the unanimous vote of the council.

ARTICLE V.—*Duties of officers.*

President.—The president shall perform all such duties as pertain to the office, and appoint all committees not otherwise provided for by these laws. In his absence, the duties shall devolve upon V. P. or the next highest officer present.

Secretary.—The secretary shall keep a true record of all the proceedings of the council, and an accurate roll of membership; also a list of all the propositions for membership, and elections or rejections. The minutes of each meeting shall record the receipts and disbursements of the treasurer.

Treasurer.—The treasurer shall receive and disburse all moneys of the council, furnishing the secretary at each meeting with the necessary information for his minutes. He shall make a report at the first meeting in the months of January and July, which report shall contain a full statement of the council's financial transactions and condition, and also the names of all members of the council in arrears.

The duties of the marshal, sergeant-at-arms, and chaplain shall be such as are prescribed in the ritual.

ARTICLE VI.—*Quorum.*

Nine members shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time.

ARTICLE VII.—*Reports.*

A quarterly report shall be made up by the secretary of this council, containing a statement of the condition of the same; a brief record of its meetings; the number of its members; what addresses delivered, and by whom; and the average attendance, together with such matter as shall be deemed pertinent and of interest to the order; and he shall transmit the same, signed by the president and secretary, on or before the third Monday of April, July, October, and January in each year, to the State council.

ARTICLE VIII.—*Forfeiture of office.*

Any officer who shall absent himself from the council for three consecutive meetings, or a member of any committee who shall fail to attend three consecutive meetings thereof, may be deprived of his position by vote of the council.

NOTE.—The foregoing form for constitution may be modified by order of any State council for councils under their jurisdiction.

BY-LAWS.

ARTICLE I.—*Meetings.*

The regular meetings of this council shall be held on _____ evening of each week. Special meetings may be called by the president at any time, and shall be on the requisition of ten members. The hour of meeting shall be, from the first of April to the first of October, at _____; and from the first of October to the first of April, at _____.

ARTICLE II.—*Fees and dues.*

The initiation fee for membership in this council shall be _____ and the dues _____ cents per month. All honorably discharged soldiers or sailors of the United States Army or Navy

hereafter joining shall be admitted without payment of any initiation fee. The financial year shall commence on the first of January, and any member in arrears for six months' dues shall not be entitled to vote or take part in any business proceedings of the council.

ARTICLE III.—*Committees.*

The standing committees of this council shall consist of an executive, a financial, and a committee on the state of the Union.

Executive committee.—The executive committee shall consist of the president, secretary, treasurer, and five other members to be appointed by the president, which committee shall have charge of executive business, and it shall likewise consider and report upon all propositions for membership referred to them.

Finance committee.—The finance committee shall consist of the vice-president and four other members, to be appointed by the president, which committee shall have charge of the financial business of the council. They shall audit all bills before the same are paid, and likewise the annual and semi-annual reports of the treasurer.

Committee on state of the Union.—The committee on the state of the Union shall consist of five members, to be appointed by the president. They shall, from time to time, report for the consideration of the council, subjects of National and State importance, especially such as pertain to the objects of the Union League.

ARTICLE IV.—*Order of business.*

[For order of business, see page 662.]

ARTICLE V.—*Debate.*

No member shall speak more than twice upon any question before the council, nor more than five minutes, except by unanimous consent.

ARTICLE VI.—*Rules.*

The rules of the assembly of the State, so far as applicable, shall be accepted as the rules governing the proceedings of this council.

When the yeas and nays are ordered, the secretary shall call the names of those present only.

ARTICLE VII.—*Expulsion.*

[For law relative to expulsion, see page 666.]

ARTICLE VIII.—*Suspension of by-laws.*

These by-laws may be suspended, for a special purpose only, by a unanimous vote; they may be amended by a two-thirds vote, after a proposition therefor has been made in writing at least one month prior to the consideration thereof. Articles IV and V may be suspended at any meeting by a majority vote.

FORM OF APPLICATION FOR CHARTER.

We, the undersigned, members of the Union League of America, ask that a charter be granted us to have and to hold a council of your U. L. at _____, in the county of _____, State of _____, there being no convenient U. L. council in that election district now in good working order.

(To be signed by nine members.)

Approved.*

_____,
State Deputy for _____ County.

FORM OF TRANSFER.

This is to certify that _____, of _____, is a member in good standing of _____, the U. L. A. Council No. _____, in the county of _____, State of _____, and being about to change his membership to _____, he is recommended as a true man to the U. L. of A., of that district.

_____, Secretary.

_____, President.

* Should be signed by the person who established the council.

960 CONDITION OF AFFAIRS IN THE SOUTHERN STATES.

FORM OF REPORT TO STATE OR NATIONAL COUNCIL.

Report of ———, Council No. ———, U. L. A., in the ——— of ———, district of ———, State of ———, from ——— to ———. Place of meeting, ———. Time of meeting, ———.

Names of officers.	Post-office address.
—————, President.....	
—————, Vice President.....	
—————, Chaplain.....	
—————, Secretary.....	
—————, Treasurer.....	
—————, Marshal.....	
—————, S. at A.....	

Whole number of members, ———; number of initiations, ———; average attendance of members, ———.

We certify that the above return is correct.

—————, Secretary.

—————, President.

INSTRUCTIONS TO DEPUTIES.

1. When you desire to establish a council of the U. L. A. at any point, go there or send an assistant. Assemble nine or more loyal men, explain to them the objects, and, as far as you think proper, the principles of the Union League of America. If they consent to become members, initiate them. After you have given them the secret-work, take the chair; state to them the number and names of the officers they have to elect. You will then have them proceed to an election to fill the different offices from among the men initiated.

2. After the officers are elected, you will request nine or more of the members to sign an application for a charter. This application and the fee of ———, you will forward to the secretary of the State council, who will send a charter and the necessary books, blanks, &c. to the president of the new council.

3. If you are unable to attend the organization of a council, you may deputize and send an assistant, being responsible for his prompt report.

4. Instruct the councils that they should hold their meetings once in each week, and that they should follow the ceremony as nearly as possible. Advise them to enlist all the loyal talent in their neighborhood, and that they have speaking whenever they can.

5. You will perceive that the success of the councils which you establish will depend in great measure upon the men who are its founders, and who may be elected to fill its offices. They should not only be prudent, vigilant, energetic and loyal, but they should be men who possess the confidence of their fellow-citizens.

6. You should establish councils in each election precinct. These councils should not only have distinctive names, but be regularly numbered.

7. It is important that each council be at once put in communication with the State and national councils. Through these sources the members of the League will be supplied with documents.

SPARTANBURGH, SOUTH CAROLINA, July 15, 1871.

JUNIUS THOMSON sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. In this place; in the town.

Question. What is your business?

Answer. I suppose I might call myself a farmer. I run out once in a while. My plantation is about forty miles from here, in York County.

Question. How long have you lived here?

Answer. Twenty-four years. I was born and raised here.

Question. Were you at any time in North Carolina during the time that Kirk had command of the North Carolina militia?

Answer. I was in the army during the war.

Question. But I am speaking of the time since the close of the war?

Answer. I was in the army and Kirk was in command of the United States forces, I suppose; we termed them bushwhackers. That was in Tennessee, not in North Carolina. In Tennessee and Virginia.

Question. Were you in North Carolina during the summer of 1870?

Answer. No, sir, I was not.

Question. Were you not in Alamance, or Graham, or Orange County?

Answer. No, sir, I was not in Orange County at all. However, I might have been up to Shelbyville, North Carolina. Let me see. Yes, I was up at Shelby. I went up there with an uncle of mine and staid two days at Mr. Love's hotel.

Question. What county is that in?

Answer. I can't tell you. I believe it is in Cleveland County. I spent a few days at the hotel at Shelbyville. We stopped at Shelbyville and went to the springs.

Question. During the time you were in North Carolina were you initiated in a secret organization there?

Answer. No, sir, none whatever.

Question. Not into the White Brotherhood?

Answer. No, sir.

Question. Nor the Constitutional Union Guards?

Answer. No, sir.

Question. Nor the Invisible Empire?

Answer. No, sir.

Question. No secret organization whatever?

Answer. No, sir.

Question. Did you know of any of these organizations existing in North Carolina?

Answer. Not at that time.

Question. Are you a member of any secret organization in this county or in this State known as Ku-Klux?

Answer. No, sir.

Question. Have you ever taken an oath in a secret organization to the following effect: "I do solemnly swear that I will support and defend the Invisible Circle; that I will defend our families, our wives, our children, and brethren; that I will assist a brother in distress to the best of my ability; that I will never reveal the secrets of this order or anything in regard to it that may come to my knowledge, and if I do may I meet a traitor's doom, which is death, death, death: so help me God, and so punish me my brethren?"

Answer. No, sir. I have never taken such an oath as that.

Question. Have you any knowledge of a secret organization existing in this county or State which has been whipping negroes?

Answer. I have heard of some, but to say that I have a knowledge of it, I can't say that I have, sir. I have heard of it, of course. Everybody, almost, in the upper part of the State, and, I suppose, in the United States has heard something of it.

Question. Have you no other knowledge than simply hearing of that organization in this county?

Answer. None whatever.

Question. Where were you on the night William Champion was whipped?

Answer. I can't tell you, sir; here, I reckon.

Question. Do you recollect the night he was whipped?

Answer. No, sir; I don't know the month.

Question. You live in this county and did not know that?

Answer. I don't remember it. I suppose if I had set it down I would. I remember hearing of it a few days afterwards.

Question. Do you recollect whether it was on Sunday or Monday night?

Answer. No, sir.

Question. Nor what night of the week?

Answer. No, sir.

Question. Nor what month?

Answer. No, sir. I suppose I might, by inquiring, know the month. I remember hearing of it here a few days afterwards. I saw a negro, I believe, that was whipped probably during the same time.

Question. What was his name?

Answer. I can't tell you. I saw him in Don Fleming's store down here. He came in while I was sitting there. He asked for some salve. He said Mr. Camp or some one of the republicans had sent him there. Don Fleming's store is a family grocery store.

Question. Did the negro say some one of the republican party had sent him there?

Answer. No, sir; he said Mr. Camp or Mr. Poinier, I think, sent him for salve.

Question. What day was that?

Answer. I don't know. I laughed; I was sitting there with Mr. Fleming, and I told him he had got into the wrong pew; that he was looking for Dr. Fleming, the druggist.

Question. Were you here on the day of the election for governor last October?

Answer. Yes, sir.

Question. That was Wednesday?

Answer. I don't recollect.

Question. Don't you recollect the day of the month?

Answer. No, sir. I never took notice of it.

Question. Do you recollect the day of the election?

Answer. Yes, sir.

Question. Where were you on the day of election?

Answer. I can't tell you. I am here nearly all the time, but about once a month I go to the plantation.

Question. That was Tuesday, the day before the election?

Answer. I can't swear where I was.

Question. Do you know where you were the Sunday night before that?

Answer. No, sir; I suppose I was here; I don't know.

Question. Did you not hear of Champion being whipped the next morning or next day?

Answer. No, sir.

Question. Or of the negro being whipped the next day?

Answer. No, sir. I think it was about four days afterward that the negro came into Fleming's store. That was the first I heard of it. I didn't know anything of it, and the reason I knew it then he asked for salve. I told him he was in the right church but the wrong pew. I remember I laughed at him.

Question. You do not know where you were the day of election, nor the Monday before, nor the Sunday before?

Answer. No, sir.

Question. You cannot fix the time when nor the place where you were on any of these days?

Answer. I remember I was here at the election, for I voted.

Question. Do you remember the circumstance of the negroes being taken out of jail and whipped, at Union?

Answer. Yes, sir.

Question. Where did you first hear of that?

Answer. I heard of it, I believe, in the evening probably. The train ran tri-weekly, and I heard of it the evening the train came up.

Question. What evening was that?

Answer. I can't tell you.

Question. What evening in the week was it?

Answer. It went down Monday and came back Tuesday, and went down Wednesday and came back Thursday, and went down Friday and came back Saturday. So it was Tuesday or Thursday or Saturday.

Question. Can't you fix the time?

Answer. No, sir.

Question. Did you go out of this town on horseback the evening before that occurred?

Answer. I did not.

Question. Where were you that evening?

Answer. I was here at home, sir.

Question. Were you at home on the evening before they were hanged at Union?

Answer. Yes, sir.

Question. You remember that?

Answer. I do, distinctly.

Question. What evening was that?

Answer. I don't remember.

Question. What month was it?

Answer. I don't remember; but I remember at church the following Sunday some of the boys at the church, just in fun, said to me, "Thomson, are you going to the hanging of the rest of those negroes in Union?" I told them no, I was not going. Then I remember that on Monday morning I went to the plantation and saw my ferryman where I own a ferry at Broad River, where Pacolet joins it. On Monday I left here for the plantation. I had instructed my ferryman (a negro that used to belong to us, and, I may say, a very honest negro, too)—I paid him so much for tending the ferry—but I instructed him that if he allowed any one to cross without paying ferriage I would make him lose it. I told him there was a magistrate right there, and if any one crossed and refused to pay, all he had to do was to go to that magistrate, and I had made an arrangement with him to collect it. When I went down, after he turned over the money—he kept the ferry himself—I was counting out his part and he said, with a long face, "Massa Junius, first take out for one hundred and four men." I says, "What for?" He says, "They crossed here a few nights ago and would not pay me." I said, "Why not?" He said, "They said charge it to Governor Scott." I said, "Did they give you anything?" He said, "Yes, a bottle of liquor." Says I, "Where is it?" He

says, "At the house." "Have you drank any of it?" I asked him. He says, "No, sir." I asked him, "Why?" He said because he was afraid it was poisoned. I staid there and had a chat with him and looked around over the farm, and went up to the quarter. His house is nearer the river than the rest of the houses. He stopped and asked me whether I would not have some whisky. I told him no, I didn't care for any—I had some in my buggy—but to let me see the bottle that they gave him. He brought it out. I asked him who they were. He said he didn't know. I asked him were they Ku-Klux. He made a pretty bright remark: "I never said so, whether they were or not." I asked him if they gave him anything else. He said, "No." I asked him if they crossed back. He said they did, about 4 o'clock in the morning—the one hundred and four men.

Question. What is that negro's name?

Answer. William.

Question. William what?

Answer. William Thomson, I suppose. He used to belong to my grandfather, my father, and myself.

Question. How far does he live from Union?

Answer. Thirteen miles.

Question. Were the hundred and four men described as crossing the river going in the direction of Union?

Answer. Yes, sir; going there and coming from there. They went across about dusk going, and they came back about 4 o'clock in the morning.

Question. How did he ascertain the number?

Answer. He counted them, of course, as he would set them over the river in the ferry-boat.

Question. How many would it carry at once on horseback?

Answer. I can't tell you. It is fifty-two feet long, and it would carry twelve or fourteen horses and riders, probably twenty. It carries a six-horse team.

Question. He said the number was one hundred and four?

Answer. Yes, sir. He told me, also, what I forgot to mention—

Question. What evening did he say it was?

Answer. He didn't say.

Question. What day did you go?

Answer. I went on Monday. I staid a week, I believe.

Question. Was that after the first raid and shooting of the men there?

Answer. It was when they killed eight.

Question. Was it before the other two were killed?

Answer. I don't know.

Question. You say some men were asking you if you were going to another hanging?

Answer. They asked me if I was going to a hanging. You see the court had convicted them.

By Mr. VAN TRUMP:

Question. They were speaking of those who had been convicted by the court?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Were any convicted?

Answer. Yes, sir.

Question. For what?

Answer. For the same crime.

Question. Were not all the negroes who were charged with killing Stevens taken out and shot?

Answer. No, sir, I suppose not.

Question. Were some tried and convicted?

Answer. I suppose so. I didn't attend court. Young Spriggs went to the hanging.

Question. Don't you know that eight were taken out and shot?

Answer. I heard so.

Question. And two afterward taken out and shot?

Answer. I never heard of the two.

Question. And two were afterward taken out, brought before the court, tried, and acquitted?

Answer. There were two afterward convicted and hung. I know young Spriggs, in this house, went to the hanging. I don't know that they were in jail at that time, but they were prisoners arrested for the murder of Stevens.

Question. From what direction—which county—would those hundred and four men be coming, crossing as they did?

Answer. They were just in the point. If you will take a map you will find that at Pinkneyville Ferry there are three landings. Two of them are in Union and one in

York. Pacolet River comes down in Union County, and Broad River joins it. You can land in the bend or cross both rivers. Chester comes up near it on the southeast.

Question. Were they all on horseback?

Answer. Yes, sir.

Question. Did he say whether he knew any of them?

Answer. He said he didn't. I asked him how they were disguised. He told me that some of them had on masks; (he said paper over the faces; I suppose he meant masks;) and he said some of them were black.

Question. Did you have at your house, on your plantation, a man named William C. Campbell?

Answer. No, sir.

Question. A wounded man?

Answer. No, sir; there has never been such a man there. I have no one there except negroes since the war. Six families are there now.

Question. You say you have no knowledge whatever of any secret organization, which either does now exist or has existed in this county, which has been in the habit of making raids on negroes or whipping whites or negroes?

Answer. None whatever.

Question. Are you a member of any such organization?

Answer. No, sir.

Question. Have you any knowledge of who are members?

Answer. No, sir. I have heard a great deal of it, and know they have whipped negroes. I know there was a negro killed in York County, for I was on this side of the river, in Spartanburgh County, two nights after it was done. It was done on Thursday night. I went down on Sunday, on the way to the plantation. I went by my grandmother's twenty-five miles from here. He used to belong to Mr. Black.

Question. Do you understand that it is a part of the rules of this organization to deny its existence?

Answer. I don't know, sir, whether I do or not.

Question. You know whether you understand that or not? Is that what you have learned of the character of this organization, that that is the way its members are bound to act—to deny its existence and their own membership?

Answer. I never learned anything about it. I only know—or rather have heard—that they have whipped a good many negroes and killed a good many. As to their organization, I know nothing about it at all.

By Mr. STEVENSON:

Question. Have you never been applied to to join such an organization?

Answer. No, sir; I have not.

Question. Was there anything else that this man said that you wanted to tell?

Answer. No, sir; nothing of any importance, I suppose. He talked a great deal about that in his way.

Question. You had no doubt these were Ku-Klux?

Answer. I supposed they were.

Question. They were men in disguise?

Answer. So he said.

Question. Where did they come from?

Answer. I have no idea.

Question. Have you no idea whatever?

Answer. I suppose they must have come from the country in that neighborhood. I don't know whether they did or not.

Question. You mean from York County?

Answer. Yes, sir.

Question. They came from York or Chester, on that side of the river. Would they come that road if they came from Chester?

Answer. Yes, sir; that would be a direct road from Chester.

Question. The roads from York and Chester join just above the ferry?

Answer. Yes, sir.

Question. So that they could have come either from York or Chester?

Answer. Yes, sir.

Question. Is there any other ferry?

Answer. Yes, sir; one ten miles below and one five miles above. Roland Thomson owns a ferry named Howell's Ferry.

Question. If they came from Chester they would have to come from the upper part of Chester?

Answer. Yes, sir.

Question. If they had come from lower down in Chester they would have gone to the lower ferry?

Answer. Pinkneyville is on the direct road from Chester Village to Union Village.

Question. That is your ferry?

Answer. Yes, sir; that is a road that is traveled a good deal.

Question. It must be a good deal out of the way?

Answer. It is a level road; better than the lower road. That is a ridge road. It is more level than the other road.

Question. Do you know who went over from Spartanburgh County on that occasion to Union?

Answer. No, sir.

Question. Have you never heard?

Answer. I never heard, sir. I don't know any party at all that was there. Gentlemen, I don't believe there was a man from the town here that night. If there had been any of the young men from here, I am known among them all, and if it had been any one among the young men of the village, I have no doubt that they would have said something to me about it.

Question. If you knew would you state?

Answer. La! I wouldn't hesitate a minute to tell, because I don't believe any of my friends would be guilty of such a thing. I don't associate with such kind of men.

Question. What part of this county of Spartanburgh did contribute its quota?

Answer. I don't know. I can't say that any part of it did. If they did it was not to my knowledge.

Question. Do you suppose that affair went off without any Spartanburgh boys in it?

Answer. I haven't a right to say the boys were in it or not, for I don't know.

Question. I ask, did you suppose there were not?

Answer. I can't say.

Question. When did the news of it first reach here?

Answer. On the train after the occurrence. Mr. Hill, the conductor, told me of it down in front of this house. I remember Mr. Hill and Mr. Foster came up in a buggy and told me there had been eight or nine men killed in Union. We afterward heard there were eight only. That is as well as I remember.

Question. Have you no kind of association here for the protection of whites against the blacks?

Answer. No, sir.

Question. Have you ever had?

Answer. No, sir. We formed a democratic club here; it was open in the court-house, I believe. I was not here the day it was formed, but afterward some of the young men asked me if I would be a member. I said yes, I would, to keep down anything of the kind that might come up.

Question. Any rising of the negroes?

Answer. Any fuss whatever.

Question. What was your plan?

Answer. I don't know. I never asked anything about.

Question. You joined?

Answer. I never put my name down to any such club. I told them I would join. I suppose it was just to keep down a riot here in election or anything of the sort that might rise up.

Question. You told them they might depend on you?

Answer. Yes, sir; to help put down anything that might occur. I would have given any party justice.

By Mr. VAN TRUMP:

Question. This was an open democratic club?

Answer. Oh, yes, sir.

Question. No secret sessions?

Answer. No, sir; I don't belong to any secret society, except a college society formed in 1862, in Charleston, whose badge I wear.

SPARTANBURGH, SOUTH CAROLINA, July 15, 1871.

JAMES D. CARPENTER sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?

Answer. In this town.

Question. What is your occupation?

Answer. Merchandising is the occupation I follow for a livelihood.

Question. Did you reside near the North Carolina line before you came to this town?

Answer. Yes, sir.

Question. How long since you lived there?

Answer. I moved from there on the 24th February last.

Question. Are you acquainted with John B. Howell, of Rutherfordton, North Carolina?

Answer. No, sir; I don't know any such man.

Question. Do you not know him at all?

Answer. I never heard of him before.

Question. I was informed that you had a conversation with him in reference to an intended raid on Spartanburgh, and I wish you to give the same information to this committee that you gave to him?

Answer. I don't know any such man, just as sure as I am here. I will not use any strong expression to convey the idea.

Question. Have you conveyed such information to anybody?

Answer. No, sir. Will you allow me to talk a little?

Question. Yes, sir.

Answer. And if it is admissible to put a question or two—

Question. We do not propose to put ourselves on the stand, but you can make any explanation.

Answer. I wanted to know that if giving my evidence, I might want to do it, if it is admissible—

Question. Go on.

Answer. I am ready for the next question.

Question. Do you desire to make some statement?

Answer. I have understood that a man swore to me in Columbus, as you men came through, by the name of Henderson. This man Howell you speak of, I don't know the man. I never saw the man in my life that I know of.

Question. We called you before the committee simply to inquire with reference to information, which was furnished to me as chairman of this committee, of an alleged conversation between yourself and John B. Howell, of Rutherford; you say you know no such man?

Answer. No, sir.

Question. You have had no conversation with him?

Answer. No, sir; how could I?

Question. Had you any knowledge of the operations of the Ku-Klux upon the border?

Answer. I heard a good deal of talk about them.

Question. Had you any knowledge of them?

Answer. No, sir.

Question. Did you not know who they were?

Answer. No, sir.

Question. On the other side of the line?

Answer. No, sir; neither side.

Question. Were any communications made to you as to who they were?

Answer. No, sir; I am ready to answer. I suppose you are aware I am a preacher. I have been preaching over this county, and have been afflicted with the rheumatism, and have been unable to travel to do full work, and have been merchandising for a few years, trying to make a living, and have had a pretty hard time of it, but have made out to live.

SPARTANBURGH, SOUTH CAROLINA, July 15, 1871.

A. P. CAMP sworn and examined.

By the CHAIRMAN:

Question. State whether you served this subpoena on Skip Price? [Submitting a subpoena.]

Answer. Yes, sir; I did.

Question. On what day?

Answer. On last Sunday, between 10 and 11 o'clock, I first saw him, and afterwards I met him again. I came back and rode over to him. I saw him twice. We went out Saturday evening.

By Mr. VAN TRUMP:

Question. You say that subpoena was served on Sunday?

Answer. Yes, sir.

By the CHAIRMAN:

Question. What did he say?

Answer. He asked me the purpose. I told him I didn't know what it was, only what he could see in here, what he could say as to the insurrection in the county. He asked me particularly whether it was revenue business or State affairs. I told him State affairs, I supposed. I told him when I first met him there was a committee at Spartanburgh. Afterwards, coming back, he met me and carried me back and we talked along about it.

Question. Did he say he understood there was a committee?

Answer. Yes, sir; after I told him at first.

Question. What did he say about coming?

Answer. He asked me was there a revenue warrant for him. I told him I didn't know, but it looked like if there had been they would have given it to me to serve on him, and I didn't think there was. He kept inquiring. I told him to come out plain, it was to find if he knew anything about the Ku-Klux. He says, "Then it is not worth while to go. I don't know anything about them." I said you must use your own pleasure; I will serve it.

By Mr. VAN TRUMP:

Question. He seemed to apprehend that it was revenue business?

Answer. Yes; he seemed to think more of that than of this; but I told him if there was any warrant out for him I didn't know it.

By Mr. STEVENSON:

Question. Did he object to the service on Sunday?

Answer. No, sir; he was going to church when I first met him, two miles this side of home, and he turned around. Afterward he met us again, after I had been down to his brother-in-law's.

(The subpoena above mentioned is as follows:)

UNITED STATES OF AMERICA.—CONGRESS OF THE UNITED STATES.

To Skip Price, Thaddeus Splawn, and Stephen Splawn, greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the subcommittee of the Joint Select Committee to Inquire into the Condition of the Late Insurrectionary States forthwith, at — o'clock — M., at their committee room at the Palmetto House, Spartanburgh Court-house, South Carolina, then and there to testify what you may know relative to the subject-matters under consideration by said committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To John R. French, Sergeant-at-Arms of the Senate of the United States, to serve and return.

Given under my hand, by order of the committee, this eighth day of July, in the year of our Lord one thousand eight hundred and seventy-one.

JOHN SCOTT,

Chairman of the Select Committee.

SENATE OF THE UNITED STATES,

Office of the Sergeant-at-Arms.

I do appoint and hereby empower A. P. Camp to serve this subpoena, and to exercise all the authority in relation thereto with which I am vested by the within order.

JOHN R. FRENCH,

Sergeant-at-Arms of the Senate of the United States.

SPARTANBURGH, SOUTH CAROLINA, July 9, 1871.

I served the within subpoena on the within-named Skip Price, Thaddeus Splawn, and Stephen Splawn, at their residence, this ninth day of July, 1871.

A. P. CAMP.

UNIONVILLE, S. C., July 17, 1871.

ROBERT W. SHAND sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?*Answer.* I reside here, and have resided here since August, 1866.*Question.* Are you a native of this State?*Answer.* I am a native of Columbia, South Carolina.*Question.* What is your occupation?*Answer.* I am a lawyer, sir.*Question.* Mr. Shand, the purposes of this committee are expressed in the resolution under which it was appointed. They are to inquire into the efficiency with which the laws are administered in the late insurrectionary States and the degree of security enjoyed for life, person, and property. We desire now to inquire specially into the condition of this county; after that you may give any general knowledge which you have as to the State at large.*Answer.* Well, sir, I would merely say from my observation that the condition of this county has not been satisfactory since I have been here. I moved here in August, 1866. The condition of the country is not such as I would like to see, where I reside. There has been a great deal of disturbance, sir. I think it was shortly after August, 1866, that the reconstruction acts went into effect; we had a military government for some time, and after the military government passed away Governor Scott and his administration came into power, elected, I suppose I may say entirely, by the negroes. I think Governor Scott was inaugurated in July, 1868, and the condition of the black population shortly after that in this county was very—well, sir, I will say turbulent. I happened at that time to be a magistrate, and from one section of the county, the part known as Simstown, I had frequent applications complaining that the negroes were behaving in a very boisterous manner, firing off their guns, holding meetings, setting sentinels on the road, keeping parties from passing, &c.*Question.* At what date was that?*Answer.* It was in the summer of 1868. At that time I was a magistrate and had official knowledge of these things. These complaints were made on oath; laborers would leave the plantation, cease their work in order to go off to these drill meetings. On one occasion an old gentleman, Mr. Simmons, sixty or seventy years of age, applied to me for a warrant. The negroes had been leaving his place without leave, and neglected his crops, and he had ordered them to cease doing so.*Question.* Leaving his place without his permission?*Answer.* Yes, sir.*Question.* And doing what?*Answer.* Attending these militia meetings, or meetings of negroes, and he represented to me that they had been doing it for some time, and he had ordered them to discontinue it, and finally told them that if they went again he would consider the contract ended and would take steps to have them put off his plantation, under the law of our State. He came to me to issue a warrant of that sort, the warrant running to this effect, that if good cause were not shown within ten days they would be ejected from the place. If they did show good cause the matter was then turned over, and the magistrate's jurisdiction was then at an end. If they did not show good cause he issued his warrant turning them off. When this was served upon them they did not wait, but went to Columbia the next day, and represented it to Governor Scott, who wrote a letter to me, which I have now in my office, in which he said, it had been represented to him that the negroes had been ejected from their plantations because of their refusal to join democratic clubs, and if such conduct were persisted in both the landlords and myself might expect to be punished in some way. I wrote a letter to him, which convinced him that he had been wrong in writing such a letter in advance of the trial. About that time, however, the complaints were very numerous in regard to the negroes drilling; it culminated in these difficulties or in the fight between the whites and blacks at a place called Santuck, on the railroad which passes this place, at which I was not present. Things then were comparatively quiet.

By Mr. VAN TRUMP:

Question. It may save time to make the suggestion that we are not confined in this investigation to the strict technical rule of evidence as in courts of law, and if you know the fact from common report you can state it.*Answer.* 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 all scampered over the field.

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 by this fight 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 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 one exception in the city of Columbia, from which company the guns were afterward 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 drills 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. I remember a gentleman coming here from the North was very much struck with it, a gentleman whose political affinities I never knew; he was a clergyman who officiated at our church, and I did not care to ask the question. They were constantly parading the streets here with those guns on their shoulders. You would pass along the roads at any time of day and meet these negroes with guns; could hear them firing them constantly during 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 that these guns were offensively displayed in the presence of the white people.

Question. The cartridges were considerably diminished when taken possession of in 1871?

Answer. I will come to that directly. A great many boxes were emptied; cartridges were all gone—fired and shot away; I also heard of one or two attacks made by these militia men with their guns, one upon the house of John Henry Gallman near here; they fired into his house; cartridges were extracted, I understood, and identified as the ball issued for these militia guns which only the negroes had; a young man named Frank Gregory here in town was stopped on the road near here; a young man named Leech was stopped on the road.

By Mr. STEVENSON:

Question. Can you give the dates of these occurrences?

Answer. They were in the latter part of 1870.

By the CHAIRMAN:

Question. Proceed with your statement.

Answer. Things got so that the white people were in considerable trepidation. About the year 1868, I purchased for myself a pistol—I had no fire-arms at all at home, and I purchased that—the first pistol I ever owned in my life; I carried it home but kept it without loading; the first load I ever put in it was about September of last year; up to that time I had never felt the necessity for it, and being opposed to carrying concealed weapons of any sort, did not use it; I just laid it on the shelf to have it in case a necessity should arise; up to November, 1870, I should have had no hesitation in riding in any portion of Union County, day or night, without any weapon, even a pocket knife; after that time I would have considered it exceedingly imprudent to ride without a weapon; up to 1870, I had no hesitation, when business called me to Columbia or elsewhere, in leaving my family without protection—leaving my wife at home; she had no hesitation in staying at home; after that time, during the latter part of that year, I would not have left her at home by herself, and she would have felt very nervous to have been so left; 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 Stevens murder took

place, a matter of which I suppose there is very full information before the committee already. A trial was had of two prisoners here at the last term of the court, and considering it a matter of some consequence, I took notes of all the testimony and sent it to the New York Herald, where it was published. It was shown that a body of twenty-five to forty negroes armed with muskets had gone up the road on Saturday night; what their purpose was I do not know that anybody knows—certainly none outside of the band; a negro who was asked to join them and did go a little way with them, was told on the way that they intended “to mug a man.”

Question. To what?

Answer. To mug a man; that was his expression. I have no more idea of his meaning than you have, but suppose it was violence. He turned and left them. They went up the road and formed themselves into a line, about four miles up the road, on the Spartanburgh stage road; there they stopped a man named John Scott; he was the first; they said, “Who goes there?” He replied, “It’s me.”

By Mr. VAN TRUMP:

Question. Was this in daylight or night-time?

Answer. In the night-time, a bright, moonlight night, about 8 o’clock, according to the testimony. They stopped him and asked him who it was. He said, “It is me.” Some one said, “That is John Scott; let him pass.” He went by; and it happened that Mr. John Scott was a white radical, a white republican. The next man they stopped was this fellow Stevens; they first demanded whisky; he gave them a little—what he had in his flask; they said they must have more; he started with his wagon; they fired at him several shots; he was with another man; they had not gone more than twenty steps when a volley was fired; they stopped and jumped out of the wagon; Stevens ran up to a house; they pursued him and pulled him out of the house, and finally pulled him off to the woods and killed him; one ball was shot through his head while he was on the ground. The testimony was that three were a committee to go off and do this murder. When they came back they were asked—the others had heard him running—the captain of the band, Sylvanus Wright, asked if they had let him go. They replied, no, they had not; they had caught him and killed him. One of them said that while he was down they fired; that he was not dead, and he had put his gun to his head and stove a bullet through him. That was on Saturday night, the last day of the year. It was not known here until Sunday morning. Then the young men of the town went up there. The man who was with him escaped, and came down and told the news about daylight. His friends came to town and got a body of white men—

Question. Was this man with him a white or black man?

Answer. A white man.

Question. What was his name?

Answer. Ben. Roberson. They went up there and found the body and brought it down. A coroner’s inquest was held and they went to work to arrest the parties they knew were concerned, and also to take the guns from these negroes. The guns issued by the State government to these negroes, the men here took away. Some gentlemen of the town, including the intendant and several other gentlemen, had a meeting and discussed the matter, and although there was no warrant of law, they thought it self-protection to take these guns from the negroes. For a few succeeding days what struck the people more painfully even than the murder of Stevens, though they could conceive no other reason for his murder except that he had a white face, was the demeanor of the negroes. There was a very foul murder committed on a very inoffensive young man with one arm, who had given no offense to anybody among those who committed the crime, so far as we knew; what struck them painfully was that these negroes not only took no steps in arresting the criminals, but wherever one was found he was discovered concealed by those of his own color, and the feeling here was that the entire negro community were in active sympathy with the murderers; the guns were taken away, and on the succeeding Wednesday night following that day five were taken out of the jail, two were killed, three escaped. That was on Wednesday.

By Mr. STEVENSON:

Question. Were those three shot who escaped?

Answer. Yes, sir; all those who escaped were shot.

By the CHAIRMAN:

Question. You mean wounded?

Answer. Yes, sir. The arms were all taken away. Governor Scott sent an officer up here who issued an order that the arms should be taken away from the negro militia, and those which had not been taken away by the “council of safety” were afterward taken away by the order of General or Colonel Anderson, an officer who had some con-

nection with the State militia under Governor Scott. If there are any militia guns in the hands of the negroes now, they are concealing them.

Question. That occurrence was early in January?

Answer. Yes, sir; the first Wednesday in January, the 4th of January, 1871, when that raid was made on the jail.

Question. Proceed with anything further in answer to the general question.

Answer. The county continued in comparative quiet. I am not positive but that there were some Ku-Klux operations through the county. Probably they did come into that interim, but the town was quiet until the next succeeding raid by the Ku-Klux on the jail, in which they took out ten prisoners, of whom they killed eight. The other two seem to have escaped, but I do not know that they have been seen since. The causes, as far as we can judge, which led to that last raid seemed to have been these—

By Mr. VAN TRUMP:

Question. Can you fix the date of that raid?

Answer. Yes, sir; I can fix the date exactly. It was on the night of Sunday, the 12th of February, 1871.

Question. These negroes had been in jail from about the 1st of January until the 12th of February?

Answer. Yes, sir; the remaining negroes. On Friday morning just before I left town I was called in by the deputy sheriff. The train had left. We had then only a tri-weekly train which went down Friday and came back Saturday. The train for Friday morning had left and there was no other train going down until Monday morning. I was called in by the deputy sheriff, together with the other lawyers of the town, to examine a paper sent here by Judge Thomas, State judge of this circuit.

Question. Living where?

Answer. He was then living in Columbia. His residence has been a matter of dispute before the legislature. They were then having him up. The constitution requires our State judge to live in his circuit. Judge Thomas, at the time of his election, lived at Greenville, but he registered afterward at Chester, though he was not there except during the court. There is a further provision that, at the request of two-thirds of the members of the legislature, the governor shall remove any officer. A resolution was proposed in the legislature that inasmuch as Judge Thomas had not resided for two years in his circuit, the governor be requested to remove him. It was brought up in the legislature. The whole matter had been pending for some time. They had been pursuing Judge Thomas. He was not popular with them. He was there at the time and considerably anxious about his place.

By the CHAIRMAN:

Question. Do you mean that the legislature had been pursuing him?

Answer. Yes; some men in the legislature. The vote in the legislature came up after this raid. He was then in Columbia and issued this paper, which purported to be a writ of *habeas corpus*. I do not know how the paper read, but I can only say it was exceedingly informal.

By Mr. VAN TRUMP:

Question. And that was the paper the deputy sheriff invited you to look at?

Answer. He said it had been handed to the sheriff by a negro and was then inclosed in an express-package money-envelope; that the negro told the sheriff that he must not mention it to anybody, but take the negroes down to Columbia. The paper was submitted to us. It had none of the characteristics of a writ of *habeas corpus*, but it was an order to him to take the prisoners to Columbia. There was nothing to indicate that the judge or a lawyer had touched it with his pen except the well known signature of Judge Thomas, which we all recognized. This conference of lawyers advised the sheriff to keep the matter secret and communicate with Judge Thomas and ask him whether it was genuine. I will mention here a suspicion which crossed all our minds. Judge Thomas is a drinking man, and it occurred to us that he had signed it when in a state of intoxication and had not meant it—that it was against his judgment. At any rate, we heard afterward that Judge Thomas said he never would have signed it if he had not been forced to do it.

By the CHAIRMAN:

Question. Did he tell you that?

Answer. No, sir; I perhaps ought not to have mentioned it, but probably there will be a witness before the committee who will say that Judge Thomas told him so.

Question. Proceed.

Answer. I then left town. I was in my buggy at the time, going to pay a visit in the country. I heard afterward that after the conference had adjourned the matter had

been reconsidered and Mr. William Munro, another lawyer here, had gone to Mr. Dunn, the sheriff, and advised him to take them down on Monday morning. Mr. Dunn told him he would do so. The fact of this order having been sent up got out, whether from the sheriff or the negroes I do not know, but it got out and it was known to the community that such an order had been sent up. When I saw the order I felt that these prisoners would never be tried, and I think it was the general feeling in the community. Whether they were right or not no one can say. The legislature was then in session. If the attention of this committee has ever been called to the character of the South Carolina legislature they will have learned that they were a body of ignorant if not very corrupt men. It was felt that when the prisoners got to Columbia that the legislature would release them. That was the general feeling. It was so much the feeling that I kept the matter myself a profound secret. I never told it to a soul, not even at home to my family, because I was afraid that if the matter did get out the Ku-Klux would come for those prisoners and take them out of jail and hang them, and I did not want that to take place. My own feeling about the Ku-Klux has been and is still that it is a vigilance committee that has been acting, so far as I have been able to see, upon cases—upon bad characters; that it is not a political organization and that it certainly has no aim against the National Government. I am speaking simply the impression that I have taken up from what I have seen of their acts. I have heard of a half a dozen democrats in this county being whipped, and I can think of but one case that I have heard of in which a white man was whipped where his character was not bad and he a republican. He was a republican. That they acted under disguise was owing to the fact that the National Government seemed disposed to bolster up the republicans, the radical party in this State, and that any party which was organized to punish bad men would necessarily punish nice radicals in South Carolina to one democrat. Certainly in Union County that would be the case. Therefore, I thought they were simply a vigilance committee and acted in disguise for that reason; but still I was opposed to them, as I was opposed to all vigilance committees whether in Illinois, Colorado, Nevada, or South Carolina. I think no persons have the right to take the law into their own hands, because they are irresponsible. But still I felt that the Ku-Klux would take these prisoners out of jail, and I kept it secret. The moment I heard of it I said, "Judge Thomas is to blame for this." Since that time the county has been quiet. I know there has been very little stealing since then. The negroes in the streets have been behaving quietly. The white men and negroes have been getting on better together. The country is more prosperous, the crops are better worked, and everything is better.

Question. Does that finish what you wish to state?

Answer. I believe so, but I would like to be examined in detail.

Question. Would there have been any difficulty in trying in this court the negroes who were charged with the murder of Stevens?

Answer. I believe not, sir. I would mention this though, that Governor Scott had been exercising the pardoning power very freely. It got so that parties would not prosecute. I have heard them say to me, "There is no use to prosecute. So and so was convicted the other day and he is back here stealing again."

Question. I have followed with considerable interest your account of the successive stages of the troubles here. I will go back to the early part of your statement. Your first observation was that there had been trouble arising from negroes leaving work and going to meetings, and I understood you to mention one gentleman by name who stated that he would put them off his plantation for that reason?

Answer. Yes, sir.

Question. For going to political meetings?

Answer. For going without his leave.

Question. Was it claimed as a right on the part of the white people to control the volition of the colored people, as to whether they should or should not attend political meetings?

Answer. During the year 1868 the white people did tell the negroes, and I expect very generally, that if they voted against them they would not employ them.

Question. Do they claim as a right to control the negroes in regard to their attendance upon political meetings when they wish to go? You say this gentleman said he would put them off of his plantation if they went to political meetings against his wishes?

Answer. Yes, sir; they claimed the right, where the contract was made between the planter and the negroes that the negroes were to work on the plantation, that if the negroes left the plantation without leave for any purpose, neglecting his crop, he had the right to turn them off.

Question. Did the law of South Carolina permit the planter to prevent the negro from leaving his plantation?

Answer. No, sir.

Question. Then that was a usurpation of authority over the negro?

Answer. No, sir; this was a breach of contract certainly.

Question. Was it a breach of contract for the man to leave the plantation without permission? Was such a stipulation in the written contract?

Answer. Yes, sir; I suppose there was not one contract in a hundred, in this county, that did not expressly provide that the laborer was not to leave the plantation during the day-time.

Question. Can you furnish us a copy of such a contract?

Answer. I cannot right now. I can procure one.

Question. You say it is a condition of these contracts that the negro is not to leave the plantation during the work-day without the permission of the employer?

Answer. Yes, sir, that is the common clause.

Question. What was the penalty?

Answer. No penalty at all. It is a breach of the contract simply. In some contracts there was a penalty of so much being charged per day.

Question. How much?

Answer. Just about double or three times the price of the day's labor.

Question. At what date did that sort of contract originate?

Answer. I would say immediately after the war; probably in the contracts drawn up here by the military authorities just after the war.

Question. Did that continue until the admission of the State into the Union in 1868 and since?

Answer. Yes, sir.

Question. And the authority has been exercised under it since?

Answer. Yes, sir.

Question. Has that been the general system of employment in this county?

Answer. Yes, sir; the most common has been for a share of the crops, but even in this sort of contract the provision would be inserted that the employé must remain.

Question. Did the negro require permission of his master or of his employer to leave the plantation to go to a religious meeting?

Answer. Yes, sir, if it happened during week days. Going away was a breach of contract.

Question. Or if he wished to go to town to make purchases?

Answer. Yes, sir.

Question. Even in the evening when his day's work was over?

Answer. No, sir; it was just simply a neglect of work.

Question. Then did it apply to attending political meetings in the evening?

Answer. No, sir; these political meetings were in the day-time that I speak of.

Question. At all times?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. With these particular men you spoke of?

Answer. Yes, sir; Saturday was their general day.

By the CHAIRMAN:

Question. Was it customary for them to work all day on Saturday?

Answer. Well, sir, I think about that time, perhaps—I am not certain—I am certain that since that time, and probably at that time, they had Saturday afternoons.

Question. Were these cases, in which this authority was exercised, cases in which they had gone to political meetings on Saturday afternoons?

Answer. Saturday mornings and sometimes days in the week.

Question. That was alleged as a violation of contract?

Answer. Yes, sir; that was the ground on which it was put in their applications for dismissal.

Question. Had any disturbance arisen from that cause in 1868 and 1869?

Answer. No, sir, except that the white people in that country were kept in fear and at times stopped on the road, and the negroes were very boisterous, shooting off guns, &c.

Question. Had the negroes in any instance committed actual violence upon persons, or was it simply the apprehension of violence?

Answer. Simply apprehension of violence; I do not know of violence being committed at that time.

Question. You made a remark that the blacks were all armed and the whites were not.

Answer. By the State government.

Question. Were the blacks all armed?

Answer. I meant that all the arms that were issued were issued to the blacks.

Question. Were any blacks armed by the State government except these militia companies?

Answer. None that I know of.

Question. Outside of the arms issued by the State, were the negroes armed with their private property?

Answer. I think a large majority of them were.

Question. Were the whites?

Answer. The whites had their guns and their pistols.

Question. Had there not been a very large and extensive arming of the white population in 1868?

Answer. Yes, sir; just after the Santuck difficulty.

Question. So that, so far as arms were concerned, if an apprehended improper use was concerned, the whites were just as well prepared for aggression upon the negroes as the negroes were upon the whites?

Answer. Yes, sir; they were with guns, but not with ammunition.

Question. That was accessible for those who could buy it?

Answer. Yes, sir; I suppose there was no trouble in getting it from Columbia. But the negroes displayed their arms on all occasions.

Question. But not so as to commit actual aggression upon anybody?

Answer. Not, except as I have mentioned.

Question. You said that there was firing in and about the town?

Answer. Yes, sir.

Question. Is that an unusual occurrence here?

Answer. Yes, sir.

Question. Do not all the young men here generally carry arms?

Answer. Yes, sir. I have remarked since I have been here how many young men carry arms. Once or twice I have remarked it; and the reply has been that it has been so only since the war.

Question. Do you mean to convey the idea that at night all of the firing was by negroes?

Answer. I mean that the firing by night was very unfrequent until the negroes were armed. My place at night was always at home. I do not go out at nights, but my information was that this firing was by negroes.

Question. Was it not common that companies of young men, living free and easy lives, would be out shooting off pistols?

Answer. Not to my knowledge.

Question. You say the first outbreak which attracted much attention was the murder of Stevens?

Answer. Yes, sir.

Question. Had that company been out parading or drilling that day, before he was murdered?

Answer. I think not, sir.

Question. You said you took notes of the trial, and I suppose that fact was developed?

Answer. That fact did not come out; the fact came out, or the witnesses testified, that they went in the afternoon or at sundown.

Question. For what purpose?

Answer. The purpose was expressed in some; it was to guard a fellow named Budd Williams, about seven miles up the road, that night.

Question. To guard him against whom?

Answer. Against Ku-Klux.

Question. Had there been any Ku-Klux outrages prior to that?

Answer. There had been two; one was the murder of Owens in the upper part of the county; the other was the whipping of Drury Goings. Owens was a white man, a trial justice, appointed by Governor Scott. Goings was a probate judge elected at the last election—a republican.

Question. How long before this was Owens killed?

Answer. It was the last of November.

Question. How long since Goings was outraged?

Answer. I do not know; about December, I think.

Question. Who was Budd Williams?

Answer. He was a radical—a republican, a white man about seven miles from town. That night he was in town and knew nothing whatever of this party going to guard him; so he testified afterwards.

Question. Did he hold any official position then?

Answer. He was commissioner of elections; he was one of the constabulary.

Question. State constabulary?

Answer. I do not know. The constabulary, I think, was abolished after that. He was also commissioner of elections.

Question. When they went up were they going in the direction of Williams's house?

Answer. Yes, sir; and when they got four miles out they halted.

Question. Was there any disclosure of any motive on the part of these men for the murder of Stevens; any altercation?

Answer. No, sir; none that I heard of.

Question. Had he been selling them liquor during the day?

Answer. No, sir.

Question. Had he liquor in his wagon?

Answer. Yes, sir.

Question. Where was he taking it?

Answer. To Steens's Hotel. I think he got it at Ballou's house, five or six miles from town.

Question. Is that a distillery?

Answer. I do not know.

Question. Is it a liquor store?

Answer. I do not know; I rather suspect, from the time of day, that it was illicit whisky.

Question. And Stevens was engaged in bringing it in?

Answer. Yes, sir; in hauling it. He was a drayman by occupation and ran a dray about town. They demanded whisky and he gave them what he had in his flask; they wanted more; he said, "you cannot get any more without you pay for it," and added, "Roberson, drive on," and Roberson drove on about twenty steps when they fired this volley.

Question. And he was shot?

Answer. No, sir; Stevens was not struck; he ran to a house.

Question. It resulted in his death?

Answer. Yes, sir.

Question. That occurrence immediately aroused the community?

Answer. Yes, sir.

Question. How many turned out to hunt the negroes?

Answer. I do not know. I went to church on Sunday morning, and first heard of the murder.

Question. Did your citizens turn out?

Answer. I think the young men generally turned out.

Question. They pursued the negroes?

Answer. Yes, sir.

Question. Did they arrest them?

Answer. Yes, sir.

Question. How many of them?

Answer. I think there was as many as ten or twelve the next morning in jail.

Question. Did they succeed in taking most of their arms from them?

Answer. They were taking their arms from them through Sunday and for two or three succeeding days. A great many negroes came in voluntarily to give them up, seeing that they were getting into mischief.

Question. Have they been returned since?

Answer. No, sir; they are now in the possession of Governor Scott, I believe.

Question. How many people turned out when Owens was murdered to hunt the murderers?

Answer. None at all that I heard of.

Question. Had he been murdered by disguised men?

Answer. Yes, sir; that is our opinion. It was about twenty miles from here across Pacolet River. The information we got about that was that a notice had been stuck up in the streets in the neighborhood for several days before his murder that the house of Doctor Wade Fowler and one or two others were to be burnt; and that notice the people in the country say was in the handwriting of this man Owens. He was considered up there a very bad and dangerous character, organizing the negroes, and he had been guilty of, or accused of, great violence to his wife on account of her remonstrances with him for his conduct.

Question. Was there any proof that that paper was in his handwriting?

Answer. I do not know that there was.

Question. He was lawlessly murdered, let his character be what it may?

Answer. Yes, sir. They went to the house, and he fired and they returned the fire, and the result was that he was killed. It was said that one of their party was wounded.

Question. It was understood that they went there to kill him?

Answer. No; they went to whip him.

Question. It was for the purpose of violence?

Answer. Yes, sir.

Question. Without warrant of law. No effort was made to arrest these men?

Answer. No, sir.

Question. Was anybody known?

Answer. No, sir.

Question. Did any of your citizens know who they were?

Answer. I do not know.

Question. Was there any suspicions?

Answer. Not that I know of.

Question. How long before that was it that the Ku-Kluxing began?

Answer. That was the first Ku-Kluxing in Union County.

Question. Mr. Goings was probate judge?

Answer. He is not a man of education. I do not know anything against his character. I stated that there was a case of one person whipped by the Ku-Klux against whom I knew nothing; that was the case of Goings. That was done by the Ku-Klux, and not by private parties; at least I suppose it was done by the Ku-Klux. The only way you can find any sort of justification for it was that they knew that he was not a man to be trusted with the funds of the whites.

Question. You know nothing against his character?

Answer. I mean I know nothing of rascality; he was a person of low life.

Question. He was poor?

Answer. Yes, sir; he was poor.

Question. You knew nothing against his character?

Answer. Well, he was a man I would not like to trust my money with, from his associations.

Question. He had never been guilty of dishonesty to your knowledge, or corruption in office?

Answer. No, sir.

Question. How many persons murdered him?

Answer. They whipped him. The information was that there were seven.

Question. Were they in disguise?

Answer. Yes, sir.

Question. Both these cases preceded the killing of Stevens, of which you have spoken?

Answer. Yes, sir.

Question. Was there any information in the community that Budd Williams was to be visited by the Ku-Klux?

Answer. Not that I heard of.

Question. Had the negroes such an opinion?

Answer. I do not know.

Question. Then the reason for murdering Owens was that this handwriting was alleged to be his?

Answer. Yes, sir; so I have understood since. At the time I heard of the murder of Owens I knew nothing of the facts.

Question. Did the burning threatened in this notice actually take place?

Answer. Yes, sir.

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.

Question. After these negroes were arrested and placed in jail, within three or four days, on the 4th of January, five of them were taken out and two killed?

Answer. Yes, sir.

Question. How many men were here at that time who took them out?

Answer. I do not know, sir; I did not see them. My recollection is that they were said to be fifty or sixty.

Question. Were you here?

Answer. I was at my home, which was at the other end of the town from the jail.

Question. From which direction did they come?

Answer. From the direction of Spartanburgh.

Question. You said they took out and killed two?

Answer. Yes, sir.

Question. You did not give us a description of who they were. What kind of men were they?

Answer. They were Ku-Klux; those to whom that name has been applied.

Question. Were they disguised?

Answer. Yes, sir; and on horseback.

Question. At what time of night did they come?

Answer. About 12 o'clock.

Question. Is your jail easy of access?

Answer. Yes, sir.

Question. How did they get them out?

Answer. Nobody was there but the sheriff. J. Rice Rogers was the sheriff.

Question. What was he?

Answer. A white man; a democrat. They demanded the keys of him, but he saw them coming; he was alone; he locked up the entire jail and took the keys and threw them over into the garden. They went to him and put a pistol to his head and told him if he did not give up the keys they would blow his brains out. He told them they could shoot but he would not give them the keys; it was his duty to keep the jail. They put him in charge of a man and went into the back yard and got an ax from a negro, and some other instrument, broke open the doors of the jail and took the prisoners out.

Question. Where were the prisoners taken to be shot?

Answer. About half a mile beyond Dr. Herndon's house.

Question. Is that outside of the corporate limits?

Answer. They extend about half a mile from the depot each way. It was just outside of the corporation.

Question. How long were they engaged in getting them out?

Answer. About an hour.

Question. Was there any alarm in the town?

Answer. No, sir; there were some men at the time policing the streets; about a dozen of them down at the hotel; in the hotel lobby or hall.

Question. Were they policing the streets?

Answer. The party was a street police, and they were staying in the hotel going about by reliefs.

Question. Was that your ordinary town police?

Answer. No, sir; we, at that time, expected the town to be fired by the negroes and we were watching for them.

Question. There was a police out at the time; did they alarm the citizens?

Answer. No, sir.

Question. Did the whole thing pass off without the town being aroused?

Answer. Yes, sir.

Question. Not a man came out?

Answer. No, sir; not a man. Just those at the hotel started to come out, but they were stopped by the Ku-Klux sentinels.

Question. Did any one make an effort to organize the citizens to prevent this?

Answer. I do not know that they did.

Question. You were awakened?

Answer. No, sir.

Question. Were any persons in your neighborhood awakened?

Answer. No, sir.

Question. What kind of a police was this?

Answer. Citizens of the town.

Question. What character of men?

Answer. The best men in the town.

Question. The best men in the town permitted the town to sleep on without arousing them?

Answer. Yes, sir.

Question. Give us the names of those that were the police that night?

Answer. I was not there, but I could give a few from recollection.

Question. Give them.

Answer. Old Mr. Tom Hill, Major Townsend. I understood that Major Townsend proposed to go up and resist them. He was told that the thing would be futile; that they were far too numerous for any party they had.

Question. Five of these men were taken out, and two killed and three wounded in the effort to escape?

Answer. Yes, sir.

Question. What was done then?

Answer. They were put back in jail.

Question. On the 12th of February these same three men were taken out with the other ten?

Answer. Yes.

Question. Ten were taken out on the 12th of February, and eight killed?

Answer. Yes, sir.

Question. Were they all in prison when the five were taken out?

Answer. Yes, sir, most of them were; one or two of them may have been put in afterward. There were several in jail who were not taken out at that time; some for other offenses, and some charged with this murder.

Question. Some charged with this murder were left that night?

Answer. Yes, sir.

Question. Is there any idea who composed that body of men who were here?

Answer. If there is any idea I do not know it. I have no idea of any member of that band. That such a band exists, I know from all I have heard, but I have no suspicion of any one; that is, I have no reason to suspect any particular person.

Question. How do you know that such a band exists?

Answer. From information given me by those who saw them here on those two occasions.

Question. Have you any other information?

Answer. I have heard of their operating in other parts of the county.

Question. You have no actual knowledge or information of any member of the organization?

Answer. No, sir. I never heard any one say he was a member.

Question. According to your idea the same organization exists throughout these various counties?

Answer. Yes, sir; that is, from my information, from all I can gather.

Question. When the ten were taken out, and the eight killed, what reason was given for not killing the other two?

Answer. I never heard.

Question. Was there any discrimination as to what they were killed for?

Answer. No, sir; except that one of them, named Amos McKissick, had sent for me to defend him in the murder of Stevens; and from his statement I was satisfied he was not guilty; that he was not one of the band, and was not there. A man named John McKissick, to whom he had belonged, told me afterward that he had talked with

some of these witnesses, and Amos said he could prove that he was not there, and John McKissick was satisfied that Amos was not there.

Question. Have you any information as to how many men composed the second gang?

Answer. Just simply the estimate put upon it.

Question. What was that?

Answer. The lowest I have ever heard was three hundred, the highest eight hundred.

Question. At what time did they come in?

Answer. About midnight; about 12 to 2 o'clock.

Question. From what direction?

Answer. They seemed to come principally from the direction of Spartanburgh, but I have heard since that some came from the direction of Cross Keys, and some from Goshen Hill road, to Newberry. Spartanburgh is northwest, Goshen Hill is southwest, and Cross Keys is south of east.

Question. What county is nearest in that direction?

Answer. Laurens will join in the Cross Keys direction; Newberry is southwest.

Question. Would this statement leave on your mind the impression that these men came by concert from four different counties—Laurens, Newberry, Spartanburgh, and York?

Answer. I declare I have no knowledge of the matter. They certainly must have come from those counties, or from our county in those directions. There must have been concert, from all we can see.

Question. Do you know where Junius Thomson's plantation is on Broad River?

Answer. No, sir.

Question. Do you know where Pinckneyville is?

Answer. Yes, sir; I think Junius Thomson's is in the forks of Broad and Pacolet; that would bring them past the front of my house in entering here, coming from that direction, but I do not remember of any entering that way. My house is about three hundred yards from the street.

Question. Suppose you were satisfied that one hundred crossed that ferry, from what direction did they come?

Answer. That would be from York. There is a double ferry—Pacolet River and Broad River come together and the ferry extends from the Union bank, touching on the Pacolet bank in the fork, and crossing to the other side of the river, but it is all the same ferry. The boat stops half way at the forks.

Question. From what county would you say one hundred men rendezvousing there would come?

Answer. If they came across Broad River they came from York or Chester. They would land in York district on the other side of the river, but the Chester line is not far below.

Question. On Friday morning you got the first information that this writ of *habeas corpus* had come from Judge Thomas?

Answer. Yes, sir; Friday morning.

Question. That was known only to the deputy sheriff and the conference of lawyers who met?

Answer. It was known to the negro who brought it up.

Question. Did he know what was in it?

Answer. I suppose so. Quite a number of negroes collected at the jail next morning and also at the depot when the train left.

Question. Was it sealed?

Answer. Yes, sir.

Question. How did it come?

Answer. John Tinsley brought it up; it came in an express package.

Question. Who were at that conference?

Answer. Judge Munro, General Allen, Mr. Steadman, Mr. William Munro. I do not remember whether Colonel McKissick was there or not; and I was there.

Question. These are leading gentlemen of your place?

Answer. Yes, sir.

Question. The fact that that paper had come was to be kept secret?

Answer. Yes, sir.

Question. At what time did you leave?

Answer. I left immediately. The train left about ten. I suppose it was about eleven o'clock then.

Question. So far as you know, it had not been divulged at that time?

Answer. Unless through the negro, no, sir.

Question. Not to the white people through the other gentlemen?

Answer. No, sir.

Question. On the following Sunday night these people came, three to eight hundred strong from these various counties, to this jail?

Answer. Yes, sir.

Question. Would it be possible, if the alleged taking of the prisoners to Columbia was the reason for this raid, that the men who composed that band could have been brought from these counties by concert on Sunday night, unless information were sent to them from this place?

Answer. No, sir; I think not.

Question. Have you any idea of who in this town would send out information for that purpose?

Answer. No, sir, unless it was sent from Columbia. Judge Thomas is not a man to keep a matter secret; he might have mentioned it.

Question. Was there any Ku-Klux in Columbia?

Answer. I do not know; none that I know of; but it is an organization that seems to be pretty extensive.

Question. It seems to be pretty effective; in striking it strikes very quickly?

Answer. Yes, sir.

Question. Can it be so without a well-organized system throughout this county?

Answer. I judge not.

Question. The proceeding, I understand, was viewed here as intended to get the negroes beyond the reach of the judicial authorities here?

Answer. Yes, sir; to be released by the legislature at Columbia.

Question. That is the view you took of it?

Answer. Yes, sir.

Question. Was there or not a statute authorizing the judge to take before him on a writ of *habeas corpus* prisoners from any part of the State?

Answer. O, yes, sir.

Question. Has there ever been such a practice in your State as for the legislature to undertake to discharge prisoners accused of crime and in custody?

Answer. No, sir; but there is nothing that this legislature could do that would surprise us.

Question. Then the action was based on the assumption that the judge was acting from an improper purpose and the legislature would usurp the judicial functions?

Answer. Yes, sir; that was the idea.

Question. This lawlessness, then, was actually committed upon the assumption that the judicial officer was going to betray his trust, and the legislature to betray theirs?

Answer. I suppose so, from the order he left here. They stated that that was the reason why they had acted.

Question. Was it not given as a reason on the other side that the apprehension of the same kind of violence against these men that had been practiced upon them heretofore was the ground for their removal?

Answer. It was.

Question. And they were going to keep them safely in custody in Columbia?

Answer. Yes, sir.

Question. That was the allegation on the other side?

Answer. Yes, sir.

Question. You say you felt yourself that they would never be tried if they left here?

Answer. I had that feeling and I have that feeling.

Question. Was this feeling owing to the conviction that the Ku-Klux would rescue and kill them?

Answer. No, sir.

Question. Or to your participation in the imputation of bad motives to the judge and the legislature?

Answer. Yes, sir; I imputed bad motives to the judge and the legislature; Judge Thomas, I thought, was weak; the legislature was investigating the judge's conduct at that time. My idea was that they would have these parties brought from the jail for an investigation before them, and in some way let them escape.

Question. But you knew the fact that the judge had the authority to order these prisoners before him for a hearing, in Columbia, if he saw proper to exercise that power? I make that inquiry because one of the most eminent judges of your State says such a statute does exist.

Answer. Yes, sir, we have the old common law.

Question. When you returned you found this had been divulged, notwithstanding the injunction of secrecy?

Answer. I found it out after the raid. I got back Saturday, and Sunday nothing was said about it.

Question. Did you not say you learned it before the raid? You said as soon as you heard it, you felt that the Ku-Klux would take them out?

Answer. I felt that if that information got out they would.

Question. When you returned, you said that the sheriff told you that they had changed their minds about keeping it a secret?

Answer. No, sir, you misunderstood me.

Question. Did they change their mind?

Answer. No, sir. Mr. William Munro told me afterwards that he had gone to the sheriff, and told the sheriff that he must take the prisoners down on Monday morning.

Question. Was the fact that the sheriff intended to take them down on Monday morning made public?

Answer. I do not know that it was.

Question. Was that still kept secret?

Answer. I do not know that it was, nor what took place on Friday, after 11 o'clock, or on Saturday. On Sunday I was at church.

Question. What was that expression you used, referring to your feeling that the Ku-Klux would take them out?

Answer. I felt that if the Ku-Klux heard that they were going to Columbia, they would make a raid.

Question. Then they must have got to know it?

Answer. Yes, sir; Thursday evening the notice came up.

Question. You did not tell it, nor did the sheriff?

Answer. I do not know whether the sheriff did or not. I certainly did not do it.

Question. After that what was the result of the trial of the prisoners who were tried here for the murder?

Answer. They were convicted.

Question. And hung?

Answer. Yes, sir.

Question. How many of them were?

Answer. All.

Question. How many were killed by the mob?

Answer. Eight, and two the first time.

Question. That makes ten altogether?

Answer. Yes, sir; and the two hung, make twelve altogether.

Question. Were these men all members of the militia company—all who were killed by the mob, or hung?

Answer. I do not know. I know some of them were; I do not know that all were.

Question. You mean all the company who murdered Stevens?

Answer. Yes, sir, all the men who went out with arms. The information was that all were, with two exceptions.

Question. Were the two exceptions the two who were legally tried and convicted?

Answer. No, sir; they were the ones who killed the constable Smith here at the Yellow House, on Wednesday night. Smith was sent down by the sheriff or coroner to arrest some parties in the Yellow House, who were supposed to be implicated in the murder of Stevens. He demanded admittance. They refused. He told them he had a warrant. They fired and killed him, and one of those taken out was this man who fired that shot. The other was a man named Walker, a trial justice.

Question. But not connected with the Stevens murder?

Answer. No, sir; there was no proof that he was there, but there was a general suspicion that he organized the party and sent them. There was no testimony that he was there at all.

Question. Was that suspicion justified by the testimony?

Answer. No, sir.

Question. What was he in jail for?

Answer. Taken up on suspicion.

Question. On this suspicion?

Answer. Yes, sir.

Question. And then, according to the testimony on the trial, at least one man against whom the testimony did not justify the suspicion was killed by the mob?

Answer. Yes, sir.

Question. Since that time, you say, the community has been quiet?

Answer. The town has been quiet, the community has been comparatively quiet. Let me see; there have been two killings since then that I remember now. I do not remember whether there have been any whippings or not.

Question. Have I the names of these men correctly who were killed by the mob?
Alex. Walker?

Answer. He was a trial justice.

Question. And against him the testimony did not make out a case?

Answer. Yes, sir.

Question. Sylvanus Wright?

Answer. Yes, sir.

Question. Charner Gordon?

Answer. Yes, sir.

Question. Did the testimony taken make out a case against him?

Answer. Yes, sir.

Question. Barret Edwards?

Answer. The testimony was that he was in the party.

Question. William Fincher?

Answer. I think the testimony mentioned him in the party.

Question. Irwin Thomson?

Answer. Andy Thomson—he was one who was prominently mentioned.

Question. John Mills?

Answer. John Mills was not killed there. He was not in jail. He was not one of that party.

Question. Jack Donavan?

Answer. He was not one of the party.

Question. Can you name those who were? I have named six.

Answer. There was Joe Vanlue; he was said to have killed Smith, the constable.

Question. That makes seven?

Answer. I do not remember any others. They were not known to me. I would know them if their names were called.

Question. With reference to the general peace and security of the community, let me ask you whether my information is correct. Has James Gist been killed in this county?

Answer. I have never heard of it.

Question. Do you know whether he is white or colored?

Answer. I do not know; I suppose he must be colored. I know pretty much all the Gists here.

Question. A. B. Owens is the man you have referred to?

Answer. Yes, sir.

Question. Andy Thomson is the man I called Irwin; did you know him?

Answer. No, sir.

Question. Rev. Louis Thompson?

Answer. He was killed some few weeks ago. I do not know anything about him or about the case. He was taken out, but his body was not found.

Question. You know the fact that he was a Methodist clergyman, living in Spartanburgh; he had gone to Goshen Hill to get his family and was murdered?

Answer. I heard nothing except in the paper that they had gone to his house at night, told him not to dress, and taken him out.

Question. Did they commit any other indignity upon his person than whipping before killing him?

Answer. Not that I heard.

Question. Was there no coroner's inquest?

Answer. I heard that his body was not found. I did hear on Saturday that his body had been found on the banks of the Tiger River, which runs through our county.

Question. How far is Goshen Hill?

Answer. Eighteen miles.

Question. Where does the coroner live?

Answer. Above town here.

Question. Has he ever gone to see about it?

Answer. I doubt if he did, for he has not held an inquest since his election. The trial justices hold them. They are authorized to do so.

Question. Is it your information that Louis Thompson was killed by the Ku-Klux?

Answer. Yes, sir.

Question. He was a colored man?

Answer. Yes, sir.

Question. Have you heard of Strap Jeffers being killed?

Answer. Yes, sir, I have heard of his death.

By Mr. STEVENSON:

Question. At what time was Louis Thompson's death? was it about two weeks ago?

Answer. Perhaps so; I think it three or four weeks, but I am not sure.

Question. What time was Strap Jeffers killed?

Answer. It seems to me it was three or four months since he was killed.

Question. Was it by the Ku-Klux?

Answer. That is my opinion.

Question. Who was he—a colored man?

Answer. I do not know.

Question. Did he live at Major Tench's, at Jonesville?

Answer. Jonesville is five or six miles from where Major Tench lived.

Question. Did you hear of Strap Jeffers being killed there?

Answer. I do not remember.

Question. How far is that from this point?

Answer. About eighteen miles.

Question. When was Tilman Ward killed?

Answer. I do not remember of hearing of that case.

Question. Aaron Estes, did you hear of his being killed?

Answer. No, sir.

Question. You have given the whipping of Judge Goings?

Answer. Yes, sir.

Question. Have you heard of any one being whipped in the county?

Answer. Yes, sir.

Question. How many?

Answer. I cannot say. It seems to me that all the cases I heard were probably a dozen.

Question. Within what length of time?

Answer. Since January.

Question. Can you name them?

Answer. I can name some. Jerome Miller. I heard of a negro that staid at John McKissick's place; I do not remember his name. I heard of a man named Asbury Garner. I would hear of a negro being whipped, but not knowing him, the name would make no impression. Miller and Garner were white men and not republicans, and knowing them individually I remember their names.

Question. What were they whipped for?

Answer. They told Miller they whipped him because he was cheating the people of the country and not working; and Garner because he had left his wife and was living with another woman.

Question. Then all the bad men are not in the republican party?

Answer. O, no, sir.

Question. It is possible to hit a bad man in the Ku-Klux operations in the democratic party?

Answer. Yes, sir. I do not think you gentlemen would be willing to have the republican party judged by what we have of it in South Carolina. We certainly have a higher opinion of them.

Question. You would not want to have the democrats judged by those who are here?

Answer. No, sir.

By the CHAIRMAN:

Question. What is your opinion of the politics of the Ku-Klux?

Answer. I think they must be democrats.

Question. Have you any doubt about it?

Answer. No, sir.

Question. Which party do you act with?

Answer. The democratic party. When the war ended I thought they were more disposed to do justice to the white men of the South than the republicans.

Question. Was a man named Burg Sims one of these taken from the jail and killed?

Answer. I do not remember. I think there was a Burg somebody.

Question. John Mills?

Answer. I understood he was killed at Doctor Knott's, above Pacolet. A party of disguised men came there and cut his throat. He was not in the jail party.

Question. Was he a white man?

Answer. He was a colored man.

Question. When was that?

Answer. A month or two ago.

Question. What was wrong with him?

Answer. I do not know that anything was wrong with him. I heard that it was suspected that it was not the regular band of Ku-Klux, but some private parties who did it. I know nothing of Mills except that he was convicted once of stealing, and went to the penitentiary and was pardoned.

Question. When was that?

Answer. That was last December a year, when he was convicted.

Question. Has anybody been arrested in this county or elsewhere for this raid on the jail?

Answer. No, sir.

Question. For either of these raids?

Answer. No, sir. I am satisfied that no arrests have been made.

Question. Was any effort made by the citizens of this town to ascertain who they were?

Answer. Immediately after the first raid several citizens of the town felt—they did not exactly know how to go to work to find out—but felt that something ought to be done, and they had a meeting and sent a committee to Governor Scott to request him to ask General Grant to send a garrison here to prevent its occurrence again.

By Mr. VAN TRUMP:

Question. Were they democrats?

Answer. Yes, sir. Democrats controlled it—probably a dozen negroes were there. A committee was sent down to Governor Scott, and Governor Scott said he thought the laws could be enforced here without assistance from the United States Government.

and was unwilling to call for military assistance, as it was a confession that the State government could not punish crimes; and he did not. I have never heard of a warrant or a charge against any one for being a Ku-Klux.

By the CHAIRMAN:

Question. Was that in the interval between the two raids?

Answer. That was after the first raid on Thursday morning.

Question. That was the first time you began to be apprehensive that it was coming too near home?

Answer. We began to fear that it was going too far.

Question. Did you ever do anything else?

Answer. No, sir.

Question. After the second raid was there anything done?

Answer. No, sir; except a short time after that the garrison arrived.

Question. Did the citizens do anything?

Answer. The citizens did nothing. No complaint was ever made against any one.

Question. Was there no alarm the second night that brought out the citizens?

Answer. No, sir; none whatever.

Question. Did the citizens of this place remain in their beds while ten men were taken out and eight of them shot?

Answer. Those who went to the window were ordered back by the sentinels, and went back.

By Mr. VAN TRUMP:

Question. By the Ku-Klux sentinels?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Was there a police out that night?

Answer. Yes, sir. They had discontinued the police before that time.

Question. Is it possible that three to eight hundred men in this town during the time necessary to take out of the jail—

Answer. The second time they got the keys.

Question. Whatever process they adopted during the time necessary in taking them out of the jail and shooting eight of them, is it possible that not one individual was either recognized or suspected as being of that band?

Answer. Yes, sir. I do not believe there were.

Question. Have you no suspicion of any man in that raid?

Answer. None at all, I assure you.

Question. Do you believe anybody in the town was in it that night?

Answer. I do not know. I rather think they operate further away from home in these expeditions. My first suspicion was attracted by the testimony given in the impeachment of Governor Holden, in which some witness said he belonged to that band, and they never operated at home. Thus the band here would operate at York, and the band at York would operate here.

Question. They would request their brethren there to come and do the work?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. You use these names by way of illustration?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Have you any doubt of the organization of that Klan in this particular place?

Answer. I think there must be such a Klan here.

Question. What is the proportion of white and colored population here in this town?

Answer. It cannot be far from equal. The town census was taken about two years ago, and there were then eight hundred and five population entire, and I think about equally divided.

Question. Four hundred white and four hundred colored?

Answer. Yes, sir.

Question. Is it possible that in a town of that sort, with four hundred white inhabitants, there is no idea of who belong to that Klan, when you are satisfied that there is a Klan existing in the town?

Answer. Yes, sir; there is some sort of suspicion. Mr. Chairman, if you knew there was a vigilance committee in your community—knew, from all that was done, that there must be one in your immediate neighborhood, you would say, "He or he must belong to it;" that is about all.

Question. Who do you say belongs to it here?

Answer. I would say every unmarried young man of respectability in the town.

By Mr. VAN TRUMP:

Question. Belongs to the Ku-Klux?

Answer. That is about as near a guess as I can give. I cannot possibly fix upon any one name. I answer generally in that way.

By Mr. STEVENSON:

Question. You mean white men?

Answer. Yes, sir.

Question. What is the political division of the town? How many white republicans are there in this place; or are there any?

Answer. I do not believe there are any, unless Jim Goss is one.

By Mr. VAN TRUMP:

Question. The ex-member of Congress?

Answer. Yes, sir. He used to be one, but he is complaining lately of the way in which things are managed in this State, and I do not know what he is now, or whether he knows himself.

By Mr. STEVENSON:

Question. If within the last month he swore he was a republican, what would be your opinion?

Answer. That depends upon whether he was drunk or sober. I would say this, that he told me within two months past that he was in favor of white men alone governing the country in the future. There is a man named Williams who used to be a republican, and may be a republican still.

By the CHAIRMAN:

Question. With the state of things existing here, are men who are republicans very forward in avowing it?

Answer. No, sir.

Question. Do you attribute that in any degree to an apprehension of this Ku-Klux Klan?

Answer. Yes, sir; I think that is the apprehension.

Question. When do you expect that white men of respectability will join the republican party if this thing is kept up?

Answer. As long as the State government is kept in the hands of the party that has it now no respectable man will join it. I do not know a respectable man in South Carolina that is a member of that party, and there certainly have been no disturbances in the lower part of the State, or in the State at all, until last Christmas.

Question. When there is some twenty odd thousand colored majority over the white vote, by what political process do you expect to work it out that no respectable white man will identify himself with this party which has the majority?

Answer. I do not believe they ever will. The only possible solution is for the black man to ally himself to the respectable men. I think in time they will do it.

Question. If the black man is sincerely convinced that his interests are identified with the republican party, have you any belief as to whether this Ku-Klux Klan was organized for the purpose of driving him from the polls by terrorism?

Answer. No, sir. I think the object of the Klan has been to punish criminals, and principally the sort of criminals that we have here, and whom, perhaps, the law does not reach; that is, those who encourage enmity between the whites and blacks.

Question. You have a class of criminals in this State whom the law does not reach, and who, I am sorry for it, the law does not reach in all the States—those men who claim to be respectable and use money to corrupt the legislature?

Answer. Yes, sir.

Question. And you believe that some of both parties have been engaged in it in this State?

Answer. Yes, sir.

Question. There is a fair occasion for the Ku-Klux Klan, if it could be justified in any community. Has any such white man been the victim of their operations in South Carolina?

Answer. None that I have heard of.

Question. Have you no idea, then, that, whatever may have been the original intent of the respectable men who went into this organization, it has now come to be a political engine in the hands of the bad portion of the democratic party?

Answer. I think this; I do not know it, but I think that parties who are members of this organization have been operating, not under the orders of the organization, but with the disguise of the organization, in carrying out their own private malice and inflicting punishment, or not punishment, but, more properly, violence upon persons whose only crime is that they are republicans.

Question. Then it makes a difference, to the community, so far as results are concerned, if they use the organization for that purpose?

Answer. Yes, sir; that is the evil of all these secret organizations; we agree upon that.

Question. Take the offenses of the negroes as a class, where they commit larceny, or where they are charged with any violation of personal rights, is there any difficulty here in bringing them to justice through the ordinary tribunals?

Answer. No, sir. There has been too free a use of the pardoning power. There is no trouble in bringing to justice. I was a magistrate here at one time and issued an equal number of warrants, probably, for both whites and blacks, each side prosecuting.

Question. In the cases of the number of persons whom you know of who have been lawlessly killed and whipped, has any one been punished for an offense of that character?

Answer. None that I have ever heard of, and I do not think any has been. That has been done by disguised men.

By Mr. VAN TRUMP:

Question. Does not that result from the fact that you cannot discover who the men are more than anything else?

Answer. I think so. It is a matter hard to understand by those who do not live here. This is the point: They have been acting principally against the negroes. If the negroes had made affidavits and complaint, warrants would have been issued and the parties arrested. But no complaint has ever been made; for they were afraid to make it here. They could in Columbia, where they have ample protection. The other day a negro made complaint, and the constable went up and arrested four men for firing at him.

Question. When was that?

Answer. Last week.

Question. By men in disguise?

Answer. No, sir.

By the CHAIRMAN:

Question. Was it for a recent offense?

Answer. Yes, sir.

Question. Have you any idea that they are intimidated from informing?

Answer. I can conceive that they are intimidated while they are here, for instance, but not in Columbia.

Question. But they would have to come back here to live?

Answer. Yes, sir. That would operate, but I think in the large number some would give up home for that?

Question. I understand you to say you believed that all the unmarried young men of respectability in this town are members of this organization; do you understand that the same characteristic prevails in the other counties, that they are the young men of respectability?

Answer. I do not know anything about the other counties.

Question. But that is your impression here?

Answer. Yes, sir.

Question. Is it your understanding that they are bound together by an obligation which prevents them from disclosing the character of the organization, or who are members of it?

Answer. If I am not correct in saying that it is the respectable young men who are members of it; I do not charge them with being members; you understand how I put it; if the thing exists of course somebody must belong to it, and therefore I look to them, and I would say they could not possibly take any such oath.

Question. That is, from their characters?

Answer. Yes, sir; from their characters.

Question. And yet you think they are members of this organization?

Answer. Yes, sir.

Question. And it is only your opinion of their characters that leads you indirectly to this conclusion?

Answer. Yes, sir. If any one of them took an oath that he did not belong to it, I would believe him. I do not believe he would swear falsely.

Question. Would you feel entirely free to name persons here that you did think were members of this Klan, or would you have apprehension of your own personal safety?

Answer. I do not think I would be injured. I cannot say I would have no apprehension whatever, but I do not think I would be injured. I might feel some apprehensions.

Question. I think the first step to establish the supremacy of law on both sides here is to have the people understand the necessity of bringing to justice all parties who are guilty. I do not see how we are to make a step with reference to the acts of this organization unless we find who are the men who compose it, and if you can tell us from whom we can get that information we will be glad to have the names.

Answer. I do not know. I have no doubt that you have summoned gentlemen here—Mr. Van Trump has—that could probably give the information as well as any I can mention, and yet when they come here they may know nothing about it.

By Mr. VAN TRUMP:

Question. What do you mean?

Answer. I mean to say that if I had to mention names I would just as soon mention those you have summoned as anybody else.

Mr. VAN TRUMP. I do not know a single name in this town.

The CHAIRMAN. We are all acting on the information we get from other parties, and if anybody has been summoned here, whoever he may be, it is upon information so derived.

Mr. VAN TRUMP, (to the witness.) Explain why you use my name. Was it by way of explanation that you knew no more than I did.

Answer. No, sir; but by way of explanation, that I could not name any more names than those already summoned before this committee.

Question. You suppose that I had them summoned, and that is the reason you made that remark?

Answer. I have no idea that Judge Van Trump knows anything about it.

Mr. VAN TRUMP. The names of the gentlemen who have been summoned by myself were furnished me before I left Washington City.

By the CHAIRMAN:

Question. To avoid throwing the responsibility of naming anybody upon you, I will go over this list of witnesses. Is S. M. Rice one of the young men to whom you referred?

Answer. No, sir.

Question. Is Joseph F. Gist?

Answer. I have no reason in the world to suspect Colonel Gist.

Question. You have none.

Answer. I have none, and yet I would not swear he belonged to it nor that he did not, for I have no information.

Question. I ask whether these belong to the class of young men you referred to?

Answer. He is a respectable gentlemen and is unmarried.

Question. William Munro?

Answer. He is a married gentleman.

Question. W. H. Wallace?

Answer. He is married.

Question. James K. Steadman?

Answer. He is married.

Question. A. W. Thomson?

Answer. He is unmarried; he is a widower.

Question. Captain Thomson, United States Army?

Answer. I do not suspect him at all.

Question. Of those whom I have named which would you say belonged to this class in this community?

Answer. Well, sir, if I was informed positively that on that list there were some members of this organization, I suppose I would pick out Colonel Gist and Doctor Thomson, and perhaps I would stop there.

Question. Then we have on that list but two that you think are likely to come within your description and designation?

Answer. I have no reason to suspect them. It is as I stated a while ago.

By Mr. VAN TRUMP:

Question. These two gentlemen whose names you have mentioned are witnesses already summoned here?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Did you ever see a notice posted in this place of which this is a copy?

"K. K. K.

"HEADQUARTERS NINTH DIVISION, S. C.,

"Special Orders No. 3, K. K. K.

"'Ignorance is the curse of God.' For this reason we are determined that the members of the legislature, the school commissioner, and the county commissioners of Union shall no longer officiate. Fifteen (15) days' notice from this date is therefore given, and if they, *one and all*, do not *at once and forever* resign their present inhuman, disgraceful, and outrageous rule, then retributive justice will as surely be used as night follows day.

"Also, 'An honest man is the noblest work of God.' For this reason if the clerk of the said board of county commissioners and school commissioner does not *immediately* renounce and relinquish his present position, then harsher measures than these will most assuredly and *certainly* be used.

"For confirmation reference to the orders heretofore published in the Union Weekly Times and Yorkville Enquirer will more fully and completely show our intention.

"By order of grand chief.

"A. O., *Grand Secretary.*

"MARCH 9, A. D. 1871."

Answer. Yes, sir, I saw it on the court-house door.

Question. When was that posted here?

Answer. I think it was during the session of our court in March.

Question. How long did it remain there?

Answer. Two or three days.

Question. Is that the manner in which this Ku-Klux Klan have been in the habit of conveying warnings to officers?

Answer. That was one of the notices stuck up. There was another notice stuck up there. I forget what it was, but I remember of seeing two orders there, I am certain.

Question. This is number three?

Answer. Yes, sir.

Question. Were not others put here, that numbered as high as nine or ten?

Answer. I think so.

Question. Had not these the effect of creating apprehensions in the minds of the officers here?

Answer. I think they had.

Question. Did any resign?

Answer. Yes, sir, a good many left—some resigned and some left.

Question. Were they all republicans?

Answer. The clerk of the board mentioned there was not. The others were.

Question. Did he resign?

Answer. Yes, sir.

Question. What caused him to resign?

Answer. That order, at least I suppose so. He resigned immediately afterward.

Question. He was clerk for the republican board?

Answer. Yes, sir. I would like to state here positively, as something was asked me a while ago—

Question. I intend to interrogate you fully. That is order number three, and you say there are one or two others. I will state to you that the information has been conveyed, not authentically, but in the way in which a large amount of rumors come, that one of these orders was in your handwriting. I give you the opportunity of stating whether you have any knowledge of the origin or posting or the writing of any of these orders.

Answer. Before my God, sir, I have not, and I would be glad, sir, if you would ask other persons who are examined here about it, who know my handwriting, whether they have the slightest suspicion that it resembles mine. I would like to write to show you my writing, if that original could be produced to satisfy you. I do not want to be considered a member of that Klan, because I think it wrong, very, very wrong. I think it criminal, and I would not have any one for an instant suppose that I was connected with it.

By Mr. VAN TRUMP:

Question. You have stated before that you never heard that you were suspected of writing any of the notices?

Answer. Never.

Question. Do you mean that to apply to this particular instance as well as all others?

Answer. Yes, sir. I never heard before that I was suspected. I could not dream of such a thing as that I was suspected.

By the CHAIRMAN:

Question. That indicates very strongly the injustice of hanging or whipping on rumor?

Answer. Yes, sir, it does; and I am very much obliged to you, Mr. Chairman, for asking me that question.

By Mr. STEVENSON:

Question. Give us the result of that Santuck fight, or whatever it was?

Answer. The result was that the negroes ran. One white man was wounded slightly and one negro wounded badly.

Question. The negroes were put to flight?

Answer. Yes, sir; they scrambled over into the fields.

Question. The guns you spoke of as having been taken here from the colored militia—I do not mean those taken by the authority of the State, but by the citizens—what became of them?

Answer. They were locked up in the jail, and turned over afterward to General Anderson. Such was my information.

Question. If it is a fact, you are not aware of it, that a part of these guns are still in the hands of the young men who took them?

Answer. If it is so I did not know that they were. At the time I was assisting in policing the town, they were at the jail.

Question. How many?

Answer. I suppose thirty.

By Mr. VAN TRUMP:

Question. They were not carried off individually by all the young men who got them?

Answer. No, sir; the sheriff had them in his charge. I do not know that he kept them very carefully.

Question. Did General Anderson know that when he was here hunting them?

Answer. Yes, sir.

Question. If he had wanted them he could have got them?

Answer. Yes, sir.

Question. You do not know whether he got them or not?

Answer. No, sir. Those that he took he put into the hands of the sheriff, and I think they were afterwards sent down to Columbia by the sheriff.

Mr. STEVENSON. I have understood that in York County a number of guns are still out, in that way.

By Mr. VAN TRUMP:

Question. Then if the guns General Anderson claimed were put in the hands of the sheriff, they were probably all put together and sent to Columbia together?

Answer. Yes, sir; I think so.

By Mr. STEVENSON:

Question. You spoke of a "council of safety."

Answer. That was this intendant. I do not know who the other members were. It was formed on Sunday morning. I was not on the street on Sunday at all.

Question. You were not a member of that?

Answer. No, sir.

Question. You do not know what took place?

Answer. No, sir.

Question. Nor what their organization was?

Answer. No, sir; only from information.

Question. When was it?

Answer. I think it was on Sunday, the day after the Stevens murder.

Question. Do you know how numerous they were?

Answer. I do not think they were more than half a dozen. They met with the intendant and advised him to take possession of the arms.

Question. Is the intendant what we would call a mayor?

Answer. Yes, sir; the intendant of a town or mayor of a city—the head officer.

Question. You say that this police force that was here on the night of the first raid was a police force of the citizens?

Answer. Yes, sir.

Question. Do you mean citizens of the town?

Answer. Yes, sir.

Question. You say that after the first raid that was discontinued?

Answer. No, sir. It continued on until after the adjournment of the court here. We had court here in January, and this continued until after the adjournment of the court, and then it just died out as voluntary things will. They got fewer and fewer every night—that is, fewer men responded to the summons, until it died out.

Question. Something was said about eight men having been shot in the last raid; were they all shot?

Answer. Two were hung—six were shot, according to my information.

Question. You say that that order for the transfer of the prisoners from here to Columbia came here on Thursday evening?

Answer. So the sheriff told us, sir.

Question. When did the next train go to Columbia?

Answer. Friday morning.

Question. Do you know why they were not taken by that train?

Answer. I do not. The sheriff is an ignorant man, and he wanted to consult with the deputy sheriff, who is a man of some intelligence and education; and I think that

the deputy sheriff, who lives four miles out of town, was not then in town, and so he waited until next morning to consult him; and when he came in and looked at the order the next morning, he thought it was so informal that he had better see the lawyers about it before he obeyed it. He did not know whether he would be justified in obeying it.

By Mr. VAN TRUMP:

Question. When was the meeting of the lawyers?

Answer. On Friday.

By Mr. STEVENSON:

Question. There was no other session until Monday?

Answer. No, sir.

Question. What time did the lawyers hold the council?

Answer. As I walked up the street going up town on that morning the train was just moving off. I was told by the deputy sheriff that I was requested to meet at Mr. Munro's office with them. He did not say what for. The train, I remember, was moving off. I went up, and in five minutes the other lawyers came in and the deputy sheriff, Major Rice, came in, and this conference took place. That was in the morning after breakfast, I think about 10 or 11 o'clock. I left immediately afterwards to go out to Colonel David Johnson's, eight miles from here, by dinner time.

Question. How far is it from here to Chesterville?

Answer. About twenty-eight miles. I have never traveled it.

Question. That county adjoins it on the east?

Answer. Yes, sir.

Question. How far is it to Yorkville from here?

Answer. Thirty-four miles. I have traveled that road.

Question. That county adjoins this on the northeast?

Answer. Yes, sir; it is north of Chester and east of Spartanburgh.

Question. How far is it to Spartanburgh?

Answer. Twenty-eight miles, I think.

Question. That county joins this on the northwest?

Answer. Yes, sir.

Question. How far is it to Laurensville?

Answer. I do not know—somewhere near thirty miles.

Question. That county joins this on the southwest?

Answer. Yes, sir.

Question. How far is it to Newberry?

Answer. I think they call it thirty-seven miles.

Question. That county joins this on the southeast, does it not?

Answer. Yes, sir.

Question. What is the character of the roads communicating with these county seats?

Answer. They are not good in winter.

Question. They are all dirt roads, are they not?

Answer. Yes, sir; all clay roads from here to Chester, to York, and to Laurens; they are constantly crossing water-courses, which makes it very hilly.

Question. There is connection, however, with Spartanburgh by railroad?

Answer. Yes, sir.

Question. Is there any telegraphic communication?

Answer. No, sir.

Question. Was there then?

Answer. No, sir.

Question. Was there any telegraphic communication from here to any of these counties named?

Answer. No, sir; we have had no telegraphic communication at all, and a railroad only up to Spartanburgh, and down to Alston and Columbia.

Question. Your railroad does not touch Chester or Newberry?

Answer. No, sir.

Question. How long would it take a courier to go from Unionville to the county seats of these adjoining counties?

Answer. I think it would be a good day's riding in winter. I have ridden some of them. From here to York I think it has always taken me a day, starting in the morning and getting there in the afternoon.

Question. It would be another good day's ride back?

Answer. Yes, sir.

Question. Considering that fact, are you not of opinion that this last raid must have been organized very promptly, with great expedition and dispatch?

Answer. I think so, sir, from their movements while they were in town, as detailed to me by those who saw them. I think they must have been thoroughly disciplined—under good discipline.

Question. It would be good discipline for a military force ?

Answer. Yes, sir ; from their movements here in town I should think they had been accustomed to military movements.

By Mr. VAN TRUMP :

Question. They might have been formerly soldiers in the confederate army ?

Answer. Yes, sir.

By Mr. STEVENSON :

Question. Is it your opinion that it was a military organization ?

Answer. From the manner in which the sentinels were posted and communications kept up by couriers riding, every one or two minutes, and all that sort of thing, I think there must have been at the head of it somebody acquainted with military movements.

Question. And he must have had experienced subordinates ?

Answer. Yes, sir, and that experience, I would suppose, was acquired in the confederate army, for I do not know where else they could have got it.

Question. As to the file, the mass of men, unless they had had some particular opportunity to drill since this organization was formed, they must have had some experience previously to have made good privates ?

Answer. Yes, sir ; I should think so.

Question. Do you not think it probable, from what you know, that this raid on the jail had been organized before this order for the release of the prisoners came ?

Answer. I have never thought so ; I have always had this suspicion about it, that the information leaked out on Thursday evening, and probably parties here in sympathy with this organization had dispatched their couriers that night.

Question. You say in sympathy—must they not have been members ?

Answer. Yes, sir, I think it must have been that.

Question. They must have sent couriers on Thursday night, and the matter was organized to take place on Sunday ?

Answer. Yes, sir.

Question. Is it not your understanding that before orders of this nature are made there must have been a council held and the matter debated ?

Answer. That would be my suspicion.

Question. It would not be your impression, that there is anybody who has such absolute command that the order of that one man would devise and originate a new thing, and call men from all parts to execute it ?

Answer. I hardly think the order would give such power to any one man, but I do not know any more about it than you do.

Question. Then, according to your information, there must have been a meeting here, in this town of men, in the organization, who considered and devised this plan and brought men from all parts to execute it ?

Answer. No, sir ; not necessarily, but that might have been.

Question. Or else there must have been somebody here in supreme command ?

Answer. No, sir ; it is possible that the courier may have gone to some one in supreme command who may have summoned this council.

Question. The courier may have gone to some other point ?

Answer. Yes, sir.

Question. But that would increase the difficulty as to the time required ?

Answer. It would require the sending out of further couriers.

Question. You have read the orders which have been published here, by posting on the court-house door generally, I believe, have you not ?

Answer. Yes, sir ; I think I have read them ; all I have heard of have been posted there.

Question. Have there been many of them ?

Answer. I do not think there have been more than two or three on the court-house door. There was one left by the Ku-Klux, on the second expedition, which they put in the pocket of the jailer, and when they left he got a light and took it out ; that was left in that way.

Question. From these orders is it or not your opinion that they came from men of intelligence and education ?

Answer. Well, sir, tolerably so ; you can see the orders yourself. I suppose you would have the same idea that I would. It is rather a peculiar style ; it might have been put on. I remember one order in which some of the words were spelled erroneously.

Question. I have not seen any such.

Answer. I do not know that that is correct as it is printed ; perhaps the spelling may have been corrected in publication.

Question. The one which has been submitted to you appears to be well composed, I believe ?

Answer. That is well written.

Question. The object of my inquiry is this : Is there not somebody of intelligence and experience engaged in this business ?

Answer. Yes, sir, that is evident.

Question. You say you saw two orders on the court-house?

Answer. I am not positive—I am sure I saw two, perhaps three; I cannot remember the others.

Question. Did you recognize the handwriting of any of these orders?

Answer. No, sir, I did not; it was disguised. The first one I looked at attentively and studied it long, to see if I could form an idea of whose it was, but I could not. It was thoroughly disguised, the letters being made in the form of printed letters.

Question. That is, made to imitate the printed letters with the use of a pen?

Answer. Yes, sir.

Question. What do you say is the deputy sheriff's name?

Answer. Major B. H. Rice.

Question. Who is he?

Answer. A white man and a democrat.

Question. Married?

Answer. Yes, sir.

Question. Where does he get his title of major?

Answer. I suppose he was a major in the militia before the war; I do not know.

Question. Was he not in the war?

Answer. No, sir; I think not; he is an elderly man.

Question. The sheriff who had charge of the jail at the first raid was the democratic sheriff holding over, was he not?

Answer. Yes, sir.

Question. But the republican sheriff had been elected?

Answer. Yes, sir.

Question. And the term of the democratic sheriff had expired?

Answer. Yes, sir.

Question. Why had he not been succeeded by the republican?

Answer. I think the sheriff had not given his bond, and the law is that he shall qualify within one month after he is declared elected. I think they were usually declared elected some time in November; but the legislature, as soon as it assembled, passed an act giving them further time—I think until the 15th of February.

Question. Do you know why the new sheriff had not qualified?

Answer. I do not; I know he went into office immediately afterwards—probably within the week afterwards. I remember he officiated at the court the next week—both the old and the new one; the old one remained and assisted him.

By Mr. VAN TRUMP:

Question. When was that court?

Answer. The week after the first raid.

Question. So that at the second raid the sheriff was a republican sheriff?

Answer. He had been elected by the republican party.

By Mr. STEVENSON:

Question. Is he a republican?

Answer. He said he was.

Question. When he was elected?

Answer. Yes, sir.

Question. How is it now?

Answer. I believe he says now that he is not; I have never heard him say that; but that the negroes would ruin this country, which a radical would not say.

By Mr. VAN TRUMP:

Question. He has not voted the democratic ticket?

Answer. No, sir. We have no confidence in him. If he thought he could make money by voting the democratic ticket or the republican ticket he would vote it to-morrow. He is an Irishman by birth, and has been here several years, and has not borne the best character.

Question. You say he was elected by the republican party?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. What did you say was the politics of the deputy sheriff after the second raid?

Answer. He was a democrat. He was under the republican sheriff. Major Rice is a man of means here, and went on the sheriff's bond with the understanding that he was to be appointed deputy, so as to be able to overlook the duties of the office and share the profits.

Question. Then, virtually, the sheriff's office was in the hands of the democrat and he was the more intelligent man of the two?

Answer. Yes, sir; he could do anything in the world with the sheriff—anybody can.

Question. You say there is no white republican in this town now unless it is Mr. Goss, the ex-member of Congress?

Answer. Let me mention one other—Duncan is here now. He is a State senator. I do not know whether he is a republican or not. He was elected by the republicans to the State senate twice, and is now in Columbia and has been there since the issue of order number three. He is doing business in Columbia. I do not know what his politics are. I heard some conversation yesterday which induced me to think that he, having got his last office, would join the democrats.

Question. Is he a North Carolinian?

Answer. Yes, sir; fighting under both flags and robbing both parties.

Question. He was an old citizen of North Carolina?

Answer. Yes, sir; he came here after the war.

Question. Is not the postmaster here a republican?

Answer. No, sir. The postmaster here is an Irishman; he was brought out by his brother-in-law, a Scotchman—Grant. He appointed Larkin as deputy postmaster. Larkin attended to all the duties of the office, and last year some time this man Wallace, from York, came up here and told Larkin if Grant did not join the League he would be turned out of office. Larkin went to him and told him. Grant said he would not do it. Larkin went off and joined the league, and was appointed postmaster.

Question. What Wallace do you mean—the representative of this district in Congress?

Answer. Yes, sir; that man—the representative of the black people in this district.

Question. Did he not get white votes?

Answer. He got more black than white. I know he did not get as many white votes as there were negroes who voted the democratic ticket. I do not want him to be considered the representative of the white people here. This is what Grant told me. He was dismissed, and Larkin was appointed and went down to the hotel to open the post office. He takes no part in politics.

Question. In your opinion he is not a republican?

Answer. I do not believe him to be a republican, and never did believe him so.

Question. Is there a United States commissioner here?

Answer. There are two. Grant is one and Jim Goss is the other. Grant is the postmaster I mentioned.

Question. Is Grant a republican?

Answer. No, sir; he has never voted with the republican party since he has had a vote.

Question. When was he appointed?

Answer. About two years ago. Mr. Goss was commissioner, but his habits were very bad, and there was an effort by the lawyers to have him removed.

Question. Upon whose recommendation was Grant appointed?

Answer. The lawyers generally; others may have signed.

Question. Are there any white republicans in the county now?

Answer. Well, sir, there was a man named W. H. R. Whiting elected on the radical ticket last year; a Budd Williams was a radical last year. I do not think he calls himself one now; you can ask him.

Question. According to your knowledge, there are none now remaining here?

Answer. I really do not think there are any remaining here except Mr. Goss, if he is one.

Question. And Mr. Duncan?

Answer. Yes, sir; I mean in the county.

Question. You say about a dozen men may have been scourged by this Ku-Klux band in this county since January last?

Answer. Yes, sir.

Question. Do you know whether any persons have left the county through fear of the Ku-Klux?

Answer. Yes, sir; my opinion is that a great many have left.

Question. Is that confined to the town?

Answer. No, sir; in the country probably; more particularly in the country than in the town.

Question. What class of persons?

Answer. Negroes principally, sir, I believe altogether; I have not heard of any one white man going, except this fellow Duncan, who went to Columbia.

Question. He went officially?

Answer. Yes, sir; but he comes back now and then.

Question. Do you understand that he has any apprehension of trouble if he should remain here permanently?

Answer. I expect he has.

By Mr. VAN TRUMP:

Question. What is the name of the North Carolinian freebooter?

Answer. Kirk.

Question. Do you believe that any man that ever served under Kirk would have apprehensions?

Answer. His band during the war had a very bad reputation. They fought both sides equally, Union men or confederates. I heard of him during the war. I lived in Greenville just after the war, and heard of their career in North Carolina.

By Mr. STEVENSON:

Question. Have you given special attention to the number of whippings that have occurred in this county?

Answer. No, sir. It is possible that my number is too small; some of them happened at distant points. I did not know the parties. It made an impression on my mind at the time that passed off.

Question. You spoke of the feeling, in which you say you participated, that inasmuch as the State government had undertaken to support obnoxious persons, as you suppose, that it might take care of them?

Answer. That was it.

Question. That they were its pets and it might take care of them?

Answer. Yes, sir; that was the feeling.

Question. Does that feeling still exist?

Answer. No, sir; I think there is a better feeling. I think Governor Scott's course has been such since January that there is a better feeling.

By Mr. VAN TRUMP:

Question. Do not you mean since he has discovered that he made a grave mistake in arming the negroes?

Answer. Yes, sir. I do not know that he discovered that, but since about the time he ordered the arms to be taken away.

By Mr. STEVENSON:

Question. If I understand you correctly that feeling has subsided to some extent?

Answer. Yes, sir; I do not think there is a feeling that the State government and ours are antagonistic.

Question. Not in the same degree?

Answer. No, sir.

Question. But has that feeling entirely disappeared?

Answer. No, sir; it is still the feeling that the State government is not of us; that they have been sent here to govern us, and we have no hand or part in anything connected with it. It has been forced upon us by a higher power.

Question. Is it that feeling that accounts for the indifference to the murder of preacher Thompson, which happened two weeks ago?

Answer. I suppose it is also the feeling that—I do not know what the general feeling is, but I feel that it is my duty, and I suppose you would have the same feeling, that if a murder was committed in Cincinnati, you would not feel it to be your duty to look for the murderer.

Question. That would depend upon whether anybody else looked after it; if the officers abandoned their duty the people did, too.

Answer. If your brother committed a murder you would not assist to hand him over to the officers. Now, the governor is against us as a class, and consequently we have been banded together, and we have hesitated, as you would hesitate, to prosecute your uncle or brother.

Question. You have been banded together in feeling as closely as brothers ordinarily are?

Answer. With reference to a thing of that sort, I think we are.

Question. You seem to know nothing of this man who was killed on Tiger River about two weeks ago, except that he was a colored man and a preacher?

Answer. Yes, sir.

Question. You say as far as you know there has never been a coroner's inquest?

Answer. I have never heard of one. I heard that the coroner was going there, but the body had been washed away by the rise of the river. I do not know whether that was so or not.

Question. You do not know whether his body has been found?

Answer. I do not.

Question. Have you inquired?

Answer. I do not know that I have. I remember asking some one from that country about the murder, and the information I got was about what I had seen in the newspapers. I have not seen any persons from that country, because just at this season they are at home.

Question. The impression made upon your mind is vague; you do not remember whether it is two weeks or four weeks?

Answer. Yes, sir.

Question. Do you think this feeling which you very candidly admit as to yourself is general here among the white citizens?

Answer. I expect it is.

Question. Do you think it is shared in to a greater degree than you feel yourself?

Answer. No, sir. Perhaps it is by some, and not so much by others. I suppose my feelings are about the average of the feelings of the community.

Question. I understand you, however, as expressly and decidedly condemning the Ku-Klux Klan as a criminal organization?

Answer. Yes, sir.

Question. As a criminal organization?

Answer. Lawless and irresponsible.

Question. You have no sons large enough to be in it?

Answer. No, sir.

Question. No father in it?

Answer. My father is a clergyman of the Episcopal Church—seventy-one years of age; I am sure he is not in it.

Question. You have no brothers in it?

Answer. I have no brothers at all. If I have any cousins in it they do not live here; some are in Charleston, some in Greenville.

Question. This being your feeling, and you entirely disconnected with this organization even by relationship, what do you suppose to be the feeling of the men who were connected with it by having sons or brothers or other relatives in it?

Answer. Well, sir, I suppose that they feel just this way: That they have sons and brothers who have joined themselves to a party who have taken the power into their own hands, in inflicting punishment upon people.

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 the party to choose his jury —

Question. The legal right, you mean?

Answer. Yes, sir; with the challenge of twenty men out of the pannel, 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.

Question. Suppose a member of this Klan were on trial, and he knowing the members and having the right to reject those he did not want on the jury, would it not be altogether probable that he would get a jury containing members of the order?

Answer. Well, sir, the examiner might examine them on their *voir dire*.

Question. Suppose they were bound by an oath of initiation to conceal membership?

Answer. Well, sir, it is hard for me to; if they took an oath which would prevent them, which would make them commit perjury in a court of justice, as a matter of course there is no dependence upon them.

Question. Suppose, further, that they were bound by an oath to clear each other, as witnesses?

Answer. Our country then would be in a desperate and despicable condition.

Question. You have spoken of the feeling of yourself. You being entirely unconnected with this order, by relationship, membership, or otherwise, and of what you suppose to be the feeling of the citizens who are connected with it, by the membership of their relations, what do you suppose to be the feeling of members themselves as to what they have done, and are doing?

Answer. I think, sir, it is that they have done right.

Question. You see no evidence of repentance, do you?

Answer. No, sir. I do not know exactly how I could see it, but I have not. I do not think they are operating as much as they did a few months ago.

Question. There is no occasion for it, is there?

Answer. No, sir, perhaps not; and perhaps it may be accounted for by the fact that they are away, working their crops.

Question. I understand you to say that there are no white republican leaders left in the county.

Answer. No, sir. I do not think there ever were more than six to ten of them.

Question. And that numbers of the colored republicans have left the county?

Answer. Yes, sir.

Question. Is there any such thing as a canvass going on among the republicans, that you know of?

Answer. No, sir.

Question. Any agitation, or speaking, or organizing of any kind among them, so far as you know of, either here or in the country?

Answer. No, sir.

Question. Then, if it was the purpose of this organization to exile and disorganize the republican party, there is no necessity for further action to accomplish that purpose at present?

Answer. So far as this county is concerned they are quiet; there is no political organization to be found; they have no political meetings, and I do not think they have any political organization; how they will vote I do not know; we have an election next week.

Question. A county election?

Answer. Yes, sir; two county commissioners; one of these is one who resigned previously and reannounced himself, since he was elected last year on the republican ticket, a white man.

Question. This clerk of the board of county commissioners was a democrat?

Answer. Yes, sir.

Question. Who appointed him?

Answer. He was elected by the democratic board of county commissioners of the preceding year, and when the new board came in one of them could barely read and the other two could not sign their names; there are three members in the board; there was a feeling here that if nobody would take the office of clerk, perhaps they would find themselves unable to transact business and resign, and we would have an opportunity of electing men of intelligence and capacity; but this clerk of the board was offered the position and consulted friends, and I remember my opinion was that he ought by all means to take the position and try to keep them straight, and he did take the position; that is the way he got to be the clerk; they had nobody of their own party who could do the business.

By Mr. VAN TRUMP:

Question. Is that the one who was warned by the Ku-Klux to resign?

Answer. Yes, sir; by the second paragraph of the Ku-Klux notice I was shown a little while ago.

By Mr. STEVENSON:

Question. And did he resign?

Answer. Yes, sir; the succeeding day.

Question. Was he competent?

Answer. He was.

By Mr. VAN TRUMP:

Question. And he was a democrat?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Was he competent to fill the position, and a man of integrity and character?

Answer. Yes, sir.

Question. And you advised him to hold on?

Answer. Yes, sir; he was already in; I do not know that I did so directly, but I remember that I was asked what I thought, and I said, when a person told me that he was advised to take it, that I would advise him the same way; I have no doubt my advice was repeated to him; I saw no chance of getting rid of them; I knew they were incompetent, and that he ought to be there.

Question. Has the governor appointed any persons to office here at the request of the democratic citizens of the county to take the places of other men alleged to be incompetent?

Answer. He has appointed some trial justices. I do not think they were in the place of others, until recently. They were original appointments, and for some of them applications were made. I remember signing one man's, although I told the man when I signed it he had better leave my name off with Governor Scott, who was not fond of me; that I had written him a letter once which was published. The letter was considered a scorcher, and he had expressed himself bitterly toward me afterwards. That letter was in reply to a letter from him which I considered insulting. I do not know that any others did; but I have no doubt applications were signed by others. Judge Thomas, the radical judge, interested himself in that business and represented to the governor that the law business of the county was not at a stand-still on account of the ignorance of the trial justices.

Question. Were any of the new appointees democrats?

Answer. They were all democrats. It is impossible to appoint a capable man to office in Union County, without he is a democrat. Governor Scott felt that himself, and he said that he intended to appoint men to office irrespective of politics.

By Mr. VAN TRUMP:

Question. That is since the tax-payers' convention?

Answer. No, sir; that was last winter; that he must appoint men to office without regard to party; that where he could find a republican he would appoint him, but where he could not find one, he would appoint a democrat rather than an incompetent man.

By Mr. STEVENSON:

Question. Have any other officers resigned?

Answer. The treasurer went out of office. The governor has the entire appointment of the officers connected with the assessment of taxes. The treasurer was put out, and another democrat appointed in his place. The auditor is about three-fourths democrat and one-fourth radical. I believe he voted for Scott at the first election, for he thought it would restore quiet here. He was put out of office, and one appointed who was a very strong radical last year; this man Williams, I do not know what he is now. I rather suspect he has left that party. The treasurer and the auditor are the only appointments except the trial justices.

Question. What became of the school commissioner?

Answer. He resigned, and another, a democrat, was appointed in his place.

Question. Resigned upon this notice of the Ku-Klux?

Answer. Yes, sir; he went to Mississippi, and is there now.

Question. Who was appointed in his place?

Answer. Colonel David Jackson, a democrat.

Question. Colonel of what?

Answer. A governor's aid, I expect, before the war. That is the way he got his title. Our governors used to dispense the "lieutenant colonelcies" very freely. I think one governor had fifty; all were called "colonels."

Question. The county commissioners were notified?

Answer. Yes, sir; one of them left the county and is still absent, a colored man; the other two were one white and one colored, and wrote their resignations in this way, I believe: "In obedience to Ku-Klux order No. 3, we resign." Governor Scott very properly refused to accept it, and things went on in that way for two months, and then one John Tinsley wrote to him formally resigning, and the governor accepted that resignation. White then wrote his and it was accepted.

Question. You say a resignation of that kind on account of Ku-Klux order ought not to be accepted?

Answer. Yes, sir; if the resignation was forced.

Question. Do you see a difference in fact between that and the other resignations?

Answer. I do not know. John Tinsley lived here in town, and there was a garrison, and there was no danger. White, in his letter to the governor, said that Giles, the third one, was absent, and the poor were suffering and the roads were in very bad condition. He had written this with the view of having the board filled up again, and when that resignation, in proper form, came, Governor Scott accepted it, and I did not

blame him for accepting it, although I would have blamed him for accepting the first resignation.

Question. That would have made a bad record?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Has Giles resigned?

Answer. No, sir; some one stated at a late meeting, which was published in the paper, that he had received a letter from Giles, and from the letter thought that he was going to resign, and to avoid the trouble of another convention they recommended that another man be selected in case he did resign. An election is ordered to take place next Tuesday.

By Mr. STEVENSON:

Question. These offices are still vacant?

Answer. Yes, sir. White is a candidate for reelection. All the other candidates are democrats.

Question. Then I understand that all county officers, both those elected by the people and those appointed by the governor, so far as they are filled now, are filled by the democrats?

Answer. Yes, sir, if the sheriff is a democrat. This deputy sheriff has since left him, and he is now running the office by himself. He got me to instruct him and advise him a little while, and then got mad at me because I did not allow him costs enough in one case, and he is managing his own canoe.

Question. Were you present at the late convention last sales day?

Answer. I went in towards the last. I staid at the door. It was pretty nearly over—the vote had not been taken.

Question. You did not hear the speech made by Mr. McKissick?

Answer. No, sir. He made no remarks at all while I was there. He was chairman, and I suppose he made his speech, if at all, when he took the chair.

By Mr. VAN TRUMP:

Question. What was that meeting?

Answer. A meeting of citizens.

Question. You say there is to be a county election next week?

Answer. Yes, sir; Tuesday.

Question. For what officers?

Answer. Two county commissioners.

Question. Are they not the most important officers in the county?

Answer. They manage all the money of the county—they have charge of the roads, poor-houses, and public buildings.

Question. How long is the notice given?

Answer. The law requires twenty days' notice. I think it will be twenty-five days before the election this time.

Question. These commissioners are the offices in which the people are more interested, on account of taxation, than any other officers in the county?

Answer. I think they are the most important offices here for the people at large. The probate judge has an important office, but he gives a bond. The county commissioners give no bond, but approve the bonds of the public officers.

Question. In regard to this entire county, what is now the condition of the county, including Ku-Klux operations and otherwise; is it quiet pending this important election?

Answer. It is quiet. Nothing has happened that I have heard of since the killing of this man Thomson.

Question. Were there many Loyal Leagues inaugurated in this county?

Answer. O, yes, sir.

Question. When did that take place?

Answer. Under General Sickles; some time during the provisional military government.

Question. Were they formed all over the county?

Answer. Yes, sir.

Question. You say there were at one time five or six white republicans in the county?

Answer. Yes, sir.

Question. What character of men were they?

Answer. The lowest of the low.

Question. Such as are known as carpet-baggers?

Answer. No, sir; there were some of them here. There was a man up at the gold mines—Kerrigan, of New York. It was said he had been employed to come here to murder a dozen or more citizens.

Question. Were these men active in the Loyal Leagues of black men?

Answer. These white men ?

Question. Yes, sir.

Answer. They were the leaders.

Question. What was the conduct of the negroes about that time ?

Answer. The negroes were not quiet. I do not suppose you would understand it, but they were insulting.

Question. Arrogant ?

Answer. Arrogant.

Question. You say there was a public meeting after the first raid ?

Answer. Yes, sir ; I was there.

Question. Did they pass any resolution ?

Answer. General Wallace proposed that a committee be appointed to go to Columbia to represent that this raid had been made, and that the blacks and the whites were arrayed against each other, and that perhaps it would be best for some party without prejudice to come in, and the only party of that kind was a garrison of United States troops. He proposed the resolution and I seconded it, and he and H. L. Goss and William P. Thomson, and Aleck Macbeth, colored, were appointed and went.

Question. The purpose was to call for Federal troops ?

Answer. Yes, sir.

Question. To protect the jail ?

Answer. To protect the jail here ; the people were accused. The Ku-Klux had been here before and might come again.

Question. Was it an expressed object for the committee to go to Columbia to ask that the Federal troops should come to protect the jail ?

Answer. That was the idea in my mind. I do not know that it found expression, but that was the object of the meeting. The governor, for fear that some disgrace would attach to his State government, declined. He said he would not send troops until he was satisfied that the State government could not punish crimes.

Question. He was fully informed of the character of the raid ?

Answer. Yes, sir.

Question. That fifty or sixty men came here in disguise and took out these men and shot them ?

Answer. Yes, sir.

Question. How long ago was John Mills killed ?

Answer. I think it must be two months or six weeks ago.

Question. Was there any private reason given as the cause for that ?

Answer. No, sir ; I have not heard of any given then or since. It is some distance from here.

Question. You say his throat was cut ?

Answer. Yes, sir.

Question. In all the accounts you have heard of the operations of the Ku-Klux, where they have committed murder, has it been in any case by that means ?

Answer. No, sir ; it is either by shooting or hanging. I understood he was shot and his throat cut, too.

Question. You say he had been in the penitentiary ?

Answer. Yes, sir.

Question. And pardoned by the governor, as usual ?

Answer. Yes, sir.

Question. For what offense ?

Answer. Stealing cotton.

Question. You say you think the Ku-Klux are all democrats ?

Answer. Yes, sir.

Question. You think they are composed of respectable men, and therefore you do not know how they could be anything else, for there are no respectable republicans here ?

Answer. Yes, sir.

Question. And you suppose they are all white men ?

Answer. Yes, sir.

Question. And if you heard of a crime being committed you would suppose it was done by criminals ?

Answer. Yes, sir.

Question. Is it your opinion, from all you have heard of the Ku-Klux in this county or elsewhere, that their purpose is in any degree whatever political ?

Answer. I do not think so. It may aim at the State government, for the reason that we all look at the State government as a very rascally thing.

Question. You judge from the character of the raids on the jail, and the manner in which they effected and consummated it, that this must have been in consequence of some organization ?

Answer. Yes, sir.

Question. Did you mean an organization for that particular purpose or generally ?

Answer. For that purpose.

Question. Just as you would think there must have been an organization in a particular case where lynch-law had been administered?

Answer. Where a mob come into town to lynch a man. I would not think it organized, but if they came in an orderly manner to commit acts of violence regularly, systematically, I would think it was organized in that way.

Question. You gave two instances of violence on two white men and democrats, Miller and Garner?

Answer. Yes, sir, they were democrats; they were whipped. Miller was talking about it here, and pulled off his shirt in the bar-room to show his skin. I had no fancy to seeing such sights, and did not see it. It was about two months ago.

Question. Where did he live?

Answer. About Pacolet River; both of them lived in the same country.

Question. Was that committed by disguised men?

Answer. Yes, sir.

Question. Was it understood, or have you information as to whether they were white or black?

Answer. No, sir.

Question. Was there any other instance of violence upon white men, democrats?

Answer. There was a man named Mullins whipped. He was charged with playing Ku-Klux—that is, that he had disguised himself, and with one or two friends, had gone around whipping negroes.

Question. And then they Ku-Kluxed him?

Answer. They visited him and gave him a pretty severe whipping.

Question. When was that?

Answer. Last winter.

Question. You say he was a democrat?

Answer. Yes, sir. Cudd, one of Miller's band, was whipped. They said they whipped him for being in his company. He was whipped slightly.

By Mr. STEVENSON:

Question. Do you say that the real Ku-Klux whipped men for playing Ku-Klux?

Answer. Yes, sir; for whipping negroes.

By Mr. VAN TRUMP:

Question. Was the fact developed in the testimony in regard to the murder of Stevens, that those negroes had said on their route that they would kill a white man that night?

Answer. No, sir, I think not. I think no testimony of that kind came out on the trial. The testimony came out that on their march, after killing Stevens, after coming back to the house of Mr. John McKissick, one of them said, "We have got our hand in and we might as well kill some more now," and proposed to kill McKissick or Palmer, but one of the boys stopped them.

Question. Were these men white men?

Answer. Yes, sir.

Question. I understand you to say that the affairs of South Carolina at present are not, and for some time past have not been satisfactory?

Answer. They are not.

Question. You have given some of the causes, I will ask you as to others. What effect did that most terrible order of Governor Scott, arming some fourteen or fifteen colored regiments, fully equipped, in South Carolina, while at the same time he denied a like organization to the whites, have on the public feeling of South Carolina?

Answer. It stirred it up considerably—it stirred it up to a high pitch. In my opinion, if it had not been for that order of Governor Scott there would never have been a Ku-Klux raid in South Carolina. I can only say so because I know the feelings of the people were considerably stirred up about that time. They felt that the whole power of the Government was against them, and was thrown on that side.

Question. Was it a fact that either at that time, or some time afterwards, during the arming of the negro militia, there was a white company which had arms, and those arms were recalled by Governor Scott?

Answer. They did have arms and the arms were recalled, but I am not positive whether it was before or after the election; I think it was before, but I am not positive. I heard a gentleman say on Saturday that he was positive it was before the election.

Question. What is the public opinion in South Carolina in regard to the mal-administration of the State government, both executive and legislative, and how has it affected the feelings of the people?

Answer. Well, sir, we have felt that there has been very great mal-administration, and it has borne entirely upon the white people of the State; the feeling of the people, therefore, is very bitter against the officers of the State government, particularly those

they think have been most guilty; men who have grown fat off of our money, taken from us at a time when we were desperately poor.

Question. Is it your opinion that this novel experiment, tried, perhaps, for the first time in the history of civil government, of attempting to carry on a government half white and half black; where the whites, prior to the inauguration of such a state of things, were masters, and the blacks, slaves, is a total and utter failure?

Answer. Yes, sir; I think it is a great blunder. I think if the United States Government had sent men from the North to govern the South, we would have been very quiet and peaceable now. It is simply the elevation of the negro over us, and the manner in which affairs have been carried on by the State government, that have caused this strong feeling against them.

By the CHAIRMAN:

Question. In connection with this murder of Thomson, have you no knowledge of the fact that a week or two ago, before Thomson was killed, a party went to where they supposed he was and hung up a man named Abram Checks, to make him tell where Thomson was?

Answer. I know Abram Checks very well, but never heard that before. I heard that they went to his house that night, and he told them he was not there, and either showed them where he was or else they went to another house.

Question. In answer to a question put to you by Judge Van Trump, you stated that you thought the band who came to this town were organized for that purpose?

Answer. Not for the purpose of taking these negroes out of jail, but for the purpose of punishing men committing crimes about here.

Question. Do you mean that it was only a temporary organization or a continuous organization which can be called into operation at any time?

Answer. It is a continuous organization, I think, not for the purpose of punishing those particular negroes, but those deserving punishment.

Question. It is a permanent organization which can be called into exercise whenever it is deemed that there is an occasion which calls for the exercise of their punitive power?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. Might it not have been called into exercise for a particular purpose at that time, and for that particular purpose only, while there may have been other organizations existing in that country?

Answer. Yes, sir; it might.

By the CHAIRMAN:

Question. But you have already given your opinion that such an organization as manifested itself that night could not be called into existence on that night or at that time.

Answer. It could not.

By Mr. VAN TRUMP:

Question. Have you not heard of the lynching operations done by several hundred men in less time than this occupied?

Answer. Yes, sir; but this was not a mob; it was organized.

By the CHAIRMAN:

Question. Was not this band of men under perfect military control and discipline, with absolute command and obedience?

Answer. That was the information I received from those who saw it.

Question. How many were in Mullin's band?

Answer. I do not now remember; there were five or six. It was a small band.

Question. White men and democrats?

Answer. Yes, sir.

Question. Who had organized for the purpose of whipping persons for personal private reasons, outside of this Ku-Klux, have they not?

Answer. For personal private reasons, out of spite or malice against particular negroes who had refused to work with them and gone to work with other people.

Question. And the genuine Ku-Klux undertook to punish them for assuming their guise and going on in that way?

Answer. Yes, sir.

Question. From a number of sentences that have occurred in your statements here, and their similarity to some expressions in a communication which I find in the Charleston News, dated February 15, —

Answer. From this place?

Question. Yes, sir.

Answer. Signed "Brutus?" I wrote that piece.

1002 CONDITION OF AFFAIRS IN THE SOUTHERN STATES.

Question. I will read to you, on the subject of which I am now examining you, a sentence near the beginning of it, and to reach that sentence I will read the preliminary sentence:

"The mystery which surrounds the movements of the Ku-Klux Klan has led the superstitious to regard them as spirits of the disembodied, while the educated, beyond the field of operation, have believed the whole story to be a myth. But of their existence, as an organized body of living men, we, who have saw them, entertain no doubt. Of their numbers and extent, it is impossible to speak. There must be one thousand in a day's march of Union. You have them, no doubt, in Charleston, and they certainly can be found throughout Georgia, North Carolina, and Tennessee."

Answer. That was my information.

Question. Was it your belief at the time you wrote that letter that there were one thousand of them within a day's march of this place?

Answer. Yes, sir; within a day's march. I was writing on the information that eight hundred were here on that night, and supposing that all had not come, one might say there were one thousand.

Question. Was it the similarity of their operations throughout Georgia, North Carolina, and Tennessee, that led you to this opinion?

Answer. Yes, sir.

Question. How do you account for the similarity of operations in these States, when you say if it had not been for the arming of the negroes by Governor Scott there never would have been any Ku-Klux here?

Answer. Because there was never any Ku-Klux in South Carolina before that time, that I ever heard of; and I do not think the organization would have extended into the State but for that order. That is my opinion. I may be mistaken.

Question. Suppose you learned that by the disclosures made in North Carolina its members swear that their purpose is political?

Answer. If they would—

Question. I put it in that form. If you found that the members who have come out and discarded the organization swear that their purpose was political?

Answer. If they were responsible men I would believe it.

Question. I may state as a fact that a gentleman who was the candidate on the ticket of the democratic party of North Carolina, Mr. Boyd, has stated that. He is a member of the bar of Alamance County, North Carolina.

Answer. If the members of the band said it was political, of course I would say they were telling the truth, and believe them; but if a man gets up, as in the Holden trial, and swears that he took an oath never to tell the truth in a court-house, of course I could not believe him. I could not believe any man who swore that he had sworn never to tell the truth in a court-house.

Question. That would go to his character very much?

Answer. Yes, sir.

Question. This is one of the difficulties involved in the investigation on this subject?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. If you would not believe him at all you could not believe he had taken the oath?

Answer. I could not believe him at all.

By Mr. VAN TRUMP:

Question. You would throw him out of the question?

Answer. Just throw him out of the question.

By Mr. STEVENSON:

Question. Is the Weekly Union, published in this town, the democratic organ?

Answer. It is the only paper here. It is published by a democrat, and its politics are democratic.

Question. I find here what purports to be a copy of an order left by the Ku-Klux on the night of the second raid?

Answer. Yes, sir; that is it. I did not see this in the original; but some gentlemen who saw it told me this was written just as that one on the court-house door was.

By Mr. VAN TRUMP:

Question. Does the editor give this as a copy?

Answer. Yes, sir. A copy was published in all the papers.

Mr. STEVENSON: I desire to submit here, in connection with the evidence of this

witness, the order referred to, and also the editorial article entitled "Ku-Klux," in the Weekly Union Times of Unionville, of February 17, 1871.

[They are as follows:]

"TO THE PUBLIC.

"K. K. K.

"TAKEN BY HABEAS CORPUS.

"In silence and secrecy thought has been working, and the benignant efficacies of concealment speak for themselves. Once again have we been forced by force to use Force. Justice was lame, and she had to lean upon us. Information being obtained that a 'doubting Thomas,' the inferior of nothing, the superior of nothing, and of consequence the equal of nothing, who has neither eyes to see the scars of oppression, nor ears to hear the cause of humanity, even though he wears the Judicial silk, had ordered some guilty prisoners from Union to the City of Columbia, and of Injustice and Prejudice, for an *unfair trial of life*; thus clutching at the wheel-spokes of Destiny—then this thing was created and projected; otherwise it would never have been. We yield to the inevitable and inexorable, and account this the *best*. 'Let not thy right hand know what thy left hand doeth,' is our motto.

"We want peace, but this cannot be till Justice returns. We want and will have Justice, but this cannot be till the bleeding fight of freedom is fought. Until then the Molock of Iniquity will have his victims, even if the Micheal of Justice must have his martyrs.

"K. K. K."

"THE KU-KLUX.—That an organization of desperate and daring men is in existence throughout the South, and perhaps in many of the Western States, cannot now be doubted; and that it has grown to be a powerful and thorough organization, the numbers and complete discipline of those who have visited this place is sufficient proof. Its power and influence is not confined to any locality, but is now felt and feared throughout the land. Nor do we believe it is guided by ignorant and inexperienced leaders. Talent, caution, determination and discipline mark its every act. That they are a band of determined men, linked together by no ordinary tie of mutual desperation and defense, is also certain; but their path has not been marked by plundering or incendiarism. Enshrouded in complete mystery, moving in perfect harmony, almost ubiquitous, and apparently sufficiently numerous to place, in the shortest time, any number of finely mounted and completely equipped men that they may suppose will be required at any given point, it will require something more than force of numbers or indiscreet and coercive legislation to disperse them or drive them from their purpose. What their motives are, none outside of their organization but Almighty God knows. We cannot believe there is such a large number of men at the South, willing to commit such deeds of murder and other outrages from depravity of heart—it is not characteristic of the southern people of any sphere, and our feelings of humanity revolt at the bare thought that such wickedness of heart exists to such an extent. No, no, there *must* be some other cause than that, actuating such a body of men to commit such bloody deeds, and we sincerely hope that the State and Federal Governments will, by cautious and discreet action, devise some means to induce them to desist from their terror-inspiring work.

"We are aware that we shall be accused, by many ignorant and extreme people, of defending the Ku-Klux, and encouraging them in their unlawful acts, while some may say we are actuated by terror; but both accusations are false; we believe we are writing the plain unvarnished truth. Those of our citizens who saw them here feel convinced that it is a formidable organization of men too well prepared for any emergency, and too numerous and well controlled to be scoffed at or suppressed by rash and incautious means, while the reports we receive from every other Southern State is proof positive that they are gathering strength and extending their influence. The Government must look upon the matter calmly, and act discreetly, and not permit a set of extreme partisan legislators to drag the State completely over the terrible precipice at the brink of which it now stands."

By Mr. STEVENSON:

Question. I see here that the petit jury has been drawn for the March term of 1871, and a list of it is given in this paper; will you look over that list and see what members of that petit jury you know. John Bishop?

Answer. He is an old white man.

Question. And a democrat?

Answer. Yes, sir.

Question. Look at the list; how many are white men and how many are negroes?

Answer. John Gist is a negro; Green Nicholas is a negro; Henry Tinsley is a negro. These I assume to be all republicans. The rest are all white men; and the only

republican there is Jesse J. Mabry, who was playing both fiddles. He told me he had called himself a republican, and got some money.

Question. Are any of these names of unmarried men?

Answer. I should say P. J. Davis is also a republican, or was; he is a white man, and is a young man; James B. Lancaster, I think, is a young unmarried man; I think S. S. Walker is an unmarried man, and all the rest are married.

By Mr. VAN TRUMP:

Question. How many of these jurymen are there of which you do not know anything about, and do not know them at all?

Answer. Eight.

Question. How are the juries made up?

Answer. Thirty-one are chosen for the county for each term. The judge instructed the jury commissioners to select men who were intelligent, and as many blacks as whites, where it could be done, bearing in mind that they must be men of character in the community. For that reason our juries have been principally composed of white men. In a jury drawn in the case of a capital trial the prisoner has the right to challenge primarily twenty, and when the panel is exhausted they summon from the bystanders.

Question. How was it when these two prisoners that have been mentioned came up?

Answer. The two colored men were entitled to forty challenges, and the solicitor, seeing that the counsel for the prisoners was about to exhaust the panel, told them that he would consent to its being half white and half black, if the counsel for the prisoners would not exhaust the panel, and in that way six whites and six blacks were chosen.

Question. I will ask, if the judge from the bench honestly instructs the jury commissioners to select none on the panel but such as are competent and honest and intelligent, and the commissioners honestly carry out that instruction, is it likely that there will be many more negroes in a jury than appear in that list?

Answer. No, sir; I think they disobeyed their instructions in selecting these three negroes. Judge Orr, who claims to be a very good republican, has given the same instructions, and Judge Thomas also. He says that under the constitution that is the law.

Question. Such is the condition of the blacks in this county that if these instructions were honestly carried out it is not likely that there would be many black faces on the jury in this county?

Answer. No, sir.

By Mr. STEVENSON:

Question. I call your attention to the following order, with the prefatory remark of the editor of the Union Weekly Times, February 24, 1871:

"ANOTHER KU-KLUX PROCLAMATION.—The following document was discovered on yesterday morning posted on the 'legal advertisement' board hanging at the court-house door. We have examined the original and find it is the same handwriting as the one left with the jailer on the night of the late raid on the jail:

"HEADQUARTERS K. K. K., DEPARTMENT OF S. C.,
"General Order No. 49.

"From the G. G. C., S. S.

"We delight not in speech, but there is language which, when meant in earnest, becomes desperate. We raise the voice of warning, beware! beware! Persons there are, (and not unknown to us,) who, to gratify some private grudge or selfish end, like Wheeler's men, so-called, are executing their low, paltry, and pitiful designs at the expense, not only of the noble creed we profess and act, but also, to the great trouble and annoyance of their neighbors in various communities. We stay our hand for once; but if such conduct as frightening away laborers, robbery, and connivance at the secrets of our organization is repeated, then the mockers must suffer and the traitors meet their merited doom. We dare not promise what we do not perform. We want no substitutes or conscripts in our ranks. We can be as generous as we are terrible; but, *stand back*. We've said it, there shall be no interference.

"By order of the Grand Chief.

"A. O., Grand Secretary."

Answer. I remember there was another order stuck up on the court-house door, and this is that one.

Question. What is the date of that paper?

Answer. February 24.

Question. You saw that order?

Answer. Yes, sir. That is one which I supposed to be drawn with more than ordinary intelligence. That is very well drawn.

By Mr. VAN TRUMP:

Question. You judge by the character of the composition that it must have been drawn up by a person of intelligence and education?

Answer. Yes, sir.

Question. Suppose that about that time in the history of Ku-Kluxism in South Carolina there were some men throughout the State very anxious to get up a public impression about the Ku-Klux—such a man for example as Joe Crews—is it possible that this thing might have been gotten up in that way?

Answer. Yes, sir. If he had had more intelligence than Joe Crews—I do not think that Joe Crews could have done that.

Question. Are there men in the republican party that could have done it?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Have you any idea that that notice was bogus?

Answer. No, sir.

Question. You saw it?

Answer. Yes, sir.

Question. How long did it remain on the court-house door?

Answer. I do not remember. One staid there three days. Another not so long.

Question. Do you know who was the correspondent of this paper at Columbia?

Answer. No, sir; I never heard.

Question. I find a letter, dated Columbia, March 6, 1871, published in the issue of March 10, 1871, in the Weekly Union Times of Unionville, South Carolina, in which a statement is made to the effect that a raid of the Ku-Klux-Klan was then expected at Columbia.

Answer. Yes, sir, they had a great many reports there during the session of the legislature, and I think the legislature was in constant trepidation.

By Mr. VAN TRUMP:

Question. Real or assumed trepidation?

Answer. I do not know whether it was real or assumed; there was certainly an apprehension. After the first raid they were very bitter in their speeches, and after the second raid here they were very mild; and one case which was told around there and which created a laugh at that time was something like this: A gambler in Columbia got an old man named Sheldon from the lower part of this county to go to a commission merchant there and engage feed for fifteen hundred horses, and to go to a livery stable and engage places for fifteen hundred horses for Friday night. This gambler and Hubbard, the chief police officer under Scott, went around and inquired about it. The commission merchant told them "Yes," and the livery stable man said "Yes," and there was quite an alarm about these men coming. This was only a joke of this gambler, but they were in apprehension at Columbia.

Mr. STEVENSON. This paragraph is as follows:

"LOOKING FOR THE KU-KLUX.—There seems to be a general expectation or fear by the legislature that the dread and sepulchral Ku-Klux Klan will pay the State-house a visit to-night or to-morrow. A member told me with all gravity to-day, that they were to come to-morrow night, fifteen hundred strong; were to approach in four different ways, surround the capitol, and enter upon their bloody work. I heard another telling a crowd of members standing in the hall of the house, in the most excited manner, how a solitary horseman had rode into the State-house yard this morning, galloped up to the front door, and inquired of parties standing there when the legislature would adjourn; and being informed, wanted to know if fifteen hundred horses could be provided with food in town. Such tales are of course absurd, but they plainly indicate the tremulous condition of our mighty rulers."

By Mr. STEVENSON:

Question. What was your own impression as to whether there was, at any time, any real danger?

Answer. I do not think there was ever any real danger of their going to Columbia or to the legislature.

Question. It seems to me that if these things had been for the purpose of punishing men charged with improper conduct, they have not struck in that vicinity?

Answer. That is so, sir.

Question. Not that I mean to assume that all I have heard is true, but the most we have heard and the worst we have heard relates to the legislature?

Answer. Yes, sir.

Question. And you assume that the Ku-Klux believe it?

Answer. Yes, sir; it is wonderful, as Judge Carpenter said, that they did not commence at the head and go down, instead of commencing at the tail and going up. If anything could justify them at all, that would be it.

1006 CONDITION OF AFFAIRS IN THE SOUTHERN STATES.

By Mr. VAN TRUMP:

Question. You do not know who is the correspondent of the Weekly Union Times, signing himself "M," and writing during the session of the legislature?

Answer. No, sir.

Mr. VAN TRUMP. I will ask to have inserted the following item from that letter of March 6, 1871, from which an extract has already been given.

It is as follows:

"PER DIEM AND MILEAGE.—The house, late on Friday night, after 10 o'clock, took up the joint resolution appropriating \$125,000 for the payment of the mileage and per diem of the members of the general assembly, and amended it by increasing the amount \$265,000.

"This, with the appropriation made and exhausted before Christmas for \$135,000, makes \$400,000 in all that the people of the State are called upon to pay up, as a compensation for the valuable services of our intelligent, experienced, and honest legislators."

By Mr. STEVENSON:

Question. Here is the Ku-Klux order No. 3, March 9, 1871, with the preliminary remarks of the editor, in the Weekly Union Times for March 17, 1871:

"ANOTHER KU-KLUX MANIFESTO.—The following 'order' was discovered on Monday morning last tightly *glued* upon the sheriff's 'legal advertisement' board. There can be no doubt from the handwriting that the same hand that wrote the order given to the jailer on the night of the second raid wrote this also:

"HEADQUARTERS NINTH DIVISION, DEPARTMENT S. C.

"*Special Order No. 3, K. K. K.*

"'Ignorance is the curse of God.' For this reason we are determined that the members of the legislature, the school commissioner, and the county commissioners of Union shall no longer officiate. Fifteen (15) days' notice from this date is therefore given; and if they, *one and all*, do not *at once and forever resign* their present inhuman, disgraceful, and outrageous rule, then retributive justice will as surely be used as night follows day.

"Also, 'An honest man is the noblest work of God.' For this reason, if the clerk of the said board of county commissioners and school commissioner does not *immediately* renounce and relinquish his present position, then harsher measures than these will most assuredly and *certainly* be used.

"For confirmation reference to the orders heretofore published in the Union Weekly Times and Yorkville Enquirer will more fully and completely show our intention.

"By order of the Grand Chief.

"A. O., *Grand Secretary.*

"MARCH 9, 1871."

MR. STEVENSON: Here is also the card of the clerk, issued pursuant to the Ku-Klux order, and also the editor's remarks thereon:

"[For the Times.]

"The clerk of the board of county commissioners takes this method of saying to the many tax-payers of Union County, who solicited and urged him to take the position, that in obedience to Special Order No. 3, K. K. K., (to which his attention has been called,) he 'renounces and relinquishes his position.'

"He is not the clerk of the school commissioner. What he has done in that office was intended to benefit all the parents, teachers, and children in Union County; for all children between six and sixteen years of age are entitled to their proportion of the school fund, and also the school books, at New York cost price. To give the proper direction to this fund was his object; but his motives having been misunderstood, he cheerfully withdraws from this business.

"We think it due the clerk of the board of county commissioners to state that it was through the persuasion of many influential tax-payers that he consented to become clerk to the present board. Knowing how utterly incapable the members of the board were, and the great damage such ignorance might do the county, it was thought prudent to induce them to select a competent and responsible person to sit and advise with them, in the capacity of clerk. The clerk is one of the oldest and most respectable citizens of the county, and we are sure he is not the man to sacrifice the dignity of his race.

"In his note, which will be found in another column, he explains his connections with the school commissioner, and we can add that until he voluntarily took charge of the school books, they were lying about uncared for, and a number taken away without any one to take an account of them. One whole box was removed.

"We, however, unequivocally oppose the system, now so common, of capable and respectable white men taking subordinate positions under ignorant negro officials. It

is degrading to our race, gives excuse for nominating and electing ignoramus to office, and opens the doors for rogues and villains to creep into office and practice all manner of frauds upon the people, without being at all responsible. In this we do not allude to the clerk of the present board of commissioners."

Question. That paper, I understand, is the democratic organ.

Answer. It is a democratic paper, but we would not like to have Mr. Stokes taken as our representative.

By the CHAIRMAN:

Question. I have been looking at your jail from the court-house where we are sitting, and am struck with its peculiar construction. Could not twenty men, certainly fifty men, who were armed and inside of that jail, hold it against eight hundred men not armed with any other arms than shot-guns, rifles, and pistols?

Answer. Not so many. If you notice the defenders would be all up-stairs—(we all discussed that point one night)—for you will observe the parties may fire through the front windows, and if they went up stairs the assailing party could get under the projecting top and then set fire to the jail. If you go around the front you will see what you cannot see from these windows, that the assailing parties could get underneath down stairs so that they could fire through or set fire to the jail.

Question. Are there doors there?

Answer. Yes, sir; there are two doors in front, and one behind. They could, being there, set fire, or burst the doors.

Question. Is there a man named Frank Maples that you know?

Answer. No, sir; I know Frank Mabry, on the other side of Pacolet River, eighteen miles.

Question. Have you heard of his being connected with them?

Answer. No, sir.

Question. William Webster, do you know him?

Answer. Yes, sir; there is a William Webster about twenty miles from here, nearer Spartanburgh than this place.

Question. In this county?

Answer. Yes, sir.

Question. Has he the reputation of being a member of this Klan?

Answer. I never heard it.

Question. Is Henry Grady a resident here?

Answer. Yes, sir; below here near Santuck, an inefficient sort of a fellow.

Question. Has he the reputation of being a member?

Answer. I never heard it.

Question. Barney Cook, do you know him?

Answer. No, sir.

Question. Payson Bullock?

Answer. No, sir.

Question. Have you resided in that part of the county adjoining Spartanburgh?

Answer. No, sir.

Question. Do you know Thomas Scott?

Answer. Yes, sir. There are Joe, and Charley, and John, and, I think, there is one named Thomas Scott. There are four brothers. Mr. Scott resides about five or six miles from this place.

Question. Is he unmarried?

Answer. I think he is married; he is an elderly man.

Question. Felix Spencer?

Answer. No, sir; there are some Spencers beyond Pacolet.

Question. John Sapaugh?

Answer. No, sir.

Question. Major Thursh?

Answer. No, sir; I never heard the name.

Mr. VAN TRUMP. I submit the whole of the "*Brutus*" letter, which has been mentioned as having been written by this witness to the Charleston News, and desire to have it inserted with the accompanying article. [The letter is as follows:]

"THE KU-KLUX KLAN.

"ORIGIN AND AIMS OF THE MYSTERIOUS ORGANIZATION.

"The real feeling among the people of Upper South Carolina—A highly interesting letter from Union.

UNION, SOUTH CAROLINA, February 15, 1871.

To the Editor of the News:

"The mystery which surrounds the movements of the Ku-Klux Klan has led the disembodied, while the educated, beyond the field of operation, have believed the

whole story to be a myth. But of their existence, as an organized body of living men, we, who have seen them, entertain no doubt. Of their numbers and extent, it is impossible to speak. There must be one thousand in a day's march from Union. You have them, no doubt, in Charleston, and they certainly can be found throughout Georgia, North Carolina, and Tennessee. They occasionally leave behind them letters explanatory of their purposes. Those of them who operate in South Carolina say that they want peace but must have justice; that the courts are guided by weak judges, and juries composed of ignorant negroes; that a thief, convicted with much cost of time, money, and labor, to the prosecutor, remains at the penitentiary scarcely a week, and then returns home with a pardon, and prepared to steal again. They say that when their race have justice, and are no longer robbed by public thieves, their mission will end.

"There are some erroneous opinions entertained as to the feelings of the people of Upper South Carolina toward the Ku-Klux. They are not a band of cut-throats and desperadoes, as some suppose; nor, on the other hand, are they universally approved of by the white people here. They are men of firmness and nerve, who strike because they believe it necessary for the protection of their life, property and liberty; they strike at night because circumstances render it imperative. But very many citizens disapprove and condemn the acts of violence committed by the Klan. We feel the oppression of the present State government, but we would not have it overturned with violence. We might indulge in hard words against the Ku-Klux, but we find that they despise our strictures, and the State officials believe all of us to be members of the band, no matter how much we abuse it.

"Now, sir, before we can successfully oppose and end this evil, we must appreciate the causes. It is bad practice to administer a remedy before we make a diagnosis. If we went back to first causes, we would indicate the reconstruction acts, the greatest political blunder of the century, as the incitor of the Ku-Klux. In our State, however, the organization would never have taken root if we had been spared the late iniquitous election laws, the arming of negroes with guns and cartridges, (the latter being unnecessary for purposes of drill,) the gross frauds of the election in October, the numerous pardons issued by the governor, and the wholesale robbery by State officials of money wrung from our people by enormous taxation. And again, it is well known that Joseph Crews, prominently connected with the State government, honored by the speaker of the house, and the traveling companion of our governor, in effect encouraged murder, arson, and rapine, last summer, in Laurens. What might have been the consequences of that advice it is fearful to contemplate. He may be more successful next summer.

"In September or October last, June Mobley, member of the legislature, informed his negro friends that ten white men should be killed for every negro murdered. Little did June then think that his threat against our race would so literally be fulfilled against his own. The animus of the black race and their advisers towards the white people may be also gathered from the murderous plans of Crews and others (then and now State officials) towards citizens of Union and Laurens, so recently exposed through your columns by Kerrigan and his men. It was only a further proof of what we already felt, that the white race would be taxed out, driven out, or killed out—by negroes and their allies, if possible.

"Here were the causes which operated to plant the Ku-Klux in South Carolina. The murder of Mat. Stevens gave them great strength. It was a foul murder—the foulest ever known in this State. A one-armed, inoffensive white man, of good character, who toiled honestly for his daily bread and did harm to no one; he was waylaid and cruelly murdered because he had a 'white skin.' The murderers were a body of negro militia, at least twenty-five, and more probably forty in number; instigated, the white people of Union believe, and may in time be able to prove, by Ellick Walker, captain of militia, and June S. Mobly, a legislator. Bad as this murder was, it was a sign of worse things to see the entire negro race of Union in active sympathy with the murderers. Had it been left with the negroes, not one of them would have been arrested, although they proclaimed their guilt wherever they went among their own people. It is within bounds to assert that two hundred negroes in Union County were accessories after the fact to the murder of Stevens, and that there are not two dozen of that class who would have refused to shield the criminals. Ten prisoners have been taken out of the jail by the Ku-Klux and killed, nine of whom were murderers of Stevens; the tenth was the negro who shot the constable (Smith) on the first day of January. We condemn the act as unlawful and criminal, but for the victims we have no sympathy. The negroes, on the contrary, regard with indifference the deed in the abstract, their only feeling is sympathy for the murdered prisoners.

"The manifesto left here by the Ku-Klux sufficiently explains the immediate cause of the last raid on our jail. To take these prisoners—two of them red to the elbow with the blood of Stevens—to Columbia, where the legislature was in session, composed, it was believed, of men in active sympathy with the murderers, was thought to be tantamount to a release. It was unfortunate that Judge Thomas did not order

the return to the writ of *habeas corpus* to be made before him at Union or at his home, which, it is presumed, is within the limits of his circuit. The letter to the judge indicates that he would sacrifice the peace of society here, and turn the prisoners loose to save his office. The Ku-Klux thought the escape of the prisoners would be an evil, compared to which the loss of Judge Thomas to the bench of the sixth circuit would be insignificant. Such escape would be a wrong to their race, and one of those wrongs which could find redress only from their band. They were, under another name, a vigilance committee, with this difference: Vigilance committees generally have the tacit approval of their government; the Ku-Klux operate upon crimes committed by a class of citizens specially protected, befriended, and honored by our State. The vigilance committee is, however, an unlawful organization; so is the Ku-Klux. The acts of the one find an exact counterpart in the other; for, so far as known, the Ku-Klux have been men—dangerous citizens and well-known murderers.

"We are no apologists for the Ku-Klux. Nothing here written is an apology. The reader who so construes this letter finds *excuse* sufficient in what we have enumerated simply as *causes*. We cannot excuse these self-constituted avengers of white men's wrongs. Crime begets crime, but does not excuse it. To kill a man is murder. To be prosecutor, judge, jury, and sheriff, is a fearful sin—a sin legally and morally, and a sin in His eyes to whom belongeth vengeance. We may have no justice, but better to suffer and to wait. A bad government is better than no government at all. Injustice is better than anarchy.

"Negro militia can never stop the evil, no matter how strong in numbers.

"The Columbia Union advises that they be sent, and the country taxed to pay for them. We advise the Union to make a calculation of the cost of maintaining a thousand soldiers for a year, and compare it with the assessed value of property in this county. The proposition is ridiculous. Negro militia are powerless against them. They may be stopped, but only in one way—remove the causes which made them fancy their organization a necessity; restore good government; give the State upright and able judges and honest officials; stop the frightful expenditure of public money in Columbia; prosecute, indict, and bring to trial such men as Neagle, Parker, and Crews; disband the negro militia; give the people intelligent jurors, and let convicts be punished, and then will the Ku-Klux be a thing of the past. But let the legislature and the State officials go on as they have gone on, and the time will soon be when raids into Columbia, and around that capital building, will cause our highly virtuous and intelligent legislators to forget Union and Union murderers.

"One more word. We are all suspected of active sympathy with the Ku-Klux because we do not bring them to trial. The thing is impossible. They shroud themselves in a mystery which no one can unravel. Whence they come and whither they go, no one knows. Their voices are not recognized; their horses are not known. They are never seen in daylight; only in night. It would seem that negroes would know when their masters left home and took their horses out of the stable; would sometimes see their disguises, notice the jaded appearance of man and horse after a night of wakefulness and hard riding. But it is not so. No negro knows a single member of the band. If they did, they would tell it, if not here for fear, at any rate in Columbia. The whole negro race desire the suppression of the Ku-Klux, but they can make no discoveries. Is it singular, then, that the white man, who spends his evenings at home—whose opportunities for detection are so much less—should fail to find out names? We do not say that all condemn the Ku-Klux. Many see the immediate good, and think not of the consequent evil. But many, very many, oppose and abhor these deeds, committed without any legal sanction, and they express their abhorrence in unmeasured terms.

"This letter has been made too long. We wrote, however, to show that the Ku-Klux were combating evils as dangerous to the peace of society as the counter evils they perpetuate, and that these fearful counter evils were not approved of by all the people of Upper South Carolina.

"BRUTUS."

The editorial accompanying the letter above given, mentioned and appearing in the Weekly Union Times of February 24, is as follows:

"THE LATE OUTRAGES.—In our columns this week will be found a letter signed Brutus, purporting to be written by some person in this county to the editors of the Charleston News. Whoever the writer is, he has certainly looked deeper into the causes of the disturbed condition of our section than the editors or others who have given publicity to their thoughts through the public journals of the State. It is a bold and intelligent view of our situation, looking further back than even the advent of our present State officials—as officials—for the impelling causes of all the disorder, lawlessness, and bloodshed which has disgraced our State of late, but boldly holding those officials to a strict account as the immediate cause for the dissatisfaction, and even desperation, into which our people are driven. Nine out of every ten men in this State who read Brutus's letter will cordially indorse its sentiments and truthfulness.

"In the same issue of the News in which 'Brutus' appears, the editor says: 'It is a settled fact, all other considerations apart, that no body of men which is not strong enough to overcome the whole Army of the United States, can either overthrow the State government or drive the negroes out of the State. But the Ku-Klux are a mere handful, and the tide of public opinion sets steadily against them.'

"We think our intelligent contemporary presents two erroneous ideas in the above. From the actions of the Ku-Klux and the people of the State at large, we do not believe there is any desire to overthrow the State government or drive the negroes out of the State. But the man must be heartless and corrupt indeed who does not desire and demand that the government shall be purified. That is the great boon for which we are all striving, but we would not obtain even that over murdered men's bodies. Peaceable means must be employed to secure it, and the law-making and law-administering power of the State must provide those means. Such an election law as that which controlled the October election, if continued in force, will not restore peace. Nor can it be expected that the people will be orderly and quiet under their present burden of taxation when they see the State treasurer, who, a little more than two years ago, and before he began to handle their hard-earned money, could scarcely buy a pair of boots, now dashing through Columbia in one of the finest vehicles in the State, behind a pair of \$1,000 horses, with gold-mounted harness on them, and four other fancy nags standing in his stable; boasting the value of his diamonds and the amount of stocks he owns. And this is only one out of a dozen similar cases; while members of the legislature incite riots, then are appointed to investigate those riots, draw from the treasury their \$7,500 at a time, for services not rendered, and put it in their pockets without let or hindrance. Would it not make the most pure Christian in the world commit bloody deeds, when he saw himself and family so robbed? It is not the overthrow of the government the people demand, but that it shall be purified.

"Nor can we think with the News that 'the Ku-Klux is a mere handful.' We believe it is a formidable organization—formidable in numbers, discipline, and daring, and increasing daily. We speak thus plainly our opinion, because we believe their power is underrated, hence the means adopted for their suppression will be inefficient, indiscreet, and not such as will disband them. In our opinion, the best way to break them up would be to first break up the gang of thieves now plundering the State, then put into State, county, and judicial offices only such men as are capable and honest, and elect a virtuous and intelligent legislature that will show some respect for the feelings, opinions, and interests of the white property-owners and tax-payers of the State. Bring that power to bear against the Ku-Klux, and we believe it will rout them completely. At any rate it is worth a trial."

UNIONVILLE, SOUTH CAROLINA, July 17, 1871

JAMES B. STEADMAN sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?

Answer. In this place.

Question. What is your occupation?

Answer. I am a lawyer.

Question. How long have you resided here?

Answer. About fourteen years. I married in this place and made my home here.

Question. Are you a native of this State?

Answer. Yes, sir; of Charleston.

Question. The duty imposed upon the committee is to inquire into the condition of the late insurrectionary States, so far as it relates to the administration of the law, and the security of life, person, and property in them. We desire to get from you what information you can give us upon those subjects, especially as relating to this portion of this State.

Answer. I know nothing of my own knowledge of any disturbances in this county; that is, I have never seen, never witnessed any violations of the law. I have no doubt, however, from common reputation, from notoriety, that there have been some acts of violence and lawlessness in this county, and I desire to state what, in my judgment or opinion, has given rise to these acts, and that they have not, in any way, originated from any feeling of hostility to the General Government of the United States. I desire to give those facts within my knowledge, with that explanation which I think—

Mr. VAN TRUMP. You can not only give facts within your knowledge, but anything that is so current that you believe it; from public reports, from general reputation of the existence of causes, &c.

By the CHAIRMAN:

Question. We have this morning examined Mr. Shand, of this place, and I suppose it

is the desire of the committee to avoid going over the same ground with different witnesses. So far as the causes are concerned, are you pretty well acquainted with the views that he entertains on this subject? Have you conversed with him?

Answer. We have spoken together.

Question. I mean on this general question?

Answer. I think I am in possession of Mr. Shand's views as to the causes which have led to this state of things. I do not know whether my views are the same as his or not.

Question. Then go on and state as briefly as you can what you wish to say on this subject.

Answer. I think, sir, that the acts to which I have alluded have originated in the general feeling of insecurity which has prevailed for some years past in the community. The first cause of that feeling of insecurity that I would mention is, in my judgment, the hostile attitude of the colored militia of the State, in this county, to the white people. And I will state now those facts which have evinced that feeling of hostility. First is one with which I was to some extent connected, which was known as the demonstration at Hill's, about eight miles below this town. It was a military demonstration headed by a man by the name of John Bates, a colored man, and all who participated in it, so far as I was told, were colored men. Quite a large body, probably seven hundred or a thousand men, mustered on that day; I cannot be certain as to the number, for I speak only from information which came to me from persons who were there; but a very large number.

Question. Just fix the date of that if you can.

Answer. Well, sir, I am going pretty far back. My recollection is that that was in 1868. These orders were issued—orders were read as coming from the government, organizing these troops, directing them to be armed and nominating their officers. Inflammatory speeches against the whites were made by Bates and others, and an order was issued that they should assemble with arms at Union Court-House on the succeeding Saturday. That occurred on Saturday. They were to meet *en masse*, with arms, at Union Court-House on the succeeding Saturday. There happened to be the editor of our paper present; not Mr. Stokes, the present editor, but the man who had the paper before him, Mr. McKnight, and other white gentlemen, who heard from those present that the object of their assembling here was to liberate from the jail certain colored men who were incarcerated there for crime, and it was also freely stated that they intended to help themselves from the stores of the town. One store particularly was mentioned—Dr. Bennett's store. The men who were present considered the matter as so alarming that they came up to the court-house and informed us on Sunday morning of what had occurred. It was necessary in order to communicate with the governor that we should send down on Monday morning, for we had then only tri-weekly trains. We assembled on Sunday. The community assembled on Sunday, and drew up a report of what we had heard, and sent those who had informed us with others of the committee, as a committee, down to Governor Scott, and their information to me is that while they were in communication with Governor Scott, the senator from the county, Mr. Duncan, came in and read to the governor a letter from a negro man from this community, stating that there would be a fight at Union Court-House on the succeeding Saturday. These facts being known, Governor Scott thought there would be a difficulty, and he sent up an officer or an agent and required John Bates to report to him in Columbia, and ordered the colored militia not to parade with guns; that they could parade, but not with guns. That was the first matter of an alarming character that I remember which excited the community. There were then armed demonstrations in the neighborhood of Simmes town, not far from the same place. I do not know of my own knowledge what this consisted of, but I expect there will be testimony before the committee in regard to it. A short time afterward these difficulties culminated in a collision between the blacks and white people, at Santuck, about six miles below here. I was not present, but I was acting as a magistrate, and summoned down by Mr. Hubbard, the agent sent here by Governor Scott to assist him in his investigation. I went down. We made no formal investigation. He satisfied himself, as he told me, that the facts all showed that the colored people were entirely to blame, and that he would make such a report to Governor Scott, and he would make no formal investigation—swear no witnesses. He did make a report exculpating the white people altogether. That culminated in a fight with guns, in which some white people were wounded and more colored people. The colored people were driven off.

Question. What was the exciting cause that led to that collision?

Answer. The same John Bates, who was at that time a prominent military candidate—

By Mr. VAN TRUMP:

Question. A colored man?

Answer. Yes, sir; he had ordered his body-guard—he always went about with an armed body—to assemble at Santuck on that day, as he would be up from Columbia, and Governor Scott, with arms, I believe, or provisions—something the colored people

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were to receive. They assembled with arms, and in the morning there was a fight between a white man and a colored man on the ground—nothing of importance, but it seemed to add to the bitterness prevailing; and when Bates arrived, some old gentlemen on the place went to the colored men and begged them to withdraw, as there was a heated conversation going on, and they had better withdraw. They consented to do so, and while leaving, one colored man turned and fired his gun, loaded with shot, into the body of white men, wounding not less than two. I issued the warrant for the apprehension of the man who fired, and took the affidavits of those who were wounded.

By the CHAIRMAN:

Question. Was that followed by a trial: you say you issued warrants?

Answer. Yes, sir.

Question. With what result?

Answer. The negroes were released on bail, and I do not think there was ever a trial.

Question. That was in this county?

Answer. Yes, sir.

Question. Were they bound over to appear at court?

Answer. Yes, sir.

Question. Why were they not tried?

Answer. I do not know at all. If I ever knew the facts, they have escaped me now. We have a very active solicitor, and, of course, it would be entirely with him; I do not know; indeed, I cannot say whether they were tried or not. If my recollection is correct, they were not tried. I do not remember to have heard the trial; and if they had been tried, I would probably have been present.

Question. Who was the prosecutor?

Answer. The man who was shot. Governor Scott at that time sent Mr. Hubbard, the chief constable, up, who made the investigation and published the report.

Question. You have stated that the negroes were armed?

Answer. Yes, sir.

Question. Were they armed with State arms?

Answer. I do not remember whether State arms had been issued to them or not.

Question. Had any been issued in 1868?

Answer. This was later than 1868; but I think State arms had not been issued then.

Question. Then the arms they had, according to your belief, were their own private property?

Answer. Yes, sir.

Question. Were the whites there armed also?

Answer. The whites had no guns, it seems, but pistols were drawn, and they defended themselves with pistols; that is my information; they had no guns, so far as my information went.

Question. What was the occasion of the white men assembling?

Answer. It was a depot. I do not remember now whether it was a public day or not, but I am satisfied, and so was Mr. Hubbard at the time, that the whole thing was unpremeditated so far as the white people were concerned. If I am not mistaken, a democratic club met at Santuck, and that was their day of meeting, but I am not certain.

Question. Was there any evidence of premeditation on either side?

Answer. Not on either side, so far as I am aware.

Question. It was a sudden outbreak, owing to this man discharging his gun in the way you spoke of?

Answer. Yes, sir.

Question. Go on with your general statement.

Answer. Well, another cause, then, of that feeling of uneasiness which prevailed in the community was the general insecurity. I am addressing myself rather now to the attitude of the militia. There were then, and more recently, a number of attacks upon private individuals, and upon houses, which were traced directly to the militia, or which amounts to the same thing for my purpose; it was believed generally in the community that it was traced to the militia. I will name some instances which occurred within my own recollection: An attack on the coroner of the county, Mr. John Henry Gallman, whose house was fired into, and members of his family very nearly shot. I think one of the balls struck the bed in which some of the members of his family were lying. If I am not mistaken, copper cartridges, which accompanied the fixed ammunition of the militia, were found on the outside of the house; that is my recollection.

By Mr. VAN TRUMP:

Question. Exploded?

Answer. Yes, sir, exploded; I do not remember now the facts which caused the community generally to believe that members of the militia had made the attack; but that certainly was the impression that prevailed, and at that time it seemed to me very well founded.

By the CHAIRMAN :

Question. Were negroes organized as militia at that time?

Answer. Yes, sir. Another was the attack on the house of H. T. Hughes in the neighborhood of the court-house here. He was driven away from his house, compelled to take refuge in flight. They called at his house for him, but he was gone, and members of the militia were recognized. Mr. Ninian Leech, a young gentleman from Virginia, and almost a stranger in the community, who had not been on here more than six months, and who was farming in the neighborhood, passing from town, was fired at. I give you his statement to me. He was fired at from the house where the militia were meeting on that night. He went back and demanded why he was shot at, and charged them with the fact, and there was no denial; but he did not find out who fired, and never prosecuted. I find it difficult to recall them; there were, however, a good many other instances of that kind. I am not speaking of those that occurred just around the court-house.

By Mr. VAN TRUMP :

Question. Of course you mean court-house in southern phrase for county seat?

Answer. Yes, sir; in this town. (Producing a paper.) I will refresh my memory here Mr. Frank Gregory—but I will not mention that, as he may be a witness himself.

Question. You had better state it briefly, as we will call very few witnesses.

Answer. He was stopped, if I am not mistaken, by members of the militia.

Question. In a threatening manner?

Answer. Yes, sir; he was halted at night upon the road, while he was passing on the road. He was a peace officer at that time, if I am not mistaken.

Question. What demonstration did the negroes make?

Answer. My recollection of his case is rather vague; I think, however, they stopped him and he came in and complained that in the discharge of his duty he had been alarmed by the action of the members of the militia, who were skulking through the woods with their guns, and had halted him.

Question. Go on to the next case.

Answer. These other cases I will let other gentlemen speak of. I have spoken of the cases that came more immediately under my own observation. Another thing which produced an impression in the community that this armed militia were contemplating acts of violence, and which put them to some extent in terror, and particularly and most especially our ladies, in fact which kept them in a state of chronic alarm, was that these members of the militia always went with their guns and their accouterments. You never met them on the highway but they had their guns. When they came to town they brought their guns with them; it was exceedingly unusual. It was not caused by any similar demonstration on the part of the whites, so far as I was aware.

By the CHAIRMAN :

Question. Proceed with your statement.

Answer. Those are some of the facts which produced the feeling that the attitude of the militia was hostile, and which led, I think, in a great measure, to that feeling of insecurity which afterward culminated in certain acts of violence. Another cause which led to the same state of feeling was the low character and the oppressive conduct of our officials, especially our magistrates, who were generally colored men of no education and no character; and in the discharge of their duty they were in the habit of violating every known principle of practice in the investigation of cases. I will state a fact myself which comes within my knowledge. I was called on by a gentleman of respectability and position to defend him on a charge of assault and battery before Mr. Walker, who was one of these colored men who was afterward taken out of the jail and murdered. He was a magistrate here at that time. He himself examined the witnesses to prove the offense, and when I undertook to cross-examine, he declined to permit me to do it, stating that he had already examined the witness. He would not permit me to ask any questions, and when I brought up witnesses, colored men, and they refused to answer my questions, he declined to assist me in compelling them to testify. He refused for some time to allow me to address the jury, but finally consented. I addressed the jury. We admitted the assault and battery; that is, we admitted that the party had chastised the negro boy; that we admitted, but proved that he had simply struck one blow with a switch to prevent the negro from killing or beating a hog. He struck him a slight blow with a switch. We therefore justified. Mr. Walker charged the jury that they were obliged to convict because the party had admitted that he struck a blow. The jury was divided, I was told afterward, and could not for some time come to a verdict. Mr. Walker entered the room and told them they must find him guilty, and they did so. I afterward got from some members of the jury the fact that Mr. Walker told them that they must find so. That came within my knowledge. I will state, as a notorious fact, that the magistrates and constables at that time were men of no character whatsoever, or rather of very bad reputation,

who did not have the confidence of the people, and whose acts were oppressive. I will now state something that I do not know positively, but it is the general impression and has been one of those things which led to that feeling of insecurity, that is, the refusal of Governor Scott to accept white companies into his militia when offered to him under the law. That is the impression which prevails in the community. Names have been given to me, but I can state the fact that white companies were offered to him, offering in all respects to comply with the law, and they were declined because they were white men. I do not know that that reason was given, but, while the colored companies were accepted, the quota made up of colored men, there were no white companies accepted.

Question. Do you wish it to be given as your impression that they were declined simply because they were white men?

Answer. Because they were white men of a different political party, perhaps I would put it, from Governor Scott. I do not believe the governor would have declined their services if they had been white men of his own party.

By Mr. VAN TRUMP:

Question. Do you know how many negro companies were actually armed in Union County?

Answer. I cannot say, sir, that I know the number. I think, however, that a regiment was made up in the county. There were two companies generally about the court-house that I know of. There was a regiment in the county.

By the CHAIRMAN:

Question. Is that the end of the general statement you wished to make?

Answer. I will state some other facts in that connection. Another cause which led to the same feeling in the community was the insecurity of property; the number of burnings which had taken place; the fact that larcenies were of constant occurrence, and that, when parties were convicted of crime, they were released from confinement by the executive. I will state one fact to show this committee the condition of things existing here at that time. It is the custom in this country for all persons to cure their own meat. We bacon our hogs; that is, we purchase hogs coming from Tennessee, and every family, rich and poor, has its smoke-house. If there is a single exception where the smoke-house of any family in this town was not broken into I do not know it. I will make the broad assertion, subject, perhaps, to one or two occasional exceptions, of which I am not aware, that every smoke-house in this town during that period was broken open.

By Mr. VAN TRUMP:

Question. And meat taken?

Answer. And meat taken; broken open and robbed, sometimes stripped of its whole contents. In other cases, not so much stolen. Mine was broken into and all my neighbors'.

By the CHAIRMAN:

Question. By whom?

Answer. I cannot tell; but the general impression was, however, that it was by the colored population.

Question. Had you the same class of white population we see about your hotels now?

Answer. Yes, sir.

Question. Go on.

Answer. But so far as I know, before that period, and I am racking my recollection now, I know of no smoke-house in this community that had been broken open; but, during the course of, say, seventeen months, every smoke-house in this town was broken into. Burglar guns were being bought—

By Mr. VAN TRUMP:

Question. In that connection, do you, or not, know the fact, from the investigation of the report of the superintendent of the penitentiary giving a list of the number of convicts and offenses for which they were imprisoned, that about eight or ten black men were in for larceny to one white man?

Answer. I do not know that fact myself, but I know from my own connection with the administration of justice that that is the proportion. Our larcenies are generally brought to the colored men. It is an uncommon thing for a larceny to be brought home to a white man. There was recently a burglary by a white man in this community, and it awakened a great deal of attention. That is the only case I know of.

By the CHAIRMAN:

Question. Go on with your statement.

Answer. I have mentioned the fact, I believe, that there have been a number of fires in different parts of the county.

By Mr. VAN TRUMP:

Question. If you can, enumerate them as briefly as possible.

Answer. I can enumerate some. The Rev. Mr. James Jeter had his cotton-gin burnt, with all the crop of the year. Mr. A. G. Mebins had his barn and stables burned, with all the contents. He lost his horses as well as the contents of his barn. Negroes were convicted here of that crime; it was brought home to the colored population. Captain Walker had his dwelling-house burnt, and the man who burnt it was one Tom Byars, a colored man, who was convicted here and sent to the penitentiary for, I think, ten years. He was released by Governor Scott within a short time. He was one of those whose lives were taken by disguised persons. He was, by the evidence, connected with this murder of Stevens.

Question. Are you through with burnings?

Answer. There was a burning of Colonel Young's stables with all the contents, including a horse, burnt in this town. The perpetrators have never been discovered so far as I know. I noticed this afterward—some appearance of fire was there and I had some conversation about it.

Question. Is it or not a fact that an attempt was made to fire the town, or at least to fire a very dry frame building between these two very large hotels, within a few days?

Answer. Within three weeks, perhaps. There had been a previous effort, as we suppose, to burn the town, just here in the heart of the town, some months ago. A house was found on fire, of which the walls had been drenched with kerosene oil. The house was in full blaze when it was put out. It was supposed then that it was an attempt to burn the town. It was down among these principal stores.

By the CHAIRMAN:

Question. Was it traced to anybody?

Answer. No, sir, not that I am aware.

By Mr. VAN TRUMP:

Question. What was the character of the buildings between those two hotels you alluded to?

Answer. I was not here at the time, but was just returning and heard about it only by hearsay; that it was an effort to burn; it was not an accidental burning, there can be no question.

By the CHAIRMAN:

Question. Was that second instance traced to anybody?

Answer. If it has been it is in the hands of the officers and I am not aware of it. Suspicious I believe have been directed to certain parties, but who they are I have not inquired. It is hoped that the perpetrators will be discovered.

Question. Go on with your statement.

Answer. Another thing which led to this feeling of insecurity in the community were the inflammatory harangues in public by colored orators and parties in connection with them; threats to burn; threats to murder; inflammatory appeals to the violent passions of the mob. Now, I have not been present at any of these harangues. I am only speaking of them from general reputation. I did tax one of them, who had been a servant in my family, with having made such a speech, and he admitted that he had used the language which I had heard. That was a threat to make these hills flow with blood and to whiten the valleys with bones if they did not accomplish their ends. It was a man named Abram Duggan.

Question. State in full what the threat was; what were the ends he said they were going to accomplish?

Answer. My recollection is, that his party should carry the election or these hills would be drenched with blood and these valleys whiten with bones. That was the knowledge I received.

Question. Is that what he told you?

Answer. I asked him afterwards and he told me he had. I asked him why he had used such language. He said he did not mean anything by it, but that he had been in the habit of hearing such figures of speech and thought there was no harm in using it.

Question. You say he had been your servant?

Answer. He had been the servant of my father-in-law—the same family as myself.

Question. What was his character?

Answer. His character was excellent as a slave but very bad since. He was a member of the convention, and was arrested in Charleston and put in jail for robbing a brother member of the convention.

By Mr. VAN TRUMP:

Question. This one robbing another colored man?

Answer. They were staying in the same room. That man accused him of robbing him and he was put in jail, and he told me that he got out of jail by paying the man he was

charged with having stolen from and was let off. That is his statement to me. He was one of the members of the convention that adopted our present constitution.

By the CHAIRMAN :

Question. You say he said he had heard such language as that from others?

Answer. Yes, sir; that he supposed it was all right because he had been in the habit of hearing that kind of language on the stump.

Question. Did you hear language of that kind attributed to any eminent gentlemen of this State on the stump?

Answer. No, sir.

Question. You think he could not have heard it from any eminent gentleman on the other side of the question?

Answer. Language of that kind—that we would carry our points or we would whiten these valleys with bones, I hardly think any white man who respected the community in which he lived would have used. There may be low men who would use language of that kind in moments of excitement.

Question. I infer from what you say that the language had attracted the negro, and that he really did not know much about what it meant. You say he declared that he did not mean anything by it?

Answer. So he told me. That was his explanation when I taxed him with his language.

By Mr. VAN TRUMP :

Question. Was that case of robbing the trunk in Charleston compromised after an arrest and prosecution?

Answer. Yes sir; he was in jail.

Question. It was permitted to be so arranged by the officers?

Answer. Yes, sir, he was released upon payment of the amount which it was alleged he had taken from the trunk. He rested under the imputation about two years, and quite recently came to my office and wanted to bring an action of slander against men who had charged him with breaking open the trunk. I told him, of course, that he ought to have taken steps at that time if he desired to sustain his character.

By the CHAIRMAN :

Question. Did he repel the imputation?

Answer. No, sir; he rested under it.

Question. When he came to you why did he wish to bring an action of slander?

Answer. He then denied it, two years afterwards. I happened to be in Charleston on the day he was released, and he told me he desired to see me, that he was in trouble. I saw in the newspaper, after I saw him, which was just after I landed in the city, that he had been charged with this offense and put in jail. I suppose it was on that business that he wanted to see me, but he did not come near me in the city, nor after I returned home for a long time.

Question. You were going on with the subject of incendiaries?

Answer. Yes, sir.

Question. Will you go on with it?

Answer. There are others who have heard these speeches of colored men as well as white men, but I only state the fact that one thing that led to the feeling of insecurity was the impression in the community, well-founded or not, that colored orators, and others in affinity with them, were making incendiary speeches. I heard the instance of a Mr. Phifer, as coming from his own father-in-law, who was in the habit of advising negroes in his speeches to apply the torch, and the phrase that matches were cheap was said to be current among them. Of course these speeches were generally made when we were not present, and I am not able to state it as a fact; but the impression which prevailed that those speeches were made, was one cause which led to the feeling of insecurity in the community, and the probable organization of bodies to resist acts of violence and to repel them. Another thing was the importation of men into our community, understood to be of desperate character, by Governor Scott.

Question. Into this community?

Answer. Yes, sir. I suppose you gentlemen have seen that fact noticed in the papers—the importation of twenty-five or thirty New York roughs into this county, armed with Winchester rifles, and employed as a special constabulary force.

By Mr. VAN TRUMP :

Question. Is that the Kerrigan matter?

Answer. Yes, sir; it was one of those things which led to this feeling in the community and which preceded it.

By the CHAIRMAN :

Question. Proceed with your statement.

Answer. I think I come down now, sir, to those particular acts of outrage in the com-

munity, and I expect that Mr. Shand has noticed them, and I will not repeat anything that he has said. I think the first instance of violence was the death of A. B. Owens. My recollection is that that was the first I had heard of the Ku-Klux; but never as being in this county or this country, until about the time of the death of A. B. Owens. That was probably the first act of violence, my own impression is, and I give it you only as my impression. I knew Mr. Owens very well. He was a client of mine. I had extensive business transactions with him, and had a case involving a great deal pending at the time of his death. I am sure I have no prejudice against him, but I believe Mr. Owens was obnoxious to the community in which he lived, for reasons outside of his political affinities altogether; that if Mr. Owens had acted in the same way, and had been the strongest kind of a democrat, he would, in all probability, have been visited. I give it as my impression.

By Mr. VAN TRUMP:

Question. What was his course that brought that state of feeling against him?

Answer. I can only tell you what I have heard before his death and afterward, perhaps the greater portion of it before. It was stated that he was in the habit of assembling men of bad character—men of very low character—a great many colored men—at his house in the night-time; that from the time of his assembling them, crime was found to be on the increase in his neighborhood; that a great many offenses, it was alleged, took place, and the proportion of crimes in that country was considerably increased; that threats, written threats were supposed to be traced to him, that certain designated houses would be burned; but I think that the fact which will probably be established here, which infuriated certain parties against him more than any other, was that he is said to have whipped in a cruel manner his wife, a lady of excellent character, for remonstrating with him against bringing into his family men of that character. Whether that is a fact or not I cannot tell, but it was freely circulated before his death that he had whipped her in a barbarous manner for remonstrating with him for such conduct, I know.

Question. What houses did he threaten to burn?

Answer. I do not know it in detail.

Question. Do you recollect to what particular party the owners belonged?

Answer. Yes, sir. They were generally houses of democrats, I think. I believe that Dr. Fowler's house was one of those threatened. I do not remember the name of any other. It is some distance from here, with Pacolet River between us; and there is indeed very little communication between that country and this; but those were the reports that existed.

By the CHAIRMAN:

Question. Well, sir, proceed.

Answer. Now, the next thing that I remember, and that which showed us that there was an organization of some character existing somewhere, whether in this county or within communication of this place, was the breaking into the jail at Union. I know nothing of that from my own knowledge. On both occasions when the jail was broken open, I was not aware of it until the morning afterward. I had no knowledge of it at all until afterward; but I do know the facts which, I think, led to the breaking into the jail. I do not intend to say that in my judgment they warranted those acts of violence at all. I believe that they have been most unwarranted and most unfortunate; but still I desire to explain them and the reasons which led to them, which, in my judgment, as a man speaking upon his oath, are traced to causes entirely outside of any political reasons. I believe the same conduct in persons of any party would have led to the same punishment. Mr. Shand, I suppose, has told the committee of the murder of Matt. Stevens.

By Mr. VAN TRUMP:

Question. Yes, sir; and as I want to shorten the examination, if you have a thorough knowledge of the facts as testified to, I will not call anybody else in the matter.

Answer. I assisted the coroner in investigating the facts, and was afterward present at the trial and heard all the testimony. Do you desire that I should tell the story of Matt. Stevens's death?

Question. Yes, sir, as briefly as you can and not omitting any of the facts which were testified to in that examination.

Answer. I cannot tell you the exact date of it at this time. It was, however, on Sunday night. Matt. Stevens, returning from a place about eight miles above here, in his wagon, with another white man in company, was stopped by a considerable body of colored men under arms—being, perhaps, without exception, all of them members of the militia companies and acting under the orders of their officers—was ordered to give up to them a barrel of whisky which he had in the wagon. On his declining to do so—he gave them what spirits he had about his person, a bottle full, and told them the balance did not belong to him; if they got it they must pay him for it. Upon his

declining to give it up and driving on, they leveled their guns at him and fired several rounds. The number of shots is variously estimated. There were about thirty or forty men in the company. They were all upon the road, drawn up in line. They fired several rounds at him. He jumped down, hallooing to them to stop; that he had stopped his wagon and they could have the whisky; and ran into a little shanty, occupied by colored people, on the road-side. His companion, Mr. Roberson, jumped out of the wagon on the opposite side and escaped into the woods. The men surrounded the house; the negro women implored them not to come in; they drew their guns down, leveled their bayonets and swore they would enter over their bodies if necessary; did pass into the house; took him from under the bed, where he was concealed and had taken shelter, dragged him out—he begging for mercy; one of them drew back the butt of his gun and struck him in the mouth. He begged them to have mercy upon him, reminding them that he was a one-arm man; had done them no harm; had a wife and family and was poor. They delegated three men to take him off and shoot him. One man swore here that he went up and begged them to have mercy upon him. They told him that if he did not hush they would kill him. They did take him off some few hundred yards from the road and shot him through the head, and shot him through the body, with their muskets. The bones of his body were crushed; his head was blown through; the fixed ammunition of the militia was found about his person. Members of the militia testified before the jurors' inquest that they were ordered out—they were ordered out by their officers, and one of them, a member of the militia, living in my yard, told me that his officer ordered him out, and when he asked, "What are you going to do?" he said, "We are going to mug a man."

Question. Mug?

Answer. Yes, sir; meaning, I suppose, murder. The negroes so understood it that that was their purpose; that they were going to mug a man. He got away from them and he was not among those who shot Stevens. They threw his body over a fence, and there it was found the next morning by those who went there. They took away so much whisky as they could carry, and emptied the rest on the road. Stevens, as I have said, was a young man, one-armed, peaceable, and a favorite in the community. I desire now to state that fact, that Stevens was a man who was beloved for his excellent character, for his obliging disposition, for his amiable temper.

Question. How did he lose his arm?

Answer. In the army.

Question. 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 Stevens 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 that 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 of their object in going was to mug a man. They did arrest a white man on the road named Scott, but I believe that 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 Stevens, 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 to admit that they had been present, and 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. Dan. 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 began firing from the inside. The deputy sheriff was mortally wounded and died a few days afterward. The fire was then returned. A good many citizens then, 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 first 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 our 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 Stevens'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 afterwards 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 they were going to mug a man. Both of them were prominently associated with the murder of Matt. Stevens. The others were—one man who it was alleged shot Smith, the sheriff; the other man was a man who was afterwards proved in the investigation here to have been captain of the band on that night, and who murdered Stevens, 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.

Question. Another colored man?

Answer. Yes, sir. I desire to say that, in my belief, they were taken out of the jail and executed in that way illegally, but that it was done, not because of their politics, but because they had committed one, an inhuman murder, one of the most appalling and outrageous murders I have ever heard of, and had murdered another man in the attempted discharge of his duty in making arrests. That, following upon all these other things that I have mentioned, increased the feeling of insecurity which had for a long time pervaded the community. Now I desire to state a fact just there, which will show this committee how this community felt upon that subject here. I have stated now what led to the execution of these prisoners, and I do not believe that any one who had been present could have heard the facts of that murder, as they were developed before the coroner's inquest, and afterward in the court-house, and have had any sympathy with these men. They deserved death; but I want to state this fact, that on the day after the jail was broken open the first time, the community assembled together, white and black, in the public hall of this town. By white and black I mean persons of both parties, prominent radicals and prominent democrats; that we called for a free interchange of opinions. The negroes made speeches, made their remarks; we all took counsel together, as to what was the proper plan to stop this lawlessness, and at the same time remove the causes which we believe had led to it. We agreed that the best plan was to call upon Governor Scott to have troops sent here to quiet the feeling of apprehension which prevailed. Resolutions were therefore passed, and a committee sent down to Governor Scott, asking him to send a garrison, which would produce a feeling of security, and which would prevent lawlessness, both on the part of the blacks and whites, and at the same time we denounced the lawlessness which had taken place; that is, we denounced the violence which had culminated here in

taking these men from the jail. When I say we, I mean the most prominent gentlemen in the community were those who took that step. They reprehended what had taken place as an act of violence. We did more than that. We organized ourselves by signing our names to a paper that we would protect the prisoners in the jail from further violence, until troops could be sent up by Governor Scott. That paper was signed by whites and blacks, indiscriminately in the community, by persons of both parties. We divided ourselves into three reliefs, and we took charge, one relief at a time, of the town and the jail for a considerable period afterwards. Every third night we would stay up the whole night, and it was in winter, protecting the town from outrages which we were led to expect from the colored people, but more especially protecting the jail—protecting the colored persons in the jail, to show parties wherever they were, or whoever they were, that they would not be allowed to break open the jail of the county. That thing continued until, in our judgment—in the judgment of the prominent gentlemen of the town—the excitement had died away and there was no further reason to fear that the jail would be opened again. Now I will state one fact there. I had charge of the jail on the night after Dan. Smith died. The murderer of Smith—the man who shot him—had escaped the first raid, and had been apprehended, and was again in jail. We feared that, as Smith was a man universally beloved, of excellent character, above reproach, a good man, and as he died, that possibly his murderer might be taken out, and we feared a demonstration that night. I had, as I have said, a body of some thirty or forty men under me. I arranged with the community generally, and I did so now in good faith with them. I saw them and asked their advice privately, and told them that maintaining the jail against odds, I was satisfied that I could hold the jail for a certain length of time, and that I would try to do so, but I did not want to take the responsibility of holding the jail if my action was not sanctioned by the community generally; and would they come to my assistance, and, by the use of weapons, drive off any attacking party. They assured me they would; and we arranged means by which I could summon the community and let them know that we were attacked if an attack was made. I had reliefs, who were to alarm the town by ringing bells; others to give the alarm cry, and watches upon the different roads. I assembled these men who were with me and told them my purpose to hold the jail if necessary, by resisting any attack which might be made upon it, and I asked them would they assist me. I said I did not want any man there who would be unwilling to fire upon a band of men who would come, and if any man would not be willing to fire upon men who attacked the jail, I wanted them to leave; and I will state the fact that not a single one did leave. They all pledged themselves to stand by me, to resist any attack on the part of the Ku-Klux or anybody else that might come. I considered that as a convincing proof—it was certainly to my mind—that the community generally sided with me in my position and reprobation of such acts of outrage, and that they were sincere when they said they would do it, because we certainly expected an attack that night. I had no outside information, but I thought from the circumstance of Smith having died that day, and the murderer being in jail, that we might be attacked. Under me there were white and black men, democrats and radicals, and they were side by side in that matter and remained there.

Question. You have not stated the result of your mission, if you sent one to Governor Scott for United States troops.

Answer. I do not remember what the result of that mission was; no troops, however, came up at that time.

Question. Then go on.

Answer. I remember, however, that our committee returned and stated that most violent threats against the community had been made by speakers, colored speakers, in the House of Representatives.

Question. Proceed.

Answer. Court assembled here, but it was conceived that we could hardly get an unprejudiced jury to try the negroes—the colored men who were implicated in this murder of Stevens. There were some twenty or twenty-five charged. They were still in jail, and after a consultation between the solicitor and all the members of the bar, several of us were charged with the defense of these men. I was myself selected by the court to defend this man who killed Smith. We thought it was best to postpone the trial until another term. The court followed perhaps within a week, I think, of these acts, and we thought we could hardly get an unprejudiced jury, either black or white, to try them. Before the next court came on a circumstance occurred which led to the second breaking into of the jail. I have stated that the community generally believe that colored men convicted of crime, where it is in the power of the executive to pardon and where they are radicals in principle, stand every chance of being pardoned, and I have stated that the community were very much excited by the horrible murder of this man Stevens. Now, I will state what, in my judgment, led to the breaking open of the jail the second time. There had been no threat of violence, so far as I had ever heard. We never thought it necessary to protect our jail by calling upon our citizens to arm themselves. The community was in entire peace; we were waiting

the sitting of the court to give these men a fair trial, and preparations had been made for their defense. I may say that the preparation was certainly very creditable to Judge Munro, who defended them—defended those who were afterward convicted. He did everything to have a fair trial, but on a certain day the members of the bar were called upon by the sheriff and a gentleman in the confidence of the sheriff, to advise them in a matter which perplexed them a great deal. A paper had just been received from the judge of our circuit, then in Columbia—received in a mysterious manner by the sheriff, from a negro man who was in the habit of selling cakes on the railroad, (he went with the trains in that capacity down to Columbia and back), in an express envelope, one of those brown envelopes marked by the express company, purporting to be a writ of *habeas corpus*. Now this man Tinsley, who brought the paper to the sheriff, was in no way connected with the sheriff's office or any other office. Tinsley was, at that time, perhaps a school commissioner, but he certainly was not in any way connected with the administration of public justice as a constable or otherwise. He was a colored man. The paper required the sheriff to bring certain of these men, who were charged with the murder of Stevens, down on the next day, and he was cautioned to say nothing about it.

Question. By the negro?

Answer. By the negro. 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 afterwards 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 knew nothing at all about it. That was one fact. The negroes assembled down at the jail; the wife of the jailor 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 afterwards 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 afterwards convicted, and numbers of others; the jail was full of negroes. Only those connected with the murder of Stevens 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 com-

mittee, and will explain itself. It was printed at the time in the papers, and, I believe, sent to Governor Scott.

By the CHAIRMAN:

Question. Well, sir, proceed with your statement.

Answer. The next matter of that kind of which I remember of a notorious character, is an order served upon certain officials to resign their offices. It was in the form of a Ku-Klux order. I explained that order by the utter incompetency of the men who held these offices; their utter incompetency to discharge their duties; that they were not dealt with in this manner purely because they were radicals or republicans. I will state this fact. A while before the last election an effort was made to form what was called a third party. Clubs were established everywhere through this county as well as through the State. The main feature of the constitution of those clubs was that they would elect all men, irrespective of color, or race, or politics, to office, if they were honest and competent men, declaring that all the main differences between the two parties, democrats and republicans, had ceased to exist. We invited members of all parties, who desired competent honest men to be elected to office, to join with us, and we pledged ourselves to elect men irrespective of principle, and invited republicans as well as democrats to assist us in nominating men of that character. We offered to prove our sincerity by nominating in every case a satisfactory proportion of colored men and radicals, whom they would name as competent to hold office, and men of honorable character. These clubs embraced almost the whole white population of the county. They formed what had been, perhaps, the democratic party. I think the disposition on the part of the white people, and in the face of the intolerable evils under which they were suffering, was to forget all political animosities and unite upon that platform—honorable and competent men for office; and I believe that the men who were elected to office, if they had been honorable and competent men, would have been in the present discharge of their offices, even if they had been radicals. Our sheriff has never been molested, and he is a man not at all popular—a man obnoxious in a great many particulars to the community.

By Mr. VAN TRUMP:

Question. A republican?

Answer. A republican; and he has never been molested.

By Mr. STEVENSON:

Question. Was he elected as such?

Answer. He was elected by the radical party.

Question. Do you mean he is a republican now?

Answer. I think so, sir; so far as I know his principles there is no change in his political party. I do not know, I suppose he would still vote with the party that elected him.

By the CHAIRMAN:

Question. Have you anything further to state?

Answer. Now I will state the further fact that these acts of violence have not been directed only at members of a particular party; they have been directed at democrats and white men as well as black men and republicans. A number of white men in this community have been whipped and driven away, although they were democrats, because they were lawless men, and were doing mischief in the community. I have the names of quite a number of white men who have been whipped and sent away, or ordered to leave.

By Mr. VAN TRUMP:

Question. You may as well give them here; are they, in part, Gaffman, Hughes, Leech, and Greer?

Answer. Yes, sir; those men were visited, as it was understood, by the Ku-Klux.

Question. No matter by whom whipped, so that we get at the facts.

Answer. I will give the names in full, if I remember them: Jamet S. Mullens, F. R. Cudd—I believe I have a list, [examining papers.] Now these are all democrats. Garner was another of the men who were whipped for whipping their wives. Elias Fowler, he was whipped for visiting an old man in the night-time and scaring him, according to my recollection.

By Mr. STEVENSON:

Question. He was playing the Ku-Klux, was he not?

Answer. Some of these were; I think Mullens was whipped for playing Ku-Klux. Elias Fowler, I think, was whipped for going to an old man's house and frightening him. He may have pretended to be a Ku-Klux. Jerome Miller was another.

By Mr. VAN TRUMP:

Question. Have you any evidence that those white democrats were visited by the Ku-Klux proper, except that they were all men in disguise?

Answer. I do not know; I have the statement of these men that they were whipped by the Ku-Klux.

Question. They do not know who they were?

Answer. No, sir.

Question. They only knew they were disguised men?

Answer. Yes, sir; that is all. Jerome Miller—those are some witnesses that come within my knowledge.

By the CHAIRMAN:

Question. Well, sir, proceed with your general statement.

Answer. This thing did not arise from any political feeling, from any hostility to the Government, or any disposition to control elections, for it originated after the elections were over. The elections had been conducted peaceably. There had been no disturbance, so far as I remember, previous to the election. There had been no effort in any way to molest or control elections. The elections were over and were not to be resumed for two years from that time. The elections were held last October and these acts of violence have taken place since that time, and when no elections were in contemplation.

By Mr. STEVENSON:

Question. No election for two years.

Answer. For two years.

Question. Is there not one in a few days?

Answer. That is a special one, in consequence of the resignation of the county commissioners.

Question. A resignation under the orders of the Ku-Klux?

Answer. Those were elections not contemplated at all.

By the CHAIRMAN:

Question. Please go on with your facts, Mr. Steadman.

Answer. I have noticed the fact that the blacks and the whites, irrespective of party, unite to put down this violence.

Question. You referred to what you have stated about the jail.

Answer. Yes, sir.

Question. Have you anything further you desire to state in answer to the general question?

Answer. I will state this fact, that Ku-Kluxism, as it is called, has been traced, in a good many instances, to colored people and radicals; that it has existed among them, that is, the violence of disguised men has not been confined at all to white people. I can only give you hearsay upon that point; I think I have the names of witnesses who would be able to specify acts of that kind. That is the impression which prevails, and —

Question. You had better give them if you have them?

Answer. Alexander McClure, colored; Henry Fox, colored; Spencer Rice, colored; John Gibbs, colored; Lander Hamett.

Question. Do you refer to those as men who have been visited?

Answer. Yes, sir; men who have been visited, and who will prove the fact that negroes in disguise have done acts of violence—negroes and radicals.

Question. Where do they live?

Answer. They live in this county, sir; in the neighborhood of Mr. Aleck Rice, in the lower part of the county, so far as I am informed.

Question. Well, sir, go on.

Answer. There is another gentleman, highly respectable, in the immediate neighborhood, who was visited, and he told me he had traced it to colored men and one white man who was at the time a member of the radical party; without mentioning his name, for I prefer to communicate with him, and I will see him here, as I understand he has been summoned as a witness—

Question. You may as well summarize as well as you can, for we do not intend to sit here and send for witnesses from all parts of the country.

Answer. Mr. B. H. Rice, one of our largest property-holders and a democrat, was visited in the night-time by disguised men and threatened; he told me he had traced it to colored men and radicals. The opinion which I desire to express upon that point generally is, that persons here who have been interfered with by men in disguise have been obnoxious; all of them, without exception, have been obnoxious to the community for other reasons than their political principles.

Question. Is that all you desire to say on that subject?

Answer. Yes, sir.

Question. You have given us everybody, then, who has been molested lawlessly in this county that you know?

Answer. Well, no; I have given the names most prominently connected with these things; I have heard of other cases of negroes who were shot.

Question. How many?

Answer. Well, sir, I think I have heard the names of some five or six at different times.

Question. Do you mean killed when you say shot?

Answer. I remember one man who I heard was killed below, and one man above.

Question. Give the names.

Answer. I will say I remember to have heard of as many as five persons who were killed.

Question. Give their names.

Answer. I could not do that; I remember one; he was one of those who had been convicted of larceny in the upper part of the district and put in the penitentiary and pardoned by Governor Scott and sent back here—Mills.

Question. When was that?

Answer. Two or perhaps three months ago.

Question. Do you recollect any other names?

Answer. No, sir; I cannot say that I do remember the names of any others besides those who were taken out of the jail; I remember hearing of the instance of a man shot down in Santuck and another shot in the neighborhood of Mr. Knott's, and another above Jonesville, which makes three, and there may be one or two others at different times.

Question. You say they were all obnoxious for other reasons than political?

Answer. Yes, sir; in every instance I am acquainted with, my belief is that they were obnoxious for other reasons than political principles.

Question. You say you do not know their names?

Answer. No, sir; I remember the facts connected at the time with their death, and the statement which I heard; I simply give it as my belief.

Question. You have already spoken about Owens?

Answer. Yes, sir.

Question. Did you hear of a man named Thomson being killed within the last two or three weeks—a colored preacher?

Answer. I have been absent from the community until about two weeks ago, and if I heard it, it has made no impression upon me.

Question. It was within the last two weeks, and was on Tiger River.

Answer. On Tiger River—Thomson. There was a man killed in a fight on Bates's plantation.

Question. Not that one.

Answer. I do not remember it.

Question. You have not heard of it at all?

Answer. No, sir.

Question. Have you seen no publication of it?

Answer. I have seen the last copy of the Union Times, but I have been absent in the North for several weeks, and if I have heard of the Thomson case it has escaped me entirely.

Question. You think you have given us all whose names you can recollect who were killed, five or six, besides those taken from the jail?

Answer. There were that many, I can recollect now, but I do not mean to say that there were that many and no more.

Question. Did you hear of Strap Jeffers being killed at Major Tench's, near Jonesville?

Answer. That is the one I mentioned as occurring near Jonesville.

Question. Did you hear of Tilman Ward being killed?

Answer. If you tell me where, I could tell.

Question. It was, I understand, in this county.

Answer. They are generally obscure persons in this county; I cannot recollect

By Mr VAN TRUMP:

Question. It is the name you cannot recollect

Answer. Yes, sir.

By the CHAIRMAN:

Question. Aaron Estes, down about Santuck?

Answer. That is the Santuck case I mentioned.

Question. Benjamin Simmons?

Answer. I think Benjamin Simmons was one of those taken out of the jail; my impression is that he escaped at the time and was afterward found dead.

Question. Did you hear of a man named Jack Dunaway being killed?

Answer. I do not remember that name.

Question. James Gist?

Answer. No, sir; I do not remember that name. It is possible that those parties went by other names. It is not at all unusual for colored people to go by other names. The man who murdered Stevens went among us entirely by the name of Andy Noland, I think it was. I think he goes among the colored people as Andy Love. They do not generally have more than two names; one the name of the former master and the other the new name assumed since freedom. They have sometimes several names.

Question. How many have been whipped, according to your best information, in this county?

Answer. Well, sir, I assure you I have given you the names of those persons whom I remember to have been whipped. I cannot recall. I can hear occasionally a vague rumor that a man was whipped at a certain point by persons in disguise, but I could not recall their names.

Question. Have they not been looked upon in public sentiment here as rather trivial offenses?

Answer. I think not. It depends entirely upon the person who expresses the opinion. Some would consider it trivial. As for myself, being a law-abiding man—

Question. Has the fact that the probate judge of your county was taken from his house escaped your attention?

Answer. Goings—that ought to have come to my mind. I knew him very well. Yes, sir, I understand he was taken from his house and whipped.

Question. And required to resign?

Answer. I believe he was required to resign. That is my recollection of his statement.

Question. You can recollect no others?

Answer. I might, sir, upon reflection, but these things have occurred some time ago. I cannot recall any other instances.

Question. You have given us in detail the various causes that you say led to a sense of insecurity and to certain acts of violence, some of which you have enumerated.

Answer. Yes, sir.

Question. Now, in all the instances in which the negroes were the offenders, that you have referred to, prior to the commencement of these acts of violence, were they acting openly and known to the community in which they were living?

Answer. I don't know that I entirely comprehend you.

Question. For instance, at Santuck, were those negroes in their proper persons, without disguise?

Answer. Yes, sir; it was in day-time; white and colored were undisguised.

Question. At that other place where they assembled?

Answer. At Hill's?

Question. Yes, at Hill's; were they there in their proper persons?

Answer. Yes, sir.

Question. There was no difficulty in recognizing them?

Answer. No, sir. They did upon that occasion exhibit impatience at white persons being on the ground. They ordered Mr. John Jeter off the ground, and upon his refusing to leave they leveled their guns at him; but they were not disguised.

Question. That was called as a celebration for the colored people, was it not?

Answer. Yes, sir; it was what you would call a brigade encampment; but there were others there not soldiers; colored women as well as colored men.

Question. And although the negroes had their arms, and these apprehensions existed, had any cases occurred in which they had, as organized bodies of militia, committed offenses against the community?

Answer. I think I named several where they were supposed, as organized bodies of militia, to have committed these offenses.

Question. I do not remember that you did.

Answer. Yes, sir, and in the night-time; this band at Gallman's; the meeting at Hughes's; the shooting of Leech.

Question. Were they there as companies of militia?

Answer. They were assembled the night they shot at Leech, according to his statement, at their general place of meeting, and fired at him from that point as he passed on the highway.

Question. That is the Virginian you referred to?

Answer. Yes, sir.

Question. Did he arrest them?

Answer. No, sir.

Question. Did Hughes arrest anybody?

Answer. No, sir, I do not think he did. Mr. Leech came to me. He was conducting a farm, and was among the negroes, and he exhibited a good deal of excitement.

Question. He knew who the negroes were, did he?

Answer. No, sir; I do not think he could have identified any of them. I never heard him call the names of any individuals.

Question. Was that in the night?

Answer. Yes, sir.

Question. Was it before the hours of retiring?

Answer. I do not suppose it was a very late hour.

Question. The case of Frank Gregory?

Answer. I suppose Gregory could have recognized those who halted him.

Question. Did he prosecute anybody?

Answer. I do not believe he did.

Question. Did they do anything besides halt him on the road?

Answer. I speak of the case with reluctance, because my recollection is rather vague.

Question. Those individual instances you have mentioned led to certain acts of violence; who, in the community, took it upon themselves to commit those acts of violence?

Answer. What is your question?

Question. You say those cases you have enumerated led to certain acts of violence in retaliation for apprehended violence from the negroes; who took it upon themselves to commit those acts of violence—what portion of your community?

Answer. To that question I can give no answer. I say here upon my oath, I do not even suspect any man in this community of having acted as a Ku-Klux, and I do not know that I have ever heard any one's name mentioned in connection with that band. It always occurred to me as a most singular circumstance, that in a community where they have been in a town in which they have been present on two occasions, in considerable number, not only has there been no identification, but I, as connected with the bar here, have never heard the name of a man mentioned as being suspected of being connected with it.

Question. In this community?

Answer. In any community.

Question. You never heard anybody mentioned who lived in this town of Unionville as being connected with them?

Answer. Nor in this county.

Question. Never heard of any one?

Answer. No, sir, not named as connected with the Ku-Klux.

Question. How many came here on the night of the raid?

Answer. I do not know. The general information is that fifty to one hundred came the first time, and a much larger number the second time?

Question. How many?

Answer. Three to five hundred, I have heard it estimated, and by some at more than that; not by those who saw them, always, but by those who saw the signs, particularly in the roads.

Question. Were you here at that time?

Answer. I was here both nights.

Question. How far do you live from the jail.

Answer. Just across the railroad.

Question. How far is it?

Answer. About half a mile.

Question. Within the corporate limits?

Answer. Yes, sir.

Question. Were you out?

Answer. I was, at the time of the first attack on the jail, spending the evening at my mother-in-law's, just below the jail, and came home with some young ladies who lived just opposite the court-house, and I do not suppose we got home half an hour before they appeared; but I saw no evidence of excitement whatever on going home, and on the next morning I was extremely surprised to hear this.

Question. You had a special patrol out?

Answer. Yes, sir, I believe so. I am not sure.

Question. How do you account for the fact that with a special patrol out the good citizens of the town were not called upon to prevent this?

Answer. My recollection is that whenever they saw a man they halted him where he stood and prevented him from moving, and ordered all lights out wherever they saw them in the town. Their effort was to prevent anything like communication between parties who were aware of their presence.

Question. That patrol consisted of ten or a dozen men, did it not?

Answer. I don't remember exactly. There was a patrol the first or second night.

Question. Is there no impression prevailing here that the patrol were willing captives; that they did not give information?

Answer. No, sir; the impression is entirely the reverse. Prominent men in the town were halted, and not allowed to stir from where they stood—not only about the jail, but some squares below. I remember Dr. Moore telling me that he made his escape by jumping over several fences and getting to his house, and I know in several instances parties told me they were halted in the street and compelled to stand with a guard over them until it was withdrawn.

Question. Were any efforts made to pursue or arrest or discover the offenders?

Answer. You will see the difficulty under which the community labored in that particular. We meant to prevent any repetition of it, but so far as we were informed, they had gone, and we knew not where nor in what direction.

Question. Could they not be found?

Answer. Another difficulty we labored under was this: Any effort we made would have been entirely voluntary; the local offices were all in the hands of men over whom we had no influence.

Question. When Stevens was murdered, was not the effort made next morning entirely of a voluntary character by the citizens?

Answer. No, sir; the acting coroner headed the movement.

Question. Did not the citizens at large go out to the place where the murder occurred, and endeavored to give assistance?

Answer. A good many did.

Question. Was there rain on either night the Ku-Klux were here?

Answer. Yes, sir, one night.

Question. Which night?

Answer. It must have been the second night, because the night I went home there was none; that was the first night.

Question. With a number of horsemen here, could they not have been tracked if there had been any desire to follow them?

Answer. This is an extraordinary circumstance—how it was possible for men to escape without being tracked or seen. They left nearly at daylight—a very few hours of day. How a considerable number of men, say five hundred, should get away without even the colored people being able to ascertain who they are, or from what direction they came, is very singular, but does seem to be a fact.

Question. The question is, with that knowledge that a rain had fallen, which was known to your citizens, did you make any effort to follow them?

Answer. There was no effort made that I am aware of; and if you will consider the condition of our people—without arms, and in the presence of a force like that, without having men in the magistracy of the country, or constables who had our respect, or who we could follow as leaders, you will see the difficulty under which we labored.

Question. The citizens did, of their own accord, deem it a duty to take guns from the negroes who would use them, as in the case of Stevens, and the officers had such command over them that the citizens did volunteer to go to work and do that?

Answer. Yes, sir, where they were first known.

Question. Why is it in your community—I desire this information for public purposes—that citizens so strongly impressed with the duty of preserving the public peace as of their own volition to take the State arms which had, by proper authority, been deposited with the negroes, and restrain them, felt no prompting to ascertain who these men were, coming here lawlessly with arms and obeying a military commander to the extent of committing murders? What is the reason of the distinction between the two cases?

Answer. There was very great curiosity to discover who the Ku-Klux were. There was great inquiry. Every man felt some curiosity on the subject, but there was apparently no chance of gratifying that curiosity or discovering them. The general impression prevailed that they were here to-day and in the State of North Carolina to-morrow, and the impression prevailed then that these bodies came to us from the State of North Carolina. That was the impression here at that time.

Question. Have you no information that a portion of them came from the south—from Newberry and Laurens counties?

Answer. I think the statement was made, at the last raid upon the jail, that some parties went down through the town past what is known as the Episcopal church on the Newberry road, but I was never told here of their going further than that.

Question. If that be so, how, by your theory, do you account for men coming all the way from North Carolina to remedy grievances against the Government in South Carolina, peculiarly when there is no feeling against the General Government?

Answer. I do not pretend to say that they came from North Carolina. I was giving the reasons why the people did not adopt some means of discovering them. The impression was that they came from North Carolina.

Question. Did you believe, then, that they came from North Carolina yourself?

Answer. I do not know where they came from, but it was from a considerable distance.

Question. Do you believe that they were actuated by the reasons you have given here?

Answer. Yes, sir.

Question. Because of the peculiar grievances of this State; because of your local offices in Union County?

Answer. Yes, sir.

Question. You believe that men came from abroad to redress those evils?

Answer. The theory, as I have heard it ventilated, is, that these things are managed in that way.

Question. How?

Answer. That persons living in a community do not redress their own grievances.

Question. If that is the theory, if there is no Ku-Klux in this town, do you suppose the Ku-Klux would come from abroad to remedy grievances of those who are not in sympathy with them?

Answer. I did not say I did not believe there are members of the organization in the town. I only say I have never suspected a man or heard a single name mentioned as connected with that organization.

Question. Is that the general impression, that there is no suspicion and no sufficient information to found opinion upon in this town?

Answer. I cannot say what the general impression is. If asked my belief of the general impression, I should say they do think there are members of some such organization in this community; if not in this immediate community, certainly in the country, whether Ku-Klux or Regulators, or what.

Question. Looking at this question in the light in which you place it, is it your belief that there is an organization coöperating in this way by men coming from abroad and committing those offenses in the community where they are not known?

Answer. The extent of that organization, its affiliation with other organizations, I know nothing at all of, and I have not any means of forming an opinion; but I would state, as my impression from circumstances of common notoriety, that there are men in this community who do engage in acts of lawlessness. It was not my impression at that time.

Question. Do you know whether any men in this community went to Chester in a raid of that character?

Answer. It was not a Ku-Klux raid; there was no disguise about it. I take what is known as a Ku-Klux raid to be one done by parties in disguise, who conceal their identity.

Question. Whether a Ku-Klux raid or not, it was a raid?

Answer. Yes, sir. I know of one or two instances where parties in this county did go to other counties to coöperate with persons whom they deemed in need of assistance to protect them from outrage and wrong.

Question. Were those Ku-Klux?

Answer. I know a party at one time went to Laurens and once to Chester.

By Mr. VAN TRUMP:

Question. But open and undisguised?

Answer. O, yes, sir.

By the CHAIRMAN:

Question. That Laurens case was the day after the election, was it not?

Answer. Whether it was the Crews affair or not I do not know. I do not know whether our men went to Laurens. It was to Newberry that a considerable number went, when there was a collision between the whites and the colored people supposed to be imminent.

Question. Do you know of their going to Laurens?

Answer. Not at the time of the Crews difficulty.

Question. But a day or two after the election?

Answer. No, sir, I do not remember that any man in this community proper went on that occasion. I think I remember on one night a gentleman came and asked me to lend him my horse, as they had just received a note from a lady in Laurens, whose name I knew well, stating that the negroes were armed and in her neighborhood, threatening pillage and conflagration, and begging assistance, and I think a very small party went over that night. That was done openly and undisguisedly.

Question. To whom was that note addressed?

Answer. I do not remember; I think it was addressed to Mr. ——— it was not the gentleman to whom the note was addressed who came to me for my horse.

Question. Who was it that came to you?

Answer. A young gentleman by the name of Hill.

Question. Is he living here still?

Answer. Yes, sir, I think so. He did go, but returned next day, but there was no collision at the time.

Question. I asked you about the persons in this community who might be supposed to be in this organization?

Answer. The gentlemen who went over to Chester are among our most worthy and law-abiding citizens, and who would not disguise themselves to do any act.

Question. What was the purpose of that expedition?

Answer. The purpose, I understood, was to clear the road between Chester and Union

of an armed body of men, who had taken possession of it, and who were filling the country with alarm.

By Mr. VAN TRUMP:

Question. Armed body of what?

Answer. Of negroes—black militia.

By the CHAIRMAN:

Question. When they got to Chester what happened?

Answer. They did not reach Chester; they were fired on in the road before they got there; an advance of perhaps four or five of our men, as I was told, were fired on in the morning, riding ahead, and one horse was killed and one young man shot through the leg. The main body coming up, charged the colored men and drove them away; probably one or more lives were lost on the part of the colored people. That was the Chester affair.

Question. Was it alleged that the negroes were holding the road?

Answer. I understood that they were.

Question. For what purpose?

Answer. I am not familiar with the troubles at Chester, and I had no connection with that business.

Question. You do not know anything about it?

Answer. I do not. I could tell you what I have heard of the troubles there growing out of the colored militia assembling in the neighborhood. I think the whites and colored men got to firing at each other there in the town of Chester, and the colored men were induced to withdraw, and they did withdraw and took possession of the road between Chester and Union, and held it in the manner in which I have spoken.

Question. Did they prevent anybody from passing?

Answer. I only told you the facts; that these men were attacked, and one man shot and one horse killed.

Question. It was understood that they were going to assail them?

Answer. They were going to clear the road, to see that communication was open; that persons traveling should not be molested.

Question. Had the negroes prevented communication?

Answer. They were in possession of the road and filling the country with alarm. They had come from a different quarter of the country. They were there openly with arms, in military organization, and plainly bent upon mischief.

By Mr. VAN TRUMP:

Question. Were they not eight or ten miles from their usual place of residence?

Answer. I cannot tell. My impression is that one company came twenty-five or thirty miles from Landsford. I am only speaking from the most general information. Court was in session, and I was very busy here at that time and heard very little about it.

By the CHAIRMAN:

Question. I think you said you had thirty or forty in charge of the jail, and a raid was anticipated. How many of them were the unmarried men of this town?

Answer. A large majority of them.

Question. Were they all respectable?

Answer. Yes, sir, I should say that they were. There may have been one or two among them that I should not call respectable men, but they had volunteered with us to protect the jail.

Question. You mentioned James R. Mullens, F. R. Cudd, Garner and Fowler as democrats visited by the Ku-Klux—were they of Mullen's band?

Answer. Mullen and Cudd were. The others were not, so far as I am aware.

Question. Those two you have named as democrats had themselves undertaken to play Ku-Klux?

Answer. So I have understood, and to levy blackmail; I do not remember an act of theirs. I remember seeing a proclamation which bore upon it the usual indication of its being a Ku-Klux paper, stating that there were spurious Ku-Klux in the country who were doing acts of outrages and wrong, and sheltering themselves under that name, and they must stop or the perpetrators would be violently dealt with. It was in pursuance of that order I understood that these two men, Mullens and Cudd, were whipped.

Question. The idea prevails that the Ku-Klux do not permit anything of that kind of work except what is by their own order?

Answer. I judged from that paper that the impression does prevail that they would put down any such acts.

Question. They claim a monopoly of that kind of rough justice, you think?

Answer. Yes, sir, I suppose so; that is, they would not permit it. I do not know that they claim to be the sole officers of justice, whether rough or otherwise; but it seemed that they would not tolerate acts of outrage and wrong in a community coming from persons of any color or of any party. Now I remember hearing one instance—I saw it

published in our local newspaper—of a man who had taken a colored man's tools from him, and the Ku-Klux sent him an order that he must return that colored man his tools by a certain time or he would be dealt with.

Question. You followed with the remark that Garner was whipped for whipping his wife, and Fowler also?

Answer. No, sir; Elias Fowler was visited for searing an old man in the night-time.

Question. You mentioned that a man was visited for whipping his wife?

Answer. Yes, sir.

Question. Was that Jerome Miller?

Answer. No, sir; he was a man of bad character. There was a Garner who had mistreated his wife, and who was understood to have received a notification that if he did not stop such conduct he would be dealt with; but I think he was the father of this man Garner. I do not know that I remember now what this man Garner, who was whipped, was charged with.

Question. Is that offense against civilization pretty sure to be followed by a Ku-Klux visit in your county?

Answer. No, sir, not so far as I am informed, but that is a fact which I name. He is a democrat, I know—a violent democrat. Another fact is that he is alleged to have mistreated his wife, and to be living in, perhaps, open adultery with another woman, and these regulars notified him that he must alter his conduct or he would be dealt with.

Question. These other cases, in which you say negroes and radicals have undertaken to play Ku-Klux —

Answer. Those are only reports. I have given the names of those who will prove the cases. Major Rice will state about that.

Question. If this Ku-Kluxing is not limited, and all parties assume that form for the administration of justice, do you not think it is time that some steps should be taken in this county to stop that kind of business, in which nobody can be detected?

Answer. I have always reprobated this violence in the community, and raised my voice as loud as I could in the matter. I certainly do not indorse it.

Question. Has anybody been tried or convicted in your county for any offense committed in disguise, either for killing any of these men, or whipping any of them?

Answer. There has never been a detection, so far as I am aware; and, as I have told you, so far as I am informed, there is not even a suspicion. I know how strange that fact must seem to you, gentlemen, but it is a fact nevertheless—living in this community, and, to some extent, a public man, and living in a community where acts of outrage have certainly been committed on one or two occasions by men in considerable numbers, that they should have got away without being detected, and even without being suspected, when it seems to be a fact also that they have come from a considerable distance, for I heard of their passing Pacolet on both occasions that they visited Union.

By Mr. VAN TRUMP:

Question. Did they ever hear of one of the German Illuminati being detected—a similar organization of times gone by?

Answer. I cannot say; I am not familiar with them.

By the CHAIRMAN:

Question. Did you hear no approval of these acts in this community?

Answer. I have heard ladies sometimes call them blessings in disguise; but the sentiment among the gentlemen—yes, the gentlemen of the community—I think, is opposed to them, and we would adopt any measure that appeared to promise success to put them down.

Question. But at the time the acts were being committed, was there not an expression of sentiment that they were doing a very good work?

Answer. I have given you the only fact on the subject in my possession, that we met in public at a time when there was no sympathy, certainly, with the parties who had been murdered. We felt that they had met their just doom; I felt so then and feel so now. But still the community almost unanimously met together and reprobated these acts, and followed that up by organizing themselves into a volunteer organization to repress them, and at a very considerable inconvenience of bad weather, &c. Those are the only facts that I can give you in that connection. I myself may be allowed to say that while I do not indorse this organization, I still must bear testimony to the fact that the community is in better condition to-day than I have known it since the war. That is, it is more quiet and peaceable; there are fewer disturbances, less crime, and negroes upon the plantations are working better than I have known them to since the war.

Question. Do you not think there is a little insensibility to crime when a negro minister can be visited, castrated, murdered, and his body thrown into the river, three or four days without an inquest, and you not even hear of it?

Answer. Do I hear you aright?

Question. Do you not think there is a little insensibility to crime if visited upon persons of color, when that can be so?

Answer. If it is so.

Question. If it is so, how do you account for it?

Answer. I have never heard of it; as I told you, I have been away some time. Possibly every other member of the community has heard of it.

Question. You have been back two weeks?

Answer. Yes, sir.

Question. Our information is derived from citizens in Spartanburgh, that the Rev. Mr. Thomson, a Methodist minister, who was preaching in that place, and who had his family at Goshen Hill, in this county, went down there to bring his family back, and when there, was visited, taken out from his family, castrated, murdered, and his body thrown into the river, where it was found, and after it was taken out was permitted to lie several days without an inquest being held.

Answer. Have you any definite information upon that point?

Question. Persons up there who were acquainted with the man stated the fact, and I saw it in one of your newspapers here.

Answer. What newspaper?

Question. In the Columbia newspaper.

Answer. In the Columbia Union?

Question. One of the Columbia papers; I do not know which.

Answer. You will find a good many such things in the Columbia Union. It is a receptacle for such stories. I take the Columbia News, and Phoenix, and this paper here.

Question. Upon that information I sent an officer to that neighborhood to bring here the wife of the murdered man, and received the report that, through the terror which prevails in the neighborhood, he could find nobody connected with the family, or any one who could or would tell anything about it?

Answer. If that proved to be a fact, and the community generally were not informed of it, it would seem that the matter had not created much excitement; but I do not know that it is a fact, and it may be that every man in the community may know it except myself.

Question. In connection with your remark that these people had met their just doom, which is perhaps right if it had been legally administered, did not the evidence disclose the fact that one of the men shot on the second raid was not proved to be connected with the murder of Stevens?

Answer. Do you know the name?

Question. I do not.

Answer. My recollection is that every man who was taken out was connected with it, except perhaps one, and he escaped. There was a man not connected with the murder of Stevens, and was not charged at the time, and he was not Ku-Kluxed; whether he was released by them or not I do not know.

Question. Were you in the trial?

Answer. I was not retained. I was concerned in the Yellow House case.

Question. When the two men were tried and hung you assisted?

Answer. At the request of the solicitor I took part and assisted him.

Question. You assisted the commonwealth?

Answer. Yes, sir.

Question. Then your attention was directed to the guilt of those on trial?

Answer. Yes, sir; three were on trial.

Question. Did not the testimony disclose that one of the men shot by the mob was not connected with the murder of Stevens?

Answer. No, sir; I think you have been misinformed. Three of them were tried, one of them was acquitted, and that man was in jail at the time the others were taken out.

Question. We are not misinformed, unless the gentleman who reported the trial made a mistake.

Answer. I cannot see how the guilt of a person not on trial could have been a subject of proof or disproof. My recollection is that the whole of the testimony was directed to the guilt of these two men.

By Mr. STEVENSON:

Question. It might necessarily appear who was present or not present?

Answer. No, sir; it might appear who was present, but not that a person not on trial was or was not guilty.

Question. But it might appear who was present?

Answer. It did not appear. Some forty were present at the murder, and we only obtained some twenty-five.

Question. Speaking of the attempts at burning and thefts from smoke-houses, none of which have been traced to any particular individual, you seemed to leave the inference that the negroes were most likely to be guilty?

Answer. I have no doubt of it.

Question. Have you any one in the white portion of the community that could probably be charged with such crimes?

Answer. Larceny and breaking open smoke-houses, I should say not. There is hardly a white man in our community that has not some means of subsistence, and I am thinking over all the poorer classes who would be supposed to live by stealing. Our class who commit larceny are the colored population.

Question. Do you suppose the men who compose this Ku-Klux organization are not men capable of any crime?

Answer. I have to give a vague idea. My own idea is that they are men who would be above larceny. My own idea is that if there is such an organization in this community, it is not composed of men who would steal.

Question. Do you doubt there is such an organization?

Answer. I assure you that I have no information on the subject. When I speak of this community in this town, I incline to think there is none; that there is no band of Ku-Klux, no club or organization in this town. I cannot think that there could be such an organization here, and I not at the same time have heard the name of some of the men who would be absent at the time when there was a raid; that there may be an organization of that kind in the county, one or more, I think possible.

Question. Is it your idea that men who, in obedience to the order of a club or Klan, will commit murder, will not commit larceny?

Answer. I do not think so, sir. I think they have been wrought up to that state of feeling which will induce them to take life from the causes which I have named; that they regard such things as necessary to the protection of themselves and their property.

Question. Take this high-toned business of whipping people; do you think persons who do that will commit larceny.

Answer. I do think that men who whip negroes would not commit larceny.

Question. Do you look upon that as an elevating business, going about at night whipping negroes?

Answer. No, sir, not at all, for I told you I reprobated it.

Question. You think these men would not commit larceny or arson?

Answer. No, sir; I certainly do not.

Question. So that in your estimation these men who compose the Ku-Klux are not men of criminal intent?

Answer. I think they have done criminal acts, have violated the law, but have done so from misguided feelings, not thinking they were doing wrong; in other words, they have done evil that good might come.

By Mr. STEVENSON:

Question. Are you aware of the fact that the Ku-Klux Klan, especially on the North Carolina border, is, to a great extent, identified with the illicit distilling operations?

Answer. No, sir; I have never heard that fact stated or suggested before.

Question. The idea seems to have occurred here that these men came here from North Carolina?

Answer. That was the impression at the time, that they did come from North Carolina.

Question. Are you aware that much of the liquors which are consumed in this town are illicit spirits derived from this mountain region?

Answer. I am not. I have no information on this subject.

Question. You never heard anything of the sort?

Answer. I cannot say I have never heard anything of the sort; there may be liquor brought into this community from there.

Question. Do you know that this man Stevens, who was such a favorite in your town, was engaged in hauling illicit spirits?

Answer. I do not know the facts. I am satisfied he had no connection with whisky. His business was to haul here in town. I believe he had been employed to bring a barrel of whisky from some house about eight miles out to the town.

Question. At night?

Answer. He was coming here early in the night; it is very possible that he left in the day. I do not know that he was employed to bring it in the night-time, nor do I know that it was illicit whisky. I have never heard it definitely stated.

Question. You never heard that circumstance mentioned?

Answer. An impression was attempted to be produced by radical papers that this was an effort on the part of the militia to prevent a violation of the laws. That effort was attempted, but that is the only source from which I have ever had any impression conveyed to me that that might be illicit whisky. They utterly failed, however, of establishing that theory. It seems that the negroes wanted a drink of whisky instead of seizing it for the Government. From what my information is, they did not know who they were going to meet that night. That is my impression from what this man tell

me; and what I heard of the testimony was that they went out to kill the first white man they met.

Question. How far from the town was this?

Answer. I think about four miles.

Question. Assuming that it is true for the purpose of this question, that this Ku-Klux Klan is connected with illicit distilling wherever it exists in this mountain region, and with the trade growing out of it, would you then adhere to your opinion that they were not men who would be capable of these petty crimes, or such crimes as larceny and burnings?

Answer. I will state, as I have had to state all along, from my belief and common reputation, that this Klan has nothing at all to do with illicit distilling.

Question. But assume that?

Answer. But in order to put myself right—but even if that were assumed, I do not think it would follow at all that men connected with illicit distilling would be willing to steal.

By Mr. VAN TRUMP:

Question. Blockade-runners have never been considered *ipso facto* thieves?

Answer. No, sir; there are large communities which live upon illicit distilling. The Irish as a community, I believe, live in that way.

By Mr. STEVENSON:

Question. The Irish?

Answer. In their own country.

Question. Do you understand that larceny is an unknown offense there?

Answer. Not unknown.

Question. I am aware, as the judge suggests, that blockade-runners are not necessarily thieves, and also that smugglers are not pirates, but very frequently they are both. You say you did not go upon this Chester raid?

Answer. No, sir; I did not.

Question. Was that because you were engaged at the time?

Answer. I would not have gone upon it, in all probability, anyhow. I never have been asked to go upon any such raid, and have never volunteered to go.

Question. You say that those who went from here were of your very best citizens?

Answer. Yes, sir; I may say so.

Question. Such as would not go anywhere in mask?

Answer. Yes, sir; in disguise.

Question. Who were they?

Answer. Well, now, would it be right that I should tell who, as a matter of common notoriety, went? I do not know but one; he borrowed my horse to go, and he went after the fight, because his father lived in that neighborhood.

Question. We have thought it right that persons who give their opinions about everything else should give their information of these matters.

Answer. Well, sir, I desire to state that I do not know of a single man who did go upon that Chester raid, from his own admission to me or from my knowledge of the fact.

Question. You have already stated that, except the man who rode your horse, you did not know?

Answer. Yes, sir; he went afterwards.

Question. Who is he?

Answer. My brother-in-law, W. D. Humphreys. His father resided in that neighborhood. He did not start from here until the fight was over; having heard the next day that there was a disturbance in the country, he borrowed my horse to go over there.

Question. You afterward ascertained that the fight was over at the time that he went?

Answer. Yes, sir.

Question. When he started was that known?

Answer. No, sir; nor that there would be any fight. He heard that there was a disturbance over there.

Question. Just as the others heard it?

Answer. Yes, sir.

Question. What persons, according to your information, went from here there?

Answer. I have stated the fact that I did not know. Would it be proper for me to state according to common notoriety?

Mr. VAN TRUMP. O, yes, sir.

The WITNESS. I will state that General Joe Gist, according to common notoriety, went over.

By Mr. VAN TRUMP:

Question. Did you consider it wrong, when news had been brought that two races were in imminent danger of coming into collision, for the citizens to go and protect the people?

Answer. I would have gone. I was not asked to go from the fact that I was paralyzed in the war and could not go.

By Mr. STEVENSON :

Question. You are not an able-bodied man ?

Answer. No, sir.

Question. Gist—what is his name ?

Answer. Joseph F. Gist.

Question. Is that the man about sixty years of age we see about here ?

Answer. Yes, sir. I do not know that he went, but that is my impression.

Question. Who else went with him ?

Answer. I assure you that there is only one other name that I remember, and he is now in Baltimore going to school; a young gentleman named John Rodger. He is the only other person whose name I remember to have heard in connection with the matter.

Question. Is his family here ?

Answer. Yes, sir; his father resides here.

Question. What is his father here ?

Answer. His father is a merchant.

Question. How many others, according to your information, went from here ?

Answer. Went from the town ?

Question. Yes, sir.

Answer. Well, sir, I do not know; but my recollection is some forty or fifty, or perhaps sixty went; but I think they went from all parts of the county. It was published out here. Court was going on, and the news arriving that there was firing between the whites and the blacks there was a general turn out. I have no doubt that General Gist can tell you.

Question. Who led the men who went from here ?

Answer. I do not know.

Question. Have you no information ?

Answer. I have the impression it was Mr. Gist. He was a gentleman of high position. He has represented this county in our State senate; has been our State senator for many years; is a gentleman of age and experience, and I think he went out with the boys to keep them from committing harm.

Question. Is he a son of an ex-governor ?

Answer. No, sir, but nearly related to him.

By Mr. VAN TRUMP :

Question. Was it understood that they were in disguise ?

Answer. No, sir; they were in open daylight. I think it is unjust to these gentlemen, when I do not know that I should name names in connection with acts of violence.

Question. Did you understand that they took part in the fight there at Chester ?

Answer. They were fired on and, as I have understood, fired back in retaliation.

Question. How far was the point where the colored militia were said to be holding the road from this place ?

Answer. About twenty miles from here—on the high-road from here to Chester.

Question. How far from Chester ?

Answer. I think about eight miles from Chester. It may have been a little farther from Chester and a little nearer to Union.

Question. What is the character of that road ?

Answer. A public road—a highway.

Question. Is it a turnpike ?

Answer. No, sir, we have no turnpikes in this country.

Question. A common dirt-road ?

Answer. Yes, sir; the main highway.

Question. What time in the year was it ?

Answer. That was in the spring of the year—last spring.

Question. Is the trade between here and Chester very heavy ?

Answer. Sometimes it is considerable. There is easy communication and considerable traffic.

Question. Of what character ?

Answer. Hauling cotton; and a great many of our travelers prefer to go over here to Chester, in going north, and take the northern train there, to save going down to Columbia and up to Chester, which consumes a day and a half.

Question. At that time of the year is the travel very heavy from here there ?

Answer. That road is fully as much used as any public highway in this country.

Question. But at that time is the travel and trade very heavy on that road from this point to Chester ?

Answer. It is the time when the cotton is generally carried to market—when the main cotton crop is carried to market—and Chester is one of the principal cotton markets of this whole country.

Question. What is the population of this place, Unionville?

Answer. I think about seven or eight hundred, it may be less than that.

Question. What is the proportion of white and black?

Answer. About equal, I think.

By Mr. STEVENSON:

Question. About three hundred and fifty whites here?

Answer. Yes, sir, I think they are about equal. I beg you to understand that in saying fifty or sixty went, my impression is that very few went from the court-house. They were generally gentlemen in here, at court, away from home; having their horses, and hearing that there was this tumult, they went over to assist the whites.

Question. Did you understand it to be because of the obstruction of the highway as a convenience for the county?

Answer. I understood that they went to clear the highway and relieve the people of that country from the presence of an armed body who had encamped themselves there and were putting them in peril against the laws.

Question. There were two motives, you think, that impelled them?

Answer. Yes, sir; to clear this public highway, and also to relieve the people of that neighborhood.

Question. Did you understand how many whites were engaged in the affair at Chester?

Answer. I think only those who went from here and who were in the immediate neighborhood. I have always understood that it was fifty or sixty. I may be wrong in saying so many were from this town. I expect the number from here was smaller, but that the white people of that neighborhood joined them, and in all they made up a band of fifty or sixty. I cannot say how many went from here. There may have been five, ten, twenty, or more. I do say I have heard only two names; and the way I heard it was, it happened that one of them had his horse shot, and I heard him talking about it, and I heard General Gist went with them.

By Mr. VAN TRUMP:

Question. You had no knowledge of that company of negroes prior to their being encamped there?

Answer. Yes, sir; there had been a collision between them and the white people at Chester, and firing.

By Mr. STEVENSON:

Question. They had been induced to withdraw, you said, from the town of Chester?

Answer. Yes, sir; and they occupied the highway.

By Mr. VAN TRUMP:

Question. Did you not hear that they had left Chester before?

Answer. The most exaggerated reports had come to Union. Those were the facts, as we learned by sifting afterwards, but the impression prevailed that a war of extermination was about to begin at Chester; that the blacks had risen with arms to take Chester, and that the white people were in danger.

By Mr. STEVENSON:

Question. You must have known that those bands were not in Chester, but on that road?

Answer. They were in the main highway between the places, and we heard the wildest rumors.

Question. You have spoken of the murderers of Smith?

Answer. Yes, sir.

Question. What sort of warrants had those persons who went to the Yellow House?

Answer. I saw the warrant, sir, and it was for some time in my possession. They had a warrant from the coroner directed to Mr. Smith or any other lawful officer—I speak from recollection—to apprehend certain named parties who were charged with being implicated in the murder of Matt. Stevens.

Question. Is it not the fact that they were simply searching for all negroes who had arms, in order to disarm them?

Answer. No, sir; my information is, and as I told you, I took the testimony sworn before the corner, that they were in search of certain named persons.

Question. Were those named persons in that house?

Answer. I don't know. I think one was probably named in the warrant, but I am not sure of that.

By Mr. VAN TRUMP:

Question. Was there reasonable ground for suspicion that there was some one of the parties in the house?

Answer. I don't know. The Yellow House seemed to be somewhat of a rallying point for the colored people, and as I told you, armed members of the militia, the very body who had destroyed this young man, were seen coming from there an hour or so before. I saw them myself.

By Mr. STEVENSON:

Question. Was there not at that time an effort being made to disarm all the colored militia?

Answer. I cannot say it began at that time. That was the day of Stevens's murder. His body was found on that day. I do not think any arms were taken away on that day, though it is possible that some may have been taken on that day. I am inclined to think the first I heard of it was a conversation on the street that afternoon. A number of white people were together, as we gather on such occasions, and when the story began to be told how these men had been summoned out by their sergeants and corporals with arms in their hands to murder a man, and they regarded themselves bound to obey that order, and in obedience to it had fired on an unarmed man and killed him, we thought the safety of the community required that their arms should be taken from them, but I do not think any were taken on that day. They were hunting Stevens's murderers. That was the warrant to take up men charged with that crime. Guns were found in that house, and were taken possession of, I think, by the town authorities.

By Mr. STEVENSON:

Question. That was the house of Silas Hawkins?

Answer. Yes, sir.

Question. Let me call your attention to an editorial in the Union Weekly Times of January 6, 1871, professing to give an account of this murder:

"During Sunday a number of colored men were arrested, and intense excitement prevailed among the people. Toward night, reports came in that an attempt would be made by the members of the militia companies to take the prisoners from the jail, and the conduct of many of the colored men gave reason to believe there was some cause for the report; consequently a strong guard was placed at the jail. About eight o'clock it was discovered that a number of men with guns were congregating at the house of Silas Hawkins, and a posse was sent there to disperse them."

Answer. That is certainly a mistake, according to the sworn testimony at the coroner's inquest. Nobody was sent there to disperse them.

By Mr. VAN TRUMP:

Question. That publication was made prior—before the inquest?

Answer. I speak positively. It was in returning from the search for others they passed this house, and with a belief that the parties were there, and went there to search. They did not go specially to the Yellow House. That was the last house visited.

Question. Then I understand you the demand of Smith was not for guns but for men?

Answer. No, sir; for admittance. He had a warrant, and he said, I have a warrant and must enter. You shall not enter, was the reply.

By Mr. STEVENSON:

Question. Without his saying for whom or what?

Answer. I do not think the question was asked him.

Question. You say the men who fired from that house and killed Smith were some of them tried and convicted?

Answer. No, sir; they were not tried.

Question. Were some of these men executed by the Ku-Klux?

Answer. The one man who fired the shot which killed Smith was among those Ku-Kluxed. The others were discharged.

Question. There have been no legal proceedings, except the coroner's inquest?

Answer. Yes, sir; proceedings were begun. They were liberated on *habeas corpus*. I was employed to defend them, and I induced the solicitor, as we call the commonwealth's attorney here, to enter a *nol. pros.* We thought, and he agreed with me, that enough had already been done.

Question. You have said, I believe, that to your knowledge there has been no case of Ku-Klux proceedings where the motive appeared to be purely political?

Answer. I do say so, sir.

Question. And that where they have operated against officers by terror or otherwise it has been because of incompetence?

Answer. Yes, sir; and I have stated it as my belief that if competent they would not have been molested.

Question. Do you know the gentleman who was formerly clerk of the county commissioners?

Answer. Yes, sir.

Question. Do you wish your remark to apply to him?

Answer. No, sir; Colonel Young is a man of great respectability, but he is a democrat.

Question. What motive can you attribute to the Ku-Klux for ordering his resignation?

Answer. That is a mystery to me. I do not know. It was probably from some misapprehension. I think Colonel Young himself ascribes it to a misapprehension as to certain acts of his.

Question. Was it not because he was competent?

Answer. O, no, sir.

Question. Was it not because the board itself was not competent to get on without him, and he was competent, and they determined that they should not have his assistance?

Answer. They ordered the board to resign and ordered him to give up his position.

Question. Were they not opposed to his holding that position because with his assistance that board, which might otherwise be incompetent, might be able to get on?

Answer. Colonel Young, as I understand, was not an officer of the county.

Question. Did you or not understand that to have been their purpose which I have stated?

Answer. I think, sir, that in saying that he was ordered to resign because he was competent, and because by compelling his resignation they would suspend the operations of the board, you are mistaken.

Question. You think so?

Answer. I do not think that entered into their ideas. I think it was a misapprehension as to certain acts he had done.

Question. What were they?

Answer. The colonel could explain it better than I could. I am satisfied from the colonel's character—but I state without giving the character of the charges against him—that there were certain misapprehensions which prevailed concerning his connection with the board which made him obnoxious, and that it was not on account of his political principles that he was compelled to resign.

Question. Of course not; they would have had no objection. Why, in your opinion, they do not proscribe republicans because they are such; I do not suppose the organization would object to a democrat holding office because he is a democrat?

Answer. Not if he were competent.

Question. They would not make his democracy an objection to him?

Answer. I presume not.

Question. What led them to order Colonel Young to resign?

Answer. I do not remember, but thought there were certain impressions afloat concerning him.

Question. Was it not true that that board, without his assistance, was generally supposed to be unable to get on?

Answer. O, yes, sir; they were entirely incompetent. I believe the majority of them could not write their names.

By Mr. VAN TRUMP:

Question. Your statement has been so very full and clear that it would be only consuming time on my part to enter into a reëxamination. I shall ask only a few questions. The chairman asked you why the citizens of this little town of Unionville did not immediately raise the hue and cry and go after this Ku-Klux, or whatever they were, upon their executing these negroes. How many horses could the citizens of this town have commanded on that night, or the next morning, to follow a band supposed to be of three to eight hundred mounted men?

Answer. I suppose the number of horses in the town are not more than twenty-five or thirty.

Question. There was no United States cavalry here then?

Answer. No, sir. There may be a larger number, but I am inclined to think that is about the number in the town.

Question. Do you recollect of hearing of the burning of a gin-house about that time, owned by a gentleman in Edgefield County, at his place called Hubbs?

Answer. I do not remember it.

Question. The chairman asked you if a Ku-Klux had been convicted in this county. Has there been one found out?

Answer. Never found out in this county. While I was absent at the North I was informed by a gentleman in Pennsylvania, and afterwards by Governor Orr, that a

man had been identified as a Ku-Klux in Newberry, and I think that was the first I ever heard of being caught.

Question. In answer to a question whether you had heard any citizens approve of the acts of the Ku-Klux, you said you had heard ladies say the Ku-Klux were blessings in disguise. Are not some of our southern ladies here perfectly insane on any question connected with the war?

Answer. I could hardly go that far. Perhaps it is well I should explain that. I have said that our ladies, for reasons you gentlemen can readily imagine, always have exhibited more alarm and excitement at the condition of affairs which has prevailed here since the war than the gentlemen. The number of rapes, for instance, which have been committed in this country has been very large, unprecedentedly large. The crime of arson has been frequently committed. The female mind has been frequently disturbed, and they have caught at anything which has redressed evils of that kind as a blessing. They do not generally weigh the consequences of such acts as closely as we do; and I believe that while we generally reprobate such acts, the ladies, because they believe it has quieted the community, and removed to some extent the dangers which they feared, have been inclined to approve of them.

Question. Ladies, of course—it is a question which everybody understands—ladies are more beings of feeling than reason.

Answer. Yes, sir; certainly.

Question. I ask you, as a practitioner, whether you have ever known any resistance in this county to the service of legal process?

Answer. I don't think there has ever been a case since the war of any kind of legal process being resisted, or any refusal on the part of the community to assist in serving a process when called upon as *posse comitatus*. They have always manifested a disposition to obey the officers of the law, although those officers do not command their respect or confidence.

By Mr. STEVENSON:

Question. Upon application for the loan of your horse to go to Laurens, did you lend him?

Answer. I did, sir, to my brother-in-law to go to his father's. That was Chester, not Laurens. I did not lend him, and I do not think that young gentleman went. I will state my reply was I would go up and investigate the matter myself, and if I ascertained that there was real danger to be apprehended by this lady I would be willing for my horse to go; but I preferred to investigate the matter before letting the horse go.

Question. Who applied for the horse?

Answer. Mr. Hill

Question. What is his full name?

Answer. He goes by the name of Lunney Hill.

Question. A young man?

Answer. Yes, sir. I came up to investigate the matter, and found the party had all gone, and Mr. Hill did not go.

Question. Do you know who went there?

Answer. No, sir; they had gone before I arrived; but there was no collision at that time.

Question. Do you know how many went?

Answer. A small number—only eight or ten.

Question. Was Mr. Gist among them—Mr. David Gist?

Answer. I do not think he was. I did not see him that day or hear his name in connection with it.

Question. You spoke of the volunteer guard of citizens who were pledged to protect the prisoners in the jail. Can you give any reason why that was not kept up or renewed when the danger came again—the second raid?

Answer. You perceive that the danger the next time was not apprehended at all. The whole community had been quiet. There had been no disturbance for months, and suddenly this thing burst upon us. It was not expected.

Question. After the order came from the judge for the transfer of these prisoners, and after it had not been obeyed on Friday morning, was there not, then, an apprehension that there might be some violence?

Answer. I do not think, sir, that it got out into the community that that order had been issued by the governor [judge] for several days afterward. You see it was delivered to us in perfect confidence; we felt what the influence would be of its being known. We felt that if it was known that these men were ordered to Columbia there would be danger of these men being taken out of jail, or dealt with on the way; therefore we agreed to keep the secret, and cautioned the officers of the law to keep it. We have subsequently found how the information got into the community—that it did extend and was made known, and then this thing occurred.

Question. How many members of the bar were consulted about it?

Answer. I think the whole body—every member of the bar.

Question. Yet no action was taken to guard against an assault on the jail?

Answer. None at that time. We conceived that it was a matter of the utmost secrecy and confidence.

By Mr. VAN TRUMP:

Question. What was the date of this first breaking into the jail?

Answer. I am sorry I have not refreshed my memory as to dates.

Question. I show you the Weekly Union Times of January 6, 1871, where there appears a meeting of the citizens held on Thursday, January 5.

Answer. Yes, sir; this is it. Some of this committee were colored men and radicals, and the editor remarks below that colored persons participated and offered their services to protect the lives and property of the citizens. This action by the colored people was greeted with great satisfaction, and a strong guard, composed of both races, was organized.

Mr. VAN TRUMP. I will ask to have that inserted in the testimony.

It is as follows:

“MEETING OF THE CITIZENS.

“A meeting of the citizens of Union was held in the Town Hall on Thursday, January 5, to take some action for the preservation of the peace and protection of the lives and property of the citizens.

“On motion, I. G. McKissick was called to the chair and A. D. Spears requested to act as secretary.

“General W. H. Wallace explained the object of the meeting, and called upon all order-loving citizens to come forward and aid in preventing and suppressing disorderly and unlawful acts.

“The following resolution was introduced by General Wallace and unanimously adopted:

“Resolved, That a committee of three be appointed to visit the authorities at Columbia and request that a garrison of United States soldiers be stationed here.

“Thereupon the Chair appointed Messrs. H. L. Gross, W. T. Thomson, and John Tinsley as said committee.

“R. W. Shand, esq., introduced the following:

“Resolved, That this meeting request the sheriff and the acting intendant of Union to confer together and appoint a sufficient number of persons to guard the jail and police the town until other arrangements are made; such force to be under command of some prudent and discreet person.

“This resolution was unanimously adopted, and General W. H. Wallace appointed to take command of the guard.

“I. G. McKISSICK, *Chairman.*

“A. D. SPEARS, *Secretary.*

“We are pleased to state that a large number of colored persons participated in the action of the meeting, and cordially offered their services to protect the lives and property of the citizens. This action of the colored people was greeted with great satisfaction, and a strong guard composed of both races was organized.”

Question. This meeting was composed of both races?

Answer. Yes, sir; these black men were armed, and the guns taken from the militia I mentioned were put into their hands to aid in guarding the jail.

By the CHAIRMAN:

Question. Whenever colored men were apprehended, charged with any crime, was there any difficulty in obtaining justice against them in your courts—bringing them to justice and punishing them for their crimes?

Answer. I do not think there was any difficulty in convicting them in a clear case; but there has been great difficulty in having punishment executed, in consequence of the action of the executive.

Question. You complain of pardon after conviction?

Answer. Yes, sir.

Question. Was not that very frequently upon application of the white citizens?

Answer. I think not.

Question. You do not know of any instance?

Answer. No, sir; I think it is a mistake. I have heard that allegation, when the executive was called on to explain why noted criminals were set loose upon us again. The allegation would be made that there were petitions sent up. Call would be made for the petitions, and I have never heard of their being produced in a single instance.

Question. As an instance, let me ask about Mills. What was Mills convicted of?

Answer. Stealing cotton.

Question. How much cotton?

Answer. I do not remember the quantity, sir, but it was cotton stolen from the field in a basket. I do not remember the quantity.

Question. As much as could be carried in a basket?

Answer. At one time.

Question. He was convicted of that one offense?

Answer. I think the testimony was that he had been in the habit of stealing.

Question. How much would that basket of cotton be?

Answer. In a hamper basket he could steal one hundred and fifty pounds.

By Mr. VAN TRUMP :

Question. Cotton with the seed in it?

Answer. Yes, sir.

By the CHAIRMAN :

Question. In that case did he have a hamper full?

Answer. No, sir.

Question. For that was he convicted and sentenced for ten years?

Answer. No, sir; it was the man convicted of arson who was sentenced to death and his punishment commuted to ten years, and afterwards was released, after serving a short time, and returned here, and was one of the men who murdered Stevens and was Ku-Kluxed—Tom Byers. No, sir, we have rather a lenient judge.

By Mr. VAN TRUMP :

Question. You have a law of the State which makes petty larceny a penitentiary offense?

Answer. No, sir; grand larceny.

By the CHAIRMAN :

Question. What is grand larceny?

Answer. Over twenty dollars.

By Mr. VAN TRUMP :

Question. I see in the report of the penitentiary that they discriminate those convicted for grand larceny and larceny. What does that mean?

Answer. I do not know. I am inclined to think that Mills must have been convicted of carrying off more than a basket; he could not have carried off twenty dollars' worth.

By the CHAIRMAN :

Question. Your record would show that?

Answer. Yes, sir, if the judge's notes are preserved.

Question. Your indictment would show the value alleged?

Answer. Yes, sir; I suppose so.

Question. And the sentence?

Answer. Yes, sir.

Question. Do you know how much of the sentence he had fulfilled?

Answer. I do not know. He was discharged after a very brief service.

Mr. STEVENSON. In the Weekly Union Times of the 20th of January, 1871, appears the presentment of the grand jury for the January term—the first grand jury after the raid mentioned by this witness.

"PRESENTMENT OF THE GRAND JURY, JANUARY TERM, 1871.

"To the honorable William M. Thomas, judge of the sixth circuit :

"SIR: The grand jury, in the discharge of their duties, have examined into the various matters and things to which their attention has been called by the court.

"After disposing of the various bills laid before us by the solicitor, we have directed our attention to the affairs of the county, and before being discharged, beg leave, most respectfully, to present to the court our report.

"The board of county commissioners, under whose jurisdiction are the public buildings, poor-house, roads and bridges, and the finances of the county, have laid before us their report, which shows that, during the last fiscal year, \$12,878 have been received by them, and expended for the various purposes and expenses of the county. The report is both full and satisfactory. The work on the court-house and jail, as far as finished, is creditable to workmen and the county.

"We recommend that the new board of county commissioners go on and finish the improvements to both the court-house and jail, and place both in good order and condition for the various purposes for which both are intended to be used.

"The grand jury, by its committee, have visited the poor-house, and report that the buildings are in good repair, and the inmates well cared for, and in a tidy and cleanly condition. The committee found a good supply of provisions at the establishment, but

the paupers ask for a few necessities, to wit, tobacco and coffee, which we recommend be furnished to them.

"We recommend that the superintendent again establish the kitchen and dining table in preference to his present plan of weighing out and measuring rations.

"The county commissioners, in their report, call attention to the item of expenses under the head of *nulla-bona* costs. We are told that very heavy bills of *nulla bona* are taxed up to the county for very small sums or value, on which suits have been brought. We respectfully call the attention of the court and the general assembly to this subject for the correction and modification of this expense to the county.

"The attention of the grand jury has been called by a petition to the incapacity of our present school commissioner, who, in his examination before us, proves incompetent to discharge the duties required by law; that his excellency the governor appoint a good and competent man in his place.

"The grand jury has called upon the county treasurer, A. C. White, and on the auditor, B. D. Culp, about the deficiency of \$2,126,68, reported by the board of county commissioners. They have failed to state to the grand jury, satisfactorily, why said deficiency has not been collected.

"The grand jury further present that the sale of ardent spirits is a growing evil; and we recommend that, in future, the grog-shops be closed on all sales days and during court weeks.

"The recent disturbances in the county, resulting in bloodshed, has horrified the whole community. The cause which produced these disturbances has been traced to the arming of the militia.

"The grand jury deplores these sad occurrences, and to save and prevent the further effusion of blood, recommend that his excellency the governor appoint a competent officer, whose duty it shall be to collect all the militia guns, and their fixed ammunition, in this county, and remove and deposit them in the State arsenal in Columbia or Charleston. Lawlessness in our county is deprecated by all good and law-abiding citizens. As a people we cannot prosper without law and order, and in the maintenance of the supremacy of the law both races, united by mutual interest, may again join in the cultivation of the soil, build up our common country, and once more live together in peace and harmony.

"Respectfully submitted.

"J. G. BAILEY, *Foreman.*"

UNIONVILLE, SOUTH CAROLINA, July 18, 1871.

JOSEPH F. GIST sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?

Answer. I reside in this county, sir—Union County.

Question. Do you reside in this county town?

Answer. No sir. I have been staying here about two months, but it is not my home regularly. My place of residence for the last four years, since the war, has been about twelve miles north of this; but since January I have had a room here at the hotel and have spent most of my time here.

Question. What is your occupation?

Answer. Well, sir, I was a practicing lawyer previous to the war. Since that time I have been farming.

Question. How long have you lived in this county?

Answer. I was born and raised here, sir.

The CHAIRMAN. I will request Judge Van Trump to take up the examination of this witness.

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 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 the 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 forty 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 boulders, 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 was 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 to 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 one 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.

Question. Will you know, from the names of the different commanders of companies and the letters of companies, and numbers of the regiments, what arms were distributed to and how many companies in this county?

Answer. I do not know; I have never paid any attention to it. I can tell you, I think, who were the captains of the companies, or of some of them. There were a good many companies organized under the militia act in this county; but I do not remember of but two or three that received arms. One of those companies that received arms was commanded by Alexander Walker; the other by Dow Reed, and Milton Walker. I think those were the only companies that received any arms in this county, although five or six companies were formed.

Question. On page 611 of the same document I show you a receipt which I will ask you to read.

Answer.

"RECEIPT FOR ISSUES

"To Captain L. DOW REED, Company E, 13th Regiment N. G. S. C.:

"Received, at Columbia, S. C., this eighteenth day of August, 1870, of General J. B. Dennis, acting ordnance officer, S. C., the following ordnance and ordnance stores, as per invoice dated the eighteenth day of August, 1870.

"Eighty-two rifle muskets; eighty-two bayonet scabbards; eighty-two tompons; eighty-two screw-drivers and wrenches; eighty-two brush-wipers; twenty tumbler-punches; eighty-two cartridge-boxes; eighty-two cartridge-box belts; eighty-two cap-pouches and cone-picks; eighty-two waist belts and plates; eighty-two gun-slugs.

"L. DOW REED.

"Per J. S. MOBLEY."

Question. What were those other two names you mentioned?

Answer. Alexander Walker and Milton Wallace. I think those were the names of the companies that were armed.

Question. Was it Andy Walker?

Answer. Alexander Walker.

Question. Then I suppose it is J. A. Walker?

Answer. I expect that is the man. He is known here as Aleck Walker.

Question. Was that Company D, Thirteenth Regiment?

Answer. I think the receipt says they were received by Mobley. Mobley drew all the arms for this county. Mobley brought the guns here.

Question. Will you read that receipt for Company D, of the Thirteenth Regiment, page 612 of the same document?

Answer.

"RECEIPT FOR ISSUES.

"To Captain J. A. WALKER, *Company D, 13th Regiment N. G. S. C.* :

"Received at Columbia, S. C., this eighteenth day of August, 1870, of General J. B. Dennis, A. O. O., S. C., the following ordnance and ordnance stores, as per invoice dated the eighteenth day of August, 1870:

"Ninety-eight rifle-muskets; ninety-eight bayonets and scabbards; ninety-eight tom-pions; ninety-eight screw-drivers and wrenches; ninety-eight brush-wipers; twenty-four tumbler-punches; ninety-eight cartridge-boxes; ninety-eight cartridge-box belts; ninety-eight cap-pouches and cone-picks; ninety-eight waist belts and plates; ninety-eight gun-slings.

"J. A. WALKER.

"Per J. S. MOBLEY."

Question. Here is also another company, of Milton Wallace?

Answer. Yes, sir.

"RECEIPTS FOR ISSUES.

"To Captain MILTON WALLACE, *Company F, 13th Regiment N. G. S. C.* :

"Received at Columbia, S. C., this eighteenth day of August, 1870, of General J. B. Dennis, acting ordnance officer, S. C., the following ordnance and ordnance stores, as per invoice dated the eighteenth day of August, 1870:

"Ninety-eight rifle-muskets; ninety-eight bayonet-scabbards; ninety-eight tom-pions; ninety-eight screw-drivers and wrenches; ninety-eight brush-wipers; twenty-four tumbler-punches; ninety-eight cartridge-boxes; ninety-eight cartridge-box belts; ninety-eight cap-pouches and cone-picks; ninety-eight waist belts and plates; ninety-eight gun-slings.

"MILTON WALLACE.

"Per J. S. MOBLEY."

By the CHAIRMAN:

Question. How far is Chester from this town?

Answer. About twenty-nine miles, I think.

Question. What is its population?

Answer. I do not know, sir; I suppose one thousand or one thousand two hundred. I cannot speak definitely on that matter.

By Mr. VAN TRUMP:

Question. What is the proportion of the two races?

Answer. There is a very large majority of colored people, freedmen.

By the CHAIRMAN:

Question. Do you mean in the town or county?

Answer. In the county.

Question. I am asking about the town?

Answer. I don't know; I had not been there for years.

Question. Do you know the proportion between the white and colored people in the town?

Answer. No, sir.

Question. What is the difference in the county?

Answer. A large majority are colored; I know from the election returns.

Question. What was the cause of the negroes going to Chester in unusual numbers?

Answer. I do not know.

Question. Did you never hear?

Answer. I never did. I am under the impression that there was no disturbance between the citizens of Chester and the negroes.

Question. What was the date of this occurrence, when you went to Chester?

Answer. I went over the first week in March; I do not remember the date. I think it was on Tuesday night of the first week in March. I know our court was held the first week in March.

Question. Did you hear nothing of the fact that about two weeks before that a body of disguised men, in the upper part of the county of Chester, had gone to the houses

of three colored men, taken them out and beaten them badly, and taken from their houses three muskets belonging to the State ?

Answer. I did not.

Question. Did you never hear it ?

Answer. I never did. I have heard a good many of these reports all over the country, but I cannot recollect any.

Question. I do not want to go outside of the county of Chester. Please to remember I am asking about that county.

Answer. Yes, sir.

Question. Did you never hear that three men had been taken out there, whipped, and State arms taken from them, shortly before these men went to Chester ?

Answer. No, sir. In fact, up to the time when I went there I had heard nothing at all of any disturbance in Chester.

Question. Did you hear nothing about the three men thus whipped going to Mr. Cranford about the fact ?

Answer. No, sir.

Question. And charging him with being one of the parties who took the arms ?

Answer. No, sir.

Question. And finding there the guns in a broken and useless condition ?

Answer. No, sir ; I have no recollection of that.

Question. You never heard of it ?

Answer. No, sir. Let me correct my testimony. You asked me if I had heard of any disturbance in Chester. I said I had not. I presumed you alluded to something recent. *Question.* I did not ask a general question, but this specific question about taking those arms from those three men ?

Answer. I understand you, sir.

Question. Do you say you never heard of one of those men coming to Cranford, and charging him with being one of the men, and finding there the broken guns ?

Answer. No, sir.

Question. And taking them away from him ?

Answer. I know nothing of the circumstance.

Question. Did you never hear that a few days after that another body of disguised men attacked the house of a colored man named James Woods, in Chester County ?

Answer. No, sir.

Question. Did you not hear the fact that he had received notice of such an intention, and had got a few friends with him, and had fired on them when they came, and wounded one of them ?

Answer. No, sir ; I never heard of a man being wounded before I went there.

Question. Nor of the killing of one of their horses ?

Answer. No, sir.

Question. Nor of several of their masks and cloaks being captured on that occasion ?

Answer. If that is the time these negroes were encamped at the church—

Question. No, sir ; I am speaking of a period before that time—prior to their going to Chester.

Answer. No, sir.

Question. Did you never hear that on the following Sunday night the masked party went back again to Woods's house in larger force, and again attacked them, and were again repulsed ?

Answer. No, sir, I never did.

Question. That on the following Monday the members of that company went into Chester, to this Major Reister, to complain of these acts ?

Answer. No, sir. That brings it up to the time of my hearing of it in Chester. Previous to my hearing that they had gone to Chester I had heard nothing of these transactions.

Question. But after you went to Chester you had a great deal of talk about it ?

Answer. I staid but a short time. I rode all night, and left the same evening to come back.

Question. Did you have a great deal of talk with the people there ?

Answer. No, sir ; I had no conversation but with one single gentleman.

Question. Nothing about what led to this ?

Answer. No, sir. We went into Chester Court-House village about 3 or 4 o'clock in the evening. I had ridden all night and day, and was very feeble, and went down to the hotel. I had some few moments with a gentleman named Walker. I went up-stairs to bed, and directed them to wake me when the train came. I was not able to ride home, and I came back on the train by way of Columbia.

Question. You went twenty-nine miles to the relief of the people of Chester, to guard against an impending calamity, dispersed the negroes, and went into the town and came away without ever having any conversation except with one man, about the causes of all this ; is that so ?

Answer. I rode to the hotel door, dismounted from my horse, and then never left the hotel until I took the train to go to Columbia.

Question. Will you answer me? You state that you went twenty-nine miles to relieve the people from this great calamity which was impending, as you say, and after having dispersed the negroes rode into Chester, and had no conversation with anybody except one man, about the causes which led to all this disturbance or the events which had occurred during the time the negroes were there?

Answer. Yes, sir; I had no conversation except with Mr. Walker, and a very few moments with him.

Question. Did you learn nothing from him about what led to the negroes coming into town?

Answer. No, sir.

Question. Not a thing?

Answer. We learned this: that the negroes had come there with a view to see this man Reister.

Question. What about?

Answer. I don't know; I suppose they wanted protection from him.

Question. What led them to require protection?

Answer. I had heard of no disturbance previous to going over there.

Question. You merely understood that they wanted protection?

Answer. Yes, sir; that was my understanding.

Question. Against whom?

Answer. I have no idea. It was of course against the white men; certainly not against black men.

Question. Had you not curiosity enough to inquire who had assailed them, and what they wanted protection against?

Answer. No, sir; I didn't care to learn, sir.

Question. Did you not learn that owing to the excitement which existed in consequence of that company coming to Chester, the intendant of the town called upon Mr. Reister and agreed that if the major would get the colored men to leave the town, the citizens would guarantee that nothing should happen thereafter against them?

Answer. I learned that here; that there was a compromise made between the white people assembled in Chester and the negroes, and they were mutually to leave the town, upon what understanding I do not know.

Question. Was it not the understanding that if those of the militia who had come in under this excitement would leave the town, they should be protected?

Answer. I have no knowledge of any understanding of that sort.

Question. What was the compromise?

Answer. My understanding of the compromise was that there were two parties, the negroes and the whites, arrayed against each other in Chester, and that in order to prevent bloodshed it was mutually agreed that each party was to withdraw from the town.

Question. What were they arrayed against each other about?

Answer. I do not know, unless it was the negroes coming there in a hostile attitude, and the white people arraying themselves in a similar manner to repel any force.

Question. Did they give any reason for coming there?

Answer. None that I know of.

Question. None whatever?

Answer. No, sir.

Question. Did you not learn there that on Monday night following, the citizens were informed by the intendant of the town to do guard duty, in consequence of being afraid of fires in that town, but that the major of this regiment, Reister himself, reported with some colored militia for duty, to prevent any such calamity as firing the town?

Answer. I know nothing of it. I left Chester the same day I got there, and went to Columbia on the railroad.

Question. Did you not learn that the colored men went out of the town, and when they had gone out, large bodies of armed strangers began to come into the town, and that the night train from Rock Hill brought down a large armed squad?

Answer. No, sir; my understanding was that the white people left the town simultaneously with the negroes; that it was a mutual understanding that both parties were to leave the town.

Question. Had there not been white men there from the country, also?

Answer. As a matter of course, I should take that for granted.

Question. There was nobody, no troops of any sort, in Chester that day that you know of?

Answer. Yes, sir; I rode through the town without stopping; and I don't know—

Question. Where had they come from?

Answer. I don't know, sir.

Question. What day of the week did you go down?

Answer. I am under the impression that I left here on Tuesday or Wednesday night I could fix the date.

Question. Did you not learn that both the intendant of the town and the citizens had promised that nothing should happen to these colored men, and that a short time after that an attack was begun at the depot by those very men from Rock Hill?

Answer. No, sir, I never heard that. I learned that there had been some firing between the whites and blacks previous to this.

Question. You say you left there on Tuesday?

Answer. Tuesday night about 8 o'clock, I think.

Question. Do you mean the evening of Tuesday or Monday?

Answer. It was the evening of Tuesday, I think.

Question. Did you learn there that a considerable body of men had arrived from Winstonsborough the same evening?

Answer. No, sir; I heard there had been a considerable number of men there from the country, but where from I don't know; but they had left when I went there.

Question. What day was it the negroes you met had left Chester?

Answer. I think on Monday; I am not certain about that; my impression is that it was Monday; they were there on the road on Tuesday; I found them there on Wednesday morning.

Question. Until the time that you arrived there had these men who were there fired on anybody?

Answer. No, sir. Do you mean the men I met already assembled?

Question. Yes, sir.

Answer. No, sir, I think not; I heard of nothing of the sort. On the contrary, they had had an interview with this company of negroes. They had sent a committee to them, and had had an interview with the officers of these negro militia, and attempted to adjust their difficulties.

Question. You approached with how many men?

Answer. I approached with, I suppose, twenty men.

Question. Were they all persons who had gone with you from this town?

Answer. No, sir.

Question. How many went with you from this town? I understood you to say twenty or twenty-five.

Answer. I think I started from here with about fifteen or sixteen men, and on the way to the river several more joined me.

Question. That would make twenty to twenty-five?

Answer. About fifteen to twenty from here.

Question. Had none of the people with whom you conferred joined you?

Answer. They were the people. The people with whom I conferred I met about three miles from where the negroes were encamped. I met the white men assembled there and I conferred with them.

Question. When you went on to Chester did none of them join you?

Answer. Yes, sir; a few did.

Question. How many?

Answer. About twenty-five.

Question. Then you had fifty men?

Answer. Yes, sir.

Question. You said about twenty, I thought?

Answer. You misunderstood me. I said about fifty men were with me, but I went in advance to look after the negroes with about twenty men.

Question. How were they armed?

Answer. With double-barreled shot-guns and rifles—breach-loading rifles.

Question. Were they traveling in military order?

Answer. No, sir; we were riding along loose. They had requested me to take charge of this command. We had no regular military organization.

Question. The whole twenty of you rode up to where the negroes were?

Answer. We were riding in files of two, and perhaps sometimes three.

Question. Did you know where the negroes were?

Answer. We didn't know to a certainty; we had been informed where they were the evening previous.

Question. What was your intention in going on to Chester, when this arrangement had been arrived at, as you had been informed, for the armed men, negroes, and whites both, to leave the town?

Answer. I stated to you before we had received intelligence that this party, armed, had left Chester and was marching in the direction of Broad River, and that the people between where these negroes were and the west part of that district were apprehensive that there would be violence offered to them by these negroes, and requested us to come over there to assist them—not the people of Chester, but the people this side of where the negroes were encamped. The negroes were about ten miles this side of Chester.

Question. You say twenty or twenty-five men from this place went, and that they asked you to join them, and were mostly young men?

Answer. No, sir, I didn't say twenty-five; I said fifteen or twenty from this place.

Question. You say they asked you to join them?

Answer. No, sir; they did not ask me, not those that were going, but some other gentlemen proposed that I should go with them. I consented to do so.

Question. To whom did the information come from Chester?

Answer. It came here by Mr. Brawley. He came over and brought information as to the position of these negroes, and what he thought were their ulterior ends.

Question. Did you get information from Chester?

Answer. No, sir; not from the court-house, but from Chester district, east of Broad River, from several men.

Question. Did anybody send you word about it?

Answer. No, sir.

Question. From whom did you get the request to go?

Answer. We got the request from some two or three different persons.

Question. I am not speaking of others, but of you personally. From whom did you get the request to go; who asked you?

Answer. I cannot recollect, but I am under the impression that Dr. Thomson suggested that it would be well enough for me to go along with them, and maybe Mr. Steen; the matter was talked of publicly; it was no disguise, no secret, and Mr. Munroe, I think, said to me he thought it would be well for me to go. This was no secret expedition.

Question. I am aware of that. Do you know from whom, in Chester, the request came to this town?

Answer. I think the request was sent here by Major Wilkes, I know, and by Dr. McCallum.

Question. Do they reside in Chester?

Answer. No, sir; but in the neighborhood where these negroes were encamped.

Question. To whom did this request come?

Answer. To no one in particular.

Question. Who received it?

Answer. It was received at the door of the hotel, I recollect, when I was present; there were a great many present.

Question. To whom was it addressed?

Answer. To nobody in particular—to anybody that got the request. It was not written.

Question. Who delivered it?

Answer. I think one gentleman whose name was Woods. I don't pretend to state this as a fact.

Question. To whom was this verbal request delivered?

Answer. It was delivered to—well, I can't say; it was delivered to any one—not me particularly.

Question. Were you there?

Answer. I was there.

Question. And heard it?

Answer. Yes, sir; I recollect I have a nephew who lives below the town —

Question. What is his name?

Answer. Don. C. Gist; he had heard the report; his mother is a widow lady; he is a boy; she is living on the bank of the river, just opposite where these negroes were; he came up and a young man named Thomson, from Chester, and he mentioned it to me, I know.

Question. Did you learn that a request of this kind had been sent to any other place than here?

Answer. I don't know, sir, about that.

Question. Did you meet anybody else from other quarters?

Answer. No, sir; but I understood that there were a great many men collected there. I give this merely as hearsay. At the place where this little rencontre took place I learned that the evening afterward some three or four hundred white men assembled.

Question. Armed?

Answer. Yes, sir; I presume so. I take that for granted, but I didn't go back.

Question. Until the time that these negroes fired upon you, had they fired upon anybody that you learned of?

Answer. Yes, sir.

Question. Whom?

Answer. Upon seven or eight or ten gentlemen, who had passed the road a short time previous.

Question. Who were they?

Answer. I did recollect some of their names. One man had lost his hat, I know, and another had his horse shot.

Question. Did you learn in any of these conferences that none of that resulted from the apprehension of the negroes that they would be attacked after the arrangement made in Chester that they should not be disturbed?

Answer. I don't know that fact.

Question. Did you know or not that they had that apprehension?

Answer. No, sir; I can't account for their apprehension. All I knew of the fact of the transaction or of what had previously occurred in Chester, if I ever heard it, has escaped me.

Question. How many of your men were killed and wounded?

Answer. Only one was wounded.

Question. That is the one you spoke of as being shot?

Answer. Yes, sir.

Question. You say he was wounded?

Answer. Yes, sir; he has since got well. He had his thigh amputated.

Question. How many negroes were killed or wounded?

Answer. I cannot tell you; I do not think there were more than five.

Question. Do you mean killed or wounded?

Answer. That were killed?

Question. Five were killed?

Answer. I saw but one solitary negro that was killed, but I heard some two or three others were killed in different places.

Question. How many were wounded?

Answer. None that I know of.

Question. All that you heard of were killed?

Answer. Yes, sir.

Question. So that the encounter, in which you say the negroes fired on you coming up, resulted most disastrously to them?

Answer. Yes, sir; but I must say at the same time that, although we made a remarkably lucky escape, our preservation was owing to their being inexperienced with fire-arms. Had I had their position I think I should have annihilated this whole command.

Question. You do not know who was in command, except that this man Wilkes was there?

Answer. I was informed so; I never heard of him before.

Question. You passed from that subject to the captains of the militia companies in this county. You say there were three?

Answer. Three who were armed.

Question. Can you give us an equal number of the captains of the Ku-Klux Klan in this county?

Answer. No, sir; I know nothing of the Ku-Klux. I have never seen a man disguised in my life except at a fancy ball.

Question. The organization of these militia companies was in pursuance of the laws of the State?

Answer. Yes, sir; by proclamation of the governor. Our legislature passed a militia law, and the negroes were organized under that law.

Question. So that they were a lawful organization?

Answer. They were, strictly speaking.

Question. The Ku-Klux Klan, as you understand it, is an unlawful organization?

Answer. I don't know as I have any authority to say, and I don't know of my own knowledge that any such organization exists. I hear these things as I hear reports, sir, and other matters. I never have seen a Ku-Klux. In all the raids and difficulties here I have not been here. At the first raid upon this jail I was in Columbia. I never heard of it until after it took place. At the second raid I was in North Carolina, above this some forty miles.

Question. Have you no knowledge of the existence of the organization in this county?

Answer. No, sir; but from report.

Question. What knowledge have you of it from report?

Answer. I heard that there are Ku-Klux Klans, organizations known as Ku-Klux; whether they exist or not I can't say. What is the nature of the organization I have no means of knowing.

Question. Have you no belief on that subject as to whether they exist or not?

Answer. Well, sir; I have nothing to found my belief upon. I have never seen anything of the sort. If common rumor will enable me to form a belief, then I could very easily form one.

Question. You acted upon a rumor or information of a messenger from Chester that the negroes were there and the whites apprehended danger?

Answer. Yes, sir.

Question. Have you never heard from any messenger, or any source, of the killing of any men in this county by disguised men?

Answer. Yes, sir.

Question. Do you believe they were killed by disguised men?

Answer. I have ocular demonstration of it.

Question. How many?

Answer. Only one.

Question. Who was he?

Answer. It was a negro living upon my place.

Question. What was his name?

Answer. Tilman Ward.

By Mr. VAN TRUMP:

Question. What other name had he?

Answer. That is his name.

Question. Had he not several names?

Answer. No, sir; that is his name—only that.

By the CHAIRMAN:

Question. What was the date of his being killed?

Answer. About two months ago. I am satisfied, from the testimony before the inquest and all the circumstances connected with it, that he was killed by disguised men; because I have taken a good deal of pains to investigate that matter with the determination to prosecute those who killed him.

By Mr. VAN TRUMP:

Question. He lived on your farm?

Answer. Yes, sir; on my place.

By the CHAIRMAN:

Question. What kind of a negro was he?

Answer. A good negro, industrious and peaceable, and I believe as honest as negroes generally are—a good worker.

Question. What reasons are given for killing him?

Answer. I can explain the reason, because I have taken the pains to investigate.

Question. Go on and state.

Answer. The difficulty occurred—I do not think I am warranted in calling names, it was a white man's wife—two years ago Tilman Ward, the negro—I don't know how I can state it without telling something about the white gentleman.

Question. Go on and let us have it.

Answer. I intend to be very modest about him anyhow. Two years ago this negro, living upon a place which was worked by a man named Lemasters, had a young step-daughter with whom Lemasters became very intimate and had a child by her. This she told me herself.

Question. How is that?

Answer. Two years ago Tilman Ward lived on Lemasters's plantation and had a step-daughter, and Lemasters, who is a married man, became very intimate with this step-daughter, a negro girl, so much so that it gave his wife a great deal of trouble and uneasiness. This girl eventually had a child, a white child, and she had no hesitation in saying who was the father of the child. This embittered his wife much more against him. They got into such a condition that they were quarreling constantly, and he got to abusing his wife and eventually quit his wife. There were some three or four men came to this negro's house some two months before he was killed. These men were disguised, and said to him, "We want you to leave this place, and take this girl away; you cannot stay here." He was alarmed at it, and came to myself and my brother and said what he had been told. I said he had a right to live there, and no matter who they were they had no right to interfere with him; that this matter of this girl and white man was a matter for which he was not blamable, and to stay there. He did so. Four men came again a second time. They called at this boy's house. They told him they had come there and they had ordered him to leave; that he hadn't left, on account of this difficulty, and going on telling him it was on account of this—

By Mr. VAN TRUMP:

Question. You say the first men told him that he must take this girl with him?

Answer. Yes, sir; that was the object. The second time they came back they said they had given him notice to remove this girl, and he had not done it, and they intended to punish him. He said he had no control over her; she was a step-daughter of his, living there upon our place, and he did not think he was to blame. They told him to come out of his house, they would see about it. This was the testimony pretty much that I got from the negroes present. They brought the girl out and told her they intended to give her a good whipping, and told him to stand there. "Don't you run," they said. The boy is a timid boy, and it was a very dark night, and he broke and run.

By the CHAIRMAN :

Question. When you say "boy," you mean her father?

Answer. No, sir; her step-father. He broke and run about sixty or seventy yards, and four or five pistols were fired, and some two or three hours afterward we found him shot.

Question. That is the history of it?

Answer. Yes, sir. Now I am satisfied that the party that went there were the relations of this man's wife, but I have not proof enough to indict them, or I would to-morrow.

Question. Is Lemasters living in this neighborhood yet?

Answer. Yes, sir.

Question. A white man?

Answer. Yes, sir.

Question. An owner of land?

Answer. Yes, sir.

Question. Has he a plantation?

Answer. Yes, sir.

Question. Has he been prosecuted for seducing that negro's daughter?

Answer. I think not.

Question. Has he been Ku-Kluxed?

Answer. Not that I know of.

Question. Why the distinction?

Answer. I can't account for it.

Question. Why not Ku-Klux the seducer as well as the victim?

Answer. I can't account for it.

Question. How do you account for it?

Answer. I don't know how to account for it, only from the fact that such things have been common in this country.

Question. For white men to seduce negroes and go with impunity?

Answer. I have never heard of a case of bastardy. We have no law for it in our State. You cannot indict for bastardy.

Question. Is there no law here against bastardy?

Answer. No, sir; our wise legislators have neglected to make it.

Question. Is there no law against adultery in this State?

Answer. I don't know as to that.

Question. Think of it a moment.

Answer. I think possibly there is.

Question. Why does not your virtuous community down there indict this man for adultery with a negro woman?

Answer. I do not know that I can account for the morals of the community, or be held accountable for them. I only state what I know of them.

Question. Our desire is to get at that public sentiment which gives impunity to one set of citizens and scourges the other to death?

Answer. I think both white and black of our community have been visited with punishment.

Question. There is an instance which you give. Is Lemasters excluded from society here?

Answer. Yes, sir; he is regarded as a very low man. I regard him as such.

Question. Is that not an additional reason why he ought to be Ku-Kluxed?

Answer. Another thing since then has transpired. Lemasters once occupied a very good position; he was a manager for my family for many years, and we had the utmost confidence in him; but since that—

Question. Not wishing to hold you responsible for the morals of the community, but as some of your citizens have testified before us that these Ku-Klux operations are carried on only against men of low and bad character, I will ask you to give us your belief of the reason why the white man, the seducer and adulterer, has not been punished, and why the negro girl has been?

Answer. Well, I can give you no reason for it, Senator, only it is under the peculiar state of feeling in this country.

Question. What state of feeling do you allude to?

Answer. Well, sir, there is a general feeling in this community to punish both black and white, but it seems not to have partaken of this character, so far as the morals are concerned. So far as morality is concerned, there is no notice taken of it here. I have known no indictment for bastardy.

Question. But there has been notice taken of it. They whipped this girl for it, and I ask for your opinion of the reason for that distinction?

Answer. I can give you no opinion. My opinion about it is this: That the relatives of this man's wife did it, because I am morally satisfied in my own judgment that they were the ones who perpetrated this crime—this murder—as I am free to call it. I am morally certain it was the relatives of this man's wife, from the very fact that she

was a relation of theirs, and they felt themselves bound to remove this source of dissatisfaction from her.

Question. You are morally satisfied that they were her relations?

Answer. I have no proof.

Question. Give us the names of the men who you are morally satisfied committed that murder?

Answer. I shall not do it, because I have no proof.

Question. We require you to do it.

Answer. I am morally satisfied that they were her relations.

Question. Are you morally satisfied who they were?

Answer. No, sir.

Question. Who are her relations that you are satisfied did it?

Answer. I don't think I am at liberty to mention them; it is merely opinion.

Question. We have had a good deal of that.

Answer. I shall decline to charge who they are. I might say I believe you have been a murderer.

Question. Do you decline to give the names?

Answer. I do, most assuredly. I should think it would be an outrage on my part to do it.

Question. You say you wish to bring these parties to justice?

Answer. Yes, sir; and if I knew their names, and could convict them, I would indict them to-morrow morning. This thing having transpired, I came down here and consulted with gentlemen of this town, and was requested by them to go back and investigate the matter.

Question. Are her relatives respectable people?

Answer. It is a large family. Some are very good people—well, sir, they are country people.

Question. People of good character?

Answer. Well, sir, I have never known them to be guilty of theft or anything of the sort. They stand as fair as people of that standing.

Question. Are they rich or poor?

Answer. Generally poor.

Question. Is there anything against them in that neighborhood, as far as character is concerned?

Answer. Nothing that I am aware of.

Question. You have introduced this as evidence of the fact that you know murders are committed by men in disguise. Is that the only case you know of?

Answer. The only case.

Question. Have you heard of any others that you were satisfied of?

Answer. I have heard of others, but I don't know whether it was so or not.

Question. How many have you heard of that you are satisfied were committed—I do not ask who committed them—in this county?

Answer. I heard of the murder of Owens. I think there was an inquest held. I heard of a negro being shot over Pacolet. That is merely hearsay. I never heard anybody say they saw him shot, or saw the body; and I have seen no proceedings of the coroner's inquest.

Question. You heard of the ten men who were shot here on being taken out of jail?

Answer. I have heard of that; I have seen it in the papers.

Question. Have you any doubt about that having occurred?

Answer. No, sir; there was an inquest held on the bodies. I saw the inquest published in the papers, and I judged it was correct. It was taken before a magistrate.

Question. Was that over the first two, or the eight of the second killing?

Answer. I think there was an inquest over them also.

Question. Were you here at the inquest?

Answer. No, sir; I was absent during the first difficulty, and at the second time I was up in the edge of North Carolina.

Question. Aleck Walker, captain of the militia company, you have referred to as one of the men killed. Has he been killed?

Answer. I think so; I think so from the proceedings in the inquest.

Question. Was he among those taken from the jail and killed?

Answer. That is my impression, sir. I didn't see him killed, but I think his name was mentioned in the proceedings of the inquest.

Question. Have you heard of Jack Donavan being killed?

Answer. I am not certain about the name.

Question. Junius Gist?

Answer. No, sir; I never heard anything of the sort.

Question. You have mentioned Owens?

Answer. Owens; and I heard there was a negro shot somewhere over Pacolet.

Question. Have you heard of a man named Andy Thomson being killed in this county?

Answer. I think he was one of the negroes taken out of the jail.

Question. Have you heard of a man named Reverend Lewis Thomson being killed at Goshen Hill, in this county?

Answer. All I know of that is the paragraph in the papers. I saw it in the Columbia Union.

Question. Have you heard of Strap Jeffers being killed?

Answer. No, sir.

Question. Tilman Ward is the one you have given an account of?

Answer. Yes, sir; I know he was killed.

Question. You say he was a good negro?

Answer. He was a good, industrious negro, and had been farming at our place.

Question. Do you know, as a matter of politics, which ticket he voted?

Answer. I don't know, sir. I know at one election he voted the democratic ticket, but how he voted at the governor's election I do not know. I know he went to the polls with me once. In fact, the whole colored population in town voted the democratic ticket for county officers.

Question. When?

Answer. In 1868.

Question. At the presidential election?

Answer. I think it was.

Question. Were the whites here armed at that time?

Answer. No, sir.

Question. Had they not supplied themselves with private arms?

Answer. No, sir; not about that time. There were a good many private arms brought into the county. I don't know this; I saw some few myself?

Question. Were they Winchester rifles?

Answer. I think they were.

Question. How many of them were in your party that went to Chester?

Answer. I suppose ten or fifteen.

Question. All Winchester rifles?

Answer. Yes, sir.

Question. Those were not all shot-guns, then?

Answer. No, sir; they were not Winchester rifles exactly, but something of the same pattern.

Question. They were not all shot-guns?

Answer. No, sir; many had no guns. I carried no gun.

Question. What are the politics of that man Lemasters?

Answer. I should say he had no politics.

Question. You do not know which ticket he voted?

Answer. I think he votes the way would pay him the most.

Question. Then he is a very bad man?

Answer. No, sir; he is not a very bad man.

Question. If he sells his vote he cannot be a very good citizen of South Carolina?

Answer. That has got to be so common a thing it is hardly regarded as an evidence.

Question. Is that the tone of morals here?

Answer. I take it it is everywhere; for all the bad morals we have here we have received here lately; it has been brought down to us by visitors.

Question. All?

Answer. Yes, sir; very nearly all.

Question. Do you include that sentiment which has never had a statute against bastardy or fornication?

Answer. O, we had those laws before we had radical rule.

Question. Have they repealed them?

Answer. They have repealed or neglected to pass them. We have no law by which you can indict for bastardy.

Question. Are you satisfied that that is the fact?

Answer. That is the opinion of the lawyers. There have been prosecutions commenced here and abandoned, I know.

Question. Did you know of a man named Aaron Estes being killed?

Answer. No, sir.

Question. How many people have you known to be whipped in the county?

Answer. I have known none to be whipped. I have never seen a man whipped. I have never seen a man's back that was whipped, or heard but one man say he was whipped.

Question. Have you any information to lead you to believe that a single man was whipped in this county?

Answer. Yes, sir; one man told me he was whipped.

Question. Who was that?

Answer. Mullins.

Question. Where?

Answer. About seven or eight miles below this.

Question. Whipped for what?

Answer. He told me he had got a little party of five or six youths, and they had made disguises, and had been in the habit of going over the country threatening the negroes, women and children; and he told me that, some time after he had been out on what he called one of his raids, some four or five nights, a body of twenty or twenty-five disguised men rode up to his door, and called him out, and took him to where another one of the party who had been with him was, and said to him, "You have been disguising yourselves and going over the country whipping negroes and alarming the people, and we intend to stop it. Bring your disguises here." They brought them up and burned them. Then they gave him about one hundred and fifty lashes, and told him that if they ever heard of his going about in disguise, whipping again, they would hang him by the neck.

Question. Did they not tell him that he must not assume to play Ku-Klux without authority?

Answer. No, sir.

Question. Did he tell you they were the genuine Ku-Klux—that they said so?

Answer. I do not remember.

Question. Have you not heard that Mullins was whipped by the genuine Ku-Klux for playing Ku-Klux?

Answer. I have never heard anybody say he knew the fact.

Question. Have you never heard that story?

Answer. I do not know.

Question. Have you or not?

Answer. I cannot say positively.

Question. If it is a fact that this man Mullins went out and whipped people in disguise, and was whipped by persons in disguise, who took his disguises from him, are you still in doubt about there being Ku-Klux in this county?

Answer. I don't know what they call themselves.

Question. I ask you whether you are in doubt about there being genuine Ku-Klux?

Answer. I don't know what they call themselves.

Question. I did not ask that. I am calling them Ku-Klux. Are you in doubt about there being Ku-Klux in this county?

Answer. I have no doubt there have been companies of disguised men. I am morally certain that they took these negroes out of jail and executed them, from the fact that I have heard reliable men say they saw it.

Question. Have you any doubt they are organized?

Answer. I have no evidence of their organization—no evidence where they come from.

Question. I have heard you speak here of being morally certain that certain relations of Mrs. Lemasters murdered Tilman Ward?

Answer. That is my impression.

Question. Does not the evidence which is before you in this county enable you to say that you are morally certain that an organized band known as the Ku-Klux exist in it? Can you say that?

Answer. I can say this: that I am satisfied, from information I have received from reliable persons, that upon two separate occasions a band of disguised men came into this town and broke open the jail. I am prepared to say that because I have proof that I know it is so.

Question. That is still not an answer. Are you morally certain that an organized body of men that are commonly called Ku-Klux exists in this county?

Answer. I have heard the name Ku-Klux.

Question. Will you answer that question? Are you or not morally certain that an organized body of men commonly called Ku-Klux exists in this county?

Answer. I am certain of this: I am certain that there was a band—I will not say organized, because I don't know that; I have no evidence of their being organized; I have never seen any one who knew anything about the organization, who had ever heard a command given by any recognized leader of this band; but I know the fact that a band of armed and disguised men came into this town upon two separate occasions. Whether they were regularly organized I do not know, nor have I ever heard that they were, and I have no means of saying whether I believe it or not. I know they were here.

Question. Do you decline to answer my question? I have put it several times. Are you or not morally certain that an organized band, commonly known as Ku-Klux, exists in this county? I do not ask whether men came to the jail or not. Will you answer that question?

Answer. I am morally certain, I will say, of this, and I will say nothing else—I am morally certain that there are bands of disguised persons in this county.

Question. Are they organized?

Answer. I do not know, sir.

Question. Has any one ever approached you, speaking to you in a manner which satisfied you that he was a member of that organization ?

Answer. No, sir.

Question. Have you never been asked to join such an organization ?

Answer. No, sir.

Question. Are you now a member of any secret organization in this county outside of the ordinary benevolent societies ?

Answer. No, sir ; I am a member of no secret society except the masonic fraternity. I have never belonged to a political society since the war. I have refused, because I believe they would do no good. We had what we called here a democratic club. It was not a secret society.

Question. Was that the Council of Safety ?

Answer. No, sir. We held our meetings in the court-house. Each township had organized a democratic club, and we had an executive committee.

Question. You have spoken of young Gist, your nephew, who brought the message ?

Answer. Yes, sir.

Question. Has he never addressed you so as to satisfy you that he was a member of a secret organization in this county ?

Answer. No, sir ; I would think he was too young to participate. He is only seventeen or eighteen.

Question. Have you no information that it is a part of the obligation of the order to keep secret the fact that they are members ?

Answer. I have never seen the obligation.

Question. Have you never taken an oath or an obligation something similar to this :

" I do solemnly swear that I will support and defend the Invisible Circle ; that I will defend our families, our wives, our children and brethren ; that I will assist a brother in distress to the best of my ability ; that I will never reveal the secrets of this order, or anything in regard to it that may come to my knowledge ; and if I do, may I meet a traitor's doom, which is death, death, death. So help me God, and so punish me my brethren."

Answer. No, sir ; I have never heard it before.

Question. Have you ever administered that obligation to anybody, or one similar in terms to it ?

Answer. Never in my life. I have heard of that Circle.

Question. From whom ?

Answer. I have heard of it in the West when I was traveling some years ago.

Question. When ?

Answer. Three years ago.

Question. In what part of the West ?

Answer. In Tennessee.

Question. From whom ?

Answer. I don't remember.

Question. Was it called the Invisible Circle ?

Answer. I don't remember ; I think so. It was talked about as you talk about the Ku-Klux here.

Question. In what part of Tennessee was it ?

Answer. I had gone to Nashville on a very special errand, and was detained.

Question. Has no one ever given you what is called the hailing sign ?

Answer. No, sir. I know no signs connected with it.

Question. Nor the grip ?

Answer. No, sir ; no grip except the Masonic do I know.

Question. Nor the hailing word ?

Answer. No, sir.

Question. Has no one ever given you the reply ?

Answer. No, sir.

Question. Have you never known the word of distress ?

Answer. No, sir.

Question. Nor what the signal is of the order ?

Answer. No, sir ; I know nothing about it.

Question. Are you a member of any organization, let its name be what it may, which operates in this manner, by visiting people in disguise ?

Answer. I am a member of no order on earth except the order of Masons, I believe, to no order, not even the Odd Fellows.

Question. Were you at Laurens on the day after the election last year ?

Answer. No, sir ; I have not been at Laurens in ten years ; not since before the war.

Question. Had you any part in assembling the men that met at Laurens on the day or day after the election ?

Answer. No, sir ; I had nothing to do with it. I was living in the upper part of this district farming, seventeen miles above this.

Question. You say you never have met any man in any clan or circle of this order, whatever it may be ?

Answer. I never have. I never have seen a man with a disguise on in my life; never have been at a meeting—know nothing of them.

Question. You know nothing of who are the persons in this county who have committed any of these offenses?

Answer. No, sir.

Question. You only have the moral certainty that the relations of Mr. Lemasters killed Tilman Ward?

Answer. I believe that from the circumstances. There was such a feud existing between Lemasters's wife's relations and his that I predicate my belief pretty much upon that.

By Mr. STEVENSON:

Question. Colonel, where do you get your title?

Answer. I was a colonel in the confederate army, and commanded a regiment in the war.

Question. What is your age?

Answer. Fifty-two years.

Question. Who went with you from here over to Chester County when you encountered the negro militia?

Answer. I do not know as I can recollect all of them; I will give you as many names as I can recollect: Two men by the name of Spencer.

Question. Give their full names.

Answer. I do not know their whole names.

Question. Who are they?

Answer. They were gentlemen named Spencer. They live, I suppose, fifteen miles from here.

Question. In what direction?

Answer. Immediately north.

Question. In the opposite direction?

Answer. They were here attending court.

Question. They lived in the opposite direction from Chester?

Answer. No, sir; Chester is rather east, and they lived rather north.

Question. Are they young men?

Answer. No, sir; they were both men of family, but not elderly men.

Question. Farmers?

Answer. Yes, sir. They were here as witnesses attending court. They started with me, but left me before we got to Chester. After they found we would cross the river, they would not have time to get back before 9 o'clock as witnesses in court if they went on, and so they came back. A young man named Thomson.

Question. Who is he?

Answer. A young man living in this town.

Question. What is his name?

Answer. William Thomson.

Question. What is his business?

Answer. A merchant here.

Question. A single man?

Answer. Yes, sir.

Question. A respectable young man?

Answer. Very much so, indeed.

Question. He went on with you?

Answer. Yes, sir; he was in the fight. Mr. Humphreys was with me.

Question. What is his name?

Answer. William Humphreys, a merchant in town.

Question. Is he a relative of Mr. Steadman?

Answer. He is a brother-in-law of Mr. Steadman.

Question. Did he ride Mr. Steadman's horse?

Answer. I don't remember about that.

Question. Did he go all the way with you?

Answer. He came on afterward—the next day, I think.

Question. Was he in the fight?

Answer. I think not. That is his version to me. Mr. Greer, Jason Greer.

Question. Proceed and tell who they are as you go on.

Answer. Mr. G. S. Noland was with me. Mr. Noland is a clerk in a dry-goods store; Mr. Greer, he is also a clerk; James Rodgers, also a clerk in a store. I cannot recollect any more, though more were with me.

Question. Are they all respectable young men?

Answer. Very much so, indeed.

Question. Whom did you meet there in Chester?

Answer. I met, as I stated before, some twenty or twenty-five or thirty men.

Question. Did you know any of them?

Answer. Yes, sir; very well.

Question. Who?

Answer. Two Mr. Worthys.

Question. What were their names?

Answer. One was Edward Worthy, and I think the other was Thomson Worthy. There are three brothers. I saw Dr. McConnell.

Question. What is his first name?

Answer. I don't know; I know him. I saw Major Wilkes and Major Sanders; we were close to his house. I don't remember that I can name any others now. I think I knew more than those; I am satisfied I did.

Question. Were those gentlemen you have named in the fight?

Answer. Some of them were.

Question. Were not all of them that you have named?

Answer. No, sir. Many of them had no guns.

Question. Which ones were in it?

Answer. I cannot recall. I recollect very well who was with me—close to me—Edward Worthy; he was close to my side when I was riding; he rode with me. I know there were more, but I don't remember their names.

Question. When you got within about three miles of where the negro militia were supposed to be, you met this party of Chester men?

Answer. Yes, sir; about twenty-five or thirty.

Question. You proposed to go forward, or send and have a conference?

Answer. Yes, sir.

Question. But they said it was useless; that they had already had a conference, and had asked the negroes to go to their plantations, and they had refused to do so?

Answer. Yes, sir; refused to disband.

Question. Then you proceeded to march?

Answer. No, sir.

Question. What did you state about that?

Answer. I said I staid until morning, and started to march.

Question. You waited until daylight?

Answer. Until just before day. I didn't go to where the negroes were until sun-up. I intended to wait until after daylight, and then go on.

Question. What time of night did you meet the Chester party?

Answer. I left here about 8 o'clock. I suppose it was about 1 o'clock. It would take about that time to ride there. I think it was about 12 or 1 o'clock.

Question. About midnight?

Answer. Yes, sir.

Question. You waited there until daylight?

Answer. Just before daylight.

Question. What were you doing in the mean time?

Answer. After we had a conference, I had gone to Dr. McCallum and Major Wilkes, a very worthy and respectable gentleman, and had a consultation with them as to what had best be done; if there was any chance to bring these negroes to terms and get them to go home. I told them my object in coming there, as requested by the solicitor, to see them and talk to them.

Question. Did that take you until daylight?

Answer. No, sir; I laid down and went to sleep.

Question. You rested on your arms?

Answer. Well, sir, we stacked our arms—leaned them against trees. I had no arms except a pocket pistol.

Question. You had a revolver?

Answer. Yes, sir.

Question. You rode forward with about twenty?

Answer. Yes, sir; I cannot recollect the exact number.

Question. And you were fired upon?

Answer. Yes, sir.

Question. What did you do then?

Answer. We immediately dismounted and returned the fire, as a matter of course.

Question. Where was the rest of your force?

Answer. About two hundred and fifty or three hundred yards behind.

Question. What did they do?

Answer. They halted, or they had stopped. I didn't intend going any farther, you will understand. I don't know that I explained that in my direct testimony. I did not intend going any farther than this church, because I had understood the negroes were at the church, and I proposed to ride to the church and if they were there my object was to have a talk with them, and if they were not there to go back and to consult with these gentlemen what to do. As we had gone to their assistance, I felt disposed to have their advice and council in the matter.

Question. Did you get to the church?

Answer. They fired upon us immediately in front of the church. I suppose we were within twenty or thirty steps of the church.

Question. After you were fired upon what did the force which had halted in the rear do?

Answer. They came up. I hallooed to them; I ordered them up.

Question. You ordered them up?

Answer. Yes, sir.

Question. What was done then; did they also dismount?

Answer. O, yes, sir; some did and some did not. I didn't want all to dismount.

Question. You kept part as mounted men?

Answer. Yes, sir; I intended to operate with both foot and horse.

Question. Describe the engagement.

Answer. We opened fire upon them. They returned it. I suppose six or seven rounds were exchanged. I saw then that there was no chance to dislodge them. They had taken refuge behind a large row of boulders, rocks, and were firing over it. I saw my shot was taking no effect and I ordered my men to turn the left flank.

Question. You did that successfully?

Answer. Yes, sir. As soon as we got around them and fired a volley, they broke.

Question. You got around and enfiladed them and fired in their flank?

Answer. If we didn't get around so far as that we got around so as to uncover their position.

Question. They broke and you pursued them?

Answer. Yes, sir; we pursued them.

Question. You have spoken of the black leader giving words of command. Did you also give words of command?

Answer. Yes, sir; of course I told the men what was best, what I ordered them to do.

Question. You gave the orders?

Answer. Yes, sir.

Question. You made the fight to the best of your ability?

Answer. Yes, sir.

Question. Where was the man you saw killed?

Answer. It was in an old field. I could not describe the place.

Question. How far from the first point of collision?

Answer. I suppose two or three hundred yards.

Question. Did you see the killing?

Answer. No, sir; it was a very dense country and interspersed with hollows and thickets—an old plantation grown up.

Question. You understood others had been killed?

Answer. Yes, sir.

Question. Who told you so?

Answer. I can't recollect now. I could not mention any individual man who killed a negro, but I know pretty much all my party shot. I am satisfied I saw most of my men fire. I did not fire a gun myself. I had merely a revolver.

Question. Did you not fire your pistol?

Answer. No, sir; I never drew it from my scabbard.

Question. It is not the duty of an officer to fire?

Answer. No, sir; I never fired a gun during the war, and I have been in many hand-to-hand fights.

Question. You spoke of Wilkes as a boy. What did you mean?

Answer. I understood he was in command of the party.

Question. You called him a "boy?"

Answer. He is a negro boy. That is a common term, a common appellation here.

Question. How old is he?

Answer. I do not know. We speak of a negro as a boy although he might be seventy-five or a hundred.

Question. That is an old term that used to be employed before the war?

Answer. Yes. I don't know his age, but I presume it from his being in command.

Question. Did you blame him for encouraging his men the best way he could?

Answer. I blame him for firing upon me.

Question. Would not you, if in his place, have made the best fight you could?

Answer. Not unless attacked, because I know myself if these negroes had been standing, a thousand of them, with guns in their hands, I should have rode up to their front rank. I have that much confidence in myself.

Question. Suppose your force had been on the defensive, as theirs was, and after a conference they had demanded your surrender and dispersion, and then marched on you, would you have fired?

Answer. Placing myself in that position, I would first take into consideration the relative numbers. If I had an overwhelming force—

Question. Had they superior numbers?

Answer. Yes, sir; there were only fifteen or twenty men with me.

Question. If possible, put yourself in their place, and believing yourself to be right, suppose you were there on the defensive; that a conference had been held, a demand sent to you to surrender and disperse, and you had refused; and then a body of twenty armed men had marched on you, would you have fired?

Answer. I would not have done it. I would not have done it during the war.

Question. What would you have done?

Answer. I would have let them march up; held my men in readiness to fire; let them march up and inquired their purpose. That is the way I have acted upon divers occasions during the war.

Question. You think that would be more regular warfare?

Answer. Yes, sir.

Question. Suppose they had halted you and demanded your purpose?

Answer. My object was to ask for the head of the negroes and to have had a conversation with them.

Question. What was it your purpose to demand of them?

Answer. My purpose was to demand this: I had vanity enough to believe that I could go over and have a conference with these negroes, and talk to them in such a way that they would go home and go to work, because I have never failed yet when I have had an opportunity to talk to freedmen, but what I have succeeded.

Question. Your purpose was to have them go home and go to work. Suppose they had refused to do so?

Answer. Then I intended to take their arms from them.

Question. How?

Answer. To make them surrender them and go home.

Question. Suppose they had resisted and used their arms?

Answer. Then it would have been who could have taken them. If they could have taken mine they were welcome.

Question. In other words, you would have had a fight?

Answer. Yes, sir; because I considered the community in such danger that I was warranted in going to the extreme.

Question. Had you any warrant of law for that?

Answer. No, sir; public safety required it, the safety of woman and children. As I went there I met women and children flying, screaming, and hallooing.

Question. Was anybody pursuing them?

Answer. As a matter of course I saw nobody pursuing them, but it was very natural they should be apprehensive, with a large body of armed negroes, lawless.

Question. Were they not an organized militia under the law of the State?

Answer. They were; but the laws of South Carolina gave them no power to place themselves in that attitude.

Question. Did it not give them power to carry arms and be together?

Answer. Only on drill days; but to assemble and blockade the public highway, they had no authority.

Question. Did the law give you any authority to clear the highway?

Answer. No, sir; there was no special law, but common safety required it.

Question. Common safety required that you should do what you did?

Answer. Yes, sir; required it of every good citizen.

Question. Does common safety require nothing of a negro?

Answer. Of course it does.

Question. Has he no right to take arms and defend his class?

Answer. He has when assailed. I place the negro precisely in the same position as the white before the law, and in the same position as myself; and I am willing to accord him those rights.

Question. Yet you think you were rightfully and lawfully there, and they were wrongfully there?

Answer. Yes, sir. If we are to get into a discussion of politics it is perfectly immaterial to me how long I sit here.

Question. Where were you during the first raid on the jail here?

Answer. In Columbia. I heard of it first in Columbia. I had been from home a week or two. Mr. Young was there with me from this town.

Question. Had you had any communication with persons here?

Answer. No, sir; I had not been here for some time before.

Question. Had you had any communications with persons here?

Answer. No, sir; nothing.

Question. Or any other point in this region of the State?

Answer. No, sir; I was not here when Stevens was murdered.

Question. Had you had any communication with persons here or in other parts of the State?

Answer. No, sir.

Question. Where were you when the second raid was made?

Answer. I was near the Cowpens battle-ground, near the edge of North Carolina.

Question. When did you get there?

Answer. Several days before.

Question. When?

Answer. It happened on the 12th of February, Sunday night. I left home about Wednesday or Thursday previous. I was not living here then.

Question. I thought you said you had lived here since January?

Answer. When I said I lived here since January, I meant I had been staying here part of my time only. I was living some distance from this place when Stevens was murdered and these negroes were taken out of jail.

Question. What business do you stay here on?

Answer. I have none at all. I am merely staying here. I have been engaged in planting, and I am now fixing up my business. I am executor and administrator of some very large estates. That is all the business I have here. Up to this year I have been farming, since the war, pretty extensively.

Question. You say you never saw any disguised men except at a fancy ball; when was that?

Answer. We had a fancy ball at Dr. Herndon's some months ago.

Question. What were the disguises you saw there?

Answer. It was a domino party, such as you have seen, I presume, in the cities. That was the prevailing disguise. The dresses—do you want me to describe them? I am not very expert at that, but I can give you something about it. I think the ladies were pretty much—

Question. I ask you as to the men?

Answer. The men, most of them, had on gowns, with a hood brought over the head.

Question. What color?

Answer. Various; the disguises were various.

Question. What was the color of those gowns and hoods?

Answer. They were of all colors and shapes.

Question. Black and white?

Answer. Black and white, blue and red—a mixture.

Question. Did they have masks in addition?

Answer. No, sir.

Question. Did they have no masks?

Answer. No, sir.

Question. Was the hood the mask?

Answer. The hood was drawn over with holes for the eyes. This was called a domino party. The young people were there. I had no disguise on myself.

Question. What did you wear?

Answer. Nothing at all; I had no disguise. They kept them on only for a quadrille or two.

Question. Were any of them called Ku-Klux?

Answer. No, sir.

Question. You did not hear that?

Answer. No, sir; I didn't hear the term mentioned that night, because it was only a small party of young gentlemen and ladies.

Question. Were they respectable young gentlemen of this place?

Answer. Yes, sir; and respectable ladies. I presume Dr. Herndon would have nobody but respectable people at his house.

By the CHAIRMAN:

Question. Was that understood to be the Ku-Klux disguise?

Answer. Where?

Question. A gown and a hood?

Answer. No, sir; I never have heard them described but on one occasion; I never have seen but one man who seemed to have any distinct idea, and he described them as he saw them in the night, as being most hideous in appearance.

Question. Any horns?

Answer. Yes, sir; tremendous.

Question. Had those none that you mention?

Answer. No, sir; this was emphatically a party of ladies and gentlemen. What we mean here by ladies and gentlemen is people of respectability, who would not attempt to go to a private gentleman's house with anything of the sort on—anything hideous.

Question. Was that before or after the raid on the jail?

Answer. It was some time since. It is a very common occurrence here, and has been for years in our town. I speak of this at Dr. Herndon's because I happened to be there, but these parties are common.

Question. Have you ever condemned these Ku-Klux outrages?

Answer. I have no doubt that there have been outrages committed by disguised peo-

ple that I do condemn; whether Ku-Klux or not, I don't know; but I am led to believe, and I am pretty certain, that they were disguised, and I do condemn them.

Question. All of them?

Answer. Well, sir, I do not know, sir. Now, I think, under certain circumstances, that I could make very great allowance for the excitement of a people. Outrages have been committed far more numerous in almost every State in the American Union than have occurred in this country.

Question. I am speaking now of your own course towards these outrages which have occurred in your county. Have you not, upon many occasions, occupying the position you do here, inculcated the idea that they were doing a public good?

Answer. No, sir. I have done this. I will say this much without any sort of hesitation: That the fact of the raids upon this jail, and the execution of the murderers of Stevens, did more for the peace and quiet of this country than anything that has ever transpired.

Question. That is the tone in which you have spoken of those raids?

Answer. Yes, sir; for I do believe, as certain as I am sitting in this chair, that it prevented a conflict of the two races, because up to that time the question was, the supremacy of the races; and I am glad you afford me an opportunity to say this. I have been informed by colored men, in whom I have the utmost confidence, that it was the purpose of the negroes to make an onslaught upon the white people, and take possession of this country; and I have it from them that they predicated their success upon this: They were armed by the authorities of the State of South Carolina, and the white people were not. If they were not physically and numerically enabled to accomplish their design, they relied upon the assistance of the United States Army.

Question. Did you believe that?

Answer. I did, sir, because I got it from a source I have no reason or right to doubt.

Question. Do you believe the assistance of the United States Army would have been given to negroes for the purpose of carrying on a war of races?

Answer. I believe, sir, if it would have answered the political purposes of the dominant party in the American Union, they would have made use of any means to control the government of the country.

Question. You inculcate that idea here?

Answer. No, sir; I expressed my opinion very freely upon all occasions.

Question. You expressed that opinion?

Answer. Yes, sir.

Question. You say the supremacy of the white race here is to be maintained by that kind of lawlessness which was exhibited here by the raid on the jail?

Answer. I say our lives and the lives of the women and children were, in my judgment, preserved by these raids on the jail.

Question. Do I understand that to be your idea?

Answer. Yes, sir.

Question. That that is the manner in which the supremacy of the white race is to be here maintained?

Answer. No, I do not understand me that we desire to make use of that means; but I mean to say that that raid upon the jail diverted the intention of the negroes of trying to get the ascendancy in this country.

Question. In what have these negroes manifested that intention? Was it only in the murder of Stevens?

Answer. No, sir; in divers ways.

Question. How?

Answer. They were parading the whole country. You could not travel the section where I lived, in the big road, without meeting a negro with his rifle and cartridges.

Question. Did they ever assail you?

Answer. Yes, sir.

Question. Assail you?

Answer. No, sir; but I know where they have gone to peaceable people's houses and without provocation.

Question. Has it been the general sentiment here that no provocation existed for any resentment by the negroes?

Answer. The negroes have been fairly treated by the white people. From the first reorganization of South Carolina, we have attempted to consult with them. In the nomination of candidates for the legislature, we offered them the lion's share.

Question. When your whole State was at the mercy of the negroes, women and children, during the war, did they not behave peaceably and in an orderly manner?

Answer. Beyond the expectation of any man who was not well acquainted with the negroes; but knowing the negro as well as I do, having been born and raised with them, and knowing their attachment for us, I was not surprised. You might well be surprised, because you view these things from an entirely different standpoint.

Question. I am not so sure about that. Did you not apprehend any insurrection, or take any measures to prevent it before the war?

Answer. No, sir; the utmost security prevailed.

Question. Everywhere?

Answer. Yes, sir. If I had to risk my life, and wanted protection, I would have gone to my servants as soon as to any white men in Union County; and they have exhibited their fidelity upon divers occasions.

Question. Is this hostility not traceable in any part to the fact that the suffrage has been conferred on the negro?

Answer. No, sir; it is attributable to one leading cause especially. Had it not been for the hordes of corrupt men who migrated here from the North, who followed the Army down here with a view to plunder and steal, our negroes and the whites would have been living in harmony.

Question. You attribute every evil now existing in South Carolina to the fact that men have come here from the North?

Answer. Yes, sir; I think that is the main cause.

Question. Have you had no South Carolinians who have corrupted the negroes?

Answer. No, sir; we had no renegades until they were learned to steal by the vampires of the North.

Question. Have you not native South Carolinians who have been conspicuous in corrupting the legislature?

Answer. Latterly we have, I am sorry to say, but let me say their corruption of the State of South Carolina was for private, pecuniary advantages, and not for political.

Question. Then the only virtue you attribute to the native South Carolinian heretofore has been the want of opportunity?

Answer. No, sir; if there ever was a people who had regard for a different class from themselves, it was the whites for the blacks, because they had every motive to prompt them so to do. I have staid night after night in a negro cabin, and nursed the sick.

By Mr. STEVENSON:

Question. Has anybody been indicted for that Chester matter; that fight in which you participated?

Answer. No, sir.

Question. Has any indictment been found against any of your men?

Answer. No, sir; none has been preferred. The facts of the case were made public; it was no secret. In a short time after I came home, having been rather conspicuous in this matter, Governor Scott was put in possession of every fact.

Question. No prosecution was commenced against yourself?

Answer. No, sir; Governor Scott said we should not be interrupted.

Question. None against yourself?

Answer. No, sir.

By the CHAIRMAN:

Question. Nor against the negroes?

Answer. No, sir.

By Mr. STEVENSON:

Question. There was a church there?

Answer. Yes, sir.

Question. What became of that church where the fight was?

Answer. I suppose it is standing yet. There is a church this side burnt down.

Question. By whom?

Answer. I can only give a conjecture. My supposition is it was burnt by the negroes.

Question. Was it a colored church?

Answer. Yes, sir.

Question. Your supposition is that they burned it themselves?

Answer. Yes, sir.

Question. Why?

Answer. This party was assembled at a store within about three miles. This church was situated immediately on the big road. On the right-hand side of the church was a field and a fence. On the left-hand side of the road was the church, and my solution is that the negroes set the church on fire, with a view to ambuscade me and my party.

Question. When was the church burned?

Answer. Just before day, on that night.

Question. Your party was encamped near it?

Answer. About a mile from it.

Question. Which way from it?

Answer. On the west side. The negroes were on the east side of the church. My supposition is that they set it on fire, thinking, as a matter of course, that a party would be detached up there to see what the fire was about, and they would fire into them.

Question. You have never suspected the whites of burning it?

Answer. No, sir; because there were no whites there.

By Mr. VAN TRUMP:

Question. It was long before you got there?

Answer. The church was burned just before day.

Question. Had you started?

Answer. No, sir. What frightened me was the fire. A gentleman—I don't remember his name, but he lived near where the negroes were encamped——

Question. How near were the negroes encamped to that church?

Answer. A mile or two miles.

By Mr. STEVENSON:

Question. Your force was within a mile?

Answer. Something over a mile. The first alarm was, some gentleman hallooed, "My house is on fire!" It seemed to be in that direction. He jumped up and hallooed, "My house is burning! My God, what will become of my wife?" With that I immediately ordered the men to mount, and started.

Question. You started right on?

Answer. Yes, sir.

Question. And you did not encounter any negroes until you got three miles?

Answer. No, sir; nor did I have time to collect myself. I suspected it might be a trick to ambuscade me, and rode up near and deployed skirmishers and found there was nothing there.

By the CHAIRMAN:

Question. Was the other church nearer to where the negroes were?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Is that a white man's church?

Answer. Yes, sir; I think so. It has been there many years.

By Mr. VAN TRUMP:

Question. The chairman has asked you whether, during the war, the negroes were not orderly and quiet. You say remarkably so?

Answer. Yes, sir.

Question. Were there any of the horde of carpet-baggers in South Carolina then?

Answer. No, sir; not one.

Question. Did any government, during the war, send out seven or eight thousand stand of arms and nearly a hundred thousand rounds of fixed ammunition to the negroes?

Answer. No, sir. There is a matter I would like to state for the information of the committee, in regard to a gentleman that I met that I had a conversation with last week—Mr. O. P. McArthur.

Question. I desired you to suggest that if I should forget it.

Answer. Yes, sir.

Question. Do you know him?

Answer. Yes, sir.

Question. When did you see him?

Answer. Last Friday, in this town.

Question. Did he get here on that day?

Answer. I think he did.

Question. On the train?

Answer. Yes, sir. I saw him here, and he told me he was going directly home. He told me he was going home and he left.

Question. Where does he live?

Answer. Near Limestone Springs, about twenty-two miles north of here.

By the CHAIRMAN:

Question. How did he come to see you?

Answer. I was standing on the platform when he came up. He is an old acquaintance and I spoke to him.

Question. Did you have any talk with him?

Answer. I asked him how his family were and how he had been.

Question. How did you know that O. P. McArthur's presence had any significance to this committee?

Answer. I heard it had been proven at Spartanburgh that he had left the country.

Question. Who told you that?

Answer. I think I got it from Judge Van Trump.

Question. You had been acquainted with McArthur before?

Answer. I knew him in boyhood. I have had no intimate acquaintance with him for twenty years, but have seen him.

Question. Did you know him near Limestone?

Answer. No, sir; we were school-boys together. I knew his family.

Question. Where did you go to school with him?

Answer. At the seminary at Limestone Springs.

Question. Are you acquainted in that neighborhood?

Answer. I was in boyhood, but it has been many years.

Question. Do you know the people about there?

Answer. I knew a good many people there when I went to school there.

Question. Who was McArthur married to?

Answer. I don't remember who his wife was. I know him and his brother very well.

Question. Did he tell you where he was going?

Answer. He told me he was going home. He had been on a trip to Arkansas.

Question. What was he going home for?

Answer. I suppose to attend to his ordinary avocations.

Question. Is that all you know about it?

Answer. What induced my conversation with him was that I knew he had been to Arkansas, and I have brothers living in Arkansas who also went to school with him, and I took it for granted that, in Arkansas, he had spent some time with them.

Question. Did you know the occasion of his leaving?

Answer. No, sir.

Question. Did you know he was charged with being in a clan of the Ku-Klux who assaulted Squire Champion?

Answer. I heard he was charged with being concerned in the affliction of some injury on some man up there, but he had denied it, and a party of men had gone there and taken him out and treated him most brutally.

Question. Did you hear he left immediately after he was arrested?

Answer. No, sir.

Question. How long has he been away?

Answer. I don't know; I think some months.

Question. How did you learn that he left some months ago?

Answer. I didn't learn he had left some months.

Question. How did you learn that some months ago he left?

Answer. He told me he had been gone some months to Arkansas on business.

Question. Was that the first you knew of his being gone?

Answer. Yes, sir; the first I knew of his being in Arkansas.

Question. How do you know he had been in Arkansas?

Answer. I have only his word.

Question. Had he been in Georgia?

Answer. He did not say.

Question. Did he say anything about his coming back to stand a trial?

Answer. Not a single word transpired in connection with this committee being in the country.

Question. Although he and you were old school-mates, and he was charged with such an offense as Ku-Kluxing Champion, he did not tell you why he went away?

Answer. I didn't know that he Ku-Kluxed Champion.

Question. Although charged with Ku-Kluxing him, he did not tell you why he left?

Answer. He told me he had gone to the West on some business, and had been in Arkansas.

Question. Did he tell you he was going to stand trial for Ku-Kluxing Champion?

Answer. No, sir; I had no conversation except in regard to the state of the country and the crops.

Question. He sustained a respectable relation in the community?

Answer. He did.

Question. Was he married to a sister of Squire Camp?

Answer. I don't know.

Question. Do you know that family and neighborhood?

Answer. I knew the Camps.

Question. Were they all respectable people—the Camps and McArthurs?

Answer. I know some of the Camps; I went to school with two of them.

Question. Was Quinn one of them?

Answer. No, sir; it was Adam and William.

Question. Are the family respectable?

Answer. Yes, sir; at that time they were.

Question. Would it surprise you very much if McArthur's brother-in-law swore to having recognized him as the man in command of that party who Ku-Kluxed Champion?

Answer. I do not know, sir.

Question. You do not know whether that would surprise you or not?

Answer. No, sir; I don't know who McArthur married.

Question. Would it surprise you very much if McArthur's brother-in-law, Camp, swore to the fact that he recognized him as in command of that clan that Ku-Kluxed Champion; how would that strike you?

Answer. I am very little surprised at almost anything being sworn.

Question. On both sides?

Answer. It is altogether owing to who the witnesses are.

Question. You are very little surprised, you say, at anything being sworn?

Answer. Yes, sir; that you could procure.

Question. Do you mean that to apply to one side or both in the Ku-Klux business?

Answer. I am not at all astonished that you can have anything sworn; I leave you to draw the inference.

Question. Do you mean that to apply to those who condemn or sustain Ku-Klux, or both of them?

Answer. I mean it to apply to those men, if you want my opinion, who——

Question. I want a direct answer to that question?

Answer. I must give you my reason.

Question. I want an answer first and the reason afterward. Do you mean by that remark, that you can get almost anything sworn to, to apply only to those who condemn the Ku-Klux, or do you mean it to apply to those who condemn and those who apologize for it, or which side?

Answer. I mean that you can get almost anything sworn to by those who are prosecuting this matter against the Ku-Klux. I must beg to be understood that I make no imputation against this committee. I predicate my opinion upon this: you take the people, the men who are engaged in this thing. If you want me to call names—Honorable A. S. Wallace, and a more abandoned, corrupt man I do not believe exists on earth; and Poinier, of Spartanburgh, and McGill Fleming. I believe those men could procure anything to be sworn that would answer their purposes.

Question. Having made that charge against your representative, I will ask you what has he to do with this investigation more than any other member of Congress who has voted for it? Are you aware that the gentleman who sits by your side (Mr. VAN TRUMP) voted for this investigation?

Answer. I suppose it is possible.

Question. He is prosecuting it. Do you make that charge against every member of Congress who has thought this state of things required investigation?

Answer. By no means. I would be sorry indeed to have such an opinion of the law-making power of this great Government. I mean to say about him, he has a purpose to accomplish which you and other gentlemen have not.

Question. Do you suppose that we, members of this committee, lend ourselves to anybody in prosecuting this inquiry?

Answer. As a matter of course I do not pretend to say that.

Question. You say the men in this country prosecuting this inquiry, in your view, can procure anything to be sworn to. What is your view of these Ku-Klux, who murder and whip negroes; can they procure testimony to be given to exculpate themselves?

Answer. I do not know that they have done so.

Question. What is your opinion about that class of men?

Answer. My opinion—I don't know who they are; if I knew who they were I might very easily give my opinion—if I knew the status of the men.

Question. But here your jail has been broken open and ten men have been shot and hung contrary to law. What do you think of the standing and respectability of the men who did that?

Answer. I cannot judge, because I do not know who they were.

Question. You know there were three to eight hundred of them. Were they murderers or respectable men in the community?

Answer. I cannot answer the question, because if I knew the individuals I could answer.

Question. You have no information as to what class of men they were?

Answer. No, sir, I have not, because I have no idea where they came from, though I have heard that one hundred were seen crossing Broad River, thirty miles up here, coming from North Carolina. I have heard of them away east thirty miles.

Question. Do you think the men who are engaged throughout this whole region in murdering men without law would either commit perjury themselves or procure others to commit it?

Answer. I do not know; I can't answer.

Question. What is your opinion about that?

Answer. I have no facts to form an opinion.

Question. Do you consider yourself one of the men here in opposition to Mr. Wallace, Mr. Poinier, and Mr. Fleming?

Answer. I do consider myself in opposition to them in one respect.

Question. They, you say, are prosecuting against the Ku-Klux. What are you doing?

Answer. I am merely making a statement of facts.

Question. Are you not defending them?

Answer. No, sir.

Question. They, you say, are prosecuting them, and you find yourself in opposition to them. Why are you not defending them then?

Answer. For this reason, I have not gone about and hunted up testimony and got negro witnesses here to swear so and so. They have, however.

Question. Do you say they have?

Answer. I have been credibly informed so.

Question. Do you believe that?

Answer. I believe them capable of anything.

Question. What do you believe the Ku-Klux capable of?

Answer. I don't know, because I don't know who they are. If you will point out the Ku-Klux I will tell you what I believe them capable of.

Question. Do you live in this community and say you have not the most remote idea of a single man who is a Ku-Klux in this county?

Answer. I have not; for all the information and reports, sir, have led my mind to the conclusion that they come from a distance, from the facts I have stated, that on the night of these raids the only ones I have heard of definitely were those known to have crossed Broad River, a crowd of a hundred, thirty miles from here.

Question. You say near your own plantation they have murdered a man?

Answer. I don't know that they were Ku-Klux. All I know is from the testimony before the inquest that they were disguised men. I do not know that those who came from North Carolina were Klu-Klux.

Question. You know they were disguised?

Answer. Yes, sir.

Question. You are not willing to believe they were Klu-Klux because they were disguised?

Answer. It does not follow, of course.

Question. If a man were traced and shown to belong to a Klu-Klux Klan which has committed murder, would you still adhere to the belief that they would not either commit perjury themselves or procure it in their defense?

Answer. I do not think so. I think a man who would commit murder would be so utterly destitute of anything like principle that he might be guilty of anything.

Question. Do you consider the men who took the negroes out of jail and shot them without law or trial guilty of murder? I want an answer to that question.

Answer. I do not, because I think, in order to constitute murder, there must be malice and deliberation about it. This, as I take it, was done in sudden heat and passion by persons unknown; and, under the circumstances, it could not be called murder.

Question. Let me test your feeling a little further. This you say was done in heat and passion?

Answer. Under excitement.

Question. Do you know that a band of these men came from the direction of Newberry county?

Answer. No, sir.

Question. Never heard of it?

Answer. I never did.

Question. Do you know that another band came from the direction of Laurens County?

Answer. All I have ever heard of came from the north and northeast of this place.

Question. You do know a band came from the north and northeast?

Answer. No, sir, I don't know it.

Question. You have heard it?

Answer. Yes, sir.

Question. Do you believe it?

Answer. I believe that as I do any other report.

Question. How far from the north did they come?

Answer. I have said that I heard they crossed thirty miles north of this.

Question. How many have you heard come here?

Answer. I have heard various estimates. I have heard it estimated from fifty to five hundred.

Question. Do you believe a single citizen of this town took part in it?

Answer. I do not, because I do not believe that a citizen of this town could have been engaged in an affair of that sort without somebody knowing it.

Question. Do you still adhere to the assertion that this thing was committed in passion, in heat and passion?

Answer. Under excitement. I would not call it heat or passion, but under excitement.

Question. Do you not believe it was a deliberate design, and coolly carried out, to take these men out and kill them?

Answer. No, sir, it was not, because, up to the murder of Stevens, I never had heard of Ku-Klux or a disguised band in this county. If there was I never heard of it.

UNIONVILLE, SOUTH CAROLINA, July 18, 1871.

Miss LAURA GOWAN sworn and examined.

By the CHAIRMAN :

Question. Do you reside in this place ?*Answer.* Yes, sir.*Question.* How long have you lived here ?*Answer.* I was born and raised here.*Question.* Upon information given to this committee, which we deem entitled to respect, we have sent for you to inquire whether you have, at any time, been engaged in making what are commonly known as Ku-Klux masks or gowns or disguises ?*Answer.* No, sir, I have not.*Question.* Did you ever make one ?*Answer.* No, sir.*Question.* Did you ever assist in making one ?*Answer.* No, sir.*Question.* Have any been made at your house ?*Answer.* No, sir.*Question.* Within the last six or eight months have you any knowledge of where they have been made in this town ?*Answer.* I do not know anything about them.*Question.* Have you any knowledge of where they have been made ?*Answer.* I have heard where they were made, but I don't know anything about who made them.*Question.* Where did you hear they were made ? [A pause. A lady who accompanied the witness said, "You can tell all you know about it."]*Answer.* I am going to tell all I know. I heard that Mrs. Brock made them, but I don't know that she made them.*Question.* How did you hear it ?*Answer.* I positively could not tell who told me.*Question.* Did you give that information at any time—*Answer.* No, sir ; I never have spoken of it before.*Question.* That you did know where they were made ?*Answer.* No, sir.*Question.* Were they brought to your house ?*Answer.* I never have seen one.*Question.* At what time did you learn that Mrs. Brock made them ?*Answer.* I never heard, sir. I don't know anything about it.*Question.* At what time did you hear it ? You say you heard that they were made there. When did you hear it ?*Answer.* I don't know, sir ; it has been some time ago.*Question.* Was it either before or after the time the men were taken out of the jail and hung ?*Answer.* It has been long since that.*Question.* For whom did you hear that the disguises were made*Answer.* I didn't hear any names called.*Question.* How many did you hear were made ?*Answer.* I don't think I heard. If I did I don't remember it.*Question.* Were you here living in this town on the night of either of the raids on the jail ?*Answer.* Yes, sir.*Question.* How far did you live from the jail ?*Answer.* About three-quarters of a mile, I reckon. You [to the Sergeant-at-Arms] can have a better idea than I have. You were there this morning.*Question.* Did you know they were coming ?*Answer.* No, sir.*Question.* Either time ?*Answer.* No, sir ; I didn't know they were here until afterward.*Question.* Has your mother at any time been engaged in making these Ku-Klux dresses ?*Answer.* No, sir.*Question.* What are known as Ku-Klux dresses ?*Answer.* No, sir ; she has not.*Question.* You have no knowledge of any being made in your house or at any other place than the one you have mentioned ?*Answer.* No, sir.*Question.* Did you hear of them at any other place than at Mrs. Brock's ?*Answer.* No, sir ; I never heard that she made any for the Ku-Klux.*Question.* That is not what I asked.

Answer. I didn't understand you, then. I have no more idea about that than anything in the world.

Question. What do you mean?

Answer. I thought you said costumes for parties.

Question. I said Ku-Klux disguises.

Answer. I didn't understand your question at all.

Question. You can explain.

Answer. I didn't understand you that way at all. I never heard of Mrs. Brock, or any other lady in this village, making costumes for the Ku-Klux, or anything, in fact. I didn't think they had a Ku-Klux in our town.

By Mr. VAN TRUMP:

Question. What you did hear was in regard to costumes?

Answer. For parties.

Question. Where? At Dr. Herndon's?

Answer. Yes, sir; given around here. I thought you asked me that.

By the CHAIRMAN:

Question. I put the question plainly.

Answer. I really didn't understand you in that way.

Question. I will say, very frankly, the inquiry came to us from the investigation made by the adjutant general immediately after this occurred.

Answer. Because those costumes were made since the Ku-Klux were here, long since, and I thought that was what you asked me.

By Mr. STEVENSON:

Question. What were they; what was the style of them?

Answer. I don't know; I never have seen them.

By Mr. VAN TRUMP:

Question. Who is Mrs. Brock?

Answer. A widow lady in town.

Question. You understood these costumes were for parties?

Answer. Yes, sir.

Question. You knew they were for parties?

Answer. Yes, sir. I know there were two parties, and long since the Ku-Klux. There have not been any since they were made. I am sorry I made that mistake, because it was not done intentionally. That is why I stammered in answering. I didn't really understand the question.

Question. Were you considerably embarrassed when you took your seat?

Answer. Yes, sir.

Question. You brought this old lady, with the permission of the chairman, to be a companion?

Answer. Yes, sir. This is the first time I have had anything of the kind to do.

UNIONVILLE, SOUTH CAROLINA, July 18, 1871.

DRURY D. GOING sworn and examined.

By the CHAIRMAN:

Question. How long have you lived in this county?

Answer. I was born and raised in it.

Question. How old are you?

Answer. About fifty-six years.

Question. What is your business—your occupation?

Answer. Farming.

Question. Have you held any public office in this county?

Answer. Yes, sir.

Question. What was it?

Answer. Trial justice. I have held several.

Question. What others?

Answer. Commissioner of elections at this time.

Question. You are now commissioner of election?

Answer. Yes, sir.

Question. Were you probate judge at any time?

Answer. I was elected last fall probate judge.

Question. Go on and state whether or not at any time disguised men called upon you; and if so, state what they said and did to you.

Answer. Disguised men visited my house on the first night of December last, 1870. Do you want me to state the particulars?

Question. State, as briefly as you can, how they were disguised, and what they said and did.

Answer. I was in bed. They came to my house about midnight, as well as I can recollect, and took me out of my bed, or called me up, and I got out of my bed.

Question. How many of them?

Answer. I can't say precisely, though there were some eight or ten, I would say. The reason I can't say precisely was because they blindfolded me so quickly with a cloth over my eyes. I can state afterward why I said there were eight or ten.

Question. Go on with the narration.

Answer. They ordered me out of the house. Some three came into the house. They ordered me out into the yard in my night-clothes. It was very cold at that time. They ordered number four to take me up behind on a mule. After they put me on a mule they tied my legs underneath the mule's belly and took me about a mile and a quarter or a half, and made a halt and held a consultation and left me and one other gentleman, a man who was in disguise. The others went into consultation, and he said to me, this man with me behind, said to me they were consulting about hanging of me. When, I suppose, some five minutes had passed, they came back to where we were and they untied my legs and took me off the mule, and said they would give me my choice to be either shot or hung. I told them to dispose of me as they saw proper. Then they replied that they were going to whip me. I was stripped and whipped.

Question. How?

Answer. With hickories.

Question. To what extent?

Answer. The number of stripes?

Question. Yes, sir, and the manner?

Answer. They never confined me any. They stripped my shirt and drawers off I had on. They called by numbers, and hit me to the amount of eight men. I think about seven or eight whipped me, according to the numbers, as near as I could calculate, from ten to fifteen stripes apiece. I didn't count, but they were apparently about the same amount.

Question. What effect had that upon your body?

Answer. It was badly bruised. I was confined to my bed for two weeks, not able to get out of bed from the beating.

Question. Did they give any reason why they whipped you?

Answer. No, sir, they assigned no reason more than, at the time of whipping me, they said the d—d niggers had elected me probate judge, and if I had taken the office I would go up or be killed, or something to that amount. I don't remember the words.

Question. Had you not qualified yourself for the discharge of the duties of your office?

Answer. No, sir; I had not qualified nor filed my bond.

Question. Nor assumed the duties of the office?

Answer. No, sir.

Question. Did you ever assume the duties of the office?

Answer. No, sir.

Question. Why not?

Answer. On that account, sir.

Question. Because of this whipping?

Answer. Because of the whipping and the threat that if I had taken it I would be killed.

Question. By what majority were you elected in the county? Do you recollect?

Answer. No, sir, not precisely. There were some two other candidates running. I think the majority was probably one hundred and eighty-three as well as I recollect. I have the return for the State at home, but I don't remember. I didn't know it would be required here.

Question. That was the 1st of December?

Answer. The first night of December.

Question. Had there been any others whipped in this county before that, that you know of?

Answer. I don't know whether there were or not. Others were whipped on that same night.

Question. Who else?

Answer. Some colored men.

Question. Who were they?

Answer. Giles White. He lived some two miles from where I was living.

Question. What was he whipped for? Do you know?

Answer. No, sir, I don't think I do.

Question. What kind of a colored man was he; what kind of a citizen?

Answer. He was a very good citizen.

Question. Was he a farmer?

Answer. A farmer.

Question. Was he farming for himself?

Answer. He was cultivating a plantation for Dr. McGowan on shares.

Question. He had rented on the shares?

Answer. Yes, sir.

Question. What other colored men were whipped that night?

Answer. I don't know as I recollect the names of the others. I heard of two or three others being whipped that night.

Question. How many?

Answer. Two or three others.

Question. Do you know how many persons have been whipped or killed since the 1st of December up to the present time in this county, by men in disguise?

Answer. No, sir; I could not tell the number in the county.

Question. Have you given any attention to the subject to know how many there have been?

Answer. No, sir; right in the neighborhood I have some knowledge of the number.

Question. Give us that.

Answer. There are somewhere near twenty in the neighborhood where I live.

By Mr. VAN TRUMP:

Question. Since when?

Answer. Since the 1st of December last. Some eighteen or twenty.

By the CHAIRMAN:

Question. Can you give the names of any of them? Give us the names of all you can remember?

Answer. [Consulting memorandum.] Joe Belone; here is another man who was whipped. I don't know what his name was; Giles Page, Peggy Page, J. S. Mullins, F. Cudd, and Cy. Byar's and wife; I don't know what her given name was; and one at Mr. Foster's—I don't know his name; William Newbury; one at Mr. Harrison's, whose name I don't remember; one at Dr. MacMahon's. I don't remember the boy's name. That is about all I recollect the names of. There are several others I didn't charge my memory with.

Question. What part of the country do you live in?

Answer. I live in a northeast direction from here, about twelve miles from here.

Question. In what township?

Answer. In Pinckneyville Township. Those are the persons who have been whipped. I saw some of the persons who have been whipped, and was credibly informed that they were whipped; and I saw some of their backs, and they said they were whipped by disguised men.

Question. Of those that you saw, was your information such as to satisfy you?

Answer. Yes, sir. I saw a part of them. Some of them were white men. About four were white men.

Question. Who were they?

Answer. J. S. Mullins, F. Cudd, William Newbury, and Jerry Miller.

Question. What were these white men whipped for, according to your knowledge?

Answer. For their politics and principles of republicanism.

Question. Was this Mullins you speak of the same Mullins who headed what was called the counterfeit Ku-Klux band out there?

Answer. So I understood.

Question. What were his politics?

Answer. He pretended to be a republican, sir.

Question. Did you know him?

Answer. Yes, sir; I was acquainted with him.

Question. How near did he live to you?

Answer. About three miles and a half.

Question. What were the other white men whipped for?

Answer. The same reason. I reckon so.

Question. Was that your knowledge?

Answer. It was.

Question. What were the colored men whipped for?

Answer. For their principles—their republicanism.

Question. How did you learn that?

Answer. From their own statements to me. They had committed no crime or offense.

Question. Do you know of any persons killed in your part of the county?

Answer. No, sir; not in the boundaries I am speaking of.

Question. Have you any knowledge of any men killed in the county?

Answer. I can't say, except Mr. A. B. Owens, some six miles north of me on Pacolet.

Question. A white man?

Answer. Yes, sir.

Question. What was he killed for?

Answer. I don't know, sir, without it was for his principles. He was a manager of the election.

Question. Do you feel safe in your part of the county to proclaim that you are republicans, and to defend your principles?

Answer. I have always done so. They know my principles, but I have not felt safe. I feel safe enough at this time, but I have not felt safe.

Question. What is the cause of that?

Answer. It appears like everything has subsided down considerably, and I hear of no damage being done.

Question. It is because of the cessation of the raids for the present that you feel safe?

Answer. That is the cause why I feel safe.

Question. Are the negroes or white republicans in that vicinity willing to tell when they believe they know the persons who have whipped or outraged them?

Answer. I don't know whether they are or not. I never have heard them say.

Question. Do you know who the men were who took you out and whipped you?

Answer. No, sir.

Question. Have you any knowledge?

Answer. I have no knowledge; but I don't think any man could; if it had been even one of my brothers, I could not have identified him.

Question. How were they disguised?

Answer. There was a disguise over their heads.

Question. What kind of a one?

Answer. They blindfolded me, and I had very little chance to see them.

Question. Did you see those who came into the house?

Answer. Yes, sir.

Question. How were they disguised?

Answer. It seemed a kind of paste-board in a square, and with holes in it at the top of them, and a kind of horse's ears. It was only a momentary thing with me to see them.

Question. Did they cover their faces?

Answer. Yes, sir; all the face and shoulders.

Question. How was the rest of the body dressed?

Answer. In common clothing.

Question. Were these men armed?

Answer. One of them had a pistol when they ordered me out of bed.

Question. What did he do with the pistol?

Answer. I don't know.

Question. Did you see it?

Answer. Yes, sir.

Question. As to the others, were they armed?

Answer. I don't know.

Question. How did they come to your house, on foot or on horseback?

Answer. On horseback. All were riding.

Question. Is this all you know on the subject?

Answer. Yes, sir. How I came to know the number was this: After they released me, after the whipping, and unblindfolded me, I saw them as they rode off. They formed in line and rode off. I tried to count them.

Question. You saw them ride off?

Answer. Yes, sir.

Question. You say you were in bed two weeks from the effects of this treatment?

Answer. Yes, sir.

Question. Did they leave you there?

Answer. Yes, sir.

Question. How far off.

Answer. A mile and a quarter from the house.

Question. How long did it take you to go back home?

Answer. I think at least an hour and a quarter. It was a very cold night, and I had nothing but my shirt and drawers on.

Question. Were you in bare feet?

Answer. Yes, sir, bare feet and head, with nothing on me but my night-clothes, taken out of bed.

Question. What became of the position to which you were elected? Who fills it?

Answer. The former probate judge.

Question. Who is he?

Answer. T. J. Greer.

Question. Is he a republican or democrat?

Answer. A democrat.

Question. Has there been an election had for that office?

Answer. No, sir; there has never been any election since October.

Question. You are to have an election next week, I believe, to fill some of the vacancies in the county offices?

Answer. Yes, sir.

Question. Have these whippings of yourself and the negroes in the county had any effect upon the disposition or willingness of the people to go to the election—the present election?

Answer. I can't say as to that. They may turn out or may not. I don't know.

Question. What feeling exists on that subject. Is there any apprehension of their safety if they do turn out?

Answer. I have conversed with very few of them, and it appears as if the people were going to turn out to the election as far as I know.

By Mr. STEVENSON :

Question. Pinckneyville is on the northeast line of the county, is it not?

Answer. Yes, sir.

Question. Near Chester and York?

Answer. Yes, sir.

Question. Do you own land where you live?

Answer. Yes, sir.

By Mr. VAN TRUMP :

Question. When were you a trial justice?

Answer. I am acting as a trial justice at this time.

Question. And also a commissioner of elections?

Answer. Yes, sir.

Question. And was elected at the last election a probate judge?

Answer. Yes, sir.

Question. That is holding office pretty largely, is it not?

Answer. I don't know, sir.

Question. Is it an ordinary thing for a man to hold three or four offices in this county?

Answer. I have been acting as a magistrate and trial justice until they changed it—ever since 1868.

Question. Is there any other trial justice in your township of Pinckneyville?

Answer. No, sir.

Question. Of course, there is no other probate judge than the one in the county?

Answer. No, sir.

Question. How many commissioners of election are there in the county?

Answer. Three.

Question. Is there any other commissioner of election in Pinckneyville Township except yourself?

Answer. No, sir; one lived here in this place.

Question. So that no other citizen, black or white, of Pinckneyville Township, holds office besides yourself?

Answer. I was the only trial justice.

Question. Or commissioner of election or probate judge?

Answer. Well, if I had taken the office of probate judge I should have had resigned my other offices.

Question. But there is no other county officer living in Pinckneyville Township but yourself?

Answer. Not holding a magistracy or commissionership.

Question. How many negroes are in that township?

Answer. I don't remember.

Question. How many votes are cast in that township altogether, white and black?

Answer. I can't tell exact.

Question. About how many?

Answer. I would suppose some three hundred voters.

Question. How many of these are black voters? How is the township divided?

Answer. There is very little difference.

Question. Has there been a Loyal League there?

Answer. I think there has been.

Question. Don't you know?

Answer. I have heard so.

Question. Did you belong to it?

Answer. I belonged to a League.

Question. When did you join it?

Answer. It was in 1868.

Question. Have you kept it up since?

Answer. It has been kept up, but not kept up for the last six or eight months.

Question. Have you not attended any League of that township in regard to the coming election?

Answer. No, sir.

Question. None called?

Answer. No, sir.

Question. Is there a large number of negroes in your Loyal League?

Answer. I don't know.

Question. Did you ever hear any complaint of the negroes in that town about your having all the offices and they none?

Answer. There never was any complaint of that kind made to me.

Question. Was there to anybody else?

Answer. I don't know. I never heard of the complaint.

Question. Do you say you never heard of such a complaint?

Answer. I have never heard of a complaint of my holding office.

Question. Have you never heard of the negroes complaining that they did not get any of the offices?

Answer. None that I held.

Question. But that they didn't hold any offices, without regard to yours particularly?

Answer. No, sir; I don't know of any negro candidate in the town.

Question. Are there no prominent negroes there to take part in politics?

Answer. Yes, sir; as much so as other places in the county.

Question. Any ambition for office?

Answer. None of them have been candidates.

Question. Do you know any of them who have wanted to be candidates?

Answer. Not particularly.

Question. Do you say you have not heard any complaint as coming from the negroes that they are kept out of office there; not that you kept them out?

Answer. No, sir; I have never heard that in that town.

Question. Have you heard it of any other town?

Answer. No, sir; though they may have all wanted office for what I know—every colored man in the district.

Question. You do not know where these disguised men came from?

Answer. No, sir.

Question. The first you knew they had wakened you up and three men were in the house?

Answer. They came to the house and ordered the door opened and my wife opened the door.

Question. Were they perfectly disguised?

Answer. Over the head and face.

Question. Did it come clear around the head?

Answer. Yes, sir.

Question. Could you tell whether they were white men or negroes?

Answer. I could not. They were so perfectly disguised I could not tell whether they were white or black.

Question. Let me see the list you have.

Answer. It is just a memorandum I made out since I have been here.

Question. Where did you make this out and when?

Answer. This morning, since I came here.

Question. Why did you not make it out before you came from home?

Answer. I didn't know that it would be required of any man, and I just concluded that these witnesses were, some of them, important.

Question. When was that required?

Answer. I didn't know that it was required.

Question. When was it required?

Answer. Since I came here. I don't know that it was required at all, but I thought these might be required as witnesses and I made this out this morning.

Question. You never thought of it at home?

Answer. No, sir.

Question. When did you leave home?

Answer. This morning.

Question. When were you served with the summons?

Answer. I was served with summons to be here on Friday.

Question. From that time it never occurred to you to make out a list?

Answer. It occurred to my mind yesterday, but I never made out the list until this morning.

Question. How did you know on what you would be examined?

Answer. I didn't know.

Question. Nobody told you when the summons was served?

Answer. No, sir; not at all. I didn't know what I would be asked.

Question. Did anybody tell you since you came to town?

Answer. Not at all.

Question. Have you had any conversation with anybody?

Answer. Not on that subject.

Question. On any subject connected with your testimony?

Answer. No, sir; not the testimony with no person. I have had other conversations with men since I have been here.

Question. Where did you make this out—in what place?

Answer. I sat down here in the auditor's office.

Question. Who was with him?

Answer. Several were there in the house, but they didn't know what I was making

Question. They had no connection with this paper?

Answer. No, sir; not at all.

Question. You sat down there and from recollection made it?

Answer. Just from recollection. There may be others I have left out.

Question. Are there any here that don't live in Pinckneyville Township? Do not some of these live outside of your township?

Answer. Owens I put in there. He lived in Gowdeysville Township—the man I put at the head, who was murdered.

Question. Where does Belone live?

Answer. He lived there. They may have moved out of the township.

Question. They lived there when the whipping occurred?

Answer. Yes, sir. The freedmen are wandering from one place to another—changing homes every year. This man Mullins has moved to the West somewhere.

Question. He is a white man?

Answer. Yes, sir.

Question. What was he whipped for?

Answer. I understood for his principles, or acting as anti-Ku-Klux or something of the kind.

Question. Which? You say it was for his principles or counterfeiting Ku-Klux. Which one was it?

Answer. I don't know.

Question. Was it one or the other?

Answer. That was what I understood. I can't say for which it was done.

Question. Did you understand it in that alternate sense?

Answer. Yes, sir; for one or the other, or both.

Question. Who told you about it?

Answer. I heard several.

Question. Who were they?

Answer. I heard him for one.

Question. What did he say?

Answer. He said that was the charge they had against him.

Question. What charge?

Answer. For acting as a Ku-Klux and his principles.

Question. Both?

Answer. Yes, sir.

Question. How many have you given on this list?

Answer. I never counted them, sir.

Question. You say they were all whipped for their politics?

Answer. That is from my information, sir.

Question. You said they said so?

Answer. It is information from them.

Question. Did you see all these parties who were whipped?

Answer. No, sir.

Question. How many of them?

Answer. I don't remember the number.

Question. Who of them did you see?

Answer. Let me see the list and I can recollect the names.

Question. No; I want you to remember without the list now. Who of these parties that you say said they were whipped for their principles told you of these facts?

Answer. Joe Belone; Giles White. He has moved to the West. Giles Page and his wife—

Question. Did you say Giles Page's wife was whipped?

Answer. Yes, sir.

Question. Are you sure of that?

Answer. She says so. I have only her word for it.

Question. Why have you not got her on the list then—her name?

Answer. Her name is—Giles Page and wife. It is.

Question. Are you sure of that?

Answer. I think I put it down so, sir—Peggy Page; probably it is down that way.

Question. Who else?

Answer. Cy. Byars and his wife. These are who I conversed with after they were whipped.

Question. Where is Cy. Byars now?

Answer. He is living in the same town where he was whipped.

Question. A negro man?

Answer. Yes, sir.

Question. Able to go about?

Answer. He is able to do farming business.

Question. Is his wife able to travel, too?

Answer. Yes, sir.

Question. Who else did you talk with?

Answer. I don't know as I had any conversation with any others. I heard this man Miller speaking about being whipped; telling it here in a crowd at Union.

Question. What was he?

Answer. A white man.

Question. Was he the man whipped for being a counterfeit Ku-Klux?

Answer. I don't know whether he was or not.

UNIONVILLE, SOUTH CAROLINA, July 18, 1871.

JOHN RODGER sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. In town here.

Question. What is your occupation?

Answer. Merchant.

Question. How long have you lived here?

Answer. I have resided here about twenty-two years.

Question. Are you a native of this State?

Answer. No, sir.

Question. Where did you come from to this State?

Answer. From Scotland.

Question. Have you any knowledge of the manufacture of Ku-Klux disguises in this place?

Answer. No, sir.

Question. Have any ever been made at your house?

Answer. No, sir.

Question. Have you seen any there?

Answer. No, sir.

Question. Have you any knowledge of the organization of what is commonly called the Ku-Klux Klan of this county?

Answer. No, sir.

Question. Has any one ever approached you for the purpose of your joining it?

Answer. No, sir; I never talk on the subject.

Question. Have you a knowledge, either from general information or facts falling under your own observation, which will enable you to tell us who are believed to be members of that organization in this community?

Answer. No, sir; I could not tell a thing about it; only I have heard negroes say—they would not mention names—they knew such and such things; but outside of that I know nothing at all. A man told me yesterday what a negro told him; that is all I know.

Question. Were you here on the night the jail was broken into?

Answer. I was here on both nights.

Question. How far did you live from the jail?

Answer. I think about three-quarters of a mile, a little over half a mile.

Question. On the main street?

Answer. Yes, sir.

Question. Did you hear the men come in?

Answer. No, sir.

Question. Were you aroused either night?

Answer. No, sir.

Question. Did you know anything of it until next morning?

Answer. I knew nothing of it until about 9 o'clock, I think, when I came up from my house after breakfast to the store. I think the first I heard of it was when I came to the railroad.

Question. Was that at the time of the first or second raid?

Answer. The first time.

Question. How about the second?

Answer. The second I don't remember particularly. When I first heard it I think I heard it at home. I think that some of the negro servants told me the next morning.

Question. Had you any information before the first raid that one was going to be made?

Answer. No, sir.

Question. None whatever?

Answer. None whatever.

Question. No suspicion?

Answer. I was as much surprised as you would have been at the time. I saw no intimation of it.

Question. Had you any intimation that the second raid was to be made?

Answer. No, sir.

Question. No fear?

Answer. No fear.

Question. No apprehension?

Answer. No apprehension.

Question. No suspicion?

Answer. No suspicion.

Question. Was there any intimation or expectation in this community, on either of these occasions, that a raid was going to be made on the jail?

Answer. Not to my knowledge.

Question. Did any one speak of it?

Answer. Not of any raid; but I think there was a paper sent up here. This is only what I was told; I didn't see the paper.

Question. Go on; I want your information on the subject.

Answer. I understand and was told that there was a paper came up here to the sheriff to take some of the prisoners, probably all of them, down to Columbia. That caused a good deal of excitement here, and I think it was the general talk that it ought not to be done just in that way; that they ought to remain here and be tried—come to justice. It was general talk.

Question. That they ought not to be taken to Columbia?

Answer. Yes, sir.

Question. But as to the idea that they ought to be taken out here and hung without trial?

Answer. No, sir; I had not heard a word about it.

Question. You did not anticipate anything of the kind?

Answer. No, sir.

Question. Do you own a horse?

Answer. Yes, sir.

Question. Was he in the stable on the nights of both raids?

Answer. Yes, sir; he is locked up every night and the key is in my room or in my son's room. If I am not at home, sometimes he takes it.

Question. How old is your son?

Answer. He is twelve or thirteen—going on thirteen.

Question. Is that the only son you have?

Answer. No, sir; I have an older one.

Question. How old?

Answer. Going on twenty-two.

Question. Is he at home?

Answer. No, sir; in Baltimore.

Question. Have you any knowledge whatever, in any manner, of any secret organization here that has any participation in these raids, or in any of the murders or whippings in this county, committed by men disguised?

Answer. No, sir; none at all. I have heard of them; I have heard that they were supposed to be an organization, but I know nothing at all about it.

Question. Have you any idea that such an organization exists?

Answer. I have reason to suppose there are, but I don't know.

Question. Have you any doubts?

Answer. I don't know as I have any doubts. I think they must be; I don't think but what this is so from what I have heard.

Question. Yet you have not the remotest idea of who are in it?

Answer. No, sir.

Question. Not in the town or country?

Answer. No, sir; it is a thing that does not belong to myself, and I don't make it my business to interfere.

Question. Have you felt no interest to inquire how men should be murdered without process of law?

Answer. No, sir.

Question. You never felt any apprehension that your turn might come next?

Answer. No, sir; I never felt uneasy in the least.

Question. Why?

Answer. Because I have never done anything for anything of the kind to happen to me.

Question. Have you never heard of any persons being whipped who are good citizens?

Answer. No, sir.

Question. Do you know the man who just went out of this room, the probate judge?

Answer. No, sir.

Question. What reason was given for whipping him?

Answer. I don't know; there were reasons, but I never heard no particular reason.

Question. Was the fact that he had been elected probate judge ever given as a reason?

Answer. I don't know. He was elected probate judge, I know. That might have been the reason; I don't know.

Question. If he could be taken out and whipped without trial or process of law, do you not feel any apprehension that your turn might come next?

Answer. No, sir.

Question. Why not?

Answer. I don't know; I feel secure.

Question. Entirely secure?

Answer. Yes, sir; always the same as now.

Question. Living in this place where ten men were taken out without law and shot to death, you feel entirely secure?

Answer. Yes, sir; I feel myself perfectly secure.

Question. How many men have been killed in the county, to your knowledge?

Answer. I don't know.

Question. To the best of your knowledge, do you know of any?

Answer. Yes, sir; I have seen some.

Question. How many?

Answer. I have seen ten.

Question. Were they the men killed in the jail?

Answer. They were taken out of the jail and killed.

Question. Outside of that ten, how many have been killed in the county?

Answer. I don't know.

Question. Have you no knowledge of any?

Answer. I have heard of several, but I don't know it.

Question. How many?

Answer. Let me see. There was a white man up here named—I don't remember the names.

Question. Without going over the names, have you heard of three or four or five?

Answer. I have heard of three outside of those taken from the jail.

Question. What three did you hear of?

Answer. I could not tell the names. There was a white man who, as nigh as I recollect, lived up on Pacolet. I believe Owens was the name.

Question. Who else?

Answer. A colored man that lived up on Pacolet somewhere; let me see what his name was. I saw him here as a witness in the last court in March last. He must have been in since then. I think his name was Mills.

Question. Who was he a witness against here in court?

Answer. It was a cotton scrape against Mr. Webster, a merchant up above.

Question. Where?

Answer. He lives over Pacolet, I think. I never was at his store.

Question. Was this man a witness for or against him?

Answer. He was against him; he was a witness for Mr. Tench.

Question. Who was Mr. Tench?

Answer. I don't know.

Question. Were both white men?

Answer. Yes, sir.

Question. How long after that was he killed?

Answer. I don't remember. I think it happened about a week before I heard of it.

Question. There are two; who was the third?

Answer. I don't know about the third one being killed, but I heard of a colored man being missing below here, in the lower part of the county.

Question. What was his name?

Answer. I don't know his name.

Question. How recently was that?

Answer. I think three or four or five weeks ago.

Question. Was his name Thomson?

Answer. I don't remember his name.

Question. Was he a preacher?

Answer. Yes, sir.

Question. Did you hear of all these men being killed and nobody making any inquiry?

Answer. I suppose they did, about the neighborhood, but I didn't hear much inquiry made, or anything. It is for curiosity, I suppose; outside of that I don't think I ever heard anything.

Question. You had one man killed by the negroes, four or five miles from town here; did that excite some curiosity?

Answer. Not more than the others. That was Bates's negro, wasn't it?

Mr. VAN TRUMP. No, it was not.

By the CHAIRMAN:

Question. Was anybody killed within four or five or six miles out here, by negroes, that excited any attention?

Answer. Not that I recollect.

Question. Have you not heard of the killing of a white man, four or five or six miles out here, that excited a great deal of attention since last December?

Answer. Stevens was killed in December. That is the only one I recollect.

Question. Did that excite attention?

Answer. Yes, sir; because it happened right here in our neighborhood.

Question. Within four or five miles?

Answer. No, sir; it was two miles, and he belonged in town. He was our drayman.

Question. Did that excite great attention?

Answer. Yes, sir; I think it did, a great deal, at least the next morning. I came up town, I think it was about church time. I was going to church when I heard it.

Question. According to your information and the testimony, was he murdered without justification—lawlessly?

Answer. As far as I know he was?

Question. There was a great deal of attention attracted by it?

Answer. Yes, sir; I think there was, that morning.

Question. Did not your citizens turn out almost *en masse* to arrest the negroes?

Answer. No, sir; not to my knowledge.

Question. Do you know?

Answer. No, sir.

Question. Did you inquire?

Answer. I inquired for curiosity.

Question. Did they not disarm the negroes, next morning, to a great extent?

Answer. I understood so. I was coming from church; I suppose they generally come out about 12 o'clock. I was coming down street and I saw two or three white men and two or three negroes coming up together. That drew my attention. I think they were coming up the street, not by the public street, but a cross-street, and behind a store, just as I got down there, and I asked what was the matter. The negroes were riding, I think, but the white men had guns.

Question. Were they disarming the negroes that day?

Answer. No, sir; not to my knowledge?

Question. Did they give up their arms?

Answer. Not to my knowledge. I don't know anything about it.

Question. You say ten men were taken out of the jail and killed?

Answer. Yes, sir.

Question. Where did you see them?

Answer. I saw two the first time, up above here, about a mile, I think, as well as I recollect.

Question. When did you see the eight?

Answer. The eight was next morning after they was taken out. I don't remember the date.

Question. They were out where they were killed?

Answer. Yes, sir.

Question. Were they just lying there?

Answer. Yes, sir.

Question. How long did they lie there before the inquest was held?

Answer. I think a jury was held next morning.

Question. Were you on that jury?

Answer. No, sir.

Question. Were you there when it was held?

Answer. No, sir.

Question. Were citizens out there generally?

Answer. I could not tell. I could not tell a man that was there.

Question. You were not out?

Answer. No, sir.

Question. Did that inquest undertake to inquire in which direction the men went who shot these men?

Answer. I don't know.

Question. Were these eight men shot or hung?

Answer. When I saw them two were hanging, and six or eight—I think there were eight, but I would not be positive—colored men were lying on the ground, dead.

Question. They appeared to be shot?

Answer. I didn't examine to see whether they were shot.

Question. Did anybody go out to track these men?

Answer. I don't know.

Question. Was any interest taken in the town to ascertain who had done it?

Answer. I saw no interest. I didn't take none myself, and therefore didn't take no interest no way. They didn't summons me as a juror or witness.

Question. Did not the community here rather approve of it?

Answer. No, sir; I don't think so; not as far as I know. I didn't approve of it. That is as far as I can say.

Question. You heard nobody approve of it?

Answer. No, sir; I have not heard of a man approving of the conduct.

Question. At that time?

Answer. No, sir.

Question. But nobody made any motion to look after the offenders?

Answer. No, sir, not that I know of.

Question. Did you not hear anybody say it was right?

Answer. I don't know. I might have heard it. I couldn't say.

Question. There never has been any investigation into it.

Answer. Not that I know of.

Question. More than the coroner's inquest?

Answer. No, sir.

By Mr. STEVENSON:

Question. Where were the men hanging that you saw hanging?

Answer. They were hanging to one of the limbs of a hickory up here, about a mile from here. That is what is called the public hanging-ground. A good many have been hung there.

Question. Is it what is called Hangman's Tree?

Answer. No, sir; that is the first ever hung on that tree, to my knowledge, for twenty odd years.

Question. Where were the men who were shot?

Answer. They were lying from the tree, in a westerly direction, I think.

Question. On the same side of the road?

Answer. Yes, sir.

Question. Near the tree?

Answer. You may call it near the tree. I don't remember the distance. I think it was close by.

Question. By some pine bushes there?

Answer. Yes, sir.

Question. How many people went out to see them.

Answer. I expect there were, black and white, a dozen people.

Question. What time of day was that?

Answer. I don't remember. I think it was raining when I went out—probably 10 or 11 or 9 o'clock. I don't remember. I know—I was going to say I sent for my horse to go out, but there was a horse standing hitched, and I got him and rode out.

Question. Were the bodies of the men who had been shot lying apparently where they fell, or had they been arranged?

Answer. They lay where they fell, apparently.

Question. And the bodies of the others were hanging to the tree?

Answer. Yes, sir.

Question. Do you know when these bodies were buried?

Answer. They were buried next day, I think.

Question. Where?

Answer. I don't know. I have heard where. I think one of them was taken down to Mr. Ming's plantation. I understood the relatives took them and buried them, but I think the coffins and clothing was bought by the county commissioners, as far as I know. So I was informed.

Question. You have never heard anybody named as being suspected of having anything to do with that matter?

Answer. No, sir; I never heard of one.

Question. You never knew anything at all about it until next morning?

Answer. I think I heard such a thing had been done before I left home in the morning. I never come up town in the morning until after breakfast, without it is on some urgent business.

UNIONVILLE, SOUTH CAROLINA, July 18, 1871.

JESSE J. MABRY sworn and examined.

By the CHAIRMAN :

Question. Where do you live, Mr. Mabry ?*Answer.* Sixteen miles north of this place.*Question.* In what township ?*Answer.* Draytonsville.*Question.* How long have you lived in this county.*Answer.* All my life. I was born here.*Question.* What is your age ?*Answer.* Fifty-three years.*Question.* What is your occupation ?*Answer.* Farming.*Question.* Do you own land in that neighborhood ?*Answer.* Yes, sir.*Question.* How much land have you ?*Answer.* I have a hundred acres.*Question.* Have you held any public positions in this country ?*Answer.* Yes, sir ; I was on the constabulary force last summer.*Question.* Have you held any other public positions ?*Answer.* No, sir ; I was registrar previous to that. I registered the names here ?*Question.* Under the State law ?*Answer.* Yes, sir ; and I have managed several elections.*Question.* You have been an election manager ?*Answer.* Yes, sir.*Question.* Go on and give us any actual knowledge you have yourself of any violence that has been committed by men in disguise in this county, or of which you have any reliable information ; and first give us your actual knowledge.*Answer.* That is the way I want to go—on my own knowledge*Question.* Very well ; go on.*Answer.* As to my own knowledge, there has been a party in disguise through this country ; but as to naming the men or spotting the men, I have at various times ; and I will say one thing to this committee, if you will allow me ; it will do me good to let you know I have aggravated a certain party—rather impeached them—but I didn't know it. I have been tantalized at my own house a time or two. I abused them. I met them and fought. I had three fights. I had my doubts, I told them, or, if I didn't, I would kill them, and on that ground, now, I could not tell who they were, because I had my doubts. That is all I was concealing. I did fight it. I fought it a great deal, to my judgment, and I was not confident of it myself, but had the confidence and belief to attack them.*Question.* You say they came to your house ?*Answer.* Yes, sir.*Question.* What did they do ?*Answer.* The first night they came, they said if I had any more republicans speaking—I had an outlet to the big road from my house, and pretty grove there, and there had been several republicans speaking there, and they said if I had any more of that down there they would let me know what K. K. meant. It went off at that. I rather kept it a secret for some time. I told my family, just let it rip.*Question.* How many men were there in disguise ?*Answer.* There were seven ?*Question.* When was that ?*Answer.* That was along just after the last election. I have the date at home. I didn't know what would be asked. It was along in November, I think.*Question.* Did they ever come again ?*Answer.* Yes, sir ; they come there and tore my fodder about and searched in the stables and cribs for me.*Question.* Where were you ?*Answer.* I was knocking about over the country. The fact is I hadn't let it be known at the moment, at this time.*Question.* What had you not let be known.*Question.* I was telling you it was dangerous times, as I thought.*Question.* Were you afraid to stay at home ?*Answer.* Certainly, I was, because I didn't know who they were or how many or anything about it or what was to pay. I was trying to find out what was going on, and finally I got a crowd sufficient, I thought, to defend the place, and I found I had to hide my horse out. They wouldn't attack the house when they knew I was there. I hid my horse and laid out, and, luckily, they didn't come at all. I went to bed, and when they came my wife awaked me. I live in a double house, fifty feet long, she with me. I just jerked open the door and went out and cussed them for thieves. From it to my house I

was no nearer to it than to you. I told them if they would make a light out there, or fire a gun to show me where to shoot, I would shoot for a man who would shoot. That was the last time they alarmed my house. My neighbors raised—the good citizens and the young men of good standing—and came right out and said “If he is to be hung we are going to protect him, for he is an honest man.” And it just died right down.

Question. How many of these men were there at that time?

Answer. I don't know. There were these two or three inside, my wife told me. We had lost so much sleep in trying to catch them at the place. We were strong enough to conquer them, but when we touched the bed we would be asleep. I suppose, I think they were about the same squad, but this is rather guessing; I am not positive.

Question. How were they disguised?

Answer. I couldn't tell you that. Something was hanging over them and around them.

Question. How were their faces covered?

Answer. They were covered with a mask of some sort of cloth, I think, from appearance. I was in about seven or eight feet of them. They didn't see me, and I raised to shoot them, but was advised not to do it. I had but six rounds. There were seven of them. I was advised not to.

Question. Do I understand you there were two visits to your house.

Answer. Yes, sir; there were several.

Question. More than two?

Answer. Yes, sir.

Question. Two while you were there?

Answer. Yes, sir; two while I was there.

Question. Others while you were away?

Answer. Yes, sir.

Question. This, then, is what you speak of your own knowledge?

Answer. Yes, sir.

Question. What information have you that you believe to be reliable as to their visits to other persons in the same neighborhood?

Answer. The night they visited me they tore down a house within a quarter of a mile. It was a very loose place. There was very little sympathy for the place.

Question. What do you mean by loose place?

Answer. A bad woman. I heard them when they were out there, and merely stepped out of my gate, my palings, to look on, and they came galloping up. I just had my yard palied with new palings and I had thrown a large pile of rails there. I was right at the end of the rails when they were close to me. The rails were between us, but in a pile long-ways. I was right under the rails.

Question. Could you identify any of these men?

Answer. No, sir; as I told you at the start.

Question. If you did know, would you give us their names?

Answer. Yes, sir; if I knew I would give them to you.

Question. You spoke of this occurrence where they tore down the house of this loose woman the same night they visited you?

Answer. Yes, sir.

Question. What other things did you hear of in the neighborhood?

Answer. I didn't hear of anything more that occurred that night in the neighborhood.

Question. What other cases do you know that occurred since last December?

Answer. There have been several depredations there around me since that time. Several have been whipped within, I suppose, three or four hundred yards of my house. The last murder was at Dr. Knott's, within three or four hundred yards of my house.

Question. Who was that?

Answer. A colored man named John Mills.

Question. How long since?

Answer. I forget, really, but I think along up in April.

Question. Do you know what Mills was killed for?

Answer. No, sir.

Question. Have you any idea?

Answer. He was said to be a bad boy, and I don't doubt but what he was. That is my opinion of the boy myself.

Question. He was a bad boy?

Answer. I think he was. He was always a-stealing and always nearly under arrest every month or two.

Question. Do you know of anybody else in that neighborhood?

Answer. No, sir; I don't know of anybody else killed in that neighborhood.

Question. Who were whipped?

Answer. Several were whipped, I heard.

Question. Have you such information as to induce you to believe so?

Answer. It has not been denied what I will give you. I was one of a jury that held the inquest over Mills.

Question. As to the others?

Answer. As to the others, I am a man that don't meddle in anything at all. Several were undeniably whipped.

Question. Give their names.

Answer. A boy named Edward Dawkins, up by a neighbor of mine named Jones, about six hundred yards from where I live.

Question. Who else?

Answer. I can't recollect. If I had known this a week ago, I could have just made a correct list of them, but there has been a number whipped in five or six miles of me. Our country is barren for labor there to what it has been.

Question. What has caused that?

Answer. It is said to be the Ku-Klux.

Question. Is it a fact?

Answer. They are gone, and I have no doubt it is the fact.

Question. You say a number have been whipped?

Answer. Yes, sir.

Question. Can you say what number, or near it?

Answer. I am this way: I want to be positive about it. If any gentleman would tell me two or three hundred were whipped, I would have no right to dispute it, because I cannot recollect it.

Question. Have you such information as would enable you to say how many you yourself believe have been whipped?

Answer. No, sir; I wouldn't want to be positive to any number, but a good many.

By Mr. VAN TRUMP:

Question. In the county, or your neighborhood?

Answer. In my neighborhood.

By the CHAIRMAN:

Question. Have any of the negroes told you that they were going to leave for this cause?

Answer. Yes, sir; there are negroes there now who are going off this fall; they can't stay.

Question. Do you believe that apprehension is felt among the negroes?

Answer. Yes, sir; but I think the old heads have gone to work and are trying to pacify them. I have counseled them myself to hold on; that I thought they were all safe, or things were going to blow off.

Question. Have you any knowledge of who compose these bands that ride in your neighborhood?

Answer. No, sir; I don't know that I know who the men are.

Question. Is this all the information you can give us on this general subject?

Answer. That is all the information I can give you, as far as my recollection serves me at the moment.

By Mr. STEVENSON:

Question. You say a good many have been whipped?

Answer. Yes, sir; a good many.

Question. Of what class of citizens?

Answer. I have heard of different ones—some whites, some black—not in my immediate neighborhood. Mr. Owens was killed four miles below me.

Question. I speak of the whippings. To which class did the great number of those whipped belong?

Answer. To the black ones—the colored people.

Question. When you say a good many, do you mean that there has been what you would call a general whipping of the colored people in that region?

Answer. I don't know what that might cover.

Question. But from time to time?

Answer. O, yes, sir.

Question. You mean that the generality of them have been whipped, at one time or another, within this time spoken of?

Answer. There has been a good deal of whipping done there.

Question. Do you mean that the men have generally been whipped?

Answer. No, sir; not all of them.

Question. The men?

Answer. No, sir; not all of them.

Question. Explain what you mean.

Answer. I mean a great many have been whipped, but not all have been whipped:

Question. I want an idea as to whether a majority have been whipped, or whether they have been generally whipped, or how far it has gone.

Answer. There have been a good many whipped; I don't know whether it is the majority or not.

Question. What is the feeling among the republicans of that region, black and white, as to security?

Answer. Well, sir, I cannot tell you. I have not been out nor heard anybody talk for near four or five months, I think.

Question. You have not heard anybody talk on politics for four or five months?

Answer. No, sir; it is pretty still there.

Question. Which party do you belong to?

Answer. I opposed the war. I never was a pledged man to any party. I was opposed to secession; I was a Union man. There is where they got their broil against me, just because I opposed the war and believed in the Union.

Question. Do you believe these Ku-Klux have any of the old secession feeling left in them?

Answer. That is a matter of guess, but if we take acts for testimony, we would have to say there was.

By Mr. VAN TRUMP:

Question. That is, they belonged then to the secession party when there was such a party?

Answer. Yes, sir; if we take their acts.

By Mr. STEVENSON:

Question. Do you mean their acts as Ku-Klux lately?

Answer. Well, previously. Their acts at this moment is cheerful and kind.

Question. But since December?

Answer. Yes, sir; I say that if you take their acts, you would believe it.

By Mr. VAN TRUMP:

Question. That they are kind?

Answer. No, sir; I would say if you took their acts since the last election, you would think it was in them yet.

Question. You say there have been a good many whippings, but, in answer to Mr. Stevenson, you would not say whether it was a majority or less than a majority of the negroes there?

Answer. I think if you take all those that went off after whipping and those that has been whipped, it would take them to be a majority; but many have gone off after being whipped.

Question. Do not many go off because they want to move to another place?

Answer. Hardly, when they set in to make up a crop.

Question. Did these negroes leave when making a crop?

Answer. Yes, sir.

Question. How many of them?

Answer. I don't know. I suppose there were three or four of one family above me was run off to Columbia at planting time.

Question. How many more?

Answer. I don't know that I have any in mind. They were the highest to me that were disturbed.

Question. Do you know of others?

Answer. I have heard of others.

Question. How many?

Answer. Several, but my memory will not serve me.

Question. You speak of your township?

Answer. Yes, sir; not directly of my township. I live near the line of Gowdeysville Township and Draytonville Township, and my neighborhood runs down and up Thickey and into both townships.

Question. I want to see how much territory you spoke of in your testimony. I think you are an honest man, but I want to see what you mean. You say your neighborhood includes parts of two townships?

Answer. Yes, sir.

Question. When you were answering the questions put by the gentleman, did you mean your neighborhood or one township?

Answer. I meant my neighborhood.

Question. What scope of country do you mean by that?

Answer. My acquaintance, my neighborhood. I suppose I have special neighbors, some two or three miles in Gowdeysville, all around me.

Question. A circle of two or three miles running each way from you?

Answer. Yes, sir; on Thickey; and Paeolet is about the dividing line. We don't neighbor much across the river. There are no fords or bridges, and it is rather a shut-

up place between Thickety and Pacolet, but it is four miles, and three and two, and so on.

Question. Your neighborhood includes three miles each way, which would form about a township; what is the size of a township here?

Answer. We have two near that river. I don't know what the size is.

Question. Are all the townships of the same size?

Answer. They differ in size very irregularly.

Question. Your neighborhood is probably six miles square?

Answer. Yes sir; I have acquaintances all over that whole county. I have been living there forty years.

Question. In answering the question put to you before I examined you, what extent of county did you have in mind when you gave numbers and facts? Did you mean your whole neighborhood of five or six miles square, or your county, or as far as your acquaintance extends in any way?

Answer. I think that is the correct way, as far as my acquaintance extended, because I give this news as it occurred.

Question. This news came from several townships?

Answer. Yes, sir.

Question. How many?

Answer. Sometimes from two, sometimes only one; just as the case might be.

Question. Did you hear of cases coming from as many as three or four townships altogether?

Answer. Yes, sir; now and then you would hear, because these crimes here were out of my township. I frequently heard of them out of my township, and also these two townships adjoining here.

Question. In answering those questions, you had in your mind all these townships?

Answer. Yes, sir.

Question. You said there were a great many whippings?

Answer. Yes, sir.

Question. About how many? A great many may mean very extensive whipping, or may not, according to the man's idea. What do you mean by a great many?

Answer. I really don't know. It is a momentary thing on me. I could have been better posted, and set down day and dates, if I had ever known you wanted me to tell.

Question. Fix the number you had in mind when you said a great many; the lowest, the highest, or middle number.

Answer. Speaking right around me in the two townships—I am going to speak to what I know—taking in no other township but these two, I think there are some fifteen to twenty-five whippings that have come to my ears.

Question. Whether they were all true accounts or not you do not know?

Answer. No, sir; I have heard that disputed.

By Mr. STEVENSON:

Question. Do you mean between the two streams?

Answer. In the two towns.

By Mr. VAN TRUMP:

Question. You say these disguised men—Ku-Klux, or whatever they were—called twice while you were there?

Answer. Yes, sir.

Question. But left without inflicting personal injury?

Answer. Yes, sir.

Question. You say the good people around there proffered protection to you?

Answer. Yes, sir.

Question. White people?

Answer. Yes, sir; I didn't look to anybody else.

Question. Were there democrats among them?

Answer. I suppose there were.

Question. Do you not know the politics of your neighbors who helped guard you?

Answer. I have had the good citizens of the district say they would come over and lie there a month, and didn't find fault with me for my principles.

Question. How many white republicans are there around you?

Answer. I don't know.

Question. Very few?

Answer. Very few.

Question. How many besides yourself and your own family?

Answer. I don't know that you could tell them by their acts.

Question. Are the people so indifferent up there that they do not let their political sentiments be known?

Answer. They are.

Question. Democrats as well as republicans?

Answer. No, sir. The democratic party has been the strongest, but the republican party has been afraid.

Question. You say many good people around you—your neighbors—offered to protect your house. Were not many of them necessarily democrats?

Answer. They claimed it.

Question. Have you any doubt about it?

Answer. No, sir; but they were not men of extremes.

Question. There are some good democrats here?

Answer. Yes, sir; there is a difference between the violent and the moral men in the party; there is a difference between an extreme man and a moral man.

UNIONVILLE, SOUTH CAROLINA, July 18, 1871.

H. THOMSON HUGHES sworn and examined.

By the CHAIRMAN:

Question. Do you reside in this place?

Answer. Yes, sir; I am the jailer here at this place.

Question. How long have you been the jailer?

Answer. Well, sir, I came to the jail the 15th of January of this year.

Question. What was your occupation before that?

Answer. House-carpenter.

Question. Where did you live?

Answer. A mile and probably an eighth from this place.

Question. Where were you on the night when the first raid was made on the jail?

Answer. At my mother's.

Question. Where is that?

Answer. That is about three-quarters of a mile from this place.

Question. What night was that?

Answer. I don't remember now what night it was.

Question. What night in the week was it?

Answer. I don't remember now.

Question. What day of the month was it?

Answer. I think it was between the 3d and 5th of January.

Question. Then it was either the 3d, 4th, or 5th.

Answer. Yes, sir; somewhere along there.

Question. Which of those nights were you at your mother's?

Answer. I staid with my mother pretty much all the time after they killed Mr. Stevens.

Question. Was it the third, fourth, or fifth night you were at your mother's?

Answer. Let me see. Mr. Stevens was killed on the 31st of December. I staid there all the time until I came down. I think I staid—let me see, I would not be positive now—from the 25th of December to the 15th. I don't think I staid at home any time at all. I don't think I staid at my own house.

Question. Were you at your mother's house every night of that time?

Answer. Yes, sir; either at my mother's or sister's.

Question. When did you first learn that the jail had been visited?

Answer. As I was going to tell you, it was a short time after Mr. Stevens was killed, I suppose, that there was a party. I did not see the party the first time. I was at my mother's. I heard a shooting and firing. We were then expecting a raid of the militia on the jail.

Question. You were expecting that?

Answer. Yes, sir, and I knew, from the direction we heard where they were camped, that they were coming from that direction toward here. I heard them firing, and heard considerable praying going on.

Question. Were they praying?

Answer. Yes, sir. I says, "Mother, what direction is that gun?" She says, "It's toward Bill Prater's." I then heard another. I says, "Mother, what direction is that?" After a while I heard two more shots. I then jumped up and went to the window, and I saw then the light of the gun. That was in the night. It was the flash of the gun. I says, "Mother, they are now in three hundred yards of the house, and I had better get away from here." She then says, "Thomson"—that is my name—"go off down in the pines, and if they come here I will tell them you have not been here." This was the militia, we thought. We didn't think it was Ku-Klux or anything of the kind.

Question. Go on with your statement.

Answer. I then got my gun and ammunition and run as quick as I could to go to the jail to help defend the jail. When I got to the jail there was a candle burning in the

jail, but I couldn't wake anybody up; I couldn't make anybody answer me. I then came to Mr. Bolt, the trial justice here, and waked him, and says, "The niggers are up on the road, and will be here in a few minutes, and we had better fix to meet them." He says, "Go down to the hotel and ring the bell." I went down to Mr. Steen's hotel. When I got there I told them, and they said the Ku-Klux had been there that night and had taken out five of the negroes.

Question. Let me understand that. How far does your mother live from town?

Answer. It is hardly three-quarters of a mile.

Question. In which direction?

Answer. On the Glenn Springs road. These negroes were shot on the Spartanburgh road, right across from the other road. We live near the forks.

Question. How far did this shooting take place from your mother's?

Answer. Three hundred yards, I guess.

Question. You supposed it was the negroes coming to take these prisoners out of jail?

Answer. Yes, sir; I thought that.

Question. You then got your gun?

Answer. I got my gun and ammunition and made to the jail here as quick as possible. I run all the way. What I didn't run I walked mighty fast.

Question. Is the place where the negroes were shot farther from the jail than from your mother's?

Answer. It is further.

Question. How far is it from the jail to where the negroes were shot?

Answer. One mile exactly.

Question. And about three-quarters of a mile to where your mother lives?

Answer. Yes, sir.

Question. How far is it from where your mother lives over to where the negroes were shot?

Answer. About three hundred yards, as well as I can think.

Question. Is the place where they were shot between your mother's house and town, or beyond your mother's?

Answer. The road runs pretty much north from here. When you get out about half a mile from here, or a little over, the road forks—the Spartanburgh road and the Glenn Springs road. The road turns right west, and there is a road that crosses from my mother's house to the Spartanburgh road.

Question. Is the place where the negroes were shot between your mother's house and the town, or farther off than your mother's?

Answer. It is further off, the first time they came.

Question. How near to that place would you pass in coming from your mother's house to town?

Answer. It is just one mile from where the negroes were shot.

Question. In coming into town from your mother's, how near would you be at the nearest point on the road to the place where the negroes were shot? You started about three hundred yards from it?

Answer. Yes, sir; I say they were shot about three hundred yards from my mother's house.

Question. In coming into town would you at any point be nearer to that place than you were at the place from which you started?

Answer. I would be nearer at the place I started from.

Question. Would you be any nearer to that place where they were shot, at any point on the way, than at your mother's house?

Answer. My mother don't live quite a mile from here.

Question. You say your mother lived about three hundred yards from where they were shot?

Answer. Yes, sir.

Question. You came from there to town?

Answer. Yes, sir.

Question. In coming here were you at any time nearer than three hundred yards to the place where the negroes were shot? Can you understand that?

Answer. I was three hundred yards this side of where the negroes were shot.

By Mr. VAN TRUMP:

Question. When you started from your mother's did you not come from there right this way to town?

Answer. Yes, sir; I came from my mother's down through the woods, and came right to the jail.

By the CHAIRMAN:

Question. In doing that were you at any time nearer to the place where the negroes were shot than when at your mother's?

Answer. No, sir.

Question. You came directly on from your mother's to town?

Answer. No, sir; not directly. If I had I would have come down the big road.

Question. You came without stopping?

Answer. Yes, sir; through the woods, and got to the jail as quick as possible.

Question. You came first to the jail?

Answer. Yes, sir.

Question. Did you find anybody there?

Answer. No, sir; nobody at all. There was a light in the jail, but I could not make any one answer me.

Question. Did you go in the jail?

Answer. I went to the door and halloosed and knocked.

Question. Was there nobody there?

Answer. Nobody, and nobody near. Then I went over to Mr. Bolt and waked him, and said, "I think the niggers are above here, and we had better be prepared to meet them." He says, "Run down to the hotel and ring the bell and rouse the citizens as quick as possible."

Question. But when you came to the jail you say nobody was about there?

Answer. No, sir.

Question. What had become of the jailer?

Answer. Mr. Rice Rogers, the sheriff, was then up street.

Question. Was there a jailer there and the sheriff also; or was the jail kept by the sheriff?

Answer. The jail was kept by the sheriff at that time.

Question. Was there a separate jailer?

Answer. No, sir.

Question. The sheriff was up street?

Answer. Yes, sir.

Question. Had he been tied at any place?

Answer. No, sir; not that I know of.

Question. What had they done with Mr. Rogers?

Answer. I cannot tell you. I don't know that I have the right to tell what I heard.

Question. Tell it.

Answer. That would not be evidence.

Question. You need not be particular about that if we are not,

Answer. I heard they stopped him here at the court-house steps and kept him in arrest there.

Question. And when you came he was up street?

Answer. Yes, sir.

Question. You did not find a single person about the jail?

Answer. No, sir; nobody at all.

Question. What time of the night was that?

Answer. I think it was between 11 and 12 o'clock.

Question. How far does Mr. Bolt live from the jail?

Answer. He slept right across the street, in that little brick building, probably one hundred and fifty yards, or maybe not so far, or more.

Question. He was asleep?

Answer. Yes, sir; when I went in.

Question. You waked him up and told him that the negroes were coming to take the negro prisoners out of jail?

Answer. No, sir; I said they were making preparations, I thought, above here, and I thought they would come and break into the jail and take them.

Question. He got up and told you to go and ring the bell and arouse the citizens?

Answer. Yes, sir.

Question. You went up street; who did you find there?

Answer. I believe, as well as I can recollect, it was Jimmy Rodger.

Question. Who is he?

Answer. He was a citizen; he lives in this place.

Question. What relation to John Rodger?

Answer. A son.

Question. How old is he?

Answer. Between twenty-one and twenty-two, I reckon.

Question. Was he here then?

Answer. He was there that night.

Question. Who else did you find?

Answer. I saw Mr. Lunney B. Hill, Dan Black—

Question. Is that James Rodger here now?

Answer. No, sir; he is in Baltimore.

Question. He was here on the night this raid occurred?

Answer. Yes, sir.

Question. Who else besides James Rodger and Lunney Hill?

Answer. Mr. Kit Hawkins.

Question. What is his full name?

Answer. I. C. Hawkins. We call him Kit.

Question. Who else was there?

Answer. The sheriff, Mr. Rogers.

Question. He was at the hotel?

Answer. Yes, sir.

Question. You could have told us without hearsay where he was; you saw him there?

Answer. But I did not see him arrested here.

Question. Who else besides the sheriff?

Answer. Mr. Leech—Willet Leech.

Question. Who else?

Answer. Mr. Billy Malone was there at Steen's hotel, sitting by the fire

Question. Who else?

Answer. Captain Dick Johnson.

Question. Go on with all who were there.

Answer. As for knowing any more, I cannot recollect now who the next was. I have named as many as I can recollect.

Question. Were there a good many besides them?

Answer. There was a considerable crowd in the hotel that I don't remember.

Question. Did you ring the bell?

Answer. No, sir; when I got to the hotel they told me that the Ku-Klux had been in the town and had taken out five negroes from the jail.

Question. Did they tell you anything else?

Answer. I then made myself easy. I knew then it was not the militia—the negroes.

Question. You had come with your gun three-quarters of a mile to defend the jail against the negroes?

Answer. Yes, sir; to keep them from taking out the prisoners.

Question. Did you stop at once, and rest satisfied that the Ku-Klux should go on and kill the negroes?

Answer. I didn't know anything about whether they killed them; I heard them shooting.

Question. You say these men told you the Ku-Klux had taken out five men?

Answer. Yes, sir.

Question. Did they tell you what they were going to do with them?

Answer. No, sir.

Question. Did you have an idea what they were going to do with them?

Answer. No, sir. We have a neighbor, Bill Prater, and I said to mother and wife, "They have killed Bill Prater and his wife." He lives right at the mile-post where the negroes were killed.

Question. When the people told you the Ku-Klux had taken out five negroes, did you not think it was the negroes they had been shooting over there where you heard shooting?

Answer. No, sir; I never heard tell of any Ku-Klux being in this country until then.

Question. Did you make no inquiry of these men as to what they were going to do with the negroes taken out?

Answer. No, sir; I asked what kind of men they were. They told me they were men in disguise.

Question. You say you had never heard of Ku-Klux before?

Answer. No, sir; I didn't think there was any such organization in this country.

Question. When they told you the Ku-Klux had taken them out, did you ask what they meant?

Answer. No, sir.

Question. You never had heard of Ku-Klux before?

Answer. No, sir; not in this country I hadn't.

Question. In any other?

Answer. I had heard of Ku-Klux in other countries.

Question. You knew what Ku-Klux meant?

Answer. I knew it was a party of men.

Question. Did it not strike you that they took out the negroes to shoot them?

Answer. Of course, when I had heard the shooting and hallooing over there, I expected they would kill them.

Question. When you were informed that the Ku-Klux had taken these negroes out, it did not strike you that they were going to shoot them?

Answer. I suppose anybody would know they were going to shoot them, if they had any sense at all.

Question. After you had come with your gun to defend the jail against negroes, you stopped right short, and did not do anything against the Ku-Klux?

Answer. What would be the use for me to follow the Ku-Klux?

Question. Did any of these men propose, or did you ask them, to do anything to get the negroes out of the hands of the Ku-Klux?

Answer. No, sir; because they had done the shooting before I came back.

Question. You are satisfied of that?

Answer. I am not satisfied—I know it. I know there was some shooting done up there.

Question. What did these men say? Did they say it was a good thing?

Answer. They didn't say anything about it, whether good or bad.

Question. What was said about the Ku-Klux taking out these negroes that night by those men up there at the hotel?

Answer. There was a good deal of talk. I think some said they thought it was right, and some thought it was wrong.

Question. Who said it was right?

Answer. I don't remember.

Question. Try to remember. What did Roger say?

Answer. I never heard him mention anything about whether it was right or wrong.

Question. Do you recollect nobody who said it was right?

Answer. No, sir; it was like a crowd talking.

Question. Do you recollect anybody who said it was wrong?

Answer. No, sir.

Question. How long did you remain there?

Answer. I remained until morning, and was then sent out by Mr. Bolt. I was acting as constable. I remained there until morning. The fact is, I was afraid to go out. I was afraid the negroes were going to try to kill me. They had made threats just before the election in this place. I came down here and had five negroes captured. They were standing guard around my house.

Question. Did Mr. Bolt go up from his house to the hotel?

Answer. Yes, sir; afterwards.

Question. What ground did he take about this business?

Answer. I never heard him say much about it.

Question. Did he say whether it was right or wrong?

Answer. No, sir.

Question. What is he?

Answer. A trial justice.

Question. Was he then?

Answer. Yes, sir.

Question. Did he make any proposition to ascertain who those men were?

Answer. No, sir; he did not. I don't suppose he thought it was any way necessary. The men were disguised, and I don't suppose anybody knew them.

Question. Did he propose to take any measure to ascertain who they were?

Answer. No, sir.

Question. Were there any other citizens who got together at the time you have named, when you remained until morning?

Answer. Several of them went to bed.

Question. How many of them?

Answer. A good many of them. A parcel of them were lying around there asleep.

Question. Did the rest of them stay up during the night?

Answer. Yes, sir; I staid up until the break of day myself.

Question. What did you stay up for?

Answer. I had no place to lie down.

Question. Did you go back home?

Answer. No, sir.

Question. Why not?

Answer. Because I didn't care about going home that night.

Question. Were you afraid?

Answer. Yes, sir.

Question. Of what?

Answer. As I told you before, I was afraid of the negroes. They had made threats against me that they intended to kill me. I had run into a nest of them once before that.

Question. What did they propose to kill you for?

Answer. Because me and June Mobley had a few words here, I suppose.

Question. When you found it was the Ku-Klux who were out, and not the negroes, were you afraid of meeting the negroes?

Answer. I didn't care to go out. I thought the Ku-Klux might take me out and shoot me as quick as the negroes.

Question. Why?

Answer. Because I would be traveling out.

Question. Did they shoot anybody here that was out?

Answer. No, sir; but I don't suppose those standing about let themselves be known.

Question. Did they take up anybody that night?

Answer. They did, as I told you, Mr. Sheriff Rogers, in arrest.

Question. But he was the man in the jail. Did they take up anybody else in town?

Answer. No, sir; I heard of nobody else being arrested.

Question. Do you know who were acting as the police in town?

Answer. Yes, sir.

Question. Who?

Answer. James Fant.

Question. Was he arrested?

Answer. No, sir.

Question. Are you aware that there had been a volunteer police of the citizens wholly voluntary, to act as a police here at that time?

Answer. I was aware that there was a guard out for the jail.

Question. Were any of them arrested that night except the sheriff?

Answer. I don't think there was, from what I learned. There was not a guard there at the jail that night.

Question. How many that you have named as at the tavern were members of that guard?

Answer. I don't know who were the police or guard.

Question. Did anybody propose to arouse the citizens of the town?

Answer. I don't know; I staid here all night.

Question. When you told Squire Bolt it was the negroes who were coming, he told you to ring the bell and arouse the citizens?

Answer. Yes, sir; to protect the jail. We were acting under the civil authority when he undertook to do that.

Question. To do what?

Answer. To do something for civilization; to keep a certain party from —

Question. When Squire Bolt came up to the hotel to learn, and learned it was the Ku-Klux, did he propose then to arouse the citizens?

Answer. No, sir; it was unnecessary; why should he, after they had taken a thing and then gone and probably destroyed them before they could get there, and then left?

Question. Who appointed you jailer?

Answer. Sheriff Philip Dunn.

Question. When was he sworn into office?

Answer. I don't know when he was put in there; I don't remember now; I think it was on Tuesday. I could find out by going and looking.

Question. How long before the second raid on the jail did the sheriff take his office?

Answer. Well, sir, I think he had taken the jail somewhere about the 10th.

Question. The first raid was on the 4th of January, was it not?

Answer. Yes, sir; between the 3d and 5th, I said.

Question. What time were you appointed keeper of the jail?

Answer. I took possession on the 15th of January; I moved my family down on the 14th and took possession on the 15th.

Question. So that it was between the 4th and 15th that the new sheriff went into office?

Answer. Yes, sir.

Question. Had you been appointed jailer before?

Answer. Yes, sir—no, sir; not appointed. I was attending to the prisoners there for Mr. Rice Rogers before he went out; seeing that they were fed.

Question. But before this first raid on the jail had you been appointed jailer?

Answer. No, sir.

Question. You did not know you were to get it?

Answer. No, sir.

Question. And between the 4th and 15th you were appointed?

Answer. Yes, sir.

Question. Were you here at the second raid?

Answer. Yes, sir.

Question. Just tell us about that.

Answer. That was on the 12th of February, on the night of the 12th. There came there a body of men. They bursted the door open and got into the room before I could get up, at least they got into Mr. Hill's room, the deputy sheriff. They demanded the keys from Mr. Hill. He then told them, "Gentlemen, the responsibility is on my hands to take care of these prisoners, and you cannot get the keys." They said, "We will have the keys or your life." He talked to them a good deal, and tried to persuade them not to break into the jail; that he was a deputy sheriff and would be responsible for the prisoners. They said they would take the responsibility themselves. They then again demanded the keys. He said he hadn't got them. They said, "Where are they?" He says, "I threw them out of the window." They then took him out and said, "Show us where the keys are." They went out and came back again, and commenced abusing and cursing Mr. Hill pretty rapidly. I then, at that time, had made a light in my room, and was talking to my wife, not to be alarmed; that I didn't suppose they would hurt us. They came to me and asked me if I was the sheriff. I told

them I was not. They asked me what I was doing. I told them I was jailer. They said, "Mr. Jailer, we demand the keys." I said, "I haven't got the keys, and don't know where they are." They said, "We demand the keys, or we will take your lives right now." I told them I didn't have the keys, and I thought it would be best for them to go back and not interrupt the prisoners or jail. They said they were going to have the prisoners and we might as well give the keys up. Six of them drew their repeaters upon me, cocked at my breast. My wife says, "Don't shoot my husband, for God's sake." After they found out that they had her excited, two of them went to her and cocked their pistols at her breast, and said, "Madam, we demand your keys, or we will kill every one of you," and she pointed to the keys. They went up stairs and orders came down stairs—they had their men posted, one at the entrance, and one at the steps, and another around at my room that came out from the street—orders came down the steps to No. 36, as well as I recollect, "Tie those two white men." They then called for a rope, and tied me and Mr. Hill there in the room, with our hands behind us, my right to Mr. Hill's left, and carried us to these rock posts in front of the jail, and tied us to the posts and kept us there about half an hour. It was drizzling rain, and very muddy and very dark that night. It had been a wet spell. After they fetched down the negroes they carried me and Mr. Hill off to the negroes and said, "You black rascals, you, we will introduce your God damned nigger-protectors to you; and, you damned radical sons-of-bitches, get in front." They made us march in front of the negroes to Phillip Dunn's. There they turned us loose and told us to go back as soon as possible. All the time I was begging them to let me walk on the pavement. They said "No, we'll show you no quarter; we'll make mince meat of the last one of you, you God damned nigger-protectors; you can't live in this country any longer." I told them I had behaved myself, and acted honorable here, trying to do what was right, and always voted the democratic ticket. They said it didn't matter; they could prove I voted a radical ticket. I said I hadn't.

Question. Had you voted the democratic ticket?

Answer. Yes, sir; I had always voted the democratic ticket.

Question. They accused you of not having done so?

Answer. Yes, sir; I then hallooted to Mr. Graham, and asked him if they would let me stop at the Central Hotel, Mr. Steen's. Mr. Graham was working for him. I said, "Just wait here and I will prove my character." They said nobody could come in the ranks, that nobody could come in, just for me to hush up and go on. They marched us up to Mr. Dunn's; and after they sent us back one of them put a paper in my pocket and told me to carry it back and have it published. I fetched it back and gave it to the clerk.

Question. What was it?

Answer. I didn't memorize it at all.

Question. Can you tell the substance of it?

Answer. I have the paper at home.

By Mr. VAN TRUMP:

Question. The newspaper or the original paper?

Answer. The newspaper.

By the CHAIRMAN:

Question. Was that this notice to the office-holders to resign?

Answer. No, sir; it was a notice to the public. They gave me a paper and I stuck it in my pocket. I suppose Philip Dunn took it to Columbia the next day.

Question. Is this the paper?

Answer. Yes. [Reads:]

"TO THE PUBLIC.

"K. K. K."

"TAKEN BY HABEAS CORPUS.

"In silence and secrecy thought has been working, and the benignant efficacies of concealment speak for themselves. Once again have we been forced by force to use Force. Justice was lame, and she had to lean upon us. Information being obtained that a 'doubting Thomas,' the inferior of nothing, the superior of nothing, and of consequence the equal of nothing, who has neither eyes to see the scars of oppression, nor ears to hear the cause of humanity, even though he wears the judicial silk, had ordered some guilty prisoners from Union to the City of Columbia, and of Injustice and Prejudice, for an *unfair trial of life*; thus clutching at the wheel-spokes of Destiny—then this thing was created and projected; otherwise it would never have been. We yield to the inevitable and inexorable, and account this the *best*. 'Let not thy right hand know what thy left hand doeth,' is our motto.

"We want peace, but this cannot be till Justice returns. We want and will have Justice, but this cannot be till the bleeding fight of freedom is fought. Until then the Moloch of Iniquity will have his victims, even if the Michael of Justice must have his martyrs.

"K. K. K."

Question. Who put that in your pocket ?

Answer. I don't remember who it was.

Question. Was the man a leader ?

Answer. He belonged to that party.

Question. Did he give command ?

Answer. No, sir ; he didn't give any command ; he just went by orders.

Question. Was there a man who did give command ?

Answer. Yes, sir.

Question. Was it that man who put this in your pocket ?

Answer. No, sir.

Question. Go on with your narration.

Answer. That is about all I know about this.

Question. Were the negroes shot while you were there ?

Answer. No, sir ; I had got back here before I heard the reports of the guns.

Question. They released you before they shot the negroes ?

Answer. Yes, sir ; they carried them, I reckon, three-quarters of a mile beyond Mr. Dunn's.

Question. Did they release the deputy sheriff with you ?

Answer. Yes, sir ; we both came back with our hands tied behind us. Mr. Jasen Greer untied us.

Question. How many men were there ?

Answer. There must have been between three and five and six hundred.

Question. Did they send the whole squad here ?

Answer. Yes, sir.

Question. On horseback ?

Answer. Yes, sir.

Question. Were they armed ?

Answer. Yes, sir.

Question. How far were they scattered through the town ?

Answer. Well, sir, they were on this street running around the court-house here, as this party marched—the streets leading to the jail from the Methodist church, and from the Methodist church to Shedd's shop ; that is the square. The column then took the negroes out, marching straight east and turned the corner at Mr. Culp's, and went to Mr. Shedd's shop and halted there until this other column passed ahead, and then threw us and the negroes about the center. I suppose there must have been between five and six hundred men here that night. I have seen a great deal of cavalry and I had a sort of idea how many it would take to form that.

Question. How many negroes were in the jail altogether ?

Answer. Eighteen.

Question. How many were taken out ?

Answer. Ten.

Question. Were you in there when they determined whom they would take out ?

Answer. No, sir ; they told me, " You needn't prepare any rations for your prisoners in the morning ; there'll be no one in there to cook for."

Question. Not any ?

Answer. No, sir ; that they would take them all out.

Question. Did they declare that intention when they came ?

Answer. I don't know what they said after they took Mr. Hill and me out of the jail.

Question. Was there anything to prevent them from taking all out ?

Answer. I don't know ; they didn't tell me. They had some negroes up stairs tied, and untied them again.

Question. Some of those who were left ?

Answer. Yes, sir.

Question. You say that when they started you off they said they would show you what it was to be negro-protectors ?

Answer. They marched us up and introduced us to these negroes as negro-protectors.

Question. Were there any white men in the jail ?

Answer. No, sir.

Question. Did you know any of the men ?

Answer. These Ku-Klux ?

Question. Yes.

Answer. No, sir ; and the mothers that suckled them could not have known them.

Question. How were they disguised ?

Answer. With a mass of white, red, and black on the face. I think probably it was ribbon fitted over the face, and head and hair covered, and large horns on. Some horns were red and some black, and some of the tassels were black.

Question. Had they gowns on their persons ?

Answer. Yes, sir.

Question. Were they all dressed in the same manner ?

Answer. No, sir ; they had different colors.

Question. Were they made in the same form?

Answer. No, sir.

Question. How were they armed?

Answer. With pistols and eighteen-shooters.

Question. Winchester rifles?

Answer. Yes, sir.

Question. How many of them were armed in that way?

Answer. I reckon that most of them that come in the jail were armed in that way.

Question. Did you see others armed in that way?

Answer. I couldn't tell; it was dark on the street. I couldn't tell when a man was riding the street.

Question. What time of night did they first go to the jail?

Answer. Between 12 and 1 o'clock.

Question. Do you know from which direction they came to town?

Answer. No, sir.

Question. When you got back from the place where they released you, was the town alarmed and the citizens up?

Answer. No, sir; there were not many citizens up.

Question. How many were up; did you meet any?

Answer. Yes, sir; I met some over at Steen's hotel.

Question. Were they up?

Answer. Yes, sir. When I came back I had walked pretty fast, and I happened, in coming across the street to the hotel from the store, to whew-ew, in that way, and some negroes broke and run right through the hotel; and this little clerk, Johnny Thomas, and Jason Greer, and Ed. Gregory were the only persons I saw up.

Question. Where does Gregory live?

Answer. He has a bar right down below here.

Question. Was there no intimation beforehand that these men were coming to the jail?

Answer. No, sir; I had no more idea of looking for any one to break the jail open than I have now.

Question. Was there any information of it here in town that you know of?

Answer. No, sir; I didn't hear of it.

Question. Is that all you know about the matter?

Answer. That is all I know at present.

Question. What did they charge against Mr. Hill. You say he told them he had thrown the keys out of the window?

Answer. Yes, sir.

Question. Was that correct?

Answer. No, sir.

Question. That was in order to get clear of them?

Answer. Yes, sir.

Question. What did they charge against him when they put him in front of the negroes and made him walk up?

Answer. For the same offense, I reckon; because he would not give the keys up. I don't know what their object was.

Question. You said something was said about your both being charged with being radicals?

Answer. Yes, sir.

Question. Was he a radical?

Answer. Mr. Hill? No, sir; I reckon he voted the democratic ticket every time.

Question. Had you done anything else than trying to discharge your duty in keeping the prisoners from the mob?

Answer. No, sir. I did not do anything except to try to keep them from going into the jail. I begged them to not go in. They said it was no use talking; that they would.

By Mr. STEVENSON:

Question. On whose recommendation were you appointed jailer?

Answer. Mr. Benjamin Rice and Philip Dunn. Mr. Benjamin Rice, at that time, had been sworn in as deputy sheriff to take the office and attend to it.

Question. Who was Mr. Rice?

Answer. I don't think he is——

Question. He is a democrat, is he?

Answer. I think so.

Question. Don't you know?

Answer. I don't know a man's principles.

Question. How does he vote?

Answer. I don't know how he voted; I didn't see him.

Question. How is he considered?

Answer. He made speeches for the democratic party.

Question. Did he know what you had done on the night of the first raid here?

Answer. No, sir.

Question. He had no knowledge of that?

Answer. No, sir.

Question. Was it not generally known that you came into town that night?

Answer. Yes, sir.

Question. To defend the jail?

Answer. Yes, sir.

Question. Do you not suppose he knew that?

Answer. I don't know whether he does or not, for he lives about six miles from here, and does not come to town very often.

Question. How did they happen to pick on you to be a jailer?

Answer. I don't know; I reckon they thought I would do my duty.

Question. Was it not because you had been zealous and active coming into town that night?

Answer. To defend the jail?

Question. Yes, sir.

Answer. O, no; I had been jailer here once for Mr. Bob Macbeth.

Question. When?

Answer. In 1865-'66.

Question. Were there many citizens on the street that night as the Ku-Klux walked through?

Answer. No, sir; my old cook down here didn't know the Ku-Klux were there.

Question. Were any lights burning?

Answer. No, sir; only at the hotel, as I came back. There was no light when the Ku-Klux were in.

Question. Did you see any citizens after you came back?

Answer. Only those gentlemen I have just mentioned—Mr. Jason Greer and Mr. Gregory.

Question. Who belongs to the order here?

Answer. Order of what?

Question. Ku-Klux.

Answer. I don't know no more who belongs to the Ku-Klux than you do; not as much.

Question. You are sure you do not belong to it yourself?

Answer. I am very certain I don't belong to it. I don't know anything about the Ku-Klux whatever.

Question. Were you in the rebel army?

Answer. Yes, sir; I fought four years to a day.

Question. In what branch of the service?

Answer. Infantry. I was color-bearer for three years, and have been in twenty-seven hard battles, and can show the scars on my body where I have been shot. I have one pretty good one right here in the neck.

By the CHAIRMAN:

Question. Had you any arms in the jail at all when the Ku-Klux came?

Answer. Yes, sir.

Question. What arms?

Answer. These militia guns.

Question. How many?

Answer. I think there were probably forty-five or six—somewhere along there.

Question. Did you say the Ku-Klux got in before the deputy sheriff knew anything about their coming?

Answer. Yes, sir; I reckon he was asleep. They wakened me bursting open the door.

Question. How did they get in at the outside door?

Answer. They went and pushed it open in some way.

Question. Do you know that?

Answer. I know that is the way they got in, because the latch was bursted off.

Question. Did they make noise enough at that to awaken you, or were you not awakened until they came in?

Answer. They awakened me in bursting open the door.

By Mr. STEVENSON:

Question. What do they mean by alluding to "Thomas" in that notice left in your pocket?

Answer. I don't know, without he is just a radical judge.

Question. That is the name of the judge, is it?

Answer. Yes, sir.

Question. Had not the judge sent an order down here for the transfer of these prisoners ?

Answer. Yes, sir.

Question. Did you have that order ?

Answer. No, sir.

Question. Who had it ?

Answer. Mr. Dunn.

Question. How do you know ?

Answer. Well, sir, he asked me to prepare myself to go with him Monday morning to take the prisoners.

Question. When did he ask you that ?

Answer. Friday morning.

Question. Why did not you go Friday morning ?

Answer. He could not get ready.

Question. He told you Friday morning to prepare yourself to take them Monday ?

Answer. Yes, sir; he told me not to say anything about it at all, and I never mentioned it to any one, not even to my wife.

Question. Did the deputy sheriff know of that ?

Answer. I don't know, sir, whether he knew of it or not.

UNIONVILLE, SOUTH CAROLINA, July 18, 1871.

JOHN L. YOUNG sworn and examined.

By the CHAIRMAN :

Question. Do you reside in this place ?

Answer. I do.

Question. How long have you lived here ?

Answer. Since 1837.

Question. Are you a native of the State ?

Answer. I am.

Question. What is your occupation at present ?

Answer. I have no occupation at present, sir.

Question. Were you lately the clerk of the county commissioners ?

Answer. Yes, sir.

Question. Under what circumstances did you resign that position ?

Answer. Well, sir, I resigned that position under an order said to be from the Ku-Klux, which was posted on the board out at the door of the court-house.

Question. Give us your own best information on the subject, of the manner in which such notices are served in this county, and the effect they have upon those whom they are intended to operate upon.

Answer. It was my usual custom to come up to my office, down on the corner here, under this building—the office of the commissioners of the county, in the left-hand corner of the court-house, as you enter the door. As was usual with me, I had come up before breakfast to sweep out my office and arrange my matters and things there for the business of the county, and was engaged in writing up the business of the previous meeting. I had gone down to my breakfast, and on my return had gone into the office and was attending to my duties, when the clerk of the court came to me and asked me if I had seen the notice stuck on the board. I told him, no, I had not. He said, “You had better go out and see it.” I stepped out of the office with the clerk of the court, and looked on the board and saw this notice stuck upon the legal-notice board, which you will see on the right-hand side of the door, as you enter the lower story.

By Mr. STEVENSON :

Question. Is that a copy of the order you mention ? [Submitting the Weekly Union Times of March 17, 1871.]

Answer. Well, sir, I kept a copy of the order myself. You can take that, and I will read it to you as I have it; printers sometimes make mistakes. I don't think I made a mistake in this :

“K. K. K.

“HEADQUARTERS, NINTH DIVISION, S. C.,

“Special Orders No. 3, K. K. K.

“‘Ignorance is the curse of God.’ For this reason we are determined that the members of the legislature, the school commissioner, and the county commissioners of Union shall no longer officiate. Fifteen (15) days' notice from this date is therefore

given, and if they, *one and all*, do not *at once and forever resign* their present inhuman, disgraceful, and outrageous rule, then retributive justice will as surely be used as night follows day.

"Said, 'An honest man is the noblest work of God.' For this reason, if the clerk of the said board of county commissioners and school commissioner does not *immediately* renounce and relinquish his present position, then harsher measures than these will most assuredly and *certainly* be used.

"For confirmation, reference to the orders heretofore published in the Union Weekly Times and Yorkville Enquirer will more fully and completely show our intention.

"By order of grand chief.

"A. O., *Grand Secretary*

"MARCH 9, A. D. 1871."

That is what was posted. It was written in a very legible handwriting.

By the CHAIRMAN:

Question. That any one might see who would run past?

Answer. Well, sir, I didn't see it when I went in first.

Question. Were such orders considered as certain forerunners of violence in this county to those who neglected such admonitions?

Answer. Well, sir, I so considered them myself.

Question. What was the public feeling in reference to them?

Answer. Some time previous to that there had been a party here that was known as the Ku-Klux, who had taken some prisoners out of the jail and taken them up the road and shot them. I was not in town at the time the occurrence took place, but the general impression it made in the community, I suppose, and on myself, caused me, at least, to obey any mandates they might issue. I did not feel any hesitation at all in retiring from the position.

Question. Was the feeling existing here, with reference to the existence and operation of that order, such as virtually to put the community under their control, to govern by any sort of order they saw proper to issue?

Answer. I should say so. That was my feeling.

Question. What had been your own party relations prior to that time?

Answer. I don't know that I felt that I belonged to any party. I have never been a partisan or politician in this county, to my knowledge.

Question. Was your course here such as to excite any partisan opposition to you?

Answer. I was not aware of any partisan opposition to myself.

Question. Who were the county commissioners referred to there? What were their names?

Answer. John Tinsley, Simpson Giles, and Mr. White. Mr. White was the white man of the board. I don't recollect Mr. White's given name.

Question. He was a white man, and the other two were colored men?

Answer. Yes, sir.

Question. Were you also clerk of the school commissioner?

Answer. No, sir; I was not.

Question. You didn't hold both offices?

Answer. No, sir; there seemed to be some mistake there. That's where the whole matter got mixed up in some way. I am not the clerk of the school commissioner at all. That was what astonished me, that they should say I was clerk of the school commissioner.

Question. Who was the school commissioner?

Answer. Berry Cannon, a colored man, residing about fourteen miles below, in this county, on Mr. Hill's plantation, on what is known as Hill's platform.

Question. Of the officers named in the notice, how many did resign?

Answer. Tinsley and White resigned on the Saturday after the order. The order was dated, I think, on Thursday morning. That was when the notice was called to my attention. When you call dates you bother me a little, because I have been accustomed all my life to keep books, and rely on books rather than memory for them.

Question. You say they resigned soon afterward?

Answer. Yes, sir; they resigned at the called meeting, which was to take place on the Saturday after this order was published. As well as I can remember, the order was published on Thursday morning. My attention was called to the order on Thursday morning, and on the Saturday afterward was the called meeting for the board of county commissioners.

Question. And on that day they resigned?

Answer. Yes, sir.

Question. Has Mr. Giles?

Answer. No, sir.

Question. Where is he?

Answer. He has left the county. I cannot speak of him. I have no knowledge where he is.

Question. Do you know for what reason he left?

Answer. I suppose it is on account of that order.

Question. Are you satisfied of that?

Answer. That is what he said—that he was afraid to stay.

Question. Did the school commissioner resign?

Answer. Yes, sir.

Question. And you resigned?

Answer. Yes, sir.

Question. Who was the school commissioner's clerk?

Answer. I don't know that he had a clerk.

Question. Did the members of the legislature resign?

Answer. No, sir.

Question. How long had you been the clerk of these three commissioners?

Answer. I had been their clerk from some time in January, I think. They didn't meet the old board and organize themselves as a board until some two or three months after the time they should have done so. I know we had considerable difficulty in getting the new board to organize, and it is my recollection that they didn't organize until the January succeeding the election, which was held in October—about the middle of October.

Question. These men were elected in October, 1870?

Answer. Yes, sir.

Question. And took their offices in January?

Answer. Yes, sir; that is my recollection.

Question. When was this notice put up?

Answer. March 9th, afterwards.

Question. Something had been said about these men being ignorant and not qualified for their places as commissioners. We wish to know exactly what the state of facts was, and whether they were, according to your observation, men who wished to do right, or were honest in their official capacity?

Answer. I think they were honest in their desire to do what was right, if they knew how; but they were very ignorant.

Question. Was it through a desire to do right, and to have the business of the office properly conducted, that they retained you in your position, knowing you had been the former clerk?

Answer. I can't say as to that.

Question. Did they so express it?

Answer. No, sir.

Question. Did they retain you?

Answer. Yes, sir; my own judgment is that they did not want me.

Question. You mean the commissioners?

Answer. Yes, sir.

Question. Had they the power to dismiss you?

Answer. Yes, sir.

Question. But did not?

Answer. I think it was probably the fact that they did not understand the business, or the knowledge that they did not understand the business, which caused them to retain me. I think if they had understood the business and duties imposed on the county commissioners, probably they might have selected another man.

Question. Was it their desire then to have your assistance?

Answer. Yes, sir.

Question. They retained you in place?

Answer. Yes, sir. I think on account of their ignorance they wanted me there to assist them in their places, knowing I was familiar with it and could carry it on.

Question. Up to the time you resigned, in compliance with this order, was there anything in their official conduct to indicate corruption?

Answer. No, sir; nothing at all.

Question. With your assistance, would there have been any difficulty in the proper management of the affairs of the county?

Answer. As I before stated, they were quite ignorant, and I found it very difficult to manage the affairs of the county. They seemed to rely almost exclusively upon me, and kept me in the office almost constantly. There were a great many bridges in the county that really needed rebuilding and repairing, and they were as ignorant about such things as men could be.

Question. Did they lay taxes for the purpose?

Answer. Yes, sir.

Question. Were they complained of as exorbitant?

Answer. No, sir; the taxes were the same as they had been in the previous years. I fixed the tax myself. I fixed the three-mill tax. The tax has been three mills here in

the county since the new law. I think they were disposed to do just about what was right, if they knew what it was, but here was the difficulty. Let me explain precisely the difficulty. There were three county commissioners elected for Union County, forming the board. Well, the law required the county to be divided into three divisions. I took up the law when I was first appointed clerk of the board, and studied the law as well as my business capacities would allow me to study it, and I saw that the law contemplated that the county should be divided into three divisions, and each one of the board should have one of the divisions under his charge; in other words, it did not seem to be contemplated by the law that the whole board should superintend all the roads and all the bridges in the county. But they divided the county into three sections or divisions, and gave to each one of the board a division, or section, that he might attend to the roads and bridges of his particular section. For the old board I did that. Mr. Thomas was elected in the lower part, Mr. Patrick in the northern part, Mr. McKissick in the middle. I had been appointed county surveyor, and, of course, I knew all the county and the roads. I divided the county for them. That was the old board. When the new board was elected they asked me to make a division for them. Simpson Giles lived at Seafie's Ferry, nine miles east of this point. Mr. White was living on what was called Pea Ridge, eight miles above this point; that is on the Spartanburgh and Union Railroad. It is about eight miles above here. John Tinslay lived in town. I divided the county into three sections for them. I made different divisions for the new board from those I had for the old board.

Question. Well, sir, we do not care about the details, but the final result?

Answer. Then I had better, probably, answer the questions.

Question. You started out to give a reason, showing their incapacity. Will you get at the result without detail?

Answer. I gave them an equal quantity of bridges and roads as near as I could. Giles had the southern and western ones. Cook's bridge was thrown into his division, and I had received a notice that —

Question. Is the final result that they were incompetent to attend to their duties?

Answer. I so regarded Giles. I could show you some of his memorandum down in the office that you would regard so yourself.

Question. How as to the other two?

Answer. They had not advanced far enough in their divisions for me to ascertain what would have been their capacities if they had undertaken to carry them out.

Question. You considered them incompetent officers if left to themselves?

Answer. Yes, sir.

Question. That being the case, to what extent have other outrages of these Ku-Klux, as you call them, prevailed in this county?

Answer. You mean what has been killed and wounded?

Question. Yes.

Answer. I can't state anything except from my own knowledge. I suppose hearsay is not evidence.

Question. Yes, sir, if you have it in such a form as to give us what is sufficiently authenticated for you to believe it.

By Mr. VAN TRUMP:

Question. Not mere individual hearsay, but cumulative reports, such as you would have confidence in yourself as evidence of the truth.

Answer. I will go on and state, and you can then ask me questions.

By the CHAIRMAN:

Question. We don't care about taking up so much time in detailing them as would be required to give the cases and what fortified them in your belief. Give us such information as you think entitled to your belief.

Answer. I can only speak, from my own individual knowledge, of seven deaths.

Question. Give the names of them.

Answer. I don't believe I can.

Question. Describe them as well as you can.

Answer. There was eight that were taken out of the jail and murdered up at the Old Field, about a mile and a quarter above town. I saw seven out of the eight that were killed on that occasion. I was informed that eight were killed. I have no doubt that they were killed; but seven were brought back and put in the court-house.

Question. We have had sufficient information as to these; confine yourself to cases outside of these.

Answer. I don't know of any others except from hearsay.

Question. Was it such as to satisfy you that they had been killed?

Answer. Yes, sir.

Question. Give the names of those you are satisfied of.

Answer. There were two killed on the first raid. I was absent from the county at the first raid.

Question. You need not detail anything connected with the jail. We have had that

from other witnesses; but, outside of those taken from the jail, give us the names of those you are satisfied were killed in this county.

Answer. All that I could tell you, outside of the ten killed from the jail, was what I understood from the officer in command of the post at that time. That was of a colored man up here about three miles. He informed me, he was killed, and Mr. Owens also, about seventeen miles above here, who, he informed me was killed. That was from the officer of the post in command of this place at the time. That is all I can say of my own knowledge. I believe they were killed, because he told me so.

Question. Have you any other information from various parts of the county?

Answer. I have heard various rumors on the street; that it was reported that such a man was missing from such part of the county and probably killed.

Question. Were there any cases in which you were satisfied that the men were killed? If so, state them.

Answer. I could only put down about ten, from my own knowledge and information such as I would consider reliable.

By Mr. VAN TRUMP:

Question. In that you include the ten in the jail?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Have you knowledge or information that will enable you to say whether any persons have been whipped in the county?

Answer. No, sir. Mr. Goings told me that he was whipped. I can state that.

Question. We have had him before us.

Answer. Mr. Goings told me that himself. You do not wish me to speak of any case less authentic than that.

Question. Have you ever seen any one else that was whipped?

Answer. No, sir; only Mr. Goings that I know of my own knowledge. If they had been whipped, they didn't indicate it to me, and I have no knowledge of the fact.

Question. Have these whippings in the county been a matter of common conversation?

Answer. I have frequently heard it on the street, although I have not mixed a great deal with the population.

Question. You have not investigated it?

Answer. My business has occupied my mind, and I have given very little attention to the talk on the street.

Question. Would you have felt safe in retaining your office as clerk to the county commissioners after that notice?

Answer. I didn't know, sir, what might be the result. I disliked very much to place myself in a position where I might have a difficulty with my neighbors, or with any party. The office is not a very pleasant one to me; I was not very well pleased with it, and I thought it was a very good time, a very good excuse, to draw out.

Question. Did you believe you would have any difficulty with your neighbors by remaining?

Answer. The order seemed to indicate as much, and I felt that I might have; and rather than have that, I determined to resign.

Question. I what manner had your neighbors, in the first place, indicated to you that you would have difficulty in remaining?

Answer. None in the world.

Question. Had anybody said so?

Answer. No, sir.

Question. Who do you mean by the other party?

Answer. I didn't know who the Ku-Klux party are. I have the notice here—this order I read to you. I have no more knowledge of who they are than you have. I don't know whether they lived in our community or outside of our community; and, whoever they may be, I didn't desire, just for the pay of the office, to have any trouble or difficulty with them, because I didn't know what the trouble might be. I knew what I might do in the event that they undertook violence to me personally; and I have a family, and have been embarrassed by the result of the war, and putting all considerations together, I considered it the most prudent policy for me to retire from the office rather than to have any trouble.

Question. So far, then, as the holding of office in this county is concerned, is it virtually under the control of this Ku-Klux organization, whatever that may be?

Answer. Well, sir, that would be a very hard question to answer.

Question. Is that your belief?

Answer. It is my belief that a man would not hold an office in the county if the Ku-Klux would give an order for him to resign. I think he would be foolish to do it.

Question. You state that you have not taken any active part in politics?

Answer. No, sir.

Question. When you did vote, what ticket did you vote?

Answer. I don't know that I have voted a ticket, before this last election, scarcely in my life-time. At the last election I voted the reform ticket. I am not a politician by profession, and care very little about either party as a party. I am willing to give my support to that government which will afford the greatest protection to my life and property. That is my policy.

By Mr. STEVENSON :

Question. Did you see the notice of the Ku-Klux left in the pocket of the jailer at the last raid on the jail?

Answer. Yes, sir; I saw that notice. That was left with the jailer; the original notice.

Question. Did you examine the handwriting of this one which related to yourself and others?

Answer. Yes, sir.

Question. Did they both appear to be in the same handwriting?

Answer. I think it was the same handwriting; that is my judgment.

Question. I see that the editor of the democratic paper here, the Weekly Union Times, says, in noticing the manifesto relating to yourself, in the paper of March 17 :

"ANOTHER KU-KLUX MANIFESTO.—The following order was discovered on Monday morning last, tightly glued upon the sheriff's legal-advertisement board. There can be no doubt from the handwriting that the same hand that wrote the order given to the jailer on the night of the second raid wrote this also."

Do you agree in that opinion?

Answer. Yes, sir; we agree in that conclusion fully.

Question. Did you recognise the handwriting?

Answer. I did not.

Question. Were the orders written in a natural or disguised hand?

Answer. In a disguised hand.

Question. How disguised?

Answer. Well, sir, it was more printed than written.

Question. You mean written in the form of printed letters?

Answer. Yes, sir.

Question. You did not mean that it was printed?

Answer. No, sir; but in the form of printed letters, but written, the hand being evidently disguised.

Answer. It was in characters very much like the print on dry goods boxes. If I was to say, I would say they had written it with a pencil-brush, only using the pen. It was that kind.

By Mr. VAN TRUMP :

Question. You mean stencil-brush?

Answer. No, sir; in a kind of back-hand, with a brush—not exactly print or writing, but something between the two.

By Mr. STEVENSON :

Question. A sort of round letter?

Answer. Yes, sir; not German, English, nor Italian text, but taking up the pen with a kind of back-hand—written easily. M and N are made with two strokes, and with a great deal of ease. The writing was of a size and easily read.

Question. I see that in this paper, of March 17, the editor comments on the notice, so far as it relates to you, and says: "We think it due to the clerk of the board of county commissioners to state that it was through the persuasion of many influential tax-payers that he consented to become clerk of the present board." Was that the fact?

Answer. Yes, sir.

Question. Influential tax-payers of the democratic party?

Answer. Yes, sir; I may say so because the county of Union is considered democratic.

Question. And the heavy tax-payers are almost universally of that party, are they not?

Answer. Yes, sir; I might say it was from the democratic party. I received numerous solicitations. I felt then that I was descending very much from my pedestal to come down and be a clerk for any board. My position here in the county, and my knowledge of business, caused me to have that kind of feeling, privately, that I was descending very much from my pedestal to become clerk of any board, and that, if they wanted my services, they ought to have elected me commissioner.

Question. I see the editor says you are one of the oldest and most respectable citizens of the county. You are one of the oldest, are you not?

Answer. I have been here since 1837, and have not been tried for treason or anything else, and have paid my taxes.

Question. "In his note, which will be found in another column, he explains his con-

nection with the school commissioner; and we can add, that until he voluntarily took charge of the school-books, they were lying about unneared for, and a number taken away without any one to take the account of them."

Answer. And right there is where I became connected with the school commissioner.

Question. You explain that in your note here?

Answer. Yes, sir.

Question. Then following is a communication, purporting to be from yourself?

Answer. Yes, sir; that is correct.

"[For the Times.]

"The clerk of the board of county commissioners takes this method of saying to the many tax-payers of Union County, who solicited and urged him to take the position, that in obedience to Special Order No. 3, K. K. K., (to which his attention has been called,) he 'renounces and relinquishes his position.'

"He is not the clerk of the school commissioner. What he has done in that office was intended to benefit all the parents, teachers, and children in Union County, for all children between six and sixteen years of age are entitled to their proportion of the school fund, and also the school-books, at New York cost price. To give the proper direction to this fund was his object; but his motives having been misunderstood, he cheerfully withdraws from this business."

That was my card.

Question. Published by your authority?

Answer. Yes, sir; and written by myself.

Question. I see you say, "In obedience to Special Order No. 3, K. K. K., (to which his attention has been called,) he 'renounces and relinquishes his position?'"

Answer. Yes, sir.

Question. The words, "renounces and relinquishes his position," being in quotation marks, are they quoted from the Ku-Klux order?

Answer. Yes, sir.

Question. They say, "For this reason, if the clerk of the said board of county commissioners and school commissioner does not renounce and relinquish his present position," &c.?

Answer. Yes, sir. I say, in my card, I relinquish the office of clerk of the county commissioners, and that I am not clerk of the school commissioner, and that if my motives have been misunderstood, I cheerfully renounce the position.

Question. What motive can you attribute to this Ku-Klux Klan in desiring to drive you out of the position?

Answer. I have been as much bothered as you could have been by it. I can't imagine what they could have against me, because they must have known, from what has been done in the last two years, that I could be trusted in the position in which I was placed.

Question. Have you ever heard it suggested that you were required to relinquish the position because with your assistance the board might be able to go on, but without your assistance, or that of some other such competent man, the board could not get on at all?

Answer. Yes, sir, I have heard it suggested as the probable reason.

Question. What do you think yourself?

Answer. I think it was done probably to appease in some way my feelings. They all saw I was very much hurt. My friends offered me excuses why it might or might not be the case.

Question. You mean your democratic friends?

Answer. Yes, sir.

Question. Can you give any other rational explanation for driving you out?

Answer. No, sir.

Question. If they had been a perfectly competent board, and you had wished to serve in the capacity of clerk, have you the least idea that there would have been any objection to it?

Answer. I can't see why there should be.

Question. The editor says: "We, however, unequivocally oppose the system, now so common, of capable and respectable white men taking subordinate positions under ignorant negro officials."

Answer. Yes, sir; he has the same idea that has been suggested to me; but the mere fact of being driven from a position which I considered I was filling for the benefit of the people of Union, I felt was rather harsh. I was doing what I could for them, but cheerfully withdrew because I considered I was only a tax-payer for a given amount, and if they could stand it I could.

Question. Have they now any board?

Answer. No board since the 11th of March. I wrote the resignations of the board, I think, on the 11th of March, two days after this order was published.

Question. Have you seen any other of the orders issued by the Ku-Klux?

Answer. I don't think there have been any other orders issued in this county that

have come within my knowledge. I don't remember to have ever seen but the two orders—the order which was upon the court-house door and the order left in the pocket of the jailer, who was taken prisoner here in the jail and carried off to Mr. Dunn's with the sheriff, and turned loose with this order in his pocket.

Question. When did you find this order, which had been put up during the night on the sheriff's board?

Answer. On Thursday morning.

Question. Had there been, so far as you know, or from any information you have, a band of Ku-Klux in this town the night before?

Answer. No, sir.

Question. Have you ever heard that any band had visited the town the night before?

Answer. I heard that there was some Ku-Klux in town the night my barn and stable were burned.

Question. But I am speaking of the time this notice was put up?

Answer. No, sir; I didn't hear of any band in town on that night.

By Mr. VAN TRUMP:

Question. It would not take a band to put up a notice?

Answer. No, sir.

By Mr. STEVENSON:

Question. I mean any person in disguise?

Answer. I had not heard of any Ku-Klux being in town until Monday night, the 9th of January.

Question. Then they have been in town three times?

Answer. I suppose so.

Question. How many were here then?

Answer. I have no knowledge. From hearsay some Ku-Klux were seen in town that night that my stable was burned.

Question. Did you ascertain how many?

Answer. No, sir; but I understood it was a party of Ku-Klux had rode down here about the jail somewhere and turned around and rode back, but I was not present and did not see them.

Question. Where was your stable?

Answer. My stable is just in the rear, toward the southeast from the hotel where you are stopping.

Question. In town?

Answer. Yes, sir; on the adjoining square; a street divides the hotel stables from mine. It was a wonder the hotel stable was not burned while they were burning mine, for there was only forty-five feet between the two stables.

Question. Do you know how your stable took fire?

Answer. Well, sir, it was in a blaze when I saw it. I can guess very well how it took fire.

Question. You have no knowledge how it took fire?

Answer. No, sir.

By Mr. VAN TRUMP:

Question. What is your impression as to whether it was fired by white or black men?

Answer. I have no impression on that subject. If I had an enemy in the county who would do me such an injury, I had no knowledge of it, and have not to this day. I have thought about it from the time it was burned until the present hour, and if I know a man, woman, or child in Union County that would set fire to my stable I can't fix upon them.

Question. Might it not be that somebody wanted to burn the town, and thought your stable a good place to begin?

Answer. It was the best place in the world to begin.

Question. Is it your impression that whoever fired that stable had an idea of burning the town?

Answer. That is my impression.

UNIONVILLE, SOUTH CAROLINA, July 18, 1871.

W. T. M. WILLIAMS sworn and examined.

By the CHAIRMAN:

Question. Do you live in this place?

Answer. I live six miles from town.

Question. What is your occupation?

Answer. I hold an office here now—county auditor.

Question. Have you any other business?

Answer. I am running a small farm, six miles from this place.

Question. How long have you resided in this county?

Answer. All my life, sir.

Question. Will you proceed and tell us what your knowledge is of the extent to which the operations known as Ku-Klux operations have been carried in this county?

Answer. Well, sir, there has been such a thing carried on here, I suppose, but I do not know to what extent exactly.

Question. Have you any personal knowledge of any of them?

Answer. No, sir; not any.

Question. When were you appointed or elected to your present place?

Answer. I was appointed at the last session of the legislature of South Carolina?

Question. Have you been interfered with, in any manner, in the discharge of your duties?

Answer. I have not been interfered with since I received my appointment.

Question. Had you at any time before?

Answer. The Ku-Klux came to my house last Christmas night.

Question. Go on and tell what occurred?

Answer. They came to my house and called for me, and for some Winchester rifles I had. I was not at home; the rifles were not there. They went through my house searching for me and my guns, and through my barn and stables, searching for myself and the guns. I was not at home; I didn't stay about home.

Question. Where were you?

Answer. I was lying out in the woods.

Question. For what reason?

Answer. To keep the Ku-Klux from getting hold of me.

Question. What cause had you to apprehend that they wanted to get hold of you?

Answer. They were after republicans pretty generally, and I thought my chance was pretty good for something of the sort, and for this reason I didn't stay at home.

Question. Was that the only occasion in which they came to your place?

Answer. Yes, sir; the only occasion I ever knew of.

Question. How many of them were there, according to your information?

Answer. I don't know about that myself. My wife said she supposed there were twenty-five or thirty.

Question. When was that?

Answer. Last Christmas night.

Question. Was that the only visit they ever paid to you?

Answer. Yes, sir.

Question. Is that all the interference you have experienced from them?

Answer. Well, that is all the interference that way. I have been cursed and abused a great deal in different times, but that is just publicly, not by what is termed Ku-Klux—by men for my political course.

Question. What is the feeling entertained in that part of the county in which you live, six miles from this place, as to the security of men who hold political positions here and are republicans?

Answer. Well, sir, at present the thing seems to be pretty quiet, but heretofore men that pursued the course of republicans in this county were dealt with very roughly. As to the opinion of the people, I could not say particularly now, as these things are quieted down considerably.

Question. During the time before they had quieted down, was there any security felt by persons who held political positions there?

Answer. I don't think there was much security felt by any person that belonged to the republican party.

Question. Have you any knowledge of any other occurrences of the kind in your neighborhood?

Answer. I have no personal knowledge of them, sir. I have heard of a great many outrages, however, of men being whipped in that county.

Question. To what extent—how many were whipped, of which you were informed, in such a way as to satisfy you that they were actual occurrences?

Answer. I could not state with any accuracy as to that.

Question. Had they been few or numerous?

Answer. There have been a great many.

By Mr. VAN TRUMP:

Question. Do you mean in that neighborhood or the county?

Answer. In the county. Did you ask for my immediate neighborhood?

By the CHAIRMAN:

Question. I ask as to your immediate neighborhood, and intend to follow with questions as to the whole county.

Answer. I thought you spoke of the county.

Question. Go on and give us your information of a reliable character.

Answer. In my immediate neighborhood there has not been a man whipped that I can think of at this time; not right in my immediate neighborhood. Jonesville is three miles off; that might be considered in my neighborhood, and there has been a man whipped there.

Question. Who?

Answer. He is a colored man; I believe his name is Clarke, if I am not mistaken; he is a blacksmith, at Jonesville.

Question. Who else in that neighborhood?

Answer. I don't remember of any other one in my immediate neighborhood now.

Question. What is your information as to the county?

Answer. Well, the work has been tolerably extensive in the county, from the information I have got.

Question. How extensive?

Answer. I can't say as to the number; I have no correct knowledge in the world about it. You can hear once in a while of a man being killed and of a man being whipped promiscuously all over the county.

Question. Do you make no inquiry in such cases?

Answer. Not particularly.

Question. Why?

Answer. For a while it was a pretty common thing, and I didn't pay much attention to it.

Question. How numerous have been the cases, according to your information?

Answer. Well, sir, as I said to you before, I could not come at that at all.

Question. Have you sufficiently definite information to give any number, either of persons killed or whipped?

Answer. I have not.

By Mr. VAN TRUMP:

Question. You say, Mr. Williams, that you do not think there is any apprehension now in your neighborhood, because recently things have quieted down, and seem to be more satisfactory.

Answer. Yes, sir.

Question. But at a time before this quieting commenced, there were at least two persons whipped in your neighborhood?

Answer. Yes, sir; right in my immediate neighborhood.

Question. Including Jonesville, three miles off?

Answer. Yes, sir.

Question. Is that in your immediate neighborhood?

Answer. Yes, sir, I consider it so.

Question. You say you think a man named Clark was whipped, but you are not certain of the name?

Answer. I am not certain of the name.

Question. Is it not very difficult to remember colored men by name?

Answer. Yes, sir.

Question. In that way many cases would be confounded with each other?

Answer. Yes, sir.

Question. You don't know his name was Clarke?

Answer. No, sir; but that is my impression.

Question. What is the name of the man at Jonesville?

Question. That is the man—Clarke. I could mention other men in the county, but I am speaking of my neighborhood.

Question. I first understood you that there was one you recollected in your immediate neighborhood, and you then went on to speak of Jonesville?

Question. That is the man I mean; he is the nearest to me that has been whipped that I can recollect now.

Question. Was that at a time before this state of quiet commenced?

Answer. It was only two or three weeks or a month ago.

Question. That is right in this calm?

Answer. It was about that long ago.

Question. The calm had commenced?

Answer. Before that time, I say, there had been a little quiet before this man was whipped at Jonesville.

Question. Had anybody been whipped in that immediate neighborhood before Clarke?

Answer. No, sir; not in that immediate neighborhood.

Question. What has so frightened the people that, as you say, there is no feeling of security among the republicans in that immediate neighborhood of yours?

Answer. From the way in which republicans were treated over the county.

Question. Not from the way in which they were treated in that immediate neighborhood?

Answer. No, sir; this man Goings, who was before your committee to-day, lives five miles from me; that is not in my neighborhood; I consider it another neighborhood.

Question. Has any man been disturbed, outside of Ku-Klux, for expressing republican sentiments in your neighborhood or elsewhere?

Answer. Not that I know of.

Question. Then all the visitation, and all the disturbance or objection against republicans for their sentiments, have been confined to the Ku-Klux?

Answer. Yes, sir; I have known of no other disturbance, only that kind.

Question. Was the last election in your town a quiet one?

Answer. Yes, sir.

Question. Republicans and democrats both walked up and voted without difficulty?

Answer. There was no polling place in my township at the last election.

Question. Where did you vote?

Answer. At this place.

Question. That is, the polling place was changed?

Answer. Yes, sir.

Question. That is a frequent thing of late years?

Answer. Yes, sir.

Question. Especially where republicans have the majority in a county?

Answer. That polling place has been removed to this place the last two elections.

Question. Do you know the reasons why?

Answer. Well, I believe the object was to have as few polling places as possible.

Question. For what purpose?

Answer. I could not tell you, sir.

Question. That arrangement, or change of arrangement, for voting was made by the commissioners of elections who were republicans in this county, was it not?

Answer. Yes, sir.

Question. You say a different system had prevailed and the change was to make as few polling places as possible?

Answer. Yes, sir.

Question. Is it not considered an advantage to make the precincts as many, and to cover as small a space as possible, in order to have them more convenient?

Answer. Yes, sir.

Question. But here in the county of Union the object seems to be to make them as few as possible?

Answer. Yes, sir; that was the object in the last election, I believe.

UNIONVILLE, SOUTH CAROLINA, July 13, 1871.

ISAAC C. HAWKINS sworn and examined.

By the CHAIRMAN:

Question. Do you live in this place?

Answer. In the village?

Question. Yes.

Answer. No, sir.

Question. Where do you live?

Answer. Three miles from here.

Question. How long have you lived there?

Answer. All my life.

Question. What is your age?

Answer. Twenty-eight years.

Question. What is your occupation?

Answer. Well, sir, I have been riding for the sheriff ever since the war. I was crippled in the war and have been riding for the sheriff and acting as constable.

Question. Are you deputy?

Answer. No, sir, not regularly. I have been riding off and on.

Question. An occasional deputy?

Answer. Yes, sir.

Question. Were you here upon the night that the last raid was made upon the jail?

Answer. I was not.

Question. Were you at Steen's tavern that night?

Answer. No, sir, I was not.

Question. Were you there on the first night?

Answer. Where?

Question. At Steen's tavern.

Answer. I was not; I was in the place, though.

Question. At what time in the night were you here?

Answer. All night.

Question. Did you know anything of that occurrence, that raid?

Answer. Not until the next morning, about an hour before day.

Question. Did you meet Hughes, the keeper of the jail, upon either of those nights?

Answer. I did. First in the morning after the 3d; I met him on the morning of the 4th.

Question. You knew nothing of that occurrence until next morning?

Answer. I did not.

Question. Where did you meet Hughes?

Answer. At Steen's Hotel.

Question. At what time?

Answer. About an hour before day, I suppose. That was in January.

Question. Was that when you first learned of it?

Answer. Yes, sir.

Question. An hour before day. Were you not there between 11 and 12 o'clock?

Answer. I was not.

Question. What business brought you out before day that morning?

Answer. Because I had been sitting in the jail alone two nights before that, and had broken down, and had gone to a friend's house to get him to go to the jail to assist, and when I got there there was no one there.

Question. You were an assistant at the jail at that time?

Answer. Not specially; I volunteered my services.

Question. You had been?

Answer. I had been.

Question. You were in the jail the night before the raid occurred as an assistant?

Answer. Yes, sir.

Question. You were out on the night the raid did occur?

Answer. I was.

Question. Had you any knowledge that there was going to be a raid that night?

Answer. I did not.

Question. Are you a member of the Ku-Klux?

Answer. How? I am not.

Question. What is the name by which that organization is known in this country?

Answer. You know as much about it as I do.

Question. I am asking you the question.

Answer. What is it known by?

Question. Yes.

Answer. The Ku-Klux.

Question. Has it any other name?

Answer. Not as I know of.

Question. Have you never heard any other name for it?

Answer. Never.

Question. Have you ever taken an oath in any secret organization since the war?

Answer. [A pause.] I don't know to what you allude.

Question. You can answer that question. Have you taken an oath in any secret organization since the war?

Answer. I have.

Question. In what association?

Answer. In a Masonic.

Question. In any other?

Answer. No, sir.

Question. Is there an organization known as the Invisible Circle in this State?

Answer. Not that I know of.

Question. Have you any knowledge of it whatever?

Answer. No, sir.

Question. Have you ever been asked to become a member of any other secret organization since the war except the Masonic?

Answer. No, sir.

Question. Is there any organization, in this place, of the Ku-Klux?

Answer. Not that I know of.

Question. Or of any society known by any other name whose object is the same?

Answer. I know of none.

Question. For what reason did you go off, being at the jail on that night?

Answer. Because I was worn out with watching.

Question. What watching had there been at the jail?

Answer. Because I had helped to arrest some people, and had been there Monday and

Tuesday night, and people seemed to be sort o' backward in coming, and I said I couldn't stay there any longer, and I went to Mr. White's that night.

Question. Had you been active in arresting men?

Answer. I had arrested some Monday. Tuesday night I said I wouldn't stay there longer.

Question. Where did you sleep before?

Answer. In a room in the jail.

Question. Why did not you sleep there that night?

Answer. Because I didn't care to sleep there.

Question. For what reason?

Answer. Several reasons.

Question. What were they?

Answer. I don't know that I am obliged to tell it.

Question. We will ask you to tell.

Answer. Well, sir, I will tell you my main reason. That will satisfy you, I hope.

Question. We want them all.

Answer. My main reason was because I supposed the negroes were coming to take out the prisoners, and would kill me if they found me there.

Question. Any other?

Answer. None particularly.

Question. Your apprehension was that the negroes would come that night to take out the prisoners?

Answer. Not that night particularly, but any night.

Question. What reason had you for believing that?

Answer. Because Monday night a house was set a-fire, and the report was brought to us, when I was at the jail, that they were coming to take out the prisoners.

Question. Had not the negroes given up their arms before that night?

Answer. They had not.

Question. Do you state they had not given up their arms, or that their arms had not been taken from them?

Answer. They hadn't on Monday night.

Question. This was on Thursday night?

Answer. No, sir, Wednesday night.

Question. Before Wednesday night had not the negroes given up their arms?

Answer. Only as they had been taken from them.

Question. Had none given them up?

Answer. Not that I know of.

Question. Have you understood that the obligation of this order requires its members to deny their connection with it?

Answer. I know nothing of it.

Question. Have you never heard that?

Answer. No, sir.

Question. You do not know anything about it?

Answer. No, sir, I know nothing about the order.

Question. Have you no idea who are members of that organization in this place?

Answer. I have none.

Question. Not the most remote?

Answer. No, sir.

Question. Have you never, in any manner, known of meetings of persons connected with a secret organization in this place, whose object is similar to that of the Ku-Klux?

Answer. No, sir, I have not.

Question. Of any meetings?

Answer. No, sir.

Question. When this occurred did you, when you met Hughes in the morning, tell him, or did he tell you about the Ku-Klux?

Answer. There was a parcel of men there. I didn't see him in particular, but a dozen, I suppose, were there.

Question. Who told you first?

Answer. I believe he was the first one told me.

Question. What was your answer to that?

Answer. I don't remember now.

Question. Do you not remember what you told Hughes?

Answer. I don't.

Question. Did you not say you were glad of it?

Answer. I don't know as I did; I don't know as I didn't.

Question. How was it; were you glad of it?

Answer. That is sort of a self-concern, I think.

Question. We want you to answer.

Answer. Well, I didn't care.

Question. You did not care?

Answer. I did not.

Question. You were the jailer?

Answer. I was not.

Question. You were the assistant?

Answer. No, sir, I was not.

Question. That had been your business down there, to assist in keeping the prisoners, according to your own testimony?

Answer. Yes, sir; that had been my business.

Question. You say that when you learned that the Ku-Klux had taken them out of the jail, you were rather glad of it?

Answer. I did not say so yet; I said I didn't care.

Question. Were you not glad of it?

Answer. I said I didn't care.

Question. Answer the question. Were you not glad of it?

Answer. If they were the guilty party, I was glad of it.

Question. We do not care now whether they were or were not—

Answer. I say so too.

Question. What do you say?

Answer. I say if they were the guilty party, I was glad of it; if not, I was not.

Question. Did not you say to Hughes you were glad?

Answer. I don't know; I was not sorry.

Question. Did not you believe they were guilty?

Answer. Yes, sir.

Question. As an assistant in the jail, you were willing to see them taken out and shot, and you were glad of it?

Answer. Did they give Stevens a trial?

Question. I am not on the stand. Answer my question.

Answer. You are not trying me now.

Question. But you are a witness here.

Answer. Put your questions in a proper shape, and I will answer them.

Question. As an assistant of the sheriff, whose duty it was to keep these prisoners safely, you say you believed they were guilty, and you were glad they were taken out and shot?

Answer. I said I didn't care.

Question. What do you say to my question; were you glad they were taken out and shot?

Answer. I say if they were guilty I was glad of it. That is all you'll get.

Question. Without trial?

Answer. Yes, sir; if they were guilty, without trial. They never gave him any.

Question. Where were you the night of the second raid?

Answer. At home.

Question. Three miles out?

Answer. Yes, sir.

Question. Did you know anything of it?

Answer. Not until next morning.

Question. Had you no intimation that they were coming?

Answer. None at all.

Question. Had you ceased to be an assistant to the sheriff?

Answer. I am not a regular assistant of the sheriff.

Question. Had you ceased to be?

Answer. No more than now; I go when I am called on by him.

Question. How often are you called on now?

Answer. Probably once a week, and then probably not once in two months.

Question. Had not the prisoners been in your charge at any time from the Monday night when Stevens was murdered until the time of the raid?

Answer. I never had the keys.

Question. Were you inside?

Answer. I was inside.

Question. Were the keys inside?

Answer. I don't know. I suppose the sheriff had them.

Question. Did not you know where they were?

Answer. I don't know. I suppose he had them.

Question. What were you doing inside?

Answer. To guard the prisoners.

Question. You were the guard of those prisoners?

Answer. It was rather a volunteer service of mine, because he deputized me to arrest a man down below here and I got back just at night. Tuesday I was busy arresting people, and Tuesday night I staid at the jail, and at 9 o'clock I went to get help, and

I told Mr. Steen I must have help or I would leave; that he must go around and get fifteen or twenty men, and that was the last thing; I told him I would stay.

Question. What other business have you?

Answer. A small farm.

Question. Any other business?

Answer. No, sir,

Question. Had you a horse in town that night?

Answer. No, sir.

Question. Where was he?

Answer. I didn't have no horse. He furnishes me a horse when he wants me to ride.

Question. Have you a mule?

Answer. No, sir.

Question. How do you do your farming?

Answer. I have it done. I don't have any mule or horse either. A man does my plowing, and I hire my hoeing done. I am not able to do either.

Question. How much land have you?

Answer. What do you mean?

Question. In your farm?

Answer. In cultivation?

Question. Yes, sir.

Answer. About fifteen acres.

Question. You have rather sympathized with these movements of the Ku-Klux in taking prisoners out of the jail—rather thought it a good thing?

Answer. Well, I don't know.

Question. Have you not said so about both occasions when they took the men out?

Answer. I don't know whether it was not a good thing. I don't know anything about it myself.

Question. Do you know any of the signs of the Ku-Klux organization?

Answer. No, sir; I know nothing of it.

Question. None of the grips?

Answer. No, sir.

Question. None of the hailing-signs?

Answer. No, sir.

Question. None of their pass-words?

Answer. No, sir.

Question. Have you never been in a meeting here?

Answer. No, sir; I don't know as they have ever had a meeting.

Question. Were you one of the party that went to Chester?

Answer. No, sir; I was not able to go there.

Question. Is that the only reason you did not go?

Answer. I expect it is.

Question. Were you at Laurens on the day after the election?

Answer. No, sir; I didn't have nothing to do with the election. I try to tend to my own business.

By Mr. STEVENSON:

Question. How many assistants has the sheriff?

Answer. I don't know, sir.

Question. How many men does he employ to help him serve process?

Answer. He employs according to his business. He may have a heap of business and employ three or four. When he is very busy he employs three or four.

Question. Who does he usually employ when he has employment for only one man out riding?

Answer. He has generally employed me. I speak of Rice Rogers. I have rode for the present sheriff, Mr. Dunn. I did some business for him. He has a regular deputy, and yet I do some business for him. That has been my business, off and on, ever since the war. I have not been able to work or do anything else.

Question. Were you in the rebel army?

Answer. Yes, sir.

Question. Are you a radical?

Answer. I am not.

Question. What are you?

Answer. Well, I am nothing as far as that is concerned. I have never voted in my life, and never expect to.

Question. Are you not a citizen of the United States?

Answer. Yes, sir, I am. I have the right, but I am not obliged to use it unless I want to.

Question. You are a native of South Carolina?

Answer. I was born in the State, but I have been out of it several times.

Question. Why did not you vote?

Answer. That is my business.

Question. I would like to know your reasons for it? Of course you are not obliged to vote. [No answer.] Have you any reason to give?

Answer. It is best known to myself. If I have it, it is all right.

Question. Is it because you do not want to acknowledge allegiance to the United States?

Answer. Well, "least said is best mended," as the old fellow said. That is a right; I can enjoy that right, if it is a poor one.

Question. You said you had several reasons for leaving the jail on the night of the first raid, or for not going there, and you have given one of them?

Answer. Did I say several?

Question. I so understood you. You have given one, which you said was your chief reason.

Answer. I didn't think I had several reasons for leaving on that night, but the evidence was taken down and it will show.

Question. Had you only one?

Answer. If I said so it was a mistake. I said I had several reasons for some other things, but you will not see it down for that.

Question. What other things do you mean?

Answer. If I said I had more than one reason, I don't remember. If I did, I didn't have but one. I didn't know anything about the Ku-Klux coming; and if I had, I don't suppose it would have mattered. My staying there would not have done any good.

Question. Would you have staid there if you had known they were coming?

Answer. I might.

Question. Were you not there to guard the jail against negroes when you were there?

Answer. I was not ordered there to do anything.

Question. What did you go there for?

Answer. I went of my own accord.

Question. For what?

Answer. To guard the negroes from there.

Question. From what?

Answer. From taking them out.

Question. From rescuing them by others?

Answer. Yes, sir.

Question. You were afraid negroes were coming to get them?

Answer. Yes, sir.

Question. You did not care for Ku-Klux coming to get them?

Answer. That is not the question.

Question. That is the question I ask.

Answer. If they had come I guess they would have got them.

Question. You would not have hurt them?

Answer. I guess not.

Question. If the negroes had come they would not have got them?

Answer. They never come.

Question. What if they had come?

Answer. I meant they should not take them out.

Question. Had not somebody told you you had better stay away from that jail that night?

Answer. No, sir.

Question. Had somebody told you the Ku-Klux were coming that night?

Answer. No, sir.

Question. Had no one given you any advice?

Answer. No, sir.

Question. How did it happen that everybody staid away from the jail that night?

Answer. I don't know. It was a very hard matter to get anybody to stay there Tuesday night. I said I would not stay another night. I would not risk my life, I said. If the negroes came they would take me. I didn't know whether the Ku-Klux would or not. I was as conscientious as you are in anything you ever did.

Question. You did not know what the Ku-Klux might do if they came?

Answer. No, sir, I did not; but what I did I did as conscientiously as anything I ever did in my life. My intention was to protect the jail, and if I was overpowered by anybody I would give up—I didn't care whether it was the Ku-Klux or niggers or what not.

Question. How many negroes do you think it would take to overcome you?

Answer. About as many as it would take to overcome you.

Question. How many is that?

Answer. You can judge for yourself.

Question. I want your view.

Answer. It is owing to how I felt and the circumstances and all.

UNIONVILLE, SOUTH CAROLINA, July 18, 1871.

A. W. THOMSON sworn and examined.

By the CHAIRMAN:

Question. Dr. Thomson, how long have you resided in this place?*Answer.* I was raised here.*Question.* What is your age?*Answer.* Forty-three.*Question.* You are a practicing physician here?*Answer.* Yes, sir.*Question.* I understand that you witnessed a portion of the raid that was made on the jail here, at a time when some persons were taken out and killed. If you will give us as briefly as you can your account of what you saw and did, please state it.*Answer.* I came home, probably, between 12 and 1 o'clock. Hearing the noise of horses' feet, for the ground was frozen, I came up street, where I kept my horse, some distance from where I live. As I came up street I was met by some young men—probably a dozen—telling me not to go further up street. I asked them why. One of them remarked that he had started up street and found it would not be healthy, or something of the sort—a common expression. I told him I lived up in this direction, and was going home. I met one or two others, who told me something to the same amount. I, however, came on, and when I got here in front of the court-house, I saw a line of horsemen, some considerable number, in the street. The sheriff was parleying with one of them, walking backward. The sheriff, as I walked down between this building, the court-house, and the jail, was walking backward from the jail, with one of the disguised men walking by him, ordering him to halt, telling him to stop and stand. They passed me as I walked down toward the jail. As they were talking, the sheriff begged him to let him come up as far as those rock steps in front of the court-house. The disguised man seemed to agree finally that he should come up to the steps, and escorted him up, and just in passing, the sheriff hallooed to me, "Dr. Thomson, don't go down there, don't go down there," as though excited and alarmed. By that time I was halted by one from below, who did not approach me, but just brought his gun to bear, and told me to stand. The one who brought the sheriff up to these rock steps set him down and placed a guard over him, and as he passed by me he seemed, for the first time, to notice me. I accosted him and spoke to him. I don't remember the words I used, but I tried to dissuade him from offering any violence to the jail, if that was the object. I said to him, "If that is your object here; I don't know what your object is." I tried to dissuade them from committing any violence. I think I had some influence on the man too, because he heard me, although he kept his pistol presented. I thought he heard me rather civilly, at any rate he didn't speak to me rudely at all. After I came to the conclusion that I would fail in my object, for I soon learned that they meant to break in the jail, although the one I was speaking to said very few words to me, I then said to him, "Now, we think here that there is one negro, at least, in the jail who ought not to be hurt; we don't think the laws would hurt him." He asked me his name. This disguised man just said, "His name?" I gave him the negro's name. He didn't seem to be familiar with it. I could tell from his manner he seemed to be studying. I described the negro, and told him he was a blacksmith here. They went on to the jail and took the negroes out, and I heard him ask for this man I had mentioned. Jim Hardy was the name of the negro I mentioned. I gave him my reason for asking him not to injure that negro; that the evidence before the coroner was that he had established the fact of his efforts to prevent them from killing this man Stevens, whom they had killed. Just as I was talking to this man, some one hallooed from below, from the lower end of the line, "Number"—something which I don't remember now, and I don't know that I caught it at that time—"Number"—something—"Do your duty;" and another ran up. I think it probable they thought that man was talking rather long with an outsider; but, of course, I didn't know their object. At any rate, upon their calling out number something, "Do your duty," a second man ran up and presented his gun to me and spoke to me in the same way. They talked in an undertone. The first one had walked off from me a little way when the call was made, "Do your duty," telling me to stand firm. He was met by the second one, and the second said to me, "It shall be attended to;" I presume alluding to my asking him to not injure Jim Hardy. I left the position then. My room was just here, and I walked through my room and took a seat on the back piazza. That is as far as I saw. The negroes were taken out, though.*Question.* You say a number of young men met you and told you not to go down. Who were those young men?*Answer.* I don't know that I could call all of them. There seemed to have been a good deal of excitement. The ground was frozen, and it seemed to have called out a number. I think there were more than a dozen, probably.*Question.* In what part of the town did they meet you?*Answer.* I don't know that you know the geography of the town. It was one hun-

dred yards from the court-house, opposite the next square. That was where I met the men. There is a large brick building—J. T. Hill & Co.—on the left; that is where I met these men.

Question. Who were they?

Answer. Young Greer was one.

Question. Where does Greer live now?

Answer. He is in town; a clerk in that store there—Jason Greer.

Question. Who else?

Answer. I think I met a young man whose name was Hill; and young Johnson was another; I think it was Dick Johnson. There was a number of them; I don't know who they were really; I didn't charge my memory, of course.

Question. All young men of this town?

Answer. Yes, sir; I don't know that all are here; Johnson is here, and Greer; they are here all the time.

Question. Are they young unmarried men?

Answer. Yes, sir; those I mention are.

Question. You say you went a short distance and others met you?

Answer. Yes, sir; I cannot call to mind who they were, but I could, probably, after thinking a little. One of the two came across the street from Rawl's establishment, half-way the square, and one told me he had been up in this direction and advised me not to go any further. I mentioned their names since that; and a young man told me a day or two ago that he met me there, but I don't remember. I did not expect it would be of importance.

Question. At the time these young men met you had the jail been entered by the Ku-Klux?

Answer. No, sir.

Question. How long had they been in here?

Answer. You must understand I went to a stable which is one square below, and left my horse. I just rapped at the window to wake the boy to take my horse. Just as I rapped I heard the noise of horses coming in from the north. I walked hurriedly up the street, but they had passed me; they came rapidly; they passed the corner of the street, coming in from the north, and I followed them up here.

Question. Then the men had just arrived?

Answer. Yes, sir; they had just passed the young men in the street.

Question. They had just ridden in here?

Answer. Yes, sir. The sheriff was one, they said. They said the sheriff was down here sitting in the hotel—

Question. These young men told you that?

Answer. Yes, sir; they said "The sheriff has gone down there."

Question. Did these young men tell you what the Ku-Klux had come in here for?

Answer. No, sir; they didn't know, I think.

Question. Did they say anything about it?

Answer. No, sir.

Question. Why did they say it was best for you to not go down?

Answer. One of them remarked that he had tried to come down here, and had been met and ordered to go back.

Question. Did any of them tell you the purpose for which these men were here?

Answer. No, sir.

Question. Where did they get the sheriff?

Answer. You do not understand me. They said to me, "The sheriff has gone on down."

Question. Where did the Ku-Klux get the sheriff?

Answer. I met the sheriff walking backward. They met the sheriff just as he went to the door. They demanded the keys of him. I probably did him injustice in not mentioning that he positively refused to give the keys to them.

Question. I supposed from your narration that the sheriff had not been in the jail?

Answer. He was not in the jail when they first were heard coming into the town. My understanding from them was that he had just run hurriedly down there—just gone, probably, in front of the crowd as they rode in. Indeed, I have heard that since, that he had gone in front of them.

Question. Did he usually stay in the jail?

Answer. His family lived in the jail; I don't know that his family were there at the time; I think not; I think he had his family out, and the family of a deputy was there at the time.

Question. Then when you came down here they had the sheriff?

Answer. The sheriff was walking backward from the jail, and they were parleying with him, and they asked for the keys, which he refused, telling them something like this: "You can overpower me, but you can't force me to stay here and see what you are doing; you may overpower me." I think that was his language.

Question. When you first accosted this man, do you recollect what you said to him?

Answer. Something like what I told you: "If you have any purpose—I don't know your object—but if your purpose is to break open the jail and take out these prisoners, there is one at least here that we"—

Question. I remember that, but did you say anything else besides that?

Answer. I do not remember anything else.

Question. What reply did he make?

Answer. He listened more than he talked; I don't remember that he said much to me; but after holding the consultation with the other, who came up, the reply to me was, it would be attended to. I took it for granted that was what they meant.

Question. Did he signify to you anything more, or what they intended to do?

Answer. No, sir; he did not.

Question. Did you know what they intended to do?

Answer. I suspected it.

Question. That they were going to take out these negroes?

Answer. Yes, sir; but not from anything he said.

Question. From what?

Answer. From the crowd being there, and in such numbers, and in disguise. I took it for granted that they meant mischief in disguise.

Question. Had anything been said in the town in anticipation of the raid?

Answer. No, sir; no one had said anything; but that was information enough—don't you think so—to see men arrayed in disguise in front of the jail and asking the sheriff for the keys?

Question. How many of these men were there—this troop of men that came in?

Answer. They have been variously estimated, but, I think, greatly overrated.

Question. What was your estimate?

Answer. I do not want to be understood as speaking positively. I can approximate it, probably. They were on horseback. I would not say there were more than forty or fifty.

Question. Were they armed?

Answer. I think so.

Question. How?

Answer. I don't think they were all armed alike. The one I accosted had a pistol, but no gun. The one who came running up after this, calling on number something, "Do your duty," was armed with a gun.

Question. Was there any uniformity in their disguises?

Answer. I think not.

Question. What was the character of the disguise?

Answer. It was something like a monk's gown, with a hood. The one I talked to was dressed in that way, and the other who came up was similar, but of different shape. The one I spoke to had a regular hood, with a mask inside of that.

Question. Would you recognize any of them?

Answer. No, sir.

Question. Did you recognize the man with whom you spoke?

Answer. No, sir; I do not think I would have recognized him if he had not been disguised. I think I would have recognized him from his voice if I had been acquainted with him.

Question. Your impression is that it was some one with whom you are not acquainted?

Answer. Yes, sir; I am satisfied I was not acquainted with the man I spoke to.

Question. Did you recognize any one?

Answer. I did not meet any one but those close to me. The others were all some distance from where I was. Indeed, they were picketed out. One or two had been posted over the sheriff. One of them, mounted, stood close by the sheriff, ordering him not to go back. I think their object was that he should not alarm the town and get up resistance.

Question. Did you recognize any horses belonging to any one you know?

Answer. I recognized nothing in the crowd. Probably I can cut short your question in this way: I saw nothing nor heard anything which would lead me to believe that I knew or suspected any man or horse or animal in that crowd.

Question. Was there any alarm through the town given to the citizens?

Answer. I heard none. I heard no bells ringing. They seemed to be utterly paralyzed. I remember an old gentleman—I have thought of another now that I remember meeting. It was Mr. Hill himself. He seemed to me, as he came to me, to be perfectly paralyzed.

Question. Was that the deputy sheriff?

Answer. No, sir; Mr. J. T. Hill, the partner of this firm. He came to me. He seemed very much excited, and, I think, shocked, too, but I didn't speak to him to talk. I saw he was excited. I really thought it barely possible that I might prevail with them not to enter the jail, if that was their object, and I thought that, probably, was their object.

Question. Would it have been impracticable to have raised a posse to follow that

crowd for the purpose of identifying any of them—I don't mean for arresting them at the time, but following to see where they went to and identify them?

Answer. I do not think it could have been done easily. In the first place, they would have outnumbered them. I doubt if there were that many horses in this little place. There were forty or fifty of them.

Question. I am not speaking of attacking them, but following them to see where they went; to track them—

Answer. I think it barely possible that such a thing could have been done, but wholly impracticable. I don't think you would have done it if you had been here. What I mean is, no man would coolly have put himself in such a predicament as those who would follow them. I think so.

Question. Does the operation of this Ku-Klux Klan strike a great deal of terror into the community here?

Answer. Well, sir, those of us who take a proper view of it are shocked at it, and regret very much to see anything of the sort occur. We look at the consequences which may follow, and think it unfortunate.

Question. But I speak of the fact of the security of the citizens. You say nobody would have put himself in the position of following these men. Did they apprehend danger if they did?

Answer. I take it these men, coming furnished and mounted as they were, and determined to do what they came for at all hazards—for it is a life and death business—I take it that if I had put myself in the breach and attempted to prevent them from opening the jail, I would have been a feather. They would have killed me, or, at least, fulfilled their purpose.

Question. The point I ask about is, whether there is a disposition on the part of the community to take such prudent measures as would lead to the detection and arrest of such men?

Answer. I think where anything is a myth, as this is—we don't know who the Ku-Klux are—at least those of us who are not initiated. I want you distinctly to understand me. I do not know a Ku-Klux, and have been steadily opposed to it since anything of the kind has been spoken of in North Carolina. I have made it a point never to speak encouragingly of anything of the sort. I have made it a point rather to discourage anything of the kind.

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 did 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. Does the security of the people who complain that they have been oppressed and outraged depend for the future upon immunity to the authors of these outrages in the past?

Answer. Ask that again.

Question. Does the security of those who complain that they have been outraged and persecuted by this organization depend upon immunity for past offence to those who committed them?

Answer. I understand the language, but not exactly the purport of the question.

Question. I will explain it more fully. This lawlessness has been perpetrated to a very great extent upon the colored race, and, as it is alleged, upon white republicans; I state that by way of preliminary.

Answer. Yes, sir; I understand you.

Question. Does the security of these classes for the future depend upon giving immunity to the authors of those alleged outrages committed upon them in the past?

Answer. I have heard nothing of that sort, neither in conversation in any way; nothing that would lead me to believe that was the feeling; I have heard nothing of the sort.

Question. There are those who take the same view of this subject that you do, willing that the authors of these lawless outrages in the past shall be brought to justice, bringing to justice, at the same time, all classes of persons who have violated the laws?

Answer. While I do not feel that I would take it upon myself—and I think I am probably as much opposed to mob law as is any one here, and on principle—while I tell you, I do not think that it is incumbent upon a citizen, who is not an officer, to ferret out and follow to the wall or to punish any criminal, no matter what the crime, we feel less so here than you do at home, for the simple reason that the civil officers have been paralyzed here partially, as we have been under garrison, and it has been rather expected that the garrison would take care of that—

Question. You again misapprehend my 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.

Question. Do you class all these cases of murder and whipping with the category of offenses for which men would be considered martyrs?

Answer. No, sir, I do not wish to be so understood. I have no idea in the world that if there be a Ku-Klux organization in this country—of which I am really not aware—I have no idea that they are responsible for one-fifth of what has been done around here.

Question. Do you doubt their organization here?

Answer. Here?

Question. In this county?

Answer. I must say this, that the last raid here satisfied me that there must be some near here, at least, who could be summoned here pretty soon. At first I did not think so. Those that first came I did not think were from about here. Whether they are an organization, I can't say; but I think there are persons in this county who join in disguised raids. I think there must have been at the second time this jail was broken into persons from this county in it.

By Mr. STEVENSON:

Question. Did you hear of the whipping of the probate judge?

Answer. Yes, sir.

Question. Do you put that among those necessary outrages to save the community?

Answer. No, sir; I think that was an outrage, and I think the community generally condemned that.

Question. Do you remember of the killing of a preacher, a week or two or three weeks ago, down on Tiger River?

Answer. Now you see we hear these things through such different channels—you and I—that the very difference in which a tale is told makes a different impression. I heard a negro had been missing from there, but nothing as to what became of him, I have not heard.

Question. You did not hear afterward that his body was found mutilated and thrown into the Tiger River?

Answer. I heard a body was found, but not recognized, and that it had not been recognized.

Question. Suppose it should turn out that this preacher had been killed there and mutilated, and his body thrown into the river by a disguised man, would you be disposed to class that among those outrages to save the community?

Answer. I would have to know something of the character of the individual. With the idea I would have of these things generally, I would say it was an outrage; but he could have behaved in such a way as to make me believe he deserved it. I can conceive that he could act in such a way.

Question. But I understand you to base your view of some of these operations, to which you have alluded, not only upon the ill deserts of the party visited, but upon the state of the community, which you think required some extraordinary action to punish them. Do you believe this community is now in such a condition as to require mob law in any case?

Answer. No, sir, I do not. I have stated that I did not think so; but I do think, honestly, and I believe I will be borne out by a majority of the citizens, that had not something of this sort been resorted to there would have been a general collision at one time.

Question. Do you think there is any such danger now?

Answer. I would be opposed to anything like mob law from selfish feeling.

Question. Do you think there is any such danger now, if there ever was?

Answer. No, sir, I do not; but I think the action heretofore has placed us on a footing which renders it unnecessary.

Question. You say there has been an improvement in the state of feeling since when?

Answer. I do not know that I can state any special time when a change has come over the spirit of the people, nor can a man fix dates. These things come on gradually; for instance, now I don't hear, as a general thing, men speaking indirectly approvingly of these acts of lawlessness, but they generally wind up and invariably say, "It is time to put a stop to it; there has been enough of it."

Question. Since when has that been?

Answer. Say within the last two months. I think, really, since this last raid.

Question. The 12th of February?

Answer. Well, since that time. I have heard myself a general expression of opinion since that that things had been carried far enough. I think that was the general expression of opinion.

Question. Did you see the notice which was left on the sheriff's advertisement board on the 9th of March?

Answer. I do not remember of seeing the document itself, but I heard of it. I am aware that there was such a notice stuck on the sheriff's advertising board.

Question. That was the 9th of March?

Answer. Probably about that time.

Question. Do you not think that any material improvement, such as you have mentioned, would have to be dated after that?

Answer. No, sir; not necessarily, because that may not have been authorized at all, for I know with what feelings I saw that when I learned it. I saw it in the paper, in print, in our little paper here. I know with what feelings I saw it. I felt indignant, and really went to call on Mr. Young, and told him that I felt responsible for it, for

I had advised him myself to take that position, really believing that it would be the best for the community if he would do it.

Question. Did you not know that Mr. Young identified the handwriting of that notice as being the same as that left with the jailer by the band who visited the jail the last time?

Answer. No, sir.

Question. That is the fact?

Answer. I did not know it.

Question. He did resign, did he not?

Answer. Yes, sir.

Question. In obedience to that order?

Answer. I think it was in obedience to that order. I judge so. I am almost sure that he did resign in obedience to that order.

Question. I understand you that there is not now, so far as you know, any public sentiment demanding the prosecution or punishment of men for these outrages and raids on the jail?

Answer. I rather think the citizens generally would prefer the officers regularly authorized to do it. It is the duty of the officers to bring them to punishment. I don't think any citizen would feel morally bound to help?

Question. Do you think the citizens generally wish to see these men punished?

Answer. I think not.

Question. You think they might tolerate it?

Answer. I have told you distinctly that I thought they would tolerate it; that the law would be enforced if taken up.

Question. That is, there would be no opposition to it?

Answer. No, sir; none.

COLUMBIA, SOUTH CAROLINA, July 20, 1871.

WILLIAM A. BOLT sworn and examined.

Question. Do you reside in this place?

Answer. I do. I used to live in Union Court-House. I was trial justice there.

Question. How long since you removed to this place from Unionville?

Answer. On the 17th or 19th of February.

Question. When were you appointed trial justice?

Answer. I think my commission dates in October last.

Question. Before or after the election?

Answer. Before the election. I was judge of the election when I was appointed trial justice.

Question. Were you in Union upon either of the nights when the jail was visited and men taken out there?

Answer. Yes, sir; the first time I was.

Question. Were you there the second time?

Answer. I was. I held the inquest over the body of Matt. Stevens, the 1st of January. It was the night of the 31st of December, and the 1st of January he was killed. I also held the inquest over the two men first taken out.

Question. Do you know a man named Schoppaul?

Answer. Yes, sir.

Question. What did you say to him the evening before these men came in?

Answer. That was the second time.

Question. The second time you told Schoppaul that they were coming in?

Answer. Yes, sir. I will tell you about that after a little.

Question. I ask you about this?

Answer. I have it from parties here in Columbia that these three wounded men in jail were informed that some citizens were informed that some citizens would come, and the writ of *habeas corpus* was made on account of the time, and the sheriff requested me to accompany him to take the prisoners here to Columbia here. Herman Schoppaul is a friend of mine, and said to him, then, I believe we will have the Ku-Klux here again.

Question. How did you get that information?

Answer. That was merely my opinion. I knew it would cause a great disturbance in the neighborhood to take the prisoners to Columbia.

Question. Had you any intimation from anybody that the Ku-Klux were there?

Answer. No, sir.

Question. What led you to believe it.

Answer. The first raid on the jail; and then sometimes, you know, the expressions people used around there.

Question. Had anybody used an expression that led you to that belief?

Answer. No, sir; not directly.

Question. Did you know who any of the members of the Ku-Klux there were?

Answer. No, sir; I just suspected some.

Question. Had you any knowledge that you believed reliable as to who they were?

Answer. No, sir; I had no knowledge of them. I could not say anybody.

Question. Was this a mere conclusion of your own mind?

Answer. Yes, sir.

Question. Was it positive, or founded on anything tangible?

Answer. I told General Anderson, when he came here with the report, that the sheriff would not bring the prisoners. I said to him the Ku-Klux will go there again and take the prisoners out, and they did, because the people were very much excited. The clerk of the court there, and the deputy sheriff, this man Rice, were there. The clerk of the court used the expression, he thought we had raids enough, and excitement enough, and Judge Thomas ought not to have issued that writ of *habeas corpus*.

Question. What business were you engaged in at Unionville, besides trial justice—anything else?

Answer. No, sir; before that I took the census.

Question. On the night of the first raid, who awakened you?

Answer. The jailer there, I forget his name; it was Tom Hughes.

Question. What time of night was it?

Answer. I think it was about 2 o'clock.

Question. Were the Ku-Klux in the town at that time?

Answer. No, sir; they had gone by that time.

Question. They had been in and left.

Answer. Yes, sir. This Tom Hughes lives in the neighborhood of where Matt. Stevens, his brother-in-law, was killed. Tom Hughes was Matt. Stevens's brother-in-law, and heard the shooting, and came running to my office, saying that colored people were coming to town to free these negro men in jail. He came to my office first, and I dressed and ran to the hotel, and found a good many people there, and they told me then what had happened, and in the morning I went out and held the inquest.

Question. Had this whole proceeding gone on before you were awakened?

Answer. Yes, sir; right before my door.

Question. They had taken the men out?

Answer. Yes, sir; right before my door, without awakening me. I slept in a back room, but I thought it was curious myself that a lot of men on horseback would not make more noise and awaken me.

Question. Who was the trial justice before you?

Answer. Thomas Giles.

Question. At whose instance were you appointed?

Answer. A friend of mine, Thomas Tuxbury.

Question. You say you held the inquest?

Answer. Yes, sir.

Question. Did it appear there how many men there were who came in and took these men out?

Answer. I can only say from hearsay.

Question. Did it appear on the inquest?

Answer. No, sir.

Question. Had you any witnesses before you to show how many men there were?

Answer. Yes, sir; what the people generally believed there; but nobody had a real idea how many there were.

Question. What were the names of the two men who were taken out that night?

Answer. Five were taken out, three wounded, and two killed. I had the names marked down, but never thought of saving them any more. I do not remember them. One of them was a trial justice. Aleck Walker was one of them.

Question. Was he killed or wounded?

Answer. He was killed.

Question. Who was the other?

Answer. Sylvanus Wright was wounded, and one who goes by the name of Joe Vanlue, he was wounded. I really forget the name of the second one who was killed, but I can tell it if you call it.

Question. Charner Gordon?

Answer. Yes, sir; he was killed that first night. Those two were killed. Sylvanus Wright and Joe Vanlue were wounded, and another one.

Question. Was it Barrett Edwards?

Answer. No, sir; he was taken out the second time.

Question. William Fincher?

Answer. No, sir.

Question. Was it Eaves Thomson?

Answer. No, sir.

Question. Andy Thomson?

Answer. Yes, sir; he was the one. He was wounded the first time, and killed the second time, and so was Sylvanus Wright and Joe Vanlue.

Question. That makes the whole five?

Answer. Yes, sir.

Question. Did you hold the inquest on the men killed the second night?

Answer. No, sir; I was here.

Question. I thought you said you came here on the 17th of February?

Answer. I think it was the 17th.

Question. Were you not in Unionville on the 12th?

Answer. I forget now.

Question. Were you there on the night of the second raid?

Answer. I came here on Friday, and I think that was the 9th, and was Monday.

Question. Do you not know whether you were in Unionville or not on the night of the second raid?

Answer. I was not; I came here Friday, and the men were taken out Monday night.

Question. You said you came here the 17th; do you not know the raid was on the 12th?

Answer. I do not know; I think the first was the 6th of January.

Question. Do you know the names of the eight who were taken out the second night?

Answer. Yes, sir; I have them on a piece of paper at home, I think; I know three who were wounded before.

Question. You have given those?

Answer. Barrett Edwards was one, and William Fincher was another.

Question. Was Eaves or Irwin Thomson one?

Answer. I do not know; I only got the names from the sheriff when he came here the next Monday and made the report.

Question. Was it Andy Thomson?

Answer. He was wounded in the first and killed in the second raid.

Question. Ellison Scott?

Answer. He was killed, I believe, in the second raid.

Question. Benjamin Simmons?

Answer. I do not know him.

Question. As trial justice, had you any knowledge of the number of men who were killed in that county in addition to those in the jail?

Answer. As I said before, I had a list here once.

Question. Where is it now?

Answer. I do not know until I look over my papers; I thought I would not use it any more, and laid it aside. General Anderson told me to try to make up a list.

Question. When?

Answer. Some time ago, when there was some talk about the Ku-Klux committee at Washington. He thought he would have sent it on.

Question. Did you make that list from your own knowledge in the county?

Answer. Yes, sir; and from information I had from colored people I had examined.

Question. Will you get that list?

Answer. I will try to. I do not know exactly if I have it.

Question. Have you any recollection of the number?

Answer. No, sir, not exactly. I gave General Anderson one list, but that is only a few names, and Captain Hubbard, too, I believe I gave him a few names.

Question. Is that all you know about the transaction?

Answer. That is all I know, except Mr. Wallace wanted me to tell about a certain woman there; two or three women made masks and gowns.

Question. Did you know about their making masks?

Answer. One of them told me so.

Question. Told you that she made them?

Answer. Yes, sir; for Napoleon Eisan, who told me they sent them out in the country.

Question. Who was he?

Answer. Napoleon Eisan was a merchant there.

Question. Was it Mr. Eisan that told you?

Answer. Eisan told that woman.

Question. Who told you?

Answer. That woman.

Question. Who was she?

Answer. She is living here in town.

Question. What is her name?

Answer. Chris. Page. The other two women she told me made these gowns; two were Mrs. Brock and her daughter, Fannie Brock or Brook; she is a white lady.

Question. Did the colored woman tell you she made the gowns?

Answer. She said these three women made the gowns together—she and them together.

Question. When did she tell you that ?

Answer. Some time in January.

By Mr. VAN TRUMP :

Question. What was her name ?

Answer. Brock or Brooks ; I do not know how she spells the name.

By the CHAIRMAN :

Question. She told you that in January ?

Answer. Yes, sir ; in the latter part of January, about the time the masquerades generally go on in the country—these fancy ball masquerades.

Question. Let us understand you. Did you understand her to say that the masks made were for a masquerade ball ?

Answer. No, sir. Napoleon Eisan ordered these masks to be made.

Question. For what ?

Answer. He said he was going to send them in the country. He never said whether there was a masquerade going on in the country or not.

Question. Is it your understanding that they were made or used for a masquerade party ? for we want to know whether to pursue this any further.

Answer. Yes, sir ; that is my belief. We talked about it, because the masks were made the same way as those described to be worn by this unknown party.

Question. The Ku-Klux ?

Answer. Yes, sir.

Question. How did you come to leave Unionville ?

Answer. The sheriff had the writ of *habeas corpus* on which he had to take these three men to Columbia. He came to my office and requested me to go with him to take the prisoners to Columbia. The next morning, instead of taking them quietly out of the jail, he went to the clerk and his deputy and another friend of his, and the people got very much excited ; and they got to hear of it, and he concluded not to obey the writ, and I went down to the depot with him and said, "What are you going to do ? you ought to inform the parties in Columbia, anyhow, that you are not going to take the prisoners there." He said, "You go to your office and write to General Anderson." I said, "It is too late now." He said, "What shall I do ?" I said, "Go to Columbia." He says, "I can't leave now ; can't you go ?" I said, "Yes ;" and then I came to Columbia, and General Anderson told me I had better stay.

Question. You did stay ?

Answer. Yes, sir ; I have staid.

Question. What was the reason for that advice—had you any fears about going back ?

Answer. Yes, sir.

Question. On what account ?

Answer. Because I was the man who went to the jail and asked the prisoners whether they knew any Ku-Klux, and made a report here to General Anderson and the governor, and told them that Sylvanus Wright said that if he would be taken to Columbia he would tell, but he was afraid to say anything in Union.

Question. Did he tell you ?

Answer. No, sir ; he would not say a word to me. I told him, "Sylvanus, if you do not know enough you had better not tell, because you will be sent back again." He says, "Well, I know some of them."

Question. Is that all ?

Answer. Yes, sir ; that is all.

By Mr. STEVENSON :

Question. What prisoners did you see in the jail after the first raid who had been taken out on the first raid ?

Answer. Those three I named—Sylvanus Wright, Andy Thomson, and Joe Vanlue.

Question. Did they tell you anything about what had been done to them, and who did it ?

Answer. No ; not who did it. They said how these disguised men behaved ; they jumped around them and asked them whether they liked liquor. They said, "You liked Stevens's liquor," and all such things. You know Stevens had liquor in his wagon. They took them out and danced around them ; they behaved like fools.

Question. Did they say who the men were ?

Answer. No, sir ; they never said.

Question. Did any of them, except Wright, say that they knew ?

Answer. Yes, sir ; Joe Vanlue and Andy Thomson—all three told me the same thing. I looked in one of the cells where they were lying. All three of them were wounded, but they were getting better. I locked myself up, so nobody would know what business I had with them.

Question. And they told you they knew some of the men ?

Answer. Yes, sir.

Question. But they would not name them ?

Answer. No, sir; not except they were taken away from Union. They did not say they wanted to be taken to Columbia, but they said if they were taken away from Union. You asked me before if I had a suspicion of some one. You have heard of that raid made on the Yellow House. A man who is out here in the hall was wounded in that house. I had some of those men summoned as witnesses before Judge Thomas, and they were all afraid, you know, that I had taken them up for making that raid, which I had no right to do, as nobody took out a warrant against them. They showed me that they knew right smart about the things that had been going on, but I cannot say.

Question. What do you mean by that?

Answer. I mean that some of these men that made that raid on the Yellow House were implicated.

Question. Implicated in that other raid on the jail?

Answer. Yes, sir.

Question. Who were they?

Answer. There is a good many of them—most of them citizens—young men.

Question. Name some of them.

Answer. Stout Nolan, or G. S. Nolan, William Thompson, Robert H. Greer. This Daniel Smith who was there at the Yellow House, Joe Vanlue shot through the door and killed him.

Question. What did they go to that Yellow House for?

Answer. To arrest Joe Vanlue—not Aleck Walker—he was not there. This Dan. Smith came to me and told me he knew another man who was out there that night and killed Stevens, and he said it was Joe Vanlue, and he wanted me to give him a warrant for Joe Vanlue and Aleck Walker. I knew there was bad feeling against Aleck Walker in town. I told him I could not well give him one that night, but would give him one in the morning. He was very much excited. I asked him whether he would go by himself to the house where Joe Vanlue lived. I did not know where he lived then. He says, "No; I will only take a few friends with me;" but he went from there, as I afterwards understood, to Aleck Walker's house, and did not find him in, making them believe he had a warrant for him, I guess.

Mr. VAN TRUMP. Do not tell us what you guess.

By Mr. STEVENSON:

Question. Was that what they said?

Answer. Yes, sir; all these young men from the town went with him to the Yellow House. What happened I do not know.

Question. Was that the same night?

Answer. Yes, sir; the night of the second and the third.

Question. Did they have a warrant?

Answer. Yes, sir; Dan. Smith had a warrant—he wanted one for Aleck Walker, but it was for Joe Vanlue. I heard the shooting, and ran up street and found that the armory of the militia was broken in and the guns taken out, and I stood guard there myself until I could get some reliable person to take charge of it. It was a very exciting time there then.

Question. You say, from what you heard said there in Unionville, after the order came from the judge for the transfer of these prisoners, you thought there would be a raid on the jail?

Answer. Yes, sir.

Question. What was it you heard which made you think so?

Answer. I did not hear anything particular. The writ of *habeas corpus* came there that night, and the sheriff came to me and told me, and I said the same thing to him, and he said that I should not say anything about it, but keep the thing quiet as possible, because it would raise excitement. The next morning, instead of doing the thing quiet, taking the prisoners to the depot and taking them off, he went to the clerk; A. D. Spears.

By Mr. VAN TRUMP:

Question. What morning was that?

Answer. That was the next morning; the same morning that we were going to take the prisoners to Columbia.

Question. I ask what morning that was?

Answer. It was three days before these men were taken out.

Question. What day did the *habeas corpus* come up?

Answer. The day before which was Thursday; I suppose that was Friday.

By Mr. STEVENSON:

Question. It was Friday they should have gone down; was that the morning?

Answer. Yes, sir, on Friday they had to come down with the prisoners when they

took the prisoners out of the jail. He went to the clerk of the court and asked him to give him a certificate; I do not know what he wanted with it.

By Mr. VAN TRUMP:

Question. How do you know this fact?

Answer. I was present. The clerk said, "I would not give five cents for Judge Thomas's life if that writ of *habeas corpus* is obeyed; it will raise such an excitement all over the county." Then the sheriff's deputy came in, Mr. Van Rice, and he said, "If the sheriff obeys that writ of *habeas corpus* I would not set my foot in the sheriff's office any more, and I do not believe that writ is made out in legal form, and I will go up to Judge Munro and see;" and he took that writ to Judge Munro. I met him down there, and I said, "Major, what did the judge say?" He says, "We are going to treat that writ with contempt; it is not legal." That made me believe that the excitement would rise; and so it did, too.

By Mr. STEVENSON:

Question. Have you any knowledge of the condition of the county up to that time?

Answer. No, sir; I only lived there two years. I have been most of the time in North Carolina.

Question. But I mean from the date of the election up to the time you left there that Friday morning?

Answer. No, sir.

Question. Do you know whether there had been any disguised bands going about killing and whipping?

Answer. No, sir; only from hearsay.

Question. I mean from information?

Answer. Yes, sir, I did.

Question. To what extent had that been done?

Answer. Jesse Mabry told me a few days—

Question. You need not tell that; we have had him before us; but what was the general condition of the county, according to your knowledge?

Answer. I cannot tell; I never conversed much with the people there. I was known as belonging to the radical party, and they did not express themselves to me.

Question. Why did you not go back there?

Answer. I have business here; I have a store.

Question. Why did you come down here to do business instead of going back there?

Answer. My trial justice's office did not pay me. I was going to quit that anyhow, to try and better myself.

Question. Would you feel any apprehension if there?

Answer. I do not think now no more, but I do not know what they would do. A colored woman sent me a letter on the same night they took out these ten men from jail, that some of them went to my office, which is right opposite there, and after they found I was not there they put a paper above my sign, with the number "486" on it.

Question. What did that mean?

Answer. I do not know. I thought it was one of their orders, you know.

Question. Was it a written order?

Answer. Yes, sir; just "486;" that is what she wrote to me. The man who works next door took it off. I had a little tin sign there, and that was on the top of it.

By Mr. VAN TRUMP:

Question. Mr. Bolt, you were at the same time commissioned as a trial justice and a judge of election in Union County?

Answer. Yes, sir; I was judge of the poll.

Question. When did you go to live in that county?

Answer. I came there on the 17th of June.

Question. Of what year?

Answer. Two years ago.

Question. Where from?

Answer. From Ohio.

Question. That was your first residence there?

Answer. Yes, sir.

Question. From what part of Ohio did you come?

Answer. From Cincinnati.

Question. What did you come to South Carolina for?

Answer. I have a brother who lived in Unionville. My wife died in Cincinnati, and I did not feel like staying there any longer, and he invited me to come and stay with him.

Question. You say the three wounded men you visited in the prison told you they knew the names of some of those Ku-Klux who committed this violence upon them?

Answer. Yes, sir.

Question. But they did not tell you a single name?

Answer. No, sir, they would not.

Question. Did you tell that afterward?

Answer. Yes, sir; I wrote it to General Anderson.

Question. Did you tell it about town?

Answer. No, sir.

Question. You wrote a private letter to General Anderson?

Answer. Yes, sir.

Question. A confidential letter, stating that fact?

Answer. Yes, sir.

Question. Did anybody in Unionville know you had this interview with the prisoners?

Answer. No, sir; only the sheriff.

Question. Even he did not know the talk you had with them?

Answer. No, sir; but I told the sheriff afterwards that they told me they knew some of the men, but would not tell who they were.

Question. I think you said you did not tell anybody except in writing this letter?

Answer. Except the sheriff.

Question. In the first place you said you told nobody, but wrote a private confidential letter here to General Anderson. Is that the fact?

Answer. Yes, sir.

Question. You now recollect that you told the sheriff?

Answer. Yes, sir.

Question. What did you tell him?

Answer. I told him Sylvanus and the others said they knew some of these men, but would not tell, except they were taken out of jail.

Question. Did you tell him that, too?

Answer. Yes, sir.

Question. What apprehension did you have that you would be in any danger?

Answer. That was afterwards.

Question. If you told the sheriff just what took place, that you had talked with the prisoners, and that they knew some of them, but would not tell who they were, how would that get you in danger—you said you became alarmed?

Answer. I do not know. I was of opinion that they would find out that I was the man who spoke to the prisoners, because the jailer had to let me in. He did not know what happened.

Question. He knew that you were in there, but did not know the conversation?

Answer. No, sir.

Question. If you were afraid that the conversation would get you into trouble, what did you tell the sheriff for?

Answer. I will tell you. I wrote to General Anderson: "I believe these men could tell some of these persons if they were taken away from Union." That was my private opinion. Well, General Anderson was not here then; he was in Chester. I waited several days for a letter, and then the sheriff—I have forgotten most of these things, but they come back to me—then the sheriff got a letter from General Anderson to inquire of the prisoners whether they knew any of them, and he took me there—I had been there before—but he took me. I did not let out that I knew anything about that, but I knew that letter was coming from General Anderson.

Question. Had you told the sheriff before that?

Answer. No, sir. I then went there with the sheriff. The sheriff stood back in the hall, and I went into the cell, and when I came out I told the sheriff, "Sylvanus and the others said they would tell if they were taken out of the jail."

Question. That was the second time you were in the jail?

Answer. Yes, sir.

Question. You had already been in previously?

Answer. Yes, sir.

Question. You had not told the sheriff of that conversation?

Answer. No, sir.

Question. And then, upon the sheriff receiving a letter from General Anderson to ascertain what these men knew, the sheriff and you went in?

Answer. Yes, sir.

Question. And you went into the cell and the sheriff stood back?

Answer. Yes, sir.

Question. Was the sheriff within hearing?

Answer. No, sir; I closed the door.

Question. After that you came out and met the sheriff and told him the conversation?

Answer. Yes, sir.

Question. The conversation was about the same as before, was it not?

Answer. Yes, sir.

Question. How long after the first raid was that; you are speaking of the first raid now?

Answer. Yes, sir; that was after the first raid.

Question. How long after the first raid was it that you first went in there to these prisoners?

Answer. I cannot give the date exactly, but it was about eight days before that writ of *habeas corpus* came—about six or eight days.

Question. Why can you recollect it with reference to the last raid better than the first? I asked how long was it after the first raid that you had that conversation?

Answer. After the first raid? I do not know.

Question. Give us the best idea you have of how long it was after those five prisoners were taken out at the first raid that you went into the jail first to talk with the prisoners.

Answer. I cannot tell you exactly.

Question. Give us your best opinion.

Answer. All I can say is, that it was about eight days before that writ of *habeas corpus* came. You can find out by that if you have an almanac.

Question. What makes you think it was eight days before?

Answer. About eight days.

Question. What makes you think so? You cannot recollect about the first raid, but you recollect precisely how long it was before the second raid. Why is that?

Answer. I do not know. These men were killed on the 6th of January or the 10th.

Question. Fix the date the best you can.

Answer. If I had known you would have put these questions I would have prepared for them.

Question. Can you not prepare this now if you know the facts?

Answer. Yes, sir; but I have forgotten the dates. I have forgotten the date of the first raid, whether it was the 6th or the 10th.

Question. If you have forgotten those dates, how can you fix it up?

Answer. I could fix it up if I would merely go down to Mr. Rose's hotel and ask what day I came there, for then I would know. I think it was the 9th of February or the 12th; I do not know which.

Question. How long before you came here was it that you first went into the jail to talk with the prisoners?

Answer. A little over fourteen days, I think.

Question. About fourteen days before you came here you went to talk with the prisoners?

Answer. No, sir; that was about three weeks before.

Question. How soon afterwards did the second conversation occur when the sheriff went with you?

Answer. That was some time afterwards, because General Anderson was in Chester. I think it was about eight days afterwards, anyhow.

Question. What makes you think it was eight days after the first raid, and eight days before the second raid?

Answer. I have not kept the dates of these things no more. I have never thought of it no more.

Question. Is your mind so confused about the dates that you cannot pretend to say anything about them accurately?

Answer. It is now, sir.

Question. You say that you predicted the Ku-Klux would come?

Answer. Yes, sir.

Question. And again you said that was only an opinion of yours?

Answer. Yes, sir; my private opinion.

Question. Did you tell anybody that?

Answer. I told General Anderson here. I said, the people are so excited, I am afraid they will come again. I did not say they would come, but I was afraid they would come again.

Question. When did you tell him?

Answer. The same night I came here.

Question. You say the expressions of the people led you to think that?

Answer. What expression?

Question. The expression which the deputy sheriff used, and the expression of the clerk of the court. What expression?

Answer. The clerk of the court said he would not give five cents for Judge Thomas's life, and the deputy sheriff said he would not set his foot any more in the sheriff's office.

Question. Who was the clerk of the court?

Answer. A. D. Spears.

Question. Who was the deputy sheriff?

Answer. Major Van Rice.

Question. Both are living up there now, are they?

Answer. Yes, sir.

Question. How long was that before the writ of *habeas corpus* was known to be there ?

Answer. It was the same day. When the sheriff took the writ over there, they said that at the court-house.

Question. You say the sheriff told you he had the writ of *habeas corpus* ?

Answer. The sheriff came to me. He remarked that he had got the writ, and he said, I have got now to answer to these papers.

Question. What papers ?

Answer. I told you that I wrote to General Anderson that I thought the prisoners would tell if they were in Columbia ; and then the sheriff got a letter from General Anderson to inquire of the prisoners ; and then I sent another letter to General Anderson, and then the writ of *habeas corpus* was sent.

Question. You say the sheriff—was that the sheriff or the deputy sheriff ?

Answer. It was the sheriff, Dunn ; he came there with the writ of *habeas corpus*, and said, I have to answer to the papers ; and he told me to say nothing about it, and I requested the same of him.

Question. Did you say anything about it ?

Answer. No, sir ; not a word.

Question. Do you know that Sheriff Dunn called a conference of lawyers that very day ?

Answer. No, sir.

Question. You say he said he was going down to Judge Munro ?

Answer. That was the deputy sheriff. He said, we will get a council of lawyers, and I will go up now and see Judge Munro, the oldest one.

Question. Why did you not state a while ago that the deputy sheriff or the sheriff said he would call a council of lawyers ?

Answer. I had forgotten it.

Question. You did say he said he would go down to Judge Munro ?

Answer. Yes, sir. Excuse me. He did not say that they were going to do it ; he said it ought to be done—a council of lawyers ought to be called.

Question. I understand, Mr. Bolt, that you live right opposite the jail ?

Answer. Yes, sir.

Question. Is that frame house, standing on a little rising ground, right in front of the jail ?

Answer. No, sir ; I used to live in the little brick building, which is now a trial justice's office, kept by Doctor Rawls.

Question. How far is it ?

Answer. Two or three hundred yards. You know the jail is below.

Question. Is it opposite the court-house ?

Answer. Almost opposite.

Question. Do you say it is three hundred yards from the jail ?

Answer. Yes, sir ; if you go straight down it is three hundred yards.

Question. Is not the jail within fifty yards of the court-house ?

Answer. Yes, sir ; and crossing the street, also, it is more.

Question. Is it not a very narrow street ?

Answer. Yes, sir ; but not up there.

Question. Does the street widen ?

Answer. Yes, sir.

Question. Is not the main street, down by the hotel, a very narrow street ?

Answer. Yes, sir, in that part of the town, but it widens.

Question. Does it widen into a street of more than ordinary width ?

Answer. Yes, sir.

Question. I mean to inquire of you whether your house does not stand opposite the court-house ?

Answer. Yes, sir ; it stands opposite the court-house ; my house was on the corner, and the court-house a little back from the corner, inside of the square.

Question. If the court-house is only forty or fifty yards from the jail and on the same side of the street as the jail, is it possible that your house standing opposite is three hundred yards from the jail ?

Answer. I do not know the distance exactly.

Question. If there were fifty or one hundred horsemen standing in the street there, they would be about your door ?

Answer. No, sir ; the way I was told they were standing, they were nearer the curbstone by the court-house.

Question. Did they pass your house ?

Answer. No, sir ; they passed it, of course, in the street.

Question. Did you not understand that they came in from the north on the street on the upper side of the court-house ?

Answer. They came in, I was told, by Mr. Culp's house.

Question. I do not know where that is. Did not you understand that these horsemen, on that first raid, came from the direction north on the street just above the court-house ?

Answer. Yes, sir.

Question. That would be leading right to your house, and they would come into Main street right at your house?

Answer. Yes, sir; they had to pass my house, of course.

Question. You say that raid of horsemen took those five men out; took them away, killed two of them and wounded a third, and you would never know a breath of it if you had not been awakened by a friend?

Answer. Yes, sir; another neighbor, Mr. Grant, was not awakened.

Question. You say Mr. Wallace requested you to state what you know about making masks?

Answer. Yes, sir; I told him I knew the woman who made these masks.

Question. Is it not a fact, and do you not believe and know, that whatever dominoes or masks were made there, were made for these fancy balls or masquerades by these women?

Answer. Well, they may be; I have heard of a masquerade ball out in the country, but I do not know where Mr. Eison was going to send these masks.

Question. You have not been out there since you came to this town?

Answer. No, sir.

Question. You do not know that there was one fancy ball, at least, at Dr. Herndon's?

Answer. There was one going to be at Dr. Herndon's at that time.

Question. At the time these masks were made?

Answer. Yes, sir.

Question. You understood that?

Answer. Yes, sir.

Question. As an honest man, have you any other impression than that these dominoes or masks were made for this fancy ball?

Answer. Well, no, I cannot well say; you know we have been suspicious of everything living in such a country and belonging to that party—

Question. Is the public mind of the State in a delirium produced by all sorts of exaggerated reports?

Answer. Yes, sir; you are right.

Question. Do you pretend to believe, from what you heard about these masks, that they were intended for these Ku-Klux?

Answer. No, sir; it was only because they were made the same shape as I was told. I never saw them; they were the same shape as it was said the Ku-Klux wore.

Question. If this young lady and a daughter of Mrs. Brock would come before this committee and swear it was for no other purpose than for fancy balls you would believe it, would you not?

Answer. Yes, sir.

Question. Who is this colored woman, Chris. Page?

Answer. She lived in Union. She is here now.

Question. Did she tell you they were for Ku-Klux?

Answer. No, sir.

Question. What did she say?

Answer. They were talking about the masks the Ku-Klux wore. It was about that time, a little after the first raid, and she said we made some masks.

Question. Did she tell you that at Union Court-House?

Answer. Yes, sir.

Question. Did she live there then?

Answer. Yes, sir.

Question. What is she doing here now?

Answer. I do not know; washing and cooking work. She says me and Mrs. Brock and Fannie Brock made some masks for Eison, and he told us he was going to send them to the country.

Question. Who is he?

Answer. He is a merchant there.

Question. A respectable man?

Answer. Yes, sir. He kept Mr. Richardson in his house, who was wounded in Chester. You have heard of that, have you not?

Question. No, sir.

Answer. It was a young man who shot at a colored man in Chester and was brought here, and Mr. Jackson, chief of the police, was sent after him. They had a raid then in Union, and were going to kill Jackson.

Question. Why do you say it was the same man?

Answer. You know Jackson came there to arrest that man, and they came out of the hotel and took him to Mr. Eison's house.

Question. I only asked who Mr. Eison was, and it did not describe him to say that a wounded man was at his house. He is a merchant, is he?

Answer. Yes, sir; living there now.

Question. Then you say this man Smith, who wanted to arrest Vanlue, although you gave him no warrant, had a warrant when he attempted the arrest?

Answer. I gave him that same warrant, and he went with that warrant to that house.

Question. But you refused to give him one that night?

Answer. I refused to give him one for Aleck Walker.

Question. But you did give him one for Vanlue?

Answer. Yes, sir.

Question. So he had a warrant in his possession when he went to the Yellow House?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. You say you came from Cincinnati?

Answer. Yes, sir.

Question. Where were you born?

Answer. In Germany, in Prussia.

Question. Were you in the army?

Answer. No, sir; I was in the Government department, in Nashville, Tennessee, during the war, part of the time.

Question. I see you have lost an arm?

Answer. I lost my arm, in Virginia, in a threshing machine.

By Mr. VAN TRUMP:

Question. What Mr. Wallace; do you mean the Congressman?

Answer. No, sir; Robert Wallace.

COLUMBIA, SOUTH CAROLINA, July 20, 1871.

ELIZA CHALK (colored) sworn and examined:

By the CHAIRMAN:

Question. Where do you live now?

Answer. I live in Columbia.

Question. Did you live in Unionville at any time?

Answer. Yes, sir.

Question. How long ago?

Answer. I came down here, I think, about the middle of March last, as near as I can recollect.

Question. Are you the mother of Joseph Vanlue?

Answer. Yes, sir.

Question. Were you there at the time he was in prison, after he was wounded?

Answer. Yes, sir; I was there all the time.

Question. After Joseph was wounded, in the attempt to kill him after he was taken out of jail, state whether you had any conversation with him, and what he said to you about the persons who were there to take him out, and who they were?

Answer. He did not tell me the name of but one man that was there. He said he knew every one who took him out that night after they had taken him to the old field where they shot him, but he did not tell me the name of but one. I would go up to the jail every day to see him after they took him out. They wounded him and took him back and put him in the jail again. They had hunted him up and put him in again. He said he would not tell the names of any persons until they brought him down here. They feared they would take him out again and kill him, and he did not tell me the name of but one man. I did not care about his telling me. He would have told me, but I did not want him to tell me. It would be dangerous, and perhaps there might happen something or other. He told me the name of one. He was the jailer. His name was Tom Hughes. He said he knew he shot him six times.

Question. How long was that after he was shot?

Answer. I cannot exactly recollect. I did not have much sense then anyhow, I was so confused; but it was four or five weeks. It was just the week before they took him out the last time, he told me.

Question. Was your son, Joseph Vanlue, among those taken out and killed at the second raid?

Answer. Yes, sir; they took him out, the first time, with five, and they killed two dead and shot him six times, but did not kill him—five times through the arm and once in his left side, and he ran. They did not kill him. He went to some one's house that night. He did not come back home. The next day they hunted him up and got him, and the three that they did not kill that run they hunted them all up and put them in jail again.

Question. After that you had this talk with him?

Answer. Yes, sir; after that he told me, and then it was five or six weeks, I do not know which, before they took him out again. I would go up to the jail every morning and carry his breakfast and dress his wounds.

Question. Was Hughes the keeper of the jail at the time he told you this?

Answer. He was not the keeper of the jail the first time, but he was the last time they took him. Mr. Rogers kept the jail the first time, and his time was out in a few days, and then Mr. Dunn had possession of the jail; and Mr. Hughes kept it; Mr. Tom. Hughes and Mr. Lunney Hill kept it.

Question. At the time your son told you this?

Answer. Yes, sir; Mr. Hughes kept the jail then.

By Mr. VAN TRUMP:

Question. You say he told you twice?

Answer. No, sir; he told me once, when Mr. Hughes kept the jail. I spoke of the two times Mr. Hughes kept the jail when he told me.

Question. Had you any conversation with any other men who were shot and who were there?

Answer. No, sir. I talked with them, but they would not tell me. They said they would tell no person in Union. They talked about having them down here for trial. They said they would not tell anybody up there, because it might get out, and they would take them out and kill them. They said they knew every man. Every time I went to the jail the jailer went in with me, and I would not ask them questions about anything, but I staid once half a day. He happened not to stay up there, and Joe told me he knew every man that shot him, and every man in the company, and he said "Tom. Hughes shot him six times with his double-barreled shot-gun," or something. He told me, anyhow.

Question. That is all you know about it?

Answer. That is all I know about who shot him.

Question. Do you know anything more about the occurrence when they were taken out?

Answer. No, sir; I do not know who took them out. They shot at my house, New Year's night. They came there New Year's night and halloed at the door. Some were gone to bed and some were not.

Question. That was not the night they were taken out of jail?

Answer. No, sir; that was not that night; that was the night they were put in jail.

By Mr. STEVENSON:

Question. Was your house what was called the Yellow House?

Answer. Yes, sir; that is the night they took the boys and put them in jail—New-Year's night. Wednesday night after that was the first time they took them out of jail.

Question. Were you at home when they came to the house?

Answer. Yes, sir.

Question. What happened?

Answer. They came to the door; it was Sunday night, I reckon, about 10 o'clock. They said, "Open the door." Some were gone to bed, some were not. Some of them said, "Who is there?" They said, "Never mind who it is; open the door, and every God damn one of you come out of here." I got up and started out of bed and took the lamp in my hand and started for the door. They said, "If you don't open the door I will shoot." Some of them said, "I am not going to open it," and I set down the lamp on the mantel-piece and pulled the window-curtain to look out. My face was one side of the glass, and just then a man outside shot in and just missed my face by a pane of glass. I pulled back the curtain on the inside. He shot through from the outside and it crossed the bed in the house into the other room, and they commenced shooting in all around the house, and I suppose, while they were shooting, the boys went and got their guns and commenced shooting too, but there was not a gun down stairs when I came out of the room.

Question. Which was the first shot?

Answer. It was that one fired through the pane of glass just as I stepped across and pulled the curtain. As I got it back I looked out and saw the street all full of men and the shot was fired. Then I went right across into the other room, and then they were shooting all about—I could not tell how many—and some beating at the door, and halloeing, "Let's break the door down and get in and kill every God damn one of them." I heard another man say in the street, "That will not do." I heard another say, "Let's break it down, and I am going to kill every God damn one of them." I thought they had broken the door down.

Question. That was Sunday night?

Answer. Yes, sir. Some of them shot out and shot one of the white men; and after the shooting was over they all left the house and went up street, and we all went up stairs. Then Mr. Goss and Mr. Isaac McKissick came. They were the first I knew—

Laurens Goss and Isaac McKissick. He came and called at the door, and called for me. I did not answer, I was so scared. Then he called my little son that nursed his little son the year before last. He said, "Open the door; we did not come for any harm." He wanted to see if Charley was hurt, and he did not want him hurt. Then I came down for Mr. McKissick and opened the door. He said, "'Liza, you know me; I am not after any harm." I came down, and they came in and sat there awhile and talked. There were two men in the house. They shot my son in the house. One of my sons was there in bed in another room. They had shot him. Mr. Goss said, "I will go back up street and get the doctor to come and get the ball out of his leg." Thomas asked him to go. He started and went out a few minutes and came back and told the boys to go to jail. He said, "All that are not hurt must go to jail." The boys would not agree to go to jail. He said, "Go to jail, and I will turn you out in the morning." He said, "Go to jail to-night, to quiet the fuss." I asked him what made them come here to-night—what were they after. He said, "I do not know what they were after; I suppose they were after the militia guns that were in here." My son that was killed belonged to the militia; he had a gun. I said, "They did not say anything about the guns. If they had asked for the gun, you know they would have got it." He said, "I do not know what made them shoot." Mr. Goss said that. Mr. McKissick sat there and did not say anything hardly. Mr. Goss said, "Boys, you must all go to jail, and I will see that you don't get hurt." Joe said, "No, I will not go to jail. If you take me to jail you will take me out and kill me." He said, "No, I will see you shan't." I had two sons then, and one of my sister's sons had just come up there to see them on Saturday. They took them to jail Saturday night. During the time he was talking they kept coming in the house, and the house was full. I was standing there crying—

Question. Do you mean full of white men?

Answer. Yes, sir, the house was full of white men. The back door was open and the front door, and they crowded it all full. Mr. Bob Greer spoke first. He caught hold of Joseph, and said, "Come out of here, God damn you; you are my man;" and they all took hold of them and crowded them out and took them to jail.

Question. How many did they take to jail?

Answer. Three altogether; my two sons and my sister's son.

Question. What was your sister's son's name?

Answer. Major Palmer.

Question. Were those three men in jail at the first raid?

Answer. Yes, sir. They took my son Joe and my son Alfred and my sister's son. They were all in one room together.

Question. Your son Joe belonged to the militia?

Answer. Yes, sir.

Question. Whose company?

Answer. Captain Walker's company.

Question. Did the other two belong or not?

Answer. Major belonged; I do not know whether it was to Walker's company or not. He lived on Pea Ridge, but had moved down on Saturday.

Question. Did your other son belong to the company?

Answer. No, sir; Alfred staid in Columbia; he lived here.

Question. Which of your sons did they take to the jail?

Answer. Alfred and Joe. They shot Thomas in the house. They did not take him to the jail until the next week. He jumped up out of the bed and ran out into the other rooms, and they shot him through his hip.

Question. Did he belong to the militia company?

Answer. No, sir; only one.

Question. Were all of your sons in jail at the first raid?

Answer. Two sons and my sister's son.

Question. Were they all taken out?

Answer. No, sir, only Joe. He belonged to the militia, and they took him out.

Question. On the last raid did they take out any more of your sons but Joe?

Answer. No, sir, only Joe, and Alfred belonged down here.

By Mr. VAN TRUMP:

Question. Did you not say Alfred belonged to the militia?

Answer. No, sir; only one—Joe. My sister's son belonged to the militia, but I do not know that he belonged to Walker's company. He lived on Pea Ridge. Joe belonged to Walker's company.

By Mr. STEVENSON:

Question. Were your sons ever tried up there?

Answer. No, sir, they never had any trial. After they killed Joe they had no trial of that case at all. They just took these six men that were in this scrape about killing this man Barney.

By Mr. VAN TRUMP:

Question. Stevens?

Answer. Stevens. These men were tried, but Joe was not tried. They had nothing to try him about, except they shot into our house.

By the CHAIRMAN:

Question. You mean they did try your other son after Joe was killed?

Answer. No, sir, they just turned them out and said it was no use to have a trial; Joe was dead.

By Mr. VAN TRUMP:

Question. I understood you to say you came here in March?

Answer. Yes, sir.

Question. What time in March?

Answer. About the middle of March; it was the next week after court. I can't tell exactly the time.

Question. It was about a month after the last raid?

Answer. Yes, sir, I think they took them out about two weeks before court. I reckon it was about a month. They took them out in February, and I came in March.

Question. You say after your son Joe was put in jail you visited him every day?

Answer. Yes, sir.

Question. Both before and after the first raid on the jail?

Answer. Yes, sir.

Question. He was put in jail a day or two before the first raid?

Answer. Yes, sir, Sunday night; and Wednesday night he was taken out.

Question. You had seen him before?

Answer. No, sir.

Question. Had you seen him from the time he was put in jail until the first raid?

Answer. No, sir, I did not go up there until after they wounded him, when they took him out.

Question. How long was it after the first raid that you went to see him?

Answer. I went the same day after they took him out at night. The next day they put him back, and I went.

Question. Had you heard that they had taken him out?

Answer. Yes, sir, I heard it that morning.

Question. Did he talk to you about knowing some of these men the first time you called to see him?

Answer. No, sir.

Question. How often did you call to see him before you got to talking with him on the subject?

Answer. A dozen times before he said anything to me about it.

Question. Did not you and him talk in all these times about the occurrence?

Answer. No, sir, we never said anything about it more than to go up there and attend to him.

Question. Is it possible that you did not ask your son Joe whether he knew some of the men who had committed the violence?

Answer. No, sir, I did not ask him. The reason was, every time I went to the jail the keeper was with us, and I would not talk anything about it in any way, because he might be taken out again.

Question. Who was the jail-keeper then?

Answer. Mr. Hughes. Mr. ———— I can't think of his name—but the first jail-keeper's time was out three or four days after the first raid—Mr. Rogers.

Question. The first time you called to see your son after the first raid who was the jailer?

Answer. Mr. Rogers.

Question. How many times did you visit the jail while he was jailer?

Answer. Four or five times. I know I went there one day, the first day that they put him in; the next morning I went there and Mr. Rogers met me at the door, and I told him I wanted to go into the jail and see the children and carry them something to eat. He said, "Which one?" I said, "Joe." He said, "If you want to see Joe, you can't go up there."

Question. Joe Vanlue?

Answer. Yes, sir.

Question. He is your son?

Answer. Yes, sir; he says, "Then you can't go up here if you want to see Joe."

Question. Was that the first time?

Answer. No; the second time.

Question. He had let you in once before?

Answer. No, sir; the doctor went up the first time, and I went with him.

Question. Did Mr. Rogers let you in then?

Answer. No, sir; the doctor opened the door and went up. He was not there. He was up the street, I reckon. Mr. Hughes was attending. Mr. Hughes was there at the same time Mr. Rogers kept the jail. I went up with the doctor and helped to dress him.

Question. Was Hughes assisting in keeping the jail when you first went there?

Answer. Yes, sir; Mr. Hughes opened the door with the doctor.

Question. You heard the news after the first raid, and you went to see your son?

Answer. Yes, sir.

Question. You saw him?

Answer. Yes, sir, the next morning.

Question. Who let you in, Rogers or Hughes?

Answer. I went with the doctor the first day.

Question. Who was in attendance, Hughes or Mr. Rogers?

Answer. Mr. Rogers.

Question. He let you go up with the doctor?

Answer. But he did not open the door. Mr. Hughes opened the door the first time, and I went in with the doctor. Mr. Hughes opened the door.

Question. What did the doctor go for?

Answer. To dress the wounds.

Question. Did you stay while he was there?

Answer. Not all the time. I left the doctor up there. I dressed them and left the doctor up there, and Mr. Hughes let me come down.

Question. Then, from the first day after the raid, Hughes was there attending the jail?

Answer. Yes, sir; and the next morning I went up there and Mr. Rogers met me at the door and asked me what did you come for —

Question. You need not state that over again. What time was it that your son Joe first told you about knowing some men in that raid?

Answer. About three or four weeks.

Question. Who was in the jail with you that day when the conversation took place?

Answer. Just the wounded men.

Question. Who let you in?

Answer. Mr. Hughes.

Question. Did not Mr. Hughes go up there with you?

Answer. Yes, sir; but I staid up there. He let me in in the morning and he went up and I staid until dinner-time, and Mr. Hughes locked the door and went down, and I staid until dinner-time.

Question. That was the first time he talked with you about it?

Answer. Yes, sir, that was the first time Joe talked with me about it.

Question. How did the conversation commence?

Answer. They said they were going to bring them down here.

Question. How did he know that?

Answer. Mr. Dunn had told him that.

Question. How long after the first raid was that?

Answer. I can't tell you exactly, because I didn't pay attention, but it was long enough to get well enough to walk about.

Question. You say you had called eight or ten times?

Answer. Yes, sir.

Question. You had called every day?

Answer. Yes, sir, almost every day. Some days I would be at home washing.

Question. This raid took place about the 5th of January. What time in January did Joe tell you he knew some of the men who took him out? You say it was about the eighth or tenth time that you called on him; now fix the date as well as you can.

Answer. I am telling the truth as well as I can, but I can't state the very day.

Question. If you called almost every day for eight or ten days, about what time in January did he tell you these names?

Answer. I can't tell you what time. You must judge from the time, because I tell you I took no particular notice; I was so pestered and confused, and never had no mind nor nothing.

Question. But you say the first time he talked to you about the names, he spoke to you about being brought down to Columbia to be tried?

Answer. Yes, sir, that was the first time he told me about that.

Question. Are you sure?

Answer. I am sure that was the first time.

Question. Are you sure that at the first time when he told you of the names he also told you they were going to be brought down here to be tried?

Answer. Yes, sir, that day I staid up there. Mr. Hughes came down and left me up there until dinner-time.

Question. Why did he tell you Jailer Hughes was one and would not tell on anybody else?

Answer. I do not know why. Mr. Hughes was mighty kind to him and mighty good, and they were talking about turning him off from the jail.

Question. Who were talking about it?

Answer. The people up there, about turning him out of the jail, and abusing him and saying that Hughes was so kind and good to them, they would rather he should stay there than any person else.

Question. He did say that?

Answer. Yes, sir.

Question. Although Joe said Mr. Hughes was the first man that shot him?

Answer. Yes, sir; he says, I know every man who was in the company, but I am not going to tell; but he said he knew every man in that company. He told me he knew every man who was there that night, but he would not tell the names of the men.

Question. Did he say they were all disguised?

Answer. No, sir, he said some were disguised and some were not. He said those that stood off and held the horses were not disguised.

Question. How far off were they from him?

Answer. He did not say how far, but he said they were not disguised.

Question. Was it not a very dark night?

Answer. No, sir; the moon was shining. New Year's night the moon shone so bright, I looked out and saw the men standing from one side of the street to the other.

Question. Did you see the company?

Answer. I saw the men that shot into my house.

Question. But the company that went to the jail the first time and took the men out?

Answer. No, sir, I did not see them; I was telling about the moonshine; I know it was shining, because it was shining so on New Year's night. He said the men that stood off and held the horses were not disguised.

Question. How many of them?

Answer. He did not say how many, but he said five or six. I do not remember.

Question. How many did he say the whole crowd amounted to?

Answer. He did not say.

Question. You did say he knew the men who were masked?

Answer. I reckon they talked to them after they got up there.

Question. Every one?

Answer. He said they talked to him. He said he knew every man. He did not say about it being dark.

Question. How old was he?

Answer. Nineteen on the second day of last May.

Question. Had he lived with you?

Answer. Yes, sir; he had always lived within a mile and a half of Unionville.

Question. Did he travel about much?

Answer. No, sir; only to hire out.

Question. Who did he live with?

Answer. He belonged to James Ellis; born and raised with him, and had been living with him for the last two years.

Question. Before his death?

Answer. Yes, sir.

Question. Who had he lived with for two or three years before that?

Answer. He lived up with Mr. Thomson one year.

Question. What year?

Answer. Dr. Wallace Thomson; on his plantation, and on the Forest plantation.

Question. He was a slave boy before the war?

Answer. Yes, sir.

Question. Did he live with his master then?

Answer. Yes, sir; he was very small then.

Question. After the war was over and he was a free boy, who did he first live with?

Answer. Dr. Wallace Thomson.

Question. How long?

Answer. Twelve months.

Question. Where did he live then?

Answer. In the village; but he was up on the plantation, about ten miles, generally.

Question. How long was he there?

Answer. About twelve months.

Question. Who did he live with then?

Answer. I do not know who he lived with the next year. The next year he lived with Dr. Thomson, and lived on Forest, with Mr. Prince. It is a place called Forest, the other side of the village; he lived with them twelve months.

Question. How far is that from town?

Answer. About six or seven miles, I reckon.

Question. In the same direction with Dr. Thomson's farm?

Answer. Yes, sir; some of the way it was.

Question. How long did he live at Forest?

Answer. One year.

Question. Where next did he live?

Answer. I think the next year he worked about.

Question. About town?

Answer. Yes, sir; then he lived at home about two years.

Question. Your home?

Answer. Yes, sir; where he was raised.

Question. That was nineteen years?

Answer. Yes, sir; nineteen the 2d of May.

Question. How is it possible Joe could know most of these people, they being disguised, and fifty to one hundred men, when he was a boy raised in that way?

Answer. He did not say.

Question. Did he say how he knew them?

Answer. No, sir; only he said they talked to him. He did not say how he knew.

Question. Did he say every one talked to him?

Answer. He did not say every one talked to him, but said he knew every man who was there. I did not ask him. I never asked him any questions, because when I went up to the jail my feelings would be so much hurt when he would say anything I would commence crying, and I never said anything to him nor asked him anything.

Question. You say you lived at the Yellow House?

Answer. Yes, sir.

Question. Did you live there alone?

Answer. No, sir; another family lived in another room. I had three rooms; and there was an old man, his wife, and two children.

Question. How many colored men were in that house that night?

Answer. In the whole house? The old man in the other part of the house was there, with his son. He came there about dark to see him; then in my part of the house were my three sons and my sister's son.

Question. Were there any strange colored people there that night?

Answer. Only just them.

Question. That was all?

Answer. Yes, sir.

Question. Where were you when Smith and his party came up to the house?

Answer. Sitting in the room by the fire.

Question. In the front room?

Answer. No, sir.

Question. In the back room?

Answer. We did not have any passage. Here was the front room, like that, [illustrating,] and right at the corner there was another room that went into the other room. You opened one door and went into the other room.

Question. Where did Smith approach the house?

Answer. In front of the front room, right at the window.

Question. Were you in the back room when they came?

Answer. Yes, sir.

Question. What was the first word you heard?

Answer. "Open the door," they said; and some of them said, "Who is there?" and they said again, "Open this door;" and some of them said, "I am not going to open it." They said, "Open, or, God damn you, I'll shoot." Then I got up—no, I was standing up with the lamp in my hand. I had got up with a lamp in my hand to start to bed. One of my sons had gone to bed; it was getting late. The one who lived down here had been to church that night. He had just come in from church. I just started out with the lamp, but when they said that, I set the lamp down on the mantel-piece and went into the front room to the window and pulled back the curtain, and just as I pulled it back they shot. I pulled it back on the right, and they shot through the side toward the door.

Question. You say the first shot was fired from the outside party?

Answer. Yes, sir.

Question. You swear that?

Answer. Yes, sir; I told that to every man in Union. I swear that.

Question. Did you not know that Smith had told the parties inside of the house he had a warrant?

Answer. No, sir; he did not speak a word about a warrant.

Question. Are you sure?

Answer. I am sure.

Question. Are you sure that you, being in the back room, heard everything that was said in the street in front of the front room?

Answer. I did when I was in the front room.

Question. Did you hear every word?

Answer. I heard every word spoken first before I went into the back room.

Question. How many men were outside?

Answer. I can't tell, because I didn't go out.

Question. Did you know Smith?

Answer. No, sir; I didn't know Mr. Smith. When I got to the window and looked out of the window the men were all standing along the street. There was no fence to the yard. My door stood right on the street. You went out of the steps into the street.

Question. Do you know who fired the gun inside of the house that killed Smith?

Answer. No, sir; I do not know, because when I looked out of this window they shot in, and I had to cross the house into a little room at the back of the house. I was in the two front rooms. There was one room there and another here [illustrating,] and both of them were on the street. It was like a partition ran through here. There was the street and there was that room, and that room on the street, and here was a back room on the back side of the house.

Question. You do not know who fired the first gun?

Answer. I do not.

Question. How many guns were in the house used?

Answer. There were three guns.

Question. How many guns were used inside of the house that night?

Answer. I do not know; I can't tell you.

Question. Where were you when the firing took place?

Answer. In the little back room.

Question. How soon after the first shot, that you say was fired through the window from the outside, was it until the shooting began from the inside?

Answer. I can't tell you.

Question. Was it right away?

Answer. I can't tell you; the guns were up stairs.

Question. Tell about what time the firing commenced from the inside?

Answer. I can't exactly tell you, because I was not in the room where they were. There were two rooms between me and the room where the boys were shooting. Here was the front room.

Question. You need not tell about the rooms again. Who went up stairs for the guns?

Answer. I did not know any guns. I told you I passed out of the back room and went into a little back room.

Question. You do not know who got the guns?

Answer. No, sir.

Question. When you got back after the firing, how many did you find?

Answer. All the boys were up stairs with the guns.

Question. Did they fire from below or above?

Answer. They fired from below, but they went up stairs. They brought the guns down.

Question. How long after that until Mr. Goss and Mr. McKissick came?

Answer. It was not long.

Question. You say they sat down and talked awhile?

Answer. Yes, sir; they came in, and Mr. Goss sat down on the chest and Mr. McKissick sat by the mantel-piece, and they talked.

Question. Where was your wounded son?

Answer. In the room. After the firing was over he came out of the room where he was sleeping. I was hallooing. He said, "Mother, hush; I am shot." A little after that the firing ceased and everything got quiet.

Question. Did the white people all go away after arresting one of them?

Answer. Yes, sir.

Question. Did they go away as soon as Smith was shot?

Answer. Yes, sir; they said so, but we inside didn't know anybody was shot outside, but everything was quiet; but still the doors never were opened. We all went up stairs.

COLUMBIA, SOUTH CAROLINA, July 20, 1871.

ALFRED VANLUE (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. Up here on Arsenal Hill.

Question. In this city?

Answer. Yes, sir, near the fair ground.

Question. Were you in Unionville the night when the attack was made on your mother's house?

Answer. Yes, sir, I was right in the same house.

Question. Were you up there on a visit?

Answer. Yes, sir. I ~~was~~ here on Saturday, and that was Sunday night.

Question. Were you taken a prisoner after that?

Answer. Yes, sir, Sunday night.

Question. How long did you remain there?

Answer. Eight weeks.

Question. Had you any conversation with your brother Joseph or any of the men who were afterwards killed as to who were present when the men were taken out of jail?

Answer. My brother Jog was taken out the first time.

Question. Were you there?

Answer. Yes, sir.

Question. Did you see any persons taking him out?

Answer. I was there, and saw the Ku-Klux take him out, and Sylvanus Wright was taken out at the same time, and Charner Gordon, and there was Aleck Walker taken out the same time. There were five taken out, and two got killed and three got away, and on the next day the men went around again to take them up and put them back in the jail again.

Question. Did you see any of the Ku-Klux when they came into the jail?

Answer. Yes, sir.

Question. What did they do?

Answer. They came in the first time, and they had a list with names on it, a paper, and they said, "All answer to your names that I call; if you don't I will shoot you down." Then they began to call the names. That was when they came in the room where I was. My brother Joe was called. They called over the names and then they went out. Then they came back in the room and called brother Joe—"Joe Vanlue." He answered to his name. They told him to walk out. He walked out.

Question. In calling over the names, whose names did they call? Did they call yours?

Answer. No, sir.

Question. Did they call only the names of these five men?

Answer. They called Walker's name and Charner's name and Sylvanus Wright when they came in my room.

Question. What other names did they call in the other room?

Answer. I don't know what names they called in the other room.

Question. Was your brother in the same room with yourself?

Answer. Yes, sir; the same room. Then he was taken out and ordered to be shot down.

Question. Were there any other men there who were in the jail on the charge of being concerned in the murder of Stevens besides those five who were called out?

Answer. Any others in the jail on the same charge?

Question. Yes, sir.

Answer. Yes, sir; there was Jim Hardy. He was in on the same charge. Sylvanus Wright was in on the same charge.

Question. You have named him. State any others.

Answer. I was not acquainted with all of them well.

Question. Do you know how many there were in at that time?

Answer. There were about fifteen or sixteen in there at the same time.

Question. On that one charge?

Answer. On that charge.

Question. Of those they called the names of only those five that were taken out?

Answer. They only called the names of those five.

Question. Go on.

Answer. Those five were taken out, and there were two of them killed and three wounded. My brother Joe was one who was wounded, and Sylvanus Wright was another, and Andy Thomson is another. They were put back in the jail and I was put there to wait on them. Sylvanus Wright said he knew sixteen of the Ku-Klux men who had taken them out to kill them.

Question. Did he name them?

Answer. He named some of them. There was Mr. Dave Gist. He was the Captain of the company. And there was Mr. Hughes—Tom Hughes—he is now the jail-keeper; and Mr. Stout Noland, and Mr. Lunney Hill, Mr. Daniel Smith—he is dead—Mr. Rodger.

Question. What Rodger?

Answer. Two of the Rodgers; one is an old man and the other is a young man—the old man.

Question. You say Daniel Smith was dead?

Answer. Yes, sir; he was killed at my mother's house.

Question. Are you giving the names of those who were there at the jail the night they were taken out?

Answer. Yes sir.

Question. When was Smith killed?

Answer. On New Year's night.

Question. Did he die then?

Answer. He died in a day or two afterwards.

Question. Was Sylvanus Wright telling you that the same man who was killed had been among the Ku-Klux?

Answer. Yes, sir.

Question. Did he say he was there?

Answer. Yes, sir.

Question. Did he say he was there when they were taken out?

Answer. Yes, sir.

Question. Go on.

Answer. Mr Bob Greer.

Question. Anybody else?

Answer. Mr. Barby Hawkins. That is all I recollect now.

Question. Did he tell you the whole sixteen he said he knew?

Answer. He didn't tell me the whole sixteen.

Question. Is that all you remember?

Answer. There is another name; Mr. Dan Black.

Question. This is what Sylvanus Wright told you?

Answer. Yes, sir.

Question. Did any of the rest tell you about knowing any of the men?

Answer. None, only my brother Joe said the same men.

Question. Do you know where these people live that they named to you?

Answer. I knew where some of them lived.

Question. Where did they live?

Answer. There is Mr. Rodger; both of them live right in the town at Unionville.

By Mr. VAN TRUMP:

Question. Is Mr. Rodger a Yankee, or what is he?

Answer. He is Scotch, I think. There is Mr. Bob Greer lives right there in town, and there is Mr. Dan Black lives there in town, and Mr. Dave Gist lived up the country.

Question. How far up the country?

Answer. I don't know exactly; seven or eight miles. My brother out here can tell you the distance.

By the CHAIRMAN:

Question. What brother?

Answer. Thomas Vanlue; he is out here.

Question. Was he in the jail too?

Answer. Yes, sir, they put him in the jail, but Spencer Rice bailed him out.

Question. He was in the house when they shot?

Answer. Yes, sir.

Question. The Yellow House?

Answer. Yes, sir.

Question. Is this all they told you?

Answer. That is all the names I can recollect; there were some names strange to me that I have forgotten.

Question. Did you know anybody that night that came into the jail the first night?

Answer. I didn't know any one that I could specially say. They had on these faces and big gowns so I couldn't tell them.

Question. Did any of them say anything to you?

Answer. Yes, sir; they came and asked me my name and I told them. They asked me what I was in there for. I told them about the shooting in the Yellow House. They asked me was I on the Stevens scrape. I told them I was not, I thought.

Question. Was anything further said to you?

Answer. No, sir, only they told me to take my seat.

Question. Were you there the second night when they came?

Answer. Yes, sir, that was the night they questioned me. The first night they didn't say anything to me.

Question. Did you know anybody that was there either the first or second night in disguise? Did you know any of these men?

Answer. No, sir.

Question. Had you lived about Unionville?

Answer. I lived there two years ago. I had been living there two years, and I was raised in Unionville.

Question. Did they say what they were going to do with those men when they took them out?

Answer. No, sir, they didn't say; only the last night they came in and my brother Joe was lying down. They asked him what was the matter with him. He said he was

shot. They said, "What shot you?" He said, "The Ku-Klux." They said, "We'll shoot you again. Get up!" And they made him get up and tied him and took him out.

Question. Is that all you know about this transaction?

Answer. Yes, sir; that is all I can tell about the Ku-Klux.

By Mr. STEVENSON:

Question. How did the boys say they knew these men?

Answer. They said they knew them by the face and the size. They were well acquainted with them.

Question. Were not their faces covered?

Answer. They all wore disguises, so they said, but they saw those faces and the size of the men and knew them.

Question. Did they say whether the men took off their disguises after they got out to the old field?

Answer. No, sir, they didn't say that. They said after they got through shooting, the captain ordered every man to mount his horse, and when he mounted his horse he ordered them to halt, and when they halted, his word that he spoke was: "It is done here. Leave it right here. Don't carry it no further." He asked them did they all understand, and they motioned yes, and they marched off together.

Question. How did these boys get away or escape?

Answer. My brother Joe, the way he came to get away was, when he was ordered to the spot—out before these men to shoot him down—he was ordered to turn around; and when they ordered him to turn around he burst and run, and as he run they shot him in the side, and his left arm was shot through and through.

Question. What do you mean by through and through?

Answer. That is, the ball passed through; the ball didn't stop in his arm; and he made his escape then, running, and got away.

Question. How many wounds had he in the arm?

Answer. He had six or seven in his arm and one in his side. This Andy Thomson got away by running. As he run they shot him through the shoulder, but he kept running; and Sylvanus Wright was shot down with the dead, and examined.

Question. How examined?

Answer. They got down and put their ear to his mouth to hear if they could hear him breathe, and he wouldn't breathe; and after they left he got up and left.

Question. Did he say who examined him?

Answer. No, sir; he said one man examined him.

Question. Did he say what they said after examining?

Answer. No, sir, he didn't say anything. They struck a match and examined him, and then they all left; and after they left he got up and made his escape.

Question. Did you hear anybody inquire either night in the jail there for Jim Hardy?

Answer. No, sir, not since the first night. The Ku-Klux called his name the first night. They called his name three or four different times. I heard them outside call his name.

Question. Did they take him out?

Answer. No, sir.

Question. Why?

Answer. I don't know. They didn't take him out. He was in there, though.

Question. Was anything said about Matt. Stevens?

Answer. I didn't hear a word about him the first night.

Question. How about the second night?

Answer. The second night they asked me was I on his scrape.

Question. Was that all that was said?

Answer. That is all I heard.

Question. You did not hear about Stevens standing at the door?

Answer. No, sir, I didn't hear that.

Question. How could Dan. Smith be there when he was dead?

Answer. I don't know, sir. That is what the boys said, that Smith was there. They might have made a mistake. That is the tale they told. Probably they must have taken him by his size.

Question. Did they not know that Smith was dead?

Answer. They knew he was shot. Through the talking they might have made a mistake calling over the names. They called over a good many names, but they didn't tell me all they did know.

By Mr. VAN TRUMP:

Question. They did not call over more than sixteen, did they?

Answer. They told me they knew sixteen, but they wouldn't tell me who all they did know.

Question. But they were not unwilling to talk of the sixteen, including some of the best men in that country?

Answer. They were afraid to tell all the names.

Question. But they told you sixteen?

Answer. They didn't tell me all that were.

Question. How do you know they would not tell all they did know? Did they say they would not?

Answer. They told me they wouldn't tell, but they said if they got a chance to get on the stand, they would tell all they knew.

Question. That is, they would tell more than the sixteen?

Answer. Yes, sir; but they would not tell me because there were men passing in and out, and they were afraid to talk. They told me they were afraid to talk.

Question. But they were not afraid to talk of the sixteen they mentioned to you?

Answer. No, sir. They appeared to be afraid, too, because they kept it secret. They wouldn't talk it to everybody.

Question. They were not afraid to say David Gist was one?

Answer. They were afraid to tell everybody, but they told me.

Question. Why were they not afraid to tell you sixteen, when they were afraid to tell you of a good many more that they knew? Did they explain that?

Answer. No, sir; they wouldn't tell all.

Question. Were you at the Yellow House when Smith was killed?

Answer. Yes, sir, when he was shot.

Question. What night was that?

Answer. That was Sunday night—New Year's night.

Question. What time of night?

Answer. I suppose about 10 o'clock, as near as I could get at it.

Question. What did they say when they first came up?

Answer. They came up to the door and ordered us to open the door. We asked who it was. They said, "Never mind, open the door." We told them we were not going to open the door until they told their names. They said, "You won't, ha?" We said, "No," not until they told who they were, and they just commenced to fire into the house, and after they commenced firing we commenced firing.

Question. Right away?

Answer. Yes, sir, after they had shot several shots.

Question. How many of you boys were in the house?

Answer. There was myself, my cousin—

Question. Who was he?

Answer. Major Palmer—and my two brothers, Joe Vanlue and Thomas Vanlue.

Question. Four of you?

Answer. Yes, sir.

Question. How many guns had you?

Answer. We had three guns that would shoot, and one was not in service.

Question. An old one?

Answer. Yes, sir, out of fix.

Question. Were those three Winchester rifles?

Answer. They were militia guns.

Question. Were they rifle-muskets to shoot rifle-balls?

Answer. Yes, sir.

Question. And minie-ball?

Answer. Yes, sir, and cartridge-ball.

Question. A long copper ball?

Answer. Yes, sir.

Question. Each of you had one?

Answer. Yes, sir.

Question. Three had minie-ball guns and one had an old worn-out musket?

Answer. Yes, sir. It was not in service.

Question. Are you certain which party commenced firing?

Answer. O, yes, sir; I am certain who fired the first fire.

Question. Did you know any of the persons outside?

Answer. We knew some of them.

Question. Did you know Smith?

Answer. I am mighty well acquainted with Smith.

Question. Did you know he was there that night?

Answer. Not until after he shot.

Question. Did you not hear his voice?

Answer. His voice? I didn't know his voice from the rest of the voices.

Question. Do not you recollect that Smith, some time before the firing, said he had a warrant for some one in the house?

Answer. I don't remember anything about it. I never heard any one speak to say, "I have a warrant."

Question. How many shots were fired from the outside before you began?

Answer. I don't know exactly how many, but they fired a good many balls.

Question. They fired a good many balls before you began?

Answer. Yes, sir.

Question. You stood there with your guns in your hands?

Answer. No, sir, they were not in our hands.

Question. Where were they?

Answer. Up stairs.

Question. Had you the guns down stairs before they commenced outside?

Answer. No, sir.

Question. When did you get them down?

Answer. We run up stairs and got the guns as soon as they began to fire, and they had all that time to fire.

Question. Did you hear them firing as you went up stairs and before you came back?

Answer. Yes, sir; they commenced firing before we started, and kept firing, and then we commenced.

Question. Why did not you let them in?

Answer. Because we didn't think they were after anything good at that time of night.

Question. There was a terrible tragedy enacted before that?

Answer. Stevens was killed Saturday night, and this was Sunday night.

Question. When these men came there and asked to get in, why were you so determined to keep them out?

Answer. Because they didn't speak like they were after anything good.

Question. How did they speak?

Answer. They spoke at the door, "Open the door." We asked who it was.

Question. Was there anything else?

Answer. That is the reason we didn't think they were after anything good. They didn't speak in reference to that like they were after anything good.

By the CHAIRMAN:

Question. You asked who they were?

Answer. Yes, sir; and they wouldn't tell us who they were. If a friend came to your house and you asked who he was he would tell you, if he was after anything good.

By Mr. VAN TRUMP:

Question. You say you had lived at Unionville some time?

Answer. I was raised there.

Question. And you saw as much of these men who had masks on, the first time they came to the jail, as any other, did you not?

Answer. I saw these men that came inside.

Question. That is all that Joe and the others saw?

Answer. Yes, sir.

Question. You had as good an opportunity to see them as they had?

Answer. Yes, sir; the same.

Question. Having masks on, you did not know them?

Answer. I didn't know them.

Question. You do not pretend that you knew any single man that came into the room?

Answer. No, sir.

Question. How is it, then, that Joe and these other boys could have named a good many more if they had not been afraid? How had they a better opportunity than you, if you were raised there? Was Joe older or younger than you?

Answer. He was younger than I was.

Question. How old are you?

Answer. Last March I was twenty-seven.

Question. Last March Joe was but nineteen, was he?

Answer. I don't remember exactly how old he was. My mother knows.

Question. Yet this boy of nineteen could know sixteen of those men and many more, having no better opportunities than you, who had been raised in that county, and you could not tell one; is that so?

Answer. Well, that is so when they were taking them out; but they had them in the old field. They didn't tell me they knew a man that came in the jail and took them out, but they told me these men they saw when they had them out in the old field: they knew them then.

Question. Did they say where it was they first knew them?

Answer. They told me they knew them after they took them out to the old field.

Question. Why did not you state that before when you were examined by the chairman?

Answer. Didn't I state that they knew them?

Question. You stated that they knew sixteen, and counted them.

Answer. I don't remember of his asking me the question that the boys knew them in the jail.

Question. You say when they came the first thing was, they had a list of the parties they were seeking for?

Answer. Yes, sir.

Question. And read it over?

Answer. Yes, sir.

Question. How many of them spoke; was one man speaking for all of them all that time, or did all of them speak at different times?

Answer. No, sir; all did not speak, because the man that had the list was the man that did the talking.

Question. You say Joe said that when they got out there they ordered him to a certain spot?

Answer. Yes, sir.

Question. And a number of men were drawn up to shoot them?

Answer. Yes, sir; six men.

Question. When he got to the spot they ordered a halt, and turned around?

Answer. Yes, sir.

Question. And just as they told them to turn around he turned and ran?

Answer. Yes, sir.

Question. And then they fired six shots?

Answer. I don't know how many shots.

Question. How many times was he hit?

Answer. One ball in the side and six or seven in his arm.

Question. Did he say they just fired a volley after him—all of them, or just one man?

Answer. He didn't say how many. He said they fired after him as he broke and run.

Question. Did he say what particular man or men fired?

Answer. He didn't call no particular one that fired?

Question. You had a conversation with Joe a number of times, while in jail with him, about these men?

Answer. I didn't talk much to him.

Question. Did he ever talk to you about who these men were but once, or did he talk oftener?

Answer. Yes, sir; more than once.

Question. Were you there when your mother was there, and he told on some parties?

Answer. My mother was in there now and then, but I was not in the same room every time with her.

Question. Were you there when Joe was talking to her about who the men were who came to the jail the first night?

Answer. I was not in the same room she was in.

Question. Were you, at any time when your mother visited there, with her and Joe when Joe was talking about the men who had come there?

Answer. Yes, sir; I was in there the same time my mother was, but, mind you, Joe was lying down on the pallet, and my mother was sitting down right beside him.

Question. You were in the room?

Answer. Yes, sir; but there was a big hall-room, and I passed out and in.

Question. You were allowed to attend on him?

Answer. Yes, sir.

Question. You were not there all the time your mother was there?

Answer. No, sir; I was outside of the room often.

Question. Were you in Joe's room at any time when Joe and his mother were talking about the men that he said he knew?

Answer. No, sir; I never was in there when they were talking about that.

Question. How often did you and Joe talk, or you and the other men talk, or Joe and the other men talk, when you were present, about how many men they knew?

Answer. Well, they were talking pretty often.

Question. But any time that Joe talked to you about his being taken out that first night, and knowing the men that took him out, and who shot him the first night?

Answer. He didn't tell me who shot him.

Question. But he said, when they ordered him to turn around, he ran, and they shot at him a volley?

Answer. Yes, sir. He didn't tell me particularly who shot him.

Question. Did he ever tell you that Thomas Hughes, the jailer, alone shot six shots?

Answer. No, sir; he never told me so.

By Mr. STEVENSON:

Question. Did you know Mr. David Gist?

Answer. I was not well acquainted with him.

Question. Do you know who he is?

Answer. Yes, sir; I know him when I see him.

Question. Who is his father?

Answer. I understand from what I hear that ex-Governor Gist was his father.

Question. How far is it from the jail to the old field?

Answer. It is a mile—a good mile.

Question. Did you see the wounds made by those shots which were fired into your brother's arm?

Answer. Yes, sir.

Question. Did they appear to have been made by one gun?

Answer. Some were small and some were large ones; some wounds were smaller than the others.

Question. Were they near together, as if they had all come from one gun?

Answer. They were only a few inches apart.

Question. Were they above or below the elbow?

Answer. They were just below the elbow. They were pretty thick together below the elbow.

Question. Did it appear to have been made by a shot-gun, or how?

Answer. It looked like pretty large balls, from the scars. Some of the scars were as large as my finger.

Question. Did it look like as if made by the discharge of a shot-gun—no matter whether buck-shot or what—did it appear to have been made by the discharge of a shot-gun?

Answer. I can't say it was a shot-gun; only some of them appeared to be like it might have been a shot-gun.

By the CHAIRMAN:

Question. Were any of the balls taken out of his arm?

Answer. No, sir; there didn't any balls stop in his arm.

By Mr. VAN TRUMP:

Question. Did Joe say, when they told him to turn, and he then began to run, that he ran towards the men that were drawn up to fire at him?

Answer. No, sir; he didn't say that.

Question. How would he know, then, which of the six, or whether all of the six, fired at him?

Answer. He didn't tell me who fired at him.

COLUMBIA, SOUTH CAROLINA, July 20, 1871.

CHRISTINA PAGE (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. I am living here now. I came here from Union about three weeks ago.

Question. How long had you lived in Union?

Answer. I had been living there five years, Christmas.

Question. What business were you in?

Answer. Sewing, washing, and ironing.

Question. For whom did you sew?

Answer. For a good many people in Union—I don't know who all—for Mrs. Gibbs and for a good many gentlemen there. I didn't sew for any one in particular.

Question. Did you ever make any disguises?

Answer. I made some disguises for parties.

Question. Who for?

Answer. I made one for Mr. Jim Rodger. I made one for John Gist.

Question. Did you make any for any others?

Answer. I helped Mrs. Brock make a great many. They had a large party?

By Mr. VAN TRUMP:

Question. Where?

Answer. They had a party at Dr. Boyd's and a party at Dr. Herndon's.

By Mr. STEVENSON:

Question. When was the party at Dr. Boyd's?

Answer. I don't remember what time it was now, but they were made. The first dominoes were for the party at Dr. Boyd's.

Question. Was it before or after Christmas?

Answer. It was before Christmas.

Question. Where is Dr. Boyd's?

Answer. Up in Union.

Question. In the town?

Answer. Yes, sir.

Question. Who was it you said made a great many?

Answer. Mrs. Brock made some for the party.

Question. How many did she make?

Answer. I don't remember how many. They had a good many made. I don't know who did, who all had them made. A good many gentlemen had them made. A good many gentlemen had them made from the country.

Question. Some gentlemen who lived in the country?

Answer. Yes, sir.

Question. About how many did she make?

Answer. I declare I can't tell you. I know they made a good many; I helped them myself. I was up there, and it took late in the night. We made a great many.

Question. Was it twenty or fifty?

Answer. No, sir; it was not fifty, because they had a good many where they had parties a good while ago. Maybe we made six or seven that day. I don't know how many.

Question. How did you make them?

Answer. Did you ever see a loose gown?

Question. Yes.

Answer. They were made like a gown to put over your shoulders, that came down as far as my dress does.

Question. Down to your feet?

Answer. Yes, sir.

Question. How about the head?

Answer. They were made with a band fastened right in front, and then a handkerchief doubled and put over the face, so that if you were dressed up in these clothes and came here no one would know who it was. It was made folding a handkerchief in this way, [the witness illustrates by folding a handkerchief in the manner indicated,] folding it up so that it would look like a three-cornered handkerchief, with eyes and mouth cut in it.

Question. You would fold a square piece of cloth so that it would be three-cornered and then cut the holes for the eyes, nose, and mouth?

Answer. Yes, sir; the upper part of the corner would be a stiff piece of cambric and stand up above the head.

Question. Like a horn?

Answer. Yes, sir.

Question. Were these disguises worn at the parties?

Answer. Yes, sir. They had a large party at Dr. Boyd's and one at Dr. Herndon's.

Question. What was the color of the cloth?

Answer. Some yellow, some black cambric, some green. They had them all colors. The ladies had a good many made, too.

Question. What did they call these disguises made for the gentlemen in that way?

Answer. Dominoes.

Question. Was there anything said about Ku-Klux?

Answer. No, sir; I never heard anything about Ku-Klux.

By the CHAIRMAN:

Question. Had you ever known disguises of that kind to be made before that?

Answer. No, sir; I never helped to make any before that party.

Question. Had you been in the habit of sewing for masquerade balls before that time?

Answer. No, sir; but the ladies might have had them there. That was the first I ever helped to make.

By Mr. STEVENSON:

Question. Were any of these made for a merchant there?

Answer. Yes, sir; some gentleman. The merchant wore them.

Question. But for merchants to sell?

Answer. No, sir; not as I know of. I don't know anything about any made to sell. I know the night we had the ball we set up very late at Mrs. Brock's. I was there. Several gentlemen from the country came there and had them made, and then went over from there. It was a large party.

By Mr. VAN TRUMP:

Question. You came here about three weeks ago?

Answer. Yes, sir.

Question. To live?

Answer. Yes, sir.

Question. Who are you living with ?

Answer. I am keeping house myself.

Question. A married woman ?

Answer. No, sir.

Question. You had lived at Union some time before that ?

Answer. Yes, sir.

Question. When was this first party at Boyd's ?

Answer. I don't remember. I think it was before Christmas. It was not very long before Christmas.

Question. Was it before the holidays ?

Answer. Yes, sir. They had the party at Dr. Herndon's, too, before Christmas. I know it was, because they had a great deal of disturbance. The colored people had gone out, and they said they killed Matt. Stevens. I know all the parties were over before that.

Question. Had you never heard of a domino party before that first one at Boyd's ?

Answer. No, sir ; I don't know whether they had one or not. They might have had some there.

Question. But that was the first one when you were called upon to make dominoes. You know there was a party at Boyd's ?

Answer. Yes, sir ; and at Dr. Herndon's. I know that.

Question. Were not these dominoes made for ladies, too ?

Answer. Yes, sir.

Question. You say Mrs. Brock seemed to be hurried to get them done that night ?

Answer. Yes, sir.

Question. And you went to assist her ?

Answer. Yes, sir.

Question. And they made, that night, six or seven ?

Answer. No, sir ; we finished them up and they went from the house to the party.

Question. Did you make six or seven that night ?

Answer. During the day and night we made six or seven ; we had a machine to make them, and just basted them.

Question. You were occupied at it late at night ?

Answer. Yes, sir.

Question. How late ?

Answer. About 8 o'clock, I reckon.

Question. Was that before the party ?

Answer. No, sir ; the night of the party. They wanted them earlier than that, but we could not get them done.

Question. What became of the dominoes after that ; do you know ?

Answer. No, sir ; I guess they kept them.

Question. How many ladies' dominoes did you make ?

Answer. I think we made four ; one for Mrs. Widow Gist, and one for Mrs. Gertrude Gist, and one for Miss Lottie Sims, and I declare I don't know who all we made them for ; some ladies from the country.

Question. Who came to see you about what you knew in reference to making these dominoes ?

Answer. No one, sir, until this gentleman (Sergeant-at-Arms) came there this morning and told me to come here.

By Mr. STEVENSON :

Question. Were the disguises for the ladies made in the same style as those for the men ?

Answer. Yes, sir.

COLUMBIA, SOUTH CAROLINA, July 20, 1871.

JOHN A. CREWS sworn and examined.

By the CHAIRMAN :

Question. Where do you live ?

Answer. Laurens is my home.

Question. Are you living there now ?

Answer. No, sir.

Question. How long have you been away from there ?

Answer. Since somewhere about the last of last October.

Question. What were you engaged in before you left there ?

Answer. I cannot exactly state what I was doing. I was at home staying through the summer.

Question. Were you going to school ?

Answer. No, sir; I was not going to school. I had been running on the railroad awhile before. I was at home then.

Question. What caused you to leave home?

Answer. The disturbed condition of the county.

Question. What was that disturbed condition of the county owing to?

Answer. It was owing to the riot which had taken place at Laurens on the 20th of October last.

Question. Were you there at that time?

Answer. Yes, sir; I was in the town.

Question. Tell, as briefly as you can, what you know of the origin of that riot and what you saw of it.

Answer. I guess it was about 12 o'clock, on the 20th of October, when the firing began. I don't know exactly how it began, because I did not see it right close to it. I was off some distance. I noticed a great many white men were running out in the public square with Winchester rifles and guns, and making threats and yelling. There seemed great excitement, and I saw colored men running. I was at the time in the post office, and my father was in there with me. I told my father I had heard them calling for him, inquiring where he was, and had heard two or three say that if he had gone up he would be killed. They inquired to find out where he was, I suppose, so they could kill him. I told my father he had better leave. He didn't seem to want to leave. I told him he must do it, and he ran down across the depot lot, and was fired at two or three times. I don't know where he went after that. I saw him cross the street. I saw that there would be a general row, that is, they would be looking for us, and we could not save ourselves except by leaving. The postmaster was out, and a young man who had been elected probate judge, in the election, came down stairs. I suppose he was up stairs. I was told so. He asked me what was the matter. I told him I thought they had killed two or three of the constables. I supposed they had then, because the firing was right in the court.

Question. What was the name of this young man who had been elected probate judge?

Answer. Volney Powell. I told him I thought we had better leave there; that they would look for us, and if they found out we were there they would kill us, and I proposed to him to leave the place right away. We ran to the back window of the post office and jumped out, and ran across the lots, down across a creek, and went out on the railroad, and about three miles from town we stopped in the woods, and staid there an hour, I guess, perhaps more or less, and he proposed to me to go back in town. We could hear the firing back in the town all the time. We could hear the guns one right after the other. There seemed to be a great deal of firing. He proposed that we should go back as near town as possible and find out what we could. He went back and left me and told me he would go back; for me to wait for him; that he would try to get something for us to eat if he could. He had had no dinner and I had had no breakfast. He went back to town, at least he told me so, as near town as he could, and he saw that he could not get into the place with any safety, possibly. He said the roads were picketed and guarded and a person could not go nor come; that they stopped him. When he came back he had two or three colored men with him; I don't remember how many exactly, because I did not notice that much. I was with them, though, a good while, but can't remember now how many where with him. At any rate, three or four. He then said to me—I guess that this time the sun was half an hour high—he proposed to me then to start for Newberry. He said he thought we could get to Newberry that night, and I knew if we could get to Newberry we could get to Columbia, because I could get a crank-car or an engine to go through to Columbia and let the governor know of the trouble. He proposed to me to start out for Columbia, and we started off. I told him we had better wait until night; that I thought there would be some risk starting off on the railroad; that we should be seen very often, and there being several of us together we might attract some attention, and people would notice us, especially being some colored men and some white, and they knew me all over the country; I said, "We had better stop." He said if I would not go he would go on. I let him go on a little piece, and then concluded I would go with him. I thought he knew more than I did. He was older and I would trust to him. We went down the railroad track until we got about a few miles below Laurenstown. We met the crank-car returning from Newberry with the mail and two passengers, and I noticed that the passengers had Winchester rifles; that is after they stopped. I saw the crank-car coming, and he proposed to me to stop the crank-car and take the two hands off. We knew the hands, and had some confidence in them, and thought we could tell them the secret; to tell them to take the mail on to Laurens and then come back with the crank-car and take us to Newberry. That was what Powell proposed. When we came to the crank-car, I told him we had better go into the bushes and let one of the colored men stop them. We noticed there were some men on board. We got in the bushes and the colored man tried to stop the car; but they would not stop it for him, and Powell jumped out and told them to stop, and they stopped it, and some of the white men

asked him what authority he had to stop the car. He told them: he wanted to speak to the colored man who turned the crank. He said something to them, and one of them was intoxicated and drinking, and he talked to him awhile, and I think he promised him to bring the crank-car back.

By Mr. VAN TRUMP:

Question. Who was intoxicated?

Answer. The colored man who was turning the crank. We started on. We thought we would go on down the road, and in case they came back with the crank-car they could catch up with us. We went down the road I guess two miles farther and we thought we could sit down and rest. It was after dark, or about dark. We got in the corner of the fence and sat awhile. By this time there was seven or eight in the crowd altogether. We sat down in the corner of the fence and talked awhile—Powell and myself—and a colored man came along, I suppose; I don't know how he came to find out we were there, but he came up to me and inquired who I was and called my name. I told him yes, it was me. He says, "Well, I thought they had killed you." I told him no. He said he had heard so. I asked him about the condition of things down around the place there where he was, near Clinton; had they hurt anybody down there yet, or had any one been killed. He told me he didn't know. Some one proposed to him—I think it was Powell—that he should go up to his house—he lived near by—and get us something to eat and bring it to us. He sent a little boy up to his house, or up to a house; I supposed it was his; he lived near there any way. The little boy went up—not a small boy, but not a grown man. We told him, though, before he went, to catch us down the road. We had made up our minds to go down the road, and we told the boy he would overtake us down the road, and we walked down the road, not exactly toward Newberry, but our intention was to go to Newberry. This colored man told us if we went this road we would go around Clinton. We didn't like to go through there, because we thought there would be a crowd there, and our intention was to go around Clinton. He told us if we would go this road it would be about three miles out of our way, but we would be perfectly safe.

By the CHAIRMAN:

Question. Suppose you tell us what actually did occur? Do not tell so much of what you thought and intended.

Answer. We went down the road and got about a mile and stopped by the roadside, to wait for this colored boy to come with something to eat for us. We sat there fifteen or twenty minutes or so, and some one looked down the road and saw somebody coming, and one, I don't know who, said, "The boy is coming with the bread, and two or three others with him." We never noticed until they came right upon us. I think there were four white men armed. They came up in fifteen or twenty feet of us before I saw them. They threw up their guns to their shoulders and cried out, "Who are there?" Mr. Powell jumped up and told them who he was, and that we didn't have any arms—at least, he said he didn't have any. They inquired what he was doing there and who the others were. They began to look around and came to me. I was the last one they came to, and inquired my name. A man came to me. He saw me and knew me—a young fellow I had known all my life—and as quick as he saw who I was he wanted to shoot me right off. He drew his gun up to his shoulder.

Question. Who was he?

Answer. James Copeland. Some of the other young white men with him told him not to, and he didn't. We staid there fifteen or twenty minutes in the road. A crowd came up of forty-five or fifty, as many as that, on horses, and then we were taken by these men on horseback to within five miles of Laurens.

Question. Were these white men on horses?

Answer. Yes, sir; I thought I saw all that were white that I could tell after night.

Question. How far off were you from Laurens where they found you?

Answer. I guess about seven miles and a half or eight miles. They carried me back to within five miles of Laurens.

By Mr. VAN TRUMP:

Question. You, or you and Powell also?

Answer. Powell was with me and two of the colored men that I saw, and if there was any more I don't know. They carried me back to within about five miles of Laurens, and there we met, it seemed, about one hundred and fifty more—a large body of men armed.

By the CHAIRMAN:

Question. On horseback?

Answer. Yes, sir; they stopped in the road. I was in the crowd then; right among them. They did not seem to notice my being there much; but at the same time they were all around me. Occasionally some one would curse to me or say something to me. They carried Powell and these two colored men out of the crowd—carried them off

some distance from the main body of the men. I was in the crowd and heard them talking. I overheard two or three of them talking what they had done, saying who they had killed and what they had done, giving an account of what they had been doing.

Question. What was it?

Answer. They said they had killed one or two negroes at Laurens; that they had not caught my father, and so on.

Question. Don't say, "and so on." Tell us what you remember they said.

Answer. They carried me. A man came up to me and says, "Come with me." I said, "Well." I followed him out, another man besides himself too. They carried me out into the woods. Both were on horses. There was a railroad-cut right along in the woods. They carried me out by the railroad-cut. They stopped me and asked for my watch and all that I had. I pulled out my watch and chain and handed them to this man that asked me for it, and gave him my money, my pocket-book. They then told me to step out. I stepped back two or three steps. They had revolvers in their hands. They then concluded, I suppose, to carry me off farther. They told me to walk on. They started off on their horses and carried me still farther from the main road, and carried me right to the edge of the railroad-cut. It was pretty dark where we were. The pines were very thick. They told me to stand out there. They had two horses that were a little wild, and whenever they would put their arms out as if they were going to shoot, the horses would jump. They could not get them to stand steady. I knew the horses, too, that they were on. They belonged to the State.

Question. To the State?

Answer. Yes, sir, to the State constabulary. They told me to stand out. I stepped out. They leveled up their revolvers twice, I think, at me, and whenever they would throw out their arms their horses would jump so they could not fire. I noticed that, and looked around to see whether I could not get a chance to escape, and I noticed I was right on the cut, and I knew the only way I could do was to jump down in the cut. I thought that I would fall right on the ground and then slide and jump and sort o' roll down. Just the moment before they fired—for they fired anyway after I fell—I dropped right on the ground and just rolled down into the railroad track and jumped up and ran up the bank on the opposite side and ran over through the woods. I think they tried to catch me again, from what I could hear. I ran about half a mile and stopped and listened, and I heard a volley of thirty-five or forty shots. I then went on through the woods and wandered all night. I don't know where I went, hardly; I could not tell. At any rate, I made my way back to within a mile of Laurens and got into a colored man's house about daylight, next morning, and I staid there. This, I think, was on Friday morning. I staid there from Friday morning until Monday afternoon. Late in the afternoon the troops came to town, and I could see them, and I came out of the place where I was in the colored man's loft and went to the troops. I slipped into the officers' quarters. I talked with the men, seeing the men, some of them, so I could tell how they were disposed. I found one man I thought I could place confidence in, and he went right off and told the officers I was there, and they asked me to slip into the room, and I slipped in and staid there with them until a little while before day, and then slipped out and slipped off up home, about three-quarters of a mile up town. I went in and found my father at home. My mother was looking for me. She knew I was not killed. I had sent her a note before. I staid there. I can't remember now how long I did stay, but a day or so.

Question. Was there any more disturbances after that?

Answer. Not that I know of.

Question. What became of Powell; was he killed?

Answer. Powell was killed. I didn't see him killed.

Question. How do you know he was killed?

Answer. I know it by the people telling me so.

Question. Was he buried?

Answer. His remains were taken to Ohio.

Question. How did you learn that he was killed?

Answer. I was told by colored men that he had been killed.

Question. By whom and where? You say you left him there where they took him away from you. Did you see him afterward?

Answer. No, sir, I never did.

Question. Was there a colored man with him?

Answer. There was a colored man killed also.

Question. Was it your information that he was killed at that time you spoke of hearing a volley of thirty-five or forty shots?

Answer. I don't know that he was killed at that time. He was killed that night. His body was found next morning, I have been told.

Question. Where was he taken to?

Answer. His body was found near where I got away from them?

Question. Was he buried there or brought back to Laurens?

Answer. His remains were taken back to Laurens and put in a case, and sent home to his parents in Ohio.

Question. Did you know any of these men, except the young man you spoke of, that came up to you?

Answer. Yes, sir; I knew some of them, one of the men that fired at me; the man I delivered my watch and my money to.

Question. Who was he?

Answer. S. D. Garlington.

Question. Where does he live?

Answer. In the town of Laurens.

Question. What reason, if any, was given for this proceeding against you? What did they say to you?

Answer. They did not tell me that. They cursed me.

Question. What did they say in cursing?

Answer. They said I was a G—d d—n radical, and that, if I was not one, I would be one some time and would vote.

Question. How old are you?

Answer. I am near twenty-one, but not twenty-one. They said I had done several things they didn't like, I had taken part in politics in the county, what I could with the colored people, and they cursed me on account of my father's course; that my father was a radical and I must be too.

Question. Was your father a member of the legislature from Laurens County?

Answer. Yes, sir.

Question. Were you born and raised in that county?

Answer. Born and raised, sir.

Question. Does this give us all you know about the difficulty at Laurens?

Answer. Yes, sir, all that I know.

Question. Have you given us the beginning of it, according to your observations; about 12 o'clock that day?

Answer. Yes, sir.

Question. You do not know what preceded it in the morning?

Answer. No, sir.

Question. Were there any guns at your father's house?

Answer. Yes, sir.

Question. Belonging to the State militia?

Answer. Yes, sir.

Question. How long had they been there?

Answer. I can't exactly say; some time.

Question. Had any of them been given out?

Answer. Given out to whom?

Question. To the militia.

Answer. None of them had been given out. The militia would drill with them occasionally; parade with them.

Question. Was your father's house the place where they were deposited?

Answer. There were some not in our house, but on the place. They were not deposited in my father's residence, but they had some guns on the place.

Question. For what purpose?

Answer. They were kept there, stored.

Question. Had you anything to do with it?

Answer. I would go around to the militia drillings, organizing the colored militia in the State; I did that. I was paid for that by the State.

Question. Did the thing occur in Laurens the day after the election?

Answer. Yes, sir.

Question. Had there been any disturbance at the election itself?

Answer. I don't think anybody was hurt, of my own knowledge. There was a great deal of excitement, from what I could see.

By Mr. STEVENSON;

Question. Were any other bodies found than that of the probate judge?

Answer. I only know what I have been told.

Question. Tell what you know; what you have been told?

Answer. There was another body found near him, too—the body of William Riley.

Question. Who was he?

Answer. A colored man.

By Mr. VAN TRUMP:

Question. That is the negro man you mentioned a while ago?

Answer. This is the same negro man that was found.

By Mr. STEVENSON:

Question. Do you know, from information, how many were killed during that riot?

Answer. I can only tell you what I heard of it.

Question. That is what I ask for.

Answer. Volney Powell, probate judge, William Riley, and William Griffin.

Question. Who was he?

Answer. A colored man; all were colored men except Powell, William Fleming, Abe Jones, and there was one or two more I can't remember the names of now. I can't remember the names of some others I have heard of.

Question. How many in all?

Answer. I don't remember now.

Question. How many did you hear had been killed?

Answer. I have heard twelve or thirteen; that is what I have been told.

Question. Do you mean there at the town?

Answer. No, sir, not in the town, but in different parts of the county.

Question. Has there been any whippings in that county?

Answer. Not in the last year and a half, that I know of. There was in 1868.

Question. Do you know of any, from your information?

Answer. I don't know of any.

Question. Since the last election has there been any whippings?

Answer. No, sir, there has been no whippings to my knowledge.

Question. Were any of these colored men, you mention as having been killed, office-holders or candidates?

Answer. I don't know of but one candidate being killed, and he was elected. That was Powell.

By Mr. VAN TRUMP:

Question. You are a son of Joseph S. Crews?

Answer. Of Joseph Crews.

Question. Your father lived in Laurens County, did he?

Answer. Yes, sir.

Question. He was a representative of that county, and is yet?

Answer. Yes, sir.

Question. Been a very active man in politics there?

Answer. He had a good deal to say in politics.

Question. You have, too.

Answer. I have some influence in politics.

Question. You say you have been distributing arms among the negroes?

Answer. No, sir, I didn't say distributing them.

Question. What did you say?

Answer. I had been organizing the militia.

Question. Organizing the negro militia?

Answer. Yes, sir.

Question. Is it not part of organizing to deliver arms?

Answer. I have never been instructed to deliver arms to them.

Question. How many arms were sent to Laurens County before this riot?

Answer. I can't give the exact number.

Question. Give us something like the number?

Answer. Between six and seven hundred, I guess.

Question. Rifle-muskets and Winchester rifle?

Answer. Yes, sir.

Question. How many companies were organized in Laurens County?

Answer. I can only tell you what I know. There may have been more—seven or eight.

Question. Seven or eight that you know of?

Answer. Yes, sir.

Question. Some others you do not know of?

Answer. I don't know.

Question. What is the population of Laurens County, white and black?

Answer. I don't remember exactly.

Question. Who are the most numerous?

Answer. The black men.

Question. Largely?

Answer. From what I hear, I suppose they are.

Question. Do you know what is the majority of black men in that county?

Answer. The voters you speak of?

Question. Yes, sir.

Answer. About six hundred majority, I suppose.

Question. That is, there are six hundred more black voters than white voters?

Answer. Yes, sir.

Question. So that the population, including negro women and children, is very largely in favor of blacks?

Answer. Yes, sir.

Question. Was there any particular trouble in Laurens County before that riot?

Answer. There was a good deal of excitement.

Question. You say there has been no whipping for eighteen months?

Answer. Not that I know of.

Question. You never heard of any?

Answer. No, sir.

Question. Is it likely that there would be much whipping there, such as the Ku-Klux are understood to have done—especially the black men—without your hearing of it?

Answer. There might be.

Question. Very likely?

Answer. I don't know. Very often colored men are whipped and you never hear of it for three or four months afterward. That has been the case.

Question. In that county?

Answer. Yes, sir; in 1867 and 1868.

Question. But I speak of the last eighteen months that you spoke of.

Answer. Yes, sir.

Question. Do you recollect the number of the regiments of Laurens County colored militia?

Answer. No, sir.

Question. Do you recollect who was the commander of it?

Answer. No, sir.

Question. What rank did your father hold in the service?

Answer. He had a commission as lieutenant colonel on the governor's staff.

Question. Was he not the head of the colored militia of Laurens County?

Answer. I can't say that he was.

Question. Was there a colonel above your father?

Answer. I don't know.

Question. Seven or eight companies would not quite make a regiment?

Answer. I don't know much about it.

Question. You have been organizing the militia?

Answer. I just simply took down the names of colored men.

Question. Did you know Joseph Green, of that county, as captain of a company?

Answer. No, sir; I don't know him.

Question. On page 610, governor's message and accompanying documents for 1870, is a receipt by Joseph Crews, lieutenant colonel of the 13th regiment. That is your father's receipt?

Answer. I don't know.

Question. Must not this be your father?

Answer. That is my father's name.

Question. Give us an idea of how many arms your father got for Laurens County for those companies you, his son, had organized?

Answer. I don't know that he got any; I don't know it of my own knowledge; they were shipped there.

Question. To whose address?

Answer. Some of them in his name, some in mine.

Question. Then you did know he had received arms?

Answer. Yes, sir; I knew arms had been received at Laurens.

Question. I see that on the 13th day of June, 1870, your father gave a receipt for three hundred rifle-muskets. Is that so?

Answer. I don't know that he did.

Question. Then I see that on the 2d day of August, 1870, your father gave a receipt for three hundred and twenty rifle-muskets. Is that likely to be true?

Answer. I don't know; I can't tell.

Question. And for eight thousand rounds of ammunition. Do you recollect of receiving ammunition then?

Answer. Yes, sir; ammunition has been received there.

Question. A large amount?

Answer. Yes, sir; a good deal.

Question. And on the same day that he received three hundred rifle-muskets, he receipts for two thousand rounds of ammunition. Did your father or yourself, or you jointly, receive at least eight thousand rounds of cartridges?

Answer. I don't know, sir, how much.

Question. From June to August?

Answer. I don't know, sir.

Question. What was done with that ammunition?

Answer. It was stored there.

Question. Where?

Answer. In the public square, some of it; some of it was taken on our place.

Question. On whose property was it in the public square?

Answer. On my father's property.

Question. What sort of a concern or house was it?

Answer. A large frame house.

Question. Who had charge of it?

Answer. My father had charge of the house; it was his property.

Question. Some of the ammunition was taken to the place?

Answer. Yes, sir.

Question. What do you mean by place—farm?

Answer. No, sir; it was taken to our residence up town.

Question. Is it in town, or outside of town?

Answer. In town.

Question. How many muskets were stored at the residence?

Answer. I don't know.

Question. Were not all these six hundred and twenty rifle-muskets in the possession of either yourself or father?

Answer. I don't know, sir; they were not in my possession that I know of.

Question. Were none of them ever delivered to any of the several companies throughout the county?

Answer. I don't know whether they were or not.

Question. Try to think whether you know.

Answer. Some of them were sent down to Clinton.

Question. To whom?

Answer. Sent there and stored on our place.

Question. You have a place down there too?

Answer. Yes, sir.

Question. Who had the charge of that place?

Answer. J. S. Lillis had charge of our place. The guns were put in the house in which he lived.

Question. Were the guns and ammunition both there?

Answer. Yes, sir.

Question. Why did you not keep them all at the county seat?

Answer. I don't know.

Question. Was it necessary, in order to drill, to have ammunition?

Answer. I can't tell you.

Question. Was the ammunition these long copper minie-balls?

Answer. Yes, sir.

Question. Please give some idea of what this ammunition was for, if not for drill.

Answer. I can't tell you.

Question. Did you ever have an idea?

Answer. No; I don't know.

Question. Did it never occur to you?

Answer. What is a cartridge made for but to shoot? Anyway, that is what it is for.

Question. Then you supposed they were sent there to shoot?

Answer. I don't know.

Question. What was your supposition?

Answer. I don't know as I had any, or thought of it.

Question. Think of it now. What do you suppose these cartridges, and what, at the time, did you suppose ten thousand rounds of minie-balls were sent for, with six hundred and twenty rifles?

Answer. I don't know.

Question. Was it not for the negroes?

Answer. It was sent for the county.

Question. You had organized before that seven or eight companies?

Answer. Yes, sir.

Question. You did it all yourself?

Answer. No, sir, I did not do it all myself; I know that many were organized in the county.

Question. Who else did it besides you?

Answer. A colored man from this place, named Green, organized some.

Question. Did you travel around the county with him?

Answer. No, sir; I never was with him in the county.

Question. How often did these negro companies drill, before this riot in the county?

Answer. It was customary for them to drill every Saturday.

Question. Did all these companies come to Clinton and Laurens for the guns when they wanted to drill every Saturday?

Answer. No, sir.

Question. Do you pretend to say all these guns were at Laurens and Clinton?

Answer. I don't know whether they were or not.

Question. Do you not know whether they were there or not?

Answer. I could not tell you.

Question. Why not?

Answer. Some days I would be away from home three or four days. I don't know what was done when I was away.

Question. Did you always have all these six hundred and twenty guns either at Clinton or Laurens?

Answer. I never kept them.

Question. Do you pretend to say, under your oath, you do not know whether these guns were given into the hands of the negroes long before that riot?

Answer. Yes, sir; I do say I don't know.

Question. Had there been a militia drill of the negroes the day of the election?

Answer. I never saw any, sir.

Question. Where were you the day of the election?

Answer. At home part of the time, part of the time I was with the garrison of soldiers.

Question. Where was the garrison?

Answer. About half a mile from the court-house.

Question. You don't know, although you were there that day, either in town or at the garrison of the Federal soldiers, whether the negroes had paraded or drilled on the day of the election or not?

Answer. No, sir, I do not.

Question. Did you never hear it?

Answer. No, sir.

Question. Was your father there the day of election?

Answer. Yes, sir.

Question. Did he make a speech that day?

Answer. I never heard of it.

Question. Did he make a speech a day or two before?

Answer. I don't know how many days before he made a speech. He made several speeches during the summer,

Question. Were you with him at any time when he made a speech?

Answer. Yes, sir.

Question. You don't know whether he made any speech on the day of the election, at militia drill at Laurens?

Answer. I don't know.

Question. Did you ever hear him say he did?

Answer. No, sir.

Question. Did he talk of it when he came home at night?

Answer. I never heard him talk about making any speech on the day of the election.

Question. Where did the negroes get the guns the day of the riot?

Answer. I don't know whether they had any or not.

Question. You say you saw white men rushing, with guns, towards the square, and negroes also running about?

Answer. I did not say the negroes had guns.

Question. But I am asking you.

Answer. I did not see a negro with any gun.

Question. How long did you stay there?

Answer. Half an hour, I guess.

Question. Where did you stay?

Answer. I was in the post office.

Question. Where did you go from there?

Answer. I run down across some lots, down back of the town, and up the railroad track.

Question. Do you know how the riot commenced?

Answer. No, sir.

Question. The first you heard was firing?

Answer. Yes, sir.

Question. Were you in the post office at the time?

Answer. Yes, sir.

Question. And came out?

Answer. Yes, sir.

Question. And saw the white men running and the negroes running?

Answer. Yes, sir; running away from them.

Question. They seemed to be frightened?

Answer. Yes, sir.

Question. This is all you saw?

Answer. Yes, sir.

Question. How many white companies were organized in Laurens County, at the same time, with these Winchester rifles?

Answer. I don't know.

Question. Do you not know there were none?

Answer. No, I don't know that there were none, nor that there were any.

Question. Did you ever see one?

Answer. I can only say what I heard.

Question. Did you ever see a white company drill with State arms?

Answer. No, sir. I have reason to believe there were white companies in the county organized.

Question. What sort of companies?

Answer. I don't know; bodies of men organized, I have heard it.

Question. You mean Ku-Klux, do you not?

Answer. I don't know what they call them.

Question. Is that what you mean?

Answer. I don't know what to call them?

Question. You know what you mean when you say you believe there were organized companies in that county.

Answer. I only know I mean they were organized.

Question. Do you not mean the Ku-Klux, as they are called?

Answer. I don't know whether they were Ku-Klux or not.

Question. Then you have no fixed opinion as to whether there are Ku-Klux in Laurens County?

Answer. I am not positive.

Question. Did you ever hear of any?

Answer. I don't know whether you call them Ku-Klux or not.

Question. Did you ever see disguised men—white or black?

Answer. No, sir, I never have.

Question. Who is James Copeland?

Answer. A young man, a son of the county commissioner—of the man who had been county commissioner.

Question. Living near Laurens?

Answer. About seven miles below Laurens.

Question. Did you ever get your watch back?

Answer. I never have.

Question. Then these fellows were thieves as well as violators of the peace, were they?

Answer. I don't know what you would call them; whether thieves or not.

Question. Which way were they going when you met them?

Answer. Going out towards Newberry—on the Newberry road from Laurens.

Question. What time did you leave Laurens?

Answer. About half past 12 or 1, along there.

Question. You traveled about five miles when you met these men that got your watch?

Answer. No, sir; it was about five miles from town. I met one of them I know.

Question. How far until you met the others?

Answer. The first squad I met with arms on horseback were about seven miles and a half or eight miles from Laurens.

Question. Was Copeland with them?

Answer. Yes, sir.

Question. Was that the time your watch went?

Answer. No, sir.

Question. Where was it?

Answer. They carried me back five miles toward Laurens, and then my watch was taken.

Question. Who did you meet after that?

Answer. After when?

Question. After these four men had carried you within five miles of Laurens?

Answer. We went back toward Laurens and met a large body of men.

Question. Which way were they going?

Answer. Toward Newberry from Laurens.

Question. What time was that?

Answer. That was in the night.

Question. You say William Riley was killed?

Answer. Yes, sir.

Question. A colored man?

Answer. Yes, sir.

Question. Where was he killed?

Answer. I can't tell what I heard. He was killed near where I was robbed and fired on.

Question. William Griffin—who was he?

Answer. A colored man.

Question. Where was he killed?

Answer. In the town.

Question. William Fleming—who was he?

Answer. A colored man.

Question. Where was he killed?

Answer. In the town.

Question. Abe Jones—who is he?

Answer. A colored man.

Question. Where was he killed?

Answer. About three miles from town.

Question. And one or two more whose names you cannot recollect?

Answer. I don't know as it was one or two. It was some.

Question. You say, by way of summing up, you heard that twelve or thirteen have been killed as growing out of that riot, at that time, either in Laurens or around through the country.

Answer. Yes, sir.

Question. Are there not a great many different reports about that?

Answer. I have never heard them. I never heard of it, only I have heard persons say there was supposed to be from ten to fifteen killed. That is the general report I heard.

Question. Did you never hear any other report of a different number, and less than that or more?

Answer. No, sir. When I have heard persons speaking of the number killed they generally say ten to fifteen.

Question. You say that the one who fired at you and got your watch was Garlington?

Answer. Yes, sir.

Question. Who was he?

Answer. S. D. Garlington.

Question. Where does he live?

Answer. At Laurens Court-House.

Question. Does he live there yet?

Answer. Yes, sir.

Question. Did you ever prosecute him for taking your watch and shooting at you?

Answer. No, sir.

Question. Why not?

Answer. I didn't think I could do anything with him.

Question. Why not?

Answer. I didn't have any confidence in the men before whom he would be tried.

Question. Can you not try him somewhere else?

Answer. I don't know.

Question. Could you not get a warrant issued here in Columbia?

Answer. I can't tell you. I don't know much about the law.

Question. Did you ever talk with your father about it?

Answer. Yes, sir.

Question. What does he think about it?

Answer. He is of the same opinion I am. He don't think we can do anything right now.

Question. You are waiting for some other time?

Answer. I don't know. I can't say I am waiting. I don't know what I will do.

Question. Has your father been actively engaged in election matters with the negroes?

Answer. Been what?

Question. Has he been largely engaged in electioneering with the negroes—the black people?

Answer. He has been a politician. I suppose you may call him that. He has some influence with the colored people.

Question. You have no information of his making a speech just before that riot?

Answer. How long before that riot?

Question. A short time before.

Answer. I don't remember his making any speech the day before or the day of the election.

Question. How many days before was the last one you know of?

Answer. I don't know how many days. He made several speeches. I can't recollect. He has been speaking in the county three or four years.

Question. Did he speak in Laurens?

Answer. He has made a great many there.

Question. To a crowd of the negroes?

Answer. Yes, sir, and white men too.

Question. Did the negroes become considerably aroused and excited?

Answer. I don't know that they have.

Question. Where are all those arms now that you spoke of awhile ago?

Answer. I don't know.

Question. Has any agent of the governor been up there to get them?

Answer. I only know what has been told me. General Anderson has been there, I think, sir.

Question. Recently?

Answer. I don't know. He has been there in the last six months, I think.

Question. Did he get the arms?

Answer. I don't know.

Question. Have you heard?

Answer. I have heard he got some two or three hundred.

Question. You hear that, all over the State, wherever he goes, he gets some guns?

Answer. I don't know that I ever hear anything about it.

Question. From what you hear of Laurens Court-House, he got some of them—two or three hundred?

Answer. Yes, sir, I have heard he has that many.

Question. Leaving three or four hundred?

Answer. Yes, sir.

Question. You know why he does not get them all?

Answer. I don't know, sir, why.

Question. Do you know why the governor is calling in these arms just now?

Answer. No, sir, I don't.

Question. You do not know why he did not call them all in when he undertook to get them at all?

Answer. No, sir, I don't know about it. I can't say positively why he didn't.

By Mr. STEVENSON:

Question. Do you know whether any of these arms were captured by the rioters?

Answer. The men that had me had some State arms. I supposed they had taken them.

Question. Among these twelve or thirteen men you understood were killed, were any of them white men except the probate judge?

Answer. I never heard of any other white man, only the probate judge, being killed.

Question. Were any of the white rioters killed that you know of?

Answer. None that I know of, sir. I have never heard of any, sir.

COLUMBIA, SOUTH CAROLINA, July 20, 1871.

THOMAS VANLUE (colored) sworn and examined.

By the CHAIRMAN:

Question. You live here in Columbia?

Answer. Yes, sir, at this time.

The CHAIRMAN. I will request Mr. STEVENSON to continue the examination of this witness.

By Mr. STEVENSON:

Question. How long have you lived here?

Answer. It is going on four months.

Question. Where did you come from?

Answer. From Union.

Question. Unionville?

Answer. Yes, sir, the town or village.

Question. Were you in the jail at the time when the first raid was made on it last January there?

Answer. No, sir, but I was in shortly afterwards.

Question. Were you put in shortly afterwards?

Answer. Yes, sir.

Question. Did you see the three men who were wounded and afterwards returned to the jail?

Answer. I occupied the same room with them.

Question. Did you hear them say anything about what had been done to them at that raid at the old field?

Answer. Yes, sir; I remember Sylvanus Wright, in particular, spoke about it in my presence.

Question. What did he say?

Answer. He said he knew some of the men that went and examined after they thought he was dead. They turned him over and struck matches and looked at him. One asked was he dead. The other said yes. He held his breath at that time.

Question. Did he say who they were?

Answer. Yes, sir; I understood him distinctly to call their several names.

Question. What names?

Answer. I think he called Dave Gist for one, Bob Lamb for another, and Dave Noland for another, Dan Black for another was called, and Rice Rogers. Those were the names delivered to me.

Question. Rogers?

Answer. Yes, sir; the sheriff, he used to be.

Question. Was he the old sheriff?

Answer. Yes, sir.

Question. Was he the sheriff at the time of the first raid?

Answer. Yes, sir.

Question. How did he say he knew them?

Answer. He knew them more by their calling each other's names after they arrived back to see whether he was dead than he did by the voices. He knew them better by their calling each other's names.

Question. They thought he was dead?

Answer. Yes, sir; they turned him over and struck matches over him. Afterwards he got up and left.

Question. Where was he wounded?

Answer. He was wounded in his back, in one place to my knowledge, and right in through his side for another, and in his right side for another, and then lower down in one of his legs again for another.

By Mr. VAN TRUMP:

Question. How long after the first raid were you put in the jail, Thomas?

Answer. About two days, sir.

Question. What were you put in for?

Answer. At the time this fuss was going on some part of the Ku-Klux family, I reckon, called at our house,

Question. The Yellow House?

Answer. Yes, sir.

Question. What makes you think it was some part of the Ku-Klux family?

Answer. Because they were all attached to one thing. I can't pronounce no other.

Question. What one thing?

Answer. They all looked like they aimed to do evil. It was aimed at the republican race.

Question. Did they say anything about republicans that night?

Answer. No, sir; only they came and hailed at the house and ordered the door to be opened, and some one made them an answer, inquiring who they were. They said "It matters not who it is; open the door."

Question. I did not ask you to go over that. Two or three days after the first raid they put you in the jail. Was that because you were at the Yellow House?

Answer. Yes, sir; and because I was a republican.

Question. What makes you think it was because you were a republican?

Answer. That was the only question I received.

Question. What do you mean by that? Did they ask you if you were a republican?

Answer. Yes, sir; that was asked often before that occurred, and I heard the gentleman I work with say they had nothing against me only I was a republican, and he knew I was suffering there for nothing, and went on my bond and took me out.

Question. What was his name?

Answer. Mr. Spencer Rice.

Question. What was his politics?

Answer. He never had much politics.

Question. How did he vote?

Answer. He voted democratic.

Question. Were you not put in there because some of the people who were in that house had killed Smith?

Answer. That is what they said.

Question. Was it not reason enough, if it was true, that you were concerned in that, without being a republican?

Answer. They knew before they put me there that I was in no way concerned in the murder of Mr. Smith.

Question. How did they know that?

Answer. Because I was gone to bed when they hailed there.

Question. Was not the house shut up?

Answer. Yes, sir; but they knew all over town that I was in bed.

Question. When did you hear that?

Answer. After I was put in; and before that the gentlemen knew I was not in the murder of Mr. Smith, was the reason they didn't kill me.

Question. They did not kill anybody, did they?

Answer. Yes, sir; they killed brother Joe.

Question. You say because they knew you were in bed was why they did not kill you?

Answer. Yes, sir; but I staid some time after this raid. They killed several people after this, and I was left.

Question. Who did they kill?

Answer. Joe and Sylvanus and Andy Thomson, and all those.

Question. That was by the Ku-Klux?

Answer. Yes, sir.

Question. But the men at the Yellow House; you say they knew you were in bed or they would have killed you?

Answer. That is what I have received. That message that the Ku-Klux crowd knew I had nothing to do with the murder of Mr. Smith was the reason they didn't kill me.

Question. But I am speaking of Smith and his party coming to that Yellow House that night to arrest some one that had been concerned in the murder of Stevens?

Answer. There was not a person in the house at that time that was in any way concerned in the murder of Stevens.

Question. Not even Joe Vanlue?

Answer. No, sir; he was not concerned in the murder of Mr. Stevens.

Question. How long did they keep you in jail there?

Answer. I staid in there near two nights and one day. It was late in the night when I was taken out, near 1 o'clock.

Question. Were you put in the next day after the fuss at the Yellow House?

Answer. No, sir.

Question. When?

Answer. I was not put in at all the next day. The fuss was on Sunday night, New Year's night, and I was put in on the Friday following.

Question. And you were kept there two or three days?

Answer. No, sir; one day and two nights.

Question. You were let out on Sunday or Monday, a week after the fuss at the Yellow House?

Answer. Yes, sir; I mean the fuss occurred on Sunday night, and Friday following that I was put in there, and I was in there Saturday, and Saturday night, about 1 o'clock, I was taken out.

Question. When was the first raid? Was it while you were in the jail, or afterward?

Answer. The first raid was before I went in the jail. Then there was one after I came out.

Question. You were put in on Friday, and was in Saturday and Saturday night?

Answer. Yes, sir.

Question. You had this conversation with Wright while you were in jail?

Answer. Yes, sir.

Question. What time was it?

Answer. That was Saturday, some time in the day; I don't know for certain what time of day. I had no time-piece.

Question. How came you and Wright to be talking about it?

Answer. Because he seemed interested in this matter, and me and him were both lying down very close together, and several people, citizens, came in and inquired whether he knew any of the Ku-Klux white citizens around, and me and him being close together, he whispered and told me these.

Question. He seemed afraid to tell anybody?

Answer. Yes, sir; he seemed afraid. I don't think he trusted anybody else. I didn't know of his doing it.

Question. He told you seven?

Answer. Yes, sir; he told me several, not seven.

Question. You did not say seven, but several?

Answer. Yes, sir.

Question. You give these five as the names he mentioned?

Answer. Yes, sir.

Question. David Gist, Lamb, Black, and Rice Rogers. Was Rice Rogers the older or younger Rogers?

Answer. He was the old man Rogers.

Question. Were you not surprised to hear that that man Rogers was among the Ku-Klux?

Answer. Yes, sir; I was surprised to hear it of any of them. They were all my good friends, and all the rest.

Question. He said he knew them not so much by voices as by calling each other by proper names?

Answer. Yes, sir; by calling each other's names.

Question. Did he say they called Bob or Dave or Daniel, or how?

Answer. Yes, sir; he said they called each other's names in asking questions.

Question. How did they give the names?

Answer. They said to each other, "Bob, do you think he is dead?" Bob Lamb says to Dan Black, "Yes, Dan, I think he's dead," and every one word to another they called each other's names, and he said to me those names he never forgot.

Question. Did you tell anybody he told you those names?

Answer. No, sir.

Question. Why not?

Answer. Because I was afraid to tell.

Question. When did you lose that fear?

Answer. I lost it at this time.

Question. How long ago?

Answer. Well, I feel safe in telling now more than I did at that time.

Question. When did this change in your mind take place?

Answer. Whenever the committee came.

Question. Not before?

Answer. No, sir; I would not have told any one before.

Question. Whom did you tell?

Answer. I told it before the committee.

Question. Not to anybody else?

Answer. No, sir.

Question. You never mentioned to anybody else, before you came before this committee, that Wright had told you five names?

Answer. No, sir; I never did.

Question. Are you sure of that?

Answer. Yes, sir.

Question. You never told it to your mother?

Answer. No, sir; never to my mother.

Question. Nor to your brother?

Answer. No, sir.

Question. Nor to any other person?

Answer. No, sir.

Question. How did this committee find out that you knew anything about it?

Answer. They knew, I reckon, that I had a right to know something about it; that I had experience enough to know something about it, I think. I lay from the wound they gave me eleven weeks, and could not bear my foot to the ground.

Question. Were you the one that was shot at the Yellow House?

Answer. Yes, sir; I have not been able to do a day's work this year.

Question. You have been living here four months?

Answer. Yes, sir.

Question. Who are you living with?

Answer. No, one; I am doing the best I can with my family—with my mother.

Question. What do you do for a living?

Answer. I have not done anything; I am not able to.

Question. What does your mother do?

Answer. She is a good seamstress, and does washing and ironing.

Question. Does your brother Alfred live in the same way?

Answer. Yes, sir.

Question. Without working?

Answer. No, sir; he works every day.

Question. Why do not you work?

Answer. Because I am not able to work. No gentleman would hire me to work half a day's work, and that is all I could do.

Question. Are you still disabled from that wound?

Answer. Yes, sir.

COLUMBIA, SOUTH CAROLINA, July 20, 1871.

SAMUEL NUCKLES (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. I am a refugee from Union County.

Question. In what part of that county did you live?

Answer. In the part north of Pacolet, about fifteen and a half miles above Union Court-House.

Question. What were you employed in there?

Answer. Farming, pretty much.

Question. You say you are a refugee from that county?

Answer. Yes, sir; I cannot go back there.

Question. For what reason?

Answer. I have been threatened with the Ku-Klux; and my family, part of them, ran away from there after I left.

Question. How long since you left?

Answer. I left there and came here to the house. You see I am a member of the house of representatives.

Question. Elected from that county?

Answer. Yes, sir; when I came here to the session, the session met in November; and after the session adjourned, they took a recess for the Christmas holidays. I aimed to go home, and went as far as Union village, and two of my boys met me there and told me not to go home, for they threatened to kill me if I did; and I staid over there until the Christmas holidays were over, and then returned, and the session met again after the Christmas holidays.

Question. Have you made any examination or inquiry into the extent to which the Ku-Klux outrages have been carried on in Union County among your people?

Answer. Yes, sir; I have made several inquiries and examinations amongst one and another of them since I have been down here. I have been here ever since. The fact is, three of my boys were run off on account of the Ku-Klux. That was after I came back to the session. I was then forwarded on to Washington as one of the committee from here.

Question. You went to Washington?

Answer. Yes, sir.

Question. From the information you have as to the number of persons killed or whipped by men in disguise in Union County, can you give us a statement showing how many there were?

Answer. Well, now, those boys of mine were not whipped, but they were threatened to be whipped and Ku-Kluxed if they didn't leave after a certain time.

Question. Where are they now?

Answer. There are two of them here now. The other one is out at work in the country, somewhere.

Question. Are they living in Columbia?

Answer. Yes, sir; they can give you the statement, and, I suppose, they can give you what they saw and know, but as to my own self, I am confident and satisfied that there were Ku-Klux and outrages in the country where I lived.

Question. Have you any such reliable information as will enable you to state how many persons in that part of the county were whipped by men in disguise, or how many were killed, and give their names?

Answer. I can give the names of two or three that were whipped in that county.

Question. Who were they?

Answer. One was named Rufus Norton, another was named Giles White, another was D. D. Goings, a whitman, who was whipped.

Question. When were Norton and Giles whipped?

Answer. In January; I cannot exactly tell you what day or time.

Question. How did you get the information that they were whipped?

Answer. I saw Norton himself and talked with him, and saw D. D. Goings.

Question. You need not say anything about Goings; we have had him before us.

Answer. I saw Norton and talked with him.

Question. Did he tell you how he had been whipped?

Answer. Yes, sir.

Question. Was it by men in disguise?

Answer. Yes, sir; so he said.

Question. How about Giles?

Answer. The men were disguised that whipped him also.

Question. How did you learn that?

Answer. I saw Giles White, and he told me.

Question. How near did they live to you?

Answer. About nine or ten miles below me, down on Pea Ridge, and Rufus Norton about a mile and a half.

Question. Are you afraid to go back to Union County to live?

Answer. I am, at this time, unless there is an alteration. The reason I am so now is because they became so bitter against me because I went to Washington as one of the committee on account of the whippings and outrages in my county.

Question. When did you go to Washington?

Answer. I went to Washington in February—the last of February. When we came back it was the first of March.

Question. You say your family is here?

Answer. Part of my family is here and part up there in Union.

Question. Did you own any land there, or were you a renter?

Answer. I was a renter.

Question. You are still a member of the legislature?

Answer. Yes, sir.

Question. Were you called upon to resign?

Answer. Yes, sir; I received notice to resign.

Question. What notice; in what manner?

Answer. They gave us notice that if we resigned our offices we might come back home.

Question. How did you get that notice?

Answer. It was in the Daily News here; it was published in the paper.

Question. How many members are there from Union?

Answer. Four—three in the house and one in the senate.

Question. How many of them have resigned?

Answer. None of them, for they are all here—myself, and Samuel Farr, Junius Mobley, and H. R. Duncan. There are three colored men of us and one white man.

Question. When you say four, you mean three representatives and one senator?

Answer. Yes, sir. I can only just say on the day of the election, it was the second Wednesday in October in our county. I was at what is called Gowdey's polling precinct, my voting precinct, on North Pacolet. The election was conducted very promptly by a gentleman named Henry Owens, who was killed shortly after that, not far from where they voted. There is a gentleman in that county named Bill Byars, son of old Mr. Byars, who lived not far from where this gentleman was killed. Byars and myself got into conversation. He appeared to be very mad and hostile. I took it very calm and cool, but he got mad because the election was conducted so promptly by Henry Owens

By Mr. VAN TRUMP:

Question. Conducted so what?

Answer. So promptly, so nicely, you know; having everything carried off so smoothly, all voting twelve at a time. Twelve white men would come in and vote, and show their ticket, and then twelve colored men. They would keep any one from pestering the voters as they went in, colored or white, and the election went off until about 1 o'clock, and Mr. Byars was standing talking to me, and he said, "Nuckles, I'll bet you \$500 that in two years from to-day there'll not be a colored man voting in the town." I said, "How do you know?" He says, "You'll know by waiting. By God, there'll not be a colored man voting in the town." I said, "Why, will they run away?" He says, "You'll know by waiting." Several of us were around, and some said, "Nuckles, I wouldn't talk with Byars." He was only mad because the voting was going so, for after awhile the white men voting gave out, and the colored men still kept up by twelves, and consequently we beat them there that day by 250 votes; and he appeared to be the maddest man of all the rest; and consequently he put out that conversation to me, and that gave me to understand, and I believe, he is one of the kind in that locality of this Ku-Klux Klan.

Question. Who—Byars?

Answer. Yes, sir; Mr. Byars. That was the threat he put out. A very short time after that Mr. Owens was killed.

Question. Do you know how he was killed?

Answer. Not exactly. I saw some men that tried to state to me the matter, but I could not say it was all right; but he was killed at night.

Question. How far did he live from you?

Answer. About six miles.

Question. Were you there when he was killed?

Answer. No, sir; I was down here. I had come down here on some business, and as I returned I met the report that Mr. Henry Owens was killed at Alston. Shortly after that a colored gentleman was killed, named Jim Peeler, at Grine's Mill, on Broad River.

Question. Do you know whether he was killed by men in disguise or not?

Answer. Yes, sir; it is said that he was killed by men in disguise. He went in his house, and locked himself up in his house; I have that from good authority. He was sensible that they were going to kill him. He locked himself in his house, and they beat and cut through the house after him, and got him out and killed him; but he had a pistol and shot some several times.

Question. Do you know any others who were killed in the county?

Answer. I don't know of any, except those that were killed, taken out of jail.

Question. Does that give to us all the information you have as to the condition of things in Union County?

Answer. I am satisfied, from a great many reports from other men, for a great many other men have come from Union County, as well as my children—people who have run away from there—that there are Ku-Klux who have gone through our county, who did all this mischief. I am satisfied of that.

Question. Have you any other knowledge than that which you have given us as to the mischief they did do?

Answer. No, sir; that is all.

By Mr. STEVENSON:

Question. Did you hear of any whippings?

Answer. Yes, sir; they have been whipping since I came away from there.

Question. In what part?

Answer. That was down on Broad River, below where I lived, at Pinckneyville.

Question. Have many colored people left that county?

Answer. A great many.

Question. Where did they go to?

Answer. There are a great many refugees here and in Fairfield County, and in Chester too, and a good many are in York; a great many have come here—a great many.

Question. Do you know how the colored people feel—whether safe or not—up there?

Answer. A great many, I know, do not feel safe in going back.

Question. What is the general feeling?

Answer. The general feeling is that they do not want to go back, unless something is done.

Question. What has become of the republican party up there?

Answer. The republican party, I may say, is scattered and beaten and run out. They are just like scattered sheep everywhere. They have no leaders up there—no leaders.

Question. Do you not know any leaders up there?

Answer. I don't know any leaders. If there are, they are afraid to come out and declare themselves leaders—colored men or white men.

Question. What is to become of you up there?

Answer. I give it up. Here is a gentleman named Mr. Burke Williams, professed to be a thorough-going republican with us. He is there, but I suppose he has gone back. I don't know what keeps him there; I suppose he has, maybe, agreed to submit to anything they say or do. That is the report that has been sent to us several times: that if we come back there and submit and resign being republicans and vote the democratic ticket, and take sides with them, we can stay there; but we do not propose to do that.

Question. How old are you?

Answer. I am about fifty-seven years old.

Question. Have you any education?

Answer. No, sir. I can read a little and write my name.

Question. When did you learn to read?

Answer. I first took that up here some few years back. I never was at school.

Question. Since you were set free?

Answer. Yes, sir.

Question. You were a slave?

Answer. Yes, sir; a hard-down slave.

By the CHAIRMAN:

Question. How long have you lived in that county?

Answer. I was bred and born in Union County, on North Paeolet, about fifteen miles above Union Village; and I don't know any other place I would rather live than in Union County. I have been in no place I like better, but it has become so I can't live there, and it seems I am hardly living here—merely providing.

By Mr. VAN TRUMP:

Question. When were you first elected to the legislature, Mr. Nuckles?

Answer. I was a member of the South Carolina convention in Charleston.

Question. In what year?

Answer. That was in 1868.

Question. How many members were sent to that convention from Union County?

Answer. Three.

Question. Were they all colored people?

Answer. No, sir; one white man named James Goss.

Question. The one who was afterward sent to Congress?

Answer. Yes, sir.

Question. Or was he sent to Congress first?

Answer. No, sir; he was elected to Congress after 1868. After our convention adjourned he came home, and then the election to Congress came off.

Question. Are you certain he was elected before or after the convention?

Answer. No, sir, he was elected after the convention.

Question. Then are you certain the convention was held in 1868?

Answer. It was held in Charleston, in 1868, if I am not mistaken.

Question. Were you a member of the convention before you were a member of the legislature?

Answer. Yes, sir.

Question. Of what Congress was Mr. Goss a member?

Answer. He was elected just a short time. It was for a short term—just one year.

Question. Why was he not elected for two years?

Answer. His time was only very short after the convention. After we came here his time expired with a short term, and he came back again and proposed a nominee to run again.

Question. Are you sure he was not elected to Congress in 1867?

Answer. Yes, sir; I am sure he was not. He never went to Congress but once from here.

Question. Was he not elected in 1866?

Answer. No, sir; I think not.

Question. You do not remember what member of Congress it was?

Answer. No, sir; I do not know.

Question. Do not you know that he was a number of the Fortieth Congress?

Answer. I don't know; he might have been.

Question. Do you know in what year the members of the Fortieth Congress were elected?

Answer. No, sir.

Question. If he was elected for but one year, the balance of the term, he would be elected in 1867, probably?

Answer. I don't think he went there but once. He might have gone twice, perhaps. I think he did, too.

Question. Was there anybody opposed to you in your nomination for the convention?

Answer. Yes, sir.

Question. How many black men were candidates?

Answer. There were three.

Question. For the two members, or three against you?

Answer. Three against me. There were four of us, me and three, other colored men in the field.

Question. And some one of the colored men had to be left out?

Answer. Yes, sir.

Question. Only two colored men went?

Answer. Yes, sir.

Question. What are the ages of your three members?

Answer. One of them is about twenty-seven, another twenty-two, and the other not quite twenty.

Question. What are they doing here?

Answer. They are knocking about, working. They have been working up, getting coal on the railroad.

Question. They are engaged in business?

Answer. Yes, sir.

Question. What are you doing?

Answer. I have a mule here on the street draying that I brought down from where I live. I have two of them.

Question. Who first spoke to you, after the adjournment of the legislature, and told you that you had better not go home? Was it the speaker of the house?

Answer. Not only him, but several members, prominent men I could not name here.

Question. Are there three members from Union County?

Answer. There are four.

Question. And Samuel Farr and June Mobley and yourself are the three colored members?

Answer. Yes, sir.

Question. And Mr. Duncan is the senator?

Answer. Yes, sir.

Question. And you are all four here?

Answer. Yes, sir.

Question. Has not Senator Duncan been to Union County?

Answer. Yes, sir; he has been there two or three times.

Question. Did he pretend to be afraid of going up there?

Answer. He did at first.

Question. Is he not considered a fighting man?

Answer. I think so.

Question. He thought it best not to go up there?

Answer. Yes, sir; in fact, he told me I had best not go.

Question. That was the pretty general opinion of the legislature, was it not?

Answer. Yes, sir.

Question. Would you have thought of being afraid, if these men in the legislature had not talked to you about it?

Answer. Oh, yes, sir; I was afraid anyhow, because I was spoken to by several other men, citizens of my own county, not to go back.

Question. The Ku-Klux never called on you?

Answer. No, sir.

Question. You say they threatened you?

Answer. Yes, sir; several threatened me.

Question. How do you know that?

Answer. Others came and told me, and I could know it by talking with other men—with white men.

Question. The Ku-Klux never called on you to threaten you?

Answer. They threatened me.

Question. But they never called to let you know?

Answer. No, sir; they never called on me before I left.

Question. How do you know they threatened?

Answer. I have got that right at home, after the election was over, that they would kill us all out, and threatened that all over the country.

Question. That was the report?

Answer. Yes, sir.

Question. What other black people left there?

Answer. There were several other black people that were whipped around there.

Question. Those were Norton and White and Goings?

Answer. Yes, sir.

Question. Those were all that were in your neighborhood?

Answer. Yes, sir.

Question. What township is that?

Answer. I live on the plantation of Mr. Mitchell.

Question. What township?

Answer. Draytonsville township.

Question. How did Norton and White tell you they were whipped?

Answer. Norton said he was whipped with thorns, and he showed me the prints where the thorns stuck.

Question. How many called on him?

Answer. I think he said eight.

Question. For what reason?

Answer. Just for his principles, his republicanism.

Question. Did he say so?

Answer. Yes, sir; and that he took an active part in the election in October. They said they whipped him because he was so much a republican, and made himself so liberal to use his influence to get the colored people to vote republican.

Question. You say the Ku-Klux became bitter against you because you went to Washington; how do you know that?

Answer. When I came back from Washington I got into conversation with Mr. Dunn, our sheriff, at Union Village, and he told me I had better not go up there in Union County. I was very well known in Union Village, because I used to live there. I used to be a citizen of that town, and had a blacksmith shop there.

Question. You say you went up to your home and came away?

Answer. I went up for the Christmas holidays, but I saw Mr. Dunn here after I had been to Washington.

Question. You were not afraid when you first left?

Answer. No, sir, not until I came back from Washington.

Question. I thought you were afraid to stay where you lived—to stay in the village.

Answer. No, sir; that was after the Christmas holidays. When I went home to take my Christmas my children met me there and told me not to go up home.

Question. You staid there several weeks?

Answer. Yes, sir; during the holidays.

Question. Were you not afraid to stay there?

Answer. No, sir, not as much as to go up.

Question. Do not your people believe that Union Court-House is about as bad as any place in Union County?

Answer. Yes, sir, I suppose there has been more real deviltry there than anywhere else. People were murdered there.

Question. That was the impression then?

Answer. Yes, sir.

Question. Why were you not afraid to stay there?

Answer. This killing had not taken place until after I left.

Question. But you say the impression was that Union Village was about as dangerous as any place.

Answer. I said because this killing was done there from the jail; that was after the Christmas holidays. That shows it is one of the worst places, and it is.

Question. I do not ask what it has proved to be since, but what you say was the impression at the time and before the raids on the jail? You say it was understood, then, that Union Village was about as dangerous as any place in the county.

Answer. I didn't mean to say that; I think you misunderstood me.

Question. Up to the time of these raids, Union Village was not considered so bad?

Answer. Not so very bad, but there was a little fuss around there; but not so bad as it has been since these men were killed.

Question. How do you know there has been any whipping right around the village?

Answer. People told me so.

Question. When Senator Scott was inquiring of these cases of whipping, why did you not say there had not been some at Union as well as at Pacolet?

Answer. I did say so.

Question. You say you got notice that if you would resign your seat in the legislature you might come home; how did you get it?

Answer. In the paper which came from there, I suppose.

Question. You say it was in the Daily News; there is no such paper.

Answer. There was then.

Question. Was that the name of the paper?

Answer. It was in the Union Times that we got it here.

Question. You meant that when you said Daily News?

Answer. Yes, sir.

Question. You saw a notice of that kind in that paper?

Answer. Yes, sir.

Question. Where did the Union Times say it got authority for saying that?

Answer. That I do not know. I didn't know why they should take that authority to say we should resign.

Question. But it might be that the Union Times wanted to frighten you as well as the Ku-Klux.

Answer. But I suppose it was put in by the Ku-Klux.

Question. Do you think the Union Times would put a Ku-Klux notice in?

Answer. I think the men would—the Ku-Klux men.

Question. Do you think the Union Times is connected with the Ku-Klux?

Answer. I think it was pretty much mixed up with them, because there was pretty much everything mean in it; these reports came here in it, and everything else mean came in the Union Times.

Question. You think there is a probability that the Union Times is connected with the Ku-Klux giving their notices?

Answer. Yes, sir, I think so.

Question. Is that what the republican party think generally?

By the CHAIRMAN:

Question. Do you mean the Union Times of this place?

Answer. I mean the Union Times, published in Union Village; we called it the Union Times when we got it here.

By Mr. VAN TRUMP:

Question. I thought you meant the Union Times of this city?

Answer. No, sir.

Question. You say you got this notice in the legislature?

Answer. No, sir; I got that after I came from Washington?

Question. Was not the legislature in session after you came from Washington?

Answer. Yes, sir.

Question. You staid here?

Answer. Yes, sir. The reason I staid here was because my wife and children had come here from home to keep me from home.

Question. I have been misunderstanding you all the time as to the paper. You said the Union Times, and I thought you meant the Union Times of this city.

Answer. I meant the Union Times of Union Court-House, in Union County.

Question. Where did you see that paper?

Answer. Here; it came here.

Question. That paper said that you, Samuel Nuckles, if you would resign your place, might come home again?

Answer. Yes sir; my name, and, I think, Samuel Farr and June Mobley and Duncan, and all.

Question. Was that a mere opinion of the editor in the editorial matter, or a notice by the Ku-Klux themselves?

Answer. I didn't know. It might be a notice by the Ku-Klux themselves, or an agreement between the editor and the Ku-Klux to put it in.

Question. Did you read it yourself?

Answer. Yes, sir, what little I could read; I read and understood it was so; and further than that, on the Sunday night, which was after New-Year's day, I was at Union Village—the very night of the fight. My friends had gone out. I was there on Sunday night, when the shooting took place.

Question. You say there were whippings on Broad River. What part of Union County is that?

Answer. Right north of Union Village, on Pacolet.

Question. How far from where you live?

Answer. Five or six miles, in that settlement.

Question. If you could hear all about the whipping of these men, ten miles away, you can tell about the whippings on Broad River, five or six miles away?

Answer. I don't know that I can tell you.

Question. Can you tell the name of a single person whipped on Broad River?

Answer. No, sir.

Question. Is it not the fact that in Union County, although these terrible riots have occurred, there has been very little whipping done?

Answer. I don't suppose there has been so very much whipping in Union.

Question. You say many refugees are here from Union County now?

Answer. Yes, sir.

Question. How many?

Answer. Something like a hundred, or a hundred and fifty, are here, and elsewhere, knocking about. That many, or more.

Question. How many are here in this place—not in this place and Chester and York, but here in Columbia?

Answer. As near as I can get at it, there are thirty or forty in this place, and some have been here, but have gone to other places.

Question. How do you know they are here as refugees? Is it not very natural for them to flock here for work?

Answer. They tell me they are from my county.

Question. Is not a black man sharp enough, if he is out of labor in Union County and cannot get it, to make up a dishonest tale, that he has been whipped, and come down here to get the sympathies of the republicans of Columbia in order to get employment in that way? Do you not think there are men capable of that?

Answer. There may be; but suppose men were authorized to come to your house, or you believed you had notice?

Question. That is begging the question. I ask might not that be the fact, as I have stated it?

Answer. It might be, because I believe there are bad colored people as well as white.

Question. Would it not be a pretty good game for a colored man up there, who was tricky and could not get work there, to come down with a cock-and-a-bull story to get sympathy and work?

Answer. It would be a pretty good game, but I do not think that they would do it, because we know the people of the county.

Question. If there are one hundred and fifty of these refugees here and at Chester and York, do you not think there are some of that kind?

Answer. It may be; I cannot say.

Question. How many of these refugees in Columbia can you name?

Answer. Some I cannot name. I can name my own: myself and my three boys, and Simpson Giles out here, and Fincher Foster, and Ben Foster—I don't know whether they are here just now, but they have been here—and Allen Foster; and Ed. Means, he is on the train.

Question. What train?

Answer. He is running on the Unionville train.

Question. Does not that go right through York County?

Answer. No, sir, to Greenville.

Question. Does that go through Chester?

Answer. No, sir.

Question. Is he a married man?

Answer. No, sir, and has no family.

Question. How many of these persons you mentioned are single?

Answer. I have two of my boys single, and one married.

Question. Are not most of the others you spoke of single?

Answer. No, sir; they are married.

Question. This is the very best place for single men to come to get work, like this man you mentioned on the railroad. How is he employed; is he a brakeman?

Answer. No, sir; I think he is a fireman.

COLUMBIA, SOUTH CAROLINA, July 20, 1871.

JACK JOHNSON (colored) sworn and examined.

By the CHAIRMAN:

Question. Do you live in this county now?

Answer. Yes, sir.

Question. What county did you come from?

Answer. From the lower edge of Laurens County.

Question. How long had you lived in Laurens ?

Answer. I had lived there since I was born.

Question. How old are you ?

Answer. Forty-five on the 25th of next August.

Question. What did you do there ?

Answer. I was farming pretty much all the time until emancipation, and then I still farmed on, but cut rock and built chimneys.

Question. You were a stone-mason, then ?

Answer. Yes, sir.

Question. Were you called on there by the Ku-Klux at any time ?

Answer. Yes, sir; I was called on by one man on the way from the riot at Laurens, from the fuss.

Question. By one man ?

Answer. Yes, sir, just one man. He said he had been out three nights, and his horse hadn't eat a bite. I heard him tell that gentleman after he got done beating on me.

Question. What did he do to you ?

Answer. He came up to the gin-house and jumped off of his horse and said to me, "Didn't I tell you I would give you as much for your cotton in the seed as anybody ?" I told him yes, and I told him Mr. Johnson told me to get my cotton ginned up and pay him what I owed him for bacon and corn, like a gentleman. He says to me, "What ticket did you vote ?" I told him I voted the republican ticket. "God damn you," says he, "have you got a tie-ropo here ?" Says I, "Mr. Reizer, I don't think I have done anything to call for that." He says, "No, God damn you, you haven't done anything; you go against our party; you go against us who have been a friend to you all your days. I suppose you hallooed the other day, Hurrah for Governor Scott. Didn't you vote for Governor Scott ?" I told him I did, and I thought I was right in doing so. He says, "Why did you think so ?" I told him I thought that was the right way, and it was right for me to go that way. He says, "Suppose you want to be buried right here ?" I says, "No, I am not prepared to die," and I stooped down to pick up some cotton on the ground, and he struck me on the head and knocked me down on the face.

Question. What with ?

Answer. With a club about a yard long, and I turned and got hold by his coat and tried to struggle up, and he jerked out his pistol and said, "God damn you, if that is what you're after, I'll kill you right now." I told him I didn't want him to kill me. He beat me on the head. I don't know what passed, but he beat on me to his satisfaction, and I went to raise again, and he says, "God damn you, I've a great mind to shoot you through and through." I says, "Mr. Reizer, you are beating me for nothing. O Lord, I hope you'll not kill me." He says, "Do you think the Lord has any feeling for you or anybody else that voted the ticket you have ?" I told him yes, I thought he ought to have. When I said that he struck me right across the top of my forehead, and I caught at his hand, and he says, "God damn you, I left eight of your republican party biting up dirt at Laurens, and you'll be biting dirt before morning;" and he said then, "I don't say I'll kill you, but, God damn you, there's men from Tennessee to kill you;" and he turned around and said to Mr. Miller, "I ought to kill this God-damned nigger right here." Those gentlemen were standing there and not one of the white gentlemen standing around said a word noway. He went on then toward the house to have his horse fed. I struggled along to the fence and got on the fence and got over, and went through to my wife's house, and she said they had been there hunting me. I told her to please give me a little piece of bread and meat and I would try to get away from there. She cut me off some bread and a bit of bacon, and I put it in my pocket and made off to Newbury Court-House. When I came on the road by Squire Hunter's, they were camped on the road, about thirty men. They had their horse-feed lying in the corners of the fence, and had taken down fence-rails to put up pens to put their horses in. I went through the field and on down to the Lutheran church, and there was another company that I knew nothing at all about. I thought I had better keep the woods all the time to Newberry Court-House, and I did keep the woods and fields all the way. I had to part the brush with my hand to get this arm through, for I had but one arm then to use. I had to keep this arm here for nine weeks, and never will use it again. I can't turn the drill in the rock with that arm. One finger he broke so that it hung down.

Question. Who was that Mr. Reizer ?

Answer. George Reizer, the son of old Billy Reizer.

Question. How far did he live from you ?

Answer. About three miles.

Question. What is he ?

Answer. A farmer and a store-keeper. He has a large store.

Question. Who were these other men that you spoke of ?

Answer. Mr. Frank Miller and Elam Ritchie and Henry Johnson.

Question. Did they come with him ?

Answer. No, sir, they were tending about the gin-house; Mr. Johnson was with me.

Question. What were their politics?

Answer. Mr. Henry Johnson told me he was sorry. I asked him wasn't that awful that I was beat that way for nothing. He said, then, "I am sorry, but my advice would be for you to get away from about here." I asked his advice. He said, "Get away for fear they will kill you;" and I made my escape.

Question. Were they the men you worked for?

Answer. Mr. Johnson was working with me that day, because I had a good mule and he had two young mules that I raised to haul these loads. He had me to help him haul his cotton and he helped me. We were swapping work.

Question. Had you been to the election the day before?

Answer. Yes, sir.

Question. Where?

Answer. At Clinton.

Question. Had these men been to the election, too, that were there with you?

Answer. No, sir, only one.

Question. Who?

Answer. Young Adams, a colored man.

Question. Were they of the same party with you? Were they republicans or democrats?

Answer. There were no republicans there but black men; the other two were democrats, but they were powerful opposed to what Reizer did to me.

Question. Did you ask them for protection?

Answer. No, sir, because I knew it was no use.

Question. Why?

Answer. Because I knew it was no use for nobody to ask protection from men as vigorous as they were, because they were all principally against us voting, and Mr. Johnson had told me before to vote a reform ticket if I wanted to save myself; and I knew it was no use.

Question. Was Reizer drunk or sober?

Answer. I never saw him drunk in my life.

Question. You say he is a farmer and store-keeper in that neighborhood?

Answer. Yes, sir, he has a farm going on right there. He went the next day after he beat me and rode up to my house and asked for me. My wife told him she didn't know where I was, I was gone to my father. I didn't tell her I was going for Newbury, for I knew she would go crazy entirely if I did. He asked what he should do to get his money out of that farm. She told him to do what he could. He said, "By God, he knew what he would do." He turned around and galloped off and came back and took away my fodder and things. It took four loads to haul my fodder. And he took off my cotton.

Question. What became of your crop?

Answer. He took it all off. I owed \$70 and he took off my mule. He took my cow up there to sell her, and Mr. Boyd wouldn't let her be sold. He said he claimed the cow in my behalf; he hated to see all my property go for nothing. There was my hogs. I think they brought \$8. I had two hogs in the pen to have weighed two hundred by Christmas. That mule I had refused \$175 for. All the men in the settlement knew that mule. I loved the mule. It was as large a mule as I have seen since I have been here in Columbia. He took my fodder and he sold my corn. He sold it for twenty bushels, more or less. I had measured my corn when I put it up, and I had eighty bushels, and he sold it for twenty bushels, more or less.

Question. Did you owe anybody else but him in that neighborhood?

Answer. Yes, sir, I owed some other men. I owed the lady I rented the land from. I bought the land off for a hundred dollars a year. She said she would rather I should have it than anybody else, for I would work it. Mr. Dave Boyd and Billy Young came and told my wife she had better go off to some other place, because Mr. Reizer was going to take my truck away, and she had better hunt a home some other place.

Question. Where is your wife?

Answer. She has come here.

Question. Have you any children?

Answer. No, sir; I have one boy driving a carriage now, down below, for the hotel.

Question. How much was your crop worth that you left there?

Answer. Well, the man taking the census around was at my house just about four days before the election came off, and he came into the cotton-field where my wife was picking cotton and asked for my property, and I told him, and he said my property at the house was worth \$600 besides my crop—that is, my hogs and cows. I had one cow and calf and another heifer and two yearlings. I wouldn't have taken one hundred dollars for my cow, because when we drove her up she would give two gallons of milk every night and morning, and we needed no begging with her.

Question. Have you been back since?

Answer. No, sir.

Question. Do you feel afraid to go back?

Answer. Yes, sir.

Question. Why?

Answer. I know one thing. Mr. George Reizer don't care for mouey no more than you for a claw of tobacco, and if he didn't kill me, he would have it done; because he had been at me so long before the election to vote the conservative ticket, and I would not tell him what I would do. I told him I couldn't promise nobody I would vote such a ticket, for I would have gone against my principles and against my own feelings. He came up there a day or two before the election and asked me what I would take for my cotton in the seed. I told him I didn't want to sell my cotton in that way. He said I might go to any white man in the settlement and ask him what the cotton was worth in the seed, and leave it to him which would be best for me to do. I left home immediately, and went over to Jared Johnson, one of the strongest democrats in the settlement, but one of the best men, who wouldn't tell anybody anything wrong about it. He is a magistrate. I asked him what was best for me to do. I told him Mr. Reizer was powerful mad at my house yesterday; I wouldn't promise him not to vote the republican ticket. He says, "You go home and let everybody see you are gathering your crop and paying your debts, and when you get your cotton ginned pay Mr. Reizer half and Mrs. Dillon half until you get them both paid." I rented my land from her. He says, "I got some meat of George Reizer on a lien, and he wrote me an insulting letter, and I let him know I am not a nigger."

Question. How is it there in regard to the other colored people? Do they feel at liberty to vote as they please, or has this system of intimidation been carried on to any extent.

Answer. Well, they are down up there now, for all the republican men that have been the leaders, speaking and going about through there, has left there—has come out and left them. My wife come from there about four weeks ago. She is just as well brought up as a white child. Her old master and mistress had no children, only her to take care of, and she was respected; and she said they refused to speak to her there, and told her she had better go away from there to Columbia, for that was a bad place for negroes, it was a harbor for negroes; nobody there seemed to have no use for us—no old friends.

Question. What do you know about the liberty of the colored people there to speak or do as they please? How was it at the election?

Answer. All voted that could vote, only they were persuaded to vote the other way.

Question. Was there any violence of this kind before the election of last October?

Answer. Yes, sir; there were lots of threats. You could hear rumors of threats all through the settlement. There was Mr. Tom Ware. The day of the election I walked up, and I had a chill on me that day. I put in my vote, and some of them says, "There's Old Jack voting for Scott!" Says I, "Suber"—he is school commissioner at Laurens now, a colored man—"Did you notice how they voted; there are some going in I don't think is right. Dr. Tom Ware spoke up, and says, 'Now, the last God-damned one of you are voting yourselves into your graves.'"

By Mr. VAN TRUMP:

Question. What did you mean, saying it was not going all right?

Answer. What I meant was this: When I went to go out of the gate to go to vote I had no ticket, and I asked a gentleman for a ticket. I had just got there. I caught him by his coat, and pulled him around, and asked for a ticket. He handed me a ticket, and I says, "What are you; are you a republican?" He says, "I am as full-pledged a republican as you ever saw." I took the ticket and went back in the yard; they told me I couldn't go in then; enough had gone. Only ten voted at a time. I showed the ticket to a white man in the yard there, and he says, "That's a democratic ticket; you'll not vote it." I says, "No, not for this world." This man, Al. Daggan, pulled me. He is a colored man, and he says, "I'll give you a right ticket." And then I went on and voted.

By the CHAIRMAN:

Question. Can you read.

Answer. No, sir.

Question. Had you taken any part in politics—been a candidate for office?

Answer. No, sir.

Question. Did you do anything else than vote?

Answer. No sir, only to vote; only this, I took a great propriety in counseling the people which way to vote—the colored people. I had been riding about a good deal. I was the only colored man that had a mule anywheres nigh my house, and I would go 'way off to speeches, and come back and tell the news how the speeches were; that was all I did, and for that they were very down on me.

By Mr. STEVENSON :

Question. Did you say the scar was still on your head ?

Answer. Yes, sir, here is the scar of his lick. [Indicating.] He struck me here, and struck me again, and this finger he broke entirely, so that I can't turn a drill in my hand.

Question. Was that done with a club ?

Answer. Yes, sir.

Question. Had he a pistol ?

Answer. Yes, sir. When he was beating me his cartridges began to fall out of his pocket, and he gathered them up, and said, "Those are sort of things for you, God damn you."

Question. How many white men were there ?

Answer. Three grown white men, and one young man nearly grown.

Question. Did they do anything to protect you ?

Answer. No, sir, they just stood and looked on.

By Mr. VAN TRUMP ?

Question. How old a man is this George Reizer ?

Answer. I should suppose he is twenty-eight or twenty-nine years old.

Question. Who was the other man with him when he came up ?

Answer. There was no other man ; he came up by himself.

Question. Who was the other man begged for a horse feed ?

Answer. He begged for it.

Question. Of you ?

Answer. No, sir, of this other white young man. That was at Mr. Miller's house, where this was done. It was at Mr. Miller's gin-house.

Question. Where did Reizer come from ? Did he come to see you particularly ?

Answer. He left the crowd at Mr. Joe Hunter's. They had all come down there together.

Question. How far was that from Miller's ?

Answer. Three miles.

Question. How do you know he left a crowd there ?

Answer. My wife and all the rest said so. He came by my house first, and asked for me, and they told him I was gone to the gin-house with a lot of cotton.

Question. How far is that ?

Answer. Three miles, about. They were all shooting up at Mr. Hunter's.

Question. How far is Hunter's house from your house ?

Answer. About half a mile.

Question. Was your wife there ?

Answer. No, sir, she was at Mr. Sanderson's.

Question. How far is that ?

Answer. It was only about a quarter of a mile, and she could see all around the door and around the store where they were.

Question. What time did he leave Hunter's ?

Answer. I don't know. I know about the time he came to where I was.

Question. What time was it ?

Answer. I think the sun was about two hours high.

Question. Was there anybody with Reizer when he came up ?

Answer. No, sir.

Question. No crowd in sight ?

Answer. No, sir ; not that I saw. But after I left for home and got my meat and bread, coming back to the road, there were fifty-three men going right down to where Mr. Reizer beat me.

Question. Was that the first crowd you met ?

Answer. Yes, sir.

Question. How came you to say there were thirty ?

Answer. There were fifty-three that night. There was more than me saw them. This man Johnson, that was at the gin-house with me, met them in the night. They said they heard Dr. Pink Johnson hail as they passed his house, and asked them where they were going, and they said they were going over to the other road.

Question. Were they Ku-Klux ?

Answer. Yes, sir.

Question. Were they disguised ?

Answer. They were just on the way from the raid at Laurens.

Question. Had they disguises on ?

Answer. No, sir.

Question. How do you know they were Ku-Klux ?

Answer. They were acting very much like it.

Question. Do you know that what you are telling here you are swearing to ?

Answer. Yes, sir.

Question. And yet you call them Ku-Klux?

Answer. Well, what is the difference between the Ku-Klux? A man that will kill a man I always call him a Ku-Klux.

Question. There were fifty-three of them?

Answer. Yes, sir.

Question. Would they all kill a man?

Answer. I don't know what else but that business they were there for. Why should they be out? If I were to start out in that sort of a crowd, knowing so many men had been killed above and below here, take up my gun and gone to join them, I would say I would kill a man just like they did.

Question. You think all those fifty-three men were Ku-Klux not disguised?

Answer. They had guns and ammunition.

Question. Had they been up to this riot?

Answer. There was where the Ku-Kluxing had been done.

Question. Was the Laurens riot by Ku-Klux?

Answer. That is what they say. I don't know what Ku-Klux is.

Question. Who says it?

Answer. Everybody. They don't call them anything else. These men that are killing men about, they are Ku-Klux.

Question. You don't know much about the Laurens fight; how it was begun or what it was?

Answer. No, sir; I was not at it, but I knew many of the men who were killed.

Question. That is your opinion of the Laurens raid, that all who were engaged against the colored people were Ku-Klux?

Answer. I can't think anything else, because if they had not been, I would not have thought they would have killed Mr. Henry Johnson and Frank Miller, and those people were right smartly opposed to them and never left their homes for them. Mr. Hunter and Mr. Bond, and Calvin Adams and Tom Hutton would all leave their homes to go to that riot, but Johnson and Frank Miller never left their homes. They said they wouldn't take part in anything of the kind.

Question. How far is that from Laurens?

Answer. Eighteen miles below Laurens.

Question. You do not think Frank Miller and Johnson were Ku-Klux?

Answer. No, sir.

Question. How do you account for the fact of four men standing there, seeing this one man come up furious as a mad bull and attack you, without taking your part?

Answer. They are like all other men. They knew that if they took any part in that they would be called taking a negro's part. That is the way they do up there. When a white man goes in and speaks in behalf of the negro, they put him in above all the negroes.

Question. You think all the white men are for killing all the negroes?

Answer. Some were for peace, and some were not.

Question. There is no peace between the white men and the negroes?

Answer. I should not call it so; because I tried for four years to be as humble as I could, and to get along with them in some way, and I couldn't do it.

Question. All the white men opposed to the negroes you think are Ku-Klux?

Answer. I don't know that I can say that they are.

Question. You say the assessor, when he came around a day or two before the election, said your property about the house was worth \$600?

Answer. Yes, sir; besides my corn and cotton.

Question. And your cow?

Answer. No, sir. I talked a little too fast; I had gathered my corn and counted it.

Question. But he did not count your cotton?

Answer. No, sir.

Question. He counted the cow?

Answer. Yes, sir; both times. I had a cow and a heifer.

Question. Did he count your mule?

Answer. Yes, sir.

Question. Then he estimated the amount of your property at \$600, including all your property, except your cotton crop?

Answer. Yes, sir.

Question. What was your cotton crop worth?

Answer. My cotton crop, from what I can understand—Mr. Reizer sold three bales and I had about a hundred pounds lacking to make two bales when—

Question. Was that worth about \$100?

Answer. I can't say what.

Question. What was cotton worth?

Answer. Cotton was worth nineteen and a quarter, I think.

Question. What would it come to—about four hundred pounds in a bale?

Answer. Yes, sir.

Question. Would not that be about \$120 or \$130?

Answer. Then he hired hands and picked out another bale.

Question. Then you had three bales?

Answer. Yes, sir. Then he sold about twelve hundred pounds in the field to John May, a colored man.

Question. All this property is gone?

Answer. Yes, sir; I have never received it.

Question. The \$600 worth, and the cotton and everything else; cows, mules, and everything else?

Answer. Yes, sir.

Question. Who had it sold—Reizer?

Answer. Yes, sir.

Question. On execution?

Answer. I don't know how he did it; he just went there and gathered it. I owed him some for bacon.

Question. How much?

Answer. I give him the lien. I bought my mule and got me some little feed to go on to feed my mule along until I could get somebody to help me out, and rented me the land and went to work. I went to the store and asked Mr. Reizer to let me have bacon and corn. He asked, how much. I told him about \$70 worth of bacon and corn together. He asked me if I would give him a lien on my crop. I told him I would give him a lien on everything I made, outside of the rent.

Question. Then you owed him \$70?

Answer. Yes, sir; he wrote it down that he was to let me have \$70 worth in bacon and corn.

Question. You owed him \$70?

Answer. Yes, sir.

Question. Your contract was to pay Mrs. Dillon \$100 rent?

Answer. Yes, sir.

Question. Then you owed \$170?

Answer. Yes, sir.

Question. Who else?

Answer. Well, I owed some little debts up there, but I don't know that it concerned him.

Question. It concerns me just now. How much did you owe besides that \$170?

Answer. I can't tell you without I saw my account. I owed Mr. Bob Callomy \$30.

Question. That makes \$200?

Answer. Yes, sir.

Question. Who else did you owe?

Answer. I don't know anybody else.

Question. You said you owed little debts?

Answer. Yes; I couldn't tell you they were now until I could see. They were little things. I don't know that anybody had any charges against me.

Question. Part of the cotton had to be attended to, and Reizer attended to that and made twelve hundred pounds of it?

Answer. Yes, sir.

Question. Have you not heard what disposition he made of that property?

Answer. He wrote me out a few papers and sent me.

Question. Here?

Answer. Yes, sir. My wife went up there and sent to him for a settlement, and he sent her \$2, and sent her the papers, and said that was all he owed me; and I think he claimed that I owed him something over a hundred dollars.

Question. How much over?

Answer. I don't know that, but she said she thought, from the way he did, that he claimed over a hundred dollars. But when I went to him the last time for bacon—I was out of bacon—and told him I wanted some—

Question. Never mind that.

Answer. He told me I was up with my lien.

Question. You gave him a lien for \$70?

Answer. Yes, sir.

Question. Then you owed \$200?

Answer. Yes, sir.

Question. You owed \$230, if Reizer was honest in saying that you owed him thirty more. He claimed that, did he not?

Answer. I don't know; I can't go to see him. Mr. Moore has got it.

Question. What papers did he send you?

Answer. Mr. Moore has it. I sued him just day before yesterday.

Question. Where?

Answer. Here in Columbia.

Question. How did you sue him here? He lives in Laurens?

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Answer. I have given it to the lawyer. The lawyer said if I would pay his way there he would attend to it. I told him I couldn't go up there.

Question. How was this property disposed of?

Answer. It is gone; he sold it.

Question. Did he get a judgment against you?

Answer. I don't know what he did, for I cannot tell.

Question. Then you do not know anything about it?

Answer. I know he sold it, and I got nothing.

Question. Did Mrs. Dillon get her pay?

Answer. I don't know.

Question. Did Mr. Callomy get his pay?

Answer. I don't know.

Question. You do not know anything about it?

Answer. No, sir; I left my property. All I hear from my wife is that it is all gone; that he took it away.

Question. And you are going to sue him for it?

Answer. Yes, sir, and assault and battery.

Question. If what you stated here is true, both about taking your property and about assaulting you, you ought to sue him?

Answer. Yes, sir; and I think, according to the law the white man told me, he ought to be prosecuted for taking my property without anything.

Question. When he rode up was he on horseback?

Answer. He jumped off his horse at the fence.

Question. What did he first say?

Answer. He said, "What the hell are you doing here?" I said, "I am hauling cotton." He said, "Didn't I tell you I would give as much for your cotton as anybody else?" I said, "Yes; but you told me to leave it to two men, and Mr. Johnson told me what to do."

Question. What were you going to do?

Answer. I was going to have it ginned. I was going to let Mr. Bond gin it and sell it for me, and pay Mrs. Dillon some and Mr. Reizer some.

Question. Did he appear to be mad because you would not let him have your crop of cotton?

Answer. He wanted to buy it in the seed.

Question. Then he asked you right away what ticket you voted?

Answer. Yes, sir. Then he said, "God damn you, you have done everything against the party you could."

Question. Did he whip you for voting that ticket, or for the cotton?

Answer. I just put it that way. I don't know whether it is right or wrong. I believe he brought that excuse of the cotton to pick a quarrel to beat me.

Question. Is Reizer understood to be so bad a man as all this?

Answer. He never had much of a good name with the colored men.

Question. Has he had other difficulties with other people?

Answer. He had other difficulties way in back times; I don't know about lately, but he has no feeling for black men.

Question. What other black man has he beaten for voting the republican ticket?

Answer. I don't know that he has knocked any about.

Question. You say you believe he made this cotton an excuse to beat you, because you were a republican?

Answer. Yes, sir; I believe it, and shall always believe it. I don't know as he had any right to do it.

Question. He had no right to whip you for either cause, but you say he made the cotton a pretext to get up a quarrel and beat you for voting the republican ticket?

Answer. Yes, sir.

Question. Are there any other black men republicans?

Answer. Yes, sir; but he had no chance at them. He had a chance at me because he made a crop with me.

Question. Have you heard of his beating any other negro men?

Answer. No, sir; only he shot one man. He didn't kill him, but he shot him to pieces nearly. That is since that. I didn't blame him so much for that, for if he hadn't caught up with who it was he would have always sworn it was me. A man went and bored into his store-house, and he shot him up pretty bad. A black man was trying to get into his store.

Question. That is, a black man was trying to get into his store and he shot him?

Answer. Yes, sir.

Question. That is all you have heard of his feeling against the black people?

Answer. I don't know about that; he has a bad feeling toward me.

Question. You say you do not blame him for shooting that black man?

Answer. No, sir. I should have done so in his place. I should have tried to find out who he was if balls could find out.

Question. You had no difficulty except about this cotton?

Answer. No, sir. He would halloo, "How are you getting on?" and "Hurry!"

Question. Has not Mr. Reizer been kind to negroes there, to help them?

Answer. Very kind for their money. Nobody ever had much dealing with him except that way. That is the way with the black people there; they work all the year as hard as they can, but when Christmas comes the whole bandanna of them get nothing.

Question. What is the "bandanna?"

Answer. I say the whole bandanna of the colored people have no money when Christmas comes.

Question. Whose fault is that?

Answer. It is because many of them can't read or write.

Question. Do you think those white people cheat them out of what they should get?

Answer. Yes, sir; pretty much. Some of the black people wastes what they make.

Question. Do the republican white people hate them?

Answer. They don't have any white republican people in that county. In Laurens County there are a few, but I don't think there is a republican white man in our neighborhood.

Question. Does the negro population carry that county at the election?

Answer. They have been doing it so far.

Question. All the time?

Answer. Yes, sir.

Question. There is a much larger number of black people than whites?

Answer. I reckon there is.

By the CHAIRMAN:

Question. Did you say he told you he had been up where they killed people?

Answer. He told me, "God damn you, I've left eight of your republican party biting dirt up here at Laurens, and you'll be biting dirt before day. I don't say I'll kill you, but, by God, there's men from Tennessee will kill you."

COLUMBIA, SOUTH CAROLINA, July 20, 1871.

ALFRED WRIGHT (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?

Answer. At Union, North Pacolet.

Question. Do you live there now?

Answer. My family is there. I am here.

Question. Are you staying here?

Answer. Yes, sir. I have no other place to stay at present.

Question. They are at North Pacolet, in Union County?

Answer. Yes, sir.

Question. What caused you to leave there?

Answer. I could not tell you the particular point, more than I can tell this: I was an active person in my principles, and they looked at me that they would follow after me just what direction I went, and I held on strong to my principles, and through all the election they followed me. Even the tickets were placed in my hands election day, and I handed them out deliberately as they called for them. I was embraced at the same time by a man—Byars—that I would not have this privilege a year to come; that he would bet \$500 I would not. I was making cotton myself. I told him I was not a betting man. He was standing as close as this table when he said it. There is the only thing I can say they have against me.

Question. What caused you to leave?

Answer. They came for me.

Question. Who came?

Answer. It was the citizens; they call them Ku-Klux. It was several of them. My children knew them.

Question. Did you see them?

Answer. Yes, sir; they went into my house. They had false-faces, and them that had no false-faces had handkerchiefs with holes cut in them.

Question. How many were there?

Answer. Twenty-six went into my house.

Question. When was that?

Answer. Sixteen days before Christmas. Fifteen days before I left

Question. What did they want?

Answer. They said they came from hell for Wright. They were the boys that carried

Owens to hell and now they were going to carry Alfred Wright to hell, for company for Owens. I was sitting looking at them like a rabbit sits in the bushes. The moon was shining bright, so bright that I could not come close.

Question. How were you in the bushes?

Answer. I mistrusted, from the actions of the people, and was told not to stay at home any.

Question. Did they go any further in search of you?

Answer. Yes, sir, they went in there and searched, and the next house above, after another man; but that was not much to me.

Question. What became of him?

Answer. He got out of the way.

Question. What is his name?

Answer. Dennis Smith.

Question. How old are you?

Answer. Forty-four on the 8th of March last.

Question. Can you read and write?

Answer. No, sir. I can read a little in print and figures. I can't read writing but very little.

Question. Where did you learn that

Answer. When I was growing up. Just when my young master was about; when I left North Carolina. I have been away eighteen years.

Question. You had taken part in politics?

Answer. Yes, sir.

Question. Had you been a candidate?

Answer. Only a delegate to the county convention in Union.

Question. Are you afraid to go back there now?

Answer. I can't get no letters. I have written several, but I can't get no answer.

Question. Are you afraid to go back?

Answer. Yes, sir.

Question. What are you afraid of?

Answer. I am afraid of my being destroyed, just in the way they aimed to do it, and I heard them say they would do it.

Question. Is your family there?

Answer. Yes, sir.

Question. What family?

Answer. Two daughters and a wife?

Question. Are you a tradesman?

Answer. Yes, sir, a blacksmith.

Question. Were you carrying on a shop?

Answer. Yes, sir. I worked in Samuel Jefferson's shop, what smith work I did. I carried on farming on the same plantation. I had hands.

By Mr. STEVENSON:

Question. Did you know any of these men who came to your house?

Answer. Yes, sir, some of them. I knew Joe Wright for one, and Worthy Duncan for another, and Fowler, who lives at John R. Jeffer's, I can't think of his surname. I knew Fowler because I proceeded on through the pine after they left there, and saw them go through the gate, as the moon was shining. I laid back in the pines. My children knew them by their coming so often to the shop; but I charged them particularly never to own that, because I was going to leave that day.

Question. Did you know any others?

Answer. No, sir; I did not pursue after them. I could not follow after all of them, I just followed so many.

Question. What business are these men in that you name?

Answer. Farming. Duncan's mother is a planter. He attends to it. Joe Wright and Fowler are renters on John R. Jeffer's place. That is his uncle.

Question. Are they living right in the neighborhood where you were?

Answer. Yes, sir; next neighbors.

Question. How do the colored people up there feel about their safety?

Answer. Well, there is a heap of them run off in the—when they commenced what they did. They have left and gone to the West; even the captain of the North Pacolet company. I was lieutenant of the company. They called for the captain and he went. They called for him as they did for me.

Question. What was the captain's name?

Answer. Fincher Foster.

Question. You say colored people have gone west?

Answer. Yes, sir; a good many.

Question. Where?

Answer. To Arkansas and Mississippi and Alabama.

Question. Did any come here?

Answer. Yes, sir ; a good many are here from the same place around about where I was. They could not go back.

By Mr. VAN TRUMP :

Question. What makes you all come to Columbia ?

Answer. I reckon they thought it was the safest place, and the most people here, and they make for the same place.

Question. Would not Charleston be a safer place, for the same reason ?

Answer. They thought if they went further they might strike a place where it was not so healthy as here. They wanted to be as near as they could to my people.

Question. You say you belonged to a militia company ?

Answer. Yes, sir ; but we never had any arms at all. We were only appointed.

Question. This is one of the companies in Union said not to have had arms ?

Answer. Yes, sir ; North Pacolet.

Question. Do you know how many companies were in Union County.

Answer. No, sir ; I never searched into it.

Question. Did you never see any military parades in Union County ?

Answer. Yes, sir.

Question. In arms ?

Answer. No, sir. I saw two companies at Union had arms. That was the Santuc company and the Union Village company.

Question. Did you not know a whole brigade mustered at Santuc ?

Answer. I never was down there.

Question. Did you never hear of the Santuc parade.

Answer. Yes, sir ; but I never was down there.

Question. It was the whole of the county militia ?

Answer. Yes, sir ; I heard of it, but I live way up next to the iron-works, on North Pacolet.

Question. When did this Ku-Klux party visit you ?

Answer. It was about sixteen days before Christmas when they came to my house.

Question. How do you know the day ?

Answer. Because I marked the day I left home. It was the 16th they came ; on the 15th I left ; on the 16th day, before Christmas, they came. I don't know what day it was in the month. I counted it, how many days there was until Christmas. Jim Phillips could read and write, and he marked it.

Question. Who was he ?

Answer. A farmer.

Question. What time did these people come to your house ?

Answer. About 9 o'clock. I left the gin until about sunset, and rolled the cotton out on some scantlings, so that the rain would not get on the cotton. The next day I left.

Question. Where did you go to ?

Answer. I went home from the gin. I lived on an adjoining plantation.

Question. How far was that ?

Answer. Three-quarters of a mile.

Question. What time did you get home ?

Answer. About dark.

Question. How long did you stay ?

Answer. Not long enough, more than time to get something to eat.

Question. Where did you go to ?

Answer. In the woods.

Question. How far off ?

Answer. About a hundred and fifty yards.

Question. And about 9 o'clock these men came ?

Answer. Yes, sir.

Question. Were they on foot ?

Answer. Yes, sir. They rode up to a mill within a quarter of a mile—a new mill belonging to Mr. Jeffers.

Question. How do you know they came there ?

Answer. The people living right on the road—a lady there and others. Where they hitched their horses I could see the bushes.

Question. How near did these men pass to you when you saw them on foot ?

Answer. The nearest ones were fifty yards. The moon was very bright.

Question. Was it then you knew Joe Wright ?

Answer. My children knew him. They knew who came in the house.

Question. When you say you knew Joe Wright and Duncan and Fowler, do you mean that you recognized them or your children ?

Answer. My children knew more than I did.

Question. When did you discover that Joe Wright was among them ?

Answer. When I saw him go into this gate; when I was pursuing him through the pine into his house.

Question. How far does he live?

Answer. The next neighbor—quarter of a mile.

Question. Towards the mill?

Answer. To the right of the mill.

Question. Why would Joe Wright ride a horse if he lived only a quarter of a mile off?

Answer. I didn't say he rode a horse. There was a crowd of them; some rode.

Question. Some rode to the mill and some did not ride?

Answer. Yes, sir; him and Fowler; and they were on foot; but there came a large quantity of horses; but I didn't say Wright was on a horse.

Question. Was Duncan on a horse?

Answer. Yes, sir.

Question. How far did he live?

Answer. Near a mile.

Question. How did you know he came on a horse?

Answer. Because he was seen on a horse. He was seen by a gentleman over the fence, that saw him shoot a pistol off directly he passed the church.

Question. Who was that man?

Answer. Bob Black told me, in the presence of my family.

Question. Is he black in skin as well as name?

Answer. Black by name and skin too.

Question. When did he tell you?

Answer. I had him hired in my crop.

Question. What was he doing at the church?

Answer. He was going home. He lived below there and had to go the same road.

Question. Did he meet him in the road?

Answer. He jumped over the fence. He had heard Duncan coming. You know they were all skittish. You know when its out that they are killing and destroying, a colored man is like a rabbit; he jumps out of the way when he hears anything.

Question. But still he saw him and knew him?

Answer. Yes, sir; in the moon-light he was as close as from here to you—three yards.

Question. Who knew Fowler?

Answer. My children.

Question. Where does he live?

Answer. He lives at John R. Jeffers's, where Joe Wright lives.

Question. Did you track both Fowler and Wright?

Answer. I could track them. If I told you how I did it next morning you would know. I had no less than fifteen bushels of pindars —

Question. What is that?

Answer. Guper-peas, or ground-peas—pea-nuts—in my lumber-house. When they were searching for me they called for the keys of every house I had outside. After they went into my house searching for me, they tore up the kitchen floor. My wife gave up the keys. My floor had the pindars on, and about a bushel basket in the door, and they took all the pindars measured out and put them in their pockets.

Question. How many had you measured out?

Answer. There was a bushel in the basket. My son measured them. He is here. They took a bushel of pindars and put them in their pockets, and there must have been a good many to do that. My children counted twenty odd that came into the house, and the outside ones too. So many came up to the pindar-house. You know there was more than half a dozen or twenty to take that many pindars. It takes a good many pockets to hold a bushel of pindars. The next morning I got home about sun-up, and I said, "Elmira"—

Question. Who is Elmira?

Answer. My wife.

Question. Why did you not call her wife?

Answer. It is my wife, and I just said Elmira.

Question. What makes you recollect that?

Answer. I always know her so well, I just call her by that name. Everybody is not alike. I didn't pick up to call her wife. Well, I proceeded along to Mr. Jeffers's store next morning, to get my accounts rectified, calculating to leave as I did. I went by Mr. Jeffers's and I could just trail the pindar-hulls plumb up to Joe Wright's house.

Question. Then Joe Wright was not very careful to conceal himself? What was the use of Joe Wright putting a mask on if he laid a pindar-trail for himself?

Answer. If a man eats them, he throws away the hulls. I went by the hulls.

Question. It did not strike you that Joe Wright was very foolish. Do you swear you tracked Joe Wright from your pindar-house to his door?

Answer. I can't say him, individually, but I saw them at the gate. I saw my pindars were gone. I knew that the pindars were taken and I was the only one in the settlement, as everybody knows, who had any quantity of pindars, and the hulls were

along the road, without any kernels ; but, of course, there had been something in them, or the hulls would not have been there.

Question. How did you track Fowler ?

Answer. They both went one road.

Question. Were there two lines of pindar-hulls ?

Answer. No, sir ; only one line. Yet I was going by the door where I saw them.

Question. One man was eating and distributing pindar-hulls ?

Answer. I can't say whether one or two ; but my pindars were gone, and I followed the hulls as a sign along the road to Wright's. There were so many ; I could not say who eat them and who dropped them ; but the hulls were along the road.

Question. You are satisfied that Joe Wright and Fowler, at least, from your investigation, were there ?

Answer. Yes, sir.

Question. Why did you not prosecute them ?

Answer. I had to save my life in this place.

Question. Why do you not now prosecute them ?

Answer. I was scared at the same time, like all the balance.

Question. Your name is Wright, too.

Answer. Yes, sir.

Question. Are you lawyer enough to know that, if the tale you tell about Joe Wright and Fowler and the pindars and the pindar-hulls is true, there is not a jury under God's heavens would not convict those two men ?

Answer. I am telling you just what is so.

Question. Do you not know that, if this is so, that they are as guilty as Cain ?

Answer. I am only telling you what I saw.

Question. Why don't your friends make you prosecute them ?

Answer. I don't know ; I mentioned it there and everybody was afraid.

Question. Is everybody afraid here ?

Answer. No, sir.

Question. Are there not republicans just as anxious as they can be to catch these Ku-Klux ?

Answer. I mentioned it when I came here, but it just looked as if they left me.

Question. Did you tell all about the pindar-hulls ?

Answer. Yes, sir, and everything.

Question. And not a man advised you to prosecute ?

Answer. It seemed as if they were unconcerned. It made me mighty near falling out with them.

Question. Your republican friends ?

Answer. Yes, sir.

Question. They did not believe you ?

Answer. No, sir ; I didn't say that.

Question. Who went with you to track the pindar-hulls ?

Answer. My son and one of my daughters. That was the next day.

Question. Your son and daughter also ?

Answer. Yes, sir.

Question. Then there are three witnesses to swear to that precise state of facts ?

Answer. Yes, sir.

Question. And neither you nor your friends in Columbia will prosecute these men ?

Answer. No, sir ; they told me to wait.

Question. Who told you to wait ?

Answer. My republican friends. Mr. Nuckles told me to wait ; they would regulate this thing.

Question. Did you tell the white republicans ?

Answer. I think I spoke to Mr. Bolt.

Question. Who is he ?

Answer. The gentleman with one arm who was in here.

Question. Any other white republican ?

Answer. I don't know any other.

Question. What did he tell you ?

Answer. He said it would be all straightened up ; that whenever I was called I would have to come up. I said, very well.

Question. Don't you think you had better take this thing into your own hands, whether these white republicans advise you to do it or not ?

Answer. I don't know so far as that ; I am not fit to take much in hand to fix it.

Question. Who were you a slave to before the war ?

Answer. Gist—Governor Gist's son.

Question. David Gist ?

Answer. No, sir ; his brother.

Question. Where does he live ?

Answer. In Newberry. I worked in Union still, though I belonged to him.

COLUMBIA, SOUTH CAROLINA, *July 20, 1871*

HENRY NUCKLES (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?*Answer.* In Union.*Question.* Do you live there now?*Answer.* No, sir; I am living here now.*Question.* When did you leave there?*Answer.* I left there Tuesday, in March.*Question.* What Tuesday?*Answer.* The first Tuesday.*Question.* Why did you leave?*Answer.* They said I could not stay there.*Question.* Tell why.*Answer.* I went out that night, and I was expecting them to come in there.*Question.* Expecting who?

Answer. The Ku-Klux to come in where I lived. I was out that night, and being out, I happened to be on the place where they came along, and it woke me up. I heard such a fuss—something almost like cats—and then the voices would turn to something else—hallooing. I raised up, and could see them. They were in disguise. I staid out all night; but next morning, when I got home, a man living on the plantation named Ras (Erasmus) Tate—I went to him. He says, "I am sorry for you this morning." I says, "Why?" He says, "The Ku-Klux is coming here last night, from what I heard this morning." And so, when I went on up to my house, I went in there and I saw things thrown about right smart, and commenced looking for my gun right away. I asked my sister where was my gun. She said, "Some men come and got that last night." I never had anything more to say to that. I went on up then to the house of the man that owned the place. He told me that they said I must leave.

Question. Did he say he had seen them?*Answer.* No, sir; he was in the house. They just hallooed out so he could hear the alarm.*Question.* Who is that man? Whose place were you working on?*Answer.* Elias Mitchell.*Question.* Did you leave in consequence of this?*Answer.* Yes, sir; I left sudden.*Question.* Do you feel at liberty to go back?*Answer.* No, sir.*Question.* Did you live on your father's place?*Answer.* No, sir; this was Mr. Mitchell's place. I rented land.*Question.* Are you married?*Answer.* No, sir; single man. My sister was living there.*Question.* That was in March last?*Answer.* Yes, sir.*Question.* How do the colored people feel there in regard to your safety?*Answer.* They feel that they have very little safety.*Question.* On what account?*Answer.* On account of lying out every night, expecting their lives to be taken, or, at least, they say they feel that way.*Question.* Do you think they do feel that way; that they really believe it?*Answer.* Yes, sir; the reason I think they feel that way is because I feel that way.*Question.* How many have you known to lie out?*Answer.* There were thirteen men of us on the place, and the last one of us was out that night.*Question.* Had there been many cases of persons visited by the Ku-Klux in that neighborhood?*Answer.* Yes, sir.*Question.* Who?*Answer.* I don't want to have anything to say except what I know by myself—with my own eyes; I don't feel to speak for others.*Question.* Did you see people who had been whipped by them?*Answer.* Yes, sir.*Question.* Who did you see?*Answer.* I saw a fellow who lived on Thickety, whose name was John. He used to belong to Irvis.*Question.* John Irvis?*Answer.* He just registered his name with his owner, I guess.

By Mr. VAN TRUMP:

Question. All you know of his name is that he was John?*Answer.* Yes, sir.

By the CHAIRMAN:

Question. What do you mean by saying his master's name was Irvis?

Answer. I don't know. All I know is, he showed me the bruises.

Question. Did he tell you he had been whipped?

Answer. Yes, sir.

Question. When?

Answer. That was one week before I left there.

Question. Did he say by whom?

Answer. He said they were disguised men.

Question. Anybody else you remember?

Answer. No, sir.

By Mr. STEVENSON:

Question. Did your brother live with you?

Answer. Yes, sir.

Question. Any of the rest of the family?

Answer. No, sir.

Question. They have come since?

Answer. Yes, sir, I had a brother come after I came here—Ferdinand.

Question. Are you a son of Samuel Nuckles?

Answer. Yes, sir.

Question. What did they have against you?

Answer. I don't know what they could have against me. I have always been very civil and quiet. They had to give me that name when I left.

Question. Was that your father's home where you were living with your mother and sister?

Answer. Yes, sir.

Question. Did all of you live together?

Answer. Yes, sir.

Question. Do you know how to read and write?

Answer. No, sir; I can read a little, but I can't write.

Question. Did your brothers know how to read?

Answer. Yes, sir, one of them; but he is not here.

Question. Does your sister?

Answer. No, sir. All my sisters are married. They are up the country.

Question. Do they know how to read?

Answer. No, sir.

By Mr. VAN TRUMP:

Question. You say this was the first Tuesday in March that they called on you?

Answer. Yes, sir.

Question. How do you know they called to see you?

Answer. They called for me, and my sister says they asked, "Where was Henry?"

Question. They knew you?

Answer. Yes, sir.

Question. How did it come that you were expecting them that night? What induced you to anticipate the coming of the Ku-Klux for you?

Answer. A very wealthy man informed me they were coming that night.

Question. What is his name?

Answer. I took my oath to him that I would not tell his name; but he was a democrat and had always voted the democratic ticket.

Question. Did he swear you in?

Answer. No, sir, nothing more than that I must not tell what his name was; that he had been informed that they were coming to visit me.

Question. You say you took an oath; what do you mean?

Answer. Not to tell his name. I was glad that he thought enough of me to make my escape.

Question. What do you mean by taking an oath?

Answer. That I wouldn't tell his name.

Question. What oath?

Answer. I raised my hand to him.

Question. What did he say?

Answer. He was satisfied then—at least, he felt I would not tell his name.

Question. Did he say anything to you while holding up your hand?

Answer. Yes, sir.

Question. What was it?

Answer. That I should not tell what he told me, that they were coming to our house.

Question. Was it just such an oath as the chairman administered to you awhile ago; just like that?

Answer. Yes, sir, pretty much the same.

Question. Did he get a book to do it?

Answer. No, sir.

Question. Just said it out?

Answer. Yes, sir.

Question. Pretty much such an oath as the chairman administered to you awhile ago?

Answer. Yes, sir.

Question. You don't feel at liberty to tell his name?

Answer. No, sir; I feel that he did me a favor, and probably saved my life.

Question. You will not tell his name?

Answer. No, sir.

Question. Under no circumstances?

Answer. Well, I would hate to; that is, I believe in standing on my word, whatever I told a man I would do.

Question. Did he tell you the particulars about why they would come?

Answer. No, sir, nothing of that sort. Only to beware of Monday night and Tuesday night.

Question. What day did he tell you that? How long before Monday or Tuesday night did he tell you?

Answer. About two days before that.

Question. What made him be so particular as to swear you not to tell?

Answer. I don't know. I never asked him a word.

Question. Could not he have safely told you by hinting to you, or have said to you in some way not to be at home Monday and Tuesday night, or hired you to go somewhere? Could there not have been a hundred different ways in which he might have done that thing without swearing you right square up?

Answer. I was so scared at the time that I didn't say much.

Question. Who did he say were coming to see you?

Answer. He didn't call the names.

Question. How did he say it? Give his words.

Answer. He said he expected the Ku-Klux would be in on 'me.

Question. He did say who was coming, did he?

Answer. Yes, sir.

Question. When I asked you a moment before why did you not tell that?

Answer. I didn't think that was what you wanted. I thought you wanted the names.

Question. You say he is a wealthy man?

Answer. Yes, sir, pretty wealthy.

Question. How far did he live from where your house was?

Answer. He lives two miles.

Question. It was not his place you were living on?

Answer. No, sir.

Question. When did you say he swore you to this? How long before Monday or Tuesday night?

Answer. About two days.

Question. What were you doing over there, two miles off?

Answer. I was not over there. He rode through the place where I was living.

Question. Where had he been?

Answer. I did not ask him that.

Question. Were you right along the road he had to go, or did he have to ride into the farm to see you?

Answer. I was right on the road.

Question. He was riding by?

Answer. Yes, sir.

Question. Who was with him?

Answer. No person.

Question. Nobody was with him?

Answer. No, sir.

Question. What time of the day was it?

Answer. It was about night.

Question. And the first thing he did he told you that you must beware; that the Ku-Klux were coming to see you Monday or Tuesday night?

Answer. Yes, sir.

Question. Did he tell you that before he wanted you to swear, or afterwards?

Answer. He told me afterwards.

Question. What was the first word he said; was it about swearing?

Answer. After he told me about the Ku-Klux; he told me they would be here Monday or Tuesday night. Then he said not to call his name.

Question. He first told you about it, and then, with uplifted hand, you swore never to tell it?

Answer. Yes, sir.

Question. Just such an oath as the chairman administered?

Answer. Yes, sir.

Question. Now I want to know who that man was. You say he was a wealthy man a leading man?

Answer. He is not a particularly leading man. He has been very wealthy.

Question. Is he a planter?

Answer. I don't know very much whether he is or not.

Question. Is he a democrat or republican?

Answer. He has always voted the democratic ticket.

Question. I want to know his name.

Answer. [A pause.] Johnson Shippy.

Question. In what town does he live?

Answer. He lives in Spartanburgh.

Question. In Spartanburgh County or Spartanburgh town?

Answer. In Spartanburgh Township.

Question. In what county?

Answer. Adjoining Union.

Question. But in what county does he live? You say he lives in Spartanburgh Township. In what county or district does he live?

Answer. I forget the name of the county.

Question. What town is nearest to where he lives?

Answer. Spartanburgh, I guess.

Question. How far is it from Spartanburgh?

Answer. It is near eighteen miles from where he was.

Question. Now, is that the nearest town?

Answer. Yes, sir; I guess it is.

Question. Is there no town nearer than eighteen miles where Johnson Shippy lives?

Answer. No, sir.

Question. Does he live in Union County?

Answer. He lives in Spartanburgh County.

Question. Then you were mistaken about the township?

Answer. Yes, sir; I meant Spartanburgh County.

Question. How old a man is he?

Answer. I can't tell positively his age, but we were raised up pretty well together. I think he is about twenty-seven years old.

Question. About your age, and you were raised up together?

Answer. Yes, sir.

Question. Were you a slave before the war?

Answer. Yes, sir.

Question. Who owned you?

Answer. Richard Littlejohn.

Question. Was he the same man who owned your father and the other members of the family?

Answer. No, sir.

Question. Were you separated?

Answer. Yes, sir.

Question. You lived near Johnson Shippy all your life; boys and men raised together?

Answer. Yes, sir.

Question. How far from Broad River does he live?

Answer. Positively I can't tell certainly, but I think it is about fifteen miles.

Question. Can you tell us how far he lives from Union Court-House?

Answer. He lives eighteen miles from Union Court-House.

By Mr. STEVENSON:

Question. Does he live very near Limestone Springs?

Answer. Yes, sir; in Spartanburgh.

By Mr. VAN TRUMP:

Question. This John, whose other name you don't know, lives in Limestone, too?

Answer. Yes, sir.

Question. That is all you ever heard of whipping in that region?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. Did the other men on Mr. Mitchell's plantation lie out the same night?

Answer. Yes, sir; thirteen of us all laid out that night.

Question. They were expecting the Ku-Klux, too?

Answer. Yes, sir.

Question. How did they find it out?

Answer. I told them.

COLUMBIA, SOUTH CAROLINA, July 21, 1871.

DENNIS RICE (colored) sworn and examined.

THE CHAIRMAN. I will request Mr. STEVENSON to conduct the examination of this witness.

By Mr. STEVENSON :

Question. Where do you live ?

Answer. In Unionville.

Question. How old are you ?

Answer. Thirty-two years old the 25th of December.

Question. When did you leave there ?

Answer. About four months ago to-day, I believe ; on the 20th of March last.

Question. Have you a brother who is or was a preacher ?

Answer. Yes, sir.

Question. What was his name ?

Answer. Lewis Thomson.

Question. Do you know where he is ?

Answer. I do not. I have heard where he was, but I have not seen him.

Question. Do you know whether he is alive ?

Answer. I have no idea that he is alive. I have heard by almost everybody that comes from Union that he is dead, but yet I have not seen him.

Question. Is it your information that he died a natural death ?

Answer. No, sir ; my information is that he was taken out by some disguised men and killed.

Question. How long since ?

Answer. On the 16th of June, I believe.

Question. You need not give the details of what you have heard, but you can state whether you have knowledge of any threats made against him.

Answer. I saw a paper with his coffin marked on it. It was put there on the week before. He was to preach there on Sunday.

Question. Put where ?

Answer. At the stand where he preached, at Goshen Hill, in Union County, in the lower edge of the county.

Question. Where did he preach ?

Answer. It is at George Tucker's stand.

Question. On Tiger River ?

Answer. It is between Tiger and Enoree rivers.

Question. When and where did you see it ?

Answer. The coffin marked ? He brought it to me the first of this year, along some time in February, and he said, "Here is the coffin that they have marked out for me if I preach in Goshen Hill Township."

Question. Describe the paper.

Answer. It was a wide paper with a mark in the shape of a coffin, [illustrating,] and in the mark is, "Lewis Thomson, if you preach any more." Then three K's—kill, kill, kill, it was taken to be.

Question. Was that what it said :—"Lewis Thomson, if you preach any more, K. K. K." ?

Answer. Yes, sir.

Question. Was that all ?

Answer. It said, "You are not to preach here ; a colored man is not to preach in this township," as well as I can recollect, after the three K's and the mark of his coffin.

Question. And he told you that that was posted on the stand ?

Answer. Yes, sir.

Question. Where he had been in the habit of preaching ?

Answer. Yes, sir.

Question. Was it an out-door stand ?

Answer. Yes, sir.

Question. Do you know whether he did preach there again ?

Answer. Yes, sir ; he preached there that very day.

Question. What day ?

Answer. It was like you found it to-day. He came there on Sunday and saw the writing and he preached a little there that day ; but the congregation told him they wouldn't stay to hear him ; they were afraid there were going to be crowd upon them. But, however, they said he preached there that day. His wife told me he preached there that day.

Question. Has he preached there since ?

Answer. No, sir. He went back there on the day before he was taken out that night, and he asked the white people could he preach there. That is what I was told, what I am telling now. They told him they reckoned so, but gave him very cold satisfac-

tion, and that night he was taken out. He went away from there and went over to Chester and came here to Columbia, and I saw him here. He went to Spartanburgh. I got a letter from him at Spartanburgh that he was preaching there and having great times at Spartanburgh. Then he came down from there to Goshen Hill, and there he was taken away.

Question. What church did he belong to?

Answer. To the Zion Methodist Church. Burden was his elder.

By Mr. VAN TRUMP:

Question. Where did you see your brother last?

Answer. Here in Columbia.

Question. When?

Answer. That was about three weeks after I came down—about the 1st of April.

Question. How long did he stay here?

Answer. About two days.

Question. He went from here to Spartanburgh?

Answer. Yes, sir.

Question. How long did he stay at Spartanburgh?

Answer. He staid there until the 15th of June. On the 15th of June he came down to Union and went to the lower edge of Union, in Goshen Hill Township, where he was taken away on the 16th.

Question. Did he move to Goshen Hill then?

Answer. No, sir; he moved there the first of this year.

Question. Had he lived there before?

Answer. No, sir. He preached there last year, but his family staid with me in Bourbonville Township, in the upper edge of Union. He went there to see his family. This year he moved there. When he found this paper on the stand he and his wife moved away. He was a refugee, and they moved away.

Question. Where to?

Answer. To Lancaster. They sent for him to preach there. He preached there a while, and then they sent him to Spartanburgh, and he preached there a while, and then went to Goshen Hill, and from there he was taken.

Question. How do you know he was taken?

Answer. That is what they told me. That is hearsay only.

Question. Who told you?

Answer. People that were here on the fourth, and it has been sent to me by many a one. I couldn't tell who all told me.

Question. Several?

Answer. Abraham Simms, on the 4th of July, asked me if I knew my brother was found. I reckon you have seen in the papers how he was not found after he was taken out. He came down on the 4th of July to the celebration, and told me they had found my brother on Tiger River washed ashore.

Question. Had he seen the body?

Answer. No, sir; he only heard it.

Question. Then there is no actual knowledge about the finding of your brother in the river at all?

Answer. I just heard so.

Question. What time did they take him out?

Answer. On the 16th of June, on Friday night. He preached there that night to the colored people.

Question. How do you know but what he has got frightened there and has gone off somewhere else? You have not heard from him, and you do not know.

Answer. I don't know that.

Question. Who knows that the Ku-Klux called on him at all?

Answer. The ones out of whose house he was taken sent me word. His clothes were all there, lying in the chair just like he pulled them off. They laid there two or three days.

Question. Did not anybody in the house know the Ku-Klux called on him?

Answer. Yes, sir, the family in the house knew it—William Tucker and his wife.

Question. Have you seen them?

Answer. No, sir; they sent me word then, here, that he was taken out by the Ku-Klux.

Question. Did they say what they did with him?

Answer. They didn't. They said they took him off and killed him, but they didn't say they saw that. They only saw him taken and tied at the door.

Question. Who found the body in the river?

Answer. The hands that worked on the plantation that the river runs through.

Question. What did they do with the body?

Answer. I suppose they attempted to bury it, or sent word to his mother and brother to go and bury it. However, they saw a notice, or heard somebody say that the Ku-Klux forbade them to bury him, and they were scared from burying him.

Question. How did the Ku-Klux give that notice, even if they took your brother out and put him in the river and heard his body was found? Who did they give that notice to?

Answer. I don't know. They could have put it up like they put up for every officer in the county to resign. You know they gave that notice.

Question. You don't know anything about it yourself?

Answer. No, sir; that is what they told me.

Question. Have you heard whether the body was buried?

Answer. I heard it was not buried. Those that come from there told me so.

Question. And the whole people there, white and black, refused to give the body burial because, as was supposed, the Ku-Klux had given them notice not to do it?

Answer. Yes, sir; that is the last report I have.

Question. How long since you heard that?

Answer. About two weeks. I heard it before that also, but last about two weeks ago.

Question. Is that a pretty thickly-settled country about there where the body was found?

Answer. Yes, sir.

Question. Black people?

Answer. Yes, sir; and white people.

Question. Your information is, that the whole country, being informed of the finding of that body, were afraid to give it interment because of the threat of the Ku-Klux?

Answer. Yes, sir; that is the information they gave me here.

Question. For all you know the body is there yet?

Answer. Yes, sir; it is my opinion that the body is there yet unburied.

By Mr. STEVENSON:

Question. Did you hear in what condition the body was found?

Answer. Yes, sir; stabbed—cut open. They said his privates were cut off, and his body was dragged along the road and stabbed—cut all about with stabs in the body.

Question. Did you hear what the Ku-Klux said when they came to the house?

Answer. When they came to the house he went up in a little loft that they have in the little cabin, but as soon as they came to the door, they said, "Make up a light;" and they made up a light, and just as soon as it was made they looked up and saw him. They said, "Yonder is the black rascal—the black son of a bitch!" and they told him to come down. He didn't hesitate, but came down immediately. They told him if he didn't come down they would kill him immediately. As soon as he came down, they gathered and tied him right at the door. When they came upon him the woman—she was a member of the church—says, "Thomson, look to the Lord;" and Thomson said, "Lord, have mercy on me!" and they said, "It's too late to pray now, for the devil has got you."

Question. Have you been up there to see if these things are true?

Answer. No, sir; I have not.

Question. Why do you not go?

Answer. I am afraid to go. I have a brother there.

Question. Where?

Answer. At Unionville, at Squire Rice's. I have two brothers in that county and a father and mother, and if his body could have been buried they would have done it.

Question. How far did they live from Tiger River, where he was said to have been found?

Answer. The squire lives about twelve miles.

Question. That is at Unionville?

Answer. Yes, sir; and the other eight miles above there, which would make nineteen miles; that is, to my father and mother.

Question. Eight and twelve would make twenty.

Answer. Eight and eleven. I said twelve, but it is eleven.

Question. Do you know where David Gist lives?

Answer. Yes, sir.

Question. How far is that from Goshen Hill? Is it in that direction from Unionville?

Answer. He has got two places. He lives himself, I think, about thirteen or fourteen miles from Goshen Hill. I lived on David Gist's plantation last year. He lived about two miles from me. I have been living with Gist three years.

Question. Was your brother, the preacher, a full brother of yours?

Answer. Yes, sir.

Question. How does it happen that he is named Thomson and you Rice?

Answer. He was living with Jeter, away down on Fish Dam, and in registering—they had a little place to register—I registered where I was, at Colonel Beaty's mill—

Question. You need not explain that. Was your master named Rice?

Answer. Yes, sir; all of us were Rices. He just registered because he was off, and his mother named him Lewis Thomson, and nobody told him any better. He took that as a name.

Question. Was he a preacher before the war?

Answer. No, sir. Mr. Rice has raised us, and all the rest of us are named after our old master.

COLUMBIA, SOUTH CAROLINA, July 21, 1871.

MATTHEW CALBRAITH BUTLER sworn and examined.

The CHAIRMAN. I will request Judge VAN TRUMP to conduct the examination of this witness.

By Mr. VAN TRUMP:

Question. Where do you reside, General Butler?

Answer. In Columbia, South Carolina.

Question. What is your profession?

Answer. Up to the 1st of January last I had been a lawyer at the bar.

Question. What is your age?

Answer. I am thirty-five, sir.

Question. What was your position in the late confederate army?

Answer. I was a major general of cavalry, sir.

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 Edgfield and going into every county except Marlboro, 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 gentlemen 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 Ransier 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 preconceived; 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.

Question. Was it the same company of militia, or another?

Answer. It was still another. Fragments came over from Winchester about daylight beating a drum. Our policy and my effort was to conciliate if possible. I used every argument that suggested itself to me to satisfy these people that we meant them no harm,

and that what we desired was harmony among both classes in the State. That, I think, was the general tenor of the argument, at least on our side. It resulted in our defeat by what they claimed was 33,000 majority. I have no idea that there is anything like that republican majority in the State. I believe that, in a fair election, they would outvote us by more than 15,000, but under the election law of South Carolina they might as easily declare it 75,000 as 30,000.

Question. What is that election law? What is its character?

Answer. I think the worst feature of it is in the appointment of commissioners.

Question. Entirely in the hands of the dominant party?

Answer. Yes, sir.

Question. How have they administered that power?

Answer. I think entirely in a partisan sense and spirit. They have appointed, in many instances, most ignorant commissioners, having no sort of status with either race, white or black.

Question. Is it the public impression of the people of South Carolina, whether well founded or not, that this singular and most extraordinary provision of the law, allowing the boxes to be in the hands of the officers ten or twelve days, was intended by the legislature to afford a convenient way of committing fraud?

Answer. I think so. That is the general impression. Governor Scott admitted to me himself that it was a very defective law.

Question. Did he say why he did not veto it?

Answer. No, sir, he did not.

Question. Did he give any explanation of the appointment of partisan supervisors of election?

Answer. No, sir, he did not. In 1868 I remember Governor Scott assured the democratic committee here that, if we would nominate one democrat he would appoint one for each precinct in each county; but if he appointed one in the State I do not know it. That was in 1868. Last year his appointees were of the most objectional character. A great many of them were persons who had served their time in the penitentiary; a great many of them candidates themselves. In a large number of instances, I have no doubt the most infamous frauds were practiced; I am quite satisfied that, in Edgely, the boxes were tampered with by the commissioners. You know the managers of the election are allowed to retain them three days, and then they are turned over to the commissioners, and then reported to the State canvassers, and there are two or three weeks' time during which they are passing through hands which may manipulate them.

Question. And the votes have to be kept by somebody all that time?

Answer. Yes, sir.

Question. It depends on the integrity of those who have possession of those boxes, whether they are honest or dishonest?

Answer. Yes, sir; they would not count the votes publicly; they counted them privately, and announced the result. It is entirely in the hands of those people who, at the last election, were men notoriously deficient in character and respectability.

Question. Were a large proportion of those commissioners of election black men?

Answer. Quite a number were—a great majority of them, I think; and a great many of them were candidates for the legislature and other offices.

Question. Is it the character of that population, that they might be easily approached and persuaded and influenced?

Answer. I think so.

Question. Or governed by master-minds of the other race?

Answer. I think when men once have their confidence, they are very easily controlled and persuaded. They were very much under the domination of leaders.

Question. As a general thing, of course, they are very ignorant?

Answer. Yes, sir.

Question. They do not know the law nor their duty when in possession of the boxes?

Answer. No, sir; they have not the remotest idea of it.

Question. You were speaking of Lancaster?

Answer. I was going to illustrate by Lancaster the case in the State generally. We came then to Camden, on Liberty Hill. At Camden there was an immense number of both colored and white. I think the brother of the secretary of state questioned me for three-quarters of an hour with all sorts of questions. It was generally the effort of these people to throw us off our guard, and induce those of us who had the canvass in charge to commit some violence by speech or act; but they failed entirely. I do not think I ever saw such forbearance in my life. We went to Charleston, and there there was a gross outrage perpetrated by the colored people. General Hampton was with me. We spoke until 11 o'clock at night. An old colored man, named Aaron Harper, got up and attempted to speak, when he was hissed, hooted at, and not allowed to speak.

Question. Was Harper a democratic colored man?

Answer. Yes, sir. I confess I did lose my temper, and got up by his side on the stand,

and appealed to the white men in front of the Charleston Hotel, telling them this man must be allowed to speak at all hazards. With that they made a rush for the stand.

Question. Who did?

Answer. The white people, in order to give him an opportunity to say what he wanted to say. With that, some one from the colored people picked up a curb-stone and threw it so that it came very near hitting me on the head. There were several others. I stood by his side until he had said what he had to say. Wherever a colored man attempted to affiliate with us in any way, there was the most unmistakable demonstration of hostility.

Question. By the negroes against their colored brother?

Answer. Yes, sir; and violence. This man Eugenius Byrd, one of the most inoffensive old creatures on earth, was mobbed in Chester and Greenville, and almost in Edgefield, and in several other places. He had to take refuge out of their way.

Question. What class of persons has induced this black population to be so violent and aggressive in their character in relation to the politics of the State?

Answer. I think it has, in the main, been those men who come here from the North and took possession of the State government, and, in very many instances, the very worst class of our own white people. I know of some instances of the most relentless slave-drivers upon earth, who now have more influence than any others with the negroes.

Question. Do the negroes seem to forget all their former relations?

Answer. Yes, sir. I have known some instances in which the most violent slave-drivers upon earth have come around and gone in with them, and made speeches to them, and with that credulity which characterizes the race, they have forgotten everything of the kind and gone in with them.

Question. Is it the fact that this class, whether native or from the North, are in almost every county of the State?

Answer. Yes, sir; they are, more or less.

Question. How is it in regard to the State government? Are they nearly all carpet-baggers?

Answer. Almost entirely.

Question. Is Governor Scott himself?

Answer. He is. He is from Ohio; and the treasurer, Mr. Parker, is a Massachusetts man. Mr. Tomlinson, the former auditor, is from Pennsylvania. The present auditor was an agent in the army, a paymaster, I think. Cardozo—I don't know whether he is a native or not—is a negro, and the secretary of state. Neagle, I think, is a North Carolinian. He is comptroller general; and the assistant adjutant general is a northern man. Elliott, who was assistant adjutant general before he was elected to Congress, a colored man, was a carpet-bagger. In many instances the discharged constabulary force Governor Scott had here, mostly from Ohio, were candidates for office. I know in Edgefield there were twelve—those twelve were all from Ohio—and I know in many other instances. He imported quite a number of New York roughs at one time and put them into his force.

Question. Direct from New York?

Answer. Yes, sir; that was my information.

Question. What are the principal reasons why the people of your State, while they have not resisted, have not indorsed the reconstruction measures of Congress?

Answer. Well, sir, there are quite a number of reasons. I have my own peculiar views about that subject. I can only state my own experience, and I think what is true in reference to myself will be found to be true, generally, with reference to persons occupying the same position. I think one of the main causes why there is not a better feeling here now towards the party in power is, the opinion that prevails among that class of men whom I represent that they have not been dealt with in good faith by the Government. In 1865 I was elected to the legislature, under Mr. Johnson's administration. I returned from the army, and I was one of those who recognized the fact that the war was over and decided against us, and I was prepared to accept whatever terms were given. I considered that I had been conquered, and I looked upon it simply as a soldier, and I think most of the other people in the country did. I remember, in Edgefield we were in very bad condition—perfect chaos and anarchy; the country flooded with negro soldiers, committing acts of violence, disregarding the rights of person or property, under the command, as it appeared to be, of men very incompetent. We got together in primary meetings, and sent commissioners to Mr. Johnson, to say the war was over, and we wanted to know what was to be done. You, gentlemen, are as familiar as I am with what was done. He said to us, we must reorganize the State government, call a convention, and he would appoint a provisional governor; we must popularize the State government, abolish the parish system, and do all this sort of things; repeal the ordinance of secession, recognize the emancipation of the slaves, and we should be restored. All those things we did. I was in the legislature when it was done. We thought it was good faith to say then that we, having done our part, should have at least some consideration from the Government. Instead of that, Con-

gress met with a large republican majority, and the contest between Mr. Johnson and Congress took place; Mr. Johnson urging us, by every consideration of honor and self-respect, not to concede to the reconstruction measures of Congress, saying, "My policy will succeed and prevail." I recognized Mr. Johnson as the Commander-in-Chief of the Army and Navy. I thought he knew what he was talking about; and in our own State, I think Governor Orr had more to do with inducing the young men of the country not to accept the reconstruction measures of Congress than any other man in the South. I remember distinctly that he was very urgent.

Question. Are you aware that he now complains of that very act on the part of the people of South Carolina?

Answer. I have heard so. While I know that the country—the young men of the county—looked to him as a man of more national reputation than any other man in the State, a man more likely to smooth down and reconcile differences in the government than any other. I remember distinctly, as one of those young men looking to him, that he urged us by every consideration not to accept the reconstruction measures of Congress. Mr. Johnson also did, and the result is, we have simply been ground between the upper and the nether mill-stone—Congress on one side and the Executive on the other. That is my feeling about it.

Question. What action did Governor Orr take as to whether the people of South Carolina should vote at all on the question of the constitution or convention, for he states his present position in regard to that very distinctly?

Answer. I cannot say positively about that. I think, up to the time he went to the Philadelphia convention, and for some time after he returned, his position was this: I remember he went on the first, not as a protégé, but as a supporter of Mr. Johnson, and that party which was to bring about the millennium in this country. When he came back, finding that had failed, he went to Charleston and made a speech in the radical convention, in session, reorganizing the State constitution, and I think he was very much provoked that those of us whom he had led in the other direction did not have the same facility and ease of conscience that he had in going over to the other side, after having committed ourselves to this policy. I think that provoked him.

Question. The consequence is that some feeling has arisen between Governor Orr and his few followers, and those he induced to take a contrary position before?

Answer. Yes, sir; he and Governor Perry, and those gentlemen. I had not been in politics, and knew nothing about it. I was disposed to look upon the result as in a foreign government, and I confess I would not have been astonished to have been expatriated. I think we would have preferred it to the course pursued toward the Southern people by Congress. I think it would have been humanity. I do not pretend to charge the General Government with being responsible for it directly, but the course pursued by the State government of South Carolina has been to ignore and suppress everything like intelligence, virtue, and character in the State, and elevate over it a race certainly inferior in intelligence, to arm them, and a thousand and one things of that sort. I think if a different course had been pursued, and some confidence at least had been bestowed upon those who had been in power before, a very much better state of feeling would have existed in the State.

Question. Was the public mind really alarmed at the arming of the negroes?

Answer. I think so.

Question. Was there not a very great danger of 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 then 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 this 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.

Question. Does Governor Scott, in saying they had obtained the ammunition surreptitiously, aver that no ammunition was ever distributed in that county?

Answer. I understand so.

Question. Is he not right against the record of his adjutant general?

Answer. I do not know. They obtained it through a misrepresentation, I am informed.

Question. Do you not know that there was a general distribution of fixed-ammunition last summer?

Answer. There was before the election, no doubt about it.

Question. Is it not a fact that the furnishing of these negroes with arms and ammunition commenced early in the summer and closed just before the October election?

Answer. Yes, sir; but it was not the arming of the negroes that irritated the white people so much as their manner; the braggadocio which they assumed at once resulting from this arming, and really they committed many acts of violence. I know one in Edgefield, where a colored man was killed by the militia for voting the reform ticket. That never would have happened in the world but for the fact that these people had arms in their hands. This young man, whose name was Valentine, had voted the reform ticket, and was shot down by the sentinel. I prosecuted the man, and the facts were all brought out. The court instructed the jury that if that was tolerated life would be unsafe in South Carolina. The man pretended to have done it because he was crossing his line.

Question. While you say the arming of the negroes did not excite the people so much as the offensive braggadocio which the negroes at once assumed in consequence of it, did it not strike the people as extraordinary and alarming that, in time of peace, such an amount of arms and ammunition should be distributed?

Answer. Yes, sir. You misunderstand me, however. I did not say it did not alarm them, but I say they would have borne it a great deal better but for the acts of violence committed under that influence.

By Mr. STEVENSON:

Question. I would like to understand the meaning of the word "people." Do you mean the white people?

Answer. Yes, sir, I mean white people.

By Mr. VAN TRUMP:

Question. Have you made as full an answer as you desire to the general question why the people of South Carolina did not readily and cheerfully accept the reconstruction measures?

Answer. I think there are other causes. I think the existence of disabilities upon that class of people upon whom we had been accustomed to look with confidence has been a cause. The want of confidence manifested in keeping these disabilities upon the people of the State has produced indifference in the minds of many that would not otherwise have existed. On the contrary, I think the relations of the people of the State would have been more cordially restored, not only to the State government, but to the General Government, if a more liberal policy had been pursued toward those men who had been recognized by the people theretofore. I think there was a general feeling among the people of the State that the old politicians should not necessarily be restored to power. I do not think they felt it at all. I think their feeling was that the most prominent men in the confederate army should not be brought forward. They preferred men of conservative views, and men who had not been prominent in politics, not prominently identified with the secession movement. That was very much the feeling of the people. I think that was one of the main causes of dissatisfaction, if there is any; it has not developed itself into open hostility, but there is an amount of indifference which I think would not have existed if a different policy had been pursued. And in that canvass, last year, the acts of corruption, the partisanship, the most flagrant mismanagement and misgovernment that has probably ever disgraced any government, and which is notorious in South Carolina—

Question. Is not that admitted by a great many republicans?

Answer. A great many. These facts were brought to the attention of the General Government. I presume it must know it. We were making an honest effort, regardless of party alliances, each desirous of suspending for the time all party affiliations, for the purpose of securing an honest government without regard to political opinions.

I had got to that point when I did not care for political opinions if I was governed honestly, and allowed the opportunity of restoring my fortune, and not oppressed by a persistent system of taxation which amounted to practical confiscation and robbery.

Question. Is it not a fact, general, in relation to the leading men of South Carolina, that they would prefer now and have preferred a restoration to quiet, order, and the undisturbed prosecution of their business to political life altogether?

Answer. Yes, sir; I have no doubt of it. We had got very tired of excitement in the four years of war. I was simply desirous of being let alone, but a man could not quietly sit down and permit it. He must do one of two things, leave the country, or make an honest effort to improve matters. I think if any people in the world ever did do that, the white people of South Carolina did last year.

Question. Is it that state of things which has produced this apparent indifference of the people of South Carolina to public affairs?

Answer. I think so. I think if the people ever made an honest effort to bring about a better state of things, regardless of politics, the white people of South Carolina did last year.

Question. It is complained that influential citizens of the State have not exerted themselves to put down violence in South Carolina. Is that true?

Answer. I do not think it is true. It is true in one particular and not true in another. Wherever that class of men have had an opportunity of expressing a sentiment anything like a uniform sentiment, they have denounced it.

Question. On what occasions have they denounced it?

Answer. I remember here the manifesto of the democratic party in 1868, issued by the committee of which General Hampton was president. There were several such acts. When that man Rauldolph was killed the democratic committee issued a sort of manifesto—

Question. An address?

Answer. Yes, sir, calling upon the young men and all others to obey the laws and refrain from violence. And in the tax-payer's convention the same condemnation was put upon violence. But my position is simply this: until I am allowed to have a voice, either directly or indirectly, in the State government; until influential men, men who have the right to express an opinion, are allowed to utter a voice, I, for one, do not intend to raise my hand against it; and for this reason, gentlemen of the State have approached Governor Scott and offered him every assurance in the world of a desire to maintain the law, however odious the law may be, recognizing it as better than no law at all. They have given him every assurance that they would sustain him in every effort. Instead of those assurances being received in the spirit in which I think they ought to have been received, he has, until recently, discarded them.

Question. He has repented lately?

Answer. Yes, sir. He says, practically, "I am governor of this State; I am charged with the execution of the laws, and I will run this machine my own way." What is the result? A riot takes place in Edgefield. He might, by simply going out and standing on a box and calling to the people "stop," have stopped it. But I have no idea of jeopardizing my life when my suggestions are treated as they have been. I say as long as you don't touch my house, shoot and kill as many as you please; and that is the feeling all over the State. In a conversation with the governor a short time ago, I said to him, "Governor, you ought to be satisfied that you cannot carry on this State government, certainly by men of this character." He said, "I am satisfied of that."

Question. Did he not become so satisfied of it that he called a conference of men of all parties?

Answer. Yes, sir; and I will do him the justice to say that, whenever he has had the opportunity, he has made amends for many inefficient appointees by appointing good men to office.

Question. As a general proposition, has freedom of opinion been allowed and tolerated in South Carolina?

Answer. I think so; as much so as in any part of the United States. I have seen numbers and numbers of radical meetings in Edgefield, a county which has been heretofore regarded as one of the most violent in the State. They would get up and harangue the crowd hours and hours without molestation. The Union Leagues met at night. I have heard of no molestation on account of political opinion. I think there is just as much freedom of opinion here as there is in Massachusetts or New York, or anywhere else that I have been; that is, any republican not belonging to the two very objectionable classes of carpet-baggers and scalawags, as they are called, for we might as well designate parties by their acknowledged names.

Question. There are differences of opinion, and public discussion of those opinions is allowed in South Carolina as well as anywhere else?

Answer. I think so.

Question. Do you know of any instance of intimidation, by republicans, against parties desiring to vote the democratic ticket?

Answer. Yes, sir: I cited several awhile ago; the case of this man on the ridge in

Edgefield; the case of this old man Byrd; and the case of Harper. A man named Lee, from this place, who went around with me, came near being inboded on several occasions; and there is an amount of tyranny that is perfectly frightful in these Union Leagues. They do not dare to come out and vote. Talk about slavery: why, there was never any slavery more perfectly tyrannical than the slavery of these Leagues.

Question. That is, of the Leagues over the negroes?

Answer. Yes, sir, over the negroes.

Question. And over negroes disposed to vote the democratic ticket?

Answer. Yes, sir; over negroes disposed to think for themselves.

Question. Are there such black men in South Carolina?

Answer. Yes, sir, numbers of them came to me and said, "If we were allowed to do so we would vote for you. We regret you are not the candidate for us. We know you, and know you are a gentleman, but we are bound by an oath." They play upon their superstition; they assure them that if they do it they will violate their oath. A number of them would have come out and voted for me if allowed to, but they were dragged and intimidated and alarmed. Their superstition and fears were played upon by the persons having them in charge, who manipulated these Leagues.

Question. What is the public impression in South Carolina as to the honesty or corruption of the State government, generally, including the legislative department?

Answer. Well, sir, I think universal opinion is that it is about as corrupt as it could well be in all departments.

Question. Do you know anything of what is called the land commission?

Answer. Yes, sir, I know that \$700,000 were appropriated—\$200,000 in the first instance and \$500,000 in the second—to buy land for the landless, as it was claimed. My information is—how correct I am not able to say, because I have not had access to the papers—that they have land valued at, probably, \$100,000 to answer for the expenditure of \$700,000.

Question. Do you know, personally, of the character of Hell-Hole Swamp?

Answer. Yes, sir.

Question. What is the character of the land?

Answer. An alligator can hardly live there—an alligator could, I suppose, too, but a human being could hardly. I suppose you allude to the purchase, by this land commission, of some land called Hell-Hole Swamp, in which the State was charged \$120,000, and the owner received \$30,000, leaving \$90,000 to be divided among the commission.

Question. That is the public impression in regard to that transaction?

Answer. I don't think there is any doubt about it.

Question. Has it ever been denied officially?

Answer. No, sir. What is true of that is true of nearly all the purchases. They come to the owners of land—I confess the owner is to be blamed—and they say, "What will you take for your land?" He will answer, "Five dollars an acre." The agent says, "You must charge ten; make the titles at ten and we'll pay you but five, and then we'll pocket the other five. If you will do that we will purchase it."

By the CHAIRMAN:

Question. Who will pocket it? Do you mean the owner?

Answer. No, sir; I mean the land commissioners or the agent; I don't know who pockets it. They divide it, I suppose. Leslie, the land commissioner, came to see me here of his own accord, and I asked him if he had made any money out of it, other than his salary. He said, "Certainly I have; but you know, general, there is not much chance for me to make money with such fellows as Neagle and Parker and Scott for the advisory board. I executed the titles upon their order." During the session they called upon Leslie for a report, and were rather threatening. The senator from this county, Nash, a negro, rather threatened. Leslie defied them, and said, "Don't press me, because I know enough about the land commission to put half of you in the State's prison." And they didn't press it. The rumors say that they paid him \$25,000 to resign. I asked Leslie, "What did they pay you to resign?" He said, "Well, they paid me a pretty large sum of money." He wouldn't tell me exactly how much, but it was over \$25,000. He did not say that, but that was my information. I told him I had understood Governor Scott was getting up testimony to prosecute him for the embezzlement of public funds. He got very much alarmed at it. He got up and walked out to the front room, and said, "Who told you that; who gave you that information?" "I can't tell you," I said. "If the gentleman authorizes me, I am willing to tell you, but I am sure he has consulted legal counsel to prosecute you." Leslie threw up his hands and exclaimed, "My God! prosecute me!" Says he, "General, we are on a volcano, and we don't know where it's going to explode." That man was a land commissioner. Upon his resignation they appointed DeLarge.

Question. Now a member of Congress, a colored man?

Answer. Yes, sir. I think upon his election to Congress, he appointed another colored man named Hayne. I do not know the condition of it, nor does anybody else. They never explained it; for when, upon the stump, I would charge them with this

thing as the blackest spot on the administration, they would always evade it, and have never explained what has become of the money.

Question. Is it the public impression, and does Leslie so claim, that in regard to the business of buying lands for the State, he had very little to do with it, and that it was all done by the advisory board?

Answer. Yes, sir, he claimed that.

Question. Do you recollect of seeing a letter like that in the papers by Leslie?

Answer. Yes, sir; I heard of that last summer in Lancaster.

Question. Is that the letter? [Producing a paper.]

Answer. Yes, sir. I remember hearing of it. Mittag undertook to explain it to me.

Mr. VAN TRUMP. I ask to have this letter inserted.

The letter is as follows:

"Editor Daily Guardian:

"DEAR SIR: I have just read your paper of the 17th instant, and I observe the following, clipped from the Lancaster Ledger:

"'WHY WAS IT?'—A rather 'strange clause' in the recent purchase of the land commission in this county is this fact, that Mittag sold the land to Gill in April, 1870, and Gill sold the same land to the State in January, 1870, three months before he held any titles to it. The question is, how did this happen? The presumption is that the Scott ring, who have the management of the purchases and sales of land, are liable, to a large extent, upon the bond of C. P. Leslie, who was, in January, 1870, the commissioner, and that the bondsmen of Leslie caused the deed of conveyance from Gill to be dated back, so as to cover Leslie's fraudulent transactions.

"'Unless Mittag did make a deed of conveyance to Gill, which some doubt, and of which there is no record in the clerk's office here, it is not improbable that, at the death of the conveyor, the State will lose its purchase.'

"There is not one word of this article true, so far as the same is intended to apply to me. I put in a general denial.

"For the benefit of all concerned, I wish to say:

"1. That I never bought a foot of land in South Carolina as land commissioner.

"2. That I never had one dollar of the land-commission money in my hands.

"3. The advisory board never bought one foot of ground on my recommendation.

"4. I never was land commissioner only in name.

"5. I never drew an order on the land funds.

"Mr. Editor and friends, whenever you see an article published reflecting on me as land commissioner, you may consider these five statements a reply.

"I have got sick and tired of forever being assailed, and I aver the statements I have made to be the truth, and offer them for what they are worth.

"Take this special case. I will answer in detail:

"I don't know 'Mittag' or 'Gill,' nor never had any dealings with them, directly or indirectly, as land commissioner, or in any other capacity.

"If there was any land bought in 'Lancaster,' I know nothing of it.

"My bondsmen are not politicians, but honest, hard-working men.

"I am, respectfully, &c.,

"C. P. LESLIE."

The WITNESS. There was another case in Chester where they bought the land from the owner and this Yocom, one of the members of the legislature—

By Mr. VAN TRUMP:

Question. A colored man?

Answer. No, sir, a white man; one of Scott's constables. He bought it, I forget at what price, but he made a thousand dollars in two days, selling it to the land commission.

Question. If the honest purpose of this legislation in regard to the land commission was to furnish small and cheap homes to the negroes and white men too, could there have been a more worthless purchase for that object than what is called Hell-Hole Swamp—20,000 acres?

Answer. I think not.

Question. Could it be used for the purpose?

Answer. I think it is utterly impracticable.

Question. Without draining?

Answer. No, sir; that has been very much the character of all the purchases. One is down here below Columbia, of the O'Hanlan estate. Dr. Taylor told me one of his colored men thought he would farm there and went on it, but could not live there. That has been very much the character of the purchases all over the State, and poor white men have not been allowed to get homes on these places. Negroes have gone and squatted on them.

Question. Is it likely that white men would voluntarily choose to mingle with the negroes in that way?

Answer. No, sir. I think the law would not have been a bad one if honestly carried out and administered. I do not think the finances of the State were in a condition to justify such a law; but the principle was not a bad one.

Question. If honestly carried out and good land had been bought and then sold out to settlers, it would really have been no disbursement to the State.

Answer. No, sir, the State would have been secure, but it was one universal system of plunder. I never have seen anything like it.

Question. What do you know of the judicial system of the State; you are a lawyer?

Answer. Yes, sir. Well, I think, in the main, it has been very defective, very defective, indeed. As to the judges, Judge Orr has been a very efficient judge. In my circuit now we have a very efficient judge; that is Judge Melton. Since my county has been put into his circuit there has been a very great improvement. Up to his coming, when Judge Platt was presiding, I do not think that, in the course of two years, he tried a civil case at all. The result has been that people, who have hitherto been in the habit of looking to the courts as a means of remedying evils and protecting their rights and the usual instrument afforded by the law, have not had access to them. Then take this trial-justice system, for instance. I was talking with Governor Scott about it, and he frankly admitted he believed it was one of the main causes of violence in the State. I illustrate by my own county. Formerly we had beats or militia companies, geographical divisions for regiments. In each beat of the company they had one or more magistrates, so that when an assault or battery was committed, of a petty theft, a citizen would have at his door an opportunity to get out a warrant and arrest the party, which is proper. Until very recently Governor Scott had three trial justices at Hamburg, in a remote corner of the county, and two or three at Edgefield. In many instances they were thirty miles distant, in different parts of the county. What is the result? A man takes my horse; I am eighteen miles from Edgefield. He takes a bale of cotton; I must either permit him to carry off the property or take down my shotgun and take it away from him. In nine cases out of ten a man takes his property back. That is what leads people to go out of the proper way. If there had been a trial justice convenient a man could have a warrant, but you get the people in the habit of ignoring the process of justice and it results in violence. Governor Scott was frank enough to admit to me that this was one of the principal causes of violence in the State. The court in Edgefield got to be a farce. Judge Platt, a northern man who came down here, was elected judge. Although the man is dead now, I have no hesitation in saying he was utterly inefficient.

Question. You have lived in Edgefield?

Answer. Yes, sir.

Question. You speak of it as if you knew more about it than any other county?

Answer. Yes, sir; and what I say of Edgefield I think is true of every other county in the State. Governor Scott appreciates it now, and is distributing his trial justices like the old justices were, more uniformly.

Question. Your constitution declares that justices of the peace shall be elected by the people?

Answer. Yes, sir.

Question. Yet the legislature of South Carolina have passed a law taking from the people the selection of justices of the peace, or trial justices, as they now name them, and placing that power in the hands of the executive?

Answer. Yes, sir.

Question. Has that given satisfaction, or worked well?

Answer. It has worked badly and given very great dissatisfaction, because Governor Scott could not, in many cases, know, except upon the representations of partisans, as he says, and the result has been the most frightful incompetency.

Question. Can there be any other purpose attributed to the legislature in thus violating the constitution than to use it as a partisan instrument in the hands of the governor to appoint as agents whoever the governor or whoever his party desires?

Answer. I cannot conceive any other purpose.

Question. Do you know anything of an organization called the Ku-Klux?

Answer. Well, no, sir, I do not. I know a local organization in the State; at least I have heard of them. I think there is one in Edgeville; it is not a secret one, though. I have no doubt there are local organizations in different parts of the State—not the slightest—but if I ever saw a Ku-Klux, I never knew him as such, and I do not believe there is any general organization of Ku-Klux in the State.

Question. You think it is limited to certain sections?

Answer. Yes, sir; and in those cases these organizations correspond somewhat to vigilance committees, for the purpose of protecting remote sections, remote from those very instruments of law which I have just mentioned, against violence and crime; and as is always the case in vigilance committees, they lead to violence, unless controlled by very prudent men. I think that has been the character of the organization.

I think I should have known of any general organization in the State, having political objects in view, and I am sure I do not know of any such at all. I will illustrate there, if you will allow me. Now the feeling among our people is this: They have not the means presented to them for their protection by process of law. Edgefield is a large county. I will illustrate by it again, as I am acquainted best with it. Some have to go thirty or forty miles to court. A negro burns a gin-house. He is arrested. The case is carried to court. He employs counsel to assist. The State solicitor goes to great expense and trouble in prosecuting this man. He may or may not be convicted. If convicted he is sent to the penitentiary, but in a short time he is pardoned and goes back to begin again. What is the result? A farmer says, "It's no use for me to carry these people up there. I am not going to the expense and annoyance of this farce of a prosecution to have the governor turn him out of the penitentiary, to come back and do me more harm." The result is they organize these vigilance committees to protect the property. That is generally the way they spring up. I know an instance in Edgefield, at Rich Spring Depot, where two negro men were brought up by other colored men for burning a gin-house, with twelve bales of cotton, of Mrs. Watson. They were convicted, and, under the constitution, sentenced ten years to the penitentiary. The governor soon pardoned one, and in a very short time he was back.

By the CHAIRMAN :

Question. I will endeavor to follow as briefly as I can the line of your examination in putting some questions to you. You began by saying you were a candidate for lieutenant governor on the reform ticket with Judge Carpenter, and as such went into almost every county in the State?

Answer. Yes, sir.

Question. Have you given in the testimony the instances in which, to your recollection, you were interrupted in that canvass?

Answer. I have given only part of them.

Question. Did any of them go to the extent of breaking up the meeting in which you were engaged?

Answer. That one at Chester did.

Question. That was the one in which Judge Carpenter was interrupted?

Answer. Not allowed to speak.

Question. At the time he was interrupted, was he making reference to senators or representatives by name?

Answer. I do not remember that he was. I do not remember as to that.

Question. I understood you to say he was at the time charging bribery upon senators and representatives?

Answer. Yes, sir; he was making a general charge of corruption. I do not remember that he was charging bribery, but it was a general charge against senators.

Question. You say that Wimbush, who was a senator, was present; and Yocum, who was a member?

Answer. He was not a member then, but a candidate.

Question. Had Wimbush been a member?

Answer. Yes, sir; he was in the senate at that time.

Question. Were not Judge Carpenter's remarks of a character to convey the idea that he was making charges against Wimbush himself?

Answer. It depends entirely on Wimbush's guilt or innocence, I think.

Question. How was it accepted in the crowd?

Answer. I cannot say. There was no demonstration at all until Wimbush got up himself. When I was speaking he was in front of the stand, and I remember his asking me this question: "Do you announce as a proposition that South Carolina shall be ruled only by South Carolinians?" I said, "No, I have stated no such proposition, but said, 'When South Carolina is ruled I want it to be ruled by honest men, at least.'" He took his seat, subsided at once. He went around to the rear, and when Judge Carpenter began to speak he got among the negroes, and when he was making these general charges he interrupted him.

Question. Was Wimbush a native or foreigner?

Answer. He was a native of this State. He used to wait on me when I was in college here.

Question. He is a colored man?

Answer. Yes, sir, a mulatto.

Question. Is it at all unusual in canvassing here that persons occupying the stand should be interrogated?

Answer. Not at all, if it is done in a respectful manner.

Question. Is it habitually done in your canvasses?

Answer. I am not able to answer, as I was not in a canvass before. I was off early in the war.

Question. It has not been considered at all indecorous, according to your custom, for one of the opposite party to respectfully interrogate the man speaking on the stand?

Answer. I think not, although I have had very little experience before except when I was a candidate in Edgefield. I do not think it is unusual or improper.

Question. At this meeting these negroes were not armed?

Answer. They did not have muskets.

Question. And the meeting, except the interruption of Judge Carpenter, the striking of this man, and the likelihood of a riot, did not result in violence?

Answer. No, sir. They did get after a boy and pursued him into his mother's house. He happened to be passing when this man Purvis was haranguing them. The negroes pursued him into his mother's house and threatened the house with violence.

Question. Was that after Judge Carpenter had been disturbed?

Answer. Yes, sir; after he left the stand.

Question. Was Purvis endeavoring to pacify them?

Answer. Yes, sir.

Question. When you speak of his haranguing them, you do not mean that he was trying to make a disturbance?

Answer. No, sir; he was doing everything in his power to quiet them. On the other hand, I believe that Wimbush and Yocom did everything in their power to bring a riot on.

Question. That was a general impression?

Answer. Yes, sir.

Question. When these men who composed the militia came without arms, did they come in order as a militia company?

Answer. No, sir. I did not see any militia that day at Chester. I said in my testimony they came without arms.

Question. The impression you made on me was that they came as a company.

Answer. No, sir.

Question. They were simply citizens attending the meeting like others?

Answer. That is all. I saw no evidence of it at Chester Court-House.

Question. The next meeting in the western part of the county, you say, was not a joint meeting?

Answer. It was not.

Question. The negroes came armed there?

Answer. Yes, sir; came as a company—marched up.

Question. Was there any disturbance?

Answer. No, sir; they behaved perfectly well. I complimented them on their fine appearance; told them I was glad to see them mustering, &c., and they did not create any disturbance at all.

Question. They behaved well?

Answer. Perfectly. They stacked their arms and placed sentinels.

Question. Were they understood to be of the opposite political party, or with you?

Answer. I took it for granted they were against us.

By Mr. STEVENSON:

Question. Were you endeavoring to get them with you?

Answer. Yes, sir.

By the CHAIRMAN:

Question. They came to hear what you had to say?

Answer. I suppose so. I do not know what their motive was in coming, or turning out.

By Mr. VAN TRUMP:

Question. Nor in bringing arms?

Answer. No, sir.

By the CHAIRMAN:

Question. Is it unusual for citizens to carry arms in that part of the State?

Answer. I think it is very usual, in all parts of the State, for men to carry arms, black and white.

Question. Then, so far as arms were concerned, was there not as great an arming by the white population as the negroes?

Answer. No, sir.

Question. How many white men were there?

Answer. I cannot say—one hundred and fifty, probably.

Question. How many do you suppose were armed?

Answer. Probably every man had a pistol on.

Question. That is what I meant?

Answer. Possibly they had pistols, but not guns and bayonets, belts and cartridges.

Question. They were not there as an organized company, but, so far as the fact is concerned, the white people were armed as effectually as the others?

Answer. I do not know that. I can only answer as to the general habit.

Question. From the general habit, is it not likely?

Answer. I think it entirely likely they were armed, because I sent for some of my friends to come there with arms to protect me in case of interruption.

Question. Were other colored persons present besides the military company?

Answer. Not many; but one member of the legislature, I think, named Sancho Panza, or Sancho Sanders.

Question. Was there any disturbance?

Answer. No, sir.

Question. Then you went to the eastern part of the county. Was there any disturbance there?

Answer. A slight disturbance.

Question. Was it by negroes?

Answer. No, sir; by two white men—one a democrat, the other a republican. I was at a distance.

Question. Was it more than a quarrel, such as may occur at any time?

Answer. No, sir.

Question. It is not at all unusual to have men, individually, quarrel at political meetings?

Answer. Not at all.

Question. At Lancaster, the militia came with their guns?

Answer. They came at day-light, beating a drum, and the people, white and colored, went out and remonstrated with them.

Question. Was there any disturbance at that meeting?

Answer. No, sir; none. I think it was due entirely to the forbearance of the white people.

Question. Do you suppose it was the intention of the colored men to make an actual attack?

Answer. Would you not imagine it was in Pennsylvania, if the democratic party came up with arms, and stacked them by you?

Question. Neither side carry arms in our country, and I ask how it was here?

Answer. I can only answer you by an argument. I cannot tell their motive. I can only judge of their motive by the act.

Question. It is only because they appeared with arms that you think there was an intention to make a disturbance?

Answer. I think that is a very natural construction, that they did not come for a peaceable purpose, or they would not have brought arms. There was no occasion for it. The white people had shown no disposition to molest them. We had invited them again and again, and given every assurance to them.

Question. They did not molest anybody on that day?

Answer. No, sir.

Question. After giving these instances of meetings, you went on to one held in Charleston, where a man named Harper was not permitted to speak?

Answer. He was not, until the white persons of the crowd demanded it.

Question. Was that meeting held in front of the hotel?

Answer. Yes, sir, the Charleston.

Question. The whole meeting?

Answer. Yes, sir.

Question. You and others had spoken before him?

Answer. Yes, sir.

Question. What hour in the night was this?

Answer. It must have been 11 o'clock before he spoke. General Hampton had spoken, and I had spoken, and O'Connor, and others.

Question. Did you see enough of it to determine from whom the opposition to his speaking came?

Answer. From the negroes.

Question. From the negroes in the street?

Answer. Yes, sir.

Question. What did they say?

Answer. They hooted at him and hissed and kept up such a noise as to drown his voice.

Question. Did it result in violence?

Answer. Yes, sir, in throwing a curb-stone at the stand where I was, which came very near hitting me on the head.

Question. Was that the end?

Answer. Yes, sir.

Question. It did not culminate in a riot?

Answer. No, sir; the police came up, and the white people made a rush to the stand to see that this man had a right to speak, and the negroes got out of the way. They fell off to one side or the other of the stand; they came back, and found we were determined, and they were quiet.

Question. Did that man finish his speech?

Answer. Yes, sir.

Question. So that the amount of it was, that when he rose there was hooting, and some one from that direction threw a stone at the stand, and after that the disposition to violence subsided?

Answer. I don't know that the disposition subsided, but they subsided, because they knew it would not be safe to continue it, as there would have been somebody very likely to have been hurt. I considered it a deliberate attempt. I have never seen a more deliberate attempt to suppress freedom of speech.

Question. I desire to know the extent of it?

Answer. That was the extent of it; it would have been successful but for the intervention of the white people.

Question. Those, I believe, cover the instances of interruption during your campaigns. If I have omitted any, I desire that you will state it.

Answer. There was one in Greenville.

Question. To what extent?

Answer. It was suppressed. I came down from the stand and went among the negroes. I was interrupted by a white man and a good deal of feeling was manifested. I silenced the white man and said let them ask questions.

Question. They did not make any demonstration except to show excitement?

Answer. The negroes got to making demonstrations, and one of them was very violent in manner and denunciation. I got down and went into the crowd and remonstrated with him. That was terminated without bloodshed, but I think it was entirely due to the forbearance and intercession of prudent white men.

Question. Were there any other meetings in which you were disturbed?

Answer. I do not remember just at this time. There was always more or less row at every meeting.

Question. By interrogatories addressed to you on the stand?

Answer. Yes, sir; some of them most disrespectful, but none to me. No negro was ever disrespectful to me except one over in Whittemore's country.

Question. Was that a very exciting canvass?

Answer. Not more than usual, sir.

Question. Was there not a great deal of feeling on both sides?

Answer. Yes, sir; I expect there was a great deal of mutual recrimination.

Question. The usual amount of excitement in a warm party contest?

Answer. Yes, sir.

Question. It assumed that form—a very warm party contest?

Answer. Very much.

Question. This ticket you were on was a reform ticket?

Answer. Yes, sir.

Question. Gotten up, I understand, by those who desired to secure all the democratic vote that could be secured, and all the republican vote that could be secured, to defeat the present State administration?

Answer. Certainly.

Question. And especially with a desire to secure the coöperation of as much of the negro vote as possible?

Answer. Yes, sir; we ran a republican for governor—Judge Carpenter.

Question. Was he a judge?

Answer. He was a judge in Charleston.

Question. Was he a native of the State?

Answer. No, sir.

Question. Had there been charges affecting his integrity about as much as charges affecting the State administration?

Answer. I had never heard one until he was nominated.

Question. Were there then?

Answer. The party in power brought out a great number against him and me too.

Question. Did not the charges against both parties have the usual amount of party exaggeration in them?

Answer. I do not know about that, sir. I tried to confine myself to what I really thought.

Question. Of course I am not impugning your desire to do so, but is not that the general fact?

Answer. I take it for granted that there was necessarily some exaggeration, but so far as Judge Carpenter is concerned, I will say this for him: he was elected judge by the republican legislature an avowed republican. He went to Charleston, and I do not know any judge in the country who had a higher reputation than Judge Carpenter among the lawyers of the State, and I do not know any man who might have felt more proud of a manifestation made to him than Judge Carpenter when he resigned his seat. The bar of Charleston, which is a very able and critical one, presided over by

the former Justice Duncan, unanimously passed resolutions upon his resignation, exalting him as a man of integrity, talent, and character.

Question. Was that after his nomination?

Answer. Yes, sir; and up to that time I never heard a single lawyer speak otherwise.

Question. Were there articles of impeachment contemplated or about being preferred against him?

Answer. That was some time before; that was in reference to discriminating against colored men.

Question. Was that a fact?

Answer. Yes, sir; and he wrote a note to the legislature, and the matter was stopped. I forgot just now that there were charges in regard to the phosphate bill, but he explained that to my satisfaction.

Question. So that the charges against the candidates were mutual, and had the usual amount of party animosity and misrepresentation?

Answer. Yes, sir; I dare say so.

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 republican voted with us—none except a few; he brought no strength at all.

Question. In speaking of that election law, you stated that many of the appointees were men who had served out terms in the penitentiary, referring to the appointees under the election laws?

Answer. Yes, sir.

Question. I should be glad to know the extent to which that went. Can you name or designate persons of that class?

Answer. I can't specify just now. I knew them perfectly well then. I could do so by reference to the managers, but I cannot recall them.

Question. It is a statement which, left as it stands, may include three-fourths or seven-eighths or one-fourth of them. I would like to have it assume more certainty.

Answer. That is utterly impossible. I cannot designate how many, but I know very well there were some.

Question. Do you mean that the majority were of that class?

Answer. O, no, sir.

Question. Was any considerable number?

Answer. There were some—I cannot say a majority, or a half, or a third; but there were some.

Question. Well, two cases so flagrant as that ought to stand out prominently.

Answer. There were so many flagrant cases I cannot remember.

Question. Can you name one of all the election managers?

Answer. I cannot, because I cannot remember one who was a manager. I cannot for my own county remember one.

Question. So that, after the statement that there were a great many of that class among the election managers, you cannot at this time recall one?

Answer. I cannot. I further stated that a good many of them were candidates for office.

Question. In answer to a question of Judge Van Trump, you stated that a colored man who is a republican can speak safely in any part of the State?

Answer. That is my impression.

Question. Have you been in the counties of Spartanburgh and Union?

Answer. I was there last summer.

Question. During the canvass?

Answer. Yes, sir.

Question. Have you been there since?

Answer. No, sir.

Question. To what do you attribute the change in the feeling and mode of proceeding on the part of the white people of those counties since the election, if that was the feeling before?

Answer. I attribute a great deal of it to an impression on the part of those people that it does not make any difference how they have carried an election, they will swindle them out of it. There is quite a large democratic majority in Spartanburgh, and I know there was a deliberate attempt to swindle them out of the election. It was entirely due to the State canvassers that that was not done. I think there is a feeling of desperation among those people. They believe that, however they may carry an election, they will be swindled out of it.

Question. You say it was attempted there, but was not successful?

Answer. It was not.

Question. The State canvassers reversed the action of the county canvassers?

Answer. Yes, sir.

Question. The democratic officers took their seats?

Answer. Yes, sir.

Question. Were not the trial justices of that county removed at the instance of the democratic members of the legislature?

Answer. I cannot answer. I do not know that there is any change in the condition or feeling in Spartanburgh.

Question. Is it your belief now that a colored man could go into that county with safety and advocate his political principles?

Answer. As far as my information goes, I believe he could do it with perfect impunity.

Question. You have not been there since the canvass?

Answer. No, sir. At that time he could do it with perfect impunity, and I believe he could now.

Question. Have you no idea that, in any portion of this State, the result of that election, having failed to procure any part of the colored vote for the reform ticket, has led to the conclusion, on the part of many white people, that that vote must be prevented from being cast in that manner hereafter by some means, and that violence has been resorted to for that purpose?

Answer. I don't know. There has been no election since then, and it is impossible for that opinion to prevail.

Question. Have you any idea that men, to the extent of one or two hundred, have been whipped in that county, with the declaration made, at the time of the whipping, to many of them, that it was because they had voted the republican ticket, and that they must abstain from it in the future?

Answer. I have no knowledge of that at all.

Question. You have no information to that effect?

Answer. None in the world. I have understood that you have examined many people up there who represent that they have been whipped. I do not know how true it is.

Question. Have you any knowledge of the fact that in Union County, the other county which I have named, the whole, I believe, of the officers of that county have been required to resign, and have actually resigned their offices in obedience to notices from this alleged secret organization?

Answer. I have understood that some of them have; I do not know how many.

Question. You have not been in that county since the election?

Answer. No, sir; the only information I get is through the papers; but I have heard that some of them have been notified by the Ku-Klux organization to resign. I know that in Laurens there was quite a riot last fall about the time of the election. I don't know that there was any concealment about that riot. They went in open daylight determined to hurt somebody, and they did, and I think wherever the cause is excited it will be very apt to occur again.

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 falsehood 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 a 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—they 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 cast 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.

Question. Has it not been represented on the other side that the governor and his friends here are the enemies of the negro?

Answer. I do not know that they have taken the ground that they are their enemies, but they have that they are not their best friends.

Question. Is not that your own view now?

Answer. I tell you I think if honest republicans would come to South Carolina and give them proper instructions, they would not be their worst enemies; but many of

these men are their worst enemies. I do not believe for a moment that the larger number of the republican party of the North are their worst enemies. They are conscientious; but the larger number of those in the State of South Carolina have been simply influenced by the desire to make money out of the credulity of the negroes and the ignorance of the white people. I think both have been fooled.

Question. You say some of this class have been in every county of the State. Has Spartanburgh been infested with this class?

Answer. Is not a man named Poinier there?

Question. Yes, sir.

Answer. He is a northern man.

Question. That depends on where you draw the line. He is a Kentuckian; so he swears.

Answer. I do not know. He is looked upon as a carpet-bagger.

Question. Is that one of the class you place under that general designation?

Answer. A carpet-bagger is not a man who comes down here to become a permanent citizen, but to become a bird of prey, as it were, to feather his nest, by means of the confusion and bad feeling among other people; that is my definition of a carpet-bagger.

Question. Taking that as the definition, and Mr. Poinier being in your eye at present, is he classed among them?

Answer. I think he is. Does not he hold official position?

Question. He does now, but according to his own statement he came here not to take office, and as long as he could, declined taking one. He came to marry a wife.

Answer. He ran for Congress against Wallace, or proposed to do it. He wanted the nomination.

Question. I have heard once or twice about this importation of New York roughs by Governor Scott, without getting any account of it in any form whatever. What does it mean?

Answer. It means this —

Question. Does it mean that he imported roughs here? If so, where were they located?

Answer. Part of them were located in Edgefield as part of his constabulary force.

Question. Is that a well-authenticated fact, that they were roughs from New York?

Answer. I was so informed.

Question. Was that charge made during the campaign?

Answer. Yes, sir, before and since.

By Mr. VAN TRUMP:

Question. Have you seen certain affidavits made in New York in regard to that?

Answer. Yes, sir; in regard to these very ones to whom I refer.

By the CHAIRMAN:

Question. It is alleged that they were imported and put upon the constabulary force?

Answer. Yes, sir; sixteen were in Edgefield at one time—not all New York roughs. There was Jackson and a man named Ballenger from Ohio, and Haywood was another. There was quite an accession and increase to the force; I do not know for what purpose. I understood, from one of the constabulary force, that they were from New York. They were put on horses and scoured the country, when there were numbers of young men, natives of the State, who would have been glad to have got the pay, and could have done the duty better.

Question. You passed from that to the feeling that existed here as to submitting to the reconstruction acts instead of resisting them. Was it not the feeling in 1868 that, if the New York platform were indorsed by the popular vote, there would be a resistance to the reconstruction acts?

Answer. I think not by armed resistance.

Question. I mean such resistance as would overturn the State government?

Answer. Not by violence. I do not think such was contemplated in the South.

Question. To what extent were arms brought into the State in 1868?

Answer. I think men frequently got a carbine. I did, and eighty rounds of ammunition.

Question. Was that general?

Answer. I think almost everybody did. I advised almost everybody that I spoke to on the subject to get a carbine.

Question. Had not that reference to the probable collision that would occur between the existing State government and the alleged formally constitutional government?

Answer. No, sir, not the slightest; not armed resistance.

Question. Was there any apprehension of violence or organized violence against the white people that led to the arming in 1868?

Answer. I think so.

Question. Were they, then, really armed?

Answer. Yes, sir, I think so; pretty generally.

Question. Were they organized?

Answer. I organized a company in Edgefield, and came down and offered it to Governor Scott.

Question. In 1868?

Answer. I have forgotten whether it was in 1868 or 1869.

Question. From what quarter was violence apprehended?

Answer. From these armed negroes.

Question. Were they armed in 1868?

Answer. They were organized. It was 1868 or 1869. I know Eichelberger organized a militia company there and had meetings, for I called a meeting in my law office and said we must organize a company and muster on the public square, and if Eichelberger musters a company we will be prepared to meet him.

Question. Was that in 1868?

Answer. I can't recollect. Governor Scott can tell you exactly. Governor Bonham and I came down here and offered them at the instance of the citizens. I think very likely there was such organizations all over the State. I advised that, in all parts of the State, they should have them to be ready for attack.

Question. Was it not in view of that general arming and organization of the white people that the negro population was armed? Was it not upon that fact that the arming of the negro population was justified?

Answer. I can't undertake to say. No overt act was committed or intended. It was simply self-defense by the white people.

Question. Had there been any overt acts by these negroes, as organized bodies, which led to that?

Answer. Yes, sir, plenty of them.

Question. Before 1868?

Answer. About that time I know there was great nervousness and excitement all through the country.

Question. Had there been organized bodies of negroes undertaking to commit violence throughout the State?

Answer. There was no court-house, and scarcely a section of South Carolina, where where they were not organized.

Question. As military organizations?

Answer. Call them what you please; they were Union Leagues with captains and officers.

Question. Do you refer to the Union League in what you said?

Answer. Yes, sir.

Question. Was this organization against them?

Answer. I think it was for protecting the country against these armed Union Leagues.

Question. Do you wish to be understood as saying that the Union Leagues were armed before the election of 1868?

Answer. No, sir; I think it was after the election of this State government. I do not remember exactly when the Union Leagues were organized; but when they were, I know, after some time, my information was—of course I was not allowed to go into them—that they were organized as military companies with officers, a great many of them.

Question. That was your belief?

Answer. That was my information.

Question. Have you followed it with such investigation as to satisfy you as to whether that was true?

Answer. I do not know. One of them met very near my house in Edgefield constantly.

Question. That reminds me of your remark that after the war negro troops came there?

Answer. Yes, sir.

Question. And you complained then of their officers being incompetent. Was that before the provisional government organized by President Johnson?

Answer. Yes, sir, in 1865.

Question. So that, since the war closed, there has been a complaint of the incompetency of the officers of the General Government in command of the troops?

Answer. No, sir; I said of the negro troops.

Question. I understood you to say they were negro troops in government service?

Answer. Yes, sir.

Question. You complained of the incompetency of these officers?

Answer. Yes, sir.

Answer. They were officers of the Federal Government?

Answer. Yes, sir; there were a great many white troops besides.

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 Bonham 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.

Question. You speak of the disabilities imposed and the terms of reconstruction, and coupling the two things together, you say that, until your rights are restored, there is no feeling of common interest that would assist in repressing disorders?

Answer. I think so; I think the feeling is passive indifference.

Question. Does that feeling, on the part of gentlemen entertaining those sentiments, extend so far as to amount to a determination that, so long as the disabilities were continued, they would ignore all duty to the General or State Government?

Answer. Not all; they pay taxes; but they do not feel as they would do if the disabilities were removed. Mine have been removed.

Question. But such a duty as that you do not feel called upon to perform?

Answer. I think that is the feeling. As long as the State government assumes the attitude it has assumed, the general feeling is that of passive indifference.

Question. Then does it not amount to this: that, until the majority party yields to the minority, the minority will not acknowledge any duties toward them or the Government?

Answer. It does not follow at all. We ask that the minority's rights be respected. We do not ask Governor Scott to renounce his party or principles; we only ask that he give some consideration to the opinions and suggestions of men who have a right to know and be heard. I do not say he ought to be governed by them, but there is always a moral power with that class of people which entitles them to respect, and until he has treated them with respect he cannot expect their coöperation. Since he has abandoned his former position the violence throughout the country is subsiding. When this riot occurred in Laurens, I said to Governor Scott, "If I had been governor of South Carolina I should have taken the cars and gone to Laurens County, and there said to Mr. Simpson and Mr. Ball, and other gentlemen like them who were there: 'I call upon you to aid me in enforcing the laws.'" Had he done so, they not only would not have hurt a hair of his head, but he would have thrown the responsibility on them. So he should have gone to Spartanburgh, instead of consigning it to Wallace and Cannon. He should have done as Governor Hoffman did the other day in New York, and as Governor Palmer is now doing in Illinois, and as Governor Geary is doing in Pennsylvania; but instead of pursuing that course he insults the people by sending his constabulary. He does not consult us, but the negroes.

Question. Have the people there no grievances to complain of?

Answer. I think quite likely.

Question. Take Spartanburgh and Union Counties, where these bands of white persons have not only disregarded law in cases where there may have been provocation, but in cases where there was none whatever, is there no ground for the other party to complain that the State does not protect them?

Answer. I think it is the duty of the State government to protect every citizen—every citizen.

Question. You made a remark about beats before the war. You said in each beat there was an organized company.

Answer. Militia companies.

Question. How many men composed that organization in each beat, or was it any specific number?

Answer. No specific number.

Question. How many beats were there in a county?

Answer. It depended on the size of the county. There were three militia regiments in Edgefield; six battalions.

Question. What was the population of Edgefield?

Answer. I forget. There were 3,000 voters before the war. I think when Brooks was challenged there were 3,200.

Question. That would give a white population of about 15,000?

Answer. Yes, sir; about that.

Question. What is the colored population?

Answer. I think they claim about 900 majority now.

Question. That would make a total population of about 40,000?

Answer. Yes, sir.

Question. In that county, before the war, you say there were three militia regiments?

Answer. Yes, sir.

Question. Were they armed?

Answer. Yes, sir; with their own guns—shot guns and sticks, not armed by the State, except volunteer companies.

Question. In Edgefield how many negro regiments have been armed since the war?

Answer. The Lord knows; I can't tell.

Question. How many companies are there?

Answer. There are three companies at Edgefield Court-House, and three at ———, but I can't tell. They are all over the country.

Question. Were there three regiments of colored troops in Edgefield County?

Answer. No, sir; I think not.

Question. These armed companies, in the beats before the war, were ancillaries to the trial justices, and made arrests?

Answer. No, sir; I only mentioned the geographical divisions of those companies to illustrate that there were more magistrates. There was a magistrate for each beat of the company.

Question. That was the only connection?

Answer. Yes, sir; in the territory for which a magistrate was appointed there was a beat of the company. There was no sort of connection between the beat of the company and the magistrate. The militia turned out once or twice a year, and the governor reviewed them.

Question. In view of the fact that Governor Scott may have apprehended, whether erroneously or not, armed resistance after the election in 1868, and in view of the fact that the material composing the white companies in the State must necessarily, from the circumstances, be composed of men who had been in service in the rebellion against the Government, would it be unreasonable in him, entertaining that view, to refuse them arms, and to organize the negro militia, believing that there was danger of general resistance?

Answer. I think it would be very unwise.

Question. But I ask the question, viewing it from that stand-point?

Answer. I cannot tell from what stand-point Governor Scott acted; I have my own opinions.

Question. Would it not be a fact that a white company would be composed chiefly of men who had been in arms against the Government?

Answer. Almost entirely. A great many young men had arrived at their majority since the war, but they sympathized with their kindred.

Question. If the governor took that to be so, was there any other source for him to go to in arming the population except to arm the negroes?

Answer. Yes, sir; he could have gone to the General Government.

Question. But in arming the people of the State, exercising his functions as its chief magistrate?

Answer. In exercising his functions as magistrate he has gone to the General Government.

Question. I am not sure that that is owing to the governor?

Answer. Well, it is certainly so. I will tell you what I think he meant. I think he kept the negroes organized in order to keep us from getting their votes.

Question. But if he felt it a duty to organize the State militia, and took the view in reference to arming the white population which I have suggested, was there any other element left for him but the negroes?

Answer. But in organizing the State militia he had no right to discriminate.

Question. But had he any other alternative if the State militia were to be organized?

Answer. I think he had the alternative of organizing us all together.

Question. If Governor Scott entertained the idea that protection would be necessary at the election in 1870, and further entertained the idea that resistance had been contemplated to the State or General Government in 1868, and that that resistance would have come from the white men who were then demanding to be organized into militia companies, could he, in that state of things, find any other element in the State to compose the State militia than the negroes?

Answer. I think not; but you are supposing a case now which does not exist.

Question. I am putting it on a supposition. If the circumstances did not exist, of course —

Answer. The circumstances did not exist in 1868; it was only anterior to this last election. He could not have anticipated anything of the kind then. I suppose they were the only loyal men in South Carolina, according to the northern acceptance. I don't know whether the negroes know the meaning of loyalty, but I believe they are looked upon as the only loyal men in the South.

Question. In your view of this question, would any republican rule in this State bring about security and peace with the negroes in a majority of some 15,000, according to your own estimate of the vote?

Answer. I think so, sir.

Question. Do you think there was the elements in the republican party from which a selection can be made of men for election whose administration would give security?

Answer. I don't know, as at present organized. I think there are some men in the republican party who, if elected to governor, would bring peace and satisfaction to the South. It is not opposition to the republican party we feel, but opposition to the manner in which the affairs of this State have been administered. I think the corruption in the State government is the main cause of dissatisfaction. We had come to that point when we had lost everything. I looked upon it in that way. The only God I ever worshipped was the war. I went into it as a war. I did not care if it lasted twenty years; it was my profession. I did not think of politics or have much feeling about it. We care very little about the complexion of a man's politics, and to-morrow, if a decent republican should come here and present himself in opposition to a man of doubtful character, even if I am a democrat, I should vote for him.

Question. Is there not in many portions of this State a prevalent public sentiment which identifies the whole republican party with corruption and rascality so as to prevent any decent man from going into it?

Answer. No, sir. On the contrary, on the stump I told the white people I believed there were plenty of republicans in the North as honest as anybody else. I think there are not 2,000 republicans to-day in this State who are white men. I think nearly all will affiliate with the democratic party; but if a man of known good character and honesty were to come here and present himself and be elected governor, the people would acquiesce if he administered the government with anything like fairness and honesty. But our people have been unaccustomed to this robbery and plunder, and they complain of it, and complain, too, that the General Government sustains those men in it.

Question. So far as that is concerned, I do not know from what acts of the General Government you draw that conclusion that it is sustaining the State government in acts of corruption. The General Government is now inquiring through this Committee into the manner in which the laws are executed and the security afforded to life, person, and property, in order that, if there be any remedy within the reach of Congress, it may be applied.

Answer. But you know there are many other branches of the General Government besides Congress. I refer particularly to the action of the Executive at the last election. When he ought to have known of the existence of this corruption, yet the whole patronage of the Federal administration was thrown in favor of the reelection of this corrupt State administration.

Question. I understand you to say that the governor is now taking a course in accordance with the suggestion of such gentlemen as yourself, in the hope of finding a remedy for existing evils?

Answer. I told him I should not renounce my political affiliations, and did not ask him to, but I wanted an honest government, and if he could not get honest officers from his own party he ought to hunt them up from among other men.

Question. Did he do that?

Answer. I think he is doing it.

Question. Is he setting aside incompetent and dishonest men from his own party and appointing men from the other side?

Answer. He is in my county; and in Kershaw County and Clarendon and Greenville Counties he has made capital acceptable appointments.

Question. Assuming that he has done so in Spartanburgh, as that is in evidence here, how are we to account for the continuance of this lawlessness against the negroes in that county?

Answer. Does that lawlessness continue?

Question. That is the testimony before us.

Mr. VAN TRUMP. Still, I may state here the fact that the tenor of the testimony is that lawlessness has subsided there within a month or two.

Answer. I will answer in this way. It was suggested to me yesterday evening. My own solution of things in that county is, there are a great many poor white men there and it has become a question of caste. It is a social conflict between the poor laboring white men and the negroes. There is an indisposition on the part of the white men to live and labor by the side of the negro. I met a discharged soldier of the United States Army at Edgefield. He was out of money and spoke about it. I said to him, "Why don't you go to work here hoeing cotton or laboring in some way?" He said, "I will not work by the side of a nigger." My solution of the question you propose is, that it is not alone due to party; it is a question of caste, and you will find among the poor white people of South Carolina a greater feeling of hostility to the negro than among the better class. These cases of violence and whippings have been by combinations of poor whites to run the negroes out, to prevent competition for their labor.

Question. That is your opinion of the cause?

Answer. Yes, sir; you asked my opinion.

Question. Have you no idea that while these men may feel that repugnance to the negro, yet from the fact that the large body of the white population are in the democratic party, the men above them in social and political position acquiesce in it, looking to it as a means of party ascendancy?

Answer. I do not think so. I say we acquiesce in it in the manner I explained a while ago. If Governor Scott would consult a class of men I could mention in Spartanburgh, fairly and frankly saying, "We must stop this thing," it would be stopped in ten days. I do not say he would stop it entirely, because I think that "irrepressible conflict," of which Mr. Seward spoke, will go on.

Question. You think it is inevitable?

Answer. I think it is unavoidable.

Question. And that that is but the beginning of it?

Answer. But the beginning of it. I think the moment a white man comes here there arises a feeling of antagonism to the negro. It is much less so with the former master than the many who come here from the North.

Question. With reference to this land commission, have you ever seen a list of the persons who sold their lands to the State?

Answer. No, sir.

Question. Do you know who were the owners of Hell-Hole Swamp?

Answer. I have been trying to think of that name.

Question. Was it not Schley?

Answer. I cannot remember.

Question. This O'Hanlan estate—who owned it?

Answer. It belonged to some minors, I think.

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 coöperation 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.

Question. I have some curiosity to know why it is that if the constitution of this State provides that justices of the peace are to be elected, and if this legislation which authorizes the appointment of trial justices is a mere evasion of that, none of the legal gentlemen of the State have ever tested the constitutionality of that legislation. Has a *quo warranto* ever been issued to a trial justice to know whether he is trying properly or not?

Answer. Certainly; it has been tried over in Sumter. Judge Green has decided that they are unconstitutional. I do not know whether it has gone to the supreme court or not. Judge Green decided that the man holds his office contrary to the constitution.

Question. Why was not that resorted to long ago?

Answer. The trial justices have been in office but a short time. In Edgefield we had a judge who would not hear a civil cause in two years and a half, except in chambers. He would come up and sleep on the bench and draw his \$2,500.

Question. If that decision is sustained you are likely to be relieved of the whole system of trial justices?

Answer. I hope so. The whole system of our practice has been upturned; they have adopted the New York code.

Question. Now, as to the Ku-Klux organization, you say you have no knowledge of it, but there was a local organization in Edgefield?

Answer. Yes, sir.

Question. Do you refer to the military company of which you have spoken?

Answer. I cannot say it was a military company; it was a sort of touching of elbows to be ready for any emergency.

Question. When was that organized?

Answer. In 1868-'69. It was not a secret organization; it was in the "Dark Corner" of Edgefield, as it is called, very remote from the court-house. The negroes were there burning gin-houses.

Question. Was it confined to Edgefield County?

Answer. Yes, sir.

Question. It was not a State organization?

Answer. No, sir.

Question. Had it a written constitution?

Answer. No, sir; it was just an understanding.

Question. Is that the only one of which you have had any knowledge, in Edgefield County?

Answer. The only one.

Question. Was there an organization of the Council of Safety?

Answer. Not that I am aware of. I have heard a great deal about that Council of Safety, but I do not know what it is. I was summoned to that meeting, but did not go.

Question. Have you any knowledge of any secret organization, in that part of the State, that has been operating in disguise?

Answer. No, sir.

Question. Has there been much of that in your county?

Answer. No, sir; there was in 1865 or 1866—a gang of bush-whackers left in Johnston's and Sherman's rear, and the citizens put it down.

Question. But has there been much of this whipping and killing in Edgefield?

Answer. No, sir; nor in the State, so far as I know. It is a sort of spontaneous thing, like this Laurens fight. I advised some young men to go up there.

Question. How far is it to that place?

Answer. About fifty miles.

Question. When did you get the news?

Answer. A messenger came down and said the negroes were out in line. I think that was about two days after the election. I advised some of the young men to go up there and be there in case of necessity. I think that was a spontaneous uprising

such as will take place whenever there comes a conflict of races. The whites are prepared for it.

Question. Is it not the determination of the whites in this State that they will not be ruled by the negro vote?

Answer. I think if we can accomplish it by legitimate means we will do it.

Question. Is not that the determination?

Answer. I think there is a very universal determination to overcome the negro majority.

Question. Is that end contemplated by any other means than taking away the suffrage from them eventually by legal and constitutional means, or, if that be not possible, by violence?

Answer. I think not. My solution of the whole thing is the introduction of white immigration.

By Mr. VAN TRUMP:

Question. Have you a large organization for that purpose now?

Answer. Yes, sir; I am a member of it now. That is the last reason. The conclusion of our people is that that is the only possible salvation to us—increasing the white population and having the negroes to go out West and to the sea coast.

By the CHAIRMAN:

Question. Is it not inculcated by your leading men that the negro majority must by some means be overcome?

Answer. Certainly.

Question. Do you not think that has some tendency in some portions of the State to encourage this whipping of negroes?

Answer. No, sir; I do not think so. Last year we recognized the fourteenth and fifteenth amendments and the right of the negro to vote. The "new departure" is where I was last year. I do not suppose that Judge Van Trump will agree with me. He is a pronounced democrat. My own view is that if we can ever get a normal condition of society, (for everything is perfectly abnormal now,) and an honestly-administered State government, I have my own doubts as to the propriety of depriving the negro of the right to vote. I think that would be an element of strength in the Federal councils as a basis of representation. It would be a source of strength to us, and I do not know that we should advocate depriving him of the vote. I should not oppose letting an honest, respectable negro vote, for I have practiced before a negro trial justice.

Question. I think the time when you get control of the negro vote depends upon when the Ku-Klux outrages against him cease.

Answer. I think so, too. I have done everything I could to produce quiet. Last summer I could easily have provoked a riot in ten minutes, but I have taken legal rather than violent means.

By Mr. VAN TRUMP:

Question. Have you any idea that Governor Scott, at the time he organized the negro militia with new guns and fixed-ammunition, had any honest purpose to accomplish, however he may have since repented of his rashness in that regard?

Answer. I do not think he did have an honest purpose, sir. I just explained to the Senator that my opinion was that he intended to consolidate the negroes in such a way, through these military organizations, as to prevent our having any influence upon them, marching them to the polls and voting them as a body.

By the CHAIRMAN:

Question. The extravagance and corruption of this State administration have been spoken of so often that I have a curiosity to get an explanation of this statement, which occurs in a report of the committee of ways and means on the 17th of December, 1864, and appears in the publication of the ordinances, reports, and resolutions adopted by the convention of the people held in Columbia in September, 1865:

"The committee of ways and means, to whom was referred the report of the president and directors of the Bank of the State of South Carolina, ask leave to report that they have given it that earnest consideration which its importance demands. In view of the large amount estimated to carry on the State government for the present fiscal year, it being over six millions of dollars."

Can you inform me what caused an expenditure of \$6,000,000 at that time, and when it ceased?

By Mr. VAN TRUMP:

Question. Does it not mean confederate currency?

Answer. I was not in that convention and cannot answer it. That was in 1864, and was in confederate currency, when a pair of boots cost about \$150. I gave \$5,000 for a horse in 1865. That estimate, I suppose, was in confederate currency.

By the CHAIRMAN :

Question. About how many obligations of the State came over to the next administration, to be met when it was reorganized under the provisional government and the present government?

Answer. I do not think they had any assets at all when the confederacy expired.

Question. I am speaking of liabilities.

Answer. Excluding the confederate debt, which was repudiated, I think the whole debt, when Governor Scott took possession, was five to six millions. I will say six millions.

Question. You have seen the report of the tax-payers' convention, estimating the debt at nine millions? The State officers claim, with some plausibility, as a justification, that they have had to assume a great deal of indebtedness of previous administrations—of Orr's administration, interest on bonds, funding bills receivable in 1865, \$500,000, funding bills of the bank of the State, \$1,500,000. They claim that the only increase of the debt is \$700,000 for the land commission.

Answer. That may be technically true, but the corruption we complain of, and which the financial people of the North do not understand, is this: that they were issuing these bonds to pay due interest, to fund bills receivable and bills of the State of South Carolina, while they were collecting enormous taxes all the time; and if they had appropriated the taxes properly, the issuing of these bonds would not have been necessary. Instead of that they put the proceeds of the taxes in their pockets, as we claim. They were all absorbed by the extravagance of the State government.

Question. Was it not the fact that in many counties the affairs of the county went on credit during the war, and when the war ended they were compelled to levy taxes to pay the debt which had accumulated?

Answer. No, sir, I think not.

Question. I do not ask as to war debts, but for the ordinary affairs of the county.

Answer. There was, to some extent, but you see confederate money was like leaves to pay county officers. Some counties claimed pay for charges and accounts, but not much. I think that these six millions you called my attention to referred to confederate currency.

By Mr. STEVENSON :

Question. You spoke of the canvass conducted in 1870. Do you mean that you addressed mixed audiences of white people and colored in that campaign?

Answer. I did, all over the State.

Question. Speaking from the same stand with colored men of both parties?

Answer. Yes, sir, in some instances.

Question. Sometimes in joint discussion?

Answer. Yes, sir.

Question. Were you running against Ransier, a man of color?

Answer. Yes, sir.

Question. And Judge Carpenter was running with you against Governor Scott?

Answer. Yes, sir.

Question. Carpenter being from the North somewhere—where?

Answer. From Kentucky, but born in Maine.

Question. Do you think it singular that the negro population should prefer that ticket to yours?

Answer. Well, yes, I do.

Question. Why?

Answer. Because we endeavored to get honest, respectable men.

Question. Do you think, looking back over it, that you had any better candidate for governor than the republicans had?

Answer. As a matter of course I do.

Question. You still think so?

Answer. Certainly.

Question. You would hardly complain of the negroes for voting for a man of their own color in preference to yourself?

Answer. Yes, sir, if one were ignorant and the other intelligent and more competent to carry on the State government, I certainly should. I only judge of Judge Carpenter by his record as a judge, and I must say there was not the slightest suspicion of dishonesty. On the contrary, every opinion expressed about his judicial career was that it was of the highest character. I had every reason to believe that he would discharge his duties as governor with the same fidelity and integrity.

Question. Nothing had been proved against him?

Answer. Not that I know of.

Question. Has anything been proved against Governor Scott?

Answer. I think so.

Question. I mean judicially against either of them?

Answer. No, sir. I didn't know that any judicial investigation has ever been begun against either of them.

Question. Are you aware of the fact that articles of impeachment were prepared or filed against Mr. Carpenter in Kentucky?

Answer. Yes.

Question. Before he left there?

Answer. Yes.

Question. Were you aware of that before he was nominated?

Answer. No, sir.

Question. You say articles were prepared here?

Answer. The matter was discussed; I do not know whether they were prepared. I heard, after he had been nominated, that articles of impeachment had been presented against him in the Kentucky legislature, and he had been exonerated.

Question. You did not hear that there had been no investigation of it?

Answer. No, sir.

Question. What is your business now, general?

Answer. I am an insurance agent—the common refuge.

Question. You are not planting?

Answer. Yes, sir, I am planting.

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 precedence to banish and confiscate?

Answer. Yes, sir.

Question. After the Revolution, I believe this State did confiscate some two hundred and forty estates of toriés?

Answer. Yes, sir.

Question. And banished 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

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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 heart.

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 Sickles'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 those 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. Pettigru, 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 to fifty.

Question. In your county?

Answer. Yes, sir. General Bonham was one, General Dunnivant another, and others.

Question. You spoke of relentless slave-drivers having now become radicals. To whom did you allude?

Answer. I don't like to call names.

Question. We would rather have names.

Answer. Eichelberger.

Question. You named him before.

Answer. Yes, sir. I think your republican Senator from South Carolina had that reputation—Mr. Robertson. He always had the reputation of being a very cruel master, and, I think, deservedly, from what I have heard of him. Another is Joe Crew; he used to be a negro-trader.

Question. He is the senator or representative from what county?

Answer. I think he is representative from Laurens. He is living in Columbia now. I think he is what they call a refugee.

Question. You say he was a slave-trader?

Answer. Yes, sir; he used to trade in slaves—that is my information—and was not a very humane one at that.

Question. Do you know with whom he was engaged in that trade?

Answer. I do not.

Question. Is he not the man who was in partnership with General Forrest?

Answer. I don't know; I never heard of that. I do not know that he ever knew Forrest. Forrest was a negro-trader, I know.

Question. Trading to this State?

Answer. I rather think he got some from this State. I have no doubt he sold slaves to Forrest. He traded negroes from Hamburg. I do not think Mr. Wallace, the present member of Congress, was a very humane man, from what I have heard of him. He is now a shining light, I believe.

Question. In speaking of the constabulary force of the state government, you say there were some New York roughs among them. Is it not true that that force was brought here to take the place of the military which was being superseded—the military force acting under General Sickles?

Answer. It was authorized by the legislature?

Question. They succeeded that force, did they not?

Answer. I don't remember of their coming in any force, except in Edgefield and Abbeville. Just after Randolph was killed they had a crowd.

Question. They succeeded the Sickles administration in point of time?

Answer. Yes, sir; they were not appointed until after the organization of the present State government under the constitution of 1868.

Question. Is it not true that there were bush-whackers still ranging more or less in the upper part of the State after the organization of the State government?

Answer. Yes, sir; I think there were some in Edgefield.

Question. Was not this force directed against them more particularly?

Answer. They did not send them to arrest them. Sickles sent some cavalry up in the western part of Edgefield and broke up some that were there several times. I don't know that they were sent after bush-whackers or that they arrested any.

Question. Do you know Mr. Dave Gist, son of ex-Governor Gist, of Union County?

Answer. I know Richard Gist. I do not know Dave. He can't be a son of the ex-governor. How old a man?

Question. About thirty.

Answer. I know Joe and John. Quite likely I know this man, but not by that name. I thought the governor had but one son, Dick. He is about my age—thirty to thirty-five. He was at college with me.

Question. Was he arrested by General Sickles?

Answer. I don't know. He was arrested by somebody; I don't know whether by the government or the State constabulary. He was put in jail in Newbury, I think.

Question. Speaking of the negroes coming armed to democratic meetings, was it not the habit of this negro militia to go to their meetings marching in company?

Answer. As to exclusively republican meetings I do not know.

Question. Did they not take a great deal of pride in their organization and arms?

Answer. Yes; and in ribbons and plumes, and drums beating, and all that sort of thing.

Question. My information is that that was their habit?

Answer. I don't know. I was at but one exclusively republican meeting. It was at Abbeville, and I made a speech at their request. I saw no arms there. That was in September, not long before the election.

Question. You made a speech in Charleston in the canvass of 1870, did you not?

Answer. Yes, sir.

Question. Did you make such a remark as this, there in that speech: that if the reform or democratic ticket could not defeat the republicans at the polls, they could defeat them with arms in their hands?

Answer. No, sir.

Question. Nothing of that kind?

Answer. Not a word of it.

Question. Did you, in any of your speeches, make a remark in substance this: that while the republican platform recognized the status of the negro as an accomplished fact, yet only wait until we succeed, as we will in this contest, and you will then see how easily we can get over these questions by legislation, and assert our ascendancy over these ignorant people?

Answer. Never. There is not a word of truth in it.

Question. You uttered no such sentiment?

Answer. Never.

Question. Did you hear General Gary make a speech at the club in this town in 1869 or 1870?

Answer. No, I do not think Gary ever made a speech before any club in Columbia.

Question. Were you with him at a club here?

Answer. I go into the club here and talk and drink with him now and then.

By Mr. VAN TRUMP:

Question. You mean the social club?

Answer. Yes, sir. I heard him make a speech in Edgefield, in which he got up and swore he did not believe in negro suffrage, and all that sort of thing.

By Mr. STEVENSON:

Question. Did you, at any time in that club or elsewhere, see him draw his bowie-knife and appeal to that as the argument to be used?

Answer. No, sir, there is not one word of truth in any such report.

Question. Do you know the Marshalls of Abbeville? [See report of R. C. De Large, land commissioner, attached to the testimony of Joel Foster.]

Answer. Yes, sir, very well, some of them—John and George and another, a younger one.

Question. G. W.?

Answer. George H.

Question. Do you know Est. Marshall?

Answer. I do not know the others. I know George Marshall.

Question. Are they old citizens of the State?

Answer. Yes, sir; born and raised here.

Question. Are they democrats or republicans?

Answer. I do not know. They are brothers-in-law of Governor Orr. He married their sister.

By Mr. VAN TRUMP:

Question. Then they are likely to have taken the Orr shoot?

Answer. My impression is they are democrats.

By Mr. STEVENSON:

Question. Do you know Mr. Sires, of Charleston?

Answer. I do not know any such man.

Question. Do you know the Woodville plantation?

Answer. Where situated?

Question. In Charleston County, I suppose.

Answer. No, sir.

Question. Do you know a Mr. Fox, of Chesterfield?

Answer. No, sir, I do not know that I do. I know a Fox of Colleton.

Question. What is his name?

Answer. I. I. or F. F.

Question. Not H. J. Fox?

Answer. No, sir.

Question. You do not know H. J.?

Answer. No, sir; he may have belonged to my division, and I not know him.

Question. Do you know Mr. C. C. Singleton, of Fairfield?

Answer. Yes, sir, Carter Singleton.

Question. Who is he?

Answer. A son of John Singleton. His mother was a Miss Carter. He went from here as a member of my cavalry company.

Question. Is he a democrat or republican?

Answer. A democrat, I think.

Question. Do you know Whilden & Son, of Charleston?

Answer. Yes, sir; ice-dealers.

Question. What are they in politics?

Answer. I declare I do not know.

Question. Are they old citizens of the State?

Answer. Mr. Whilden has been living there a number of years. He is bankrupt now — just had his property sold out.

Question. William Keller, of Orangeburgh, do you know him?

Answer. No, sir, I do not know him that I remember.

Question. Do you know the Tynal's plantation, in that county?

Answer. No, sir.

Question. Do you know H. J. Hugueind?

Answer. Yes, sir, I know one Hugueind.

Question. Of Richland?

Answer. Yes, sir.

Question. Who is he?

Answer. He is a native of Beaufort or Colleton County.

Question. What are his politics?

Answer. I do not know; I think he is a democrat.

Question. Do you know Mr. O. H. Jones, of Richland?

Answer. No, sir, not that I remember.

Question. Do you know Mr. J. N. Hirsch, of Williamsburgh?

Answer. Yes, sir.

Question. Who is he?

Answer. A hotel-keeper, and a republican, I think, if he is the man I take him to be.

Question. Is he an old citizen?

Answer. He is a German, I think.

Question. How long has he been in the State?

Answer. I don't know. I never knew him until I went down to Kingstree last summer. He could probably tell you about that land transaction of Swail's, the republican senator.

Question. Do you know a man named R. B. Fladger, jr., of Marion?

Answer. I do not know him.

Question. You have spoken of Mr. Schley, of Charleston. Do you know him?

Answer. No, sir.

Question. Do you know who he is?

Answer. No, sir, I don't know that I ever heard of him until I heard of that land transaction. It is quite possible that I may know this man, but not recognize his name.

Question. Are you aware that what is called Hell-Hole Swamp, being 12,000 acres of the Schley lands, at one time contained a considerable plantation of value?

Answer. I do not know it. I never was on it. I only know the general character of the Hell-Hole Swamp country.

Question. Who is Mr. Cochran, of Anderson?

Answer. He is a republican. He was a lobby-member of the legislature; at least he is the lobbyist regarded as the smartest and shrewdest, next to Tim Hurley.

Question. Where is he from?

Answer. I think he is a native of Anderson.

Question. Do you know Mr. Macon B. Allen, of Beaufort?

Answer. No, sir, I can not recall him now.

Question. Do you know W. M. Cummings, of Colleton?

Answer. I do not remember that I do. Quite likely I do, but I cannot recall him now.

Question. Do you know Mr. Richard Dosier, of Georgetown?

Answer. Yes, sir.

Question. Who is he?

Answer. A lawyer of character, a gentleman.

Question. Is he an old citizen?

Answer. Yes, sir.

Question. What are his politics?

Answer. He is a democrat.

Question. Do you know Mr. S. R. Adams, of Kershaw?

Answer. I do not know that I do. I cannot recall him just at this moment.

Question. Are there some of that name there?

Answer. There is quite a number of Adamses down in what is known as the Fork, in Richland County.

Question. Do you know the Ciple's plantation?

Answer. I don't know anything about that.

Question. Do you know Mr. B. F. Bates, of Spartanburgh?

Answer. Yes, sir; he was in the legislature.

Question. Is he an old citizen?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. You do not claim him as a democrat?

Answer. I think he is a sort of nondescript. I was in the legislature here with him in 1859-'60, and he was very hot to get out of the Union.

By Mr. STEVENSON:

Question. You were speaking of the hope of yourself, and, you believed, of other citizens of the same opinion, to overcome the negro majority in South Carolina by the immigration of white men.

Answer. Yes, sir.

Question. And you spoke of the emigration of negroes from the State?

Answer. Yes, sir.

Question. Are you aware of the fact that they are emigrating?

Answer. Yes, sir.

Question. Are they leaving the State rapidly?

Answer. I do not know that they are leaving rapidly. Governor Scott told me he thought that would be the destiny of the negro; that he would go down to the alluvial lands of the State and out West, and the hope of the State would be the up-country.

Question. Do you know of any movement toward Liberia?

Answer. Not to any extent.

Question. I see in this morning's paper an article taken from the Yorkville Enquirer, which reads as follows:

"The Yorkville Enquirer learns that a large number of negroes, comprising sixty or eighty families, in the vicinity of Clay Hill, in the northeast part of this county, have determined to emigrate to Liberia, and are now making their arrangements to embark in the vessel of the Colonization Society, which will sail from Charleston or Baltimore early in November next."

The Yorkville Enquirer of July 20, 1871, says:

"GOING TO LIBERIA.—We learn that a large number of negroes, comprising sixty or eighty families, in the vicinity of Clay Hill, in the northeast part of this county, have determined to emigrate to Liberia, and are now making their arrangements to embark in the vessel of the Colonization Society, which will sail from Charleston or Baltimore early in November next. Rev. Elias Hill and June Moore (two colored men of this county) are at the head of the movement, and it is the intention of the emigrants to locate in that part of Liberia known as the North Carolina Colony. These emigrants

are to be received at Rock Hill, and will be furnished transportation to Liberia by the Colonization Society. We understand that several hundred other negroes in this county are making preparations to follow in the vessel which sails next May."

Answer. I have not heard anything of that.

Question. Is there a colonization society in the State?

Answer. I think so. There was a Miss Gregg, (a sister of General Gregg, who was killed in the war,) who is now in Liberia, who took out a colony.

Question. How many has she?

Answer. I have forgotten. A man named Rose, who used to wait on me, came back. They went out on the Golconda. She made several trips. The emigration I refer to especially is that going to Mississippi and Arkansas and the Gulf coast. They can afford much higher wages than we can, and will gradually drain them off. Forrest has carried out a great many to work on his railroad in Mississippi.

By Mr. VAN TRUMP:

Question. Is there not more laboring population in this State than is necessary to carry on the labor of the State?

Answer. Yes, sir, I think so.

By Mr. STEVENSON:

Question. Do you think it is for the advantage of the country or of the State to send these people out of the country?

Answer. I think it would be of ultimate advantage. I think it ought to be gradually done, if done at all. My own opinion is this: that a homogeneous race should occupy this country. I have no hostility to the negro. I think the present class of negroes, growing up, will be utterly unfit for labor.

Question. Are they not, for a considerable part of the South, the best labor they have?

Answer. Under our old system they were—under the system of cultivating large areas of land, with slight, careless culture, I think they are; but I hope to see in this country, before many years, a more diversified system of labor; a more intelligent class, and to see lands divided into small farms, with an intelligent, thrifty, white population. I think that must be the result.

Question. Have you such a white population to work the lands now?

Answer. No, sir.

Question. Is it not true that, on the lower coast, the negroes are the only class that can work those plantations?

Answer. Yes, sir; the negro and the Chinaman in the rice plantations, but anywhere above tide-water a white man can stay.

Question. What do you mean by tide-water?

Answer. As far as the tide runs up.

Question. How far is that?

Answer. Twenty, thirty, or forty miles into the interior. Anywhere above that, outside of the miasmas of the large streams, a white man can live here as well as in New Jersey.

Question. You mean in the valleys, and on the coast, as far as tide-water, the negro is the only class that can safely labor?

Answer. Yes, at present; but I hope that when the country is filled up with a thrifty population, these very sections will be rendered habitable by proper drainage. It will be a long, long while before it is done. But I think it would be a benefit to the negro to have an influx of farmers like those of Western New York, and Pennsylvania. I think, with their habits of thrift and economy before them, ascertaining what money a man may realize from an acre of land here, by intelligent culture, like you have at the North, would be of service to the negro.

Question. What are your lands valued at, on an average, for taxation?

Answer. I cannot tell you.

Question. I ask only for a general estimate?

Answer. I have not seen the estimate made.

Question. Take your own county?

Answer. I really am not able to say. I know the estimate put upon the lands by the owners was increased 150 per cent. by the board of equalization—from two to five dollars an acre. An average between that was the estimate put upon them by the owners. That was increased 150 per cent.; and in Orangeburg, 300 per cent. on the estimates made by the owners themselves. You can buy very good land here in the market at three to ten dollars an acre.

Question. Improved land?

Answer. Yes, sir.

Question. What is the rate of taxation?

Answer. About fourteen mills.

Question. For State and county purposes?

Answer. Yes, sir; but it amounts to more than that. It is about seventeen mills in

the county of Edgefield. Mr. Kimpton, the financial agent in New York, told me he thought an assessment of five mills would be enough to carry on the State government.

Question. Including his services?

Answer. I suppose so.

Question. He is one of the men complained of, is he not?

Answer. Yes, sir; I think he is.

Question. Do you think he is very good authority?

Answer. Yes, sir, I think so. He puts it down at five mills, and the powers that be say seventeen.

Question. Suppose he put it at four times that much?

Answer. Then I should attach some suspicion to it.

Question. Then he is good authority if he agrees with you?

Answer. No; I have no opinion upon the subject.

Question. Your opinion tends that way?

Answer. Yes, sir; I know a great deal of unnecessary expenditure is made. Governor Scott, himself, admits that it is not an idle charge of ours.

Question. Speaking of the campaign of 1863, and the purposes of the democratic party at that time, I would like to know a little more definitely what the expectation was of the democracy in this State as to what would happen if the democratic party elected the Seymour and Blair ticket?

Answer. What was the expectation of the democratic party?

Question. Yes, as to the policy of reconstruction and negro suffrage?

Answer. I think the expectation was that the disabilities would be removed; that they would be allowed to hold office in the government of the country, and there would be a restoration of harmony and good feeling among the people of the South. I do not know that it was the intention of the people of this State to use force to take the right of suffrage away. I think it is possible that they would have put some such restriction as exists in some of the Northern States upon suffrage. General Hampton took that position.

Question. Did he not take the position that the reconstruction acts were void?

Answer. In his speech here he took the ground of partial suffrage. I took the ground that it was a sword cutting both ways; that it cut off a great many white men to have an educational qualification. I think the expectation was that there would not have been any more armed resistance. We had had enough of fighting here, God knows.

Question. Was it the general expectation that the reconstruction policy of Congress would have been set aside?

Answer. I think it would have been very much modified by legislation. I have no doubt that was expected—to use all legitimate means to bring about a normal condition of things. I think that a very abnormal one was and is still existing here.

Question. If the reconstruction policy of Congress was void, would it have been legitimate to have disregarded it?

Answer. I don't know. That would have been revolution, because it was upon the statute-book, and for any organization to have said it was null and void, and disregarded it, would have been revolution.

Question. You have no knowledge of the conspiracy, if any such existed, to overthrow the State government, in case of the election of Seymour and Blair?

Answer. None at all. You mean by force?

Question. By whatever force was necessary; by a riot.

Answer. No, sir; I do not believe a word of it. I heard nothing of it. I do not believe a word of it. I do not think there was any such feeling or disposition among any democrats that I knew anything about at all. I think it is quite likely they would have attempted to produce a modification of the reconstruction acts of Congress; to what extent the modification would have gone I cannot say. I think it would have been controlled by circumstances.

Question. Do you suppose that if Seymour and Blair had been elected, the white people of South Carolina would have quietly submitted to the continuance of this State government without an effort to change it?

Answer. Certainly, I do.

Question. Without any effort of any sort?

Answer. Certainly, until the expiration of the term of office.

Question. You would not have had a convention to change the constitution?

Answer. No, sir; we had no authority.

Question. You know they are holding one, or preparing for it, in North Carolina?

Answer. But that is done under the regularly-organized government, under an act of the legislature.

Question. It is done outside of the constitution?

Answer. But by the legislature.

Question. They claim that it is not unconstitutional, but it is done outside of the provisions of the constitution.

Answer. It is done under the sanction of law. I understand you to ask me whether

the people of South Carolina would have submitted to the State government without an effort to overthrow it?

Question. To change it, at least?

Answer. And if we would not have called a convention? I say we would not without authority of law.

Question. I ask whether you believe the white people of South Carolina would, had Seymour and Blair been elected, have quietly submitted to this State Government and the administration of it without making some effort to change it?

Answer. I think so, sir, until the expiration of the term of office, unless we had had the authority of the legislature, some change in the legislature, to authorize the calling of a convention; but I think it is likely, if Seymour and Blair had been elected, that, through the influence of the patronage of the General Government, without molesting the authorized government of South Carolina, we could have so modified our government as to make it much more sufferable.

By the CHAIRMAN:

Question. Was there any fixed purpose as to the mode in which that sentiment that the reconstruction acts were null and void was to be made practical?

Answer. I do not think there was.

By Mr. STEVENSON:

Question. General Blair spoke of the Army undoing what the Army had done?

Answer. Yes, sir; and he explained how that should be done; but I do not know that there was any such sentiment here.

Question. You think he was in advance of the sentiment of South Carolina?

Answer. Yes, sir; we were not prepared for another revolution.

By Mr. VAN TRUMP:

Question. You had had fighting enough for awhile?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. But it did not require much fighting to overthrow the negroes?

Answer. But suppose the General Government sent ten or fifteen thousand men here to support the State government?

Question. But that would not have occurred under Seymour and Blair?

Answer. I don't know what would have occurred. I think if this goes on until a conflict comes between the whites and blacks, the contest will not last long.

Question. Which class will last the longer?

Answer. I think the whites will soon get the ascendancy by force.

COLUMBIA, SOUTH CAROLINA, July 21, 1871.

WADE HAMPTON sworn and examined.

The CHAIRMAN. I will request Judge VAN TRUMP to conduct the examination of this witness.

By Mr. VAN TRUMP:

Question. Where do you reside, general?

Answer. This is my home, though I am absent very much between here and Mississippi; I am planting in Mississippi, though I claim this as my home.

Question. Are you a native of South Carolina?

Answer. Yes, sir.

Question. Were you in the confederate army?

Answer. Yes, sir; during the whole of the war.

Question. What was your rank in that service?

Answer. I went in as a private and came out as a lieutenant general.

Question. What was your position in regard to the question of secession originally?

Answer. In the question of secession, that first occurred in the State in 1852, where the State was divided between two parties, coöperation and secession, I took a very active part against the secession movement, and used all the influence I had against it; and up to the secession of the State, while I never doubted the right of the States to secede, I was very doubtful of the policy. I was then a member of the senate of this State, and the last time when I had occasion to address the senate, it was in regard to the reopening of the African slave trade, a measure I was very much opposed to. I there expressed the most earnest desire that the Union should be preserved, and that we should conduct this contest, as I remember saying, in the Union and under the Constitution. That was my feeling until the election of Mr. Lincoln. I was not here

when the legislature called the convention; I was in Mississippi, on my plantation; nor was I here when the attack was made on Fort Sumter. When that was done I came back and volunteered.

Question. After the State had seceded?

Answer. Yes, sir.

Question. Were you the subject of considerable animadversion by your fellow-citizens in South Carolina for the position you occupied up to the time you united with them?

Answer. Yes, sir. I believe some parties who were very bitter, and who did not go into the war at all, found great fault with me for my lukewarmness.

Answer. I will ask you, general, from your long and intimate relations with the people of South Carolina, and your knowledge of their character, whether or not they were anxiously disposed to resume their former relations with their Northern sister States, and to submit peaceably and quietly to all the legitimate results of the war, when that war was ended, and the supremacy of the Federal Government acknowledged?

Question. To answer that would take me too much into detail. I would not like to consume the time of the committee.

Answer. Make your answer complete?

Question. I believe, sir, that if, at the end of the war, other measures had been taken, Southern States would have come back into the Union with more—to use the term so common at the North—with more of loyalty than has prevailed here for thirty years. I think they were very much touched at, what they thought then, the good terms and magnanimity displayed by General Grant, and that they laid down their arms in perfect good faith, thinking, at the same time, that it was a compact; that they had laid down their arms for an equivalent which was expressed in our paroles. And had these paroles been carried out, and the acts of Congress under which the terms had been offered to us, I do not think there would have been a corporal's guard that could have been raised in the South to oppose the General Government.

Question. Is it not the fact that whatever disturbance or disorder may exist among the people, or a portion of them, outside of those individual perpetrations of wrong which are incident to all civil society, is clearly attributable to the gross and admitted maladministration of the public affairs of the State; the arming, by executive authority, of one party against the other; the wasteful extravagance and corrupt practices of the dominant party; and the unfriendly and despotic legislation of Congress, which, in its effects, if not its aim, holds the whole people of the South responsible for results which they condemn but cannot control?

Answer. Yes, sir; I believe that has been the case. That has brought about the feeling of dissatisfaction and some of the outrages which I have no doubt have been committed, which, in common with every good citizen, I have deplored.

Question. What effect on the public sentiment and apprehensions had this arming of the militia by Governor Scott during last summer?

Answer. I was then here. It created a profound impression. I had an interview—two interviews—with Governor Scott at his own solicitation, and I told him that we were exceedingly anxious—we of the democratic party—to avoid any collision at all; not that we apprehended what the result would be, but it would do infinite harm to our State, and of course infinite harm to the colored people. The white men of the State were entirely unarmed and unorganized and had not prepared at all. When the militia was armed I advised the white men to enroll themselves and go into the regiments that were formed. Acting upon that advice, many of them did so, and I believe Governor Scott refused to accept any but one or two companies of white people in the State. He did accept one here—and it was a long while before we could get any arms—and one other. I have forgotten now, but I think only two companies; certainly very few. The negroes were armed, and I myself saw them at some of these meetings we had, coming there. Though I did not see any violence committed in uniform, I did see them commit violence on other colored people who were disposed to vote the democratic ticket. The people were very much alarmed here, fearing there would be some collision and a conflict of races produced; and though they had no doubt what would be the result of it, they knew it would be ultimate ruin to the State, or retard its reorganization for many years to come.

Question. In regard to another branch of this general question, what has been the public opinion and impression of the people in regard to the wasteful extravagance and corrupt management of the money of the State in the administration of the State government?

Answer. It has produced a feeling of intense disgust and indignation throughout the State amongst the white people. I submitted to yourself, sir, I think, a paper that we sent to Congress in regard to the taxes. I would be glad to lay that before the committee as an evidence of the condition of things in this State, of the taxes, and the fact that we had not only taxation without representation, but representation without taxation. I am anxious to make this an exhibit, because it furnishes some

1220 CONDITION OF AFFAIRS IN THE SOUTHERN STATES.

statistical information in regard to the complexion of the legislature, and the responsibility of those several legislatures, which I have not seen anywhere else. That was collected from the tax-books. This pamphlet is entitled, "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." [Said document will be found attached to the testimony of this witness, marked Appendix No. 1.]

Question. It is correct?

Answer. These statements were correct, so far as we could make them so. This shows the complexion of the convention that adopted the constitution. The number of whites and blacks, and the number of tax-payers, and the taxes they paid. The same, also, in regard to the legislature, including the number of colored and white, and the number of natives, in some instances, and their taxes. Then, of the governor and the various branches of the administration here. I think that some very significant facts can be obtained from this, if the committee would compare the tax-returns of these officials made now with the tax-returns made at that time. Here is the State government:

Office.	Name.	Amount of taxes.
Governor.....	R. K. Scott.....	None.
Lientenant governor.....	Lemuel Boozer.....	\$15 99.
Adjutant and inspector general.....	F. J. Moses, jr.....	\$1.
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.

By the CHAIRMAN:

Question. I understand that that was an appeal against the adoption of the present constitution before the present State government was organized?

Answer. Yes, sir.

Question. Were you reading what the taxes of Governor Scott and the present State officers are now?

Answer. No, sir; what they were at the time this was put in.

Question. But I thought this appeal was made before the organization of the State government?

Answer. No, sir. It was not before the State constitution was adopted. It was a protest against the adoption of the constitution made by the convention which met at Charleston, January 14, 1863, and ended in March, 1863. This was the convention that framed the constitution which was afterwards submitted to the people for ratification.

By Mr. VAN TRUMP:

Question. Then it gives the status of the succeeding legislature under that constitution?

Answer. Yes, sir.

By the CHAIRMAN:

Question. When was that presented to the Senate?

Answer. It does not state the date.

By Mr. VAN TRUMP:

Question. What does the imprint show?

Answer. 1863. It will be too long to go into details; but it was prepared with some care, and shows some very curious facts. I think Governor Scott's taxes in this town now are upwards of \$500.

Question. Just the city tax?

Answer. I have been informed so.

Question. As I understand, your information is that, at the time of this report, the governor paid no taxes?

Answer. It is put down blank there. Many of them were not on the tax-books at all.

Question. And now his city tax is \$500?

Answer. So I am informed.

Question. Do you know the tax of the secretary of state or the comptroller general?

Answer. No, sir; it was a mere accidental thing that I was informed of the tax of the governor, by some one I was showing this to.

Question. In connection with that statement, I will ask, is it a fact that, in South Carolina, purporting to be in form a representative government under the Constitution of the United States, the persons who impose the taxes do not pay them, and that the great body of the citizens who are compelled to raise the public revenues of the State are practically denied any voice or direction in their imposition?

Answer. Yes, sir; it is so.

Question. From all your reading, and your observation of the different nationalities of men, do you believe there is another people on the face of the earth, nationally so proud and high-spirited, who would have submitted to such a system or policy more quietly and patiently than have the Southern people to the conditions imposed upon them by the party in power?

Answer. I can hardly realize that any could do so.

Question. Take the conduct of the people of your own State capital here as an example. Is it not a fact, for I have been struck with its most remarkable manifestation, that if a system of liberal and friendly legislation had been adopted by Congress towards the Southern people since the war, even the terrible sacking and burning of Columbia by Sherman would have been forgotten rather than remembered, in the renewed relations of amity and mutual interest between the two sections?

Answer. Yes, sir; I think so, except with those memories that can never be suppressed; of course the loss of friends and everything cannot be forgotten; but, as far as the feeling of enmity is concerned, it would have been forgotten. I think it would have been entirely so.

Question. Has not the indignant feeling which would naturally spring up from a state of affairs like that been very much modified even under the relation which the people here bear now to the two governments, State and Federal?

Answer. I don't think that any of the manifestations of this spirit that prompts these outrages, of which I see accounts in the newspapers, come at all from any personal or political animosity toward the General Government. I think it is solely the spasmodic effort of people to throw off the incubus of this local government. They found they had no redress in most cases. They are taxed, and their taxes are imposed by people who have no interest here at all, except to plunder. They came for that, many of them, and it has created great indignation among many persons who could not control their passions. I think these outrages were merely the effect of local police regulations; not of any settled hostility to the General Government at all.

Question. General, it is claimed that the white people of South Carolina have felt wholly indifferent, and have not manifested that disposition which good citizens ought to manifest to repress these wrongs and violence that have been committed in certain sections. State how that is as to the fact. Before you answer that, let me bring to your attention an address published in the Daily Phoenix, printed in this city, under date of October 23, 1868, purporting to be addressed to the people of South Carolina, and of which meeting you appear to have been chairman. Look at that, and see if it is an authentic document?

Answer. Yes, sir; that is an address of the State central committee.

Question. What names are signed to it?

Answer. I was chairman of that committee. Joseph Daniel Pope, a lawyer of some distinction here, J. P. Thomas, William B. Stanley, William M. Shannon, William D. Porter, who was formerly president of the senate here, and Theodore G. Barker.

Question. I do not ask as to yourself, but are all these other gentlemen prominent citizens of South Carolina, belonging to the democratic party?

Answer. They all are. Some of them are very quiet. Mr. Stanley, for instance, is a storekeeper here, but he distinguished himself in the Mexican war. He is now president of the Palmetto Association, and takes little part in politics. All the others have been a good deal identified in the politics of the State.

Question. These gentlemen, with yourself, were the regularly organized democratic executive committee for this State?

Answer. Yes, sir.

Question. And as president of that organization you made that address to the people of South Carolina?

Answer. Yes, sir; I wrote that myself. [The above-mentioned address is attached to the testimony of this witness, marked, "Appendix No. 2."]

Question. I find, general, in the same paper, under date of Sunday morning, October 18, 1868, another address, purporting to issue from the central democratic club to the democratic party of South Carolina, to which you sign your name as chairman of the executive committee, J. D. Pope, J. P. Thomas, F. W. McMaster, W. M. Shannon, S. McGowan, James Chesnut, and T. S. Farrow. Is that a genuine document?

Answer. Yes, sir. We were authorized by a democratic convention which met here. I was instructed to issue the address to the people of the State—or the committee was

—and that was the address that was prepared. [The above-mentioned address is attached to the testimony of this witness, and marked, "Appendix No. 3."]

Question. I ask you to read one paragraph from this address.

Answer. "We need not urge upon you the policy and the duty of treating with great kindness and forbearance the colored population of the State. This you have ever done and will continue to do as long as you are permitted. We have no doubt you will make manifest the untruth of the malicious charge that by force you have compelled their votes, or by intimidation kept them from the polls. Their minds are rapidly opening to the truth that the vagrant white men from the North, as well as the renegade of the South, who live by deceiving and plundering them, and who have been driving them to destruction, are not true friends, and are unworthy of confidence and support. With a fair opportunity they will return to you, as their estrangement is owing entirely to the false teachings and malignant efforts of the northern emissary. It cannot be forgotten that the State, voluntarily, in 1865, invested the colored population with every civil right; and that the democratic party, in convention in April last, recognized them under the previous action of the State as an integral element in the body politic, and expressed its willingness, when in power, to enfranchise them to the extent which the public weal and their own good might warrant. The position then taken by the convention, which was announced to the people of the State and the country, is now reaffirmed."

Question. In the same newspaper, under date of Saturday, April 4, 1868, are the proceedings of a democratic State convention, held on the 3d of April, 1868, to which are added several speeches. I will ask you to read one short resolution of that convention which I indicate to you.

Answer. "Resolved, That, under the action of the State of South Carolina, heretofore taken, we recognize the colored population of the State as an integral element of the body politic; and, as such, in person and property entitled to a full and equal protection under the State constitution and laws; and that, as citizens of South Carolina, we declare our willingness, where we have the power, to grant them, under proper qualification as to property and intelligence, the right of suffrage." That convention was held April 3, 1868. That was before the right of suffrage had been given to the negroes.

Question. What was your position in regard to the right of the colored man to suffrage at that time?

Answer. That is the ground I have always taken. I spoke—I believe I was the first man in the South who ever spoke to the negroes after the war ended—I spoke to them the very summer after the war did end, and I have given them but one advice. I have given to white men but one also; and that was that I thought we both had to live here, and we ought to try to get along well together. I then addressed the negroes in Columbia here, on one occasion when they came and asked me to speak to them. They had a meeting to celebrate the conferring of suffrage upon them. I told them, when they applied to me, that I was opposed to universal suffrage, and thought they ought to have qualified suffrage. They expressed themselves as perfectly willing to hear such sentiments, and urged me to go. I did so, and in that address I took the ground that they were free, and that I thought we ought to give them suffrage, and I was very willing to see suffrage based upon property and qualification. I have never changed my views upon that at all.

Question. Is it your opinion then, general, or not, that negro suffrage unrestricted by education, and general participation with the white race in State legislation, and the holding of civil, State, and local offices, culminating in a hostile supremacy on the part of the inferior race, is a decided failure in South Carolina, as now exhibited?

Answer. Yes, sir, I think it is.

Question. In your intercourse with the people of South Carolina and the South generally, have you observed any marked or systematic hostility among any considerable part of the white population against a fair and reasonable system, honestly administered, of education for and among the negroes as a separate class?

Answer. No, sir; I think the people are very much impressed with the propriety of educating them, and would willingly give all the aid in their power to do so. I mean the white people generally, as a class. Of course, there are violent men in all parties.

Question. Notwithstanding these sectional—and I mean by sectional, portions of the State—notwithstanding these sectional exhibitions of lawlessness, and the violations of law, have you ever known a single instance in South Carolina, since the war, of resistance to the service of legal process?

Answer. No, sir; it has never come under my observation at all.

Question. Then, in your opinion, is the reason why these violences, committed by men in disguise, are unpunished, because the offenders cannot be identified or discovered, or is it a laxity in the administration of law, or imperfection in the process of law, by which these men in disguise escape?

Answer. I really do not know as to that at all. I know nothing of these outrages except what I have seen in the papers, and how any one made his escape—I do not know

But I think it would be very difficult to identify any men who disguise themselves as I am told they have done in more than one case.

Question. What is your opinion, as a citizen of South Carolina, and noticing these things as far as you can notice them, as to this organization called the Ku-Klux organization?

Answer. As far as I know, I have never seen any man that was identified with that organization, if one exists. I have never been approached upon the subject at all, and I do not know that there is an organization of that kind at all. That outrages have been committed, I have no question, for that I have seen stated; but whether this is done by any organization extending through the State or merely from some local outbreak, I do not know; but I am inclined to think it is the latter.

Question. General, as these questions will be better understood in the North by the views and opinions of intelligent men, to whatever party they belong, I will ask you if this is a copy of the Daily Republican printed at Charleston; and if so, of what date?

Answer. Yes, sir; May 8, 1871.

Question. Is that paper a leading republican organ, supporting the Federal as well as the State Government in South Carolina?

Answer. I understand that that is its position.

Question. Who is D. H. Chamberlain?

Answer. I believe he is the so-called attorney general, or some officer here of this State.

Question. Is he a gentleman who emigrated here since the war from Massachusetts, as you understand?

Answer. Yes, sir; I do not know him at all.

Question. Does that paper appear to be an original communication from General Chamberlain?

Answer. Yes, sir; it seems to be a letter from Attorney General Chamberlain to Colonel W. L. Trenholm, Charleston, South Carolina, and is dated Columbia, South Carolina, May 5, 1871.

By Mr. VAN TRUMP. I will ask to have this letter of Attorney General Chamberlain inserted. [The communication referred to, of Attorney General Chamberlain, will be found attached to the testimony of this witness, marked, "Appendix No. 4."]

Question. Unless you have something to say that you think, as a citizen of South Carolina, you ought to state to the committee on the subject of this investigation, I am through with my questions.

Answer. I do not know that I can give any further information to the committee at all. I should be very glad to answer frankly any questions on any point upon which I have any information.

Question. We have examined many other witnesses, and especially General Butler, to-day, so that I do not care to have testimony repeated.

Answer. I have been absent from the State for several months.

By the CHAIRMAN:

Question. I labored under some difficulty in catching the exact purport of your statements for the reason that they are compounded to some extent with both questions and answers, and I shall have to call upon my memory for the questions to some extent. The first thing which struck me in the question was that the disposition of the people of South Carolina to acquiesce peaceably after the war depended upon submitting to what were the legitimate results of the war. I should be glad, in order that I may be able to understand your answer to that question, to know what you understand are the legitimate results of the war?

Answer. In determining what were the legitimate results of the war, we looked at the declaration of the United States Congress, and the terms which were offered—that they were not fighting for conquest, but to maintain the dignity, equality, and rights of the State unimpaired, and pledging themselves that, whenever we laid down our arms, we might come back in that way; and the parols when the terms were offered—I do not remember them exactly—but my recollection is that the terms of parol were, that the Executive promised protection to us so long as we observed the laws of the State wherein we resided. We came back, but we found that we were constantly required to conform to new laws made by Congress, that our State governments were not recognized, and that the reorganization of the States was broken up, and we were placed under military rule. I suppose that every man recognized as among the legitimate results of the war, the natural results of the war, the abolition of slavery, the impossibility of peaceful secession, and the recognition of the supremacy of the United States Constitution—those were regarded certainly by me as the natural consequences of the war.

Question. Did you consider the terms of the parol as extending to anything else than protection against prosecution for participation in the war?

Answer. Yes, sir; certainly. They said they promised us protection as long as we obeyed the laws of the States wherein we resided.

Question. So that, according to your view, the State government of South Carolina, then in existence, was to continue, and the State was at once to be admitted to representation in Congress, without any further conditions imposed by the General Government?

Answer. No, sir; I supposed that conditions would be offered; but if you will allow me a word on that point, I would be very glad to express my opinion. It is this: that the great mistake which was made by Congress or by Mr. Johnson, was in not recognizing the State governments. Had he done that and said to them, "Whenever one of your governments, whenever your State authorities will express a desire to come back and acknowledge the supremacy of the Constitution, and accept such conditions as we offer, you will be recognized;" had he done that, I have no question in the world we would have gone on without this interregnum of disorder, where the military was placed above the civil rule. And it would have been better, in my opinion, for all parties. It was in allusion to that, I said just now I believed that if that had been done the States would have fallen back quietly into their places, and there would not have been any direct antagonism between the sections which had been at arms.

Question. Then did you consider the whole legislation and action of Congress from 1865 to 1868, when the reconstruction acts were imposed, as in violation of your parol and the rights you were entitled to have in your State governments?

Answer. I thought them in violation of the terms of the parol, inasmuch as they changed the laws of the State in which I resided. They changed the laws themselves.

Question. Then, coming down to 1868, at which time your State was admitted to representation in Congress under the reconstruction acts, were the people of your State still disposed to acquiesce, in the manner indicated by the question of Judge Van Trump, in the reconstruction acts?

Answer. No, sir; I do not think they ever approved the reconstruction acts; but I should be very glad to show you, in that paper, an extract from Governor Orr's farewell address to the people of South Carolina, when Governor Scott took his place, wherein he spoke of these acts as being unconstitutional, though he advised their acceptance. You use the word acquiesce, which I did not use. Of course they had to acquiesce to anything; they acquiesce in any law, though it does not meet their approval.

Question. I ask whether the discontent of the people, growing out of their belief that that was an unwarranted imposition of terms upon them, has not had as much to do with the pretexts, at least, for these outrages, as your discontent with the State governments?

Answer. No, sir; I think not so much. It evidently is an element in it; but not so much, because the other would have followed from the South's surrendering. Whatever we might have hoped, we knew we would have to accept such terms as were imposed; but the local government presses upon them in every point everywhere; this is a daily and hourly annoyance, a grief and vexation to them.

Question. You combine the feeling of vexation with the two governments, but give the preponderance to the local State government?

Answer. Yes, sir. I do not think that any dissatisfaction with the promises of the General Government would have produced any local outrages. I think they are cases from local causes, and not from dissatisfaction with the General Government.

Question. I put that question to you for the reason that, in questions to which you have given a general answer, you will appear as assenting to the proposition that the acts of Congress were acts of despotism, in connection with the abuse of the State governments. My recollection is that the question combines the corruptions of the State government with the despotic acts of Congress.

Answer. We regarded them so at the time.

Question. I put the question to see whether you assent to its full terms?

Answer. Yes, sir.

Question. In view of the exercise of the powers which Congress claimed the right to exercise, was there not a feeling of discontent that looked really to the overturning of those reconstruction acts in your State?

Answer. By the decision of the Supreme Court, and no other mode.

Question. That was the view you entertained?

Answer. Yes, sir; and all entertained here, I believe. We believed the Supreme Court would pronounce those acts all unconstitutional.

Question. That anticipates another question. What were the means by which, or the channels through which, that declaration of the democratic national platform of 1868, that the reconstruction acts were null and void, was to be made effectual?

Answer. By the decision of the Supreme Court. Cases had been submitted to this

court, and, you will remember, one was pending when Congress took away from them the right to pronounce the decision.

Question. Was that your own view?

Answer. That was my own view.

Question. And if the election of 1868 had resulted differently—if the democratic ticket had been elected—was it your view that, in that case, the validity of the reconstruction acts was to be contested through the judicial tribunals, or that the State governments existing under them were to be subverted?

Answer. No, sir. My idea was that this question would be determined by the Supreme Court. I had—I do not know with what justice—entire confidence that the Supreme Court would decide them unconstitutional.

Question. You did not contemplate subverting the State government at all, after the question had been judicially determined in the Supreme Court?

Answer. That was my understanding.

Question. Your testimony has reference principally to 1868?

Answer. Yes, sir.

Question. Was it with reference to that year that you recommended to the white men to arm and organize?

Answer. It was in going into the militia, when the militia was called out here, forming volunteer companies.

Question. In 1868?

Answer. No, sir; I think it was subsequent to that; I think it was in 1869. It was when Scott armed the militia. Then I advised the white men to go into these militia companies, even if they were composed of negroes.

Question. Was that in 1869 or 1870?

Answer. That was last summer, 1870, when the arms were issued.

Question. Had there not, previous to that, been a pretty general arming on private account of the white population?

Answer. Not general, by any means. Some parties had got arms, but no organization at all.

Question. How was it in 1868, was there not a general arming?

Answer. No, sir; the people are not generally armed now.

Question. As to the population of the State at that time, were not the whites armed to a much larger extent than the colored population?

Answer. No, sir. It was then soon after emancipation, and the height of the negro's ambition seemed to be to have a gun. You never saw one of them without a gun or pistol—your army gun or a double-barreled gun. That I noticed here and in Mississippi, on plantations.

Question. Had that got to be the case before the arming of the State militia?

Answer. Yes, sir. They invested almost their first earnings in buying guns.

Question. Then really they were armed so far as to be offensive in operations before the State militia?

Answer. Yes, sir; they had many arms; but they were not armed with Winchester rifles, nor with ball-cartridges.

Question. Their weapons were not so effective, but they had arms?

Answer. Yes, sir, they had arms. They had more guns than the whites had.

Question. Coming down to the point of taxation, which you say is embodied in this pamphlet, (and which I have not had time to look through; it was presented, I presume, before I came into the Senate,) I will ask a question: Governor Scott has been noticed, I suppose, as an illustration of the difference of taxes at one time and another?

Answer. I presented it to show the taxable property of the representatives who tax South Carolina. You will find the name of every member of the legislature and convention is given in that pamphlet.

Question. That was the original purpose; and, in proceeding, the statement was made that, while Governor Scott was taxed a certain amount at that time, his municipal tax alone, last year, was \$500?

Answer. Yes, sir. I mentioned that I heard that that was his tax, to show that I thought his salary had enabled him to accumulate property very rapidly.

Question. At the time this table was made out, was he a citizen of Columbia?

Answer. He was a citizen of the State, and he paid no taxes to the State at all, and now he pays, in this town alone, \$500, and owns property everywhere.

Question. What is the year for which he paid \$15 99?

Answer. He did not pay a dollar of tax. The lieutenant governor paid that.

Question. What year is that?

Answer. For 1868, I suppose. That convention met in 1868, and that was the legislature of 1868, I take it.

Question. Had there been at that time a regular assessment, in pursuance of law, of the taxable property of the State?

Answer. I suppose so, because they give the taxes there of all the members who do pay taxes.

Question. This statement, then, is made to show the amount of taxes paid by the persons controlling the State government of South Carolina?

Answer. Yes, sir; and not only that, but to show what the State used to pay, and what it is called upon to pay now.

Question. And a complaint based upon that is, that you have taxation without representation, and representation without taxation?

Answer. Yes, sir.

Question. Now, the representation without taxation results from the fact that, of the dominant party, the large majority are not property-holders?

Answer. Certainly.

Question. Is it, then, proper to say that South Carolina has representation without taxation in any greater degree than it would be in any other State where it so happens that the majority of the members of the legislature were poor?

Answer. It would be a parallel case if all the persons who had property were disfranchised, as they were in this State.

Question. Are they?

Answer. They were; a very large number were disfranchised, and could not hold office, and are yet.

Question. You use the word disfranchise in the sense of disqualified from holding office?

Answer. Yes, sir; and not voting.

Question. So far as voting is concerned, there is no disfranchisement.

Answer. No, sir, none at all.

Question. The result is that the property owners are outvoted by those who own little or none?

Answer. By those who do not pay any taxes.

Question. Then, as to taxation without representation, you mean by that that you are misrepresented?

Answer. Yes, sir; we think so. We think we are misrepresented in not having our property, the property of the State, represented there or anywhere.

Question. In making up these exhibits, are there not included—I have only had time to look at one or two of these figures—a large number of items of indebtedness of the State that accrued during the war, and that were not paid; making an accumulation of indebtedness that had to be met by the incoming administration of the State?

Answer. I do not think so, sir. I do not know that anything of that sort is stated there.

Question. This pamphlet speaks of the amount they had the right, under the new constitution, to impose on the State. "Although South Carolina is struggling for bread, yet observe how, under the new constitution, the burdens of taxation have been increased; proposed now to be raised, \$2,230,950; before the war, amount about \$350,000?"

Answer. Yes, sir. That is intended to contrast the proposed expenditures of one year now and one year before the war.

Question. In that two millions was there not an accumulation of unpaid interest on the debt of the State, amounting to over a million of dollars?

Answer. That I can't answer without looking back. I do not remember about that at all, how that amount was got up.

Question. You do not know the details which enter into your aggregate of \$2,230,950?

Answer. No, sir. I think it is stated in that pamphlet, in another place, how that figure was made up. It was a mere accident that I saw that, and it has been nearly three years since it was prepared, and I merely had time to glance at it as I came in.

Question. You did not prepare this yourself?

Answer. Yes, sir; but it was three years ago.

Question. It is the result of your own examination?

Answer. It was prepared by our committee.

Question. You verified it so as to satisfy yourself of its correctness?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. In connection with that statement, and by way of illustrating its approximate correctness, I will ask if here is not a statement of the aggregate expenditures for the fiscal year ending October 31, 1870, given on page 67 of the governor's message and accompanying documents for 1870, amounting to \$1,830,840 82, from which is to be deducted the general interest account of the public debt, \$190,878 44?

Answer. Yes, sir; but that is 1870.

By the CHAIRMAN:

Question. The pamphlet evidently contemplates the year ending 1869. 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.

Question. Is it your solution, then, that the denunciations by the better-informed and leading men of this party in opposition to the State government, of those in charge of the administration, have, without intending it, incited the lower order of people to these acts of violence?

Answer. No, sir; I do not think that is the incitement; but that, among other reasons, is one that may call their attention to these things. I have no question but that is the case.

Question. Have you known of any such exertions made, since these outrages that are popularly called Ku-Klux outrages have occurred, to suppress them, corresponding with this address of yourself in October, 1868?

Answer. Not except that that met with a very cordial and universal response from our people.

Question. Was it effective?

Answer. Yes, sir. So effective that the republican committee in this State came out with an address acknowledging how much good it had done, and Governor Scott not only published a proclamation, but he said we might write the proclamation for him and he would sign it, which he did. [See Appendix No. 9.]

Question. The point is—that movement of yourself having been effective in 1868—has there been any further effort, corresponding to that in its general character, intended to suppress these Ku-Klux outrages?

Answer. Yes, sir; I take it that every organized body in this State that has given any expression of opinion on the subject, has taken that same ground. I call your attention to the fact that at the last convention which met here—the tax-payers' convention—we had something of the sort.

Question. They passed a resolution?

Answer. Yes, sir.

Question. Have there been any active measures taken in the counties where these outrages prevail?

Answer. I do not know. I have been out of the State for several months, and what active measures have been taken I do not know. The only way to reach parties of that sort would be by appealing to them to discontinue them; for if unknown, they could not be reached.

Question. Except by a degree of vigilance about equal to their own?

Answer. That it becomes the General Government, if it is good for anything, to do itself, without asking it of parties whom it will not consult.

Question. We are asking what the General Government should do?

Answer. My own opinion is that the punishment often falls upon the poor deluded negro, and not upon the instigator.

Question. I now call your attention to that part of the pamphlet entitled Exhibit A, which shows an estimate of the taxes of the State of South Carolina under the provisions of the constitution—that is, those authorized to be imposed by legislation in pursuance of that constitution. The whole of these taxes were not really imposed?

Answer. No, sir; it seems that the expenses of 1870 were \$1,830,840 82, in fact.

Question. In this is there not included interest on six millions of the State debt from July, 1866, to July, 1868?

Answer. I think not.

Question. You will find that is the last item—\$720,000?

Answer. [Examining.] Yes, sir; it is so. The estimate is put down at \$1,510,950, exclusive of the interest on the State debt. This was only meant to show what might be the taxes on the people that could be imposed by this legislature.

Question. Not the taxes actually imposed?

Answer. No, sir.

Question. In the counties where these outrages exist, if they go to the extent of taking negroes out of their beds and whipping them to the number of one hundred and fifty or two hundred persons in a county, within five or six months, is it your idea that such a state of things could grow into toleration if the public sentiment of the leading men condemned it, and was actively at work to repress it?

Answer. I do not know. In the first place, while I have never heard of outrages committed to anything like that extent in any county, I should not think that punishment to as great an extent as that could be administered without a large number of persons being engaged in it, certainly.

Question. Have you any idea that any portion of the democratic organization in this State is silently acquiescing in such a state of things, with the idea that it will ultimately, by the terror produced upon the colored people, prevent them from exercising the elective franchise?

Answer. No, sir. I do not believe that it was intended, or has ever been tried as a system extensively, to intimidate the colored vote. That is my honest conviction; I have never seen it, and I know I have heard always in this committee that we should never resort to anything of the sort, but try, on the contrary, to enlighten them. The only instances of intimidation—at least, I have no doubt the great majority of instances of intimidation in this State, as far as the colored population are concerned, have come from men of their own race, acting against those who voted, or wanted to vote, against the radical ticket. I have seen that myself. I saw two instances in which a deliberate attempt was made to murder colored people for no other reason in the world than because they expressed a desire of going with the democratic party.

Question. Was that openly made?

Answer. Yes, sir; openly. One was over at Aiken, where there was a meeting during the presidential contest, and an old man—a very excellent man—a colored man, who had always borne a good character, was president of a democratic club—a negro club. He went over there and made a speech. I was sitting in the hotel when the meeting was over, and he was walking back, with two others, to get on a train; a large crowd followed him; we did not apprehend anything serious, but when they approached him, one man stepped out of the crowd and struck him with a large stick, knocking him down. General Butler was present, and it was with great difficulty that we prevented a fight on the spot. A great many men were there, highly excited, and they procured arms, and for a few moments it was imminent that there would be a fight between the whites and the blacks.

Question. Were there no arrests made after that occurrence?

Answer. No, sir. The other occasion was in the fall, at Charleston. General Butler was candidate for lieutenant governor. He asked me to speak, and I said a few words. They called on a colored man to speak. He got up on the stand, when some one in the crowd threw a large rock at him on the stand. It was thrown from the negroes, and there again we came very near having another collision.

Question. Were these all occurrences that took place openly?

Answer. Yes, sir.

Question. Is there any organization among the negroes to prevent men of their own race from voting, by intimidation or violence, that you know of?

Answer. None, except the League.

Question. Does that countenance violence?

Answer. I do not know; that certainly has been the effect of it. I do not know about the details of it. I know the fact that it has exercised a tremendous influence upon the negroes, and they think they cannot vote against any one who is nominated or sustained by the League. I have talked very freely with them; my old slaves, a great many of them, came to me and told me that they could not vote because their people would not like it if they voted against them.

Question. There is no doubt about the large majority of the negroes being in the League. So far as its operations are made public we have already, in our proceedings, the constitution of the organization.

Answer. I think the League has done as much for the Ku-Klux organization as the organization itself.

Question. Is it your idea that the Ku-Klux was organized in opposition to the League?

Answer. As I told you, I do not know that there is a Ku-Klux organization except from hearsay; and whether it is a general organization, or mere spasmodic outbreak, I do not know.

Question. Has there been any organization in the State intended to operate by violence against the negroes or any other portion of the republican party?

Answer. I do not know of any secret organization having been formed in this State. I do not know of any other sort until since the war. I have seen, in the last few days, and for the first time, a little pamphlet which purports to be the proposed organization of a Council of Safety. I never saw that until the other day.

Question. You say you have been out of the State for several months?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. In this pamphlet, entitled, "An appeal to the honorable the Senate of the United States," I understand that is a mere estimate of taxes that might be levied under the constitution?

Answer. Yes, sir.

Question. You set out here, because the constitution provides for this expenditure and confers the power upon the legislature, 1,800 school-houses at \$200 each, \$360,000, and 1,800 teachers at \$300 per annum, \$540,000, making \$900,000 for education. Then you estimate the current expenses of the State, according to General Canby's tax-bills, \$470,000; and then you add \$720,000 for the payment of the interest on the State debt, which, with a few other minor items, make a total of \$2,230,950. To show the actual expenses, the amount of the interest on the public debt, \$720,000, being deducted, leaves \$1,510,950. Now, to show the actual expenses for the very next year, look at the recapitulation on page 67, governor's message and documents for 1870, where it appears that the amount paid for interest on the public debt was \$190,879 44, and the gross amount of the expenditures of the State, \$1,830,840 82. Take from that total of expenditures in the recapitulation the amount paid for interest on the public debt, and it will leave, as the actual expenses of the government for the very next year after that estimate given in your pamphlet, the sum of \$1,639,961 38.

Answer. Yes, sir, that is correct.

By Mr. STEVENSON:

Question. This pamphlet, entitled, "An appeal to the Senate of the United States," as I understand you, was gotten up in 1868, after the State convention?

Answer. After the State convention.

Question. And after the election in which the people voted on the constitution submitted to them and for officers to organize under it?

Answer. I suppose it must have been after that, because Governor Scott is put there as governor, though I do not remember the date of the election. The legislature and governor are there given.

Question. I see here it states that the House of Representatives had already approved the constitution, by which, I suppose, you mean that the House of Representatives had voted to admit the State under it; but the question was pending before the Senate. You also speak of a document submitted to the House?

Answer. Yes, sir; we sent a remonstrance before the House of Representatives acted, and sent on a committee, which appeared before the Reconstruction Committee, and was examined in Washington.

Mr. STEVENSON. I suppose when that document is found, if any member wishes to have it inserted, it can be appended?

The CHAIRMAN. There is no objection.

By Mr. STEVENSON:

Question. Are you sufficiently familiar with the way in which the accounts of the State are kept to state from what books these statements of the taxes of persons were taken?

Answer. No, sir; except that they must have been taken from the books just preceding that meeting of the legislature. The taxes were assessed just at that time, and all had to pay taxes.

Question. The legislature had not yet met, as I understand it?

Answer. No, sir; but the assessment had been made, and that information was obtained from the tax-books in the different counties.

Question. Here is the assessment made in one year for the taxes of the next?

Answer. Yes, sir.

Question. Then this was from the assessment of 1867?

Answer. Yes, sir, I suppose so; or the one of 1868 for 1869.

Question. If it had been made for 1868; but do you know whether it had then been made?

Answer. I suppose it had, because the assessment is now finished for the ensuing year.

Question. Is not that under a new law?

Answer. No, sir; the same law. The first legislature met in July, you will remember; but I do not know, however, as I told you; all the facts were familiar at the time that was made out, but it has passed out of my mind, amongst other things.

Question. It may be that these statements were taken from the books of 1867, for aught you know?

Answer. Yes, sir; it may be, for aught I know; but that information can be easily got if you give a little time.

Question. In justice to these gentlemen, I wish to inquire whether it may not be that they have brought property to the State since these taxes were laid?

Answer. I think not. I think they have taken away.

Question. Do you know anything to the contrary? Do you know that they have not brought property here.

Answer. No, sir; but I have never had reason to think so. I do not know whether they have brought any property here.

Question. Was it not to be expected that a party composed almost entirely of persons who had lately been manumitted from slavery should be without property?

Answer. Certainly.

Question. The body of the republican party at that time, under whose auspices the constitution had been formed and that legislature elected, was composed of manumitted slaves, was it not?

Answer. Yes, sir. I did not make the objection to that condition of things at all, and I do not think the objection, generally, was made except inasmuch as that we thought that voting should be qualified, to some extent, by property.

Question. It was rather an illustration of your views than an objection?

Answer. I would like, in reference to that, to suggest one other thing. It is very pertinent to a question Senator Scott asked me with reference to our views on the constitutionality of these reconstruction acts. Now, one point we made was that we did not regard the negroes as citizens; that they had been pronounced not citizens by the Supreme Court, and, therefore, their voting and establishing this constitution before they were made citizens was unconstitutional. And, in connection with that, I would like to refer to the message of President Grant sent to the Senate, congratulating the Senate upon the adoption of the last amendment, whereby, he said, four millions of people who had been pronounced by the highest judicial authority of the land as not citizens had that right conferred upon them. Now, if they only had the right conferred upon them by that subsequent legislation, we were certainly right in saying that they had not the right in the first case.

Question. You thought the constitution was not binding upon you because these persons who were not voters had established it by their votes?

Answer. In that democratic convention here we took that ground.

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; 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 Barnwell, 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 in 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.

By Mr. STEVENSON:

Question. In regard to this convention of April, 1868, of which you have read one resolution?

Answer. I read the resolution the judge marked.

Question. Here is also one immediately preceding that which you read at the request of Judge Van Trump, which I will request you to read.

Answer. "Resolved, That the people of this State be urgently recommended to go to the polls and vote against the constitution of the radical faction, lately promulgated in Charleston, and to vote for good and true men for all offices within their gift; at the same time, in voting for officers under this constitution, we would put on record our protest against its validity."

Question. You did then, in that convention, formally deny its validity?

Answer. The convention did. I was not in that convention. I stated just now the view we took as to the negroes not voting.

By Mr. VAN TRUMP:

Question. That is voting themselves the right to vote?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. I see in the proceedings of that convention the following: "Colonel Thomas stated that, as it has been asserted by eminent legal gentlemen that many portions of the Charleston constitution were illegal, he moved that the Hon. A. Burt, chairman of this convention, be requested to give his legal opinion on this subject, which was unanimously agreed to, and the Hon. James Chesnut was requested to take the chair;" after which Mr. Burt proceeded to give his opinion against the validity of the constitution. Further on appears the following: "On the conclusion of this address, a resolution was adopted, that the thanks of this convention be tendered to the Hon. A. Burt for the able, lucid, and searching analysis of that instrument promulgated by the convention in Charleston, and that he be requested to furnish a copy to the executive committee for publication." And in the proceedings I find also an address (see Appendix No. 5) to the colored people of South Carolina, authorized by the convention, in which it is said to the colored people of South Carolina, "You have been suddenly put in position to exercise certain powers, the abuse of which may result disastrously to you and to us. *It is impossible that your present power can endure, whether you use it for good or ill.*" I find further on in the same address the following passage: "We are not in any condition to make you any promises or to propose to you any compromises. We can do nothing but await the course of events; but this we do without the slightest misgiving or apprehension for ourselves. We shall not give up our country, and time will soon restore our control of it. But we earnestly caution you, and beg you, in the meanwhile, to beware of the use you make of that temporary power. Remember that your race has nothing to gain and everything to lose, if you invoke that prejudice of race, which, since the world was made, has ever driven the weaker tribe to the wall." Do you think these passages represented the real sentiments of the Democratic party of South Carolina at that time?

Answer. That seemed to have been the sentiments of that convention. I was not present. If you will notice the date of the convention. I was made chairman of the executive committee—I was absent at the time. That address was not adopted by the convention; it was only sent there; and my recollection is that it was not adopted by the convention, but only published. It was presented to the convention and then published.

Question. The newspaper account says: "The committee has kindly furnished us with a copy."

Answer. Yes, sir; the committee but not the convention acted upon it.

Question. Did it express the prevalent opinion of the democratic party?

Answer. I should suppose it did not represent the opinions of the democratic party from the fact that it was not incorporated in the action of their convention.

Question. For that reason you suppose so?

Answer. Yes, sir. I was not present. I do not know what influenced them.

Question. In the address issued on the 18th of October, 1868, (see Appendix No. 3,) from which a passage has been read, and which is signed by yourself as chairman of the executive committee, and by other members of the committee, I find this passage, which I will ask you to read:

Answer. "The tendency and purpose of the radical party, as manifested in words and acts, are the absorption of the liberty of the individual; the destruction of the States; the subversion of the Constitution, and the erection upon the ruins of individual liberty a grand, grinding, consolidated despotism. Already it has made rapid strides in that direction. Little, now, is left for it to do but to fuse into one mass, and then crystallize into permanent form, its various acquisitions of usurped power. Its capricious acts, its wanton cruelties, its corrupt practices, its enormous burden, you have felt and do know. Against these, and more than these, you are now called upon to continue a resolute fight with the peaceful though potent weapon of the ballot."

Question. Do you think that the language used was calculated to allay excitement and prevent trouble?

Answer. We thought it was. It would tend to promote the success of the democratic power, upon which all our hopes rested.

By Mr. VAN TRUMP:

Question. Do you not think that line of expression is within the purview of freedom of speech in this country?

Answer. Yes, sir; we thought so.

By Mr. STEVENSON:

Question. On the 23d of October, five days afterward, I find you issue, as chairman of their joint committee, another proclamation, which has been referred to already, (see Appendix No. 2.)

Answer. Yes, sir.

Question. State now, if you please, what was the occasion of the issuing of that document.

Answer. We had heard that a man named Randolph had been killed recently in Newbury, I think, or Cokesbury, and that there had been two other murders, perhaps in the same district, and, with a view of expressing our disapprobation and to endeavor to prevent anything like actions of that sort, we issued that address.

Question. You say that the governor was pleased with this address, or was it the first address?

Answer. No, sir. The republican committee issued an address (see Appendix No. 10) some time afterward, expressing their approval of this address, and so did Governor Scott too, by the by, (see Appendix No. 9.) Both are in that paper.

Question. The governor was so well pleased with this that he said he would be willing for you to write his proclamation, you said?

Answer. Yes, sir.

Question. The governor did issue a proclamation on this subject?

Answer. Yes, sir. He issued it; we wrote it.

Question. Did you write it?

Answer. I did not write it myself, but it was written.

Question. Is that it? [Handing the witness Mis. Doc. No. 18, H. R., 41st Congress, 1st session; Hoge vs. Reed, contested election, pp. 48, 49.]

Answer. No, sir.

Question. There were two proclamations, one of general character and another offering a reward for persons who had committed these murders?

Answer. Yes, sir. I remember the proclamation offering a reward of \$5,000 for any one of the murderers. [See appendix No. 6, attached to the testimony of this witness.]

Question. Did you not consider that the circumstances existing at the time of the issuing of those proclamations by the governor justified the proclamations; I allude now to the proclamation offering a reward?

Answer. I think it was an unnecessarily large reward. I do not think it exercised any more influence, but I think he was perfectly justifiable. It was his duty to have offered a reward. I should like to say something with reference to the sequel to that case, since you have brought it up. The reward was offered. Finally one man came in and gave himself up as one of the actors in that murder.

Question. Who was that?

Answer. The name I forget.

Question. Was it William K. Tolbert?

Answer. Yes, sir; Tolbert. He offered himself as State's evidence. He was put in the penitentiary before he was convicted. His testimony was taken. He gave very volu-

minous testimony. He was, as I said, put in the penitentiary before he had been convicted, and he escaped from the penitentiary and went back into the same neighborhood where he had lived, and some of the governor's constables went up there and killed him.

Mr. STEVENSON. I desire to offer here the testimony of William K. Tolbert, taken in the case of Hoge against Reid, as published in House Mis. Document, No. 18, Forty-first Congress, First Session, pp. 30 to 34, to be appended to the testimony of this witness. [See Appendix No. 7, attached to the testimony of this witness.]

The CHAIRMAN. That being part of an official document, if desired, it will be incorporated in the testimony, as that refers to the state of things existing at that time. I suppose it would be admissible as the testimony of a deceased witness.

Mr. VAN TRUMP. I hardly know, but I think it would not be in a court of law. I give you notice that if you go into that case I shall ask a week's further time in South Carolina, for I know the whole history of that case, and if that testimony is introduced now I shall ask a further week of the time of this committee in the State of South Carolina.

The CHAIRMAN. What may be asked can of course have no influence upon my mind as to the admissibility of testimony.

Mr. VAN TRUMP. Certainly; but we must understand if we are introducing a new matter. I do not pretend to say, under the action of this committee and the broad resolution which has been adopted, that it is not admissible, in view of the wide scope of examination, including hearsay testimony, rumors, and matters of that sort. I do not raise that question, but I give notice that if that new issue is brought at this late stage, when we are about closing our investigation in this State, I shall ask to have further time.

The CHAIRMAN. As far as I can glance over this testimony, it seems to relate to the state of things in Abbeville County—the secret organizations and the state of security there existing at that time. Under the rule upon which the committee has been acting, I can only say that if this is offered for the purpose stated, as we have already examined with reference to that subject, I should think it admissible.

Mr. VAN TRUMP. I deem it clearly so, as this case has been alluded to several times during our long stay here; but I think if that was to have been gone into I should have the privilege of examining witnesses from Abbeville County, and should have more time. Had Mr. Stevenson, when the Randolph case was noticed weeks ago, proposed to offer this, it would have been different.

Mr. STEVENSON. I have been endeavoring all the time we have been here to get some proof of the death of Tolbert, which makes that testimony admissible.

Mr. VAN TRUMP. I do not raise the question of admissibility, in view of the scope which this investigation has taken; I only say I think this ought to have been noticed long ago. I think it is not fair to me to introduce it now and cut off the examination to-morrow and next day.

The CHAIRMAN. I understand that only the testimony of Tolbert is offered, and not the whole case.

Mr. STEVENSON. That is all; I only offer the testimony of Tolbert; not the whole case.

The WITNESS. I was going to say, in reference to this address which the central committee issued, there was not an allusion to bringing up that case at all; but it was simply to show that the executive committee, which was the organ of the democratic party, reprobates these acts of violence such as those specified; the death of Randolph, of Martin, and another that we had heard of. It was not at all in regard to the case itself.

By Mr. STEVENSON :

Question. You were a member, I believe, of the Democratic National Convention, which met in New York in June, 1868?

Answer. Yes, sir; in July, 1868. It met on the 4th of July, I think.

Question. You remember, of course, the celebrated passage in the platform there adopted, which says we regard the reconstruction acts, so-called, of Congress as usurpations, unconstitutional, revolutionary, and void?

Answer. Yes, sir, I recollect that.

Question. I find in the daily Phoenix newspaper of this city, which you have produced, for July 26, 1868, a report of a speech delivered by yourself in Charleston upon your being welcomed there upon your return, an extract from which I propose to submit to you.

Answer. Let me look at that a moment and I will tell you about it, because there were two reports of this speech. One was a tolerably correct one, and one was incorrect. The most correct one of the two was published in the Charleston News, though neither of them were entirely correct, as well as I could judge. [The document in question will be found in Appendix No. 8, attached to the testimony of this witness.]

Question. Is there any point in that which you wish to qualify?

Answer. No, sir; I do not wish to qualify anything I said, but I qualify this report.

Question. I call your attention to the part I have marked, beginning with the words: "Well, gentlemen, as I cannot tax my voice," and continuing through that paragraph.

Answer. There is nothing in that extract that I would qualify except as I qualified it when that came out, which I did in a letter written to a gentleman in Ohio (my cousin) who inquired of me about it. I gave him the facts of the case as to who had offered the resolution, who had offered the words referred to, and everything about it. [The letter above referred to will be found attached to the testimony of this witness, marked Appendix No. 9.] The mistake is made in saying here that I stated I did insert them for I did not say so. I came out upon that occasion and said it was not so; that the words were offered, as I mentioned in this letter, by a member from Connecticut. I don't recall his name; rather a short man.

By Mr. VAN TRUMP:

Question. Was it Governor Seymour; he is a short man?

Answer. No, sir. His name is familiar to me, but I cannot recall it.

By Mr. STEVENSON:

Question. You mean that the words, "And we declare that the reconstruction acts are unconstitutional, revolutionary, and void?"

Answer. I did not insert them, but I approved of them.

Question. And advocated them?

Answer. Yes, sir; in the committee and in the convention.

Question. But the expression was actually formed into words, and their adoption moved by somebody else?

Answer. Yes, sir. That was an error.

Question. The statement that you had formally made this motion was not correct?

Answer. That was not so.

Question. Yet it was your sentiments?

Answer. Yes, sir; it was a platform of the democratic party, and, of course, we all adopted it.

Question. You say here in this reported speech, "That is my plank in the platform."

Answer. Yes, sir; that is the report.

Question. In the sense that you made it, framed it, moved it, that is not correct?

Answer. Yes, sir; but in the sense that I approved it it was.

Question. You might very readily, in such a speech, have fallen into a technical error?

Answer. Yes, sir; I was exceedingly unwell that night. I had been kept up here all night; was very unwell; was hoarse from a bronchial attack, so that I could not speak without intense pain. I stopped five or six times, but they insisted upon my going on. What I had prepared I gave to the News to publish, but I could not speak. I then, just to occupy them and to say something, told them how kindly we had been received, &c.

Question. You were unable to follow your preparation fully?

Answer. Yes, sir.

Question. And this paper does not contain your prepared speech?

Answer. No, sir; that was taken by some reporter, and I came out when I saw that and wrote a letter, to which I alluded just now, giving the facts in regard to it.

By Mr. VAN TRUMP:

Question. While you were quite unwell that night, and did not speak as well as you wanted to, you did not take back one word that you did express there as your sentiments?

Answer. No, sir; I only wish to correct the statement that I had said, or intended to say, that I had inserted those words, or made that my plank in the resolution.

By Mr. STEVENSON:

Question. Although you did not make the motion, you may be justly entitled to it if you are the author of the sentiments and induced the committee to adopt it?

Answer. I did not get them to write it. I voted for it, and, as you see there, I stated to the committee that it was important to know who were the citizens who constituted the States.

Question. You wanted to know who were the people of the States up to 1865?

Answer. The Supreme Court had pronounced no decision upon this point at all, and we thought these people had not the right to vote, and that those acts were unconstitutional, revolutionary, and void, and believed that the Supreme Court would so decide; but since that time the Supreme Court has decided otherwise, and I have nothing to say about it, except that I still adhere to my opinion while I recognize the validity of the decision.

By the CHAIRMAN:

Question. One question I am prompted to ask by some sentiments which I have

found in this State, and I ask for your opinion in regard to them. Is it your belief that the people of South Carolina will continue to yield obedience to the State government if the present majority of negro voters continues the republican party in power, or will the existing discontent increase and involve a contest between the races?

Answer. I am very much at a loss to pronounce an opinion upon that. I have been very much afraid of a collision—so much so that I wrote a letter to President Grant some years ago on that subject—since his election, of course—which we sent on. Several gentlemen here then entertained serious fears, men who are not alarmists, too—gentlemen of the supreme court of the State, them and various others—who thought it advisable to get some one to go on and see President Grant in reference to that. I wrote a letter, and I think General Preston was sent on and had a conference with the President in regard to it. In that letter I remember expressing my fears that there would be a collision of the races in the State. Those fears are not yet removed; and that has been the main reason why I have deprecated rousing any antagonism between the two races. What would be the result, I do not know. I do not believe that the white people can now, or will, live under a rule where persons so entirely ignorant, so venal, so corrupt, have the management of their State government. I do not see how it is possible. I think they will bear as long as they can, but there will be a point beyond which they cannot bear.

Question. In that very point of view I put the question, for it is one of great interest, certainly a perplexing one, and you being so much better acquainted with the state of sentiment among the white people than it is possible for the committee to be, I wish to know if the present negro majority continue the republican party in power, do you believe there will be submission, or will the feeling, which you have described, culminate in resistance to the State government?

Answer. If it was merely the negro majority to continue, I do not think it would produce a conflict. In other words, if they were to choose good men and have the government administered economically, I think the people would submit and bear it, in the hope that peaceful remedies and agencies would eventually restore their rights—the rights of the white people. But if they go on as they have been going on, taxing the State to this enormous extent, and being so venal and corrupt as they unquestionably are, for there can be no doubt of it. I have been told that no measure of any importance passes the legislature without the members being bought up regularly; that it is a notorious thing that money is placed upon the desks before them by parties who want measures carried through, and they are not paying any taxes themselves, but impose these enormous taxes, and that they have an exaggerated opinion of their power, as they do have. I am afraid it may end in a collision. The negro has an exaggerated opinion of his own power. You gentlemen do not know the negro at all, and there is the great difficulty. You all think the negroes are actuated by the same feeling as the white men, but that is a mistake. I do not pretend to say why it is, but they are not. They have been dependent for a long time; they have no provision; they have no forethought at all; they are content to live from hand to mouth; they do not pretend to lay up anything; they are very credulous; they have an exaggerated opinion of their own power. I have known them to express the opinion, and I have no doubt they have the idea, that but for them the southern cause would have been successful; that they were the parties to whom success was due. I have heard them say so; that it was not until their aid was called for. More than once I have heard them express that opinion; that the Federal Army was triumphant, and they believe that they are strong enough, not only to defeat all the southern people, but all the northern people combined with them. I am not speaking of the more intelligent ones, but of the great mass of laborers. I have had a great deal to do with the negroes. I have spoken very kindly to them always, and all the negroes that I have living with me now, or the larger number of them, are my old slaves. I talk very freely with them. I give them the best advice I can. They talk very freely to me; and either they tell very wonderful lies or have been badly informed. I will give you one instance. My property was taken possession of by some hanger-on of the Federal Army while I was out of the way. He had hands there. When I went back after the war, I proposed to make a contract with them. They came up to see me. They went down to see this man, who had moved away, and came back and asked me for the truth. They said this man, who had been in the Federal Army and had worked them, had told them that if they hired to me they would all be branded and be put back into slavery for five years. I said, "Are you fools enough to believe that?" A man answered, "I don't know; this man told us so." I asked them, "Did I ever tell you a lie in my life?" They said, "No, sir; you never did." I assured them it was not so. They actually told me that.

By the CHAIRMAN:

Question. That was immediately after the war?

Answer. Yes, sir. They assured me they had been told by this man that they would be branded and put back into slavery for five years. They are misled by all these things.

By Mr. VAN TRUMP:

Question. Is not this a very remarkable and common expression among the negroes? I heard it used at Spartanburgh by a negro to a member of Congress: "De bottom rail is on de top now an' we's gwine to keep it dar."

Answer. Yes, sir.

By the CHAIRMAN:

Question. On that subject, and a remark which you dropped in reference to the corruption of the legislature as connected with negro suffrage, I will ask, have you no penal statutes to reach members of the legislature who take bribes?

Answer. Yes, sir.

Question. As we are asking so frequently whether the law has been enforced against Ku-Klux, I will ask, has there been any instance of prosecuting these corrupt members of the legislature?

Answer. I think not. I think the legislature would be very averse to such an investigation. It would be very difficult to find a committee that would report.

Question. Are there not statutes that could be enforced in the courts?

Answer. Yes, sir; there are statutes, but I have known no prosecutions.

Question. Why are there no prosecutions? Why does not public sentiment here find expression in prosecutions?

Answer. Because the public sentiment is the sentiment of the dominant party, not ours. If we could get at it we could prosecute it, but this is only the talk. These men will admit it, talking privately, so I am told. I have never seen them myself in session.

By Mr. VAN TRUMP:

Question. Has it not been publicly charged upon the floor of the legislature and not denied?

Answer. Yes, sir.

By the CHAIRMAN:

Question. I think it would produce a wholesome effect if a member or two could be convicted and punished.

Answer. I have no doubt it would. I saw, in glancing over this newspaper, a little colloquy in regard to the legislature that I would be very glad to show to the committee. In it one of the actors is the present member of a Congress, De Large. I could not venture to give the language unless it were put down here in the reports of the legislature.

Question. Is it a report of the proceedings of the legislature?

Answer. No, sir; the reporter was stating a passage of compliments between two members.

Question. An article by the local reporter?

Answer. Yes, sir.

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 estate 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 upwards of nine hundred at the beginning of the war.

Question. Have your disabilities been removed?

Answer. No, sir.

Question. Are you under disabilities now?

Answer. Yes, sir.

Question. Had you held any office before the war?

Answer. I am under disabilities. I had been a member of the legislature—both branches of the legislature. I do not know that that disqualifies, but I was disqualified by my rank in the service.

Question. That would not disqualify you, except you held office before the war.

Answer. I think, by the constitution of this State, men in my position are disqualified from holding office; I am not sure about that, however.

Question. You spoke of the fancy of the negro as to his ability to put down every body.

Answer. Yes, sir; there is no question about it.

Question. Is that any more unreasonable than the fancy prevailing at the South, before the war, that one southern man could whip ten Yankees?

Answer. No, sir; I do not think that fancy prevailed before the war. I did not put the numbers as large as that.

Question. There was a considerable disproportion?

Answer. I think the result of the war proved that we were not so very far wrong, so far as the fighting was concerned.

Question. You think that was not an error then?

Answer. I will not say that; I think that was not the opinion of the southern people. I believe that the people of the State—the reflecting persons, are disposed to treat the negroes, and have been throughout, with the utmost kindness; I do honestly believe that. I believe, conscientiously, that the relations between the two races, if they had been left to adjust themselves, without interference, would have been adjusted on a kindly and equitable basis; that is my opinion. That was certainly my own wish, and I believe, from a very extensive conversation and acquaintance with the people throughout the State, that that was the general disposition.

By MR. VAN TRUMP:

Question. I show you a document in the *Columbia Phoenix*, of October 30, 1868. Is that the proclamation of Governor Scott to which you have alluded as being issued after your address upon the killing of Randolph, and which you say he said might be prepared by the democrats?

Answer. Yes, sir; I have the authority of a gentleman to say that he did write it. [Referring to the proclamation of Governor Scott, appended and marked, "Appendix No. 5."]

Question. Is this document the address issued by the republican committee in response to the address of the democratic committee?

Answer. Yes, sir; that is the address that came out from them in response to the one we issued. [The address above mentioned is attached to the testimony of this witness, and marked "Appendix No. 10."]

APPENDIX No. 1.

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.

To the Honorable the Senate of the United States of America:

The undersigned, in behalf of a large portion of the good people of the State of South Carolina, respectfully appeal to your honorable body to arrest the adoption of the constitution proposed for said State. In spite of the respectful remonstrance submitted to the House of Representatives and to the Senate, we find that the former body have given to said instrument their approval. For the sake of all classes of our people, for considerations affecting the peace of society, in view of the substantial interests of the State, put in jeopardy by an organic law, which may truthfully be characterized as a political abortion, the offspring of incapacity and prejudice and hate, we submit our case—the case of the conservatism of South Carolina, to the high court of last resort, the Senate of the country.

In addition to the arguments contained in the remonstrance paper, and in the address made to the Reconstruction Committee of the House of Representatives, herewith submitted, we respectfully invite the attention of your honorable body to the exhibits hereto appended, and marked "A," "B," and "C."

I. Exhibit A gives the items, and shows the amount of taxation provided for in the new constitution. The State is now sadly impoverished. The property which her people had in their slaves has been swept away; it is true, given up by and with the consent of the State, nevertheless, that property no longer represents capital and value. The ravages of war, the mark of the conqueror's torch, are everywhere visible. The labor of the country is passing from one state to another, and is disturbed and demoralized. The flower of the commonwealth have fallen on the battle-field, and the broken fortunes and disappointed hopes of a proud people weigh heavily upon the energies of at least the old and less sanguine amongst us. Yet, under these circumstances, affecting enough to touch the sympathies of every manly nature, and in violation, as we conceive it, of the political inheritance of our forefathers, here in South Carolina, we are threatened with the onus of a monstrous plan of public spoliation, under the guise of an equitable system of taxation. Under the forms of law, it is proposed to take away the little

that the war has left us. "*Taxation without representation,*" is combined with "*representation without taxation.*" Thus, in South Carolina, it is contemplated to revive the tyranny of the British Parliament in 1776, and to add thereto a new and startling feature.

We refer you now to Exhibit A. Although South Carolina is struggling for bread, yet observe how, under the new constitution, the burdens of taxation have been increased :

Proposed now to be raised	\$2, 230, 950
Before the war, amount, about	350, 000
Proposed now to be levied on the real estate of the State	3 per cent.
Before the war	$\frac{1}{2}$ per cent.
But when there is taken into consideration the depreciation of the value of property since the war, the difference is far greater; for illustration, take the case of a piece of property, in a town, before the war, worth say....	\$10, 000
Levied before the war on this $\frac{1}{2}$ per cent., making.....	50
Now, at same valuation, it pays at 3 per cent	300

Thus the proportion stands as 1 to 6. But this is not all :

The property valued before the war at \$10,000, has now a value of.....	\$3, 000
Before the war, a tax of $\frac{1}{2}$ per cent. levied on this would give.....	15
But to raise the \$300 required now, demands a tax of 10 per cent.....	300

Thus, taking into consideration the depreciation of the value of real estate, the proportion stands as 1 to 20, or the taxation provided for in the new constitution is absolutely twenty times as great as before the war. Nor is this all. But in the case of land, which has depreciated more in value than city property, the proportion is even greater than the one established above. In fact, it is now a common thing to find large tracts of land sold by the sheriff for less than the amount of taxes resting thereupon.

2. Exhibit B shows that the constitutional convention was composed of:

Whites.....	47
Colored.....	74
	<hr/> 121
74 colored pay, of taxes.....	\$117 93
One alone paying.....	85 35
Hence 73 colored pay.....	32 58
Or less than 50 each.....	
47 whites pay.....	761 62
One white (conservative) paying.....	508 85
Hence 46 whites pay.....	252 76
Or less than \$6 each.....	

Of the 47 white members, 23 pay no tax at all; and of the 74 colored members, 59 pay no tax at all. Of the whites, at least one-fourth were government employes and northern adventurers; and of the colored men, a goodly number were from abroad.

3. Exhibit C shows that the legislature elected under the new constitution stands thus, exclusive of the districts of Marion and Lancaster, as the democratic success in these districts is contested :

SENATE.

Whites.....	20
Colored.....	12
	<hr/> 32

HOUSE OF REPRESENTATIVES.

Whites.....	37
Colored.....	86
	<hr/> 123

TOTAL.

Whites.....	57
Colored.....	98
	<hr/> 155
Whole number.....	155
Or nearly two colored to one white.	

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98 colored pay, of taxes.....	\$143 74
One colored paying.....	83 35

Hence 97 colored pay..... 60 39

Or less than 70 cents each.

57 whites pay..... 491 49

11 conservative whites pay..... 194 43

Hence 46 whites pay..... 297 06

Or less than \$7 each.

Of these 47 white members, 24 pay no taxes at all. Of these 98 colored members, 67 pay no taxes at all.

With regard to the State government: The officers consist of 7 whites and 1 colored; the colored man having the paid office of least profit.

As to taxes:

The governor pays.....	\$00 00
The secretary of state.....	00 00
The comptroller general.....	00 00
The treasurer.....	00 00
The attorney general.....	00 00
The superintendent of education.....	00 00
The lieutenant governor.....	15 99
The adjutant and inspector general.....	1 00

Making..... 16 99

Thus the 8 members of the State corps of officers pay, on an average, each.... 2 11

Thus have the committee truthfully represented to the honorable senate the character of the men, as well those who framed the constitution, as those who are to legislate under its provisions. It will be seen that they represent not the wealth of the State, neither its commercial, nor its agricultural, nor its mechanical interests. That they do not represent its intelligence, its tone, its sentiments, may be regarded as a self-evident proposition, to establish which requires no argument. It is shown, also, how little interested in the matter of excessive taxation they will be who shall levy the taxes, and how very little of taxes they will represent who shall make the laws in South Carolina; and how small an amount, too, they will be found to contribute to the revenues of the State who shall mainly—nay, almost entirely—sustain the new law-givers which Congress has given to the South.

In behalf, therefore, of justice and fair dealing, representing the just claims of the white citizens of South Carolina, without further comments, we have the honor respectfully to submit the statistical argument contained in these exhibits, and to express the hope that it may appear to your honorable body weighty enough to induce the rejection, at your hands, of the constitution proposed for South Carolina.

WADE HAMPTON,
JOS. DAN'L POPE,
JOHN P. THOMAS,
SAM'L McGOWAN,
F. W. McMASTER,
W. M. SHANNON,

State Central Executive Committee.

EXHIBIT A.

An estimate of the taxes of the State of South Carolina, under the provisions of the constitution lately adopted.

1 school-house to each 16 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 blind institutions.....	10,000
State reform school.....	10,000
Conversion of citadel in Charleston into an institution of learning.....	30,000

Educational estimate..... 994,000

Current expenses of State, according to General Canby's tax-bills, is \$470,000, less free schools included above, \$25,000, making..... 445,000

1 439,000

Add 5 per cent., expenses of collection.....	\$71,950
Interest on \$6,000,000 State debt from July, 1866, to July, 1868.....	1,510,950
	720,000
Total amount of taxes.....	2,230,950

N. B.—The late assessment of real estate throughout the State, city, town, and country, is \$70,507,075, on which a tax levied of 3 per cent. will raise \$2,115,212. If real-estate owners are to defray the expenses of the State, it will require more than 3 per cent to meet them. Formerly it was about $\frac{1}{2}$ per cent., and that, too, when lands and real estate in general had not depreciated in value.

EXHIBIT B.

List of delegates to the convention which was held at Charleston, January 14, 1868, and ended March 17, 1868.

Names.	Amount Tax.	Remarks.
A. G. Mackey, president, (white)	\$18 00	
ABBEVILLE.		
John A. Hunter, (white).....	54	
H. J. Lomax, (colored).....		Not on tax book.
W. N. Joiner, (colored).....		Not on tax-book.
B. Milford, (white).....	14 63	Not on tax-book.
Thomas Williamson, (colored).....		Not on tax-book.
ANDERSON.		
Samuel Johnson, (colored).....	1 00	Execut'n lodged.
N. J. Newell, (white).....	4 26	
William Perry, (white).....	508 85	
BERKELEY.		
M. F. Becker, (white).....		Not on tax book.
D. H. Chamberlain, (white).....		Not on tax-book.
T. Hurley, (white).....		Not on tax-book.
William Jervey, (colored).....		Not on tax-book.
Benjamin Byas, (colored).....		Not on tax-book.
W. H. W. Gray, (colored).....		Not on tax-book.
Joseph H. Jenks, (white).....		Not on tax-book.
George Lee, (colored).....		Not on tax-book.
A. C. Richmond, (white).....		Not on tax-book.
BEAUFORT.		
J. D. Bell, (white).....		Not on tax book.
L. S. Langley, (colored).....		Not on tax-book.
W. J. Whipper, (colored).....	1 00	
R. G. Holmes, (colored).....		Not on tax-book.
Robert Smalls, (colored).....	12 20	
F. E. Wilder, (white).....		Not on tax-book.
J. J. Wright, (colored).....	60	
BARNWELL.		
J. N. Hayne, (colored).....		Not on tax-book.
C. P. Leslie, (white).....		Not on tax-book.
A. Middleton, (colored).....	2 00	
C. D. Hayne, (colored).....		Not on tax-book.
Julius Mayer, (colored).....		Not on tax-book.
N. G. Parker, (white).....		Not on tax-book.

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List of delegates, &c.—Continued.

Names.	Amount tax.	Remarks.
CHARLESTON.		
C. C. Bowen, (white)	Not on tax-book.
F. L. Cardoza, (colored) .....	.....	Not on tax-book.
William McKinlay, (colored)	\$83 35	.....
R. H. Cain, (colored) .....	.....	Not on tax-book.
R. C. DeLarge, (colored) .....	.....	Not on tax-book.
G. Pillsbury, (white) .....	.....	Not on tax-book.
A. J. Ransier, (colored) .....	.....	Not on tax-book.
CHESTER.		
P. Alexander, (colored) .....	.....	Not on tax-book.
B. Burton, (colored) .....	.....	Not on tax-book.
S. Sanders, (colored) .....	.....	Not on tax-book.
COLLETON.		
J. S. Craig, (white) .....	.....	Not on tax-book.
William M. Thomas, (colored) .....	.....	Not on tax-book.
William Drifflie, (colored) .....	.....	Not on tax-book.
W. M. Vinery, (colored) .....	.....	Not on tax-book.
CLARENDON.		
Elias Dickson, (white)	1 00	.....
William Nelson, (colored)	2 00	.....
CHESTERFIELD.		
R. J. Donaldson, (white)	1 00	Execution lodged.
H. L. Shrewsbury, (colored) .....	.....	Not on tax-book.
DARLINGTON.		
J. Brockenton, (colored) .....	.....	Not on tax-book.
Jordan Lang, (colored) .....	.....	Not on tax-book.
B. Humbird, (colored) .....	.....	Not on tax-book.
B. F. Whittemore, (white) .....	.....	Not on tax-book.
EDGEFIELD.		
F. Arnim, (white) .....	.....	Not on tax-book.
R. B. Elliott, (colored) .....	.....	Not on tax-book.
P. R. Rivers, (colored) .....	.....	Not on tax-book.
John Bonum, (colored) .....	.....	Not on tax-book.
David Harris, (colored)	20	.....
John Wooley, (colored)	1 18	.....
FAIRFIELD.		
H. D. Edwards, (colored) .....	.....	Not on tax-book.
Henry Jacobs, (colored)	11 40	.....
J. M. Rutland, (white)	18 60	.....
GREENVILLE.		
J. M. Allen, (white)	1 50	.....
J. M. Runion, (white) .....	.....	Not on tax-book.
Wilson Cook, (colored) .....	.....	Not on tax-book.
W. B. Johnson, (white) .....	.....	Not on tax-book.
GEORGETOWN.		
F. F. Miller, (colored) .....	.....	Not on tax-book.
J. H. Rainey, (colored)	-1 50	.....
H. W. Webb, (white)	1 00	.....

List of delegates, &c.—Continued.

Names.	Amount tax.	Remarks.
HORRY.		
Henry Jones, (colored).....	.....	Not on tax-book.
A. Thompson, (colored).....	.....	Not on tax-book.
KERSHAW.		
John A. Chesnut, (colored).....	.....	Not on tax-book.
S. G. W. Dill, (white).....	.....	Not on tax-book.
J. K. Jillson, (white).....	.....	Not on tax-book.
LEXINGTON.		
Lemuel Boozer, (white).....	\$15 99	
Simeon Corley, (white).....	7 74	
LANCASTER.		
A. Clinton, (colored).....	1 00	
Charles Jones, (colored).....	.....	Not on tax-book.
LAURENS.		
Joseph Crews, (white).....	1 00	
H. McDaniels, (colored).....	1 00	
Nelson Davis, (colored).....	.....	Not on tax-book.
J. Y. P. Owens, (white).....	45	
MARION.		
W. S. Collins, (white).....	1 00	
J. W. Johnson, (colored).....	1 00	
H. E. Hayne, (colored).....	.....	Not on tax-book.
B. A. Thompson, (colored).....	.....	Not on tax-book.
MARLBOROUGH.		
George Jackson, (colored).....	.....	Not on tax-book.
Calvin Stubs, (colored).....	.....	Not on tax-book.
NEWBERRY.		
B. O. Duncan, (white).....	.....	Not on tax-book.
James Henderson, (colored).....	.....	Not on tax-book.
Lee Nance, (colored).....	.....	Not on tax-book.
ORANGEBURGH.		
E. J. Cain, (colored).....	.....	Not on tax-book.
W. J. McKinlay, (colored).....	.....	Not on tax-book.
E. W. M. Mackey, (white).....	.....	Not on tax-book.
T. K. Sasportas, (colored).....	.....	Not on tax-book.
B. F. Randolph, (colored).....	.....	Not on tax-book.
PICKENS.		
M. Mauldin, (white).....	1 00	
A. Bryce, (white).....	5 43	
L. B. Johnson, (white).....	12 20	
RICHLAND.		
W. B. Nash, (colored).....	.....	Not on tax-book.
S. B. Thompson, (colored).....	Not on tax-book.
T. J. Robertson, (white).....	51 40	
C. M. Wilder, (colored).....	Not on tax-book.

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List of delegates, &c.—Continued.

Names.	Amount tax.	Remarks.
SPARTANBURGH.		
J. P. F. Camp, (white).....	\$4 52	
J. S. Gentry, (white).....	1 08	
H. H. Foster, (colored).....		Not on tax-book.
C. Wingo, (colored).....		Not on tax-book.
SUMTER.		
T. J. Coghlan, (white).....		Not on tax-book.
Samuel Lee, (colored).....		Not on tax-book.
W. E. Johnston, (colored).....		Not on tax-book.
F. J. Moses, jr., (white).....	1 00	
UNION.		
A. Dogan, (colored).....	1 00	
J. H. Goss, (white).....	1 77	
Samuel Nuckles, (colored).....		Not on tax-book.
WILLIAMSBURGH.		
W. Darrington, (white).....		Not on tax-book.
C. M. Olsen, (colored).....		Not on tax-book.
S. A. Swails, (colored).....		Not on tax-book.
YORK.		
J. W. Mead, (colored).....		Not on tax-book.
W. E. Rose, (white).....	75 75	Execution lodged.
J. L. Neagle, (white).....		J. L. Neagle & Co. pay a tax, \$47 40.
J. H. White, (colored).....		Execution lodged.
C. J. Stollbrand, secretary, (white).....	13 90	Not on tax-book.

EXHIBIT C.

Offices.	Names.	Amount tax.	Remarks.
STATE GOVERNMENT.			
Governor	R. K. Scott, (white).....		
Lieutenant governor.....	Lemuel Boozer, (white)...	\$15 99	
A. and I. general.....	J. F. Moses, jr., (white)....	1 00	
Secretary of State	F. L. Cardoza, (colored).....		
Comptroller general.....	J. L. Neagle, (white).....		
Treasurer.....	N. G. Parker, (white).....		
Attorney general.....	D. H. Chamberlain, (white)		
Superintendent education ...	J. K. Jillson, (white).....		
MEMBERS OF THE LEGISLATURE.			
ABBEVILLE.			
Senator	V. Young, (white).....	80	
Representatives	George Dusenbury, (white)	3 08	
	T. B. Milford, (white).....	14 63	Execution lodged.
	James Martin, (white).....	7 40	
	R. M. Valentine, (colored)....		Not on tax-book.
	W. J. Lomax, (colored).....		Not on tax-book.

Exhibit C—Continued.

Offices.	Names.	Amount tax.	Remarks.
ANDERSON.			
Senator	John H. Reid, (white).....	\$8 82	
Representatives	John B. Moore, (white).....	3 00	
	B. Frank Sloan, (white).....	5 55	
	John Wilson, (white).....	15 15	
BARNWELL.			
Senator	C. P. Leslie, (white).....	.....	Not on tax-book.
Representatives	C. D. Hayne, (colored).....	.....	Not on tax-book.
	J. M. Hayne, (colored).....	.....	Not on tax-book.
	Julius Mayer, (colored).....	.....	Not on tax-book.
	W. J. Mixon, (colored).....	.....	Not on tax-book.
	R. B. Elliott, (colored).....	2 00	\$1 capit'n; \$1 dog.
	B. F. Berry, (colored).....	1 45	
BEAUFORT.			
Senator	J. J. Wright, (colored)....	60	
Representatives	W. G. Whipper, (colored)...	1 00	
	C. J. Stolbrand, (white)....	13 90	
	P. E. Ezekiel, (colored)....	5 50	
	Robert Smalls, (colored)...	12 20	
	G. A. Bennett, (white).....	25 00	
	Charles S. Kuh, (white).....	.....	Not on tax-book.
	W. C. Morrison, (colored)...	3 00	
CHARLESTON.			
Senators	D. T. Corbin, (white).....	.....	Not on tax-book.
	R. H. Cain, (colored).....	.....	Not on tax-book.
Representatives	R. C. DeLarge, (colored).....	.....	Not on tax-book.
	A. J. Ransier, (colored).....	.....	Not on tax-book.
	R. Tomlison, (white).....	.....	Not on tax-book.
	W. H. W. Gray, (colored)...	.....	Not on tax-book.
	B. A. Boseman, (colored).....	.....	Not on tax-book.
	George Lee, (colored).....	.....	Not on tax-book.
	B. F. Jackson, (colored).....	.....	Not on tax-book.
	Joseph H. Jencks, (white)...	.....	Not on tax-book.
	William McKinlay, (col'd)...	83 35	
	F. J. Moses, jr., (white)....	1 00	
	W. J. Brodie, (colored).....	.....	Not on tax-book.
	J. B. Dennis, (colored).....	.....	Not on tax-book.
	John B. Wright, (colored)...	.....	Not on tax-book.
	William Jervey, (colored)...	.....	Not on tax-book.
	Abraham Smith, (colored)...	.....	Not on tax-book.
	Samuel Johnson, (colored)...	.....	Not on tax-book.
	Stephen Brown, (colored)...	.....	Not on tax-book.
	Edward Mickery, (colored)...	.....	Not on tax-book.
CHESTER.			
Senator	Lewis Wimbush, (colored)...	.....	Not on tax-book.
Representatives	Barney Humphries, (col'd)...	.....	Not on tax-book.
	Sancho Sanders, (colored)...	.....	Not on tax-book.
	Barney Burton, (colored)...	.....	Not on tax-book.
CHESTERFIELD.			
Senator	R. J. Donaldson, (white) ..	1 00	Execution lodged.
Representatives	H. L. Shrewsbury, (colored).....	.....	Not on tax-book.
	D. J. J. Johnson, (colored)...	.....	Not on tax-book.

1246 CONDITION OF AFFAIRS IN THE SOUTHERN STATES.

Exhibit C—Continued.

Offices.	Names.	Amount tax.	Remarks.
CLARENDON.			
Senator	E. E. Dickson, (white)	\$1 00	\$1 capit'n; \$1 dog.
Representatives	William Nelson, (colored) ..	2 00	
	Powell Smyth, (colored)...	1 00	
COLLETON.			
Senator	W. R. Hoyt, (colored) .....	.....	Not on tax-book.
Representatives	M. W. Thomas, (colored) ..	.....	Not on tax-book.
	Henry James	2 85	Not on tax-book.
	George McIntire, (colored) ..	.....
	William Driffle, (colored)...	.....
DARLINGTON.			
Senator	B. F. Whittemore, (white) ..	.....	Not on tax book.
Representatives	John Boston, (colored) .....	.....	Not on tax-book.
	Alfred Rush, (colored) .....	.....	Not on tax-book.
	G. Holliman, (colored)	2 90	Not on tax-book.
	Jordan Lang, (colored) .....	.....
EDGEFIELD.			
Senator	F. Arnim, (white) .....	.....	Not on tax-book.
Representatives	T. Root, (white)	5 40	Not on tax-book.
	David Harris, (colored)	20	
	Samuel J. Lee, (colored) .....	.....
	John Wooley, (colored)	1 18	Not on tax-book.
	P. R. Rivers, (colored) .....	.....
	John Gardner, (colored)	1 00	
	Lorenzo Cain, (colored) .....	.....	Not on tax-book.
FAIRFIELD.			
Senator	J. M. Rutland, (white)	18 60	Not on tax-book.
Representatives	L. W. Duvall, (white)	7 15	
	Henry Johnson, (colored) .....	.....
	Henry Jacobs, (colored)	11 40	
GEORGETOWN.			
Senator	J. H. Rainey (colored)	1 50	Not on tax-book.
Representatives	H. W. Webb, (white)	1 00	
	F. F. Miller, (colored) .....	.....
	W. H. Jones, (colored) .....	.....
GREENVILLE.			
Senator	James M. Allen, (white)	12 00	Not on tax-book.
Representatives	Samuel Tinsley, (white)	4 08	
	John B. Hyde, (white)	1 80	
	Wilson Cook, (colored) .....	.....
	W. A. Bishop, (white) .....	.....
HORRY.			
Senator	H. Buck, (white)	50 78	Not on tax-book.
Representatives	Zadock Bullock, (white)	2 24	
	W. W. Waller, (white) .....	.....
KERSHAW.			
Senator	J. K. Jillson, (white) .....	.....	Not on tax-book.
Representatives	John A. Chesnut, (colored) ..	.....	Not on tax-book.
	Solomon G. W. Dill, (white) ..	.....	Not on tax-book.
	J. W. Nash, (colored) .....	.....	Not on tax-book.

Exhibit C—Continued.

Offices.	Names.	Amount tax.	Remarks.	
LAURENS.				
Senator	Y. J. T. Owens, (white).....	\$0 45	Not on tax-book.	
Representatives	Griffin Johnson, (white).....			
	Wade Perrin, (colored).....	1 00		
	Joseph Crews, (white).....	1 00		
	Harry McDaniels, (colored).....	1 00		
LEXINGTON.				
Senator	E. S. J. Hayes, (white)	10 40	Not on tax-book.	
Representatives	G. A. Lewie, (white)	60		
	H. W. Purvis, (colored).....			
MARLBOROUGH.				
Senator	H. J. Maxwell, (colored).....			Not on tax-book.
Representatives	T. B. Stubs, (white)		Not on tax-book.	
	John G. Grant, (white).....	59 41	Not on tax-book.	
MARION.—Election contested.				
NEWBERRY.				
Senator	C. W. Montgomery, (white).....	22 20	Not on tax-book.	
Representatives	Joseph Boston, (colored).....			Not on tax-book.
	James Hutson, (colored).....			Not on tax-book.
	James Henderson, (colored).....			Not on tax-book.
OCONEE.				
Senator	D. Bieman, (white).....	67 73		
Representatives	O. M. Doyle, (white)	19 50		
	W. C. Kieth, (white).....	1 08		
ORANGEBURGH.				
Senator	B. F. Randolph, (colored).....			Not on tax-book.
Representatives	W. J. McKinlay, (colored).....		Not on tax-book.	
	T. K. Sasportas, (colored).....		Not on tax-book.	
	F. DeMars, (colored).....		Not on tax-book.	
	E. J. Cain, (colored).....		Not on tax-book.	
	James P. Mays, (colored).....	1 90	Execution lodged.	
PICKENS.				
Senator	T. A. Rodgers, (white).....	8 80		
Representative	William T. Field, (white).....	11 80		
RICHLAND.				
Senator	W. B. Nash, (colored)			Not on tax-book.
Representatives	S. B. Thompson, (colored).....			Not on tax-book.
	William Simons, (colored).....	3 70	Not on tax-book.	
	C. M. Wilder, (colored).....			
	Æsop Goodson, (colored).....			
SPARTANBURGH.				
Senator	Joel Foster, (white).....	8 30	Not on tax-book.	
Representatives	Samuel Littlejohn, (white).....	1 00		
	Robert M. Smith, (white).....			Not on tax-book.
	Iran Bryant, (white)			Not on tax-book.
	C. C. Turner, (white).....			Not on tax-book.

Exhibit C—Continued.

Offices.	Names.	Amount tax.	Remarks.
SUMTER.			
Senator	T. J. Coghlan, (white).....		Not on tax-book.
Representatives	J. H. Feniter, (colored)....	\$1 10	
	W. E. Johnson, (colored)....		Not on tax-book.
	James Smiley, (colored)....		Not on tax-book.
	Burrel James, (colored)....		Not on tax-book.
UNION.			
Senator	H. W. Duncan, (colored)....		Not on tax-book.
Representatives	Samuel Nuckles, (colored) ..		Not on tax-book.
	June Mobley, (colored).....		Not on tax-book.
	Simon Farr, (white).....		Not on tax-book.
WILLIAMSBURGH.			
Senator	S. A. Swails, (colored).....		Not on tax-book.
Representatives	C. H. Pettingill, (colored)...		Not on tax-book.
	R. F. Scott, (colored).....	91	
	J. Pendergrass, (colored)...	1 00	
YORK.			
Senator	W. E. Rose, (white).....	75 75	Execution lodged.
Representatives	J. H. White, (colored).....		Not on tax-book.
	P. J. O'Connell, (white).....		Not on tax-book.
	John W. Mead, (colored).....		Not on tax-book.
	J. L. Nagle, (white).....		J. L. Neagle & Co. are taxed \$47 40. Execut'n lodged:

The foregoing list refers to taxes from 1866 to 1867, the tax returns for 1868 not being completed.

APPENDIX No. 2.

[From the Columbia Phoenix, October 23, 1868.]

To the people of South Carolina :

FELLOW-CITIZENS: As members of your State executive committee—a body which represents nearly every white citizen of South Carolina—we feel it our duty to invoke your earnest efforts in the cause of peace and the preservation of order. We beg you to unite with us in reprobating these recent acts of violence, resulting in the death of Martin, Randolph, and Nance, by which a few lawless and reckless men have brought discredit on the character of our people, though provocation in these cases may have been given. No cause can prosper which calls murder to its assistance, or which looks to assassination for success. "The idea of assassination," said George McDuffie, "is so absolutely abhorrent to all the feelings, the Christian feelings of modern times, and of such pernicious tendency, that I feel it to be my duty thus unequivocally to express my utter abhorrence of any proceeding that may have the remotest tendency to suggest it. Such a course is not only obnoxious to the abhorrence of every honorable man, from its moral atrocity, but from its political tendency."

Listen to the words of that patriot, which seem to come from his grave, to warn the people whom he loved so devotedly. We can add nothing to the weight of this great authority. We can only appeal to you, 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. We speak in behalf of the conservative and law-abiding portion of the people, who constitute, we feel assured, nearly our entire white population, and in their name we express emphatically our abhorrence of such acts; and we pledge ourselves to give all the assistance in our power to suppress them. We adjure all who love their State, of all classes, white and black, to be peaceable and quiet, to lend their efforts to promote harmony and to quell dissension. We ask those who are opposed to us, polit-

ically, to unite with us to check and discountenance all incendiary language, whether uttered in public or private, and to join us in the efforts we are making for the preservation of peace, the supremacy of law, and the maintenance of order. Lawlessness will endanger the peace of the whole State, and will surely bring disaster to all classes. Let us all, then, however we may differ in politics, devote all our energies to maintain the good character of our State, and to promote a better feeling among our whole people.

WADE HAMPTON, *Chairman.*

JOSEPH DANIEL POPE.

J. P. THOMAS.

W. B. STANLEY.

WM. M. SHANNON.

W. D. PORTER.

THEO. G. BARKER.

APPENDIX No. 3.

[From the *Columbia Phoenix*, October 18, 1868.]

ADDRESS OF THE CENTRAL DEMOCRATIC CLUB TO THE DEMOCRATIC PARTY OF SOUTH CAROLINA.

FELLOW-CITIZENS: The election for President and Vice-President of the United States is now close at hand. The great principles involved in the contest, the magnitude of the interests at stake, and the influence which this State may have on the result, make this a proper occasion to lay before you a brief address.

The tendency and purpose of the radical party, as manifested in words and acts, are the absorption of the liberty of the individual; the destruction of States; the subversion of the Constitution, and the erection upon the ruins of individual and public liberty, a grand, grinding, consolidated despotism. Already, it has made rapid strides in that direction. Little, now, is left for it to do but to fuse into one mass, and then crystallize into permanent form its various acquisitions of usurped power. Its capricious acts; its wanton cruelties; its corrupt practices; its enormous burdens, you have felt, and do know. Against these, and more than these, you are now called upon to continue a resolute fight with the peaceful, though potent weapon, the ballot. The democratic party here, and everywhere, are striking with you for the principles of liberty, and the forms of government to which we have been accustomed, for a written Constitution, a Federal Union, and a distinct existence of the States.

Surely, then, the principles of the contest are important, and the interest great. Arouse, therefore, to the magnitude of the emergency, and spare no efforts for success. When the time for registration shall come, let no man fail to appear, and none fail to vote. Let each one remember, that his individual vote may decide the election in his own district, and that the electoral vote of the State may turn the scale in favor of the democratic party.

Our people must not despond, nor relax their efforts, if there should be failures elsewhere. On the contrary, they will have reason to hope, and much to stimulate them to increased energy, for it is yet possible to win. State elections are influenced, and sometimes controlled, by local issues; and it has often happened that these go one way, and in a few weeks thereafter, in the same place, the presidential elections another. This may be the case in the present canvass; and, indeed, we have reason to hope so. Recently, we have received reports from all parts of the State, which induce the belief that South Carolina, with proper effort, will be carried for Seymour and Blair. Let not the failure to do so be ascribed to you.

The canvass in which you are now engaged is full of excitement, which will probably continue and increase to the end. We trust, therefore, that it will not be amiss to drop you a word of caution. The criminality of a few, and, perhaps, the indiscretion of many, have placed it in the power of malice and misrepresentation to injure us, and seriously to damage the common cause. We urge you, therefore, not only to prevent violence, but to abstain from the appearance of it. We are dealing with a false and subtle foe—prolific in inventions and venomous in purpose—a foe who fully understands the temporary profit of a humble lie, which too often achieves its end before the truth can even buckle on her armor.

We need not urge upon you the policy and the duty of treating with great kindness and forbearance the colored population of the State. This you have ever done, and will continue to do, as long as you are permitted. We have no doubt you will make manifest the untruth of the malicious charge, that by force you have compelled their votes, or by intimidation kept them from the polls. Their minds are rapidly opening to the truth, that the vagrant white man of the North, as well as the renegade of the South, who live by deceiving and plundering them, and who have been driving them to destruction, are not true friends, and are unworthy of confidence and support. With

a fair opportunity, they will return to you, as their estrangement is owing entirely to the false teachings and malignant efforts of the northern emissary. It cannot be forgotten, that the State, voluntarily, in 1865, invested the colored population with every civil right; and that the democratic party, in convention, in April last, recognized them, under the previous action of the State, as an integral element in the body politic, and expressed its willingness, when in power, to enfranchise them to the extent which the public weal and their own good might warrant. The position then taken by the convention, and which was announced to the people of the State and the country, is now re-affirmed.

We beg you to remember that the democratic party of the State was not organized for the purpose merely of supporting the nominees of the party, but for higher purposes and more enduring ends. It is possible that our present leaders may be defeated, but our principles will survive. The liberty of the individual, the being and welfare of States, the Constitution of the United States, and a Federal Union under it, are objects worthy of patience and enduring efforts. In the success we hope for, our organization will be most useful, and in case of defeat, it will become essential. We, therefore, desire to impress upon you the necessity of perserving intact, and in full energy, the admirable organizations of the democratic party of South Carolina.

WADE HAMPTON,
Chairman Executive Committee.
 J. D. POPE.
 J. P. THOMAS.
 F. W. MCMASTER.
 W. M. SHANNON.
 S. MCGOWAN.
 JAMES CHESNUT,
Chairman Auxiliary Committee.
 T. S. FARROW.

APPENDIX No. 4

[From the Charleston Daily Republican, May 8, 1871.]

THE SITUATION.

Letter from Attorney General Chamberlain.

COLUMBIA, SOUTH CAROLINA, May 5, 1871.

MY DEAR SIR: The public evils which now exist in our State, and the lawless and disturbed condition of society in many counties, furnish me the occasion and excuse for addressing you. I wish I could hope, with more confidence, that my views and suggestions would tend to hasten the removal of present evils and lay a safe foundation for our future harmony and prosperity. But I hold that it is the duty of every man, who has a thought or a plan which seems to promise relief from existing difficulties, to contribute it to the common fund of information.

I address my views to you, because I know that you are devoted, by association, principle, and action, to the true, permanent, and highest interests of our State, and because I believe that, though wholly dissociated from political life, you are not unmindful of that duty which Cicero tells us, in his delightful essay, is "the dearest and foremost duty, *to care for one's country.*" I remember, too, the generous and eloquent words which you have uttered in behalf of a hopeful, patient, courageous grappling with the duties and problems of to-day, rather than the cherishing of memories, however sacred, or the indulging of regrets, however just.

I am not, like you, a native of the State, and perhaps it was my misfortune to have settled here at a time when circumstances were not favorable to a cordial reception of those who had stood upon the other side of the great civil struggle which had torn asunder the two sections of our country. I profess, however, to be not behind the foremost in my desire to all that lies in my power to serve and benefit the State, with which all my interests are now identified.

It will be necessary for me, at the outside, to give my view of the nature and causes of the evils which now afflict us. If we mistake the causes, we shall be certain to mistake the remedy.

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 power 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 power of the State. I refer now to practical results, not to theories. The numerical relations of the two races here was 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, as 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 1868, 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 coöperation 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.

What is the remedy? That a change will come, and come speedily, let no man doubt. Corruption breeds its own kind. Ignorance rushes to its downfall. Close behind any political party which tolerates such qualities in its public representatives stalks the headsmen. If the result is merely political disruption, let us be profoundly thankful. Let us make haste to prevent it from being social disruption—the sundering of all the bonds which make society and government possible.

Several eminent citizens, as well as the press of our State, have suggested plans for the amelioration of present evils. Mr. Memminger and Colonel Rion especially deserve mention as gentlemen of large ability and influence, who have made their contributions to the cause.

Without discussing the plans proposed by those gentlemen, or pointing out the impossibility of putting such plans into practical execution, I proceed to express my conviction that there is a remedy, at once simple and efficacious, practicable and still radical. I mean the change of our present system of the representation of majorities merely, and the substitution of proportional representation, or, as it is more commonly called, minority representation, by means of the cumulative or free vote.

You know, of course, that there is no novelty in this remedy. The press of our State, especially the Charleston News, the Columbia Phoenix, and the Charleston Republican, as well as individuals, have discussed and advocated it. I have studied the matter, in its principles and its results, as a theory and as a practice. I have waited to express my conviction until I could at least satisfy myself of its practical efficacy as a present remedy. My examination leads me to give my unreserved support to the plan, and to believe that it will lay the foundation for a stable peace in our State.

I regret that time will not allow a full discussion of this subject in its principles. Whoever desires this will find it abundantly in John Stuart Mill on “Representative Government,” in the debates in the English Parliament in 1867, by Chancellor Lowe, Lord Cairns, Earl Grey, and Mr. Mill; in the very able and elaborate report of Senator

Buckalew, of Pennsylvania, made to the United States Senate in March, 1868; and, I am happy to add, in an address delivered before the students of Wofford College in June last, by Colonel J. P. Thomas, of our own State, where^{we} will he found an admirable *résumé* of the history and nature of the plan, enforced by many new and effective arguments.

As a study, merely, to one who is attracted by discussions of the great questions of republican government, few topics have greater charms. But of all this I must not speak.

The plan is briefly this: To give to each voter as many votes as there are representatives to be elected in his county or voting district, and allow him to cast them all for one candidate, or divide them among several, as he pleases. Thus, to take the illustration of another and apply it to a case within our own State: "The county of Charleston has eighteen representatives in the lower house of the legislature; each voter has eighteen votes; he may give them to eighteen candidates, one to each, or he may cumulate them upon a less number than ten, even to one. One-eighteenth of the voters may thus be sure of a representative, if they choose to unite upon one person. In practice, however, no doubt, tickets would be made up by the two parties, and each party would send representatives merely proportioned to its constituency."

Such is the plan. Its result would be to give to each party in our State a representation in our lower house of assembly, and, in fact, in all elections where more than one person was to be chosen, proportioned to its numerical strength, instead, as now, of ignoring the minority wholly, and giving to a majority, made up of one hundred and one, the sole representation in a voting district of two hundred voters.

This is true republicanism, in distinction from false republicanism. As Colonel Thomas aptly styles it, it is "*totality* representation," giving to all parties and all interests a fair share of representation.

To make this principle applicable to our elections would require some changes in our organic law; but it would be immediately applicable to elections for members of the lower house of the legislature, to elections for county commissioners, and to the senatorial election in Charleston County. I think no change of our constitution is required to effect all this, but simply a statute embodying and enforcing the new plan.

The immediate result of such a change will be immense. If the numerical relations of our present political parties and of the two races is that of three to five, the lower house of the legislature will stand forty-seven to seventy-seven. The same result would be seen in the boards of county commissioners, a board of prime importance to the tax-payers of the State.

Gradually the application of the system might be extended until it became the universal rule in all our elections, when more than one person was to be chosen to the same office.

Another result would be to improve the character and ability of the officers chosen in each party. It would check the debasing influence of professional politicians; it would make corruption in popular elections comparatively impossible; it would make the defeat of specially obnoxious candidates, or the election of specially desirable candidates practicable, in spite of party nominations, by a union of the good men of both parties, a result scarcely possible and entirely improbable under our present system.

The immediate influence of forty-seven fit men, representing the character, intelligence and property of our State, in the lower house can scarcely be overestimated. Though not a majority, they would inevitably prevent bad legislation, and induce much good legislation. Their very presence would shame ignorance and frighten corruption. I firmly believe, speaking from long and close observation, that the presence of such a number of able and true men would banish the crying abuses which now disgrace our legislature, and introduce an era of comparative purity and intelligent legislation. Certain it is that it would absolutely prevent the further increase of our public debt, the reckless squandering of public funds, and the improvident giving of State aid to selfish, moneyed corporations.

But the whole subject requires deep study to perceive its wide-reaching results, and such a study will, I think, convince any one that here lies our true remedy; a remedy singularly well adapted to just such a community of voters, interests, and influences as now exist in our State.

There are other reforms, also, which we must demand imperiously and peremptorily. One is the repeal of that most unjust and scandalous election law under which our last general election was held. Another is an absolute prohibition of any further increase of our public debt, except under restrictions which shall be rigid and absolute.

Another is the immediate reduction of all public expenditures to at least two-thirds of their present amount.

Another is the speedy removal, by the executive, of incompetent local officers, especially tax officers, and the appointment of capable and honest men in their places, regardless of party.

This will effect only a partial present remedy; but it will do much immediately to remove a deep and just cause of complaint.

These are some of the demands of the hour, which I, for one, will join, with all good citizens, in making, and I trust that by every means, by individual influence and action, by the press and by conventions, the people of the State will proclaim and enforce these just demands.

There are abundant means, in my judgment, within the reach of the tax-payers of our State, to enforce these changes without doing violence to civil and social order. In fact, nothing is so sure to prolong the present situation as a resort to violence. Nothing can, and nothing will, in the eyes of the nation and the world, justify and excuse what is known as Ku-Kluxism. It is simply horrible, infamous, diabolical; never to be tolerated as a means of reform or relief of present abuses, for it is in itself the most stupendous of all crimes. Good citizens who look to reform must compel such means to be forever abandoned. Violence begets violence, and soon that spirit of lawlessness which finds countenance or escapes denunciation will run riot and prostrate all the common safeguards of civil society. It will, in due time, return to plague its inventors.

But by whatever means and from whatever causes relief and reform are secured, they must come from ourselves and not from abroad.

Our hope lies solely in the strong and fixed resolution of our own people, to right our own wrongs, and to work out our own salvation. Repression of open crime may come from the National Government, but permanent reform in our political condition can only come through ourselves. Let this truth be never forgotten. It is a lesson which must be learnt at whatever cost.

With a resolute and prudent spirit on the part of our responsible and enlightened fellow citizens, cheerfully acknowledging and defending the equal, civil, and political rights of all our citizens, laying aside effete traditions, and bending all their energies to the work of present reform, I confidently say, from my intimate knowledge of the present situation, that not only can the present dominant party be restrained from further abuse, but they can be controlled in the interest of those who look to the common and permanent welfare of our State.

Despair is folly; doubt is weakness. Resolution, confidence, prudence, fairness, justice, are the qualities which the situation calls for. Our State can be saved—saved by peaceful, constitutional means; and only by such means adopted by her own citizens can she be saved at all.

You and I, at least, are ready for such a work. Who that loves his race or his State will refuse his aid?

With sentiments of high personal regard, I remain your obedient servant,

D. H. CHAMBERLAIN.

Colonel W. L. TRENHOLM, *Charleston, S. C.*

APPENDIX No. 5.

[From the Columbia Phoenix, April 4, 1868, attached to the report of the proceedings of the democratic convention in Columbia, South Carolina, April 2 and 3, 1868.]

Amongst the papers submitted to the convention was the following address to the colored people of South Carolina. It was afterwards referred to the State central executive committee, with discretion to publish. The committee has kindly furnished us with a copy:

ADDRESS TO THE COLORED PEOPLE OF SOUTH CAROLINA.

The convention of the democratic party of South Carolina feels it a high and bounden duty to speak to you candidly and earnestly, and with no further apology than that our interests are to a certain extent identical.

You have been suddenly put in position to exercise certain powers, the abuse of which may result disastrously to you and to us. *It is impossible that your present power can endure, whether you use it for good or ill.* The white race already outnumbers you in the South. Disease has made the mortality among you twice what it is among the whites, and the rate is daily increasing. Emigration has carried off thousands of your color to distant States, while it already begins to fill their places with whites from Europe. Let not your pride, nor yet your pretended friends, flatter you into the belief that you ever can, or ever will, for any length of time, govern the white men of the South. The world has never seen such a spectacle, and its whole history, and especially the history of your race, gives no ground for the anticipation. Perhaps, however, you expect to attain power by the aid of the radical party at the North. The Almighty, in His wisdom, (perhaps to prevent the amalgamation of the separate races which He created and marked,) has implanted in every human breast a sentiment called the *prejudice of race*; and when this feeling is once aroused, it is one of the

strongest and most universal passions of our natures. When your race was among us as slaves, this sentiment slumbered, and only a compassion for you influenced every honest heart—those among your masters—to treat you kindly; those who believed you wronged, to desire to set you free. When you were set free, compassion ceased to exist. When undue power was given you by the radical party, (from motives which all men appreciated and despised,) prejudice of race sprang up. The whites of this State endeavored to allay it—here, at least—by inviting you to a course and a compromise which would have given it nothing to feed upon. But their efforts resulted in such an utter failure that it would be mortifying had it not been a Christian duty to make the effort. Every step of your political career, so far, has cultivated this prejudice, until it now speaks aloud in England, and is already rapidly changing the politics of the entire North. This is the odium which must soon prove the death of the radical party. It is too strong to be resisted, being the operation of a law of nature. Do you not see it even in your white radical friends, in spite of their industrious efforts to conceal it, so long as they have use for you? Is it not apparent, also, in the officers, and even the very private soldiers of the army, whose bayonets still prop up your power, only because they are paid to do it? Do you flatter yourselves that your “Loyal Leagues” can prevail against it? “Blood is thicker than water,” and the league which the Almighty has organized is one to which there will be no traitors, when once an issue is fairly made.

To repeat, then, as we began: Your present power must surely and soon pass from you. Nothing that it builds will stand, and nothing will remain of it but the prejudices it may create. It is, therefore, a most dangerous tool that you are handling. Your leaders, both white and black, are using your votes for nothing but their individual gain. Many of them you have only known heretofore to despise and mistrust, until commanded by your Leagues to vote for them. Offices and salaries for themselves are the heights of their ambitions; and so they make hay while the sun shines, they care not who is caught in the storm that follows. Already they have driven away all capital and credit from the South; and while they draw \$11 a day, thousands among you are thrown out of employment, and starve simply for lack of work. What few enterprises are carried on are only the work of southern men, who have faith that the present state of affairs is but temporary. The world does not offer better opportunities for the employment of capital than are to be found in the South, but will your radical friends send their money here to invest? Not one dollar. They would just as soon venture on investments in Hayti or Liberia, as commit their money to the influence of your legislation. Capital has learned to shun it as a deadly plague.

We, therefore, urge and warn you by all the ties of our former relations, still strong and binding in thousands of cases, by a common Christianity and by the mutual welfare of our two races, whom Providence has thrown together, to beware of the course on which your leaders are urging you, in a blind folly which will surely ruin both you and them.

We do not pretend to be better friends to your race than we are to ourselves, and we only speak where we are not invited, because your welfare concerns ours. If you destroy yourselves, you injure us, and though but little, compared with the harm you will do yourselves, we would, if we could, avert the whole danger.

We are not in any condition to make you any promises, or to propose to make you compromises. We can do nothing but await the course of events; but this we do without the slightest misgiving or apprehension for ourselves. We shall not give up our country, and time will soon restore our control of it. But we earnestly caution you, and beg you, in the meanwhile, to beware of the use you make of your temporary power. Remember that your race has nothing to gain and everything to lose, if you invoke that prejudice of race, which, since the world was made, has ever driven the weaker tribe to the wall. Forsake, then, the wicked and stupid men who would involve you in this folly, and make to yourselves friends and not enemies of the white citizens of South Carolina.

[APPENDIX No. 6.]

[From Mis. Doc. No. 18, 41st Cong., 1st sess., House of Reps.; papers in the case of *S. L. Hoge vs. J. P. Reed*, third congressional district, South Carolina.]

PROCLAMATION OF GOVERNOR SCOTT.

By his excellency Robert K. Scott, governor of South Carolina:

Whereas reports are being daily received at this department, and particularly from the counties of Abbeville, Anderson, Edgefield, Lexington, Newberry, Chester, Laurens, Union, York, and Darlington, that the laws are being violated, and the officers of the law set at defiance; that peaceful and unoffending citizens are murdered

in cold blood, and the murderers not only permitted but aided to escape from justice; that families have been forced to abandon their homes and property by fear of violence; that the authority of the State government is openly derided and denied; that threats of violence, and even of death, are uttered against prominent members of the republican party, if they shall attempt to visit their districts for the purpose of discussing the political questions of the day; that declarations are openly made by persons calling themselves democrats of their determination not to permit their political opponents to vote at the ensuing election; and, to enable them to effect their purposes and to overawe the people, large quantities of fire-arms, of the most improved description, have been brought into the State and secretly distributed; that the public highways are picketed and patrolled by armed men, who stop and interrogate passengers, frequently abusing and assaulting those who differ with them in political opinion; and especially is there apparent a systematic effort, by abuse and intimidation, to deter colored persons from the exercise of the elective franchise; and all this in transgression of law, in derogation of the peace and dignity of the Commonwealth, and in violation of the rights of the citizens.

The right of suffrage belongs equally to the white and colored race, and all must be protected in its free and peaceful exercise. Fraud or violence may vitiate the returns of any poll where they may be perpetrated, and I call upon all good citizens to aid the officers of the law in their efforts to maintain the peace and preserve the independence and purity of the ballot-box.

The State government, of which I am the executive head, is not only *de facto* but *de jure*, and commands the allegiance of all within its territorial limits. It is independent of Federal legislation and of the Federal judiciary, whose powers are defined by the Constitution to be "judicial" and not "political." Its sovereignty and its honor are in its own keeping; and the rights granted and conferred by it can only be affected or subverted by a change in the organic law, in obedience to the wishes of the people of the State acting in their sovereign capacity in a convention called for the purpose. To resist the laws of the State, represented by its legally constituted officers, is an offense of the gravest character; and armed resistance is treason.

Now, therefore, I, Robert K. Scott, governor of the State of South Carolina, do hereby issue this my proclamation, enjoining and commanding all magistrates, sheriffs, and other officers of the peace, in their respective counties, to be faithful, vigilant, and active in the discharge of their duties, and to report promptly to this department every case where they are obstructed or resisted in doing so; and in the event of resistance or assault, they are directed to apply to the nearest military post of United States troops for aid and coöperation in enforcing the laws and maintaining the public peace. In case of failure on the part of magistrates, sheriffs, and officers of the peace to perform these duties promptly and efficiently, either from neglect or sympathy with the wrongdoers, they will be promptly removed and their places filled by men loyal to the State and faithful in the discharge of their obligations to the community.

And I do earnestly appeal to the law-abiding people of the State, to those who are identified and interested in her reputation and prosperity, to all who are opposed to violence and bloodshed, and to a condition of riot and anarchy in which life and property are alike insecure, that they will aid me in my efforts to maintain the supremacy of the law and the rights of the people, by discountenancing and denouncing all violence and outrage, and by assisting the magistrates and peace officers in arresting the perpetrators thereof, so that they may be brought to condign punishment.

In the eye of the law, the rights of every citizen, white and colored, are equally sacred and equally entitled to protection and vindication; and it is my duty and determination to use all the powers at my disposal for that purpose. And if my efforts to accomplish this by peaceable means are frustrated by turbulent and lawless men resisting the executive authority in the persons of its officers, I shall be compelled, however reluctantly, to arm and organize a sufficient force of loyal citizens to overcome that resistance; and the responsibility of the consequence, however disastrous and deplorable, must rest upon the heads of those who provoke them.

In testimony whereof, I have hereunto set my hand and caused the great seal of the State to be affixed, at Columbia, this 20th day of October, in the year of our Lord one thousand eight hundred and sixty-eight, and in the ninety-third year of the independence of the United States of America.

[SEAL.]

F. L. CARDOZO, *Secretary of State.*

ROBERT K. SCOTT, *Governor.*

Proclamation by his excellency Robert K. Scott, governor of the State of South Carolina.

Whereas information has been received at this department of divers atrocious and cold-blooded murders perpetrated on peaceable, unoffending citizens of this Commonwealth, viz :

A willful murder was perpetrated at Laurensville, on the 3d of September, on the

body of Tabby Simpson, freedman, by Walter H. Eichleberger, who has fled from justice. The murderer is about 25 or 28 years of age, round face, prominent eyes, dark hair, about five feet seven or eight inches in height, and weighs about 140 or 145 pounds. A reward of \$2,500 will be paid for his apprehension and lodgment in any jail of this State, with proofs to convict.

A freedman named Johnson Gloscoe was deliberately shot down and murdered in the town of Newberry, on the 25th of September last, by a number of persons unknown. The assassin fled from justice, and in order that they may be brought to punishment, I hereby offer a reward of \$2,500 for their apprehension or the apprehension of either of them, to be delivered in any jail of this State, with proofs to convict.

Hon. James Martin, a representative in the general assembly from the county of Abbeville, was shot down in cold blood and murdered on the public highway, about four miles from the town of Abbeville, on the 5th of October, by a gang of ruffians who followed him for the purpose. I hereby offer a reward of \$5,000 for the apprehension of the murderers or the apprehension of either of them, to be delivered in any jail of this State, with proof to convict.

Hon. B. F. Randolph, a senator in the general assembly, from Orangeburgh, was assassinated at the railroad depot, at Hodges's Station, on the Greenville and Columbia Railroad, on the afternoon of the 16th instant, in the presence of a crowd of spectators and passengers, and the murderers were permitted to mount their horses and leisurely escape. \$5,000 will be paid for their apprehension, or either of them, upon their delivery in any jail of this State, with proofs to convict.

A proportionate reward will be paid for information that will lead to the arrest of any of the murderers; and any one person who has participated therein will be exempted from punishment and be liberally rewarded by giving such information as may lead to the arrest and conviction of his accomplices.

In testimony whereof, I have hereunto set my hand and caused the great seal of the State to be affixed, at Columbia, this 20th day of October, in the year of our Lord one thousand eight hundred and sixty-eight, and in the ninety-third year of the independence of the United States of America.

[SEAL.]

ROBERT K. SCOTT,
Governor State of South Carolina.

F. L. CARDOZO, *Secretary of State.*

APPENDIX No. 7.

[From Mis. Doc., Ho. of Reps., 41st Cong., 1st sess.; Hoge vs. Reed, contested election.]

WILLIAM K. TOLBERT, of lawful age, being duly sworn, says:

Question. What is your name and where do you reside, and your occupation.—
Answer. I live at Greenwood, Abbeville County, South Carolina; farming.

Q. How long have you lived in Abbeville County?—A. All my life.

Q. Were you in Abbeville County during the months of July, August, September, October, and November, 1868?—A. I was.

Q. How old are you?—A. Twenty-nine years old.

Q. Did you belong to either of the political parties during the last campaign?—
A. I did, sir.

Q. To which one?—A. A democrat.

Q. How was the democratic party organized in Abbeville County?—A. Into clubs; democratic clubs.

Q. Did you belong to one of those clubs?—A. Yes; to Greenwood club.

Q. Where did your club hold its meetings?—A. At the depot; met once a week.

Q. Were your meetings public?—A. Public to democrats, but not to radicals. No radicals allowed to come in.

Q. Did you take an oath as a member of those clubs?—A. Not when I joined.

Q. Was there any secret organization connected with those clubs?—A. Yes, sir; committees were appointed which met in secret, and they appointed men to patrol in each different neighborhood.

Q. For what purpose were these men detailed to patrol?—A. To find out where the negroes were holding Union Leagues.

Q. They were instructed, you say, to patrol these neighborhoods; what other instructions had they, if any?—A. To break them up; kill the leaders; fire into them and kill the leader if they could.

Q. Were those the instructions given in all the clubs?—A. Can't say throughout the county, but believe they were.

Q. Were those instructions given and enforced at any time, and put in execution, against any of the Union Leagues in Abbeville?—A. They patrolled for them, but could not find where any were held.

Q. Were there any other instructions given to these committees by the democratic clubs in relation to the election to be held on the 3d November?—A. Yes, sir. The day before the election the tickets were taken away from the republican party, from those who had charge of the tickets, by these committees. The committees were searching for them the night before the election, taking them wherever they could find them. I was one of the gangs myself. Ten or eleven were with me. I was a member of the committee myself. Destroyed the tickets. All of us were armed.

Q. What were your instructions if the persons having the tickets in charge refused to give them up?—A. Shoot them and take them by force.

Q. Were you well acquainted throughout the county?—A. Yes, sir.

Q. Have you the means of knowing, and do you know, what was the political sentiments of the negro population in that county, and how they would have voted if they had been allowed to vote?—A. There were at least four colored votes to one white vote in the county. They would have voted for the republican candidate—for you—at least ninety-nine out of each hundred. I mean by you, Hoge.

Q. Where were you on the day of election, 3d November, 1868?—A. In fore part of day at a voting precinct, Greenwood, in Abbeville County. A courier came in from Whitehall precinct, Abbeville County, saying they were fighting there—this was about 1 o'clock—and that the republicans were about whipping. A squad of us, armed—about 30 besides myself—were sent there. When we got there the republicans were all gone, except one, who was lying there dead. Heard that others were wounded. There had been some shooting; don't know if the republicans shot. No white man was shot. Only two colored men were allowed to vote before shooting commenced at Whitehall.

Q. About how many colored men usually voted at that precinct?—A. Some 400 or 500.

Q. How would those 400 or 500 men have voted if they had been allowed to vote?—A. They would have voted the republican ticket, and voted for Judge Hoge for Congress.

Q. Did any persons who were non-residents of Abbeville County vote at Whitehall?—A. Not as I know of.

Q. Did the democrats come to the Whitehall polling precinct armed on the day of the election?—A. Every one, so far as I know. It was a general understanding throughout the county that all were to go armed.

Q. State what occurred at Greenwood precinct up to the time you left to go to Whitehall.—A. Well, the negroes, to the number of about 400 voters, in Abbeville County, assembled about 150 yards from the polls. The white men, democrats, were all around the door. Captain J. G. Boozer was sitting right by the door to examine the tickets. Don't know whether Boozer was appointed. He was there for that business. Two republicans, colored men, came up to vote. They came from the main body. He said, "Let me see your papers." They pulled out the republican tickets, with Hoge's name on them for Congress. He told them that they could not vote them sort there; they would have to go somewhere else to vote those papers. Boozer was armed. They turned back to the main body, who saw that there was no chance to vote; so they disbanded and went home, about 400 of them, all voters in Abbeville County.

Q. Who would those men have voted for if they had been allowed to vote?—A. For the republican ticket, of course; for Judge Hoge for Congress.

Q. You say there were 400 to 500 voters at Whitehall, only two of whom were allowed to vote. Were they legal voters in Abbeville County, and for whom would they have voted if they had been allowed to vote?—A. They were legal voters in Abbeville County, and would have voted for Judge Hoge for Congress, and for the republican ticket.

Q. Did any non-resident of Abbeville County vote at Greenwood?—A. No, sir; none that I know of.

Q. Were the republican tickets taken by any member of the democratic party from the messenger who had them in charge, while on his way to 96th precinct; and if so, what was done with the tickets?—A. Yes; they were taken away by John G. Boozer, who distributed them among white men, and destroyed many of them; all were destroyed after looking at them.

Q. Was there any understanding among the democrats as to what they would do at Greenwood if the colored men insisted upon voting?—A. Yes; a clear understanding that the democrats would force them from the polls if they undertook to vote—force them by arms; we were all armed, and intended if they rushed in we would rush them back, shooting into them; can't say if it was a general understanding throughout the county; I believe it was.

Q. From your knowledge of the people of Abbeville County, at a fair election would I have got a majority of votes in that county?—A. Yes, sir; a majority of at least twelve to fifteen hundred.

(Objected to.)

Q. State if it was safe for republican speakers to canvass that county.—A. No, sir; it was not safe.

Q. What was the general understanding as to how republican speakers were to be treated?—A. Shoot them; kill them; stop it.

Q. State if, in accordance with that general understanding in the county, any republican leaders or speakers were killed or shot.—A. There were.

Q. About how many men were shot or killed in Abbeville during the months from July, 1868, to day of election?—A. There were—let us see—I know of four that were shot; one got over it; three were killed; several others were shot and wounded, but I don't know the persons.

Q. State if the persons were shot because they were republicans.—A. They were killed because of the influence they had with others in the republican party, and because they were members of the republican party.

Q. Give the names of the three men that were killed.—A. Martin—James Martin, a member of the general assembly, a resident of Abbeville County; B. F. Randolph, a republican speaker, who came there with Judge Hoge—don't know whether he was a State senator or not; the other man—I don't remember his name—he was killed at Whitehall election day; I saw him.

Q. State if it was the intention to kill me at the same time as Randolph.—A. Don't know; the people said you ought to be killed—that Judge Hoge ought to be killed.

Q. What did they mean when they said that a man ought to be killed?—A. They meant to kill him if they got a chance.

Q. State where Mr. Randolph was killed.—A. At Hodges's Depot, in Abbeville County.

Q. Are you well known at Hodges's Depot?—A. Yes; well known by everybody.

Q. State the date when Mr. Randolph was killed.—A. I think on the 16th October, 1868.

Q. At what time in the day was he killed?—A. About 1 or 2 o'clock, in the day time.

Q. Were you present?—A. Yes.

Q. Were you disguised in any way?—A. No, sir.

Q. Did citizens living at Hodges's Depot recognize you at that time and see you?—

A. Yes, sir; both saw and recognized me. I talked with half a dozen of them—Fletcher Hodges, Langdon Connor, Jim Cochran.

Q. State how you happened to be at Hodges's Depot the day Randolph was killed.—

A. I heard he was going to make a speech there, and I went up to hear it. When I got there they told me he was not going to speak there—that he had gone up to Abbeville Court-House, and was going to Anderson that night—afternoon—on the train. Joshua Logan and J. W. Talbert came to the depot with me. Both were well known at Hodges's Depot.

Q. State what was done by you, and by Talbert, and Logan, and what was said and done by others until the train arrived from Abbeville, and what was done after the train did arrive at Hodges's Depot.—A. When we arrived there, we found a crowd of men, some eight or ten besides our number. We commenced talking about Randolph; that he had threatened to Colonel Aiken to burn up the State; that he could do it in three words, and that we must kill him. Langdon Connor and Fletcher Hodges said this to us after we came up. We all were armed. I mean all at Hodges's Depot. They put up a target and we all shot off our pistols at it. We did it to reload our pistols, so as to be sure that they would fire, being freshly loaded. They put it on Logan, Talbert, and myself to do the shooting, saying that as we did not live there the negroes would not know us; if any more shooting was to be done, they would do it; that if Randolph's guard fired on us, they would fire on them. When the train came in, Langdon Connor went to the conductor and asked him if Randolph was on board, and he came back and said he was on the train. The train ran up to the side of the platform. Randolph was sitting by the door of the car. The rest all went to the upper end of the platform and got on the platform; I went to the lower end; just at this time the Greenville train ran up. Randolph immediately changed cars, and walked back into the last passenger coach and took his seat. James Cochran stepped up to me at that time and says, Bill, you fellows ought to have been disguised. I said, Jim, what do you think of it, anyhow? He says, he ought to be killed, and now is the time to do it—right now. Fletcher Hodges came up with a roll of money in his hand, and says, as soon as you do it, we give you this, and we will back you; if there is any more shooting we will do it. By this time Randolph had got off his seat and walked out on the platform of the car. John Brooks came up with his pistol in his hand, and he says now is your time; here he stands on the platform, and he pointed him out to me. Logan, Talbert, and myself done the shooting—we all three shot him, and he was killed dead, and Langdon Connors told us to go on, they would do the balance; he had his pistol in his hand. We got on our horses and road off.

Q. Did any persons living at Hodges's Depot attempt to arrest you?—A. No, sir; we went to Alick Ellis's, about two and one-half miles off. He was not at home. We wanted to see him on business. He was at Cokesburgh. Logan and Talbert went to Cokesburgh to see him, and found him there in a democratic meeting. They came back to Alick Ellis's with him. They told me that Randolph's name was brought up in the

democratic meeting as to what they would do with him. Some said cut him up and feed him to the dogs. Others said they would box him up and express him to Governor Scott as a present. Ellis knew that he was killed, and killed by us, and that some of the members of the democratic club saw it done—saw Randolph killed. (Witness is here warned by the respondent's counsel to speak only from his own knowledge.) I speak from my own knowledge.

Q. Were any of the members of the democratic club present when the shooting took place?—A. Yes.

Q. Did they say anything about the shooting?—A. They advised me to shoot him, to kill him and they would back me in it.

Q. State the names of some of the members of the democratic club who were present and advised the shooting.—A. James Cochran, Langdon Connor, and Fletch. Hodges, are three that I remember. Don't know that there was a coroner's inquest; was told there was one; was told the foreman of the jury; don't know who was on it.

Q. Were you in that neighborhood on the next day?—A. I was at Greenwood the next day, not in neighborhood of Hodges's.

Q. Was there anything said about killing me?—A. I have heard men say there that you ought to be killed, you were no better than Randolph, but did not hear any one say that they would or would not kill you.

Q. In your opinion, if I had been in the passenger cars the next day would I have been killed at Andersen, Belton, Greenwood, Cokesburgh, or Hodges's Depot, or at either of them, on my way down to Columbia from Anderson?

(Question objected to because it is an opinion without any facts.)

A. Yes; I believe that you would have been killed if you had been with Randolph at Hodges's Depot. Has every reason to believe it from his own knowledge of things at Hodges's.

Q. Who did you vote for for Congress?—A. The democratic ticket—for Jacob P. Reed for Congress.

At 7½ o'clock the court adjourned to meet at 9 a. m. on February 13.

FEBRUARY 13, 1869—9 a. m.

Cross-examination by J. D. POPE for respondent:

Q. Where are you now staying?—A. In jail, in Columbia.

Q. What are you doing in jail?—A. I am in jail for being connected with the murder of Randolph, and knowing to the murder of Martin.

(Witness is shown a printed proclamation of Governor Scott, marked A, and made a part of these proceedings by the counsel of respondent.)

Q. Do you identify that proclamation?—A. Yes.

Q. Were you arrested under that proclamation?—A. I was not arrested, but surrendered.

Q. To whom did you surrender?—A. To Lem. L. Guffin, deputy State constable.

Q. What induced you to surrender?—A. I was tired of living in the way I was—under the dread I was; I was convinced that I had done wrong, and wanted to get pardoned for it if I could.

Q. Was any reward or hope of reward offered to you for surrender?—A. I was told by people that I would be pardoned if I surrendered; no money reward was offered me; I told Guffin all I wanted was to be pardoned, to get shut of it.

Q. Have you been told, at any time since your arrest, that if you confessed the whole matter you would be pardoned?—A. Guffin told me, the day I came down, if I made a clean breast of it, I would be pardoned, he thought.

Q. Were you in irons when he told you this?—A. I was not in irons; I was a prisoner: had given myself up.

Q. Have you ever been in irons since?—A. No, sir.

Q. Have you been a close prisoner ever since?—A. Yes, sir; in jail ever since, in close prison.

Q. Did Guffin or anybody else tell you if you did not make a clean breast of it that it would be worse for you?—A. No, sir; Guffin and no one else.

Q. Has no one else held out hope of pardon to you since you have been in jail?—A. No, sir.

Q. How long have you been in jail?—A. Since 11th January, 1869.

Q. Do you not now have a hope of pardon?—A. Yes, sir.

Q. Do you expect to be brought to trial for the crimes of which you have been guilty?—A. Yes, sir.

Q. Have you been told if you would turn State's evidence that you would be discharged?—A. No, sir.

Q. When you made your confession, did you not hope to be discharged?—A. Yes, sir.

Q. Have Josh. Logan and J. W. Tolbert been arrested, or are they at large?—A. They have not been arrested, that I know of.

Q. Are they still in Abbeville County?—A. I do not know.

Q. Have you ever made a statement, and to whom, of the facts stated upon this examination?—A. Yes, to Captain Hubbard.

Q. Did Captain Hubbard hold out to you the idea that you would be pardoned if you confessed the whole matter?—A. Yes, if he told the whole truth.

(Witness recalled by Judge Hoge.)

Q. State if there existed in Abbeville, or in any other of the counties in the third congressional district of South Carolina, an organization known as the Ku-Klux Klan.—A. There was in Abbeville district, (county.)

Q. Did that organization exist in other counties?—A. I do not know it of my own knowledge, but from pass-words and signs it did, given by members that I knew by signs to belong to the Klan in other counties.

Q. Was that a secret organization?—A. It was.

Q. Was it a political organization?—A. It was a political organization of the democratic party.

Q. Did that political organization of the democratic party known as the Ku-Klux Klan exist in all the counties of the third congressional district?—A. I can speak that it existed in Edgefield, Abbeville, and Laurens.

Q. Did parties joining that organization in Abbeville and other counties take an oath upon joining?—A. They did.

Q. About what proportion of the members of the democratic party in Abbeville belonged to that Klan?—A. Nearly all.

Q. Name some of them.—A. Captain J. G. Boozer, D. Cresswell, Fletch Hodges, Langdon Conner, Bob Stansler; don't know that D. Wyatt Aiken.

Q. What were the objects and intentions of that organization of the democratic party known as the Ku-Klux Klan?—A. To regulate the republican party, break it up if they could, and strengthen the democratic party.

Q. What means were they to use in order to break up the republican party?—A. Kill out the leaders of the republican party, and drive them out of the State.

Q. Did every member, upon joining that Klan, take an oath to carry out those principles?—A. The oath taken was this, to do whatever their leader ordered them to do.

Q. State if those organizations were officered; if so, state what those officers were called.—A. We had a leader in every organization; he was known as the captain of the company.

Q. Were you sworn to obey the orders of the captain of your company?—A. Yes, sir.

Q. Did the captain of your company give you any orders in regard to killing presidents of Union Leagues and leaders of the republican party, and speakers of the same?—A. Yes, sir, he did; he told us to find out when the Leagues met, and to fire into them, and kill their president if we could.

Q. Were those orders carried out and enforced by the members of the company as far as possible?—A. Yes, they were.

Q. Was it understood that Mr. Randolph was the president of the Union Leagues and engaged in organizing them?—A. Yes, sir; he was the man that organized the Union Leagues in South Carolina, and that was one of the reasons why he was killed.

Q. State if you had any orders from the captain of your company in regard to allowing negroes to vote on the 3d November, 1868; if so, what those orders were.—A. We had a meeting the night before the election; had orders from our captain to come early to the precinct next morning armed, and not allow a negro republican to cast a vote; to try to persuade them to vote the democratic ticket, and if they insisted upon voting, to force them back—to fight them, kill them, shoot them.

Q. What was the name of the captain of your company, and how many members belonged to your company?—A. John G. Boozer was the captain; about 20 that I know, but there were more than that.

W. K. TOLBERT.

Mr. Pope, counsel for respondent, declines any cross-examination.

APPENDIX No. 8.

[From the Columbia Phoenix, July 26, 1868, reprinted from the Charleston Mercury of July 25, 1868.]

General Hampton spoke in substance as follows:

FELLOW-CITIZENS OF CHARLESTON: I thank you from the bottom of my heart for the kind reception which you have vouchsafed me, and I only regret that my voice is not strong enough to make myself heard by all of you, that I might tell you how profoundly I am touched by this manifestation of your kindness. I have been suffering for days with a very severe cold, and I will not be able to say much; but I hope that you will not on that account think that I feel less.

I recognize on all occasions the right of the people to demand from their representatives an account of their stewardship; and I am, therefore, here to render an account

of mine as a candidate to the National Democratic Convention. This reason would have been of itself sufficient to bring me to Charleston; but there were others of a personal character which induced me to visit Charleston at the present time. Four years—during which a nation has died; four years, in which horror, ruin, and shame have come upon us—have passed since I was last in this noble, battle-scarred old city. Then, proudly erect, and flushed with victory, she stood holding the key to the rest of our State, and proudly defying her enemies.

Well, gentlemen, as I cannot tax my voice further, I will only give an account of what transpired in New York—of how the platform, on which we can now all stand, was made. You recollect that the committee on the platform was composed of one member from each State. When we first met, there were naturally great differences of opinion. Among the resolutions offered was one declaring that the right of suffrage was purely a matter for State legislation. There were men there, too, who told us that it was good democratic doctrine. I agreed that it was good democratic doctrine, but asserted that it was necessary to define who formed the States; to establish guards and limits by which we could go back to some certain period in our history and say who were the citizens. I therefore asked them to declare that the question of the right of suffrage belonged to the State governments that existed up to 1865. Some doubts, however, were expressed of the policy of such a declaration. Gentlemen from the North, South, East, and West, all showed the greatest disposition to act in harmony. I am free to confess that they met us everywhere with cordiality and good-will. In fact, they declared their willingness to give us everything we could desire, but they begged us to remember that they had a great fight to make at the North, and they therefore besought us not to load the platform with a weight that they could not carry against the prejudices which they had to encounter. Help them once to gain the power, and then they would do their utmost to relieve the Southern States, and restore to us the Union and Constitution as it had existed previous to the war. I could not fail to reciprocate their kindness, and I felt that I represented my people in so doing. I therefore withdrew my resolution, and consented to that offered by the distinguished Bayard, of Delaware, that "suffrage was a matter for State legislation," provided that they allow me to add three words. They agreed to this, and I then added the clause which you will find embodied in the platform: "And we declare that the reconstruction acts are unconstitutional, revolutionary, and void." That is my plank in the platform. The great democratic party being pledged to that declaration, I wanted nothing else. I could wait in patience for their triumph, to show us how it was to be worked out in their own good time. That the right of suffrage belongs to the States, is a policy that suits us, when the great democratic party is pledged to the declaration that the reconstruction acts are unconstitutional, revolutionary, and void; especially when every member of the party, and the warmest are from the North, is ready to take it up and carry it out.

The platform breathes not only a spirit of kindness and conciliation, but of magnanimity. This same spirit, too, actuated not only your convention, but that great body of the sailors and soldiers of the Federal Army that met in New York at the same time; men who, believing that they were right, as we thought we were right, fought for their cause as we fought for ours. The war being over, and their ends gained, they met us as brave and honorable men should be met. They hold out the right hand of conciliation and friendship, and I for one am willing to accept the hand of a man who fought for his cause and State as I fought for mine; of the man who, believing as he does, stands now upon the platform of the democratic party, and with the hand which once held the sword, now offers the olive-branch of peace. I accept all such as comrades in the great battle which we are now fighting for liberty and constitutional government. I yield to none in devotion to the lost cause. I would never be the traitor to ignore my past acts, and seek base promotion by a dastardly denial of my principles. But I am willing always to welcome those who, having fought only for honor and the Constitution, now meet us as friends and brothers.

(Here General Hampton became very hoarse, and despite the long rest given him by the tremendous and continued applause of the multitude of auditors, found it almost impossible to continue.)

Gentlemen, it is impossible for me to go on. (A voice: "We've all night before us.") I would stand all night, but my throat is in that condition that every word I utter gives me pain. Anyhow, I only came to make an acknowledgment. Your distinguished chairman can explain to you much better than I can the history of the convention. I came, as I said, more to make my acknowledgments than anything else. I wish to grasp the hands of the comrades whom Charleston gave me in the great struggle for liberty. I wish to return my thanks for the many acts of kindness which I received from the citizens of Charleston, and to testify my deep and heartfelt appreciation of them, and to say that I shall ever strive to make myself worthy of them. It may be years before I shall see you again. I may be removed from your midst. But whatever fortune fate may have in store for me; wherever my lot may be cast; whether kind fate shall permit me to remain in the country and among the people I

love so well, or if a sterner fate shall compel me to seek a home under other skies; whenever, if ever, my mother, the State of South Carolina, shall call upon her sons together to rally to her defense, none will respond more cheerfully and promptly than myself.

Whatever may be the developments of time and chance, I shall always, as now, remember my State and people in my prayers to Heaven, and call down upon them the richest and choicest blessings that God can bestow. Of your many acts of kindness, citizens of Charleston, none has touched me more than this. I can cherish the remembrance of it everywhere and always. I only wish that I had the voice to hasten, as I wish, the success of the ticket, for the sake of liberty and constitutional government.

General H. was continually interrupted by the most unbounded applause.

APPENDIX No. 9.

[From the *Columbia Phoenix*, October 23, 1868.]

WADE HAMPTON'S VIEWS.

In the following correspondence General Wade Hampton takes occasion to define his position, which has been so grossly misrepresented by the radical press:

STEVENS'S POINT, WISCONSIN, *September 28, 1868.*

General Wade Hampton:

DEAR SIR: In view of the importance attached to everything spoken by you, and the great efforts made to present you as still adhering to and anticipating a renewal of the "lost cause" in a struggle with the Government, and because I believe you are greatly misrepresented, and therefore you, and through you the mass of the southern people, are wronged, I write this with a view of obtaining from you a statement as to the real opinions you entertain upon the issues of the war, its results and consequences, and also those of the people at large, whom you, to a great extent, represent. I need hardly add that this is intended for publication, and I truly hope you will not think it too much to comply with, if it can in any degree restore confidence between the people of the two sections, and so, ultimately, real peace and prosperity.

With great respect, I am yours, truly,

G. L. PARK.

COLUMBIA, S. C., *October 17.*

MY DEAR SIR: Absence from home and constant engagements have prevented an earlier reply to your letter, in which you ask me to give you "a statement of the real opinions you (I) entertain upon the issues of the war, its results and consequences, and those of the people at large, whom you, (I,) to a great extent, represent." If the mass of the northern people have not been convinced of the pacific sentiments of the people of the South, by the authoritative action of our conventions and legislatures; if the patriotic and truthful utterances of Robert E. Lee, indorsed, as they have been, with such entire unanimity by all the true men of the South, do not carry conviction, my words would, indeed, be powerless for good. But while I am profoundly impressed with this fact, it is due to you that I should respond to your inquiries in the same spirit that prompts them. This I shall do frankly, in the hope that all candid men among our opponents will grant me a fair hearing, and those who have so studiously perverted my sentiments and actions hitherto may at least give me credit for sincerity and honesty of purpose. First, then, as to "my real opinions as to the issues, results, and consequences of the war." The main issues involved in the war were secession and slavery; the first, the primary one, the latter brought in at a later period. In regard to these, I adopt fully, and without reservation, the principles announced by the late National Democratic Convention in New York, and in the words of the platform promulgated there, I consider these "questions as settled forever." I accept this as the result accomplished by the war, and as its logical and legitimate consequence. This I have done from the day the war closed, and I have counseled our people to look upon it in the same light. I was strongly in favor of the action taken by this State, conferring on the negro equal civil rights with the white man, and, more than a year ago, I advocated the policy of giving to him, as soon as we had the power to do so legitimately, suffrage based on qualification. The democratic convention held here in April last, recognized him as "an integral part of the body politic," and declared that it would, when our party came into power, grant him partial suffrage. The State Central Club has just reaffirmed this declaration, and I have no doubt but

that this declaration is sustained by a vast majority of the white citizens of the State. We regard the reconstruction acts as unconstitutional, but we look for their overthrow not to violence, but, in the language of a resolution unanimously adopted by the democratic party in convention assembled, "to constitutional agencies and peaceful remedies alone." We invoke a decision on the constitutionality of these acts from the only tribunal competent to pronounce on them—the Supreme Court of the United States; and we are prepared, in good faith, to abide by that decision. It may not be inappropriate here to correct a misrepresentation widely spread by radical papers touching these acts. In these I have been charged with having "dictated" that portion of the democratic platform relating to reconstruction. This charge I have more than once denied, and I do so again most emphatically. The sense in which I spoke of the words "unconstitutional, revolutionary, and void," as being my plank in the platform, referred to them as constituting the plank to which I, as well as any other southern man, clung for safety. To place this matter beyond all question, I shall state, briefly, the action of the convention on this point, and my agency in it.

Several southern delegates offered resolutions upon these reconstruction measures, upon which a debate arose. Northern delegates asked us not to press our resolutions, but to trust to the democratic party, when successful, to give us all the relief in their power. A distinguished gentleman from one of the northwestern States pronounced these acts "unconstitutional, revolutionary, and void," and urged us to leave this question to the democratic party for its proper solution. So anxious were the southern delegates to promote harmony—so solicitous were they to avoid any action that might endanger the success of that party, to which alone they could look for relief, that every one of them who had offered resolutions withdrew their resolutions at once. In withdrawing those I had the honor to submit, (and which, by the by, looked to the Supreme Court for the solution of this question of reconstruction,) I said the introduction of those three words into the platform would satisfy us entirely, and that we would trust to the democratic party to relieve us from measures that we knew must ruin our country. These words were subsequently introduced by a zealous and able delegate from that gallant New England State which has proved herself so ardent a supporter of the Constitution—brave little Connecticut. This is the precise history of this portion of the democratic platform. In alluding to it, as I did in an address to our people, my sole object was to show the spirit of conciliation that marked the action of the democratic convention, how sincere the North was in assuring us of relief, and how cordially the South confided in these assurances. How radical ingenuity could have perverted this into the charge of "dictation" on the part of any southern delegate, I should have been at a loss to conceive, had I not known, from experience, how skillful, and, I regret to say, how unscrupulous that party has proved itself to be in the use of their patent weapons of party warfare, misrepresentation and falsehood.

You do me the honor to say that to "a large extent, I represent the southern people." As I cannot flatter myself that this is the case, I do not venture to speak for them; but it is my honest and sincere conviction that they desire, above all things, *peace*—a just and honorable peace—a just and equitable settlement of all the questions that distract the country. They ask only: "truth, justice, and the Constitution." They seek only the rights guaranteed to every American citizen under the Constitution of their country. They recognized that Constitution, as amended, abolishing slavery forever. They are willing to treat the negro with kindness, giving to him every civil right; and, I think, to accord to him such political privileges as he is fitted to enjoy. They feel that their States should be restored to their old place in the Union, "with all their rights, dignity, and equality unimpaired." They would be unworthy of themselves, if they consented to resume their places as inferiors; they would be unfit associates for the freemen of the North. If the people of the North wish to build up a strong and lasting Union, let them be magnanimous and generous to the South; let them confide, more fully than they have done, to the honor of our people, and they will meet a cordial and heart-felt response. The future destiny of the republic is in the hands of the North, and upon their action it depends whether there is again to be a Union based on fraternal feelings, or one held together by the iron bands of military rule. We of the South are powerless to aid in the great struggle of constitutional liberty; but we cannot be indifferent spectators of a contest which is to fix our fate for all time to come. I pray earnestly that wisdom and justice may direct those who are called on to decide the momentous question, and that God will, in His infinite mercy, give peace to our distracted land.

Thanking you for the kind terms in which you have been pleased to express yourself, I have the honor to remain, very respectfully, your obedient servant,

WADE HAMPTON.

G. L. PARK, Esq.

APPENDIX No. 16.

[From the Columbia Phoenix, October 30, 1868.]

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 coöperation 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 lustre.

ROBERT K. SCOTT,
Governor.

APPENDIX No. 11.

[From the Columbia Phoenix, October 30, 1868.]

MANIFESTO FROM THE SOUTH CAROLINA REPUBLICANS.

To the republicans of South Carolina :

"Let us have peace." So says our great and good leader, General Grant. So say all good republicans. So say we, the undersigned members of the republican party in South Carolina. We hold that the republican party is emphatically the party of peace and quiet, of law and order. We hold that any man who will commit or encourage violence or lawlessness is a criminal, and merits the unqualified condemnation of all good republicans. We censure, without reserve, all the recent acts of violence; not only the horrible murders of Martin, Randolph, and Nance, of our own party, but also the firing upon Ward, at Newberry, and the acts of incendiarism at Abbeville and elsewhere. If republicans have been engaged in any of these outrages, we denounce them as false to the principles of our party, and as criminals justly meriting the severest penalties of the law. Violence is only justified in self-defense, and never in retaliation or for revenge. It is the business of the law to punish crimes, and not of individuals.

We hail with satisfaction the address of the democratic State central committee as the harbinger of better and more quiet times. We will gladly unite with the leaders of the democratic party in doing all in our power to prevent incendiary language, to preserve the peace, to maintain order, and to assert the supremacy of the laws. We urge upon the leaders and speakers in the republican party the necessity of discountenancing and condemning violence on all occasions. We call upon every member of the republican party, white or colored, to abstain from all acts of retaliation and violence, and to do all in his power to have guilty persons arrested and punished, whether they be republicans or democrats. Let not the good name and noble principles of the republican party be tarnished by acts of bloodshed or other crimes. Let it be seen that the republican party of the South, like that of the great republican party of the North, is the earnest and consistent advocate of law and order, of peace and harmony,

of humanity and justice. Let every republican be found ready to assert and vindicate his rights and his manhood at the ballot-box. But every good and true republican will scorn to violate the law.

F. A. SAWYER.
D. T. CORBIN.
GEO. W. CLARK.
R. C. DELARGE.
D. H. CHAMBERLAIN.
DR. A. G. MACKEY.
A. J. RANSIER.
B. O. DUNCAN.
F. J. MOSES, JR.

COLUMBIA, SOUTH CAROLINA, July 21, 1871.

JAMES I. CHRISTIE sworn and examined.

By the CHAIRMAN:

Question. [Submitting a paper.] Did you serve that subpoena on David Gist; and if so, when?

Answer. I did, at 15 minutes past 9 o'clock on the 18th instant, Tuesday.

Question. Did you serve it according to the indorsement on the subpoena?

Answer. Yes, sir. I saw him at the depot the next morning, just as we were coming away, and inquired of him if he was going down. He replied in a very defiant manner, "No, I am not going." I replied that I had performed my duty, and that if he did not appear he must suffer the consequences.

The subpoena above mentioned is as follows:

"UNITED STATES OF AMERICA—CONGRESS OF THE UNITED STATES.

"To David Gist, greeting:

"Pursuant to lawful authority, you are hereby commanded to appear before the sub-committee of the joint select committee to inquire into the condition of the late insurrectionary States, on Thursday, the 20th day of July, 1871, at 10 o'clock a. m., at their committee-room at Columbia, South Carolina, then and there to testify what you may know relative to the subject-matters under consideration by said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To John R. French, Sergeant-at-Arms of the Senate of the United States, to serve and return.

"Given under my hand, by order of the committee, this 18th day of July, in the year of our Lord one thousand eight hundred and seventy-one.

"JOHN SCOTT,

"Chairman of the Select Committee.

"SENATE OF THE UNITED STATES,

"Office of the Sergeant-at-Arms.

"I do appoint and hereby empower James I. Christie to serve this subpoena, and to exercise all the authority in relation thereto with which I am vested by the within order.

"JOHN R. FRENCH,

"Sergeant-at-Arms of the Senate of the United States.

[Indorsement.]

"UNIONVILLE, SOUTH CAROLINA, July 18, 1871.

"I served the within subpoena personally on the within named David Gist, at the National Hotel, Unionville, South Carolina, at nine o'clock and fifteen minutes (9.15) p. m., this eighteenth day of July, 1871.

"JAMES I. CHRISTIE."

The CHAIRMAN. I will also lay before the committee the following subpoena, served in the name of Clayton Camp, with the indorsement thereon:

"UNITED STATES OF AMERICA—CONGRESS OF THE UNITED STATES.

"To J. Banks Lyle, Clayton Camp, and P. Q. Camp, greeting:

"Pursuant to lawful authority, you are hereby commanded to appear before the sub-committee of the joint select committee to inquire into the condition of the late insurrectionary States, on Monday, the 17th day of July, 1871, at 10 o'clock a. m., at

their committee-room at Unionville, South Carolina, then and there to testify what you may know relative to the subject-matters under consideration by said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases provided.

"To John R. French, Sergeant-at-Arms of the Senate of the United States, to serve and return.

"Given under my hand, by order of the committee, this fourteenth day of July, in the year of our Lord one thousand eight hundred and seventy-one.

"JOHN SCOTT,
"Chairman of the Select Committee.

"SENATE OF THE UNITED STATES,
"Office of the Sergeant-at-Arms.

"I do appoint and hereby empower E. M. Williams to serve this subpoena, and to exercise all the authority in relation thereto with which I am vested by the within order.

"JOHN R. FRENCH,
"Sergeant-at-Arms of the Senate of the United States.

[Indorsement.]

"SPARTANBURGH, SOUTH CAROLINA, July 14, 1871.

"I served the within subpoena personally on Clayton Camp and P. Q. Camp, on this day, Friday, the fourteenth (14th) day of July, 1871, and I went to the residence of J. Banks Lyle, to serve it on him, and was informed he had left this day with his family for North Carolina.

"So answers

"E. M. WILLIAMS.

"Sworn and subscribed as true before me this 14th day of July, 1871.

"JOHN SCOTT."

YORKVILLE, SOUTH CAROLINA, July 24, 1871.

JOHN W. TOMLINSON sworn and examined.

By the CHAIRMAN:

Question. Do you reside in this place?

Answer. I do.

Question. How long have you resided here?

Answer. I was born and raised here.

Question. What is your age?

Answer. Near thirty.

Question. What is your occupation?

Answer. Druggist.

Question. We desire to examine into the existence in this county, or in any portion of this State, if you have any knowledge of it, of any secret organization which has committed or encouraged violence in the State. Have you any knowledge of such an organization?

Answer. I have not. I know of one man getting drunk and revealing the secrets of one organization at which I was present, but I do not know that that organization encourages violence.

Question. What organization was that?

Answer. The Union League. David T. Barrett, or David Barrett, revealed the secrets of the Union League to two or three of us one evening.

Question. Do you mean that you were a member of the Union League?

Answer. No, sir; I was present when he revealed it. I do not know that they encouraged violence any more than the Masonic or any other organization.

Question. The Union League exists in this county?

Answer. I could not say, because I had never been in a meeting.

Question. So far as you know has it encouraged or directed violence in any part of the county or State?

Answer. So far as I know I do not know that it has, not being a member of it further than that book was concerned, which we gave back to the man. It was given back to the man, so I was informed, by Evan E. McCarter.

Question. Is there any organization in this county which is popularly known as Ku-Klux?

Answer. Not that I know of. I do not know of it.

Question. Is there any organization known as the "Invisible Circle?"

Answer. Not to my knowledge.

Question. Any organization known as the "White Brotherhood?"

Answer. Not to my knowledge.

Question. "The Constitutional Union Guards?"

Answer. Not to my knowledge.

Question. Or the "Invisible Empire?"

Answer. Not to my knowledge.

Question. Are you a member of any secret organization in this county, 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. What I mean is the different lodges.

Question. Do you know anything about the taking of ammunition from the office of the probate judge in this place?

Answer. I do not.

Question. Have you any knowledge of when that was done?

Answer. I could not tell the date for my life; but I remember the night and the circumstance next morning, hearing it was done. That I know but I could not tell for my life the date.

Question. Were you in the town on that occasion?

Answer. I was.

Question. Where were you at that time?

Answer. It was taken at night. I was in my room.

Question. Have you any knowledge of who participated in it?

Answer. I have not. I have heard since, but of course I must not give rumors.

Question. Have you any information from the declarations of the parties?

Answer. I have not. I understand that a gentleman says he was in it. I do not know it. It was a street rumor.

Question. Have you had any conversation with persons who participated?

Answer. I have not to my knowledge; not in reference to it any way, because it did not interest me.

Question. Were you in the back room of McCaffrey's store in this place with Mr. Bloodworth and Mr. Harris on the night preceding that occurrence, or shortly before it took place?

Answer. I think not; I know not, for this reason: I was at the auction-room the next morning, and hearing of the occurrence, it made me think what would be, having been in the office the night before. I was in the office the night it was broken open, with Mr. Harris, and I suppose we were the last men in the office. I do not know of any others.

Question. In which office?

Answer. In Frank Harris's office, the probate judge. It is the same office. He attends to the office.

Question. Have you no knowledge of a key being prepared by Bloodworth that evening to enter?

Answer. I have not.

Question. Did you communicate that knowledge to anybody?

Answer. I did not.

Question. Had you any conversation on that subject with a man named Samuel Smith?

Answer. I did not.

Question. Had you any with another named Thomas Corkle?

Answer. I do not know any such man in this country.

Question. Did you see Mr. Harris hand the key of the probate judge's office to the sheriff that evening in the auction-room?

Answer. I did not.

Question. Have you called attention to that fact by any one since then?

Answer. I have not.

Question. Have you any knowledge of where the ammunition was put that was taken from the probate judge's office?

Answer. I have not.

Question. Did you coöperate with a man named Govan Hopper at any time, and with another named James Bennett?

Answer. I did not.

Question. In looking up that ammunition?

Answer. No, sir.

Question. In searching for it?

Answer. I did not.

Question. Have you any knowledge of that ammunition, or how it was taken, out of the office?

Answer. None whatever.

Question. Have you any knowledge of the time when, and the persons by whom, a man named Addison Brown was killed in this county?

Answer. I do not know him.

Question. Did you know a man named Anderson Brown?

Answer. I have heard of him. I heard he was killed. I could not swear it.

Question. Where?

Answer. I could not say, because I do not know where he boarded—where he lived.

Question. Have you no knowledge of when or where he was killed?

Answer. No, sir. I heard the circumstance, of course. I heard Anderson Brown was killed, but where or what month it was I could not tell. I suppose the coroner could tell.

Question. About that time were you in company with a man named William Colcock?

Answer. You mean on that night?

Question. Yes, sir.

Answer. In town?

Question. Any place.

Answer. Colcock and I room on the same floor, and we might have been together.

Question. Were you out of town that night?

Answer. I was not.

Question. Was John Hunter in your company on that night that Anderson Brown was killed?

Answer. He also rooms on the same floor, and we might have been together.

Question. What night was that?

Answer. Upon my word I could not tell you.

Question. How do you fix the fact that you three were there that night?

Answer. I did not say so. We room on the same floor. We occupy the upper story of Dodson's dry goods store. He rooms on that floor.

Question. Did you say on that night you three were here?

Answer. No, sir; we might have been here for what I know. I do not know. I do not know what night he was killed.

Question. Do you recollect of coming into town, you and Hunter, and Colcock, on the morning after Anderson Brown was killed just before daylight?

Answer. Most positively we did not do it; most emphatically we did not do it. I did not. I was not with them.

Question. Where were you that night?

Answer. That is a delicate question.

Question. We want to know?

Answer. For a young man and single, he might be in places where he would not want to tell where he was. It is a little delicate. I was in town. I will tell you that. That is satisfactory.

Question. In this town?

Answer. Yes, sir; in the corporation limits.

Question. Was Mr. Hunter with you that night?

Answer. I do not know what night it was.

Question. How do you know you were in the corporation limits?

Answer. As far as I know I was in the corporation limits. I am satisfied I was, because I remember the circumstance, and I had not been out of town no night.

Question. What month was Brown killed?

Answer. I could not tell you, nor the month the office was broken into.

Question. Was it within six months?

Answer. I think it was since Christmas; I paid no attention.

Question. Was it in January or February?

Answer. I could not tell. I asked that question this morning, and said I am summoned before the committee, and I would like to know whether it was February or March, or this year or last year, and some one remarked that it was in February. I could not tell myself.

Question. I am inquiring as to the time Anderson Brown was killed. Can you say whether it was in January or February?

Answer. I could not tell. I could not tell whether it was this year or not, I paid so little attention to it.

Question. You cannot say whether it was 1870 or 1871?

Answer. I think it was since Christmas.

Question. Can you say whether it was in January, February, or March?

Answer. I could not.

Question. Or April?

Answer. I could not tell you, I paid no attention. I will not swear when it was, because I do not know anything about it. I do not want to swear a lie. I have told you I do not know the month.

Question. I desire to ascertain, as you propose to account for where you were that night, as near as I can your idea of how long since that was.

Answer. I only know the circumstance was on the street the next day, and, if I remember correctly, the next day was Sunday that I heard it on the street. I know most emphatically I was in town. I can say that, but I can't tell the date, not paying attention.

Question. You say on Sunday you heard it?

Answer. No; but I think so. I paid no attention to it.

Question. Is your impression pretty strong it was Sunday?

Answer. My impression is strong on this point: that I was in town at the time Anderson Brown was killed; I know I had not been out of town.

Question. Do you say now your belief is that it was Sunday when you heard of it?

Answer. I think it was.

Question. Had it occurred the previous night?

Answer. I think so; I think I heard it on the street; we heard that Lot Campbell was hung up beside the road, facing the North Carolina line; printed on his forehead "K. K.," and Lot Campbell was living. I heard of Anderson Brown being killed, but I can't tell whether it was so or not.

Question. Had this killing of Anderson Brown excited some attention?

Answer. It did not with me, because we have heard rumors all about of this thing and that thing, in these excitable times here.

Question. Was that an event that made no impression on the community at all?

Answer. Really, I can't express the community's feelings; I can only express my own. It did not on mine; I did not know Anderson Brown; I never knew the negro before. I did not know whether he was a negro or a white man.

Question. You heard he was killed?

Answer. I did.

Question. How did you hear?

Answer. By rumor on the street.

Question. In what manner?

Answer. I just heard it on the street.

Question. Did you learn that it was by a tree falling on him or by a gun-shot?

Answer. I never heard; I heard the Ku-Klux killed him.

Question. Did you hear that Sunday morning?

Answer. Yes, sir; I think it was Sunday morning.

Question. Did you then hear he was killed by Ku-Klux?

Answer. Yes, sir.

Question. Was it the first case that occurred in the county of killing by the Ku-Klux?

Answer. Let me see, who was the first case I heard of; I do not think he was, but I would not swear—I do not think he was. The first case that was killed, reported to be by Ku-Klux, was a negro living in the mountains in the edge of North Carolina. Tom Roundtree, I think, was the first.

Question. How long after that did you hear of Anderson Brown?

Answer. I could not tell; I can't remember when these things happened, and do not pretend to remember, because it was none of my business here. I supposed the authorities here would attend to it; they are things I do not meddle with and have not meddled with. Of course, I remember hearings of these things; I remember such a man was said to be killed. I heard of another, but never heard his name—a fellow that fell in a ditch and broke his neck, way out on Broad River; I can't tell when and where it was. I know the times I have been out of town and where.

Question. Do you belong to any organization whose hailing sign is three taps on the left ear with the left hand?

Answer. I do not.

Question. And whose reply is the right hand in the pocket thrust out, with the left foot advanced?

Answer. That might be a Masonic sign or might not be.

Question. Do you belong to any organization which has that hailing sign?

Answer. Unless it is Masonry.

Question. Three taps on the left ear with the left hand; do you mean to say you belong to any organization which has that?

Answer. No, sir, I do not.

Question. Do you belong to any organization which has for a grip the little fingers interlaced and the forefingers on the wrist?

Answer. I do not.

Question. Do you belong to an organization whose hailing word is "S-a-y," and the reply is, "N-o-t-h-i-n-g?"

Answer. I do not.

Question. Do you belong to any organization whose word of distress is "Avalanche?"

Answer. I do not.

Question. Have you ever taken or administered this oath:

"I do solemnly swear that I will support and defend the 'Invisible Circle;' that I will defend our families, our wives, our children, and brothers; that I will assist a brother in distress; that I will never reveal the secrets of this order, or anything in regard to it that may come to my knowledge; and if I do may I meet a traitor's doom, which is DEATH, DEATH, DEATH: So help me God, and so punish me, my brethren."

Answer. I do not.

Question. Have you ever taken or administered that oath?

Answer. Not just as it is there.

Question. Have you ever taken an oath similar in form or substance to that?

Answer. The Masonic oath is mighty similar to that.

Question. You say the Masonic oath is mighty similar to that?

Answer. The substance is, except the first part.

Question. Do you say you have taken an oath similar?

Answer. I have not.

Question. Have you any knowledge of any organization in which an oath is administered, the terms of which are very nearly similar to that?

Answer. That is a question I can't answer.

Question. Why not?

Answer. For this reason: The Masonic order I belong to. I have taken the obligation. There may be things almost similar to that. I am bound to that. I can't answer with reference to that. If you mean any secret political organization, or with reference to the Ku-Klux, I can answer it.

Question. I am asking in reference to this organization, without regard to Masonry. The name of the organization is given in the oath.

Answer. Then I have not.

Question. The name of this organization is given in this oath—the "Invisible Circle."

Answer. Then I have not.

Question. What made the impression on your mind that this is the oath of the Masonic order, or anything like it?

Answer. Well, sir, those are [a pause.]

Question. When you answered that you had not taken an oath exactly similar, did you mean you took an oath corresponding in effect?

Answer. I took an oath to support my brother, and all that sort of thing.

Question. When you answered that you did not take an oath exactly like that, did you mean similar in effect?

Answer. I will say outside of Masonry I did not. I did not say I did in Masonry, but outside of Masonry I did not.

Question. Have you ever met Govan Hopper in council of any secret organization in this county?

Answer. I have not; I do not know that I know the gentleman; I think I know him. There is a family of Hoppers above here. I think I know him; I might know him; I am a druggist here, and try to know everybody. If I met him, probably his face would be familiar.

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 1863. 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.

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 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.

Answer. But it is not in existence, and I 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. Of the legislature of this State?

Answer. Yes, sir; from this county.

Question. Is he residing in this town now?

Answer. He lives in the country.

Question. How near to this town?

Answer. I never was at his house. It is not over fifteen miles.

Question. Who else was with you?

Answer. No one.

Question. Was he the man who asked you to be initiated?

Answer. He was the man.

Question. Was he the man you said a little while ago you did not know?

Answer. I told you I did not know who administered the oath, and I do not know.

Question. You say he initiated you?

Answer. I mean he persuaded me to go there, but I do not know who administered the oath; he was my chief.

Question. Was he there at the time?

Answer. He was.

Question. So that there were at least you and Briggs and the man who initiated you?

Answer. Yes, sir.

Question. Who was he?

Answer. I do not know. I went straight to my room that very night, and started next morning to Philadelphia to attend lectures, and staid there four months, and when I got back it was played out.

Question. Who was this man?

Answer. I was blindfold myself; it was dark.

Question. Was the blindfold taken off?

Answer. No, sir; not taken off at all. I went right out and went straight to my room and went straight off.

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. Were there no instructions given to you about the means by which that was to be effected?

Answer. None whatever.

Question. What time in 1863 was that?

Answer. I do not know.

Question. Was that in the summer or spring or fall?

Answer. I think it was in October or September; one.

Question. Was it before the presidential election?

Answer. It was before it. I was not here at the presidential election. I went to Philadelphia; I think it was in September.

Question. Were you told how many were in the society with you?

Answer. No, sir. I left next morning, and I did not know what kind of a company. He came to me and said, "It is a secret organization got up here, and may be of service to you." I said, "Anything of service to me, I am with it." He went on and explained, and talked to me and I went there.

Question. Who was there?

Answer. Mr. Briggs.

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.

Question. Were there signs given?

Answer. Yes, sir. The grip was given to me. What it was I can't remember, for I went away next day and paid no attention to it. It was not the thing I thought it was, and I did not go again.

Question. You remained in Philadelphia how long?

Answer. I think, four months; I remained anyhow. I was in Washington, too. I came away to Washington to see President Grant inaugurated, and came here and have been here ever since.

Question. Has that organization never been kept in active operation here?

Answer. It never has been.

Question. The name of the organization was Ku-Klux?

Answer. Yes, sir.

Question. Did they tell you that was the name of the organization?

Answer. Yes, sir; I know it was.

Question. What was the society established here called? Was it a Klan, or camp, or lodge, or what was it?

Answer. I am not familiar enough to say. I went away and do not know what was done after that.

Question. Was there any written constitution, or were there any by-laws?

Answer. I do not know. I left next morning before I had time to inquire anything about it.

Question. Was there any instruction or explanation as to how the Union League would be overcome?

Answer. No, sir.

Question. Or what means to be used?

Answer. No, sir.

Question. Do you know the fact of any violence in the year 1863 against the members of the Union League?

Answer. I never heard of any. I do not think there was. Major Briggs can tell.

Question. Is not the Ku-Klux which you were initiated into in 1863 the same organization which has been riding in disguise and whipping negroes in this country?

Answer. I do not believe them to be the same. I do not know them to be.

Question. How many persons, in your knowledge have been whipped and killed by persons in disguise in this county?

Answer. I do not know.

Question. Have you heard of any?

Answer. Heard of any whipped? I have heard of rumors on the street of whipping, but not to my knowledge.

Question. You do not know whether any of them were true?

Answer. No, sir. I heard Captain Hale say the other day he knew it to be so, because he said he saw their backs, and that was evidence.

Question. Where were you the night the county treasury, which was in this building in which the committee is sitting, was broken into?

Answer. I was here in town.

Question. Do you know any of the persons engaged in it?

Answer. No, sir.

Question. Were you up that night?

Answer. Yes, sir.

Question. Up to what time?

Answer. I was up that night, I expect, until about 2 o'clock.

Question. Were you up before the alarm was given?

Answer. No, sir, I was not.

Question. Had you been abed?

Answer. Yes, sir.

Question. Who called you up?

Answer. No one. I room right here in sight.

Question. How far is your store from this place?

Answer. Just across the way. The treasury was in this building.

Question. Did you see the men who were engaged in that business?

Answer. I saw them passing on the street.

Question. Were they disguised?

Answer. They were.

Question. How?

Answer. In various ways. I do not know how They were disguised. They had on gowns as a general rule.

Question. Were they masked?

Answer. Yes, sir, their heads were covered.

Question. Did you go out on the street?

Answer. Yes, sir.

Question. And see them?

Answer. Yes, sir.

Question. How many were there of them?

Answer. I have no idea. I think there was, anyhow, sixty or over.

Question. Did you know any of them?

Answer. I did not; none of them.

Question. Did you give no sign of recognition to any man on the street that night?

Answer. No, sir.

Question. Were you among them yourself at any time?

Answer. I was not.

Question. I mean did you go among them?

Answer. I did not.

Question. What part did you take after you discovered the raid was being made on the treasury?

Answer. When I found out what it was I went back with others.

Question. Was any effort made here to prevent the raid on the treasury?

Answer. Not to my knowledge. I did not know it was to be on the treasury, or that there was going to be a raid at all. I suspected, or was afraid, there would be something done.

Question. Were not the men who made the raid on that treasury known here as Ku-Klux?

Answer. They were called Ku-Klux. We called them Ku-Klux next day on the street.

Question. You were initiated into the Ku-Klux in 1863?

Answer. Yes, sir.

Question. You say now, that although initiated into the Ku-Klux in 1863, you have no knowledge of the Ku-Klux of this year in this county?

Answer. I do not. I do not believe it is the same thing.

Question. Have you ever had the curiosity to inquire of Mr. Briggs?

Answer. I have not, because I did not want to have anything to do with it.

Question. Have you never had the curiosity to inquire of Mr. Briggs, who was then the chief in the society into which you were initiated, whether this Ku-Klux is the same Ku-Klux you were initiated into?

Answer. I have never asked him about it. Mr. Briggs asked me once about it himself.

Question. What did he ask you?

Answer. He asked me, or spoke to me about it, and asked me was this the Ku-Klux organization, &c., and I told him I did not know whether it was or not, and I did not know.

Question. He asked you?

Answer. Yes, sir.

Question. If you were initiated on one night by a man you did not know, and left the next morning, how did you find out Briggs was your chief?

Answer. Because I asked him.

Question. You called him your chief?

Answer. He told me he was the chief.

Question. Chief of what?

Answer. Of the order.

Question. Did you understand that he was the chief of the order in this county?

Answer. No; I did not know whether he was chief of the order in this county or not, because I did not know whether there was a county organization or not.

Question. What did you understand?

Answer. That he was chief of the crowd.

Question. How much crowd?

Answer. I do not know how much.

Question. Did he not tell you?

Answer. No, sir; I did not ask him.

Question. Were they anything like the terms of this oath?

Answer. I could not state what the oath was; I do not think this is the oath. I think the oath specified to do all—I will not say how it was, whether legal or how, because I do not remember; but anyway we were to be in opposition to the Union League. That impressed itself on my mind at the time. I cared nothing about the Union League; I was trying to get into a profession.

Question. Have you condemned the proceedings of the Ku-Klux in this county?

Answer. I do think it is wrong.

Question. Have you condemned them publicly yourself?

Answer. Some things I have indorsed.

Question. Did you condemn the raid on the county treasury?

Answer. I think it was wrong.

Question. Did you denounce, or rather approve it?

Answer. I always have said I thought it was wrong.

Question. Did you denounce it?

Answer. You see I am not a public man, and only express my opinion when asked.

Question. Did you denounce the entrance into the probate judge's office and the taking out of the ammunition?

Answer. I did say that was wrong.

Question. Take this case of Anderson Brown which you have heard of; did you denounce that as wrong?

Answer. I do not know whether I did or not, because I did not know what the circumstances were, and these others were here.

Question. Taking it for granted the man was killed by men in disguise, even if a bad man, do you think it is right?

Answer. I think it was wrong. I think these cases should come before court.

Question. Have you undertaken to condemn these Ku-Klux outrages generally, or spoken in approval of them, and said you thought it was a pretty good thing?

Answer. No, sir; I think I have generally disapproved of them, because I do think they are wrong, and anybody would think them wrong that thinks right.

Question. Was Mr. Hunter a member of that Ku-Klux organization in 1868?

Answer. Not to my knowledge; he was not in this town at that time.

Question. Was Mr. Colecock a member of that organization in 1868?

Answer. I do not know whether he was or not.

Question. Was Mr. Bloodworth a member of it in 1868?

Answer. I do not know; I do not know whether I knew him or not.

Question. Tell us now in what building you were initiated in this town?

Answer. In Major Briggs's own house.

Question. At first you declined to give the names of the other persons who were there. I return to that point. I want the names of all who were there?

Answer. I don't know them; I never asked.

Question. Why did you decline at first to give them?

Answer. I declined to give the man that initiated me.

Question. I ask for all that were there?

Answer. I told you I did not know then; I never asked.

Question. You say now you do not know?

Answer. I say now I do not know.

Question. Have you no knowledge of the men who were there the night you were initiated?

Answer. I have not.

Question. You did not inquire?

Answer. I did not.

Question. How many voices participated in the ceremony?

Answer. Only one.

Question. Was there no response?

Answer. None but mine.

Question. None around the room?

Answer. None at all.

Question. Was Mr. Briggs there?

Answer. He was.

Question. What part did he take?

Answer. He just took me in, and that was all.

Question. Did he introduce you to the presiding officer?

Answer. I do not know who was the presiding officer.

Question. The man who swore you.

Answer. I suppose he was the presiding officer; I received no introduction.

Question. Were you sworn to secrecy?

Answer. I was.

Question. Under what penalty?

Answer. I do not know what penalty; I do not believe there was any.

Question. What were you to keep secret?

Answer. The secrets of the organization.

Question. You say now you do not remember either the sign, the pass-word, or the grip?

Answer. No, sir, I do not, for I went to Philadelphia and I cared nothing about it. I had just joined the Masons before that, in 1868, and I liked that organization, and I thought it was something similar to that; but when I found it was not, I went out and everybody else, I think, found the same thing.

Question. Did you never inquire the next spring whether the organization was kept up?

Answer. I knew it was not kept up.

Question. How did you know without inquiring. Did you inquire of Mr. Briggs whether it was kept up?

Answer. I do not remember whether I inquired, but a man would know things of the kind—a man would know whether the lodge of Masons is kept up without inquiring.

Question. Did you ever inquire whether they were kept up?

Answer. I do not remember, but I know it was not.

Question. You know you did not attend?

Answer. I did not attend.

Question. Did you ever ask Mr. Briggs whether they were kept up?

Answer. I know it was not, because if it had he could not have left and joined the Union League, as he did here; he says he did.

Question. Has he since joined the Union League?

Answer. Yes, sir; I know that fact.

Question. You know that?

Answer. No, sir, I take that back; but I heard him say he had joined the Union League.

Question. When was he elected to the legislature from this county?

Answer. The last term; his time expires this fall two years.

Question. On which ticket was he elected?

Answer. The republican ticket.

Question. You never inquired of him, since you returned in the spring of 1869, whether that organization was kept up or not?

Answer. I have not, for this reason, I suppose: Major Briggs and I had a little personal difficulty, but it is now over. We were a little distant towards each other for some time, not on politics at all, even before I went away. Well, it is smoothed over now, and we are friends.

Question. Before you went away?

Answer. Before I went away the second time. I went away the second time and came home.

Question. In 1869?

Answer. Yes, sir. I stayed here until the fall of 1869, and went again.

Question. When you came home you and he were on good terms?

Answer. Yes, sir; the first time.

Question. Having been initiated the night before you left into this organization, did you make no inquiry of him?

Answer. No, sir.

Question. He was the only man you know who had any connection with it ?

Answer. Yes, sir.

Question. How do you know it had not been kept up.

Answer. I never could hear of anything about it.

Question. You never inquired of him ?

Answer. No, sir.

Question. He was the only man you knew who belonged to it ?

Answer. I say I met the man, but I never wanted to know.

Question. Do you say, with your knowledge, this organization is not kept up ?

Answer. I do not believe it is, or he could not have joined the Union League.

Question. You say you were initiated one night and left next morning, and that he was the only man you knew in it, and you know it was not kept up ?

Answer. You might as well say about the Red Brotherhood in Ohio ; a man talked to me about that.

Question. But how do you know it is not kept up ?

Answer. I do not know, but I do not believe it was.

Question. To what do you attribute this whipping of negroes and republicans ?

Answer. I do not know and do not want to know anything about it. That is the whole truth of the matter.

Question. You are sure you know nothing about it ?

Answer. I am sure, so help me God, I do not know anything about it.

By Mr. STEVENSON.

Question. Have you ever worn a disguise ?

Answer. I have not.

Question. Or mask ?

Answer. I have not, unless you call a blindfold a mask. I have worn that.

Question. You wore a blindfold when you were initiated ?

Answer. Yes, sir.

Question. What was done with you when you were initiated ?

Answer. I left the room immediately afterward.

Question. But during the initiation ?

Answer. I was just led in and the obligation was given to me and I left.

Question. Led in by whom ?

Answer. By Major Briggs.

Question. Who blindfolded you ?

Answer. He did.

Question. You were led in blindfolded, initiated, led out again, and went away.

Answer. Yes, sir ; I went away.

Question. And you do not know how many people were present.

Answer. I do not, and I did not want to know.

Question. Did you hear other persons in the room ?

Answer. I heard only the man that swore me.

Question. Did you not hear any motions ?

Answer. No, sir.

Question. Was the room lighted or dark ?

Answer. I do not know, because I was blindfolded.

Question. You could not tell, if blindfolded, whether you were in a lighted room or a dark room ?

Answer. I expect there was a candle there, but I do not know. I should not be surprised.

Question. Could you not hear other persons moving in the room ?

Answer. Not a word was said or a thing done.

Question. Not a motion made ?

Answer. Not a motion made.

Question. You testify that everything was perfectly still ?

Answer. Yes, sir.

Question. Where is the house ?

Answer. Dr. Walker lives in it.

Question. Where is it ?

Answer. Do you know where Rawlinson's Hotel is ?

Question. Yes.

Answer. There is a little alley just above it, and it is the next house.

Question. Was it day-time or night ?

Answer. Night.

Question. What time of night ?

Answer. It was after night.

Question. You were not here at the presidential election ?

Answer. No, sir.

Question. You say you talked to Mr. Briggs when you came back ?

Answer. I may have talked with him.

Question. About this order?

Answer. No, sir; I do not know whether I did or not. I don't think I did. I can't remember of these things. I would not like to swear positively.

Question. Who else belong to the order?

Answer. I do not know.

Question. Did you make no inquiry?

Answer. I did not, because I went away.

Question. You joined an order and you took an oath involving secrecy, and yet you did not know more than one man who belonged to it?

Answer. I did not.

Question. And you did not inquire?

Answer. I did not inquire, because I expected to find out, and as I was going away the next morning, the understanding was that it might be of some benefit to me. I took it and went away and never heard of it any more.

Question. Did Mr. Briggs know you were going away?

Answer. Yes, sir, he did; I suppose he did.

Question. How was it to benefit you?

Answer. That is what I do not know, unless in traveling.

Question. Was it in view of your going away it was thought it might be of some benefit to you?

Answer. I did not ask him.

Question. Give us the conversation.

Answer. I can't tell you, for my life.

Question. What had you been talking about?

Answer. I can't tell you.

Question. Had you been talking about your going away?

Answer. I don't know whether we had or not.

Question. Did he know you were going away?

Answer. I suppose he did.

Question. How?

Answer. We were very intimate, and are to-day.

Question. How long before had you planned your trip?

Answer. It was always known I was studying medicine, and intended to go to lectures at Philadelphia. I bought a scholarship the year before.

Question. Was it known how you were going there, and not expecting to be back pending the canvass and election?

Answer. Yes, sir.

Question. Thereupon, that being known to you both, and you being very intimate, he told you he wanted to initiate you into an organization which might be of some benefit to you?

Answer. Yes, sir.

Question. And you assented without knowing who else belonged to it?

Answer. Yes, sir. Of course he was my intimate friend, almost my adviser, and is to-day; and I would take his advice about it, although we differed in politics.

Question. Did you enter into that or any similar organization in Philadelphia?

Answer. I did not.

Question. Did you see any of the brethren here at any other point?

Answer. I have not.

Question. Do you mean to be understood as testifying that you have been mixing up Masonry with Ku-Klux down here?

Answer. No, I wanted the distinction made. It was understood I belonged to the Masons.

Question. You did not seem to know the difference between the oath read to you and the oath of Masonry.

Answer. There are some portions of that oath may be in the oath of Masonry; some part of that oath is a good thing. The first part is about the "Invisible Circle," and I did not belong to any such organization.

Question. Do you belong now to any order which is called Ku-Klux by anybody?

Answer. I do not, most emphatically.

Question. I do not mean by yourself, but anybody?

Answer. I do not.

Question. Not by the members of it?

Answer. I do not.

Question. By any outsiders?

Answer. I do not.

Question. Do you belong to any order to which the suspicion of Ku-Klux is attached?

Answer. I do not.

Question. Who does belong to the Ku-Klux here?

Answer. I do not know.

Question. Do you deny that the Ku-Klux exists in this town ?

Answer. I do not know anything about it ; so help me God, I do not know.

Question. Have you no opinion on that subject ?

Answer. A man may have an opinion. I know acts have been committed by somebody, but I do not know what kind of order. It may be called Ku-Klux, or anything, but I do not belong to it.

Question. What do they call themselves ?

Answer. I do not know. I do not know anything about their organization or order.

By Mr. VAN TRUMP :

Question. You say this man Briggs, who persuaded you into this organization or order, is now a republican representative of this county in the State legislature ?

Answer. Yes, sir.

Question. Does he live in town here ?

Answer. No, sir ; he lives out of town ; he used to live in town where Dr. Walker lives. He sold the house.

Question. You do not know exactly the name of that organization ?

Answer. I think it was called Ku-Klux.

Question. Was it called " Council of Safety ?"

Answer. I think not.

Question. Sir ?

Answer. I do not know what it was. I think that the common term was Ku-Klux.

Question. Was that term mentioned that night ?

Answer. I do not know ; I do not know.

Question. Was it mentioned by Briggs in persuading you to join them ?

Answer. No, sir.

Question. Where did you get the idea that it was called Ku-Klux ?

Answer. I do not know, for my life, but somehow I got it.

Question. As between the two names, Ku-Klux and " Council of Safety," which was it ?

Answer. I would not speak right positively. I got the impression it was Ku-Klux. I may have got it from this way, that everybody called Ku-Klux ; you could hear of it in Tennessee, in Kentucky, and everywhere—Ku-Klux, Ku-Klux ; everything of the kind.

Question. You joined it with the impression that it was Ku-Klux ?

Answer. Yes, sir, I thought it was Ku-Klux.

By the CHAIRMAN :

Question. With what party was Mr. Briggs acting in 1868 ?

Answer. The democratic party.

Question. Supporting Seymour and Blair ?

Answer. I do not believe they ever canvassed—Seymour and Blair—yes, he was.

Question. You gave us the name yourself, that it was a society called Ku-Klux.

Answer. Yes, sir ; that was my idea ; I do not know that he called it that name.

Question. Who told you they were in Kentucky and Tennessee ?

Answer. I saw it in the paper.

Question. Did he not tell you it was a large society, extending to those States ?

Answer. I have no knowledge, except in the papers, the Ku-Klux were there.

Question. Had you seen in the papers in 1868 that there were Ku-Klux in Kentucky ?

Answer. I did not say Kentucky. Does Brownlow live in Kentucky ?

Question. Is that your impression, that Brownlow lives in Kentucky ?

Answer. Where is he from ? It is Tennessee—some of these Western States.

By Mr. VAN TRUMP :

Question. Do you mean that wherever Brownlow lives is the State where there were Ku-Klux ?

Answer. Yes, sir ; there is where I heard there was Ku-Klux.

YORKVILLE, SOUTH CAROLINA, July 24, 1871.

RUFUS B. McLAIN sworn and examined.

By the CHAIRMAN :

Question. Do you live in this place ?

Answer. Yes, sir.

Question. How long have you lived here ?

Answer. I was born here.

Question. How old are you ?

Answer. Twenty-three on the 27th of last January.

Question. What is your occupation?

Answer. I am a mechanic.

Question. What kind of a mechanic?

Answer. I am a wheelwright. I make bodies and carriage parts.

Question. Do you belong to any organization in this county whose hailing sign is three taps on the left ear with the left hand?

Answer. I do not, sir.

Question. Do you know whether there is any organization in this country that has that sign, and which gives for the reply the right hand on the pocket with the left foot advanced?

Answer. I do not.

Question. Do you know anything about the organization that the people call Ku-Klux?

Answer. I do not.

Question. Have you ever taken an obligation in any secret association in this county, that you know of, whose operation is outside of benevolent purposes?

Answer. I have not, sir; only this Templar's lodge.

Question. That is a benevolent organization?

Answer. It is the Good Templar's lodge.

Question. Have you ever stated to any one your knowledge about the hanging of Captain Williams?

Answer. I have not.

Question. Never to any one?

Answer. No, sir.

Question. You have never given any account of how it was done?

Answer. I do not know anything about it.

Question. Did you hear of Captain Williams being hung in this county?

Answer. Certainly, I did afterwards.

Question. What time did that occur?

Answer. I do not know.

Question. I did not ask what day of the month, but how long since?

Answer. I do not know.

Question. Was it six months ago?

Answer. I can't tell you.

Question. Was it a year ago?

Answer. I do not know.

Question. Was it within eighteen months?

Answer. No, sir; I do not know. I never tried to keep posted on such business.

Question. You heard of it?

Answer. Yes, sir, like everything else.

Question. Can you recall whether it was this year or last year that you heard it?

Answer. Of course it must have been this year, I suppose; I don't know; I would not swear positively whether it was or not.

Question. I ask for your impression when it occurred.

Answer. I can't tell you.

Question. Have you no idea, whether it was January or February?

Answer. I have not.

Question. March or April?

Answer. None at all.

Question. May or June?

Answer. I do not.

Question. Taking the time running back from this month to January, have you no knowledge whether that murder or hanging of Captain Williams occurred in June or in May?

Answer. I do not.

Question. In April or March?

Answer. I do not.

Question. In February or January?

Answer. I do not.

Question. In December or November of the previous year?

Answer. I do not know.

Question. You cannot fix the time?

Answer. No, sir; I don't have any idea when it was.

Question. What was the account you heard?

Answer. I just heard he was hung.

Question. Was he a white or black man?

Answer. He must have been a negro from my understanding.

Question. Did you learn whether he was or not?

Answer. No, sir; I did not learn whether he was a negro or not.

Question. How did he get his title of captain?

Answer. I do not know.

Question. Had he been in the confederate army?

Answer. I do not know whether he had or not.

Question. Did you learn nothing about that?

Answer. No, sir.

Question. You do not know whether he was a captain of a negro company, or in the confederate service?

Answer. I just heard it was Jim Williams, captain of a company.

Question. What company?

Answer. Of the militia, I suppose. I cannot say, for I never saw him

Question. Have you said to any one that you were there?

Answer. No, sir; I never did, because I was not there.

Question. I ask you now whether you said you were there?

Answer. I did not.

Question. Have you never boasted that you were there?

Answer. I never did.

Question. You say you were not there and do not know anything about it?

Answer. I do.

Question. Do you know anything about the occurrence of taking cartridges from the probate judge's office in this place?

Answer. I do not.

Question. Were you about the court-house at the time that occurred?

Answer. I was not, sir. I was up street until about 9 o'clock.

Question. At the time that a man named Harris, and another, Smith, and a third, Corkle, and perhaps another man, were carrying a box out of the court-house yard, where were you standing?

Answer. I was at home.

Question. You were at home?

Answer. Of course; I was not up street that night after 9 o'clock.

Question. Did you see those men carry that box out?

Answer. No, sir.

Question. Have you ever heard of it before?

Answer. No, sir.

Question. Never heard of it?

Answer. No, sir.

Question. You say you went to your house at 9 o'clock?

Answer. Yes, sir; Smith and myself went home after 9 o'clock.

Question. Which Smith?

Answer. Sam. Smith.

Question. You say Smith was not there to assist in carrying the cartridges?

Answer. He and me went home together. He lives this side of me. I went on down home.

Question. The night this occurred?

Answer. Yes, sir.

Question. What night was that?

Answer. I cannot tell.

Question. What month?

Answer. I cannot tell. I was up street until 9. I told my wife I would be at home early that night, and I had just bid Smith good-night at the gate, and walked right down home, and I heard of it next morning. That is all I ever heard about it.

Question. You heard nothing about it?

Answer. No, sir.

Question. Where were you the night the treasury was broken into?

Answer. I was in town, at my father-in-law's.

Question. Were you awakened up in the night?

Answer. No, sir.

Question. Were you among the people who broke into the treasury?

Answer. I was not in town that night. I was in town, but I was not up street, because I hadn't been married but a month or two, and was at home.

Question. Did you know a man named Addison Brown?

Answer. No, sir; I have heard of it.

Question. Did you never get any information about how he was killed?

Answer. No, sir.

Question. Either from Hunter or Tomlinson?

Answer. No, sir.

Question. Were you initiated in the Ku-Klux at any time?

Answer. I never was, sir. I do not know anything about them at all.

Question. Were you at a meeting in Mr. Briggs's house in this place in 1868, which Mr. Tomlinson attended?

Answer. I was living at Rock Hill in 1868. I had been living there, and was since shortly before the war. I was born right here in this town. My father went to Rock

Hill to work. I went to the war. I came back and lived at Rock Hill until about eighteen months ago.

Question. Then you moved here?

Answer. Yes, sir; eighteen months or two years; maybe it was April two years ago.

Question. You were not living here in 1863?

Answer. No, sir.

Question. But were you here at a meeting at that time?

Answer. No, sir.

Question. Do you know anything of the organization of what is called Ku-Klux in this State, in 1868?

Answer. No, sir.

Question. Or at any time since that?

Answer. No, sir.

Question. Do you know anything of the "Invisible Circle?"

Answer. No, sir.

Question. Have you never been present at a meeting?

Answer. No, sir.

Question. Have you ever heard this oath either taken by yourself or administered to anybody else?

"I do solemnly swear that I will support and defend the 'Invisible Circle;' that I will defend our families, our wives, our children, and brothers; that I will assist a brother in distress; that I will never reveal the secrets of this order, or anything in regard to it that may come to my knowledge; and if I do, may I meet a traitor's doom, which is death, death, death: So help me God, and so punish me my brethren."

Answer. No, sir.

Question. You never heard that oath before?

Answer. No, sir.

Question. Nor one similar in terms to that?

Answer. No, sir.

Question. Have you never heard it administered to any one?

Answer. No, sir.

Question. Have you any knowledge of any organization in this county which is popularly known as the Ku-Klux, and to which is attributed the whipping of negroes and the killing of men in disguise?

Answer. No, sir; I have not.

Question. Have you no knowledge of them whatever?

Answer. No, sir.

Question. Have you any knowledge of who the men were who broke open the treasury here that night?

Answer. I have not.

Question. Had you no knowledge before that night that it was going to happen?

Answer. No, sir.

Question. Has no one told you he participated in that?

Answer. No, sir.

Question. Were you at a conference of parties in McCaffrey's store the night before the ammunition was taken from the probate judge's office?

Answer. No, sir.

Question. Did you meet parties there?

Answer. No, sir.

Question. Did you meet Mr. Bloodworth, and Harris, and Owens there that night?

Answer. No, sir.

Question. You had no conference with them about the taking of that ammunition?

Answer. No, sir.

Question. Did you condemn or approve of these acts of taking the ammunition from the probate judge's office, and the breaking into the treasury here?

Answer. I had nothing to say about it in no way, so far as I was concerned. I never heard of it until next morning. It did not concern me.

Question. When you first heard of it, did you say whether it was right or not?

Answer. Nobody ever asked me.

Question. What is your opinion?

Answer. I cannot say.

Question. Have you an opinion about it?

Answer. No, sir.

Question. Have you none down to this day?

Answer. No, sir; I have none at all.

Question. When you heard of the murder and hanging of these men, did you have any opinion about it?

Answer. No, sir; I never expressed my opinion. I never have had any.

Question. When you heard of the whipping of men in the country, did you have any opinion about it?

Answer. No, sir.

Question. Have you no opinion about it yet?

Answer. No, sir; I have no opinion about it whatever.

Question. As a general rule, did you yourself condemn unlawful violence here?

Answer. I do not know, sir. I do not know how to answer the question.

Question. When you hear of a man being taken from his bed at night, and whipped by men in disguise, have you no opinion as a citizen as to whether that is a good thing for the community to tolerate, or a bad thing?

Answer. I have no opinion about it at all.

By Mr. STEVENSON:

Question. You say you lived, in 1868, at Rock Hill?

Answer. Yes, sir.

Question. Is that in this county?

Answer. Yes, sir; fifteen miles below here.

Question. Did you see a band of disguised men there?

Answer. No, sir; I did not.

Question. Do not you know a band mustered there in 1868?

Answer. I do not.

Question. Have you not heard of it?

Answer. Yes, sir.

Question. Did you hear of it at that time?

Answer. Yes, sir.

Question. How many were there?

Answer. I don't know.

Question. Did you not hear?

Answer. I did not.

Question. Were you with them?

Answer. No, sir.

Question. You were not in that band?

Answer. No, sir; I was not.

Question. Who were they?

Answer. Who was what?

Question. Who were they?

Answer. I cannot tell you.

Question. Who was the leader?

Answer. I cannot tell you.

Question. Have you never heard?

Answer. No, sir.

Question. You never heard anybody named as belonging to it?

Answer. No, sir.

Question. Did you not hear that Iredell Jones was the leader?

Answer. No, sir.

Question. Did you know him?

Answer. I have known him from a very young man; from a boy I have known Iredell Jones.

Question. Was he considered the leader of the Ku-Klux?

Answer. I never heard whether he was or not.

Question. Did you never hear his name mentioned in connection with the Ku-Klux?

Answer. I never did, sir.

Question. You swear now that you do not belong to them?

Answer. Yes, sir; I do.

Question. Do you not know that in 1868 they prevented a large number of people from voting in that precinct?

Answer. I do not know any such thing.

Question. Did you never hear of it?

Answer. No, sir.

Question. Yet you lived there?

Answer. Yes, sir, I lived in Rock Hill. I was there at the time when the election you speak of—the election of President, was it?

Question. Yes, sir.

Answer. I was marshal at that time under Mr. ———, some man in Columbia on the polls that day of the election.

By Mr. VAN TRUMP:

Question. Hubbard?

Answer. Mr. Hubbard had somebody appointed there, a large man from Columbia. He had twelve of us deputized on duty that day, and, in fact, he kept me on there for a month or two.

By Mr. STEVENSON:

Question. Did you see any of the organization that were imported into the county that night?

Answer. No, sir, I did not.

Question. Have you ever worn a disguise?

Answer. I have not.

Question. Or a mask?

Answer. No, sir.