

SOUTH CAROLINA IN 1876.

TESTIMONY

AS TO THE

DENIAL OF THE ELECTIVE FRANCHISE

IN

SOUTH CAROLINA

AT THE

ELECTIONS OF 1875 AND 1876,

TAKEN UNDER THE

RESOLUTION OF THE SENATE OF DECEMBER 5, 1876.

IN THREE VOLUMES.

VOLUME I.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1877.

SOUTH CAROLINA COMMITTEE.

SENATOR ANGUS CAMERON, CHAIRMAN *Wisconsin.*
SENATOR ISAAC P. CHRISTIANCY *Michigan.*
SENATOR AUGUSTUS SUMMERFIELD MERRIMON *North Carolina.*

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"We'll attend to them." They carried us about twenty yards from where we went the first time, and they stopped us in a ring and all circled about us and said, "Stop here;" and we all sat down in the dirt and sand.

Q. How many colored men were there then?—A. Between twenty-five and thirty—about thirty, I think—and he says—

By Mr. CHRISTIANCY :

Q. Who said?—A. A man by the name of John Swaergen, (Swearigen?) He was acting as captain over the killing. So they went out in a crowd, and had a big piece of paper about so big, [illustrating with his hands,] and went off a piece—about twenty yards from us—the whole cluster of them together. I saw them go. Then they came back. The first man they killed was Attaway. I sat there. I was talking right ahead then for my own life, and one of them says: "You hush! God damn you, you talk too much!" I said: "I am going to talk. It is life or death with me, and I am going to talk for my life." Then they called Attaway. Attaway says, "Gentlemen, I am not prepared for death." Some of the white men said, "I don't care." I don't know who it was. Attaway says, "Will you allow me to prepare to meet my God?" They said, "I don't care; we are going to kill you;" and they took him off over the hill, and I heard the guns fire. When they come back they called for Dave Phillips. Dave got up just like a soldier. He looked like he didn't care no more for it than he would about eating, and he walked right along. I heard the guns fire, and they came back, but Dave didn't come. Then they came back and called Pompey Curry. He was sitting right by me. Me and him was cousins. I says, "Pompey, you run," just so, and Pompey got up and darted out, and got away from them.

Q. Did they shoot at him?—A. Yes, sir; they shot him right here, [pointing,] but the ball only scalped his leg, and he got away. The next one they killed was Hamp Stevens. He was sick. He says, "O, gentlemen, I haven't done nothing." They says, "Come out here." He was a big mulatto fellow—a young man. They took him out, and I heard the guns fire, and they came back, but Hamp didn't come. The next time they called Alfred Minyard. He was a small fellow, and was sick. He was grown, but he was only a little fellow. One of the white men said, "O, let that boy alone; he is sick;" but they said, "O, God damn him; we'll fix him too." I heard the guns fire, and they came back, but Alfred didn't come. That was the last one they killed. He didn't die then, not till the next day, at nine o'clock. I saw him after he was killed, and I saw where they had cut off a big piece of meat from off his rump.

D. L. ADAMS—AIKEN COUNTY

COLUMBIA, S. C., December 16, 1876.

D. L. ADAMS (colored) sworn and examined.

By Mr. CAMERON :

Question. Where do you live?—Answer. I live in Hamburg.

Q. How long have you lived there?—A. I have been living in Hamburg about two years and six months, I guess.

Q. What is your age?—A. I was thirty-eight years old on the 4th day of July.

For continuation of Harry Mays's testimony see page 138, commencing with Mr. Cameron's first question, near bottom of page.

Q. Where did you live before you went to Hamburg?—A. In Augusta, Ga.

Q. How long did you live there?—A. I have lived there about twenty-five or twenty-six years—about twenty-six years, I guess.

Q. Of what State are you a native?—A. I was born in the upper part of Georgia, Talbot County.

Q. Where had you worked or lived?—A. I generally have worked in Augusta, Ga., up to the 8th of July. I haven't been in Augusta since that time.

Q. On what day did the Hamburg massacre take place?—A. On the 8th of July.

Q. Where were you on the 4th of July?—A. I was also in Hamburg.

Q. I will ask you if you were captain of the colored militia company in Hamburg at that time?—A. Yes, sir.

Q. Of how many men did that company of militia consist?—A. It consisted of eighty-four members. It was called Company A, Eighteenth Regiment National Guards.

Q. State whether or not it was organized under the State laws?—A. It was organized under the State laws.

Q. How long had it been an organized company?—A. It had been an organized company some five or six years, I think, or probably more.

Q. How long had you been captain of the company?—A. I had been captain of the company, I guess, about seven or eight months—some-where about that, as near as I could come at it.

Q. Who were the other commissioned officers of the company?—A. Louis Cartledge was first lieutenant; A. T. Attaway was second lieutenant.

Q. How frequently did the company meet for military drill or exercise?—A. According to the rule and according to the law we drilled once every month; but after I got to be captain of the company I drilled them about once or twice a week.

Q. State whether or not the company had a hall or armory?—A. It had a hall; we called it an armory.

Q. How was the company armed?—A. With thumb-loading rifles.

Q. State what occurred on the fourth day of July; begin with the beginning and go through with the narrative.—A. On the fourth day of July, about six o'clock in the evening, or probably half past five, to be sure of it, I took the company out on parade. As we were going up a street in Hamburg called Market street, about six or half past six o'clock, I guess it was, there was a man by the name of Henry Getsen, and Tom Butler, son of R. J. Butler, and also a son-in-law of R. J. Butler, all white men. They had been on one side of the street, sitting in a buggy, looking at us drill up and down the street, I reckon, for about half an hour. After a while they went back down the street from where we were drilling, and went around on the street called Main street. Afterward they came back on the street. I was at the upper part of the street, and we were going down, marching by fours, in what is called an interval march, open order, having an interval between ranks, I suppose, of twenty or thirty feet.

Q. How wide was the street?—A. It was one hundred and fifty-eight feet wide, and we were about the center of the street going down. They turned the corner and came up the street in a slow trot. I saw that they intended to drive through the company, and I halted the company, and then they stopped. I was at the head of the company, and I went around in front of their buggy and said to him, "Mr. Getsen, I do not know for what reason you treat me in this manner." He asked me,

"What?" I said, "Aiming to drive through my company, when you have room enough on the outside to drive in the road." He said, "Well, this is the rut I always travel." Said I, "That may be true; but if ever you had a company out here I should not have treated you in this kind of a manner." Said I, "I would have gone around and showed some respect to you." "Well," said he, "this is the rut that I always travel, and I don't intend to get out of it for no d—d niggers." Said I, "All right; I won't hold any contention with you; I will let you through." So I gave command to the company to "open order," and let him go through; so he went on through, and I then went on down to the hall. Some of the men seemed to have got a little frustrated because they drove through the company, and commenced talking, but I ordered them to hush, and carried them in the hall and dismissed the company. On Monday his father-in-law came down and took out a warrant.

Q. Mr. Getson's father-in-law?—A. Yes, sir.

Q. What was his name?—A. Robert J. Butler. He took out a warrant, and on Tuesday morning I received a summons. The constable brought it to me, and, after looking at it, I told him that it was all right; I would be there at the time designated. Sure enough I went.

Q. Before what justice?—A. Before Trial-Justice Prince Rivers. So I went down to the court at the time designated, and when I got there Rivers read—I don't know what you call it—but anyhow he did not say that it was a warrant. I asked him if it was a warrant, and he said it was not. He was general of the militia organization, major-general of the State.

Q. Butler was?—A. Rivers was. And he said he wanted to find out from the evidence in the case—he wanted to hear the officers' testimony and afterward he wanted to find out whether it would be a case that would be suitable or a case calling for his court-martialing officers, or whether it would be a case to prosecute them before a court. He went on to hear Getson's testimony, and after he got through, if I mistake not, he heard Tommy Miller's evidence—no, he had just heard Getson's evidence. After he got through, he told me, "As you have no counsel you can ask any question of the witness you desire." So I asked him a few questions, and at the same time, said I, "Mr. Getson, did I treat you with any disrespect when I spoke to you or didn't I treat you politely?" He said, "I can't say that you treated me with any disrespect, but I can say this much, that there was one or two members of the company that showed some impudence to me, and also I saw them load their guns." I said, "Mr. Getson, didn't you see me examining the cartridge-boxes and also the pockets of the members of the company to see if they had any ammunition, before they went on drill?" He said, "Yes," he did. Said I, "Did you see any?" He said "No, I didn't." I made him recollect this; said I, "Didn't you know that I found one man with a cartridge in his pocket and I took it away from him and scolded him about it?" He said "Yes," he did. Said I, "Well, then, are you certain that these men loaded their guns?" He said, "I saw them move their guns and I thought they loaded." Whilst I was asking that question, Rivers, the trial-justice, said to me, says he, "I don't want you to treat my court with contempt." Said I to him, "Judge, I don't mean to do that, if I know myself. I never expect to treat any lawful officer with any contempt," and said I, "I was only asking the question, and if the question is not legal then I don't want to ask him." Before he could say anything to me I was taking my seat, and said I, "I will ask the witness no more questions, but will leave it to your discretion." He then said that sitting down was contempt of court

I told him if it was he must excuse me, as I was not accustomed to law, and if it was any contempt I was then asking his pardon for it, for I did not mean contempt of the court. He said it was contempt and he would put me under arrest, and he dismissed the court until Thursday; I think it was Thursday; it was on the 8th of July, anyhow. I was also, then, under arrest with the constable. He went out to his dinner and came back again, and when he came back he asked me if I would retract. I told him I did not know what he meant. He said if I was willing to beg pardon of the court he would excuse me from the fine. I told him, well, if I had contempered the court I was willing to ask pardon of the court. He said, well, he would relieve me of the fine, and I was to appear again on the 8th of July, at half past four o'clock. I told him, all right, I would appear. So it passed off, then, until the 8th of July. During that time I heard a great many threats that were made. These persons would send me notice at different times of what they had heard; what they were going to do with me on that day. I did not pay any attention to them; did not give no notice to them at all. The day before the trial, (on the 7th of July,) I went home to dinner at one o'clock, and when I got home to dinner it was not ready, and it was very warm, and the company's drill-room was joining my house where I lived; it was a part of the house, and I could pass right out of my bed-room into the drill-room; so I went out of my bed-room into the drill-room, and I was sitting by the window when a man by the name of Mr. Melen, [Meling,] (a white man and a preacher,) him and some other white man were together, and were right by the drill-room, and I got up and looked out of my window and I heard them say, "That's where that d——d militia company drills;" and, said he, "To-morrow they are going to have a trial, and we intend to kill the captain of that company before he gets away from that court." Well, I heard a great deal of big talk and of threats, but I did not pay any attention to them. Sure enough, on the 8th of July I came home from work as usual, and I did not go back with the expectation of attending to court. About two o'clock R. J. Butler and Tommy Butler, his son, and Henry Getsen, his son-in-law, and Harrison Butler, another son of his, were there, and I was standing out before my door when they came on down. Henry Getsen had a gun; I supposed it to be a sixteen-shooter; it might not have been; there was another fashion of gun at that time, but it appeared to be a sixteen-shooter which he had across his saddle. R. J. Butler and his son Tommy were in the buggy together, and had a sixteen-shooter in the buggy. I supposed from the looks of it they had about seven or eight pistols in the buggy; large Navy pistols. They went on down in the town, and yet I did not pay much attention to that. In a little while there was about thirty men came, armed with sixteen-shooters and double-barreled shot-guns; they were coming in from Edgefield.

Q. How far does R. J. Butler live from Hamburg?—A. One part of his place is in Hamburg and the other just out; I guess from the main part of town he lives three-quarters of a mile, or it may be a mile. I saw about thirty of these men come in, but I did not get scared yet; so about half past two o'clock I reckon there was about one hundred men in the town of Hamburg, all armed, some with pistols and some with guns also.

Q. White men?—A. White men; they were getting drunk very fast, or drinking liquor and appearing like they were drunk, and saying they were going to kill every God damned nigger in Hamburg that day, and especially Dock Adams; that was myself. So, hearing all this, I

went down to Judge Rivers's house and told him, said I, "Judge Rivers, I can't appear before your court to-day, for I feel that you are unable, and your court is unable, to protect my life, and I believe my life to be unsafe; I am willing that you should go to work and draw up a bond that you think proper and I am willing to give bond to a higher court, where I think my life will be safe. The reason I come to you to tell you, is because I don't want you to suppose that I treated your court with any disrespect by not coming, but it is because I don't think my life is safe." He stopped and said to me, "Well, you must use your own judgment; of course, if your life is unsafe, and if these men intended to take your life of course I can't protect you. I haven't protection enough to protect you; my constable can't do much." Said I, "That is my belief, and for that reason I don't want to go before your court without you force me to, and then if I am killed you will be responsible." He said, "You can use your own judgment; I shall go to court at the usual time; your name, of course, will be called, and if you don't answer to your name—well," he says, "you won't be there; that is all; you won't be there to answer." So, sure enough, before I got through talking with him a white man by the name of Sparnick—I forget his other name—before I got out of the house this man Sparnick came up to his house and knocked at the door and came in. He said that Mr. M. C. Butler had met him at the store that they call George Damm's, and he said that he would like to see me; that he appeared as counsel for R. J. Butler, and he would like to settle the matter without any difficulty and without going before the court, if it could be settled. I told him, "Well, there is no one more readier to settle it than I am." He said that Mr. Butler wanted the officers of the company, in fact, to meet him. Whilst he was talking another man came in, by the name of Sam. P. Spencer, and said that M. C. Butler also had said that he would like to have a conference with the officers of the company. I told him, "Well, I will go;" but afterward I went to the door and I saw a great crowd down at his place, all armed men, and they were drunk, or playing off drunk; they appeared to be drunk, any way. I went back and told Mr. Spencer to go and tell General Butler that I would meet him, but I would like for him to come away from where those men were, and that I was willing to meet him at Spencer's house. So Spencer went back and told him, and he agreed to meet me there. In this time I was in my shirt-sleeves; I had just come from work and had pulled off my coat; so I went back and put on my coat to go down there, and sent word that I would come and meet him. One of the officers refused to go. I told him, well, I would go, and I supposed if I went it would be sufficient; and the first lieutenant agreed to go, but the second lieutenant wouldn't go, because he believed he would be killed; he expressed the reason in that way. I went on down to meet Mr. Butler. Before getting there Mr. Butler left; in fact he didn't go to Spencer's house; he left Mr. Damm's store, after promising to meet me, but he did not go. He got in the buggy and went on across the river to Augusta. I desire to alter that; he didn't go to Augusta at that time; he went on to the court, where we were to meet the court at. He came on up where Rivers lived and said that the time to meet the court had come and he was ready to go to court and he was going on there. Rivers got his book and went on down to the court. I didn't go, but they went. I couldn't tell you—I couldn't tell you, but if I was to tell you it would be what I heard, and that wouldn't be relative, I suppose. General Butler came back from the court and sent word for me to meet him at the council-chamber; that was at the town-hall. I sent word back expressing more reasons,

that the men were still gathering in the town and that they had expressed themselves as going to kill me on sight, but that I was willing to meet him to settle the matter any way that it could be settled, that was right, but that I couldn't go down to the council-chamber; that his men were all around him, and he had already expressed himself that he couldn't control them; that they were drunk, and that I wouldn't be able to go to him, but that if he was willing and wanted to see me of course he could go where I could make it convenient to see him. He said he wasn't going nowhere else, and right there I had to come. So I said I wasn't going to that place. Then he left the council chamber and went on around to Augusta.

Q. About what time did he go to Augusta?—A. He went to Augusta about 5 o'clock in the afternoon, as near as I can guess at it. He came back from Augusta with a man by the name of S. B. Picksley, who, I think, was on the committee; and he met him and had a talk with him. I don't know what that talk was.

Q. How long did he remain at Augusta?—A. He remained, I suppose, about twenty-five or thirty minutes. He came on back. The intendant of the town went to him and told him that there was a great many women and children, and he believed there was going to be a fuss, and he would like to have some time to get the women and children out. He told me, I think, that he would give him fifteen minutes to get them out. He asked him, then, wasn't there any way in the world that that matter could be settled without a difficulty. He said the only thing that would settle the matter was for the company to surrender the arms and the officers to him, and he wanted an answer from me. I sent word back to him that the arms that were borne by that company belonged to the State; that I had received those arms in my charge, and was responsible for them, and I couldn't give them up to no private citizen; but if any officer who had a right to take them would come to me for them, I would give them to him. The intendant of the town asked him, in case the arms were surrendered to him, would he guarantee the safety of the town. He said it depended entirely upon how they behaved. He afterward turned around and said he wouldn't vouch for anything; he had nothing to do with that part. So I sent word, in reply to his answer, that I couldn't give them to him; that I had no right, but he could send any officer that had a right to receive them that would relieve me from responsibility, and I would give them to him. So the major-general came, (that is, Rivers,) and told me what Mr. Butler had said, and all about it, and what he said he would do, and that if we didn't give them up he was going to melt the ball down before 10 o'clock that night. I said to him, "General, I see you are major-general of this State, are you not?" He said, "Yes, I am." I said, "Do you demand these arms? If you do, I will give them to you." He says, "I have no right to do it under the law." I says, "Well, I know, come down to the law about a matter of law, of course I don't believe you have a right to do it; but if you do demand them, to relieve the responsibility of any blood being shed in the town from me, I will give them to you." He said, "No, I don't demand them; I have no right to do it; you must use your own discretion about it." I said, "Well, if that is the way you leave me, I am not going to give them to General Butler." I then wrote a note to General Butler, saying in the note: "General Butler, these guns are placed in my hands, and I am responsible for them, and I have no right to give them up to no private citizen; I can't surrender them to you." He sent me word back that he was going to have them in fifteen minutes. I told him, well, then he would have to take them by force, and

then I would not be responsible for them. So then, after that, he commenced placing his men; in the first place, about twenty-five or thirty horsemen—men mounted on horses—in front of the drill-room, near the river bank.

Q. How far from the drill-room were they?—A. I suppose they were about seventy-five or eighty yards. Then he placed behind the first abutment of the N. and C. R. R., he placed about fifteen or twenty, as near as I can guess at it without counting. Down below, on the river, under a large tree, he had some thirty or forty. And there was a well about two hundred yards from the drill-room, and just beyond the well, about fifty or sixty feet, there stood, I suppose, 800 men, all in arms. He placed them all around the square, back of the drill-room, on the street. I forget the name of the street; but it was back of the drill-room. He had men placed all around there, and up on a hill, about five hundred or six hundred yards—may be a little more. I could see him placing men all around town.

Q. He was stationing them there himself?—A. Yes, sir. He was with the men that was doing it. Pick Butler was also in the crowd. Colonel Butler was also carrying out the orders. I could go up on top of the drill-room and see them, and I did so. Then I came down off the top of the drill-room into the drill-room, and I placed my men then where they wouldn't get hurt.

By Mr. CHRISTIANCY :

Q. How many had you in the drill-room?—A. Thirty-eight; I suppose about twenty-five were members of the company, and some others were taking refuge there. Those I didn't call in myself. I only had twenty-five members of the company in the drill-room. After he got all the men placed he sent word back to me to know if I was going to give the guns up; that the time was out. I sent word back to him that I could not give them up; that I didn't desire any fuss, and we had gone out of the streets into our hall for the safety of our lives, and there I was going to remain; that I was not going to give the guns to anybody. He did not send no more answer then. About the time he must have got the word his men commenced firing. There was a signal-gun fired; I suppose it was a signal-gun; it was down the river, sorter. It looked like it fired right up into the air. These horsemen that I was telling you about, that had been placed in front of the drill-room, they were removed before the firing commenced, and went down the street back of the square. I didn't see them after they got out of sight, and don't know where they went; and these men, when that signal-gun was fired behind the abutment of the bridge, fired upon the drill-room. They fired rapidly, I suppose, for about half an hour. They shot out nearly all the window-panes in the building. There were four windows in front, and they shot mighty near all the panes out; I don't think there were two panes left standing in each one of the windows, but there may be three; anyhow, the most of them was shot out; the glass rattled all over the floor. There was side glass and transom lights over the door, and all those were shot out; the men were standing between the windows and behind the wall. After awhile, just about half past six o'clock, I guess, they kept closing up like they were coming up to the drill-room, and after awhile I gave orders to fire, for it was the only chance of our lives to fire, and they commenced firing then. The firing was kept up, I suppose, for about a half an hour from the drill-room, but only every now and then; not regularly. During that time this man that was said to have been shot (Mackey Merrivale) was killed. He was one of the men that was firing from behind this abutment. Then I went upon the top of the

drill-room to see where the largest body of the men was. I had heard somebody holler down the street, and I recognized it to be A. P. Butler's voice; I was very familiar with it; he hollered to a man by the name of Walker McFeeny to go over the river and bring two kegs of powder; that they were going to blow that building up. There was one part of the building that we couldn't see nobody from it. It had then got sort of dark anyway; it was moonshiny, but it was so dark from the trees and houses that were handy to it that we couldn't see them. Of course, then I was afraid that they might do something of that kind, believing that they could do it. I then went to work, and tore up some lumber, and made a ladder, and got out of the back way of the building; there was no way to get down without a ladder; and we escaped from the building the back way.

Q. All of you went out?—A. Yes, sir; we all went out. But before I went out of the building I sent the men out. I seen that in the back part of the yard there was no firing; everything was perfectly still. I had been outside of the building, and went down the street, I suppose, between 200 and 300 yards, to see where the men were, and went all around. I went back in front of the building, and went through front door, the entrance leading up in the hall, and told this Ataway, the first lieutenant; he had got outside somehow or other; he had got scared, and left the building before I knew it. I told him to go down first and receive all the men that were in the building, and keep them together till I came out; that I would stay up there with two or three men, and every once in a while fire and make them think we were in the building, while they were escaping. So he went out, and he got scared, and, I suppose, got excited—I couldn't allege it to be anything else—and controlled off the best part of the company; so when I got to them there wasn't but fifteen men with myself. So I asked for Lieutenant Ataway and the balance of the men, and they told me that he had gone off and tried to carry them off. They said they couldn't tell me where he had gone. Said I, "Men, we are surrounded." I think there was over three thousand men there; they were coming from Augusta at all times, three and four hundred together, all around; the lower part of Market street had been completely blocked up with them for about 200 yards; it looked like just as thick as they could stand; and in the rear street it was the same way, and also on the street called Main street, which runs across. So I told these few men that were there, said I "Men, I don't know how we will get out of here, and there is but one way;" and said I, "You will have to fight pretty rapidly to get out that way."

Q. Had you your guns with you?—A. Yes, sir; we all had our guns. We went out that way, and got out on the street, and had to fight pretty rapidly; in fact, the fight lasted until about half past one o'clock that night before we did get out. None of the men that was with me got killed. One of them got wounded in the thigh, but he managed to get away; he didn't fall or anything of the sort. I carried them away in the upper part of the street and put them down next to the river in R. J. Butler's field. Of course they didn't expect us to go there, he being such an enemy to us. I carried them in there, and put them over by the side of a little branch, where it was very thick with bushes. I was very troubled about these men that had hid themselves, and wanted to get them out. I believed if they were caught they would be killed; the men with the second lieutenant. So after I got these men safe—they were out of ammunition then; they hadn't had very much any way—said I, "You stay here now, and I will go back and find the men, if I cau. I will try to work my way back, and will try to bring them

out." So I did go back. I was shot at, I reckon, over two hundred times before I got in the square; however, I didn't turn my course; I went on. I went back in the square, and I went under most every house there was in the square; that is, I went far enough to call under it. Some one or two, probably three, men answered; the balance wouldn't answer. They were scared, I suppose, and wouldn't answer. I got three of them. By that time I was surrounded and couldn't get out no more, but I carried those three men where I thought they would be safe. I knocked out some bricks under a brick house with the butt of my gun, and told them to crawl under there. That was under a house that was very near to the ground, and was bricked up all the way from the ground. After they got in there I placed the bricks all back just like they were before, very smooth, so you couldn't discover any hole, especially in the night. Then I went back in pursuit of these other men, but I didn't find them. While standing in a little corner field, near a garden, looking out, one of the men, which was the town marshal, run across the garden, and I called him, but I suppose he didn't recognize my voice, as he didn't stop. He ran on and jumped over the fence, and I managed to get up on some part of the trestle of the railroad and could see through it. The moon was shining very bright. The corn made a shade where I was, and of course they didn't see me. They stopped the town marshal; his name was Jeems Cook. Henry Getsen, a man by the name of Bill Morgan, and I recognized one of the men I thought to be Kenlo Chaffee, but I was not certain whether it was him or not, but I knew Henry Gibson and Bill Morgan. I recognized their voices. They stopped him and told him "God damn you! we have got you. You have been town marshal here going about here arresting democrats, but you won't arrest any more after to-ght." Said he, "Mr. Getsen, I know you and will ask you to save my life. I haven't done anything to you. I have only done my duty as town marshal." "Yes," says he, "God damn you, your knowing me ain't nothing; I don't care anything about your marshalship; we are going to kill you;" and they fired. There was four or five men in the crowd, and all of them shot him. He fell. I staid there and saw them taking his boots off, and they took his watch out of his pocket.

By Mr. CAMERON:

Q. Who did that?—A. They were all down in a huddle and I couldn't see who it was took the watch. So some of them said, "By God, I reckon some of us had better go over in the corn-field." Then I moved out of the corn-field. Louis Shiller—his house was in the same square—I went then in his office.

Q. Was Shiller a white man?—A. Shiller was a white man, and a trial-justice also. I went in his office, right under his house. I remained there, I suppose, about an hour. They were breaking in the houses everywhere and shooting people. This time they came to the front door, and broke in the front door of the office. So I went out of the back door into the back yard. They came in there, and they looked around and found what I didn't find the whole hour that I was in there. I suppose they had lights, and found these men that were in there who wouldn't answer me when I called them. They found one or two colored men in there and took them out. I heard them cursing and say, "God damn you, we have got you." They were beating them with sticks and guns, or something.

Q. Did you know any of the men that went into Shiller's house?—A. No; I didn't know any of them. Whilst I was standing in the back yard I could look right into my bed-room window, and also into my sit-

ting-room window, and I saw them taking down my pictures and breaking up the furniture. They broke up everything I had in the world; took all my clothes, my mattresses and feather-bed, and cut it in pieces and scattered it everywhere, destroying everything that I had. I didn't have a suit of clothes only what I had on my back. They took all my wife's clothes, and broke up all my furniture and everything. By that time they commenced getting very thick in the square, and as they commenced getting thick, I jumped over a little cross fence in Shiller's yard; and as I got up on the fence I heard somebody say "Halt!" and I looked over the fence and I saw old man R. J. Butler run out the back part of Lafayette Davis's store, and he shot and I heard him say, "God damn him! I have got him." This was a man by the name of Moses Parks. So he shot him. He turned around and said, "God damn him! I have got him," and shot Parks and killed him. I went then up in the postmaster's house, where he lived. His name is Rawles. I forget his other name. It was a two-story house, and I went up stairs in the veranda, and it had slats all along on the top of the banisters along there in front. It was like the house fronted one street, this way. (Illustrating by diagram on paper.) I was on the back part of it, and here came another street. Right on this street, I suppose, there was over a thousand men. They had their headquarters there, and Gen. M. C. Butler was among that crowd, and every time a party would come in and bring a colored man that they had captured they would bring him right up there to what they called the "dead-ring." They had a "dead-ring" down below me there—I suppose about seventy-five or eighty yards, and that is where they would bring the colored men that they would capture. Every time they would come in General Butler would yell, "Good boys! God damn it! turn your hounds loose, and bring the last one in." That was General M. C. Butler, and also Pick. Butler. They were together most of the time, and they would ask, "God damn it! can't you find that Dock Adams? We want to get him," (that was myself;) and some asked what kind of a man I was, and some would try and agree what sort of a man I was—"a man with side-whiskers and moustache"—and some would roll up their sleeves and write it on their cuffs. One man wrote down my description on the bosom of his shirt, and said, "We'll have him before day;" and I was standing right there, looking at him. I was looking through the blinds, where, I reckon, there was about a half-dozen slabs broke out right at the end, and I could stand there and look at them. I could move back where they could not see me, and it was dark anyhow. So I staid right there till day. I guess that was about between two and three o'clock. So finally time commenced running out, and they said, "Well, we had better go to work and kill all the niggers we have got. We won't be able to find that son of a bitch."

Q. Could you distinguish who said that?—A. Well, I don't think I could tell who it was that made use of the expression. It was made in the crowd. Some said, "We had better kill all," and some would say, "We had better find out." From what I heard men say, General Butler had moved men around to the corner house, on Main street, in the rear of the building, and had made that his headquarters. Some would say, "We will go around to Davis's store and there we will find General Butler;" and then he says, "We will do just whatever he says." Some of the men would say, "We had better kill all, because, if we don't, they will give testimony against us some day to come." So they had quite a wrangle among themselves at one time, because some of them did not want to kill all. They wanted to pick out certain men, and

some wanted to kill all, and they got up quite a fuss, and talked about shooting among themselves about it. Finally, there was a man from Augusta—I know the man well, but I can't think of his name now, to save my life; he has a kind of a curious name, and I have been trying to think of his name ever since I have been here; but anyhow he told them that they had better have a court-martial of twenty men, and whatever that court-martial decided on, then do it. So they agreed to that; they went off, and when they came back they had the men's names that they intended to kill down on paper, and called them out one by one and would carry them off across the South Carolina Railroad, by that corn-field, and stand them up there and shoot them. I saw M. C. Butler. He came around there once, about the time the court-martial was decided, and was telling them what men to kill and what men he wanted to be killed; and I heard him call Attaway's name distinctly, and another by the name of Dave Phillips. The other names I could not hear. They wanted to kill some who got away.

Q. You heard Butler call those names as the names of the persons who were to be killed?—A. Yes, sir; I did. The men seemed to be very much dissatisfied, and they said that General Butler ought to kill the last one of them. They wanted to kill all of them, and they were sort of dissatisfied about it. Some said they would go off home, because they would not kill all.

By Mr. CHRISTIANCY:

Q. What did this Georgia man do?—A. He said there ought to be a court-martial; he was not in favor of killing all. There was one or two men taken out of the ring that they wanted to kill, and carried over in Georgia by some one or two of the Georgians. They got a man by the name of Spencer Harris, who was in the dead-ring, and they slipped him off; also Gilbert Miller; and they carried another young man by the name of Frank Robinson across the river to save his life. A man by the name of Pompey Curry, he was to be killed. They called him, and when they called him he answered to his name, and then jumped and run at the same time. They shot him down, but he got up and got away at last; he lingered a good while, but he is up there now. He has never been able to be out much since.

By Mr. CAMERON:

Q. What time of the day were these last men that you have mentioned shot?—A. They were shot, I guess, about 3 or 4 o'clock in the morning.

Q. Was it daylight?—A. No, sir; it wasn't quite daylight; the moon was shining very bright—about as bright as ever you seen it shine. It appeared to me that the moon shone brighter than it ever did before.

By Mr. CHRISTIANCY:

Q. You did not want it to shine half so brightly?—A. No, sir.

By Mr. CAMERON:

Q. How many were shot at that time?—A. There was four men killed out of that dead-ring.

Q. Give the names of those who were killed.—A. The first was A. T. Ataway, the first lieutenant; the next was David Phillips.

Q. Was he a member of your company?—A. He was; he was the armorer. The third one was Alfred Miuyon.

Q. Was he member of your company?—A. Yes, sir; he was. There was another one—I can't think of his first name, but his last name was Stephens; but he was not a member of the company.

By Mr. CHRISTIANCY :

Q. They are the ones that were killed in the dead-ring?—A. Yes, sir. Then there was Getsen and Morgan, making in all six. There was two wounded, but they were not killed. Pompey Curry was called up to be killed, but he ran away.

Q. Was he a member of your company?—A. Yes, sir; he was a member of the company; and a fellow by the name of Eugene Banks, he was also wounded, but not killed.

Q. How long did you remain in the house?—A. I remained in the house until the main crowd had dispersed, except some few stragglers. I remained there until you could just discover day. I came down then out of the building from where I was and went out of the back lot and looked at Jimmy Cook, the town marshal, that was killed by Getsen and Morgau; and afterward I went right on out through the back way down and got on the South Carolina Railroad, and I then came to Aiken.

Q. How far is that from Hamburg?—A. Seventeen miles from Hamburg. We had a good many in this dead ring, I suppose some twenty-five or thirty. They just went into their houses and took them out of their houses—men who had taken refuge in their own houses to save themselves, and had nothing to do with the affair.

Q. They did not kill them?—A. No, sir, only Stephens; they took him out of his house and killed him. I heard—I am not able to say who the men were, there was such a crowd—but right near where I was standing they expressed their reasons why Minyon and Stephens were killed. A man by the name of Lamar, (I forget his other name—I am sorry I can't recollect it,) but it was from some previous falling out that they had had at some sale prior to that, and he wanted him killed on that account; that was expressed in my hearing by some of the men. Also Stephens was another man that some man had a grudge against him; but these others were killed down there simply because they were leading republicans, and also belonged to that company.

Prior to the difficulty—I reckon about two months before the 4th of July—Harrison Butler, one of R. J. Butler's sons, was in conversation one morning with me, John Thomas, Pres. Williams, and John Bird, and, if I mistake not, a man by the name of S. B. Picksley. He told me that the democrats had made it up in their own minds, and they had organized all over the State, and also had about thirty men from Texas and Mississippi to come in this State, and they were feeding them, organizing all of the white men into certain different clubs, and before the election that there had to be a certain number of niggers killed, leading men, and if they found out after the leading men was killed that they couldn't carry the State that way, they were going to kill enough so that they could carry the majority. He said he had nothing to do with it; that he wasn't a member of any of these clubs; that all he had to do with was on his own plantation and the people that lived on it, and if any man interfered with them he should protect his home. But he said that it was a fact that that was to be done, and he said in the presence of all these men that it had to start right in Hamburg. He said Hamburg was the leading place of Aiken County, and if they could be successful in killing those they wanted to kill in Hamburg, they would certainly carry the county; but it had to be done in all the counties; that there was no way to prevent it. I says, "Supposing that the colored men should have a poll to themselves and the white men to themselves?" (I was just suggesting that to draw him out.) He said, "It don't make a damned bit of difference what sort of polls they have;

these men have got to be killed; the white men have declared that the State has got to be ruled by white men; we have got to have just such a government as we had before the war, and when we get it all the poor men and the niggers will be disfranchised, and the rich men would rule. We can't stand it and won't stand it." And he told me then, "Jimmy Cook and Dan will certainly be killed." I asked him why? He said there was men who had a plenty against them, and they would kill them sure. Said I, "Mr. Butler, will I be in that number?" He said, "No; I don't know whether your name is down or no; but it depends entirely on how you behave yourself." There was one boy that was drummer in my company. He was a minor (under age,) and by request of his mother we allowed him to be a drummer in the company. They took that boy up and whipped him.

By Mr. CAMERON:

Q. Who did that?—A. Old man Butler did that.

By Mr. CHRISTIANCY:

Q. Was that before the Hamburg riot?—A. Yes, sir; just prior to that. They had him whipped once or twice. He whipped him once, and then made his mother do it. He just got up and told her she had to do it. After that I received a note. The note was destroyed when all of my papers was destroyed. I received a letter with my name, and specifying a dozen or two different names that was in the vicinity of Hamburg that had to be killed, and I was sure to be killed.

By Mr. CAMERON:

Q. You may give the names of any of the others that you can recollect?—A. James Cook, and Ataway, and Anderson Minyon, and Sam. Spencer, Charley Griffin, Mortimer Mimms, and I don't know that I can think of the balance; but I had the names of all of them.

Q. That letter had no name to it, I suppose?—A. No, sir; it had no name to it.

Q. How did you receive it—through the post-office?—A. I received it through the post-office.

By Mr. CHRISTIANCY:

Q. How long before the Hamburg affair?—A. That was about three weeks before that.

By Mr. CAMERON:

Q. How old a man is Harrison Butler?—A. I should judge that Harrison Butler was about thirty-six or thirty-seven; I don't know certain. He is a son of R. J. Butler.

He said they had a wild man there from Texas who had been killing people for four or five years; they said he was in the Mississippi fracas; and they said he didn't have more than a word and a blow with a man before he would shoot him right down.

Q. Where have you been since the Hamburg affair?—A. Well, sir, I have been the most of my time in Aiken; I couldn't possibly stay at home. Whenever I would go home and stay a night or two I would have to lay out in the woods. My wife would be up there, but in fact I had nothing else in the world; I had no furniture, nor nothing; I had to let my wife remain there with her mother in Augusta; but since that time I couldn't go into Augusta. There was men over there, on account of that fuss, who expected to be arrested, and they have sworn to kill me if I ever put my foot there, and my wife would see me, and I would lay

out in the woods all night. I just laid in the woods regularly from that time; I couldn't sleep in the house.

Q. Have any of the other colored people of Hamburg been compelled to lie out in the woods?—A. O, yes, sir; there has hardly been a time since that riot until just since the district attorney has been down there arresting some. They may have probably run into their houses now and then since that time and prior to that time; but a man daresn't sleep in his house; he couldn't sleep in his house.

Q. Did the women and children sleep in the houses, or did they go out too?—A. Some few of them had to be up all night. Some of the women have got to laying out in the woods.

By Mr. CHRISTIANCY:

Q. During the night while that crowd of armed men were around there, and when they were killing these colored men, was anything said about politics?—A. Yes, sir; that was the whole talk all the time. You could just hear it all the time: "By God! we will carry South Carolina now; about the time we kill four or five hundred more we will scare the rest." You could hear them say, "This is only the beginning of it. We have got to have South Carolina; we have got to go through; the State has got to be democratic; the white man has got to rule; this is a white man's government!" Politics was used all night long, all the time; even in the evening, before it begun, you could hear, "We are going to redeem South Carolina to-day!" You could hear them singing it on the streets, "This is the beginning of the redemption of South Carolina." And they allowed there was no court in South Carolina that would try them; that every hundred years the law run out, and there was no law now. They tell it constantly up about Hamburg that they ain't begun to kill out what they are going to kill. They, most all of them around there, say they intend to kill me, if I am the last man on earth; and I have received from time to time, I reckon, a dozen notes. I have got some now, and I wish I had known I would be called in, and I should have presented them.

Q. Do you think it safe for you to return to Hamburg?—A. No, sir; it is not safe for me to be there, but I am compelled to be there; when I am elsewhere I am on expenses; I haven't been able to make five cents since that time; I am afraid to work.

By Mr. CAMERON:

Q. What is your business?—A. I am a boss-carpenter by trade.

Q. Have you heard threats made to colored people since the Hamburg riot, or at any time during the summer?—A. Every day.

Q. State generally what the nature of these threats was?—A. Well, even up to the election and since the election, it has been usually expressed that they were going to kill out all the radicals, and all those that didn't vote the democratic ticket they would kill. They said there would be clubs after the election until the next election, and every colored man that didn't join the clubs they were going to kill, if they lived in South Carolina.

Q. You have heard those threats yourself?—A. I have heard them myself time and time again. I have heard men make use of it more times than enough, different times. It is a regular thing in my part of the State. About Hamburg and further down in Edgefield, which controls that part of Aiken County, or tries to do it, they are the worst set of men you ever seen in your life. This Getsen is the prime leader of all the difficulties and crowds that have been brought in there since the Hamburg riot; he would go to Augusta and select the men

and bring them in there. Whilst they were arresting these men he would lay in Augusta and creep over at certain times of night and go back. But since they have been expecting court to go on here, I showed the district attorney a letter to-day that was received from there yesterday morning by Harry Mays. He shot the second time at a man named Charley Turns, a blacksmith; and Dr. Ingall shot at him Sunday night with a double-barreled gun, and Henry Getsen shot at him with a sixteen-shooter.

Recalled December 22, 1876.

By Mr. MERRIMON:

Question. Why did you leave Georgia to move to South Carolina?—Answer. Well, sir, my first reason for leaving Georgia, it was because that the colored men were so oppressed over there in their opinion. They could not exercise their political opinion as they wished, and I did not desire to be oppressed that way, and moved to South Carolina on that account.

Q. Were you not charged with being implicated in an insurrection of negroes in Georgia about two years ago, of which General Morris was the leader, in Jefferson and other counties; and did you not leave Georgia on that account?—A. No, sir; I did not; I never was charged with it, either.

Q. Did nobody ever impute that to you?—A. No, sir.

Q. Why were you elected as captain of the company of militia that paraded in Hamburg on the 4th of July, and how and where were you elected?—A. Well, I don't know; I suppose I must have been the choice of the members; I don't know otherwise.

Q. When and where were you elected?—A. I don't exactly know now, but I think I was elected in—I could not recollect certainly now, but about six or seven months before the difficulty happened; somewhere about that time.

Q. When and where did the organization take place?—A. We had a hall at that present time situated in the town of Hamburg; a man by the name of Sam. Spencer's hall and warehouse it was called. We used that for a hall at that time.

Q. And you were elected there?—A. I was elected there, sir.

Q. Under what law of South Carolina was your company organized?—A. Under the militia law.

Q. The general law on the subject of the militia?—A. Yes, sir. The company was organized about six or seven years ago, I think. The company had had one or two captains besides myself. General Rivers, who is now major-general of the militia, he was the first captain of that company; the second captain was a man named ———, who is colonel of the regiment, was captain of them. The company remained under the control of the first lieutenant, Cartledge, for a while until I was elected captain.

Q. It was organized under the law of 1869 or 1870 first?—A. Yes, sir; I think it was; and then it was re-organized under the law. I don't know exactly when it was organized first.

Q. Was it re-organized at that time when you were elected?—A. The company had been re-organized before that time.

Q. You were not elected at the re-organization?—A. In the first re-organization I was not.

Q. If I understand it, there was a law passed about 1869 or 1870 providing for the organization of the militia, and this company was organ-

ized under that law, or purported to be, and then there was an amendment of the law, and they had to re-organize ?—A. Yes, sir; this company first belonged to the ninth regiment of national guards, and it was re-organized under the eighteenth regiment.

Q. Well, when it was re-organized, how many men were in it ?—A. Well, when it was re-organized, I think there were 84 or 85 members to it.

Q. At the time of the re-organization ?—A. Yes, sir; there were 84 or 85 members to it when I was elected captain.

Q. Active members ?—A. Yes, sir; active members.

Q. Had the company been dissolved for some time ?—A. Yes, sir.

Q. Had they ceased to drill ?—A. Yes, sir.

Q. Where were the arms in that time ?—A. In the hands of the colouel of the regiment.

Q. Who was he ?—A. John Williams.

Q. Where did he keep them ?—A. I am not certain, but I think he kept them in a room in his house.

Q. Did he live in Hamburgh ?—A. He did, sir.

Q. How far from the drill-room were you drilling on the 4th of July ?—

A. Well, I guess, sir, it was between three and four hundred yards.

Q. How many times had you paraded before the 4th of July last, and who ordered the parades ?—A. I had paraded a good many times.

Q. Well, give us some idea of how many times.—A. That is, I had drilled on the street; not what you say was a regular parade. The members, when I first taken hold of the company, was not drilled to suit me, and I did not make much display on the street as a parade, but I taken them out and drilled them. I did not think they were sufficient drilled to make much display on the streets.

Q. Did you drill them in the day or the night ?—A. I drilled them sometimes in the streets, most of the time at night; moonshiny nights I drilled them on the streets; if the moon was not shining I would drill them in the hall.

Q. After you were elected captain, how soon did you get your arms ?—A. After I was elected captain and received my commission, I got the guns in about a week afterward.

Q. And how long after that was it before the 4th of July ?—A. It was about two or three months.

Q. Did you get your ammunition when you got your guns ?—A. I didn't.

Q. By whose orders did you get your guns and ammunition, and from whom ?—A. I got them from Colonel Williams, sir.

Q. Who is he; the colonel of the regiment ?—A. The colonel of the regiment.

Q. Did you get the ammunition from him ?—A. Yes, sir; when I got the ammunition I got it from him.

Q. When did you get the ammunition ?—A. I had ammunition, I suppose, about a month before the 4th of July. The ammunition that I had, and what caused me to have it, I was going to have a target-shooting in the way of raising some money; a kind of pleasure-trip and picnic, like, and I was going to have a target-shooting to raise some money to buy a uniform for our company, and by some means or another I did not have the target-shooting. I concluded afterward not to have it, and of course I had some ammunition.

Q. What sort of ammunition was it ?—A. Cartridges.

Q. What sort of balls—minié balls ?—A. The kind of balls you use in these thumb and breech loaders.

Q. Well, were the balls adapted to target-shooting?—A. O, yes, sir; of course; balls just like you use; regular cartridges.

Q. Round or conical balls?—A. Conical balls.

Q. Who carried the ammunition into the drill-room?—A. When do you mean?

Q. At any time; first.—A. There was no ammunition in the drill-room until that evening.

Q. What evening?—A. On the 8th of July; and it was not carried in there until about half past six o'clock.

Q. Well, where did you get it?—A. I had it myself.

Q. Where?—A. The ammunition?

Q. Yes, sir.—A. I had it at my house.

Q. How much?—A. I had, I suppose, about—I probably might have had about 120 rounds.

By Mr. CHRISTIANCY:

Q. You do not mean for each gun?—A. No, sir.

By Mr. MERRIMON:

Q. Where did you get it?—A. I got it from the colonel of the regiment. I got it about a month or two before July, on account of having the target-shooting.

Q. Where had the guns been prior to your getting them, and how long had they been there?—A. I can't tell you how long they had been in the hands of the colonel, but when I got them I got them from the colonel of the regiment.

Q. Do you know where they had been stored?—A. I think they had been stored in a room of his house; I am not certain; I think a portion of them was; but I have some of them—

Q. What is his name?—A. Williams.

Q. I ask you if they were not stored in Rawl's store?—A. If they were I did not know it; they were not, to my knowledge.

Q. Did you get them by order of the colonel, or did you go and take them?—A. Yes, sir; I got them by order of the colonel, if I mistake not—no; I have not got it, his written order, and also he has got my receipt for the guns.

Q. Why was it your company was re-organized only this year?—A. I do not know as there is any particular reason.

Q. Why had not it been re-organized before?—A. I do not know any particular reason for it at all; it was just simply because they could not get men to act as company.

Q. I ask you if the time had not passed within which you could re-organize?—A. I do not know.

Mr. CHRISTIANCY. The law will show that; he need not testify to that.

By Mr. MERRIMON:

Q. Well, your company was re-organized in this year?—A. In this year. I was elected captain of it this year.

Q. Why was it so? What was the special purpose?—A. What was the special purpose?

Q. Yes, sir; of re-organizing this year.—A. I do not know as they had any particular purpose for it. It would have been re-organized a long time before if they could have got anybody satisfactory to act as captain. When I first moved to South Carolina they tried to get me into the company, but it was some time before I would agree to join it.

Q. How many militia companies were organized in and around Hamburgh, and for what purpose were they organized, and when?—A. I do

not know. There was one in Aiken, I think, if I mistake not, and one in Hamburg; them two are the only ones I know of in Aiken County.

Q. Had there been two or three around in the county there?—A. I heard of one or two others, but where they was I don't know; I heard, also, there was one at Graniteville.

Q. Were they and other companies organized prior to May, 1876—last May?—A. I don't know about the others, but I know mine was.

Q. Did you drill any last year, that is, in 1875?—A. I think the company did drill some last year, but I did not drill them.

By Mr. CHRISTIANCY:

Q. You were not captain then?—A. No, sir.

By Mr. MERRIMON:

Q. Why did Louis Schiller come to Columbia on Wednesday or Thursday after the Hamburg riot?—A. I do not know.

Q. Why did members of your company meet him at the railroad-platform at Hamburg on the morning of his return?—A. It wasn't so, sir.

Q. They did not do it?—A. No, sir.

Q. None of the members of your company met him?—A. No, sir.

By Mr. CHRISTIANCY:

Q. You mean so far as you know?—A. I know they didn't. The reason of my saying positive about it, I was standing in front of my door when Schiller got off the train. I had given him the summons that I had received to appear before the court, to bring it over here. I asked him to bring it over here, and asked John Elliott what did he think about it, and whether he thought it was a legal summons; and when he got off the train I walked as far as the corner with him, and he told me that he left the summons over here. I think he told me so, but anyhow he did not give it back to me, and so no one else met him at the depot.

By Mr. MERRIMON:

Q. Did he have a large tin can?—A. He did not, sir; or if he did, he had it where I could not see it.

Q. Did you see him have any bundle of any sort that members of your company carried to John Williams's house?—A. No, sir.

Q. Who is John Williams, what is his military rank, and is he the man you have been talking about?—A. Yes, sir; he is colonel of the regiment.

Q. What regiment?—A. The Eighteenth Regiment National Guards.

Q. Did you hear A. T. Attaway, one of the lieutenants of the company, cursing white people on the day of the first trial before Rivers, on the 5th of July; and, if so, what did he say?—A. I didn't, sir.

Q. You did not hear it?—A. I did not hear any person. I heard him say this: A man by the name of Sparnick, he employed him to act as attorney for the officers, and when he appeared before the court as attorney, Mr. R. J. Butler asked for the case to be continued until the next day or until some specified time that day, so that he could go over in Augusta and get him a lawyer, and I got up and said rather than to put the court to any trouble and to stop any business, I would go to trial without any counsel, and Mr. Sparnick did not act.

Q. What was Mr. Attaway's attitude—did he threaten the whites?—A. No, sir; if he did, I did not hear it.

Q. Was he respectful to the court?—A. Yes, sir.

Q. What was the trial-justice's politics, and was he colored or white?—A. He was a colored man, and said to be a republican.

Q. Had members of your company carried their guns with them with bayonets fixed on the highways near Hamburg?—A. No, sir; they had not.

Q. And, if so, by whose order?—A. On the highway?

Q. Yes, sir.—A. No, sir; they did not.

Q. Where were the guns kept?—A. In the armory.

Q. Did you allow your men to take the guns home?—A. When they were ordered to have an inspection, I allowed them to carry them home and clean them.

Q. Was that often?—A. No, sir; about once in every month.

Q. How long did they keep them out?—A. I would allow them to carry them home and bring them back the next drill. I generally had two drills a week.

Q. What was the object and purpose of your company?—A. It was a militia law. There was no particular purpose, only militia, subject to the orders of the governor at any time he saw fit to call on them for anything.

Q. Did you see General M. C. Butler when he reached Hamburg on the evening of the 8th of July?—A. When he first came?

Q. Yes, sir.—A. I did not, sir.

Q. Do you know what time he arrived and how he was traveling?—A. I think he arrived there, from what I heard—not from what I know—about half past two o'clock. The first of my knowing he was there was about three o'clock.

Q. Who was with him, and where did he stop?—A. I do not know. I understood he stopped at the store of a man by the name of George Damm.

Q. Did he have any arms with him?—A. I do not know; I did not see him; I do not know what he had. I got a message from him at that juncture.

Q. Had you ever seen General Butler before that; and if so, where and when?—A. I saw him passing through Hamburg frequently.

Q. Before that evening?—A. Yes, sir. In fact, I have seen him a good many times in Augusta.

Q. On page 10 of your testimony you say these words:

It was a part of the house, and I could pass right out of my bed-room into the drill-room, and I was sitting by the window, when a man by the name of Mr. Mealing, (a white man and a preacher,) him and some other white man were together, and were right by the drill-room; and I got up and looked out of my window, and I heard them say, "That's where that damned militia company drills;" and, said he, "To-morrow they are going to have a trial, and we intend to kill the captain of that company before he gets away from that court."

Referring to that testimony, state who was with Mr. Mealing when the expression was used as related in your testimony; what time of day was it; how did he travel, and which way was he going?—A. Well, sir, he was going down on the train, down toward the main part of the town, like—well, in the direction of Edgefield; who the parties were with him I did not know. I know they were white men; I did not know them; men that lived in the country, I suppose; they looked to me like they lived in the country.

Q. What time in the day was it?—A. I guess it was about half past one o'clock—maybe a little later than that, I guess. I came home to dinner at one o'clock, as usual, from Augusta.

Q. Did you ever hear Mr. Mealing use an oath?—A. Did I ever hear Mr. Mealing use an oath?

Q. Yes.—A. Well, he used it that day; I do not know only from what I have been told. The man was showed to me at court. The first

we had court he was there, and they told me that was Mr. Mealing, and also I heard some one call his name.

Q. He is the man you heard swear?—A. Yes, sir; he is the very man.

Q. He said they were going to kill you the next day at the trial?—A. Yes, sir.

Q. What denomination does he belong to as minister?—A. I do not know, sir.

Q. Name some of the parties who made the threats that you refer to in the paragraph I have read from that testimony.—A. That made threats?

Q. Yes.

Mr. CAMERON. He said that he did not know any of them except Mr. Mealing.

A. I did not. I heard the threats being made, but I could not state positive of my own knowledge. I did not hear the man say so; that was Harrison Butler.

Q. You did not hear him say it?—A. No, sir.

By Mr. MERRIMON :

Q. You say, then, "I heard a great deal of big talk, and of threats; but I did not pay any attention to them." Now, give us the names of some of the men that made those big threats?—A. I heard from different parties; I heard men talking big talk, saying what they were going to do on the day of the trial, and I heard Harrison Butler make use of a good many threats.

Q. Where was he?—A. At court that day. He came there with a sixteen-shooter in his buggy. That is, he did not, but his father did, he, and his son, and he had two large Navy pistols buckled around him, and while the court was in session he was cursing and going on, and talking about what they were going to bring South Carolina to just outside of the door.

Q. That was while the trial was going on?—A. Yes, sir; the first day the trial was going on.

Q. Well, who else made these threats?—A. They were men I did not know; also Henry Getzen was there.

Q. Did he make these threats, too?—A. Henry Getzen did not have very much to say that day.

Q. How many white men reside in the town of Hamburg? Name the principal citizens there.

Mr. CHRISTIANCY. You mean the village there?

Mr. MERRIMON. Yes, sir.

A. There is Mr. Nunberger; I don't know his first name; I know it, too, but I can't think of it. He has two sons, one of them grown and one of them not. Mr. George Damm, Mr. Bill Coger, and Davis Lepfield.

Q. Was there many or few white people there?—A. Not a great many.

Q. How many colored people; and is the town council composed of white or colored men?—A. Mostly of colored men.

Q. Is it composed of colored men entirely?—A. Well, there are some white men living in the village.

Q. But what I want to know is whether the town council is composed exclusively of colored men.—A. There is one white man on it, Mr. Schiller.

Q. How large is the colored population there?—A. I think about—of men do you mean?

Q. No, of the whole.—A. Of the whole, there may be over 300 or may be 400.

Q. How long have the colored people had control of the town council ?—A. Well, I don't know, I think for four or five years ; I don't know positive, as I only can say positive for about two years.

Q. Do you not know that they have had control ever since reconstruction ?—A. They might have ; I don't know.

Q. On page 12 of your testimony, you refer to seven or eight pistols in Mr. R. J. Butler's buggy on the 8th of July. How do you know that there were seven or eight pistols in his buggy ; how close were you to the buggy ?—A. I did not say positively that there was seven or eight ; I said that it looked like he had about seven or eight.

Q. How close were you to the buggy ?—A. Well, sir, when he first came from the house, I do not suppose I was more than fifteen steps ; I don't know as I was that ; I was standing on the corner and he passed around the corner, right by me.

Q. How far from the window of the drill-room was it to where the buggy passed ?—A. I was not in the drill-room ; I was standing on the street.

Q. Who was in the buggy at the time ?—A. Him and his son Tom.

Q. From what direction did the thirty men come, referred to in your testimony on page 12, and who was at the head of them ; what time did they come into Hamburgh ; where did they go, and what did they do ?—A. I do not know.

Mr. CHRISTIANCY. Perhaps he don't know what particular part of the testimony there is referred to.

Mr. MERRIMON. He says, " I saw about thirty of these men come in, but I did not get scared yet." Now, I want you to tell from what direction the thirty men came.—A. They came from in the direction of Edgefield.

Q. Who was at the head of them ?—A. I don't recollect who was at the head of them.

Q. Cannot you say who was the captain, for they seemed to have captains and lieutenants ?—A. No, sir ; I can't.

Q. The leader did not strike you sufficiently to make you think who he was ?—A. No, sir.

Q. What time did they come into Hamburgh ?—A. I guess between two and three o'clock.

Q. Where did they go, and what did they do ?—A. When I first seen them they were assembled down about the first shop, down by George Damm's store, and they went from there round to where they were to hold court at, where I was to appear at court. After a while they got more numerous ; there was plenty of them there ; they was just all over the streets.

Q. You say further that " at half past two o'clock I reckon that there was one hundred men in the town of Hamburgh, all armed, some with pistols and some with guns also." Where did they come from—what direction did they come from ?—A. I could not tell you ; they came from all directions.

Q. How close were you to them and how were they armed ?—A. They were then coming around where I was and all through the town—that is, they weren't exactly where I was, but off a little piece from me, and I could see them.

Q. You say the white men were " getting drunk." Who was drunk ? name some of them.—A. Well, I don't know—of course, they all looked to me like they had got very near drunk.

Q. Cannot you name some of them?—A. I know a man by the name of Bill Morgan. He appeared as if he was drunk. He cut one of the members of the council with a switch—rapped him over the shoulders with it two or three times.

Q. Do you know where they got their liquor?—A. They was going in Nunberger's store, and Davis's store, and Coger's store.

Q. Were those drinking places?—A. Yes, sir.

Q. You say "They were going to kill every God damned nigger in Hamburgh that day." I want to know who said this?—A. It was said by so many I can't remember.

Q. Mention a few.—A. I heard Bill Morgan say so. I heard Mackey Merriweather say they were going to kill "every God damned nigger that there was in Hamburgh, and then he was going to try the women and children, and after he had got through with them he should go up awhile and try Old Jesus Christ." He made use of that expression about ten feet of me.

Q. About what time of day was it when you had the conversation with P. R. Rivers, referred to you on page 14 of your testimony?

Mr. CAMERON. Read the testimony.

"So, hearing all this, I went down to Judge Rivers's house and told him, said I, 'Judge Rivers, I can't appear before your court to-day, for I feel that you are unable and your court is unable to protect my life, and I believe my life to be unsafe; I am willing that you should go to work, and draw up a bond that you think proper, and I am willing to give bond to a higher court, where I think my life will be safe.'"

Q. What time of day was it that you had this conversation with Rivers?—A. Well, as near as I can come at it now, I think it was about half past 3 o'clock; it might have been sooner—a little earlier.

Q. Did not Mr. Sparnick come to you, after a conversation with General Butler; and, if so, what did Mr. Sparnick state as coming from General Butler?—A. Well, I cannot give the exact words now, but it was something in this way: I think he said that General Butler had had a conversation with him, and he wanted to see officers of the company that he brought there as counsel for R. J. Butler, or he wanted to see or intended to see R. J. Butler righted; something in that way; and before he got there a man by the name of Sam Sparnick came to him and talked about something. I agreed to go and see General Butler, provided he would meet me. He said that he wanted to see me at George Damm's store. I told him that I could not meet him there at George Damm's store, but I was willing to see him, and would meet him at the house of S. P. Spencer, or anywhere else he could name away from those men who were armed, because I believed they were drunk, and I believed if I attempted to go through I would be shot.

Q. Did Mr. Sparnick go to General Butler, and suggest that the matters in dispute could be settled?—A. He did; that is, he left me to go.

Q. What did General Butler say?—A. He came back and told me that General Butler had agreed to meet me at Davis's.

Q. Did you go according to agreement to Spencer's house?—A. I had never put my coat on; I had come from work without my coat on, and I wanted to go home and put it on, and I sent word to General Butler I would go right off immediately to meet him; I started, and just as I got near Spencer's house I met General Butler in a buggy. He did not speak to me; he went around the street, and came on up to Rivers's house and halloed to some one, I think it was Mr. Sparnick, and told him to tell Rivers that the time had arrived for the court to meet, and

he was going on around to the court. He did not speak; he did not say anything to me at all, but passed right on by me.

Q. Did you not make two or three engagements to see him and did not go to see him?—A. I made two or three offers to see him and he did not accept of any of them. I could not see him when he did not accept of them.

Q. You say, "I went to the door and I saw a great crowd down at this place, all armed men, and they were drunk." What place do you refer to; how many men were there, and how were they armed, and who was drunk?—A. Well, now, I could not tell you, there was so many drunk.

Q. What place did you refer to?—A. This was it. I reckon, what you are speaking of, trying to get at, was when he sent for me to go to the council-chamber to see him, and I went out in the street and I looked around that way, and these men was cursing and getting excited, and the way they looked to me was like they were all drunk; they might not have had a drink of liquor in them; I did not see them.

Q. Did Spencer and Sparnick report to you that there was a crowd of armed drunken men; that they would advise you to keep yourself out of sight?—A. They did advise me to go and see General Butler.

Q. What did they say about the armed men?—A. I do not remember now exactly what they did say; I know what I said.

By Mr. CAMERON:

Q. You can state what you said.—A. I said this: I told them that I was willing to meet him whether the other officers were willing to meet him or no, but if I met him I guessed that would settle the matter. All I wanted him was to meet me somewhere where it might be safe for me, or, if he would send the men away from him, I would meet him at the place he designated for meeting, and sent him word to that effect.

By Mr. MERRIMON:

Q. You say in one place of the testimony, "Mr. Butler, in fact, did not go to Spencer's house;" do you know he did not go?—A. When I started to go to get my coat to go to meet him, he came out of George Damm's store and got into his buggy, and Sam. Spencer's house was there in the adjoining lot, and he did not stop to speak to me, but he came on around in his buggy.

Q. How long after you promised to go to Sam. Spencer's before you went?—A. I don't think——

Q. Did not Sam. Spencer promise to come back and let you know whether General Butler would meet you there?—A. He did.

Q. How far is it from Damm's store, Spencer's house?—A. It is in adjoining lots.

Q. That does not give the distance; a few steps or many steps?—A. A few steps, I suppose; about twenty-five or thirty steps from Damm's store over to Sam. Spencer's.

Q. Did General Butler leave Mr. Damm's store until the hour appointed for the trial before Rivers, until after he had waited for you for half an hour or more?—A. When he left Damm's store he came by Rivers's house and told Mr. Sparnick that the time had arrived to meet at the office and he was going on there. The time had not arrived; it was not time, because I had been summoned to meet at Judge Rivers's office at half past 4 o'clock, and when he was coming around the corner it was within about three or four minutes, as near as I can come at it, when the clock in Augusta struck four.

Q. The question I put to you is whether he did not wait half an hour?—A. Wait where half an hour?

Q. After the time he agreed to meet you at Spencer's?—A. He did not, sir.

Mr. CHRISTIANCY. Wait for what?

Mr. MERRIMON. For him to go to Spencer's house. You say at another place in your testimony, "General Butler came back from the court and sent word for me to meet him at the council-chamber?"—A. Yes, sir; he did.

Q. Who invited General Butler from the court around to the council-chamber?—A. I guess he invited himself; nobody invited him as I know of.

Q. Did not Sam. Spencer, in the court, ask General Butler to suspend the trial if he wanted the matter to be settled, and did not General Butler express a perfect willingness to suspend the trial if there could be peaceable solution of the difficulty?—A. I heard so.

Q. And suggested that Spencer make a request to the court to suspend, and did not Spencer speak to the court to suspend, and did not the justice adjourn the court for ten minutes upon Spencer's motion?—A. I do not know about it.

Q. Well, what did you hear about it?—A. I heard he did—I don't know whether it was so.

Q. Did Gardner, the intendent of the town, come in and invite General Butler to a conversation with you in the council-chamber?—A. I don't know, sir; I heard of that, too.

Q. Did you go?—A. I did.

Q. Did General Butler go?—A. I don't know; I did not see him—I did not see him down there. I know after he came from the court he sent for me to meet him at the council-chamber, and I refused to go in the same terms that I have already stated.

Q. How long did he wait for you?—A. I don't know.

Q. Did you appear before Rivers on the evening of the 8th of July, either in person or by counsel?—A. At his office—at the place of the trial?

Q. Yes, sir.—A. I did so.

Q. Who was your lawyer?—A. I had none.

Q. What was Henry Sparnick doing in Hamburg that day, and where does he live?—A. He lives in Aiken; he was in Hamburg in some business between him and Schiller, and John S. Sims, of Hamburg. I think in printing; they had a kind of little printing company, and they had been for two or three days in that matter.

Q. What was he doing in Hamburg on the 5th of July, Sparnick?—A. That was about the same thing, I learned; I don't know.

Q. Is he not a republican politician?—A. He is a republican; I don't know much about his being a politician.

Q. Does he make speeches and teach the people politically?—A. I think he did a few years ago. He has not lately, to my knowledge.

Q. When General Butler went to Augusta, how did he come; who went with him, and when did he return?—A. Well, sir, I don't know who went with him.

Q. Did you see him go?—A. I saw him. I was there, but I don't recollect whether anybody was in the buggy with him or no.

Q. Was that on the 8th of July?—A. On the 8th of July.

By Mr. MERRIMON:

Q. Well, how did he go?—A. In a buggy.

Q. How did he come back, and at what time?—A. I did not see him when he came back.

Q. What time did he go?—A. Well, now, I judge it was about five o'clock or half past five o'clock.

Q. What time did he come back?—A. I didn't see him when he came back; I saw him in Hamburg a short time afterward.

Q. Well, how long?—A. Well, I suppose it was—probably it was half an hour.

Q. How did he come back; in the buggy?—A. I don't know; I did not see him come back.

Q. But when you saw him after he came back was he in a buggy, or how was he?—A. No, sir; when I seen him again he was on horseback.

Q. Was he armed?—A. I do not know; I did not see any arms.

Q. Who went toward Augusta to meet General Butler, and what did they go for?—A. I don't know; I only heard that there was a committee—

Q. What did he do on his return?—A. When I see General Butler again—in fact, after he came back from Augusta, there was another conference committee from Butler in conversation with him. They said that General Butler said he would give me fifteen minutes or five, I disremember which now, to give up the guns, to surrender the guns of my company. I sent General Butler word back that the guns belonged to the State, and I was responsible for those guns, and if any lawful officer would come to me and demand those guns, I willingly would give them to him, but I was not willing to give them to him, and I could not do so; that he had no right to them; that he was a private citizen like any other man; and I do suppose more than about five minutes after that committee left me before—well, at five or ten minutes after they left me—General Butler was also in the act of arranging his men around the different parts of the town like he wanted them, and it was not long before the firing commenced.

Q. Let me ask you what you mean by his arranging his men?—A. Well, I mean this: he was placing them in squads in different places.

Q. How; issuing orders?—A. Yes, sir.

Q. How close were you to him?—A. I was up on the top of my drill room looking at him.

Q. Did you see him give orders?—A. I was too far off to hear what he said, but I saw him point his finger in different directions, and as he pointed his finger they took position where he pointed.

Q. You did not hear him issue any orders at all?—A. Not at that time.

Q. Well, did you at any time?—A. I did, sir.

Q. What orders did you hear him give?—A. I heard him at one time tell a squad of men to go down to an abutment of the N. C. C. Railroad and take their places down there, and at another time I heard him give orders that there was about fifteen or twenty-five horses right in front of the drill-room, and for them to go and take their stand here by the stables across the street; and they did so.

Q. What time was that?—A. It was near six o'clock, as near as I could judge.

Q. Do you remember the names of any of the men that he ordered?—A. I do.

Q. Who were they?—A. I did not hear him call them by name, but I knowed some of the men that went to these places; I knowed Minnie [Mackey] Merriweather—I believe his name was; I always called him so—and I knowed a man named Henry Getzen, and I knowed a man by the name of Gus Reese, and others I did not know; I might have known, but I did not take no notice.

Q. Where did the intendant of the town have a conversation with General Butler, referred to in your testimony, about removing the women and children, and about surrendering the arms and officers to him, and who was present at the conversation?—A. Well, I don't exactly know where the conversation was, but I know the intendant of the town came to me after that and told me about it.

By Mr. CHRISTIANCY :

Q. That is all you know about it?—A. That is all I know about it.

By Mr. MERRIMON :

Q. You did not hear it yourself at all?—A. No, sir, I did not hear it.

Q. Who is the intendant of the town?—A. A man named John Gardner, I suppose in Hamburg.

Q. Is he now the intendant?—A. Yes, sir.

Q. He said nothing to you about surrendering the arms or removing the women at all?—A. Who? Gardner?

Q. No, General Butler?—A. No, sir; he never did have a word to say to me at all.

Q. Did not General Butler suggest to Gardner, the intendant of the town, the advisability of having the arms shipped to Governor Chamberlain to store in the arsenal, where they belonged?—A. I don't know, sir.

Q. You did not hear of it?—A. No, sir.

Q. Was it reported to you that he did?—A. I heard that there was some such talk. I heard this: that he made an offer to General Rivers, if I surrendered the arms, that he would give bonds for them; that is what I heard. I don't know anything about it.

Q. Did you hear it suggested that he would give bonds, with the best of security, that the arms should be safely delivered to Governor Chamberlain?—A. I heard so.

Q. Did General Butler demand the guns?—A. He did. In his message to me he demanded the guns.

Q. Now, did not he suggest that course rather than demand it?—A. He demanded it; said that they had to have them.

Q. Did he say that to you?—A. No; Rivers offered to General Butler that he would take the guns and box them up and send them to Governor Chamberlain himself; that he had no right to turn them over to him, (Butler;) and General Butler told him, "Damn General Chamberlain;" that he cared nothing for General Chamberlain; that he was there as General Butler, and he demanded them guns, and intended to have them.

Q. Did you hear that?—A. No, sir; I am just telling you what report was delivered to me by—

Q. Well, did you hear it?—A. I told you I didn't hear it.

Q. Who reported that to you?—A. General Rivers himself told me so. He came to me on a commission bringing a message from General Butler.

Q. Did General Rivers tell you that General Butler had suggested this course as the solution of the troubles?—A. He told what I have told you.

Q. I put that question to you; just answer it, yes or no.—A. No, sir; he did not tell me that he suggested it; he told me that he demanded the guns; that is the way that it got to me.

Q. Did not Rivers, Gardner, and Sparnick all advise you not to give up the guns upon any condition, and did not you send word to Rivers that you intended to fight?—A. I did not.

Q. Did they advise you not to give up the guns?—A. No, sir; I will tell you, if you want me to tell, what I said to General Rivers about the guns.

Mr. CAMERON. You can tell it.—A. General Rivers only came to me once, and that was on the last committee that came to me, and told me what General Butler had said to him. I said to General Rivers, "You are the major-general of the militia of this division, isn't you?" And he said, "Yes." I says, "Now here, I am willing to do this, while I believe under the law I have no right to give up the guns to you, but you, being the general of militia, I will give you these guns to keep if you will take them, and take my chances." He says to me, "I have no right to take those guns out of your hands; the law does not give me any such a right, and I am not going to demand them. You can do just as you please. I want the thing to be settled if it is possible, but I don't demand them." I says, "If you don't demand the guns, and if you don't take them, I don't intend to give them up to General Butler."

Q. Did you say you intended to fight?—A. No, sir; I didn't say anything of the kind, that I intended to fight. I didn't tell anybody I intended to fight.

Q. When and where, and in whose presence, did the conversation between General Butler and the intendent of the town occur in reference to General Butler's guaranteeing the safety of the town, as related by you in your testimony?—A. I heard it in the presence of Sam Picksley, I think, and some one else, I don't exactly recollect.

Q. Where was it?—A. I don't know where it was.

By Mr. CHRISTIANCY :

Q. You did not hear it yourself at all?—A. I did.

By Mr. MERRIMON :

Q. Where did your conversation with Rivers occur?—A. In our drill-room.

Q. You were then in the drill-room?—A. Yes, sir; I was in the drill-room, and he called me out, and the conversation taken place between me and him in my bed-room.

Q. What time was that?—A. That was, I think, near about six o'clock.

Q. How do you remember so accurately these various conversations; did you write them down?—A. I did not.

Q. Were you very much excited?—A. I was not; I never was.

Q. Perfectly cool?—A. I was, sir. I was not excited the whole night through.

Q. By whom did you send the note to General Butler, mentioned in your testimony?—A. Well, I don't recollect now; it was some committee, but I don't remember who it was exactly that I sent it by.

Q. Who wrote it, and when and where was it written?—A. It was written in the drill-room.

Q. Well, who wrote it?—A. I written it myself, sir.

Q. When?—A. That evening.

Q. What time in the evening?—A. Well, I guess it was near 6 o'clock.

Q. Do you know whether General Butler received the note or not?—A. I don't know, sir.

Q. To whom were you responsible for the guns?—A. I was responsible to the colonel.

Q. To the colonel of the regiment?—A. Yes, sir.

Q. Where was he?—A. I don't know where he was. I sent for him two or three times, but he did not come to me.

Q. Did he live in Hamburgh?—A. He did.

Q. Did you offer to give the guns up to him ?—A. I said I would give them up to any lawful officers. Coming down to the facts under the law, he had no right to demand them, but I was willing to give them to him to keep any blood from being shed.

Q. Did you hear Attaway tell one Thomas, or anybody, to shoot the Butlers when they came out of Rivers's office, and that he would give the signal ?—A. No, sir.

Q. You did not hear that at all ?—A. No, sir.

Q. Who was with General Butler when, as you say in your testimony, he was placing his men ; was he on foot, mounted, or in a buggy ?—A. He was on a horse, sir, accompanied by A. P. Butler.

Q. Who were the horsemen being placed by him ; did you know any of them ?—A. I might have known a few of them. I could not recollect now. I was not paying any attention to them ; I was paying attention to General Butler, because when I found that General Butler was in town—I tell you the truth, I didn't think really that there would be any fuss, because I thought he was too high-toned a man to go to any such a thing, to stoop that low.

Q. Do you not know that his relations to the colored people in his county were of the most friendly character ?—A. I don't know that ; I know it was of the most bitterest character.

Q. You know just the reverse ?—A. Yes, sir ; I do.

Q. Why, then, did you expect that he would have done otherwise than he did that day ?—A. I will tell you my reasons for it : While he might have been bitter in a political way, I didn't think he would get down so low as to go to work to kill people for nothing.

Q. Did you see him kill anybody ?—A. I didn't ; I heard General Butler say he killed some of them.

Q. You heard him say so ?—A. Yes, sir.

Q. When and where ?—A. I will tell you exactly when it was, about half past one o'clock, I reckon. I guess it was about half past one o'clock Wednesday night. In getting out I was surrounded, and all the men that were with me. I succeeded in getting out and in getting all the men out all clear, and there was some of the men hid, and I knew that they hid somewhere in the square ; and after they started I thought if they got them they will kill them, and after I got the men that were with me up near the railroad and placed them in an ambush one side of a little branch, I did not think that they would ever get down that far. I then told them to remain there and I would go back if I got off and did not get killed, and I would go to look for these other men.

By Mr. CHRISTIANCY :

Q. That you have testified to in your direct examination. Go to the point when you heard him say that—A. I came back and got surrounded ; went up-stairs in Mr. Rawl's, the postmaster's, house. They had the dead-ring just below me ; there was some men they had down in the dead-ring ; there was some white men there discussing about killing him ; one said it was not worth while to kill all these men ; I don't know who the man was, but they called for General Butler, and at this time General Butler came around there on his horse, and had been standing there for fifteen or twenty minutes, and he said to these men, "You put your bounds out and bring all these sons of bitches in," and whoever it was that they wanted to kill they walked up and asked young Butler about it, and General Butler said, "Take the son of a bitch out and kill him."

By Mr. MERRIMON:

Q. What time was that?—A. That was between three and four o'clock in the morning. That was the time they killed this man.

Q. You place the time now as between three and four o'clock in the morning?—A. I think it was.

Q. How close were you to General Butler?—A. I don't suppose I was more than about twenty-five feet from him—looking right at him.

Q. Was it light?—A. The moon was shining bright as day almost.

Q. You know him well?—A. I do.

Q. What do you mean by saying that you heard him say that he killed a man?—A. I never did say that. I said I heard him say to kill some men.

Q. You heard him give that order?—A. I heard him give that order.

Q. That was between three and four o'clock in the morning?—A. That was between three and four o'clock.

Q. Did General Butler have any command in Hamburg; and, if so, what was it, and by what authority was he in command?

The WITNESS. How do you mean?

Q. Did he have any command of men, of a company, or regiment?—A. Everybody that you could hear say anything most that night, they said they were doing such and such a thing by General Butler's order.

Q. That is all you know about it?

Mr. CHRISTIANCY. You do not mean to ask him whether he had any legal authority?

Mr. MERRIMON. Yes; all he knows about it.

The WITNESS. Any legal authority?

Mr. MERRIMON. Yes.

The WITNESS. I do not think he had any such authority. I do not know.

Q. You say at one place, after describing that he had some eight hundred men stationed at different points, "He had men placed all around and up on the hill, about five or six hundred yards, maybe a little more. I could see him placing men all around town." What hill was referred to in that part of your testimony on which General Butler placed the men all around?—A. On part of Scholt's Hill.

Q. How far is that from the river?—A. About a quarter of a mile, I guess. It might not have been quite a quarter.

A. Is not Hamburg located on the river-bank?—A. Yes, sir.

Q. Is there not an unbroken level for half a mile from the river before reaching any hill?—A. I do not think it was half a mile. I think about a quarter of a mile. I don't think you could make it a half mile.

By Mr. CHRISTIANCY:

Q. It is Scholt's Hill any way, is it?—A. Yes, sir. You can stand on the top of the drill-room and look all around.

By Mr. MERRIMON:

Q. How far is the drill-room from the river?—A. About seventy-five yards.

Q. Who fired the first gun that was fired, and at what time was it fired?—A. The first gun? I didn't see the man fire it. It was a signal-gun. I taken it to be a signal gun down the river-bank a piece. I saw the smoke of it, but I didn't see the man; and with that the guns com-

menced firing from the abutment of the railroad. The first man that fired after the signal-gun was Henry Getzue; I saw him; I stopped and kept looking at him.

Q. Do you swear now that the negroes did not fire the first gun?—

A. I do; and I would swear to it till I was as small as a pea if it was required.

Q. Where were you standing when you say the signal-gun fired, and where was the party who fired it?—A. I was standing in the hall that lead from my sitting-room in my house looking right out of the window.

Q. Where was the party who fired it?—A. At the abutment of the railroad; the first abutment. They was placed behind a rocky pier there, and Henry Getzue walked out and fired the first gun from that abutment.

Q. How many guns did your men fire, and what kind of guns and ammunition did you have?—A. Well, I guess about half an hour after all the windows in the front of the buildings in the drill-room was shot out. After that there was a gun fired from the drill room. We commenced firing from the drill-room.

Q. How long after the white men had been firing did you fire?—A. About half an hour.

Q. What were the men doing in the drill-room?—A. Standing right between the windows, just like this window is here. [Pointing.]

Q. How many men did you have there?—A. There were thirty-eight men in the drill-room; about twenty-four of the men in there belonged to the company. Some men there had no guns. They had come up there to get out of the way.

Q. Would they not have been safer to have gone from the town?—A. They couldn't get out of town, for they had the town surrounded, and they wouldn't let anybody come in or go out of the town.

Q. What kind of guns did you have?—A. We had what is called the thumb-loading breech-loader.

Q. What kind of ammunition did you have?—A. Cartridges.

Q. Did you fire towards the city of Augusta; and if so, did any of your shots go into that city?—A. I do not know. We did not fire many guns from the building at all. We didn't see any use of it. I do not think there was more than six rounds fired from the building. We did not see any chance to fire. The men would stand behind the rocks, where they were protected, and you couldn't get a chance to fire at them. The men staid around Rawles's building, and behind it, and we couldn't see them.

Q. Well, they could fire at you?—A. Of course they could. As fast as one could empty his gun sixteen times, he would step out of the way, and another one would come from behind the abutment and fire. We had no chance to fire.

Q. Could you not see him when he would fire?—A. I saw one man fire just as he came out and we fired once or twice, and we found we couldn't hit him.

Q. How many rounds did you fire?—A. About six rounds.

Q. Six rounds for each?—No, sir; no more than six in all.

Q. Do you know whether you killed any white men?—A. I do not know whether we did or not. I know there was some killed, but I don't know who killed them.

Q. How many white men were killed?—A. Well, they say there was one killed.

Q. Did your men fire from the windows and from the top of the drill-

room?—A. I say there was but six guns fired from the building—I think one or two of them probably from the top of the building.

Q. How long had you known Mackey Merriweather at that time?—

A. Well, I had seen him several times there at Hamburg, and I had seen him probably three or four times in Augusta. I hadn't much acquaintance with him; I knew him when I seen him.

Q. Could you see behind the abutment of that bridge?—A. No, sir.

Q. You could not?—A. No, sir.

Q. Do you know when Merriweather was killed?—A. He was killed before dark. They had been firing on us; they commenced firing on us just about six o'clock, and they fired until about half an hour before there was a gun fired from our building at all—fully half an hour, if not more.

Q. Did you see him fall?—A. I did not. I saw him put his hand up to his head, but I did not see him fall. He fell behind the abutments of the bridge.

Q. You say in one part of your testimony that you were familiar with the voice of Col. A. P. Butler?—A. I am.

Q. How many times had you heard his voice, and when and where?—

A. I heard it generally all through the night.

Q. But before that time?—A. Before what time?

Q. Before that evening, the evening of the 8th?—A. He was in Hamburg constantly, and every time he came in Hamburg he is just like making a stump-speech or something another; all the time talking and prevailing with the colored people.

Q. Is he a noisy man?—A. He is no very noisy man, but he always come there, and he always wanted to be speaking a piece—coming there speaking to the colored people and talking loud talk, just like you know some people can talk. Sometimes he would have two or three around him, and he was saying to them that his way was right; the democrats were right, and he was going on from time to time that way.

Q. You have heard him speak repeatedly to crowds?—A. Yes, sir; prevailing with them from time to time.

Q. You say in your testimony that you tore up some lumber and made a ladder?—A. I did.

Q. How did you make it?—A. I made it with nails.

Q. Did you have tools?—A. I was a carpenter by trade. I had a splendid lot of tools in my house; over five hundred dollars' worth of tools.

Q. How long was the ladder?—A. I guess about sixteen or seventeen feet long.

Q. Did you not in fact have the ladder in readiness to scale the walls that night?—A. I did not.

Q. You swear you did not?—A. I did not.

Q. How many men came out of the building with you?—A. Well, they all went out of the building before I did; I was the last man went out of the building.

Q. Did you or your men continue to fire your guns after you came out?—A. Well, when I come out I never did have but fourteen men, and we had to fire or die, one.

Q. Well, you continued to fire after you came out?—A. After we got out away on the street we fought our way out till we got out.

Q. How long did you continue to fire?—A. I suppose, I reckon we fired pretty rapidly for about an hour or two; not right after one another, but once and awhile, you know.

Q. You say that they were all scared ; were you scared ?—A. I wasn't scared ; I never was scared.

Q. Can you say where the three hundred men came from of whom you speak in your testimony ?—A. I do not know where they came from, sir. Judging them as near as I can, I think there was over three hundred, and I think there was nearer four hundred than anything else.

Q. Where did they come from ?—A. After dark I could hear them coming across the bridge from Augusta, yelling, whooping, and hollering. I heard them when they brought the cannon across the bridge.

Q. How many Augusta men were over there ?—A. I couldn't say, but there was lots of them there.

Q. What sort of a class of men were they ?—A. They was all classes.

Q. You say in one place in your testimony that you got up the railroad-trestle.—A. I went as far as the railroad-trestle once.

Q. Where did Jim Cook come from when you saw him ; what did he have in his hands ?—A. I guess you mean when he got shot ; is that what you are talking about ? That is about the onus time I could give any answer about him at all.

Q. I will put the question again. Where did Jim Cook come from when you first saw him, and what did he have in his hands ? Where were the men standing whom you say shot him ? Now state first where he came from.—A. I do not know exactly where he came from.

Q. Where did you first see him ?—A. The first time I seed him he was passing around a little corn-field—a garden, at least, a pretty large garden ; corn growing in it.

Q. What did he have in his hand ?—A. I don't remember of his having anything in his hand.

Q. You do not know whether he had any gun or not ?—A. I don't remember.

Q. Where were the men standing whom you say shot him ?—A. They were standing outside in the street. I have been trying to think of the street. I am ashamed of myself that I don't know the name of the street, and I can't think of it, but it was a street in the rear of the buildings of the front street—right in the trestle of the Charattee and Columbia Railroad. They were standing near the trestle, in the same street, and he jumped over the fence, and they holloed to him to halt, and they surrounded him.

Q. And they shot him ?—A. And they shot him.

Q. Did he take his shoes off to go down the ladder ?—A. He didn't have any shoes on ; he had his boots on.

Q. Did he take them off ?—A. I don't know.

Q. Did the men generally take their shoes off, or boots, to go down the ladder ?—A. They had no cause to do so. I didn't take mine off.

Q. You say the corn made a shade. How could you see the men in the street if the corn made a shade ?—A. There wan't no corn in the street.

Q. You said the corn made a shade, so as in some measure to obscure your sight ?—A. Why, I could see the men that were in the street. I knew two of them, and in fact, to make me certain of them, I knew their voices well, and heard them talking to him. I was close to the fence, and I heard them talking to him. I went up close to the fence when he was shot.

Q. Is the fence inclosing the corn-patch a high, close fence ?—A. A tolerable high fence.

Q. A close one ?—A. No, sir ; it is not a close fence. I got up on one of the blocks, and of course I had an opportunity to see them.

Q. How old is Bill Morgan, and what sort of a man is he?—A. I declare I don't know, but I have seen the man a good many times. You asked me what sort of a man he is?

Q. Yes, sir; what sort of a man; what sort of an appearance?—A. I don't know.

Q. Where is he from?—A. I think from the direction of Edgefield somewhere.

Q. How old is he?—A. I judge about twenty-five; not a very old-looking man at all. He was shot the same evening himself.

Q. Was he armed; and, if so, with what?—A. He was armed with a gun—one of the militia guns, whatever it was.

WITNESS. Who was?

Q. This man Morgan.—A. Morgan? he had, I think, a sixteen-shooter.

By Mr. CHRISTLANCY:

Q. Morgan was a white man, was he?—A. He was a white man. He was shot the same night; somebody shot him.

Q. How many shots were fired at him, and how long did he live?—A. I do not know, just now, who did the firing, but I think, though, he was killed instantly. There was some four or five shots fired at him.

Q. Did he have a gun in his hands and ammunition on his person?—A. He had no gun, to my knowledge.

Q. Any ammunition on his person?—A. Not to my knowledge. He might have had a pistol or two. He always toted a pistol. He was town-marshal.

Q. How far were you from Henry Getzen and Bill Morgan when they had that conversation that you have referred to in your testimony?—A. I was not very far from them. I do not know. I wasn't over twelve or fifteen steps; it may have been more or less.

Q. How many times was he shot?—A. It seems to me I heard the report of four or five guns. There were four or five men there. I heard Getzen call and tell him, "You are a God-damned son of a bitch; I am going to shoot you." Bill Morgan said something about their arresting him and carrying him before the counsel, and he had to pay a fine of five dollars, some time previous to that, and that they were going to get their satisfaction out of him that night.

Q. It was a matter of revenge, then, to kill him?—A. I suppose so, from their conversation.

Q. Did Jim Cook have on shoes or boots?—A. He had on boots; he was a man that hardly ever wore shoes.

Q. What kind of a watch did he have?—A. I don't know; I know what kind of a watch he generally wore; he wore a silver watch, with open face—a very pretty thing.

Q. Did Cook have more than one watch?—A. He had two or three watches, so I don't know which watch he had on.

Q. Describe how high the trestle was.—A. I think it was about, as near as I can judge of it—I have never measured it—probably eight or ten feet high.

Q. The corn growing under it?—A. Yes, sir; the corn was growing under it—not growing exactly under the trestle, but in the same lot that the trestle ran through.

Q. Close to the trestle?—A. Yes, sir; very close to the trestle.

Q. Where were you located?—A. I was stopping down in the garden. I had saw some men before me, and they was going in that direction, and went close to the fence. Whilst I was there Cook ran across this

garden and jumped over the fence. I was very close to the fence, and I could look through the fence and see the men.

Q. Where did Cook fall?—A. He fell very near that trestle—just below it.

Q. Did he scale the fence or go through it?—A. He went over the fence; there was no gate for him to go through.

Q. Explain how you went from the corn-patch to Schiller's house, and how you avoided the crowd of men you saw come in, and where you were standing when they were breaking up the things, and where was Schiller.—A. I do not know where Schiller was; I know nothing about him. I did not see Schiller that night.

Q. Well, describe how you got to Schiller's house.—A. I went back right through the same way I come. I come up back towards the drill-room in that direction, [indicating,] and got over the fence into Schiller's yard, and went between his kitchen and the fence up in the yard; there was where I was standing when they broke up my things.

Q. When did Schiller leave his house?—A. I do not know, sir; I couldn't tell you; I never seen Schiller that night.

Q. How could you recognize R. J. Butler in the dark?—A. It was not dark; the moon was shining as bright as you ever seen it, I reckon; it looked to me like it was day, because there was fighting.

Q. Where was Moses Parks shot?—A. Right at Davis Lipfield's, a little way from there.

Q. Was there not a high, close fence between you and where he was shot in the street?—A. I saw R. J. Butler shoot him as he went through the gate.

Q. You saw that?—A. I was just looking right at him as I am looking at you.

Q. Which street was the crowd in where you saw General Butler at his headquarters?—A. On the front street, next the river.

Q. How could you see from the back of the house into the street when the back of the house opened into the garden or corn-patch?—A. It did not open into any corn-patch. Up to Mr. Rolls's the house sets right in the corner, like here is one street, [describing] on paper, and the house stands here.

Q. Look at that diagram and see if that describes it, [showing a diagram to witness.]—A. Here is Rolls's house, which stands right in that corner; here is one street, and here is the back part of Rolls's house; it fronts on this street, on this cross-street; and here is the back part of Rolls's house; and here comes in another street running down, the way the Savannah River is; here was the piazza on the back part of the house, parallel with the street; and right here in this corner next to the street, in this piazza, I was standing, and the crowd was all assembled around me.

Q. Where was the crowd shooting?—A. Right down at this corner, right alongside of this street, and some in the short street here; but General Butler stood right here in this street, the street running down parallel with Savannah River—the front street—and he was standing right here; there was a few mulberry or China trees standing here, and there is where the crowd was; there the headquarters was, and I was right up over them. I was in the piazza, standing looking at them.

Q. Being in the piazza, how could you see all along up and down the trestle?—A. No, sir; I couldn't see up and down that trestle. This piazza was inclosed on the end that come parallel with this street here, and it had one panel of the blind broken out, and I could look out down through that down on the crowd.

Q. Where were the thousand men from to whom you refer in one place in your testimony?—A. I couldn't tell you where they were from.

Q. You say, "I was on the back street, and here came along another street; right on this street I suppose there was over a thousand men; they had their headquarters there, and General M. C. Butler was among that crowd."—A. Yes, sir.

Q. You do not know where they came from?—A. No, sir; they would go off and come in all the time, and go in and out.

Q. Were not men all through Rolls's house guarding it?—A. If there was, I didn't know. They wasn't in that part where I was; if they had been I wouldn't have been here now.

Q. How did you escape them?—A. I don't know; I just went through somehow. Sometimes they were as close to me as you is.

Q. Were those men in the house when you was standing on the piazza?—A. They were not.

Q. Couldn't you hear them in the house?—A. I could not. There wa'n't no one in the house.

Q. Are you sure of that?—A. I judged so from this, that Mrs. Rolls locked up the house and went over the river. I saw her lock the house and put the key in her pocket, and she went over the river.

Q. If they had gone in the house they could have found you in the piazza?—A. They might. I didn't hear nobody there, and another thing, I know they was not in the house for two reasons: First was that Mrs. Rolls locked up the house and put the key in her pocket, and next was that there was a man staid in the house. Dick Johnson lived in that same house, and he went in the house and they locked him up in there. He was there all night.

Q. Where was the "dead-ring" that you refer to in your testimony?—A. Right down that street that runs parallel with the Savannah River.

Q. How far from Rolls's house?—A. No distance. I could stand and look right down there.

Q. From the piazza you was in?—A. Yes, sir; from the piazza I was in to where they killed these men. They killed them out there, down next to the railroad. Who shot them I don't know; I could hear the guns though.

Q. In one place you say every time they came in General Butler would say, "Good, boys; God damn it! turn your hounds loose and bring the last one in."—A. Yes, sir.

Q. To whom did General Butler address this remark?—A. I don't know. Every time they would come in with a colored man he would say that.

Q. How did you know it was his voice?—A. I was looking right at him when he would say so.

Q. You say, on that same page, "And some would try to describe what sort of a man I was—a man with side-whiskers and mustache—and some would roll up their sleeves and write it on their cuffs. One man wrote down my description on the bosom of his shirt, and said, 'We'll have him to-day.'" Name some of the parties who did this.—A. I couldn't name them, sir. I didn't know them. I know I seen a man do it.

Q. How could they see to write at night, and how could you see them write?—A. I could have wrote as good a letter that night as I could to-day, if I could write at all.

Q. Well, how could you see them?—A. I had nothing to do but to look right down at them; I was not more than twelve or thirteen steps away from him.

Q. Is not Rolls's house surrounded by thick shade-trees?—A. Yes; there are some shade-trees around it.

Q. Well, many or few?—A. Well, not very many, sir; very few. I don't think there was more than two or three at the outside.

Q. Were they covered with leaves at that time?—A. Some of them was, and one was about half dead, and it probably had leaves on it, but it didn't prevent me from seeing them.

Q. How far were you from what you call the "dead-ring"?—A. I don't know; I suppose I wasn't more than fifty or seventy-five yards from it.

Q. Where did you say General Butler moved his headquarters to?—A. I disremember now; I might think of it after a while when you call my attention to it. I know he moved them two or three times that night. His headquarters was once in Davis Lepfield's house; I reckon probably that that was the time you was speaking of. That was during the time that there was shooting going on so; and after the firing ceased he moved down to this corner. (Indicating on diagram.)

Q. You say at one place in your testimony, "Some would say we will go around to Davis's store and there we will find General Butler?"—A. Yes, sir.

Q. - And then he says, 'We'll do just as he says.' Some of the men would say we had better kill all, because if we don't they will give testimony against us some day to come?"—A. Yes, sir.

Q. - So they had got to wrangling among themselves?"—A. Yes, sir.

Q. Now name some of the parties who used these expressions.—A. There was one man that I didn't know. There was one man that I know him well and I have been trying to think of his name ever since this committee has been here. I think if any credit is resorted to anybody for the safety of his life, it was him, sir. He was from Augusta, and I wish I could give his name. He was the one that after he couldn't get them to do as he wanted to, he told them, "It is the better way to do to have a court-martial, and whatever that court-martial said then he agree to it."

Q. Now, give the names of some of the parties that said so.—A. I don't know their names.

Q. Can't you remember the name of any one?—A. I don't know that I could give now. It has been so long the parties' names has gone out of my mind. There was a heap of things in my mind to think of.

By Mr. CHRISTIANCY:

Q. Did you hear that said by some of the crowd, - Go down to see General Butler?"

By Mr. MERRITT:

Q. Did you can't remember a single man's name?—A. No, sir.

Q. Who suggested the court-martial that would settle the wrangling?

—A. This was the man that lived in Georgia; I can't think of his name, I know him but his name.

Q. How was it the judge - They took the men off before the South Carolina Railroad, by that order had there and some more?—A. I never saw them when they shot them so; I saw the judge where they were shot at. That is what I heard; I do not know.

Q. How far is that from Kato + house?—A. I reckon it is about to the middle of the street. May be two or three or may be about two hundred.

Q. From what direction did General Butler come when you saw him there around there then?—A. Well, when I seen General Butler, I

heard some of the men first come up and say that General Butler was come, and——

Q. What time was that ?—A. That was about—I don't know. It was, may be, about between two and three o'clock.

By Mr. CHRISTIANCY :

Q. That was while you were up there in Ralls's piazza ?—A. Yes, sir.

By Mr. MERRIMON :

Q. In the morning ?—A. Yes, sir.

Q. On the morning of the night ?—A. Yes, sir.

Q. Where did he go ?—A. Then he sat and staid there a good while, a long while, and then went off, and I never seen him no more till about time for them to break up.

Q. To whom did he speak ?—A. I do not know who he was talking to.

Q. Can you name some of the parties ?—A. No, sir. It is not possible for me to name men in such a crowd as that.

Q. What time was Attaway taken prisoner and where ?—A. Well, I do not know when. He was taken out up the square somewhere. I have heard where he was taken there; but I don't know of my own knowledge.

Q. Who was this found fault with General Butler for not having them all killed ?—A. A good many of them.

Q. Mention one or two of them.—A. I did not know them, sir. They were down in the crowd, and I heard some cursing General Butler. They said he had them all brought there, and they had got the niggers. Now he wouldn't kill them, and they would give evidence against them. It was a general thing among them. There was one fellow I can recollect that expressed himself about General Butler to a crowd in that way; and he was so poor he couldn't hardly get bread to eat. It was a fellow named Jack Vanderbilt. He lived right there in Hamburgh.

By Mr. CAMERON :

Q. How did he express himself ?—A. Well, why I got to know it was him was this way. Him and another little fellow—a boy about twelve or thirteen years old. He said to this boy, "Let's go up in this piazza and lay down and go to sleep." Well, I was up there, and while he was standing there he was talking about General Butler had captured a whole lot of niggers, and, God damn it, he ought to kill the last one of them, for if he didn't do that, they would be up there to vote against us, and be there to give testimony against us; and then he kept on trying to get this boy to come up in the piazza and go to sleep; and, finally, this boy wouldn't go.

By Mr. MERRIMON :

Q. Was it a white boy or a black boy ?—A. A white boy. The boy said he didn't want to go. He wanted to go and spit on them niggers some more in the "dead-ring," and finally they didn't come. I don't suppose I would have taken so much notice of him but I was up there, and if they had come up there they would have found me there.

Q. You say some of the negroes were taken across the river; what time was that ?—A. I don't know what time that was; I only know about what I heard.

Q. Well, fix the time as near as you can, when you heard it.—A. They had taken them out of the ring. I don't know exactly what time they taken them across there. I think, however, about twelve or one o'clock. I heard a young man by the name of Charles Cunnican say they had

carried Frank Robinson over the river, and they carried somebody else over the river. He called the name Out I don't know now who it was. There was some two or three they took out of the ring and carried over the river. He came up in the crowd and said so.

Q. You say "about two months before the fourth of July Harrison Butler, one of R. J. Butler's sons, was in conversation one morning with me, and John Thomas, Press Williams, John Bird, and if I mistake not, a man by the name of S. B. Picksley, told me that the democrats had made it up in their own minds, and they had gone all over the State, and also had about thirty men from Texas and Mississippi to come in this State, and they were feeding them." In whose presence and when and where did you have that conversation with Harrison Butler?—A. It was these same men you have named, and more, but I can't recollect them all. I don't recollect what month it was, or what day of the month.

Q. All these men were together?—A. Yes, sir. I am not certain that Picksley was there, but I think he was there.

Q. Is Picksley a white man or a colored man?—A. He is a colored man.

Q. What is the name of the boy with R. J. Butler, that you referred to in your testimony?—A. Joe Robinson.

Q. Who told you that they whipped him?—A. R. J. Butler told me so himself. He told me here on the day of the trial here at the courthouse that he saw I had a boy there, and I told him that he was a minor, under age, and that he didn't belong to the company; that the drum-major of the company had that boy in his drum-corps practicing, and that he didn't belong to the company. I had nothing to do with him, and he said, "By God!"

Q. Did he tell you himself that he whipped him?—A. Yes, sir; he did.

Q. You say after that "I received a note. The note was destroyed when all my papers were destroyed. I received a letter with my name, specifying a dozen or two different names that was in the vicinity of Hamburg that had to be killed, and I was sure to be killed." State the contents of that letter as near as you can; what was the character of the handwriting, and if dated, the post-mark; and, if so, when and where?—A. I got the letter out of the office. I do not know the handwriting.

Q. Was it a good one or a bad one?—A. It was a good handwriting.

Q. Was it dated?—A. Yes, sir; it was dated.

Q. When?—A. I couldn't recollect now when it was dated.

Q. Where? From what point?—A. There was no name signed to it.

Q. But from what point did it purport to have been written?—A. Well, it had South Carolina on it.

Q. But had no other place named?—A. No, sir; it did not.

Q. What were the contents of it?—A. It named myself and some other men that had to be killed, and a good many men's names now that I can't think of—

Q. Who were the men in Augusta who wanted to kill you, that you mention in one place in your testimony?

The WITNESS. Who were in Augusta?

Mr. MERRIMON. Yes.

The WITNESS. I can't recollect now.

Q. You say a great deal here on that page; you go on to describe the speeches, what was said by various democrats for a week or month before the 4th of July, and the day before the 4th of July, that they were

certain that they were going to carry the State, and they would kill all the republican niggers?—A. That was generally told me, sir.

Q. Who were the men in Augusta that wanted to kill the negroes?

Mr. CHRISTIANCY to Mr. Merrimon. Does it say anything on that page about the men in Augusta?

Mr. MERRIMON. Yes, sir.

Mr. CHRISTIANCY. Why not read it, then?

Mr. MERRIMON. I will. It seems that the witness had been answering a leading question that should not have been put to him. "It was the whole talk all the time, you could just hear it all the time, 'By God, we'll carry South Carolina; about the time we kill four or five hundred more, we will scare the rest.' You could hear them say, 'This is only the beginning of it; we have got to have South Carolina; we have got to go through; the State has got to be democratic; the white man has got to rule; this is a white man's government.' Politics was used all night long, all the time. Even in the evening before it begun, you could hear 'We are going to redeem South Carolina to-day.' You could hear them singing it on the streets, 'This is the beginning of the redemption of South Carolina.'"

Q. Who said that? Just give us a few of them.—A. I heard that said frequently by different men. I have heard Henry Getzen say these words; I have heard Tom Butler say them; I have heard old man R. J. Butler say so; I have heard other men about Edgefield, in that direction, who would come up there in Hamburg. I couldn't tell you all, but almost every white man who came in Hamburg would have something of that kind to say. They seemed to have taken that place as a starting-point, because a large part of the officers in Hamburg were colored.

By Mr. CHRISTIANCY:

Q. Now, on the night of the trouble, or in the afternoon and night of the trouble, this was said by the crowd, as I understand?—A. Yes; all among the crowd.

Q. You could not designate who said it?—A. No, sir; I could not designate them.

By Mr. MERRIMON:

Q. Name some of the colored people in Hamburg who had to lay out in the woods.—A. Well, I couldn't name hardly who it was that didn't have to lay out in the woods.

Q. You can name a few of them if there were so many.—A. I could go on and name a great many of them by taking time: Sam. Spencer for one, myself, Sam. Picksley, Lieutenant Cartledge, Charlie Wilkerson, Andrew Jenkins and Charlie Griffin, Andrew Griffin and Archie Griffin, George Williams, Dan. Martin, Adams Matison, and all of them; I couldn't tell you all of them. I tell you we have laid out time and time again.

Q. Who said that the law run out every one hundred years, and there was no law now?—A. Harrison Butler said that.

Q. Who was the governor of South Carolina at the time when this conversation took place?—A. Daniel H. Chamberlain.

Q. What political party did he belong to?—A. The republican.

Q. What was the politics of the political party that controlled the affairs of South Carolina at that time?

The WITNESS. What do you mean?

Q. What party controlled affairs in South Carolina?—A. The republican, generally.

By Mr. CHRISTIANCY :

Q. That is, you mean to say the republican party had the State government?—A. Yes, sir; I don't know whether they control the government very much. It don't look as though anybody was controlling it; they was doing as they pleased. Willis Harris was frequently down in Hamburg, and was one of the men who used to make use of the expression that there was no law, and Chamberlain couldn't control himself. He was a justice of the peace, and he said if anybody saved the lives of niggers they would have to appeal to the democratic party.

Q. He was a white man?—A. Yes, sir; a white man, and a magistrate also.

By Mr. MERRIMON :

Q. You say you had notices of a threatening character addressed to you, received from time to time. Where are the notes to which you refer, and can you procure them?—A. I can't, for everything I had was destroyed.

Q. Have you had any since that time?—A. No, sir.

Q. What were the contents of these notes?—A. Well, telling me to go out of the State, "Better go away," and all such as that.

Q. Do you know who wrote them?—A. No, sir; I do not. If I had known them I would have had them up before the law.

Q. You say that you haven't made five cents since the Hamburg riot. Why is that?—A. It is for this reason, because there is nowhere I can go to work, because there's threats made against me, as a general thing, by different men, and I am just afraid to go anywhere to go to work.

Q. Couldn't you work in this city?

The WITNESS. In what city—here?

Mr. MERRIMON. Yes.

The WITNESS. Well, but I don't live in this city.

Q. Well, you could work here, though. You are a carpenter?—A. I am a carpenter, but I come here once or twice and I staid here two or three weeks to get work, and there was so little going on that I couldn't get anything. My general place I used to work at was in Augusta. I carried on a shop over there. My place of business was over there, and it was more than I dared to do, was to go over on that side since the 8th of July.

Q. Have you any property?—A. Yes, sir; I have some property.

Q. Where is it?—A. In Georgia.

Q. How much?—A. It is not very much.

Q. What is it worth?—A. I reckon it is worth seven or eight hundred dollars. I have got more property than that, too.

Q. Did you ever sign anybody's bond in Aiken?—A. Yes, sir. I have got property in Georgia, about seven or eight hundred dollars' worth of property in Georgia. I have some property in Nashville, Tenn.

By Mr. CHRISTIANCY :

Q. Is it real estate?—A. Yes, sir; real estate. I used to live up there since the war.

By Mr. MERRIMON :

Q. Where is it situated in Nashville?—A. Near Murfreesborough.

Q. Murfreesborough is one town and Nashville is another.—A. I know, but I am talking about in Tennessee, and it is between Nashville and Murfreesborough, in the country like, right in the vicinity of Nashville.

Q. How far from Nashville?—A. Not far.

Q. Well, how much land do you own there?—A. Well, I own between—I reckon it would be worth about—well, I could sell it for about two or three thousand dollars.

Q. How many acres are there?—A. Five hundred acres.

Q. Whose land does it join?—A. It joins some of the land of two or three colored men. It is a tract of land that joins land that colored men bought. It used to belong to a man by the name of Bate Moore, that we bought it of.

Q. Whose land does it join?

WITNESS. Whose land do it join?

The CHAIRMAN. Yes.

WITNESS. Well, it joins—let me see, I forget the man's name, now. It joins some land of Mrs. Green, a widow. One part of it joins the land of James Johnson, a colored man.

Q. Is it situated north or south of Nashville?—A. I think it is more north than south.

Q. On which side of the Cumberland River is it?—A. I think it is this side of the Cumberland River.

By Mr. CHRISTIANCY :

Q. The side toward Murfreesborough?—A. Yes, sir.

By Mr. MERRIMON :

Q. Have you ever signed anybody's bond in Aiken?—A. Yes, sir; a bond for five hundred dollars, in Aiken.

Q. Whose was it?—A. A man by the name of Henry Williamson.

Q. What was the amount of it?—A. The bond was two thousand dollars, I believe; I signed five hundred dollars for my part.

Q. Did you make an affidavit as to what you were worth; and, if so, what did you say you were worth?—A. I don't know; I didn't make no affidavit; the commissioner asked me what I was worth, and I told him I was worth about two thousand dollars, I guess, or more.

Q. What were you worth when you moved from Georgia, and who moved you?—A. Well, some draymen moved me, I don't know who it was moved me now; I don't recollect.

Q. You say in one place, toward the last of your testimony, that you heard the expression generally, that they were going to kill out all the radicals, and all those that didn't vote the democratic ticket they would kill—who said that?—A. Well, I don't recollect; I couldn't tell you.

Q. Name some of the men.—A. I don't recollect any particular man.

By Mr. CHRISTIANCY :

Q. Except what you have given before?—A. Except what I have given before.

By Mr. MERRIMON :

Q. What is Henry Getzen's age?—A. I don't know, sir; I think Henry Getzen may be about somewhere about twenty-six or twenty-seven years old.

Q. Do you know that he has ever been in any affray—killed anybody or wounded anybody?—A. I know he killed Jim Cook. I know he was the one that shot at him when he fell.

Q. Well, apart from that, is he a violent young man?—A. He bears that reputation.

Q. That is his common reputation, that he is a violent man?—A. Yes, sir.

Q. A bad man?—A. Yes, sir; he bears that reputation.

Q. Did you ever know him to have a fight with any person?—A. I have known him to shoot at people.

Q. Name some person that he shot at.—A. I know he shot at a man by the name of Charlie Turns since the Hamburg riot.

Q. A white man or black man?—A. A colored man.

Q. Where was that?—A. In the town of Hamburg.

Q. Whom did you ever know him to strike or beat?—A. I have known him to beat several people, at different times, I do not know exactly when, about there on his place.

Q. Was it there on his plantation; men he had there to work for him?

By Mr. CHRISTIANCY :

Q. Name some of them?—A. He knocked a man by the name of Pompey Pinckney, I think, once or twice. There is two or three men that I have heard he whipped and kicked them. I do not know the men, I am not personally acquainted with them.

Q. Where is the letter you showed to the district attorney?—A. I didn't show the letter to the district attorney here, that came from me wife.

Q. Can you produce it?—A. Well, I could produce it very easily by sending to Hamburg for it.

Q. Well, why won't you produce it?—A. Well, simply for this reason; you ask me why won't I?

Mr. MERRIMON. Yes.

The WITNESS. I could produce it if you want it, could send there for it. It is a very easy matter to send for it. I loaned a young man that was a witness here before you, Harry Mays, the satchel and it was in it, to carry some things home when he left here. It only said that he shot at him last Sunday night, I think was a week ago, him and a man by the name of Winkles.

Q. You say on page 59 of your testimony, "but since they have been expecting to go on here I showed the district attorney a letter to-day that was received from there yesterday morning by Harry Mays. He shot the second time at a man named Charlie Ferris, a blacksmith." I want that letter produced.—A. Well, I will tell you about the second time—about a week after.

By Mr. CHRISTIANCY :

Q. You are testifying to what you do not know personally?—A. Only what has been heard. I saw a letter wrote to Charlie Griffin, by Push Griffin, from Hamburg, that Getzen fired at Turns; Turns also returned the fire. And since that time there has been another letter come here. I showed the letter to Mr. Corbin. There was two letters come to me, one from my wife, she mentioned it, and it was also mentioned in Mays' letter. I read the letter for Mays, but I think the letter I showed to District Attorney Corbin, I think it was from Mays' wife, that had more about it than my letter had. I showed it to Mr. Corbin and he read it.

Q. Can you produce the letters and will you not do it?—A. Well, of course the letters—I suppose—the one I showed to Mr. Corbin was to Mays from Mays' wife.

By Mr. CHRISTIANCY :

Q. That you do not control?—A. No, sir.

By Mr. MERRIMON :

Q. But you can produce the one you do control?—A. Yes, sir; I expect to go home to-night and I will send the letter to you if you want it.

Q. Are you not afraid to go home?—A. I am actually afraid, but my wife is sick and I want to get to try and see her.

Q. Did you ever lead an attack, in a crowd, upon United States soldiers, in Augusta, Georgia, in 1867?—A. No, sir; I didn't never lead no crowd.

Q. Did you participate in any riot, at that time or since?—A. I never did participate in no riot. I can tell you all that, if you want to know. I reckon somebody told you about it. There was once some colored men, I think by the name of Isaac Jefferson, and a lot more of men—John Barnes, and several men; I cannot call the names of all of them now. They said that the soldiers had bothered them a good deal, and they got to fighting among the soldiers and run them into a bar-room; and a crowd of men was arrested, and being arrested, I being captain of a company in Augusta at that time, my name was called. I was sent for. I was not arrested; I was sent for. I was told that my name had been called, and I went down to see the officer about it. He said that my name had been called. He just told me that I would have to give bonds for my appearance. He had three men in a dunger, I think they called it. And I did give a bond, and a man by the name of James Gardner, and another gentleman, in Augusta, stood my bond. The trial come off, and I proved myself clear of it. I didn't have anything to do with it.

By Mr. CHRISTIANCY:

Q. What officer was this?—A. I think his name was Captain White.

Q. He was a United States officer?

The WITNESS. You mean the one I went to?

Mr. CHRISTIANCY. Yes, sir.

The WITNESS. I think it was Captain White.

By Mr. MERRIMON:

Q. You were not in the riotous transaction at all?—A. No, sir.

Q. Had nothing to do with it?—A. I had nothing more to do with it than you had.

Q. How did they happen to arrest you for it?—A. They didn't arrest me. I heard my name was called, and I went down; and this officer said, "To prove it clear, you had better give bonds;" and I went right to James T. Gardner, and he went down and stood my bond—one of the prominentest citizens of Augusta.

Q. Were you present at the re-organization of your company under the amended militia law of this State?—A. You mean the last time that they had an election?

Q. Yes; you know that the companies were all reorganized, and they had to reorganize in a certain time or they had to be disbanded and surrender their arms. Were you present at the time, and was your company so reorganized?—A. That was before I belonged to the company; that was when they came into the Nineteenth Regiment.

Q. How it was organized, and how many men were in it, you do not know?—A. No, sir; I do not. I have seen the books of it since.

Q. Where are the books?—A. The books were there; that is all I know about it.

Q. At Hamburgh?—A. At Hamburgh.

Q. They are there now?—A. Yes, sir; or ought to be.

Q. Whether it was regularly reorganized, you do not know?—A. I do not know.

By Mr. CAMERON:

Q. I will ask you, captain, to give the names of each of the Butlers

who were at Hamburg on the 8th of July.—A. R. J. Butler, Harrison Butler, Thomas Butler, M. C. Butler—

Q. Harrison Butler and Thomas Butler are sons of R. J. Butler?—A. Yes, sir.

Q. How far does R. J. Butler reside from Hamburg?—A. It is probably half a mile; near about that.

Q. How far does Harrison Butler reside from Hamburg?—A. Well, I think he resides about, maybe, a mile and a half; maybe two miles. Press Butler, which was there, he is a son of A. P. Butler; John Butler, too, was there, a son of A. P. Butler, I think. That's about all I can remember of them.

Q. Was A. P. Butler there?—A. He was.

Q. Where does he reside?—A. About ten miles from Hamburg.

Q. Where do his two sons, whose names you have mentioned, reside?—A. Well, I do not know, exactly; I don't know whether they live with him or somewhere else; I know where he lives.

Q. Where does M. C. Butler reside?—A. I think he lives in Edgefield now, at this time. I think he did then. I think he was living in the village at that time, since his house was burned up.

Q. Do you know whether any of the Butlers whose names you have mentioned, except M. C. Butler, are lawyers, practising?—A. No, sir; I do not know that any of them are lawyers, with the exception of M. C. Butler.

Q. What command did M. C. Butler hold in the militia at that time?—A. None at all, that I know of; I don't think he did.

Q. Did he state to any of your messengers, so far as you know, what authority he had for demanding, or suggesting, that the arms be given up to him?—A. None at all, that I have heard. I sent word back to him that he was only a private citizen, like any other private citizen, and I couldn't give him the arms. He sent word to me that he appeared there as attorney for R. J. Butler. That was the first message I got from him.

Q. What was this man Melling doing at the court?—A. Well, he was just there. I don't know what his business was, particularly.

Q. Was he armed?—A. I do not know. He might have been armed. I don't recollect now whether he was or not.

Q. You may state whether any of the white men who were at the court were armed.—A. Getzen was, Tom Butler was, Harrison Butler was, also; he had a sixteen-shooter in the buggy; and old man Butler had a pistol, and pistols also lay in his buggy. In fact, that was the way he generally traveled, all the time, with two or three pistols in his buggy.

Q. How near to the "dead-ring" did you see M. C. Butler at any time?—A. Well, as near as I could see him—I couldn't say if he went to the "dead-ring;" I couldn't see him.

Q. How near to it did you see him?—A. I see him within about twenty-five steps of it.

S. PICKSLEY—AIKEN COUNTY.

COLUMBIA, S. C., *December 16, 1876.*

S. PICKSLEY (colored) sworn and examined.

By Mr. CHRISTIANCY :

Question. Where is the place of your residence?—Answer. Hamburg, S. C., Aiken County.