

ciple of secession. After we got into the war I never had any hope of our success. I was free at all times to speak my sentiments about it. I never sought any office; I never was a political man. But I entertained my political opinions, and talked freely with my friends, and many of my friends have always differed with me politically. As good friends as I used to have there, when I was entertaining old whig principles, were men who entertained old democratic principles. I had as good friends on that side of the political question as I had on my own side, and with as neighborly feelings. Therefore, during the war I was free to express my opinions whenever I was called into conversation upon matters of this sort. I always doubted our success. I never could see the bright spark in the principle of secession. After the war, having always been a slaveholder, of course I was not very well satisfied with the result of the war. But I made up my mind to this, as soon as the secession movement was made, I knew the great question was right there upon that one thing, that slavery would go up on account of the failure of the Southern States. If we succeeded, there was a chance to hold it. Thus I was prepared, as a result of the war, when the war was over, to give up my slaves, and then I would have taken the situation as it was.

My first idea was to support what was talked of and known with us there as the Howard amendment. I thought that was a proposition made to us that we could accept. I was in favor of that. I had always conferred very freely with Governor Graham upon everything of a political nature, and we had always run precisely together up to that time. I had some talk with Governor Graham at my house. I told him I was inclined to think that we had better accept the Howard amendment; but he insisted not. I had always looked upon him as a good statesman. Through his arguments and persuasions I did not support the first election, which included that Howard amendment. I thought afterward I had committed an error, and I thought a great deal of it. Thinks I, the next time a thing of that kind is put before me I will act on my own judgment. I felt like we had let the bird loose, that we had better take that than contend for something further. Then, when the new constitution of our State was submitted to us I voted for it, and there I and Governor Graham parted. He has always been a leading politician in our State, and one in whom I have had great confidence up to that time; but then I took one way and he the other, and we have been so ever since.

Question. The point to which I desired to direct your attention was the degree of comparative security you felt during the war, and what your feeling has been since those outrages have been committed.

Answer. I have made this little statement only to show you that during all these troubles I never saw the time that I did not feel perfectly safe to act and do and say my will. But since the adoption of our new constitution, since the organization of these Ku-Klux, and since these threats have been made toward me, and since I have seen so many executions of the threats really made by these Ku-Klux, I have for the last two years been in real suspense of my life. I have had to change my sleeping room. I and my wife used to occupy the lower floor of my house, to sleep in what I called her room; but since these threats have been made toward me I have changed my place of sleeping. I speak of this only to show that I felt an uneasiness about it. I have taken as my sleeping room a higher room in the house, one as secure as I could select; and I never think of lying down at night without a good supply of arms right at hand. I have felt insecure many a time; I have laid down in dread and fear for a long time; I actually hated to see the night approach. I felt perfectly safe, perfectly secure in the day time, but for a long time I actually hated to see night approach.

Question. You have stated, now, your own feeling in consequence of this state of things; to what extent do you believe that to be the feeling entertained by Union men, as they are termed, generally through your county and State?

Answer. If they tell me what they really think, they are just in my fix. I have talked with almost every man of any kind of respectability in our county,

Question. Do you believe that sense of apprehension and insecurity prevails among the Union men of North Carolina?

Answer. Yes, sir; all over the State.

Question. So far as you know, confine yourself to your own county.

Answer. So far as I know, it does. I am satisfied it is the case in my county, for there I see people from different parts of the county every few weeks. I have talked freely, especially with republicans from all over the county. Many of them look upon me as a man of somewhat tolerable judgment, and they talk with me upon matters of this sort.

Question. At the time the State militia were ordered into Alamance County do you believe that justice could be obtained in the civil tribunals there for any of these wrongs of which you have given us a statement?

Answer. I do not.

Question. For what reason?

Answer. Because the organization there had within their bounds all the county officers; that is, they had the sheriff, the deputy sheriffs, and, as a very natural conse-

quence, they would have had the juries. They have sworn, and have shown it by their acts before me, that they would not allow any one of them to be caught up for any act that was committed by them in their disguises.

Question. By whom is the jury selected in your county?

Answer. The jury is drawn from a box. The county commissioners put in a box the names of those in the county they think are competent to make good jurors. Among them are the names of many good republicans, but a large majority, perhaps more than two to one that would be drawn out of the box would be of men who actually belonged to the Klan. The names of very few negroes are put in the jury box there. "Colored men" you call them here, but we are so in the habit of calling them negroes there that we still keep it up.

Question. You have stated that a number of persons went before you, as a magistrate, and made confessions of their connection with this Ku-Klux Klan?

Answer. Yes, sir.

Question. When did that cease, and to what do you attribute the stopping of those confessions?

Answer. That was while the militia was there making arrests. After the first arrest or two were made, which was done in my village, right in my presence, it created a great deal of fear among those who belonged to the Klan. The governor had made some proclamation that if those who belonged to the Klan would come out and expose the thing fully he would—I do not know whether he promised that he would release them from any harm or not; but he promised in this proclamation to give them some protection if it might be in his power. Taking advantage of that a great many of them came forward and made confessions in writing of what they knew about the organization, &c. They could hardly be attended to as fast as they would make applications. I being a magistrate there and a merchant, they kept my store crowded constantly, asking me to go and let them make their confessions to me, and to do their writing. I finally gave up one of my clerks. I told them he would do their writing, and then they could come and make their affidavits before me. They kept him nearly constantly employed writing out their confessions. After their confessions were written out, I would take them and read them over to them, and they would make affidavit to them before me as magistrate. But so soon as Judge Brooks issued his writs and it was known there, it stopped almost as suddenly—well, more so than it started. It stopped just as soon as it was known that Judge Brooks had issued writs of habeas corpus. Some had actually had their confessions written out, and then held them back without making affidavit to them.

Question. Did any of them call on you to get back those that they had made?

Answer. None of them called on me; but they did try to get some back from a magistrate who had written out some in the country, and he would not give them up, so he told me.

Question. Have you any knowledge of means used to prevent persons of either party from attending the special election held in December last? If so, state it.

Answer. There was one means I know that did prevent many from voting on the 24th of December; the larger portion of the colored men in my county had been in the habit of registering and voting at the court-house, but at that election it was ruled—said to be by authority; I never saw it—that no person should be allowed to vote outside the district in which they lived; on the day of election a great many colored people came to the village from the different districts of the county for the purpose of voting, as they had registered and voted there before; there having only been about five days' notice for the election, all they knew was that there was to be an election, and they went to vote in their usual place for voting; but when they got there they were refused to be voted, and were told they would have to go to their own districts, which they could not do then; I know of a great many cases of that kind, and I suppose the same thing existed in other districts.

Question. By whom was that announcement made?

Answer. The conservatives claimed that there was legal authority for holding the election in that way; first, the republicans objected to it, and said there was no law for it, but the conservatives insisted that there was law, and held it in that way.

Question. Were there any other means of intimidation?

Answer. There were intimidations at my place; there were a large number of conservatives gathered up around the polls, and bullied around in such a way that every republican that went up to vote, they would halloo and cry out, "Kirk and Bergen" to him, and everything they thought would insult him.

Question. Was any reference made to the fate of Outlaw in any meeting preceding the election that you heard?

Answer. I never heard of any except at a meeting in the court-house a few days before the election, when Turner, the editor of the Sentinel, made a speech. I heard that in that speech, after he had advanced considerably in it, he turned to the colored people, and said, "I told you before the first election, that if you voted for these radicals they would lead you into trouble. But you went and voted for them, and since that time

Outlaw has been hung and Puryear has been drowned, and many of you have been scourged." Says he, "Now I stand here and tell you to day, that if you continue to vote for that radical party, your troubles have been nothing to what you will have." I did not hear the speech, but some men who did, told me he said that.

Question. Were there any notices put up prior to the day of election, of warning?

Answer. There was a notice put up at Company's Shops, so I understood, of a threatening character; I cannot tell precisely the words of it, we have so many notices of that kind, but it was threatening to inflict punishment on the governor and Judge Pearson, &c.—that they had the power to do it.

Question. You did not see the notice?

Answer. No, sir; I saw a man who did.

Question. You have spoken of Governor Graham—is that W. A. Graham?

Answer. It is.

Question. How far does he live from the town of Graham?

Answer. He lives in Hillsboro, in the adjoining county of Orange.

Question. What is the state of things in that county?

Answer. Well, I guess pretty much the same as in ours; I think there have been more murders just on the line inside Orange County than in our county.

Question. What efforts by the authorities of that county, to your knowledge, have been made to bring these men to justice who have committed outrages?

Answer. I know of no efforts being made outside of what has been done by the magistrates; indeed, I do not know of anybody that has gone quite so far with the thing as I did myself as a magistrate, and that is my misfortune.

Question. Have you done anything else that you are aware of in your capacity of magistrate than to investigate these cases, that has caused this feeling toward you?

Answer. I think nothing has caused any unkindness with the organization toward me outside of my acting as a magistrate; I do not think my simply being a republican, and entertaining my politics, would have incurred their displeasure against me; it is simply because I went forward in a sharp way to investigate these outrages, and bring the parties to justice, that I have incurred their displeasure.

By Mr. RICE:

Question. Why not against you as a republican?

Answer. I have never taken any active part in politics; I am not looked upon as a politician, only as a citizen that entertains political opinions. I never have sought office, never had my name run for an office, except two years ago, when they elected me magistrate.

By Mr. BAYARD:

Question. How were you elected?

Answer. By the people of the district.

Question. You spoke of a proclamation for a special election; under whose proclamation was this special election held?

Answer. I did not speak as to the proclamation.

Question. You said a special election was held; under whose notice was it called?

Answer. The legislature ordered an election to be held; I think it was since Governor Holden was held for trial under the impeachment, and Governor Caldwell was acting as lieutenant governor.

Question. By what political party was Lieutenant Governor Caldwell elected?

Answer. By the republicans.

Question. You have spoken of a series of outrages committed upon individuals, and of persons who were alleged to have committed them; do most of those by whom the outrages were alleged to have been committed still reside in the State, or have they fled and gone elsewhere?

Answer. At the time of the arrest by the military sent by the governor, there was a great many of them fled the State. Indeed almost all that were deep in the thing, or were thought to be guilty of crime, fled the State; but they have come back; I think the last one has got back now.

Question. Do you know of organizations there known as Union Leagues?

Answer. I do not know of my own knowledge—only as I have heard men say they belonged to the Union League.

Question. Do you, or not, know of the organization of Union Leagues the same as you know of the other organizations of which you have spoken?

Answer. Just about the same way.

Question. Are you not aware, therefore, by the same character of testimony, that they do exist?

Answer. Oh, they do exist; I have heard men say they belonged to it.

Question. Do you understand these Union Leagues to be secret societies?

Answer. Well, I do not know but what they are secret societies.

Question. Is that their reputation? Is that your information in regard to them?

Answer. Yes, sir; I think, from my information about it, I would regard it as a secret society.

Question. Are they or not political societies?

Answer. I think the League, from my information of it, was got up for political purposes—at least to carry on and conduct political affairs.

Question. In whose behalf?

Answer. In behalf of the republican party.

Question. Did or did not these Union Leagues precede in their existence the leagues on the other side?

Answer. Yes, sir; I heard of the Union League before I did of the Ku-Klux.

Question. Do you know whether the negroes of your county, as a class, belong to the Union Leagues?

Answer. I think that they did generally belong to the Union Leagues, from what knowledge I have of it.

Question. Have you not heard—have you not the same character of evidence as you have in respect to the Ku-Klux, that their association is oath-bound?

Answer. No, sir; I have not that knowledge.

Question. You have no information to that effect?

Answer. I do not think I have the information that they take an oath at all.

Question. You are not a member yourself?

Answer. No, sir.

Question. You are still a magistrate?

Answer. Yes, sir.

Question. When were you elected?

Answer. It will be two years next summer.

Question. What is your term of office?

Answer. Two years; expires in 1871.

Question. How long prior to your election did you hold the same office?

Answer. I was made magistrate, first, about the commencement of the war.

Question. And you have held the same office pretty much from that time?

Answer. All the time.

Question. Elected by the people?

Answer. At first I was elected by the legislature, according to the old constitution, before the war. Then, during the war I was elected or appointed by the legislature. Then, after the adoption of the late constitution, since the war, I was elected by the people. I was only elected once by the people.

Question. You were appointed before?

Answer. Yes, sir.

Question. You have spoken of the special election in December, 1870, and of the voting being restricted to the district where the party resided. Was that rule equally applied to all the voters? Was it a general rule of holding the election?

Answer. I think it was.

Question. You have spoken of grand juries of the superior court; who are the judges of that court?

Answer. Judge Tourgee is the only judge in that district.

Question. By what political party was he elected?

Answer. By the republican party.

Question. How are the grand jurors selected?

Answer. The grand jury is drawn in the same way as the petit jury. In the first place, the box is filled with names by the county commissioners. There are five of them, whose duty it is to revise annually the jury list. They take them from the list of tax-payers and select men they think competent as jurors. The names are put in a box, and at a certain time preceding the court the sheriff takes a little boy eight or ten years old and he draws out the names, one at a time, till they get enough for the grand and petit juries. These names are all brought to the court, and in the presence of the judge a boy is chosen who cannot read, and he draws out the names for the grand jury, and the balance are the petit jurors.

Question. The sheriff of the county, then, does not select the jury?

Answer. No, sir; he has this advantage, however, the jury is always a limited number, and the counsel on either side has the right to challenge so many, and cause them to stand aside. The sheriff is called upon to select a talesman, and he turns around to the crowd that is present, and then he has his choice of a man within his own grip.

Question. You are a merchant as well as a justice of the peace?

Answer. Yes, sir; and a farmer, too, to a little extent. I was raised a farmer.

Question. You have a farm?

Answer. Yes, sir.

Question. A store, also, and this office?

Answer. Yes, sir.

Question. Are you occupied constantly at your place of business and on your land?

Answer. Yes, sir; I am engaged at my business almost all the while I am not ways at home.

Question. Does your testimony in this case confine itself to the county in which you reside?

Answer. Principally, except what I have related about Orange County.

Question. Was that derived from information?

Answer. From information of persons whom I regard as reliable.

Question. Your testimony, then, has reference to the county in which you live and Orange County?

Answer. Yes, sir.

Question. Have you attended the elections generally held in your county?

Answer. Yes, sir.

Question. Have you seen negroes voting there?

Answer. Yes, sir.

Question. State what you know in regard to intimidation by negroes or others of their own race, who may have wished to vote against the general sentiment of the black people.

Answer. By negroes against themselves? I do not think I have ever seen anything of that kind.

Question. Have you known or been informed of any White of that kind?

Answer. I do not think I have ever been informed. I have been informed right to the contrary, that the opposite party have held the negroes back, and kept them hid.

Question. I am not speaking of the opposition, but of the action of negroes upon each other.

Answer. No; I have never known anything of that kind.

Question. Nor heard?

Answer. I do not think I have ever heard anything of that sort. You mean to say that the negroes on the republican side are so overbearing against negroes who are disposed to support the conservative ticket, as to intimidate them from voting?

Question. Yes, sir.

Answer. No, sir; I know nothing about such a state of affairs.

By Mr. RICE:

Question. Have you ever heard of the Union Leagues committing acts of violence?

Answer. No, sir.

Question. Or any such charge against them?

Answer. No such charges. Well, I have seen newspaper accounts.

Question. I mean in your county?

Answer. In the county that I live in there have never been any such charges against them. I may say this: that I know men who have told me they belong to the League, and they said that they have invariably in the League encouraged law and order.

Question. There is no secret among the members as to the fact that they belong to the League?

Answer. None in the world that I have heard of.

Question. What is the general character of the negro since the war, as to being peaceable or violent?

Answer. I think there is something remarkable in the character of the colored man in my county for being peaceable under the circumstances. I think it is remarkable under the circumstances that they retain their peace and order like they do.

By the CHAIRMAN:

Question. What proportion of persons in your county whom you believe to be members of the Ku-Klux organization were confederate soldiers?

Answer. Well, the larger number of them were confederate soldiers, and there is something a little strange about that; there are men who belong to that order now, that during the war were hunted up in the woods as deserters from the confederate army, and were actually punished as deserters.

WASHINGTON, D. C., January 31, 1871.

W. G. TURRENTINE, sworn and examined.

By the CHAIRMAN:

Question. Where do you reside, and what is your occupation?

Answer. I live in Hillsboro, Orange County, North Carolina, and I am a constable.

Question. How long have you lived there?

Answer. I was born and raised in the place.

Question. Go on and state to the committee as connectedly and as briefly as you can, your knowledge of an organization in that county known as the Ku-Klux; what influence, if any, it has exerted on political affairs there, and what are your means of information on the subject.

Answer. Five murders have been committed in the county; they were all of colored men. A great many persons have been whipped; I have no idea how many. This or-

ganization has deterred the colored people from going to the polls; at all events, they have told me that was the cause of their not coming out to vote. I think three parties in the county have told me they were whipped on account of voting the republican ticket. They told me that this organization told them that they whipped them for that, and that if they voted that ticket again they would whip them again. They forced the jailer to open the jail door, when they took out two prisoners, and shot one of them so that he died of his wounds; the other they did not shoot.

By Mr. BAYARD:

Question. Give the dates of these occurrences as you relate them.

Answer. The men who were taken out of the jail were taken out, I think, last August, twelve months ago.

Question. In 1869?

Answer. Yes, sir; that was the first outrage committed. Two were hanged in the lower part of the county a short time after that; about two weeks after, I suppose. I have forgotten the dates of the other two murders.

By the CHAIRMAN:

Question. We want you to state your own knowledge of these things as briefly and connectedly as you can give it.

Answer. All that I know is, that these murders were committed, and were committed by disguised men. Where they were from I cannot tell. I believe it was generally understood in the county that these men were to be taken out of the jail and killed. I heard of it twelve miles below the town and reported it to the jailer. I told him that I had heard that they were to be taken out and murdered, and that he ought to be on the lookout. But they found no difficulty in finding the jailer's house and getting the men out. It was done on a Saturday night, or Sunday morning about 1 o'clock, and 9 o'clock Sunday morning the sheriff took a posse and went into the country.

By Mr. WILSON:

Question. Were any arrests made for that?

Answer. No, sir.

By the CHAIRMAN:

Question. You say that you reported to the jailer that this was to be done?

Answer. Yes, sir.

Question. How long before the occurrence did you make that report to him?

Answer. I think it was some two weeks or more. I had heard it from various quarters.

Question. Did you request him to make any preparations against the attack?

Answer. I told him that he ought to take care of his keys; that I heard they were coming there to force the jail and take the prisoners out and hang them.

Question. Were any preparations made for defense?

Answer. No, sir. The jailer said he was capable of taking care of the keys; that they would not get them.

Question. For what offense were these men imprisoned?

Answer. They were charged with barn-burning. But the one who was not killed was afterward acquitted in open court.

Question. Were they white men or colored men?

Answer. They were colored men.

Question. Where was the one taken to who was shot?

Answer. Just outside of the town, half a mile from the jail, I suppose.

Question. What is the population of the town?

Answer. I do not know what the population is now, it was about 1,200.

Question. Was this done in the day-time or in the night-time?

Answer. I think it was about 1 o'clock at night that they came in. The sheriff was at the jail. He went down to carry a light to the jail. They took his son, who was the jailer; just knocked at his door and told him they wanted him. They gathered him up in his night-clothes, just as he had got out of bed and come to the door, and took him down to the jail and made him open the door. When he went up stairs to the cage room he refused to open the door, and they then jerked the keys out of his hand, and opened the door themselves.

Question. Did the jailer live in a house separate from the prison?

Answer. Yes, sir; he lived 250 or 300 yards from the jail.

Question. Where were the keys of the jail?

Answer. He kept them in his house.

Question. How did they get them?

Answer. When they knocked at his door they made him get them. There were between 75 and 100 of them. One man, who counted them, said he counted 77 of them as they were passing out of town, after they had got the prisoners. One of them stepped up to him with a pistol and leveled it at his head, and told him if he did not get away from there he would quit counting; and he ran off pretty badly frightened.

Question. Were these men disguised?

Answer. Yes, sir; all of them, he said.

Question. Did you see them yourself?

Answer. No, sir.

Question. Give us the names of the jailer, the sheriff, and this person who you say witnessed the occurrence.

Answer. John A. Owen was the man who did the counting; John Turner was the sheriff; he is now dead; Thomas E. Turner was the son of the sheriff, and the jailer.

Question. Is he at Hillsboro now?

Answer. He lives three miles from there; his post office is Hillsboro. I saw the prisoner after he was brought back.

Question. Were any efforts made to arrest the men who took these prisoners from the jail?

Answer. They went down into the lower part of the county, and spent from 9 o'clock until about 4 o'clock in the day riding about the country.

Question. Who did that?

Answer. The sheriff and a posse of men. They had no warrant against anybody. One of the prisoners, who was in the jail, said that he could swear to two or three of the men; but no warrants were issued against them.

Question. Do you know whether the sheriff or his son were members of that organization?

Answer. It was said that his son was; I do not think the sheriff himself was. His son afterward left there and went out west and staid some time, and it was reported that that was why he left; which was about the time they were making arrests in Alamance, an adjoining county.

Question. Did he remain there until the making of arrests commenced?

Answer. I think he was there about that time. I think he was in town.

Question. Have you any knowledge of any other occurrence of this character in your county?

Answer. There was a young man who was shot; he was not colored; he afterward recovered; his name was Murphy Reeves. I was in Alamance that night and saw the parties going down to his house; they passed by my house.

By Mr. WILSON:

Question. Were they disguised?

Answer. I could not tell whether they were disguised or not, it was in the night. There were two or three. I heard of them all along the road, until they passed down into the country. I went down into Orange County that night, to my father-in-law's. About that time it was popular to be a Ku-Klux in Orange, and in Alamance too.

By the CHAIRMAN:

Question. Have you stated all the occurrences of that kind in that county that you know of?

Answer. No, sir; there was a man named Squire Alston, a colored man; the Ku-Klux knocked at his door, but he would not open it; they broke the door open and went in and attempted to take him from his house. In the fight his wife cut one of them in the face with an ax. He was a first cousin of mine, and lived in Alamance County.

Question. The man who was cut was a first cousin of yours?

Answer. Yes, sir; I believe the way they found out that he was cut, was this: a little boy was shot either in the hip or in the arm, and they sent for the doctor. When the doctor came he told them that this young man, Steele, had been cut the same night, and he had just come from there; I saw Steele while he was in bed. He was cut in the face, the whole length of the ax. He remained in Alamance until he got able to travel, and then he went west, I do not know where.

Question. What was his name?

Answer. Joseph Steele, jr.

Question. Do you know where he is now?

Answer. No, sir; he was in Texas the last I heard of him.

Question. Did you see him after he was cut?

Answer. Yes, sir; while he was in bed.

Question. Did you have any conversation with him after he received that injury?

Answer. No, sir; he was very bad off when I saw him; I merely spoke to him; he could talk but little.

Question. Do you know whether he was a member of that organization?

Answer. I think he was; I do not know; they never let me into it.

By Mr. BAYARD:

Question. What was the date of that occurrence?

Answer. It was a few nights before Reeves was shot; it was in 1869; I have forgotten what time of the year it was.

By the CHAIRMAN :

Question. Do you know of any other instances of this kind ?

Answer. Four parties have been whipped in Orange County since the first of January, by disguised men.

Question. Of the present January ?

Answer. Yes, sir. The roof of the house was torn off, the chimney knocked down, and the house set on fire.

By Mr. WILSON.

Question. Were all the parties in the same house ?

Answer. Yes, sir. The disguised men claimed to be "Red Birds." I believe they were dressed in red ; so the witness stated. A warrant was issued for one of the parties, and I arrested him and carried him before the magistrate. Upon the examination he produced evidence to prove that he was at home, too drunk to be there until after the whipping was done. The whipping was done between eight and nine o'clock at night. He proved that he was too intoxicated to be there, although he lived within two hundred or three hundred yards of the house, on the same plantation.

By the CHAIRMAN.

Question. Were you present at the examination ?

Answer. Yes, sir.

Question. Do you know whether the witnesses sworn in his behalf were members of this organization ?

Answer. No, sir, I do not. One was a woman, a sister-in-law of his. Another was Dr. William Studwick. He testified to his being very drunk at about dark, and riding down so drunk that he could hardly sit on his horse. The man was discharged. Parties in Orange and Alamance did not come out and denounce the Ku-Klux until about the time of the arrests made by the State militia, and then they seemed to think it was wrong. Very few men spoke against it before. It was not safe for a man to talk about it, without he lived in town. If he lived in the country it was dangerous for him to express his opinions. I have heard that they were seven hundred strong in Alamance County. I never knew how many there were in Orange County.

Question. You have given us now the instances of personal outrages. What do you know of their depredations upon private property ? Do you know of anything of that kind ?

Answer. They broke open Colonel Guthrie's mill. I do not know whether they damaged anything or not. I think they were hunting for him.

Question. You have no knowledge on that subject ?

Answer. No, sir.

Question. Was the approval or condemnation of this mode of proceeding shared in by both political parties, or did it divide political parties ? State what was the state of public sentiment on that subject.

Answer. The republican party was opposed to it, but they were very careful what they said. They would talk about it among themselves. Sometimes you would come across a man who would openly denounce it. I never hesitated to do it, neither did my father. But the other party always made excuses for them. They said that such a man should be hung, and they could not do it according to law ; that such a man ought to be whipped, that it was a good thing, and would help him.

Question. Give us the names, if you can, of the leading men of the two parties in Orange County, who have spoken on either side.

Answer. I have heard Colonel H. P. Guthrie, of Chapel Hill, and Mr. Solomon Pool, of the same place.

By Mr. BAYARD :

Question. Was that Mr. Pool a relative of the Senator Pool here ?

Answer. He is his brother. Other republicans also spoke against it. You could not get the prominent members of the democratic party to say much about it. I heard Mr. John W. Norwood denounce it ; he was a prominent democrat ; he said it would not do. I heard Mr. George Lawless, the judge of the probate court there, say that if he knew a man to be a Ku-Klux he would be tempted to tell on him, but he thought he would be afraid to do so. I believe that is about the worst I ever heard him say against it.

By the CHAIRMAN :

Question. Is that the extent of what you have heard those parties say ?

Answer. I was engaged with the people a great deal, and the most of my business was with the democratic party. It was a very rare thing that you heard one of them speak against the organization, except my father-in-law, who was a democrat. He was always opposed to it, and I think he did what he could in a quiet way to stop the thing. But as I tell you, if a man lived in the country he had to be very particular about what he said about them. If he talked about them they would whip him, sure.

Question. What were the causes assigned for the wrongs committed on those parties you have named ?

Answer. Three of the parties were charged with barn-burning.

Question. You have stated that already; the men in the jail ?

Answer. Only one of those who were killed was in the jail; he and his brother were charged with barn-burning. Two were hanged who were charged with the same thing, an uncle and the father of the boy who was taken from the jail and killed; Cyrus Guy was hung up in the western part of the county; I heard various charges against him.

By Mr. BAYARD:

Question. What were those charges ?

Answer. Being too intimate with white women, and insulting white women. But I was talking with the present sheriff of our county, a short time ago; he knew him well and did not live far from him. He said he was a good boy, and that there was no charge against him. The man, Wood, who was hung east of Hillsboro about fourteen miles, was charged with making some bad proposition of some kind to some white woman, I think.

By the CHAIRMAN:

Question. Have you held any other public position there than constable ?

Answer. I am constable of the township, and constable of the town also.

Question. Does your business take you through the county to any considerable extent ?

Answer. Yes, sir.

Question. Give us your candid opinion as to whether those outrages were committed for the purpose of redressing in that way the alleged wrongs those parties had committed, or whether they had any connection with their political sentiments ?

Answer. I think part of them were on account of offenses supposed to have been committed by those parties; one of the parties that was killed I think must have been killed on account of his politics.

Question. Are there, to your knowledge, any other political secret organizations there ?

Answer. Yes, sir; there is the Union League Association; I believe that is the name of it.

Question. Are you a member of that association ?

Answer. No, sir; I am not a member of any secret political association, and never was.

Question. Have any of their operations been of the violent character of those you have spoken of ?

Answer. I do not know that there has been any such operation on their part. They do not hesitate to tell that they are members of that society, and on public days they turn out with their regalia and their badges. If you asked a man he would tell you directly whether he was a member of the society or not. They seemed to be opposed to any outrage of that kind.

Question. What effect, if any, have these proceedings had upon your courts and juries ?

Answer. Of the Ku-Klux organization ?

Question. I mean of these organizations, without regard to what their names are.

Answer. Men who are charged with these crimes have been arrested, brought up, and tried; but it has always been impossible to convict one of going masked and committing outrages in that way.

Question. Have any of them been convicted in Orange County ?

Answer. No, sir; not one.

Question. How many have been tried ?

Answer. John A. Thompson, of Alamance, was tried.

Question. In Orange County ?

Answer. Yes, sir. He was charged with being one of the party who burned the house of Squire Alston and shot his son. He gave bail in the sum of \$1,000 for his appearance. He was first brought up before a magistrate and bound over to court. When he went before the grand jury, old man Alston swore that he knew Thompson by his voice; that he saw his face, and that he shot at him while upstairs. But the Alston woman swore that she knew Thompson well, as well as she did Mr. Webb, one of the grand jury, and that it was not Mr. Thompson. They did not find a bill against him.

Question. Can you state any other facts within your knowledge bearing upon the security of person and property within your county ?

Answer. I do not know that I can.

By Mr. BAYARD:

Question. Will you give us the dates of the occurrences you have spoken of ?

Answer. I think it was in August, 1869, that the men were taken from the jail and one of them shot. I think that was the first outrage committed in the county.

Question. You made use of the expression that "it was popular to be a Ku-Klux."

Answer. Yes, sir.

Question. How is it now?

Answer. Well, they seem to think it will not do now; they come out and speak against it now.

Question. Is the course of action you have been describing given up now?

Answer. We have not had any of those occurrences but one in Orange County, just about the time the troops went there.

Question. That was in 1870?

Answer. It was in July of last year; I think they whipped one man then. I have heard nothing more of their whipping there till since the 1st of January, this year.

Question. Were the cases you speak of as having occurred since the 1st of January, this year, the cases of four men?

Answer. There were two women and two boys of about twenty years old.

Question. Where did that occur?

Answer. About three miles from town.

Question. Did you learn that from hearsay, or from your own observation?

Answer. I saw the house where it was torn to pieces. I went down there to arrest some of the parties.

Question. What was the alleged cause for that?

Answer. I do not know that they gave any cause for whipping them; but it seemed to be the impression that it was on account of keeping a lewd house.

Question. That was the character of the house?

Answer. Yes, sir.

Question. You have spoken of barn-burning. Was there a great deal of that done in the county about the time you have spoken of?

Answer. Two barns were burned in our county. The two boys who were taken from the jail were arrested and bound over by a magistrate, and as they could not give security they were imprisoned upon that charge. One of them was shot by the Ku-Klux, and the other was acquitted in court.

Question. Were those the only cases of barn-burning you knew of in that county?

Answer. Those were the only two barns burned in our county.

Question. They were burned by incendiaries?

Answer. Yes, sir.

Question. You say that you are a constable both of the town and township?

Answer. Yes, sir.

Question. Have you been in the habit of executing process throughout the county?

Answer. Yes, sir.

Question. In executing process, have you met any resistance?

Answer. Very little. We always come across some men who do not want to be arrested, and we call in one or two men and go and arrest them. I arrest most of the parties by myself.

Question. You are not a very large or powerful man?

Answer. No, sir.

Question. How are you selected for your office?

Answer. Chosen by the people.

Question. How long have you been in your office of constable?

Answer. In August, 1869, I was elected.

Question. Are you now serving your first term?

Answer. Yes, sir.

Question. For how long were you elected?

Answer. For two years.

Question. You are a member of the republican party?

Answer. Yes, sir.

Question. Were other officers elected at that time upon the same ticket with yourself?

Answer. The magistrates of our township were elected on our ticket; all but one of them, who did not get a majority of the votes polled; so there was a democrat in his place. There are but few republican officers in our county. I guess I am the only republican constable in the county now. I do not know of another.

Question. In your travels through that county, are you molested personally; or do you find that your person and your office are respected?

Answer. Sometimes they give me a little cursing for being a radical, or something of that kind.

Question. I am speaking of your being molested personally.

Answer. I have never been uneasy about myself. I always thought I could see a Ku-Klux as far as he could see me.

Question. You never felt any particular apprehension personally?

Answer. I would not like to stay in Alamance over night by myself.

Question. Alamance is not your county?

Answer. No, sir; but I have a plantation up there, and I go up there about once in two weeks. There is no white person at the home place on the plantation.

Question. You spoke of a young man, a cousin of yours, who had been injured.

Answer. That was generally agreed upon.

Question. And you said he left there and went away to Texas?

Answer. Yes, sir.

Question. Why did he go?

Answer. I advised his father to let him go as soon as he got able to go, or I thought they would send him to the penitentiary.

Question. If he had remained?

Answer. Yes, sir.

Question. And he went away?

Answer. Yes, sir.

By the CHAIRMAN:

Question. You say the operations of this organization have pretty much ceased since the appearance of the militia in these counties?

Answer. Yes, sir; they have pretty well quit there.

Question. Do you attribute the cessation of these acts by that organization to the appearance of the militia there?

Answer. I think that had something to do with it. In our county there was but one man arrested by the militia; that was Joseph Turner, the editor of the Sentinel.

Question. Does he reside in your county?

Answer. Yes, sir; he is the editor of the Raleigh Sentinel, but his family live in Hillshoro.

Question. Do you give it as your belief that the organization has now disbanded?

Answer. All the idea about that I have is when they quit their depredations I imagine they have stopped to a great degree.

Question. I only ask what is your belief. Do you give it as your belief that the organization has disbanded, or does it still exist, and can it be called together again?

Answer. I should think they could call it together if they deemed it necessary; I do not know that they are still organized.

Question. As your courts and juries in Orange County are organized, do you believe that redress can be obtained against the members of that organization—redress in the courts?

Answer. I think it would be hard to convict a man in our county; it would be hard, I think, for them to find a true bill against any of the organization.

By Mr. BAYARD:

Question. When did you come to Washington?

Answer. Last Friday night.

Question. How were you summoned here?

Answer. By telegram.

Question. From whom?

Answer. John R. French, Sergeant-at-arms of the Senate.

WASHINGTON, D. C., January 31, 1871.

SAMUEL ALLEN (colored) sworn and examined.

By the CHAIRMAN.

Question. Where do you live?

Answer. In Raleigh, North Carolina, at this time.

Question. How long have you lived there?

Answer. Since about the 10th of May, last.

Question. How long have you lived in the State?

Answer. I was born and raised in the State.

Question. Have you held any political position there?

Answer. I did in Caswell County.

Question. What was it?

Answer. Magistrate.

Question. What is your trade?

Answer. Shoemaker.

Question. Please state whether your house was visited by men in disguise at any time; if so, when, and what did they do?

Answer. It was on the 8th of May, last; I was first attacked by a band of disguised men.

Question. Where were you living then?

Answer. In Caswell County.

Question. Was it at night or in the day-time?

Answer. It was in the night, between twelve and one o'clock. I had sat up, reading, late that night, and had laid down, but had not got to sleep; the clock had just struck twelve; my dog barked, and at the same time received a lick and gave a yelp; then

came a rap, rap, rap against the door with a stick, and a voice, "Open this door," in a fine voice; I pretended as though I was asleep, and says I, "Hey? what's the matter?" though I had heard the noise about the neighborhood and had been looking for it for some time; there were about seventeen of them, as nigh as I could guess; they continued to say, "Open the door," and finally they began to say, "We ain't going to hurt you; just want to talk with you." I would have opened the door sooner than I did, but every time I would rise to do it my wife would stop me; finally they went to my garden fence and there got a pole about twenty feet long, and one of them got a bedstead that was lying against the fence, and another a big flint, and they all went to pounding against the door; besides, it appeared like four gun-shots or pistol-shots; after a while they seemed to get tired, and stopped; I had fortified the door pretty well; they kept saying, "Open the door; we are not going to hurt you; we only want to talk with you;" I proceeded then to open the door, and when I did so the first word was, "Why didn't you open that door when we told you?" Says I, "My wife did not wish me to open it;" then they said, "Come out here." Says I, "You wanted me to open the door, and you said you only wanted to talk with me; now, I am here to hear anything you have to say; what do you want of me?" They said, "Come out here;" my wife said, "What do you want with him; what business have you got with him?" One of them said, "The least you have to say the better for you;" another said, "Shoot her," and pointed a pistol at her; another says, "Oh, no;" another says, "Shoot him," presenting a pistol at me; I stood firm; they kept saying, "Come out," and I said, "I shall not do it;" then I turned right around and made for a saber that I had between the two beds; I wanted to do all I could if I was killed, as I expected nothing more; as I ran back for the saber I heard a rush at the door; I had not pretended to shut the door; when I turned around there was one of them standing inside the door; my wife had shut the door as I went back, and this man had pushed it open against her shoulder; he was standing holding it open; I came back with the saber, and when I got near him I eased this hand down, and plunged it at him with all my might; he went right sideways out the door and into the yard and started right off down in the direction where the horses were tied, about a hundred yards off, at the patch of woods; he was followed by some three or four more; the others said, "Let us set fire to the house;" they went around to the kitchen, which was a weather-boarded part, connected with the log house, and then raked up straw and stuff, struck a match and it began to blaze; now, thinks I, if I can get away maybe they won't burn the house, but if I stay here they will, so as to get me out; so I goes to the back door and saw no one on that side, and I pitched right out; as I turned the corner of the garden some of them saw me and fired at me, and they ran in that direction about one hundred and fifty yards, and then turned around and came back; I escaped to the woods; that was the last of it that night, only my wife said one of them took a pistol and struck her in the side, and said to her, "Why did you let him go away?"

Question. Did you go back to your home?

Answer. No, sir. The next morning I went to the court-house to see Mr. Stevens. I had heard that Congress was trying to do something about the Ku-Klux, and, as he had been a member of the legislature, I thought he might know about it. But he was at the convention at Raleigh. Then I went back home; but that night, with some three or four others, I laid out. This happened on Monday night. Wednesday night I stayed at home, and on Thursday I went to Graham, and on Friday to Greensboro, and there I found Mr. Stevens, and went with him to Yanceyville, where he lived. On Saturday morning, near sunrise, I started for home, and reached home about dusk. There a most horrible scene struck me. Before I got home, the neighbors (colored people) were so alarmed they could not talk to me. They said; "Don't go home." They could hardly tell what was the matter, but they said: "Robin Jacobs is dead." I wanted to get home before dark, for fear my family would be gone. So I did not take time to inquire, but pushed right on the harder. As I reached my home, my wife stood in the door. "Everything is ruined. Says she, "Oh! you never saw such a time as there was here last night." I beheld the sight. They had been to my house the second time, (a company that E. B. Holden, the governor's half-brother, said was not less than three hundred men,) and had broke up my chests and boxes, and torn up my beds, and smashed everything about the house. A widow woman, (Mrs. Owens,) who lived close by, told my wife to tell me to go to Yanceyville and tell Mr. Stevens that the Ku-Klux were going to kill him as soon as he came from the convention; but to be sure and tell no one that she said it, because they would kill her. I went back on Sunday to Yanceyville. She also said that they were sworn to take my life; and I saw that my life was not safe. There was nothing more done to me then, only a man that was known as a Ku-Klux attempted to head me on Sunday, between my house and Yanceyville. I saw him standing and watching me. I turned to take a path that I usually took, that cuts off about a mile, and I saw him strike out to come in just above me, so I left the path, and came in below and avoided him.

Question. Have you ever returned to your home there?

Answer. No, sir.

Question. For what reason?

Answer. Because my life was not safe anywhere in that county or the county of Orange. I would not risk it there.

Question. Were these men disguised?

Answer. Yes, sir.

Question. How?

Answer. They had on robes, long white gowns, from head to foot.

Question. On horseback or on foot?

Answer. Most of them, I think, were on horses. The dress fitted right over the head, with eye-holes, with red flannel bound around.

Question. Could you tell who any of them were?

Answer. Oh, no.

Question. Where did you strike the man with the saber?

Answer. Right in the side.

Question. Did you know who he was?

Answer. I do now.

Question. What is his name?

Answer. Robert Burton; Bob Burton, they call him.

Question. Where is he?

Answer. I do not know whether he has returned from Virginia or not. When Colonel Kirk came up there, they sent him off to Virginia—to Danville. He had some relations there—his father or mother. While Kirk was there he was up about Yanceyville.

Question. What cause, if any, was given for this visit to you and for the conduct toward you?

Answer. Well, I had been for a long time called a "very mean nigger," "a mean son of a bitch," "a damned rascal."

Question. By whom?

Answer. By the whole of the people pretty much of that county—that is, the white population—without an exception, scarcely, unless it was Mr. Stevens, or some who professed to be republicans, which was very rare. All the rest called me "a damned rascal," worthy of death, and said they would be damned if they would not kill me.

Question. Did anybody say that to you?

Answer. No, sir.

Question. What cause did they give you that night for attacking you?

Answer. No cause whatever; they never said anything about what they intended—not a word.

Question. Had you committed any wrong to any of the people?

Answer. They said I had committed a great wrong; I had kept a Sunday-school which I was forbidden to do. They told me that this thing of teaching niggers and educating niggers was something they did not allow; that the church they belonged to never sanctioned any such thing; that it was not sanctioned by the neighborhood or the country and it must not be done, and finally they told me it should not be done, and when I proceeded on with the Sunday-school, they said to me, "We gave you orders to stop, and you have continued against our orders; now you have got to stop."

Question. Who told you that?

Answer. John Henry Fuller; he was the leading man of them.

Question. What is his occupation?

Answer. He is a farmer.

Question. Where does he live?

Answer. About eight miles from Leesburg, on the road from Hillsboro to Leesburg.

By Mr. BAYARD.

Question. Did any one else tell you so?

Answer. No, sir; there were others with him when he came to me the second time, but he did all the talking.

By the CHAIRMAN:

Question. Was any other cause given for this course toward you than the Sunday-school?

Answer. No, sir; not at that time. Then I went to Graham to see Mr. Woolf, of the Freedmen's Bureau. I saw him twice. He told me to go to the magistrate of the neighborhood, and gave me a written note to him to show my protection. He told me how to proceed, and that if I was interfered with any more, to have the parties arrested. So then they quit me when they found I had done that, and turned on the scholars; threatened to shoot them. That cost me another trip to Graham to see if I had not a right to protect the scholars. I was told I had, and was directed to go to a magistrate and make these things known. The agent gave me a written order to David Birch, magistrate. He was worse than Mr. Fuller, but I told him if he did not talk to Fuller I would frustrate him; that I had him in my power, but I did not want to use my power and injure him for what he did.

By Mr. BAYARD :

Question. What did you refer to ?

Answer. That he had laid himself liable to be indicted by me for what he had already done to my scholars.

By the CHAIRMAN :

Question. Was your political conduct alleged as any cause for their treatment of you ?

Answer. Yes, sir ; and here is another thing —

Question. State briefly what was said to you.

Answer. There never was but very little said to my face.

Question. Whatever it was, tell it.

Answer. Well, sir, as to political things, there were very few men said anything ; but they would say to me, " Don't you know these negroes have no right to vote, and don't know enough how to vote ? Now, you don't believe that is right. They vote for Will Skerry, and this, that, and the other man, and then they think he ought to come and give them a mule or something else. Such people ain't fit to exercise the franchise." I would say, " They can be instructed."

Question. We do not want the argument ; did any one intimidate you, or speak of this wrong as being inflicted because of your political sentiments ?

Answer. No, sir ; no man ever told me to my face that he would assassinate me for my political principles ; no such thing as that ; neither was it said to John Stevens.

Question. Then what reason have you for saying that this treatment was because of your political opinions or actions ?

Answer. Just because of the action of the people ; their conduct with me—not talking, but acting.

By Mr. BAYARD :

Question. What did they do ?

Answer. They would scoff and scorn ; refuse to give me their work ; take it away from my shop ; would not let me have anything.

Question. Would not let you work for them ?

Answer. No, sir ; would say to the people—not to me ; no man ever said it to me, but it was a well known fact that I was not to have a house in that country. And there would not have been a house if the colored people had not united and appropriated money, and bought six acres of ground for me to have my house on, on which we now have a school-house erected, twenty feet square.

Question. When did you come to Washington ?

Answer. On Saturday morning last.

Question. Were you examined by any person previous to this examination ?

Answer. No, sir.

Question. How were you elected to your office as a magistrate ?

Answer. I was appointed by the governor.

Question. When ?

Answer. In July, 1867.

Question. When does your term expire ?

Answer. It expired in August, 1869, I think.

WASHINGTON, D. C., February 1, 1871.

SAMUEL ALLEN, (colored,) examination continued.

By the CHAIRMAN :

Question. What is the sense of security as to life and property among the colored people in the county where you live, Caswell County ?

Answer. We do not feel secure at all. The night coming on has been to us there like judgment ; there is no mistake about that. And the application has been made to me, as one of the most intelligent of them, as the only guide and light they have had there, " What shall we do ? Where is the President ? Where is the governor ? Why don't they manage such things ? Can't we have any protection ? We have only dug our graves and made our coffins by the course we have pursued."

Question. What do they fear ?

Answer. These midnight assassins ; this Ku-Klux party, that rages through the night with their yells, great strings of them with white robes and on horses, cutting, slaying, butchering in different ways.

Question. What is your age ?

Answer. Between thirty-five and forty.

Question. Have you been a slave ?

Answer. No, sir ; I was originally free. I have been sworn to tell the truth and the whole truth. I omitted to tell you yesterday of one circumstance. In 1868, when I was unluckily shot by my own revolver falling out of my pocket—I was shot under my left breast—I called on a physician who lived at the house of the Mr. Fuller

who tried to get the mob on me in 1867. The physician's name was Terrill. Dr. Terrill unfortunately loved whisky too well, and was very often intoxicated. He applied to the doctor to fix up some medicine that would carry me off, that is, end my days. He replied, "Mr. Fuller, I consider that an insult. I want you and every man to know that, let me be what I may, my practices are pure."

Question. Who applied for this medicine?

Answer. John Henry Fuller.

Question. Who is he?

Answer. He is a citizen of Caswell County, living on the road leading from Hillsboro to Milton. He is the man that bothered me so about teaching the Sunday-school, from the fact that I lived on his place.

Question. You have spoken of the feeling of the colored people as to the security of their lives and property; what is the feeling of the white people in the same county?

Answer. The feeling of the white people, according to their words, is this: "We do not intend to live under such laws as you have. This republican Government we do not intend to live under. We tell you so, and we mean it. We intend to kill the last leading damned radical there is; we have sworn to do it, and we intend to do it." Those are their words.

By Mr. BAYARD:

Question. Give us the names of persons who have used such language in your presence.

Answer. Dr. Oakley has used those words, and Mr. Zach. Allen has used words like those; and I have testimony, plenty of it, of others who have heard such words used frequently. Mrs. Owens, at the time she told my wife to tell me to tell Mr. Stephens that they were going to kill him, she said that was the language they used.

By the Chairman:

Question. Have you any personal knowledge of any conspiracy or preparations to kill Mr. Stephens?

Answer. No, sir; I have no personal knowledge; I never saw any of the preparations.

By Mr. BAYARD:

Question. Are you a member of the Union League?

Answer. I have been.

Question. Who belonged to the Union League in your county? did all the colored people generally belong to it?

Answer. Pretty much all of them, except a few scattered individuals.

Question. Were you the head of any of the societies of the Union League?

Answer. Yes, sir; I was the installing officer.

Question. You were the installing officer?

Answer. Yes, sir; formed leagues in different portions of the county.

Question. Did the members of the league take any oath?

Answer. Yes, sir.

Question. What was it?

Answer. They took an oath to be true to the Constitution of the United States and also to the constitution of the State of North Carolina, and to support and defend it.

Question. Do you remember the language of the oath?

Answer. That was pretty much the substance of it.

Question. Have you sworn many people into the Union League?

Answer. Yes, sir; right smart of them; but I always did it with a ritual before me; I read it off.

Question. You are unable to repeat the oath at this time?

Answer. Not all of it. There was also something about education, &c.; that they would educate themselves, be moral, sober, good citizens.

Question. Was there anything about politics in it?

Answer. Yes, sir; I think there was.

Question. State what it was.

Answer. Well, I will state it.

By the CHAIRMAN:

Question. Give us the whole of the oath as far as you can recollect it.

Answer. I will, only give me time, till I study a little. [After a pause.] I think in those obligations we were requested to vote for no man who was opposed to the constitution and government of North Carolina, and to give no support or aid to any party opposed to any such thing.

By Mr. BAYARD:

Question. Was there any reference in that oath to any political party?

Answer. Yes, sir; so far as that is concerned, that is a reference, that they would not

support any one who was opposed to the constitution, who would not support the constitution.

By Mr. WILSON:

Question. Was anything said in the oath about the democratic party or the republican party, as distinct political organizations?

Answer. No, sir; nothing said about the democratic party whatever.

By Mr. BAYARD:

Question. What was said about the republican party?

Answer. There was something or another said about that, but I really forget the exact words.

Question. How often have you sworn people with that oath?

Answer. I have sworn many and many a man; it was all read off; besides that, I never tried to charge my mind with it.

Question. Was part of that oath to support the republican party?

Answer. I think it was; or at least it would lead to that.

Question. Where were the meetings of those leagues held?

Answer. One meeting was held in the school-house there which I established, within fifty yards of my house; another was held at Leesburg; there was one held at Roxbury.

Question. Did you hold them by night or by day?

Answer. Both night and day, just as it happened; of a night the people had a better chance to get out; we could not hold them on Sundays, and other times the people would not be called from their work to hold councils in the day-time; so generally the councils were held at night and open.

Question. Were your meetings public, or were they private and secret?

Answer. Public meetings.

Question. Could any one that wanted attend them?

Answer. Yes, sir.

Question. Whether a member or not?

Answer. No difference who; any man could attend them, white or black. We were glad to see a white man come in. People have tried to rebuke it, but the constitution of the society was such that we have read it openly upon the stump to put down some misrepresentations that had been made concerning the councils.

Question. Did you yourself ever address the people publicly from the stump?

Answer. Yes, sir; many a time.

By the CHAIRMAN:

Question. Can you furnish to the committee a printed form of the oath of which you have just spoken?

Answer. I think I can; I think I have it at my house.

Question. Have you it with you in this city?

Answer. No, sir; it is at my house in Raleigh.

Question. Did any part of the obligations of the Union League, or any of its explanations, rules, regulations, or lectures require you to keep secret the fact that you were members of it?

Answer. No, sir.

Question. Did you keep it secret?

Answer. No, sir; every man knew a leaguer, for he wore the mark of the league, and manifested himself to the world as such.

Question. What do you mean by wearing the mark of the league?

Answer. He wore a kind of badge to show he belonged to the league; everybody knew it; or if they did not, they could know by asking.

Question. Was there anything in your proceedings that required or led to violence, or the inflicting of injury on persons opposed to you?

Answer. By no means whatever. I assure you it was a thing calculated to do away with all of that. If anybody belonged to the league, and went according to the rules and regulations and requirements of the league, they were bound to be good citizens. That is precisely what it was for. If any man was a true member of the league he was bound to be a gentleman in principle.

WASHINGTON, D. C., February 1, 1871.

W. P. BYNUM sworn and examined.

By the CHAIRMAN:

Question. Where do you reside, and what is your occupation?

Answer. I reside in Lincolnton, Lincoln County, North Carolina. I am, by profession, a lawyer, and the solicitor of the ninth judicial district of North Carolina.

Question. What counties does that district embrace?

Answer. The counties of Polk, Rutherford, Cleveland, Lincoln, Gaston, Mecklenburg,

and Cabarras. I also practice in the county of Catawba, but that is not in my judicial district.

Question. Will you go on and state what is your belief, from your opportunities of observation, in regard to the condition of society in that district—what is the security for person and property there?

Answer. Generally, I think that life, property, and liberty are secure in those counties. There are exceptions to that general rule, however, and rather numerous exceptions.

Question. Will you state what is the character of those exceptions, and to what extent they exist?

Answer. The exceptions are that in several of these counties, for instance, in the counties of Rutherford, Cleveland, Gaston, and Lincoln, numerous outrages have been committed upon colored persons, and frequently upon whites. Those outrages are committed generally by organized disguised bands of lawless men. In many instances they visit houses, enter them by force, and scourge the occupants. In some instances persons are shot, or intimidated by threats. I believe that is about as correct an answer to that question as I can give.

Question. Has the knowledge of these outrages come to you in your professional capacity?

Answer. In my official capacity as solicitor, in many instances, from the complaints of the persons who were outraged, those persons often bearing upon their bodies the marks of the outrages they complained of.

Question. Give the dates when these outrages were alleged to have been committed, if you can; fix the dates between which they were committed, if you cannot give the exact dates.

Answer. So far as I can recollect now, I believe they have been committed ever since the reconstruction acts were passed, and I think they grew mainly out of those acts.

Question. Out of opposition to them?

Answer. Yes, sir; opposition to those acts.

Question. According to the statements made to you, were the persons committing those acts in disguise?

Answer. Yes, sir; they were always represented as being in disguise, and generally always in large numbers, from five to fifty. They were frequently upon horseback, and were represented to have come from considerable distances into particular neighborhoods.

Question. Were their operations carried on in the day or in the night?

Answer. Always in the night.

Question. To what extent have the persons charged with committing these outrages been arrested and punished?

Answer. I have sent bills before grand juries in several counties upon evidence that I regarded as sufficient to find bills upon, and evidence that was uncontradicted before the grand juries, but, in most instances, the grand juries have ignored the bills. I think I have succeeded in getting one or two bills from a grand jury. In one instance, where I did obtain a bill against some seven or eight persons for entering a house and terrifying some women, whose husbands were absent, and committing some violence upon them, before the case came on for trial the prosecutors were compelled to leave the country, as they themselves alleged to me.

Question. How compelled to leave?

Answer. By threats of violence and intimidations. They moved into Tennessee.

Question. Did you succeed in bringing any of those cases to trial?

Answer. I have never yet succeeded in bringing a single case to trial.

Question. In how many cases have applications been made to you?

Answer. A great many more applications have been made to me than I have prepared bills for. In some instances the parties have come to me, many of them wounded, beaten, and bruised, and have agreed to come back and appear before the grand jury, but, when court came, they did not return. In some instances they have come to me and begged not to be sent before the grand jury, because they were afraid to tell what they knew; afraid to name the persons who they were satisfied committed the outrages.

Question. Of what were they afraid; of violence?

Answer. Of violence; yes, sir.

Question. To what influences do you attribute your inability to have bills found by the grand juries, in cases where you thought the evidence sufficient to sustain them?

Answer. That would be a mere matter of opinion.

Question. I ask it as such.

Answer. I am inclined to think that it arose from the prejudice which exists against that class of people; I do not say from perjury or what; but I think the public sentiment is such that they do not feel justified in finding bills; that is, they feel themselves excused from doing so on account of the state of the public feeling.

Question. Have you any reason to believe in the existence of any organization which interferes with the administration of justice?

Answer. I think that all these outrages are committed by secret organized parties; I think so from the numbers which, so far as I am informed, are always present when these outrages are committed, and from the systematic plans of operations, and from their secrecy; and I also have reason to believe that they are organized clans, from information I have derived from persons who have stated to me that they have been applied to to join them. Respectable gentlemen of the democratic party have told me that they have been applied to to become members of a secret organization of that kind, and that they had declined to do so. That is the best evidence I have of it.

Question. You state that with reference to the commission of offenses. Have you any reason to believe that those operations extend to an interference with the administration of justice against the offenders?

Answer. I do not know that I understand your question entirely.

Question. You have stated that these wrongs have been committed by organized bands. Have you further reason to believe that the organization goes to the extent of interfering with the administration of justice when members of that organization are indicted?

Answer. I hardly know what answer to give to that question; I do not know what motives influenced the grand juries in not finding bills.

Question. Have you any reason to believe that any members of that organization were upon the grand juries; and, if so, do you believe their connection with the organization would influence, or did influence, their course of conduct?

Answer. I have no direct evidence that any members of the grand juries belonged to the organization; that I cannot say; and therefore I cannot say whether, if any of the members of the organization were upon a grand jury, it would interfere with the administration of justice or not; I know nothing about the rules which govern the organization.

Question. In cases of similar wrongs committed by persons not connected with this organization, would there be any difficulty in procuring justice in your courts?

Answer. If the same wrongs were committed by others than those who belonged to the organization, I think there would be the same difficulty in the administration of justice.

Question. You think there would be?

Answer. I think so; I do not think it is so much owing to the fact that these outrages are committed by secret organizations of that kind as from the nature of the outrages themselves.

Question. Give us, as briefly as you can, your real opinion of what is the cause of the failure to administer justice. Let us know whether there is in your district a failure to administer justice; and, if so, what is the cause?

Answer. I think there is a failure to administer justice in these cases. And I think it arises out of the opposition to the civil and political equality of the two races.

Question. Have these wrongs of which you speak been committed upon colored persons only, or have they also been committed upon white persons?

Answer. Upon both classes; generally upon colored persons, but also frequently upon white persons. And I can say further in that connection, that many of these outrages are committed upon persons who, at least, are reported to be, and no doubt often are, violators of the law, and deserving of punishment, but not, of course, in that way. For instance, in many cases parties in a neighborhood have the reputation of living in adultery; those parties are punished in this way. A negro, and sometimes a white man in a neighborhood has the reputation of having committed a felony, of stealing, or of some other immoral conduct, and those persons are very often punished in a very summary manner, by being flogged and driven from the country. Such things occur occasionally, and those punishments are generally inflicted by these same organized bands. I think that these bands originated for political purposes, but that they have degenerated into this miscellaneous mode of dealing sometimes with offenders against the laws, and sometimes with persons against whom they have grudges. I think this organization is used for purposes of that sort. Men fall out with other parties, and desire to do them some mischief, and adopt that mode of doing it, in order to escape detection.

Question. Do the political parties divide in their sentiments in regard to the outrages committed by this organization, or do those of the same political party differ with each other in regard to them? Give us the true state of feeling on that subject.

Answer. I think the republican party as a party are universally opposed to these klans; they are regarded by them as confined to the democratic party, or the conservative party, as it is called there. The conservative party are divided on the subject. I think the respectable portion of that party discontinue these outrages. I think none of them openly give them countenance. But I think these organizations are generally confined to the most worthless class of society. The difficulty with me has been that I apprehend they are tacitly countenanced by the conservative party, who are willing to derive the benefits that may result from their operations.

Question. You say the leading members of the democratic party discountenance proceedings of this kind. Do they advocate or assist in bringing the offenders to justice?

Answer. I think they advocate it; but as to their assisting, I am not prepared to say whether they assist or not.

Question. Taking your whole judicial district together, tell us whether you believe the ordinary administration of justice is secure; that is, whether life and property are secure in the ordinary administration of justice, where political causes are not involved?

Answer. Entirely so, I think.

Question. Are we to understand you, then, as saying that the failure to administer justice exists only in cases where political feeling is involved?

Answer. Not precisely that.

Question. What are we, then, to understand you as saying?

Answer. My answer would be, in all cases involving these outrages, whether committed by political parties or not.

Question. Then do we understand you to say that where these outrages are committed, they are regarded in the courts the same as if they had been committed for political purposes, owing to the view taken of these organizations?

Answer. That would be about the answer I would give.

Question. Who is the judge in your district?

Answer. George W. Logan.

Question. Where does he reside?

Answer. In Rutherfordton, North Carolina.

Question. How long have you resided in North Carolina?

Answer. All my life; I am a native of the State.

Question. If there is anything else which you can state, which will throw light upon the investigation with which we are charged, that is whether life, person, and property are secure in your State, you will please state it to us.

Answer. I think life, property, and everything else is just as secure there as in any State of the Union, except in the cases to which I have referred.

Question. Have you had any case under your charge in which was involved the question of the existence of this secret organization or of any secret organization?

Answer. No, sir; I have had no case of the sort.

By Mr. BAYARD:

Question. How long have you been practicing law?

Answer. About twenty-five years.

Question. Always in the district of country of which you have been speaking?

Answer. Yes, sir.

Question. In that way you have become thoroughly familiar with the people there?

Answer. Yes, sir; I should say I was familiar with the people.

Question. What is your term of office as solicitor?

Answer. Four years.

Question. How are you placed in office?

Answer. I was first elected in 1863 by the legislature of North Carolina. Under the new constitution, I was elected by the people, receiving the votes of both conservatives and republicans.

Question. What are your official duties?

Answer. To prosecute in courts of justice offenses of every grade committed against the laws of North Carolina.

Question. In that way you have officially full cognizance of all crimes against persons and property in that district?

Answer. Yes, sir; through the action of grand juries. I prepare bills and send them to the grand jury; and also when presentments are made.

Question. Do you remember the case of a negro preacher, named Paisley, who was indicted and convicted of such crimes as you have spoken of, of violent acts committed by him against the persons of colored people, of what they called Ku-Kluxing negroes?

Answer. That was not in my district.

Question. Have you any knowledge of such a case outside of your district?

Answer. I think I have heard of some case of that sort; and I will add, in connection with that, that I have no doubt that negroes sometimes assume these same disguises for the purpose of committing outrages. I am inclined to think that this disguise is often assumed for any bad purpose, though I have no positive knowledge of the fact.

Question. Have you equal knowledge of such cases as you have of the other cases of which you have spoken?

Answer. No, sir; I have not the same knowledge of this disguise being assumed by black persons as I have of its being assumed by white persons.

Question. Do you mean not the same knowledge in an equal number of cases, or not the same character of knowledge in regard to any case?

Answer. I have no knowledge of a single case where colored persons have assumed that disguise.

Question. Upon what, then, did you base your statement that you believed colored persons assumed this disguise for their purposes? Have you had information of that fact from others?

Answer. I think about the only information I have is in regard to that case which you mentioned, or some others of a similar character; that is, some newspaper report that I have seen.

Question. The question was asked you in regard to the action of members of the conservative or democratic party in relation to the character of offenses which you have described, such as whipping, &c. Are there any prosecuting officers in your State who are members of the conservative party?

Answer. Yes, sir.

Question. Do you know whether there has been any failure on their part to do their duty in respect to this matter, so as to distinguish them from gentlemen of the other party?

Answer. I cannot say that I have any information to that effect.

Question. Have they been ordinarily as prompt in the discharge of their duty as gentlemen of the other party?

Answer. I have no information one way or the other upon that subject. I do not know what their official conduct has been.

Question. Do you object to stating with which political party you have acted since the war?

Answer. Not at all. I consider myself as belonging to no party. I voted for General Grant for President, upon the reconstruction measures, and I have sustained his administration upon these measures as a matter of duty and necessity. But I do not yield my independence of action or thought to any party at all.

By the CHAIRMAN:

Question. In the appendix to the message of Governor Holden I find a letter over your signature, under date of May 20, 1870. I will read a paragraph:

"On the whole I am satisfied that, as a law officer, I can do nothing through the ordinary channels of the courts. In my judgment, there are only two ways of arresting the evil: First, by arousing public opinion to put it down; or, secondly, by invoking the aid of United States troops, and making some sharp and decisive examples."

That had reference to the wrongs of which you have spoken, as having been committed by this organization. Was that the state of things as you believed it to exist at that time?

Answer. Yes, sir; and in connection with that I will state that since that time, and up to about the 1st of January, there have been several other very serious outrages committed. Two or three colored persons, to my knowledge, have been shot; and a great many whippings have taken place in the counties of Cleveland, Lincoln, and Gaston. I will state in regard to one case that came to my knowledge only a few days ago. It is the case of a white person of the name of Carpenter. He stated that he had employed two negroes to work for him this year; that they were negroes of good character, honest and industrious. Shortly after he had employed them he was advised by some of his neighbors to send them off; that they did not want them in that neighborhood. He declined to send the negroes away, and a night or two afterward a disguised band came to his house. They went into his house, ran him off, broke open his drawers, searched the house from bottom to top, and when they went away they carried off, he says, eighty dollars in money. They ran the negroes off, and alarmed his wife, who was there alone with four or five children, and he stated that since that time his wife has been in such a condition that she has been afraid to live there; that he had abandoned his house, and gone to live in a log cabin, or kitchen, because it was a more secure place; and that he and his family were now sleeping on the floor, apprehending an attack every night. He also says that since he has reported that money had been stolen from his house they had sent him word that the Ku-Klux do not steal; that he would have to take that back, or he would be severely dealt with. He also stated that he voted the conservative ticket.

Question. I called attention to that paragraph of your letter for the purpose of asking you if the opinion therein expressed is still your opinion, or has your opinion been changed since then?

Answer. I have not changed my opinion since then, and I have referred to this case only to show that outrages have been committed since that letter was written.

Question. Is that in your district?

Answer. It is.

Question. What distance do you live from Alamance County?

Answer. Something over 100 miles—about 125.

By Mr. WILSON:

Question. You have spoken of the political action of this klan; I suppose you meant to include in that the race feeling as well as the political?

Answer. That would be what I mean—opposition to the political and civil rights of

the colored people. To speak candidly, I am inclined to think that that opposition is not altogether confined to the conservative party. I think in many instances members of the republican party are opposed to the civil and political equality of the race.

By Mr. BAYARD:

Question. Is there any difficulty in your district in the service or execution of civil process?

Answer. I think not—not the slightest.

Question. No resistance to the officers?

Answer. None whatever; in no instance has there been resistance.

Question. Were you present at the election in August last?

Answer. I was.

Question. Was it peaceable and orderly?

Answer. Entirely.

Question. No intimidation of any person known to you?

Answer. None at the polls.

Question. Was there a special election in your district in December last?

Answer. No, sir.

Question. Do you know whether there is or not intimidation by the negroes of each other in respect of their political views?

Answer. I believe there is. I am satisfied from my own observations and from hearing them talk about one another, that they feel very much exasperated if one fails to vote with the majority, and that they do threaten.

Question. Are not the majority members of the republican party?

Answer. Yes, sir.

Question. In your opinion can a colored man safely and openly differ with his race on the subject of politics in your section of the country?

Answer. Yes, sir; I have known them to do it, and to do it with impunity, though it creates ill-feeling among the others and sometimes threats of violence. I have not known a case of actual violence to be committed upon them, but I have known several to differ and to do it openly and to vote openly. But there is a certain odium about it among the blacks that it is very hard to resist. They are ostracised in a great measure, I think.

Question. For voting what is called the conservative ticket?

Answer. Yes, sir.

By the CHAIRMAN:

Question. You say when a colored man differs from his race and votes the conservative ticket he is visited with odium among his race; when a white man votes the republican ticket is he not visited to a great extent in the same way by the odium of the white race?

Answer. He is.

Question. Do you know of any organization among the colored people which inflicts violence or wrong upon those of their race who differ in political opinion?

Answer. I do not. I do not believe, from my knowledge, that any such exists.

Question. Can you, from your experience, suggest to us any remedy for the wrong which has grown out of the existence of this organization?

Answer. I have my views about that, which I can frankly state.

Question. We shall be glad to have them.

Answer. I think public opinion would probably change if we had something like a general or universal amnesty. I think a great deal of this public opinion is created by the fact that a large class of our people feel that the negro has political rights which they have not; that he can hold office while a large number of our people cannot. I think that is one cause of the public opinion, and if it could be changed I think the evil would be at once corrected, and this organization would be disbanded. If there was a general amnesty, and then a law passed by Congress making it highly punishable to commit these offenses, I believe they would cease in a very short time. I have seen a bill, introduced I believe by Mr. Sawyer in the Senate, that I would refer to as one that I think would accomplish every purpose, with some modifications. I think considerable modification should be made in it. It gives too much military power. I think civil remedies would be amply sufficient.

Question. Do I understand you, then, that many of these wrongs grow out of the resentment entertained because of the fact that the negroes are eligible to office while many of the white men are not?

Answer. Yes, sir; I think that that state of facts has created a public opinion and sustains a public opinion that countenances these outrages, and that if that public opinion itself could be changed the outrages would cease.

By Mr. WILSON:

Question. Are there any exclusions in the constitution or laws of North Carolina?

Answer. None whatever in the constitution of the State.

Question. You refer entirely to the law of Congress?

Answer. Yes, sir; we have no exclusion whatever, except the exclusions that are made by Congress, which are excepted in our own constitution.

Question. You mean to say, then, that those persons that are excluded by Congress feel that they are wronged by the fact that the colored people have rights that they have not; and they rather countenance, or do not do or say anything to repress the violence of these people who commit outrages?

Answer. Yes, sir; I mean that they are ready and willing to take political advantages which arise out of these outrages committed by this organization. It helps them to obtain power, and to retain it.

By Mr. BAYARD:

Question. In the first part of your testimony, on being asked by the chairman as to the dates when these wrongs were committed, you answered that it was from the passage of the reconstruction acts till the present time, and I believe you went on further to attribute the condition of feeling that led to these outrages to the passage of those acts. Did I understand you right?

Answer. Yes, sir; that is my testimony.

Question. Before this system of reconstruction was entered upon, did any such class of outrages occur in your community, or was it peaceful and quiet?

Answer. None; we had peace and quiet.

Question. And unobstructed action of the laws of your State?

Answer. Yes, sir.

By Mr. RICE:

Question. If the conservatives were given their own way now in the State, it would all be quiet, would it not—if they just had their own way in all the elections and their own men in office?

Answer. So far as it is a political organization, I am satisfied that it would, but so far as it has degenerated into an engine for wrong and mischief, in other respects, I do not know that it would.

WASHINGTON, D. C., February 1, 1871.

ETHELBERT HUBBS sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?

Answer. In New Berne, North Carolina.

Question. What is your occupation?

Answer. I am an editor.

Question. Of what paper, and what party?

Answer. The Newbern Daily Times, a republican paper.

Question. How long have you lived in North Carolina?

Answer. Since 1862.

Question. You were called for the purpose of giving such information as you have bearing upon the security of person and property in the State of North Carolina. State as briefly as you can the knowledge you have on that subject.

Answer. As regards the political situation of North Carolina I deem it to be in a state as near anarchy as it can well be. We have what might be termed class legislation at the present time by the legislature, and for a period of nearly three years there has been but very little security for life and property in many sections of the State. There have been many outrages committed, and no punishment, no adequate punishment for them. A number of murders have been committed, which are characterized as political murders. Parties have been arrested from time to time, and let go on what is termed straw bail. It is generally understood that no punishment can be inflicted on account of what is termed a political organization called the Ku-Klux, or White Brotherhood, or something of that sort. It goes by various names. However, in several sections of the State everything goes on smoothly, quietly, and lawfully. I can speak more particularly in regard to my own section. The county in which I reside has been very quiet indeed, owing, as is believed, to the fact that a large majority of the people are republicans in sentiment. In the adjoining county of Jones there have been, to my certain knowledge, three political murders, within the last two years.

Question. Can you name the persons killed?

Answer. One was Sheriff Colgrove; undoubtedly a political murder. Another was Colonel Sheppard; also a political murder. Another was a colored man named Jones; it occurred at the time Colonel Colgrove was murdered. In the adjoining county of Lenoir, also, there have been a number of murders. Five men were taken out of jail by a band of disguised men and were never seen or heard of afterward. I speak from common report.

Question. That was the subject of judicial investigation?

Answer. Yes, sir; before Judge Thomas, at New Berne. There was no commitment. The parties implicated are at large, on bail, one of whom was recognized as a man by the name of Munroe. I was present and heard a part of the proceedings. There was direct testimony implicating this man as one of the party that entered the jail and assisted in taking out the prisoners there confined. In that county a short time ago, about a month, I think, there was a band of disguised men went to the house of a colored man by the name of Whitfield, called him out of his bed, and shot him in cold blood, and carried away his horse. Then they proceeded to another house and shot a man and woman who occupied it, and took away a horse from that place. One or two of these men, I think, were recognized by the woman who was shot, and upon her information Sheriff Hunter arrested them, as I learned from him before I left; and he stated that without doubt they were guilty. On my way here I learned that they were discharged, as is customary, on straw bail. I have heard of a great many outrages by common report.

Question. You have not been in the vicinity where they were committed?

Answer. No, sir. I was in the vicinity of the murder in Jones County. I went out there myself and brought in the body of Colonel Sheppard. I have seen and conversed with a number of parties who have had outrages committed upon them, and have every reason to believe they told correct stories. One man stated to me that he was very severely whipped for no other cause than that he voted the republican ticket. He said that the parties who did it told him it was for that reason.

Question. In what county was that?

Answer. I think it was Wayne; I am not certain.

Question. You have seen the man?

Answer. Yes, sir.

Question. You have only his statement?

Answer. Only his statement and the evidence of the marks on his body.

Question. Are you giving these statements from your knowledge derived as an editor?

Answer. As an editor and from common report.

Question. And from communication with the people themselves?

Answer. Yes, sir; from communication with the people also.

Question. From your position as editor and the intelligence you have derived from various portions of the State, what is your opinion as to the cause of these outrages that have been communicated to you?

Answer. Prejudice—political prejudice.

Question. Is that confined to one party or the other; or do both participate in these outrages?

Answer. I think it is almost exclusively confined to what is known as the democratic-conservative, or conservative-democratic party.

Question. Give your reasons for that opinion.

Answer. My reasons are these: The men who are murdered and outraged are republicans almost invariably, and the men who are supposed and believed, and in fact known in many instances to do it, are democrats or conservatives; and also from the common talk.

Question. In your intercourse with the politicians of the State do you find these outrages condemned or justified by one or the other political party; and, if so, which of them condemn and which justifies?

Answer. The republican party invariably condemn and endeavor to bring the parties to justice; the conservative party invariably pass it by—rather approve of it than otherwise.

Question. Have you found among the leading men of the conservative party those who condemn it?

Answer. Oh yes, sir; plenty of them.

Question. Do they make no effort to bring the parties to justice?

Answer. Very little.

Question. What is the tone of the press on the subject?

Answer. Bitter, sir; highly partisan.

Question. In what respect?

Answer. Well, in endeavoring to justify the acts of these men who go about committing these outrages; showing, or endeavoring to show, that they have cause or reason for their actions toward those who are injured, who, they say, are bad men, and deserve to be lynched, &c. That is common talk.

Question. Have you any other personal knowledge, bearing upon the security of person and property in your State? If so, state the facts.

Answer. I have this with regard to my own personal experience: In traveling from New Berne to Trenton, a gentleman who was mistaken for myself was stopped late at night, and when the men, who were armed and disguised, were informed that it was not Hubbs, (i. e., myself,) and were asked, "What do you want of him?" they replied, "Oh, nothing much, only we want to tickle him a little." This man's name was John Har-

gott, a deputy marshal. Since that time I have resided in the upper portion of the city, and I have been followed to my home or nearly there on three separate occasions, by parties who, I believe, were seeking to assassinate me. I have been warned again and again to be careful. I, however, think a man's life is safe in that section. In Craven County I have no fear of my own.

Question. How many republican papers are printed in North Carolina?

Answer. There are only five, I think.

Question. What are their names?

Answer. The Asheville Pioneer, The Raleigh Gazette, The Wilmington Post, The American Advocate, and The New Berne Daily Times, my own paper.

Question. What is the number of papers of the opposite party?

Answer. I think there are about a dozen.

By Mr. BAYARD:

Question. You went to North Carolina in 1862?

Answer. I did.

Question. Where from?

Answer. From New York.

Question. What was your occupation previous to that time?

Answer. A merchant.

Question. When did you become an editor?

Answer. About the 14th of May last.

Question. Have you been living in New Berne during the whole of that period?

Answer. No, sir; I have lived in New Berne all the time since the latter part of 1863.

Question. You spoke of the tone of the papers—that is, what are called the democratic-conservative papers—being very bitter; what is the character and tone of your own and others in that regard? Is it equally positive on the other side?

Answer. No, sir; no, sir; on the contrary, I consider the press on the other side altogether too mild under the circumstances.

Question. Did you ever hold any official position in North Carolina?

Answer. Yes, sir.

Question. What?

Answer. I was an officer of the United States Army from 1831 to 1863—a soldier first and an officer afterward; then deputy supervising special agent for the Treasury Department, under Colonel Heaton; and I am now deputy collector of customs for the port of New Berne.

WASHINGTON, D. C., February 2, 1871.

LEWIS HANES sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?

Answer. In Salisbury, North Carolina.

Question. In what county?

Answer. In Rowan County.

Question. What is your occupation?

Answer. I am editor and publisher of a newspaper.

Question. To which political party are you attached?

Answer. I have generally acted with the conservative party; but I am independent rather. I have not been able to agree with any party since the war. During the war I was an unflinching Unionist.

Question. How long have you resided in the State of North Carolina?

Answer. I was born and raised in that State, and have resided in it all my life.

Question. The object which this committee has in view is to ascertain the state of security for person and property in the State of North Carolina at the present time; will you state to the committee any facts within your knowledge which will bear upon that investigation?

Answer. I cannot say that I know much, of my own knowledge, of some parts of the State. That portion of the State in which I immediately reside has never been much disturbed. There has never been any want of security of person and property in the county of Rowan, and the counties immediately adjacent. As to the disturbances in Caswell, Alamance, and other counties, I have only expressed opinions, based upon testimony taken in the various judicial investigations before the justices of the supreme court of the State.

Question. I will ask you to give a condensed statement bearing on the general question, before I put to you any special interrogatories.

Answer. In my portion of the State, in those counties in which I am immediately acquainted, I do not think there is any danger at the present time to the person or property of any one of any political party; and in the county of Rowan, and in the counties immediately adjacent, I do not think there has been any danger at any time since the war.

Question. Is that as much of a general statement as you desire to make?

Answer. I could make no further statement, save that which would be based upon testimony before your committee. You have the testimony of witnesses in regard to the outrages in Alamance and Caswell, and I presume this committee is quite as capable of arriving at just conclusions from that testimony as I am.

Question. Does there exist, according to your belief, in the county in which you reside, any secret organization which has a political purpose?

Answer. I have some reason to believe that there is a secret political organization in that portion of the State.

Question. Give us the name of any such organization, and its purposes, so far as you know them.

Answer. Certain persons in Rowan have admitted to me that they believed that there was a secret organization there in the interest of the democratic party, but they said it was political only, and did not countenance the commission of outrages, or taking the execution of the law into its hands. My opinion is that there is a secret political organization, but I have no reason to believe that in Rowan County it is anything more than a mere political organization.

Question. Who were the persons who admitted to you the existence of a secret organization?

Answer. They did not admit their knowledge of it; only their belief that there was such an organization.

Question. Who were they?

Answer. If the committee insists upon it, I will give their names; but I would rather not do so.

Question. Our object is to ascertain the truth upon both sides of this question.

Answer. Major Robbins, who is the State senator from that county, told me that he thought there was a secret political organization, but he denied that it had any such purpose as the Ku-Klux had in Alamance and other counties.

Question. Any other person?

Answer. I think John S. Henderson also made a statement to about the same effect.

Question. Who is he?

Answer. He is an attorney-at-law in Salisbury. I always denounced in my paper the outrages committed by the Ku-Klux in Alamance and other counties, and several persons spoke to me about it, and tried to convince me that I should not do so; that there was no trustworthy evidence of those facts.

Question. Who were those persons who blamed you for denouncing the Ku-Klux?

Answer. I do not know that they were blaming me; they were trying to convince me that the testimony was not really trustworthy—that the statements were exaggerated.

Question. That was in consequence of your having denounced the Ku-Klux?

Answer. Yes, sir.

Question. Have you any doubt of the existence of that organization, properly known as the Ku-Klux?

Answer. I have no doubt of its existence in parts of North Carolina, although I do not think it existed in that form in Rowan County and the adjacent counties. I have expressed my belief of its existence, and I have repeatedly and constantly denounced it in my paper. I have believed that it existed in a small number of counties; I never could ascertain how many.

Question. Were there any such acts of violence committed in Rowan County, where you live, as you understand, from common report, to have been committed in Alamance and other counties?

Answer. No, sir; not exactly. We had quite a number of efforts to burn barns and other buildings in the town of Salisbury, but I have no reason to believe that they proceeded from an organization of that character. A man by the name of Stephen Hardy was generally thought and believed by the citizens of Salisbury to be the incendiary. He was a very odious man there. He came there with the Federal Army and married a colored woman, which made him odious, and the impression now is general there that he was the incendiary. During this time he was so unfortunate as to kill a man there, the brother of the mayor of Salisbury, a leading democrat and an influential man—to kill him under circumstances of great provocation. He was tried before a Rowan jury, the foreman of which was a prominent conservative and a very intelligent man, and he was convicted of manslaughter. After a short time the governor pardoned him. I do not pretend to say unjustly, because it was a case of great provocation, and there were those who thought the killing justifiable. But immediately after he was pardoned and turned loose, those burnings commenced again. He was then arrested on a State warrant and examined before a special justice of the peace; but no convincing evidence was obtained against him, and he was discharged. His friends all advised him that he must leave there, which he did, since which time we have had no more of these burnings. I mention these facts more particularly to show that in the county of Rowan, a man, no matter how odious he may be, could obtain justice in our courts. I would

say that distinctly about the county of Rowan, and the counties of Davidson, Davie, Iredell, and Cabarras, immediately adjacent. Beyond those counties, I cannot say that my personal knowledge extends at all.

Question. How far are those counties distant from Alamance, Caswell, and Orange Counties?

Answer. They are from forty to seventy-five miles distant from Alamance. There are two counties intervening between Alamance and the nearest of those counties.

Question. Did the proceedings on the trial of this man Hardy elicit any political feeling at all?

Answer. I cannot say that any such feeling was elicited upon the trial. I think his case was tried as impartially as any case could have been tried.

Question. Do I understand you to say that you believe what was known as the Ku-Klux organization existed in your county, but it did not there have such purposes as in other counties?

Answer. I cannot say that exactly; I say I believe there was a secret political organization there, and the other persons, who said they thought or believed such an organization existed there, claimed that it was nothing but a political organization merely, and that its purposes were legitimate entirely; as legitimate as were those of the Union League or Know-Nothing party.

Question. Did they tell you what were the purposes of either of those organizations, the one to which you have referred or the Union League?

Answer. I merely made that reference myself by way of illustration; I do not know that they referred to those other organizations, but they said the organization was perfectly legitimate, being nothing but a mere political organization to advance in a legitimate way the interests of the party.

Question. The purpose of my inquiry is to bring out the fact of the existence of any organization of either political party, and its effect upon the security of person and property in your county.

Answer. I think each party had a secret organization; that on the other side was known as the Union League. But I do not think that in that county the existence of either organization was detrimental to the public peace or to the security of life or property. I have no reason to believe that either of them transcended the legitimate bounds of a political organization.

Question. Were you a member of either of those organizations?

Answer. No, sir; I occupied such a position that I would not be likely to be approached with an invitation to become a member of either organization. I occupied rather an independent political position.

Question. When you denounced in your paper the proceedings of the Ku-Klux organization in other parts of the State, was there any difference in the manner in which your sentiments were received by the different parties?

Answer. I do not know that I exactly understand your question.

Question. Could you say that the one party as a party denounced those proceedings, and the other party as a party approved them; or were the parties divided among themselves on the subject?

Answer. There were those on the part of the conservative party who wished to represent the whole matter as exaggerated, as not amounting to nearly so much as was generally represented or believed.

Question. How with the other party?

Answer. As to the republican party, of course they all believed in the existence of the organization and constantly denounced it.

Question. Where trials in the courts arose out of the wrongs inflicted by that organization, do you believe that justice could be secured in those counties where the wrongs had been committed?

Answer. I have no means of knowing, as I remarked awhile ago, save what I have learned from evidence before this committee.

Question. That you have not seen, of course.

Answer. No, sir; I have not seen the evidence you have taken here; but I meant all that published evidence taken before the justices of the supreme court of the State of North Carolina in their investigations, and which I presume was communicated to the Senate by the President. That is the evidence to which I refer.

Question. From your knowledge of the public sentiment, derived from your position as the editor of a newspaper, do you believe that, in those counties where this organization exists and perpetrates these wrongs, justice can be secured in the courts of those counties against the perpetrators of those wrongs?

Answer. From the nature of the organization it would seem not. I have no doubt that any civil process could have been executed at any time without any difficulty; that there never was any necessity for a military force to aid in its execution. But the obligations of the organization, so far as I know anything about them, which is only from the testimony of which I have spoken, would go to show that jurors, &c., would combine to protect them. Those men who were bound over to appear at the

court in Alamance were never punished at all; but I think the fault of that was in the remissness of the governor of the State. The testimony in those cases to my mind seemed to be perfectly clear. The testimony was put on record, as in all such judicial proceedings, the parties were bound over, and the witnesses were recognized to appear; but, as I have been informed, the solicitor did not send in any bill when the court came to meet.

Question. To what court do you refer?

Answer. The court of Alamance County.

Question. Who is the solicitor there?

Answer. J. R. Bulla; he is a republican, as is also the judge of that judicial district. Mr. Bulla, I think, is rather a timid man. The governor employed three able counsel to conduct these prosecutions before the justices of the supreme court; and I think there was a remissness on the part of the governor in not sending one of those lawyers to Alamance County to assist the solicitor there, Mr. Bulla.

Question. Do I understand you to say that Mr. Bulla, in his capacity as prosecuting officer, did not send any bill to the grand jury in the cases to which you refer?

Answer. So I am informed.

Question. Did you ever hear any reason given why he did not?

Answer. I never heard any reason given for it at all.

Question. Are the judicial officers in those counties who undertake to prosecute these offenders safe?

Answer. I know nothing to the contrary.

Question. What is your opinion on that point?

Answer. The opinion would be conflicting. There would be those who would say they would not be safe, and there would be others as intelligent and reliable who would insist that they would be safe. I myself think they would be safe.

By Mr. BAYARD:

Question. Did you ever know of a case of the attempted intimidation of a judge, or of any civil officer in the State?

Answer. No, sir; I never did.

By the CHAIRMAN:

Question. In any case not involving the feeling growing out of this organization, I understand you to say the administration is unobstructed?

Answer. As unobstructed as it ever was; that is my observation.

Question. Is that the case throughout the State, or do you confine the application of your remark to your own county?

Answer. I should say that was the case throughout the State, save in cases growing out of political feeling, growing out of the war. In all other cases I should say the administration of justice is as unobstructed as it ever was in the land.

Question. Is there any feeling of animosity manifested toward the colored population?

Answer. Only to this extent: the colored population now have privileges which are denied to a large and influential portion of the white people, a large number of the most able and influential men of the State, among whom are some men who were really Unionists during the war, but who are now banned by the fourteenth amendment and cannot hold office. It naturally vexes them to see their former slaves with privileges which they cannot themselves enjoy. That does not create so much of a feeling against the colored people as it does of a feeling against the Government, or against the party in power, who they regard as responsible for that condition of things.

Question. Does that feeling find its vent in animosity against the colored population?

Answer. I do not think it does, unless it may be in a very few exceptional cases. It may in a few exceptional cases find that vent.

Question. To what extent does that feeling go of animosity toward the Government for this alleged discrimination?

Answer. Well, sir, I can hardly say; but there is more or less of it throughout the State. You say "animosity;" I should rather say disaffection. I should say the distance between disaffection or animosity and rebellion was very great. I think nobody contemplates any resistance to the Government, or anything of that sort; but there is a feeling of dissatisfaction.

Question. Does it manifest itself in opposition to the reconstruction laws, or the laws to secure the civil rights of the colored people?

Answer. I do not know that it does. It, however, produces a great deal of that bitterness of political feeling that exists in the State, and which is a sort of instrument in the hands of bitter demagogues, who are hostile to the party in power, to excite the feelings and animosities of the people.

Question. You attribute this feeling, then, almost entirely to the fact that the Government, or the people, by a constitutional amendment, has prohibited certain white men from holding offices to which the negroes are now eligible?

Answer. To a very great degree; I could not say entirely so, because I could not say

that I knew that to be the case; but I feel justified in saying that to a very considerable extent it may be attributed to that.

Question. That is, there is opposition to the consequences which Congress or the country deemed it prudent to impose upon them for participation in the rebellion?

Answer. Yes, sir.

By Mr. BAYARD:

Question. What is the name of the newspaper you publish?

Answer. The Old North State.

Question. Did I correctly understand you to say that you were an unflinching Unionist during the late war?

Answer. Yes, sir; I think I was better known to the people of North Carolina as a Unionist than any other man in the State. I think the whole delegation from that State in Congress here will corroborate that statement.

Question. And that was always your position?

Answer. Yes, sir.

Question. You held that position both during and since the war?

Answer. Yes, sir; I wrote and spoke with great boldness. I proclaimed my Union sentiments everywhere. In the legislature of the State, in 1864, I made a speech in favor of a restoration of the Union, and I did not put it wholly upon the ground that the confederacy was about to be overthrown, but I advocated it *per se*.

Question. You have spoken of the case of a man named Hardy. You say that he was a notoriously bad character?

Answer. Yes, sir.

Question. That he had come there and had cohabited with a negro woman?

Answer. And had married her under a license from the military authorities.

Question. Was such a marriage against the laws of the State at that time?

Answer. Yes, sir; I think it was.

Question. With what political party did this man Hardy act?

Answer. He acted with what was known as the radical wing of the republican party. We sometimes make a distinction between the radicals and the republicans. His associations were almost wholly with the colored people.

Question. What are the politics of the controlling party in Rowan County?

Answer. Democratic.

Question. Whom did this man Hardy kill?

Answer. A gentleman by the name of Daniel Shayer.

Question. Was he a man of position?

Answer. He was a man of some position, and his brother is the mayor of the town, and the wealthiest and most influential man in the county.

Question. And a democrat?

Answer. Yes, sir.

Question. You say that man was tried for that homicide before a jury of Rowan County?

Answer. Yes, sir.

Question. And was acquitted of murder, and convicted of manslaughter?

Answer. Yes, sir. And the presiding judge, in consideration of the mitigating circumstances, imposed the slightest possible penalty.

Question. Who was the judge in that county?

Answer. The judge of the same judicial district.

Question. The man was pardoned by Governor Holden?

Answer. Yes, sir.

Question. And after his pardon this barn-burning commenced?

Answer. It commenced again; it had existed before.

Question. And he was advised to go away from that community?

Answer. Yes, sir.

Question. Can any man, irrespective of party or race, obtain fair and impartial justice under the laws of North Carolina, in that part of the State where you reside?

Answer. He can, in those counties which I have mentioned. I cannot speak from personal knowledge of any of the other counties. The portion of the State where I reside has been about the most quiet and the least disturbed of all the portions of the State, especially where there are many colored persons.

Question. Did I correctly understand you as saying that if the civil authorities in Alamance and Caswell had been diligent in the prosecution of their duty there would have been no necessity for the presence of a military force to put down the disorders there?

Answer. What I said was this: that there had been no time when those parties could not have been arrested by the sheriff and his deputies, on a civil process; whether the juries would have combined to protect them I cannot say.

Question. That fact was not tested in consequence of the remissness of those whose duty it was to prosecute?

Answer. That is what I mean; that the solicitor did not send bills to the grand jury And that I attribute to the remissness of the governor in not sending one of the counsel that he had employed in prosecuting the cases before the justices of the supreme court.

Question. To which party did those persons belong who were employed by the governor?

Answer. One was the Honorable Nathaniel Boyden, formerly a member of the house of representatives from that State. The other two were like myself, rather independent, but had voted always with the conservatives.

Question. Are you aware of the reputation of Colonel Kirk?

Answer. I know nothing of Colonel Kirk save what has been stated constantly through the newspapers. I never have met him so as to make his acquaintance.

Question. Do you know what is his general repute and character in North Carolina?

Answer. Well, it is not good.

Question. State, if you can, what is his repute among the people of North Carolina?

Answer. He had the reputation of having been a sort of freebooter in Tennessee during the war. I speak of general newspaper report and common rumor.

Question. I mean his common reputation in North Carolina.

Answer. That is what I mean.

Question. Was his name associated with any acts of violence or lawlessness?

Answer. It was. It was alleged that he had committed several murders during the war.

Question. That was his general repute with the people of North Carolina?

Answer. Yes, sir.

Question. He was a Tennessee man, I believe.

Answer. I believe he was born in Rowan County, North Carolina, and lived there in infancy; but he was raised in Tennessee, and had lived there for a number of years, and was wholly unknown by the people of North Carolina as a North Carolinian.

Question. Do you mean when he was brought into the State by Governor Holden, and placed at the head of this militia?

Answer. Yes, sir; or rather I should say the mercenary troops he raised.

Question. What was the character of the band he raised?

Answer. I do not know that I can describe them. They were said to have been generally taken from the lowest of the population of that mountain country; men who had hardly any clothes, no shoes, no hats, and who went into the service with the expectation of making something. That was the opinion, very freely expressed.

Question. Were they from Tennessee, as well as North Carolina?

Answer. A portion of them were understood to have been from Tennessee.

Question. Have you ever heard anything of his lieutenant colonel, Bergen?

Answer. Only in North Carolina; I never heard of him before.

Question. Was his common reputation similar to that of Kirk?

Answer. I cannot say that I know what reputation the man had before he came to North Carolina.

Question. You are a journalist?

Answer. Yes, sir.

Question. And it is your business to ascertain the news of the State for the purpose of publication?

Answer. Yes, sir.

Question. What was the reputed treatment by Kirk of those persons he took as prisoners?

Answer. Kirk's reputed treatment of the men he took as prisoners was not bad. His lieutenant colonel, Bergen, was said, and doubtless truly said, to have treated them infamously; to have hanged them up to extort confessions from them; to have put them in jail, &c.

Question. Were there many persons so tortured by him?

Answer. I have heard of three or four instances only. I could only say that I had evidence to satisfy me of three or four such cases.

Question. You say he would hang them up. Describe what you mean.

Answer. The affidavits of some of the persons who had been hanged were read before his honor Judge Brooks, of the federal court, in my presence, in which they described that he hanged them up by the thumbs, I believe, or by the wrists; I do not recollect distinctly which it was.

Question. For what purpose?

Answer. For the purpose of torturing them into confessing and making disclosures concerning their accomplices. I presume their affidavits are among the papers filed here.

Question. Were you present at the hearing, before Judge Brooks, of the prisoners surrendered by Kirk?

Answer. Yes, sir; that is, I was present at the hearing of those who were surrendered at Salisbury.

Question. How many of them were there?

Answer. Perhaps twenty or more.

Question. Was there any evidence brought against those prisoners to warrant their being held to bail, or anything of that kind?

Answer. No, sir; there was not. Those who were brought before Judge Brooks at Salisbury were all Caswell prisoners. The Alamance prisoners, against whom the evidence was elicited, were returned before Judge Brooks, at Raleigh. I was not present at all at that hearing.

Question. You were at the Salisbury hearing?

Answer. Yes, sir; I made a report of it for my paper.

Question. You say there was no evidence whatever to warrant their being held?

Answer. No, sir.

Question. They were discharged at once?

Answer. Yes, sir.

Question. Was Kirk there at the time?

Answer. Yes, sir; I saw him there.

Question. You have spoken of a strong feeling of political bitterness existing in certain portions of that State, which you have stated arose, in your opinion, mainly from the fact that a large body of enlightened and influential men in the community were disfranchised by the provisions of the fourteenth amendment to the Constitution of the United States?

Answer. Yes, sir.

Question. And that it was the spectacle of the freedmen, their former slaves, in possession of those political privileges of which they themselves were deprived, that was the cause of their political bitterness?

Answer. To a very considerable extent, yes, sir.

Question. And you also stated that probably the feeling which prompted some of these outrages among the lower orders grew out of some such cause?

Answer. Yes, sir.

Question. Is that your belief?

Answer. Yes, sir; that is my belief.

Question. Then I will ask you what you believe would be a cure for the outrages which have been committed, and for the feeling which caused them?

Answer. I think the legislation which is necessary, as that which will tend to produce a better state of feeling, is this: You must have observed that it is difficult to execute laws where the public sentiment any way justifies outrages or criminal acts. I think a general amnesty bill, a repeal of the test oath, and the admission into Congress of those persons who have been elected by the people to represent them, would do more to restore good feeling, and as a consequence to arouse a public feeling against this lawlessness, and a respect for the Government, than anything else that could be done.

Question. You have spoken of the fact of there being dissatisfaction and dissatisfaction among the people. I will ask you whether you believe that with a restoration of privileges there would be a strong feeling to uphold the Government of the United States?

Answer. I think the tendency would be to create such a feeling, and to strengthen it. I think the effect would be a most happy one in every sense of the word, and in a party sense I believe it would be the most popular thing the party in power could do. It would do more to strengthen such a feeling than anything else. However, that is foreign to this inquiry, I suppose.

Question. You have spoken of Union Leagues; do these associations exist generally throughout the State?

Answer. They did at one time exist in every county; but I think they have fallen into decay to a great extent, as I think the other organization has to a very considerable extent. There may be a county or two which is an exception.

Question. Were they rival organizations of the same character?

Answer. It was so claimed by those who apologized for the Ku-Klux. It was claimed that they were got up as a set-off to the Union Leagues.

Question. Of whom were the Union Leagues generally composed?

Answer. They were composed generally of all the members of the republican party. All the colored persons were understood to be members of it, and, I think, some of the most respectable men of the State who belonged to the republican party belonged to the Union Leagues. Pretty much the entire party were connected with the leagues. I do not think, on the other hand, that the entire conservative or democratic party were connected with any secret organization.

Question. Have you, or not, heard from members of the democratic party as severe denunciation of these lawless outrages as you have from any other source?

Answer. I have from a few who have acted with that party, and by some who, you may say, were in full fellowship with it; but there was a disposition to apologize to a certain extent, on the part of the democratic party, for these outrages; that is, I should rather say, on the part of a portion of it. I do not mean to say all of it, or half of it.

My own paper and one or two others were the only ones that denounced them; or there were several others that denounced them, but mine was more severe than any other.

Question. The last election held in North Carolina, was it, in your opinion, fair, orderly, and peaceable?

Answer. It was, except in those two counties that were declared to be in insurrection, and where troops were stationed.

Question. When you say troops you mean Kirk's militia?

Answer. Yes, sir; I believe there were also some United States troops in Caswell County. I never have seen a freer or fairer election in that State.

Question. Every man had his right to vote unobstructed, black or white?

Answer. Yes, sir; black or white. There are a great many colored people in Rowan County, and they voted as free and unobstructed as any other class of citizens. I was there on the day of election, and can say that from my own knowledge and observation.

Question. Were there many depredations committed by Kirk's band while they were in Caswell and Alamance Counties upon property as well as persons?

Answer. I cannot say that I know anything about their depredations upon property in those counties. I do not recollect any reports; but if I ever knew anything, it was from reports.

Question. You gathered it as news?

Answer. Yes, sir. I do not remember any now. The troops, as they were coming down the western road on their way to Alamance, behaved very badly at Salisbury.

Question. You mean Kirk's men?

Answer. Yes, sir.

Question. What did they do?

Answer. They were sent by Kirk up town for a prominent citizen who was connected with the railroad there. As they came along by the Mansion House, a hotel kept by two as law-loving men as can be found anywhere, and as they got opposite the window of the dining-room, which was on the first floor, the window opening to the sidewalk, one of them fired a pistol into the pavement and exclaimed, "I have been shot at from the window." The guests were then at dinner, and a number of the troops ran and thrust their guns with their bayonets in the window, and frightened the women and children and everybody else from the table. These facts were related to me by quite a number of men of whose truthfulness I have no doubt at all. They said it was a feigned shot fired by the man himself.

Question. Was it generally considered by the people of those counties that the presence of these men of Kirk's was beneficial to the good order and safety of the community, or the contrary?

Answer. The general opinion was the contrary. The sending of Federal troops there would have created no apprehensions at all in the minds of our people, because they are under thorough discipline. They have no dread of Federal troops. Their dread of these men grew out of the fact that they were a set of desperadoes, with little or no discipline.

By the CHAIRMAN:

Question. Is your paper an organ of the conservative party in your county?

Answer. No, sir; it is an independent paper; particularly so.

Question. You have spoken of the killing of the brother of the mayor being done under great provocation; what was the provocation?

Answer. I do not know that I can recollect all the circumstances distinctly, nor how the quarrel commenced. Shaver had a big stick raised in a striking attitude, under such circumstances that Hardy might reasonably have apprehended that Shaver would hit him and kill him with it.

Question. I suppose the ground of defense was that he took Shaver's life to save his own?

Answer. That was the defense set up. There had been no previous quarrel, and it was alleged to be a case of excusable homicide, or of manslaughter, and the jury found a verdict of manslaughter.

Question. Shaver approached him without previous provocation, and he defended himself to escape death or great bodily harm?

Answer. I think so. Shaver was in a barber shop when Hardy entered, and the quarrel commenced on Hardy's entrance into the shop.

Question. You have spoken of Colonel Kirk's reputation; did you or not hear of this reputation principally from persons who had been arrested, or from persons who sympathized with or palliated the proceedings of the Ku-Klux?

Answer. No, sir; that was the reputation he had before he was called there to command these troops. He had been at the head of some Union troops in Western North Carolina about the close of the war. In that way there had been a general report spread about him.

Question. You have no knowledge of any of these charges?

Answer. None in the world; I do not vouch for the truth of them.

Question. Were not these charges made principally by persons who were in opposition to Governor Holden in that State?

Answer. Well, I heard them before Holden became governor.

Question. I speak of what he did when he was there; were not the charges made against him by persons in opposition to Governor Holden?

Answer. Yes, sir; generally so.

Question. Were you yourself in opposition to the governor's proceeding?

Answer. I was; but I would not have been in opposition to proceedings taken in a proper form. If, for instance, Governor Holden had sent for a company of United States troops, or if he had called out a company of militia properly detailed from the State, under command of a respectable man, and used them only as constables, to assist the civil officers in the execution of civil process, and made arrests by civil process instead of military, I would have sustained him.

Question. You believed, then, that military force was necessary in those counties, but you objected to the character of the military forces he sent.

Answer. No, sir; that is not my opinion. I have stated that I believed civil process could have been executed. Still, if the governor had believed it was necessary to send the militia there, and had used them only to execute civil process, I would not have objected, because that was a matter on which two equally honest men might differ until the trial was made.

Question. You have spoken of common report that Colonel Kirk had been guilty of wrongs in North Carolina; were not numerous persons in Caswell and Alamance Counties charged with having committed outrages there?

Answer. The Ku-Klux there, I believe, committed some murders. For instance, Outlaw was hung and Puryear was drowned; those acts, I believe, were committed by the Ku-Klux.

Question. If any man connected with that organization was called on to give a statement in regard to Kirk or anybody else favorable to the suppression of their operations, would you, from your knowledge of their organization, believe such a man under oath in regard to their transactions?

Answer. Well, sir, unless he was corroborated, I should certainly take his statement with some degree of allowance.

Question. Do you, or not, believe that members of that organization are bound by oath to acquit each other in case of charges made against them?

Answer. The evidence taken in these investigation that have been made, which is all that I have, shows it to be such.

Question. Does that satisfy you that it is so?

Answer. Yes, sir; I believe it did; and I think I so stated in my own paper. That, I believe, is the character I gave of the organization in those counties.

Question. In regard to the necessity, in your belief, of legislation to remove disabilities, do not persons who take that ground hold also that those who took part in the rebellion were not guilty of treason to this Government?

Answer. Not all of them. North Carolina was never a secession State; it was a whig State, and there were a great many democrats who did not believe in the doctrine of the right of secession. Chancellor Ruffin, though a democrat, did not believe in it. I do not think there was ever at any time more than one-third of the people of our State, and perhaps a much smaller number, that were prepared to indorse the doctrine of secession.

Question. I am speaking of their position now. Do not a large portion of the people who make complaints of the colored man having rights which they have not take the ground that those who went into the rebellion were not guilty of treason against the Government?

Answer. All those who believed in the right of secession took that ground, and if their doctrine was true, it would follow that they were not guilty.

Question. Do they not also take the ground that the Government ought not to have inflicted any punishment, either by way of disfranchisement or any other mode, against those persons?

Answer. Some of them do; some of them, however, say, while they believed in the doctrine of secession, the Government held otherwise, and as the Government has triumphed, it has established its theory, and therefore they recognize the right of the Government to impose terms; still, a large number hold otherwise.

Question. Do you believe that the removal of the restriction on eligibility to office would make good citizens of those that hold that ground?

Answer. With a large number of them it would have a tendency to mollify their feelings. I am convinced that a bill of general amnesty—I will not say universal, because there may be classes that it would be well enough to exclude longer—a general amnesty act, with a very few excepted classes, would be satisfactory to most persons.

Question. Were there any acts of violence, that you are aware of, committed by members of the Union League, or in pursuance of its proceedings?

Answer. There were a great many, I believe, committed by members of the Union

League, but I have never seen any satisfactory evidence that it was carrying out the orders or decrees of any league.

Question. There were instances of individual violence?

Answer. Yes, sir; a number of such cases as that, but it never was proven to my satisfaction that the parties acted in pursuance of any order or decree of the League.

Question. Do you believe the existence of these secret political organizations, without regard to the party to which they belong, has a tendency to create an irritation among the people politically, and lead to outrages?

Answer. Yes, sir; and I do think it would be better if both organizations were to cease to exist. The colored people all joined these leagues, and they met once a week immediately after the adoption of the reconstruction acts. Then they were harangued frequently by some white persons who endeavored to inflame them for the purpose of consolidating them against the white race, in consequence of which there was created too much hostility between the two races; or such was the popular belief.

Question. On the other side the privileges of the colored people were made the means of exciting the white people against them?

Answer. Yes, sir; I think it has been unfortunate for the State of North Carolina that either organization ever had an existence, and I think it probable that if the league had never had an existence the other organization would not have existed. I do not give a positive opinion about that, however. The existence of the league is always spoken of to palliate or justify the other.

Question. Have the members of the league ever made any concealment of their belonging to it?

Answer. I think not.

Question. Do they hold public meetings?

Answer. No; their meetings were not public, they were always in private; but it was very well known that they held their meetings.

Question. Did they avow themselves in public as members of the league?

Answer. Yes, sir; I have heard them avow themselves.

Question. Do you know of any efforts being made to keep voters from the election, before the day of election?

Answer. I do not. In those four or five immediate counties of which I have spoken I am sure no fairer election can have been conceived than was held there.

Question. In regard to the transaction in the town of Salisbury, I suppose it was a question of dispute between the troops and the people at the hotel. You have no knowledge as to the fact?

Answer. I have not; but a number of gentlemen who witnessed it all made the statement.

Question. As to the men in the militia, do you speak from personal knowledge of them, or from the reputation given to them by the community in which you live?

Answer. That was the reputation given to them by those who saw them in the community in which I live, as well as in some other communities; for I was frequently on the railroad and saw men in other parts of the State.

Question. It was well understood, was it not, that the men in Alamance County, who were charged with those outrages, were very rough material?

Answer. No, sir; many of those charged were among the most respectable people of the country. I am abundantly satisfied that in Caswell County a great many were charged and arrested who were really innocent, though I believe there were many guilty ones in Alamance County.

Question. The men who were charged with committing the outrages in Alamance County, were very rough material?

Answer. They were supposed to be so from the fact that the outrages were committed.

Question. It would be hard to class any very respectable citizens with them?

Answer. Yes, sir. The parties who did the whipping and committed other outrages in Alamance County were ferreted out; but the investigation of the murder of Stevens in Caswell County failed to give any clue at all to the perpetrators, while I think it disclosed who were the perpetrators in Alamance County of numerous other outrages. The evidence did not disclose any secret organization in Caswell County, while it proved them abundantly in Orange, Alamance, and Chatham Counties.

Question. The belief is general that the outrages were perpetrated, and that when perpetrated they are beyond the power of the civil tribunals.

Answer. That is the opinion of a great many persons; I cannot say it is universal at all. I came to that conclusion.

Question. That is your own belief?

Answer. That is my own belief in reference to the organizations as they existed in Orange, Alamance, and Chatham Counties.

By Mr. BAYARD:

Question. Have you any knowledge that acts of violence, such as whippings, and other things of that kind, have been perpetrated at any time by colored men in disguise?

Answer. Well, I have no personal knowledge. I have heard others speak of two or three instances where they believed that colored men had done it on the credit of the Ku-Klux. I have also heard an opinion expressed by men who have recognized the existence of the Ku-Klux and all its outrages, that other outrages were committed, taking vengeance upon enemies in the name of the Ku-Klux and under its disguise. I believe, myself, that there have been a number of such cases; I believe a great many outrages are charged upon the Ku-Klux falsely; it must necessarily be so.

Question. Outrages committed by parties for their own ends?

Answer. Yes, sir. Sometimes it assumes a sort of right of social regulation over notorious characters, for the purpose of punishing the keepers of low brothels in the country. Bad women have sometimes had their houses torn down by men under this sort of disguise, when really there was nothing political in it. They frequently go abroad to the world as Ku-Klux outrages when they are not such. Many, I believe, have gone abroad as Ku-Klux outrages when they were committed for a different purpose, under the guise and in the name of the order.

Question. Do you derive your information that the negroes were in disguise who committed acts of this character from republican sources?

Answer. I think I heard a republican once give the opinion that there had been an instance or two of colored persons, even.

Question. Were they committed upon colored people?

Answer. I think they were.

By the CHAIRMAN:

Question. By individuals or bands?

Answer. Well, very small bands; two, three, or four persons. Some feud had existed among them, and they assumed this disguise.

Question. Then I understand the existence of the organization not only brings upon the community its own outrages, but also gives to bad men of both parties an opportunity to commit other outrages in its name?

Answer. It has afforded a cloak, and outrages by both parties upon both races have been committed in its name, I think.

Question. By individuals who use that cloak to conceal their crimes?

Answer. Yes, sir.

Question. You know of no organized movement, however, for that purpose?

Answer. No, sir; save the half dozen individuals who specially banded for that particular purpose. I state this only on the information received from others.

WASHINGTON, D. C., February 2, 1871.

GEORGE W. NASON, jr., sworn and examined.

By the CHAIRMAN:

Question. State your residence and occupation.

Answer. I reside in Newbern, North Carolina; I am postmaster and editor and publisher of the Republican and Courier.

Question. How long have you resided in that State?

Answer. I went there with General Burnside on the 14th of March, 1862, and have been there ever since.

Question. What opportunities have you of knowing the condition of the State as to the security of life and property among the people?

Answer. My opportunities are only general. I have not had an opportunity to see the Ku-Klux personally except on one occasion. I have lived in the city, and have had no opportunity to know what has been going on by actual observation as I would if I had been in the country.

Question. Have you any other knowledge than that derived from your position as public officer?

Answer. I have seen men disguised in the State on one occasion.

Question. Where?

Answer. It was in Jones County.

Question. Under what circumstances?

Answer. I was coming from Pollockville, from a plantation in which I had an interest

Question. In the day time or night?

Answer. In the day time.

Question. In what manner were they disguised?

Answer. Their faces were disguised—masked so that you would not know who they were.

Question. Do you know what their errand was?

Answer. At the time I saw them there was a party of some six or seven disguised men; upon our approach they turned off into the woods and left. We were near enough to them, however, to know they were disguised, and from the depredations that occurred in

that vicinity directly before and afterward we were satisfied that they were done by these parties.

Question. Whatever facts you have bearing upon the question of the security of life and property in the State give them to us briefly.

Answer. I think there is very little security for property belonging to republicans there, especially if they take any active part in politics. There is danger of their property being destroyed. The general feeling toward republicans there is very bad, and I am satisfied that the Ku-Klux could not exist there a moment were it not for the countenance and aid they receive from democrats, or men who are opposed to republicans.

Question. Upon what evidence do you make that statement?

Answer. I make it from personal conversation with those men. I have heard them make statements. When those outrages were spoken of democrats would, by their talk and conversation, sanction them. They would say it was good enough for the damned sons of bitches—use such language as that. A great many remarks of that kind were made by persons sympathizing with them.

Question. Any other evidence?

Answer. General observation. These things were going on all the while.

Question. Give the names of the persons who made such remarks to you.

Answer. These are general remarks indulged in by the whole population there opposed to the republicans.

Question. What we desire is to get at the true state of things. Give us, if you can, the names of a few of the leading men who took that position?

Answer. I am sorry Senator Wilson has just left, for I wanted him to hear my statement. He was down there in 1837, I think, and at the time a prominent democrat took occasion to be introduced to him. He pretended how loyal they were, and how thoroughly they were subdued, and willing to submit to the reconstruction measures; but the sound of the train that took him from town had not died away when they cursed him the same as they did all the rest, and said they would like to have a rope around the damned old scoundrel's neck.

Question. Give us the names of some of these men; we desire to lay the truth before the country, let it help or hurt whom it may.

Answer. John D. Flanner. His disabilities have not been removed; he has worked very hard to have them, and cursed Colonel Heaton, the member of Congress, because he did not get them removed.

Question. If there are any other facts within your knowledge bearing upon this subject give them briefly.

Answer. I do not think of them now. These things are going on constantly, and republicans have no security if they take part in politics. Their barns and gin-houses are burned. It is a common thing. A barn and gin-house were burned in Onslow County.

Question. Is that the feeling expressed by persons throughout the State?

Answer. I think it is, very generally. It seems to be the determination to run out of the State the carpet-baggers, as they term them—that is, the republicans. There are some few northern men there who are democrats; they are welcome; they are glad to see them there; but when a northern man is a republican they have a hatred against him, and desire to get him out of the place. That is the general feeling.

Question. Does this feeling find its expression among the people at large outside of those who take an active part in politics, or is it confined to men who are not active in politics?

Answer. I think nearly the whole population that are not republicans sympathize with such movements, with very few exceptions.

By Mr. BAYARD:

Question. You are editor and publisher of the Republican and Courier?

Answer. Yes, sir; I established the paper in 1837; I also established the Daily Times.

Question. Your paper acts with the republican party in that State?

Answer. Yes, sir.

Question. You speak of a gin-house and barn being burned in Onslow County; when was that?

Answer. Week before last, before I started from home.

Question. Have you knowledge of the circumstances?

Answer. The man who owned them told me since that he had abundant reasons to believe that they were burned by these desperadoes on account of his being a northern man and a republican.

Question. Did he state any facts, or simply his suspicions?

Answer. He said he knew they were burned by them. I have received some threatening letters since I have been there; I do not know who from. I do not know as it is worth while to mention them. I cannot say they came from democrats, only from the tone of them, threatening me if I dare to put forth republican sentiments as I have done; threatening my life on several occasions.

Question. Do you boldly express your opinions?

Answer. I do.

Question. And denounce these men?

Answer. I do to their face as well as their back. It don't make any difference who they are; if I think a man is wrong I tell him so.

Question. Where is this property that you own in the interior of the country? Is it a farm?

Answer. That was a leased plantation. I own real estate in Craven and Carteret Counties—in three different counties.

Question. You continue to hold it?

Answer. Yes, sir; it is my land.

By the CHAIRMAN:

Question. Were you present at what was called the Lenoir County trials?

Answer. I was there myself or my partner all the time reporting the trial. I have the report in my hand.

Question. That report is given in the President's message?

Answer. A portion of it.

Question. Are your statements here derived from information obtained in that way also?

Answer. Part of my statements are from personal observation and part from these examinations.

Question. Wherever the Ku-Klux organizations exist and outrages are committed by them, do you believe that redress can be obtained in that community through the civil courts?

Answer. I am satisfied that very many civil officers do not dare to do their duty, and in other cases the civil authorities are in sympathy with them. I know in some cases men have been arrested for these offenses and acquitted when it was almost positive that they were guilty.

WASHINGTON, D. C., February 3, 1871.

T. F. LEE sworn and examined.

By the CHAIRMAN:

Question. Where do you live, and what is your profession or occupation?

Answer. I live in Raleigh, Wake County, North Carolina, and I am the sheriff of that county.

Question. How long have you resided in North Carolina?

Answer. About six years.

Question. Has your position as sheriff of that county enabled you to ascertain what is the state of security of person and property in that county?

Answer. I think it has to quite an extent.

Question. Will you go on and give us, as briefly and as connectedly as you can, the facts which enable you to form an opinion on that subject?

Answer. From the first compact organization of the republican party in the State of North Carolina, in 1868, the feeling of prejudice against the party was very strong, and it extended to almost every part of the state, and in every business and condition of society. A man differing in political sentiment from the old inhabitants there, was to a great extent ostracised in his business, and almost excluded from society.

By Mr. BAYARD:

Question. What do you mean by "the old inhabitants?"

Answer. I mean what is called the best society in the country, the only society there of the intelligent and educated portion of our community, who were old whigs and democrats. With the exception of a few of them who came inside of the republican party, a man there who was a republican had no associations whatever; he and his family were cut off from all society.

In the latter part of 1868 the organization of the Ku-Klux was commenced; that is, the first positive information I had of it was in the latter part of 1868, and in my opinion that organization has been growing stronger from that time to this, until at the present time there is, in my humble opinion, very little security for any man, white or colored, who is a republican, to obtain justice in any capacity where he is brought before the courts there. I have myself seen a great many instances where I felt positive of that. On three occasions I know of colored persons in my county having been whipped. I knew well the colored persons who were whipped. One was an old man of the name of Squire Sorrell; he was whipped unmercifully, so that for five or six days he could not leave his little cabin. He then went to the neighboring magistrates of that county, and even the magistrates of that metropolitan county were afraid to issue a warrant for the arrest of three parties who were identified by him. They advised him to come to Raleigh and see me. He came there, and I saw him. The

marks of the stripes were very plainly visible on his back at the time. He was an old man, over 72 years of age. I could hardly believe that they would trouble an old man like him. I obtained the warrants from the mayor of the city, and went for the parties and arrested them. The excuse which what are called "the good people" of that section, the industrious, prosperous farmers, gave for the commission of that outrage, was that this old man was living with a white woman, a girl of about 20 years of age; that he was whipped for doing such a thing as that and neglecting a very worthy woman, his wife. They all spoke very well of his wife. Mrs. Pennington, the mother of one of those the old man identified, told me that he deserved everything that he had got for deserting his wife. I said, "Mrs. Pennington, you give a very high character to the old fellow's wife for sobriety, industry, and everything of that kind; are you aware that the band who whipped the old man made his wife strip and dance a jig for them in the cabin, and she had to jump from the window and escape from them in the darkness?" That rather set Mrs. Pennington back; she could hardly believe that. But the old colored woman swore to it before the court. She and her husband, and I think her little girl, identified those three parties; swore to them positively. One of the parties was named Pennington, one was named Sorrell, and one was named Chapell. They were sworn to as having been three of a party of eight or ten who had taken the old man out and whipped him. When the trial came on they brought forward some fifteen or twenty of "the good citizens," so called in that community, to testify that the Saturday the old man was whipped they were some distance off, so that it was impossible for them to have been in the neighborhood when the old man was whipped; perfectly impossible, according to the evidence of the men who proved an alibi for the parties. That is the usual course in all the cases where parties are identified. They bring forward, on every occasion, a great many of what are called good citizens, to prove an alibi.

By the CHAIRMAN:

Question. Were those three defendants and their witnesses members of the organization of which you speak?

Answer. I suppose so, though I do not know positively. All the party engaged in the whipping were disguised, but in the case of one of them he was recognized by his head-gear falling off.

By Mr. BAYARD:

Question. Was it in the night-time?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Do you know anything of the truth of the charge made against the old man of living with a white girl?

Answer. There was no foundation whatever for the charge. The idea of an old feeble colored man of seventy-two living with a white girl of twenty is so absurd that no man would think of anything of the kind, except those who trumped it up as an excuse for the outrage.

Question. Had anything of the kind been heard before the old man was whipped?

Answer. No, sir.

Question. To what do you attribute the failure to convict the parties?

Answer. It is very plain. A distinct alibi was proved by the witnesses, who testified that the young men were some fifteen or twenty miles away at that very moment.

Question. How was the jury in that case constituted?

Answer. In the same way that all juries are drawn in the State. The law provides that jurors shall be selected from the tax-payers of the county. The county commissioners take the tax list, and from them select those they deem competent to be jurors.

Question. That is the same in every county of the State?

Answer. The same in every county. It is the uniform law there in regard to drawing juries.

Question. What I meant when I asked how the jury in that case was constituted was whether any of the jurors were members of that organization?

Answer. I cannot tell. No man can tell that unless he is inside the organization. There was another instance of whipping a colored woman, some forty-five years of age, residing in Buckhorn Township, as we call the dark corner of our county.

Question. Can you fix the date?

Answer. I cannot fix the date exactly; it was some time in the spring of 1869.

By Mr. BAYARD:

Question. What was the date of the other occurrence?

Answer. The other was in the fall of 1869. They visited this old colored lady and whipped her.

By the CHAIRMAN:

Question. What was her name?

Answer. I cannot recall it to my memory now. They whipped her so that she was not able to go out and give any account of the matter for a couple of weeks. She then came in, and I had a warrant issued for those she identified. She identified some three or four of them; one by the name of Collins, one by the name of Barker, and one by the name of Olive—Jackson Olive. She swore positively to them. She identified the man Barker from his losing his head-gear. She recognized him distinctly, as by the light of a pine-knot they looked about the house for her husband. There was some fifty of them mounted on horses, and armed with guns and pistols. She would not tell them where her husband was, and they took her out and gave her some fifty lashes, if I remember rightly. They were looking for her husband, and said they were going to string him up if they found him. She swore positively as to them, and there was some circumstantial evidence on the trial, given by some colored men living in the neighborhood. This party stopped where they lived, and inquired the way to where the old woman lived. She lived in some pine woods, out of any direct road. One very hard-working, industrious colored man, named Jake—— (something; I forget his last name,) said that while he could not swear positively to Barker, he was confident he recognized his voice when he inquired the way to the old lady's house. But the same course was pursued on that trial that is generally pursued in cases where any of them are brought up for trial. They brought forward some fifteen or twenty of what are called the "good citizens," and proved a very fine alibi; proved that they were all away from home, except Mr. Barker, and that he was so sick that he was unable to leave his house that night. I believe Mr. Olive was accounted for as sick, and Mr. Collins was so far away from home that it was impossible for him to have been in that locality that night. About four weeks ago, I think, somewhere about the first of last month, they visited a widow lady in the southern part of our county. They got a rather weak-minded son of hers to show them where his mother's house was, and he guided them to her house. They did not do anything more than to abuse her with words, and take everything of value that she had, telling her that was the least she could give her friends, who were trying to get rid of every damned nigger and radical in the county. A few days ago, just before I left Raleigh, I saw a colored man from Chatham County who had been whipped most unmercifully. He could not get a warrant from the magistrates there, for they would not issue one. He came to me, and I sent him to the United States commissioner, Mr. Shaffer, in Raleigh, to get a warrant. The colored man told me that they were having a little prayer-meeting. I think it very possible that it was a political meeting. But the colored people are now afraid to call any meeting anything but a prayer-meeting, for if it was known that they were holding a political meeting they would surely be visited by these bands. So they call most all of their meetings prayer-meetings. Some fifteen or twenty of them were holding this meeting in a colored school-house, and a band of these fellows, getting information of it, surrounded the house and captured six of the colored men, and laid on them some fifty or one hundred lashes each, I think he stated, and burned down the school-house. They told them that was the commencement of the campaign for the convention in the State, and if they did not stop holding any more meetings the next visit would be with the bullet and rope.

Question. Did you see this man?

Answer. Yes, sir.

Question. Did you see where he had been whipped?

Answer. I did not examine his back, but he could hardly walk. The whipping of those colored men and the burning of the school-house were verified by the statements of white men from that neighborhood, of whom I inquired about it.

By Mr. WILSON:

Question. Was the band disguised?

Answer. Yes, sir. Judge Reade, of the supreme court, was telling me of an outrage that happened in his county; I believe he resides in Pearson County. It was some short time ago, after the election; not over a month or two ago. He said he had information brought to him of one colored man who had been shot and killed, and two more who had been shot, but were recovering. The magistrates in that county were afraid to issue warrants for the arrest of the parties who had committed the outrage. Information coming to the ears of Judge Reade of the act, he sent for the parties who had been shot, but not killed, and issued warrants for the arrest of the persons who had committed the outrage. He said that when the two colored men who had been shot and were recovering were brought before him, they begged him not to question them at all about the matter, but to let them go and take what they had got.

By the CHAIRMAN:

Question. For what reason?

Answer. They said if they told anything at all about the matter they would certainly be killed, the same as the other colored man had been.

Question. What was the date of that occurrence?

Answer. I do not recollect the exact date; it was a very short time ago—not more than a month or two, if I recollect aright. The judge said that after a great deal of urging he got the evidence out. The expression he used was a strong one. He said, "I got evidence enough to hang twenty men. I committed the parties, and that was the last I heard of it. There was no bill found by the grand jury."

Question. Who is the prosecuting officer in that county?

Answer. I forget the solicitor's name.

Question. What is the political character of that county?

Answer. It is democratic, by a very close vote, though. The democrats carried it at the last election by 85 or 90 votes, I believe.

Question. Who is Judge Reade?

Answer. One of the justices of the supreme court. Judge Pearson is the chief justice.

Question. Was there any bill sent before the grand jury in that case?

Answer. The judge committed the parties, and his remark was that he had heard nothing further about the case.

Question. Has there been a term of the court held there since that time?

Answer. Yes, sir.

By Mr. BAYARD :

Question. Were the parties indicted?

Answer. Of course not; they did not find a bill.

Question. Was a bill sent before the grand jury?

Answer. Certainly; the judge sent all the papers to the court.

Question. Did the prosecuting officer send up a bill against the parties?

Answer. I have no information in regard to that; I presume he has. I forgot his name; but I once heard him state that it was useless for him to send in any bills of that kind; he had sent them in so often without getting them.

By the CHAIRMAN :

Question. Do you know of any other cases of outrage?

Answer. Outrages committed in other parts of the State very often come to my knowledge. The surrounding counties to my county are democratic, and a great many colored men come to me for advice, imagining that I can give them aid. But as I see no hope of helping them, I do not charge my memory with a great many of the outrages, unless one happens to be so horrid that I cannot forget it.

Question. How many counties do you speak of in which this state of things exists?

Answer. The counties to which I more particularly refer are Orange, Chatham, Alamance, Johnson, Pearson, and perhaps some others. I have heard of a great many outrages from general report which I did not examine into myself. My evidence would be very general in regard to them.

Question. But you speak of the others from your own personal knowledge?

Answer. Yes, sir. In the county of Johnson, of which I have spoken, there was a case of outrage. There is a colored preacher now living in Raleigh who was driven out of that county, where he had been teaching school and preaching to the colored people. He told me of a case I never had heard of until he told me about it. He said he knew of a colored man who had been shot there one night, but he was afraid to tell of it there. He was given notice to leave the county, which he did, after they had burned his school-house.

Question. When was that?

Answer. Within the last six months, I guess; I do not recollect the exact time.

Question. How are witnesses treated who go before the courts or grand juries to testify in regard to these outrages?

Answer. They are generally summoned by the solicitor, in the first place, at the instance of the grand jury.

Question. Is there any intimidation used to prevent them from testifying, or is there any apprehension felt as to the consequences to them if they testify?

Answer. A great many witnesses are fearful of telling anything at all, and very often beg to be let off without giving their evidence, because they are afraid to go back to their homes if they make any disclosures. The general condition of things is such there that a man who is living in the country outside of a thickly populated town is afraid to say a word about them at all, even to mention the name of Ku-Klux. Even in my own county I have stopped at houses where the people, when I have denounced these outrages, have begged me not to say anything at all, as if the very walls had ears and could hear the remarks I made.

Question. Is there any division of public sentiment in regard to these outrages? If so, tell us who apologize for them, and who denounce them.

Answer. In some instances some of the leading members of the democratic party denounce them. On one occasion I heard Judge Battle denounce them very strongly,

and on other occasions I have heard other gentlemen belonging to the democratic party denounce them. But the general tone of the democratic party is one of apology; they say that the outrages do not amount to anything; that they are exaggerated by the republican party. That is the only issue we have there now.

Question. What do you mean by "the only issue?"

Answer. I mean putting down this Ku-Klux organization. We look upon that as our only salvation. If they are not met and disposed of in some way, there will be no living in safety in that country for any man who differs with them.

Question. Do I understand you to say that among the leaders of the democratic party there are some who denounce this organization?

Answer. I have heard some few of them denounce it.

Question. And the republicans generally denounce it?

Answer. Yes, sir; they are a unit on that question.

Question. And the only apologists for these outrages are found in the democratic party?

Answer. Yes, sir; the democratic party en masse apologize for them. In regard to two-thirds of the whippings they say that they are deserved, as they said in the case of Squire Sorrell. In two-thirds of the cases they say that the person whipped or otherwise outraged has insulted some white lady, or stolen something, or committed some offense. As soon as any outrage is committed there is always some report that comes along with it, giving some excuse for the outrage. Such things are sanctioned by most all of the democratic party, with a very few honorable exceptions.

Question. Are there any other organizations in your county, or in the surrounding counties, that lead to violence or disorders of this kind? If so, tell us what they are and who belong to them.

Answer. I have never known of any other, with a little exception. Within the last two months or so I have arrested some colored men in the western part of my county, and there has been some evidence brought out to show that some colored people there organized, first, as a means of self-protection against the Ku-Klux; and then when they could not succeed in capturing the Ku-Klux who had committed these outrages, they determined to burn down the houses of those they supposed to be Ku-Klux. And in a few instances barns have been burned, but no dwelling-houses.

Question. What is the sense of security felt by the people in the counties of which you have spoken?

Answer. They feel no security at all; they receive no protection from the local officers, and they can get none from the courts. That seems to be the general feeling. They have tried it and failed.

Question. Is there any other statement you desire to state bearing upon the general question before this committee?

Answer. No, sir; nothing directly bearing on it.

By Mr. BAYARD:

Question. You say you are the sheriff of Wake County, and live in Raleigh?

Answer. Yes, sir.

Question. When did you go to North Carolina?

Answer. With General Sherman.

Question. Where was your home prior to that time?

Answer. In Boston, Massachusetts.

Question. You went to North Carolina in 1864?

Answer. Yes, sir.

Question. How did you obtain the position of sheriff?

Answer. I was elected by the popular vote.

Question. What was your majority at the time you were elected sheriff of Wake County?

Answer. The first time I was elected I believe my majority was somewhere between 900 and 1,100 votes.

Question. Have you been elected twice?

Answer. Yes, sir. I was re-elected at the last election.

Question. What was your majority then?

Answer. It was seven hundred and some odd.

Question. You are a member of the republican party?

Answer. I am; but down there the democratic party generally give me credit for being rather a conservative republican.

Question. You have no personal knowledge yourself of this organization of Ku-Klux; you have only heard of it from the testimony of witnesses?

Answer. I saw them once.

Question. Describe that.

Answer. I was out in the western part of my county, before my last spring court, with a great many papers I had to serve there; sometimes I was out quite late at night. One night I was traveling along the road with a couple of people, those I had got to show me the by-paths, in order that I might serve my papers more quickly than

if I undertook to find the road myself. We were riding along, when a colored man came flying past us and told us to get out of the way for the Ku-Klux were coming; we got off the road and took our horses away into the bushes; I then crept up as near the road as I thought it prudent to do, and saw them go along by in very good order; they went along by twos, and seemed to have a leader or commander at the head of the column, and one at the rear of it. The one at the head had on a red-striped turban, and the one in the rear had on a blue-striped turban; they went along in perfect order.

By Mr. CHANDLER:

Question. Were they all disguised?

Answer. Yes, sir; both men and horses.

By the CHAIRMAN:

Question. How many were there?

Answer. I believe I counted thirty-two of them.

By Mr. BAYARD:

Question. You spoke of serving processes through the county; had you any difficulty in doing so?

Answer. None whatever; I never found any difficulty at all in my county.

Question. Since you have been serving there as sheriff, have the courts held their regular terms?

Answer. Yes, sir; always.

Question. Has that been the case in all the other counties of which you have spoken; the counties of Orange, Chatham, Alamance, Johnson, Caswell, &c.?

Answer. Yes, sir.

Question. You say you never had any resistance to serving your processes?

Answer. None whatever.

Question. Neither by day nor by night?

Answer. No, sir; I have always served my process or arrested my man without any difficulty in my county.

Question. By what political party were the various judges throughout your State elected or appointed to office?

Answer. They were all elected by the republican party in 1868.

Question. Are their terms of office still running?

Answer. Yes, sir.

By Mr. CHANDLER:

Question. Do you mean that they were elected throughout the State, or in your county do you mean?

Answer. Throughout the State, on general ticket.

By the CHAIRMAN:

Question. The judges of the supreme court?

Answer. Supreme judges and district judges both. Some of them, when the election was held, were not accounted republicans; they were known as democrats at that time; Judge Reade, of whom I have spoken, was known as a democrat; Judge Pearson was always known as belonging to the conservative party, as it was called at that time; Judge Buxton was known as belonging to the conservative party, and Judge Cloud was a conservative; but they were all high-toned gentlemen.

Question. Was there any ticket run against them?

Answer. There was a ticket run against Judge Rodman, Judge Settle, and Judge Dick. I am pretty positive that Judge Pearson, and Judge Reade, Judge Buxton, and Judge Cloud had no opposition.

By the CHAIRMAN:

Question. Were those judges elected upon a general ticket throughout the State, or were they elected upon district tickets?

Answer. On a general ticket; the popular vote of the whole State elected them.

By Mr. BAYARD:

Question. Are all the county officers of your county of your politics?

Answer. They are, with the exception of some deputies I have in some parts of my county. Some of my country deputies are democrats; but all the elective officers of the county are republicans.

Question. The county commissioners?

Answer. Yes, sir.

Question. Those who select the names of those to be empannelled on the juries are all republicans?

Answer. Yes, sir.

Question. You being the sheriff, when the panel of jurors is exhausted, is it your duty to summon talesmen?

Answer. Yes, sir; by order of the judge.

Question. It is at your own discretion whom you select; the judge merely orders talesmen to be summoned?

Answer. They are generally taken from the crowd right in front of the bench.

Question. By whom?

Answer. By the sheriff.

Question. What was your rank in the Army of the United States?

Answer. Captain.

WASHINGTON, D. C., February 3, 1871.

WILLIAM R. ALBRIGHT sworn and examined.

By the CHAIRMAN:

Question. Where do you live, and what is your present occupation?

Answer. I live in Graham, Alamance County, North Carolina; I am a farmer.

Question. How long have you resided there?

Answer. I was born in that county, within three miles of the village. I am now living in the village.

Question. How long have you been engaged in business there?

Answer. I have got, I believe, eight tenants, and I run a six-horse farm myself. Before and after the war, for one year, I was a merchant.

Question. Have you resided in that county the most of your life?

Answer. I have been in the county all my life, except from July, 1867, until December, 1868, during which time I was absent on account of my health.

Question. What opportunities have you had of knowing of the existence and mode of operation in that county of an organization popularly known as the Ku-Klux? Tell us all that you know about that organization and its operations.

Answer. I was elected mayor of that village in January, 1869; I think I had been north at the springs and different places during the time I have mentioned. When I first came home I did not believe this organization existed, although I had heard of it. I was elected the mayor of my town in 1869, in January; some time in February the organization, some 75 or 100 strong, made a raid in my village, and left written notices on the porch at Mr. Harden's and Major Badham's, notifying those gentlemen that if they did not cease prosecuting, or attempting to prosecute the Klan, they would be waited on by the organization. As the mayor of the town, and under the advice of the commissioners, I had a guard for the town, which brought the odium of the organization on me, for in that guard there were some colored men. Shortly after that Governor Holden appointed me a magistrate; complaints were brought to me of outrages that had been committed, and I was frequently applied to for warrants; I issued warrants for the arrest of several of the parties charged with committing outrages. Several of the parties were brought before me, also before Peter R. Harden, and other magistrates. They were tried in the magistrates' courts, and bound over to our superior courts. This further brought down the indignation of the organization upon me and the other magistrates who acted in the matter. They went on maltreating in different ways, and whipping in different parts of the county regularly all through 1869. I have here a list of part of them, as many as I can recollect, to which I will call attention if the committee desire.

Question. If there are any to which Mr. Harden did not call attention in his testimony, you can refer to them.

Answer. I think there are some to which he probably did not call attention. There have been some seventy-five or one hundred cases of whipping and maltreating in my county, by this organization; one colored man by the name of Outlaw, who lived upon my lot, was hung, and the only cause assigned for it was that he had fired upon the organization when they made their first raid. But that charge I know to be false. Then there was a negro by the name of Pryear, not altogether of sound mind, who saw some of this band as they were going home, and recognized them through their disguises. He told of it in town, and they drowned him. They also went for a colored man named Harvey, and whipped him, and in the scuffle his child was knocked down and injured so that he died afterward. A colored man of the name of Madison Smith had his house broken open, and he was notified to leave the county. Andy Shafiner, a colored man, was whipped for giving evidence against the Ku-Klux, and his wife was also whipped.

By Mr. CHANDLER:

Question. Severely whipped?

Answer. Oh! yes; they don't do things by the halves, there.

By the CHAIRMAN:

Question. Have you the dates of these outrages?

Answer. No, sir; I have not. Eli Outlaw, colored, was whipped. Harry Cain, colored, had his house fired into, and they came very near killing his wife. Lily Alston, colored, was whipped. Alfred White, colored; Arch Duke, colored; Don Worth, colored; James Cole, colored, were all whipped. John Overman, white, was whipped, and his head shaved. John Ringstaff, white, was whipped. John Bass, colored, was whipped. John Foust was whipped and run off, for serving on a jury.

By Mr. CHANDLER:

Question. Run out of the county?

Answer. Yes, sir; and he has never been seen there since.

Question. For serving on a jury when regularly summoned?

Answer. Yes, sir.

By the CHAIRMAN:

Question. I notice in the documents sent to the Senate this sentence: "John Bass, colored, potterized. He has recovered," &c. What does that mean?

Answer. It means that he was castrated; but I learn that was a mistake. He was whipped, but I have since learned that he was not "potterized." Amos Forshea had his house broken open, and he was whipped. He was colored. Caswell Holt, colored, was whipped in the first place, and in the next place he was shot, but he is now recovering. They visited him twice. They charged that on one occasion he had exposed his person to a white lady, which I think was altogether a mistake. They always got up some pretext or other for these outrages. In the case of Henry Holt, they broke into a house and cut a rope off a bedstead, with which to hang him, but he escaped. Another Henry Holt was whipped. William Overman, colored, had his house broken up. Levi Dickey, colored, was whipped. Alvis Pickard, white, was whipped and run off. Those who belong to this organization are very virtuous men. Some of these parties were whipped for being people of ill-fame, as was charged. They are very virtuous men, and allow nothing of that kind outside of the organization. Lizzie Elmore was whipped and run off; she was a white woman. George Rippy, colored, was whipped and run off. He had done a great deal of work on a little piece of land, and in order to get possession of what he had done they gave him a whipping and run him off, so that he lost all his labor. I know of these facts myself. Clay Thompson, colored, was whipped. Thomas Norwood, white, was sentenced to be drowned.

By Mr. BAYARD:

Question. Was he drowned?

Answer. No, sir; but the sentence was passed upon him; so they swore in their confessions. When this military movement went on, some of his neighbors swore that the sentence had been passed on him by the Ku-Klux; and he would have been drowned.

By the CHAIRMAN:

Question. Was that case examined before you?

Answer. The evidence was taken before me or Mr. Harden; I was cognizant of the affidavit that was made.

Question. Was it the appearance of the militia in the county that prevented the execution of the sentence?

Answer. I am not able to say whether it was or not. It may have been before that, for aught I know. Oliver Shaffer, colored, was whipped; Daniel Isley, white, had his house broken open; John Shatterly was shot at, and he fired in return; he was white. Chris. Ringstaff, white, was whipped; that was because he was not very virtuous. They alleged that he was whipped because his virtue was not so good as it ought to have been.

By Mr. BAYARD:

Question. How was his want of virtue manifested?

Answer. There was some idle woman in the county; I will come to her case directly. She said the young gentlemen who belonged to this organization used to visit her, and this young man interfered with them, and they whipped him in consequence. They do not allow to share out any. Polly Gappins, white, the woman I refer to, had her house torn down and she lay out all last winter in a pen in consequence of this organization, because this fellow Ringstaff and others interfered with their operations there. James Long and Bill Long, colored, were whipped and run off; William Simpson, white, was whipped and run off; he was whipped for his political sentiments. I saw him as I saw several others; their backs were severely scourged. Joseph Harvey, colored, was whipped; the child of James Harvey was killed; Alfred Trolinger, colored, was badly whipped; Alonzo T. Corliss, white, was whipped. He was a school-teacher, teaching a colored school at Company's Shops; he was a northern man. Thomas Siddell, white, was whipped, for want of virtue, I suppose—that was the charge they alleged against him; Henry Sellers, colored, was whipped; Porter Mabun, colored,

was whipped; John Baron, white, was whipped for not turning out to vote; Monroe Freeland, colored, was whipped.

Perhaps I ought to explain some of these as I go along, as I do not suppose all of them have been explained. The example of this organization induced some half a dozen negroes to get up an organization on their own hook, and they went out whipping, too. They were caught the first night they were out, and they are now serving their term in the penitentiary for their Ku-Kluxing. This man Monroe Freeland was one of the men whipped by the colored men who organized.

By the CHAIRMAN:

Question. Where were they whipped?

Answer. In our county; there is no trouble in convicting a negro in our county for Ku-Kluxing, or anything else. They were caught the first night they were out, and are now serving their terms in the penitentiary. Michael Freeland, colored, Henderson Coble, colored, and Jerry Isley, colored, were all whipped by that same gang of colored men. All but one of those who whipped them are now in the penitentiary; one of them was not caught. Hamilton Puryear, Harvey and Moses Albright, Lindsey Kinnery, and John Albright, all colored, were whipped. Sally Holt and daughter, white, were whipped, as was alleged, for want of virtue; they did not keep a good house. John Piles, colored, had his house burned; William Hornady, white, was shot at in his own house—they came very near killing his wife; John Linins, white, was whipped and run off; Alfred Hartwell, colored, was whipped; Thomas Foust, Matilda Foust, and Rachel Foust, colored, were whipped; Leonard Rippy, white, was whipped; Alfred White and Duncan Hazell, colored, were whipped; Anthony Foster, white, was whipped; William Gay, colored, was whipped and afterwards hung—he was hung in Orange. They also visited the poor-house in Orange and whipped several of the inmates—I have forgotten what cause was alleged for that.

Question. Does that complete your list?

Answer. I believe that is about all.

Question. At what period did these whippings and outrages begin, and how long did they continue?

Answer. The first I knew about them was in 1869; I was in New York in the fall of 1868; it was in 1869 that I first became cognizant of them.

Question. How long have they been kept up?

Answer. They were continued up to the time of the military movement by Governor Holden; there have been some few whipped in my county since then; not very many. But they still went on in Chatham and Guilford; every day or two I heard of some outrage being committed there by the organization.

Question. What effect had the appearance of the military ordered there by the governor?

Answer. It intimidated them very much for the time. If it had not been for Judge Brooks releasing them under the writ, we would have got the whole of it out.

Question. What do you mean by getting the whole of it out?

Answer. The members of the organization would have confessed to the outrages; we would have got evidence of the assassination of Stevens and Outlaw, and of every other crime that was committed in the county, that they could not have got over—that would have convicted the parties in any court. That is what I mean.

Question. Were confessions being made out at the time the first writs were issued by Judge Brooks?

Answer. Yes, sir. They were being made constantly. There was such a rush upon me that I had to hire a clerk to write them down. I sent out some forty or fifty myself to the governor.

Question. Were any made after the writs were issued?

Answer. Not one. There is an affidavit made in regard to myself, by a man some fifty years of age, and of as good standing as any man in the country. (President's Message, Ex. Doc. No. 16, Part 2, page 2.)

Question. That is the affidavit of Mr. Bradshaw?

Answer. Yes, sir.

Question. Was that made before you?

Answer. Before my nephew, the clerk of the court, Wm. A. Albright.

Question. Do you know about the facts?

Answer. I know that the night the negro Outlaw was hung they came to my gate and left notice that if I did not cease denouncing the Ku-Klux organization they would hang me.

Question. I see this statement made by this man, W. S. Bradshaw: "I had information from John R. Stockard, who came to my house and told me that there was a plot to assassinate W. R. Albright, and told me to do all I could to stop it. We talked the matter over, and he informed me that James Bradshaw was one of the leaders, in connection with which was one Joseph B. Thompson, Milton Thompson, Dick Thompson,

Mike Thompson," and others. Did any other facts come to your knowledge as to the conspiracy to assassinate you?

Answer. Half a dozen other affidavits to that effect.

Question. Had you any conversation with this man Bradshaw who made the affidavit?

Answer. I was present and had a long conversation with him; also with Mr. Stockard.

Question. What was the motive given for the plot to assassinate you?

Answer. Because I was a man of some influence in my county, was a republican and a property holder, and they said I ought not to go with the republican party.

Question. Did you understand where that plot was considered and adopted?

Answer. It was at a meeting of the Clan; they met in the woods, in school-houses, and at other places.

Question. Did Bradshaw make the statement to you that the proposition to assassinate you had been made at a meeting of the Clan?

Answer. He did, sir; and not only he, but half a dozen others.

Question. Had anybody been detailed to carry it into execution?

Answer. Those men were to carry it into execution. That fellow, Mike Thompson; his father was a tenant of mine, and lived on my land at the time. These young men, I did not know half of them personally.

Question. From the revelations made before you upon oath and otherwise, is there any doubt as to the existence of that organization in that county, and as to its members being bound together by oaths, which required them to commit murder and assassination, if necessary to accomplish their purpose?

Answer. None in the world; it is not denied publicly; they boast of it.

Question. Owing to this fact having become known, what is the feeling of the people there as to the security of their persons and property?

Answer. We sleep on our arms every night; I speak for myself and a few others. I employ several hands, and pay them extra just to stay about my house of nights. I am not so much afraid at present of being assassinated by the mob, as I was when it was in full blast. I have been threatened again and again with being way-laid and assassinated, and I am more afraid in that way. That is the most fear I have now. From what information I have, I think the organization is reorganizing. Several of the best men that belonged to it, some half a dozen of them, have come out and stood firm in opposition to it, which has broken it down, to some extent, in my county. Mr. Bradshaw and Mr. Boyd have taken a stand against it. I think it was fortunate that there were some good men in the organization; if there had not been, there would have been a great many more crimes committed than there were. I am satisfied that my life was preserved from the fact that I had some personal friends in the organization.

Question. Did you give it as your belief that since the military have been withdrawn the organization is reorganizing?

Answer. I have been informed by a party who has been approached—a reliable man who was a member of the organization—that they were reorganizing, and he refused to join it again.

Question. For what purpose?

Answer. It is on the same principle as before—merely to change the signs, grips, and passwords, so that those members who have withdrawn from the order will not be able to detect them.

Question. What is your belief as to the truth of that statement?

Answer. I believe it to be true; I have no doubt about it.

Question. What is given out as the ultimate purpose of the organization?

Answer. Well, sir, they design to overthrow the reconstruction acts down South.

Question. By what means?

Answer. By intimidating and whipping prominent men who accept the situation of affairs, if that will accomplish it; if not, by assassination. That is their object—to whip us and drive us out of the country. I have been threatened openly. I took an active part, I am frank to admit, in putting down this organization; I have done all I could, feeling it to be my duty as a freeman, and for that I am to be murdered, assassinated; my property is to be swept from me, and I am to be driven from the country. Such is to be my fate if I go on, and not only mine, but the fate of other good men.

Question. After those writs of habeas corpus were issued by Judge Brooks, were any applications made to you to get back the confessions made?

Answer. Not to me, but there was a magistrate in another township, ten or twelve miles from me, that I got to take some affidavits in his part of the country. He took twenty-three. Some of these parties went to him and demanded that the affidavits should be delivered back to them. He came to me to know what to do. I told him if he did not bring me the affidavits I would report him. I got the affidavits, and sent them to the governor.

Question. Were there any applications made for your photograph, so that you could be recognized?

Answer. They did not need any. I am known all over the State as Red-eye Bill Albright. I have a copy of the *Sentinel* of January 30, 1871, edited by Josiah Turner. It contains a little article referring to me, which shows the state of feeling:

"GONE.—A gentleman from Greensboro writes us that Red-eye Bill Albright and Jim Baird, with others, passed last night for Washington City. We learn that 'my son Joe' and Fat Douglas have caused the Senate committee to summon detective Boshier also as a witness. Kirk and Burgen are reported as being in Washington, ready to go before the committee. What an outrage on decency and humanity!"

This is also another article in the same paper, written from Caswell County by a prominent man there:

"PEA RIDGE, CASWELL COUNTY,
"January 28, 1871.

"EDITOR SENTINEL: I have just read your editorial on 'Reconciliation,' and it pleases me so well that I take this opportunity to indorse every word and sentence of said editorial. The only objection to 'Reconciliation' is that it does not cover all of the small puppies that follow in the wake of Phillips and Grissom.

"When Kirk was in this county with his land pirates, and had such curs as Red-eye Bill Albright hunting down our good men; when the lives of Roane, Wiley, Kerr, and others were in jeopardy; when every nerve of the good citizens of our county was stretched to the fullest extent to protect them, knowing they were innocent, we had, in the county of Caswell, some few men (very few, thank God;) that stood by in perfect ease and quietude, and chuckled in their sleeves at what *they* thought was popular with the niggers and deserters of Caswell County.

"Now, sirs, would it be right in our people to give such men position? No! and by the Eternal God, we will always *hate* them as we do the murderer, as he steals into our home circle to carry off one of its inmates. Can Phillips and Pearson expect a Wiley, a Roane, or a Mitchell to ever forgive them, when Pearson tried to lead a witness, in the court-house in Raleigh, to take their lives when innocent? We cannot, and we will not, so help us God! Did they show any mercy to the innocent? No; they are guilty; so let us remove them from any position they may have, by fair and honorable means. But, sirs, if the people of North Carolina ever give them any other position in their halls of legislation or upon the judicial bench, we ought all of us to be hung up by the *neck*, and not our thumbs.

"Let justice be done, though the heavens fall.

"Yours, truly,

"SAM."

I will state that the only time I was in Caswell County was when these men were arrested by Kirk. Mr. Boyd told me if I would get his release he would make a frank confession of all he knew. I went to the governor and got an order for his release, and then went to Caswell County to get him released. I staid there one day and one night. It was the only time I ever set foot in that county, and I did not speak to half a dozen citizens in that county. I refer to this to show the injustice in regard to myself.

Question. Have the Ku-Klux organization, or the members of it, ever made any acknowledgment to Judge Brooks for his services in releasing them?

Answer. They cheer and laud him to the skies, and Judge Brooks has sent out his photographs to some of the members of the organization in our county. I have not seen it, but Mr. Boyd tells me he has.

By Mr. BAYARD:

Question. This is James E. Boyd you refer to?

Answer. Yes, sir.

Question. You are intimate with him?

Answer. Yes, sir.

Question. He was your regular counsel?

Answer. Yes, sir.

Question. Do you know whether he is in any way counsel for Governor Holden in the present impeachment trial?

Answer. He is not retained, I am satisfied. Governor Holden has no counsel only what have been published here.

Question. Do you know the fact whether he did retain Mr. Boyd by a retaining fee in that case?

Answer. Well, he retained him during the time of the military movements as counsel to bring out their confessions and prosecute. He retained him then, not since. I know the fact that they had some unpleasantness about the matter, and he is no longer his counsel.

Question. What was the amount of the fee?

Answer. He got \$250, but claimed \$500. It was for prosecuting the Ku-Klux. I will say that all we need in our county is for the people, democrats and republicans, to

know the situation of affairs, and all good men to use their influence to put it down. We want nothing else under the high heaven.

By the CHAIRMAN :

Question. Did you hear a speech made by Mr. Turner, editor of the Sentinel, previous to the election, in December, 1870, with regard to negroes?

Answer. I did not, and the reason I did not go to hear it was, the public mind was inflamed, and I feared if I went I would get into a difficulty.

Question. We have heard from another witness what he was told about it.

Answer. There is no doubt of its being so.

By Mr. BAYARD :

Question. Do you remember reporting to Mr. Harden the purport of Mr. Turner's speech as it was reported to you?

Answer. I do not recollect that I reported it to him; I heard several persons who heard it speak of it, and I probably spoke with them in Mr. Harden's presence.

Question. You did not hear the speech yourself?

Answer. No, sir.

By the CHAIRMAN :

Question. Do you know whether the sheriff of Alamance County ever had any connection with the organization?

Answer. According to the evidence the sheriff was connected with it, and every deputy; we got the confessions.

Question. What notices have been put up in your county of a threatening character?

Answer. The last one was in December, at Company's Shops, notifying Albright and Harden that they would go up shortly. Going up means hanging. James G. Moore took it down and had it in his possession.

Question. What have been the sentiments of the leading men of the two political parties in regard to these outrages?

Answer. The republican party denounce it and the democratic or conservative party, as a party, either defend it or encourage it; though there are some few men in the democratic party who denounce it—but very few. As a body it is a political issue. And let me say that if these outrages are not stopped there is no law-abiding man, regardless of his politics, who can live with safety in our country.

By Mr. BAYARD :

Question. What remedy do you propose?

Answer. I do not propose any; I leave that to wiser heads than mine. These cases have been brought before the civil courts. We have bound over some 25 or 30 of the parties, and they have always proved an alibi. The sheriff belongs to the organization, and so do his deputies; they always hang around the courts to get on the jury, and they can prove an alibi at any time.

Question. Is there no legal method by which trials can be changed to another place, by a change of venue?

Answer. No, sir; that has been tried. In our community, where two-thirds of the white population either belong to the organization or are in strong sympathy with it, you cannot convict them. Why, some of my own brothers would rejoice in my assassination. I have three brothers; two of them belong to the organization, and my oldest brother is too old and afflicted to join it, though he is in sympathy with it. Every one of my brothers-in-law belong to it. One of them, an officer, made confession. Even my father-in-law, who is sixty years of age, joined it. I have not lived in security for the last two years.

Question. As a magistrate, have you found that there has been any molestation of officers serving processes in the county?

Answer. None in the world. Of course, the officers are all members of the organization, and then it is no trouble to bring them out, but to convict them is another thing.

Question. Are the constables all members of it?

Answer. Not quite all; you may serve process, but you cannot execute anything.

Question. Can you make arrests through the county?

Answer. Of course; they have no objection to arrests, because they are sure of acquittal.

Question. There is no obstruction to arrests?

Answer. None in the world, but you cannot convict a single man. There has never one been convicted in the State that ever I have heard of. In my county there have been over a hundred crimes committed, and not one of the parties convicted.

Question. Are negroes summoned on juries?

Answer. Yes, sir, a few; not many.

Question. Have you ever seen jurors summoned in the United States courts there?

Answer. No, sir; never have been present.

Question. You have no knowledge what proportion of negroes are summoned upon juries in the United States courts?

Answer. I have not.

Question. What proportion of negroes to whites are summoned in your county?

Answer. I suppose about one-eighth or one-tenth in my county. This thing is not so bitter in some parts of the State as it is through my part. I never had any connection with politics, only in 1864 and 1865. In 1864 I ran as a peace candidate for the legislature. In 1865 I was nominated for the convention and was mobbed or attempted to be mobbed. We had an election, and a couple of old politicians attacked me and I whipped them both; so then they got a mob on me and cleared me from the polls. I claim to have been as consistent a Union man as there was in North Carolina during the war, who was a slave-holder. I never had any fear of assassination all during the war; never till within the last two years in my life have I entertained any fear of assassination.

Question. Had you ever any personal assault made on you?

Answer. I have been threatened constantly. You cannot get one of those men to attack me by himself alone—only when they get a crowd of a dozen or two to back them. No man in Alamance County that belongs to that organization can be got to attack me as a man, open, face to face, and give me a fair showing.

Question. Have they ever attacked you in numbers?

Answer. Yes, sir.

Question. What have they done?

Answer. They attacked me at Gibsonville. I was a delegate to nominate a candidate for Congress, and there was a dozen of them attempted to attack me. I drew my pistol on them and told them the first man that laid his hands on me would die; and they backed. That was in open daylight.

Question. When was that?

Answer. Last June, 1870. Men have attempted to attack me time and again; swore they would whip me; but I kept very cool and quiet, and so they kept their hands off me. I always go pretty well prepared for the gentlemen, and I would just like to see one of them attack me separately as a man. I have no hesitation in saying I have done my best to break them down. I have denounced them on all occasions, publicly and privately, as an outrage upon the community. I have said this to them—there are some reasonable men in the organization—"If you can show me one particle of good that can be derived from this thing to us pecuniarily, then, gentlemen, I will entertain you." It depresses business; our property is worth nothing. All I have got in the world nearly is land; I can get nothing for it. A stranger is not going to go into a country where there is a band of marauders riding at night.

Question. Do you know any cure for this except in a change of public sentiment?

Answer. Yes, sir.

Question. State your cure.

Answer. There is but one way to cure it, and that is, convict these men who have committed the crimes. That is the cure, nothing short of it. Let them fear the Government and then they will respect it.

Question. Have you had any personal injury inflicted upon you by these people?

Answer. No, sir.

WASHINGTON, D. C., February 3, 1871.

THOMAS SETTLE sworn and examined.

By the CHAIRMAN:

Question. Please state your residence and occupation?

Answer. I reside in Rockingham County, North Carolina, at Douglass Post Office. At present I am one of the judges of the supreme court.

Question. How long have you resided there?

Answer. I was born and raised there.

Question. Please state your knowledge derived from your official position and from information of any facts bearing upon the security of person and property in that portion of the State with which you are acquainted.

Answer. All that I know has come to me in my official capacity. I have never seen any of those raiders out, but some men have confessed to me that they were members of the organization.

Question. What organization?

Answer. What was known as the Ku-Klux, generally. The White Brotherhood was the first. Some twelve months ago certain members communicated to me the fact that that was the real name. Ku-Klux Klan was the general name they went by, but the real name twelve or eighteen months ago was White Brotherhood.

Question. Were these confessions made to you in your official capacity?

Answer. No, sir; not as confessions. One of them sent me word by others, and afterward asked me if I had received his messages, and then we had a conversation in which he affirmed it.

Question. State any facts that you know, bearing on the question of the security of person and property in your section of the State.

Answer. The first case that came to my observation was one in which I issued a warrant for murder. A colored woman some eighteen years of age was killed in the county. The coroner proceeded to hold an inquest, and after proceeding a day or two he came to me for instructions. He was not acquainted in the part of the county where the killing occurred, and he found that the father of the accused was foreman of the jury of inquest, and he was at a loss to know how to proceed. I told him it would make no difference in that case how he proceeded, and that he might as well discharge the jury. The next day a party applied to me and I issued a warrant. The name of the deceased was Mary Lomax. She and others were sleeping in a cabin. There were two beds in it. The usual manner of attack when these men approach a house was to fire a volley into the house through the door. On this occasion some half a dozen pistol shots were fired through the door. At the same time some of the party struck the door and half opened it; some of the balls struck the door as it stood open and glanced and struck the woman who was lying in the bed in the head. I suppose she never woke up; it went through her head, and she was found dead in that position. Some of the parties were identified, and I bound over two of them to court to answer the charge of murder.

Question. What were their names?

Answer. Simpson and Barham. The manner of identification was somewhat singular. One of the men had lost several of his fingers. After shooting one negro, they took several others and whipped them. There were some fifteen in the company; three of them ran into the cabin and commenced to beat on the beds; they beat on the dead body of this woman, not knowing it was supposed, that she was dead. Then they took the negro man out, the husband of another woman who was in the house. It was a bright moonlight night. The negro felt a peculiar pressure on his arm, and, looking down, he discovered Barham's hand. He had worked on a farm with Barham two or three years, and knew of his having this peculiar hand; that, together with the size and voice, which he recognized also, was the means of identification. There was no bill ever found.

Question. Was there a bill sent before the grand jury?

Answer. No, sir; the principal witness, I think, disappeared. I never saw nor heard of the man who was whipped afterward. I understood he left the country.

Question. Could you understand for what reason he left?

Answer. No, sir; I learned, as coming from the former clerk of the superior court, that he had taken some pains to keep the number of whippings and outrages in the county of Rockingham, and I think he said there were 62.

Question. Within what period?

Answer. It was about eighteen months since.

Question. Do you mean to say they cover a period of eighteen months?

Answer. It has been about eighteen months since any occurred in that county; but I have heard since I left that there have been some recent raids in one end of the county. I have been in Raleigh for six weeks past, at court, and I do not know how that may be. Then I issued another warrant for some parties. Two magistrates had issued a warrant for parties charged with whipping an old negro man over 70 years of age, very feeble and partially blind. The magistrates attempted to make an investigation. Some 70 or 80 men gathered around at the trial, and made such a disturbance that the magistrates were very glad, as they told me, to make a compromise to keep the man safe. This I learned from a county officer. The negro then applied to me for a warrant, and I issued it, and had the same parties brought before me. I was satisfied with the identification of two of the party—there were fifteen of them—and I bound over the two to answer the charge; but there was no bill ever sent in. This offense was even more shocking than the murder. They took this old man, stripped him perfectly naked, and gave him some fifty stripes with switches. Then they took his two daughters who were living in the house, stripped them down to their chemises, and whipped them. Then they took a young negro man who was in the house that night and whipped him, and compelled him to go through the form of sexual intercourse with one of the girls, whipping him at the same time. There were no prosecutions.

Question. Where was this, and when?

Answer. In my own county, Rockingham, about eighteen months since. After the issuing of these warrants they stopped in a measure; but there has never been any punishment for a single offense in the county. Another instance occurred where there was something said about voting. The men went into a cabin where there was a little, deformed, hump-backed negro, by the name of Watt Richardson, and they whipped him severely. He came to my house, and as I had to leave, I sent him to some magistrates, who had warrants issued. But the parties were never punished. They whipped this little negro, and then commenced whipping another negro and his wife. Seeing them draw some pistols, the woman began to cry out murder, and make a great noise. There was a large fire burning on the hearth, and one of the men seized a chunk of

burning wood and thrust the firebrand down her mouth. They said it was six weeks before the woman recovered. The information came to me from the husband and other negroes. There was one other case. They went to another house of an old colored man named Lindsey Poindexter. This was in a different part of the county. These different cases occurred some ten or fifteen miles apart. They fired into the cabin of the old colored man, as usual; the shot struck him in the toe, and took one of them off. He jumped up, and succeeded in getting away. It was dark, and he ran off. They then went to the fireplace, and picking up the contents of it, threw them into the bed, where his wife and little children were. The woman and children jumped out as quick as they could; being a straw bed it caught fire, and the house and everything in it was burned up. These were the most aggravated offenses. A great many more were whipped terribly; they came to me and showed their scars. In many instances they did not pretend to make any identification. Most of them failed for want of identification. The disguises are very complete. I can state, if it is desired, something that has occurred since the August elections, as related to me by my brother, Judge Reade, of the supreme court.

Question. If it bears on the general subject, give it.

Answer. Judge Reade informed me the other day, in Raleigh, that a party went to several cabins on one of the plantations in Pearson County and shot one negro dead, and also shot two others, who recovered, and whipped several others. The two who recovered were badly shot. The men who did these things said that heretofore they had only whipped, but that it was going to be changed, and for the future they were going to kill. The judge sent for the witnesses—in fact for the whole neighborhood—and he told me that when he brought them up, it was with the greatest difficulty they could be got to testify. They asked to be let alone; they preferred to submit to the treatment they had received rather than run the risk of telling it. I give these as specimens of the worst cases that have come under my observation.

Question. What has been the effect on the public mind, with reference to the security of person and property, of these outrages, and the difficulty in the way of punishment?

Answer. Well, sir, I suppose any candid man in North Carolina would tell you it is impossible for the civil authorities, however vigilant they may be, to punish those who perpetrate these outrages. The defect lies not so much with the courts as with the juries. You cannot get a conviction; you cannot get a bill found by the grand jury, or, if you do, the petit jury acquits the parties. In my official capacity I sit with Judge Pearson and Judge Dick. Judge Pearson issued a bench warrant last summer for some parties, and had them brought before him at Raleigh. He requested Judge Dick and myself to meet him. We did so, and the trial extended over three weeks, and there it came to our knowledge that it was the duty and obligation of members of this secret organization to put themselves in the way to be summoned as jurors, to acquit the accused, or to have themselves summoned as witnesses, to prove an alibi. This they swore to; and such is the general impression. Of course it must be so, for there has not been a single instance of conviction in the State.

Question. Upon investigations made before you in your official capacity, have you any doubt that a state of things exists requiring men to shield themselves in the way you have mentioned?

Answer. None whatever. I am satisfied, from their own declarations and from the effect visible in all the courts, that it is so.

Question. Where they are charged with offenses, is there any probability of securing justice against them in counties where the organization exists at all?

Answer. Well, sir, my belief is that the organization extends to every county in the State. I am satisfied that the organization is a very extensive one. I have no doubt it is much more numerous in some counties than others, and I believe the middle or Piedmont region of the State is the chief nucleus, and that there the outrages have been the most numerous.

Question. Does that include Alamance County?

Answer. Yes, sir; it includes the counties of Alamance, Orange, Moore, Chatham, Rockingham, Caswell, and Person.

Question. What is the expression of public sentiment with reference to these outrages? Is there any division; and if so, how is the sentiment divided?

Answer. Well, sir, a great many of all parties condemn the outrages, but, strange to say, a great many of our best people seem to think that it is right. They say, if it was not for the Ku-Klux, they could not have anything in their corn-cribs or smoke-houses, and that the Ku-Klux are their only protection. I have heard of some of the first ladies in the State using those expressions. A great many say they thank God that the Ku-Klux are there, or use such expressions as that.

Question. Is it your belief that the organizations are encouraged by the idea that they have the support of either of the political parties, as a party?

Answer. Well, sir, I cannot doubt the fact that all the members of it that we know or have ever heard of, belong to one party. I should dislike very much to believe that all of the same party were members of it or even approved of it; in fact, I know they