

M E S S A G E

FROM THE

PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

In answer to a Senate resolution of July 20, 1876, information in relation to the slaughter of American citizens at Hamburgh, S. C.

August 1, 1876.—Read, ordered to lie on the table, and be printed.

To the Senate of the United States :

In response to the resolution of the Senate of July 20, 1876, calling upon the President to communicate to the Senate, if in his opinion not incompatible with the public interest, any information in regard to the slaughter of American citizens at Hamburgh, S. C., I have the honor to submit the following inclosures, to wit:

No. 1. Letter of the 22d of July, 1876, from Governor D. H. Chamberlain, of South Carolina, to me.

No. 2. My reply thereto.

No. 3. Report of Hon. William Stone, attorney-general of South Carolina.

No. 4. Report of General H. W. Purvis, adjutant and inspector general of South Carolina.

No. 5. Copy of evidence taken before a coroner's jury investigating facts relating to the Hamburgh massacre.

No. 6. Printed copy of statement by M. C. Butler, of South Carolina.

No. 7. Printed letter from the same to the editors of the Journal of Commerce.

No. 8. Copy of letter from Governor Chamberlain to the Hon. T. J. Robertson.

No. 9. An address to the American people by the colored citizens of Charleston, S. C.

No. 10. An address by a committee appointed at a convention of leading representatives of Columbia, S. C.

No. 11. Copy of letter of July 15th, 1876, from the district attorney of Mississippi to the Attorney-General of the United States.

No. 12. Letter from same to same.

No. 13. Copy of report of a grand jury lately in session in Oxford, Miss.

These inclosures embrace all the information in my possession touching the late disgraceful and brutal slaughter of unoffending men at the town of Hamburgh, S. C. My letter to Governor Chamberlain contains all the comments I wish to make on the subject. As allu-

sion is made in that letter to the condition of other States, and particularly to Louisiana and Mississippi, I have added to the inclosures letters and testimony in regard to the lawless condition of a portion of the people of the latter State.

In regard to Louisiana affairs, murders and massacres of innocent men for opinion's sake, or on account of color, have been of too recent date and of too frequent occurrence to require recapitulation or testimony here. All are familiar with their horrible details, the only wonder being that so many justify them or apologize for them.

But recently a committee of the Senate of the United States visited the State of Mississippi to take testimony on the subject of frauds and violence in elections. Their report has not yet been made public; but I await its forthcoming with a feeling of confidence that it will fully sustain all that I have stated relating to fraud and violence in the State of Mississippi.

U. S. GRANT.

EXECUTIVE MANSION, *July 31, 1876.*

No. 1.

STATE OF SOUTH CAROLINA,
EXECUTIVE CHAMBER,
Columbia, July 22, 1876.

SIR: The recent massacre at Hamburg, in this State, is a matter so closely connected with the public peace of this State that I desire to call your attention to it for the purpose of laying before you my views of its effect, and the measures which it may become necessary to adopt to prevent the recurrence of similar events.

It is, in the first place, manifestly impossible to determine with absolute certainty the motives of those who were engaged in perpetrating the massacre at Hamburg. The demand which was made by the mob upon the militia company for the surrender of their arms, taken in connection with the fact that the militia are not shown to have committed or threatened any injury to any persons in that community, would seem to indicate a purpose to deprive the militia of their rights, on account of their race or political opinions. It seems impossible to find a rational or adequate cause for such a demand, except in the fact that the militia company was composed of negroes, or in the additional fact that they were, besides being negroes, members of the republican party. Those who made the demand were, on the other hand, white men, and members of the democratic party. The lines of race and political party were the lines which marked the respective parties to the affair at Hamburg. I mention this as a fact, and as apparently the most trustworthy index of the motives and aims which inspired those who brought on this conflict.

As affecting the public peace, however, the *effect* of this massacre is more important than the motives which prompted it. Upon this point I can speak with more confidence. It is not to be doubted that the effect of this massacre has been to cause widespread terror and apprehension among the colored race and the republicans of this State. There is as little doubt, on the other hand, that a feeling of triumph and political

elation has been caused by this massacre in the minds of many of the white people and democrats. The fears of the one side correspond with the hopes of the other side.

I do not intend to overstate any matters connected with this affair, nor to omit any statement which seems to me essential to a full understanding of its significance. It is certainly true that most, though not all, of those who have spoken through the newspapers or otherwise here, on the white or democratic side, upon this matter, have condemned the massacre. Their opposition to such conduct has not, however, sufficed to prevent this massacre, nor do I see any greater reason for believing that it will do so in the future. That class which now engage in this cruel work certainly disregard the expressed sentiments of those who assume to speak, for the most part, for their communities, and go forward without fear of public opinion or punishment.

It is sometimes asked, Why do not the colored race return this violence with violence? Why do they suffer themselves to be thus terrorized, when their numbers greatly exceed those of their enemies in the localities where many of these outrages occur? The answer is not difficult. The long habit of command and self-assertion on the part of the whites of these Southern States; their superior intelligence as compared with the colored race; the fact that at least four-fifths of the property of these States is in their hands, are causes which contribute to give them an easy physical superiority thus far over the recently-emancipated race, which still exhibit the effects of their long slavery in their habit of yielding to the more imperious and resolute will and the superior intelligence and material resources of the white men.

Add to this that in almost every southern community there may be found a considerable number of daring, lawless, reckless white men, accustomed to arms and deeds of violence, over whom the restraints of the sentiments of the better and more conservative classes of society have little, if any, power, who are inspired by an intense and brutal hatred of the negro as a free man, and more particularly as a voter and a republican, and you have the elements which would naturally give rise to, and in point of fact do give rise to, nearly all the scenes of bloody violence which occur in the Southern States. Besides all this, another fact must be noted here, a fact which, in my judgment, marks and explains the world-wide difference between the effects of such occurrences as this at Hamburgh upon the mass of the white people here, and the effects of deeds of blood and violence upon the people of other sections of the country; namely, that such occurrences as this at Hamburgh have generally resulted in what is thought to be political advantage to the democratic party here. From this fact it results that the white people here are induced, to a considerable extent, to overlook the naked brutality of the occurrence and seek to find some excuse or explanation of conduct which ought to receive only unqualified abhorrence and condemnation, followed by speedy and adequate punishment. In this way it often happens that a few reckless men are permitted or encouraged to terrorize a whole community and destroy all freedom of action on the part of those who differ from them in political opinions. The more respectable portion of the white people here content themselves with verbal perfunctory denunciations, and never adopt such measures or arouse such a public sentiment as would here, as well as elsewhere, put a stop to such occurrences.

In respect to the Hamburgh massacre, as I have said, the fact is unquestionable that it has resulted in great immediate alarm among the colored people and all republicans in that section of the State. Judg-

ing from past experience, they see in this occurrence a new evidence of a purpose to subject the majority of the voters of that vicinity to such a degree of fear as to keep them from the polls on election-day, and thus reverse or stifle the true political voice of the majority of the people.

But the Hamburg massacre has produced another effect. It has, as a matter of fact, caused a firm belief on the part of most republicans here that this affair at Hamburg is only the beginning of a series of similar race and party collisions in our State, the deliberate aim of which is believed by them to be the political subjugation and control of this State. They see, therefore, in this event what foreshadows a campaign of blood and violence, such a campaign as is popularly known as a campaign conducted on the "Mississippi plan."

From what I have now said it will not be difficult to understand the feeling of a majority of the citizens in a considerable part of this State. It is one of intense solicitude for their lives and liberties. It is one of fear that, in the passion and excitement of the current political campaign, physical violence is to be used to overcome the political will of the people. I confine myself here to a statement of what I believe to be the facts of the present situation in this State as connected with the public peace and order, without any expression of my individual feelings and opinions. My first duty is to seek to restore and preserve public peace and order, to the end that every man in South Carolina may freely and safely enjoy all his civil rights and privileges, including the right to vote. It is to this end that I now call your attention to these matters. I shall go forward to do all in my power as governor to accomplish the ends above indicated, but I deem it important to advise you of the facts now stated, and to solicit from you some indication of your views upon the questions presented. To be more specific, Will the General Government exert itself vigorously to repress violence in this State during the present political campaign on the part of persons belonging to either political party, whenever that violence shall be beyond the control of the State authorities? Will the General Government take such precautions as may be suitable, in view of the feeling of alarm already referred to, to restore confidence to the poor people of both races and political parties in this State, by such a distribution of the military forces now here as will render the intervention of the General Government prompt and effective, if it shall become necessary, in restoring peace and order?

It seems proper to add that I am moved to make this communication to you by no motive or feeling save such as should animate me as the chief executive of this State, bound to do justice to all and to oppress none. I venture to say that I have given sufficient evidence by my whole conduct in this office that, as governor, I am guided by my oath of office and my duty to all the people. I challenge any proof or indication, from any word or act of mine as governor, that I am capable of doing injustice, or denying justice, to any citizen of this State. But I do deem it my solemn duty to do my utmost to secure a fair and free election in this State; to protect every man in the free enjoyment of his political rights, and to see to it that no man or combination of men, of any political party, shall overawe or put in fear or danger any citizen of South Carolina in the exercise of his civil rights. In accomplishing these results, I now recognize, with deep regret, that there are many indications that it will be necessary for me to invoke the aid which, under the Constitution and laws, the authorities of the General Government may extend under certain circumstances.

And I trust you will permit me to add that I know no official duty more binding, in my judgment, on the Chief Executive of the United

States than that of exercising the powers with which he is invested for the protection of the States against domestic violence, and for the protection of the individual citizen in the exercise of his political rights, whenever a proper call is made upon him. I understand that an American citizen has a right to vote *as he pleases*; to vote one ticket as freely and safely as another; to vote wrong as freely and safely as to vote right; and I know that whenever, upon whatsoever pretext, large bodies of citizens can be coerced by force or fear into absenting themselves from the polls, or voting in a way contrary to their judgment or inclination, the foundation of every man's civil freedom is deeply, if not fatally, shaken.

I inclose, for your information respecting the Hamburg massacre, the following documents: the report of Hon. William Stone, attorney-general of this State; the report of General H. W. Purvis, adjutant and inspector general; a copy of all the evidence taken before the coroner's jury; a copy of the printed statement of General M. C. Butler; a copy of a letter addressed by me to Hon. T. J. Robertson; an address to the American people by the colored people of Charleston, and a similar address by a committee appointed at a convention of leading representatives of the colored people of this State, in Columbia, on the 20th instant.

I have the honor to be, your obedient servant,
 D. H. CHAMBERLAIN,
Governor of South Carolina.

The PRESIDENT.

No. 2.

EXECUTIVE MANSION,
 Washington, D. C., July 26, 1876.

DEAR SIR: I am in receipt of your letter of the 22d of July, and all the inclosures enumerated therein, giving an account of the late barbarous massacre of innocent men at the town of Hamburg, S. C. The views which you express as to the duty you owe to your oath of office, and to the citizen, to secure to all their civil rights, including the right to vote according to the dictates of their own consciences, and the further duty of the Executive of the nation to give all needful aid, when properly called on to do so, to enable you to insure this inalienable right, I fully concur in. The scene at Hamburg, as cruel, bloodthirsty, wanton, unprovoked, and as uncalled for as it was, is only a repetition of the course that has been pursued in other Southern States within the last few years, notably in Mississippi and Louisiana. Mississippi is governed to-day by officials chosen through fraud and violence, such as would scarcely be accredited to savages, much less to a civilized and Christian people. How long these things are to continue, or what is to be the final remedy, the Great Ruler of the Universe only knows. But I have an abiding faith that the remedy will come, and come speedily, and earnestly hope that it will come peacefully. There has never been a desire on the part of the North to humiliate the South. Nothing is claimed for one State that is not freely accorded to all the others, unless it may be the right to kill negroes and republicans without fear of punishment, and without loss of caste or reputation. This has seemed to be a privilege claimed by a few States.

I repeat again that I fully agree with you as to the measure of your duties in the present emergency, and as to my duties. Go on, and let

every governor, where the same dangers threaten the peace of his State, go on in the conscientious performance of his duties to the humblest as well as the proudest citizen, and I will give every aid for which I can find law or constitutional power. Government that cannot give protection to the life, property, and all guaranteed civil rights (in this country the greatest is an untrammelled ballot) to the citizen is in so far a failure, and every energy of the oppressed should be exerted (always within the law, and by constitutional means) to regain lost privileges or protection. Too long denial of guaranteed rights is sure to lead to revolution, bloody revolution, where suffering must fall upon the guilty as well as the innocent. Expressing the hope that the better judgment and co-operation of the citizens of the State over which you have presided so ably may enable you to secure a fair trial and punishment of all offenders, without distinction of race, color, or previous condition of servitude, and without aid from the Federal Government, but with the promise of such aid on the conditions named in the foregoing, I subscribe myself, very respectfully, your obedient servant,

U. S. GRANT.

Hon. D. H. CHAMBERLAIN,
Governor of South Carolina.

No. 3.

OFFICE OF ATTORNEY-GENERAL,
Columbia, S. C., July 12, 1876.

SIR: According to your request of Monday last, I have visited Hamburg for the purpose of ascertaining the facts connected with the killing of several men there on the night of the 8th of July.

My information has been derived chiefly from Trial-Justice Rivers and from the testimony of persons who have been examined before the coroner's jury now in session, and from those who received wounds from the armed body of white men who had taken them prisoners. From this information the following facts seem to be clearly established:

During the administration of Governor Scott, a company of State militia was organized at Hamburg, of which Prince Rivers was captain. This company was known as Company A, Ninth Regiment National Guard of the State of South Carolina. Arms were at that time furnished to it, and some ammunition.

This company, previous to May, 1876, had for some time but few names on its rolls, drilled rarely, and scarcely kept alive its organization. But in May, of this year, the number of members increased to about eighty, and one Doc Adams was chosen captain.

On the 4th of July the company drilled on one of the public streets in the town of Hamburg. The street on which they drilled was between one hundred and one hundred and fifty feet wide; but it was little used, and was overgrown with grass except in that portion which was used as a carriage-road. While the company was thus drilling, Thomas Butler and Henry Getzen, his brother-in-law, came along in a carriage, and demanded that the company should make way for them. Adams halted the company, remonstrated with Butler and Getzen for thus seeking to interfere with the company, and called their attention to the fact that there was plenty of room on each side of the company to pass.

Finding them unwilling to turn out of their course, Adams finally opened ranks and allowed them to drive through.

This incident seems to have angered Butler and Getzen, who made complaint before Trial-Justice Rivers against the militia company for obstructing the highway. The trial-justice on the following day issued a warrant against Adams, as he was the captain of the company, and had him brought before him for trial. During the progress of the trial, Adams was arrested by the trial-justice for contempt of court, and subsequently the case was continued until 4 o'clock Saturday afternoon, July 8.

At that time Butler and Getzen, with General M. C. Butler, who had been employed by Robert I. Butler, father of the former, as their attorney, repaired to the office of the trial-justice, but Adams did not appear.

General Butler inquired as to the nature of the charges against Adams, and asked if the trial-justice was to hear the case as trial-justice or in his official capacity of major-general of militia. To this the trial-justice replied that he was to hear the case as a trial-justice, but if the facts showed that a military offense had been committed, Adams would have to be tried by a court-martial. General Butler then stated that he thought the case might be arranged, and, at his suggestion, time was given him to see the parties. After this, the trial-justice did not see General Butler at his office, but learned that he had gone over to Augusta. In the mean time the trial-justice had been informed that some two or three hundred armed white men were in Hamburg, and that a demand had been made by them that the militia should surrender their arms. After a consultation with Messrs. Jefferson and Spencer, Rivers sent for General Butler. He rode up to the back gate of Rivers's house; the two had a conversation, in which General Butler said that he had given orders to have the guns given up in half an hour, and the time was nearly up. Rivers asked if some other arrangement could not be made, to which General Butler replied in the negative.

Rivers then asked if he would not consent to have him receive the arms, box them up, and send them to the governor, to which General Butler replied that he would box them up and send them to the governor, and if he (the governor) should return them to the company it would be at his own risk. Rivers then asked if they would give a bond for the arms, to which General Butler said that he would stand the bond, and, turning to another person—I think R. J. Butler—asked if he wouldn't go on a bond also, to which he replied that he would. Rivers then asked for time before fire should be opened on the militia, so that he might have a conference with the militia officers. This was acceded to, and Rivers then went to the building known as the Sibley building, in the second story of which the company had its armory and drill-room, and where it was then assembled, and told Captain Adams what might be expected if he should refuse to give up the arms. To this Adams replied that General Butler had no right to the guns; that the company held them, and he proposed to hold them unless General Butler showed some authority to take them. After this interview, Rivers returned to General Butler, with whom was Robert J. Butler. He told them the decision to which the company had come. Then Robert J. Butler said that General Butler was his attorney; that he had come to settle the matter. If the company would apologize for the insult to his son and son-in-law, he would do nothing more, but the whole matter was in General Butler's hands. General Butler said that, as the men would not meet him, he would have no more to do with them. General Butler

the former. He was among the prisoners who were let loose and told to run ; as they ran they were fired at and he was shot in the head. He was not a member of the company.

Willis Davis, one of the members of the company, was taken to the place where were the other prisoners. The men stated that John Swaringen, of Edgefield County, had charge of the prisoners. He states that he saw General Butler before the men were killed, who asked him what he was doing, and told him he would have enough of it before he got through. He was shot in the arm near the elbow when about twenty paces distant from the crowd. The ball is still in his arm, and he suffers much pain. He also states that some of the young men from Georgia remonstrated against shooting the prisoners, but in vain.

Besides the killing and wounding of the men herein named, the party broke open several stores and houses, and, in some instances, robbed the inmates. They took from Mr. Charles Roll, the postmaster, and a very respectable white citizen, a gun which he had in his store, and his private property. From an old colored man, named Jacob Samuels, in his employ, they took a watch and set fire to his house. They broke open the house of Trial-Justice Rivers, and did much damage, as well as robbed him of clothing. They obtained kerosene oil and attempted to set fire to a house, but were prevented by Col. A. P. Butler from doing so. The ropes of the public wells were cut, and some fences were torn down.

So far as I can learn, the primary object of the whites was to take away from the militia their arms.

The man Parker, who was wounded, states that on Friday, the 7th instant, he had a long talk with one Harrison Butler (white) on Broad street, Augusta. Butler told him that if Rivers did not give orders for the militia to give up their arms they would take them any way on the next day.

On Saturday rumors were abroad in Hamburg that there were armed parties coming in to take the guns, but little credit was attached to them.

One of the white citizens of Hamburg heard a conversation between David Phillips and General Butler in the afternoon. Phillips talked very "big," as the gentleman said, and General Butler told him that they wanted those guns and were bound to have them.

In the afternoon Col. A. P. Butler went to the various stores in town and told the proprietors that they must not sell any liquor to his men. In spite of this, however, some of the men compelled one of the store-keepers to furnish them liquor. From the same person they obtained kerosene oil to use in setting fire to a house.

The whites were armed with guns and small-arms of various kinds, and many of them had axes and hatchets.

It is proper to state that the intendant of Hamburg, Mr. Gardner, was informed by General Butler, in an interview with him, that the arms of the company must be given up.

Trial-Justice Rivers is now holding an inquest, and taking the testimony of witnesses. Until their verdict is rendered it will be impossible to tell who were engaged in the attack on the militia, and the subsequent killing and wounding of the colored men.

It may be possible that a careful judicial investigation may show some slight errors in some of the minor details stated in this report. But making due allowance for such errors, the facts show the demand on the militia to give up their arms was made by persons without lawful authority to enforce such demand or to receive the arms had they been sur-

rendered ; that the attack on the militia to compel a compliance with this demand was without lawful excuse or justification ; and that after there had been some twenty or twenty-five prisoners captured and completely in the power of their captors, and without means of making further resistance, five of them were deliberately shot to death and three more severely wounded. It further appears that not content with thus satisfying their vengeance, many of the crowd added to their guilt the crime of robbery of defenseless people, and were only prevented from arson by the efforts of their own leaders.

Yours, very respectfully,

WILLIAM STONE,
Attorney-General South Carolina.

Hon. D. H. CHAMBERLAIN,
Governor.

No. 4.

EXECUTIVE DEPARTMENT,
OFFICE OF ADJUTANT AND INSPECTOR GENERAL,
Columbia, S. C., July 12, 1876.

SIR : In compliance with your letter of instructions of the 10th instant, I at once proceeded to Hamburg, Aiken County, S. C., where I arrived yesterday morning, the 11th instant, when I at once proceeded to examine into the cause of the recent disturbances at that place.

The town of Hamburg presented just such an appearance as one would that was, after being raided upon by a hostile army, with but this difference, that the latter would not descend to robbery and plunder, as well as murder. Nearly every colored man's house in the town (and Louis Schiller's, white) was broken into, and plundered, furniture broken, bedding and clothing stolen, and a general scene of devastation prevailing everywhere.

From all I could ascertain, as well as from the testimony taken before the coroner's jury, (copy herewith transmitted,) General M. C. Butler is charged with being the sole cause of the trouble, and from conversation held with many citizens in Hamburg, all agreed that had he, Butler, been so disposed, one word from him would have stopped the scene of carnage that ensued.

I respectfully invite the attention of your excellency to the testimony of P. R. Rivers, esq., trial-justice at Hamburg, marked "A," of John Gardener, esq., intendant of the town, marked "B," and also that of Alexander Grinage, page 10 of testimony taken before the coroner's jury.

H. W. PURVIS,
Adjutant and Inspector General, S. C.

His Excellency D. H. CHAMBERLAIN,
Governor and Commander-in-Chief.

A.

Testimony of P. R. RIVERS, esq., trial-justice of Hamburg, S. C. :

Upon an affidavit of one Robert Butler, I issued warrants for the arrest of Doc. Adams, and the other commissioned officers of a military company, who had obstructed the high way on the 4th day of July, and preventing the said Butler from passing. This was on the

5th of July. Owing to some disturbance in the office I postponed the trial until Saturday, the 8th instant, at 4 p. m., at which time General M. C. Butler came with Robert Butler as his counsel. During the trial M. C. Butler asked for more time, which was granted, he promising to return within an hour. He never did return to my office, but went to Augusta, and returned with two companies of soldiers, and demanded the immediate surrender of the arms of the militia company, and if they were not turned over to him he would take them if he had to burn the town. I went to General M. C. Butler and begged him for the sake of peace to give some time. He granted half an hour. I at once went to the drill-room of the company, and consulted with the men who were there assembled, told them what Butler had said, and advised them to comply. This they refused to do, saying that Butler had no authority to make them turn their guns over to him. I proposed to him that I would box the arms, and send them to the governor; this he would not accept—that they must be turned over to him. The time having expired, he gave the order to his men (who had greatly increased in numbers) to fire, which they did. The militia did not return the fire for some time.

P. R. RIVERS.

B.

Testimony of JOHN GARDENER, intendant of the town of Hamburg, S. C. :

I talked and begged General M. C. Butler to keep the peace and not fire on the militia, who were not doing any one injury; telling him he would cause the murder of many poor and innocent people. He replied "that he would have the arms of the d—d militia, whatever be the consequence." I had no influence with him, and he ordered the troops he led as their general to fire, which they did.

JOHN GARDENER.

No. 5.

HAMBURGH, AIKEN COUNTY, S. C.,

July 10, 1876.

JURORS.—C. C. FURUS, A. B. GRIFFIN, John Bird, Dan. Martin, Limas James, James Coleman, Thomas Carroll, Sam. Elsley, Giles Stokes, Abram Bolen, Andrew Carroll, and Alfred Simpkins.

N. HENDERSON sworn :

Question. Were you in town Saturday night?—Answer. In town about 2 o'clock Sunday morning.

Q. Do you know that Moses Parks was killed?—A. I do not.

Q. Are you in possession of anything about this case?—A. I do not.

By the FOREMAN :

Q. Was the town quiet at night?—A. There was some firing.

Q. Who was under arrest when you were arrested?—A. John Thomas.

ANDREW GRIFFIN, sworn, says :

I am living in this county and State and town; was in it on Saturday evening; saw Harrison Butler in arms, who ordered him to be stopped from going to drill-room on corner of Market and Center streets; do not know how Moses Parks came to his death.

To the FOREMAN. Between 6 o'clock or a little after, Harrison Butler ordered not to let him pass.

To a JUROR. Thomas Butler, Henry Gedsden, old man Butler, Dr. Butler, Mr. Furmirs, Dan. Martin, and Silas James was in company with me when ordered to stop.

HENRY MAYS sworn :

I am living in Hamburg, Aiken County, South Carolina; heard a gun; looked out of window; saw a man fall; remained there all night;

12 SLAUGHTER OF AMERICAN CITIZENS AT HAMBURGH, S. C.

it was about 1 o'clock Sunday morning; do not know who the deceased was; heard the white men say "they got one," near the corner of Main street; was told that it was Moses Parks; all white men were around them, all armed; the body remained there until morning.

POMPEY CURRY sworn :

I live in Hamburg, Aiken County, South Carolina; was in town Saturday until Sunday morning; saw Moses Parks when he was arrested; Harrison Butler had a lamp in hand, and about 25 or 30 of us were under Spencer Harris's house; it was about 8 o'clock; heard it strike and counted strokes; would not be positive, as I was excited; know Pickens Butler by his voice, and old man Butler; building fronting on Market street which I was under.

Judge BLUNT sworn.

I live about three quarters of a mile from this town, in this county and State. I was in Hamburg on Saturday last; remained all night and until 12 o'clock Sunday.

Question. Did you see Moses Parks during that night?—Answer. I did, about half past 7 o'clock; would not be positive of the time.

Q. Do you know how he came by his death?—A. I heard four or five guns fired; saw a man fall; did not know who it was until Sunday morning.

Q. Where were the guns fired?—A. In Mercer street, under the railroad.

Q. Where was Moses Parks?—A. In Mercer street, running when he was shot; near to Lipfield's house and railroad.

HAMBURGH, AIKEN COUNTY, S. C.,
July 10, 1876.

JAMES COOK.

Same jury as Moses Park.

Judge BLUNT sworn.

Question. Where do you live?—Answer. In this county and State, about three-quarters of a mile from town.

Q. Do you know how James Cook came to his death?—A. Yes; they had me arrested. Mr. Bob Butler and Tom Butler took me out of Mr. David Lipfield's front door.

Q. Were you standing there?—A. I was.

Q. State how James Cook came to his death.—A. I was sitting at Julia Kempt's door, near a tree; a man was running toward Mr. Spencer's lot; some men were standing at the corner of Mr. Williams's house, corner of Mercer and Cook streets. When they shot him he fell. As he fell, they said "Hem! You are stopped now;" and they said he had the chief of police. They asked me who he was. I told him he was named Jim Cook. They said he would "chief no more in Hamburg, but in hell."

Q. Did you know it was James Cook before they asked you?—A. Yes.

Q. About what time of night was it?—A. Between 9 and 10 o'clock.

HAMBURGH, AIKEN COUNTY, S. C.,

July 10, 1876.

Jurors same as case of James Cook.

POMPEY CURRY sworn.

Question. Where do you live?—Answer. Hamburg, Aiken County, S. C.

Q. Were you in town on Saturday?—A. I was on Saturday and Saturday night.

Q. Did you see A. T. Attaway on Saturday night?—A. I did.

Q. Where did you see him?—A. He was in the ring with me.

Q. Who made that ring?—A. I do not know. When they took me there Pickens Butler gave orders to carry me there with the rest. After I was there they brought A. T. Attaway there, and Harry Mays.

Q. Was Attaway placed in the same ring with you?—A. He was.

Q. Do you know how Attaway came to his death?—A. I do.

Q. State to the court what you know of his death.—A. The first ring was below Mrs. Dotray's house, on Market street; after that we were marched down to a little tree, between the corner house, railroad, and Market street; then about six men came and took Mr. Attaway out of the ring. He was taken across the railroad; between the ticket-office and fence. I heard them tell him to "turn round, you yellow son of a bitch," and then they all fired upon him. Then they came back to the ring, and took out Dave Phillips.

Q. Do you know any of the men who took him out?—A. I do not.

Q. Do you know any of the by-standers?—A. I do.

Q. State the names.—A. Henry Gedson and Dr. Pierce Butler. I called them, as I knew them, to keep the other men from killing of me, and they said that they could do me no good. They then called for me after Dave Phillips. I got up and run; as I was running they shot at me.

Q. Did any shot hit you?—A. Yes; shot me through the right leg below the knee. [The wound was exhibited in court.]

Q. Were the men that surrounded the ring armed?—A. They were, with guns, pistols, axes, grubbing-hoes, and hatchets.

WILLIS REDRICK sworn.

Question. Where you live?—Answer. Hamburg, Aiken County, South Carolina.

Q. Do you know anything of the death of A. T. Attaway?—A. I do.

Q. State to the court what you know.—A. I was under Spencer Harris's house; I came out from under the house when they commenced breaking in, and went into Spencer Harris's garden. After I got in the garden they commenced shooting at me out of the old Hamburg bank, where Mr. Roll, postmaster, lives. Some one says that there is a nigger in the garden; take him out and carry him on. I don't know who it was, but take it to be R. J. Butler. They took me to the front of Manda Hill's house, on Market street. We staid there a good while, and after that was taken to the tree near the railroad, and in company of Mr. Attaway, Dave Phillips, Albert Myniart, and Hamp Stephens, which were killed, and others, Pompey Curry, Butler Edwards, Willis Davis, John Thomas, and others, which I do not remember their names, to the number of twenty-seven, who were in the ring under guard, who were armed. Mr. Attaway was the first man taken out of the ring, and crossed the railroad opposite the ticket-house, which was the last I saw of him; after which I heard the firing of the guns. I knew one of the

men that took Attaway from the ring; his name was John Swiangle, [Swearinger.]

Q. Were you armed at the time of your arrest?—A. I was not; none of us under arrest were taken with arms.

Q. What caused you to go under the house?—A. Firing from the mounted men, white men, that came from the country and from Augusta. They were armed with guns and pistols, and firing at me and others.

Q. Where were you when the first gun fired?—A. I was up in the drill-room.

Q. Were you a member of that company?—A. No, sir.

Q. Was the company in the drill-room when you were there?—A. Yes.

Q. Where did the firing commence?—A. Between the abutment of the Columbia and Augusta Railroad bridge.

Q. Did they continue the firing from the abutment?—A. Yes; about one and a half hours.

Q. Did the company return the fire?—A. They did, while we were putting out ladders to escape on the back of the building.

Q. Did the company escape with their guns?—A. I think the best part of them did—while the other party were firing with the small arms, before they bring the cannon over, the company having heard them say that they were going to bring the cannon over and shell them out of the building.

Q. Did this party fire on the building with the cannon?—A. They did, three times, if not more.

Q. Are you sure that the firing commenced at the river-bank?—A. Yes; I saw Mr. Henry Gadson, [Getzen,] the first man to step out from behind the abutment and fire into the drill-room. The ball came into the drill-room window. It was from a sixteen-shooter. The window was shut. The ball fell on the floor.

Q. How do you know the ball was from a sixteen-shooter?—A. I saw the gun.

Q. Do you know any of the guard of by-standers?—A. Yes; Mr. Henry Getson, Neil Benson, George Benson.

Q. During the fighting did you see any one you knew?—A. Thomas Butler, Robert Butler, Harrison Butler, Mr. Reese.

Q. Did you see General Butler that evening?—A. Yes; I did see the General Butler at Mr. Rivers's office that evening.

Court adjourned to to-morrow morning at 8 o'clock, July 11, 1876.

A. T. ATTAWAY continued.

Inquest met at 8 o'clock a. m.

ALEXANDER GRINAGE sworn.

Question. Where are you living?—Answer. Hamburgh, Aiken County, South Carolina.

Q. Were you in Hamburgh on Saturday last past?—A. I was.

Q. You are acquainted with A. T. Attaway?—A. I am.

Q. Did you see A. T. Attaway on Saturday night last?—A. I did, about 10 o'clock. He was brought to the ring where I was imprisoned.

Q. Can you state where this ring was?—A. The ring was between Mrs. Dotry's and the corner house on Market street.

Q. Do you know the names of any of those men that had you under guard?—A. I do not; they were all strangers to me.

Q. Do you know the by-standers?—A. Yes; William Robinson.

Q. Do you know where he lives?—A. Yes; in Augusta, Ga.

Q. How did you get out of that ring?—A. I was taken out by the advice of Bob Chaffee, who lives in Augusta, Ga.

Q. What was that advice?—A. He said that he knew the old man ever since he (Chaffee) had lived in Augusta; he is our old cotton sampler. I never knew any harm of him. Then he took me by the arm to lead me out, when some objected to it; he then placed me under guard again, and sent the guard with me over the bridge, to Augusta, for safety.

Q. Were the men who first took you to the ring all in arms?—A. They were.

Q. Where did the men arrest you?—A. Right here, at Mr. David Lipfield's, corner of Centre and Mercer streets. When I came out from home I thought all was quiet, until I was arrested by those men about half past 10 o'clock.

Q. What condition was the town in previous to your arrest?—A. It was in the greatest confusion; shouting, running, and hallooing.

Q. Do you know who were making this confusion?—A. By armed men who came in the town from the country about 4 o'clock in the afternoon, and continued coming in until after dark.

Q. Were these black or white men coming in town?—A. They were all white men.

Q. What number of men, do you think?—A. Four or five hundred.

Q. Did you know any of these armed men?—A. Yes; General Butler, he came to the ring where I was under guard.

Q. Did you hear General Butler say anything after he came to the ring?—A. I did. One of the men called to General Butler. General Butler said, "I know you; you burned my house;" then General Butler went off with the other men to consult what to do with those men in the ring. Before General Butler came to the ring there was a dispute among the guard and others, what should be done with the men in the ring, who were all colored men; some says, we are under command of General Butler; what he says will be done and law.

Q. What number were in the ring, and their names?—A. Twenty-seven men with myself; Attaway, John Parker, Harry Mayes, Louis Cartledge, Butler Edwards, N. Henderson, Dave Phillips, Gilbert Miller, Spencer Harris, Peter Glen, Edward Wigfall, John Friar, Aleck Martin, Judge Blunt, Willis Davis, Willis Redrick, Warren Samuels, Pompey Curry; the others I did not know their names.

Q. Do you know how Attaway came to his death?—A. No; I was taken across the river before they were moved to the last ring. When Attaway was brought to the ring they told him he would go up.

FREEMAN BUTLER sworn.

Question. Where do you live?—Answer. Hamburgh, Aiken County, South Carolina.

Q. Were you in the town on Saturday, the 8th of July?—A. Yes; in town all day.

Q. Was the town quiet during the day, until night?—A. No; it was quiet up to 4 o'clock in the evening. At that time it was rumored that R. J. Butler and General M. C. Butler had come to take the arms from the militia. I then went up to our company hall; about half of our company was in the drill-room. We remained in the drill-room till about twenty minutes after 6; during that time Henry Getson, Tom Butler, and others went behind the pillar of the abutment of the Columbia and

Augusta bridge, on this end; then I saw Henry Getson come over from behind the pillar and fire on the drill-room, the ball going through the window; I believe it to be from a sixteen-shooter. This was the commencement of the firing.

Q. After that did the firing increase?—A. Yes; about twenty-four men were firing about three-quarters of an hour, the balls often entering the room through the window.

Q. Was all of the firing done with small-arms?—A. No; some was done with a cannon, firing grape-shot; they fired about four times.

Q. Do you remember about what time the firing with the cannon commenced?—A. About half past 7.

Q. Do you know who fired the cannon on the building?—A. No, sir.

Q. Do you know the party who owned the cannon which fired on the building?—A. No, sir; I do not.

Q. Do you know who brought the cannon there?—A. I do not.

Q. How do you know they fired grape and canister?—A. I heard the report, and saw the effects on the building. I saw two pieces of timber knocked from the ceiling.]

Q. Is the building damaged much on the outside by the balls?—A. Yes.

Q. Did you see any of the balls since the firing?—A. Yes; one on the outside of the building, Sunday morning. [A ball was shown the witness, who said it looked like the one he saw at the time.]

Q. Does the cannon that fired on the building belong or is owned by any one in Hamburg?—A. No.

Q. Have you any idea how that cannon came here?—A. I believe it was brought over here by white men in the riot, from Augusta.

Q. Have you any information concerning the firing on the building? If so, state to the jury.—A. After the firing on the building, the company came out of the back part of the hall; then went into Louis Schiller's printing-office to hide myself from the white men.

D. L. ADAMS, being duly sworn, says that he lives in Hamburg, Aiken County. He was there all day on the 8th of July, 1876. On that day the officers of Company A of the Eighteenth regiment of National Guards, (witness being the captain of said company,) had been summoned to appear before Trial-Justice Rivers, at 4½ o'clock, to answer a charge preferred by R. J. Butler, of obstructing a public highway on the 4th day of July, of this year. About 3½ o'clock witness went to Rivers's house and told him he did not want to appear before his court that evening; that he was willing to give bond for himself and the other officers of the company to appear for trial at a higher court; that he was afraid that if he went to trial that afternoon he would be killed, as the town was filling up with armed men at that time. Justice Rivers answered witness that he could use his (witness's) own judgment about that. While this interview between Judge Rivers and witness was going on, Mr. Henry Sparnick, Mr. Sam. Picksley, Mr. Sam. Spencer, Mr. John S. Sims, Lieutenant Cartledge, Lieutenant Attaway, and Lieutenant Coleman came in. Messrs. Spencer and Sparnick said that they thought the matter could be settled. Judge Rivers said he would be glad if it could be settled, as it was a very unpleasant case. Witness asked upon what grounds it could be settled. Mr. Spencer said that General Butler had said that he wanted to see witness and the other officers of the company, and would meet them at Mr. Spencer's house. Witness agreed to go, and sent word to General Butler that he would be there as soon as he could get his coat. By the time witness had gone home

and returned with his coat as far as Judge Rivers's house, which is on the way to Mr. Spencer's house, General Butler had left. Witness had hurried and was not absent more than two or three minutes when he had gone for his coat. As witness got up to Rivers's house Mr. Henry Getzen, a son-in-law of Mr. R. J. Butler, rode up and called for Rivers, and told some one on the pavement to tell Rivers it was half past four and he must come to court. Rivers left in the direction of his office. Witness went to the corner of Market and Centre streets, and in ten or fifteen minutes a crowd of forty or fifty white men, armed with pistols or sixteen-shooters, came from Rivers's office by a back street, and took position between Spencer's house and the council-chamber. A message was then brought witness by Sam. Picklesley, Lieutenant Cartledge, Needham O'Brien, and one or two others, whom witness does not remember, from General Butler, that he wished to see witness and the other officers of the company in the council-chamber, and that if they would come down there and make an apology to R. J. Butler and his son, and give up the arms, he (General Butler) would settle the difficulty. [Witness identified the General Butler to whom he refers as General Calvin Butler.] Witness refused to go, stating to the committee that he was afraid to go, as General Butler was surrounded by armed men, but sent word by the committee to General Butler that if he would keep his men back and meet witness half-way, he (witness) would meet Butler and see upon what terms the matter could be settled. The committee left, and upon their return told witness that General Butler refused to meet him except in the council-chamber. Mr. Sparwick then came to witness, at the corner of Market and Centre streets, and said that if he was in witness's place he would surrender the arms to save blood from being shed, and that he thought our lives would be safe. Witness replied that he would like to take his advice, but as he did not think his life and that of his men would be safe, he could not surrender the arms. This was about ten or fifteen minutes to six o'clock, he thinks, and white armed men were riding the streets in every direction and more were coming in. He thinks there were between two and three hundred already in. About five or ten minutes after six a committee, consisting of General Rivers, Sam. Picklesley, Joseph Thomas, and he thinks Mr. Gardner, the intendant of the town, and perhaps Needham O'Brien, came to witness, and General Rivers said that General Butler said that all that would satisfy him was to give up the guns to him, (Butler.) Some other members of the committee, whom witness does not recollect, added "and with the officers too." Witness turned to General Rivers and asked him if, as major-general of the State, he (Rivers) demanded the guns. Rivers replied that he did not; he had no right to do so. Witness then told Rivers that General Butler had no right to the arms, which were in the hall where they had a right to be, and that General Butler could not get them out of there, as witness did not intend that he (Butler) should have them, and that unless he took them by force he could not get them. One of the committee, before leaving, [witness thinks it was Mr. Gardner,] said that he had asked General Butler if he would protect the people of the town in case the guns were surrendered, and General Butler had answered that would depend upon how they behaved. When this last committee had this talk with witness it was in the drill-room, where witness had gone in consequence of seeing the excitement on the street, and seeing General Butler placing his men in different directions. In two or three minutes after this committee left the firing upon the drill-room commenced, from a squad of about fifteen men who were behind the rock-pillar of the Charlotte, Co-

lumbia and Augusta Railroad. Among that squad witness recognized Henry Getzen and Tom Butler. The firing was continued from the outside for about a half-hour before a shot was fired from the drill-room; witness had ordered the men in the drill-room, who, with the officers, numbered thirty-eight, not to fire until he gave further orders. About eight o'clock witness heard some one in the street say, "Go to Augusta and get a keg of powder and we'll blow the damned building up;" somebody else said, "Bring a cannon with you." A few minutes afterward witness fixed a place on the back of the building to get his men out of it. He then brought them out. About a half-hour afterward a cannonading of the building was commenced. Two or three shots were fired with the cannon. Witness came out of the building in the rear, and passed round the left of it through an open lot into Centre street. Witness and some twelve or thirteen others of the company (except two or three who were not armed) kept passing from Centre to Market street until about half past eleven or twelve at night. They then went into John Parker's yard. There the party got squandered and went into different directions; witness went into the yard of Louis Schiller and into the back of his office. Before getting into the office, however, Moses Parks jumped into the yard of Mr. Davis Lipfelt, which is next door to Schiller's yard, and ran across the yard. Witness jumped up on the fence dividing Schiller's and Lipfelt's yards, and somebody shot at him, and witness jumped back on Schiller's side. Witness heard somebody, who he thinks was in Lipfelt's piazza, say, "There is some damned nigger in this yard." Immediately afterward he heard some one say, "Stop, stop," and a pistol or gun was fired; he then heard a gate open, and some one say, "I've got the damned son of a bitch." Witness then peeped through the top crack of the fence and saw Robert J. Butler (whose voice he had recognized as saying "I've got the son of a bitch") near the gate, and some one else whom he did not recognize. Butler had either a very large navy pistol or a shot gun in his hands. It was a moonlight night. Butler was about sixty or seventy feet from where witness was peeping; he was a little under the shade of the piazza, and that is the reason witness could not tell exactly what kind of weapon he had. Witness went into Schiller's back door, stood there a little while, and not feeling satisfied there, went down the side of a line-fence and got into a garden where Mr. Evans lives. After standing there a second or two, witness heard a party rousing somebody from under a house, either Spencer Harris's or Jim Cook's, saying "There's a parcel of black sons of bitches under here; come here boys and let us get them." Witness was on his knees looking through a crack in the direction of Mr. Roll's (the bank) building, when he heard somebody jump a fence. Some one cried "Halt! give up that gun." It was Henry Getzen, whom witness recognized by his voice. He knows Getzen; has known him ever since witness lived in this State; has heard him talk over a thousand times. Witness then heard somebody, whom he recognized by his voice to be James Cook, say, "Don't take my life!" Getzen replied, "You damned black son of a bitch, I'm going to kill you." He heard a gun fire then. Am not positive whether it was a pistol or sixteen-shooter. Witness was not more than fifteen or twenty feet from the place where this took place; thinks there were one or two others with Getzen, and thinks he recognized Tom Butler's voice; the one whom he recognized as Tom Butler said, "We've got the son of a bitch!" Witness then jumped the fence, and went toward Roll's building. There he saw a crowd of white men standing in front of the back gate, and witness returned to Schiller's office, and remained

there until the front door was broken up. When he went in he found John Fryon, Al. Johnson, and Dave Phillips, and he thinks Frank Robertson, in there. About a half-hour after he got in, the front door was broken open by the white men, and witness went out the back door. After he got out, the party inside struck a light, and he heard them say, "I've got some of the black sons of bitches." Witness stood alongside of the kitchen in Schiller's yard, and saw a party of white men up in room of witness, (which adjoins drill-room,) breaking up his furniture. He then returned to Roll's building, went up the back steps into the back piazza and peeped through a broken blind down on the crowd of the white men, who seemed to make that place their headquarters. Among these he recognized Jack Venable, Charley Kernaghan, Crayton Matheney, a negro by the name of Frank Taylor taking part with them; another brown-complexioned man, Isaiah Marshall, who lives either at Butler's or Getzen's; George Vinsen, Lieutenant Caravile, of Augusta, Mr. Chaffee, and Mr. Dunbar, (he thinks his name is Willie;) heard Jack Venable say, "I've got two of the damned sons of bitches to-night." During this time the white men were bringing colored prisoners past there; heard some one say, "Let us kill the last one of them," and heard some one else, whom he thinks was either Lieutenant Caravile or Jim Clark, of Augusta, say, "No; get a court-martial of twenty men, and abide by what they say." About thirty minutes after that witness saw a good many members of the company who had been turned loose running off and the white men shooting at them. Just afterward some one in the party called to the white men to mount their horses and go home. Getzen remarked, "We have not got Schiller or that captain of the company, but we will get them." Somebody remarked, "Well, boys, we will all go home, and if we are ever captured let it be a know-nothing party." Witness thinks it was General M. C. Butler's voice. The white men rode off, and witness came down and walked to Aiken. Before leaving, witness saw and identified the body of James Cook, lying in Mercer street, near the trestle of the Charlotte, Columbia and Augusta Railroad.

While witness was in Roll's piazza, Tom Butler called Isaiah Marshall, and asked him if he knew where Frank was. Marshall answered that he did not know. Tom Butler said, "I and Henry have made a sacrifice of the damned marshal of this place." Marshall then said, "When I cut him again he (the marshal) won't have the opportunity of driving up in his fine horse and buggy again to see about it." A lad (white) named Arthur Johnson, about twelve or thirteen years old, whom witness met up with several times during the night as "hail fellow well met," with the white men, added, "His peace-bond is ended."

Sworn to and subscribed before me this July 20, 1876.

D. L. ADAMS.

P. R. RIVERS,
T. J. A. C., Act. Cor.

JOHN GARDNER, sworn, says:

Live in Hamburg, South Carolina; was in town on Saturday, the 8th July, 1878. About half past 3 o'clock of that day Robert J. Butler, General M. C. Butler, and about ten other men, came into town all armed with pistols and guns. They stopped near Dannus's store. M. C. Butler went into the store, and I called there to see him, as I was in-

tendent of the town, and had learned that some trouble was anticipated. Butler said he wanted to see the officers of the militia company. Butler went to the office of P. R. Rivers and came back ; asked me if he could get my office to hold a conference in with the officers of the company. I told him he could. We then went in my office, (the council chamber.) The armed men followed him, (Butler,) and I went up to the armory to get the officers of the company to come down and see Butler. The officers refused to go down to see General Butler at my office while he was surrounded by a band of armed men. I told Butler this, and he asked me to go a second time, which I did with the same result. After I had been with the officers the third time, and they refused to see Butler while he was in company with the armed men, who by this time had increased to about twenty-five men, and were still coming in town in gangs of from five to seven, General Butler said he "was going to have the guns of the company;" that the whites were not allowed to have guns, and the negroes should not have them. Butler then came out of my office, and talked with some of the armed men. Two or three of them then mounted their horses and road off up the Edgefield road. Butler got in his buggy and went over the river, followed by two or three of the armed men. All these men were white men. In about thirty minutes, the men who went off up the road came back in company with about one hundred and fifty other armed men, under the command of Col. A. P. Butler.

These men marched into Cook street and halted. After M. C. Butler returned from Augusta, I had a conversation with him near the post-office, and I told him if there was going to be any trouble he must let me know, so I could get the women and children out of the way. He (Butler) told me I had half an hour, and if the guns were not surrendered in that time he would have them by force. At the time I had this talk with M. C. Butler, the men belonging to the militia company were in their armory and the door was closed. I then left the town, and told some of the women that they had better leave the town.

I heard the firing about fifteen or twenty minutes after I left the town. The reason assigned by the officers of the company for not conferring with General Butler was, they were afraid they would be shot by those armed men. Witness was impressed with their reason. Witness thinks that the officers of the militia would have conferred with General Butler, but for fear of being assassinated. They said they would.

Subscribed and sworn before me this 13th day of July, 1876.

JOHN GARDNER,

Intendent.

P. R. RIVERS, *T. J. A. C.*

WILLIAM NELSON, sword, says :

I live in Hamburg, Aiken County. I was here on Saturday last all day in the town ; there was an unusual occurrence twixt 4 and 5 o'clock. I was constable ; had Rivers's office ready for a trial between 4 and 5 o'clock. General Calvin Butler and R. J. Butler, and a considerable crowd of armed men, came around there, and asked me if Judge Rivers was in. I told him no. General Butler told Edwards to notify Rivers that he was there. After a while the judge came to his office. Before Mr. Edwards went for Judge Rivers, General Butler cursed me for a God damn son of a bitch, and told me to take down my feet from side of wall when you speak to me. I told him I was in my office attending to his

business. Butler told me to hand him some paper and ink to the door. I told him there was paper and ink on the table, and chair for attorneys. He cursed me by saying, "God damn you, do you know who you are talking to?" and Mr. Getzen came in the office with a sixteen-shooter, with Mr. Chafee, he, Chafee, having a pistol. Some of the parties outside told General Butler to come out, saying, I would not be insulted by that God damn son of a bitch. All of the armed men outside were white men. Dr. Shaw was one of them and Rev. John Meeling, and Thomas Butler with a sixteen-shooter. He was on his horse. All of this occurred before the T. J. came to his office. When the T. J. came to his office General Butler went in, took his seat, and the same crowd followed him in also. T. J. ordered me to call the court to order, which I did, and to call D. C. Adams, which I did three times, with no answer. The committee, headed by S. B. Spencer, came in, and asked to suspend court for a few moments, in order to see if a compromise could not be effected, which was done ten minutes by the court. As General Butler left the office, the armed men, consisting of eight or ten, still followed him up. Myself and Judge Rivers remained in the office. Neither the committee nor General Butler came back to the office. I remained to the office until about 6 o'clock, and then I saw a body of armed men, between two and three hundred, coming in the town on the street. I left the office then to go to drill-room of militia company for protection. I saw on my way to drill-room no armed colored men, but saw the women and children very much frightened, hunting some place for protection. I remained at drill-room until about 7 o'clock. Captain Adams was there with about thirty-five or forty men. Captain Adams told me that General Butler had demanded our arms without authority. Firing took place between seven and half past seven o'clock. A portion of the men whom I saw were in two squads, one squad behind a brick building, and the other squad behind abutment of the Charlotte, Columbia and Augusta Railroad. The first shot was fired from the abutment of the Charlotte, Columbia and Augusta Railroad, and they shot about seventy-five or one hundred rounds before it was returned from drill-room. They fired three-fourths of an hour before it was returned from drill-room. After that the firing was so rapid from outside until it was only now and then that we could fire from the drill-room. That condition of things continued until about good dark, and then the firing somewhat ceased, and we then heard them say that they had gone over the river after a cannon. The captain then advised the company to get out back way into the yard.

Most of the company came out at once except four or five. I staid on top of the house. They brought a cannon in and commenced firing at the house. We then came down on a ladder. Fired cannon four or five times. I jumped out of a circular yard into Mrs. Schiller's yard. I remained there until they commenced shooting so rapid with the cannon. I then went into Mr. Davis's yard with Moses Park. We jumped the fence. I ran to get in cow-lot, and he ran to get to gate. I heard them; Davis Lipfelt say, [said,] "Don't shoot;" and I heard Robert Butler say, "Stop, you damn son of a bitch," and then several reports of guns were heard. He shot about three times. I heard him say, "O, God damn him; I have got him." Robert Butler then hallooed, "Come in here, boys; there are seven more of the God damn sons of bitches in here." I then unlatched the gate and crawled up behind Mr. Davis's pritten, [privy,] and ripped off a board and got into the sink of the same, and I remained there until morning. When I came out, Moses Park was lying about five feet from the gate, dead. I saw that he was shot

in several places. He was lying in about five feet of place I last saw him when he was alive. The town was considerably excited. I saw the dead body of Cook about one hundred yards from that of Moses Park. After going to a ditch and washing myself, and putting on some clothes, I went to South Carolina Railroad Company. The bodies of A. T. Atway, Dave Phillips, Henry Stephens, and Mignard. He (Mignard) was not dead; he died about ten o'clock that day. Two in field at foot of bridge, two in the road. On the night of this disturbance the witness identified Colonel A. P. Butler, Rev. Meeling, Henry Getzen, Tom Butler, William Briggs, Ben Tillman, young John Butler, Dr. Shaw, sr., General M. C. Butler, R. J. Butler, H. Butler, and Chafee. The witness is positive as to these gentlemen being present, armed. Saturday night was a bright night, a part of the night. The moon was up when I jumped Davis's fence. I am positive as to the identity of Moses Park at that time.

WILLIAM NELSON.

Subscribed and sworn to before me this 13th day of July, 1876.

P. R. RIVERS,
T. J. A. C., Act. Cor.

PARIS WILLIAMS, sworn, says:

I live in Hamburg, Aiken County. I was in town on Saturday the 8th instant. I was here all day. In the afternoon there was an unusual occurrence in the town about two o'clock p. m. About 4 o'clock went to drill-room; I went to drill-room by directions of captain for fear of occurrence. I remained in drill room until 6 o'clock; firing commenced about half past six o'clock. There were about 30 men in the drill-room. Before shooting I saw all that was going on outside. Before the shooting, saw some men about Cook's stable and also men behind pile of Charlotte, Columbia and Augusta Railroad, and also saw some men running towards river-bank; these were mounted; those behind pillar on foot. They were white men; no colored that I saw with them. They were armed. Mr. Getzen with Mr. Tom. Butler, with sixteen-shooter each. It was not good dark yet. All were armed with pistols. Mr. Getzen made first fire on drill-room. I saw first fire made. Mr. Getzen made the first fire. Mr. Tom Butler next fired at drill-room window. Several men fired whom I don't know. Col. Pickens Butler gave order to fire again to Getzen. I said seen Col. Pickens Butler before that evening. The captain gave orders to all of us in drill-room not to fire. The white men continued to fire all the while. From the first fire made by Getzen until the fire was returned from drill-room was about fifteen minutes; when about half of our men fired. We ceased and they returned the fire. It was getting dark. Could discern the figure of a man. We got behind the window-facings and chimney for protection. Some fired from top of armory without orders, and captain gave orders to them then not to fire without orders from him. The whites ceased then, and the captain said that they had gone to Augusta to get long arms and cannon, and we had best get out of here. We put ladders down and came out at rear of building in Schiller's yard, and captain then gave orders to follow him, and went to fence in rear of lot. Remained there fifteen minutes, and

then went to Schiller's office. The drill-room is next door to Schiller's; no other building between. The two Mrs. Schillers keep store next to drill room. There were fifteen of us in Schiller's office. Captain opened door of Schiller's office and told us to go into the street. When we came out we came out firing on whites. I saw Mr. Robert Butler and his two boys. Mr. Butler said, "There goes the damn sons of bitches, kill them!" We were in the drill-room about two and a half hours after firing, before we came out. Firing was kept up all the time. When we went into the street from Schiller's office they were firing at us all the time. I ran back of Mr. Rivers's house under the kitchen. While I was under there, there was a lot of white men between kitchen and fence that runs down Mercer street. I remained there until they left. Was under there fifteen minutes. I went through Rivers's cow-pen and stopped at Mrs. Johns' house, next house in the rear.

While there, one of the white men hailed and fired at me, and ball grazed my breast; did not see white man at that time. I crawled on my stomach to peach-tree, and then to Columbia Railroad; peach-tree in Mrs. Johnson's yard. I secluded myself under trestle-work of railroad. While there, about twenty-five or thirty white men came down Mercer street, twelve or thirteen feet from me. At this time Mr. James Cook jumped over the fence. Col. Pick. Butler halted him. I knew it was Colonel Butler. I heard other men say, "Colonel, kill him." Colonel Butler says, "No; I leave that for Tommy, Getzen, and Harrison Butler." Colonel Butler then called them off one by one, first Harrison, Tommy Butler, and Getzen. I recognized Getzen, Tommy and Harrison Butler. It was about 10 o'clock at night. Mr. Getzen came back and said, "God damn, this is my beef. I can ride on sidewalk and drink out of spring without paying five dollars again." Mr. Cook was marshal of the town. The marshal does police-duty. Mr. Getzen then stepped off, fired at Mr. Cook; Tommy and Harrison Butler next, and another gentleman asked for a part in it, and Getzen said, "No; I have been waiting this chance many a year ago, and I have now got it." Mr. Cook asked what he had done to be killed. Reply was, "We will let you know before we are done with you." The firing commenced on him (Cook) then. He (Cook) then said "O Lord" twice. Tommy Butler said, "Search his pocket and see if he has that five dollars; God damn his black soul." Then they said, "He has no money, but he has a damn good watch, worth about twenty-five dollars." Another gentleman says, "He has got a good pair of boots; I will save them." I saw him take them off. Others told him to go ahead. Another gentleman says, "We ought to cut his damn throat," and Tommy Butler say, "No; we will cut his damn tongue out for fear he will come to and tell what we have done in the morning;" and when he did cut it out he put it in Cook's hand, and says, "Keep that till morning, and let them see what we have done." Tom Butler said, when he started off, "Look up at moon and be a looking-glass for the damn negroes in the morning;" and they went off and fired the pistols; and Henry Getzen said, "Gentlemen, all I want is to get hold of that damn captain they got;" and they then went off down the street and fired off their pistols, and I remained there half an hour. I then jumped the fence into Spencer's yard and some one fired at me, whom I did not know. He was riding. I then went into Mrs. Dane's yard, between two fences, for protection; it was still bright; I saw a great many white people on the streets, all armed; about one thousand, so seemed to me; did not recognize any one else. I went off of Mrs. Dane's yard under the Charlotte, Columbia and Augusta Railroad, and from there to the brewery; and while going to the brewery saw men riding to and fro in the streets.

I went from brewery on top of Shultz's hill; remained there until morning.

his
PARIS + WILLIAMS.
mark.

Subscribed and sworn to before me this 17th day of July, A. D. 1876
P. R. RIVERS,
T. J. A. C., Act. Cor.

SPENCER HARRIS, sworn, says:

I live in Hamburg, Aiken County. I was here on Saturday, the 8th instant; was not here all day; was in Augusta from 7 till 1 o'clock, and then went to Augusta and came back at 6 o'clock. I noticed a great multitude of white people had gathered here—about seven or eight hundred—some on foot and some mounted. They were white people. They were all armed, either with pistols or guns. I recognized General Butler. When captured, I recognized Tommy and Harrison Butler and Henry Getzen. When I first came in town they were on foot when I saw them. When I came over I saw such a multitude of people I thought I would go in drill-room. I am not a member of Doc. Adams's company. I saw the company when I went in drill-room waiting for orders, and to see what the white people were going to do. There were, I think, between thirty and thirty-five men in drill-room. After there a while, the whites opened fire from abutment of Charleston, Columbia and Augusta Railroad. This was between 6 and 7 o'clock, or near 7. I had been there about half an hour before firing opened. I saw plenty of whites on the street before firing commenced, and after in drill-room, from the windows. I had heard no firing until fire was opened from Charleston, Columbia and Augusta Railroad abutment. I saw no colored men among the armed white men. Whites fired first; shot from abutment of Charleston, Columbia and Augusta Railroad; don't know who fired first; shot from abutment. It was a half-hour before shot fired from drill-room or building. The whites outside continued to fire on building a full half-hour, continuously. After that the men in building returned fire under orders from captain. We then fired out of building. We were in building after firing commenced an hour, or probably more, before we came out. Captain Adams gave orders for a part of the men to go out in Centre street, and the other on Market street. I went under my house, which fronts Market street, in rear of drill-room, and staid there until they surrounded my house. After staying there a while they surrounded the house. I came out back end of the house; told them I surrendered, and not to shoot me. I found out there a plenty of white men; did not recognize any of them. This was between 1 and 2 o'clock. When I came out it was bright, moon shining. When I surrendered, carried me down to the ring. It was a place surrounded by guards, with prisoners in the middle. It was in Market street, about one hundred yards from South Carolina Railroad depot; told me to remain there until further orders, surrounded by armed white men all the while; had other prisoners in ring; recognized Butler Edwards, Harry Mays, Jacob Young, Frank Robison, Arthur Wigfall, Allen Attaway, Dave Phillips, George Archer, Gilbert Miller, Willis Davis, Pompey Curry, Billey Green. I was in the ring with these men; kept there until near three o'clock. While there some says, "What shall we do with them?" Some says again, "Carry them to Aiken jail." Some says,

“Columbia County.” I don’t know what they meant by this. Some says, “Hang them.” Some says, “Pile them together and shoot them.” Some says, “Carry them down railroad and loose them;” and they said, “Take Attaway and talk to him;” and some said, “Get orders from General Butler.” Some then went off, and were gone about one instant; came back; called for Mr. Attaway; took him from crowd; carried him to South Carolina Railroad. I then heard tremendous firing right off; could not see any of them then. They then came back and said, “Get orders from General Butler again;” party went off as though to get orders from General Butler, and came back and called for Dave Phillips; carried him same direction as Attaway was taken. I then heard tremendous firing again. Some gentleman then came up, says, “Here’s a man I know, and he is not to be shot.” I was the man they meant; took me out from the ring behind some of the crowd and told me to leave. I did leave then; I saw no more of the transaction; went to a place of safety. I saw General Butler at the ring, on his horse. I heard him called and he answered. He lives in Edgefield County. I have known him some time; about one year. I don’t know Pick Butler. General Butler has a heavy beard; I heard people say that he was General Butler, he answered to that name; I am sure it was General Butler they called. This was before Attaway was put in the ring, about one hour. I heard them say, “Get orders from General Butler.” I came out from where I was concealed about 5 o’clock Sunday morning. Saw good many colored people in the streets looking at the dead. I saw Attaway’s body, Dave Phillips, Moses Park, James Cook, and Mignard, and another body whom I did not know; all were dead. I noticed Mr. James Cook; his face was mashed up and a piece of his tongue cut off. He was barefooted, lying near the Columbia Railroad. Parks was lying between the Columbia Railroad and corner of Mr. Davis Lipfield’s. Attaway’s body lying in field close to South Carolina Railroad depot; both his and Dave Phillips’s—field called Dunnagan’s or Phillips’s—Mignard’s lying close to South Carolina Railroad and fence of same field. Mignard was not dead when I first saw him.

his
SPENCER + HARRIS.
mark.

Subscribed and sworn to before me this 17th day of July, A. D. 1876.
P. R. RIVERS,
Trial-Justice, A. C.

AUGUSTUS ROBERTSON, sworn, says:

I live three miles from Hamburgh, Aiken County, S. C.; was in Hamburgh on the 8th of July; there was an unusual occurrence in town that day. Some time in the afternoon I saw General Butler come in Hamburgh. He went around to the trial-justice’s office of P. R. Rivers. After a while I started down there; General Butler come back around street before I got there. He was in a buggy with R. J. Butler, and Henry Getzen was on horseback with a rifle in hand; Tommy Butler was also with him, with a rifle in hand. They rode up street to where the company was drilling on the 4th of July, 1876. They came back down toward Centre street, to Mr. Dawson’s store. They all dismounted. I was passing where they were. I spoke to General B.; said, “Good evening, general.” He asked me if I was acquainted with the captain of that

company. I told that I was. He (General B.) said, "You go up there and tell him that he had better come down here and have a talk with me." I went to Captain Adams; told him what General Butler said. Captain Adams told me that he was willing to go and have a talk with General Butler, but he could not go with those armed men around him; that he did not think himself safe. I told General Butler what Captain Adams said. I continued passing about the street. I saw several white men on mules and horses, riding, in town; it was an unusual thing to see men riding in town that late, armed. General Butler called me again while passing on the street; said, "You go and tell Captain Adams that he had better come down and see me." I went and told the captain what the general said. Captain A. again replied to me that he "was perfectly willing to go and see General Butler if he will send them armed men away that he has got around him, and meet me privately to himself; but I am afraid to go there where those armed men are." He was afraid that he would be killed. I went back to General Butler; told him what Captain Adams said. General Butler said, "Tell him that he shan't be hurt." In that time Main street was lined with white men, coming in town on horses, armed. It was unusual to me to see white men coming in town in that way, all armed. I thought that there was going to be trouble here. It was then getting very late. Sun was about half hour high. There were several standing around when myself and General Butler were on Centre street. To my knowledge Dr. Hugh Shaw was standing there with General Butler. Samuel Spencer was standing on the sidewalk. Mr. Samuel Spencer was not armed; he had nothing that I saw. Harry Mays was standing there with an umbrella in his hand. Harrison Butler was there. Saw no colored men armed. All the white men that I saw were armed. I said to General Butler, "What will effect a compromise in this thing, as I am anxious for peace?" He said that "Nothing will effect a compromise but for the negroes to give up their arms that they have; they have no right with them here, and they sha'n't have them;" that "Government don't allow me to drill, and they sha'n't drill, and I give them one-half hour to surrender them arms, and I will have the arms or put the damn town into ashes. They may kill a few of my men, but I will send some of them to hell." I am using the exact language which was addressed to me. I said, "General Butler, I do not belong to the company, and as to giving up the arms I can't do nothing." I walked off from him. I stood about on the street a little while. I was standing on the corner of Centre and Mercer streets, between Mr. Henderson and Davis Lipfield's store. Mr. Henry Getzen came riding down the street and told me that I had better get those women and children away from that corner, where the company armory was; that General Butler said that he was going to open fire on it. I looked up street; I saw General Butler on horseback at the corner near where the militia company of Hamburgh's drill-room was. Harrison Butler said to me, "Guss, you had better leave." I understood him to say so. I asked Mr. Salter, who was standing near by, to let me ride in his buggy. He said he would. I got in the buggy and went off. That was between sundown and dusk. When I was about a mile from the bridge I heard the shooting commence. When I left town it looked like fight. Every minute there was white men, all armed with pistols and guns, drawn up in line of battle, from the corner of Mercer and Cook streets to the river-bank, to near the Sibley's building on the river-bank. There were, as near as I could judge, between one and two hundred. I saw three colored men with their guns going to the drill-room.

It was a usual thing for them to drill on Saturday evening in the drill-room. I am here every Saturday and I know that to be a fact. I did not see any colored men in the street armed after General Butler and his men came in town but the town marshal, and he always has his pistol. When I refer to General Butler in this testimony I mean General M. C. Butler, of Edgefield County, S. C., whom I have known for about ten years.

AUGUSTUS ROBERTSON.

Subscribed and sworn to before me this 18th day of July, 1876.

P. R. RIVERS,

T. J. A. C., Acting Coroner.

JOHN FRYER, sworn, says :

I live in Hamburgh, Aiken County, S. C. I was here on the 8th of July, 1876. I was not here all day ; I came here from my work in the swamp about 2 o'clock and remained here during the balance of the day.

There was an unusual occurrence that day. In the evening when I came, I went home and was washing and fixing to put on some clothes. My wife said, " You fixing to put on clothes, and they is a fixing to have a fuss down there." I said to her that " There is not going to be any fuss, for nobody is going to have a fuss down town." I then put on my clothes and came down town ; was standing before Miss Eliza Brugh's store-door, and saw a good many white men coming in town. Amongst them was General M. C. Butler and R. J. Butler in a buggy ; Tommy Butler with a gun on his shoulder riding by the side of the buggy. After I saw these men, I went to drill-room corner, and stopped there. I saw a good many men coming in. I saw amongst them was Charlie Glover, riding in front of the next squad of men—Charlie Glover, of Edgefield. I then went in the drill-room of the company and sat down. It was then near 4 o'clock. I remained in the drill-room for about an hour, when five mounted white men went to Sibley's warehouse, on the river-bank and Market street, and took position there. About half an hour afterward, General Butler went by the drill-room on horseback and stopped about twenty yards below the drill-room toward the trestle of the Charlotte, Columbia and Augusta Railroad, turned his horse's face toward the five white men, waved to them ; they went to him and all rode off together. Shortly afterward, five men, whom he thinks were the same to whom he has already referred returned and took their position near the Sibley warehouse on the river-bank some time after 7 o'clock. About fifteen or twenty white men went down behind the stone abutment of the Charlotte, Columbia and Augusta Railroad and took position there. Shortly after that the white men that went behind the stone pillar commenced firing at the drill-room. Up to that time no shot had been fired as I know of. I am positive that the first was fired by these white men behind the stone pillar. Captain Adams ordered the men in the drill-room to get away from the windows, and the firing from the outside of the drill-room by the white men was continued from a quarter to half an hour before any shot was returned from the drill-room by our men. Then some of the men at the lower end of the drill-room commenced returning the fire. The firing on both sides continued, as near as witness can judge, for about two hours, that on the part of the whites remaining pretty general,

while that from the drill-room was as occasion offered itself. At the end of that time Captain Adams gave orders for the men to leave the building, and they all came down. Witness went into Schiller's office and staid there until 12 or 1 o'clock. Others of the men had gone in with him, but afterward left him there alone. About the time to which he refers, a crowd of white men broke in the front door, and witness laid his gun on top of the counter, put his ammunition under the counter, and got there himself. A great crowd rushed in, and some with axes commenced breaking up everything in the office. When they struck the counter witness put his head out, and a man named Reese, who gives for R. J. Butler, came round the counter, put a shot-gun in the face of witness, who cried out that he surrendered. Witness was dragged out then, and they commenced beating him with sticks and punching him with their guns. Some of the crowd had lights, and he recognized Tom Settle, of Edgefield, and Reese. The crowd then carried witness to the ring in front of Mrs. Dottery's, in Market street. Arrests of colored men continued and the captured men were put in the ring with witness. Among those witness recognized A. T. Atway, Bower Anderson, Harry Mays, and others. About an hour after witness was put in the ring, he and the rest of the prisoners were moved near to the ticket-office of the South Carolina Railroad. The white men commenced consulting what to do with the prisoners, and the prisoners begging the whites to do what they could for them. Attaway called to Henry Getzen, "Mr. Getzen, do what you can for me." Mr. Getzen answered, "God damn you, I will do what I can for you directly. I know you." All that time witness recognized among the white men, besides Getzen, Rev. John Meeling, Tom Settle, Dunbar Laurar, Dr. Butler, Pierce Butler, Colonel Pickens Butler, Crayton Matheney, (also had a hatchet in his hand,) old Joe Merriwether, Tom Carvill, of Augusta, Luther Reese. Just before Getzen spoke to Attaway, witness recognized M. C. Butler at the ring. All the men he has named were white men, and were all armed. This was near 2 o'clock, and the moon was shining brightly. About two or three minutes after Getzen had said what he did to Attaway, Getzen and seven or eight men took Attaway out of the ring, carried him toward the ticket-office of the South Carolina Railroad, and witness heard firing in that direction and saw the flashing of guns. The white men then returned and called for David Phillips; took him out, carried him in the same direction in which they had taken Attaway, and witness again heard the report and saw the flashing of guns. The crowd then returned, called for Alfred Mayniard, took him out, and carried him in the same direction in which they had taken Attaway and Phillips, and witness again saw the flashing of guns and heard their reports. The crowd then took out Henry Stephens, and the same thing occurred as in the cases of Attaway, Phillips, and Mayniard. The crowd then returned and called on Pompy Curry, and Curry bounced out and ran through the crowd, who fired some fifteen or twenty shots at him, and some of the white men cried out, "God damn it, boys, what better fun do we want than this?" Some of the white men then said, "Let us turn them (the prisoners) loose;" others said "No." Some said, "Let us turn them loose and shoot them." Some said, "Let us take these to Augusta;" others said, "No, we have got as many in Augusta as we can contend with." Finally they ordered them to run, and the men broke loose and the white men commenced firing on them. There were then about twenty prisoners left. Witness got behind a china tree and a crowd came up the street and wanted to shoot him anyhow. Colonel

Pickens Butler came up with a pistol in his hand and said, "No, you can't do that now as you have turned them loose." Witness then went home and laid down.

his
JOHN + FREYER.
mark.

Sworn and subscribed before me this July 18, 1876.

P. R. RIVERS,
Trial-Justice Aiken County, Acting Coroner.

WILLIS REDRICK, being duly sworn, says:

That he lives in Hamburg, Aiken County, S. C.; was there all day on the 8th of July, 1876. About 4 o'clock that evening a crowd of armed white men commenced gathering in the town. Among them he recognized Henry Getzen, Harrison Butler, Tom Butler, Mr. Reese, who stays at R. J. Butler's mill, Robert J. Butler. Armed men continued to come in until about half past 5 o'clock. About that time five armed white men were placed on horses at the Sibley warehouse on the river bank, and five dismounted men at the stone abutment of the Charlotte, Columbia and Augusta Railroad bridge. These remained until about 6 o'clock, when the five near the Sibley warehouse left, and those near the abutment began firing in the drill-room. Witness was in the drill-room with about thirty-two others. He had gone there because he had seen so many armed men gathering that he thought that was the safest place for him. Before the firing began, Louis Cartledge had come to Capt. Doc. Adams in the drill-room and asked him to go to the court at Trial-Justice Rivers's. Adams replied that he did not like to go there while so many armed men were around, as he did not think he would be safe. Cartledge then left. We remained there until the shooting began. In the meanwhile between two and three hundred armed white men, some on horseback and some on foot, had come into town. About 6 o'clock, or later, perhaps, the sun was not very high, Mr. Henry Getzen stepped from behind the pillar or abutment of the Charlotte, Columbia and Augusta Railroad and fired at the windows of the drill-room. At that time no other shot had been fired. The white men continued firing for about ten or fifteen minutes, when the shots were returned from the drill-room. These soon stopped, but the white men continued firing into the drill-room. After the firing in this way had continued an hour and a half or two hours, some of the white men cried out, "The cannon will be over here, and we will shell them out if we can't get them out any other way." At that time the men in the drill-room commenced making preparations to get down out of the back way by a ladder. Witness and the others got out that way, and in perhaps fifteen or twenty minutes the whites began firing with the cannon; an positive three shots were fired with the cannon, may have been more. Witness went under Spencer Harris's house on Market street and staid there about a half hour, when the house was broken into by white people, and he went back into Harris's garden. While going there he was fired upon by some persons out of the Hamburg bank; staid in the garden about a half hour and fired four shots back into the bank building, from which the shooting on him had commenced and continued. As they broke into Harris's house, some one outside holloed "There's a nigger back there in that garden, go back there and get him." Witness hid

his gun and concealed himself behind a post. Five white men came into the garden, and one of them, drawing a pistol into face of witness, asked him where was the gun he was shooting. He answered that he had no gun. They carried witness to a place on Market street where other prisoners had been placed, and on the way there one of the white men asked if he had any cartridges. Upon his answering that he had not, the white man run his hand into the pocket of witness, took out his pocket-book and put it into his own pocket. Witness found among the other prisoners John Thomas, Alex. Grimage, and others. After this the white men brought in Allan Attaway, Dave Phillips, Harry Mays, and Pompey Curry. We were kept there an hour or an hour and a half, when they were taken further down Market street and near to the South Carolina Railroad. Soon after they were put there, some of the guard said, "Let us kill the God damned negroes;" others said, "Take all them sixteen-year-old negroes out and send them to their mothers, and we know what to do with the old negroes." One white man said, "Let the guards be easy, and don't shoot any of these negroes until I can go and see General Butler." At that time the guard said, "How many of these monkeys have we got here?" and somebody answered twenty-seven. Soon afterward the man who said he was going to see General Butler, and who had gone down back the street in the direction of Rivers's office, came back past the prisoners and went up toward the depot of the South Carolina Railroad. While this was going on, witness recognized as being among the guard Mr. Henry Getzen, Neal Benson and his brother, George Benson, and some others whom he knows by sight, but not by name, except a tall man named Tylee, who lives in Shultz Hill. John Swearingen, who lives in Edgefield County, then came to where the witness and other prisoners were, and called for Allan Attaway, and said he wanted to see him. Attaway was taken out by Swearingen and four or five others, across the track of the South Carolina Railroad. Witness heard some firing immediately afterward. Swearingen and the other white men came back without Attaway, and called for Dave Phillips. They took Phillips out in the same direction that they had carried Attaway, and witness heard firing again. The same party came back without Phillips, and called for Pompey Curry. As soon as he was called, Curry jumped up and ran toward brewery, when some fifteen or twenty shots were fired at him. Swearingen then went back to the depot of the South Carolina Railroad, and returning immediately, called for Alfred Mayniard, who was taken across the South Carolina Railroad, in the same direction in which Attaway and Phillips had been carried. Witness again heard the firing. The guards came back again with Swearingen and called for Hamp Stevens, who was taken in the same way across the South Carolina Railroad, and witness again heard the shooting. The guard with Swearingen then came back to the prisoners, and witness saw fifteen or twenty men come from the depot of the South Carolina Railroad, take down the field between where he and the prisoners were and the river-bank, and go down Market street toward Centre. Swearingen then said to the prisoners: "All you niggers hold up your right hands!" The prisoners did so. He then made them swear that they would never raise arms against the white men and would never give any evidence against them in any court. The prisoners were then told to get up and get two deep and walk off. A one-armed white man then said to the others to shoot into them, and if they killed any it was all right, and if they didn't it would make no difference; witness pushed into the crowd of prisoners a few steps and then broke and run, when some fifteen or twenty shots were fired at him; he was not hit; he ran over

toward the brewery, got into a ditch, made his way up to a culvert on the South Carolina Railroad, and staid in it until day. He then went up the road by the South Carolina Railroad depot and saw the dead bodies of Allan Attaway, Hamp Stevens, and Dave Phillips. Alfred Mayniard was also lying there, but not dead; he had a bullet-wound through his neck. There was a bloody spot on the breast, and his breeches were down. On his rump there was a gash between three and four inches long, and perhaps two inches deep, which seemed to witness to have been made by an ax or hatchet. Mayniard asked for a drink of water. Besides those of the armed white men that witness saw at the ring while a prisoner was Charley Coffery, who lives at Mrs. Robertson's, on the Martintown road.

WILLIS ^{his} + REDRICK.
mark.

Sworn to and subscribed before me this July 19, 1876.

P. R. RIVERS,
T. J. A. C., Act. Cor.

BUTLER EDWARDS, being duly sworn, says:

That he resides in Hamburg, Aiken County, S. C. Was here on Saturday, July 8, 1876, all day. About 4 o'clock that day he saw R. J. Butler, his son Tom, and Henry Getzen come into town with several other men whom he does not know. They all stopped by Mr. Danner's, on Centre street. After that a man on horseback went up Centre street toward where the Martintown and Five-Notch road fork. After he came back witness saw a crowd of two or three hundred men on horseback, all armed, ride into town. They went round by the bank building. Witness passed them there, and recognized Col. Pickens Butler, his son Pierce, John Swearingen, Tom Oliver, Dunbar Lamar, and a man named Chaffee. Witness went to the drill-room, and remained there until the shooting commenced, which was about half past six o'clock. The first shot was fired by white men posted behind the abutment of the Charleston, Columbia and Augusta Railroad. They continued firing on the drill-room for about a quarter of an hour before any shot was returned from the drill-room. Several shots, perhaps fifteen or twenty, were made from the drill-room. The firing from the drill-room then ceased, but that from the whites continued for about an hour. Witness was on top of the house, over the drill-room, while all this was going on. When it was getting dark the men from the drill-room came down out of the back way, and were followed by those who had been on top, including the witness. The witness went behind his own house, near the drill-room, and stood there about ten minutes; he then went through Spencer Harris's garden and got under his house, where he remained about three-quarters of an hour. A great crowd of white men then came to Harris's house, commenced cutting up the floor, and looking under the house with lights. Witness ran out and got in a hog-pen. A white man then said, "There is some God damn son of a bitch run in this hog-pen, and he has not come out yet; get him out." Some of them came to the pen, felt around with their guns, and, touching him, ordered him to come out. Some seven or eight guns and pistols were pointed at him. He was then dragged out and taken in the street, between the Charleston, Columbia and Augusta Railroad and the South Carolina Railroad, and taken to General M. C. Butler, who ordered

the witness to be taken to the ring, and said he would be down there after a while. Witness knows General Butler, and the moon was shining very bright. He was taken to the ring near the South Carolina Railroad, and made to sit down. There he found as prisoners Alexander Grunage, Warren Samuels, David Phillips, John Thomas. He was kept there about an hour. In that time Harry Mays, Alexander Martin, Spencer Harris, Gilbert Miller, Allen Attaway, Alfred Mayniard, James Moses, Tom Searles, and some others, until, as he thinks, there were twenty-seven prisoners gathered. All the prisoners were colored. There were about six or seven hundred armed white men around the prisoners and going up and down the street. Among those he recognized as guards were Dunbar Lamar, Captain Miller, of Georgia, Tom Butler; and among the other armed white men he recognized Captain Carwile, of Augusta, and General M. C. Butler. General Butler came up on horseback and asked for Willis Davis, who answered that he was there. General Butler then said, "Willis, are you here in this crowd?" Willis said, "Yes, sir." General Butler then asked Willis if he did not get enough of the militia at the time Ned Tenant and he (Willis) had burnt up his (Butler's) house. Willis answered, "General, I never had anything to do with it." General Butler answered, "You are a damn liar, you damn black son of a bitch. I'll give you enough of it before morning." Some one then said, "General, what shall we do with these men?" and General Butler answered, "Well, rally, boys, and see how many you can get, and then come to me." Witness also recognized Henry Getzen and John Swearengen. Some other prisoners were afterward brought in. Bill Robertson, a son of Judge Robertson, of Augusta, said, "We had better take them out two by two and court-martial them. If they had us they would do us that way." John Swearengen said, "No; we will wait and see what General Butler says." Witness and the rest of the prisoners were then made to march, two deep, near to the South Carolina Railroad, and sat down in the road. After sitting there ten or fifteen minutes, John Swearengen called Attaway out and said he wanted to talk with him. Swearengen and some others then took Attaway across the South Carolina Railroad. Witness, in two or three minutes afterward, heard the reports, and saw the flashes of guns, in the direction in which Attaway had been taken. Swearengen and the crowd came back without Attaway, and some one asked who was next. Henry Getzen answered it was Dave Phillips. Phillips was taken in the same direction that Attaway had been, and witness again saw the flashes and heard the report of pistols and guns. The guard came back without Phillips, and called for Pompey Curry, who got up and ran through the weeds, and the crowd fired at him as he ran. Alfred Mayniard was then called out, and the same things were done as in the case of Attaway and Phillips.

When the crowd returned without Myniard, Hamp Stephens was called out, and the same course was pursued with reference to him. When the guard returned somebody said, "Let us turn these loose;" some one answered, "By God, if you do that you need never call in the assistance of Georgia any more." One said, "Let us kill them all." Another said, "No; we have lynched enough of them anyhow; let us swear them and turn them loose." John Swearengen then said to the prisoners, "I am in command now; get down on your knees and hold up your right hands." He then swore them that they would never rebel any more, nor raise arms against the whites, nor give any evidence against them. Swearengen then ordered them to stand up, two deep, and turn to the right. The prisoners kept straight up the street, and the one-armed man said, "Shoot into them, and if you kill any of them it is all right, and if you don't kill any of

them it is all right." Witness and the rest of the prisoners ran up the street, the crowd firing into them as they went. Witness came to the bank building, and found another crowd of white men there. He told them that the other white men had told them to run, and that they would not shoot at them, but that they had done so. The white men said, "Well, travel up ; we won't shoot at you." They did shoot at us, however, and I was shot in the head when near the platform of the Charleston, Columbus and Augusta Railroad, and fell. Witness grabbed the platform, jumped up and ran again, calling to some of the other prisoners to wait—that he was shot. Witness then went home, and remained there until twelve o'clock the next day. Witness remembers to have seen John Crawford and Robert Gardner (called sometimes Garner) as among the armed men who came into town Saturday afternoon.

BUTLER ^{his} + EDWARDS.
mark.

Sworn to and subscribed before me this July 19, 1876.

P. R. RIVERS,
Trial-Justice, Aiken County, Acting Coroner.

No. 6.

Statement of M. C. Butler.

THE HAMBURGH COLLISION—GENERAL M. C. BUTLER'S CONNECTION
WITH THE RIOT—AN ADVOCATE OF PEACE, LAW, AND ORDER.

Editors Columbia Register :

Certain newspaper editors and reporters have done me so much injustice by false reports in reference to the recent disturbance in Hamburg, that it is due to myself to make to the public a statement of my connection with it.

On Friday evening, July 7, Col. Thomas Shaw, with his brother, the Rev. William Shaw, was at Edgefield Court-House to see Mr. H. W. Addison and Mr. A. J. Norris and myself on business. After transacting it, Colonel Shaw said to me that Mr. Robert J. Butler, who lives near Hamburg, in Aiken County, desired me to be at Hamburg on the following evening. (Saturday,) at 4 o'clock, to represent professionally his son, Thomas Butler, and son-in-law, Henry Getzen, in a trial to be had before Trial-Justice Prince Rivers. Mr. Butler has been a lucrative client of mine for many years. I inquired of Colonel Shaw if he knew the nature of the case to be tried, and he said he knew nothing except what he had heard—that these two young men had had an altercation with a company of negro militia in the streets of Hamburg on the 4th of July, and that Mr. Robert Butler had complained to Rivers, the major-general of militia, and trial-justice, and that he supposed the trial referred to that matter.

I accordingly left Edgefield at 9 o'clock next morning in a buggy. When I had gone about seven miles on the old stage-road, I met Dr. George Wise, who inquired if I had heard the news from Hamburg. I replied that I had heard nothing special, but was on my way to Hamburg to attend a trial before Rivers. He said the information had reached his neighborhood that the negro militia had threatened to lynch

Thomas Butler and Henry Getzen if they were not convicted, and that several young men had gone in that direction.

When nearing the town, I sent word to Mr. Robert Butler to meet me in Hamburg, and give me the facts of the case in which he wished me to appear. Mr. Butler did meet me in a short time, and I there for the first time ascertained the character of the trouble.

I had nothing whatever to do with the matter up to that time—knew nothing but what I have stated. My business there was simply professional; had nothing about me but one law-book, and had no more idea of there being a collision than an utter stranger.

I learned, after reaching Hamburg, that Mr. Henry Sparnick, of Aiken, was in town as the attorney of the colored militia, and sent for him with a view of arranging for the trial or effecting some arrangement between the parties. Mr. Sparnick met me, and, I think, will do me the justice to say that my earnest effort was to prevent any further trouble, if possible; and he appeared equally anxious.

Mr. Robert Butler then interposed, and said to Mr. Sparnick that if these men would make acknowledgments for their abuse and maltreatment of his son and son-in-law, he would be satisfied. I said nothing about any apology myself.

It was then proposed that we hold a conference with the officers of the militia company and Prince Rivers, and see if we could not adjust matters. I made this proposition. Mr. Sparnick assented, saying he had influence with the negroes, and he thought we could arrange it. He went off, as I supposed, to bring his clients, but did not return.

Sam Spencer, a negro man, came to Mr. Dam's store, where I was with Mr. Robert Butler, his son, and son-in-law, and said that he desired to see me privately. I at once went into Mr. Dam's back room. He said he was sorry to see so much excitement, and I expressed regrets at it, when he said that he thought, inasmuch as Trial-Justice Rivers was to hear the case, he would prefer not to be in the conference. I agreed with the propriety of that position; and he then said that the officers of Doc. Adams's militia company would meet me, but did not like to come to Mr. Dam's store, as there were armed men there, but would meet me at his (Spencer's) office if agreeable to me. I said certainly I would meet them at his office, and alone if they preferred. He then went off, and did not return.

The time appointed for the trial having arrived, I proceeded, with my clients, to the trial-justice's office. Rivers was not in, and after a time his clerk went for him, and he opened his court. I inquired, as a preliminary question, whether he was sitting as a civil or military officer. He replied that that depended upon the facts as they would be developed; that he was then acting as a peace officer. I remarked that I was indifferent as to the character of the court, as we only desired to arrive at the facts, and inquired if the accused parties would be present. He said that he did not know, but would have them called; which his constable proceeded to do from the door. About this time Sam Spencer came in, and said to me that he thought if the trial could be suspended the matter could be settled. I replied that he must see the trial-justice, and if he would suspend I had no objection. Whereupon Rivers announced the case suspended for ten minutes, and I was invited by the intendant of the town, a negro man named Gardner, to the council chamber, for the purpose of meeting the militia officers of Adams's company. I repaired at once to that place, and remained there about a quarter of an hour. Nobody appearing but Gardner, with whom I had some talk as to the necessity of something being speedily done, and that I thought

the best solution of the matter was that these people should deliver up their arms as a means of settling the present difficulty, and a guarantee against a future recurrence; he said he knew nothing about it; and waiting, as I thought, long enough, I got in my buggy and went over to Augusta on business having no relation to the Hamburg matter, and while there was questioned by a number of persons as to the status of affairs in Hamburg, to whom I replied that I thought a collision between the whites and blacks imminent and likely to take place.

After dispatching my business, I was returning through Hamburg, on my way to spend the night at Mr. Robert Butler's, two miles in the country, and leave for home early next morning. When about half-way across the bridge, I met a delegation of four negroes—Pixley, Edwards, Spencer, and Sims—who stopped me and said that if I would go to Spencer's office the officers of the militia would meet me and endeavor to stop the impending trouble. I agreed; went directly to the appointed place, and waited there some twenty or thirty minutes, but one of the officers, Cartledge, appearing. He said he would do all in his power to induce the militia to disband and give up their guns, and I believe he did.

While I was in Augusta a body of men rode into the town, (Hamburg,) mounted.

I went around the street to look for Mr. Butler, and had not been gone long before I received a message from Prince Rivers asking me to meet him. I declined to do so, saying that we had made about four appointments, which were observed by myself only, and that he must come to me. I, however, did go to meet him, and he asked me, if the men would give up their arms, would I guarantee the safety of the town. I said I have nothing whatever to do with the town, and could give no guarantee of any sort, as I had no command or authority, but would say, as a citizen, that, in my judgment, if they would do that, there would not be the slightest trouble; and he said that he thought that right, and would go and advise them to that course. In about ten minutes the report was circulated that the negroes refused to give up their arms, and intended to fight; and a few minutes thereafter the fight did ensue. The negroes were fortified in their drill-room, in a brick building known as Sibley's corner, and they raised a yell and fired from the windows, which was responded to by the whites, and a general firing took place.

Not a very great while after the firing began, Mr. McKie Merriwether, a most estimable young man, was shot through the head and killed. Not a negro had then been touched, and Merriwether's death naturally infuriated the already excited crowd, and they were under the leadership of no one.

During the firing some parties unknown to me brought over a piece of artillery and fired four or five times at the building, and returned. The firing of the negroes from their position then ceased. I left the crowd arresting the negroes. How many were killed, or how they were killed, I do not know. This collision was the culmination of the system of insulting and outraging of white people which the negroes had adopted there for several years.

Many things were done on this terrible night which, of course, cannot be justified, but the negroes "sowed the wind and reaped the whirlwind."

I did not attempt to accomplish by force what I could not accomplish by peaceful means.

I was not the leader of this body of infuriated men. I was there in the line of my profession. The collision was a sort of spontaneous com-

bustion. I thought I saw it approaching, and did all that any human being could be expected to do to prevent it.

I have no objection to being saddled with whatever responsibility fairly attaches to my conduct, but I have no idea of permitting newspaper reporters, for the sake of a sensation or any other purpose, presenting me as the leader of a mob, when I was no more the leader, and no more responsible, than any other person who might have been there in the line of his duty.

M. C. BUTLER.

No. 7.

EDGEFIELD, S. C., July 16, 1876.

To the Editors of the Journal of Commerce :

The high joint commission, consisting of William Stone, carpet-bag attorney-general, and the mulatto adjutant-general of the State, Purvis, have lately visited Hamburg to investigate the "horror," and the former has made his "report." Why Governor Chamberlain should have subjected the State to the expense, and these two dignitaries to the trouble of going to Hamburg, is somewhat surprising. When we read the "report," and consider the data from which it is made, the *ex-parte* statements of lying negroes, and the partial, partisan, and false conclusions of its facile author, the suggestion arises, why the affidavits were not written out in Columbia, made to order there, and sent by express to be executed without limit by the dusky affiants of that rendezvous, Hamburg. This plan would have answered the purpose of the outrage-manufacturers and their hireling newspaper champions just as well.

If this so-called attorney-general had been in the pursuit of truth, why did he confine his inquiries to the besotted negroes and a few perjured white men who had instigated them into an armed insurrection against the laws of the country, the rights and property of its citizens, and the safety and peace of that community? If acting within the purview of the duties incident to the high position in the State to which the accidents of war have elevated him, why did he so heartily conclude his investigations before getting at the real facts of this unfortunate *emeute*, and rush into print with a report pregnant with partisanship and fragrant with the odor of radical falsehood? If his hireling champions of the press had desired to present to the public a truthful account and a fair representation of the "Hamburg horror," why did their accommodating reporters seek for publication the statements of such worthies as "Dock" Adams, Prince Rivers, Gardner, and other negroes of that ilk, and avoid sources of information which could have thrown light at least upon the subject of inquiry.

Why should these champions of radical outlaws, these bolsterers of the waning fortunes of one of the most infamous, imbecile governments that the world has ever known, so "swiftly denounce" the white men engaged in the merited chastisement of this body of armed outlaws, bandits, and robbers, as "fiends," "cowards," &c., and have not one word of condemnation for the outlaws, bandits, and robbers themselves? Why have the editors and reporters lashed themselves into spasms of horror and shame and mortification at the death of a few of these armed outlaws, and find in their hearts not a feeling of regret or sorrow at the death of that splendid, fearless, and honorable young man, McKie Merriweather, who was murdered in cold blood by these same outlaws? I

can point out just twenty misstatements of facts in the "report," which could have been easily avoided if the doughty attorney-general had taken the trouble to arrive at the truth. As he recommends a judicial investigation—and sundry threats of arrests have been made by certain valiant knights of the quill, who I presume will volunteer to play constable for that purpose—I will reserve my exposure of these falsehoods for that interesting occasion.

Upon the heads of those charged with the execution of the laws rests the responsibility for this collision. If it is true that Governor Scott placed these arms and this ammunition in the hands of these ignorant people, it was a crime against them and the white people that he did so. It was a crime in Governor Moses to have allowed them to remain in their hands; and it was more than a crime in Governor Chamberlain, in the light of his experience upon that subject. It was a cruel and inexcusable wrong, an unpardonable sin against the peace of the country and the lives of the people, that he should have allowed these guns and ammunition to remain in their hands.

The jurisdiction and powers of a trial-justice are large, and the responsibility proportionally increased at an important point on our border, like Hamburgh; and a man of the greatest discretion, fidelity, and firmness could and should have been procured to fill the office; but instead of that, this man Prince Rivers, wholly unfit for so important a station, is the only acting trial-justice in Hamburgh, and I believe the next nearest in Aiken County is about twelve miles distant.

Now, if there had been a trial-justice accessible who would have given Mr. Robert Butler justice, when, like a law-abiding man, as he is, he appealed to him to protect members of his family against this so-called militia, this "horror" would never have been chronicled.

Not only does he not afford him protection, but the ruffianly constable of this trial-justice, one Bill Nelson, a copper-colored negro, insults me as his attorney when I approached him in a perfectly respectful manner to inquire about the whereabouts of the trial-justice, in order to begin the investigation. I was, moreover, baffled and trifled with for hours by this trial-justice and his negro associates until this armed company of outlaws had time to concentrate in their armory, where they could successfully maintain their attitude of armed insurrection, armed with guns which this same Prince Rivers admitted in my presence had been taken from him by these negroes without authority.

The town had a negro intendant, negro aldermen, negro marshals. It was almost a terror to every white man whose business required him to pass through it. They had harbored thieves and criminals from every direction. They had arrested and fined some of the best and most peaceable citizens for the most trivial offenses against their ordinances—some for drinking out of a spring adjacent to the highway. One young man was fired upon, the ball passing through his hat, arrested, dragged to prison and heavily fined, because his horse shied on the edge of a sidewalk. An old man was arrested, insulted, and fined because his horse turned on the sidewalk as he was in the act of mounting. Market-wagons, camping within five or six miles of the town, have been robbed night after night; cattle had been stolen and run into this place and sold. Stolen goods have been systematically received here, the parties knowing them to be stolen. For nights previous to the collision, unoffending white citizens were halted by the pickets of these militiamen, armed with State guns and stationed on the highways. In one instance, five or six of them had scraped their bayonets on the palings of a gentleman, and upon his remonstrances cursed and abused

him in the hearing of his wife and some visiting ladies. The names of all these persons can be given.

Why did this attorney-general and the "swift denouncing" newspapers not put themselves to some trouble to ascertain the provocations on both sides. This was not a company of State militia, but a band of negroes organized contrary to law, or without authority of law, who had taken the State property without authority. That "Company A, Ninth Regiment National Guard of the State of South Carolina," had been disbanded for several years, and that this band had usurped their organization without authority; that they had not only unlawfully and riotously obstructed the public highways, but had broken up a civil court, defied its processes, and resisted its mandates, and insulted its officers, and riotously threatened the lives of peaceable citizens.

Why do they not publish the fact that a certain white man who lives in that town of Hamburgh, and publishes a radical paper in Columbia for circulation in Georgia, was seen on the train going toward Columbia on Thursday evening previous, and returning, as is strongly suspected, with ammunition for these negroes?

Why have they not reported that this same man said to the negroes, after the altercation on the streets on the Fourth of July between this so-called militia company and young Butler and Getzen, that "they (the negroes) ought to have shot Getzen to death, and beat Butler's brains out with the butts of their guns," and that he incontinently fled like a mischievous cur, when the storm which he had brewed burst upon the offending negroes.

Why have they not reported all of these provocations I cannot conceive, except upon the hypothesis that they are paid to lie and to slander and misrepresent the white people of this State for political effect.

They say that the demand was made upon the negroes for the arms without authority or justification. Why had not any citizen or number of citizens the right to demand them?

Prince River, a brigadier or major general of militia, had said publicly that they were taken from him without authority. The negroes had assembled riotously; were in a state of armed resistance to the laws, and any citizen or number of citizens had the right to disperse the rioters and suppress the riot, and to use just so much force as was necessary to accomplish it, and if every negro engaged in the riot had been killed in the suppression, it would have been excusable, if not justifiable.

The tribunal of the written law had been applied to, and ignominiously failed. Delay would have been fatal to the safety of the lives, families, and property of the unoffending, peaceable citizens. Prompt, short, sharp, and decisive action was necessary, under the dictates of that unwritten, inalienable law known as self-preservation, the first of all laws. Some there may have been who were glad of an opportunity to punish those who had accumulated wrongs, insults, and outrages upon them such as I have enumerated. I can sympathize with them, if I cannot approve such a means of vindication.

I have upon a previous occasion explained how and why I was in Hamburgh. I did nothing there which I regret, or for which I have any apologies to make, and would do again just what I then did.

I might have avoided the storm by fleeing from it. But I conceived that I had certain duties to perform, and I was not brought up in that school which allows any man to desert his friends and clients when they are in danger and their families and property in jeopardy. I am indifferent to the opinion of those howling hypocrites, and ask no favors at their hands, and shall grant none. Their threats of United States

soldiers have no terrors for me or the people of Edgefield. We have had these soldiers with us and have no objection to their coming again. We have found the officers gentlemen as a general thing, and the men orderly and law-abiding, and they will do no more than execute their orders and enforce the laws.

I invite a judicial investigation, and am prepared to submit to the arbitrament of the law, and such is the feeling, as far as I have been able to learn, of every white man who is in any degree connected with the affair. The white men of this country have some rights which the negroes are bound to respect. They have no other feeling for them than kindness and pity. Kindness for their loyalty to our families during the war, and pity that they will permit themselves to be made the tools of bad, mischievous, designing white men and mulattoes. So long as they obey the laws, every honorable man of the country will feel bound to protect and encourage them in happiness and prosperity.

Very respectfully, yours,

M. C. BUTLER.

No 8.

STATE OF SOUTH CAROLINA, EXECUTIVE CHAMBER,
Columbia, July 13, 1876.

Hon. T. J. ROBERTSON,

United States Senator, Washington, D. C.:

DEAR SIR: Your request for a statement from me of the recent bloody affair at Hamburg, in this State, was duly received. I have waited before replying until official reports and statements should be received. There are now before me the official reports of the attorney-general and the adjutant and inspector general, the testimony taken at the coroner's inquest, and the written statements of several other persons who were present and witnessed the whole or parts of the affair. I will present to you, as briefly as possible, the leading facts as they appear from the evidences to which I have referred. On the 4th of July instant a company of the State militia (colored) were marching along one of the streets of Hamburg. The street was over one hundred feet wide, and the company was marching in columns of fours. While so marching, they were met by two young white men in a buggy, who insisted on keeping their course in the street without regard to the movements of the militia, and drove against the head of the column, which thereupon halted. Some parleying took place, which resulted in the company yielding, opening their ranks, and allowing the young men to proceed on their course. On the following day the young men referred to took out warrants of arrest against some of the officers of the militia company, who were brought before a trial-justice for trial.

The trial was afterward adjourned till 4 p. m. Saturday, the 8th instant. Before that hour arrived on Saturday, many white citizens from the country around Hamburg began to gather in the town, armed with guns and pistols. The militia company in the mean while had assembled at their armory in the village, and at the hour set for trial the defendants did not appear. At this point it has been stated in dispatches and newspapers that the militia-officers having defied the authority of the trial-justice, the citizens were called on to assist the trial-justice by acting as his posse.

Nothing of the kind in fact occurred. The militia failed to appear because of their fear of injury at the hands of the armed white men, and the trial-justice, after formally calling them, took no further steps to cause their presence in his court, on account of the excitement and the evidences of an impending conflict. While affairs were in this condition, there being, according to all accounts, from two to three hundred armed white men from the surrounding country in the town, a demand was made by the whites for the surrender to them of the arms of the militia. An hour or two passed in negotiations concerning this demand, the whites informing the militia company that if the arms were not given up in a short time, most of the witnesses say in a half-hour, the whites would open fire on the militia. The militia refused to deliver up their arms, saying that the demand was wholly unwarranted and illegal, and that they had reason to fear for their lives if they gave up their arms. A brisk fire was then opened by the whites upon the building in which the militia was assembled, and soon after one of the attacking party was killed by a shot from the militia in the building. A piece of artillery was thereupon brought across the bridge from Augusta, loaded with canister, and fired several times at the building in which were the militia.

This had the effect to cause the militia to endeavor to make their escape from the rear of the building. The town-marshal of Hamburgh, a colored man, who was leaving the building, was instantly shot by the attacking party.

While thus endeavoring to escape from the building twenty or twenty-five of the militia were captured by the attacking party and kept under guard for several hours. Finally, about 2 o'clock on the morning of the 9th July, (Sunday,) after consultation among their captors, and with complete apparent deliberation, five of the captured militia men were called out, one by one, and shot to death in the presence of a large body of their captors. The rest of the captured party were either turned loose or broke loose and ran. They were fired upon as they ran and three of them severely wounded, one of them probably mortally.

Attorney-General Stone thus succinctly reports this part of the affair. "Six men took A. T. Attaway out of the 'ring.' He and his mother begged for his life; but in vain. He was told to turn around and was shot to death by the crowd. David Phillips was next taken out and was similarly killed. Pompey Curry was next called out. He recognized among the by-standers Henry Getzen and Dr. Pierce Butler and called on them to keep the other men from killing him. He ran and was shot as he ran, one bullet striking him in the leg below the knee. Afterward Albert Meyniart, Moses Parks, and Hampton Stevens were killed. Stevens did not belong to the company."

The attorney-general, who has personally visited Hamburgh, thus concludes his official report to me :

"Making due allowance for errors in minor details, the facts show that the demand on the militia to give up their arms was made by persons without lawful authority to enforce such demand, or to receive the arms had they been surrendered; that the attack on the militia to compel a compliance with this demand was without justification or excuse, and that after there had been some twenty or twenty-five prisoners captured and completely in the power of their captors, and without means of making further resistance, five of them were deliberately shot to death, and three more severely wounded."

Such was the affair at Hamburgh. If you can find words to characterize its atrocity and barbarism, the triviality of the causes, the mur-

derous and inhuman spirit which marked it in all its stages, your power of language exceeds mine.

It presents a darker picture of human cruelty than the slaughter of Custer and his soldiers, for they were shot in open battle.

The victims at Hamburg were murdered in cold blood after they had surrendered and were utterly defenseless. No occasion existed for causing the presence of a single armed citizen in Hamburg on the day of the massacre. No violence was offered or threatened to any one. It is indeed said, as usual, that "the niggers were impudent," but the evidence shows that all the actual physical aggression was on the part of the whites; that they made a demand which they had no right to make, and that when that demand was refused, as it should have been, they proceeded to enforce it by arms, and crowned their success in enforcing their demands by brutal murders.

Shame and disgust must fill the breast of every man who respects his race or human nature, as he reads this tale. To me, in my official capacity, wherein, as you will testify, I have done my utmost, at no little risk of personal and political detraction from my political friends, to remove abuses and restore good government and harmony to our people, the occurrence of such an appalling example of human passion and depravity comes as a deep mortification and discouragement.

What hope can we have when such a cruel and blood-thirsty spirit waits in our midst for its hour of gratification? Is our civilization so shallow? Is our race so wantonly cruel?

Such acts call for condemnation and punishment; for condemnation as a bloody blot on the record of your race and mine; as a cruel affront to a race whose long-suffering patience and forbearance challenges the admiration and gratitude of the world; as a shameful dishonor to the name of South Carolina; for punishment as a violation of the laws of the State, and a wanton blow at the peace and happiness of our State.

I am glad to testify to the horror which this event has excited among many here who have not been wont to heartily condemn many of the past bloody occurrences at the South. Nothing, however, short of condign and ample punishment can discharge the obligation of society and our State toward the authors of such a causeless and cruel massacre.

Very respectfully, your obedient servant,

D. H. CHAMBERLAIN,
Governor of South Carolina.

No. 9.

An appeal to the nation by the colored citizens of Charleston—Resolutions of indignation on the Hamburg massacre, July 8, 1876.

To the better class of citizens of South Carolina, to this great nation, and to the civilized people of the earth: We, the colored citizens of Charleston, in behalf of our fellow-sufferers in the upper country of this State, who have been sufferers at the hands of a class of outlaws and semi-barbarians who, ever since the war, have practiced wrong and outrage upon the helpless, unoffending colored people because of their emancipation by the war, which the Southern people themselves waged against the constituted authority of the United States for the maintenance of African slavery in this nation; we, the colored people, since emancipation, have sought to improve upon all the advantages guaranteed to us by the new circumstances which surround us. We have

sought to make ourselves worthy of the blessings flowing to us by freedom and the privileges of citizens. Recognizing the genius of this Government to clothe every freeman with full powers and privileges, we have felt that all the rights of manhood were ours in common with all other nationalities who make up this great nation. We feel that the Constitution and laws of this country confer full and equal rights, privileges, powers, and immunities, and that the fact that our race have been in slavery in this nation does not debar every one now under the emancipation acts and reconstruction laws of Congress, and the general acknowledgment of general freedom to all the inhabitants of this nation, full enjoyment of all the privileges of citizens. We recognize as guaranteed to every colored man, woman, and child the enjoyment of the same security in law, and protection of life and property, as are secured to the white race; thus, we cannot see why there should be any discrimination in law or equity between them as Americans.

Recognizing these facts as above, we fail to understand why we should be subjected to the perpetual and unwarranted persecutions which are constantly forced upon us. We, in our new relations to this nation and people, have sought to improve our condition by industry, honesty, and the education of our children. We have contributed our part to the growth and general prosperity of our State; we have been peaceable and law-abiding citizens; we have been the producers of the great productions in this State; we are contributing daily to the growth and wealth of this State by our industry. The late unwarrantable slaughter of our brethren at Hamburg, by the order of General M. C. Butler, of Edgefield County, was an unmitigated and foul murder, premeditated and predetermined, and a sought-for opportunity, by a band of lawless men in that county, known as regulators, who are the enemies of the colored race in that county, composed of ex-confederate soldiers, banded together for the purpose of intimidating the colored laborers and voters at elections, and keeping the "negroes in their place," as they say. This same band of brigands and murderers have kept the colored people of Edgefield County in a state of terror ever since the war; the trouble with the Edgefield militia last year, and the murder of the hundreds of colored people in that county; the burning of colored women and children within the last year in that county by this same band, and the shooting of the six colored men falsely charged with the murder of two white persons, in that county, are all traceable to this same band of regulators, of whom General M. C. Butler is the acknowledged head and commander. All the difficulties in that county and the adjoining counties are instigated and led on by these same men. There is no law or justice in that county; the officers of the law are threatened if they attempt to execute justice upon any of these lawless men, and in all the murders committed not a man has been tried or convicted in that county, because this band of regulators override all law except that of violence. No man's life is safe who does not bow to their wishes; the lives of every republican leader in that county are now threatened, and General M. C. Butler has already announced in a public speech in Edgefield that *six* of the leading and influential republicans in that county *shall either leave the county or be murdered*. These men have sworn to carry these upper counties this election, and this *unarming of the colored militia* is the precursor of their work of blood and murder which they propose to inaugurate this fall, in order to carry the election. We cannot contemplate this state of affairs without feelings of horror at its existence. Were we brought face to face with men of honor, with men who could and

would observe the rules of honorable warfare, we could feel some degree of satisfaction in knowing that we had honorable foemen to contend with; but when midnight riders, and ungovernable and unprincipled murderers rush from behind bushes and by-paths and shoot unarmed men, and *burn the houses over the heads of unoffending women and children*, as has been done in Edgefield, and plunder the homes of men whom they have just slain and chopped their flesh into mince-meat, and exhibited it to the *by-standers*, and *taunting the children of the murdered with offers of their parents' flesh to eat*, as was done on the 8th of July in Hamburg by South Carolinians, there is no language in the English vocabulary sufficiently strong to characterize such a people and such conduct. If we had committed any outrage against these men, if we had wronged them in any way, there was law and power sufficient to punish any one, and the officers of the law are always ready to punish the violations when colored men are in the case; it has never failed to punish in such cases. Our brethren lately murdered at Hamburg had done no wrong against the white men of Edgefield, of Aiken County, or of Georgia. They were celebrating the national birthday on the 4th of July in a quiet and peaceable manner; they were not obstructing the highway, as alleged by Mr. Butler and Getzen, who were in a buggy going to Edgefield. The militia company was drawn up on a road, not directly in the line of travel by these two white men, but these men, being of the regulators, sought this *opportunity* as a pretext to raise a difficulty with the colored militia, whom they halted because they were negroes. They attempted to drive through their lines, and were prevented by Doc. Adams, the captain of the company, and for this *offense* to two white men, General M. C. Butler leads two hundred of his regulators from Edgefield to Hamburg, twenty or more miles, on horses, on the following Saturday, while the company in Augusta are notified to be ready by General M. C. Butler. Saturday came, and the results are known to the public.

Now, against these outrages we here, and in the name of humanity, in the name of civilization, in the name of outraged law, in the name of good government and the peace and welfare of this nation, enter our unqualified condemnation of these crimes and outrages. We protest against these men and their aiders and abettors, and in the name of the majesty of law and order we demand that Governor Chamberlain shall at once invoke all the powers of this State to bring M. C. Butler and his clan to justice, and that no means or treasure be spared to punish these criminals. And we invoke the consideration of this whole nation and the powers of the Federal Government to see to it that the great principles of equal justice before the law, and equal protection under this Government, be maintained throughout this nation, so that safety to life and property, and the right to vote as conscience shall dictate, to every citizen, shall be forever secured to all throughout this broad land.

We tell you that it will not do to go too far in this thing. Remember that there are 80,000 black men in this State who can bear Winchester rifles and know how to use them, and that there are 200,000 women who can light a torch and use the knife, and that there are 100,000 boys and girls who have not known the lash of a white master, who have tasted freedom once and forever, and that there is a deep determination never, so help them God, to submit to be shot down by lawless regulators for no crimes committed against society and law. There is a point at which forbearance ceases to be a virtue; *cowards driven to desperation* often destroy those who corner them. The negro

in this country will not always be docile—he will not always be restrained by his law-abiding character—the rising generation are as brave and daring as are white men; already that spirit is taking deep root in the minds of thousands who have nothing to lose in the contest, and who would rejoice in an opportunity to sacrifice their lives for their liberty.

At a meeting of several of our citizens, held July 10, 1876, it was resolved that a committee of seventeen be requested to frame certain resolutions, setting forth the enormity of General M. C. Butler's course, and to present the above-mentioned set of resolutions before the people of this (Charleston) county, in mass-meeting assembled, in order that steps may be taken to bring General M. C. Butler to justice as speedily as possible.

First. That we hold it the duty of every citizen to see to it that justice is meted out to all classes, and that any infringement upon, or violation of, the rights of our people should meet with disapproval and indignation, and that such sentiments should openly be made manifest, that those who violate and infringe the rights of any of our citizens should be brought to the bar of justice, no matter how humble that citizen whose rights has been violated.

Secondly. That in view of General M. C. Butler's outrageous attack upon civilization and humanity, in the murderous assault at Hamburg, S. C., and his cool, deliberate murder of many of the inhabitants of the State without any provocation, after they had surrendered to his illegal organization and authority, we meet to express in mass-meeting, as citizens of Charleston County and inhabitants of the State of South Carolina, our indignation at such an illegal and high-handed outrage perpetrated upon the people of the State, and more especially of Hamburg, S. C., demonstrating by our actions that such criminality *shall not* go unpunished, and that the instigators and perpetrators of these outrages be summarily dealt with. Then, be it—

Resolved, That we, in mass-meeting assembled, do heartily unite in denouncing General M. C. Butler and his fiendish colleagues as criminals before the law of our county, and subject to its penalties. First. Because without any authority General M. C. Butler did gather together a band of insurgents from South Carolina and Georgia. Secondly. Because General M. C. Butler, a private citizen, having no authority whatever, did command the militia of Hamburg, S. C., to turn in their arms to him, in consequence of their failing to give the right of way to Messrs. Thomas Butler and Henry Getzen, while they, as civilians, were riding out in their carriage, and *that* while they, the militia, were observing a national holiday and parade, namely, the Fourth of July.

Thirdly. That on the militia failing to comply with his illegal commands, General M. C. Butler did, without any authority or shadow of legality, attack the regularly-commissioned and legally-appointed militiamen, and called in the assistance of Georgia with artillery to *compel* the militia of Hamburg, S. C., to submit to his illegal commands, on the ground that they, the militia-men, were not necessary in Hamburg, S. C.

Fourthly. That, in pursuing the course marked out by himself, General M. C. Butler's insurgents did, at his commands, shoot and kill several of the citizens of Hamburg, S. C., who were members of the militia, and that even after they had surrendered, General M. C. Butler's vindictiveness still held out, and induced him to shoot and kill the prisoners in cold blood, namely, James Cook, A. T. Attaway, Albert Merrit, Moses Parker, Dave Phillips, and Hamilton Steven, thereby invoking condemnation from all law-abiding citizens, and placing himself and his con-

federates within the power of the laws of our county. Therefore, be it finally—

Resolved, That although many miles from the scene of action, we do unite in mass-meeting to express our just indignation, and that we do show, heartily, approval of these resolutions by petitioning his excellency Governor D. H. Chamberlain to pursue and punish General M. C. Butler and his coadjutors in this outrage upon the lives and persons of our citizens, recognizing the fact that unless crime is punished the lives and property of our people are not safe; and, also, to pray that General M. C. Butler's career be examined, and then it will be found that this crowning outrage is only one of his many acts of atrocity, and that the subjoined facts will substantiate the above resolutions.

Whereas we, the colored citizens of Charleston County, relying upon the majesty of the law and the impartial justice of the government, have hitherto endured the oft-repeated butchery of our inoffensive brethren in various parts of the State by our white fellow-citizens, who presume upon our peaceable disposition and law-abiding character to seize upon every trivial pretext to wreak their political hate upon us; and

Whereas we have exercised becoming fortitude and patience in expectation of government interference by and legal redress through those whom our suffrages have placed in authority, and whose constitutional duties it is to see that the laws be executed in mercy, yet we have been so often grievously disappointed that our hopes are blasted; for while colored men are for every crime (and many fancied ones) punished in the farthest extent of the law, the white, after the commission of the most brutish crimes against us which is known to the laws of the land, invariably escapes with impunity; and

Whereas these crimes being unworthy of barbarous heathens, much less a people boasting of their advanced civilization, we are not only pained but stung to indignation, and in view of the brutal murder of a number of our people in "massacre of Hamburg, S. C.," by the whites of South Carolina and Georgia, we are goaded to exasperation, for our wonted forbearance now ceases to be a virtue, and self-preservation demands that, while calling upon the proper authorities for redress of these grievances and a reform of existing abuses, a vigorous and an impartial execution of the law, we must immediately take counsel for defense: Therefore,

Be it resolved, That the massacre of colored citizens at Hamburg, S. C., is unworthy of any civilized community, and deserves the censure and condemnation of the civilized world, and that we entertain the deepest sympathy for the grief-stricken families of those victims of hate, and will do all in our power for the relief of the widows and orphans, as well as for those who have been despoiled of their household goods.

Resolved. That we are satisfied that the demands of justice require that as swift an arrest, trial, conviction and punishment be visited on General M. C. Butler as are always visited on colored criminals, and that condign punishment be inflicted on each of his guilty accessories.

Resolved, That we call upon his excellency the governor of South Carolina to see that the laws of the land be faithfully executed upon all perpetrators of the bloody deed at Hamburg; and be it further

Resolved, That in case this one legal demand be not granted, and the protection of our lives, liberty, and property be not to our satisfaction guaranteed and secured in the future by the State government, then self-preservation, predicated upon the barbarous attitude assumed and being maintained by the whites, warns the colored citizens to peaceably

assemble and petition the national Government through legal channel "for redress of grievances."

First. That during the career of General M. C. Butler he has always been an incendiary and a stirrer-up of strife between the two classes in South Carolina; that whenever General M. C. Butler took the stump he was always incendiary in his language; that even in this city (Charleston, S. C.) he bared his breast to republican bullets, knowing that assassins were only found on his own side of the house, his object being to inflame the minds of his democratic hearers and cause them to emulate his examples of fiendish acts.

Also that in the year 1870, in August, General M. C. Butler, then a candidate for lieutenant-governor of the State of South Carolina, did influence men, who would listen to his voice and obey his teachings, to intimidate many colored voters in Edgefield County and surroundings, and that during that campaign many voters, of whom some were white, were whipped for voting the republican ticket; and that General M. C. Butler, by his doctrines and incendiary harangues, that took effect upon the minds of the white citizens of his county, so inflamed and aroused their sleeping hate that they visited many punishments upon the colored citizens of Edgefield and surroundings, thus proving that, no matter how loud and how deep may be General M. C. Butler's protestation of innocence, the public press points to him as the engineer and prime mover of the outrages of 1870. Next, that in the Ku-Klux trials General M. C. Butler was mentioned, and although no definite conclusion was arrived at, yet enough was squeezed out to define General Butler as one of the actors in this great tragedy, in which many hundreds of homes were made desolate, many lives lost, and a reign of terror instituted in this our State, and that in this the finger of condemnation pointed to General M. C. Butler as one of the main pillars of the Ku-Klux fabric in South Carolina. Further, that in the year in which so much riotous proceedings were purported to be going on in Edgefield, General M. C. Butler was prime mover, and that even after the militia of Edgefield had been deprived of the opportunity of defending themselves against the fiendish and unscrupulous whites, by the taking away of their arms, General M. C. Butler still pursued, through his agents, Jack Tennent and his friends, and compelled them to abandon their homes, and in swamps and morasses seek that safety that could not be found at their respective homes, and that through exposure and ailment, brought on by their being compelled to leave their homes, Tennent and some others ultimately died; yet their sickness and the causes of their sickness dated back to their exposure, when General Butler so inflamed the minds of his white satellites that the above-mentioned reign of terror was instituted; and that, while General M. C. Butler pleads innocent, and promises to bring the guilty parties to justice, in connection with the late Hamburg massacre, he, General M. C. Butler, is really the guilty party, and should be the first criminal brought to justice; and that in cold blood (he being the arch fiend in command of his gallant legion) could murder our citizens, so should he in turn be treated. And in testimony to prove that the butchery was premeditated, Trial-Justice Rivers's affidavit is all-sufficient; and to prove that General Butler did not want an amicable settlement, but, on the contrary, an issue at arms, when Trial-Justice Rivers, in the capacity of brigadier-general, offered to box the arms of the militia and send them to Governor Chamberlain, who, by virtue of his office as governor, commands the militia of the State, he, General Butler, refused, knowing that General Rivers could not deliver the State arms to him as he demanded, and nothing but an

issue of arms could be brought into play to settle the difficulty. Therefore, by examining the accounts headed "Negro outrages in Edgefield," General Butler would be found as the instigator of every outrage, or that by his orders his word has been obeyed, and that these onslaughts have almost always occurred just previous to an election in the State, showing conclusively that General M. C. Butler only intended, by his brutish conduct, to do what he has said to be necessary, namely, that of thinning out the negro vote in this State.

The committee is as follows: Messrs. W. H. Thompson, W. J. Brodie, Aaron Logan, M. R. Delany, Richard Nesbit, J. H. Hill, F. J. Pew, G. E. Johnson, Wm. Richardson, James Green, T. Aiken, Minus Pinckney, J. J. Lesesne, A. F. Farrar, Adam Findly.

Rev. R. H. CAIN,
Chairman.
J. L. GRAVES,
Secretary.

No. 10.

COLUMBIA, S C., July 21, 1876.

To the people of the United States of America:

The undersigned, in the name of the colored citizens of South Carolina and in their own names, do most respectfully submit to their fellow-citizens of the United States the following statement of facts relating to their condition as citizens of the United States, and more especially in connection with the recent massacre of peaceable and law-abiding citizens of the State, at Hamburgh, on the 8th day of July, instant, and do most earnestly invite attention to and consideration of the matters therein contained.

In view of the many gross misrepresentations of the origin and cause of the outrage and the circumstances connected with its perpetration, we deem it to be highly essential to truth and to justice, and eminently due as well to the memories of those who were murdered by the participants in that massacre as to the characters of their surviving associates, that a calm, dispassionate, and truthful exposition of that terrible affair should be presented for the information and consideration of the American people.

We would call attention to the fact that, in obedience to the requirements of the constitution of South Carolina, an act providing for the enrollment of the male citizens of the State, of certain ages, who were by the terms of said act made subject to the performance of militia duty, was passed by the general assembly and approved by the governor on the 16th day of March, 1869, and that, by virtue of said act, colored citizens of the State were duly enrolled as a part of its military force.

By the further provisions of the said act, the adjutant-general of the State, under the direction of the commander-in-chief, organized the militia of the State into regiments, brigades, and divisions, under the name of the "National Guard of the State of South Carolina," as denominated and styled in said act—said "national guard" being a volunteer force.

That the white citizens of the State, with but very few exceptions, failed, neglected, and refused to become a part of said force, the consequence being that the active militia of the State became composed almost exclusively of colored citizens.

That the county of Edgefield, of which the town of Hamburg was then a part, constituted one of the military districts of the State under the apportionment and allotment made by the adjutant-general, one regiment, known and numbered as the Ninth Regiment of Infantry, being allotted to said district, with one F. A. Belanger as colonel and P. R. Rivers as lieutenant-colonel thereof.

That one of the companies comprising said regiment was organized in and allotted to the town of Hamburg, one John Williams being elected captain of said company by the members thereof.

That afterward P. R. Rivers was promoted to the rank of brigade commander, and more recently to the rank of major-general of division; that soon thereafter a new regiment was formed, and was numbered and designated as the Eighteenth Regiment of the National Guard, and that John Williams was commissioned as colonel, and assigned to the command of the same, and that the company at Hamburg was about the same time detached from the Ninth and attached to the Eighteenth Regiment, and was lettered and designated as Company A.

That some time prior to the transfer of the Hamburg company from the Ninth to the Eighteenth Regiment, its ranks, from various causes, became depleted, and the company ceased to be active in its drills and musters, although it was still borne upon the roster of the adjutant-general's department as a part of the former regiment, and never for a single moment ceased to be regarded as a portion of the national guard of the State.

That during this time the arms and equipments of said company were collected and stored away under the charge of P. R. Rivers, the then brigade commander, resident at Hamburg. Soon after the assignment of John Williams to the command of the Eighteenth Regiment and the attachment of the company thereto, General Rivers transferred the said arms to Col. John Williams, who is, by the rules and regulations as well as the acts of the general assembly providing for the organization and government of the militia of the State, responsible and accountable for all the ordnance and ordnance-stores of his regiment, he being required to receipt to the adjutant-general for the same, and to make reports touching their condition, &c., from time to time.

That recently the members of the company whose names remained on the company-roll met together and re-organized, elected Doc. Adams captain, Lewis Cartledge as first lieutenant, and A. T. Attaway as second lieutenant, and recruited its ranks to the requisite number of men, as required by the rules and regulations.

That thereupon their commanding officer, John Williams, re-issued to said company its arms and equipments.

That the said company is not only a part of the legally-constituted militia of the State, but is an incorporated body, having been duly chartered by an act of the general assembly, approved March 12, 1872.

The above statement of the history of the militia company at Hamburg, from the time of its first organization down to the date of the riot and massacre, is a truthful exhibit, based upon official and other data, and we assert most positively that its correctness cannot be successfully challenged.

It has been stated by some of those connected with the rioters that one of the causes which led to the demand for the surrender of the arms of the company, and the enforcement of such demand by the bombardment of their drill-room, was the alleged declaration of P. R. Rivers

“that the company did not receive their arms and equipments from him, and that they were unlawfully in possession of them.”

So much of this declaration attributed to General Rivers as refers to the company's “unlawful possession” of the arms has been most positively denied by him in a sworn statement.

Even waiving the sworn and positive denial of General Rivers, still, by a careful perusal of the above statement, it will be seen that while it is true that the company, as constituted at the date of the riot and massacre, did not receive their arms and equipments from P. R. Rivers, it is equally true that they were in legal possession of said arms, and that it was neither the duty nor the right of P. R. Rivers to have custody of them nor to issue them, John Williams alone being properly authorized and legally required to make the distribution.

We would next call attention to the fact that on Tuesday, the 4th day of July last, the militia company at Hamburg assembled for muster and drill, and while so engaged paraded through one of the least-frequented streets of said town.

That said street is, by actual measurement, of the width of 148 feet, and that while so parading they were interrupted by a horse and buggy being driven into their ranks by one Thomas Butler and one Henry Getzen, white citizens, who resided about two miles from said town.

That at the time of this interference the said company was marching in column of fours with their “arms at will” in the middle of said street, occupying a space covering a width of less than eight feet, and leaving on each side thereof a width of seventy feet unoccupied.

That upon being thus interrupted, Doc. Adams, captain of the company, commanded a halt, and stepping to the head of the column, addressed one of the occupants of the buggy in the following manner: “Mr. Getzen, I did not think that you would treat me in this way; I would not so act toward you.” To this an angry reply was made, and after a few further remarks on each side, Adams ordered the company to divide, suffered the buggy to be driven through their ranks, and this being done, the company was marched to the drill-room and dismissed.

That on Wednesday, the 5th instant, Robert J. Butler, father of Thomas Butler, and father-in-law of Henry Getzen, appeared before P. R. Rivers, one of the trial-justices of the State, and made complaint that the militia company had on the previous day obstructed one of the public streets of the town of Hamburg and had hindered and prevented his son, Thomas Butler, and his son-in-law, Henry Getzen, from journeying thereon.

That upon such complaint being made, P. R. Rivers issued a summons, the same being in the nature of a civil process, directed to Doc. Adams, as captain, and his officers, to appear and show cause why they should not be dealt with as the law directs—the return-day being fixed for the next day, Thursday, the 6th instant.

That on Thursday, the day named, Adams, together with his lieutenants, appeared to answer, Robert J. Butler, the complainant, being present, accompanied by several other white men, each heavily armed with revolvers. On the calling of the case, it was announced to the court that the defendants were present, and that Henry Sparnick, esq., a member of the circuit bar of the county, had been retained to represent them. Robert J. Butler, in an angry and excited manner, protested against such representation, and demanded that the hearing should be postponed until he could procure counsel from the city of August, Ga., to represent his side of the case; whereupon, Adams and his lieutenants, after consultation with their attorney, who informed them that there were no legal grounds upon which the case could be

decided against them, waived their constitutional right to be represented by counsel and consented to go to trial.

That thereupon the case was opened and proceeded with for some time, but owing to some disturbance its progress was arrested, and the trial-justice adjourned the further hearing to Saturday, the 8th instant, at 4 o'clock in the afternoon.

That on Saturday, the day fixed for the further hearing of the case, between the hours of 2 and 3 o'clock p. m., General M. C. Butler, of Edgefield, arrived in the town of Hamburg, soon after which mounted armed white men began to arrive in squads of ten or fifteen, up to about half past 5 o'clock, when the number of armed white men in the town amounted to two or three hundred; the last arrival up to that time being that of Col. A. P. Butler, at the head of fifty or seventy-five men.

Immediately after General M. C. Butler's arrival in the town, he sent for the attorney who had been engaged to represent the militia officers on the Thursday preceding. An interview was held, the result of which was that the attorney was charged with a request from General Butler to General Rivers and the officers of the militia company to confer with General Butler. The attorney left on that mission, and before reaching the officers he met a gentleman who apprised him of the fact that he had been requested by the officers of the company to see General Butler and ascertain what he desired. It was agreed between these two that the former should acquaint General Rivers with the facts, and remain at his (Rivers's) residence until the latter should return from his interview with General Butler. This was done. Before the latter returned the officers of the company had met at General Rivers's house, and when the answer from General Butler came it was agreed, upon a free conference held between General Rivers, the attorney, the officers, and some of their friends who were present, that it was expedient and best to accede to General Butler's request and hold an interview with him. To this proposition two of the officers excepted, stating again and again that they were afraid to do so, because they believed it to be a plot to effect their assassination. A message was, however, sent to General Butler to ascertain if he would meet them without the presence of his armed force. To this he assented; but before arrangements could be made to bring about the interview, a message came from him (Butler) that the hour fixed for the trial had arrived, and that he was at court, and requested the presence of the trial-justice, (Rivers.) Rivers proceeded to his office alone and found General Butler there waiting for him. Rivers was about to proceed with the case, when Butler asked for further time, which was granted. He went off, but never returned to the court. Butler went from Rivers's office to the council-chamber, followed by a crowd of armed men, whose numbers increased as he went along.

He sent a committee to wait on the officers, requesting them to come to the council-chamber and see him. The officers again declined to go, assigning the same reason as they had done before, that they were not safe in their persons as long as General Butler was surrounded by this armed band. Another committee passed between General Butler and the officers, who announced to the officers General Butler's ultimatum, that the officers should apologize for what took place on the 4th of July, and surrender their arms to him, (General Butler.) Upon this the officers asked General Rivers, who was not only the trial-justice before whom their cause was pending, but who was also the major-general commanding the division of the militia to which they belonged, if he (Rivers) demanded the arms of them; to which Rivers replied that he did not. Thereupon the officers declared their unwillingness to surrender

their arms to General Butler, because they were responsible and he (Butler) had no legal right to demand or receive them if surrendered. Subsequently, a citizen, anxious to prevent what he feared would be a collision, called on General Butler and asked him what he purposed doing. His reply was that he intended to have the arms in a half-hour or lay the damned town in ashes. Another interview was held, at which General Butler again repeated his ultimatum, and upon being asked whether if his terms were complied with he would guarantee protection to the people of the town, he answered that he did not know; that would depend altogether upon how they behaved themselves.

Immediately after this General Butler went to Augusta in company with one Harrison Butler, and returned in about thirty minutes. Another committee called upon him, to whom he said that both the officers and the arms must be given up; and on being asked by the committee if they could satisfy him by boxing up the arms and sending them to Governor Chamberlain, at Columbia, he replied, "Damn the governor; I am not here to consult him, but am here as Colonel Butler; and this won't stop until after November." He was then asked if he would guarantee that if the arms should be surrendered no one should be hurt, to which he replied, "I guarantee nothing."

During the progress of these several interviews armed white men to the number of between two and three hundred (some riding and some dismounted) had assembled on the main street. But one armed colored man was seen, and he was the marshal of the town, who habitually bore arms. Such members of the militia company as were in town and some of their friends, in all to the number of thirty-eight, had repaired to the drill-room and there barricaded themselves for protection. About ten minutes after the last-mentioned interview the white men were posted around the square upon which the drill-room stood and along the trestle-work of the Charlotte, Columbia and Augusta Railroad, which runs obliquely with the south, facing the drill-room, and firing upon the drill-room was begun by the whites. Up to this time not a single shot had been fired by either side. The firing upon the drill-room continued nearly a half hour before a single shot was returned from it. The occupants of the drill-room then fired occasionally as opportunity presented itself, while the white men kept up an almost continuous fire upon the windows of the building for an hour or more. The occupants of the drill-room heard an order given to bring over cannon from Augusta, whereupon they evacuated the building from the rear and concealed themselves as best they could in various portions of the yards and out-buildings of the different residences on the square. The cannon, however, was brought and fired three or four times on the building, those serving it being unaware that the room had been vacated. When that fact was discovered, a general search by the white armed men through the lots, yards, and streets for the members of the militia company was made. In the course of this, two of them were found and killed; twenty-seven others were captured, put under a heavy guard, and after being kept so nearly two hours, during which time the search for others was continued, private houses were broken into and private property carried off or destroyed. A consultation as to the proper disposition to be made of the prisoners was had; various suggestions were made in the presence of the prisoners, and it was finally agreed that General Butler should be applied to for instructions. An armed detail left the scene, and after an absence of a few moments returned, and calling out five of the prisoners individually and successively, shot three of them to death and left one for dead. The fifth man who was called out succeeded in effecting

his escape before reaching the place of execution, which was but a few yards distant from the ring in which all the prisoners were placed, but received a severe gun-shot wound in the knee. The rest of the prisoners were then required to hold up their right hands and swear that they would never bear arms again against the whites, nor bear testimony in reference to this transaction before any court. They were then ordered to march off by twos to the right and set free; but as they marched off they were fired into indiscriminately by the crowd. In this flight some of the freed prisoners were wounded. The party then dispersed and left the town. When the bodies of the murdered men were examined at daylight by some of the citizens of the place, it was found that the tongue of one of them had been cut off, and that another who had not been killed instantly, but had lived for about three hours after daylight, had been cut in the hip and a ghastly wound inflicted by what appeared to have been an ax or a hatchet.

This narration of facts rests upon evidence already taken in a judicial investigation.

In view of the foregoing detailed statement of the facts and circumstances immediately connected with the recent disgraceful occurrence, as well as the circumstances which usually attend similar occurrences in our section of the country, we cannot avoid the irresistible conclusion which is thereby forced upon our minds, that they have their origin in a settled and well-defined purpose to influence and control political elections.

While we do most cordially record the gratifying fact that there are many of our fellow-citizens holding political views opposed to our own who deprecate with us such inhuman and barbarous deeds, yet the fact that such outbreaks invariably occur on the eve of elections and in counties containing republican majorities, and the further fact that they are usually preceded by threats and menaces from prominent leaders of the democratic party, similar in tone, temper, and character to the utterance of General M. C. Butler that such lawless and cruel deeds as the Hamburg massacre would not stop until November, and are generally followed either by apologies or by open declarations of approval from the leading and influential journals of that party, with a few honorable exceptions, we are driven to believe that the Hamburg massacre was not only an assault upon our right to exercise our privilege as a part of the arms-bearing population of our country, but a part of a deliberate plan arranged and determined upon by at least the members of that party who not only constitute a positive quantity in its ranks, but who control its organization.

Grateful to Almighty God and the spirit of liberty and humanity that animates the great body of the people of the United States for the personal liberty and citizenship that we enjoy, we have labored and shall continue to labor for the permanence and perfection of the institutions that have served as the great instrument of consummating this act of justice.

We desire to recognize our obligations and responsibilities as citizens of this country, and to assure our fellow-citizens of every part of the land that we stand among them imbued with a national spirit, with confidence in and devotion to the principles of representative popular government, and with ideas of policy that are broad enough to include every individual and interest of our common country.

We need your aid and sympathy to enable us not only to preserve the fruits of the great legal measures that were designed to establish and secure our rights and interests on a common footing with all other citizens of the nation, but to protect our persons from outrage and our lives from danger.

We appeal to you in the name of justice and humanity, in the name of peace and order, in the name of Christianity and the cause of civilization, to vindicate the honor of the American name by insisting that the humblest citizen of this republic shall be made secure in his constitutional guarantee of security for his life, his liberty, and his property.

We earnestly call upon you to utter the voice of the nation's condemnation of such outrages as that which characterized the assassination of inoffensive and unoffending citizens at Hamburgh.

We do most earnestly invoke you to place upon this wanton and inhuman butchery the indelible stigma of the public abhorrence.

It is not too much to anticipate that you, who have solemnly and irrevocably declared that this country is a nation composed of but one order of citizens, will also insist that security to life and property shall be equally extended to all. Nor is it too much to anticipate that partiality for that just and wise solution of the great problem of emancipation and enfranchisement will induce and influence you to support the Government in its every effort to do away such iniquities as the Hamburgh massacre.

Since our emancipation we have, as a class, been peaceable and law-abiding, docile and forbearing; forbearing to such a degree that in the presence of stupendous wrongs and gross outrages daily and hourly inflicted upon our persons and committed against our property, although conscious of our rights, we have manifested a spirit of patience and endurance unheard of and unknown in the history of the most servile population.

We ask that we be not cruelly goaded on to madness and desperation by such unholy burdens as are imposed upon us. We ask that, constituting as we do a large producing class in our State, contributing what bone and sinew we possess to the development of its industries, we be not hindered by violence in our endeavors to increase the prosperity and material wealth of our commonwealth, and in our efforts to advance the commercial interests of our country.

We would also appeal to the law-abiding and peace-loving citizens of our own State to render all their assistance in the maintenance of peace, in the preservation of order, in the cultivation of harmony, in the enforcement of the law, and in the vindication of the peace and dignity of our State. We would remind them that such a course is not only a matter of duty, but a matter of paramount interest. We would remind them that violence begets violence, that disorder is the parent of disorder, and that crime induces crime. If such lawless acts become general in our State, capital will continue to avoid our borders as though we were stricken with the deadly plague, our agricultural interests will be wholly destroyed, our commerce will become sick unto the death, and our general business become involved in complete bankruptcy and utter ruin.

We call upon every order of our fellow-citizens to discountenance a policy so prolific of evil; a policy so ruinous in its tendencies; a policy that must surely end in entailing upon our State rapine and bloodshed, and anarchy and confusion. More especially we call upon the business men and property-holders of the State to bend their energies toward the removal of this deadly-nightshade of mob-law and violence, which hangs over our commonwealth "like a portentous cloud, surcharged with irresistible storm and ruin."

We would also call upon his excellency the governor of the State to invoke every constitutional agency and legal method for the enforcement of the laws and the arrest and punishment of those, whoever they are, that may be shown to have been principals or accessories, or aiders

and abettors in the recent murders committed at Hamburg. We do most earnestly call upon his excellency to see that the law in this Hamburg outrage, as well as in all other cases of infraction and violation of the public peace and general security, be most faithfully executed. We do most respectfully invoke him to assert and maintain the supremacy of the law, to vindicate the rights of the citizen, to whom protection is due in return for his duty of allegiance. We respectfully ask that he shall illustrate the integrity of that maxim of our republic which declares that in the just administration of our Government "there is none so low as to be beneath the protection of the law, and none so high as to be beyond the reach of its authority."

We would likewise appeal to his Excellency the President of the United States to enforce the constitutional guarantee by affording the national protection to the citizens of the United States domiciled in South Carolina, against domestic armed violence, and to aid the chief executive of this State in all proper efforts on his part to arrest and bring to punishment the perpetrators of the bloody crime at Hamburg.

With the steadfast conviction that our cause is just, and with the earnest hope that we shall receive a fair and impartial hearing, and with firm reliance upon the justice of the true American heart, asking only what is fair, performing only what is right, and impelled by the urgent necessity of our case, we appeal to the Christian and humane sentiment of the country to extend toward us moral, and, if need be, material assistance in our effort to cultivate the "victories of peace."

We have the honor to be, very respectfully, your obedient servants and humble fellow-citizens,

Robt B. Elliott.
W. B. Nash.
J. J. Wright.
S. A. Swails.
R. H. Cain.
S. B. Thompson.
C. S. Minort.
H. J. Maxwell.
H. L. Shrewsbury.
Lawrence Cain.
W. H. Jones.
C. D. Hayne.
W. F. Myers.
Geo. C. Clyde.
P. W. Jefferson.
Aaron Logan.
W. H. Birnie.
S. L. Duncan.
J. S. Mobley.
J. H. White.
E. B. Harris.
R. O. Clyde.
Walter R. Jones.
H. N. Boney.
A. W. Simkins.
Frank Carter.
A. T. B. Hunter.
J. W. Harrison.
R. H. Humbert.
D. I. Walker.

R. H. Gleaves.
F. L. Cardozo.
H. E. Hayne.
H. W. Purvis.
S. J. Lee.
A. W. Curtis.
Wm. Simons.
W. A. Hayne.
T. A. Davis.
P. Simkins.
Jos. D. Boston.
Wm. Thomas.
T. C. Cox.
Jas. A. Spencer.
Gloster H. Holland.
W. H. Thompson.
W. H. Thomas.
D. A. Straker.
P. E. Jones.
T. McC. Stewart.
A. Harris.
John A. Barre.
C. W. Mossell.
Jesse Jones.
Wilson Cook.
Ira W. Rice.
Zion Collins.
Henry Daniels.
J. A. Smith.
R. M. Harriet.

No. 11.

OXFORD, MISS., *July 15, 1876.*

SIR: I have the honor to submit herewith the report of the grand jury lately in session here, together with the evidence on which it is based. This evidence, you will see, plainly required the jury to indict a great many persons for violations of the election-laws; but, out of eighteen jurors, seven were found who refused to concur in any such indictment. I learn, however, that all but one of the jurors voted for this report. All but this one professed to belong to the republican party; and some of those who finally voted against the eleven who were for the indictments were throughout the whole session apparently the most reliable men we had to sustain the indictments, and the most zealous in investigating the cases. This was particularly true of the man who wrote this report, yet he finally went against all prosecutions, though we had conceived him to be the most earnest, as he had certainly been the most active, man among us, in bringing to justice, or at least in investigating the election cases.

I can only lament the shameful failure of justice which has taken place, and I have little doubt that it must and will give a most unbridled license to lawlessness at the next State, if not at the next Federal, election.

I am, sir, your obedient servant,

THOMAS WALTON,
United States District Attorney.

Hon. ALPHONSO TAFT,
Attorney-General.

 No. 12.

OXFORD, MISS., *July 16, 1876.*

SIR: I desire to add to the statements of my letter sent you yesterday, with the election evidence before our late grand jury, some explanation of how it happened that so many witnesses were summoned in that class of cases, where no bills were found.

The jury took all the evidence down, and postponed action on any of these cases until the last two days of their session, alleging that after hearing all the testimony they would be better able to decide whom it would be best to indict. The very men who voted against the indictments finally, and whom I found it impossible to bring up to the performance of their duty, were among the most active in prosecuting the investigations, assuring me all the time that they desired nothing so much as to bring the offenders to justice, and their party connections gave me every reason to believe in their sincerity. Still, I was finally deceived in them. Some of these men, too, were the very ones to supply me with the names of witnesses in the largest number to prove the offenses. One of them, it may be, perhaps, was finally induced to change because of his son's being implicated by the evidence. Others, I thought, were induced to vote against the indictment by the fear of exciting odium at home if they were found. Others, still, I believed, expected to recommend themselves for election favors at home by gaining the reputation of having obstructed and paralyzed these prosecutions.

But, after all, I never had a doubt but that we would succeed in indicting every known violator of law until the last hours of the session. My only apprehension had been all the time that they would indict men against whom I could make out no case. This I strongly advised them

not to do, but I all the time advised them still more strongly to return every man they had the evidence against, and this would have covered hundreds of cases.

On the final vote we failed of carrying the indictments by one vote, eleven being for them and seven against.

I am, sir, your obedient servant,

THOMAS WALTON.

HON. ALPHONSO TAFT,
Attorney-General.

No. 13.

UNITED STATES GRAND-JURY ROOM,
NORTHERN DISTRICT OF MISSISSIPPI,
Oxford, July 8, 1876.

To the Hon. R. A. HILL,
Judge, United States Court :

The United States grand jury for the northern district of Mississippi, at Oxford, June term, 1876, beg leave to report that they have examined two hundred and eighty-one witnesses, and found ninety true bills; a large majority of these bills were for a violation of the revenue-laws.

Although we have had a protracted session, we have only made a partial and cursory examination of the innumerable cases of violations of the election-laws that have come to our knowledge. We regret to report that from the examination had, we must say that the fraud, intimidation, and violence perpetrated at the late election is without a parallel in the annals of history, and that time would fail us to take the testimony that could be easily introduced, demonstrating the fact that there is sufficient grounds for the finding of thousands of indictments against persons who are grossly guilty of the above-mentioned violations of the election-laws.

From the facts elicited during this grand inquest, and from our own knowledge of the reign of terror that was inaugurated during the late election campaign, we can only recommend to the citizens of Mississippi to make an earnest appeal to the strong arm of the United States Government to give them that protection that is guaranteed to every American citizen—that is, protection in freedom of speech, in their person and property, and the right of suffrage.

We do assert that all of these rights were openly violated and trampled in the dust during the late election, and that there is no redress for these grievances under the present State government, and unless the United States Government enforces that shield of protection that is guaranteed by the Constitution to every citizen, however humble and obscure, then may the citizens of Mississippi exclaim farewell to liberty, farewell to the freedom of the ballot-box.

In conclusion, we would tender our thanks to his honor, Judge R. A. Hill, for his clear and concise charge made to us on our organization as a grand jury of inquest; and to the district attorney, Judge T. Walton, and his able assistant, B. W. Lee, for their able and impartial counsel during our sittings; and also to Col. J. H. Pierce, marshal, and his indefatigable deputies, for their promptness in the discharge of their duties.

Respectfully submitted.

Adopted by the grand jury this 8th day of July, A. D., 1876.

WILLIAM D. FRAZEE, *Foreman.*
W. H. DODSON, *Clerk.*