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**TESTIMONY**

TAKEN BY

**THE JOINT SELECT COMMITTEE**

TO INQUIRE INTO

**THE CONDITION OF AFFAIRS**

IN

**THE LATE INSURRECTIONARY STATES.**

FLORIDA.

WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1872.

JACKSONVILLE, FLORIDA, November 10, 1871.

**EMANUEL FORTUNE (colored) sworn and examined.**

By the CHAIRMAN:

*Question.* State your age, where you were born, where you now live, and what is your occupation?*Answer.* I am going on thirty-nine years old; I was born in Jackson County, in this State, and I now live in Jacksonville. I work at the carpenter's trade now when I work; I was formerly a shoemaker, but I do not follow that now on account of my health; I am a common laborer, not much more.*Question.* When did you leave Jackson County?*Answer.* In May, 1869.*Question.* Why did you leave there?*Answer.* There got to be such a state of lawlessness and outrage that I expected that my life was in danger at all times, and I left on that account; in fact I got, indirectly, information very often that I would be missing some day and no one would know where I was, on account of my being a leading man in politics, and taking a very active part in it. That was the cause of my being very obnoxious to the people; I was one of the most prominent men in that county; I was really the only one that did go through all the combats that were fought with Major Purman and Mr. Hamilton in organizing the party there.*Question.* Is that Mr. Hamilton the one who was lately your member of Congress?*Answer.* Yes, sir.*Question.* Do you know anything about the Ku-Klux organization there?*Answer.* I do not know anything personally; I have never seen any, but I believe they are there as much as I believe anything. There is a man who saw two disguised men there about eight feet high, in the moonlight, sitting in a place where they finally killed a man.*Question.* Who was it that they killed?*Answer.* Calvin Rogers.*Question.* Was he colored or white?*Answer.* He was a colored man.*Question.* Had there been any men killed in your county before you left?*Answer.* Yes, sir; several were killed; Dr. Finlayson was killed for one, and Major Purman was shot at the same time; three men were called out of their doors and shot; some were shot through the cracks of the houses, and others as they were going into the houses. I do not remember their names, but there were a great many cases of that kind before I left; I was told by my friends that there were men staying around my place as though for no good purpose; I expected that my days were very few, and I thought I would leave for a while; I did not expect to move from there when I left, but it kept getting worse; my parents wrote me not to come back; I started once and got back as far as Live Oak, and met a friend there who told me that there was a row just over the river, and that the same band of men had killed a prison-guard and two citizens; I came back, and soon got letters from my friends not to go back there at all.*Question.* Did you ever get any written notice to leave?*Answer.* Not by name; I did with others; it was addressed to Major Purman & Co., and I considered myself included.*Question.* Did you ever hold any official position?*Answer.* I was then a member of the legislature, and in 1868 I was a member of the constitutional convention.*Question.* And subsequently a member of the legislature?*Answer.* Yes, sir; I was a member of the legislature from that county upon the reorganization of the State government.*Question.* Did you ever hear any threats from any quarter going to show that you or your race were in danger?*Answer.* I cannot say that I have heard that my race was in danger, but I have heard that "those damned politicians should be got rid of;" it was a kind of indirect expression made by the crackers, &c.*Question.* Did you hear any expression in reference to your people having a right to vote?*Answer.* Yes, sir; I have had a great many arguments in reference to that. They would argue very strongly against it. I would talk very liberally with them, and they generally respected me to my face. I have had a great many arguments with them, and they always spoke very bitterly against it.*Question.* What language would they use?*Answer.* "The damned republican party has put niggers to rule us and we will suffer it;" "Intelligence shall rule the country instead of the majority;" and all such as that. They always said that this was a "white man's government," and that "the colored men had no right that white men were bound to respect."

**Question.** Did you hear such language as that used ?

**Answer.** Yes, sir; I heard it used privately, and I also heard the public speakers use it. Mr. Barnes, who ran against Colonel Hamilton for Congress, made a very bitter speech of that kind on the public stand; he said that this was a white man's government, and that colored men had no rights that white men were bound to respect.

**Question.** Did he call them colored men ?

**Answer.** No, sir; he said "niggers."

**Question.** How has it been in other counties in the State besides Jackson ?

**Answer.** I could hear rumors of difficulties in Columbia County and in Alachua County.

**Question.** Have you seen persons from those counties ?

**Answer.** I think there are persons living here to-day who had to flee from Columbia County, and also from other counties. They talk with me and tell me of their difficulties, but I do not know them again when I see them. There will be some witnesses here from Columbia County who can inform you about that.

**Question.** What was the feeling in Jackson County in regard to your people having their freedom ?

**Answer.** It was a very strong feeling of opposition, but then that feeling seemed to have died out. They then adopted their bogus constitution, and had everything they wanted and became reconciled. After the reorganization of the State they became very much opposed to the rights of suffrage; that seemed to make them very bitter; they took everything better than that.

**Question.** What is the feeling in respect to your people voting ?

**Answer.** They are generally opposed to it; they speak bitterly against it.

**Question.** How do they regard your people getting land and owning it for themselves ?

**Answer.** Well, they generally do not interfere with them much, not in that line.

**Question.** Are they ready to sell them land ?

**Answer.** No, sir; they will not sell land; we have to purchase land from the Government, or from the State, otherwise we cannot get it. They do not sell our people any land; they have no disposition to do so. They will sell them a lot now and then in a town, but nothing of any importance.

**Question.** Have you ever known of anybody in Jackson being punished for any of these crimes ?

**Answer.** Not one.

**Question.** Why has it not been done; what is the difficulty in the way of doing it ?

**Answer.** No one could ever anticipate who did these things; that was the grand reason; everybody would wonder who did it; it was always done in such a way that no one could state who did it. As a general thing if they suspicioned a man, either the officers or any of us, they would always arrange the testimony so as to prove that he was at such and such a place at the very time the thing was done. They are perfectly organized.

**Question.** Are you satisfied from your own knowledge, or from reliable information, that there is an organization which commits these killings and other injuries of which you speak ?

**Answer.** I am perfectly satisfied of that in my own judgment.

**Question.** What is the purpose of that organization, do you suppose ?

**Answer.** Well, the object of it is to kill out the leading men of the republican party; that is all I know. They have never attacked any one but those who have been somewhat prominent in the party, men who have taken prominent stands. They generally respected me very much; I always conducted myself genteelly among them. Captain Dickinson, who got killed there, said to me a year ago, when he was down here attending to the census, "Fortune, you could go back to Jackson County and live if you would; you would not be hurt." I said, "Could I go back there and be a free man as I was when I was there before; to use freedom of speech and act in politics as any man would want with his own people—will I be safe to do that?" He said, "No, you will not; you will have to abandon that if you go back."

**Question.** Did you live in that county before the war ?

**Answer.** I was born and raised there.

**Question.** Had you been a slave ?

**Answer.** I was.

**Question.** How much education have you ?

**Answer.** None, only what I have got by my own perseverance.

**Question.** Did you get that before the war, or since emancipation ?

**Answer.** I learned to read before the war; since the war I have learned to write.

**Question.** What is the feeling in regard to colored schools ?

**Answer.** I do not rightly know how it is now. At the outset, after freedom, they disturbed our schools a great deal, until we raised a kind of band to protect our schools. We complained to the marshal several times, but he did not do anything. They were afraid at that time of a difficulty with us, and they subdued their own fellows who

were interfering with us; they got scared. We have not been interfered with in the school line since. They were mistreating our children, stoning them, and talked about mobbing the teachers, and all such as that; that was before the right of suffrage was given to us.

*Question.* Where have your teachers come from?

*Answer.* We have had no teachers there only such as we could get around there.

*Question.* Of your own color, mostly?

*Answer.* No, sir; they were white. At that time we had a man from New Orleans, I think; I do not know certainly where he was from; he was not a good man, any way, and he did not stay very long. After that several companies detailed soldiers to teach for us while they had nothing else to do in their quarters.

*Question.* You say the teachers at the time were a great deal molested and disturbed?

*Answer.* At the outset, yes, sir. We never had any public schools, only private schools, such as we could get up for ourselves; the Government had not done anything for us in the way of schools. Before I came from there we got up our own schools, got our teachers, and paid for them ourselves.

*Question.* How were your churches kept up?

*Answer.* They did not interfere with the churches at all.

*Question.* Were your preachers interfered with at all?

*Answer.* No, sir; they were never molested that I know of, until recently I heard a rumor that one or two of them have been shot at or shot, I do not know which; I have never heard the straight of it.

**By Mr. BAYARD:**

*Question.* When you speak of "the outset" do you mean just after the war closed?

*Answer.* Yes, sir.

*Question.* Have you had any trouble during the last three years or so, from interference with your children going to school, &c.?

*Answer.* No, sir.

*Question.* What were the ages of the people by whom your children were interfered with?

*Answer.* Boys of sixteen and eighteen.

*Question.* Rude boys?

*Answer.* Yes, sir.

*Question.* That was the interference you speak of?

*Answer.* Yes, sir.

*Question.* Did you ever have any interference from grown people?

*Answer.* None from grown men; there might be some few men, about twenty-one or so, but they were considered only older boys.

*Question.* They stopped in 1868, and you have had nothing of the kind in the last two or three years?

*Answer.* No, sir.

*Question.* You spoke of the difficulty of obtaining land; is it not very abundant in Florida?

*Answer.* Yes, sir.

*Question.* And cheap?

*Answer.* Not very cheap.

*Question.* If you wanted to buy a farm what could you get a pretty good farm for here; how much an acre?

*Answer.* Cultivable land over there was generally worth from ten to fifteen dollars an acre.

*Question.* You could get a good piece of land for that?

*Answer.* Yes, sir.

*Question.* What did you get Government lands for?

*Answer.* I think the State lands were one dollar and a quarter an acre.

*Question.* And you could obtain lands for how much under the homestead law?

*Answer.* I have forgotten the terms of the homestead law; but a great many of our people take up homesteads.

*Question.* Can you buy all the good lands you want for ten or fifteen dollars an acre?

*Answer.* Very poor people cannot afford that.

*Question.* You can get it if you have the money?

*Answer.* They will not sell it in small quantities. I would have bought forty acres there if the man would have sold me less than a whole tract. They hold it in that way so that colored people cannot buy it.

*Question.* Do you think it is held so that they cannot buy it, or does the set of buildings on a farm make too big a piece for a poor man to buy?

*Answer.* No, sir; the quarters are excluded from the cultivable land. The lands we cultivate, generally, are swamp, or hommock, or lowlands.

*Question.* There is an objection to selling small quantities of land?

*Answer.* Yes, sir; and that is really the great obstacle in the way of colored people getting land.

*Question.* Is there not plenty of other land to buy?

*Answer.* Not that is worth anything in that county. I do not know of any Government land there that will raise cotton.

*Question.* How about other parts of Florida?

*Answer.* I do not know about other parts; I believe in some other counties they do better. For instance, in Mariou County and in Alachua County they get better lands there as homesteads than in other counties. But the homesteads in Jackson County are of no account at all—very poor.

*Question.* The good lands are all occupied?

*Answer.* Yes, sir; all taken up.

*Question.* Have you a State system of public schools?

*Answer.* Yes, sir.

*Question.* Why are the schools not established in that county?

*Answer.* I do not know why the authorities do not go over there and establish them. I got after the superintendent of schools to go over there, but he did not go.

*Question.* Who is the superintendent of common schools?

*Answer.* Mr. Chase was at the time I was attending over there. I suppose he was afraid. It was such a bad place that they naturally didn't want to go there.

*Question.* Mr. Chase is superintendent of public schools?

*Answer.* He is not now.

*Question.* Who is now?

*Answer.* I do not know.

*Question.* Was he appointed by the governor?

*Answer.* Yes, sir.

*Question.* Where was Chase from?

*Answer.* From Michigan.

*Question.* He came here after the war?

*Answer.* Yes, sir; and went North and died.

*Question.* Who is the present officer?

*Answer.* I do not know; he is a stranger to me.

*Question.* You spoke of the assassination of Dr. Finlayson?

*Answer.* Yes, sir.

*Question.* That was in March, 1869?

*Answer.* Yes, sir.

*Question.* And the same shot that killed him struck another man?

*Answer.* Yes, sir; or another shot.

*Question.* Was he a white man or a colored man?

*Answer.* He was a white man; a clerk of the court in Jackson County.

*Question.* You were a slave before the war?

*Answer.* Yes, sir.

*Question.* You had learned to read?

*Answer.* Yes, sir.

*Question.* Could you read with ease?

*Answer.* I could read tolerably well.

*Question.* Could you read writing at all?

*Answer.* No, sir.

*Question.* You have learned to write since the war?

*Answer.* Yes, sir.

*Question.* By what year had you learned to write?

*Answer.* I began to learn in 1867, but I could not write much writing till 1868. I cannot write it very well now.

*Question.* When were you elected to the State constitutional convention?

*Answer.* In 1868, I think.

*Question.* You served through the convention that framed the constitution in this State?

*Answer.* Yes, sir.

*Question.* When were you elected to the legislature?

*Answer.* That summer, I think; the legislature, I think, met in July.

*Question.* You were elected from Jackson County?

*Answer.* Yes, sir.

*Question.* Who were your colleagues from that county?

*Answer.* Major Purman, Jesse Robinson, and Mr. McMillan.

*Question.* Were they colored people?

*Answer.* Robinson and myself were colored; the other two were white men.

*Question.* Where did Major Purman and Mr. McMillan come from?

*Answer.* McMillan is an old citizen of Jackson County; I think he was born in Alabama, but he has been in Jackson for many years. Major Purman is from Pennsylvania.

*Question.* He came here since the war ?

*Answer.* Yes, sir.

*Question.* Was Robinson any better educated than you were ?

*Answer.* He could read writing better than I could, but he could not write any better, and he could not read print any better.

*Question.* Are you still a member of the legislature ?

*Answer.* No, sir.

*Question.* When did your term expire ?

*Answer.* Last November.

*Question.* Who are the present members of the legislature from Jackson County ?

*Answer.* Major Purman is the senator, and Ben Livingston is the only assemblyman there is.

*Question.* Who is he ?

*Answer.* I understood Major Conant to say that he would be here in a day or two.

*Question.* They have sent for him ?

*Answer.* Yes, sir.

*Question.* He is living out there now ?

*Answer.* Yes, sir. There was another poor man who always went with us, and took sides with us, and acted very prominently in the republican ranks, and he was elected to the legislature, but he was really afraid to serve, and he resigned ; he was a poor white man. The other democrat who was elected died since ; he was one of the bitterest tools they had.

*Question.* Did he die a natural death ?

*Answer.* Yes, sir ; he died of congestion of the brain, I believe.

*Question.* What is the voting population of Jackson County ?

*Answer.* It is between twelve and fourteen hundred.

*Question.* Altogether ?

*Answer.* No, sir ; it is about twenty-one hundred altogether.

*Question.* How many colored voters are there ?

*Answer.* Between twelve and fourteen hundred ; somewhere along there.

*Question.* You have a pretty large majority of the colored votes there ?

*Answer.* Yes, sir.

*Question.* How many white republican voters are there in that county ?

*Answer.* I suppose that the highest we have polled is about one hundred ; we have had two or three little discussions in different places in the country.

*Question.* You took a leading part in politics in your county ?

*Answer.* Yes, sir.

*Question.* Did you make political addresses all over your county ?

*Answer.* Yes, sir.

*Question.* Were you personally injured by your opponents ?

*Answer.* No, sir ; they never would attack us openly ; that is not their way of getting revenge, they are too sharp for that.

*Question.* They treated you civilly to your face ?

*Answer.* Yes, sir.

*Question.* Had you any trouble in getting all your votes in at the polls ?

*Answer.* Not while I was there ; I canvassed the State twice for a State election. I was very prominent in the party, and they had a great deal against me.

*Question.* In canvassing the State, you spoke wherever you saw fit ?

*Answer.* Wherever there were appointments.

*Question.* To large audiences ?

*Answer.* Yes, sir.

*Question.* Did you do so without hindrance or molestation ?

*Answer.* Yes, sir ; at that time.

*Question.* All over the State ?

*Answer.* Yes, sir. There was a disposition in Monticello to make a disturbance, but the better citizens soon suppressed it. I spoke of John Brown, and some fellow drew a pistol, or it was said that he did, but the better citizens soon gathered him and hustled him out. I did not see it myself, but I heard of it afterward.

*Question.* Was that the only occasion ?

*Answer.* I went with Colonel Hamilton to Walton County to inform the people there of the constitutional convention, and to get the republicans there to go in favor of the convention. He and I went into the court-house ; the audience, of course, were generally back country people, very poor people. After the meeting, at which he and I both spoke, we were informed that while speaking there was some disposition for a disturbance. After the meeting we all dispersed, and in going to the hotel some colored men came to us, and we were advising them what to do on the day of election. After they came several more came, and there was a right good bunch around us, some eight or ten. The white fellows, who were off at a store not very far off, got very bitter about it, as they did not want us to communicate with them at all. They came hustling up toward us, and Colonel Hamilton, I suppose, got mad, for he spoke very abruptly to

them. They pitched right in for a fight, and there was quite a scuffle. Men were going to cut him in the back, but I kept them off. One picked up a rail and it broke in two, and they turned and fled. It all ended by his tripping in the wild grass, and this fellow got on him and choked him. That ended the fight, because he considered that he had the best of it.

*Question.* Who was Colonel Hamilton?

*Answer.* He was the late Congressman from this State.

*Question.* A white man?

*Answer.* Yes, sir.

*Question.* Those were the only occasions where you had any trouble?

*Answer.* Yes, sir; in those days.

*Question.* You said what you pleased then?

*Answer.* I generally spoke pretty liberally.

*Question.* You have said that soldiers were sometimes detailed for your schools; what soldiers have you had in your county?

*Answer.* Some of the Seventh United States Cavalry.

*Question.* When were they up there?

*Answer.* In 1868 and 1869, I think; perhaps the latter part of 1867.

*Question.* A regiment or a company?

*Answer.* A company or a squad.

*Question.* Are there troops there now?

*Answer.* No, sir.

*Question.* Are you certain of that?

*Answer.* I think there are none there now.

*Question.* How long since there were any there?

*Answer.* Two years, I think; I do not know certainly.

*Question.* Since any troops were there at all?

*Answer.* Yes, sir. The last troops that were there were removed soon after Dr. Finlayson was killed.

*Question.* They were there when he was killed?

*Answer.* Yes, sir. Major Purman and Dr. Finlayson were going from a concert that the soldiers gave when they were shot; the soldiers had a kind of concert and they went to it, and were shot coming from that concert.

*Question.* Were the persons who shot them ever discovered?

*Answer.* No, sir.

*Question.* Were those discovered who killed Mr. Dickinson?

*Answer.* No, sir; not that I know of; I was not there then.

*Question.* Was Finlayson shot by a single assassin?

*Answer.* There were tracks of two men there who shot at Finlayson.

*Question.* You have no personal knowledge of any organization of these marauders in your county, of men who commit these acts of violence?

*Answer.* No, sir.

*Question.* You never saw a man disguised in the State anywhere?

*Answer.* No, sir.

*Question.* You never met any of these bands?

*Answer.* No, sir.

*Question.* You mentioned some one who said that he once saw two men eight feet high?

*Answer.* Yes, sir.

*Question.* Where?

*Answer.* Right on the side of the road.

*Question.* How long ago was that?

*Answer.* This summer two years ago.

*Question.* What other acts of violence do you know of as having occurred in that county, except the cases of Finlayson and Dickinson?

*Answer.* I know of a young fellow who was shot near by my house one night, through his leg; it was supposed that he was shot by mistake for Calvin Rogers, who was also shot in the same spot. He was about the same size and build, and wore a dress that was very much like the one worn by Rogers. It was supposed he was shot through mistake; he was an innocent boy that no one cared anything for.

*Question.* How old was he?

*Answer.* About nineteen or twenty; he was twenty, I think.

*Question.* How long ago was that?

*Answer.* In the summer of 1868 or 1869; I do not remember exactly.

*Question.* What other cases do you know of?

*Answer.* I do not know of any other cases except such as I have heard of in my county; I have heard of men being killed at different points.

*Question.* Can you give their names?

*Answer.* No, sir.

*Question.* Personally, you have no knowledge of any except those three cases?



*Answer.* No, sir.

*Question.* One occurred in 1868, one in 1869, and the other in the spring of 1871?

*Answer.* Yes, sir.

*Question.* Have you heard of any other acts of violence?

*Answer.* I have heard of some, but I do not know much about them.

*Question.* In the same county?

*Answer.* Yes, sir.

*Question.* Of what character?

*Answer.* There have been several persons shot there lately.

*Question.* Do you know anything of the particulars?

*Answer.* No, sir; I do not.

*Question.* Do you know any of the persons themselves?

*Answer.* I know one who has been shot.

*Question.* You say one has been summoned up here?

*Answer.* Yes, sir.

By the CHAIRMAN:

*Question.* Was Dr. Finlayson an old citizen of Florida?

*Answer.* He was a native of this State.

*Question.* Was he a republican?

*Answer.* He was after the surrender and just before.

*Question.* He was a republican at the time he was killed?

*Answer.* He was, and went with us in everything; he took as active a part as a man could.

*Question.* What was his character as a citizen?

*Answer.* He was a doctor.

*Question.* Was he a man respected and esteemed?

*Answer.* Yes, sir; his relatives had been very highly thought of; he was from the first class of people. He was tried to be cried down and made small of after he joined the republican party; they said he was a rogue, and all this, that, and the other, just as they do all the republicans generally.

*Question.* That is a common thing on the part of their opponents to charge the republicans with everything that is scandalous and disparaging?

*Answer.* O, yes, sir; of course.

*Question.* You have been asked in regard to buying and selling land to colored men.

*Answer.* Yes, sir; that is the principal objection. There are no tracts there except large tracts of not less than 100, 200, or 500 acres; they will not sell 40 or 50 acres, or as much as a man could tend.

*Question.* Do you think a white man would be able to get 40 or 50 acres?

*Answer.* I do not know but he could.

*Question.* Have you heard people use any language to indicate an indisposition to sell land to colored people; did you ever hear the matter talked of?

*Answer.* No, sir; I do not know that I have ever heard anything said against selling land to them. It is my opinion that that is the understanding, that all understand one another, and work together for their own interest.

*Question.* You have been asked in regard to Major Purman, and you have said that he is a man who came here since the war; is that made any objection to him? Does anybody object to him because he has come here since the war?

*Answer.* I suppose that was one objection; and another objection was that he was a very fluent speaker. He would take a very active part and would go to his utmost strength for the success of the party. That was his way of doing generally when he was over there. The great objection was that he was a prominent republican and a leader of the people there. They said they "never could do anything with the damned niggers as long as Purman was there." That was the usual talk.

*Question.* Do you understand that it is made an objection in any part of your State to a man that he was not born in your State?

*Answer.* It has been spoken of very often that we have plenty of men of our own to rule our government, without having men to come here to do it for us. I have had a great many arguments on that. I said I thought that an American citizen was a resident wherever he stopped long enough to become a voter. They would claim that such men were not identified with the country as they should be.

*Question.* Do they make a distinction between northern men and southern men?

*Answer.* They made no distinction about men who joined the republican party, whether northern men or southern men. A northern man was a "damned yankee, who came here to rule us;" and a southern man who joined the republican party was a "damned scalawag, and there was no honesty about him; he was a traitor to his country and his race."

By Mr. BAYARD:

*Question.* Did you ever know any man in Jackson County, having land for sale, who



declared that he would not sell a small piece to a colored man, but would sell a small piece to a white man?

*Answer.* No, sir.

*Question.* You only know that there is a general indisposition on their part to sell their lands in small parcels?

*Answer.* Yes, sir.

*Question.* They generally prefer to sell it in parcels of 100 acres and upward?

*Answer.* Yes, sir.

*Question.* That is what you mean, and all you mean?

*Answer.* Yes, sir.

JACKSONVILLE, FLORIDA, November 10, 1871.

ROBERT MEACHAM (colored) sworn and examined.

By the CHAIRMAN:

*Question.* State your age, where you were born, where you now live, and what is your present occupation?

*Answer.* I am about thirty-six years old; I was born in Gadsden County, Florida, and I now live in Monticello, in Jefferson County; I am a State senator, and also register of the United States land-office.

*Question.* How long have you lived in Jefferson County?

*Answer.* I have lived there since May 30, 1866.

*Question.* Where did you live before that time?

*Answer.* In Tallahassee; I had lived in Tallahassee for about fifteen years before that, and before that time I lived in Quincy, in Gadsden County, where I was born and raised.

*Question.* What is the condition of your people in your part of the State; how are they getting along?

*Answer.* Do you mean about living?

*Question.* Yes.

*Answer.* They are getting along, I might say, tolerable; they are poor, it is true; they work hard and make very little.

*Question.* Are they procuring homes for themselves?

*Answer.* Very few of them.

*Question.* Why is that?

*Answer.* It is for the want of means to buy land; that is one reason; another reason is that they do not have a chance to buy the land.

*Question.* How so?

*Answer.* Those who have it will not sell it.

*Question.* Do you mean that they will not sell it at all, or that they will not sell it to colored men?

*Answer.* It is some of both; they will not sell it to colored men for one thing, and another reason is that they ask so much for it that colored people cannot buy it.

*Question.* Do you think there is any disposition among people who hold the land to prevent colored people from buying land and obtaining homes?

*Answer.* I think so.

*Question.* What would be the disposition of your people in that respect, if they had the opportunity?

*Answer.* I think most of them—not all—would try and get homes. I believe there will always be some who will not try to be of any account, but two-thirds of them or more would try and get homes.

*Question.* How has it been with regard to their contracts for employment; have they had much trouble in settling up fairly and getting their pay?

*Answer.* A great deal.

*Question.* What has been the difficulty?

*Answer.* In the first place a majority of them do not know how to make a contract for their interests. The farmers who make the contracts with them draw up the contracts in writing and read it to them. The colored people are generally uneducated, and when a contract says this or that they hardly know what it means. A great many of the contracts give the farmer a lien upon what portion of the crop is coming to them for any debt they incur. Another reason why they do not get much is, that in the months of August and September mostly, when the crops are laid by, the slightest insult, as they call it, or the slightest neglect, is sufficient to turn them off, and according to the contract they get nothing. The contracts are made in this way: articles of agreement are drawn up which provide that if either one of the parties of the first part or the second part violate any of the articles they are to be turned off and get nothing. Now that is remedied a little; there is a law now in this State that allows

**Question.** That is all you know ?

**Answer.** Yes, sir ; and I believe it was just so.

**Question.** The facts you have stated are all the facts you know ?

**Answer.** Yes, sir.

**Question.** When you have been asked about this organization called Ku-Klux, have you any knowledge of the subject yourself ?

**Answer.** No, sir.

**Question.** None whatever ?

**Answer.** No, sir.

**Question.** When you were asked whether this murder of your husband or the murders of these other people were caused by them, have you any other facts to base it upon than what you have stated to us ?

**Answer.** No, sir.

JACKSONVILLE, FLORIDA, *November 13, 1871.*

MALACHI MARTIN sworn and examined.

By the CHAIRMAN :

**Question.** What is your age, where were you born, where do you now reside, and what position do you occupy at present ?

**Answer.** I am forty-nine years old ; I was born in Ireland ; and I now reside in Chattahoochee, Gadsden County, in this State. At present I am warden of the State's prison.

**Question.** How long have you been in Gadsden County ?

**Answer.** I have been a resident there since the 1st of January, 1869.

**Question.** As warden of the State's prison all the time ?

**Answer.** Yes, sir ; warden or commandant. At first it was a military prison ; but a law was passed changing the title of the officer in charge from commandant to warden.

**Question.** Since you have been there have you been admonished to take care of yourself personally ?

**Answer.** I have.

**Question.** By whom, in what way, and from what ?

**Answer.** I received a letter through the mail telling me if I remained in the position I then occupied, my fate would be that of others who had stolen and robbed the southern country. Here is the letter I received. [Handing the chairman a letter.]

**Question.** I see it is post-marked Marianna.

**Answer.** Yes, sir.

**Question.** That is in Jackson County ?

**Answer.** Yes, sir.

**Question.** What is the distance from Marianna to Chattahoochee ?

**Answer.** Twenty-eight miles.

[The letter referred to is as follows :

“HELLS HOLE, *April 13th 1871*

Col MARTIN : You have used some language against me that is *unjust* & if you remain in the position, you now occupy your fate will be as others, that has stolen and robbed our southern country

Respect &c

One who knows you and all of you rascility”]

**Question.** Have you any knowledge who wrote this letter ?

**Answer.** Not the most remote.

**Question.** You do not recognize the handwriting ?

**Answer.** No, sir.

**Question.** Or call to mind any occurrence that connects anybody with this ?

**Answer.** None whatever.

**Question.** Have you had anything else in the same direction ?

**Answer.** Nothing of a threatening nature ; I have been cautioned.

**Question.** By whom, and when, and against what ?

**Answer.** Soon after the receipt of that letter I wrote to the editor of the Courier, in Marianna, inclosing a copy of that letter, stating that it was postmarked at Marianna, and I presumed the author sometimes visited there ; that I was not aware of having used any unjust language toward any person, and if any person thought I had, should they call on me I would give what explanation I had in my power, and if I could not satisfy them I would give them the best in my shop ; that if they proposed to do any killing I had no objection to die as Dickinson had, and they might as well begin with me as with any other person. That was not published as I know of, but a very abusive article was. Soon after that, between 12 and 1 o'clock at night, two gentlemen came

to my residence and were admitted. Both were acquaintances of mine, and, I presumed, friends. I received them in my bed-room and asked them what they were doing that time of night sloshing around, going about and Ku-Kluxing a fellow. I said this in a joking kind of a way. They asked me if I had any whisky, and I said I had not. One with whom I was the most intimate I touched with my elbow, and we walked out on the big porch, where I said to him, "What is all this; what are you fellows here for?" He said, "I can't tell you; so and so," mentioning the name of the other one, "will tell you." I returned to the bed-room, and the other gentleman said, "I want to speak to you; come here." I walked out on the porch again, and he asked me some questions to satisfy himself what he presumed I was. Being satisfied of that he said, "I want you not to go out of these walls until you get leave from me." I said, "Is that all?" He said, "That is all." I said, "All right." We then returned to the bed-room, and he again asked if I had any whisky, and I said, "No." They said, "Good-night," and left. Three or four days afterward one of the parties returned—not the one who cautioned me, but the other—and asked me if I had any whisky, and I said I had not. He said, "Come down town and take a drink." I asked him if he was speaking by authority, and he said, "Yes." I said, "Is it all right?" He said, "Yes." I said, "Is the coast clear?" He laughed and said, "Yes, come on." We went down town, got a drink, and I returned. Afterward I asked him if he thought there was any danger, and he said, "No, I think it is all right now." On a previous occasion I had engaged with some gentleman to go across the river into Jackson County on a fishing excursion. We appointed the day, but the night previous to the day when we were to go an acquaintance of mine called at the door of the house about 9 o'clock at night and said, "You are going over to the lake to fish to-morrow?" I said, "Yes." He said, whispering, "I have come to give you a friend's advice: do not go." I said, "All right." He went away, and I did not go.

*Question.* Was there any reason you can assign why these men should have taken interest enough in your personal welfare to come to you and give you that sort of advice?

*Answer.* They were friends and acquaintances of mine. They differ with me in politics; but they are good citizens, and I think they are opposed to any violation of the law. They are personal friends of mine.

*Question.* That was the only relation between you and them?

*Answer.* Yes, sir.

*Question.* Do you know any reason why any hostility should have been exhibited to you personally? Have you had any difficulty with anybody?

*Answer.* None; on the contrary my relations with all my acquaintances up to that time had been quite pleasant.

*Question.* To what did you attribute this manifestation of unfriendly feeling?

*Answer.* It would be hard for me to say what reason there was for it. As I said to you, I have had no personal difficulty with any person. My relations with those with whom I have come in contact have been pleasant, even with those who are opposed to me politically. I meet them, and in a joking way I call them "Johnny Rebs," and they call me "Yank." I cannot form any idea that I could swear was a reason for it.

*Question.* You spoke of a paper publishing an abusive article?

*Answer.* Yes, sir.

*Question.* What was the character of the abuse?

*Answer.* I do not remember the terms used, but it stated that no person would think of such a thing as interfering with me; that I was beneath any notice.

*Question.* Do you know anything about any attempt on the part of the State government to provide arms for its militia?

*Answer.* I do.

*Question.* When was that, and what was it?

*Answer.* I think it was in 1863 that the governor purchased some arms in New York, and they were brought on here. The first that I saw of any of them was the residue of those which were broken in pieces, and they were brought to the office I then occupied in the capitol. They were brought there from the railroad, where they were picked up by the United States troops, or under their supervision.

*Question.* What was the fate of those arms; what became of them?

*Answer.* I heard they were ultimately sold, or something of that kind done with them. Of the broken parts I selected some forty muskets. I was very hard set to get forty that were any way serviceable. I have never seen arms on the battle-field after an action in such a condition as they were; they were very badly broken.

*Question.* By whom and how?

*Answer.* I heard they were broken on the railroad. The adjutant general told me that he had them put in cars at Jacksonville, and the cars locked; that he went into the passenger car, and when he arrived in Tallahassee those cars were empty. There was no mark of violence on the cars, as if they had been broken open. I heard that the guns were distributed along the road as if they were thrown out while the cars

were in motion. They were picked up afterward under the supervision of the United States troops.

*Question.* What is the most satisfactory theory of the manner in which they were disposed of?

*Answer.* The impression left upon my mind, from all I had heard and seen, was, that the political party opposed to the administration heard that these arms were coming here, and that the State militia were to be armed; that arms would be put in the hands of negroes, to which they were opposed. In order to prevent it, through an organization and in collusion with some officials of the railroad company, a party of men were admitted into the cars, and while in motion the arms were thrown out, and other parties there were prepared to receive them and break them up so as to prevent the militia being armed.

*Question.* This was done in collusion with some of the railroad officials?

*Answer.* It would appear so from the fact that the adjutant general told me that the cars were locked after the arms were put in them, and there were no marks on the cars, as if they had been broken open.

*Question.* Were there any railroad officials opposed to the State government?

*Answer.* So far as I know, they were all of a different complexion of politics.

*Question.* The railroad was under democratic influence?

*Answer.* So I understand; my impression is that they were held in check in that way; I think all the employés were held in check in that way.

*Question.* You have said something about organized parties; do you know anything of an organization existing in this State?

*Answer.* I do not know of any personally; I do not belong to any secret political organization, and never have. I have heard of the Union League; I have heard of Ku-Klux, of Brotherhoods, and of different organizations, but I have never seen any, and I do not know of any of my own knowledge.

*Question.* What information have you concerning the Ku-Klux that you deem reliable?

*Answer.* The very frequent murders in Jackson County committed by an organization. It was reported, and I have seen and heard, I think, from very reliable sources, that such an organization existed. I have heard men's names mentioned who were men of means who did not actually themselves commit the violence, but they supported parties who did.

*Question.* How supported them?

*Answer.* Financially and by advice.

*Question.* Do you know anything about the organization known as the Democratic Club?

*Answer.* I have heard that there was such a one; I have had gentlemen tell me that there was such an organization, and that they belonged to it.

*Question.* Do you know whether there is any connection or supposed connection between the Democratic Club and the organization called the Ku-Klux?

*Answer.* I do not know whether there is or not.

*Question.* You say gentlemen have told you that they belonged to the Democratic Club?

*Answer.* Yes, sir.

*Question.* When, and how recently?

*Answer.* Why, to-day.

*Question.* Who told you so?

*Answer.* Mr. John Williams told me that he was the president, or head, in Leon County, in Tallahassee. Several gentlemen have told me that they belonged to it. One gentleman told me that he was in a meeting in Tallahassee where a citizen of good standing there, a lawyer, made a most inflammatory speech, urging the young men as to what course they should pursue.

*Question.* Well, what course?

*Answer.* He said that—mentioning this gentleman's name while he was making his speech—he said to them, that they should receive them, alluding to what are known as carpet-baggers; that they should receive them at the dagger's point, and on the point of the steel. The young man who was telling me was a brave, fine young fellow, had been in the war here, and he immediately stepped out and said to the gentleman, "Yes, and when we did that and were fighting you staid at home; and now you want to shove us into it again while you stop at home. For one, I object to any such thing." He said they had quite a dispute there in the club at the time.

*Question.* Have you heard any other person speak of belonging to it excepting Mr. Williams?

*Answer.* I have heard many admit it; they do not deny it at all, nor that it is a secret organization.

*Question.* How long ago was the first you heard of it?

*Answer.* The first that I heard of it was in 1868. They asked me if I knew of a secret republican organization, and they then said that they had their own organiza-

tion: that they would counteract and beat any organization the republicans, or as they said, "the niggers" would get up.

By Mr. BAYARD:

*Question.* That was the Union League, I suppose?

*Answer.* I think they had reference then to what was known as the Lincoln Brotherhood.

By the CHAIRMAN:

*Question.* What is the condition of political feeling in your part of the State?

*Answer.* In my immediate vicinity in Gadsden County it is very peaceable, indeed, and I do not know but what it is peaceable all over the county. On the day of election there was a great deal of excitement; none of any consequence at the polls where I was an inspector. In the morning I thought there was a great deal of danger. The poll-books that came up were checked as to the parties who ought to be challenged who had left the county, men who were under age, men who had registered twice; there was a memorandum made so that they might be challenged, and no illegal voting take place. Before the polls were open a man by the name of Gunn came up and said he was deputy marshal, and wanted to take away the books, which I refused to allow him to do. He then arrested the one of the inspectors who brought the books up, and took him away. I was chairman of the board of inspectors, and immediately had the voters present elect another inspector. I had heard that this man Gunn, who remained there some time, had threatened to shoot me as I came out of the polling place; but he left, before the polls were closed, and I was not interfered with. I heard of excitement and threats, and there was a very narrow escape, indeed, from a riot in Quincy. I was not there, and do not know of anything of my own personal knowledge in regard to it.

*Question.* How is the feeling between the two parties as to being aggressive and insulting toward each other; is either party inclined to that?

*Answer.* There are among the democrats some men who will not insult you, but a great majority of them on every occasion will use such language either to you or at you as to provoke a quarrel immediately, without you have great control of your temper. They will damn all radicals; damn all carpet-baggers; wish them in hell. While Mr. Meacham was addressing a meeting in Quincy, I heard one gentleman say, "Damn him; I wish he and all the other radicals were in hell, and I had the key." I was near by him and asked him on which side of the door he wanted to be. He said he did not know but what he would be damned if he would not be willing to be inside if he could keep all the others in there. I had occasion to go to Bainbridge a short time ago, and a gentleman came up and said, "You are Colonel Martin?" I said, "Yes, sir." He said, "I am Colonel Smith; I want you to come and take a drink with me." I said, "Excuse me; I do not drink." He said, "I want you to do so; I have heard of you." I tried to get off, but it was of no use. We walked over to a place open as a bar, and we got a glass of ale. He took a sip of it, and then threw the rest on the floor and said that they gave him too much; and then said, "I wish all the radicals in your State were in hell; damn Purman, damn Reed, damn every radical from top to bottom." I was in a strange place, with no friends about me.

*Question.* You were in Georgia?

*Answer.* Yes, sir; but we were both from Gadsden; I turned and walked off, and another gentleman came up to me and said, "You are a man of sense; he has been drinking, and I hope you will not notice him; of course I am his friend, and would have to take his part if you get into a row with him." Such things often occur. There are many who are perfect gentlemen who will speak to you on the subjects of the day without any such insulting language or manner.

By Mr BAYARD:

*Question.* When did you come to Florida?

*Answer.* In January, 1865.

*Question.* What was your first occupation?

*Answer.* I was captain and assistant quartermaster.

*Question.* In the service of the United States?

*Answer.* Yes, sir; in the volunteers.

*Question.* What was your first occupation in the State under State authority?

*Answer.* I left the Army and went to planting. The only position I ever held in the State was that of commandant, or superintendent, or warden of the State prison.

*Question.* Appointed by Governor Reed?

*Answer.* Yes, sir.

*Question.* You were speaking of the disorders in Jackson County, and of the murders committed there. Does your knowledge of, and your statements in reference to, those disorders come from hearsay and rumor, or from knowledge of your own?

*Answer.* There is one instance where I buried two men myself. The fear was so great that I could not get my guard to obey my orders, and go and bring back the body

of one of my guard who was murdered there. I then tried to hire citizens, but I could not hire them for any price; they refused to go. I then went myself; the guard wished to go and take arms, but I would not allow them, lest it should provoke a breach of the peace.

*Question.* In what year?

*Answer.* In 1869.

*Question.* In what month?

*Answer.* I do not remember the month; I have the date at home. I can tell you how they were killed if you wish.

*Question.* Certainly, I want your own knowledge.

*Answer.* I was absent from Chattahoochee, in Tallahassee. During my absence the guard heard that a man of the name of Thomas Barnes, a notorious character, who is represented to be the hired assassin of the Ku-Klux, or this secret organization in Jackson County—it is said that they would indicate who they wanted murdered, and he would do it. Barnes was a man who was a sergeant in the confederate service, and was afterward detailed to take up deserters, and for that purpose he had a pack of dogs. They hounded these fellows out of the swamps. After the war he left there, but had no visible means of support. He dressed well, drove a good horse, and had money. Several murders had been committed, and a reward had been offered for the murderer of Dr. Finlayson, I think; it was supposed that Barnes was the murderer. My guard having heard that a reward was offered, and, aside from that, being anxious that he should be arrested, in my absence went over to Jackson County after him. They had got information from some woman where Barnes used to stop, that he was to be there; she agreed to take away his pistols while he was in bed. It was said he used to sleep with her.

*Question.* A woman of bad character?

*Answer.* I do not suppose it was very good.

*Question.* She was recognized as a woman of bad character?

*Answer.* I do not understand that she was understood to be a public woman. He stopped with her, and she agreed with the guard to take away his pistols, and then they could come in and arrest him. They went over for that purpose. He did not come there that night, but she told them that he would certainly be there that day. They lay in a little corn-crib close to the house. There was a man from Marianna—a citizen who knew Barnes. The guard did not know him, but this man was in their company to point him out. Both of the men in the guard were colored men. While in that corn-crib they heard a man crying out for assistance, and peeped out through the cracks and saw two white men—one having hold of a negro and pounding him over the head with a pistol or something. The guard rushed out and called to these men, "Turn that man loose;" whereupon, the man turned around and shot them dead. There were two bullet holes in one of them—one in his chin and one in his neck; the other had three shots right in his breast. The other guard made his escape in the corn-field. That was on Wednesday, and Thursday morning he got back to the prison. He said there were a crowd there; he was very much excited, and I do not know that he could tell who they were. That evening I heard there were two men dead on the road near where this occurrence took place. The next morning I ordered the guard to go over, without arms, so as not to provoke any trouble. They went down to the river, and then returned and refused to go. I told the first sergeant to go out and hire some citizens; that I would pay whatever they asked. I had two boxes made to bring the bodies back in. The sergeant came back and reported that he could not hire any man for anything. Sunday morning I had the boxes taken down to the river. I had to pay the ferryman \$5 to put me over; he was so much afraid that nothing but money would induce him to take me over. At first he refused, but I told him that I must go, and that I would take his boat myself, or that he could take me over and have the money. He said he would go for \$5, and I paid him that amount to take me over. At that time the sergeant came down and said, "I will go with you;" and talked just as if he was sacrificing his life to go. I went over the river, and met a gentleman who said he would go with me and show me the road. We went over and found the bodies. Their condition was such that we could not put them in the boxes, they were so much decomposed. We dug holes on the side of the road and buried them there—putting rails under them and rolling them into the holes.

*Question.* Was that man who killed those men this man Barnes?

*Answer.* I do not know. The circumstances I heard then would lead me to believe that it was a man by the name of Newton Williams, and from that I inferred that knowing I was the commandant of the guard, knowing I had enlisted the negroes, and presuming that I was of the most radical stripe, the sooner I was got out of the way the better. That is the presumption on my part; I will tell you why I have come to such a conclusion. A lady of very strict veracity told me the day that murder was committed, that Newton Williams and some man who was stopping with him—a stranger—had both been drinking, and had drank up all the whisky they had, and were going to Chattahoochee to get a fresh supply. They were seen coming down the



road towards where the murder was committed, less than half an hour before the shooting was done; there was no other person went down there. The women in the house say they were white men, but would not mention any names.

*Question.* The women in the house where Barnes was to be captured?

*Answer.* Yes, sir.

*Question.* There were other women there?

*Answer.* Yes, sir; a woman and her family, and this was one of her daughters. The fact that no one else was seen going down there, that there was no other road leading to the place, that they were seen coming back afterwards, and the character of the man, led me to believe he was the guilty party. He lived in the county, and he heard of my plan to go fishing, and the man who told me not to go afterwards told me that this was the man whom he had heard talk about me.

*Question.* This Newton Williams was the man who you believed was the person against whose evil intentions you were warned on the occasion you have spoken of?

*Answer.* On the occasion when I was going fishing, not on the other occasion.

*Question.* You do not implicate him in that as you do in the fishing affair?

*Answer.* No, sir.

*Question.* Had this man been indicted for that murder?

*Answer.* No, sir.

*Question.* Had any one been indicted?

*Answer.* No, sir.

*Question.* Had any warrant been issued at that time for the arrest of anybody?

*Answer.* I think there was a warrant issued for him.

*Question.* Do you think your guard held it at the time they went over after him?

*Answer.* I do not think they did; my impression is that it came from Marianna; that the man from Marianna who was with them had it.

*Question.* Some person from a different part of the community?

*Answer.* Yes, sir; this man coming from Marianna, seeing my guard, thought they would be a good support to help arrest Barnes.

*Question.* He knew Barnes and the others did not?

*Answer.* Yes, sir.

*Question.* It was a kind of speculation of their own, to gain the reward offered for the arrest of the murderer in that case?

*Answer.* Partly so, but I think in great part to get Barnes anyhow. He was a notorious person, and represented to be the hired assassin of these parties. I was frequently asked to allow the guard to go, armed, and take him anyhow, because so many black people had been murdered, and he was the tool for murdering them; they wanted to get him anyhow.

*Question.* They made an arrangement with this woman that she should betray him to them?

*Answer.* Yes, sir.

*Question.* Did they make a pecuniary bargain with her?

*Answer.* I think not; I rather think it was a friendly act.

*Question.* On her part?

*Answer.* Yes, sir.

*Question.* Towards them?

*Answer.* Yes, sir.

*Question.* It was scarcely so toward Mr. Barnes?

*Answer.* No, sir.

*Question.* It was on that occasion that these two men were shot?

*Answer.* Yes, sir.

*Question.* Were these the only two murders you know personally about?

*Answer.* I know of Fleischman being murdered.

*Question.* Do you know any of the circumstances of his murder?

*Answer.* I did not see the man after he was killed, but I can tell the circumstances I know in regard to it. Fleischman called on me and wished to be protected. I said to him, "I cannot protect you; my duties are here; if you are sent here to me I will protect you."

*Question.* You would keep him safe within the walls?

*Answer.* Yes, sir; but I could not take him back to Jackson County. I advised him not to go there, but he said he was compelled to go; that all he had in the world was there; that he had a large amount out; that he had trusted the planters a great deal, I do not recollect the amount, but he said they would gather their crop and sell it, and he would not be able to collect his money unless he was there; that his family were there; that his store and stock of goods and all his interests were there, and he must go back. I went down to Chattahoochee with him, and met several persons there and asked them if they had heard anything from Jackson; if they knew whether there was a sheriff there, and what condition things were in. They could not tell me anything about it; communication was stopped; every one was afraid to go there, and no person would go except some one who supposed he would be safe, who was one of the



white people who belonged to the party there ; some such person as that might go, but no person who was a republican would go. Fleischman said he would go back. He went on his way to Marianna and met a young man of the name of Sims who had been in his employment.

*Question.* A black man or a white man ?

*Answer.* A white man and a strong democrat ; he afterward fled to Texas for the murder of a black man. Sims told me this himself ; that he met Fleischman on the road and asked him where he was going, and Fleischman told him he was going to Marianna. He said to Fleischman, "Don't go ; if you do you will be murdered ; you cannot live there. Go back with me to Chattahoochee ; I will give you a seat in the buggy ; but don't go to Marianna, for as soon as you get there you will be killed." Fleischman said he would venture, telling the same story to him that he had told to me ; that his property was there ; his children and wife were there. From where Sims met him and talked with him in that way to where he was killed was about a half a mile. Persons who saw the body, men of veracity, told me the manner in which it laid, where it was shot, &c.

*Question.* What was Fleischman's occupation ?

*Answer.* He was a merchant.

*Question.* Had he any political office ?

*Answer.* No, sir.

*Question.* Did he take any particular part in politics at all, or was he a man attending to his business as a merchant there ?

*Answer.* It was so represented to me.

*Question.* Was Fleischman an active politician in any way ?

*Answer.* Not at all. I think he did not interfere with politics ; he was looking for money. The immediate cause of hostility to him was this : A picnic party of colored people who were going out were fired upon and several of them were killed ; a ball passed through a child in the arms of a man who was carrying him, killing him and the child. There was a great deal of excitement there, and Fleischman told me himself that he was greatly excited, and he had no doubt that he did use this language : "If the colored people are to be murdered in this way, for every black man that is murdered there should be three white people killed." He said, I think, that he made use of that expression in the street ; they alleged that he said so. After having said that he was driven out of the county, and returning back to his home he was murdered. In regard to the murder of Yearty, I will say I had some guards from Calhoun County, white men, who were on the road and met Yearty and spoke to him. He went on and they went on ; they saw this man Luke Lot sitting behind a tree. He had two double-barrel guns with him. They stopped him and spoke to him and asked him if he was out then ; that is if he was on his keeping at that time ; if he was evading the law, living in the woods. He said, "You go on ; here is a man coming I think I want to see." They went on and had just got around a bend of the road when they heard a gun discharged. They went back ; one parted from the other, and going a shorter way back came up and met Luke Lot and spoke to him. He gave this man a little parcel with a pair of old shoes in it, and said, "Take that back to my daughter," and then rode off. He then went on up and found Yearty in the road murdered ; they all got back there and found the body yet warm.

*Question.* From which it was supposed that Lot had murdered that man ?

*Answer.* Yes, sir. Yearty was a representative in the legislature.

*Question.* What sort of a man was Lot ; what was his condition in life ; what did he do ?

*Answer.* He was a farmer.

*Question.* What was his character before that ?

*Answer.* He was a desperado. A man who saw me the other day in the woods was introduced to me as Mr. Jones ; I knew well enough who he was. He came to caution me about what the republicans in Gadsden should do. He said that Luke Lot was a thug ; that was his expression.

*Question.* An assassin ?

*Answer.* Yes, sir.

*Question.* He has no regard whatever for life ?

*Answer.* I think from all I know of him that he was a very bad man.

*Question.* A desperado, and a wild, reckless man ?

*Answer.* I do not know how wild he is ; he does not drink ; he is very cool and very deliberate.

*Question.* Wildness is sometimes caused by liquor and sometimes by passion.

*Answer.* I think he is a calculating man. I do not call such a man as that wild ; I call a man wild who will do things in a passion ; he does not do that.

*Question.* Where is he now ?

*Answer.* The last I heard of him he was at home, and no person dared go near his house.

*Question.* In Jackson County ?

*Answer.* No, sir, I think he lives in Calhoun County.

*Question.* Was he ever indicted for this murder of Yearly?

*Answer.* I do not know; a reward was offered, but I think he never was arrested.

*Question.* Was your guard who knew him taken before the grand jury?

*Answer.* They were; and I think a reward was issued for his arrest, but nobody dared to arrest him, and he never has been arrested; he has a crowd of people who protect him and give him information whenever the authorities come near him; it is impossible for a sheriff to go and arrest him.

*Question.* He will escape?

*Answer.* He will get information so as to keep out of the way. I asked a man I knew if Lot was not well mounted; the gentleman was riding a very fine animal himself, and he said "He has a better horse than this mare is." I think the gentleman had one of the finest animals in Gadsden.

*Question.* Is he a man of family?

*Answer.* I think so.

*Question.* When your men met him they asked him if he was out?

*Answer.* On his keeping and evading the law.

*Question.* That was his character; he was such a man that it was probable that he was in that condition?

*Answer.* Yes, sir.

*Question.* Was he what you would term an outlaw?

*Answer.* At present he is, but he has his friends who will protect him, give him means, and give him information. I should dislike very much indeed to be sent to arrest Luke Lot.

*Question.* I should think so decidedly, from the description you have given of him.

*Answer.* Because if I had only that one there to contend with it would be all right, but I would not know who in the neighborhood to speak to.

*Question.* Who would assist you?

*Answer.* No, sir; no matter what the standing of the man was I would keep my mouth shut.

*Question.* Was the fact of his residing in that county known to the authorities?

*Answer.* I think he first went back clandestinely, but recently he has been a little bolder.

*Question.* You say he is a farmer?

*Answer.* Yes, sir.

*Question.* Are his farming operations interfered with at all by this manner of life?

*Answer.* I do not know, but I think he is now a poor man.

*Question.* I should suppose that the steady labor required of a farmer would be interfered with by this manner of life.

*Answer.* I think so. Most of the people in that vicinity have had their crops drowned out by freshets and heavy rains.

*Question.* When Fleischman was killed was he robbed?

*Answer.* I do not know; there never was any doubt in my mind as to the reason of it.

*Question.* Do you know of a young lady of the name of Miss McClellan being killed there?

*Answer.* Yes, sir.

*Question.* State the circumstances.

*Answer.* I will state them as I have heard them.

*Question.* You have stated the others as you have heard them?

*Answer.* Yes, sir; and as I believe they are. At the hotel, after tea, Mr. McClellan, a lawyer there, his daughter, and some other parties, were on the stoop; a man that is probably one of the most wealthy men in Jackson County was there also—Mr. Coker—who is represented as supporting Barnes and that class of men. His character is of that kind, even with parties who are democrats, and know him well. They speak of him in that way; they say that all is not false that is reported of him in supporting those men, that there is some truth in it. They say they have interfered with him a great deal; that the amount of taxation upon him for that purpose has reduced him a great deal; that he is not so wealthy as he was.

*Question.* Because of supporting these men?

*Answer.* Yes, sir; that is what I have heard. He was on the stoop with the others. I understood that they heard some parties on the street, and that they supposed there was a colored man there who was a constable, a man of the name of Calvin Rogers. McClellan said that he recognized his voice giving the command to fire. The impression is that they intended to kill Coker, but, by accident, Miss McClellan was killed and her father wounded.

*Question.* Coker was not hurt?

*Answer.* No, sir. Afterward the citizens turned out and would have Calvin Rogers. They did not get any warrant issued for him. The clerk of the court tried to get them to have a warrant, and to do things in a legal manner, but they refused.

*Question.* Who was the clerk ?

*Answer.* Mr. Dickinson, who was murdered. He said he did all he could to get them to proceed in a legal manner, for he did not know at what moment it might be his turn. They would not do any such thing. The most prominent citizens of Marianna pursued the same course.

*Question.* The same course as Dickinson ?

*Answer.* No, sir; the same course of those who took the constable who was accused of murdering Miss McClellan. They went in an unlawful way, as a mob or vigilance committee, and took him, and would not take out any warrant. There were two other black men suspected of being implicated in the murder of Miss McClellan, or of being friends of Rogers. They took them and ordered them to go with them and search for Calvin Rogers. The men refused to go, and they insisted upon their going. They said they wanted to get their arms. These people said to them, "No, go as you are, you don't want any arms." They went out of Marianna in company with these men. After they got out a piece these two black men were ordered to go ahead, and they did so; and when they got off a piece from the other party they were fired on; one was killed outright, and the other was wounded, but made his escape. There has never been any person arrested for any of these murders, or punished for any murders committed there.

*Question.* What became of Calvin Rogers ?

*Answer.* He was afterward taken and killed; when they caught him they killed him.

*Question.* What was his office ?

*Answer.* He was constable.

*Question.* That is the only elective office in the county ?

*Answer.* Yes, sir.

*Question.* He was elected by a vote of the people ?

*Answer.* Yes, sir.

*Question.* He was the man whom Colonel McClellan heard giving the order to fire ?

*Answer.* He said he heard his voice.

*Question.* When was this ?

*Answer.* In the dusk of the evening.

*Question.* There was a number of negroes in a body who approached the hotel ?

*Answer.* I heard there were only two. The county is only across the river from me, and the affairs in that county have been such—

*Question.* Have you any knowledge, in the same way that you have obtained the rest of your knowledge, by information from others—I understand you are not yourself cognizant of the facts ?

*Answer.* No, sir.

*Question.* Have you any knowledge of the arrest of young ladies in the town of Marianna by order of Major Purman or others connected with the Freedmen's Bureau, and of fastening them up in smoke-houses and places of that kind ?

*Answer.* I never heard of their arrest; I heard they were ordered to appear. They pulled the flowers or desecrated the graves of Union soldiers that were buried there. Some persons friendly to their memory had planted flowers on the graves of the Union soldiers. Some ladies, whose names I do not remember, on Memorial Day, had pulled up the plants or flowers on the graves of the Union soldiers and decorated the graves of confederate soldiers with them. I do not know whether it was Major Purman or Captain Hamilton who gave the order, but they were ordered to appear before those two gentlemen at their office. They came there, and I am satisfied that they were never locked up. When they came to the office and appeared before those gentlemen they were closely veiled. They were requested by the officers to raise their veils so that they might be recognized, and they complained of that a great deal. I never heard of their being put under arrest.

*Question.* You never heard of young ladies in that town being locked up in a meat-house or smoke-house for the offense of singing songs of a southern character ?

*Answer.* No, sir; I never heard that, and I thought I had heard all the bad things that could be said of those two officers, but I never heard that. I have heard of men being locked up who, in settling accounts with the freedmen, would not carry out their contracts according to the law, and they were put in a smoke-house, as there was no other place to put them in; I have heard that charge.

*Question.* That—as in cases concerning contracts ?

*Answer.* Yes, sir. I have heard, and I believe it to be true, that they arrested them and kept them under arrest, and compelled the enforcement of some contracts with the freedmen.

*Question.* You spoke of the employés of a railroad company being men of a certain party—members of the democratic party. Who was the president of that road ?

*Answer.* Mr. Houston.

*Question.* Who is the president of the road now ?

*Answer.* General Littlefield.

*Question.* He is a prominent member of the republican party ?

*Answer.* I take it he is.

*Question.* You spoke of a democratic club that Mr. Williams and other gentlemen told you they belonged to?

*Answer.* Yes, sir.

*Question.* There is nothing secret in the membership of that club?

*Answer.* I do not know about the secrecy of the membership; they told me that they belong to such a club.

*Question.* They have spoken of it openly?

*Answer.* Yes, sir; since this investigation began; but the objects of it are secret.

*Question.* Have you not yourself seen companies come into the polls?

*Answer.* People voting?

*Question.* No; men coming to the polls as members of these clubs as democrats?

*Answer.* No, sir.

*Question.* You are not aware of that fact?

*Answer.* No, sir.

*Question.* When was the Lincoln Brotherhood formed?

*Answer.* I do not know of my own knowledge, but I think it was formed in 1867 or 1868.

*Question.* Is it still in existence?

*Answer.* I think it was merged in the Union League.

*Question.* Was it composed of black people solely?

*Answer.* I think not.

*Question.* It was composed of blacks and whites?

*Answer.* Yes, sir; of republicans.

*Question.* Was it an oath-bound association?

*Answer.* I do not know.

*Question.* You are not a member of it yourself?

*Answer.* No, sir.

*Question.* Do you know whether or not they were bound by an oath?

*Answer.* I do not know anything of the kind. I presume it was a secret association.

*Question.* Do you know whether it extended throughout the State?

*Answer.* I do not know, but I presume it did, and I think all through the Southern States, and I do not know but all through the Union.

By Mr. LANSING:

*Question.* What has become of this man Barnes?

*Answer.* He is now living near Marianna. He was shot in a drunken row with one of his fellows while card-playing. He was brought over to Marianna and taken the kindest care of by the best citizens there; the most eminent people in the place attended to him.

*Question.* Do you mean the best citizens and most prominent citizens?

*Answer.* I mean wealthy men, men of means and of high standing.

*Question.* In that class of men are included those who sympathize with Barnes?

*Answer.* Yes, sir.

*Question.* And with his conduct?

*Answer.* It appears so, yes; they speak of Barnes as a very chivalric, fine fellow.

*Question.* Is he permanently injured by this wound?

*Answer.* Yes, sir.

*Question.* So that he is not as active as he was?

*Answer.* No, sir; the ball passed above the knee, and now one leg is shorter than the other. He had the man so close to him that he could not shoot him directly, and he had to direct his fire at him as well as he could, and fire down diagonally through his thigh. It was Newton Williams that did it.

By Mr. BAYARD:

*Question.* The one who shot him?

*Answer.* Yes, sir; and it would have been a mercy had they killed each other.

By Mr. LANSING:

*Question.* As I understand from your statement, your guard did not find him at this house where he had this *liaison*?

*Answer.* He did not go there.

*Question.* They never afterwards met him there?

*Answer.* No, sir; he took good care not to go there afterward.

*Question.* How far from where Barnes lived was this house?

*Answer.* I do not know where he was living; he would come and go, and nobody would know where he went or what he did, unless it was his own immediate friends.

*Question.* As you understand, he discontinued his visits to that house?

*Answer.* After that, yes, sir.

By the CHAIRMAN :

*Question.* I understand you to say that the only complaint of bad treatment toward the young ladies, as they were called, that you have heard of, was that when they came before the officers they were required to remove their veils ?

*Answer.* They were asked to raise their veils.

*Question.* And that was regarded—

*Answer.* As a terrible insult offered to a southern lady by a Bureau officer.

*Question.* Was that made a subject of accusation in the newspapers ?

*Answer.* I did not see it in the newspapers, but I heard it from people of both parties. There is a circumstance I now remember : At a meeting in Jackson County, in Marianna, just immediately previous to the last election, Major Purman, Mr. Hamilton, Mr. Gibbs, Mr. Tore, a justice of the peace in Tallahassee, were at the meeting. On their return, they stopped at my place, and told me about the proceedings at that meeting ; while they were there, one of the engineer corps, who had been down to the Choctawhatchee, Lee Butler, called me out on the road, and said, " See here, those fellows are never going to get out of Marianna." I said, " Why not ?" He said, " I know they are not ; I would have told them, but I was not intimate enough with them to speak to them, and they might have thought I was sticking my oar in where I had no business to." I asked him how he knew this, and he said that he had heard in Marianna that they were determined to kill those two men ; that they should never get out of that county alive. Said he, " I had to leave and get out of that, and before I had got a half a mile a man jumped out of a ditch and caught my horse by the head ; I asked him what he meant, and he asked who I was ; I told him it was none of his damned business ; to let my horse go. A man in the brush close by the ditch said, ' He is all right ; let him go.' That showed that the roads were picketed." Butler is a very gallant, nice young fellow, I think a man of strict honor and integrity.

*Question.* You spoke of two negroes who, the evening that Miss McClellan was shot, were taken out to hunt for Rogers.

*Answer.* After the murder ?

*Question.* Yes ; I understood you to say they were sent forward, and when they got on a little piece, they were shot, one killed and the other wounded.

*Answer.* Yes, sir.

*Question.* Were those the negroes charged to have been with Rogers at the time of the shooting ?

*Answer.* Not with him at the time of the shooting, but with being intimate friends of his, sympathizing with him.

*Question.* That was the charge against those men ?

*Answer.* Yes, sir.

*Question.* What had they against the people who were going out on a picnic ?

*Answer.* I do not know what they had against them ; as I heard it, it was represented that Rogers was one of the party.

*Question.* One of the party going to the picnic ?

*Answer.* Yes, sir.

*Question.* And they shot a man and his little child and killed them both ?

*Answer.* Yes, sir ; and I do not know how many were wounded.

*Question.* There were others wounded ?

*Answer.* I do not remember how many ; this other, being such a horrible thing, remained in my memory better than the other circumstance.

*Question.* Has there been any attempt made to hunt out the offenders ?

*Answer.* Dickinson organized a party and followed some tracks, but they did not amount to anything.

*Question.* Mr. Fleischman told you that, in his indignation, he said that if negroes were to be treated in that way, then for every black man killed there ought to be three white men killed ?

*Answer.* He said he said so.

*Question.* And for that they were hostile to him ?

*Answer.* He said that he was sent for, and went to a certain house and found some gentlemen there who said he must leave the county ; that he told them he could not go ; that his interests were all there and he could not leave ; that they said they would give him till a certain time—till 5 o'clock that evening. He did not go away, and they came down to his store and took him away.

*Question.* Did he say who those gentlemen were ?

*Answer.* Yes, sir.

*Question.* Who were they ?

*Answer.* I do not remember their names now ; I think I have them at home.

*Question.* Was Coker one of them ?

*Answer.* No, sir, I think not ; I think their names are given by Dickinson in a memorandum kept by him, that I got among his private papers.

*Question.* How long previous to these transactions had the Freedmen's Bureau been there, and when was this occurrence of sending for those young ladies ?

*Answer.* I am not familiar with the dates, but I think it was shortly after the war. I heard it was something that had taken place long ago that caused the hostility to Hamilton and Purman.

*Question.* Mr. Hamilton had been in Congress?

*Answer.* Yes, sir. After the murder of Dickinson, Judge Bush told parties who were there that it was no use to send people there to follow up this thing, for they would all be murdered, every one of them; that they must have their own people there; that that is what the people there said.

*Question.* Was not Doctor Finlayson one of their own people?

*Answer.* No, sir; they do not recognize a man of that kind as one of their own people.

*Question.* Was he not a native of Florida?

*Answer.* Well, we have here what are known as "scallawags, carpet-baggers, and niggers."

*Question.* By "their own people," they mean democrats?

*Answer.* Yes, sir; and when they nominated people in that county for the governor to choose from, every one of those they nominated were democrats, from whom he was obliged to select a county clerk and a sheriff. The last sheriff that was there left from intimidation; two clerks of the court have been murdered. Then the citizens came together, called a meeting, and selected a certain number of names, all democrats, from which the clerk should be selected, and a certain number of names, all democrats, from which the sheriff should be selected, and they said to the governor, "Appoint one of these, and we will be satisfied." He did appoint from those very men a clerk and a sheriff.

*Question.* What is the relative proportion of republicans and democrats in that county?

*Answer.* The last election would indicate that it was very close; but the fact is, that the republican party is largely in the majority.

*Question.* How largely?

*Answer.* I think that when Hamilton was elected, it was over two-thirds majority for the republicans.

*Question.* Those gentlemen insist that the majority shall submit to the minority?

*Answer.* Yes, sir.

*Question.* That the minority shall have the offices and control affairs there?

*Answer.* Yes, sir; they say they are the owners of the property, that they belong there, that they are the parties who pay the taxes, and that negroes, and scallawags, and carpet-baggers must not come there for office; that they are the owners of the soil, and they are the parties who are responsible.

*Question.* What is the feeling of those people toward the United States Government, so far as you have had any opportunity of seeing it manifested?

*Answer.* I think from all I know, and I have heard parties say so, that they would prefer a monarchy to the Government of the United States. From what I have heard, I think that if the people were allowed to vote and make a choice between the present administration and a monarchy, they would vote in favor of a monarchy.

*Question.* What people do you mean?

*Answer.* I mean the democratic party—the southern people here. Some of them speak that very plainly. One man says he would sooner have a king anyhow; that he is not in favor of a republic; that he would sooner have the King of Dahomey—a one-man government.

By Mr. BAYARD:

*Question.* They prefer a monarchy to the State government that they have here?

*Answer.* No, sir; I am speaking of the United States Government.

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JACKSONVILLE, FLORIDA, November 13, 1871.

LEMUEL WILSON sworn and examined.

By the CHAIRMAN:

*Question.* State your age, where you were born, where you now reside, and what official position you occupy at present, if any.

*Answer.* I am fifty-five years old; I was born in North Carolina, and now reside in Florida. My family are in Alachua County, but I have been at Tallahassee for the last four months. I am at present receiver of public moneys in the land-office at Tallahassee.

*Question.* Under the Government of the United States?

*Answer.* Yes, sir.

*Question.* How long have you lived in Alachua County?