

ABRAM COLBY, (colored ;) examination continued.

By the CHAIRMAN :

Question. How long did you stay in Greene County after you were beaten in the way you have described ?

Answer. About two months.

Question. How much of your time have you been back there ; how many times ?

Answer. I went back there last year very often, and staid there, at home, a great deal, except when I was here in the legislature.

Question. How has it been this present year ?

Answer. I could not stay at home at all.

Question. Why ?

Answer. Because they Ku-Klux my house every time I go home. Any day that I am home I may expect the Ku-Klux at my house. I have not staid there more than one night this year ; I had to stay in the woods.

Question. What do you mean by Ku-Kluxing your house ?

Answer. Shooting into the house. They did not shoot into it the last time. I heard them coming ; I was off into the woods. But Tuesday morning, a week ago, I saw their tracks all around the house.

Question. Were they persons who were seen so that it could be told who they were ?

Answer. No, sir ; not this last trip.

Question. How was it with regard to the persons who shot into the house ?

Answer. They were seen, but they ran off. I was in the house myself one time, and I shot at them and they ran away.

Question. Were they disguised each time ?

Answer. Yes, sir.

Question. In what numbers ?

Answer. There appeared to be a great many of them, but I cannot say how many there were.

By Mr. SCOTFIELD :

Question. You say you shot at them once ?

Answer. Yes, sir, from my house. After they fired into my house, I ran up stairs and shot at them, and they ran away.

Question. When was that ?

Answer. Last March.

By the CHAIRMAN :

Question. Did you make a general canvass there last fall ?

Answer. No, sir ; I was not allowed to do it. No man can make a free speech in my county. I do not believe it can be done anywhere in Georgia. I know I cannot do it in my own county, and I do not believe any republican can.

Question. Why not ?

Answer. Because they will not allow it. If you go there to do it you will be killed, or shot at, or whipped, or run off, as has often been the case.

Question. You say no man can do it ; do you mean no republican, or no man of your color ?

Answer. I mean no republican, either white or colored ; it has not been done.

Question. I suppose you used to attend political gatherings here before the war, and hear men talk on the one side and on the other ?

Answer. Yes, sir.

Question. Has there been any of that kind of free debate and discussion since the war, to your knowledge?

Answer. No, sir.

Question. You say no republican can make a free speech; how is it with those on the other side?

Answer. Democrats can make speeches whenever they want.

Question. Have you ever known any democratic speaker or a democratic meeting to be interfered with?

Answer. No, sir; not in my county.

Question. Have you known any democrat in the State, of any color, character, or kind, to be interfered with for his politics, or on account of his politics?

Answer. No, sir. I have not.

Question. You say that it is proposed to expel you from the legislature?

Answer. Yes, sir.

Question. On what ground?

Answer. On account of want of residence. They kept me from home so long that they claim I am not a resident of the county.

Question. What reason have you for supposing that such a thing is thought of?

Answer. Because I hear it when I go home.

Question. Do you hear it as coming from any responsible or respectable source?

Answer. I only get it from low white men who tell me of it when I go home. They say, "You cannot stay there; you cannot take your seat; we do not intend that you shall have your seat." They say, "We do not." I take it they mean by that the whole of them.

Question. You have heard none of the prominent men of the party intimate anything of the kind?

Answer. I have heard them say that I will never take my seat because I am not a resident of the county.

Question. Who have you ever heard any that?

Answer. I heard Mr. Boyden's son-in-law say it; he is a member of one of the first families; he told me so to my face.

Question. Have you any newspapers in your county?

Answer. Yes, sir.

Question. How many?

Answer. One, the Herald.

Question. What is the political character of that paper?

Answer. Democratic.

Question. Has that paper had anything to say about this treatment of you?

Answer. No, sir; not a word.

Question. Has it had anything to say about your being deprived of your seat?

Answer. No, sir; or if it has, I have not heard of it yet.

Question. When you have not been at home you have been here in Atlanta?

Answer. Yes, sir.

Question. Quite a number of your people have been before us, who have told us why they have come to Atlanta, because of having been badly treated and driven from their own homes. Why did you come to Atlanta?

Answer. For protection. The military is here and nobody interferes with us here. For that reason we have come here for protection; we cannot stop anywhere else so safely, and that is the reason I came here.

Question. What would be your chances for protection under the laws of Georgia, as administered by the people of Georgia, without any interference from any other source?

Answer. It would be death at once.

Question. What is the hope of your people for their protection and security in the future?

Answer. It is our hope that Georgia will go back under military control, so that we can get protection from the Government.

Question. What government?

Answer. The United States Government. That is the prayer of our people.

Question. You say you were in the legislature?

Answer. Yes, sir.

Question. And you had a majority in the two houses?

Answer. Yes, sir.

Question. And you had the governor?

Answer. Yes, sir.

Question. And you could have used the militia of the State?

Answer. I do not know that we could. We tried to raise colored militia, but the white republicans were too weak for us; every time it was brought to a vote we would lose it.

Question. The white republicans were not all willing for that?

Answer. No, sir.

Question. How has it been with the officers of the State government, executive and the judicial officers?

Answer. Some portion of them have been right, and some have been very contrary to law.

Question. Who of all the officers of the State do your people regard as their truest and most reliable friends?

Answer. The governor of the State is all the protection we have. Whenever anything occurs we look to the governor only for protection; that is the only source of protection we have here.

Question. Who of the judges on the bench do you regard as your most reliable friends?

Answer. I do not know one that I think would give us any rights at all, who has been on the bench.

Question. Do you mean to say that if you had a case brought before a judge, there is not one of them who would do you justice?

Answer. I mean this: I have had my case for two years, and I have never carried it before one of them, because I believed I could not get justice.

Question. Have you ever talked with one of them about it?

Answer. I talked with Judge Lochrane before he resigned. If he had not resigned I would have had it tried before him, but since he has resigned I have not mentioned it to any one of them.

Question. You regarded him as a just man?

Answer. I thought he was.

Question. You have told us why you have made no attempt to obtain redress and justice for this treatment to you?

Answer. Yes, sir; I aimed to do so yesterday evening, and I suppose I did.

Question. Suppose that your people had protection so that they could live at home peaceably with their families and attend to their business, what would be their preference; to gather in the towns or to go into the country?

Answer. They would all go into the country on farms; but wherever they now go into the country and make anything at all, if their crops are good they are driven off before they can get a chance to gather them. The owner of the place may try to protect them, but he cannot do it. If they make anything the first year they are driven off the second year.

Question. Has that been done in many instances?

Answer. Yes, sir; that is the case in my county, and I have talked with many persons here, and find that it is a general thing in all the counties.

Question. Is that a common feeling among the white people of Georgia, that the negroes shall not make anything?

Answer. Yes, sir; I think it is the feeling that the negroes shall not have anything at all.

Question. That is not the way with all of them?

Answer. I do not say it is the way with all of them. Some of them talk right, but at the end of the year you do not get any more from those who talk right than from those who talk rash. Some few will give you what you make, and at night others will come and take it away from you, so that you lose it all anyhow. If our people could have any showing to work, I assure you that you would find in Georgia just as industrious colored people as anywhere in the world. Here, in this place, I suppose there are three or four thousand colored people who would to-day be out on farms if they could be allowed to stay there; while here they hardly make their bread. Just as quick as they go out into the country on farms they are run off by disguised parties. As soon as their crops are made they are driven off and not allowed to gather them. They are here suffering through the winter because they are not allowed to remain in the country.

Question. How is it about owning land; have your people been able to buy much land?

Answer. Not a great deal. A great many of them have bought as high as a hundred or a hundred and fifty acres, but they have to live as poorly as they can or they will be driven off. Many of them have fifteen or twenty acres each, in different counties, but they cannot go near it.

Question. Suppose they were able to go out into the country and buy what land they could pay for, more or less, and live upon it and cultivate it, what would be their disposition in regard to it?

Answer. It would be to make all they could, and live happily and never interfere with the white people at all. There never has been known in my county any instance where a colored man has attacked a white man. They are just as obedient and humble now as when they were slaves, and in many cases more so, I think.

Question. Do you think there is a pretty general disposition on their part to own land?

Answer. Yes, sir, there is.

Question. Have not a great many of your people molested the white ladies of the country, by being insolent to them, and in some cases ravishing them?

Answer. There never has been any case of that kind in our county. I have heard of it in other counties, but it has never been known in my county.

Question. Do you think there has been any disposition to bring false charges of that character against the colored people?

Answer. I think so. I have heard good, reliable men swear that men who have been charged with such things, in other counties, and punished for it, were entirely innocent.

Question. What is the feeling about allowing colored men to buy or rent land?

Answer. A little over a year ago there was an agreement among the white people not to sell or rent any land to negroes, but they must be hired and have a white man over them on the farm, or they should not be allowed to live in the country. And where one lived by himself he was whipped that year and run off his place.

Question. Have you been around where men were employed at work, and seen how they were treated by their employers?

Answer. I used to do so in my county, but I have not been able to do it for over a year past.

Question. How did employers treat their hired employes?

Answer. I know more here than from anywhere else, for I see those coming in here every day who have been half fed. No matter how hard they might work they would be brought in debt at the end of the year. They do not make enough to pay for what they eat.

Question. How many colored men were in the last legislature?

Answer. Thirty-three or thirty-five, I think.

Question. In both houses?

Answer. Yes, sir.

Question. How many were elected to the present legislature?

Answer. I think nineteen to the lower house and five to the upper house. I think I said yesterday that there were twenty-two elected to the present legislature, but last night I heard of two others.

Question. Were colored men who were in the last legislature re-elected to this legislature?

Answer. Not all; some were.

Question. How much education have you?

Answer. I have none.

Question. Can you read or write?

Answer. No, sir.

Question. How do you get along in the discharge of your duties?

Answer. I have a son I sent to school when he was small; I make him read all my letters, and do all my writing. I keep him with me all the time.

Question. How old is he?

Answer. He was twenty-one on the 8th day of this month.

Question. What is his name?

Answer. William Colby.

Question. Where was he when you were whipped?

Answer. He was here when I was taken out of my house and whipped, and he was here when I was fired at in my house. I put him at the shoemaker's trade, and he has been at it for the last three years.

Question. Have you any property?

Answer. Yes, sir; I have property; I have a house in Greene County.

Question. How did you obtain your property?

Answer. It was given to us by my father, who was our master and a white man.

Question. Were you raised at home?

Answer. Yes, sir.

Question. And he gave you the property when he set you free?

Answer. Yes, sir.

By Mr. BAYARD:

Question. Where did your father come from?

Answer. He was a Northern man, from Connecticut.

Question. This cruel whipping was inflicted upon you in 1869?

Answer. Yes, sir.

Question. I understood you to say that body of men were disguised?

Answer. Every one was disguised.

Question. And that among them there were some colored men?

Answer. Yes, sir.

Question. But the most of them were whites?

Answer. Yes, sir.

Question. Let me ask you this question: was or was not that assault upon you committed for some alleged crime of your own, in your own family?

Answer. It was not.

Question. There was no allegation of that kind?

Answer. None at all.

Question. After you were whipped in this cruel manner, were you reinstated in your place in the legislature?

Answer. I was.

Question. By General Terry?

Answer. Yes, sir.

Question. Did you come up here before your reinstatement?

Answer. I did.

Question. Was this place the headquarters of General Terry?

Answer. Yes, sir.

Question. Was he made fully aware of all the facts? Did you see him?

Answer. I saw him.

Question. Did you see Governor Bullock?

Answer. I did.

Question. I understood you to say that Governor Bullock is the friend you and your people rely upon throughout the State?

Answer. Yes, sir, to this day.

Question. That is your feeling?

Answer. Yes, sir.

Question. Do you know what steps, if any, were taken by General Terry to investigate this outrage upon you?

Answer. I do not.

Question. You do not know of any steps, by any one, to investigate this outrage upon you?

Answer. No, sir.

Question. Of course you are acting with the republican party?

Answer. I am.

Question. Governor Bullock was elected by you in the fall of 1868.

Answer. Yes, sir.

Question. Were not all the State offices filled by members of the republican party?

Answer. Yes, sir.

Question. Either by his appointment or by election?

Answer. Yes, sir.

Question. They were entirely in the hands of your own party?

Answer. Certainly they were.

Question. All the judges throughout the State were appointed by Governor Bullock?

Answer. Yes, sir.

Question. When you were in the legislature did you vote for Colonel Farrow for United States Senator?

Answer. Yes, sir.

Question. And for Mr. Whitely?

Answer. Yes, sir.

Question. Did you not visit Washington in the winter of 1870?

Answer. In the spring of 1870.

Question. You were there, were you not?

Answer. Yes, sir; I was there.

Question. How long were you in Washington?

Answer. About five weeks, between five and six weeks.

Question. Were you before the Judiciary Committee of the Senate?

Answer. No, sir; I did not go before them.

Question. Were you there in connection with the matter of Mr. Farrow and Mr. Whitely taking seats in the Senate?

Answer. Yes, sir.

Question. That was the business that took you on there?

Answer. No, sir, that was not the business that took me on there.

Question. Were you not there on political business?

Answer. Yes, sir.

Question. Did you state there, to eminent gentlemen of the republican party, the story of your wrongs here?

Answer. I did.

Question. Did you state it fully?

Answer. Yes, sir.

Question. Were you made acquainted with any of the publishers of newspapers there?

Answer. Yes, sir.

Question. Did you also state to them the facts in full?

Answer. I did.

Question. Therefore, all the facts in regard to this wrong upon you were well known at that time?

Answer. I stated them to Mr. Forney, I think was his name.

Question. The editor of the Washington Chronicle?

Answer. I think he was.

Question. What was the date of your reinstatement by General Terry; was it not in the winter of 1869-'70?

Answer. I think it was in the spring of 1870.

Question. You went to Washington after you had taken your seat in the legislature the second time?

Answer. Certainly.

Question. The person who had your seat was expelled by General Terry, and you were reinstated?

Answer. Yes, sir.

Question. Who was that person who was expelled?

Answer. A man by the name of Park took my seat after I was expelled.

Question. A white man?

Answer. Yes, sir.

Question. What is his occupation?

Answer. He is a farmer.

Question. Have you ever been before any grand jury whatever?

Answer. No, sir.

Question. Have you ever sought to take out any warrant whatever?

Answer. Never.

Question. You have made no attempt to obtain redress, either in the way of damages to you personally, or by private prosecution?

Answer. I have not.

Question. What was the majority at the last election by which you are now returned to the legislature?

Answer. I think it is between seven and eight hundred.

Question. What is the vote of your county?

Answer. I think there are about nineteen hundred colored voters and seven hundred white voters.

Question. Did you get any of the white votes?

Answer. Some few.

Question. How many?

Answer. I think I got about four.

Question. All the rest were colored?

Answer. Yes, sir; I know I saw two whites vote the square ticket.

Question. Are you sure of any more than those two who voted for you?

Answer. Two more say they did; but I do not know whether they did or not. I saw Henry Weaver and Walter Griffin vote; they voted tickets that I gave them out of my own hands; I saw them vote those tickets. And I heard that two others, Greene Thompson and Bob McQuador, voted that ticket.

Question. What was your father's name?

Answer. John Colby.

Question. From what part of Connecticut did he come?

Answer. I do not know that I can say right now, though he told me a thousand times it was somewhere about New Jersey.

Question. You said you were offered money before you were beaten?

Answer. I was.

Question. Who offered you money?

Answer. Jim Wakefield?

Question. Who is he?

Answer. A citizen of Greensborough.

Question. What is his occupation?

Answer. He is a merchant.

Question. How much did he offer you?

Answer. Twenty-five hundred dollars in money.

Question. Had he the money there?

Answer. He said he could raise it in ten minutes. That was after I was expelled from the legislature. He said, "You see that the republican party have turned you out, as I told you before they would; if you will now join our party, you can make something out of it."

Question. That was to obtain political influence with the people of your color?

Answer. Yes, sir. I said to him that I would not do it. He said, "Come over to the store," and after awhile I went around there. Said he, "Here is \$2,500 for you, and you can get \$5,000 if you will do it; if you will say you will do it, you can have \$2,500 to-day." I said, "I would not do it for all of Greene County."

Question. He is a man peculiarly responsible?

Answer. Yes, sir; he was wealthy. If I had said that I would do it, I believe I would have got the money. He is a very nice man, and I do not think he has ever done me any injury, though he is a democrat. I am only saying what he said to me.

Question. He said that if you would give your influence in favor of the people he wanted, he would give you this money?

Answer. Yes, sir. He said that the republican party had turned me out, and that the democrats would do so and so for me. I told him that I would not go back on my people for all there was in Greene County, and I did not do it either.

Question. When you were in the legislature, you said your party made efforts to organize colored militia throughout the State?

Answer. Yes, sir.

Question. How many attempts did you make of that kind?

Answer. We tried it the third time.

Question. How many republican votes did that proposition command?

Answer. I do not think we got twenty white republicans to vote for it.

Question. You got all the black votes?

Answer. Yes, sir.

Question. How many colored members had you in both houses of the legislature of 1868?

Answer. It was either thirty-three or thirty-five.

Question. How many in the present legislature?

Answer. I think there are twenty-three or twenty-five.

Question. Ten less in the present legislature than in the legislature of 1868?

Answer. Certainly.

Question. You have been again returned to the legislature?

Answer. Yes, sir.

Question. You say there has been no joint debate in political meetings since the war?

Answer. None in my county, and I know of none in the State.

Question. Was your proposition to organize negro militia throughout the State favored by Governor Bullock?

Answer. I do not know. We did not carry it to him; we tried it ourselves.

Question. You were in consultation with him during the session about particular measures; did he approve that one?

Answer. I believe he would have done it provided it had been passed.

Question. He would have approved the organization of negro militia throughout the State?

Answer. I believe he would have done it if it had passed the legislature. I have two more names that I thought of last night, of men that were in the crowd that whipped me; Dr. William Morgan and Robert Patillo. Those are all the names I now think of, besides those I mentioned yesterday, that I recognized the night they whipped me.

By the CHAIRMAN:

Question. You say that you related to persons at Washington the facts in regard to your treatment?

Answer. Yes, sir.

Question. How did they receive your statements?

Answer. Well, sir, they said I ought to be protected and should be. I went once to General Grant himself, our President, and talked with him. A body of us went together that went from here, and appeared before him; and he said we should have protection.

Question. Did you find any difficulty in making people believe the actual state of things here?

Answer. It was very hard to make them believe it; they could not realize it was so. They did not think the people were so bad as we represented them to be. That was all the difficulty we had in the world. We tried Senator Sherman, and he thought it was impossible that things were so bad as we told him.

Question. Were there people there that made denial of that statement?

Answer. Yes, sir; there were.

Question. You were asked whether you had not been charged with the commission of some crime in your family?

Answer. Yes, sir; I was asked that.

Question. And you said you had not been?

Answer. I have not been.

Question. Do you know that it has been usual, when acts of this kind have been committed, to charge that the men who were wronged, either whipped or killed, have been guilty of some crime or of doing some mean thing or other?

Answer. It is always a common thing, whenever they pick up a man and ill-treat him, to charge him afterward with some crime of which he is not guilty. It is as common to do that as it is to whip him.

Question. The effort is made to blacken his character, in order to excuse their own conduct?

Answer. Certainly. There never was a man who ever said anything to me in my

life in regard to my family. I have tried to treat my family as well as any white person in the world would treat his family, and I have as nice a family.

Question. What family have you now?

Answer. I had two daughters and two sons. One child was killed by the Ku-Klux, as I call it, for she was frightened to death. My wife is dead. I have one daughter living at my place where I go occasionally.

Question. You spoke of a man who took your seat in the legislature after you were expelled. Was he the man that you had beaten in the election?

Answer. Yes, sir; he was the next highest to me.

Question. When the colored men were expelled from the legislature, their seats were given to those men that had received the next highest number of votes in the election?

Answer. That is the way they did it.

Question. You have been asked about General Terry reinstating you. Was that done under an act of Congress?

Answer. Yes, sir; I believe we were reinstated by an act of Congress.

Question. Had General Terry anything to do with it?

Answer. I do not know, only it was said that it was General Terry who put us back into our seats, when the act of Congress itself did it.

Question. You were a member of the last legislature, and are now a member of the present legislature?

Answer. Yes, sir.

Question. State whether if, when Congress passed the law reinstating you in your seats, it had provided that the legislature should hold out its full term until next fall it would have kept down a great deal of the disturbance that has prevailed in the State since?

Answer. If we had had our term prolonged, it would have saved the lives of hundreds and we would not have had half the fuss we have had. But this new election has been the death of many a one. We went to Washington to defeat the Bingham amendment, for I knew before I left here that if there was an election last fall, we could not live peaceably here. We have lost many a life since then.

Question. You were asked whether you went to Washington to help Mr. Farrow and Mr. Whitely to obtain seats in the Senate, and you said that was not your purpose. What did you go there for?

Answer. We went there to defeat the Bingham amendment, for we saw it would ruin us if it passed.

Question. How many of you went?

Answer. I believe there were seven of us.

Question. You spoke of a number of your people that were elected to the present legislature. Have any of them been killed since they were elected?

Answer. One has been killed.

Question. Who was he?

Answer. Abram Turner.

Question. Where was he killed?

Answer. He was from Putnam County; he was killed in Eatonton.

Question. When and by whom?

Answer. He was killed by a man by the name of Reed; so it was published.

Question. When was that?

Answer. It was this year; I do not know exactly what time, but I think it was in April. His son is here in town, and I could have asked him if I had thought of it.

By Mr. BAYARD:

Question. Was he shot in the day-time?

Answer. Yes, sir.

Question. In the open street?

Answer. Yes, sir; I suppose so.

Question. You spoke of General Terry reinstating you in your office, and putting you back in the legislature. Who did he appoint superintendent of the qualifications of members?

Answer. A. L. Harris was chairman.

Question. Was there not a man by the name of Colbert who was connected with the railroads of the State?

Answer. There was a man by the name of Hurlburt.

Question. Was he placed on the committee to judge of the qualifications of the members?

Answer. I do not know. A. L. Harris was chairman.

By the CHAIRMAN:

Question. You spoke of a man who was said to have killed Turner; had he had any connection with him in any way; what relation did he stand in to him?

Answer. He ran against him in the election.

Question. And Turner had beaten him?

Answer. Yes, sir. It was said that Turner's son and Mr. Reed were talking on the street, and Reed said something to Turner's son. Old man Turner came along, and Reed said, "There goes the damned old son of a bitch," and he shot him right there.

By Mr. SCOTFIELD:

Question. Was Reed a wealthy man?

Answer. Yes, sir.

Question. Has he been arrested?

Answer. He has never been arrested that I know of.

By the CHAIRMAN:

Question. Is Reed expecting to take the seat in the legislature now?

Answer. I suppose so.

By Mr. BAYARD:

Question. How do you know he expects to take his seat?

Answer. I said I suppose so.

Question. Were these facts that have been stated by you stated to you by other people?

Answer. These facts about Mr. Reed?

Question. Yes.

Answer. Yes, sir.

Question. Have you any personal knowledge of them at all?

Answer. I have not, for I was not there.

Question. Do you know that there was no indictment found against him?

Answer. I have said I have not heard of any.

Question. You do not know whether there has been any or not?

Answer. I do not; I only said I have not heard of any. I state the truth as near as I can.