

# CLAY COUNTY ARCHIVES

## TUSTON TESTIMONY 1872

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(see Index at end)

REPORTS OF THE COMMITTEES OF THE SENATE OF THE UNITED STATES  
FOR THE SECOND SESSION OF THE FORTY-SECOND CONGRESS 1871-'72

1872

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FLORIDA SUBCOMMITTEE  
CONDITION OF AFFAIRS IN THE SOUTHERN STATES  
TESTIMONY TAKEN BY THE SUB COMMITTEE.

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FLORIDA.

JACKSONVILLE, FLORIDA, *November 10, 1871.*      *Answer.* It was in May.

**SAMUEL TUTSON (colored) sworn and examined.**

*Question.* How many were there?

By the CHAIRMAN:

*Answer.* There were nine; five swung on to me, and four to my wife.

*Question.* What is your age, where were you born, and where do you now live?

*Answer.* As near as I can come at it, I am between fifty-three and fifty-four years old; I was born in Virginia, and I now live in Clay County, seven miles from Waldo, on the Santa Fe.

*Question.* At what time in the day or night was it?

*Answer.* It was between midnight and day.

*Question.* How long have you lived there?

*Answer.* I left there this year; since May.

*Question.* Were they disguised; and if so, how were they disguised?

*Answer.* They blacked their hands and blacked their faces.

*Question.* Where did you live before that?

*Answer.* On Number Eleven Pond, in Clay County.

*Question.* Was there any change made in their clothing?

*Question.* Are there any people in your county that they call Ku-Klux?

*Answer.* No, sir; one came in in his shirt-sleeves, but all the rest had on their coats.

*Answer.* They called themselves Ku-Klux that whipped me that night.

*Question.* Tell us what they did when they came, and all that was done.

*Question.* What night was that?

*Answer.* They came to my house, and my dog barked a time or two, and I went out and could see nobody; my wife went out and could see nobody at all; we had not more than got into the house and

*Answer.* I do not know hardly what night it was; but they whipped me like the mischief.

*Question.* What month was it?

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got into bed, when they came and flung themselves against the door, and it broke loose on both sides, and fell right into the middle of the floor; my wife said, "Who's that?" Then George McCrea made to her, and I made to her to help her; as I did so, some one standing by the door caught me by my right arm, and I could not get to her; they pulled and pulled, and tried to pull me away, but they could not, and then they dragged my feet from under me and flung me down across a cellar-door and near broke my back; they dragged me over the fence, and broke down five or six panels, and took me away down the hill on the side of a hammock, and tied me to a pine and whipped me.

*Question.* How many lashes did they give you?

*Answer.* It is out of my power to tell you.

*Question.* How many of them struck you?

*Answer.* Well, they blindfolded me for a time; Dave Donley struck me over the eye before I got to the place where they tied me, and they stamped on me and kicked me; he was the first one who whipped me after I was tied, and Bob Lane was the next one who struck me.

*Question.* How many licks did they strike you?

*Answer.* I cannot tell you; they hit me a whole parcel of times.

*Question.* Who struck you?

*Answer.* Cabell Winn struck me with a pistol and choked me, and ran my head up against the tree, and told me that if it was not for sin, he would blow my "God-damned brains out." He said that I pulled down my fence, and let people's stock in my fields, and killed them. I said, "You can't prove it." He said he could prove it on my "Goddamned back."

*Question.* Who else struck you?

*Answer.* AH struck me; but the rest I did not see, for I was blindfolded when the rest struck me. When they ran my head up against the tree, I could see Bob Lane, and Dave Donley, and Cabell Winn.

*Question.* Did they blindfold you before they began to whip you?

*Answer.* Yes, sir; and they stripped me just as naked as your hand; they took every rag off of me, and took my shirt and tore it up, and took a piece and blindfolded me, and then took another piece and twisted it up, and put it into my mouth, like a bridle bit, so that I could not holler.

*Question.* Were you standing up?

*Answer.* All the time.

*Question.* Did they tie you to anything?

*Answer.* They made me climb a tree and tied my hands together.

*Question.* When they got through whipping you, what did they do?

*Answer.* They went and tore down my house, and said that they were going to whip us as long as they wanted to; and then they were going to tie us up by the thumbs and let us hang awhile; and then hang us by the neck until we were dead; and then fling us into Number Eleven Pond.

*Question.* Did they untie you when they were done whipping you?

*Answer.* They did not untie me when they got done their whipping, but I got loose while they were tearing down my house. Two of them staid there, and the rest went to the house, and when my wife broke loose, they ran to her, and I got clear.

*Question.* Who whipped your wife?

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*Answer.* All of them; she can tell you about that more than I can.

*Question.* How far from the house did they take you to whip you?

*Answer.* As near as I can come-at it, it was about a quarter of a mile.

*Question.* What did they whip you for—what did they have against you?

*Answer.* Because I would not give up my land to Mr. Winn. I bought a man's improvements, a man by the name of Free Thompson. Mr. Tire and Mr. Thompson were first cousins. After Thompson was gone with my money that I let him have for his improvements, Tire came there and said that it was his land. I asked him why he did not let me know when I first came there, and he said he wanted me to do a heap of work there before he bothered me. I said, "Are you going to give me anything at all for what I gave for the land?" He said, "No." I said, "Are you going to give me anything for the crop in the ground?" He said, "No." I said, "Are you going to give me anything at all for the improvements I have put on?" He said, "No." Then I said, "Is there any law here for kinky heads?" He said, "Yes, there is." I said, "No, there isn't." He said, "Yes; there is as much law for you as for me." I said, "Then, if there is any law for kinky heads, I will find it." he tried a right smart while to get me away, and I would not go; and Mr. Winn took it to get me away from there.

*Question.* What did they do with your things that were in the house?

*Answer.* They left them there. I went to Mr. Buddington, to let him know what they did. He sent me to Mr. Kennedy, and told me that if Mr. Kennedy did not serve the writ, to come back to him. A

little boy living at Mr. Kennedy's was there at Mr. Buddington's, and he went home and told Mr. Kennedy, and he served the writ.

*Question.* Did you hear Winn say what he would do if anybody went up there from Jacksonville to help you?

*Answer.* I did not hear him say it myself, but I heard it here this week.

*Question.* What was it?

*Answer.* It was that if any body should go from here up there, he should not get back any more. I did not hear Mm say so, for he is not here: but I heard that he sent that word down here.

*Question.* When did you come to Jacksonville?

*Answer.* I think last Thursday week.

*Question.* Did you leave your land when they pulled your house down and whipped you?

*Answer.* I left my land; but Mr. Buddington told me to go and have my house done up strong and good, and if anybody come there, to kill them. I said I was afraid to stay there. He told me to work there in the daytime, and go to my neighbors at night. My neighbors were too far off, and I quit there altogether.

*Question.* Who has the land now?

*Answer.* I have the land, but nobody is living on it. I have the title to it in town now.

*Question.* Where does Mr. Winn live?

*Answer.* About a mile and a half or two miles from where I lived there.

*Question.* How much money did you give for the land?

*Answer.* I gave cotton enough to come to \$150, and then I homesteaded 160 acres.

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*Question.* You had some things in the house, had you not?

*Answer.* Yes, sir; some little.

*Question.* What did they do with them?

*Answer.* Nothing at all; it is all there now. I have not been there since, except that I went on by there to go to Mr. Buddington's, and somebody, I do not know who, some of the same party, I suppose, had pulled the fence down in two places, and the cattle had gone in there and ate all my crop.

*Question.* What were your crops?

*Answer.* I reckon I had cotton enough to come to about a bag and a half, and besides right smart corn and potatoes. I left that place and went about seven miles from Santa Fe with Mr. Owen Swindell.

*Question.* Did they disturb you there?

*Answer.* No, sir; only John Hagan came there and talked with Mr. Swindell, and said that he had not seen me since I went to Mr. Buddington, but if he ever got close to me, he intended to hurt me.

*Question.* Hagan was one of the men who were along at the time you were whipped?

*Answer.* Yes, sir. Owen Swindell was his uncle.

By Mr. BAYARD:

*Question.* In what county did these things happen?

*Answer.* In Clay County, at Number Eleven Pond.

*Question.* When was it?

*Answer.* Last May.

*Question.* How long had you been in Clay County?

*Answer.* I had been living there three years.

*Question.* On this same land?

*Answer.* Yes, sir; but I did not work much on the land; I made one crop there before.

*Question.* Whom did you work for?

*Answer.* Mr. Winn, pretty near all the time.

*Question.* What is his first name?

*Answer.* Jack Winn.

*Question.* How far from you did he live?

*Answer.* As near as I can get at it, about two miles.

*Question.* From whom did you buy that land?

*Answer.* A man by the name of Free Thompson.

*Question.* Is he a white man?

*Answer.* Yes, sir.

*Question.* You gave cotton amounting to \$150?

*Answer.* Yes, sir.

*Question.* And after that Winn claimed it as his own land?

*Answer.* No, sir; he had a little piece of land right by it, and he offered to sell me his land. Mr. Isaac Tire had land there, too, but it was of no account. It was considered that my land was the best on Number Eleven Pond, and he wanted to say that my land was his and his land was mine, and he tried to get me away from there all he could.

*Question.* Did he ever sue you in the courts?

*Answer.* No, sir; he talked about it.

*Question.* How many acres had you?

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*Answer.* In all ?

*Question.* Yes.

*Answer.* I homesteaded 160 acres.

*Question.* You did that under the United States law?

*Answer.* Yes, sir.

*Question.* How much did you buy?

*Answer.* Not more than about three acres, hardly that.

*Question.* That was all the good land this man claimed?

*Answer.* Yes, sir. That piece of land had got about seven or eight acres of hammock on it, and it was the only hammock land anywhere close by.

*Question.* This man who owned land next to yourself claimed that you bought property that belonged to him?

*Answer.* Yes, sir; that was Isaac Tire; he and Free Thompson were first cousins. He said that it was his land, and that Free Thompson had sold his land to me, and he wanted me to give it up. I asked him if he was going to pay me anything for what I gave for it, and he said no.

*Question.* What was it they said about your pulling down fences and killing stock?

*Answer.* Cabell Winn said that; I was tied then around the tree. He said, "God damn you, you pull down your fences and drive people's stock in there and kill them." I said, "Can you prove it?" He said, "I will prove on your God-damned back."

*Question.* Did you shoot anybody's stock?

*Answer.* No, sir; I have got to do that yet.

*Question.* You never killed any stock that were on your land?

*Answer.* No, sir.

*Question.* After you were whipped, to whom did you make your first complaint?

*Answer.* To Mr. Buddington.

*Question.* Who is ho?

*Answer.* He is head over Clay County; he rules it, so they tell me,

*Question.* What office did he hold?

*Answer.* I do not know exactly.

*Question.* What did he do to you?

*Answer.* He sent me to Mr. Kennedy.

*Question.* Who is Mr. Kennedy?

*Answer.* He is a magistrate.

*Question.* In that county?

*Answer.* Yes, sir.

*Question.* What did he do?

*Answer.* He took all the names down and gave them to my son Henry, and he took them to the sheriff.

*Question.* Did you make oath to this before the magistrate?

*Answer.* Do you mean like I made here a while ago?

*Question.* Yes.

*Answer.* Yes, sir.

*Question.* And then you gave him these names?

*Answer.* Yes, sir.

*Question.* You know who those three men who whipped you were?

*Answer.* Yes, sir.

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*Question.* Did you know the rest?

*Answer.* I know them all, every one.

*Question.* When the sheriff got the names, what did he do?

*Answer.* The high sheriff took George McCrea away from the deputy sheriff's place, and put his daddy there, and then they arrested these nine men; so the old man told me.

*Question.* Did they take them up?

*Answer.* They did not take them up at all.

*Question.* Did they arrest them?

*Answer.* Yes, sir.

*Question.* What did they do?

*Answer.* They let them stay as they were.

*Question.* Do you know whether they made them give bond?

*Answer.* No, sir.

*Question.* Do you know what that means?

*Answer.* No, sir.

*Question.* Do you know anything about giving bail?

*Answer.* No, sir.

*Question.* You do not know what they did to enable them to go free?

*Answer.* No, sir; they did not take them up.

*Question.* What did they do?

*Answer.* He told me he had been around and shook hands with them all, and that was the way he got up with them.

*Question.* Do you recollect the name of the man who told you that?

*Answer.* His name is at my tongue's end, but I cannot call it now; but my wife knows.

*Question.* You do not know his name?

*Answer.* I know his name, but I cannot call it now.

*Question.* This was in May last?

*Answer.* Yes, sir.

*Question.* How long after you were so abused did they arrest those men; how long was it after that that the sheriff told you he had got up with them by shaking hands with them?

*Answer.* It was mighty near a month.

*Question.* Have you been back there again since that time?

*Answer.* To the land, do you mean?

*Question.* In that county to see the sheriff?

*Answer.* No, sir; I saw the sheriff at Green Cove Spring.

*Question.* What did he say?

*Answer.* He did not say anything to me about the land at all.

*Question.* Have you done anything further to prosecute those nine men?

*Answer.* I went to the Spring, where they told me there was a United States lawyer; Mr. Buddington sent word for me to meet him there at his court, but his court was over a week or two before I got there, before I got the word.

*Question.* You did not get there in time?

*Answer.* No, sir; I did not get the word in time; and when I did get there, Mr. Buddington was gone: the United States lawyer was there, and I inquired for the lawyer and they told me that he was

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down taking a bath, and what sort of a man he was, and that I would see him at the gate when he came out. I stood at the spring gate, and when some men came by I said: "Isn't one of yon gentlemen a United States lawyer?" He asked what I wanted, and I said I had a paper that I wanted him to look at.

*Question.* What paper?

*Answer.* The paper about my land; he looked at it, and told me he was going to breakfast, and that I must come up into the court-house after breakfast and see him; I told him what they had been doing to me, and he said they had no occasion to beat me; after a right smart while in the day I saw him again.

*Question.* What did he do?

*Answer.* He took all the names down, and put them in his pocket, and I have not seen them since.

*Question.* Did he swear you again?

*Answer.* Yes, sir; up in the court.

*Question.* He swore you as this gentleman [pointing to the chairman] swore you just now?

*Answer.* Yes, sir.

*Question.* What else did he do?

*Answer.* I do not recollect of his doing anything else.

*Question.* Did he tell you to stay there?

*Answer.* No, sir.

*Question.* Did he tell you when to come there again?

*Answer.* No, sir.

*Question.* What is his name?

*Answer.* I do not know; I never saw him before that I know of.

*Question.* He represents the United States in that place?

*Answer.* He put the papers in his pocket, and I do not know what he was going to do; but Mr. Murray came up and subpoenaed me to come down here.

*Question.* How long ago was it that you saw this United States lawyer at the Spring, and went into the court-house and was sworn before him?

*Answer.* It has been about three weeks ago; maybe a little longer.

*Question.* He has the case in hand for you?

*Answer.* That lawyer? Yes; he fetched the papers here, I suppose.

*Question.* He has a list of the names of the men who abused you?

*Answer.* Yes, sir.

*Question.* Did he promise you he would get you redress?

*Answer.* No, sir; he did not promise anything.

*Question.* That was about three weeks ago?

*Answer.* About that ; as near as I can come at it.

*Question.* What did you come over here for?

*Answer.* Mr. Murray came for me.

*Question.* Who is he?

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*Answer.* He is the United States sheriff here, I suppose.

*Question.* They call him marshal, do they?

*Answer.* Yes, sir.

*Question.* Did he show you any paper when he came, or tell you to come here?

*Answer.* He gave me a paper, and one to my wife.

*Question.* How long ago was that?

*Answer.* I think it was week before last; I have been here now going on two weeks.

*Question.* Have you been before the court here?

*Answer.* Yes, sir; they had me in two of these places.

*Question.* Did you make an oath to what you are telling us now, before different officers?

*Answer.* Yes, sir.

*Question.* You first made oath before the magistrate, and told him the facts?

*Answer.* Yes, sir.

*Question.* And then you have done it in two or three places here in Jacksonville?

*Answer.* Yes, sir.

*Question.* And now you are giving the same facts to this committee?

*Answer.* Yes, sir, as near as I can get at them.

*Question.* Who is the judge of your county, Clay County?

*Answer.* Mr. Buddington, they call Judge Buddington, and Captain Buddington.

*Question.* He told you to fasten your house up stronger and shoot these fellows if they disturbed you?

*Answer.* Yes, sir.

*Question.* How far from you does he live?

*Answer.* Near about twenty or thirty miles.

*Question.* Have you many neighbors down there?

*Answer.* Mr. Winn is the nearest neighbor; I have no black neighbors within four miles of me. And this lawyer told me the same, if anybody bothered me to kill them.

*Question.* To defend yourself in your house?

*Answer.* Yes, sir.

*Question.* Were you ever at an election in Clay County?

*Answer.* No, sir; not in Clay County.

*Question.* You never were at an election in that county?

*Answer.* No, sir.

*Question.* Are there most black people or white people there?

*Answer.* There are most white people; there are not more than two or three black families, to my knowing, in the county.

*Question.* They are generally white?

*Answer.* Yes, sir.

*Question.* When you asked a man about a kinky-head getting justice, who told you that you could get the same justice there as anybody else?

*Answer.* Mr. Isaac Tire.

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*Question.* What relation is he to the man you bought the land from?

*Answer.* First cousin.

*Question.* He said that you could get justice in the courts for your own land the same as any white man could?

*Answer.* Yes, sir; he said I had as much law as they had. I told him if there was any law for kinky-heads, I would find it.

*Answer.* Yes; sir, I was at home.

*Question.* Tell us what took place then, what was done, and how it was done.

*Answer.* When they came to my house that night the dog barked twice, and the old man got up and went out of doors and then came back and lay down; she flew out again, and I got up and went out of doors; I knew the slut barked more than usual, but I could see nothing; I went back into the house, and just as I got into bed five men bulged right against the door, and it fell right in the middle of the floor, and they fell down. George McCrea was the first who got up. I had no chimney in the house, but a board floor, and he went where I had left all the children; went circling around toward the children's bed, and I said "Who's that?" The old man had not spoke. George McCrea ran right to me and gathered me by the arm. As I saw him coming, I took up the child—the baby—and held to him. The old man threw his arms round my neck and held on to me. Cabell Winn caught hold of my foot, and then there were so many hold of me I cannot tell who they were. George McCrea and Cabell Winn were the first to take hold of me. He said, "Come in, True-Klux." I started to scream, and George McCrea caught me right by the throat and choked me. I worried around and around, and he caught the little child by the foot and slinged it out of my arms. I screamed again, and he gathered me again. Then there were so many hold of me that they got me out of doors. After they got me out, I looked up and I saw Jim Phillips, George McCrea, and Henry Baxter. I looked ahead of me and they had the old man; and they tore down the fence the same as if you saw people dragging hogs from the butcher-pen. And they went to

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JACKSONVILLE, FLORIDA, *November 10, 1871.*

**HANNAH TUTSON (colored)      sworn      and  
examined.**

By the CHAIRMAN:

*Question.* State your ago, where you were born, and where you now live?

*Answer.* As near as I can tell I am about forty-two or forty-three years old. I was born in Gadsden, Florida, and I now live in Clay County, near Waldo, on old Number Eleven Pond.

*Question.* Are you the wife of Samuel Tutson?

*Answer.* Yes, sir.

*Question.* Were you at home when he was whipped last spring?

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another corner of the fence and jerked me over, just as if you were jerking a dumb beast. The old man was ahead of me, and I saw Dave Donley stamp on him. I said "Sam, give up; it is not worthwhile to try to do anything; they will try to kill us here." They said, "O, God damn you, we will kill you." I said, "I will go with you." George McCrea said, "Come right along." I said, "Yes, I am coming; I will come right along." After they carried me about a quarter of a mile from the house—may be a little more; I cannot tell exactly how far it was; it was a good distance from the house—they took me through a path to a field, and down to the lower end of the field. When they got there he said, "Come here, True-Klux." The True-Klux came there and stopped and whispered about as far as from here to this gentleman, [pointing to a member of the committee sitting at the table.] Then he said, "Now, old lady, you pretend to be a good Christian; you had better pray right off." I cast my eye up to the elements and begged God to help me. George McCrea struck me over the head with a pistol, and said, "God damn you, what are you making this fuss for?" I said, "No." he said, "Where is the ropes?" They said they had lost the ropes. Now, I never saw any horses; I did not see any that night. They went off next to my field, and came back with a handful of saddle-girths, with the buckles on them. They took and carried me to a pine, just as large as I could get my arms around, and then they tied my hands there. They pulled off all my linen, tore it up so that I did not have a piece of rag on me as big as my hand. They tied me, and I said, "Men, what are you going to do with me? They said, "God damn you, we will show you; you are living on another man's premises." I

said, " No ; I am living on my own premises; I gave \$150 for it, and Captain Buddington and Mr. Mundy told me to stay here." he said, "God damn you, we will give them the same we are going to give you." I quit talking to them, only as they asked me anything. They tied me to a tree and whipped me for awhile. Then George McCrea would say, "Come here, True-Klux." Then the True Klux would come, and they would step off about as far as that gentleman and whisper; and then they would say that they would go off to where the saddles were. They would go, and then when they came back they would whip me again. Every time they would go off, George McCrea would act scandalously and ridiculously toward me, and treat me shamefully. When he saw them coming again he would make me get up. He would make me squat down by the pine, and say, " What are you trembling for?" I would say that I was cold, and was afraid that I would freeze. He would get his knees between my legs and say, " God damn you, open your legs." I tell you, men, that he did act ridiculously and shamefully, that same George McCrea. He sat down there and said, "Old lady, if you don't let me have to do with you, I will kill you." I said, "No; do just what you are going to do." He said, "God damn you, I am going to kill you." They whipped me, and went off again to the horses, and got liquor of some kind and poured it on my head, and I smelled it for three weeks, so that it made me sick. They went off and whispered, and then he told them to go to my house and tear it down. He asked me where was my ax. It was in the field, but I would not tell him; I said that my son-in-law had got my cart. He said, "Where is your son-in-law?" I said, "He has gone to Palatka." He said, "Where is your ax?" I

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would not tell him. He would whisper to them, and tell them to go and get the ax, and to get my things and start them off to-night. He said, "Let's start them right off to-night." They would go and hunt, and then come back. He would make me sit down while they were gone. Understand me, men, while they were gone to hunt for that ax, George McCrea would make me sit down there, and try to have me do with him right there. They came back and whipped me. I said, "Yes, men, if you will stop whipping me, I will give way to you." Gentlemen, you do not know what expressions Cabell Winn made out of his mouth. It was all smutty on their faces, only right from the ear down, and their hands were smutty. Some were in their shirtsleeves, and some had coats on. I had been working with them very nearly three years. You know that when any person gets about half drunk, he cannot alter his voice but what you can tell him. I have been working and washing for them; I had not been two weeks from his mother's house, where I had been washing; I washed there every week. That is the way they did me; they came back and whipped me. George McCrea said, "I came to dispossess you of this place once before." There were four men whipping me at once.

*Question.* With what?

*Answer.* With saddle-girths, as I told you ; with surcingle off the saddles. George McCrea said, "We came to dispossess you once before, and you said you did not care if we did whip you." I said, "Stop, men, and let me see." One of them said, "Stop, and let her get her breath." Mr. Winn talked all kind of nasty talk to me. I got so I did not count Mr. Winn more than he counted me. I told Mr. Winn just exactly three weeks

before they whipped me that I did not care what they did for me just so I saved my land. Said I, "In the red times, how many times have they took me and turned my clothes over my head and whipped me? I do not care what they do to me now if I can only save my land." He again asked me if I said that, and I said, "Stop; I will see." After a minute I said, "Yes, I did say so." Cabell Winn says, "Yes, you damned bitch, you did say so." I did not tell anybody but Cabell Winn and his daddy, for my husband was gone. The night they came to whip me they did not expect to find the old man there, and when they found he had hold of me as they were carrying me to the door, he says, "Oh, God damn you, are you hero?" And the time they were whipping me they said, "Now, listen, God damn you, at that poor old man; you were a God damned old bitch to get the poor old man in this fix; listen at him, you damned old bitch." I would have told this just the way you hear me tell it now before the others, but they stopped me.

*Question.* How many lashes did they give you in all?

*Answer.* I cannot tell you, for they whipped me from the crown of my head to the soles of my feet. I was just raw. The blood oozed out through my frock all around my waist, clean through, when I got to Captain Buddington's. After I got away from them that night I ran to my house. My house was torn down. I went in and felt where my bed was. It was along in the middle of the floor. I went to the other corner of the house and felt for my little children. I could not see one, and the bed was hoisted up in the corner of the house and hitched there, and is there now. I could not feel my little children and I could not see them. I

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said, "Lord, my little children are dead." I went to the box of my things and I picked up a dress I had there, but I went five miles before I put it on my back. When I got near one of my neighbor's house I hollered "murder, " and they heard me, and they said they heard horses' feet go by. I did hear horses myself, and I hollered, for I was afraid. I cannot read, and I have got no clock, but as near as I can get to it, I got away from them an hour to day, and, I went twelve miles by sunrise after I got away from them. I went through to Mr. Montgomery's house. I could not bear my clothes fastened on me. I told them to give me a light as quick as they could so that I might go back and hunt up my children. I have two grown sons and a daughter, who are married and gone off. I said, "Give me a light; I expect my husband is dead, and I want to go back and find my children." I went back again, and I heard him holler, but I could hear nothing of my children. They said, "Go by Mr. Ashley's and get him to ride up there." I went by Mr. Ashley's, and went in there. I turned up my clothes, and let Mr. Ashley see how I was whipped. I had on nothing but a frock, and I could not fasten it. He said, "Woman, go back home and hunt for your husband and children. If he is dead, don't stand to bury him, but go right on to Whitesville." I told him I did not know how to go there. He said, "If you have not been it is right enough to hunt up your boys, and let them go with you; if your husband is dead don't stand to bury him."

*Question.* Did you find your children?

*Answer.* I did next day at 12 o'clock.

*Question.* Where were they?

*Answer.* They were there at my house, where the true-klux had whipped mo. Their father lay out to the middle of the night, and my children lay out there too. They said that when they got away from me they went out into the field, and my little daughter said that as the baby cried she would reach out and pick some gooseberries and put them in its little mouth. When she could hear none of them any more she went up into the field to a log heap and staid there with her brother and the baby. At daylight the old man came by a little house I had been living in, and which I used to keep some corn and things in, and they had torn it down, and the hogs had been in there eating up what corn and little stuff I had there.

*Question.* How old were your children?

*Answer.* One was about five years old, another betwixt nine and ten, and the other was not quite a year old, lacking two months.

*Question.* That was the one you had in your arms when they jerked it away?

*Answer.* Yes, sir.

*Question.* Did the baby get hurt?

*Answer.* Yes, sir; in one of its hips. When it began to walk one of its hips was very bad, and every time you would stand it up it would scream. But I rubbed it and rubbed it, and it looks like it was outgrowing it now.

*Question.* How soon did you see your husband?

*Answer.* Only when I saw my children. He was whipped so bad he could not travel as I did ; he staid at home. When I got back there Mr. Chesnut, a white gentleman, had him there, and he and Mr. Chesnut were sitting there talking.

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*Question.* Did you see where he had been whipped?

*Answer.* Yes, sir; he could not sit up.

*Question.* Where had he been whipped, on what part of his body?

*Answer.* All over it; his legs were whipped more than anywhere else. They did not begin to whip me as they did him. When I came Mr. Chesnut was there, and unfastening my frock, my daughter gave me some linen to put on, and Mr. Chesnut looked at me where I was whipped. I went by Mr. Rohan Wall's and let him look at me once. But they stand to it to-day, until yet, that that land is not mine ; they say it is Tire's. Mr. Winn coaxed me and begged me to give it up before they whipped me.

*Question.* He wanted to make you give up the land?

*Answer.* Yes, sir; they came there about three weeks before they whipped me to dispossess me of the place.

*Question.* Who came there before?

*Answer.* George McCrea, and old Mr. Sullivan, and Dave Donley, and Mr. Hagan, and Jake Winn. Mr. Byrd Sullivan came on Saturday. I spoke to them very rash, and I was sort of sorry I spoke to them in that way. Mr. Hagan came back and wanted to give me some advice. He told me it was Judge Buddington and Barney Crocker. I said I did not believe it, because they told me that this was my land, and not Tire's land. Tire was the first one who made out that he entered my land. I said, "I am going to die on this land." Hagan said, "You better give it up." Mrs. Lane sent for me to come and wash for her one day in a week, to scour and wash, any day in the week I felt like it. They made me mad Saturday about driving me from my place, and I would

not go to Mrs. Lane's the first of the week. I had to go through Jake Winn's yard to go to her house. My son was working there, and I went in and saw Mrs. Winn and told her good morning. She says, "Hannah, I thought you were gone." I said, "Gone where?" She said, "Off the place." I said, "No, I am not going off the place ; didn't Captain Buddington tell me to stay here? I am not going; no law is going to move me from here except Tallahassee law." I said, "What are they going to do to me, Mrs. Hagan V She said, "They are going to whip you." I said, "I wish they would whip me," and then I went off. I told Mrs. Lane about it, and she said, "I have nothing to do with it; it is your land; you ought to have your land." She went and told Mr. Byrd Sullivan. He pretended to be courting of her then ; she told him what I had to say. That was on Wednesday. On Friday while I was eating my breakfast, with nobody there but me and my little children, Byrd Sullivan came to my house with Jake Winn and Dave Donley and George McCrea. They went into the field and let down the fence; the old man was gone to the hammock. Old Byrd Sullivan came up to the house and said: "Aunty, these people are devilish people; they are determined to put you off this land. Now, pay good attention to what I say. When you get your hand into a lion's mouth you pull it out just as easy as you can. Pay good attention to me. I would like to see your old man this morning, but he is not at home. You can tell our old man to give it up, or in a month's time, or such a matter, they will come here, and the lot will push him out of doors and let you eat this green grass." I began to cry, and he said, "You will stop this grieving and crying; tell your old man to keep on writing ; I know what

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you paid for this land ; you gave cotton for it." I said, "Yes; I gave cotton enough to come to \$150." He said, "Tell your old man to keep on writing, and when he gets the papers for his land let him come to me and he will have his land back." I said, "Mr. Ashley, Mr. and Mr. Swindell told me not to give it up; that if I let anybody else come on the land I could not get it back."

*Question.* How long had you been living there?"

*Answer.* Nearly three years.

*Question.* How many crops had you made?

*Answer.* Two crops.

*Question.* And this crop would have been the third?

*Answer.* Yes, sir.

*Question.* You spoke about some of them "wanting to do with you," as you expressed it.

*Answer.* Yes, sir.

*Question.* What one was that?

*Answer.* George McCrea.

*Question.* Did you give way to him?

*Answer.* No, sir; George McCrea acted so bad, and I was stark naked. I tell you, men, he pulled my womb down so that sometimes now I can hardly walk.

By Mr. BAYARD:

*Question.* Who is George McCrea; where does he live?

*Answer.* His father and mother live in Stark County.

*Question.* In what county did this happen?

*Answer.* In Clay County, on old Number Eleven pond.

*Question.* What county does this George McCrea himself live in?

*Answer.* He stays in Clay County, but his father and mother live in Stark County.

*Question.* What does he follow for a living?

*Answer.* I do not know what he is following for a living now; he was a deputy sheriff when he came and whipped me.

*Question.* Did you go with your husband to the court-house when he made the complaint before the United States lawyer?

*Answer.* Yes, sir.

*Question.* Where was that?

*Answer.* At Whitesville.

*Question.* That is in Clay County?

*Answer.* Yes, sir.

*Question.* Do you know that lawyer's name?

*Answer.* There was nobody there but Mr. Kennedy.

*Question.* Was there a court-house in that town?

*Answer.* Yes, sir; but it was tried through a magistrate's court; that is all the court it has been tried through yet.

*Question.* Did you tell him what you have said to us?

*Answer.* Yes, sir.

*Question.* Just exactly what you have told here about this man McCrea?

*Answer.* Yes, sir.

*Question.* Did they get out a writ for him?

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*Answer.* They got out a writ for him, and they served it; but when they served it it did not go like I had said it when I came to court again; there was a difference. Mr. Winn gave bond for every one of the men.

*Question.* How many did they get of them?

*Answer.* They had all three.

*Question.* They had them arrested and brought up?

*Answer.* Yes, sir.

*Question.* And made to give bonds?

*Answer.* No, sir; they did not give bonds at all.

*Question.* Did Mr. Winn give bonds?

*Answer.* He did at home. When George McCrea did this act they took the sheriff's business away from him, and gave it to old Mr. Byrd Sullivan. Mr. Sullivan came to Mr. Winn; you know that he and Mr. Winn are great friends. He did not take these men and carry them away.

*Question.* He took the bonds out there at Mr. Winn's?

*Answer.* Yes, sir.

*Question.* Do you know how much the bonds were?

*Answer.* No, sir.

*Question.* Did you go to court again?

*Answer.* I have not been at any court. They tried their best to run me out of the State. I came down about four weeks ago to the spring, and I put it out there at the circuit court. Four days after I got home they came for me to come down here.

*Question.* They had you there in the circuit court?

*Answer.* Yes, sir.

*Question.* What did you do there?

*Answer.* I said that Henry Brassel choked me, and the old man said that he whipped me, and they said that was what cast us.

*Question.* Did you make these statements at the spring before the circuit court?

*Answer.* No, sir; the old man went there and made a statement.

*Question.* What lawyer did you see there?

*Answer.* I cannot tell you.

*Question.* You saw a lawyer there?

*Answer.* I did not go into the court-house.

*Question.* Did you go into anybody's office and give testimony?

*Answer.* No, sir. My old man went to the court-house and saw a lawyer, and he put the names down; and then I was summoned here three weeks ago, and they had a trial here.

*Question.* What did you do after you got here about that trial?

*Answer.* I told the same testimony. .

*Question.* To whom did you tell it?

*Answer.* I cannot tell you; there are so many people here that I cannot tell them.

*Question.* Were they United States officials?

*Answer.* I do not know who they were.

*Question.* Were they persons to whom you were directed to tell your story?

*Answer.* Yes, sir; there was a gentleman who sent for me.

*Question.* Was he a United States marshal?

*Answer.* Yes, sir; I think so.

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*Question.* Was there any suit by this man who claimed your land; did he ever go into court there against you? A

*Answer.* No, sir.

*Question.* You never had a lawsuit about the land?

*Answer.* No, sir.

*Question.* You said that at one time they came to dispossess you. Was one of the people who came there then a sheriff of the county?

*Answer.* I told you that Jesse Hagan

*Question.* Did they read any paper to you?

*Answer.* No, sir; they did not read any paper at all.

*Question.* They came to tell you that you had better give up the land?

*Answer.* Yes, sir; they told me it was not my land; that it was another man's; that is all; so they told me the night they whipped me.

*Question.* When you say your land, you mean you and your husband?

*Answer.* Yes, sir.

*Question.* You gave your testimony here about three weeks ago?

*Answer.* Yes, sir.

*Question.* You do not know enough about courts to know what was done?

*Answer.* No, sir; it never has been in court before.

*Question.* Do you know what has become of McCrea?

*Answer.* They say that he and Dave Donley, and Jim Phillips, and John Hagan have run

off. When they whipped me, Mr. Buddington told me to go back, but I was dubious about going back, for fear they would kill me if I arrested them. I went to John Hagan's uncle and worked with him this year. They talked about prosecuting him for harboring negroes. He told me that if I ever was going to do anything with it in the world, I had better go to Green Cove Spring; he said it was not worth while for me to go, but the old man could go. They said they were going to arrest Mr. Swindell and his father, both together; they said they knew right smart that could bother him. They came and I staid at home; they came back on Saturday, and said that the old man was nearly dead, and that I had better go down to Green Cove Springs as quick as I could, and that if I ever was going to do anything with it I should put it in then; when I got down there the old man could sit up a little in bed, and I told him to go to the courthouse. They said, the State's attorney was in the bathing-house, and if the old man would go soon, he would see him as he came out, and that if he would hand him his papers, that was the way he could get the case in court.

*Question.* What is the name of the State's attorney?

*Answer.* I do not know; I never saw him.

*Question.* The old man gave him his papers?

*Answer.* Yes, sir; and he told them how hard they had beat him; and he said they had no right to beat him about his own land. They told him to come up to the courthouse after a while; no man was there but Mr. Byrd Sullivan, and he said that he must not offend the citizens; that they had come to make friends with us. All the time I ever heard from them they talked about if they ever saw

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me they would hurt me, and make me go out of the State; and if they could make me stay off the place for twelve months, then it was Dave Donley's land, and I would have to relinquish my claim. Now, I paid too much, and I have worked too much to lose it. I have about fifty or sixty acres tending, and then I have all the hummock under fence.

*Question.* How much land was it you bought?

*Answer.* I bought 150 acres, I think.

*Question.* How much land had you, with this land that was claimed by them?

*Answer.* They said they had a whole piece run off. Old Mr. Darley said, when he looked at the titles that they had given the old man, and the certificate, and when he had looked at Tire's papers, he was the first man who said he had entered my land; Isaac Tire tried his even best before to put us off the place, and we would not give up the place; then he wanted to rent it to us, and I said I would not rent it from him. Mrs. Winn told me not to give up the place, and that it was not Tire's land; and she said, "Don't let Jakey," (that is her husband) "know what I tell you." I said, "No, I will not;" and I have never called her name about it before to-day, in all my talking, because the woman treated me like a lady. She said, "Don't give up the place; tell Tire that you are going to die on the place, and don't give it up." They worried me for half a year; all the time I was planting my crop they worried me. Donley came and said that he was going to buy it, and I and my old man told him not to buy it.

By the CHAIRMAN:

*Question.* You said that one man choked you, and that the old man said that he whipped you?

*Answer.* Yes, sir.

*Question.* Whom did you say that to?

*Answer.* I said that before Mr. Kennedy.

*Question.* What did they do?

*Answer.* They put me in jail and said that I swore false; they put me in jail about 1 o'clock Saturday evening, and staid in jail, I reckon, until about 2 o'clock, Sunday.

*Question.* Where was that?

*Answer.* In Whitesville.

*Question.* What did they do with the old man?

*Answer.* They put him in, too.

*Question.* What did they put you in jail for?

*Answer.* They said I swore false doctrine.

*Question.* Who had you put in jail?

*Answer.* Jake Winn had us put in jail, and, as far as I recollect, John Sullivan was the man that put us in there; he was the high sheriff.

*Question.* Who got you out of jail?

*Answer.* Mr. Bennett paid me out, and he has my ax and cart now; I put it in pawn.

*Question.* Did that man choke you?

*Answer.* Yes, sir.

*Question.* And did he whip you?

*Answer.* Yes, sir.

*Question.* He both choked and whipped you?

*Answer.* Yes, sir.

*Question.* You have been asked who George McCrea was, and you said something

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about his father and mother. Have they any property?

*Answer.* I could not tell you; I do not know anything about that. When they came to my house to dispossess me of the land, George McCrea and Barney McCrea told the old man he would never let the sheriff come there.

*Question.* You have told us all you know about it?

*Answer.* Yes, sir, and just as straight as I could tell it. I have told it straighter today than I did before, because when we had a trial here the other week they stopped me almost every word, and I missed some I told here to-day.

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