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The Colfax Murder Trial

Levi Nelson and Benjamin Brim

TRIAL IN THE UNITED STATES CIRCUIT COURT.

Fifth day's proceedings in the trial of J. P. Hadnot and others, charged with conspiracy and murder in Grant parish, in April of last year:

Levi Nelson, sworn—Live at New Hope plantation, Grant parish; was a slave in Grant parish before the war; belonged to old Mr. Calhoun; was in Colfax last April; went to Colfax, as I understood Hadnot's men were going there to take the courthouse; we remained at the courthouse; old man Hadnot and his sons, Luke, Gilly and Johnny, were there; the men were armed; I was close to them; did not know the other men with them; remained in Colfax ten or twenty days; at one time I saw ——— armed men at Colfax; there were 300 colored men at the courthouse; one-half the colored men had no arms; they assembled at the courthouse because they were too frightened to remain home; saw A. Tillman there; on the evening of the fight saw him about three o'clock; that was Easter Sunday; the first white man I saw that day was old man Hadnot; he was within 300 yards of the courthouse; he had men with him; the colored men were lying down when the shooting began; shooting began about 6 A.M.; bullets struck where I was lying; one hit my hat, and one my shoulder; they were firing at us three hours before we got up; some of the colored men fired back; twenty-five colored men were outside the fort; the white men first put their cannon on a pair of cart wheels; they fired at us six times from the first place where they located it on the bank; the bullet was a slug of iron; this one in court is not like those I saw; the slugs struck the courthouse; knew some of the white men at the cannon; John Green was at it; Bill Irwin was there; Bill Cruikshanks and his brother also; this one was there; they kept up the fight

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all day; they told us to stack our arms and they wouldn't hurt us, and for us to march out; Shack White held up a white leaf, and asked them not to kill him; Irwin shot him down; the colored people stayed in the fort, laying down; we left the fort because we did not dare to remain; some went into the courthouse and some ran away; the first thing the white men did was to shoot the gun at us; after we went inside the courthouse they shot at us through the windows; then they set the courthouse on fire; I was inside then; when I got a chance to run off I made an attempt, but a man was about to shoot me, when another man saved me, telling me to save a burning building; I did as directed, and when through I asked if I might go; he cursed me, saying he did not come 400 miles to kill niggers for nothing; did not know him; they made me go among the prisoners; the white men then took the colored men around the corner of a coffeehouse and shot them; there were thirty-seven prisoners there with me; the white men said they had a good mess of beeves and would have a good time of it; Nash said it would not do to take prisoners and then kill them; Hickman said to Nash, "Unless these niggers are killed we will kill you;" they stopped killing colored men then to wait for night; Dr. Compton, Clement Penn, Oscar Given, Prudhomme Lemoine, Bill Cruikshanks, Bill Irwin, John Hadnot, Clement Penn, Denis Lemoine, Tom Hickman, all now in court, and George Marsh, Willy Marsh, M. Roberts, —— Sloan, Ben Ballet, Jr., D. Hickman, William Hickman, James Hickman and J. Buckland were in the killing party; they kept me prisoner until midnight; they took me and another man out to shoot us; one bullet struck me in my neck, stunning and dropping me; the other man was killed; they shot him five times; one man told somebody to shoot me again, saying that I was not dead; they did not shoot me again; laid on the ground until morning, fearing to move; dead men all around me; heard the men talking about killing niggers; I crawled off the field, not daring to get on my feet; I finally stood up and walked off, after seeing that the men had gone off; this is the scar made by the bullet which struck my neck; when they first came up with their cannon they halted about 300 yards from the courthouse; one of us tore off a shirt sleeve as a white flag, and shook in the window; firing

did not cease then, but colored men were shot down as they left the courthouse, after the white flag was shown; it took me an hour to pull down the burning gutter; there were 300 white men around there then; some of the colored men fired from the courthouse; saw the white men try to set the courthouse on fire; they fired something from the cannon, which was burning; it was a mop with oil on it; the north end was set on fire; they made a colored man set the building on fire; A. Tillman was killed by the white men after the surrender; one man, inside the courthouse was shot and disemboweled, and he was burned up alive in the courthouse; his name was Allen; I know the names of several persons who were in the courthouse; the colored people assembled at Colfax for safety, as they had been told that they would be hurt; I was a voter.

Counsel for defense took a commission to cross-examine witness, but did not meet with more success than partly confusing witness. Had witness been in free command of language it may be that the counsel would have been confused. It was evident that Levi knew exactly what he was saying, although he had a halting way of expressing himself. Questions as to distance, time, locations, numbers and such would prove difficult for almost any one to answer under the circumstances; when a man's life is in great danger his mind is not likely to closely observe things generally, so as to fix circumstances in his brain to make him a fluent witness.

CROSS-EXAMINATION

—Two of the Hickman brothers look very much alike; think Tom is the oldest; heard a man say that it was best to kill the niggers at once; saw William Cruikshank before sundown; there was a small shower at dusk; saw both brothers (Cruikshank) there at one time, and think I can't be mistaken; saw Prudhomme Lemoine after I was taken prisoner; saw him about five o'clock; didn't see him after that; he had a gun; saw him guarding prisoners; he had a double-barreled gun on his shoulder; saw Denis Lemoine there; of these prisoners here I saw only Bill Cruikshank and his brother; did not see Mr. Lewis there at all; Nash spoke to Denis Hickman when he talked of not killing the niggers; Nash said that to Hickman; the man who

took me out at midnight was a stranger to me; the man who was taken out with me to be killed was Mac Brown; he and I were side by side; the man who shot at us stood about fifteen feet from us; he said he was going to shoot us through our heads; when he fired we both fell, I on my face; laid there until daylight; when I crawled off did not feel of Mac Brown's body; can't say what time it was when I crawled off; the bullet that wounded me cut my neck, glancing off, stunning me; I did not stir all night, but remained on my face. Mac Brown yelled after he fell, and the man shot him five times after that; when I got home no one was there, but my wife got in an hour afterward; I had nothing to do with making the gas pipe gun; Gilly and Luke Hadnot had repeating rifles.

New Orleans Republican, February 28, 1874

TRIAL IN THE UNITED STATES CIRCUIT COURT.

Eighth day's proceedings in the trial of W. J. Cruikshank and others, charged with conspiracy and murder last April in Grant parish:

Benjamin Brim sworn—Last April was living about seven miles below Colfax; I was in Colfax, about the time Jesse McKinney was killed, to see about it, and to be among the people; was afraid to remain at home; our people in Colfax talked of the scary times; was in Colfax Easter Sunday, and saw the fight. [This witness described the situation of things Sunday morning just the same as other witnesses have.] Heard Shack White call to Bill Irwin and say that we surrendered; none of our people were shooting then, on account of the fire; firing outside had ceased for the time; some one told us to stack our arms; we went to the door, having laid down our guns; when our people went out the white men commenced shooting at us; I saw our men falling, and I fell, though not wounded;

a man saw I was not hurt, and told me to get up and go to a tree where prisoners were placed; remained there fifteen or twenty minutes; a man asked me if there were no more men in the courthouse; he told me to go in and get them out; they were under the floor; all left except one, and we went back prisoners; one man under the floor said he would as soon be burned as shot down; the prisoners were marched into a field and ordered to sit down; there were many dead men near the courthouse; we remained under guard until dusk; one of the guards said to Captain Nash, "Here are your prisoners, what are we to do with them?" Nash told him to take us down to the boardinghouse; the wounded were also taken there; there were eight or nine wounded men; we sat in the yard until after dark; there were twenty-eight prisoners; kept us in the yard during the rain; the wounded were permitted to lie on a gallery; Nash came and said he would send us home if we would go home to our cotton and sugar; another man said, "Nash, have you no better sense than to send them old niggers home? You won't live to see two weeks;" Nash went to the river with a large crowd of men; after that a stout man asked me where that yellow fellow was who had been with me; it was William Williams; "I want you and G. Nelson; I want two, and if you run I will shoot hell out of you;" Williams and Nelson said they did not intend to run; he told them to march on before him; Nelson said he would ride behind him, but the man told him no; the stout man said to others to get their own men and let them walk side by side; so all the prisoners were taken away; the stout man, when all was ready, asked if all the beeves were yoked up, and then said march off; my partner was Baptiste Mills; the foremost men did not go more than fifty or sixty yards, when I heard shooting; when I heard the firing I stopped; the man who had me said he was to carry me to the sugar house, and that he was not going to shoot me; I stopped again, and my captor cocked his pistol; I turned around to look at him and the bullet struck my nose close to my eyes just as I turned; I fell and laid there some time; Baptiste Mills fell as I fell; I was shot afterward as I was on the ground; the bullet entered my back and passed out of my side; Mills was not wounded; we finally got up and left; a man who had charge of the wounded

said he could not mind them all; some one told him to shoot them; a good part of the wounded men escaped; when the whites were hunting them I was on the ground, my nose full of blood, and as I blew it out they heard me and shot me again, saying, "That will do him," and then they left; after everybody was gone I got up and tried to walk, but could not stand; I bled freely, but finally I began to crawl, twenty feet at a time; I was all night going two hundred yards; got to a road as day was breaking and tried to walk, but failed; crawled into a ditch among weeds and remained there all day; at night I went about five hundred yards, to a house; the rain helped me; Mike Brannon lived in the house; remained there a long time; when I first went out of the courthouse saw Bill Irwin, Dennis Lemoine, Prudhomme Lemoine, D. Hickman, Willy and George Marsh, Hopkins, Oscar Lacour and Gus Lacour. [Witness pointed out the first three confidently.] When I and my partner were called out there were many white men in sight; when I got out of the ditch where I had been hiding, I saw some men driving mules and horses off toward the sugar house; the men were armed and mounted; they did not see me; Alex Tillman was not among the prisoners; saw John Carter as he lay dead; he was one of us in the line; a yellow woman, Matilda, nursed me; do not know the man who shot me the second time; there were several white men shooting; I felt sure they intended to shoot me when they took me out, although the man told me not; know none of the men who were shooting in the morning, only those I named; saw no wounded white men; heard Nash say: "Cease firing men, you are shooting our own men;" heard one of them yell; did not see the man who yelled; he said, "Men save me, I am shot;" saw no wounded white men; am sure Tillman was not among the prisoners; saw no flag of truce; was in a little room in the courthouse; when we surrendered we dropped our arms.

CROSS-EXAMINATION

—At Colfax I had my gun and ammunition, which were taken from me when a prisoner; I did not fire a shot; did not give any ammunition away; do not know who the man was outside who was yelling; the people in the courthouse did not fire a

shot inside after the surrender, I think; did not see Mr. Lewis at Colfax that day; the stout man who shot me was about thirty-five or forty years old, good beard and full face; never saw him before; do not know that Shaw was held a prisoner by the colored people.

New Orleans Republican, March 4, 1874