THE SWAMP OUTLAWS.

Scuffletown, the Mulatto Capital of North Carolina.

ORIGIN OF THE FREE NEGRO SETTLEMENT.

First Appearance of the Lowery Half-Breeds.

THE OLD TUSCARORA BLOOD.

Life and Feeling in Scuffletown.

CAUSE OF THE VENDETTA.

Lowery's Cousins Slain by Brant Harris.

The Murder of Barnes and Harris.

Old Allen Lowery and Bill Lowery Shot by the Home Guard.

THE VOW OF REVENGE.

Abortive Efforts to Make Peace.

The Lowerys Exempted from the Act of Oblivion.

LUMBERTON, N. C., Feb. 26, 1872.

Here is the place where the Lowery gang has been in jail, whence futile processes are issued for them, and where any of the members ever caught will be hanged or burned. It is a town almost wholly built of unpainted planks or logs, which have become nearly black with weather stains. The streets are sandy and without pavements of either brick or wood. About nine hundred people reside in the place, and nearly every white man in it and in the surrounding country is Scotch. The country was settled by Scotch Highlanders before the Revolution, and afterwards by a promiscuous emigration from the west coast of Scotland. About thirty miles distant, at Fayetteville, lived Donald and Flora MacDonald, the latter the savior of Prince Charles, the Pretender, the former the defeated champion of the royal standard at the beginning of our war of independence. These Scotch slaveholders were hard taskmasters, and they look with pinched and awry faces upon the negro voting beside them. The county government is democratic, and so perfectly impotent to catch or kill five outlaws that at present it is making no exertions whatever. Indeed, the opinion prevails that the Sheriff's office has concluded a truce upon what are called honorable terms with Henry Berry Lowery. If it can be said that these bandits are republicans it must also be charged that the county government is democratic, and the honors are easy between pillage and impotence.

COURT SCENES AT LUMBERTON.

The Court House is built of brick, with a frame pediment above the eaves in the gable end, and the court room in the second story is covered with sawdust to keep the peace while Judge Clarke, one of the District Judges, goes through the comedy of justice.

"Make proclamation!" cries he, or his clerk, to the Sheriff, who stands at an open window opposite the bench, and who roars down in a stentorian way to the people assembled in the public area:—"Neil McNeil! Campbell McGregor! McLeod Duncan! come into Court, as you are this day commanded, or your security will be forfeited to the State!"

This kind of noise, with variations of "Oh, yes! Oh, yes!" goes on pretty much all day, while witnesses, jurors and attached people are being summoned. The court room is very crude, large and bare, and the Judge looks amazingly high up behind the long gallery where they expose him. He is a queer, affable old Judge, who has fought in the Mexican war, in the Confederate army, and commanded one of Holden's regiments (Kirk leading, the other) against the Ku Klux. He is at present what is called a "scalawag," and says, among many other things of no consequence, that if he ever sees Lowery he will kill him. Ten opportunities appear good for this sort of intention.

Down before the Court House, where the people of the county are congregated, there is an old pole well in the public square, where white and negro fill their gourds at the dripping bucket. Around the corner stands the old dray—curious vehicle for such a village—on which the Lowery band hauled off a safe from the rear of a Lumberton store, deliberately backing the dray up through an alley between two houses and leisurely setting the valuable casket thereon, stopping at the Court House, with a contempt of superstitions, to haul off the county safe. To do all this required the opening of a man's stable, stealing his horse and the robbing of a blacksmith's shop of tools to break open the safes, as well as the impressment of an additional pair of wagon wheels to convey the larger safe to the woods. The horse could not pull the whole load, and the county safe was dropped off within town limits. The valiant volunteers and posse of the Sheriff marched out of town two or three miles and found the private safe rifled of about twenty-seven thousand dollars. This was money which had been placed in the hands of the safe-owner for private keeping. Strange as it may seem, this robbery caused a feeling of relief in many minds. With so great a quantity of money it was hoped that Lowery's band might have quitted the country, and such riddance would have been cheaply purchased at the figure named.

LIFE AT THE BELEAGUERED TOWN.

The tavern at Lumberton is without a sign-post, and is a weather-stained frame house, with small bedrooms, no carpets, no bar and a fair country table. I found no milk to drink with coffee anywhere in the region, but plenty of eggs and chickens.

The jail—not on the same site where Henry Berry Lowery was once confined, and whence several of the outlaws effected their escape—is truly a singular edifice. It is built in a grove of oaks and pines in the environs of the town, and constructed wholly of hewn timber, enclosed by a high paling picket fence, outside of which picket is a log guard house for small offenders. I stepped inside the jail yard, nobody objecting, to make a sketch of the gallows where Henderson Oxendine recently met his fate stoically, no rescue attempted, only the singing of a couple of voluntary hymns by himself, negro fashion. The cord supporting the drop was not severed by the Sheriff, but a desperado from Ohio voluntarily assumed the office. While I sat within the sloping jail yard I heard a banjo "tumming" in the jail, and the negroes confined there were comparing with Pop Oxendine and the newly arrived offenders for Wilmington the relative quality of meals vouchsafed at the two prisons. The Lumber River, which flows into the Little Pedee, of South Carolina, and reaches the sea near Georgetown, is at this time of the year little wider than a city street, and of running water, but barely fordable and capable of carrying logs and rafts of lumber down the six score miles of its course. Hearing horrible imprecations made on the other side of the river, accompanied by cries of "Gi'e me my knife! Yes, I'll cut his heart out! I say gi'e me my knife! My blood's been insulted. A man of hono' can't live after he's been kicked out o' that court room!" &c., &c., I was relieved to find that it was merely a negro lad, rejoicing in his rights as a freeman, who wanted to escape, Lowery-fashion, from his mother and brother, and vent his whiskey courage upon somebody. There are many negroes, as I found, whose freedom takes the form of boasting and cursing.

I failed to perceive in the attorneys and merchants of Lumberton any particular crudeness or inferiority. Judge Leech and several others were representative men of good sense, but of strong, unmanageable political and social prejudices, and they have succeeded in segregating and solidifying the negro vote, so that the two races may about be said to make the two political parties.

Here, in the large and motley crowd assembled to attend Court, were to be seen the rival elements of this provincial population. The whites generally wore butternut, copperas-colored or gray homespun stuff, and large-rimmed, flat, stiff felt hats. Many of them were very ignorant and could not read, and looked upon the Court as the very judgment seat of Cæsar.

"You just stand up and when your name is called you say 'guilty' and pay your money," I heard a lawyer say to a boor. The boor looked as if it required vast heroism to say even as much.

THE SCUFFLETOWNERS AT COURT.

Here, also, were the Scuffletown mulattoes—that curious race—imposed upon for many generations by master and slave, their husbands cuckolded their women debased and intimidated, their freedom not worthy of the name. Had Robeson county exerted decent endeavors to protect these immemorial free people, when slavery was the law and the horrible radical had not yet subverted "the constitution"—which few of the folks who weep for it ever read, or, reading, respected—this existing outlawry would have been precluded. Scuffletown, over whose name and etymology there seems to be debate, possibly got its name from the long scuffle of the whites and the slaves to reduce it to peonage and make freedom, under the condition of color, contemptible among the mulattoes.

Nobody in the whole region could account for this free negro settlement—one of two large aggregations of yellow men which has existed in North Carolina since the organization of society. There were many theories, but no reasons at hand for them. I conceive that these negroes might have been the slaves of tories driven from the State at the close of the Revolution, or of the emancipated slaves of the Quakers, and that they increased and multiplied by accessions from runaways, by the birth rate of force exerted on them and by the necessity of union or the sympathy of all neighboring free negroes with a homogeneous settlement. The comely mulatto women, the strange mulatto men, both sexes decently clad, were plentiful in town—some arriving on mule back, some in short, home-made carts, many on foot. There was a good deal of drinking among the men and of covert courtship and ogling among the girls. Virtue was evidently not uniformly high in Scuffletown.

SCUFFLETOWN TOPOGRAPHICALLY.

The Rutherford and Wilmington Railroad runs westward from Lumberton for many miles up the general line of the Lumber River. Eight miles northwestward it strikes the station of Moss Neck. Seven miles from Moss Neck it strikes the station of Red Banks. These two stations bound Scuffletown, which spreads besides three or four miles on both sides of the track, and is surrounded on three sides with swamps, which send branches of swamp up through it, and in wet weather each of these swamps receives or supplies "bays," bottoms, or pools, which permeate the mulatto fortress. In fact, it is a part of the great swamp district of North and South Carolina, below the terrace of hills, and yet is nothing particularly frightful, even to a stranger, and quite unlike our notion of the swamps of Florida and Louisiana. These swamps enclose the rivers and their arteries laterally for a few yards, and often, or generally, as the stream winds, there is swamp on one side and low clay or sandbluffs opposite. It is mean country for troops to trespass upon, out not an impregnable country. I believe I am safe in saying that no Northern society would plead this region as excuse for not following up and annihilating such a crowd as Lowery's band.

THE LAND OF LOWERY.

Taking the railroad as the axis of reference, and looking away from Lumberton northwestward, we see Raft Swamp leave the river first, and after six or seven miles incursion northward, send off, parallel with the railroad on the right, Burnt Swamp, Panther Swamp and Richland Swamp, extensions of each other. On this side of the track Lowery's band have never committed a murder, unless they killed the McLeods.

Two or three miles above Raft Swamp—the river bending to the right of the track—the Lumber River, itself swamp girt, sends off at opposite sides Bear Swamp (or Jack's Branch), which encloses Moss Neck and Blue's stations, and Back Swamp, which lies about parallel with the Lumber for twenty miles, and projects to the southward Ashpole Swamp and Aaron Swamp.

Here, then, are four series of swamps, counting the swampy Lumber River. The swamps are only a mile or two apart, and their feeders diminish the distance. On Back Swamp the Lowery band keeps its ambush and secret camps. The Lumber River is its line of defence from the railway. The swamps around Moss Neck are the scenes of its boldest assassinations. The house of Henry Berry Lowery, the leader, is beyond Back Swamp, five miles from Moss Neck station, and covered in the rear by Ashpole and Aaron Swamps, and all Scuffletown is a political ally and "boozing ken." The operations directed against him start from Lumberton on the east and Shoe Heel on the west, twenty-one miles apart, and each twelve miles from his fastness. Further in his rear, on the South Carolina side, the Little Pedee River, and the Great Pedee as well, send up parallels of swamp. Florence, a great prison pen for federal troops in the war, is fifty miles behind him. As old Aunt Phœbe said to me at Shoe Heel,

"Boss, Henry Berry Lowery is de king o' dis country!"

SCUFFLETOWN AS A DEFENSIVE TRACT.

The free negroes settled upon the Scuffletown tract because the poverty of the soil and the half inundated condition of the region brought it within their means and debarred it from the rapacity of white men. In wet weather, after rains, when the Lumber River and its tributaries rise, this region is almost flooded, and then the only means of intercommunication are small paths, known only to the inhabitants, which connect the island-like patches and afford labyrinthian mazes for escape to any who keep the clues. The Lumber River has bridges at but one or two points, and, being swift and deep, must be crossed by scows or rafts. In summer a luxuriant undergrowth covers all the swamps and low places, and even the prairie pine land, so that one cannot see his own length, while in winter the streams are full of water and the swamps more extensive. The gallberry tree, sweet gums, post oak, hickory, cypress and all the pine varieties, grow in the swamps and on their margins, and the bamboo vine, stretching out eccentrically and profligately, makes a nearly impenetrable abatis.

The serpents are numerous and often dangerous, including every variety of the moccasin, the rattlesnake, and the largest specimens of water and black snakes known in temperate regions. Lizards live in the decaying logs, and snapping turtles appear in the pools, creeks and bays. The woods are plentifully supplied with wild cats, which kill pigs and lambs; and the silence of the night in the reptilian region is broken by the great ill-omened owl, which utters no mere "tu-whit," but appals the silence with ails long foreboding note, like the very demon of the woods mourning for prey.

A TOUR OF SCUFFLETOWN.

The stranger who expects to see in Scuffletown any approach to a municipal settlement will be disappointed. It is the name of a tract of several miles, covered at wide intervals with huts and log cabins of the rudest and simplest construction, sometimes a half dozen of these huts being proximate. Two or three places to sell a low character of spirits exist where the dwellings are densest. The people have few or no horses, but often keep a kind of stunted ox to haul their short, rickety carts, and a man with such a bovine nubbin and a pair of old wheels is esteemed rich; yet, living upon such land and for so many years, the mulattoes of Scuffletown would have esteemed themselves well to do had they enjoyed any security from their white neighbors. They had little more equity before a jury than negroes, and it was no great offence to violate their asylums and court their wives and daughters. The whole Lowery war afterward began with Brant Harris' keeping in a sort of servile concubinage some girls courted by the Lowerys.

To visit a Scuffletown shanty, representative of the whole, is to pass by a cow lane or foot track up through a thicket and suddenly come upon a half-cleared field of old pine and post oak, enclosed by a worm fence without a gate. A little old lever-well of the crudest mechanism—seldom of the dignity and proportions of a pole well—stands in this lot, the male proprietor of which is sitting on the worm fence, and he replies to your neighborly salutation without changing his position. Advancing to the cabin it is found built of hewn logs, morticed at the ends, the chinks stopped with mud, the chimney built against one gable on the outside, of logs and clay, with sticks and clay above, where it narrows to the smoke hole. There is, beside the large chimney place, a half barrel, sawed off, to make lye from the wood ashes, and the other half of the barrel is seen to serve the uses of a washtub. A mongrel dog is always a feature of the establishment. The two or three acres of the lot are generally ploughed and planted in potatoes or maize, both of which come up sickly. The yellow woman commonly has a baby at the breast, and from half a dozen to a dozen playing outside on the edges of the swamp. The bed is made on the floor; there are two or three stools; only one apartment comprising the whole establishment.

LOWERY'S CABIN.

Just such a place as the above is the house of Henry Berry Lowery, the outlaw chief, except that, being a carpenter, he has nailed weather strips over the interstices between the logs and made himself a sort of bedstead and some chairs. His cabin has two doors, opposite each other, in the sides, and it has been so many times shot through and through with rifle balls that his wife can now stand fire as well as her husband. The Scuffletowners go out to work as ditchers for the neighboring farmers, who pay them the magnanimous wages of $6 a month. As many of them are intemperate a neighboring trader with a barrel of molasses and a barrel of rum speedily gets the $6 from the whole party.

The above picture, while true of the majority of the Scuffletowners, is not justly descriptive of all. The Oxendines are all well to do, or were before this bloody feud began, and the Lowerys were industrious carpenters, whose handiwork is seen at Lumberton, Shoe Heel and all round that region. Great crimes in Scuffletown were rare before the war. Petty stealing and pilfering of chickens and an occasional pig were not unknown. The whites hated the settlement because it was a bad example to the negroes. But most of the people were Baptists or Methodists, and nearly all owned their homesteads.

RISE OF SCUFFLETOWN.

By the census of 1860 Robeson county contained 8,459 whites, only three free blacks, all males, and the extraordinary number of 1,459 free mulattoes. There were only 113 foreigners. But one county—Halifax—contained so many free mulattoes, and that was the county whence the grandfather of the present outlaws of Robeson emigrated. In 1860 there were 2,165 mulattoes and 287 free blacks in Halifax. Wake county had next below Robeson, 1,196 mulattoes, and after Hertford county, with 1,020. There were no counties in all the State with more than a few hundred; the average was not above fifty to each county. At the same time Robeson county had 126 slave mulattoes and 5,329 slave blacks. Altogether the county contained 15,489 souls, the free population making almost two-thirds. It stood considerably above the average counties of the State in slaves and population, and out of the full-blooded Indians (1,158 in number) ascribed to North Carolina, none were set down either to Robeson or Halifax county. The antiquity of these free negro settlements might be inferred from the fact that by the census of 1850 only two slaves were manumitted that year. In 1860 there were manumitted 258, or one out of every 1,283. In the latter year there were 5,262 fugitives from North Carolina to 17,501 from South Carolina. Where did the South Carolina fugitives hide? Perhaps no inconsiderable portion of them sought the swamp counties on the southern tier of North Carolina, and begged the charity of this large free negro settlement.

THE INDIAN RACE OF THE LOWERYS.

The question ensues, whence came the Indian blood of the Lowerys? who are by general assertion and belief partly of Indian origin. Why should they and their blood relatives show Indian traces while Scuffletown at large is mainly plain, unromantic mulatto?

There were two sets of aborigines in North Carolina—the Cherokees of the west, mountainous Carolina, who removed at a comparatively recent period to the Indian Territory and of whom several remnants remain in the extreme western corner or pocket of the State, numbering 1,062 in Jackson county alone. Judge Leech, of Lumberton, says that he saw a Cherokee once who resembled Patrick Lowery so closely that he called out, "Is that Patrick?"

Besides the Cherokees there was the Atlantic coast confederacy, led by the Tuscaroras and abetted at the great massacre of 1711 by the Hatteras Indians, the Pamlicos and the Cothechneys. These Indians, after a determined resistance to the whites, which resulted in scaring the Baron de Graff, the Swiss founder of Newbern, out of the New World, accepted a reservation of lands in Halifax and Bertie counties, near the Roanoke River. They emigrated to New York and joined the Five Nations a few years afterward, being thought worthy in prowess to be admitted to that proud confederacy, but they held the fee simple of their lands in North Carolina until after the year 1840. Some persons of the tribe must have remained behind to look after these lands, and among these, as will be seen hereafter, was the grandfather of the Lowerys. The pride of character of the Tuscaroras was such that the Cherokees, Creeks and other tribes joined the whites to subjugate them, and Parkman says that the Tuscaroras were of the same generic stock with the Iroquois and conducted the southern campaigns of those Five Nations. Hildreth says that they were reputed to be remnants of two Virginia tribes, the Manakins and Manahoacs, hereditary enemies of Captain John Smith's Powhatan. They burned the Surveyor General, who had trespassed on their lands, at the stake, and were in turn partly subjected to slavery by the militia of South Carolina. Eight hundred of them were sold by their Indian enemies to the whites of the Carolinas at one time, and in 1713 most of those at liberty retired through the unsettled portions of Virginia and Pennsylvania to Lake Oneida, New York. The act of South Carolina, which was the basis of its slave code, was passed to meet the issue of accepting these Indians as slaves; it was imitated in North Carolina nearly at the same time, and remained the basis of the criminal code against both white and Indian slaves. This criminal code, enforced against Allan Lowery, the father of Henry Berry Lowery, the outlaw, has had the result of making Robeson county the seat of a fierce warfare for revenge. Persons curious about the severity of this code may see a digest of it in Hildreth. Colonial series, vol. ii., pp. 271-275.

The Tuscaroras, in their prime, had 1,200 warriors in North Carolina. In 1807 they bought a tract from the Holland Land Company with the proceeds of their North Carolina lands, and it was about at this period that the ancestor of the Lowerys removed from Halifax county to Robeson county.

THE LOWERYS SETTLE IN ROBESON.

The following statement of the origin of the family is derived from the notebooks of Colonel F. M. Wishart, which were entrusted to me to look at by Captain F. H. M. Kenney, of Shoe Heel:—

James Lowery, the grandfather of H. B. Lowery, came from Halifax, N. C., and settled at what is called Harper's Ferry (in the centre of Scuffletown, two miles from Blue's store), built a bridge across Drowning Creek, and kept it as a toll bridge; also kept a public house for the accommodation of travellers. He was wealthy and fairly respected by all, and owned slaves. He married a woman by the name of ——, and had three sons, George Travis Lowery, Allen Lowery and Thomas Lowery.

Allen Lowery, the father of the bandit leader, married a woman by the name of Mary Combes and settled on the south side of Back Swamp, in a desert-looking wilderness, and was the father of Patrick, Purdie, Andrew, Sinclair, William, Thomas, Stephen, Calvin, Henry Berry and Mary.

Old Allen Lowery was a good, peaceable citizen, and well liked. He was a great hunter in his young days. With his neighbors—Barnes, McNair, Moore and others—he was willing to share his last cent. All his boys were mechanics with him, and the family got on smoothly and industriously until the summer of 1864, when three "Yankee" prisoners escaped among many from the pen at Florence, S. C. They made their way to the house of Allen Lowery and were comparatively safe, as nearly all the white people were in the Confederate army and the State laws would not allow the mulattoes to enlist in the ranks. The Scuffletowners were mustered in only as cooks, &c., or conscripted to work on the breastworks about Wilmington.

There is a story current that the Lowerys in the Revolutionary War were tory bushwhackers, but it is also alleged that one of the family received a United States pension up to the day he died. Some of the boys were willing to enter the Confederate army, as their father had kept slaves, but their proud spirits recoiled from working on the fortifications among the negroes. As the war progressed and the Lowerys got to understand it they sympathized with the North, and entertained at their cabins its escaped soldiery from Florence.

A DEMOCRAT'S ADMISSION.

Mr. Bruce Butler, an earnest democrat and a prominent lawyer in Wilmington, said, in reply to an interrogatory:—

"I don't think politics has anything to do with this outbreak. It began in the war, when our impressing officers made a requisition upon the free negro settlement and pulled away these outlaws or their relatives to work on our fortifications. They complained of the food, the treatment, the work, and so forth, and, I believe, the chief outlaw himself ran away. Then there was hunting made for him and he got to lying out in the woods and swamps; next to stealing, next robbery. Murder and outlawry followed in time—bad begun grew worse—that's my understanding of it."

OLD ALLEN LOWERY.

One evening at Lumberton I sat in the office of Judge Leech, half a dozen gentlemen present, and they described old Allen Lowery. The disposition generally manifested by the white people of Robeson county is to put little stress upon the murder of this old man, but to ascribe the crimes of Henry Berry Lowery's band to lighter causes and to separate the motive of revenge altogether from his offences.

"The Lowerys," said one of the persons present, "were always savage and predatory. By conducting a sort of swamp or guerilla war during the Revolution they accumulated considerable property, and at the close of that war were landholders, slaveholders and people of the soil. Then they grew dissipated during the time of peace, and their land was levied upon to pay debts. Being Indians, with an idea that their ancestors held all this land in fee simple, they could not understand how it could be taken from them, and for years they looked upon society as having robbed them of their patrimony."

"Yes," said one present, "Allen Lowery brought me a case against a man who wished to sell a piece of property he had formerly owned, and he couldn't be made to understand that the man had a good title for it. When they were holding the examination, just before they shot him, in 1865, the old man pleaded in extenuation of the plunder found in his house, that he had never been given fair play, but had been cheated out of his land. He said that his grandfather had been cut across the hand in the Revolution, fighting for the State, and that the State had cheated all his family. He had the Indian sentiment deep in him, of having suffered wrong, and imparted it to all his sons. Here is Sink. (Sinclair) Lowery with the same kind of notions to this day. He said a little while ago, 'We used to own all the country round here, but it was taken from us someuow.'"

"He was a good carpenter," said another, "and brought all his boys up industriously. He built this office in which we sit. He had a peculiar kind of eyes; they would prowl around your face until you got off your guard and then he would give you a piercing look through and through. He had a heap of mixed white and Indian pride, but I believe he was whipped at the whipping post once for pilfering; but that was so far back in his youth that nobody remembered it except by tradition. His son, Sinclair, married a white woman. The Lowerys and Oxendines were generally accounted the highest families in Scuffletown."

"Well," chimed in another voice, "he was considerable of a heathen and never went much to church except very late in life, when he became a Methodist class-leader. Old Allen married a girl early in life and had one child, but being indifferent or disappointed about her, he wandered off two years to South Carolina, and when he returned, without divorce or notice of any sort, he married a different woman. Taking example from him the first wife also married a new man. By the second wife old Allen Lowery had all these children. Nobody ever had any complaint to make of him or his boys until the murder of Barnes, eight years ago."

THE FIRST MURDER.

Henry Berry Lowery grew up with his father, a carpenter and a hunter. He was noticed to be a boy of good appearance, quiet address, pleasing and modest enough, but also to cherish deep resentments and to readily take affront. His eyes had hidden in them, and prompt to come forth on provocation, the hazel Indian lights, and when he was ordered to the sand pits, below Wilmington, to do laborer's duty, at the age of seventeen, he ran away, and returned to Scuffletown, where he was repeatedly hunted, and by none more than by John A. Barnes, his father's next neighbor, and by J. Brant Harris, a white man of bad character, who domineered over Scuffletown. He remained for many months between the swamps and the shanties, and was joined by Steve Lowery and other relatives and acquaintances. Unable to work for a living under these conditions, the party had to forage upon the whites, and thus, insensibly, formed vagabond and desperate habits, in which, there is reason to believe, they found apt tutors in some escaped Union prisoners who had made their way from Florence, S. C., by the light of the North Star, straight into Scuffletown, and who, to avoid capture, hid in Back and Lumber Swamps with the young Lowerys, Strongs and Oxendines. Bloody example, the self-reliance of an outcast and distaste for peaceful pursuits soon overcame Henry Berry Lowery, and he grew to hate the slaveholders and to identify himself ideally with the wrongs of all the mulatto settlement.

BRANT HARRIS.

This fellow was a bluff, swaggering, cursing, red-faced bully, entrusted by the rebel county authorities with keeping the peace in Scuffletown and hunting up deserters and conscripts, and he meantime gained a penny by "farming a turpentine orchard," selling rum, &c. He looked like a slave dealer, and was the terror of the poor wretches of Scuffletown, whom he used to flog, unroof and insult at will. Being a libidinous wretch he took possession of some of the lightest damsels in the settlement, and one of these was courted honorably by a cousin of young Henry Berry Lowery.

Seeing the white man so much at the hut of his girl one of the young Lowerys threatened among his people to kill Brant Harris if he did not let her alone. This being reported to Harris he was seized either with apprehension or rage, knowing, perhaps, the Indian qualities of the Lowery lads. He therefore put himself in ambush to kill the lad who threatened him, but by mistake shot the wrong Lowery, the brother of the boy he hunted.

This mistake made Brant Harris aware that his present peril was greater than before, for he had now raised the savage ire of all the Lowerys and their Indian kin. He therefore seized both the brothers of his victim as persons who owed military service on the fortifications of Wilmington, and was deputed to march them from Scuffletown to Lumberton. On the way this monster deliberately murdered both boys, and one of the three, at least, was found with his skull beaten in by a bludgeon. A fourth brother made his escape to the Lowerys and joined Henry Berry Lowery, who vowed to kill Brant Harris at sight.

The foregoing is thus ingeniously paraphrased by Colonel Wishart in his book said to be designed for publication, part of which, in manuscript, I had the privilege of examining:—

"A man by the name of Brant Harris, who had been a sutler and turpentine merchant at Red Banks, had a dispute with the Lowerys (charged to be about stolen chickens) and he finally killed three cousins of Henry Berry Lowery, named Jarman, George and Bill."

Now, there is no record that the Lowerys in question were not as respectable as Brant Harris, and it was several years before Henry Berry Lowery's victims amounted to three.

Brant Harris weighed 230 pounds. His character may be inferred from the fact that some of the females of his surviving family have given birth to mulatto children.

THE MURDER OF BARNES.

Before the fugitives in the woods and kinsmen of the Lowerys had dealt out retribution to Brant Harris the family of Allen Lowery had become embroiled with their nearest neighbor, a bachelor named John A. Barnes. This Barnes was a fine hunter and could track the fugitives with his practised eye through the swamps, so that he was an obstacle to them as well as an enemy. The following is Captain Wishart's version of this assassination, the first in point of time committed by Lowery's band:—

After the escaped prisoners from Florence reached the Scuffletown district they made the acquaintance and sought the hospitality of Allen Lowery's family. Henry Berry, Stephen and William Lowery, wishing to give their new friends good table fare, went to the neighboring farm of Mr. Barnes, their oldest acquaintance, and stole two of his best hogs, two miles distant, carted them home and salted them nicely away for long consumption. Barnes followed the cart track to Allen Lowery's house, saw the remains of the butchering and cleaning, and, getting out an officer and a search warrant, swore to his mark on the ears of the hogs, as found on the rejected heads among the offal. The three young Lowerys—Henry, Steve and Bill—were nowhere to be found.

Barnes requested old man Lowery and all his boys henceforth to keep off his land or he should help to forward them to the batteries to work involuntarily.

Here the struggle commenced and threats passed and repassed.

On the 12th day of December, 1864, while James P. Barnes was going to Clay Valley Post Office, a distance of one mile (the Post Office at the store of Captain W. P. Mores), he was waylaid half way by H. B. Lowery, Bill Lowery and (as supposed or charged) by the Yankees and shot. He fell with twenty buckshot in his breast and side, and then Henry Berry Lowery deliberately walked up to him with a shotgun, and although Barnes cried, "Don't shoot me again—I am a dying man," the young mulatto Indian, then not more than sixteen or seventeen years of age, replied:—

"You are the man who swore to shoot me," and fired another load into his face, shooting off part of the cheek. The whole party then crept into the swamp and disappeared.

Some of the neighbors, hearing the shooting and halloong, hurried up and heard the dying statement of Barnes that Henry Berry Lowery was his murderer.

THE FIRST BURGLARY.

Soon afterwards these young men went to the house of Widow MacNair for the purpose of robbing a Confederate colonel. The sick soldier there lent his pistol to the widow, who wounded one of the robbers, and they carried him off to Colonel Drake's, some distance away, and ordered Widow Nash, the only person in the house, to attend to him till well, on pain of death. The man recovered in perfect secrecy.

THE SECOND VICTIM.

It now became Brant Harris' turn. The young Tuscarora who had taken the first life without a shudder—and that the life of a man generally reputed to be a good neighbor and useful man—built himself a "blind," or curtain of brush and old logs; and as Brant Harris rode by in his buggy, near Bule's store, in the early part of 1865, he was riddled with buckshot. His horse ran away and carried him a considerable distance. Few people sympathized with Harris, although all were now aware of the existence of a savage band of outlaws in the swamps, who resisted and baffled all means to bring them in.

Before any efficient means could be adopted to arrest young Lowery and his brothers and associates in the intricacies of Back Swamp the army of General Sherman, making the grand march, swept on by Clieraw and Rockingham to Fayetteville, and the foragers or "bummers," who strayed out on the flanks, pounced upon Robeson county.

ALLEN LOWERY'S OFFENCE.

At Scuffletown they found in the Lowery's guides, informants and entertainers, who posted them as to the status of the leading rebels of the county, the wealthiest homesteads and such other matters as a rapacious soldiery would wish to know. Some of the Lowery boys went out with these troops and brought home part of the spoils. At this period an execution had been levied on old Allen Lowery, and his son Bill was, at law, proprietor of the house and ground where the old man and his wife resided. Bill had probably had association with that part of the family which had fled to the swamps, but there is poor testimony that old Allen had ever committed any robberies. His son William, the new master of the place, governed the old man, who was now sixty-five years of age.

DEATH OF THE OUTLAW'S FATHER.

When Sherman's army had passed on to Fayetteville and Raleigh the malignant rage of the people of Robeson county turned upon this old citizen and the helpless part of his family. They little knew what a young demon they were to arouse for seven ensuing years in the wild boy who resided in the swamps, and whose motto was to be inflexibly, "Blood for blood."

They resolved that the Lowerys were then committed adherents of the Yankees, that the blood of Barnes and Harris was unaccounted for, and that it was necessary to make an example of somebody in Scuffletown to teach them that the end of slavery was not yet the colored man's triumph. Blind, inconsiderate, brutal ill-will and cruelty were at the bottom of this movement. It started between Floral College and what is now called Shoe Heel. A member of the gang was a Presbyterian preacher named Coble, or Cobill, an old apostle, exhorter and pharisee of slavery, and one of the leaders in it was Murdoch MacLain, who, six years afterward, tumbled out of his buggy, shot through and through by Henry Berry Lowery.

These, among twenty others, marched upon old Allen Lowery's cabin, and dragged out the old man and his wife, and two of the sons, found on the premises, Sinclair and Bill. Searching the cabin, they found several articles said to have been pilfered from the white neighbors. This was justification enough.

They carried the old people off to a safe nook and there went through the farce of examining them. The devil's own priest—Coble or Cobill—got a prayer ready to make at the execution, and to make his noly *rôle* hypocritically consistent, he pleaded for the life of Sinclair Lowery. The negroes say these white Ku Klux made the condemned people of the family dig their own graves.

They stood the old man, at sixty-five years of age, up beside his son, both of them enduring the ordeal with Indian stoicism, and, by the light of blazing torches, as one account relates, shot them to death with duck shot and ball. Coble or Cobill got off his prayer and perhaps his gun. Before they shot the father and son they endeavored, with blanched fear of the vengeance of the North, to make the poor old wife of Allen Lowery confess to some justification for their act by pointing their pieces at her and firing volleys over her head until she was nearly paralyzed with fear.

From a thicket near at hand Henry Berry, the son of Allen Lowery, saw the volley fired which laid his brother and father bleeding on the ground. There he swore eternal vengeance against the perpetrators of the act. Fourteen citizens have paid part of that penalty in the succeeding seven years. He has been the greatest scourge the South ever knew from one of the inferior race, and has developed a cunning, bloodthirstiness, activity and courage unmatched in the history of his race. Some have compared him with Nat Turner.

HENRY BERRY LOWERY AND NAT TURNER.

The insurrection of Nat Turner took place in Southampton county, Virginia, August, 1831, just over the line from Halifax county, North Carolina, where the grandfather of the Lowerys lived. In Southampton county, as in Halifax, abode Indians, a few of whom still remain—the Nottoways. Nat Turner was the senior of Henry Berry Lowery, and was thirty-one years of age and a slave. He was a praying ignoramus and believed himself inspired to kill off the whites, which he commenced, with four disciples, by killing fifty-five men, women and children. The insurrection lasted only two days, and after hiding several weeks the leader was caught and hanged.

Henry Berry Lowery has never been caught and held. He is a bloodthirsty, remorseless, able bandit leader.

In my next letter I shall take up the catalogue of his crimes.

MAYOR HALL.

Commencement of Earnest Proceedings.

ORGANIZATION OF THE BOARD OF AUDIT.

How the Finances of the City Were Disposed Of.

THE STOLEN VOUCHERS.

Deputy Comptroller Storrs on the Stand.

SIXTH DAY OF THE TRIAL.

After four days spent in swearing in a jury in the matter of the People of the State of New York vs. Mayor Hall and one day spent by counsel for the prosecution in opening the case, it was with a feeling of relief and anticipation that something of interest would succeed that the audience at the first opening of the proceedings yesterday heard the burly Deputy Comptroller called to the stand.

Counsel on both sides were early in their places, and busied themselves, before the arrival of the Chief Justice, with peering into the contents of huge bundles of legal documents and chatting among themselves.

THE ATTENDANCE

was not over numerous, the apartment of the Common Pleas being only comfortably filled. The utmost quietude prevailed throughout the progress of the proceedings, no interruption by outsiders, by way of applause or otherwise, occurring to disturb the dignified equanimity of the legal gentlemen. The Mayor appeared bright and placid, and conversed with Mr. Peckham, the opposing counsel, in a way that the sensation mongers despised.

At eleven o'clock Chief Justice Daly took his seat on the bench, when the Crier of the Court of Common pleas opened and adjourned that tribunal till Monday next. The Crier of the General Sessions then formally opened that branch of the judiciary, and the business of the day was proceeded with.

TESTIMONY FOR THE PROSECUTION.

Richard A. Storrs, sworn and examined by the Mr. Peckham—Am Assistant Comptroller, and have been such in the Comptroller's office since 1857; have been Deputy Comptroller from 1864 to September last.

Q. Have you searched in your office for any papers relating to the Board of Audit of 1870?

Mr. Burrill objected, on the ground, first, that it was not in the order of proof as observed in criminal cases, and, in the second place, that it assumes the existence of a Board of Audit, which has not been proven, or any connection proven between the defendant and that Board.

Mr. Peckham said he wanted to prove the existence of the records of the Board of Audit, and on that view the Court held it was proper.

Witness—I caused a search to be made in the Comptroller's office, and this paper now in my hand was given to me by Mr. Connolly, who was then Comptroller; this was last summer; the body of this paper is in the handwriting of the Mayor, and it is also signed by him and signed by Mr. W. M. Tweed and Richard B. Connolly.

Paper handed in.

Mr. Burrill objected, but was overruled by the Court, who granted an exception, so as to reserve the right to the defence to move to strike out all the evidence on account of its irrelevancy and immateriality.

Mr. Peckham then read the paper. It was a resolution drawn up by the Mayor that all claims and liabilities against the Courts be collected from the appropriate committees of the Supervisors, to be paid on signature of the clerk of the committee or the President.

Q. Do you know of any meeting of the Board of audit under that order?

Objected to, on the ground that it has not been proved that the witness had such a means of knowledge officially of the meeting of the Board as to enable him to state the fact.

By the Court—Have you any general knowlege of any meeting of the Commission referred to in this paper or of the gentlemen composing it? A. I have no knowledge of it.

By Mr. Peckham—Do you know of any record in the Comptroller's office having any reference whatever to the meetings or business of that Commission? A. No; a search was made in the office of the Comptroller for such, if it existed, but none was found.

Q. Was there any account found there of any claims purporting to be audited by that Board or Commission and paid by the Comptroller?

Mr. Burrill again objected to the evidence, as no foundation had yet been laid for its introduction. He contended that no record in the office of the Comptroller could be binding upon the defendants. This Board of Audit, of which he was a member, was not a component part of, or in any way connected with, the Finance Department of the city government or with the Comptroller; nor had the gentleman holding that office any such jurisdiction over the Board of Audit or connection with it as authorised him to bind the members of that Board by any record he might think proper to draw up. And any record, or account, or book, kept there or found there, of claims purporting to have been audited by that Board of Audit, would be, he submitted, no evidence whatever against the defendant. In 1870 an account was kept called the county liabilities, which represented the payments made on this class of audit.

The latter part of the answer was stricken out, on the motion of Mr. Burrill.

Q. Were there any vouchers of claims purporting to have been acted upon by this Commission and for which warrants had been drawn and paid in existence in the office of the Comptroller?

Mr. Burrill—This question is irrelevant, as the witness has no knowledge of the contents of the papers.

Mr. Storrs—I knew of a package of papers representing the county liabilities which was kept in the County Auditor's office.

Q. What package of papers or vouchers were these, and what do you know about them?

Objected to and excluded.

Q. Do you know of anything that occurred in the Comptroller's office in reference to these vouchers about the 11th September? A. Yes; they were stolen from the office; they have not been recovered since; I am not able to state the number of vouchers that were stolen; the Comptroller was apprised of the theft of the vouchers as soon as possible after; he acquainted me, and I went at once to the office; the pigeon holes where these vouchers were k