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Kentucky, 1865–1940
Lynchings, Mob Rule, and
“Legal Lynchings”

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Mob rule, like lynchings, was another tactic used by Kentucky whites to get rid of offending blacks and to warn others of what could happen to them for overstepping their bounds. Yet, in one respect, mob rule differed from lynchings: It was done first and foremost for economic gain. Of course, the ramifications of a lynching might mean that blacks would stay "in their place" and not complain about working conditions. But it is obvious that in Kentucky and elsewhere, whites terrorized blacks because they resented Afro-Americans as successful independent farmers, skilled workers, and businessmen, all of whom by their very presence challenged the doctrine of white supremacy.

Whites as well were often the targets of Night Riders and other criminal bands. During outbreaks of lawlessness, white undesirables—vagrants, prostitutes, and petty thieves—received whippings and notices to leave town immediately.¹ On a few occasions, outspoken judges and prosecutors, calling for the end of mob law and the fair treatment of Afro-Americans, received whippings at the hands of mobs. Unquestionably, however, the cases of whites as targets are far exceeded by the numerous attempts of white mobs to force Afro-Americans to leave an area or by the random beatings of blacks that occurred in certain parts of the state.

Throughout Kentucky, there were counties that had only a few Afro-Americans, even though adjacent counties might have had sizable black populations. Whites in some of the former counties had resorted to violence to get rid of Afro-Americans and to let it be known

1. See the *New York Times*, March 12, 1890, for the details of a raid by "White-cappers" in the Covington area.

that black migrants were not welcome. Several counties in Regions 5, 6, and 7 that had no reported lynchings of blacks also had at the most only a handful of black residents. Afro-Americans in these areas worked as domestic servants, farmhands, or common laborers—jobs considered appropriate for them by whites. Blacks encountered hostility whenever they attempted to settle in Elliott County, located in Region 6. If the figures obtained by census takers are even close to being accurate, the number of blacks living there was minuscule: In 1880 there were 43, declining to 27 in 1890, and then plunging to 2 at the start of the new century. During these same years, the white population increased from 8,000 to more than 10,000. Richard Watson, one of two Afro-Americans living in this eastern Kentucky county in the early 1900s, owned land. The target of whites who resented his success, Watson was killed in January, 1909, for no reason other than his being an Afro-American. The census from the year after Watson's murder recorded 1 black still living in Elliott County. Clearly, Afro-Americans in many parts of the state had to stay "in their place." To be outspoken meant oppression, to acquire land and other possessions could lead to being condemned as a "troublemaker" and result in death.²

In August, 1877, a group of Afro-Americans was forced to leave Henry County, an area that had only a few blacks to begin with, after one of them was accused of slandering the virtue of a white woman. The incident centered on Smith Reed, a former slave, and Alice Campbell, the daughter of Reed's former master. Reed and Campbell had been friends all of their lives: "As children the white girl and the mulatto boy were very affectionate playfellows, and after both had grown up and were married they continued to be on rather friendly terms, considering differences of color and station." Rumors began circulating that a "criminal intimacy" had occurred "between the wife of a wealthy and respectable white farmer and a young mulatto farmer." The mob that confronted Reed with this accusation was led by a young farmer, named Asher, who was not Campbell's husband but who also seems to have been involved in a relationship with her. (According to the *Courier-Journal*, the last time Reed went to the

2. U.S. Census Bureau, *Negro Population in the United States, 1790–1915* (Washington, D.C., 1918), 811. The *Elliott County News*, January 1, 1988, contains a story on the life of Richard Watson.

Campbell farm he had been prevented from seeing his lifelong friend because she and Asher had locked themselves in one of the rooms in the house.) A member of the mob shot Reed, though not fatally, and they debated whether or not to hang him. It was decided that Reed and all of his kin had to leave Henry County. Led by Asher, the mob took some thirty blacks to the Louisville Short Line Depot at Newburg and purchased tickets for them on the train bound for Cincinnati, even though some of the Reed clan had expressed a desire to go to Louisville. "[All of the] men, women, and children were banished in this way, and had to leave behind their household goods, furniture, farming implements, horses, and other stock, and their standing crops." According to the *New York Times*, all of the blacks either owned or rented good farms and were doing quite well. "James Garnett, we believe, had forty-five acres of corn and six acres of tobacco in prime condition."³

In an article headlined "The Facts: Base Slander of an Innocent Woman," the *Courier-Journal* proclaimed its intention of setting the record straight on the forced removal of the Reed family. A local correspondent for the paper interviewed a number of Henry County whites, and all of them "deny in toto the accusations of misdoings by Mrs. Campbell, and defend the unceremonious ousting of the black community of which Reed was a member on the ground that it was composed of suspect characters." As the reporter explained, though Campbell had always been friendly to her father's former slave, nothing had ever happened between them until June 29, when Reed made an "awful proposal" to Campbell, who rebuked him and said that she would tell her husband. Reed then choked her, threatening to kill Campbell and her husband. When he learned about Reed's attempt to seduce his wife and the assault on her, Campbell's husband had to be restrained by friends from killing Reed. He then agreed to the forced removal of Reed and his kin from the county as the best way to avoid bloodshed. In blunt words, the *Courier-Journal* said that Reed lied about having an intimate relationship with Mrs. Campbell: "Is there a sane married man on the face of the earth that believes his wife could have criminal intimacy with any person, much less a negro, and

3. There are several accounts of the incident: *New York Times*, August 12, 1877; *Louisville Courier-Journal*, August 9, 10, 1877; *Cincinnati Commercial*, August 8, 1877.

he never suspected her fidelity? It is too absurd to be believed." The newspaper applauded Henry County whites for taking action against anyone who would demean the character of their women: "This community has shown by her actions that she is always ready to defend virtue, and no man, be he white or black, can remain in this community and seduce or attempt to the ruin of an innocent virtuous woman." The correspondent next discussed the character of Reed and the other blacks: "As to the other parties who were sent with Reed, they have long been suspect as dangerous, bad men. Some of them have been suspected of knowing too much about the burning of certain property, thieving, and other crimes. Reed stated that he owned 50 acres of land, which is false. He never owned a foot in his life, nor did any of the rest of them."⁴

It is difficult to assess all of the facts of the case. As we have seen, if a black had been accused of making a lewd proposal to a white woman, then choking and threatening to kill her and her husband, he would have been lynched. Yet Reed was not lynched. Surely at the very least Reed would have been arrested, tried, and sent to prison for assault. Forcing Reed to leave Henry County meant that no trial would be held where the white woman might have been asked about her involvement in the criminal act of having sex with a Negro. It was typical of the white community and newspaper to cast the victimized blacks as criminals. Afro-Americans who were strongly suspected of

4. A search of "Tax Books of Kentucky Counties (Henry County)," in the Kentucky Department for Libraries and Archives in Frankfort, for the entire decade of the 1870s failed to find information about Smith Reed, James Garrett, or the other blacks ousted from Henry County as landowners. (Both Reed and Garrett are also absent from the 1870 Manuscript Census of Henry County.) Their absence from the tax rolls, though giving some validity to the charge that these blacks were not landowners, does not prove conclusively that the whites were correct when making this assertion. Thomas D. Clark, a leading scholar of Kentucky history for more than four decades and the author of numerous books, explains that the absence of someone from the property and deed rolls does not automatically mean that he did not own land. On occasion, he notes, deeds were not recorded. Also, to avoid paying taxes, people living in remote parts of counties were often successful in hiding their income. James Klotter, the general editor of the Kentucky Historical Society and the author of numerous books and articles on the state's history, speculates that since Kentucky maintained separate tax rolls for black and white public schools until 1882, it is very likely that a separate book containing a list of black property owners and taxpayers existed but has probably not been preserved. Dr. Thomas D. Clark, interview with author, March 18, 1988, Frankfort; Dr. James Klotter, telephone interview with author, March 25, 1988.

theft or arson would have been lynched or forcefully removed from most counties in Kentucky long before the alleged incident of June 29. In short, given the nature of race relations in Kentucky during that time, it is extremely doubtful that the version of the expulsion of the Reed family from Henry County as reported by the *Courier-Journal* is an accurate one.

The practice of forcing blacks to leave an area occurred on many different occasions between the 1880s and the 1930s. In many of these cases, like the one involving Reed and his clan, whites justified the ousting of Afro-Americans by claiming they were criminals or vagrants. Whites rarely acknowledged publicly the two leading reasons for forcing blacks out of their communities: They resented black involvement in politics, especially in the Republican party, and they felt threatened by the presence of blacks as successful farmers or as skilled, competitive workers. A few of these incidents received as much media attention as some of the highly sensational lynchings. More often, however, except for coverage in a small town weekly newspaper, no other records exist of blacks being compelled to leave an area. The *New York Times* and the *Louisville Commercial*, both Republican newspapers, were far more likely to carry stories of blacks being run out of a region during an election year. During the late nineteenth century, the *Courier-Journal*, a Democratic paper, rarely ran stories of blacks being forced out, except to explain why whites had resorted to such drastic tactics.

Several black leaders living in the westernmost region in the state were the targets of whites a number of times during the early 1880s. Political differences lay at the root of the problem. Whites in the Democratic party felt challenged by several blacks attempting to rally support for Republican candidates. In contrast to the Deep South, where blacks were eventually eliminated from the political arena, black Kentuckians maintained the franchise and, by voting solidly Republican, often played a significant role in close elections in Paducah, Hopkinsville, and other western Kentucky cities. In August, 1880, Henry Seay of Hickman County was beaten by whites and told to leave the county. The local police promised to arrest the guilty parties, but nothing came of the matter and Seay was forced to flee. Two years later, a white guerrilla band began whipping black political leaders in the city of Hickman, in Fulton County. After the beatings failed to stop black political activity, the heavily armed whites started shoot-

ing the blacks, though none were fatally wounded. Having no legal recourse or protection from the authorities, the beleaguered blacks left the area, to the delight of the Democrats.⁵

Black politicians were not the only “undesirables” forced to leave town. In the late 1880s, about fifteen men visited the farm of Milt Barclay in Pulaski County to punish a black tenant they accused of stealing a horse and farm equipment. According to the newspaper account, “The ‘cappers’ gave the negro a sound whipping and ordered him to leave the state, which he did without further ceremony.” Holding the white farmer responsible for the transgression of his tenant, the mob then gave Barclay a “sound thrashing.” The mob threatened to hang Barclay if he hired such an unworthy Negro again. Once word circulated about the incident, local white citizens were upset about the beating given Barclay but said nothing about the punishment and banishment of the unnamed Afro-American.⁶

Sometimes, a lynching sparked a movement by whites to rid their area of blacks viewed as troublemakers or as criminals. White newspapers often stated that since a lynching had at last occurred—and it could have happened to any number of black criminals found in the community—steps should be taken to compel others to abide by the law or leave town. After lynching Dick Allen, the Mayfield mob pinned a note to his body warning seven blacks to leave town by noon on Thursday. “Nearly all of them took the advice.” Their departure did not satisfy the mob; within days another list surfaced naming ten additional blacks who were to leave Mayfield. Noah McReynolds, accused of spying on a bathing white woman, balked at leaving. On Saturday night, a mob took him from his home and administered twenty lashes to his back. The following morning, McReynolds left town on the train. “In all perhaps thirty or forty negroes have left since the hanging.” In Russellville, after the hanging of four black youths in 1908, the mob issued a general warning to Logan County blacks to shape up or expect similar treatment.⁷

It can be reasonably assumed that the greatest number of Afro-Americans were forced to leave communities all over the commonwealth not because they were warned out of town after lynchings nor

5. *New York Times*, August 28, 1880, October 14, 1882.

6. *Louisville Courier-Journal*, July 27, 1889.

7. *Mayfield Monitor*, March 2, 1898; *New York Times*, August 2, 1908.

because they were involved in political activities, but because whites were determined to eliminate them from the workplace. The irony, of course, is that during labor shortages on farms or in expanding industries, whites had urged blacks to move into an area. In the early 1900s, white farmers in several western Kentucky counties complained about the shortage of black tenant farmers and sharecroppers. According to one account, twenty-five blacks left one community in March, 1904. In urban areas, whites also needed additional black workers but only for the lowest paying, least prestigious jobs. Although his statement should be viewed with caution, a manager of a brick-making plant in Paducah claimed in 1906 that it was impossible to hire black workers: “I will venture to say that I have asked 300 colored men if they wanted work, . . . and all but three of them with grins on their faces answered in the negative.” Also in the early 1900s, coal companies in both eastern and western Kentucky sent agents into the South to lure thousands of blacks to work in the mines. Their reasons for wanting to hire Afro-American workers was obvious: They viewed blacks as strikebreakers who would depress wages for all coal miners. Once hired in the coalfields, the blacks were assigned the worst, most dangerous jobs and received the lowest pay.⁸

But when employment was difficult to find, whites tried to undermine the presence of blacks in the work force. In Louisville, one of the few places in Kentucky where European immigrants settled, the Irish complained about the large number of successful black barbers, self-righteously proclaiming that they lacked a sense of pride for refusing to cut the hair of fellow blacks for fear of losing their white customers. Although the rhetoric was harsh, it rarely turned to violence. The coalfields and several other industries presented a different case entirely, as clashes occurred between black and white workers

8. Christopher Waldrep, “Planters and the Planters’ Protective Association in Kentucky and Tennessee,” *Journal of Southern History*, LII (November, 1986), 580–81; Paducah *Weekly News Democrat*, October 25, 1906. On blacks in the mines, see Sterling D. Spero and Abram L. Harris, *The Black Worker* (New York, 1931), 206–45, Ronald D. Eller, *Miners, Millhands, and Mountaineers: Industrialization of the Appalachian South, 1880–1930* (Knoxville, 1982), 165–75, *Crisis*, XII (June, 1916), 63, and two works by Ronald L. Lewis: “Job Control and Race Relations in Coal Fields, 1870–1920,” *Journal of Ethnic Studies*, XII (Winter, 1985), 36–64, and *Black Coal Miners In America: Race, Class, and Community Conflict, 1780–1980* (Lexington, 1987).

on several occasions from the early 1900s to the Great Depression. Signs were posted at the Chess Weymond Stave Mill Company in McFarland, Monroe County, in November, 1908, warning the fifteen black workers to quit and leave at once. White workers proclaimed that the presence of the "negroes had become obnoxious." In response, several residents of McFarland, sympathetic to the black workers, said that the signs and the threatened violence were the "work of persons who had expected to be employed at the mills, and were deprived of the employment by the negroes." This group urged blacks to ignore the threats. Nevertheless, the black workers took seriously the warnings, quickly gathered their belongings, and left the area.⁹

The Night Riders were largely responsible for the ousting of blacks from parts of western Kentucky in the first two decades of the twentieth century. An agreement by the American Tobacco Company and several European tobacco concerns to control prices paid to farmers led to the violence of the Night Riders. This tobacco trust divided up the territory, fixed prices, and refused to engage in competitive bidding. Tobacco farmers realized that steps needed to be taken to combat the monopoly created by the trust, and at a crucial meeting in Guthrie on September 24, 1904, they formed the Dark Tobacco Association, later changing the name to the Planters' Protective Association of Kentucky. Their purpose was clear: to regulate the price they received by pooling and holding their tobacco crop until the trust met their price. After the crop was stored in warehouses, the association would arrange for the grading, financing, and selling of the tobacco. In the first year of the plan, the association sold 70 percent of the tobacco grown in Kentucky. The trust grudgingly increased its price, and all farmers, even those who had remained aloof from the organization, received higher prices for their crops. Despite repeated warnings from the association that anything short of total unity would destroy the trust, many independent farmers refused to join, saying that the association's charges for selling their tobacco were too high.¹⁰

9. George C. Wright, *Life Behind A Veil: Blacks in Louisville, Kentucky, 1865-1930* (Baton Rouge, 1985), 77-101; *Louisville Courier-Journal*, November 9, 1908.

10. Many sources discuss the activities of the Night Riders. For contemporary accounts, see Eugene P. Lyle's three articles in *Hampton's Magazine*, XXII: "They That Ride By Night" (February, 1909), 175-87, "Night Riding in the Black Patch" (March, 1909), 339-52, "Night Riding: A Reign of Fear" (April, 1909), 465-73; as well as "The

Deciding that only militant action would persuade the "hillbillies" to join, an inner circle of association members formed the Night Riders. Adopting the tactics and the regalia of the Ku Klux Klan, the Night Riders began destroying crops and burning tobacco barns. On several occasions, they invaded towns, destroying warehouses that stored the tobacco purchased by the trust. Damage ran into the millions of dollars. From the start, the Night Riders whipped and occasionally murdered their outspoken foes. Members of the outlaw band traveled to the small community of Goff in late March, 1910, to whip all of the males in the Carroll family. As his older brother was being severely lashed, Charles Carroll attempted to run off. Even though he was only twelve years old and most surely not responsible for his family's unwillingness to cooperate with the Night Riders, he was killed by gunfire. Many law officers and elected officials joined the Night Riders or at least gave tacit approval to their violence, thereby undermining the law's obligation to apprehend them. On the rare occasions when Night Riders were arrested and taken to court, they were provided with strong alibis from leading citizens. As one contemporary source explained: "There is war in Kentucky. In a score of towns what is virtually a state of martial law exists. In the farming districts cellars have been fortified and loaded arms stacked within easy reach."¹¹

The Night Riders eventually harassed people who had no connection with the tobacco controversy. Initially, blacks, who seem to have joined the association in the same proportion as whites, were not viewed as a special target by the Night Riders. Nevertheless, at some point they began attacking blacks in various parts of western Kentucky. In January, 1907, Night Riders destroyed the barn owned by David McGraw and Frank Coleman of Christian County. "It is not clear why the barn was burned, unless it was the beginning of a move

Night Riders," *Outlook*, LXXXVIII (February 29, 1908), 482-84, Charles V. Tevis, "A Ku Klux Klan of Today: The Record of Kentucky's 'Night Riders,'" *Harper's Weekly*, LII (February 8, 1908), 14-16, Edward A. Jonas, "The Night Riders: A Trust of Farmers," *World's Work*, XVII (February, 1909), 11213-18, and John G. Miller, *The Black Patch War* (Chapel Hill, 1936). See also Marie Taylor, "Night Riders in the Black Patch" (M.A. thesis, University of Kentucky, 1934), Bill Cunningham, *On Bended Knees: The Night Riders Story* (Nashville, 1983) and Waldrep, "Planters and Planters' Protective Association."

11. *Louisville Courier-Journal*, April 2, 1910; Tevis, "The Record of Kentucky's 'Night Riders,'" 14-16, 32; Jonas, "The Night Riders," 11216.

against Negroes," speculated a white newspaper. This proved to be the case: Farmers were warned to not employ black workers. The tobacco fields of several black sharecroppers were destroyed, even though these farmers had not expressed any opposition to the association. Night Riders next attacked blacks in Lyon County. For no apparent reason, members of this outlaw band went to the home of Arthur Blue, firing shots and ordering him to leave the county. When denouncing the episode, a white newspaper said: "Blue has lived in Lyon county for thirty-five years and is one of the most industrious and respectable negroes in the county. No possible excuse for the outrage is known." The very next evening, the home of a white farmer, John Manning, was riddled with bullets because of his refusal to dismiss his black workers. At least six other black families received notices to leave Lyon County but were able to remain because, in part, of the timely intervention of Sheriff Sam G. Cash, who refused to be intimidated by the mob. On yet another occasion, the Night Riders traveled to Eddyville, the largest city in Lyon County, and whipped ten men, six of whom were Afro-Americans. The men had publicly denounced the raids. Black workers in other western Kentucky communities came under attack as well. In Caledonia, a Mr. Howell was warned to get rid of his black workers or expect a midnight visit from the Night Riders. Black coal miners in Hopkins County, whose employment was far removed from the concern of tobacco farmers, were attacked. As a contemporary source explained, "Negro laborers are an offense to the coal miners' union in Hopkins County and Night Riding is invoked." Rural blacks in several southern states were also victimized by white bands during the early 1900s. In three counties in Mississippi, lawless bands calling themselves "Whitecappers" posted signs ordering blacks to leave, whipped and murdered a number of them, and attacked whites who expressed sympathy for the Afro-Americans. Commenting on the violence in Mississippi, a scholar observes, "Probably no group espoused this anti-Negro sentiment more strongly than the small farmers who for so long had experienced hard times."¹²

12. An important source of information on the violence of the Night Riders is the Augustus E. Willson Papers and Scrapbooks at the Filson Club in Louisville (hereinafter cited as Willson Collection). Information on the destruction of property of Christian County blacks can be found in his Scrapbook of Newspaper Clippings for January, 1907. Letter from Sam G. Cash to A. E. Willson, February 19, 1908, in Willson Collection;

Night Riders succeeded in forcing almost all of the black residents to leave several small communities in southwest Kentucky. Although blacks living in many different areas of Regions 1 and 2 experienced the violence of the lawless band, the two main targets, suffering repeated assaults, were the blacks in the small communities of Golden Pond in Trigg County and Birmingham in Marshall County. Economic motives lay behind the attacks: The blacks owned good farm lands or were employed by the tobacco trust. Since the end of the Civil War, Afro-Americans had lived in Birmingham, a port town on the Tennessee River. Commenting on this predominantly black area, the *Courier-Journal* (which covered in far greater detail than did the local newspapers the violence against western Kentucky blacks in the early 1900s) explained, "Birmingham [has] . . . some of the best farming land in the Purchase, and around there is to be found practically the entire Negro population of Marshall County."¹³

Attacks on Birmingham blacks began in February, 1908. Toward the end of the month, after having suffered through several raids, community leaders finally went to the authorities, pleading in vain for protection. The blacks had been told to leave Birmingham but had refused to do so, and the mob now resorted to murder, apparently concluding that it would take more than a few warning signs and small brush fires to oust the entrenched Afro-Americans. In addition to being landowners, some of the Birmingham blacks worked at the tobacco factory in the county, which further incensed the Night Riders. Officials of the tobacco company were warned to fire all Negro hands but had likewise failed to act. As a reporter for the *Courier-Journal* accurately predicted, the unwillingness of law officers to intervene sealed the fate of the Birmingham blacks: "Apparently encouraged by the failure of Marshall County officials to prosecute whitecaps who have warned and whipped blacks, 100 men rode into Birmingham on March 8, and shot seven men and whipped five others." John Scruggs and his granddaughter died from wounds sustained during the raid. All of the blacks in the area were given another warning to sell their

Lyle, "Night Riding: A Reign of Fear," 472; Louisville *Courier-Journal*, March 27, 1908; Paducah *Weekly News Democrat*, February 20, 1908; William F. Holmes, "Whitecapping: Agrarian Violence in Mississippi, 1902-1906," *Journal of Southern History*, XXXV (May, 1969), 165-85.

13. Louisville *Courier-Journal*, March 11, 1908.

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lands, resolve all of their personal and financial matters, and leave Birmingham within ten days. Most of the blacks soon left for Paducah or Nashville, and in their rush for safety they left behind household goods and farm equipment. A final story concerning the Birmingham blacks appeared in the *Courier-Journal* toward the end of March: "Only six blacks remain since the notices to leave town were posted. A steamer from Marshall County brought in seventeen black families and their household goods. In all about 100 blacks got off the steamer when it arrived in Tennessee."¹⁴

Shortly after their successful removal of the Birmingham blacks, the Night Riders adopted the practice that seems to have been widespread in Kentucky during the first two decades of the twentieth century and posted a sign near the railroad station in Marshall County telling anyone who somehow remained uninformed about the ousting of blacks that their community was for whites only. The words "Niggers Don't Let the Sun Set on You" were clear in their meaning, and against the backdrop of the destruction of property, whippings, and murders, these words must have invoked fear in Afro-Americans venturing in the county. Since the raid, Marshall County has had a reputation as a place where no blacks live, though this has actually become the case only in the last few decades. The United States census for 1900 lists 348 black residents in Marshall County. By 1910—after the Birmingham raid—the number within the county had declined to 135. According to the 1930 census, only 62 blacks lived in the county; thirty years later, it had no blacks. It is obvious that the few blacks living in the area after March, 1908, were not viewed as a threat to whites. They were, unlike the ones removed, employed as house servants and farm laborers, occupations whites found necessary for their own well-being and appropriate for Afro-Americans.¹⁵

What happened to the land, farm equipment, and livestock left behind by the Birmingham blacks in their rush to vacate Marshall

14. *Ibid.*, March 11, 17, 24, 28, 1908; Madisonville *Hustler*, March 17, 1908; Taylor, "Night Riders," 57; Cunningham, *On Bended Knees*, 145–46. Upon hearing the details of the bloody March 8 raid, Judge Crumbaugh of Lyon County, who like Sheriff Cash was outspoken in his defense of blacks having the right to reside in the communities, said, "The scoundrels ought to be in the devils belly." See his letter to Governor Willson, March 12, 1908, in Willson Collection.

15. U.S. Census Bureau, *Negro Population, 1790–1915*, 484, and *Fifteenth Census of the United States, 1930* (Washington, D.C., 1932), III, 957.

County? Given the scanty records (and the same problems that exist when trying to discover how many Afro-Americans had owned land in Henry County in the 1870s), it is difficult to determine the number of Birmingham blacks who were landowners. It is known, however, that Nat L. Frizzell of Birmingham had, on December 17, 1896, purchased land from D. L. Nelson. The land, valued at \$300, was to be paid off in \$100 installments plus interest beginning March 1, 1897. No one is sure what became of Frizzell's land and that owned by other ousted blacks. A prominent lawyer living in Marshall County today speculates that once the blacks had settled in surrounding areas, someone from Marshall County went to them and got them to sign away their land for little or nothing.¹⁶

About two weeks after the raid on Birmingham, a group of Night Riders terrorized the black residents of Golden Pond and several other communities. At Golden Pond, the mob shot into the homes of Afro-Americans, then went to the servant quarters of the Golden Pond Hotel and forced Tom Weaver, an employee of a tobacco company, out of bed. As noted earlier, they shot him. His death was more of a warning to other black workers to leave the area than a result of any offense he had committed. Because of this raid, some, but not all, of the blacks left the area. During the same time period, Night Riders also warned some blacks to leave the small community of Murray. Several Afro-Americans had purchased homes in white neighborhoods, an obvious sign that they were getting out of their place. No figures exist showing how many blacks fled western Kentucky in the wake of raids by the Night Riders. Clearly, Afro-Americans quit Birmingham entirely, and some left other areas. As the *Courier-Journal* noted when discussing the overall attempts by Night Riders to rid numerous areas in western Kentucky of blacks: "The same policy has been pursued in Lyon County in the vicinity of Kuttawa and along the Cumberland River. At Calvert the negroes were long ago driven out."¹⁷

Although it can only be speculated, blacks apparently defended their families and homes from attacks by the Night Riders to a degree not found when they were threatened with lynching. To be sure,

16. At the Kentucky Department of Libraries and Archives, see Marshall County Deed Book, XXIV, 226–27 (Microfilm No. 999838); Tip Reed, attorney, interview with the author, April 1, 1987, Mayfield.

17. Louisville *Courier-Journal*, March 11, 17, 25, 1908.

blacks deplored the practice of lynching and saw it as a threat to their own well-being, but some blacks probably felt that the people lynched had brought troubles on themselves by being involved with white women or by challenging whites too aggressively. In other words, while there may have been some doubt about the guilt of a few of the blacks who were lynched, none existed about the blacks who were run off their property in Birmingham, Golden Pond, and other places in western Kentucky. After the first raid on their community, Birmingham blacks prepared for other attacks. According to the *Courier-Journal*, three Night Riders were killed by blacks during the raid on March 8. A letter to Governor Willson from Judge W. L. Crumbaugh of nearby Lyon County substantiates the point that though blacks were eventually forced out of Birmingham they had defended their homes:

I have learned that a man in this county saw the gang on its march to Birmingham counted them, saw them as they returned, . . . [and] one man was lying on his horse, head hanging on one side, feet on the other, another was held in the saddle by a man riding behind. . . . I had also heard through my Kuttawa friend that one man lives at home both eyes out, four others are visited by a doctor from Kuttawa after night, the doctor crosses the river after all persons have retired, is gone about three hours and returns to river ferries himself over, thinking himself unseen. . . . [T]here were three secret burials in this county and one in Marshall.

Yet a week later, Crumbaugh wrote a second letter to the governor, explaining there was some doubt over how many Night Riders, if any at all, had been killed during the raid. Whether or not men were secretly buried is all but impossible to determine, since no one is sure exactly where the Night Riders lived. Undoubtedly, some of them resided in areas close to the black communities in Golden Pond and Birmingham, but is also likely that some had come from further away to take part in the raids. In short, given the clandestine nature of the Night Riders, it is virtually impossible to know if members of this white mob were killed or severely wounded in the March 8 raid on Birmingham and if these were the only fatalities suffered during raids on black communities.¹⁸

18. Louisville *Courier-Journal*, March 24, 1908; Crumbaugh to Willson, March 19, 25, 1908, in Willson Collection.

Within days after the last raid on Birmingham, a group of black leaders filed criminal charges in Benton against three Night Riders. Additional charges were brought against Rob Wood for sending the threatening letter that had warned blacks to leave their homes. With justice extremely color-conscious in Kentucky's courts, it did not surprise blacks (or the Night Riders) when the whites won acquittals. But, nevertheless, blacks had forced the issue. Contemporary and scholarly accounts reveal that whenever charges were made in court against Night Riders, there was a strong possibility that some of their cohorts served on the juries. For instance, after the Lyon County grand jury was convened in December, 1908, to investigate a series of charges against the lawless band, the county attorney informed the governor that at least six men chosen as jurymen had participated in raids: "Three fellows according to good proof which I have were in the Eddyville raid. One that was in the Marshall County raid on Birmingham, . . . [and] two that were in the Crittenden County raids."¹⁹

After settling in Illinois, Lee Baker, Nat Frizzell, and the Scruggs family, all former residents of Birmingham, hired prominent white lawyers to recover damages for the beatings they had sustained and the property that had been stolen from them. The blacks identified more than thirty men who had taken part in the raid. Their case was held in federal court in Paducah, since the blacks and their attorneys knew that it would have been unrealistic to expect a ruling from a state court dominated by Night Riders. A year after the raid, Baker and Frizzell recalled with vivid details how they were tied and were beaten with a whip until it cut into the muscles of their legs. In a surprise move, several whites came forward to testify in behalf of the ousted blacks. Otis Black, a confessed Night Rider, told of the raid and identified all of the defendants as Night Riders. Arthur Griffin confirmed the validity of Black's testimony, saying that Dr. E. Champion, the leader of the mob, made him accompany the Night Riders and hold their horses while the Negroes were being whipped. A third white, Dr. Robert Overby, warned out of Birmingham for dressing the wounds of several blacks, also testified in Baker's and

19. Louisville *Courier-Journal*, March 25, 28, 1908; Paducah *Weekly News Democrat*, April 2, 1908; Walter L. Krone to A. E. Willson, December 7, 1908, in Willson Collection.

Frizzell's behalf. After hearing the evidence and being told that the defendants refused to offer a defense for their actions, the federal judge told the jurors to perform their duty and render a verdict not only sufficient to cover the actual damages suffered by the Birmingham blacks but vindictive damages to any amount not exceeding \$25,000. He would be surprised and disappointed, the judge warned the jury, if verdicts were returned for inconsequential sums of money. The jury heeded the words of the judge, awarding \$25,000 each to Baker and Frizzell, the full amount requested. It is likely that the blacks did not receive these huge amounts, however. "It is said the defendants against whom judgments were accrued have no property." Also involved in the suit was the Scruggs family, whose grandfather and infant daughter had died during the raid. However, the family members had been prevented from taking part in the deliberations because they were quarantined with smallpox in Illinois. Their case was to be continued. The exact outcome is unknown, but in all probability it was resolved in favor of the Scruggs family.²⁰

Within the Kentucky courts, only a handful of men were indicted and prosecuted for the many crimes committed during the Night Riders' five-year reign of terror in western Kentucky. The same scenario was played out in practically every county: The grand jury refused to return indictments against Night Riders, or on the few occasions when a member of the band was brought to trial, the jury was packed with his former associates. Dr. David Amoss, the person largely responsible for the start of the secret brigade, was tried and found not guilty in Hopkinsville in 1911. All told, three men were convicted and sent to prison, each for only one year. It is doubtful that any blacks, including Baker, Frizzell, and the Scruggs family, recovered their property and goods. By contrast, in Mississippi hundreds of men suspected of being involved in attacks on blacks were fined \$25 and given suspended jail sentences of thirty days; significantly, a number of men were found guilty of murder and received terms in prison ranging from ten years to life.²¹

20. Madisonville *Hustler*, July 14, 1908; Paducah *News-Democrat*, April 20, 21, 1909; New York *Times*, April 21, 1909; Louisville *Courier-Journal*, April 21, 1909; Taylor, "Night Riders," 57; Lyle, "Night Riding: A Reign of Fear," 470. Unfortunately, the ruling of the federal court in the Scruggs case was not recorded in the *Federal Digest* or in the *Federal Reporter*.

21. Augustus E. Willson, "The People and Their Law," a speech delivered before the

That only a few Night Riders were prosecuted and then found not guilty or at most handed extremely light sentences tended to encourage the return of the lawless band. As explained by a reporter for the New York *Times*, by 1915, the Night Riders had resolved "to regulate the conduct of the community through intimidation, displace negro labor with white and fix prices which merchants should charge for merchandise." In outlying areas of Christian and Crittenden counties, farms, houses, and buildings owned by Afro-Americans were riddled with bullets. Placards were posted on these farms, instructing the blacks to leave the area or suffer the consequences of remaining. Eighteen men were eventually arrested and arraigned on charges of being Night Riders and terrorizing blacks. All of the men were acquitted. After the verdict, a score or more black farmers, realizing that the law would not protect them, moved from the area. Several months later, the Night Riders attacked blacks living in Ohio County. One black, Peter Hart, was killed. Hart had received a death threat telling him to leave the area and had ignored the warning. Dozens of blacks, including Reuben Howard and his wife, were flogged. They received a small measure of justice when the Ohio County Circuit Court indicted sixty men for being Night Riders. Two Night Riders pleaded guilty, throwing themselves on the mercy of the court, and were sentenced to three years in prison. They agreed to testify against the others, but the outcome of those trials is unknown. Regardless, as late as 1920 the Night Riders remained active. Upset over the steady decline in tobacco prices and lacking an effective means of protesting to the large tobacco companies, a small band of farmers in Mayfield and Graves County resorted to destroying crops and setting warehouses on fire. And as had happened previously, some of the violence carried over into renewed attacks on Afro-Americans.²²

The running off of blacks and the destruction or seizure of their property was not limited to the western part of the commonwealth.

American Bar Association at Detroit, August 25, 1909, pp. 14, 19 (copy in Division of Special Collections and Archives, University of Kentucky). For the trial of Amoss, see the Hopkinsville *Kentuckian*, March 11-18, 1911; Holmes, "Agrarian Violence in Mississippi," 180-84.

22. See the Louisville *Courier-Journal* during January and February, 1915, for a number of stories detailing the actions of white mobs in Christian and Crittenden counties; Tuskegee Clippings, Reel 221, Frame 277; New York *Times*, August 26, 1915, March 28, 1920; Paducah *Evening Sun*, August 25, 26, 28, 1915, March 24, 27, 1920.

Thousands of blacks, primarily from Alabama and Georgia, migrated to the eastern Kentucky mountains during the coal-mining boom of the early 1900s. Although they accounted for only a small percentage of the population, these newly arrived blacks found racial segregation just as severe as in the Deep South. As explained by Ronald D Eller: "Coal operators usually segregated the black population into 'Colored Towns' consisting of the least desirable houses in the camp. Schools and churches, where provided, were segregated, as were recreational facilities, restaurants, and saloons." In the coal-mining community of Wheelwright, company officials made sure that no contact occurred between blacks and whites once they left the mines. The town had a black police deputy to control "Hall Hollow," the Negro section of town. Wheelwright had three boardinghouses: one for whites, one for foreigners, and one for blacks.²³

After the First World War, hundreds of southern black men found good-paying jobs at the Louisville and Nashville Railroad Company (L&N) in Corbin. Many of these Afro-Americans were employed as skilled laborers for the construction of a new railroad terminal in the southern part of the city. A major cause of the riot that occurred in October, 1919, was white resentment of blacks coming to Corbin to work these relatively high-paying jobs. Local legend has it that Corbin was free of crime and vice—until the arrival of the southern blacks, when the city experienced numerous assaults and robberies. Whites also blamed the black immigrants for the presence of prostitution and bootlegging, vices already in operation in Corbin long before blacks came to that mountain community.

About 9:00 in the evening of October 30, 1919, a rumor began spreading in the white saloons that A. F. Thompson, a night watchman, had been robbed and stabbed by two unidentified Afro-Americans. Within an hour, a mob of at least 150 white men, all of whom were heavily armed with rifles, pistols, stones, and large pieces of lumber, took to the streets, and the rioting began. The men first went into the restaurants and office buildings, seizing the black employees and taking them to the train station. They then ventured into the black community and forced all of the black railroad workers to the depot. Any number of other blacks, seeing the approaching mob, fled Corbin on

23. Eller, *Miners, Millhands, and Mountaineers*, 170-71; Lewis, *Black Coal Miners in America*, 145-48; Spero and Harris, *The Black Worker*, 236-38.

foot. When the L & N train arrived at 2:15 in the morning, an extra car was added and all of the blacks who had been detained were loaded on; mob leaders ordered the conductor to keep the blacks on the train until it arrived in Knoxville, ninety miles away from Corbin.²⁴

The mob, however, was far from satisfied. Realizing that a number of black workers had escaped, some of the mob members spent the night searching for the blacks; most were captured at the outskirts of the city. Other whites returned to the now vacant area where the blacks had been living and destroyed the tents, shacks, and boarding cars that had been home for the railroad workers. Having used the pretext that the criminal act of two black railroad employees justified the removal of all of their fellow workers, the mob turned its attention to the Afro-Americans still remaining in Corbin, even though no one suggested that they were responsible for the assault on the night watchman or the "crime wave" in the city. The entire crew of forty black employees of a Louisville contractor, who had been constructing Center and Main streets for the past six months, was rounded up and taken to the train depot. The decision to remove the "grade negroes," as local whites contemptuously called them, meant that the only blacks left untouched were those who had been living in Corbin before the black railroad workers arrived. As reported in the newspaper: "The negro families who have been residents of the city for years are those of John Barry, Alex Tye, John Turner and Emma Woods. Some members of the mob advocated allowing the family of John Barry, who has been a resident of Corbin 33 years to remain, saying he was a 'good nigger.' Others favored ridding the place of all negroes." Ultimately, all of the black "old-timers" were allowed to remain. Meanwhile, the authorities had at last heard of the violence and arrived at the depot where the blacks were being held. Instead of freeing them and disbanding the mob, the police agreed that the blacks should be compelled to leave, though the police did inform the mob that further violence would not be tolerated. With the police now maintaining "order" (they had searched the Afro-Americans to make sure that none of them had weapons but made no attempt to

24. For newspaper accounts of the Corbin riot, see the following: *New York Times*, November 1, 1919; *Corbin Times*, October 31, November 7, 1919. Most of the comments made in the following paragraph have been drawn from the account of the *Louisville Courier-Journal*, November 1, 1919.

search and disarm the whites), local officials, who had, of course, remained silent throughout the night, said that no state troops would be called since everything was under control. "The work of deporting the negroes progressed today without serious trouble," the newspaper noted. All told, as many as 250 blacks, and maybe at least another hundred more, were forced out of Corbin by the white mob.

Although they had agreed with the blanket indictment that the black railroad workers were responsible for numerous criminal acts, most local whites seemed to be appalled by the ouster, saying that the riot would hurt the growth of Corbin. Letters were written to the local newspaper calling for the arrest and prosecution of the men involved in the incident. Labeling the riot "deplorable," the editor of the Corbin *Times* was nevertheless relieved to note that the riot was led by lower-class whites. Right from the start, there was speculation about the "two unidentified Negroes" whose alleged robbery had sparked the riot. Writing in 1981, a Corbin historian noted, "Later it was thought that the blacks were not involved in the lawless act that triggered the incident, but that it was committed by two white men whose names were not publicized."²⁵

Corbin's white leadership may have been troubled by the forced removal of hundreds of innocent Afro-Americans, but they failed to adopt any measures to allow the safe return of the black railroad workers.²⁶ In reality, of course, whether or not two blacks had committed the robbery and stabbing was secondary to the mob's aim of removing all blacks as job competitors. During the riot, a few whites had been sympathetic toward black domestics—blacks, in the view of whites, who "knew their place." Lillian Butner, a young girl at the time of the riot, recalls: "My father was tipped off by a white man. He hid us across the street with a white family. . . . The Negroes they found were herded into pens like cattle and shipped off on trains."

25. See John Leland Crawford, *A Tale of One City: Some Highlights in the History of Corbin* (Chicago, 1981), 58-60. The part of the book discussing the 1919 riot is entitled "An Unsavory Incident."

26. The L&N Railroad Company made no public statements denouncing the violent attacks on its workers. It is also obvious, though no records exist to verify this position, that the company relented to the demands of local whites and did not return black workers to the Corbin area. No mention of the Corbin riot is contained in the voluminous L&N Papers, housed at the Archives and Records, University of Louisville.

Long after all hostility over the incident had ended, no blacks moved into the city. Corbin had room only for those Afro-Americans performing service jobs. For instance, Mrs. Butner's husband worked at the Wilbur Hotel for more than forty years, and, as she explains, he encountered no racial problems. However, the Butner family and most of the other blacks employed in Corbin lived in London, twelve miles away, and commuted to work. From the end of the riot to the present, the only blacks living in Corbin have been a handful of servants, and in 1988 only one of these families still remained in Corbin. As a way of making sure that other blacks knew that they were not welcome in Corbin, local whites adopted the practice that seems to have been used in an undetermined number of Kentucky cities: They put up a sign saying "Niggers Don't Be Here When The Sun Goes Down." The sign was displayed in Corbin until the 1960s.²⁷

What happened in Corbin was not an isolated incident; whites in at least two other areas of eastern Kentucky forced blacks to leave in the 1920s. Unfortunately, the paucity of historical data coupled with the unwillingness of white residents to discuss these incidents have resulted in very little coming to light about these violent incidents beyond the obvious fact that blacks feared to remain in a given area. In the ousting of blacks from Ravenna, a small community in Estill County, one can only speculate about why whites compelled blacks to leave the area. Historically, few blacks have lived in Estill County. The 1890 census lists 581 blacks, composing 5 percent of the total population, and 10,255 whites. At the start of the century, the number of blacks had declined by more than 60 percent, to 223, while the number of whites had increased to 11,446. Blacks in 1900 made up less than 2 percent of the population. Ten years later, the number of blacks had decreased by another 50 percent, to 106, while whites had increased to 12,167. At that point, blacks were 0.9 percent of Estill's total population. Interestingly, however, the number of blacks increased by the time of the 1920 census to 204, or 1.3 percent of the population. Whether the increase in the number of blacks had anything to do with the incident that occurred in the county is unknown. In many instances, an increase in the black population, even one as insignificant as that in Estill County, led to trouble as whites felt that

27. Lillian Butner, interview with author, January 30, 1987, London. Clark said that he saw the sign in Corbin warning blacks to avoid the area. Interview with author.

blacks were "invading" their communities, taking their jobs and lowering the value of their homes. Also, considering that the 1920 census data were probably not collected until sometime toward the fall of the year—that is, after the Ravenna incident—it is likely that the number of blacks had increased at an even greater rate in the county, leading directly to problems in the small community. When discussing the ousting of blacks from Ravenna, the Maysville newspaper said: "All negroes have been ordered out of this place because of sentiment against them, following an attack of a negro man on a white boy. The facts have not been fully disclosed, but the negroes are leaving town without delay." By the time of the next census, in 1930, the number of blacks had decreased to 145 while the number of whites had risen to 16,934. Blacks were once again less than 1 percent of Estill County's citizens.²⁸

The brief newspaper account of the ousting of blacks from Ravenna does not reveal a significant fact about this small community: Like Corbin, the area had been selected by the L&N as the site for the construction of a large railroad terminal. This undoubtedly meant that black railroad workers had come into the area. Again, because of an absence of sources, the exact cause of the incident at Ravenna can only be speculated. But it is revealing that the newspaper mentioned that a black man had assaulted a white youth, an incident similar to that rumored to have happened in Corbin. Surely the whites responsible for the forced removal of Afro-Americans from Ravenna must have known that once the blacks had been ousted in Corbin, their employer, the L&N Railroad, had acquiesced in the matter.

Only oral accounts remain about the removal of blacks from Cary, a small community in Bell County. Practically everyone living in that part of Kentucky labored in the coal mines; blacks and whites worked on the same jobs for the same pay. Away from work, however, segregation was rigidly enforced in schools, churches, and public accommodations.²⁹ As told by Jim Garland, a longtime resident of the area, whose narrative was recorded and eventually published, the 1923

28. U.S. Census Bureau, *Twelfth Census of the United States, 1900* (Washington, D.C., 1901), I, 540, *Fourteenth Census of the United States, 1920* (Washington, D.C., 1921), III, 372, *Fifteenth Census of the United States, 1930*, 953; *Maysville Bulletin*, April 8, 1920.

29. For detailed descriptions of racial segregation in Bell County, see Joseph Williams, secretary of Bell County NAACP, to William Pickens of the national office,

Cary riot centered on a dispute between two men, one white and the other black, for the affections of a black woman. A shoot-out occurred, and the white youth, Girt Roark, was killed. When informed of his son's death, the elder Roark "went berserk and began shooting at every black person he saw." Other whites quickly joined Roark, and they decided to drive out all the black residents. As usual, the blacks' appeal to the authorities for protection was a waste of time, even though they had lived in Cary for many years and had not been accused of criminal acts. "My own feelings and those of my family were all in sympathy with the Negroes, but we were definitely in the minority. All we could do was help secretly." Going further, Garland says: "This was a sad day. I had known many of these people all my life. I had had them as customers when I sold newspapers, I had sold them blackberries, I had worked with them, I had gone with my mother to see their babies. Given only two days to get out of Cary, these people had to leave everything they had." One black, for example, was forced to abandon his three cows and nine hogs. After being forced out of Cary, blacks continued to work in the mines in the area and live in the other nearby towns, but none moved back into Cary.³⁰

Were Corbin, Ravenna, and Cary isolated incidents or part of a pattern of racial violence in eastern Kentucky? Blacks were part of the out-migration from the mountains that started in the late 1920s, when the coal boom had become a bust. Like whites, Kentucky blacks moved to Detroit, Cleveland, Indianapolis, and other northern cities in hopes of finding jobs in industry. The desire to educate their children also led blacks and whites to move from isolated parts of the Kentucky mountains. There is no way of knowing, however, the number of blacks who left during these years under duress. It is not difficult to imagine that once layoffs started in the coal industry, any blacks still working came in for abuse from frustrated, unemployed whites.

An incident similar in some respects to the Corbin riot occurred in

January 15, 1940, and J. Johnson Williams of Bell County NAACP to the national association, July 17, 1942, both in NAACP Papers.

30. Julia S. Ardery (ed.), *Welcome the Traveler Home: Jim Garland's Story of the Kentucky Mountains* (Lexington, 1983), 113-15; Walter Hurst, interview with the author, November 15, 1984, Lexington. Hurst, a retired coal miner, lived and worked in Straight Creek, Bell County, which is near Cary. He knew accounts of the Cary incident.

1924 at Dix River, in Mercer County, the site of a dam construction. About eight hundred black men had been brought into the area to work on the huge project. Away from work, both white and black men spent their time gambling, drinking, and fighting, though usually on a segregated basis. On November 9, 1924, Edward Winkler was killed by two blacks who were convinced that he had cheated them at cards. However, white construction workers were told not that the men had been gambling and drinking but that a group of unidentified blacks had killed Winkler during a robbery attempt. As a white newspaper explained, "Incensed by the murder, a group of residents of the Dix River area and white construction workers invaded the camp site of blacks with clubs, sticks, pistols and shotguns and forced all of the 800 black workers to leave the camp." Just like at Corbin, where whites had invaded restaurants and office buildings to seize peaceful blacks, at Dix River the huge white mob attacked dozens of blacks at the barber shop and movie house, forcing them to leave as well. The whites decided to march all of them to the railroad depot in Burgin, several miles away, and they were ordered to remain in the depot until a freight train could be flagged down. Many Afro-Americans had sustained severe beatings: One man had his knee shattered, and several needed immediate medical attention for gunshot wounds. Indeed, after the police ended the riot by talking the white mob out of the idea of putting the blacks on the train, dozens of black men were treated at the hospitals. James Bond, investigating the incident for the Commission on Interracial Cooperation, reported that the black workers had been robbed of their clothing and other valuables and had been physically assaulted during the riot. "Many of these colored people were found the next day in different sections of the country wandering about dazed without sufficient clothing and in a highly excited state of mind." One white newspaper, the *Lexington Leader*, went to great lengths to explain that the vast majority of black workers were innocent of any wrongdoings. "It was," the newspaper added, "purely a massacre of that element of hard working Negroes by that class of whites who carry a grudge and foment trouble when coming in contact with Negroes."³¹

31. Accounts of the Dix River riot can be found in the following sources: James Bond, "Report of the Director" (January, 1925), in Commission on Interracial Coopera-

As we have seen, the authorities usually failed to intervene when whites forced blacks out of an area. After the Dix River riot, however, state officials and the construction company, L. E. Meyers Company, moved quickly to end the disturbance and return things to normal. Within twenty-four hours of the outbreak of the riot, members of Troop A, 54th Machine Gun Squadron of the Kentucky National Guard, arrived in Mercer County. With the state troops protecting their living areas, practically all of the black workers returned to the construction site. Mercer County authorities arrested two blacks, Walter Chance and John Williams (known as Big Jelly Roll and Little Jelly Roll) for the murder of Edward Winkler. They charged a third black, Jack Johnson, with complicity in the crime. Denied bail, the men were held until the February term of the Mercer County grand jury. Eventually three other blacks were arrested for their alleged knowledge of the murder. In a surprise move, the police arrested and charged with assault and other offenses more than a dozen white men who were identified as leaders of the riot. These whites were also held in jail until February. The grand jury released all of the whites, citing a lack of evidence. Charges against most of the blacks were also dropped. Indicted for murder, Chance and Williams were convicted and received prison sentences. Given the reality of black life in Kentucky and the "legal lynchings" that often occurred, going to prison, instead of to the electric chair, was a rather light punishment.³²

That the black workers went back to the construction project at Dix River suggests a different attitude compared with earlier disturbances; in those incidents, whites let it be known that they would not welcome a return of the ousted blacks. By the mid-1920s, white leaders throughout the state agreed that steps had to be taken to eliminate mob rule. The beating of black farmers in isolated areas could be ignored or covered up, but an incident as blatant as the forced removal of eight hundred men could no longer be tolerated. Most important,

tion Papers, Special Collections and Archives, Woodruff Library, Atlanta University (hereinafter cited as CIC Papers), the *Lexington Herald*, November 10, 11, 15, 18, 1924, the *Lexington Leader*, November 22, 1924, and the *Harrodsburg Herald*, November 14, 21, 1924.

32. *Lexington Herald*, November 11, 18, 1924, February 13, 1925; *Harrodsburg Herald*, February 27, 1925.

however, the labor of the men at Dix River was necessary for the successful completion of the project. Obviously some of the whites resented blacks working on the project and wanted them fired, but this disdain for Afro-Americans failed to secure their removal. The company needed the workers and had, therefore, assisted the state in providing police protection to ensure that the blacks could perform without the overt threat of violence.

The November, 1924, riot at Dix River might have been the last attempt by a white mob to force an entire black population to leave an area. This does not mean, however, that many other actions by whites to keep blacks "in their place" ceased. Individual blacks were still beaten and given warnings to leave their homes, just as other Afro-Americans had experienced in Kentucky since emancipation. One of these incidents occurred in Hopkinsville in the spring of 1932 when Jim Hill, a black worker for the Moore Construction Company, had three teeth knocked out by L. J. Swift, the road boss. Hill immediately left the job and went to the county prosecutor to obtain an arrest warrant against Swift on a charge of assault and battery. The prosecutor refused to issue one, saying that Hill should work out a peaceable settlement with his attacker. Ignoring this advice, Hill brought a civil suit against Swift. An all-white jury heard the case in court. Swift acknowledged striking Hill in the face, saying that the Negro had talked back and made threats against him. Swift's brother and several friends testified in his behalf, corroborating the testimony that the black man had made threatening statements. Hill's suit was thrown out of court.³³

One week later, Hill was awakened by a rap on the door. After being informed that it was the sheriff of Christian County, he opened the door, whereupon pistols were stuck in his face. Hill was nervous, but he recognized almost all of the men in the mob before a sack was placed over his head. As Hill was being carried off, his wife appeared at the door with a lamp and a gun. The light was shot out of her hands. Hill was then tied down in a car. Worried that Hill's wife could recognize them, several men returned to the house, only to find that

33. The details of the incident involving Hill and Swift can be found in a long letter from Edward M. Bacoyne, a white attorney in Hopkinsville, to Walter White, of the NAACP, May 19, 1932, in NAACP Papers.

Mrs. Hill had made a successful escape. The men then drove into Tennessee, finally stopping in a deserted area. There the mob beat Hill with tobacco sticks "till blood oozed forth from his body and his heavy underclothing blood-soaked, stuck to his back." Although no bones were broken, his hands, arms, and back were "beaten almost to a jell." The mob left Hill along the highway, warning him not to return to Kentucky.

As he had indicated earlier when attempting to file charges against Swift, Hill was not easily intimidated. Despite the mob's warning, he returned home. Hill told Edward M. Bacoyne, a white attorney, about his beating. Hill named T. J. Swift and Paul Street, a law officer, as the leaders of the mob. In the company of Bacoyne, Hill went to see the county judge, "who was so sorry [about the beating of Hill] he almost cried, but could not help." The local prosecutor once again proved to be unconcerned, refusing to hear the facts of the case. Hill decided to appear personally before the Christian County grand jury when it convened in May. Word quickly spread that Hill had talked to the authorities and was determined to press the matter further. Dave Oats, one of Hill's attackers, visited the black man to verify his intentions of testifying before the grand jury. Hill replied that when appearing before the grand jury he would name Oats as a member of the mob. After Oats left, however, Hill realized that no one would help him if the mob decided to return. He and his wife immediately left Christian County for parts unknown. Hill, a man who had served his nation in the Great War, who had lived all of his life in the area, was forced to leave his home because the law would not protect his right to live peacefully in the then unsuitably named Christian County.

In Middlesboro, one of the largest cities in eastern Kentucky, a black physician, Dr. I. H. Miller, was active in politics, to the dismay of local whites. Miller demanded that white politicians be accountable to blacks and that deserving Negro political leaders be rewarded with patronage positions. One evening, a mob kidnapped Miller and took him to a remote mountain area outside of Middlesboro. Word of his seizure spread, and the police began a search for the black physician. Miller was found several hours later, severely whipped and barely conscious. Telling Miller that he had been "too officious in politics," ten men—all of whom he could identify—had administered the beating. Miller was provided with police protection at his home and of-

fice. Nevertheless, as a newspaper speculated, Miller would be compelled to leave town once the guards were removed because little could be done to prevent another attack, and maybe his death.³⁴

The plights of Hill and Miller show clearly what happened to those black Kentuckians whose actions were viewed as a threat to white supremacy. Neither man had committed rape, murder, or other offenses. Swift, of course, testified in court that Hill had threatened him. If that had been true, Hill would probably have been lynched instead of whipped. It is extremely difficult to know how long this harassment of individual blacks continued. Lynchings and murders often caught the attention of the public, but forcing a black to leave town could easily be kept from the newspaper. Compelling a black to leave a community could have occurred so often that the act might not have been deemed newsworthy at all. White mob rule proved to be very effective in the Bluegrass State, as perceived black troublemakers and competitors were eliminated. The Afro-Americans who remained knew that their farm lands, livestock, businesses—indeed, all they had accumulated—could be taken from them. Security was for white men.

34. Tuskegee Clippings, Reel 228, Frame 709; *Louisville Defender*, September 2, 1933.

FIVE Holding Back A Rising Tide, 1875–1899

Afro-Americans consistently attempted to end the numerous lawless acts occurring in Kentucky. In strong terms, they denounced lynchings and mob rule, often urging the state and federal governments to intervene to protect their lives and their property. On rare occasions, county judges, prosecuting attorneys, and concerned civic leaders called for the adoption of appropriate measures to prevent lynchings, even when they believed that a black was guilty of an especially heinous crime. But clearly, the usual response of whites continued to be one of support, not condemnation, of lynch law (even though they simultaneously spoke of their respect for the law). Nevertheless, by the 1890s, a number of white leaders, primarily Republicans, agreed with blacks that the state had to take a strong stand against mob rule. Because of their efforts, Kentucky became one of a handful of states to pass an antilynching law.

After a lynching, whites often feared some form of retaliation from Afro-Americans. Although unconcerned about being prosecuted by the law, the leaders of lynch mobs sometimes sold their property and left the area after the incident out of fear that Afro-Americans would seek a measure of revenge. Blacks, for example, were responsible for a series of fires in Georgetown and other cities after lynchings had occurred. In short, despite the lynching epidemic in Kentucky in the late 1800s, blacks were far from passive and attempted in a number of ways to combat the problem.

On at least one ill-fated occasion, a white sheriff attempted to prevent a mob from taking his black prisoner. Richard May was arrested on a charge of rape in Owensboro in July, 1884. Rumors circulated for several days that May would be lynched. The sheriff, a former Confederate, boldly stated his determination to protect May's life: He would

The twentieth century would see the continuation of efforts to eliminate mob violence in Kentucky. Just like William O. Bradley before them, various governors adopted measures, some of which were drastic and highly controversial, to end lynchings. White newspaper editors began denouncing all acts of violence, even when Afro-Americans were guilty of rape or murder. A number of organizations also joined in the quest to end violence. All along, Afro-Americans, through a variety of ways, including armed resistance, remained determined to end racial violence.

Despite these efforts, racial violence remained a fact of life in Kentucky. At least seventy people died at the hands of lynch mobs between 1900 and 1934, including four innocent youths in Russellville, David Walker and his family in Hickman, Will Porter at the Livermore Opera House, and two men in the largest town in western Kentucky in 1916. During the early decades of the new century, an unknown number of blacks were forced to flee their homes after being attacked by Night Riders in several western Kentucky counties and by hostile white railroad workers or coal miners in parts of eastern Kentucky.

With the possibility of a lynching being a constant concern to them, blacks—especially during the first fifteen years of the 1900s—continued taking up arms to prevent mobs from removing black prisoners from jails. On several occasions, they even went so far as to shoot as soon as whites approached the jailhouse. Obviously, a few Afro-Americans had come to realize that only by adopting this tactic could they hope to turn back a white mob. About sixty men rushed the jail in Maysville on January 14, 1902, in an attempt to get Charles Gaskins, on trial for the murder of a Flemingsburg police officer. Making no

attempt to protect their prisoner, the sheriff and his twelve deputies allowed the mob to break the windows and the door and then to batter down the cell door with a sledgehammer. Just as the mob was about to seize Gaskins, shotgun fire came from across the street. According to the newspaper account, "This had the effect of scattering the mob, which left as quickly as it came." The blacks responsible for the shooting were never identified, though they were believed to be Gaskins' relatives. After the incident, a report circulated that the sheriff and his men had been ordered not to fire their weapons. Without question, blacks had saved Gaskins' life.¹

Around midnight on June 14, 1904, a group of whites went to the jail in Lebanon Junction intent on lynching Marie Thompson, who had been arrested for the murder of a white farmer. After the men had completely surrounded the jail, one of them secured a sledgehammer and began pounding at the large padlock that held a heavy iron bar in place across the door. Meanwhile, from the rear of the mob, a group of blacks approached and opened fire on the whites. Taken completely by surprise, the white men fled, getting off a few wild shots in their hurried escape from the scene. The gunfire brought most of the people of the village to the jail. The blacks then made a mistake that cost the black woman her life: They dispersed after the sheriff and his men promised to protect Thompson if the mob returned. Two hours later, however, nearly a hundred shots were fired, and the woman was dead. Angry over Thompson's death, blacks blamed the sheriff for refusing to move the woman from Lebanon Junction and for handing her over to the mob. Fearful that blacks would seek revenge, whites in Lebanon Junction armed themselves and waited several nights for an attack that never materialized.²

In 1908, a shootout occurred near the small western Kentucky community of Dixon when blacks attempted to prevent a lynching. Jacob McDowell, described as a "hardworking colored man of mature years," had an argument with Smith Childress, a deputy marshal in Providence, over the white man's intimate relationship with a young black girl. As McDowell started to walk away, Childress attempted to

shoot him. The black man ran into a drugstore, with Childress close on his heels. Somehow McDowell got the pistol and shot Childress, though not fatally. McDowell went immediately to the police station and explained the incident to the authorities. Fearful that the black man would be lynched by the "notorious, disorderly and violent element in Providence," the police judge had McDowell sent to Dixon, the county seat of Webster County, for protection.³

Upon learning that a lynch mob was forming, Providence's sheriff telephoned Dixon officials to have McDowell moved to Henderson. Harve McDowell, knowing only that a mob was preparing to attack the jail at Dixon and lynch his father, rounded up eleven blacks, several of whom were relatives, and headed for that city, hoping to prevent the lynching. While on the road to Dixon the blacks heard the sound of horses and realized that the white mob was about to overtake them. At this point, their exact actions become unclear. Instead of confronting the mob, they decided to hide in the field. Did Harve McDowell and the others attempt to hide in the field, as the whites would later contend, to bushwhack them? The blacks would testify in court that they decided to get off the road and hide in a field to allow the whites to go on without a confrontation. This seems rather strange, since they were traveling as fast as possible to arrive at the jail in Dixon *before* the mob and protect Jake McDowell. Allowing the white mob to pass by would have meant in all likelihood that nothing would be done to stop the lynching. But in the words of Harve McDowell:

When we got up the road further we were walking awful fast and we heard a noise behind like horses traveling in the road when someone of the boys spoke up and says boys there is a crowd of men behind us on horses and said if they were to be the mob we are in danger and lets get

1. Lexington *Morning Herald*, January 16, 1902; Tuskegee Clippings, Reel 221, Frame 112. The outcome of this case is unknown, though it is certain that Gaskins did not receive the death penalty.

2. Louisville *Courier-Journal*, June 16, 1904.

3. Accounts of the episode can be found in the Louisville *Courier-Journal*, March 16, 19, July 21, 1908, and in the Paducah *Weekly News Democrat*, March 19, 1908. The Madisonville *Hustler*, March 17, 1908, in a story headlined "Negro Attempts to Kill Officer at Providence Saturday," reported that Childress was a good citizen, while McDowell had a bad disposition. An invaluable source, and one that most surely disputes the view of the characters of both men as portrayed by the *Hustler*, is a pamphlet published by a group of Providence white leaders, *The Jake McDowell Tragedy* [N.p., n.d.]. A copy of this work can be found in the Augustus E. Willson Papers, Kentucky Department for Libraries and Archives, Frankfort [hereinafter cited as Governor Willson Papers].

over the fence and let them pass and in getting over the fence Haywood got hung on the fence in some way and his gun went off and one of the shots hit me in the leg and I said, "Oh, boy you have shot me," and by that time then they commenced shooting and we shot back at them and run right off down the hill; some of the boys were over the fence and some of them were right at the fence and one or two were running back down the hill and kept running.⁴

During the exchange of gunfire, one white was killed and another seriously wounded. Ironically, these two men were not from the area but were traveling salesmen who had come along for the adventure of being involved in a lynching. After notifying the authorities in Dixon that they had been attacked by blacks, the whites, according to one account of the incident, "roamed the county over all day Sunday, and on Monday they picked up 25 Negroes, and out of this number they learned the names of the 12 men that went to protect Jake McDowell's life." The police arrested the blacks but refused to arrest any of the whites. About a month after the shooting, McDowell was returned to the jail in Dixon. The protection afforded him proved to be lax, and his son and the other men were unable to provide protection, since they were still held in jail in another city. About two o'clock on the morning of May 30, the jailer awakened to find himself surrounded by a group of masked gunmen. They took McDowell to the Providence Road and riddled his body with bullets. In the pamphlet about McDowell's lynching, the author charged Smith Childress with leading the mob: "Had McDowell lived to go on the witness stand, he (Childress) would have been the man scandalized." Going further in his condemnation of the white "law officer," the writer noted that several days before the lynching, Childress made a threat on the life of the lawyer who had been hired to defend McDowell. Childress was, the writer concluded, afraid that the lawyer would not only uncover evidence to prove that McDowell was the victimized party but would then learn the details of Childress' illicit relationship with a young black female.⁵

In Stanford several years later, an argument between two young

4. *Commonwealth of Kentucky v. Tom Croe and Others*, Webster Circuit Court (1908). The entire transcript of the trial can be found in the Governor Willson Papers. The quote from Harve McDowell is on page 56.

5. *The Jake McDowell Tragedy*, 4; *Louisville Courier-Journal*, May 31, 1908.

blacks and three white farmers ended with the whites shot and the blacks under arrest. Believing that the men would be lynched, fifteen armed blacks from Macksville, a Negro settlement near Stanford, stood guard at the jail. "They built a bonfire in the street back of the courthouse and several shots were heard from the camp during the night." Prepared for violence, the men wore white handkerchiefs on their left sleeves to avoid shooting a fellow black by accident. Their show of force and determination to prevent a lynching spurred the jailer to action. He armed the black prisoners, undoubtedly a measure to which few, if any, other white jailers had resorted, and locked his son in the cell with them. The anticipated mob never materialized.⁶

The lynchings of Brock Henley and Luther Durrett led to a period of turmoil in Paducah. Rumors of black revenge began circulating immediately after the lynchings of the two black men. Giving fuel to the rumors was the unsuccessful attempt by an estimated fifty blacks to acquire pistols and rifles from the hardware stores. Acting on the advice of the police, the merchants refused to sell weapons to blacks. Just as the police had done in the 1890s, city commissioners, believing that blacks would riot, deputized dozens of men and provided them with arms. In another event that seemed to be a replay of 1892, a white in jail for the murder of a black person was moved to the state prison after city officials heard rumors that he had been targeted for death by Afro-Americans. Also, city fathers instructed police chief J. W. Eaker "to break up any meetings or gatherings of negroes and to prevent trouble if possible."⁷

Although running the risk of white backlash, blacks refused to let the matter rest. George Ross, who had led the lynching to avenge the alleged assault on his wife, decided to leave Paducah after receiving several death threats from Afro-Americans. Blacks also took out some of their frustrations on a white police officer, Ollie Childress, who attempted to break up a Halloween celebration in the black community by pulling masks off a number of people and by using profanity at them. Several men responded by beating Childress, who remained in a dangerous situation until other officers arrived in the black neighborhood. As a sign of unity and approval of the beating, no one came

6. Tuskegee Clippings, Reel 221, Frame 163; *Louisville Courier-Journal*, February 17, 1911.

7. *Paducah News-Democrat*, October 17–31, November 1, 1916.

forward to identify the men who had attacked Childress. The Paducah newspaper mentioned that dozens of blacks protested the lynchings of Henley and Durrett by leaving town and going to the North where they were confident of finding better jobs and an improvement in race relations.

As had been the case in the late nineteenth century, whites assumed that an attack was imminent whenever blacks became vocal in their protests of a lynching. After the lynching of Rex Scott in Hazard in January, 1934, whites feared the worse. In his long, detailed account of the incident, Berea College professor J. Wesley Hatcher concluded with a "postscript" explaining that the report of blacks planning an attack on the white coal miners was groundless: "They had no such intention, and did not discuss it. But the rumor greatly frightened the miners, and the operators armed them with dynamite to meet the attack, and they waited in vain through the night for their coming. The Negroes thought it a 'good joke.'"⁸

From the administration of Augustus E. Willson through that of Ruby Laffoon, the governors proved to be important allies of blacks in their attempts to end lynchings. Without question, these governors were far more committed to ending acts of lawlessness than their nineteenth-century predecessors had been, and this was true even of the men elected with little or no support from Afro-Americans. These early twentieth-century governors were concerned about Kentucky's reputation. They were tired of reading magazine accounts and editorials in the *New York Times* that described Kentucky as one of the most violent states in the Union. Willson, responding to the letter from the NAACP about the lynching of Will Porter at the Livermore Opera House, assured the interracial organization that he, too, was outraged over the incident and wanted the guilty brought to justice. He agreed that unless something was done to punish members of the mob and prevent such incidents from recurring, the Livermore lynching would be a blot on Kentucky's name. Several years later, Democratic governor Augustus O. Stanley, confronting the western Kentucky mob intent on lynching a black man, said that to allow a lynching to take place would bring disgrace to the state, and the rest of the nation would view Kentuckians as uncivilized. Furthermore,

8. J. Wesley Hatcher, "Report on Lynching Occurring At Hazard, Perry County, Kentucky, Jan. 24, 1934," 7, in NAACP Papers.

the governors agreed that mob rule was akin to an epidemic, that one lynching led to others, and that the violence of the Night Riders would spread like an infection until all law-abiding citizens were at risk. Just like government officials in the Deep South, Kentucky's chief executives realized that to attract industries, the state had to be presented as a place where law and order existed. In their attempts to prevent lynchings and mob violence, the governors also went to great lengths to reassure the "good citizens" (who often took the law into their own hands) that they, too, wanted criminals to pay for their transgressions, that they were not soft on crime, but, as the governors steadfastly maintained, that punishment must be meted out by local and state officials. In their quest to end violence, the governors acknowledged that blacks were the primary targets of mobs. Nevertheless, they did not seek to improve the overall conditions of Afro-Americans as a way of helping to end lawlessness. In short, most of the governors refused to make any comments that suggested any displeasure with Kentucky's Jim Crow society. Only two Republicans, Willson and Edwin P. Morrow, went that far, calling not only for an end to mob violence but also for an end to racial discrimination in most areas of society.

When he became governor in 1907, Willson took immediate steps to try to end the lawlessness in western Kentucky. He called for the prosecution of criminals and chastised several county attorneys and judges for saying that the Night Riders were well-meaning, but frustrated, citizens. In words rarely used by an elected official in Kentucky, Willson denounced the Night Riders for the lynching of David Walker and his family in Hickman: "If two or three men had gone to this poor cabin and murdered this family, the crime would have shocked humanity with its revelation of incredible weakness, brutality and dastardly cowardice. That a larger number—some fifty men—joined in such a crime, multiplies its cowardliness and wickedness fifty fold, and makes every member of the band guilty of murder in the first degree." The lynchings of the Walkers, he concluded, were "an outgrowth and the logical results of the toleration of night rider crimes in the state. It is only one step removed from civil war." The governor offered rewards up to five hundred dollars for the arrest and conviction of any Night Rider. He also urged law-abiding citizens to defend themselves, promising to pardon anyone who shot a Night Rider. This strong belief in self-defense was a view Willson had

long expressed. Indeed, many years earlier, when applauding George Dinning for firing on the mob, Willson had written: "Every man who takes the law in his own hand and especially every man who is a member of a lawless band that goes with the double cowardice of those who enter upon lawlessness with the protection of night and of overwhelming numbers against one poor and helpless man, . . . takes his life in his hands, and if the victim in despair kills him, no one has any right to complain."⁹

At the cost of hundreds of thousands of dollars, Willson sent state troops to western Kentucky and kept them there for more than a year. Prominent citizens in a number of counties eventually came forward and cooperated with the governor in the formation of county law-and-order leagues that "helped patrol the roads and guarded their neighbors."¹⁰ Guns and ammunition, shipped from Frankfort, were given to people who remained under constant threat of attack from the Night Riders. Hopkinsville, where a massive raid had occurred, received a Gatling gun. The show of force initiated by Willson succeeded in bringing the violence to a halt in 1910. The Night Riders remained dormant for the rest of his administration but started a second wave of attacks around 1915.

Willson strongly pushed for the prosecution of lynchers during his administration. He criticized Shelbyville officials after the lynchings of Eugene Marshall and Wade Patterson and the near lynching of Jim West. His willingness to press for the conviction of the people involved in the opera house slaying of Will Porter surprised and pleased the NAACP. Indeed, Willson's assertion that something had to be done led to the arrest and trial of a number of men, though, of course, none of them were found guilty by their fellow townsmen. Willson started the movement that ultimately led to the passage of a new anti-lynching law almost a decade after he left office.

Ironically, Augustus O. Stanley, a Democrat who lacked Willson's commitment to black progress, received praise throughout the nation as a southern governor who combatted lynching. On January 9, 1917,

9. Augustus O. Willson, "The People and Their Law," a speech delivered before the American Bar Association at Detroit, August 25, 1909 (copy in Division of Special Collections and Archives, University of Kentucky); Eugene P. Lyle, "They That Ride By Night," *Hampton's Magazine*, XXII (February, 1909), 178; *New York Times*, October 13, 1908; Willson to Governor William O. Bradley, July 8, 1897, in Bradley Papers.

10. Willson, "The People and Their Law," 11.

Lube Martin went on trial for the murder of Guthrie Diuguid, a policeman in Murray. Fully aware of the hostile environment and the strong possibility that a mob might try to lynch his client, Martin's attorney requested a continuance in the case. Judge Charles H. Bush agreed and ordered Martin sent to Hopkinsville for safekeeping. The next day, a mob surrounded the judge's office and threatened to lynch him unless he had Martin brought back and turned over to them. Incredibly, the judge gave in to the mob's demand and sent word for Martin's return. Fortunately for Martin, someone informed Governor Stanley of these developments, and he quickly countermanded Bush's order. Determined to prevent another embarrassing lynching like those of Henley and Durrett several months earlier in Paducah, Stanley then wired a message to officials in Murray, saying that he was coming by express train to the city and that if the mob members desired, they could lynch him instead of Martin. Once in Murray, the governor, a native of western Kentucky, quickly won the admiration of the mob. Stanley told them of his oath to uphold the law and added that under no circumstances would Martin be turned over to them.¹¹

The national press wrote accounts of Stanley saving the black man's life. Yet as the governor wrote in a confidential letter to Bush, he had come to Murray "not so much to save the life of this negro, who was for the time being secure, but to save your own, which I had every reason to believe was in imminent peril." The national office of the NAACP contributed to the incident's widespread publicity by having an article published showcasing Stanley as a governor willing to put his own life on the line to uphold the law. Roy Nash of the national office wrote to Arthur Krock, managing editor of the *Louisville Courier-Journal*, asking him to send a reporter to Murray to write a story about the incident. The NAACP agreed to cover the expenses of

11. There are numerous sources that discuss this incident. See the Augustus O. Stanley Papers, Division of Special Collections and Archives, University of Kentucky (hereinafter cited as Stanley Papers). Especially see a revealing letter from Stanley to Judge Bush, January 24, 1917. The NAACP Papers have information on both Stanley and Lube Martin. See, for example, "Minutes of the Executive Committee of the NAACP," February 13, 1917, March 12, 1917, and December 8, 1919. See also Thomas Randolph, "The Governor and the Mob," *Independent*, LXXXIX (February 26, 1917), 347-48; Thomas W. Ramage, "Augustus Owsley Stanley: Early Twentieth Century Democrat" (Ph.D. dissertation, University of Kentucky, 1968), 206-208; *New York Times*, January 12-14, 1917, Tuskegee Clippings, Reel 221, Frames 560, 678.

the writer. T. R. Moss of the editorial department accepted the assignment with one stipulation, that his name not be used on the story. Nash replied, "If the story is published, we will run it over the name of Thomas Randolph as you suggest and you can rest assured that your connection with the matter will be kept entirely confidential."¹² The article "The Governor and the Mob," with its laudatory account of the actions of Stanley, was published by the *Independent* in late February. The article also helped the NAACP: The organization was trying to convince the U.S. Congress to pass a federal antilynching bill and wanted to show how local officials were often at the mercy of lynch mobs.

A year after the incident, Stanley was still being praised for saving Martin's life. On one occasion, he appeared before a cheering crowd of blacks at a religious convention in Frankfort. Under his administration, all Kentuckians would receive fair hearings, and he would take whatever steps necessary to prevent lynchings, the governor informed the crowd. Clearly, the incident in Murray strengthened Stanley's determination to denounce mob rule. In August, 1917, he returned to western Kentucky to prevent the lynching of another black man.¹³

Republican Edwin P. Morrow, elected governor in 1919, made the ending of mob violence a high priority in his administration.¹⁴ Like Stanley, he received national attention for preventing the lynching of a black man. In rural Fayette County on February 4, 1920, ten-year-old Geneva Hardman was murdered and perhaps sexually assaulted. A black army veteran, Will Lockett, quickly became the leading suspect. After being arrested and taken to police headquarters, he confessed to the murder. Fearing a mob might storm the jail, the authorities rushed the black man to the state penitentiary in Frankfort. The day after Lockett's arrest and confession, the grand jury, which had

12. Stanley to Bush, January 24, 1917, in Stanley Papers; in the NAACP Papers, see a letter from Roy Nash to Arthur Krock, January 22, 1917, and a telegram from Nash to Krock on the same day.

13. Louisville *Courier-Journal*, August 21, 1917; Tuskegee Clippings, Reel 221, Frames 569–73, 581, 596.

14. For biographical information on Morrow, see Willard Rouse Jillson, *Edwin P. Morrow—Kentuckian* (Louisville, n.d.); for Morrow's comments and actions against mob violence, see the following: Box 88, CIC Papers; Edwin P. Morrow Papers, Division of Special Collections and Archives, University of Kentucky; and "Biennial Message of Governor Edwin P. Morrow," January 3, 1922, also in Morrow Papers.

been called into session solely to investigate this one incident, indicted him for murder. The county judge announced that in Lockett's case there would be no delay or change of venue and that the trial would start in Lexington on Monday, only five days after the murder.¹⁵

Governor Morrow assured Lexington officials that troops would be sent to protect Lockett on his return to the city. When giving orders to the adjutant general of the state militia, the governor reportedly said: "Do as much as you have to do to keep that negro in the hands of the law. If he falls into the hands of the mob I do not expect to see you alive."¹⁶ In an attempt to convince the public to allow the law to take its course, the city's two daily newspapers, the *Herald* and the *Leader*, said that Lockett's trial would be quick and the outcome certain. Under heavy guard, the black man was returned to Lexington early that Monday. All of the seats in the courtroom were quickly taken, and the majority of people had to remain outside. The trial started promptly at nine o'clock and ended in less than thirty minutes. Lockett simplified matters by pleading guilty, though he asked for a life sentence instead of death. In what had to have been an unusual move (but one done obviously to appeal to the hostile crowd), the judge agreed to a request by the prosecuting attorney that the jury reach a decision without leaving the courtroom. To no one's surprise, they sentenced Lockett to die in the electric chair. But then a riot occurred. As explained by historian John D. Wright, a movie cameraman urged some of the people in the crowd outside the courtroom to shake their fists and yell, for the benefit of the camera, as the trial was ending. The noise led some people to think that an attack was being made, and they rushed toward the courtroom door. The commander of the militia "struggled with several men before firing two shots from his pistol, a signal for the troops to fire. A deadly volley left bodies scattered all over the courthouse steps. Some of the crowd fired at the troops and police, injuring one policeman so badly he had to

15. A number of sources can be consulted regarding this incident: the NAACP Papers, Group 1, Series C; *Crisis*, XIX (April, 1920), 298; Joe Jordan, "Lynchers Don't Like Lead," *Atlantic* (February, 1946), 103–108; J. Winston Coleman, *Death at the Court House* (Lexington, 1952); John D. Wright, "Lexington's Suppression of the 1920 Will Lockett Lynch Mob," *Register of the Kentucky Historical Society*, LXXXIV (Summer, 1986), 263–79.

16. The quotation comes from the *St. Louis Post Dispatch*, February 15, 1920, which can be found in the Tuskegee Clippings, Reel 222, Frame 109.

have an arm amputated. Five of the mob were killed outright; another died a few days later. . . . It was estimated that as many as fifty received wounds of varying severity, twenty-one of them being treated at the city hospitals."¹⁷

Governor Morrow received praise throughout the nation for the repelling of the mob by the state militia. Trying to downplay his actions, he asked: "What else was I to do? Don't people expect Governors to do their duty?" Almost all the newspaper accounts were favorable, saying that the law must be upheld. Writing in the *Crisis*, W. E. B. Du Bois called the incident "The Second Battle of Lexington." After reminding his readers about the shots that had been fired in the name of freedom at Lexington and Concord in 1775, he said: "In Kentucky, . . . five men were killed in the second battle of Lexington. Was it worth while? Already lynch law has cost America 3,000 lives, and mob law has taken ten times as many. If further bloody toll can be saved by five deaths, we have gotten off far more cheaply than we deserve." Officials of the NAACP sent a glowing telegram to Morrow. They hoped his actions would be emulated by other southern governors. The NAACP also made much of the fact that even before ordering the troops to Lexington to protect Lockett, Morrow had spoken out for a national antilynching law.¹⁸

Six years later, a second trial involving a Lexington black made national news, and the state's governor was praised for upholding the law and preventing a lynching. On January 19, 1926, Clarence Bryant and his two children were murdered and Mrs. Bryant was raped. Guilt quickly centered on their farmhand, Ed Harris, alias John Henry Jones. He was captured on a freight train leaving town. Just like Lockett before him, Harris was taken to Frankfort for safekeeping. Democratic governor William J. Fields quickly took control of the situation, proclaiming that "no half way measures will be adopted should there be an attempt to lynch Harris." Working with Lexington and Fayette county officials, the governor announced a number of measures to discourage a mob from forming when Harris returned for trial in early February. For the duration of the trial, the city would be placed under martial law. A large contingent of guardsmen would keep the peace and protect the courthouse. The main roads leading into Lexington

would be closed. Public transportation on an interurban train and on bus lines would be stopped. Most of the businesses located in the city, including the stockyards and tobacco houses, would be shut down. Everyone entering the courthouse would be searched. Several tanks would also be brought to the city to assist the already heavily armed guardsmen.¹⁹

On the morning of the trial, Harris was wrapped in a blanket, placed in the car of the adjutant general, and driven to Lexington. Meanwhile, a guard was carried out of the prison in a blanket, put in a tank, and also driven to Lexington. Given all of the strict measures instituted and the presence of more than a hundred troops, it would have been surprising—and suicidal—for a mob to attempt to seize Harris. Indeed, the citizens of Lexington surely knew that at the slightest sign of provocation the troops would be given the order to fire, just as they had at the trial of Lockett. With the jury already sworn in (and obviously having already made up their minds), Harris' entire trial lasted sixteen minutes. He was, of course, given the death sentence. Harris was on his way back to Frankfort before many of the spectators had arrived at the courthouse.

Just as before, nearly all observers said state and local officials had no choice but to adopt such drastic methods and to resort to a quick trial if a lynching was to be prevented. In an editorial entitled "Lexington's Guarded Court House," the *New York Times* explained that "law respecting citizens of Lexington cannot take exception to the elaborate preparations to prevent a lynching when they remember that since 1888 no less than 168 lynchings have occurred in Kentucky." The state's violent past more than justified the action of the governor in placing the city under martial law, the paper concluded.

Had Morrow and Fields gone too far in their attempts to prevent lynchings? When considering the racial violence in Kentucky and how lynch mobs often performed their grisly tasks at will, unafraid of law officers, it is difficult to criticize the governors for using the maximum amount of force. Fields probably felt pressured into taking a tough stance. Perhaps he thought that his actions were being measured against Morrow's, and he was afraid of being criticized for not

17. Wright, "Suppression of the Lynch Mob," 270-71.

18. *Crisis*, XIX (April, 1920), 298; Tuskegee Clippings, Reel 222, Frame 109.

19. Coverage of the entire case can be followed in the Lexington and Louisville newspapers from January 20 to mid-March, 1926. But perhaps the best accounts can be found in the *New York Times* for those same dates.

doing everything within his power to prevent a lynching. In both cases, however, the governors and the Lexington officials trampled on the civil rights of the accused men, making fair trials impossible. That Lockett and Harris would be found guilty and dealt with quickly had been openly admitted by officials prior to their trials. The decisions to avoid long trials and to not grant changes of venue were in one sense giving into the spirit of the mob: The accused men were dealt with quickly and severely and were not given a chance to defend themselves.

As we have seen, several governors received praise from the national office of the NAACP for their efforts to end mob violence. From its inception in 1909, the NAACP staked much of its reputation on ending mob violence. As Robert L. Zangrando explains: "The anti-lynching drive had [for the NAACP] an urgency, a public visibility, and a dramatic quality that no other civil rights activity quite matched. It was through the antilynching struggles that the NAACP gained much of its stability and recognition." At the end of the First World War, the NAACP became committed to the passage of a federal antilynching law. Introduced by Leonidas C. Dyer, a Republican, the bill was designed to protect citizens of the United States against lynchings when their states refused to act. Like most of the antilynching laws passed by the states, the bill called for fines and imprisonment for officials who knowingly allowed lynchings to occur and refused to apprehend members of the mob. Counties in which lynchings occurred would be required to pay restitution to the family of the victim. Southern congressmen staunchly opposed the legislation, saying that the Dyer Bill infringed on the rights of the states. The bill passed the House on three occasions, but each time it was defeated in the Senate. In the early 1930s, the Southern Commission on the Study of Lynching did a survey of southern lawyers, judges and other officials, asking their opinions of whether or not federal legislation should be enacted to prevent lynchings. The response of the southerners was clear: "Out of 213 responses, 194 expressed emphatic disapproval; only 14, approved; and 7 were qualified."²⁰

20. Robert L. Zangrando, *The NAACP Crusade Against Lynching, 1909–1950* (Philadelphia, 1980), 20, 43–50; Nancy J. Weiss, *Farewell to the Party of Lincoln: Black Politics in the Age of FDR* (Princeton, 1983), 99–119; James Harmon Chadbourn, *Lynching and the Law* (Chapel Hill, 1933), 117–19. See also Charles Flint Kellogg, *A*

Most of Kentucky's congressmen refused to support the Dyer Bill. In 1922, when the bill passed the House for the first time, only Ben Johnson, a Democrat, and John M. Robison, a Republican, supported the measure. Meanwhile, 2 other Republicans had tried to straddle the fence. John Langley voted "present"; C. F. Ogden, who had been elected in part on the strong black vote from Louisville, was absent. The Dyer Bill died in the Senate without coming to a vote. Nevertheless, Senator A. O. Stanley, the former governor who had been praised for saving Lube Martin's life and who knew firsthand the horrors of lynching in Kentucky, had not been in favor of the bill. In describing Stanley's lack of support for the Dyer Bill, the Louisville *Leader*, a black newspaper, said that "notwithstanding his Kentucky Negro friends, and the votes they might cast in November, Senator Stanley is a Democrat, pledged to the Democratic caucus, and bound to vote with the Democratic South on all measures affecting the Negro." This view would apply to most of Kentucky's representatives. In 1937, the NAACP secured the signatures of 202 congressmen in support of the Gavagan petition to bring the antilynching bill to the floor. Walter White of the NAACP wrote to a black leader in Hopkinsville, saying that Kentucky's representatives had not signed the petition, which was sixteen votes short of going to the floor. Included among the 6 Kentuckians was Fred M. Vinson, who would eventually serve on the United States Supreme Court.²¹

Alben W. Barkley was one of Kentucky's most influential voices in Washington in the twentieth century. Barkley enjoyed a long and distinguished career in politics: He served in the United States House of Representatives from 1913 to 1927, in the United States Senate from 1927 to 1949 and from 1954 to 1956, as majority leader of the Senate from 1937 to 1949, and as vice-president of the United States from 1949 to 1953. As majority leader, Barkley was placed in the center of the controversy over the antilynching bill. In 1937, Walter White informed the Kentucky branches of the NAACP that the national office appreciated Barkley's efforts to bring the bill to a vote: "I know you

History of the National Association for the Advancement of Colored People, 1909–1920 (Baltimore, 1967).

21. Louisville *Courier-Journal*, January 27, December 3, 1922; Louisville *Leader*, February 11, May 13, 1922, October 4, 1924; Walter White, of the NAACP, to Walter Robinson, of the Hopkinsville NAACP branch, March 27, 1937, in NAACP Papers.

will be happy to hear how courageous and completely fair Senator Barkley has been with respect to the bill. . . . Throughout all this difficult parliamentary procedure, Senator Barkley has with rare courage stood firmly for complete adherence both to the letter and to the spirit of the special order voted by the Senate last August 12 to make the anti-lynching bill the first order of business after the farm bill."²²

Three years later, however, a sharp exchange took place between the two men. White accused Barkley of stalling on the antilynching bill and of refusing to discuss the proposed legislation with members of the NAACP. White reminded Barkley of a statement he had made in the New York *Herald-Tribune* of April 1, 1940: "The sooner Congress adjourns the less the likelihood will be that the bill will have to be taken up by the Senate." In response, Barkley claimed that he had done everything to bring the bill to a vote: "When I labored through a six weeks filibuster in the last Congress, making every possible effort to bring the Anti-Lynching Bill to a vote, you were quite familiar with the situation and expressed your appreciation for the efforts which I had made." He did concede, however, that he was reluctant to bring the bill up until all other legislation had been disposed of, "for the reason that whenever this measure is taken up all other business, no matter how urgent, would come to a stop and the Senate would find itself in the midst of another filibuster." White concluded by saying that Barkley and the senators opposed to the filibuster of the southerners lacked "the moral courage to oppose the brazen tactics of the minority which is fighting this bill. With such weak opposition to filibustering, there is no wonder that the filibusterers are so cocksure and are so confident that they can once again prevent a majority of the Senate from voting one way or the other on this legislation. It is this situation which is resented by citizens, white as well as colored, and South as well as North."²³

Although failing in its attempt to have a federal antilynching law enacted, the NAACP worked for the passage of a law against mob violence in Kentucky. The state had, of course, passed an antilynching

22. Walter White, to the Kentucky branches of the NAACP, November 26, 1937, in NAACP Papers.

23. Alben W. Barkley to Walter White, April 22, 1940, White to Barkley, April 23, 1940, both in the Association of Southern Women for the Prevention of Lynching Papers, Special Collections and Archives, Woodruff Library, Atlanta University (hereinafter cited as ASWPL Papers); Zangrando, *The NAACP Crusade*, 164.

law in 1897 and had modified it five years later. But because of the brazen way lynchers often carried out their tasks, many people assumed that the state had no antilynching law, not that the law was simply being ignored by mobs and officials alike. Surely the NAACP attorneys knew that Kentucky had passed an antilynching law. It is clear, therefore, that much of the impetus by the NAACP for antilynching legislation was simply an attempt to keep the issue in front of the public. Also, they hoped a new law would force officials to come out openly and forcefully against lynchings.

Actions by branches of the NAACP in Kentucky proved key to the efforts of the association to pass a new law. The first branch had been founded in Louisville in 1914, primarily to challenge the Louisville Residential Segregation Ordinance, which prohibited blacks from living in certain sections of the city. The United States Supreme Court overturned that ordinance in November, 1917. Members of the Louisville NAACP then turned their attention to other discriminatory laws and to lynchings and helped form branches in other cities. The Frankfort branch, founded during the First World War, quickly became the leading civil rights organization in central Kentucky, and because of its location in the capital city, members of the branch had contact with elected officials as well.

The Frankfort branch was led by Edward E. Underwood, a dynamic physician who had been active in the struggle for black equality in Kentucky since the early 1890s. The branch began what turned out to be a three-year struggle for the passage of an antilynching law immediately after Governor Stanley prevented the lynching of Lube Martin in Murray in 1917. Underwood called upon the governor, asking his assistance in securing the passage of a law to prevent mob violence. According to Underwood, Stanley readily assented. On another occasion the black physician showed the governor copies of the antilynching laws of Ohio, Illinois, and Indiana to convince him of the necessity of supporting within the bill a feature calling for the automatic removal of peace officers after a lynching had occurred. As Underwood explained, "Lynchings are made possible either by the cowardice of the peace officers, or their secret collusion with the mob." The NAACP, in other words, was pushing for one of the main features of the 1897 law that had been eliminated in 1902. Without such a feature, Underwood informed the governor, the law would not be enforced: "The Constitution at that time did not permit removal of

officers except by impeachment or indictment, and we had little faith in courts or juries to secure our ends by either of these means." The antilynching law was not submitted to the Kentucky General Assembly, however, until Edwin Morrow became governor, partly because he, even more than Stanley, was committed to the passage of the bill.²⁴

The proposed legislation placed the burden of preventing mob violence on the sheriff and the other officers in charge of a prisoner. Section Three of the new law clearly explained that if any prisoner was taken from the sheriff or peace officer and lynched or injured, that act "shall be prima facie evidence of neglect of duty on the part of such officer, and when such failure in, or neglect of duty" was made known to the governor, he would declare the office vacant. Section Four also proved controversial: It gave the county judge the task of selecting someone to fill the vacancy. On several occasions, county judges merely selected the wives of suspended jailers to serve out their terms. Section Five of the proposed law outlined the procedure to be followed by the suspended jailer when petitioning the governor for reinstatement to office. Morrow had argued that for the law to be effective it was important that the governor, not local officials, handle the appeal. As he explained, "We had to fight at the last legislature to prevent the anti-mob law being passed with a provision under which the peace officer removed by Governor might appeal to the courts for reinstatement, thus throwing his case back into local politics." The final section noted that any officer removed by the governor was disqualified from holding any office in Kentucky for four years. Introduced into the Senate on February 20, 1920, the bill passed without a dissenting vote and sailed through the House several weeks later, also without negative votes. The unanimous approval of the antilynching bill indicates that public support of mob law had become unacceptable, at least among Kentucky's elected officials. In the presence of Dr. Underwood and other members of the NAACP, Governor Morrow signed the bill on March 22, 1920. He then presented the gold pen to Underwood to acknowledge his crucial role in the passage of the anti-lynch law.²⁵

24. Louisville *Courier-Journal*, November 5, 1919; Edward E. Underwood to John R. Shillady, national secretary of the NAACP, April 9, 1920, in NAACP Papers.

25. *Kentucky Acts of General Assembly for the Year 1920* (Frankfort, 1920), 186–87; Frankfort *State Journal*, March 23, 1920. Morrow was quoted in the *Chicago Whip*, March 26, 1921. According to Chadbourn, *Lynching and the Law*, 58, Kentucky

The automatic removal of a peace officer, the NAACP proclaimed, would ensure enforcement of the new law. Anything short of his death, the law said, meant neglect of duty. Commenting on this portion of the law, Governor Flem D. Sampson once noted: "I do not believe that a mob can ever take a prisoner from a jailer who is really in good faith and trying to prevent the taking [of the prisoner]. . . . The trouble has been the jailers have joined in the mobs or tacitly consented to the crime."²⁶ That the responsibility for reinstating the officer rested with the governor—who could not be reelected—and not with the courts or local jurymen, who could easily be intimidated, was viewed as significant. Also, the burden of proof was placed on the peace officer asking for reinstatement; the state did not have to prove neglect of duty.

Grant Smith died at the hands of a lynch mob ten days after the law had been approved. The new law, however, was not to go into effect for ninety days. Dr. Underwood informed NAACP officials that calling for the immediate implementation of the antilynching law would have greatly weakened its chances for passage. The national office wrote immediately to Governor Morrow, urging an investigation and the prosecution of Smith's lynchers. But beyond the usual protest, nothing was done.²⁷

Governor Morrow called for a speedy investigation after Richard James was lynched for murder in March, 1921. He offered a \$500 reward for the arrest and conviction of each mob member. Acting under the law, he removed Versailles jailer John H. Edgers from his post. The jailer applied for reinstatement, describing how he had attempted to prevent the mob from taking the black man. In denying the request, Morrow stated, "It is the duty of a jailer to resist a mob until he is beaten into insensibility or killed." Versailles officials refused to assist the governor in the investigation. In fact, they were unhappy only about the jailer being removed from his post and not about the death

was one of nine states that enacted provisions calling for the removal of peace officers who failed to prevent lynchings. By the early 1930s, forty states had passed laws against mob violence and lynchings. See Chadbourn, Appendix C, "Existing Legislation," 149–214.

26. Flem D. Sampson to George F. Milton, editor of the *Chattanooga News*, October 11, 1930, in CIC Papers.

27. National office of the NAACP to Governor Edwin Morrow, March 30, 1920, in NAACP Papers; Tuskegee Clippings, Reel 221, Frame 46.

of James. In a blatant attempt to skirt the new antilynching law, the county judge appointed the wife of the jailer to fill the vacancy. Governor Morrow denounced the grand jury for saying that nothing could be done to bring the lynchers to justice: "If a gang had gone into Versailles and robbed a bank they would have formed a posse and gone after them; and the grand jury would have remained in session until it had accomplished something. The grand jury convened at 9 and adjourned at 3 and whitewashed everybody, but had no word of condemnation for the mob. . . . It is absurd to think that a grand jury could make a real investigation of such an affair as that in six hours." The Frankfort branch of the NAACP closely monitored the situation, and though disappointed that the lynchers were not brought to justice, they had nothing but praise for the actions of the governor.²⁸

Morrow was determined to remove from office any jailer who allowed a prisoner to fall into the hands of the mob. In late August, 1922, Jack Eaton, a traveling showman, was arrested in Georgetown and charged with assault on several young girls. In court, however, the parents of the girls refused to press formal charges. As soon as he was released from jail, Eaton, a white man, was seized by a mob, carried to the countryside, and severely beaten; turpentine was put in his cuts. After several anonymous sources contacted his office, the governor had the incident investigated by a private detective whose findings indicated that the sheriff, Sam Moss, had "knowingly and willfully delivered Jack Eaton into the hands of a mob." On September 11, the governor removed Sam Moss as jailer of Scott County. Afro-Americans were obviously elated over Morrow's stance. Often victims themselves of beatings by mobs, they hoped the governor's actions would convince other sheriffs and jailers to abide by the law.²⁹

Kentucky's NAACP branches aggressively pushed for the enforce-

28. Morrow's statement to the jailer can be found in Chadbourn, *Lynching and the Law*, 73; his other quotation can be found in the Tuskegee Clippings, Reel 221, Frame 311. See also the Louisville *Leader*, March 19, 1921; P. W. L. Jones, of the Frankfort NAACP, to Walter White, March 26, 1921, White to Jones, March 30, 1921, Edward E. Underwood to White, March 29, 1921, White to Underwood, April 4, 1921, all in NAACP Papers. The Frankfort branch informed the national office that immediately after the lynching, the State Medical Society of Kentucky refused to meet as planned in Versailles. According to the president of the organization, members of the medical society changed to another site as a protest of the lynching.

29. Tuskegee Clippings, Reel 222, Frame 936.

ment of the law whenever a lynching occurred. In a few instances, their efforts led to arrests and indictments. In February, 1930, eight men were indicted in connection with the lynching of Chester Fugate in Breathitt County. The circuit judge ordered that seven of the men remain in jail until their trial started, the other, a sixteen-year-old, was permitted out on bail. Even though Fugate was white, all eight men charged with the lynching won acquittal.³⁰

The refusal of local communities to convict their fellow citizens greatly disturbed the NAACP. They argued in vain for legislation moving trials of lynchers to other communities. And in the view of the NAACP, most of the governors failed to fully utilize the various measures of the antilynching law. A case in point was the mob murder of Leonard Woods in December, 1927. Lawrence D. Kellis, a black schoolteacher from Letcher County, wrote a poignant letter to James Weldon Johnson of the national office, pleading for help in bringing the guilty to justice: "Please post a reward and force Gov. Sampson to act. . . . Ky had a law on its statue [sic] book which says that any peace officer that permits a mob to take a prisoner the officer should be removed from his position immediately. The law is not being enforced in case with the Sheriff and jailer of this county." It would not be difficult, the black schoolteacher emphasized, to identify the members of the mob. "If you want the names conclusive and definite just send some person to me who can pass for white and I can show him where and who to see and get all the names and evidence you need." Kellis' letter clearly points out that the governor and Letcher County officials were reluctant to investigate the matter. No one was charged with the lynching, even though Kellis had explained that everyone in the community knew that "Deaton Father member of Mob and father fired the first shot in Wood body." In short, during the 1920s and 1930s the governors proved best at preventing lynchings, not in bringing the guilty to justice.³¹

The NAACP was not the only organization committed to ending the practice of lynching. Immediately after the Great War, a group composed of the "better element" of southern whites and moder-

30. For the attempt to convict the men for the lynching of Chester Fugate, see "Legal Punishment of Lynchers, 1899-1930," in Folder 155, Box 134, CIC Papers.

31. Lawrence D. Kellis to James Weldon Johnson, December 14, 1927; see also a letter from J. B. Howard to Johnson, December 22, 1927, both in NAACP Papers.

ate black leaders formed the Commission on Interracial Cooperation (CIC) to help ease racial tensions. The organization did not seek a revolution in southern race relations but merely called for improved schools and other facilities for blacks (still in a segregated setting) and, above all, for the end of racial violence.

At the first statewide meeting in Louisville, from July 23 to 24, 1920, the people affiliated with the Kentucky CIC agreed on a preamble to guide their actions:

Not in passion or prejudice, but in the broad spirit of those seeking patiently and in faith to find a solution of the delicate inter-racial problems that menace the peace and divide in hurtful antagonism the energies of our people, we desire to mobilize the better sentiment of both races in the state for the removal of the causes of friction and strife, to the end that equal justice may be secured to all and the energies of the two races may be joined in the great common task of building a better world for our children and our children's children to live in.³²

Governor Morrow, who had issued the call for the first meeting, served as honorary chairman of the organization. In his keynote address, he reminded whites of their obligations to uplift black Kentuckians. Leaders of the organization called for a common-sense approach to solving racial matters; treating everyone with dignity, for example, would improve conditions. Various white and black CIC workers wrote articles in newspapers throughout the state emphasizing black improvement and showing examples of blacks and whites working in unity and harmony. "The interracial committee for Breathitt county helped a group of whites and blacks work together to secure three acres of land and build a school for blacks" was a typical press release from the CIC. Believing that education would solve many of the problems faced by blacks, the organization devoted considerable time to helping Afro-Americans acquire high schools in many parts of the state for the first time.³³

Led by its black director, James A. Bond, the CIC tried to ease racial tensions and called for the punishment of anyone, black or

32. See the pamphlet of the first meeting, *State Inter-Racial Conference for Kentucky, July 23d and 24th, 1920* (Louisville, 1920), in CIC Papers.

33. For a positive article on the accomplishments of the CIC in Kentucky, see George Madden Martin, "Race Cooperation," *McClure's Magazine*, LIV (October, 1922), 9-20.

white, who committed crimes that threatened peaceful race relations. A branch of the organization was formed in Whitley County shortly after the Corbin riot of October 30, 1919. Members of the branch agreed "to secure the conviction and punishment of the mob that drove the colored people out of town." Both the county judge and the prosecuting attorney, who joined the CIC, agreed. As a result, the man identified as the ringleader received a two-year sentence in the penitentiary and twenty-nine other white men were indicted for their role in the riot. (The ultimate outcome of these indictments is unknown.) The CIC sent workers to the site of the Dix River riot, and they worked, so their annual report proclaims, to ensure that whites as well as blacks were arrested for the racial outburst. CIC reports also claim that on several occasions leaders of the organization stood up to mobs and persuaded them to not lynch a black person. A Madisonville police officer was killed by Lee Ellison in 1920. The CIC reminded local whites that only one black, not the entire Afro-American community, had committed the crime and said that Ellison should receive a fair trial. After the incident was resolved, the CIC proudly informed the public that Madisonville blacks had helped apprehend Ellison, who was duly tried and executed. The same proved true in Hardinsburg, in Breckinridge County, where a black man was accused of killing one white and wounding another. The incident "aroused the evil passions of large numbers of white people in the county. The colored members of the committee . . . called a hurried meeting, drew up a statement declaring that the colored people had no sympathy for the black, Charles Miller, who had committed the horrible crime, and urged that the law be allowed to take its course. White members of the committee joined in." In the eyes of the CIC, Miller received a fair trial, and his death by electrocution was justified.³⁴

With the cooperation of the governor, the CIC gave awards to sheriffs for preventing lynchings and publicized these events as examples for other lawmen to emulate. In April, 1927, a medal was given to

34. For an account of the investigation by members of the CIC in Corbin, see *Crisis*, XXI (April, 1921), 250. For a number of yearly reports of the Kentucky commission, especially the years 1923, 1925, and 1928, see Folder 157, Box 167, CIC Papers. See also "Minutes of Special Interracial Committee," January 12, 1921, in CIC Papers. For articles discussing the role of CIC members in preventing lynchings, see *Southern Workman*, LXV (March 1931), 126, and *World Outlook*, XXVI (May, 1936), 30.

Sheriff P. R. Brown of Graves County, a place long associated with violence. A year before, a mob had descended on the Mayfield jail to lynch Willie Busby, a black charged with the rape of a white girl. With the aid of his deputies, Brown drove seventy-five miles to carry Busby to safety. For performing this “noble deed”—which was certainly his responsibility—Brown was congratulated by Governor William J. Fields for the “splendid service he had rendered his state and nation.” The governor gave the sheriff a bronze medal, which had a “heroic figure with drawn sword standing in front of a temple of justice.” Inscribed in bold letters was “In Defense of Law and Civilization.”³⁵

The CIC, though never ending its involvement in the antilynching movement, allowed much of its efforts to be taken over by the Association of Southern Women for the Prevention of Lynching (ASWPL), an organization that CIC officials helped create. As explained by Jacquelyn D. Hall, the central argument of the southern women was their rejection of the long-established belief that lynchings protected southern white womanhood. They also argued that lynchings brought disgrace upon America as the only civilized nation where such violence occurred. Instead of upholding the law, the practice of lynching totally discredited the legal process and eroded respect for officers of the law, ASWPL spokeswomen consistently explained.³⁶

The CIC planted the seeds of the Kentucky ASWPL in December, 1923, with the organization of a subcommittee of thirty women, all prominent citizens from communities throughout the state, to work vigorously in the interest of justice and good will between the races. In their first pronouncement, the women congratulated Kentucky on the absence of lynchings for over a year, called for the rejection of racial prejudice from political campaigns, and demanded the protection of life and property of white and black alike. Practically all of the women involved in this committee formed by the CIC would become members of the ASWPL.³⁷

35. Press release from the CIC headquarters in Atlanta, April 19, 1927. For the entire file containing letters and newspaper clippings on the sheriff, see Folder 156, Box 135, CIC Papers.

36. Jacquelyn Dodd Hall, *Revolt Against Chivalry: Jessie Daniel Ames and the Women's Campaign Against Lynchings* (New York, 1979), 194–97. See also Julius Wayne Dudley, “A History of the Association of Southern Women for the Prevention of Lynching, 1930–1942” (Ph.D. dissertation, University of Cincinnati, 1979).

37. CIC press release, “Kentucky Women Seek Good Will, and Join Interracial Commission and Ask Justice for All,” December 12, 1923, in CIC Papers.

Board members of the CIC worked with Jessie Daniel Ames, the central figure in the ASWPL throughout the South, to formally organize a branch in Kentucky. In a letter to J. Max Bond, who had become the director of the CIC upon the death of his father, Ames emphasized that the work of the ASWPL would be independent from the CIC, thereby “bringing into it many women who may not be sympathetic with the principles of the Commission, but certainly sympathetic with law enforcement.” (To Bond, a black man, Ames mentioned specifically that only white women should be invited to join.) At the meeting, held on February 26, 1931, Ames gave a long address outlining the work of the organization and the need for a Kentucky branch. The women agreed to form a Kentucky branch and, as required of all new affiliates, passed a resolution. Like their southern sisters who had joined the ASWPL, the Kentucky women expressed their opposition to mob violence: “We repudiate the claim that lynching is in defense of the white women in the South, holding that the mob spirit is a greater menace than any other form of crime in the United States, brutalizing the community, men, women and children, where it occurs, discrediting American institutions, and confessing to a breakdown in government.” They promised to do all in their power to “eradicate this crime in our State by helping to build up a profounder sense in young and old of law and order and the need therefor.”³⁸

Members of ASWPL wrote numerous letters to every sheriff in the state, keeping them informed of the threats of lynchings and urging them to make sure that none happened in their communities. “Last year, for the first time since 1929, Kentucky had a lynching,” a letter of January, 1933, said. “We had thought, when the movement of Southern Women against lynching was started, that our State needed no such education. Our citizens were committed against this crime. Last year’s record shows that we were mistaken.” The organization told the sheriffs of their goal of a “Lynchless South in 1933.” They also noted, however, that if a lynching should occur, it would be the responsibility of the sheriffs to pursue the mob members vigorously and

38. J. Max Bond to Jessie Daniel Ames, February 12, 1931, Ames to Bond, February 13, 1931, Ames to Mrs. Attwood Martin, February 13, 1931, especially see “Minutes of a Meeting Called for the Consideration of the Subject of Lynching in Kentucky and the South,” Louisville, Kentucky, February 26, 1931, and “Pronouncement of the Kentucky Association of Women for the Prevention of Lynching,” February 26, 1931, all in ASWPL Papers.

to prosecute them in court. The next year, the women urged the sheriffs to sign pledges to prevent lynchings. As the many letters from sheriffs clearly show, ASWPL succeeded in getting them to agree to the pledges. The ASWPL also issued yearly reports of where lynchings had been prevented in the state.³⁹

Realizing that the support of all elected officials was essential to ending lynchings, the Kentucky affiliate invited the governor, the attorney general, and numerous local officials to their conferences. Before the governor's race of 1935, it sent a lengthy questionnaire to the leading candidates asking them to explain their positions on violence and the measures they would adopt to ensure that no additional lynchings disgraced the Commonwealth. All of the replies from the candidates were released to the public.⁴⁰

Tension eventually surfaced between the officers of the Kentucky affiliate and Jessie Daniel Ames over a federal antilynching law. Although she devoted much of her life's work to ending lynchings, Ames opposed federal legislation, agreeing with most white southerners that any action by the government would infringe on the rights of the states. She also counseled the affiliates against working with members of the NAACP because, in her view, it was misguided in calling for a national antilynching law and was committed to breaking down the walls of racial segregation. By the late 1930s in Kentucky, however, nearly all the members of ASWPL, as well as leading citizens such as Mark Ethridge, the highly influential editor of the *Courier-Journal*, had come out in support of federal legislation against lynchings. And instead of viewing the NAACP as an adversary, members of the Kentucky ASWPL realized the value of cooperating with the organization and had even appeared on several programs sponsored by the Louisville branch. After stating her support for federal legislation, Mrs. G. W. Hummel, the president of the Kentucky affli-

39. Letter from G. W. Hummel, chairman of the ASWPL, to the sheriffs of Kentucky, January 23, 1933, in ASWPL Papers. For an example of the sheriffs signing the pledge, see, in the same collection, the letter from Hummel to Ames, December 27, 1934, and "Signatures, Officers of the Law," in Folder 84, Box 16, ASWPL Papers.

40. Louisville *Leader*, March 4, 1933; "Plans of Actions to Prevent Lynchings," in Folder 82, Box 15, ASWPL Papers; Report of the Kentucky Council, ASWPL, "The Candidates for Nomination of Governor of Kentucky and Lynching, 1935," in ASWPL Papers.

ate and one of its founders, offered her resignation to Ames, who declined to accept it, saying that agreement on all principles was not a requirement of membership in the ASWPL. Although they never resolved their differences with Ames, the Kentucky women continued their efforts to prevent lynchings until the organization was absorbed into the Southern Regional Council in 1942.⁴¹

The lynching of Rex Scott in January, 1934, proved to be the occasion for all of the groups active in preventing lynchings to work together. Immediately after the lynching, Patrick Henry Callahan, a Catholic lay leader representing the CIC, and Mrs. Hummel of the ASWPL called on Governor Ruby Laffoon to investigate the lynching. The governor responded by removing jailer Troy Combs for making no effort to prevent the lynching. The state legislature, without a dissenting vote, adopted a resolution condemning the lynching and promising to support the governor in whatever steps would be taken to identify members of the mob. Both the CIC and the ASWPL contacted members in the Perry County area and urged them to press for the arrests of the lynchers. A special grand jury convened in Hazard and eventually handed down indictments against four men. One of them, Lee Gibson, had openly bragged about the lynching, saying he had fired the first shot into Scott's body. The Louisville NAACP also played a role in the case. Their attorney, Charles W. Anderson, a recent graduate of Howard University Law School, went to Hazard to assist in the prosecution of the case. The Perry County prosecutor announced his delight in having a black lawyer assist him. Anderson quickly realized, however, that the prosecutor had little desire to convict the men and that "mountain kinship" would prevent justice from being done. All of the men were given alibis. Gibson, the first one brought to trial, won easy acquittal, as would the others. Anderson refused to be discouraged by the outcome of the trials. As he explained in a letter to Walter White of the national office, the men were arrested and indicted for a lynching, something rarely done in Kentucky or the South.⁴²

41. Dudley, "A History of the Association of Southern Women," 257-59, 309-10, 353; John Shelton Reed, "An Evaluation of an Anti-lynching Organization," *Social Problems*, XVI (Fall, 1968), 172-82.

42. The ASWPL Papers contains numerous letters and newsclips regarding the case. See, for example, "Report on Action of Kentucky ASWPL on Lynching at Hazard,"

Although applauding the efforts of many individuals and organizations to end mob violence, a few observers questioned whether the number of lynchings was actually declining or whether instances of this brutal phenomenon were going unreported. Writing in 1928, I. Willis Cole, the editor of the Louisville *Leader* and a member of the NAACP, argued that lynching as a practice had not declined. "There have been long intervals between lynchings during the year, which goes out with a better record than the previous year, but this does not mean that lynching is on the decline; but that somehow the Negro has followed such a straight and narrow path that there has been no grounds for a killing." In two well-documented articles, the ASWPL carefully explained that by the end of the 1930s public opinion in the South had turned against lynchings. But blacks were still—even in the 1940s—being lynched for minor offenses. This suggested "the rigid determination of white citizens to maintain and protect at any cost their absolute social control over the Negro." In the second publication, the ASWPL acknowledged that in every state it was possible that the number of lynchings had not declined but merely had gone "underground." Lynchings, except on rare occasions, were no longer dramatic public displays. Instead, countless blacks were lynched each year, but "their disappearance is shrouded in mystery, for they are dispatched quietly, and without general knowledge. . . . This is the new and dangerous method, devised by those who seek to rule by terror and intimidation." Indeed, some students of mob violence speculated that since lynchings had been used by whites primarily to control Afro-Americans, whites had probably adopted new and equally effective ways to keep blacks in their place.⁴³

As we will see, a leading cause for the decline in lynchings might

prepared by Miss Schmitt, February 9, 1934. Anderson kept Walter White informed about the case. See four letters from Anderson to White: February 27, March 2, 12, 15, 1934, in NAACP Papers. In the same collection, see the press release of February 26, 1934, "Louisville NAACP to Aid Hazard Prosecution." The NAACP Papers also has a letter from Scott's mother, Lydia, to the national office, December 10, 1934. Louisville *Courier-Journal*, January 25, 26, 1934; Louisville *Times*, January 25, 1934; Louisville *Leader*, June 2, 1934.

43. Louisville *Leader*, August 11, 1928; *Lynchings Go Underground* (Atlanta, n.d., but probably 1940); Jessie Daniel Ames, *The Changing Character of Lynching* (Atlanta, 1942).

have been that the state often took over the role of the mob and punished with impunity many Afro-Americans accused of crimes. On numerous occasions, the whites demanding "justice" for blacks relented to the appeals of CIC and ASWPL members to allow the law to run its course—and the law, spokesmen for these two groups promised lynchers, could be counted on to deal harshly with people convicted of heinous crimes.