

**“THE GREAT WAR IN WACO, TEXAS:  
AFRICAN AMERICANS, RACE RELATIONS,  
AND THE WHITE PRIMARY, 1916-1922”**

**THESIS**

**Presented to the Graduate Council of  
Southwest Texas State University  
in Partial Fulfillment of  
the Requirements**

**For the Degree**

**Master of Arts**

**By**

**Katherine Kennis Kuehler Walters, B. A.**

**San Marcos, Texas  
August, 2000**

**COPYRIGHT**

**By**

**Katherine K. K. Walters**

**2000**

•

To Matthew & Karo

## ACKNOWLEDGEMENTS

“Without vision, the people perish,” the motto of the New Hope Baptist Church in Waco, Texas, served as my inspiration throughout what turned out to be a long journey to finish this thesis. It’s an appropriate message for New Hope, a church formed by ex-slaves, and for Waco’s black community. This and the other black churches in Waco provided stability and support in unsettling times. I find remarkable the community’s continued strength, perseverance, and determination to achieve their vision, whether it be equality or, at times, mere survival, even when the fight has often seemed futile.

My vision, which took far less courage or determination to achieve in comparison, could not have been realized without the help of many people to whom I owe my gratitude. Dr. Joseph Shiloh, the current pastor of New Hope, and members of his congregation welcomed me and told me the extraordinary history of the church and helped me understand the community’s fortitude. I want to especially thank Dr. Shiloh for putting me in contact with Eucolia Erby, who graciously answered my questions for several hours and searched for members of L. M. Sublett and R. D. Evans’s families for me. Mr. Erby, the liveliest ninety-year-old I have had the pleasure to meet, told me wonderful stories of his own experiences in Waco, including his efforts to integrate the local Boy Scout and Campfire Girl troops.

I also wish to thank the archivists and library staffs who patiently listened to my questions and helped me find those haystacks that held elusive needles of information

that I needed to complete this thesis, including the staffs at the Waco Public Library, the Texas State Archives (especially Donald Brice), the NARA at Fort Worth, the McLennan County District Clerk's Office, and the McLennan County and Waco archives. The Southwest Texas State University's Inter-library Loan Office saved me countless frustrations and travel expenses by quickly responding to my requests for materials. Special thanks go to the staffs at the Center for American History at the University of Texas in Austin, especially Barbara and the friendly man behind the desk who always greeted me with a smile, and at the Texas Collection at Baylor University, where Ellen Brown tirelessly gave me her time, attention, and always useful suggestions. Dr. James SoRelle, Dr. William Carrigan, and Rebecca Kosary also helped me find elusive sources and discussed ideas during the process of this study.

The faculty and staff of Southwest Texas State University's History Department, especially Dr. Frank de la Teja, Dr. Everett Swinney, and Dr. Kenneth Margerison, have helped me explore my love for history, guided me through the mires of academia so far, and taught me to see the silver lining in my work despite the red ink all over it. I have a special place in my heart for Carolyn Fielder, who makes everyone's life in the Department easier. I want to thank those instructors whom I have worked for, Trace Etienne-Gray, Dr. Mary Ellen Curtin, Dr. James Pohl, and Dr. James Wilson, who taught me history and how to teach history. Words cannot express the admiration and respect I have for Dr. Wilson, under whom I worked for two years. He taught me more about myself than I could ever learn about history.

I would be remiss if I did not include those who supported me through my education. Dr. Richard Milk and Judy Hoffmann have given me both their guidance and

friendship despite the fact that we rarely see each other. The several friends and colleagues I have meet during graduate school, especially Rebecca Kosary, Constance Bishop, David Sysma, Beverly Tomek, Mark Samuels, Amanda Brand, Sandra Davidson, Tara Seibel, and Clarissa Hinojosa, have helped spark ideas, vent frustrations, and blow off steam. Sorry for playing the music too loud in my office, and, Clarissa, keep an eye on the air vent.

I owe the members of my committee, Dr Victoria Bynum, Dr. Ron Brown, and, my advisor and committee chair, Dr. Gregg Andrews, my gratitude for providing their valuable suggestions and guidance. Dr. Andrews deserves special recognition for his insights, enthusiasm, and, most of all, his patience during this two-year journey.

Finally, to those who have put up with two years of hearing about Waco in the 1920s, a subject they know more about than they ever wanted, namely Chuck, Valera, Patricia, Jordan, Mitzi, and Jeff, thank you for supporting me and for never saying, “You’re not finished yet??” To my parents and my brothers, your high spirits and faith have kept me going when I grew weary of driving to Waco and sneezing from dusty court records. Most importantly, I want to thank my husband, Matthew. Without his love, patience, and support, I could never have completed this process.

Submitted to Committee on July 17, 2000

## TABLE OF CONTENTS

	PAGE
ACKNOWLEDGEMENTS .....	vi
INTRODUCTION .....	1
CHAPTER	
I.    RACIAL COOPERATION "TO KEEP THE WORLD SAFE FOR DEMOCRACY" .....	9
II.   THE FIGHT FOR DEMOCRACY COMES HOME: DISMANTLING THE CITY'S WHITE PRIMARY .....	35
III.  "100 PER-CENT AMERICANISM": THE KU KLUX KLAN AND THE RETURN OF THE WHITE PRIMARY .....	61
CONCLUSION .....	97
BIBLIOGRAPHY .....	103

## INTRODUCTION

“We return. We return from fighting! We return fighting! Make room for Democracy! We saved it in France, and by the Great Jehovah, we will save it in Texas, or know the reason why.” This statement, printed in W. E. B. Du Bois’s *The Crisis* in May, 1919, illustrated the new militancy that many African Americans in Texas and other states had gained through participation in World War I. Du Bois and other black leaders had argued that by fighting and sacrificing in the name of patriotic duty, blacks would prove to whites that they deserved first-class citizenship, especially political equality. Despite the possible danger, African Americans felt this new sense of empowerment, which encouraged greater defiance of Southern social customs and legally segregated institutions that had traditionally marginalized them. The war thus became a turning point in their self-perception and fostered a more assertive attitude toward gaining their civil rights. In Waco, Texas, black middle-class leaders expressed this assertiveness by demanding their right to vote in the local Democratic primary, a right that was restricted to white voters only.<sup>1</sup>

Located on the Blackland Prairie of Central Texas, Waco developed as a burgeoning business center whose economy was rooted in McLennan County’s cotton farms. With a population of more than 32,000 in 1920, Waco was one of the ten largest cities in Texas, with many residents, black and white, only one or two generations off the farm. Since antebellum days, racial lines had reinforced the town’s social and economic



class structure, with a middle class growing out of the area's new industrialization around the turn of the century. As in the rest of the South, whites in Waco maintained increasing social control over blacks, who make up approximately 20 percent of the segregated city's population, through Jim Crow laws and violence.<sup>2</sup>

Before this period, African Americans in Waco had endured a long history of extreme racial violence and injustice. Blacks first arrived as slaves in the 1830s to work on McLennan County's numerous cotton plantations. Despite the defeat of the Confederacy in the Civil War, slavery still existed in many parts of McLennan County nearly three months after June 19, 1865, emancipation day in Texas. As late as September, 1866, Republican officials reported that some blacks were still held in bondage in Waco's neighboring county, Bosque. In reality, those freedmen who remained in the area saw little difference between their previous status as slaves and their new lives as sharecroppers, shackled by debt.<sup>3</sup>

Race relations worsened during Radical Reconstruction when the Fourteenth and Fifteenth Amendments extended citizenship rights and suffrage to freedmen. Republicans courted the black vote, causing even greater resentment among Southern whites. By mid-1867, black voters outnumbered whites in McLennan County, a factor that safely kept Republicans in office. The election of one Radical Republican in particular no doubt angered many traditional Texas Democrats. Shepard Mullens, an ex-slave, won a seat in the Twelfth Legislature, where he unsuccessfully pushed for the confiscation of property owned by large planters. Mullens owned property in Waco and elsewhere in the county, a daily reminder of African Americans' greater political and economic role. Mullens also served on the county court of commissioners, along with

Stephen Cobb, the black founder of the New Hope Baptist Church in Waco. Other African Americans held positions as city alderman and district supervisor of black and white schools, and they served on juries. The presence of John Mason, a black state policeman, only heightened former Confederates' anger at those who had gained political control after the Civil War.<sup>4</sup>

White resentment found solace in violence. Lawlessness spread throughout the county as individuals, mobs, and night-riding groups such as the Ku Klux Klan sought to regain social, economic, and political control. Whites robbed and beat blacks in the streets, pushed them off their land, and murdered with little or no provocation. The Freedmen's Bureau reported forty-two acts of mob violence alone against blacks in McLennan County between 1866 and 1868.<sup>5</sup>

Violence continued, although slowed, after Reconstruction. With the election of Waco son Richard Coke as governor of Texas, Democrats regained control, and blacks' political power steadily decreased until Jim Crow laws completely disfranchised them in the early 1900s. After 1876, McLennan County blacks were excluded from juries. White juries sent blacks convicted of petty crimes to pick cotton on convict farms or to build county roads. Those accused of more extreme crimes such as murder or rape, especially when the victim was white, either faced a painful, horrific death at a mob's hands or, if protected for trial by law officers, were meted out extreme sentences. In 1905, for example, Lee Robinson was tried, convicted, and sentenced to 1,001 years in prison for the assault and attempted rape of a white woman. Several other black men accused of similar crimes never saw trial; they perished by rope or were burned, often in front of city hall.<sup>6</sup>

African Americans reacted to violent repression in various ways. Some fought back but usually to a fatal end. Black farmers and middle-class leaders sought greater political power in the Republican party, or in some cases a third party, such as the Greenbacks and the Populists. Cotton pickers slowed production or stopped completely, while others simply migrated from the rural countryside to the city or out of state. Migration in and out of the city balanced after the Civil War until 1910, when more blacks left Waco than moved in. By then, the percentage of blacks had declined from 36 percent in 1870 to 23 percent. Most blacks, however, stayed in the area and accommodated whites to avoid a violent fate. Although several black community leaders worked through narrow political channels for greater equality, few followed them down that dangerous path. Those who had achieved middle-class status avoided whites as much as possible and tried to depend on their own race for economic advancement in a segregated society.<sup>7</sup>

Waco's heritage of violence continued until World War I, when racial cooperation became a patriotic, if only temporary, necessity "to keep the world safe for democracy." Violence, more specifically lynchings, in Waco, and throughout the South, contributed to domestic instability and racial disunity, which in turn threatened U.S. war efforts. A riot in Waco between local police and black soldiers, weeks before the more violent and infamous riot in Houston, illustrated the explosive volatility of antagonistic race relations. Also faced with an exodus of farm labor and threats of black recruitment by German spies, the white officials of war work committees and the Council of Defense faced the growing need to gain black support and felt pressure from the national level to incorporate local black leaders into these organizations. Traditional methods of racial

repression and marginalization yielded to more cooperative, although limited, initiatives to ensure “victory over the Kaiser.” Whites created “colored” branches of war work organizations and used volunteer black speakers to encourage food conservation, farm work, loyalty, and other patriotic behavior. Blacks used the opportunity to gain a brief role in city and county affairs and to participate in the war work for black soldiers.

Drawing on various government records, newspaper accounts, and oral histories, this study examines the impact of World War I on race relations in Waco. African Americans’ inclusion in the war gave them a new sense of social importance and self-awareness that transformed into a more militant attitude toward civil rights. Instead of accommodating whites, as they did before the Great War, they fought through the court system for full suffrage denied by the white Democratic primary in Texas. Their temporarily successful challenge to the white primary in a local court in 1919 encouraged other Afro-Texans to follow their lead and push for greater civil rights.<sup>8</sup>

This growing black empowerment, however, combined with post-war economic disillusionment, the resurgence of religious fundamentalism, fears of radicalism, and other concerns, heightened desperation among ordinary white citizens who were determined to reestablish pre-war social control and race relations. The need for racial cooperation declined with the end of the war, which in turn allowed for the return of Southern “normalcy.” Local whites in Waco reestablished and reaffirmed African Americans’ pre-war social status through intimidation, mob violence, and the Ku Klux Klan (KKK). By 1922, thanks in large part to the explosive growth of the KKK, the pre-war pattern of race relations had been clearly reestablished, and Waco blacks suffered a decisive setback in their pursuit for political equality when the court allowed the

restoration of the local white primary.

## NOTES

1. Quoted in Melvin James Banks, "The Pursuit of Equality: The Movement For First Class Citizenship Among Negroes in Texas, 1920-1950" (Ph. D. diss., Syracuse University, 1962), 90. For standard works on Waco and McLennan County, Texas, see W. R. Poage, *McLennan County Before 1980* (Waco: Texian Press, 1981), and Roger Conger, *Waco: A Basic History* (Waco: Texian Press, 1984).
2. U. S. Department of Commerce, Bureau of the Census, *Fourteenth Census of the United States Taken in the Year 1920, Vol. II: Population 1920 Composition and Characteristics of the Population by States* (Washington, D. C.: Government Printing Office, 1922), 987, 989; William Carrigan, "Between South and West: Race, Violence, and Power in Central Texas, 1836-1916" (Ph. D. diss., Emory University, 1999), 258.
3. John Gordon Ramsey, "The Negro in McLennan County, Texas" (Master's thesis, Baylor University, 1932), 3-6; Harold B. Simpson, *Gaines' Mill to Appomattox: Waco And McLennan County in Hood's Texas Brigade* (Waco, Tex.: Texian Press, 1963), 30; Carrigan, "Between South and West," 158, 162.
4. J. Mason Brewer, *Negro Legislators of Texas and Their Descendants*, With introduction by Herbert P. Gambrell and Alwyn Barr (Austin: Jenkins Publishing Company of the Pemberton Press, 1979), 125; Carrigan, "Between South and West," 191-193, 197.
5. Carrigan, "Between South and West," 195, 210; Rebecca Kosary, "Regression to Barbarism in Reconstruction Texas: An Analysis of White Violence Against African-Americans From the Texas Freedmen's Bureau Records, 1865-1868" (Master's thesis, Southwest Texas State University, 1999). Although forty-two incidents is twice the number in any other Texas county, it does not include anonymous acts of intimidation. I would like to thank Rebecca Kosary for sharing with me a computer database of violence in Texas that she compiled from the *Records of the Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1870*.
6. Carrigan, "Between South and West," 212, 214, 216; "Board of Pardons Letter Recalls Notable Case; Negro Given 1001 Years in Penitentiary in McLennan Court in 1905," *Waco Times Herald*, 9 July 1920, 16 (hereafter cited as *WTH*).
7. Carrigan, "Between South and West," 258, 260; Gregg Cantrell and D. Scott Barton, "Texas Populists and the Failure of Biracial Politics," *Journal of Southern History* LV (November 1989): 684; "Waco Negro Leader Dies Here Wednesday," *WTH*, 3 December 1930, 1. The city's African-American population grew steadily, from 1,091 in 1870 to

6,067 in 1910. For more on third parties in Texas, see Roscoe Martin, *The People's Party in Texas: A Study in Third-Party Politics* (Austin: University of Texas Press, 1970), and Lawrence Goodwyn, *The Populist Moment: A Short History of the Agrarian Revolt in America* (New York: Oxford University Press, 1978).

8. For more on African Americans' fight to end the white Democratic Primary in Texas after 1919, see Darlene Clark Hine, *Black Victory: The Rise and Fall of the White Primary in Texas* (Millwood, N.Y.: KTO Press, 1979).

## CHAPTER I

### RACIAL COOPERATION “TO KEEP THE WORLD SAFE FOR DEMOCRACY”

As the United States moved from preparedness into World War I, African Americans in Waco, as throughout the South, remained a marginalized section of society. Decades of racial violence and Jim Crow laws enforced a white-dominated social structure in which blacks struggled with their second-class status. World War I, however, encouraged white leaders to reevaluate repressive methods of racial control and nurture a more racially cooperative atmosphere. Faced with the task of creating a united home front, war agencies and patriotic clubs had to ensure support for the “fight for democracy” overseas from all sectors of society, including those who did not enjoy full democracy at home. For whites, inclusion of blacks in war-time activities secured loyalty by giving them “a stake in the war.” For blacks, this wider social role created a greater awareness of their right to first-class citizenship.

From years of racial violence, most African Americans in Waco had learned to survive by accommodating whites. Most subscribed to Booker T. Washington’s philosophy of social uplift, consisting of self-help, self-improvement, and patience. Ardent accommodationists discouraged any demand for political rights because they felt it only aggravated race relations and invited violence. The social uplift concept provided an alternative image of blacks, one that resembled the white middle class, to combat



negative racial stereotypes of blacks as lazy, dishonest, and immoral. Those who followed Washington's ideas believed that self-improvement would help gain acceptance from whites, which, in turn, would end discrimination and violence. Some members of the middle class, however, often assimilated too much and adopted whites' negative opinions, which they then applied to lower-class blacks.<sup>1</sup>

Washington's philosophy helped blacks build their community in the constant shadow of possible danger. Waco became a center for educational opportunities, which were central to "race advancement." In 1881, local leaders established one of the few black high schools in Texas, named after the first principal, A. J. Moore. The Paul Quinn College, the first African-American liberal arts college in Texas, moved from Austin to Waco in 1877. It offered vocational skills, teacher and theological training, and liberal arts classes under the guidance of the African Methodist Episcopal Church. Founded in 1872, the college had gained recognition from black publications such as W. E. B. Du Bois's *The Crisis*. By the end of World War I, the campus had grown to include twenty-two acres. Although much smaller, the Central Texas College, founded in 1902 by a group of Baptist parishioners, offered similar classes, often taught by local physicians and businessmen. Both schools made social mobility a greater possibility.<sup>2</sup>

Growth of the city's minority population helped foster a strong middle class, relatively independent of whites but prosperous from segregation. De facto segregation confined African-American businesses to South or East Waco, also known as the Fourth and Fifth Ward, and the south side of the city square. Middle-class black families lived closest to downtown or white neighborhoods, whereas poorer blacks, whites, and Mexicans lived on the city's outskirts or worked on county farms as hired hands. Social

activities centered on the colleges, fraternal societies, and local churches, such as the Starlight Band of the New Hope Baptist Church and St. Paul's A. M. E. choir. In 1916, as the country prepared for war, the black community in Waco included several teachers and professors, six licensed physicians, two dentists, a pharmacist, a lawyer, and numerous businesses such as the L. M. Sublett Grocers, the Mecca Drugstore, the Excelsior Café, the Farmers' Improvement Association Bank, the Continental Casualty Company, and three newspapers.<sup>3</sup>

Social clubs and churches also embraced the self-help philosophy. Fraternal and community-service organizations, such as the Knights of Pythias, the Order of Calanthe, and the Household of Ruth, offered insurance and loans, and contributed to churches and schools. The Knights and Ladies of Tabor purchased land and established Taborian Park for community activities. The New Hope Baptist Church began a fund drive in 1909 to erect a church building to accommodate the growing congregation. The New Hope building board, led by pastor Dr. J. Newton Jenkins, demanded self-reliance by requiring all members to donate a specified amount each week or lose fellowship in the church. The drive lasted until the first cornerstone was laid in 1921. Proud of their accomplishment, the congregation voted to use the fund drive's slogan, "Where there is no vision, the people perish," as the credo of New Hope Baptist.<sup>4</sup>

Robert Lloyd Smith, Waco's strongest black advocate for collective self-help, had begun the Farmers' Improvement Society before moving to Waco in 1910. As a former aide of Booker T. Washington, U. S. Deputy Marshall appointed by Theodore Roosevelt, and former Texas state legislator, Smith and his ideals gained respect and support from the black community. His organization encouraged home ownership, crop

diversification, cooperatives, and cash buying instead of credit. Like the Tuskegee Institute, the Farmers' Improvement Society College in Wolfe City, Texas, taught self-reliance through courses on efficient methods of farming and vocational skills. Smith established the Farmers' Improvement Bank in Waco to finance home and farm ownership, and his clothing factory provided alternative employment for those moving from the farm to the county's urban center. In his 1902 Farmers' Improvement Society address, Smith clearly stated his belief in the Washington philosophy: "It is a matter of great concern to ourselves and to those with whom we live that steadily we press forward in securing the qualities of mind and heart and those outward indications of them that will make us acceptable to the masses of our countrymen." Smith believed that if blacks kept a clean home, well-groomed crops, and Christian faith, whites would eventually accept them into society.<sup>5</sup>

The development of the segregated black middle class reflected the Southern progressive goals of Waco's white leaders. City council members made efforts to eclipse the area's violent image with symbols of progress to attract big business, including railroads and cotton industries. During the early twentieth century, McLennan County had several cotton gins, seed oil plants, and textile mills. Waco, located in the center of Texas, became a major railway junction and a popular site for fraternal societies and other organizations' state conventions and meetings. In 1914, Waco mayor J. H. Mackey compiled a series of reports on the progress of construction, transportation, and education in the city to highlight his office's achievements over the previous two years. These reports included pictures of smiling children playing on new playgrounds and in new city parks, such as Mackey Park, Carroll Park, and, the pride of the city, Cameron Park. The

reopening of the Texas Cotton Palace, which hosted fairs and expositions, the Waco Suspension Bridge over the Brazos that connected East and West Waco, and the Interurban train to Dallas all brought praise to the city and increased trade for local businesses. The Mayor's report also included pictures of recently paved streets and clean brick school buildings.<sup>6</sup>

Progress for the city, however, did not reach the black community in East and South Waco, a fact made evident in the lack of city services. For example, street and school improvements praised in the mayor's progress report of 1914 neglected African American sections of town. Progressive programs for new city parks and playgrounds for white children displaced poor black and white neighborhoods. And, although the city provided the East Side with a fire station and equipment, it was the only department without a \$5,000 fire engine. Instead, blacks had to rely on a fire wagon and horse in case of an emergency. Principals of black schools warned children to walk to and from school in groups, and assigned routes home that bypassed white streets to avoid upsetting white business owners.<sup>7</sup>

Progress, self-improvement, and accommodation, however, failed to end racial violence in Waco. Between 1882, when the *Chicago Tribune* began counting, and American entry into World War I in 1917, McLennan County witnessed the lynching of at least five black men, three of whom died at the hands of mobs in Waco. The fifth lynching challenged Smith and the black community's accommodationist philosophy more than any other, and showed the world Waco's violent nature.<sup>8</sup>

On the afternoon of May 8, 1916, the children of Lucy Fryar, a white woman, found their mother lying dead in the seed house of their farm in rural Robinson, just south

of Waco. A neighbor found the woman's husband, George Fryar, and called the sheriff's office. That evening, Deputy Sheriff Lee Jenkins found mentally-handicapped, seventeen-year-old Jesse Washington at his family's home on the Fryar farm, where he had worked picking cotton for the past five months. Jenkins arrested him for rape and murder. Law officers immediately moved Washington to Dallas, where they obtained a confession, and kept the alleged criminal there until his trial to protect him from a lynch mob.<sup>9</sup>

The mob included Fryar and several other Robinson farmers who demanded that Washington be turned over in the name of Southern womanhood, a common excuse for lynching. For decades, white males had used lynching in the name of chivalry as the ultimate tool of white supremacy because it reaffirmed their dominance over blacks, as well as over white women, through fear. Women's fear of "rabid black rapists who lust after white victims" reinforced their self image as vulnerable, passionless, and fragile "possessions." This fear caused women to encourage lynch mobs and in turn to defend this image. As one member of the mob asserted, "When we left home tonight our wives, daughters, and sisters kissed us goodbye and told us to do our duty, and we're trying to do it as citizens." The court set the trial date a week after the murder, on May 15, 1916, ironically the day after Mother's Day.<sup>10</sup>

During the week before the trial, the *Waco Times Herald* discouraged vigilante action, stating, "Let the law be supreme. Let the law take its course." The newspaper, however, encouraged a guilty verdict by printing a confession, a list of the chosen jurors, and the names of the court-appointed defense attorneys. Before the trial began, eager onlookers filled the courtroom to the point where the crowd had to lift jurors to their

seats, and blacks and latecomers lined the halls and sidewalks outside. The prosecuting attorney used Washington's confession, given under unknown conditions, as the main evidence against him. Lawyers representing the defense declined to cross-examine any witnesses. Instead, they put Washington on the stand, urged him to plead guilty, and asked if he wished to say anything to the jury. He responded, "I ain't going to tell them nothing more than what I said," and mumbled inaudibly. His lawyer finished the statement, adding, "He says he is sorry he did it." After deliberating for only four minutes, the jury found Jesse Washington guilty.<sup>11</sup>

Before the sentence could be officially entered by Judge Richard I. Munroe, a cry from the crowd in the courtroom called, "Get the Nigger," and a mob seized Washington. The reports made by the National Association for the Advancement of Colored People (NAACP) suggest that Washington fought as the mob pulled him out of his seat and down the courthouse's back steps while beating him. Once outside, the mob stopped to adjust a chain around Washington's neck, then proceeded to drag him down the street, east, toward the bridge over the Brazos River. Here they stopped, local blacks believe, to send a message to the segregated black population in East Waco, and then turned toward the town's square. In front of city hall, people collected trash under a tree limb, while the town's leading photographer found an advantageous shooting location, high in the building, to get the crowd and the lynching on film.<sup>12</sup>

The crowd ripped Washington's clothes from his body and beat him with shovels, bricks, and clubs. The young victim prayed to God and proclaimed his innocence as his fingers, toes, and ears were cut from his body for souvenirs. Over 15,000 Waco citizens watched as the mob dipped him into the flames of the burning garbage with the chain that

was still around his neck. Once the charred body cooled, someone tied the chain to the back of a truck and drove around downtown, leaving pieces of Washington along the street. Law officers picked up the pieces, placed them in a bag, and tied the bag to a pole in Robinson. The boy's remains were buried in an unmarked grave, and it was not until June 1 that the city cut down the charred tree on the town square.<sup>13</sup>

The public burning took on characteristics of hideous social entertainment. Members of every class comprised the massive crowd. A newspaper reported that "people pressed forward, each eager to be the first to light the fire," pointing out that "onlookers were hanging from the windows of the city hall and every other building that commanded a sight of the burning . . . shouts of delight went up from thousands of throats and apparently everybody demonstrated in some way their satisfaction at the retribution." During the following weeks, children and men sold teeth, fingers, and other parts of Washington's body as well as pieces of the chain for twenty-five cents a link. The photographer sold pictures of the body and the crowd as if they depicted events at the Texas Cotton Palace.<sup>14</sup>

While national newspapers criticized the lynching, local editors remained focused on national news of the war in Europe, the Mexican Revolution, and debates about preparedness. Only the *Waco Semi-Weekly Tribune* rebutted printed attacks on the local citizenry, insisting that Washington deserved to die. The NAACP began investigating the brutality, and confirmed the identity of several mob members. When the investigator asked the judge why he did not attempt to stop the mob, he replied, "Do you want to spill innocent blood for a nigger?" After the NAACP printed its findings in a special edition of *The Crisis*, named "The Waco Horror," the Chamber of Commerce asked the

photographer to remove the photos from his shop window.<sup>15</sup>

Such sadistic brutality sent a message to the black community—“stay in your place or suffer the consequences.” Blacks responded cautiously and relied on traditional methods of accommodation or migrated out of the area. Farm hands and laborers, economically dependent on whites, kept their disapproval silent. Instead, many quietly voiced subtle protest in work songs, a tradition left over from the days of slavery. Sam Price, a blues and jazz pianist who lived in Waco as a child at the time of the lynching, later remembered hearing one particular song. He recalled the words: “I never have, and I never will / Pick no more cotton in Robinsonville, / Tell me how long will I have to wait, / Can I get you now or must I hesitate?”<sup>16</sup>

Middle-class black leaders also avoided expressing an opinion publicly and accommodated whites by not criticizing their actions. The most common response was that of Rev. John Strong, president of Central Texas College, Dr. J. Newton Jenkins, pastor of the New Hope Baptist Church, and others who offered regrets for Lucy Fryar’s death but did not mention the brutal aftermath of lynching. To trusted sources, such as the NAACP investigator, however, they expressed disgust with the brutality of lynching and whites’ acceptance of it. According to the investigator, “The feeling of the colored people was what while they had one rotten member of their race the whites had 15,000.”<sup>17</sup>

One black reporter, however, berated the city for injustice and barbarity in a series of editorials. Andrew T. Smith, the managing editor of the *Paul Quinn Weekly*, reported on the entire trial of Jesse Washington and its aftermath. He proclaimed Washington’s innocence and blamed the woman’s husband, George Fryar, for her murder. Smith called



the mob “thirsty blood crackers” and “disgraceful.” Criticizing the culture that allowed such barbaric practices as lynchings in the United States, he wrote, “Such a disgraceful hanging would not be tolerated in such civilized countries as Germany, England, Japan, or countries in Africa.”<sup>18</sup>

Fears of more racial violence heightened when the Waco police arrested Smith for criminal libel and had him arraigned without a lawyer present in his defense. The Paul Quinn College denounced its managing editor’s actions and tried to separate the institution from the situation by firing him. By defending “a rotten member of the race,” Smith continued to stir racial tension, and, therefore, had linked himself with a more questionable class, which upset those who believed in Booker T. Washington’s philosophy, including the college’s leaders. The black community neither offered Smith aid nor attended his trial, for fear of violent repercussions. Richard D. Evans, the only black lawyer in Waco, volunteered his services but could do little to fight the white legal system, which sentenced Smith to one year at hard labor. Evans had to appeal outside the city to the NAACP in New York for donations to keep Smith in a cell and out of a convict labor gang that worked on county roads.<sup>19</sup>

A few months after the Smith trial, in 1917, George Fryar sued Smith’s ex-employer for \$75,000 in damages caused by the newspaper article. By this time, however, the city had turned its energies to the war in hopes of being chosen by the Federal Government as an army camp location. To rehash such embarrassing events of the past would only jeopardize Waco’s selection. The jury in Judge Erwin J. Clark’s court found in Fryar’s favor but awarded him only one dollar, a reflection of this attitude.<sup>20</sup>

When the United States entered the Great War, white leaders in Waco focused on the acquisition and building of Camp MacArthur, an army training installation, and Rich Field, an aviation training facility, both on the outskirts of town. With the promise of an instant population boom of 27,000 servicemen, businessmen and the Chamber of Commerce poured money into improving the city's appearance and services. The city council made over 8,000 acres available for lease in the municipality's northeastern section and promoted the area's more-than-adequate water supply and sewage disposal system. Under local pressure from one of their most successful franchises, the Texas Railway Company of Dallas spent over \$100,000 on two trolley lines from the camp to the city. On July 23, the *Times Herald* noted that six hundred infantrymen were due to arrive within the week, but the editor purposefully left out the soldiers' race.<sup>21</sup>

To guard the construction site, the United States Army transferred a black detachment of the Twenty-fourth Infantry from New Mexico to Waco. Many of these soldiers identified with the more militant philosophies of W. E. B. Du Bois and the NAACP. In May and early July, riots in St. Louis, caused by retaliation of whites against black strike-breakers, had brought the country face to face with racial tensions. After reading accounts of the conflict, men of the Twenty-fourth Infantry, while in New Mexico, began raising money for the NAACP's East St. Louis Refugee Fund. One soldier wrote to the NAACP, "[I voice] the sentiment of the entire enlisted command when it prays for you unlimited success in your noble fight for manhood rights of our people." With determination, the soldier continued, "We desire more publicity in these trying times when we believe that the hour has truly come when the Son of man is to be glorified. We stand upon the same platform as you and fight for the same principles."

Collectively, the three African-American battalions of the Twenty-fourth raised \$147 for the Relief Fund.<sup>22</sup>

Late in the evening of July 28, 1917, only weeks after the riot in St. Louis, the Twenty-fourth arrived in Waco to build Camp MacArthur. Because of the Washington lynching in 1916, the army had shown some hesitation to reassign these men to such a racially-taut area. But the chairman of the Waco Chamber of Commerce, James Penland, assured them that the soldiers would be “received in a patriotic spirit and accorded every consideration.” The battalion arrived without event or ceremony, but instead of patriotic band music and crowds of flag-waving Waco citizens, Penland and local law enforcement met the troop train around midnight. They refused to let the men off until 6 a.m., after the battalion commander and city officials had discussed matters of discipline and the need to respect Waco’s segregation laws.<sup>23</sup>

By the end of that evening, Waco had its own riot. Perhaps fueled by the conflict in St. Louis or by their positions as U. S. soldiers, members of the First Battalion lashed out at Waco’s segregation policies and harsh treatment by the police. Three hundred men, with passes from the Captain, walked to the red light district, movie theater, and bars in the black section of town. As they passed, whites spit out racial slurs and accused the soldiers of blocking the sidewalk. After a drug store refused them service, members of the regiment tore down “white only” signs wherever they could find them. The police patrols responded and forcibly tried to arrest soldiers on the sidewalk, breaking the finger of Willie Jones, a black soldier, in the process. In response to this and other reports of police aggression, twelve soldiers returned to the camp, armed themselves with rifles, and returned to the city. The police arrested the soldiers after an exchange of gunfire.<sup>24</sup>

Waco and the Army reacted with restrictive rules and dishonorable discharges. Both agreed on new precautionary measures. The Army created new rules for issuing passes, conducted three roll calls a day, and restricted soldiers from gathering on the street in groups of more than three. The police cooperated by arresting all white troublemakers who might incite more racial incidents and by maintaining communication with the camp officers. Furthermore, city authorities shut down the red light district and strictly enforced ordinances that prohibited blacks from gathering in public. A court martial handed out dishonorable discharges to all twelve soldiers involved, and sentenced five of them to five years and one to ten years in the penitentiary. A month after the Waco incident, a deadlier riot broke out in Houston involving another battalion of the Twenty-fourth, which resulted in twenty-two fatalities, numerous convictions, and thirteen executions.<sup>25</sup>

As with the Washington lynching in 1916, black residents of Waco kept private their opinions of the riot. Instead, they offered support to members of the First Battalion by providing home-cooked meals and church fellowships, and by including them in community activities to help them feel more at home during their brief stay. The men also enjoyed reserved seats to see the Waco Navigators of the Negro Baseball League. On August 22, the St. Paul A. M. E. Church held a formal reception for the troops in Taborian Park. Camp MacArthur issued hundreds of passes, and in a good-will gesture, the city's mayor attended. Two days later, their duty completed, the First Battalion of the Twenty-fourth Infantry returned to New Mexico.<sup>26</sup>

White soldiers soon replaced the black battalion, which gave the white community an opportunity to focus their attention on wartime activities, instead of racial

tensions under the watch of the federal government. Many Wacoans held positions on McLennan County's Council of Defense, formed in August of 1917, and two held positions on the State Council of Defense. This council coordinated war efforts at home, communicated war needs to local committees, encouraged local support, and enforced war-time policies concerning conservation, aiding soldiers, and loyalty.<sup>27</sup>

The McLennan County council coordinated war activities between various fraternal societies and service organizations, such as the American Red Cross. To protect the morals of these young soldiers, the Woman's Christian Temperance Union of Waco urged enforcement of laws to forbid the sale of alcohol to servicemen. Both the YMCA and the YWCA made efforts to make the camps as comfortable as possible with a swimming pool and a Hostess House, where soldiers found magazines, letter writing materials, and a pretty face. Waco native Kate Friend, president of the Texas Federation of Women's Clubs, coordinated soldier activities with the YWCA and helped the Council of Defense to reach mothers and wives in rural areas of the county. The Federal Food Administration organized price regulating committees and supervisory county councils to ensure the proper observance of wheatless and meatless days to conserve food for the Allies. Families welcomed soldiers, donated money for a Liberty theater on the camp, and offered home cooked meals for Thanksgiving and Christmas dinner. The Waco Chapter of the American Red Cross knitted warm clothing and care packages for soldiers, trained nurses, and offered financial and emotional aid for families who depended on soldiers off at war.<sup>28</sup>

The federal government's concerns about racial tensions, however, forced locals to include blacks in war work. Federal government war boards feared that violence and

discrimination might compromise African-American wartime cooperation and patriotic support of war goals. In Southern states, war-related agencies had complained for months that northern factory recruitment of black farm hands encouraged an out-migration of labor that endangered food and cotton production goals, and continued violence only contributed to the exodus. One report estimated that hundreds of black workers were leaving Texas daily, which left many cotton farmers short of pickers. Because of this exodus, farmers had to do more to encourage blacks to stay, and they replaced those already gone with Mexican migrant workers, pushed out of their country by revolution. Between 1910 and 1920 more than two thousand Mexicans moved to the Upper Brazos river valley, 45 percent of whom lived in McLennan County. By 1930, more than nine thousand Mexican nationals lived in the Upper Brazos River Valley.<sup>29</sup>

Rumors of German spy activities out of Mexico heightened the urgency to create a more cooperative and patriotic racial atmosphere. Several German and Mexican spies, in the Kaiser's employment, reportedly had been seen recruiting African Americans and Mexican farm hands to travel to Mexico and fight against the United States. Several spies had been caught in various parts of Texas, including the rural town of Moody, in South McLennan County. As a solution, the Council of National Defense pushed their state and county units to give blacks "a stake in the war" by including them in patriotic activities. The Council created advisory positions for leading national black leaders and encouraged similar action on state and local levels.<sup>30</sup>

The Texas Council of Defense never followed such recommendations. Instead, they merely urged county councils to contact black community leaders and convince them, through promises of social improvements, that their role in the war was crucial.

The chairman of the Council's Labor Committee, H. W. Lewis, instructed local councils to "tell the negroes that you are going to improve their churches . . . their sidewalks, drain their streets, [and] cover the holes in their school houses." He continued, "Urge their leading negroes . . . that the white people are going to protect them, . . . and urge that they use their influence with the members of their race." Lewis knew that black laborers had little confidence in whites' assurances, so he encouraged War Councils to appeal to their leaders with empty promises. One lecturer, J. R. M. Lee, however, wrote Lewis and suggested that real improvements in black schools and "justice before courts," not empty promises, were necessary to stabilize Texas's rural labor force. Lewis found that so many other lecturers agreed with Lee that he informed J. F. Carl, the council's secretary, that some measures to improve conditions must be made to slow the exodus.<sup>31</sup>

Many local black leaders across the state participated in Lewis's lecture program because they wanted to serve their country and hoped in turn that their country would serve them. They spoke against migration from farm areas, but also encouraged other war support efforts. The Federal Food Administration's appointment of W. S. Willis, Grand Chancellor of the Colored Knights of Pythias, to the Negro advisory board of Texas encouraged many local leaders to participate in the war effort. Dr. George S. Conner spoke throughout the state on disease prevention to help conserve medical supplies for overseas soldiers. His wife, Jeffie O. Conner, worked as a McLennan County Extension Agent to teach farm wives how to conserve food and preserve it properly. William Anderson and J. A. Kirk, both school principals, gave out information concerning Food Administration policies. Within Waco, county agents aided by R. L. Smith, L. M. Sublett, and others held meetings for farm families, organized boys into

corn and pig clubs, and girls into canning and garden clubs. Smith, who headed the Farmers' Improvement Bank in Waco, also encouraged efficient farming techniques, crop diversification, and conservation through his Farmers' Improvement Society publication, *The Helping Hand*.<sup>32</sup>

With approximately 850 black sons, husbands, and fathers from McLennan County inducted into the army, the African-American community of Waco needed little encouragement to aid the "fight for democracy" overseas. They organized patriotic war participation through their churches and fraternal societies. The Negro Odd Fellows Fraternal Society dedicated its 1918 annual conference to war work, with special attention to scientific farming and Liberty Bonds. By April, 1918, the community had established three auxiliaries to the Waco chapter of the Red Cross. They raised more than a thousand dollars in donations and collected care packages, knitted clothing, magazines, and other items to send to soldiers overseas and at training camps. One businessman even changed the name of his Excelsior Café to the Liberty Café.<sup>33</sup>

In early September of 1918, more than three thousand newly enlisted black soldiers arrived in Waco from across Texas and Oklahoma to be trained and assigned to companies in the 410<sup>th</sup> Labor Battalion at Camp MacArthur. These troops received the full attention of the black community. The Colored Soldiers' Welfare Committee and the Colored Knights of Pythias opened a school and volunteered teaching literacy classes at the camp. African-American bands, such as the Starlight Band of the New Hope Baptist Church, and choral groups offered entertainment and dance music at the black YMCA hostess house. The American Woodmen, a black fraternal society, with the cooperation of the white Young Men's Business League, organized a community patriotic festival in



Taborian Park to promote raising meat at home. Camp MacArthur granted at least one-thousand passes to black soldiers to attend festival events, including the “Fat Pig Show,” a canning conservation display, and a brass band dance.<sup>34</sup>

By the time these black soldiers arrived, feelings toward accommodating whites had begun to change in Waco and across Texas. The spirit of cooperation and the war’s cry for democracy empowered those who had for so long stayed quiet in the face of brutality and injustice. In Waco, the memory of the 1917 riot caused community concern for the recent arrivals stationed at the camp in 1918 and 1919. Black Wacoans felt great pride in the presence of the troops and made their protection a patriotic duty. After the YMCA house for black soldiers burned down, fraternal organizations quickly found alternative places for classes, entertainment, and other events held in the building. When those in uniform were mistreated, locals put the victims’ fears above their own and searched out avenues for aid, often outside the state. In 1919, for example, soldiers confided in black businessman W. B. Lawson about an incident in which whites fired upon them while on duty. They told their white officers, but no investigation was forthcoming. When the men were fired upon again, fear for their lives increased. Lawson wrote to the NAACP in New York City to investigate the situation, stating, “If you need any other information, call upon me. I am not afraid to go after it.” Lawson’s statement exemplified the transformation of Waco’s African American community, which emerged from the war with a more aggressive, militant philosophy toward racial oppression.<sup>35</sup>

Several black leaders throughout the state agreed with this new spirit. They concluded that by fighting “to keep the world safe for democracy,” they would be

fighting for their right to participate in that democracy at home. They believed that patriotism and loyalty would eventually translate into better treatment and first-class citizenship after the war. Annual conferences of the Methodist Episcopal Church and the Negro Baptist Conventions encouraged support for the war as the patriotic duty of American citizens, but considered the extension of full citizenship the greater goal. As a speaker at the 1918 Negro Baptist Convention explained, "Many weary decades have passed over the Negro in his waiting for a new day which, to our minds, is at hand." At the 1918 Annual Communication, the Grand Master of the black Masons broadcasted this same message: "If the world is to be made safe for democracy, that will mean us too."<sup>36</sup>

Leaders in Waco echoed this notion. In July, 1918, at the Twelfth Annual Session of the Texas Negro Business League, Wacoan president R. L. Smith and other business leaders participated in a discussion on "The Fight for Our Rights in the Texas Courts. Has the Time Come for the United Negro, Led by Our Business Men, to Make It?" Other speeches included "In Places Bought by Public Funds from which Negroes are Excluded, What Steps Can Be Taken to Secure the Rights to Enjoy these Privileges, if WE Have any Rights at All?" W. L. Davis, a Houston businessman and newspaperman, echoed state-wide sentiments in his speech on "The Great War--the Negro's Opportunity to Prove Up His Claim For a Man's Place in Democracy." On the second day of the conference, the League's leadership devoted an entire afternoon to "considering the feasibility of organizing the Negro citizenship of Texas into a body to make a united effort to secure justice in the courts of the land." The war had given birth to a new spirit that demanded change.<sup>37</sup>

Waco's leadership, both black and white, had many reasons to comply with the

Federal Government's patriotic war agenda, which included at least lip service to racial cooperation on the home front. First, city officials felt a greater responsibility to war efforts because of the government's constant presence at Camp MacArthur and Rich Field. Second, the production of war-promoted agricultural products, such as cotton and foodstuffs, depended on retaining black laborers, many of whom had migrated North in search of less violence, greater freedom, and better wages. Finally, the perceived threat of enemy infiltration, through the recruitment of poor and discontented farm hands, demanded efforts to keep the home front safe. Greater goals of political equality, beyond "keeping the world safe for democracy," motivated African Americans to participate in war activities. Many gained new self-confidence and a greater sense of self-importance through their war work. They saw World War I as an opportunity to prove to whites, and to themselves, that they, too, deserved greater freedom. As fighting ended and peace conferences began in Europe, blacks had moved away from a strict accommodation philosophy, gained a more assertive attitude toward civil rights, and were ready to push for greater political rights.

## NOTES

1. Carrigan, "Between South and West," 212-233; August Meier, *Negro Thought in America, 1880-1915* (Ann Arbor: University of Michigan Press, 1988), 88-93, 253.
  
2. McClennon Phillip Harvey, *A Brief History of Paul Quinn College: 1872-1965* (Waco, Tex.: Smith Printing Company, 1965), 3, 5; M. Rebecca Sharpless, "Central Texas College" and "Paul Quinn College," in *The Handbook of Texas Online* (Austin, Tex.: Texas State Historical Association, 1997, 1998, 1999), available at <http://www.tsha.utexas.edu/handbook/online.html>; Jingjing Xie, "The Black Community in Waco, Texas: A Study of Place, Family, and work, 1880-1900" (Master's thesis, Baylor University, 1988), 13, 22, 23; Ida L. Hall, "History of the Negro in Waco, Texas," term paper, Baylor University, 1928, reprinted in *Waco Heritage and History* 14 (Spring, 1984): 11-15.
  
3. Xie, "The Black Community in Waco," 13-17; Hall, "The History of the Negro in Waco," 18-23, 25-29; *Waco City Directory*, 1914-1917; Bicentennial Committee, "New Hope Baptist Church: Waco's Oldest Black Congregation," *Waco Heritage and History* 14 (Spring 1984): 55; Kneeland H. Clemons, interview by Vivienne Malone Mayes, 21 October 1988, transcript, 5,9,29,48,50, Oral History Collection, Baylor University, Waco, Tex.; Virginia Lee Spurlin, "The Conners of Waco: Black Professionals in Twentieth Century Texas" (Ph. D. diss., Texas Tech University, 1991), vi, 8, 29, 55; E. A. Peden to A. M. Cammack, April 24, 1918, box 1739, folder "Cammack," Federal Food Administration Records, State and Local Administrations, Record Group 4, National Archives Southwest Depository, Fort Worth, Texas (hereafter cited as FFA). Although a clear geographic line of separation is not described, areas in the fourth ward include: South Fourth Street, South Fifth Street, South Second Street (beyond the east side of the square), East Mary Street, East Jefferson Street, and areas around Paul Quinn College between Mill street and Washington Avenue.
  
4. Bruce Alden Glasrud, "Black Texans, 1900-1930: A History" (Ph. D. diss., Texas Technological College, 1969), 19; Xie, "The Black Community in Waco," 15; Hall, "The History of the Negro in Waco," 22; Minutes, 1909-1921, box 4B388, New Hope Baptist Church records, Texas Collection Archives, Baylor University, Waco, Tex. (record collection hereafter cited as NHBC).
  
5. R. L. Smith, "An Uplifting Negro Cooperative Society," *World's Work* XVI (July 1908): 10462-10466; Lawrence D. Rice, "Farmers' Improvement Society" and "Smith, Robert Lloyd," in *Handbook of Texas Online* (Austin, Tx.: Texas State Historical Association, 1997, 1998, 1999), available at <http://www.tsha.utexas.edu/handbook/online.html>; Brewer, *Negro Legislators*, 101; Meier, *Negro Thought*, 253; "Annual

Address of Hon. R. L. Smith, President Farmers' Improvement Society of Texas, Delivered at Eagle Lake Texas October 8, 1902 in the 7th Annual Convocation," box 2c321, folder "FIS Financial Report, Annual Address," The Farmers' Improvement Society Papers, Texas Collection Archives, Baylor University, Waco, Tex. (collection hereafter cited as FIS).

6. "Growth of Manufacturing Industries in Waco," *WTH*, 14 March 1916, 3; "Food Conservation Meet, Instead Having Packed House, Draws Audience Less Than 200," *WTH*, 20 January 1917, 4; U. S. Department of Commerce, Bureau of the Census, *Fourteenth Census of the United States Taken in the Year 1920*, 987, 989; J. H. Mackey, ed., *The Municipal Hand Book of the City of Waco, 1912-1914* (Waco, Texas, 1914), 25-149.

7. Mackey, *The Municipal Hand Book of the City of Waco*, 25-47; Clemons, interview, 5, 9, 24.

8. Micheal Newton, *Racial and Religious Violence in America: A Chronology* (New York: Garland Reference Library of Social Sciences, 1991), 243, 257, 265, 323; David L. Chapman, "Lynching in Texas" (Master's thesis, Texas Tech University, 1973), 44-45.

9. James M. SoRelle, "The 'Waco Horror': The Lynching of Jesse Washington" *Southwestern Historical Quarterly* 86 (April 1983): 522-23; *State of Texas v. Jesse Washington*, March term, 1916, case no. 4141, McLennan County, District Court, Office of the Clerk, Fifty-fourth Judicial Circuit, Waco, Tex. I would like to thank Dr. James SoRelle for graciously providing me with a copy of the trial transcript. The original can be found in box C-370, National Association for the Advancement of Colored People Archives, Manuscript Division, Library of Congress, Washington, D.C., 5-6.

10. "Negro Confesses to Terrible Crime in Robinsonville," *WTH*, 9 May 1916, 5; Jacquelyn Dowd Hall, "The Mind That Burns in Each Body" *Southern Exposure* 12 (November/December 1984): 64-66; "Grand Jury Indicts Slayer of Mrs. Fryar," *WTH*, 11 May 1916, 5.

11. *WTH*, 12 May 1916, 6; *State of Texas Versus Jesse Washington*, trial transcript, 10; "Mob Takes Negro from Court House, Burns Him at Stake," *WTH*, 15 May 1916, 1; "The Waco Horror," Supplement to *The Crisis*, 12 (July, 1916): 1-8; SoRelle, "The 'Waco Horror,'" 526-27; Carrigan, "Between the South and West," 278. Of Washington's five court-appointed attorneys, at least one, Kyle Vick, joined the Ku Klux Klan a few years later. It is more than likely that Jesse Washington gave his confession under duress. Beating confessions out of prisoners was not uncommon in the early twentieth century. A few years after Washington's death, a Dallas judge granted a new trial because the local police used force to "secure a confession," reported in "Judge Hits Severe Grilling by Police," *WTH*, 2 October 1921, 9.

12. "Mob Takes Negro from Court House, Burns Him at Stake," *WTH*, 15 May 1916, 1; "The Waco Horror," Supplement to *The Crisis*, 12 (July, 1916): 1-8; SoRelle, "The 'Waco Horror,'" 526-529.

13. Ibid; Clemons, interview, 7; "Southern White Gentlemen Burn Race Boy at Stake," *Chicago Defender*, 20 May 1916, 1; "Mob's Victim Buried in Potter's Field," *Chicago Defender*, 3 June 1916, 1. For more on the lynching, see Rogers M. Smith, "The Waco Lynching of 1916: Perspective and Analysis" (Master's thesis, Baylor University, 1971), and David Livingston, "The Lynching of Negroes in Texas, 1900-1925" (Master's thesis, East Texas State University, 1972), and David L. Chapman, "Lynching in Texas" (Master's thesis, Texas Tech University, 1973).

14. "Mob Takes Negro From Court House, Burns Him At Stake," *WTH*, 15 May 1916, 1; Smith, "The Waco Lynching of 1916," 54.

15. SoRelle, "The 'Waco Horror,'" 532-533; Smith, "The Waco Lynching of 1916" 54. SoRelle cites the *San Francisco Bulletin*, *Independent*, *New Republic*, *Nation*, and the *New York Times* as national publications that carried news of the lynching.

16. Lawrence W. Levine, *Black Culture and Black Consciousness: Afro-American Folk Thought From Slavery to Freedom* (New York: Oxford University Press, 1977), 202-205, 206; Carrigan, "Between South and West," 294-296. The lyrics could have several meanings, including migration out of the area in search for a better future (indicated by the "you" in the last line), an unorganized labor boycott of Robinson cotton farms, or impressions of Jesse Washington's final moments waiting for death and the promise of salvation.

17. SoRelle, "The 'Waco Horror,'" 530.

18. Ibid., 530-531; *George Fryar Versus Paul Quinn College*, January Term, 1917, case no. 1194, McLennan County, District Court, Office of the Clerk, Seventy-fourth Judicial Circuit, Waco, Tex. Andrew Smith's action, although rare, was not the first African American to protest a lynching in Waco. In 1905, Sam Foster criticized the lynching of "Sank" Majors, who was hanged from the Waco Suspension Bridge. He was fined one hundred dollars. Garna L. Christian, "The Ordeal and the Prize: the 24th Infantry and Camp MacArthur" *Military Affairs* 50 (April 1986): 66.

19. *The Crisis* 13 (January 1917): 122-23.

20. Ibid.; *Fryar Versus Paul Quinn College*.

21. Christian, "The Ordeal and the Prize," 66, 67; "Troops to Arrive Soon to Waco," *WTH*, 23 July 1917, 3; *Rich Field Flyer* 1 (6 February 1919): 16.

22. "Negro Soldiers Disturbance in the City at Late Hour Last Night," *WTH*, 30 July 1917, 1; "Correspondence From the Twenty-fourth Infantry," *The Crisis* 13 (October 1917): 307-309.
23. "Troops to Arrive Soon to Waco," *WTH*, 23 July 1917, 3; Garna L. Christian, *Black Soldiers in Jim Crow Texas, 1899-1917* (College Station: Texas A&M University Press, 1995), 133-34; "Negro Soldiers Assigned to Waco and Houston," *WTH*, 28 July 1917, 1.
24. Christian, *Black Soldiers*, 136-37; "Negro Soldiers Disturbance in the City Late Last Hour Last Night," *WTH*, 30, July 1917, 1.
25. "Negro Soldiers Will Not be Allowed in Town," *WTH*, 30 July 1917, 3; "Inmates Reservation Here Have Been Ordered to Leave Waco by Next Saturday," *WTH*, 6 August 1917, 2; Christian, "The Ordeal and the Prize," 69; Margaret Davis, "Harlots and Hymnals: An Historic Confrontation of Vice and Virtue in Waco, Texas" *Waco Heritage and History* 9 (Fall 1978): 15; Christian, *Black Soldiers*, 138-140; "Riots," *The Crisis* 13 (October 1917): 313. For more information on Houston riot, see C. Calvin Smith, "The Houston Riot of 1917, Revisited," *Houston Review* 13 (Fall 1991): 85-102.
26. Minutes 1909-1921, box 4B388, NHBC; Christian, "The Ordeal and the Prize," 69; "Entertainment Planned for Colored Soldiers," *WTH*, 20 August 1917, 10; "General James Parker Assumes Command Camp MacArthur Tomorrow," *WTH*, 24 August 1917, 3.
27. James P. Alexander to State Councils, 8 August 1917, box 2J372, folder "McLennan County," Texas War Records Collection, Center for American History, University of Texas at Austin (hereafter cited as TWR).
28. *Rich Field Flyer*, 1 (6 February 1919): 16, 18, 24; Maggie Barry to Anna Pennybacker, 19 October 1917, and Kate Friend to Anna Pennybacker, 25 August 1917, box 2L496, folder "Correspondence and Materials re: Federation of Women's Clubs (general and Texas), 1917," Mrs. Percy V. Pennybacker Papers, 1878-1938, Center for American History, University of Texas at Austin; "Annual report of Waco-McLennan County Chapter, American Red Cross, November 30, 1919" (Waco, Tx: L. S. Henry, 1919): 3, 4, 9, 18; Adrienne Wilkes Olenbush, interview by Susan Monaghan, 21 October 1975, transcript, 127, 129, Oral History Collection, Baylor University, Waco, Tex.
29. "Trying to Check Exodus Negro Laborers from the South," *WTH*, 12 July 1917, 2; J. F. Carl to the Various Councils of Defense, 19 September 1918, box 2J355, folder "Council of defense-Letters-A-BU," TWR; H. W. Lewis, to J. F. Carl, 29 September 1917, box 2J362, folder "Negro Organization," TWR; Peden to Driscoll, 29 July 1918; box 1738, folder "Driscoll, H. D.," TWR; Carrigan, "Between South and West," 259-260. The Upper Brazos River Valley includes Bosque, Falls, Hill, and McLennan Counties.

30. "Escaped German in Chihuahua City, Says El Paso," *WTH*, 1 April 1917, 7; "German Farmer Charged With Offense Against Government," *WTH*, 17 April 1917, 3; "Secret Service Men Take Charge of Schronk After He Gives \$10,000 Bond," *WTH*, 23 April 1917, 8; "Mexicans Inciting Negroes to Disloyalty in Dallas County," *WTH*, 8 April 1917, 1; "German Arrested as Spy," *WTH*, 6 April 1917, 2; "Big Airship Passed Over Dallas Today," *WTH*, 5 April 1917, 5; "Trying to Stir Up Negroes in Harrison County," *WTH*, 5 April 1917, 5; "Arrest At El Paso Means of Discovering Underground Route," *WTH*, 3 November 1917, 1; "Mexican Arrested in Moody Held Here as an Alien Enemy," *WTH*, 26 April 1917, 1; "German Propaganda in Texas," clipping, box 1740, folder "Disloyalty to the Government," FFA; H. W. Lewis to Carl, 24 December 1917; J. R. M. Lee to Lewis, 12 December 1917; and Arthur H. Fleming to the Several State Councils of Defense, 24 July 1918; all found in box 2J362, folder "Negro Organizations," TWR. see also James P. Alexander to State Councils, 8 August 1917, box 2J372, folder "McLennan County," TWR.

31. Lewis to Carl, 29 September 1917, box 2J362, folder "Negro Organizations, TWR; "Trying to Check Exodus Negro Laborers from the South," *WTH*, 12 July 1917, 2; Lewis to Carl, 24 December 1917, box 2J362, folder "Negro Organizations," TWR; J. R. M. Lee to Lewis, 12 December 1917, box 2J362, folder "Negro Organizations," TWR.

32. John H. Regan to J. W. Bass, 18 May 1918, box 1738, folder "Bass, J. W., May 21, Waco, Texas," FFA; "Waco Negroes Give Big Impetus in County to Food Conservation Movement," *WTH*, 17 March 1918, 18; *The Helping Hand*, October 1918, box 1r68, FIS.

33. Margaret Bouland Baker, "The Texas Negro and the World War" (Master's thesis, University of Texas, 1938), 49; Ruthe Winegarten, comp., *Black Texas Women* (Austin: University of Texas Press, 1995), 206-07; "Colored Odd Fellows Getting Things Ready for State Meeting Here," *WTH*, 2 September 1918, 16; "Negro Odd Fellows Prove Patriotism," *WTH*, 7 September 1918, 8; "Red Cross Asked \$63,800 From M'Lennan—Patriots Response Totaled \$144,311.19," *WTH*, 3 September 1918, 6; "Report of W. W. Seley and H. H. Flynn, Waco (McLennan County) Chapter, American Red Cross, April 30, 1918," (American Red Cross, 1918): 12; "Annual Report, Waco-McLennan County Chapter, American Red Cross, November 30th, 1918," (American Red Cross, 1918): 9; Cammack to Peden, 24 April 1918, box 1739, folder "Cammack," FFA.

34. "Negro Troops Commencing to Arrive at Camp MacArthur," *WTH*, 1 September 1918, 5; "500 Negro Troops Give MacArthur Clean-Up," *WTH*, 20 September 1918, 7; "School for Colored Soldiers to Be Organized at Camp MacArthur," *WTH*, 25 September 1918, 3; Baker, "The Texas Negro," 49; Winegarten, *Black Texas Women*, 206-07; Minutes, 1909-1921, box 4B388, NHBC, 140, 144, 146, 153; "Negroes Will Stag Fat Pig Show and Conservation Exhibition," *WTH*, 27 September 1918, 10; "Fat Pig Show And Food Conservation Exhibit Display Worth While," *WTH*, 30 September 1918, 10.

35. Minutes, 1909-1921, NHBC, 152; W. B. Lawson to NAACP, 12 February 1919, Papers of the NAACP, Part 9, Discrimination in the U.S. Armed Forces, 1918-1955,



Series A: General Office Files on Armed Forces Affairs, 1918-1955, Microfilm, University of Texas at Austin.

36. Banks, "The Pursuit of Equality," 63-66.

37. Programs for "Twelfth Annual Session of the Texas Negro Business League" and "Thirteenth Annual Session of the Texas Negro Business League," box 2c321, folder "26," FIS.

## CHAPTER II

### THE FIGHT FOR DEMOCRACY COMES HOME: DISMANTLING THE CITY'S WHITE PRIMARY

Increased political activism among Afro-Texans, a product of their patriotic role in the war, took on many forms throughout the state, all in an effort to gain self-determination and greater civil rights. Aggressive leaders used stories from returning black soldiers and established civic-boosting and political rights organizations, such as NAACP chapters and local, grass-roots groups, to motivate their community to organize resistance to their second-class status. This activism in Waco culminated in 1919, when the Forum, a literary and civic organization, successfully challenged the local Democratic white primary in court. Their success, although only temporary, helped foster this growing "New Negro" assertiveness in Texas and created renewed hope for even greater equality in the future.

This new assertiveness developed in Texas through the growth of the NAACP after the war. In 1918, the NAACP claimed more than twenty-three hundred members in twelve Texas cities, including San Antonio, Fort Worth, Beaumont, Houston, Dallas, Galveston, and Austin. Early work of these branches included campaigns to ban the racist film "Birth of a Nation," boycotts of businesses that treated black customers harshly, and letter campaigns that drew attention to racist treatment of soldiers. The Houston branch convinced a Harris County court that black women had the right to register to vote after Texas granted women limited suffrage in 1918. In Waco, African-

American leaders decided to push the political envelope even further.<sup>1</sup>

On February 24, 1919, the headline, “Negroes Seek Court’s Aid to Vote in Primary Election February 18,” appeared in the *Waco Times Herald*. The newspaper reported that Louis M. Sublett, an African-American grocer in Waco, and other petitioners had filed for an injunction in McLennan county’s Nineteenth District Court to prohibit the city Democratic executive committee from enforcing its white primary rule in the upcoming election. In *Sublett v. Duke*, as the article noted, “The applicants contend that this operates to disfranchise the negro race; that it is arbitrary and unreasonable.” Apparently confident that the injunction would be denied, however, the article emphasized that “negroes have not been permitted to vote in primary elections here in the past.”<sup>2</sup>

The petition had been filed against the city Democratic executive committee, which had passed a resolution that the local primary would be open to whites only. This resolution, passed every year since the installation of the local primary system, had become so common place that the newspapers did not bother to report it after the January executive committee meeting. Instead, news of a resolution allowing women to vote in the primary, due to their patriotic war service, demanded the paper’s attention. Perhaps this report convinced local black leaders, who had also aided the war efforts, to challenge this local tool of political repression. Sublett, Dr. J. C. Russell, W. B. Lawson, and Henry Waite, all named as plaintiffs in the injunction petition, had served on various war committees and encouraged public support for the war. These men had aided the fight for democracy in Europe; now, they decided to fight for their democracy at home.<sup>3</sup>

Before 1919 several black individuals had attempted to vote at polling places, and

others had made formal requests to the executive committee not to bar blacks from voting, but with no success. Sublett, Russell, Lawson, and Waite, all members of a grass-roots, African-American political organization called the Forum, quietly organized a legal assault on the primary. In January, 1919, the Forum held mass meetings in every black section of town to encourage political participation through the formation of Good Government Clubs and payment of the poll tax. Perhaps due to previous ineffective attempts to vote by the black community, the organization's initial attempt to mobilize black voters failed to grab the attention of local whites.<sup>4</sup>

Whites reacted to news of the Forum's legal petition with little concern as well. The newspaper editor placed the injunction story on page five, not the front page. Waco's Jim Crow laws, as well as a long history of racial violence, had firmly established white supremacy in the city. Whites also had confidence in Judge Erwin J. Clark, who had been appointed to the Nineteenth District Court a month earlier. Clark came from a family of strong Southern Democrats. His father, George W. Clark, an Alabama Confederate Army veteran, had served as attorney general and secretary of state of Texas in the 1880s, and ran as the conservative Democratic gubernatorial candidate in the general election of 1892 against Democrat Jim Hogg. Erwin Clark, born and raised in Waco, had practiced law with his father, and served as judge of the Seventy-fourth District court until he resigned to join the U. S. Army during World War I. Based on Clark's heritage, locals felt sure that he would quash the African Americans' legal attempt to vote in the city's white primary.<sup>5</sup>

On February 15, the day after Sublett, Forum chairman, filed his petition, Judge Clark heard arguments from both sides. Richard D. Evans, a Yale graduate and the only

black lawyer in Waco, represented the plaintiffs. He presented a simple case of discrimination based on race, arguing that the executive committee's white man's democratic primary resolution "practically deprive[d] the colored race and these plaintiffs of the right of suffrage, purely on the ground that they are not white people." Evans insisted that this resolution violated Texas election laws (which did not specifically bar blacks from voting in state primaries), the state constitution, Federal statutes, and the U.S. Constitution on grounds that it "take[s] away the free will of the voter to cast his vote for any candidate for city offices who may be running on the democratic ticket." He requested that the injunction be made perpetual.<sup>6</sup>

The executive committee's legal team, led by O. L. Stribling, contested the petition on two grounds. They argued that it never stated that the plaintiffs belonged to the Democratic Party, a requirement to vote in the party's primary. Stribling added that since the local party was a private organization that used the primary as its nominating tool, the local primary did not fall under any state election laws. He contended that Waco's City Charter, adopted under the 1913 Texas Legislature's "Home Rule Provision," made no specification for the nomination of city office candidates through holding primary elections, which in turn allowed the Democratic executive committee, not the city, to control the primary. Essentially, Stribling insisted that an election not sanctioned by the state could not violate state laws. With a brief less than two pages long, the defense team viewed the case as an easy challenge.<sup>7</sup>

Judge Clark disagreed with the defense's argument, however, and, to the surprise of many, issued a perpetual injunction that allowed blacks to vote in Waco's future Democratic primaries. Expecting the predictable unpopularity of his ruling, Clark wrote

a lengthy decision in which he drew support from precedent court decisions, the Terrell election law, and the Texas and U. S. Constitutions. He began his opinion with the preamble to the U. S. Constitution, which recalled the patriotic air of recent war times. It served as a reminder that the court had to adhere to constitutional principles and their spirit. Clark then emphasized the decisiveness of primary elections in Texas, and all of the South, in his interpretation of a previous case, *Solon v. Texas*. This decision had established that “a right to vote in the primary election of this state was a valuable right, and that a citizen deprived of such right unreasonably and without the sanction of the law would be entitled to redress in the courts.” Clark applied this to the local level, interpreting as “unreasonable” such exclusions based on race, and he ruled that the white primary violated the Fifteenth Amendment.<sup>8</sup>

Next, Judge Clark tackled Stribling’s argument of whether or not the local primary was a state-sanctioned election. Since the primary abided by the Terrell election regulations, including a poll tax requirement, the use of a ballot box, and other stipulations, Clark concluded that the primary was a state-sanctioned election. He argued that the executive committee did not have the right to disfranchise on the basis of race because the voting regulations of general elections control the right of suffrage in primaries, too. Also, based on *Solon v. Texas*, he stressed that every citizen authorized by the Constitution has the right to vote, and that the legislature cannot take that right away. The legislature has the power only to regulate suffrage. Concerning Waco’s City Charter, Clark concluded that neither the absence of a specific provision nor a specification for a white primary allowed for the denial of suffrage based on race.<sup>9</sup>

Finally, Judge Clark addressed the anticipated opposition of his fellow local white

Southerners. He appealed to their understanding by touting his own Southern pride and by pointing out the difficulty of his decision: "The times are indeed hard when a judicial officer will permit his judgments and his decrees to be influenced by his personal prejudices or popular whim." He continued, "I am proud of my heritage of the South, but as long as I preside on this bench my personal feelings and prejudices will have no weight whatsoever with my judgement." The opinion, ahead of its time but contrary to Southern practice, came only two days before the primary election. With the election two days away, the Democratic executive committee, lacking sufficient time to appeal, grudgingly opened the election to blacks.<sup>10</sup>

The next day, news of Clark's decision dominated the front page of the *Waco Times Herald*. The newspaper explained the ruling in the two consecutive issues before the election, and reported that the executive committee planned no appeal. As if to warn white voters, it called attention to an expected high turnout by black voters at the polls.<sup>11</sup>

Members of the Forum planned to oblige white expectations. A week after forming Good Government Clubs in all six city wards, the organization passed a motion to form a local branch of the National Association for the Advancement of Colored People. The *Dallas Express*, an African-American newspaper, vividly expressed the excitement felt by Waco blacks, "The Forum is doing much good. Long live the Forum. . . 'To the Polls' is the Slogan."<sup>12</sup>

Despite black enthusiasm, media accounts reported that few blacks voted. Depending on the accuracy of the account, several reasons might explain the poor voter turn-out. Word of the legal decision or its meaning may have reached only a small percentage of the black population, considering the short time span between the court

decision and the election. Primarily middle-class citizens made up the Good Government Clubs, as well as the Forum, which failed to include rural or lower-class blacks, who often could not afford the poll tax, in its political activities. Others may have not paid the poll tax before the deadline in late January, before the court case. In light of Waco's racially violent history, intimidation or fear of retaliation, however, probably contributed heavily to the small turn-out of voters.<sup>13</sup>

Internal differences plagued Waco's black community in the general city election in March, 1919. Divisions among black leaders over whether to support a black Republican candidate for city commissioner split the black vote. Forum leaders, after their recent legal success, feared political or violent reprisals if black constituents demanded too much at once. L. M. Sublett and others now softened their aggressive challenge to the primary with accommodationist rhetoric. Sublett publicly spoke out against the election of an African American, saying, "I . . . do not intend to antagonize [white people's] interests. One of the district courts here recently just upheld . . . that we have a right to vote in primary elections, . . . and I intend to cooperate with the white people in aiding them to select the men they believe best fitted to hold public office." He continued, "I want to live in peace with the southern white people, who have been our true friends, and I will do everything possible to prevent that which will tend to disturb or disrupt the kindly feeling that they have manifested for us."<sup>14</sup>

Despite weak black political representation in the 1919 local primary, the *Sublett v. Duke* decision gave strength to the growing hope and determination of African Americans in Waco and other areas of Texas. News of the legal victory spread quickly in black newspapers and even gained notice in the Tuskegee Institute's *Negro Yearbook*.



Since the war, newspapers such as the *Dallas Express*, Houston's *Texas Freeman* and the *Western Star* had been the voices of blacks' new assertiveness. They challenged blacks to pull themselves out of submission and fight for their own democracy. When Waco answered the challenge, their message gained greater legitimacy with Afro-Texans. Later that year, C. F. Richardson started the *Houston Informer*, a militant black newspaper that encouraged its readers to pay their poll taxes and fight for equality. The NAACP used this grass-roots fervor and militancy to increase its membership. In 1919, NAACP membership in the South surpassed membership in the North. By the end of the year, more than five-thousand Texans and twenty-one new chapters in the state joined the organization, including ones in Temple, Marlin, Mart, and other towns around Waco. Waco's own chapter grew from fifty-six charter members to ninety-nine by the end of the year.<sup>15</sup>

Black Wacoans worked to raise political awareness around the state. Members of the Good Government Clubs spoke to various African-American groups throughout the state, and fed blacks' growing assertiveness and infused it with new hope and determination. At one such gathering, dubbed "a meeting of political soldiers" by the *Dallas Express*, Wacoan Dr. Arthur Jackson spoke to the Good Government Association of Dallas. Although he denied that he sought social equality, he claimed that blacks' role in World War I earned them the right to a "square deal." Jackson told his audience: "Any time a foreign foe lifts its hand to strike down the free institutions of America, they will find the black boy at the gate with a sword." Jackson's statement referred not only to African Americans' right to first-class citizenship, but also to the recent injunction in Waco. In his discussion of the recent legal victory, he proclaimed "that a new day is

dawning for the American Negro.” Word also spread through state organizations such as the Texas Negro Business League and the Knights and Daughters of Tabor, both of which held that year’s annual meetings in the Waco area.<sup>16</sup>

This new hope for democracy and first-class citizenship brought on by the war resulted in violent clashes throughout the nation and in Texas during the summer of 1919. In June and July, race riots broke out in Chicago, Washington, D. C., and Longview, Texas, and mobs lynched men in Longview and Gilmer, Texas. After the Longview race riot, Texas governor William Hobby ordered the Texas Rangers to investigate suspected radical black activities in the state’s cotton region, including Waco. Hobby believed that black newspapers and NAACP members caused the Longview riot, and urged the Rangers to prepare local law enforcement for more racial trouble. In August, Texas officials attacked the NAACP directly when a Travis county judge and a constable beat John Shillady, the national organization’s white executive secretary, outside the attorney general’s office in Austin. Governor Hobby publicly condoned the beating, insisting that “Shillady was the only offender.”<sup>17</sup>

Within a few weeks, violence reached Waco when officers thwarted a mob’s attempt to hang a seventeen-year-old black man with barbed wire for allegedly threatening to shoot two white girls. During the summer of 1919, this attempted lynching marked the only racially motivated outrage in McLennan County that was reported in newspapers, and it had no apparent connection with the legal victory over the white primary. The officers’ effort to stop the mob suggests that some Wacoans’ attitudes toward lynchings may have changed since Jesse Washington’s lynching in 1916. The mob’s action, however, reflected the same growing white frustrations that ignited

violence elsewhere in the state. Whites feared that the growing militancy and assertiveness among blacks threatened the traditional Southern social structure and endangered racial purity. One local paper even dubbed the NAACP as “the Association for Inter-Racial Relations.”<sup>18</sup>

Despite few reported incidents of racial violence that summer, the area’s history suggests that the Forum’s actions probably brought unreported threats, whitecapping, and other forms of intimidation from the white community. According to the NAACP’s national membership files, Waco’s chapter had lost all of its members by the end of 1920. After the Shillady incident in 1919, many Texas chapters either gradually disbanded or went underground to avoid a similar fate for their members. Blacks sustained local militancy in Waco, however, by circulating a petition reaffirming that the “last war made [blacks] the equals of the white race, and that this stand must be enforced.” One Waco leader, Reverend A. A. Lucas, encouraged action even in the face of violence, emphasizing that since blacks “had to die as examples, let them die for something.” In retaliation, whites warned Lucas that “unless he ceased his meddling into local conditions, the city could not be responsible for what happened to him.” If any violence related to the primary case did occur in Waco that summer, however, the local newspapers chose not to report it.<sup>19</sup>

Not all black leaders agreed with Lucas. Those who had depended on Booker T. Washington’s philosophy of accommodation counseled blacks to be patient in the face of racial tensions, fearing that the militant pursuit of equality would undermine the ideals of self-help and work to the detriment of racial uplift. In November, 1919, at the Farmers’ Improvement Society’s annual meeting, Robert L. Smith, the society’s president and

founder, stated, "The times in which we live are the most critical that the race has encountered since emancipation for the spirit of the white people does not seem as cordial as it had been heretofore." He added that, with "prudence and patience," racial tensions in Waco would pass. Although he did not mention blacks' newly found political power, Smith discouraged increased militancy by emphasizing the traditional self-help doctrine. He admitted that the attitudes of whites did not concern him as much "as our attitude toward the great underlying basic principles of racial progress. The race has to correctly value steady industry, self-reliance, economy, self-mastery; it must learn to wait, for in the end, mankind usually get what they deserve."<sup>20</sup>

Threats of violence and accommodationist rhetoric did not deter many blacks, however, from mobilizing for primary elections in 1920. In January, 1920, the local NAACP, which still existed, held a public rally to urge community members to pay their poll taxes before the January 31 deadline. Three black labor unions in Waco also encouraged poll tax payment. At the NAACP meeting, presidents of the two local black colleges and petitioners in *Sublett v. Duke* explained the power of their mass vote in an attempt to avoid a loss similar to the one the year before. Black leaders also had to inform voters of the Waco Democratic executive committee's devious resolution to schedule two democratic primaries, on February 14 and March 3, in hopes that blacks' interest in the election would decline after the first primary, thus increasing the white vote in the second primary.<sup>21</sup>

Other white leaders recognized the importance of the black vote as well. The editor of the *Waco Times Herald* again warned whites, "The rush at the court house yesterday afternoon to pay poll taxes was very pronounced, and . . . interesting . . . was

the number of negroes who secured poll tax receipts for 1920 . . . .It is believed that the negroes are prepared to vote this year, and vote strong.” Instead of viewing black mobilization as a threat, however, several Democratic primary candidates saw the African-American bloc vote as an opportunity to win office. L. M. Sublett invited all the candidates to speak at a meeting sponsored by the Good Government Clubs in predominantly black East Waco. He even reserved a special segregated seating area for whites who planned to attend. Five commissioner candidates, both mayoral runners, and even the city democratic executive committee chairman, E. L. Duke, gave speeches and discussed community concerns regarding unfair police tactics, school improvements, and better water drainage. The need for the latter two had become glaringly clear when only a month before, service wagons had to ferry neighborhood children from school to dry land when rain run-off caused flooding around the building.<sup>22</sup>

On election day, February 14, about seven hundred black men and women voted, nearly ten per cent of Waco’s African American population in 1920. Only a few were turned away for not having a poll tax receipt. All but three of the candidates endorsed by the black election wards won.<sup>23</sup>

The importance of the African-American community’s vote in the first primary of 1920 became the focus of debate during the second primary campaign a few weeks later. Some Democrats tried to convince black Republicans to switch parties by claiming that the Republican opposition was abandoning black voters when “the negroes do not vote to suit him.” Within the Democratic Party, battle lines had been drawn along pro- or anti-City Manager plans, and, as a group, blacks had voted against the plan and its proponent candidates. In response, the City Manager ticket protested black participation in the

upcoming primary on March 3. The “Anti” Ticket used this to strengthen their appeal to black voters. One advertisement characterized their Democratic rivals as “dumb as oysters” to the needs of the “colored brother.”<sup>24</sup>

The split in the local Democratic Party, traditionally a white organization, caused many loyal party members to blame blacks for the chaos. With these charges, the white primary case became the central issue in a Democratic mudslinging contest. During the last week before the second primary on March 3, those involved in *Sublett v. Duke* defended themselves in a series of letters that explained the facts of the case, including the executive committee’s legal inability to bar blacks from voting. E.L. Duke, the city Democratic executive committee chairman, answered attacks on the committee for not taking action to reverse the decision. He responded that, according to his lawyer, the injunction was perpetual, and that the committee therefore could not bar blacks from voting in any future election. Duke’s lawyer followed this response with his own letter reiterating Judge Erwin Clark’s decision. Clark also responded directly, insisting that his decision was based solely on the law. He claimed neutrality in the political factionalism, and essentially removed himself from any intimation that he was to blame.<sup>25</sup>

The black community answered whites’ rising bitterness and animosity toward the year-old court decision and their political participation with proclamations of Democratic Party loyalty in the local newspaper. One such letter patriotically, perhaps mockingly, professed, “We could be nothing more than democrats; even by birth we were born on a democratic soil, raised a democrat, and taught the democratic principle, and have complied with all of its laws and even suffered their lynchers’ rope and coal oil can.” R. D. Evans, plaintiff counsel in *Sublett v. Duke*, encouraged all blacks to vote and

participate, whether in the Democratic primary or later at the Republican convention. In a message to both races, he noted Waco's need for black labor because of the number of lives lost at war and because of black migration to northern cities. Then he proposed to whites, "How are you going to keep them down here if you keep giving them the blues in affairs like this? Let them vote their conviction and let the result take care of itself."<sup>26</sup>

Three days before the second primary, the Anti-City Manager candidates and L. M. Sublett led a political rally in East Waco to get people to the polls. They feared that their political opponents planned to patrol each polling station, armed with misinformation, to intimidate voters and challenge party membership. This action threatened the black voters' power and an Anti-City Manager victory. Sublett passed around a sample ballot and explained how to vote. Several white members of the "Anti" faction explained qualifications and emphasized African-Americans' right to vote as Democrats. The only test of party affiliation, according to Texas law, was to state, "I am a Democrat and pledge myself to support the nominee of this party" to the election judge. By informing constituents, Sublett hoped to establish confidence at the polls and prevent the other faction's representatives from turning voters away. The effort proved successful. The Anti-City Manager candidates won offices across the board, and party officials pointed to the importance of black participation in the outcome. Neither Evans, a Republican, nor Judge Clark voted in the city primary.<sup>27</sup>

The overwhelming black voter turnout proved detrimental, however, to African-American representation in the Republican Party's McLennan County convention. At the county convention in early May, 1920, the chairman, who was leader of the local Lily-Whites, disqualified black delegates from Waco on grounds they allegedly had voted in

the city's Democratic primary. Led by Sam Rose and R. D. Evans, along with other blacks and sympathetic whites, a larger faction of Republicans called the Black and Tans bolted and held their own convention. When the state convention in San Antonio later refused to recognize the delegates, members of the Black and Tan faction bolted again and nominated their own representatives to the Republican National Convention in Chicago. Evans, also known as "Judge" in honor of his legal triumph in the Sublett case, W. L. Davis, a professor and newspaper editor in Houston, and several other African-American state leaders attended, but they failed to gain representation at the Republican National Convention in Illinois.<sup>28</sup>

Increasing Lily-White control over the Republican party forced many blacks to look elsewhere for more political power. Because of success in *Sublett v. Duke*, some hoped for a future with the Democrats. W. L. Davis, like Sublett, had gained rejuvenated hope and confidence from blacks' role in World War I, during which he had served as secretary of the executive board of the Negro Division of the Federal Food Administration. Davis, through his newspaper, the *Western Star*, and Charles N. Love, editor of the *Texas Freeman*, had urged black Houstonians to pay their poll tax and vote since 1919.<sup>29</sup>

In early 1921, two years after the Waco case, Davis and Love spearheaded their own legal action against Houston's local white primary elections to "fight for recognition and a voice in government." The plaintiffs retained R. D. Evans, because of his earlier success, to reproduce similar results in their city. But Houston judges failed to share the point of view of Waco's court. Upon appeal, the state Supreme Court dismissed the case, determining that it concerned an injunction for only one specific election and that it was



therefore irrelevant since the date for that election had passed. The Court, however, questioned the constitutionality of the Democratic executive committee's white primary rule, stating that if the case had come before the Court, "it would present a grave question of Constitutional law." Although Love, Davis, and Evans lost that day in court, their efforts gained the attention of the NAACP, which took up the fight against Texas's white primary laws until achieving victory in the *Smith v. Allwright* case in 1944.<sup>30</sup>

The *Dallas Express* referred to this post-World War I political activism in Texas as the "New Spirit." On June 19, 1920, the anniversary of slave emancipation in Texas, the McLennan County American Woodmen and the Forum sponsored the county's largest Emancipation Day festivities in fifteen years to celebrate both freedom from slavery and newly-won full suffrage in Waco. Attendees rejoiced in their recent successful strides for freedom. In a high school program, five hundred children sang "America," and orators read the Emancipation Proclamation. Other festivities included a grand street parade with a "progress" theme and free barbecue. The presence of successful Wacoan Jules Bledsoe, an opera singer in New York and nephew of R. L. Smith, only heightened the "New Spirit" at the celebration.<sup>31</sup>

The black community, with the ballot in hand, saw progress in the future. Their influence during the election had encouraged city leaders to respond to their needs, even after the polls closed. In May, 1920, the city began repairs to rain-damaged streets near East Waco schools. City officials also granted permission for the June 19<sup>th</sup> parade and appointed two black policemen for the day's celebration. By the end of the year, East Waco had seen some progress, including the formation of the Negro Harding and Coolidge Club, a new girls' dormitory at Paul Quinn College, and plans for a local

African-American branch of the Texas A & M college extension service and a new city-funded playground for black children. The Forum continued to push city officials for a new high school building and land allotment for an elderly and wayward girls' home. In December, blacks from East Waco won a suit against the city to prevent the use of land near their water well for a cemetery.<sup>32</sup>

Black militancy, plus a shortage in farm labor, however, frustrated the white community. Blacks continued to push racial boundaries. In July, 1920, a black woman, sitting in a streetcar's white section, did not move to the back when a white woman entered the car, as was the custom. When the white woman asked the streetcar driver to tell the black woman to move, he replied that a city ordinance prevented him from doing so, since other seats in the white section were available. The incident, unfortunately, brought the ordinance to the attention of city commissioners, who found that it contradicted state law, and changed it immediately to ensure strict segregation.<sup>33</sup>

A shortage of cotton pickers, due to black migration to the North, plus a drop in cotton prices increased whites' frustrations even more. To harvest the 1920 crop, county officials organized a campaign that encouraged city-dwellers to volunteer labor. Organizers used war-time rhetoric to encourage Wacoans to pick cotton. They publicized "pick-nics" on farms, where city-dwellers could lunch outside and spend a day "in the fresh air and sunshine. . . [in] patriotic service." The Chamber of Commerce shaped the campaign to make emergency farm labor a duty of local whites. They praised "four well-dressed women of Aryan descent, 100 per cent American and white as Castile soap [who] volunteered their services . . . to save the banner crop of the South." School principals even encouraged children to contribute labor by starting the school year two weeks late.<sup>34</sup>

The agricultural depression only increased the strength of radical movements in Texas, and fears that they might attract African Americans contributed to racial uneasiness. A strong Socialist movement, led by E. O. Meitzen and T. A. Hickey, had moved through Texas's rural areas before World War I. Hickey recruited new members by publicizing tenant farmers' plight in Meitzen's newspaper, *The Rebel*, in Hallettsville, Texas. Although the U. S. government shut the newspaper down during World War I, Meitzen continued to organize farmers. His son organized a chapter of the Nonpartisan League and established its headquarters in Waco during the war. In 1920, McLennan County had 3750 tenant farmers, of whom more than one thousand were black. Even though racism also divided the Socialist movement in Texas, conservative whites had associated Socialist organizations with violence and chaos and feared that radicals organizing black tenant farmers would threaten democracy and white supremacy.<sup>35</sup>

A rise in crime throughout the city, as reported by the *Waco Times Herald*, increased the fears of the white upper- and middle class because it reinforced impressions that society was becoming chaotic and that social controls were growing ineffective. Most white citizens blamed blacks in the "criminal class," and police arrested black men disproportionately for violating Prohibition laws. The police discovered several distilleries in East and South Waco, as well as in rural areas of the county. In one well-publicized case, two African-American undertakers were caught transporting alcohol in coffins that were supposed to be carrying soldiers who had died of influenza. The court sentenced them to ten months in jail and two thousand dollars in fines.<sup>36</sup>

Clearly, the progress achieved by blacks in the political arena in 1919 failed to bring equal treatment in the court system. Courts continued to sentence blacks to pay

higher fines and serve longer jail terms than whites who committed the same crime. Of those who violated the Volstead Act, the enforcement bill of Prohibition, blacks typically served up to ten months in jail and paid fines ranging from one hundred to two hundred dollars, whereas whites usually paid fines of fifty to one-hundred dollars and spent either no time or just a couple of months in jail cells.<sup>37</sup>

The newspaper also reported a higher incidence of black crimes against whites in the summer of 1920. In early June, for example, a black man allegedly attacked a little white girl in Bosqueville, near Waco. After catching the assailant, the police removed the suspect from the county. In a similar incident in Waco, a young boy hit a fourteen-year-old girl and was arrested. Police transported two other black males to an unnamed jail after arresting them for knifing a streetcar conductor. Adding to frustrations, the state Board of Pardons wrote to the sheriff about a black male prisoner who, in 1905, had been sentenced to one thousand and one years in the penitentiary by the McLennan County Court. The Board asked if the man should be pardoned because he had been a good prisoner. The sheriff disapproved of a pardon because the man had been convicted of the rape and attempted murder of a white woman. Within two weeks the prisoner escaped from prison but was caught soon after.<sup>38</sup>

In other cases, black-on-black crime and white-on-black crime continued to draw lesser sentences than black-on-white crime. For example, a white man shot and killed a black man in Sand Town, a poor, racially mixed section of Waco inhabited by mostly unskilled workers and vagrants. The court released him on a bond of one-thousand dollars, which he paid immediately. Police failed to investigate either the murder or why the man had such a large amount of cash with him at the time of his arrest. The alleged

murderer claimed he that shot in self-defense, and the police dropped all charges. This incident, however, failed to incite protest from the Forum or other politically active middle-class blacks. They probably saw the victim, a Sand Town inhabitant, as a lower-class outsider and possibly a criminal, and therefore avoided any association with such individuals who “dragged down the race.”<sup>39</sup>

Many whites joined social organizations that might help them reestablish a sense of social control. Veterans formed the Law and Order Legion to help the police department find and fight crime. Another group created the Waco Law and Order League, which pushed for enforcement of laws, such as Sunday blue laws and Prohibition. To discourage radical views, the mayor set aside the date of April 21, 1920, to celebrate American Day with parades that demonized Communist and Socialist activities. Waco formed a chapter of the United Americans, an organization which vowed to fight Socialism. The Y. W. C. A. and Y. M. C. A. planned a “Southern” municipal Christmas tree celebration that, according to the newspaper, harkened back to a “time when the darkies came to the big house, to exclaim ‘Christmas gift’ to ole massa and ole missis.” The *Times Herald* again reminded readers of days when racial boundaries were more defined. It printed an 1861 document, recently found at the courthouse, that established county patrols to look for “unlawful assemblages” of blacks. The article noted that the document “explained itself,” but added: “Some of our people who lived in the pre-war period will doubtless recall the old song with chorus, “Run, nigger, run, Patrol ‘ll git you.” Clearly, whites in Waco felt the loss of traditional Southern social order and longed to return to the racial controls of the past.<sup>40</sup>

The success of black political activism in Waco, best illustrated by *Sublett v.*

*Duke*, only strengthened the new post-war assertiveness of blacks, and gave hope that they could use their new political voice to improve their neighborhoods and schools. This push for change caused whites to push back to restore Southern social and racial control. A new version of an old organization, the Ku Klux Klan, arrived in Texas in late 1920 and provided an outlet for whites' frustrations. The organization's mere presence intimidated many blacks who remembered the days of Reconstruction or had heard stories of Klan violence from parents and grandparents. These stories lived in the oral traditions of the community, as did images of Jesse Washington's burned body hanging in front of city hall. African Americans knew that white Wacoans did not need such an organization to commit acts of racial violence, and that the Klan's presence would only make their road to justice and equality more difficult.<sup>41</sup>

## NOTES

1. Steven A. Reich, "Soldiers of Democracy: Black Texans and the Fight for Citizenship, 1917-1921," *Journal of American History* 82 (March 1996): 1494-1495; *Crisis* 16 (September 1918): 240; *Negro Year Book, 1918-1919*; *An Annual Encyclopedia of the Negro* (Tuskegee, Ala.: The Negro Year Book Publishing Company, Tuskegee Institute, 1919), 57, 60.
2. "Negroes Seek Court's Aid to Vote in Primary Election, February 18," *WTH*, 14 February 1919, 5; Gary Radford, "The History of the Black Man in Waco, Texas," 128.
3. "City Primary Will Be Held on February 18, Decides Committee," *WTH*, 3 January 1919, 8; *Louis M. Sublett, et al. v. E. L. Duke, et al.*, January term, 1919, case no. 25001, McLennan County, District Court, Office of the Clerk, Nineteenth Judicial Circuit, Waco, Tex.
4. "Judge Erwin Clark Holds Negroes May Vote in City Primary, Feb. 18th," *WTH*, 16 February 1919, 1; "Colored Citizens to Form Good Government Clubs," *WTH*, 26 January 1919, 12.
5. "Negroes Seek Court's Aid to Vote in Primary Election, February 18," *WTH*, 14 February 1919, 5; Robert Calvert and Arnoldo De Leon, *The History of Texas*, 2nd edition (Wheeling, Ill.: Harlan Davidson, Inc., 1996), 228; Doug Johnson, "George Clark," in *The Handbook of Texas Online* (Austin, Tex.: Texas State Historical Association, 1997, 1998, 1999), available at <http://www.tsha.utexas.edu/handbook/online.html>.
6. *Sublett, et al. v. Duke, et al.*, 2; Hine, *Black Victory*, 41-49. The Terrell election law of 1903 created the primary in Texas in an effort to stop the purchase of votes. Between 1903 and 1925, the law changed about every two years, restricting voter qualifications. The 1905 Terrell election law gave the county Democratic executive committees the power to establish voting qualifications, which allowed the disfranchisement of blacks. Although the law never addressed black voting specifically, its author intended the law to create a white primary. Politicians in several counties, however, permitted blacks to vote if it would help them be reelected. Not until 1923 did the Terrell election law specifically bar blacks from voting in primary elections.
7. *Sublett, et al. v. Duke, et al.*, 1-2.
8. *Ibid.*, 1-3.

9. Ibid., 4-8.

10. Ibid., 9.

11. "Judge Erwin Clark Holds Negroes May Vote in City Primary, Feb. 18," *WTH*, 16 February 1919, 1; "No Further Action Expected to Prohibit Negro Vote in Primary," *WTH*, 17 February 1919, 9.

12. "The Forum Met Last Tuesday Night," *Dallas Express*, 22 February 1919, 5 (hereafter cited as *DEX*); "Appeal Taken in Waco White Man's Primary Ruling," *DEX*, 22 February 1919, 5.

13. "Voters of Waco Had Polled 1613 Ballots Up to 2 This Afternoon," *WTH*, 18 February 1919, 11.

14. Quoted in "Leaders Negro Race Will Fight Any Attempt to Elect Negro Commissioner," *WTH*, 29 March 1919, 8.

15. "White Man's Primary Receives Knock Out in Waco," *DEX*, 22 February 1919, 1; *Negro Year Book*, 1918-1919, 62; Reich, "Soldiers of Democracy," 1503; Charles Flint Kellogg, *NAACP: A History of the National Association of the Advancement of Colored People* (Baltimore: The Johns Hopkins University Press, 1967), 292; Banks, "The Pursuit of Equality," 140-145.

16. "Meeting in Dallas of Political Soldiers," *DEX*, 22 March 1919, 8; "Knight-Daughters of Tabor to Hold Grand Session Here," *WTH*, 20 July 1919, 23.

17. Reich, "Soldiers of Democracy," 1499-1500; "Hobby's Reply," *WTH*, 23 August 1919, 1; Kellogg, *NAACP*, 239, 240-241; Hine, *Black Victory*, 46; Kellogg, *NAACP*, 239-241.

18. "Officers Save Negro Boy From Angry Citizens," *WTH*, 1 September 1919, 12; *Farm and Labor Journal*, 21 April 1921, 4 (hereafter cited as *F&L*).

19. Alwyn Barr, *Black Texans: A History of African Americans in Texas, 1528-1995* (Norman: University of Oklahoma Press, 1973), 144; Reich, "Soldiers of Democracy," 1498, 1503; Banks, "The Pursuit of Freedom," 47, 94. Banks interviewed both Rev. A. A. Lucas and W. L. Davis in 1959. Neither the *Waco Times Herald*, the *Waco News Tribune*, nor the *Dallas Express* reported any incidents of violence. Whitecapping is usually a planned action by a disguised mob whose intentions are to threaten or terrorize locals into complying with the mob's orders. The work of whitecappers includes various forms of intimidation such as signs warning undesirables to leave town, shooting randomly into someone's home, beating someone short of death, or tar-and-feathering someone.



20. "The 24th Annual Convocation Does Great Work," *The Helping Hand*, November, 1919, 1, box 1R68, FIS.
21. *Dallas Express*, 24 January 1920, 4; "McLennan's Voting Strength for 1920 Shows Total 13,441," *WTH*, 1 February 1920, 1.
22. "Invite Candidates for E. Waco Meeting," *WTH*, 3 February 1920, 12; "Negro Voters Hear Seekers of City Jobs," *WTH*, 4 February 1920, 3; "Another Wide Open Primary is Indicated; City Executive Committee Hasn't Ruled Negroes Out; No Contest in Site," *WTH*, 5 January 1921, 12.
23. U. S. Department of Commerce, Bureau of the Census, *Fourteenth Census of the United States Taken in the Year 1920*, 987, 989. According to the *Fourteenth Census of the United States*, Waco's black population in 1920 totaled 7,726. Waco's white population for the same year totaled 29,762. No data is available to record exact numbers of African-American voters in local primary elections between 1919 and 1921.
24. "No Joint Debate of Candidates Thursday Night," *WTH*, 25 February 1920, 3; "Duke Takes Issue With Statement Dr. H. F. Connally," *WTH*, 25 February 1922, 6; "Voters Catechism on Commissioners," *WTH*, 25 February 1920, 3.
25. "Duke Takes Issue With Statement Dr. H. F. Connally," *WTH*, 25 February 1922, 6; "Att'y Stribling Tells of Ruling by Judge Clark," *WTH*, 27 February 1920, 4; "Hamilton Causes Blaze When He Interrupts Meeting," *WTH*, 27 February 1920, 8; "Judge Clark's Statement Makes Plain to Those Who May Vote in Coming Primary," *WTH*, 29 February 1920, 3.
26. Quoted in "Real Democrats," *WTH*, 27 February 1920, 4, and in "Evans Encourages Negroes to Vote," *WTH*, 1 March 1920, 12.
27. "The Evidence is In," *WTH*, 29 February 1920, 22; "Cockcroft, Lemke, and Coffman Commissioners," *WTH*, 3 March 1920, 12; "Att'y Stribling Tells of Ruling by Judge Clark," *WTH*, 27 February 1920, 4; "Evans Encourages Negroes to Vote," *WTH*, 1 March 1920, 12.
28. "Green-McCarthy Rally to Be Held in Waco," *DEX*, 3 April 1920, 1; *DEX*, 6 May 1920, 7; "Force Green-McCarthy Delegation to Hold Convention Outside the Hall," *DEX*, 15 May 1920, 1; *DEX*, 22 May 1920, 8; "Republicans Hold Split State Convention in San Antonio," *DEX*, 29 May 1920, 1; "Republicans Split in County Convention," *WTH*, 4 May 1920, 4; "Negroes Bolt in G. O. P. Meet at M'Gregor," *WTH*, 9 May 1920, 3; *Houston Informer*, 9 May 1920, 2.
29. Hine, *Black Victory*, 59-61.
30. *Ibid.*; "Houston Negroes Fight for Primary Recognition," *DEX*, 19 February 1921, 1.

31. "The New Old Spirit" *DEX*, 5 June 1920; *DEX*, 29 May 1920, 8; "June 19th," *DEX*, 19 June 1920, 5; "Negroes County Unite For Union Observance 19th," *WTH*, 10 June 1920, 8; "M'Lennan G. O. P. Harmonious in Session Today," *WTH*, 31 July 1920, 3.

32. "Paul Quinn College to Have New Building in Near Future," *WTH*, 9 September 1920, 11; "Negroes Plan to Put on County Work During Coming Year," *WTH*, 21 December 1920, 6; "Mayor of Waco Dedicates a Play Ground For Negroes," *DEX*, 23 December 1920, 2; "Negroes Will Make Request for a New High School," *WTH*, 3 February 1921, 3; "Negroes Would Have Texas Rescue Home for Race Located Here," *WTH*, 4 February 1921, 5; "City Lost in Final Judgement in Case Involving Cemetery," *WTH*, 21 December 1920, 13.

33. "City Ordinance is in Conflict with State Law," *WTH*, 11 July 1920, 4.

34. "Pledged to Cut Cotton Acreage A Third in 1921," *WTH*, 17 November 1920, 14; "Wacoans Go On 'Pick-nics to Cotton Fields,'" *WTH*, 13 September 1920, 1; "Goodman Would Have Opening City Schools Deferred 2 Weeks," *WTH*, 17 September 1920, 6.

35. "Union of U. S. Negroes With Reds Urged Before Moscow Soviet Meeting," *WTH*, 26 November 1920, 1; Nancy MacLean, *Behind the Mask of Chivalry: The Making of the Second Ku Klux Klan* (New York: Oxford University Press, 1994), 130, 140; James R. Green, *Grass-Roots Socialism: Radical Movements in the Southwest, 1895-1943* (Baton Rouge: Louisiana University Press, 1978), 138, 397; "Riots ensue in Omaha," *WTH*, 2 October 1919, 1; "Fifty soldiers in fight with blacks in Elaine," *WTH*, 3 October 1919, 1; "Organization Planned Negro Insurrection," *WTH*, 4 October 1919, 1; Neil Foley, *The White Scourge: Mexicans, Blacks, and Poor Whites in Texas Cotton Culture* (Berkeley: University of California Press, 1997), 94-96, 116; Harvard Census Data, online at [fisher.lib.virginia.edu/cgi-local/censusbin/census/cen.pl](http://fisher.lib.virginia.edu/cgi-local/censusbin/census/cen.pl). For more information on T. A. Hickey and *The Rebel*, see Stephen M. Ellis, "The First Amendment on Trial in Texas During World War I: The Espionage Act, Albert Sidney Burleson, and the Hallettsville *Rebel*" (Master's thesis, Southwest Texas State University, 1997). According to newspaper accounts, in October, 1919, members of the "secret" Progressive Farmers and Household Union, a black organization with rumored Socialist leanings, in Elaine, Arkansas, shot at law officers who were eavesdropping outside the union's meeting. A riot ensued, leaving five whites and "scores" of blacks dead. Authorities believed that law officers had uncovered a planned "armed uprising," because the union had stockpiled a large number of weapons.

36. "Rum by Any Name Has Same Whiff," *WTH*, 21 December 1920, 13; "Sheriff's Dept. Takes Charge Distillery So 12th Street Road," *WTH*, 22 May 1920, 3; "The Stiff that Spiritualized in Transit," *WTH*, 7 January 1919, 2.

37. For evidence of unequal sentences and fines for violation of the Volstead Act, see, for example, the cases reported in "Hooch Hunt Around Waco Net Five Men," *WTH*, 1 April 1921, 1, and *DEX*, 11 March 1920, 7.

38. "Posse Searched for Negro Who Attacked Little White Girl Near Bosqueville," *WTH*, 2 June 1920, 1; "Negro Suspect Taken in Charge by Sheriff's Dept.," *WTH*, 3 June 1920, 5; "Negro Boy Says Hit White Girl, Tells of Attack," *WTH*, 4 June 1920, 5; "Negroes Held for Murder Assault in Cutting Case," *WTH*, 22 June 1920, 7; "Board of Pardons Letter Recalls Notable Case," *WTH*, 9 July 1920, 16; "Negro Convict Escapes From the State Farm," *WTH*, 23 July 1920, 1; "National Crime Wave Felt Here Last Night," *WTH*, 19 December 1920, 3.

39. "Sand Town Shooting Results Fatally," *WTH*, 12 March 1921, 3. Evidence of unequal treatment of African Americans in McLennan County courts is scattered throughout numerous newspaper reports in 1920 and 1921.

40. "No Place in America For Radicals, Declare Patriotic Wacoans," *WTH*, 2 May 1920, 4; "American Day," *WTH*, 21 April 1920, 3; "Law and Order Legion Ready," *WTH*, 19 December 1920, 1; "Law and Order League is Formed," *WTH*, 4 February 1921, 1; "Eloquent Speakers Preach Doctrine That Will Quell Anarchy and Rebellion," *WTH*, 16 January 1920, 10; "Law and Order League Fights Sunday Movies," *WTH*, 7 March 1921, 5; "Typical of the South, Big Event Here Christmas Eve," *WTH*, 23 December 1920, 1; "Document That Recalls Slave Days in Texas," *WTH*, 8 July 1920, 12.

41. Carrigan, "Between South and West," 177. For more information on Reconstruction violence in Texas, see Rebecca Kosary, "Regression to Barbarism in Reconstruction Texas: An Analysis of White Violence Against African-Americans From the Texas Freedmen's Bureau Records, 1865-1868" (Master's thesis, Southwest Texas State University, 1999).

### CHAPTER III

#### “100 PER-CENT AMERICANISM”: THE KU KLUX KLAN AND THE RETURN OF THE WHITE PRIMARY

In 1920, the Invisible Empire came to Texas and spread through both urban and rural areas. The organization built its post-World War tenets on common racial, religious, and cultural prejudices, and, by doing so, it attracted many mainstream middle-class white Protestants. The moralistic fervor that had driven many progressive reform movements and defined the patriotism of the war combined with the vigilante spirit that had prevailed so long in the South to shape Klan activism in the state. In Waco, membership included respected businessmen, government officials, and professionals, all white Protestant men who joined for several different reasons. Some felt a responsibility to enforce moral standards against drinking, using drugs, and prostitution in order to protect society. Others found the social atmosphere and business connections of the organization appealing. Finally, others sensed that society was growing more chaotic in the face of increased crime, labor unrest, women's greater sexual freedom, the “New Negro Spirit,” and greater black political activism. They joined the KKK, the organization that their fathers and grandfathers used to recapture the South after the Civil War, to reestablish that sense of control.<sup>1</sup>

The new Klan, a secret, fraternal-type society that was formed in 1915 in Atlanta, Georgia, drew on nativist, anti-Semitic, anti-Catholic, racist beliefs—common attitudes

of contemporary whites—and promised to safeguard the sexual purity and traditional social role of women. The organization's growth remained moderate until after the Great War, when feelings of disillusionment, the Red Scare, and fear of losing racial and social control swept the United States. After a national crimewave and the tumultuous Red Summer of 1919, the Klan portrayed themselves as protectors of constitutional law and moral order. They added lawbreakers, such as bootleggers and wife-beaters, to their list of enemies, which included blacks, immigrants, Jews, and Catholics. Texans established their first chapter, or klavern, of the new Klan in Houston in September of 1920, called Sam Houston Klan No. 1. In a ripe environment, klaverns spread quickly across the state. In late 1920, Dallas residents joined No. 66.<sup>2</sup>

When the KKK first came to Waco to form Saxet No. 33 is not known because of the organization's secretive nature. Evidence suggests, however, that the group established itself in early February of 1921, prior to the upcoming local primary. Often Klan organizers used other secretive societies, such as the Masons, to recruit members. On February 3, H. Thomas, grand senior warden of the Masonic grand lodge, and Dr. Hiram W. Evans, another Mason, both of Dallas, met with their fraternal brothers in Waco to discuss, according to the local newspaper, the formation of a new Masonic organization. After this meeting, the new group signed up four hundred new members. By the end of the year, Dr. Evans had worked his way up to the top of Texas's Klan hierarchy. On February 16, an editorial appeared in a local newspaper entitled "Race pride is Essential," which quoted scripture and emphasized the need for whites to maintain racial control. The new Klan had reached Waco.<sup>3</sup>

Houston's Klan No. 1 heralded its presence by marching through the city in

October of 1920, and Dallas's White Knights sent an ominous note to the *Dallas Express* in February of 1921, and held their own parade in May. In June of 1921, the Saxet No. 33 made its presence known in Waco, not by parade or newspaper notice, but by its first violent act. In the early morning hours of June 7, 1921, masked men assaulted and attempted to kidnap Kennedy Cummings, a white man who had been warned by the Klan to leave town for selling dope to Baylor University students. The masked men left Cummings in the street after they were fired upon by Cummings's wife. A month later, however, the masked men successfully kidnapped Cummings, tarred and feathered him, and dumped him in front of City Hall with a sign that read, "This is a sample—evil doers and pro-Germans beware—100 per cent Americans. Ku Klux Klan." Later that day, police officers arrested four men for whitecapping, a felony, but they also charged Cummings and his wife with vagrancy and disturbing the peace.<sup>4</sup>

The fate of Cummings's assailants revealed the popularity of the Klan in Waco. Three of the four men arrested, W. L. Edmond, Bowden Hays Jr., and O. D. Reed, "made no protest" as to their connection with the kidnapping. The fourth, George Jackson, a city detective, denied any involvement, and was later set free. The court released each of the alleged attackers on a bond of one thousand dollars, which was quickly paid, thanks to supporters. Many whites applauded the whitecappers' extra-legal action to fight crime, evidenced by the overwhelming number of donations to keep the men out of jail while waiting for trial. As the *Waco Times Herald* reported, "Following the announcement of the court's decision in the case there was a rush among prominent citizens of the city to go on the bond of the men. Never has there been such united effort on the part of the citizens of the community to go on the bond of any person." This united effort consisted

of 101 men, including doctors, lawyers, bankers, ministers, businessmen, and two Confederate veterans, all of whom fully supported the whitecapping. The defendants' attorneys, former judge Erwin J. Clark and C. S. Farmer, also contributed to the bond. Undoubtedly the one-hundred "generous" men included several Klansmen. Both Kennedy Cummings and his wife, Ruth, pleaded guilty to vagrancy charges and paid fines of \$150 each. Soon after, they left Waco. Without Cummings to testify in court, the district attorney dropped the charges against the whitecappers.<sup>5</sup>

Although this Klan attack was the first one reported in Waco, it probably was not the first warning issued by the organization. Newspapers rarely reported such incidents when the victim was black, especially if the police did not file a report. History in Waco had taught many local African Americans that law enforcement could not be counted on for justice, so often they did not even bother calling the police. And blacks had been victims of Klan-instigated crime elsewhere in the state, crime that was designed primarily to punish alleged race mixing. In April, 1921, masked men burned the letters "KKK" into a Dallas bell boy's forehead for inappropriate contact with a white woman. In June, men whipped a black man for improper proposals toward a white female, and made him walk through the main street of Belton, about 45 miles south of Waco, with a sign that read, "Whipped by the Ku Klux Klan." The threat of local violence was clear.<sup>6</sup>

The threat of violence to local blacks became even clearer when the *Waco Times Herald* reported two Klan warnings received by Adeline Weaver and her tenant, John Titus, both African American, demanding that they leave town. Both messages arrived in the same envelope, hand-delivered by an unknown white man, and were signed "KKK." The warning to Titus stated, "We have heard that you have had some slack talk, so get

out at once.” In this case, the meaning of “slack talk” is not clear. During the war, slack talk referred to inflammatory remarks against the United States, but the phrase might have implied that Titus was an activist among local blacks. The warning to Weaver read, “You must sell out. This is a warning to the negro homeowners. Get Busy.” For several years, she had lived in her home in East Waco, which she and her brothers had inherited from their father. The previous owner, Hill Brothers and Company, and her father had agreed on terms to pay off the property, and Weaver complied until she believed she had paid off the debt. The previous owner disagreed, however, and demanded further payment. When Weaver refused, Hill Brothers and Company sued her in a lengthy case, beginning in July, 1921, and ending in November. She stayed in her home until defeated in court. The Hill Brothers and Company purchased the property in a court-mandated auction in early January, 1922. Since the Klan sent the warning during the proceedings, they meant to scare her into giving up her land. Clearly, this warning was intended to intimidate the most economically independent and politically active class in the African-American community.<sup>7</sup>

The Klan used parades as another form of intimidation specifically directed at black activism. Several state KKK officials utilized parades to announce a new “konklave” and to “make [blacks] more amenable to influence when voting time came.” Black townspeople of Mart, in the east corner of McLennan County, witnessed a hooded, robed procession down their main street. Waco Klansmen joined their local brothers to send a more impressive, ominous signal to Mart's black voters.<sup>8</sup>

Several weeks later, on October 1, 1921, another parade, in rural Lorena, fifteen miles south of Waco, led to a small riot between county law enforcement officials and



Waco Klansmen and ended with fatalities. Klansmen originally wanted to parade in Waco, but Sheriff Bob Buchanan denied their request for a permit. Word of the well-publicized Lorena event spread through notices tacked on telegraph and telephone poles. Hundreds of county residents arrived in full regalia of robes, flags, and a cross, and spectators lit the road with their headlights. Sheriff Buchanan and his deputies, I. Mack Wood and M. Burton, again tried to stop the procession, but a scuffle ensued.<sup>9</sup>

Eye-witness accounts of what actually ignited the brawl and who started the violence present conflicting stories. The newspapers reported one eye-witness's version that Sheriff Buchanan provoked the battle by ripping the hood off the parade's flag bearer, a prominent Waco businessman whose name is unknown. Guy B. Harrison, Jr., who was a Baylor History professor, World War I veteran, and a Knight in the Invisible Empire, recalled that the Klansmen, when asked by Buchanan to remove their masks, took off their masks themselves, but still were not allowed to march. Frustration then led the flag bearer to "crack down on the head of the sheriff with the flagstaff," a blow that knocked the sheriff to the ground. Harrison's uncle, Louis Crow, a Wacoan spectator who reportedly always wore a white suit, ran to the law officer's aid. Buchanan mistook Crow for a Klansman and stabbed him, and then began shooting, "firing as fast as he could fire." Then, according to Harrison, "he slashed another Klansman, who was a local police officer, across the stomach, completely disemboweled him, his insides fell out on the street." As the commotion ended, Klansmen immediately "disrobed, unmasked, and disappeared," leaving ten men injured, four severely. Ed Howard, the police officer, had suffered a stab wound in the stomach. Carl West of Lorena had been shot in the neck, and Louis Crow had been fatally stabbed in the right breast. Sheriff Buchanan suffered

bullet wounds in his right leg and right lung.<sup>10</sup>

The next day, more than a hundred Lorena citizens filed complaints against the sheriff and deputy sheriff Burton, but County Attorney Frank Tirey refused to accept them. He decided to call for a grand jury to investigate. The most vocal support for action against Buchanan and Burton came from Klan supporters. Town leaders of Lorena delivered to Tirey a petition signed by more than three hundred men and women who blamed Buchanan, complaining that they had wanted merely to see the parade and that he put their lives in danger. After reviewing the evidence and testimony of seventy-five witnesses, the grand jury condemned the methods used by the sheriff's department but did not pass a bill of indictment.<sup>11</sup>

In response to numerous acts of violence and intimidation in Texas, Anti-Klan organizations and groups formed in an attempt to counter Klan activity. Middle-class black leaders and sympathetic whites created inter-racial commissions to "formulate better feelings between the two races." The movement originally began in Atlanta as a response to race riots there and in other areas of the South. In Texas, Houston's Civic Betterment League, formed in 1918, and Dallas's Civic Inter-Racial Committee, formed in either late 1920 or early 1921. In Waco, the Pastor's Association and "prominent citizens of the colored race" formed the McLennan County Inter-Racial Commission at the time of the trial of Cummings's whitecappers.<sup>12</sup>

But many whites opposed the Klan for taking the law into its own hands and for the national organization's anti-Catholic and anti-Jewish stance, not for threatening blacks or flogging drug dealers. Consequently, few white citizens joined the Inter-Racial Commission. Instead, many prominent leaders joined the "Anti-Klan" or the McLennan

County Citizens' League. Over eighty people, including Chief of Police W. H. Jenkins, State Representative Edgar E. Witt, business leaders W. W. Woodson, W. M. Sleeper, and Asher Sanger, and Joe McNamara, a prominent Catholic attorney, signed a petition condemning the Klan. Former Wacoan Tom McCullough and C. O. Calloway, an instructor at Baylor University, spoke publicly against the need for the new Klan and attributed social disorder to the organization.<sup>13</sup>

What came to be known as the Lorena riot forced political and civic leaders to question whether the Ku Klux Klan was beneficial or detrimental to society and whether it should be allowed to parade. Immediately following the incident, Klansmen paraded through Longview, Minola, and Grand Prairie, Texas. The Mayor of Cameron and law officers of Laredo and Sherman, however, denied permits to the masked organization. The Texas Chamber of Commerce denounced the organization and called upon the state and federal government for a resolution to denounce the Klan. The *Chicago Defender* prodded the national government for action, comparing the new KKK to the Confederacy. The newspaper complained that Lorena had surrendered like "Sumter in the sixties," and that "the much vilified Ku Klux Klan has won what is alleged to be the first storm attack on the laws of the Union." The U.S. Senate, which at the time of the riot was holding hearings into the finances of the secret society, questioned Imperial Wizard William J. Simmons about the incident. Simmons responded that he knew little more than what the newspapers reported, but he suggested that the sheriff was at fault. The Senate committee, satisfied with his answer, moved on to other subjects. After a week of hearing testimony, the committee dropped the entire investigation.<sup>14</sup>

Texas newspapermen would not afford Governor Pat Neff the same luxury. They

had questioned his stand on the Klan for months, but violence involving his fellow Wacoans made the need for a firm response more urgent. In August, 1921, he had asked the state legislature to consider the legality of a “secret organization” that masked itself to “inflict punishment on persons against whom no legal complaint has been filed,” but this did not satisfy his critics. The anti-mask bill failed, and the supporters of the bill blamed Neff for not condemning the Klan specifically. After the Lorena riot, he avoided questions on the matter, except to offer District Attorney Frank Tirey civil and military aid in his investigation of the riot. Tirey declined the offer. On October 22, Neff spoke at the Texas Cotton Palace Exposition in his hometown, but never alluded to the recent troubles.<sup>15</sup>

Instead, Neff only questioned his attorney general, W. A. Keeling, as to the legality of masked parades. Keeling responded with a fourteen-page opinion that any persons who used threats or violence to improve morality violated the U. S. Constitution, and that all parties with knowledge of such illegal acts or “the general purpose to do illegal acts” shared in the guilt. Keeling found that masked parades were illegal, “where such parade is a part of and in furtherance of a purpose to do some act which would be in violation of the law.” Neff publicly supported the attorney general's opinion and instructed law officers to enforce it.<sup>16</sup>

In Waco, former District Judge Erwin J. Clark publicly criticized the ruling. First, he questioned Keeling's power to make law, stating that the attorney general's office is an executive position, and not part of the legislative or judicial branches. Second, Clark criticized the opinion as too broad, pointing out that it could apply to many organizations. Finally, he defended the Ku Klux Klan, explaining that the society was primarily a

patriotic one that believed in “the conservation of our government in its pristine form.” He stressed that every member took an oath to “preserve the government at all hazard, to enforce the laws of this country, and to furnish every aid . . . to [law] officers.” Clark, therefore, insisted that the Klan had the right to assemble for “a peaceful parade as a public announcement of the existence of such an organization in the community.”<sup>17</sup>

Now in private practice, Clark’s opinion probably meant little to state officials, least of all Attorney General Keeling. To Klansmen, however, Clark’s defense gave them the legal rationale to continue parades and still be within the law. This appearance of legitimacy reinforced the organization’s desired public image.

Clark joined the secret society around this time, but had been associated with it ever since he had represented the three masked whitecappers in the Cummings case. During that trial, he had received a threatening letter through the slot in his office door. This letter identified him as a Klan leader and warned him to leave Texas within thirty days or “we will plant you.” It was signed, “XXX, Anti Klan of Texas.” The *Dallas Morning News*, the *Chicago Defender*, and every Waco newspaper printed the letter, along with Clark’s refusal to leave the city and his denial that he belonged to the organization. According to Clark, he eventually joined because, during a brief stint in the Army, he saw “conditions” that made him see the Klan as “essential for the welfare of this country at this time.”<sup>18</sup>

Because Clark believed in what the organization stood for, he represented Louis Crow’s widow in a suit for fifty thousand dollars in damages against Sheriff Buchanan and his deputies. Beginning in November, 1921, the civil suit exhausted everyone involved. After two changes of venue and several attempts to find an impartial jury, the

case had not yet gone to trial by May. The case eventually lost the newspaper's interest, and the matter dropped out of the media. The plaintiff dropped the case in July, 1922, when Clark resigned as counsel for personal reasons.<sup>19</sup>

Clark's legal expertise helped him rise quickly in the Texas Klan's ranks. He became the chief of the local Klan committee, the executive committee of the local organization, and the grand kludd, which acted like the chaplain. By January, 1922, Dr. Hiram Evans, grand dragon of Texas, had appointed him to the office of great titan of Province No. 3, which encompassed more than thirty counties, including McLennan. In May, Clark accepted a newly-created position of grand counsel of Texas, handling all legal matters for the organization in the state.<sup>20</sup>

Under Clark, local membership grew rapidly. The Klan's "100 per-cent American" objectives appealed to Waco's dominant Southern white Protestant population. And the "New Negro Spirit" pushed many others to seek refuge in the white supremacist organization that their fathers and grandfathers had belonged to during Reconstruction. The Lorena incident convinced men such as Guy Harrison, who witnessed the sheriff attack his uncle, that joining was simply "doing the right thing." In early December, 1922, a KKK newspaper estimated that fifteen thousand members assembled to hear Governor Neff deliver an address in Waco. On Christmas Eve, Saxet No. 33 initiated two hundred new members. A couple of weeks before the next city primary in February, over nine hundred took the secret oath, while two hundred and fifty others who could not fit into the building had to be turned away. After this, the local order held large initiations on farms outside the city.<sup>21</sup>

Favorable media coverage of the local Klan organization also contributed to its

growth. Beginning in July, 1921, area newspapers often printed stories of Klan philanthropy on the front page. Widows, orphans, and families who experienced hard times due to illness or injury received both cash and bags of groceries with a sympathy letter signed by the Ku Klux Klan. The number of “gifts” increased during the Christmas holidays, although not all donations were accepted. The Methodist Orphanage Home declined fifty caps for boys because it opposed the secret society. Other organizations gladly accepted offers, such as a piano donated to the Bell’s Hill Mother’s Club, an automobile given to the Child Welfare League, and a United States flag given as a good will gesture to the Boy Scouts. By giving to these patriotic and social welfare societies, the Klan countered negative publicity with images of charity to respectable associations.<sup>22</sup>

Clark and other KKK officials kept track of charity prospects and legal or “moral” criminals through an elaborate spy system. For example, when hearing rumors of a laid-off father or a cheating husband, the head of the ko klan committee, Erwin Clark, would choose “one of his neighbors, someone who knew him well, . . . to watch him from day to day . . . and render reports.” The committee had access to private telephone conversations and telegrams. If a family breadwinner lost his job due to no fault of his own, the Klan offered assistance. If the spy system found the man to be lazy or a labor agitator, however, committee members “worked him over.” Clark used espionage to prevent class disorder as well. For example, when Clark’s spies heard a rumor that local Mexican workers were planning to rob area banks to fund an uprising, they sent a prominent, popular member “of that class” to report back until the alleged crisis passed. Although espionage and violence were an intricate part of the local organization, Clark

claimed that 90 percent of Klan membership had no direct knowledge of such activities.<sup>23</sup>

On the other hand, every Klansman practiced vocational klanishness. This meant that Klansmen patronized businesses owned by fellow members, who displayed a white card with black bars across it in an “unobtrusive place that would catch a Klansman's eye.” This provided the organization a measure of economic power within the city. Not only did it help connected businessmen, but also the guaranteed clientele provided an added incentive to join and maintain membership. As one member recalled, “I wouldn't go to a barbershop, or any other place, that didn't have a Klan card visible somewhere.” This economic power, however, forced many to join to avoid going out of business, or could be used to push competitors out of the city.<sup>24</sup>

Regardless of size and strength, the Klan's presence did not deter crime in the city, but created an atmosphere more conducive to the mob mentality. On December 1, 1921, S. L. Connally, a Katy Railroad watchman, was found shot in the neck. Before he died, he told police that three black men shot him in an attempted robbery when they found that he was without money. By the next morning, nine black men had been arrested, three of whom—George Kilbrough and Elijah and Jake Graves—confessed a few days later. Chief of Police Lee Jenkins quickly moved the suspects to a Dallas jail, knowing that the high-profile case enraged white townspeople. As expected, a mob came for the suspects and searched the jail, but found the suspects' cell empty and soon dispersed. In all probability, unrobed Klansmen had joined that mob. On December 11, Connally's widow received more than a hundred dollars from the organization to help her pay for the funeral.<sup>25</sup>

On December 14, 1921, Waco police faced another mob, this time demanding



“Curley” Hackney, a white man charged with assaulting a nine-year-old girl. After searching the jail three times, they found him in cell no. 4, “the negro cell.” The girl's stepfather, followed by several hundred men, drove Hackney three miles outside of South Waco, traditionally the black and poor white side of town, where they hanged and shot him.<sup>26</sup>

Although Hackney was white, his treatment suggests that the police and the mob perceived him as less than white. The type of crime fit white stereotypes of those committed by black males, and numerous blacks had been lynched in Texas for the same charge. Law officers may have underestimated the mob's determination. This may account for their decision not to move Hackney out of the county, as they did with the Connally murder suspects. And his placement in a segregated cell and his death three miles outside a black neighborhood illustrate that those responsible for his death viewed him as less than white. But Hackney was not black either. Newspapers did not use words like “brute,” “savage,” or “animal” to describe him or his crime. Instead, the paper humanized Hackney by mentioning his middle-class parents, his crippled hip, and his quiet, almost repentant confession.<sup>27</sup>

Several prominent locals criticized the lynching. They saw it as a sign that the mob spirit was growing, caused by a lack of respect for the law. District Judge J. P. Alexander, in a speech to the McLennan County Bar Association, condemned members of the mob as well as law officials who did not protect the prisoner. He stated, “If we stood inactive and silent in the face of open and unmasked defiance of the law and the courts and officers whom we pay to protect us, how can we expect to retain that protection?” District Judge Richard I. Munroe agreed with Alexander's sentiments and

ordered a grand jury investigation of the mob. City Commissioner J. A. Lemke offered resolutions to remove four policemen, including Chief Lee Jenkins, for lack of public confidence. Mayor Ben Richards disagreed, however, and asked the commissioners to conduct their own investigation. The grand jury failed to indict members of the mob, stating that the lynchers had come from out of town and, consequently, could not be identified. The commissioners' investigation found that the law officers did everything possible to prevent the lynching and were not at fault.<sup>28</sup>

Because of the reactions of Munroe and others, District Attorney Frank Tirey and Sheriff Buchanan felt pressure to prevent another lynching. With the Connally murder trial only two weeks after Hackney's death, Tirey requested Governor Neff to send Texas Rangers to protect the three black suspects day and night. The court found them guilty and sentenced them to be executed. The protection of the Texas Rangers kept them out of the mob's noose so they could die in a noose provided by the state.<sup>29</sup>

On February 13, 1922, another brutal crime astonished the citizens of Waco and increased popular appeal for the Klan's extra-legal justice. In Concord, a rural village outside the city, a four-year-old white girl, Willie Lou Barker, witnessed the ax murder of her mother and a neighbor boy who came to investigate the commotion. Willie Lou described the assailants to police, who also found her father murdered in the parking lot of his store. "They looked like Mexicans," she said, "but talked like niggers."<sup>30</sup>

Based on Willie Lou's statement, police arrested three white men, seven black men, nine Mexican men, and one black woman. Governor Neff issued a proclamation offering a reward of two hundred and fifty dollars for the murderers' conviction. The local klavern quickly matched that amount. On February 21, the newspaper reported that

two African-American men, Benny Young and Cooper Johnson, had confessed to the triple murder and were removed from the county by police. By this time, the reward had reached more than one thousand dollars.<sup>31</sup>

The case had inflamed public emotions, raising the possibility of another lynching. Again, District Attorney Tirey asked Governor Neff for Texas Rangers to maintain order at the trial. Tirey based his prosecution on a bloody shirt and an ax found at one defendant's residence, and on both defendants' confessions. The defendants' attorneys offered alibis for both men, confirmed by witnesses, and raised questions about the so-called confessions. Both Cooper and Johnson claimed that officer Leslie Stegall had threatened Ku Klux action if they did not confess to the crimes. Two all-white juries dismissed such claims, however, and found both men guilty. They gave Young a life sentence for the neighbor's murder and sentenced Johnson to death for murdering the Barkers.<sup>32</sup>

But time proved that Cooper and Young were innocent, and that they had probably told the truth about their coerced confessions. In July, 1922, officer Stegall ran as the Klan candidate in McLennan County's Democratic primary. A year later, Roy Mitchell, another black man convicted of a separate crime, confessed to the Concord murders and five other killings in Texas before he was executed, but it was too late for Cooper, who was executed before Mitchell confessed. Despite Mitchell's confession, law officers denied any wrong doing, and disputed the innocence of Cooper and Young, stating that they believed that Cooper and Young had helped Mitchell with the murders.<sup>33</sup>

The rash of high-profile crimes that hit Waco, the Hackney lynching, and the Klan's growing popularity had an obvious effect on race relations. Any lynching

whatsoever brought back memories of Jesse Washington's brutal death in 1916, and "souvenirs" from that lynching, such as fingers, teeth, and chain links, still circulated as reminders of Waco's capacity for violence. The cooperative atmosphere created during World War I had vanished, and blacks were now dependent on a more accommodating relationship with whites than the one in 1919 and 1920. R. L. Smith and other African-American leaders, under tremendous pressure to distance themselves from the lower and "more criminal" class, supported law and order leagues in response to reports of black crime. Accommodation encouraged the self-help philosophy advocated by Smith in his Farmers' Improvement Society. Fewer blacks now voiced East and South Waco concerns to the city government. Flood control and playground projects stayed unfinished. City officials stopped making public appearances and good will gestures in the black communities because Klan intimidation had greatly diminished the voting strength of those communities.<sup>34</sup>

In 1921, with the city primary looming, the city democratic executive committee took the only action legally available to control the black vote. It redrew the voting ward lines to include ten sections, instead of the previously established six. This also changed the location of several polling places and allowed for extra election judges to monitor polling places more carefully than in previous years. Whether pressure on the committee left over from 1920, the influence of the recently formed Klan, or a combination of both demanded these changes is unknown. The extra precautions proved unnecessary; every race went uncontested and few Wacoans, even whites, voted.<sup>35</sup>

This election foreshadowed a year of lessened African-American political activity in the face of a growing Ku Klux Klan threat. The racial progress made in 1920,

although slight, gave the black community hope for greater equality in the future, but 1921 failed to meet their expectations. Even though the Forum still existed, Waco's NAACP chapter had disbanded, leaving the local community without ties to a larger national movement. In 1920, city officials agreed to fund a playground for the black elementary school, but they only allotted enough money to buy the land. In 1921, the African-American community had to purchase their own playground equipment, unlike the white schools. Also, the city had not yet repaired the streets leading to the school. As the white supremacist Klan grew, demands that city officials address black community issues grew milder and more infrequent.<sup>36</sup>

The "New Negro" spirit, although quieted, still survived if only to retain the gains that had been achieved in 1919. When African-American veterans of World War I were not allowed to attend a disabled veterans conference held at a Waco hotel in May, 1922, they protested in black newspapers. R. D. Evans continued to work for voting rights through court appeals of Houston's *Love v. Griffith*, and became president of the Independent Negro Voters' League, which spread through the area after its establishment in Dallas in 1922. Amidst a relative racial calm between lynchings and trials, L. M. Sublett and other leaders attempted in January, 1922, to encourage voting among blacks, a right won earlier in Judge Erwin Clark's court. They held a mass meeting to reiterate the importance of paying poll taxes. Newspapers did not report any other black political activities, such as rallies, before the elections in February or April, during the height of the Barker murder investigation and trial. If such activity did occur, leaders refrained from mass publicity, probably out of concern for safety.<sup>37</sup>

In both the primary and the general election of 1922, however, the right to vote

remained open to African Americans in Waco, due in part to Erwin Clark's influence in the Klan. Appointed Great Titan of Province No. 3 in January, 1922, Clark had considerable power over his home klavern. Clark disagreed with other state KKK leaders about the focus of the organization's militancy, insisting that the Klan should not try to restrict the political power of blacks. In a Houston meeting, Hiram Evans of Dallas and H. C. McCall, great titan of the Houston province, had endorsed the use of floggings and tar and feather "parties" to discourage black voters. McCall argued that "the best way to put the fear of God into the negroes was to take them out and work them over occasionally." "If we did not do that," he continued, "the negroes might attempt to dominate our primaries." Clark stood by his 1919 *Sublett v. Duke* decision, however, and refused to support any movement to disenfranchise blacks. He explained his position to McCall, insisting that "the negro has as much right to vote as a white man."<sup>38</sup>

Consequently, McLennan County Citizens' League members and anti-Klansmen monitored the African-American polling places to ensure that blacks would go to the polls, but blacks' voting strength had weakened too much to pose a threat to Klan candidates in the elections of 1922. In the city Democratic primary in February, Commissioner J. A. Lemke, who spoke out against the Hackney lynching, challenged incumbent Ben Richards for Mayor. Lemke tried to swing the election by gaining the black and white anti-mob vote. He advocated the civil improvements in East and South Waco that had been promised in 1920—better drainage and better schools. Whether Richards, who did not even campaign but won the primary, did or did not belong to the Klan is unclear. His son, however, had joined in Dallas and ran Earle Mayfield's campaign for the U.S. Senate—the Klan's official candidate in July's general elections.<sup>39</sup>

The Klan's voting strength grew rapidly before the local general election in April. At least a thousand people joined the organization on February 16 and March 5, 1922. On February 17, twenty-seven interurban cars brought robed members from Central Texas to Fort Worth for a parade of eight thousand Klansmen. The growth in numbers made greater political control possible. Clark stated later that he and other Klan leaders "attempted to create political machines which [they] dominated, and the order being militant in its nature, [they] expected to control . . . candidates." Members and sympathetic candidates gained favor in the political machine. In April, the robed brotherhood established a local political machine. Two write-in Klan candidates, J. D. Willis and Dr. Ed Smith, defeated the Democratic nominees in a landslide for city recorder and a water board commission office.<sup>40</sup>

Even before the local election, Clark and the four other great titans of Texas began preparing for the state Democratic primary held in July. By March, Sterling Strong of Dallas, Earle Mayfield of Houston, and Robert L. Henry of Waco, all Klansmen, announced their campaigns for the U. S. Senate. Hiram Evans, now a national official as well as great titan of Dallas, met with the other titans, including Clark, at the Raleigh Hotel in Waco to voice his concerns about a split-KKK vote. He wanted Strong and Henry to drop out of the race, but Clark disagreed, arguing that Henry was the strongest candidate. In what they called the "Waco agreement," they decided to let voters in the primary election decide, and that in the case of a run-off, the man with fewest votes would drop out. When opposition candidates Charles Culberson and Cullen Thomas openly attacked the Klan for undermining law and order, Henry, like Strong, who had already openly acknowledged his ties to the Klan, desired to seize the initiative and

defend his organization, to admit publicly that he had donned the hood and robe.

National officials, including Evans, agreed to this unusual request. While Henry publicly defended the KKK's role in society, local klaverns continued to build membership before the state primaries in July. In June alone, Waco's Saxet No. 33 initiated more than twenty-five hundred new Klansmen.<sup>41</sup>

As the Invisible Empire's influence extended across the state, the mob spirit and complacency of law enforcement swelled. The number of Texas lynchings in 1922 equaled the combined number in 1920 and 1921, with ten in May alone. On May 6, a mob spree began explosively in Kirven, fifty miles east of Waco, where a mob burned three black men on the public square. Two days later, another man was found hanging from a tree outside of town. Lynchings followed in Conroe, Alleyton, Plantersville, and Texarkana.<sup>42</sup>

Waco claimed the tenth lynching victim of May. In the evening of the 25th, Mrs. Maggie Hays reported that a "yellow negro with a gold tooth" had assaulted her for three hours after fatally shooting her male companion, Harrell Bolton, on Corsicana road outside Waco. Six days earlier, another white couple, W. P. Cottrell and Mrs. Marjorie Sheffield, had been attacked in Cameron Park on the north side of the city. In response, citizen posses roamed the area, and officers rounded up blacks matching the description. E. L. McClure, a neighbor of Hays's father, Sam Harris, brought Jesse Thomas, a lighter-skinned black service car driver, to the girl for identification, after luring Thomas with the promise of work. Harris and McClure then forced Thomas to open his mouth so that Hays could see the gold tooth, after which she said, "That's him, papa." Harris quickly fired nine times, killing Thomas as he ran out of the house.<sup>43</sup>



Earlier in the day, Constable Stegall had arrested another suspect whose shoe prints matched those at the crime scene. More than two thousand people crowded around the county jail and demanded the suspect. Several prominent men, including Erwin Clark, addressed the crowd to convince them to disperse. When word spread that Harris had already killed Thomas, the alleged assailant, "as if by magic, the crowd [left the jail and] started on a dead run" to see the body. When the mob found Thomas's body in a hearse, they removed it, tied it to a truck, and dragged it past the girl's house and then down Franklin Street to City Hall, where Jesse Washington had met a similar fate in 1916. As if they were reliving that day six years ago, a crowd of five thousand watched as Thomas's corpse burned. A newspaper described the spectacle:

Cheer after cheer went and a host of hands took the body from the truck on which it was carried and preparations made to burn it. . . . The body was stripped of clothing and then thrown upon the fire amid shouts of 5,000 people gathered there. It seemed as if all were anxious to see the actual burning. And the crowds surged back and forth while those who got too hot gave way for others who were anxious to see. "Make way for the ladies" was a common cry. . . . Women of all stations flocked to the scene and sought a vantage place. People climbed trees, sat in windows, and every point from which a good view could be had was fought over by more than one.

Stegall later found the body being dragged around town by seven boys, and sent it to a black undertaker.<sup>44</sup>

Sam Harris, who killed Thomas, turned himself in, but was not charged, despite the fact that the police knew that Thomas was innocent. They had arrested "Sank" Johnson for Bolton's murder and the assault on Hays hours before Thomas was killed. To prevent another lynching, the Texas Rangers returned to Waco to protect Johnson. The police questioned Johnson's guilt as well when, in July, someone attacked another couple in Jolly, Texas, near Wichita Falls. The similarities between the cases were too

obvious to disregard. As with Bolton and Hays and the couple in Cameron Park, the couple were out together when a black man shot the man and raped the woman.<sup>45</sup>

Waco police officers never doubted the innocence of Thomas, whose only crime had been that of being a mulatto with a gold tooth. Thomas, like Benny Young and Cooper Johnson, who were convicted of the triple Concord murders, was considered a “mongrel” in the eyes of whites, especially those who wore hoods. Pro-Klan newspaper articles condemned “race mixing” as criminal, and warned against “cohabitation.” In March, 1922, at a KKK parade in Granger, knights carried signs stating that blacks were “all right,” but that warned, “Look Out, Mulatto.” In Houston, masked men attacked a white man who lived with a black woman, and castrated a mulatto doctor for “consorting” with white women. Although law officials immediately acknowledged Thomas’s innocence, no white leader in Waco condemned Harris for murdering him. The Methodist Pastors of Waco, the American Legion, the Waco Baptist Pastor’s Association, and even the Ku Klux Saxet No. 33 condemned only the lawlessness of Harris’s action, not the murder itself. In fact, several people commended Harris for doing “a fine job.”<sup>46</sup>

For the black community, Thomas’s murder only confirmed that the pre-World War I repressive atmosphere had returned to Waco. The hope for greater democracy, gained during the war and heightened after *Sublett v. Duke*, continued to diminish in light of worsening racial relations. In June, 1922, the McLennan County Democratic executive committee threatened the political and legal gains made by African-American leaders when it again barred blacks from voting in the July primary based on the recommendation of the state executive committee.<sup>47</sup>

Racial tensions increased when black leaders immediately took legal action in response. On June 27, R. D. Evans told newspapers that local blacks had hired him to petition for an injunction to prevent their disfranchisement. That night, a fire in East Waco destroyed an entire city block, consisting of nine buildings, including a grocery store and a café. Whether the fire was an accident or the result of arson is unclear. The fire, however, did not deter black leaders from continuing their fight. The next evening, L. M. Sublett held a mass meeting in East Waco to raise legal funds and to decide whose names would appear on the injunction. In response, more than fifteen thousand Klansmen from Central Texas attended an initiation ceremony and barbecue outside Waco the very next evening. As a newspaper account reported, "The fiery cross, 25 feet in diameter and mounted on a fifty foot telephone pole, could be seen for miles."<sup>48</sup>

Perhaps to appear accommodating, several African-American leaders, including Sublett, met with the county Democratic executive committee to request the continued right of blacks to vote, but were unsuccessful. Evans responded to the rebuff by filing the petition on behalf of R. C. Smith, son of R. L. Smith, Henry White, J. A. McPherson, and Rev. A. A. Lucas. In *Smith v. Strecker*, Evans repeated his arguments from the 1919 case, and hoped that Judge James P. Alexander would share Erwin Clark's judicial point of view.<sup>49</sup>

On July 12, 1922, Judge Alexander denied the petition for an injunction, however, and allowed the restoration of the white primary in McLennan County. Alexander based his decision on his view that the state executive committee that made the original recommendation to ban blacks from voting in the primary acted as a private organization, and that the state had no authority to interfere with a membership restriction of a private

organization. He told reporters that he found only one precedent, the Sublett case, to support the African Americans' petition, but emphasized that he disagreed with Judge Clark's decision in that 1919 case.<sup>50</sup>

Coincidentally, Erwin Clark's duties as general legal counsel for the Texas Ku Klux Klan kept him out of Waco during the months of June and July. His absence, coupled with his public stand against the mob in May and the tremendous growth in the local klaverns, probably lessened his control at home. In fact, Clark had been losing influence with state officials since May. Secretly, the great titans of Houston, Dallas, and Fort Worth agreed to hold an elimination election before the July primary to choose the Klan's U. S. Senator candidate, and this decision violated the "Waco agreement." Unbeknown to Clark, they had intended to use Robert Henry as a stalking-horse. Henry's Klan campaign diverted negative attention from their favored man, Earle Mayfield, who had ties to big business through his cousin, Texas Railroad Commissioner Allison Mayfield.<sup>51</sup>

When Clark discovered the subterfuge, he tried to resign his post and terminate his membership in mid-June. Convinced by friends to remain until the election, however, he spent most of his free time trying to salvage the campaign of his friend Robert Henry during the last two months before the election. Clark commenced a letter-writing campaign to gain assurances from the great titans and Hiram Evans that the "Waco agreement" would be honored. His efforts failed. Disgusted by the Klan's betrayal, Clark wrote to the Klans of Texas, exposing the state officials' dishonesty and their violations of klannish principles. On July 17, he officially resigned as the Klan's legal counsel and as great titan of Province 3. He remained inactive in the organization until

he terminated his membership in the Klan in December, 1922. The *Dallas Morning News* made his letter of resignation public knowledge two days before the primary.<sup>52</sup>

On July 22, the Ku Klux Klan gained important state offices and nearly swept county races without having to contend with black voters, who were now fully disfranchised again. McLennan County cast its vote for Allison Mayfield as Railroad Commissioner, for Col. Billie Mayfield (no relation) as State Attorney General, and for Pat Neff as Governor. Billie Mayfield had made his Klan membership public by publishing a Klan newspaper in Houston, and this contributed to his defeat state-wide. Neff's law and order stance plus his weak hand toward the Klan gained him the Invisible Empire's vote. In the U. S. Senate race, Henry won the majority of votes in McLennan County but lost the race to Earle Mayfield. Henry quit the KKK soon after.<sup>53</sup>

On the county level, the most important races in the eyes of McLennan County African Americans went to Klansmen. Incumbent Frank Tirey, who verbally attacked the masked society in newspapers, lost the County Attorney's office to C. S. Farmer. Farmer's Klan affiliation dated back to 1921 when he represented Carl West during the Crow-Buchanan trials, as well as the whitecappers who attacked Kennedy Cummings. In the race for Sheriff, Leslie Stegall defeated Bob Buchanan by an overwhelming majority.<sup>54</sup>

The election represented a significant defeat for African Americans in Waco. A year later the state legislature amended the Terrell election law so it specifically barred blacks from voting in primary elections. Although black political leaders continued their efforts on behalf of civil rights over the next twenty years in Texas, they had to wait, along with the rest of the state, for *Smith v. Allright* in the 1940s to see the end of the

white primary. Neither Richard D. Evans nor Louis M. Sublett, however, lived long enough to vote in the Democratic primary. Sublett continued striving for greater political rights until his death in 1930. After appearing before the U. S. Supreme Court in appeals of *Love v. Griffith*, Evans worked with the NAACP in suffrage cases but only as an assistant to the association's white lawyers, who never allowed him to retake the helm and direct the cases. He continued the legal struggle for the right to vote in primaries until his car was hit by the Katy train on the outskirts of Waco. He died in 1938, a week after being named the President of the Texas chapter of the NAACP. Rev. Albert A. Lucas, a co-petitioner in *Smith v. Strecker*, assumed a black leadership role after moving to Houston in 1934.<sup>55</sup>

The election defeated Erwin Clark as well. Now an ex-Klansman, Clark moved his family to Houston and opened a law practice with friend and fellow ex-Klansman Robert Henry. In one of his first cases, he represented George Kimbro, the man who controlled the early organization of the Klan in Texas, in a counter suit against his old organization for copyright infringement. This act made him a traitor in the eyes of the hooded order. The Invisible Empire punished Clark, as they did in the case of all traitors, by demanding that members cut all ties with him. His law practice then suffered financially because he was unable to obtain clients as the result of the Klan's economic pressure. In September, 1925, after losing the Kimbro case, Clark killed himself, leaving a wife and two small children. In a suicide note, Clark wrote:

To all young men—if you want to succeed as a lawyer disregard entirely the admonitions of your forbears—be a cross between a politician, a preacher, and a pawnbroker—and with the mercy of God, you may survive—but, my advice to all men is to be honest and, for God's sake, stop trying to be an admoniter of the public weal. . . I've tried hard; oh, so hard! to make good, . . . but the public and the world doesn't know the meaning or the worth of a real lawyer.

As a judge, he held justice, honesty, and democracy sacred. This idealism dominated his decision in *Sublett v. Duke* and, ironically, convinced him misguidedly to join the Ku Klux Klan. When the Klan betrayed him, he felt that he had failed—a victim of his own contradictions. The defeat killed him.<sup>56</sup>

The rise of the Ku Klux Klan restored white control in Waco, contributed to the restoration of the white primary, and reestablished the framework of race relations that had prevailed before World War I. The Klan found fertile soil in the city among a native white Protestant population that was disillusioned by the social changes created by the war and its aftermath. In this racially-strained atmosphere, a black middle class struggled to retain access to full suffrage, but without success. Furthermore, the black middle class continued to separate itself from the black lower class in a failed attempt to improve whites' impressions of the race as a whole and to prove that they deserved full democracy.

## NOTES

1. MacLean, *Behind the Mask of Chivalry*, 141.
2. Casey Edmond Greene, "Apostles of Hate: the Ku Klux Klan In and Near Houston, Texas, 1920-1982" (Master's thesis, University of Houston at Clear Lake, 1995), 25; Brown, *Hood, Bonnet, and Little Brown Jug*, 53.
3. "Prominent Masons to Attend Scottish Rite Gathering in Waco," *WTH*, 3 February 1921, 12; *WTH*, 16 February 1921, 6; MacLean, *Behind the Mask of Chivalry*, 6-7.
4. "Ku Klux Parade is Big feature in U. C. V. Parade in Houston," *DEX*, 16 October 1920, 1; "In the Name of Law and Order," *DEX*, 5 February 1921, 4; "Ku Klux Klan Stages March Thru Dallas," *WTH*, 22 May 1921, 1; "Wife Rescues Man From 5 Masked Men," *WTH*, 7 June 1921, 1; "Alleged Whitecappers Placed Under Bond; Cummings is Tarred," *WTH*, 9 July 1921, 1; "Man Tarred and Feathered Says He'll Leave Waco," *WTH*, 10 July 1921, 3; "Whitecapping Cases Will Come Up Wednesday," *WTH*, 12 July 1921, 3; "One dismissed in Whitecap Cases, \$1000 Bond for Three; Make Rush to Sign Bonds," *WTH*, 13 July 1921, 1; "Outraged Public Sentiment Meets Out Summary Punishment," *F&L*, 14 July 1921, 1. Another account of the Cummings incident, as well as other Waco Klan activities can be found in Erwin Johns Clark, "The Ku Klux Klan," Term Paper, Texas Collection, Baylor University, 1941. The author of this term paper praises the organization and Judge Erwin J. Clark's work as a Klansman. He also includes several interesting hand-drawn illustrations, including a Klan membership card. His accounts of several events are quite biased and sometimes contradicted by his professor, Guy Harrison, a self-professed Waco Klansman. Harrison, in transcripts of his oral memoirs, states that he assigned term papers on the Klan to students whose families belonged to the organization, including the family of George Clark (Erwin J. Clark's father). Because of Harrison's statement and a similar name, Erwin John Clark is believed to be the son of Judge Erwin J. Clark, justice in *Sublett v. Duke*.
5. "One dismissed in Whitecap Cases, \$1000 Bond for Three; Make Rush to Sign Bonds," *WTH*, 13 July 1921, 1; The list of those who put up bond money can be found in "Outraged Public Sentiment Meets Out Summary Punishment," *F&L*, 14 July 1921, 1.
6. "Outraged Public Sentiment Meets Out Summary Punishment," *F&L*, 14 July 1921, 1. "Brand Negro Bell Boy with Acid; Flog Him," *WTH*, 2 April 1921, 1; "Ku Klux Terror Runs Riot; Scores Flogged," *Chicago Defender*, 30 July 1921, 1; MacLean, *Behind the Mask of Chivalry*, 163. In MacLean's study of the Ku Klux Klan in Georgia, she found that KKK depredations against whites were reported in newspapers but that those against blacks were ignored by the media. She also found evidence that the number of black



victims equaled the number of white victims. For more on the relationship between Waco police and African Americans before 1916, see Carrigan, "Between South and West."

7. "Two Negroes Get Notice to Leave City, Signed KKK," *WTH*, 27 August 1921, 3; book 334, 179, *Deed Records, McLennan County*, Office of the County Clerk, Waco, Tex.; *Hill Brother and Co. v. Adeline Weaver*, July term, 1921, case no. 25202, McLennan County, District Court, Office of the Clerk, Nineteenth Judicial Circuit, Waco, Tex.

8. Testimony of Erwin J. Clark in *Senator From Texas Hearings Before a Subcommittee of the Committee on Privileges and Elections, United States Senate Sixty-eighth Congress First Session Pursuant to S. Res. 97 Authorizing the Investigation of Alleged Unlawful Practices in the Election of a Senator from Texas*, 116 (hereafter cited as *Senator From Texas Hearings*); "Lorena Klan to March Tonight," *WTH*, 1 October 1921, 1; Robert M. Fogelson and Richard E. Rubenstein, eds., *Mass Violence in America: Hearings on the Ku Klux Klan, 1921* (New York: Arno Press & The New York Times, 1969), 23.

9. "Lorena Klan to March Tonight," *WTH*, 1 October 1921, 1; Oral Memoirs of Guy B. Harrison, Jr., 1975, Oral History Collection, Baylor University, Waco, Tex., 87-92; Clark, "The Ku Klux Klan in Texas," 1941, 40; "Shooting in KKK Parade; Sheriff Buchanan and others Wounded in Fray at Lorena," *WTH*, 2 October 1921, 2;

10. Harrison, Jr., "Oral Memoirs," 87-92; Clark, "The Ku Klux Klan in Texas," 40; "Shooting in KKK Parade; Sheriff Buchanan and others Wounded in Fray at Lorena," *WTH*, 2 October 1921, 2; "Lorena Version of Ku Klux Klan Parade and Pitched Fight Told in Petition; Offer Complaints," *WTH*, 3 October 1921, 8; Steven Schmitz, "Klavaliers, Klaverns, and Klavalkades: The KKK in McLennan County, Texas, 1921-1923," Term Paper, Southwest Texas State University, 1997, in author's possession, 8-9.

11. Harrison, Jr., "Oral Memoirs," 87-92; "Lorena Version of Ku Klux Klan Parade and Pitched Fight Told in Petition; Offer Complaints," *WTH*, 3 October 1921, 8; "Grand Jury in Session," *F&L*, 13 October 1921, 1; "Grand Jury Chides Officials," *F&L*, 10 November 1921, 1.

12. Reich, "Soldiers of Democracy," 1496; Jacquelyn Dowd Hall, *Revolt Against Chivalry: Jessie Daniel Ames and the Woman's Campaign Against Lynching* (New York: Columbia University Press, 1993), 110; MacLean, *Behind the Mask of Chivalry*, 29-30, 155.

13. "Circulate Anti-Ku Klux Petition in Waco," *WTH*, 23 July 1921, 1; "No Need for Ku Klux Klan Now, Says Speaker," *WTH*, 23 July 1921, 8; "Big Crowd At I.O.O. F. Picnic Near Lorena," *WTH*, 1 July 1921, 9; "Anti-Klan Leaflets Are Mailed Out By League," *Waco News-Tribune*, 7 July 1922, 4 (hereafter cited as *WNT*); David Chalmers, *Hooded Americanism: The First Century of the Ku Klux Klan, 1865-1965* (Garden City, N.Y.: Doubleday & Company, Inc., 1965), 42.

14. "Klans March Other Towns," *WTH*, 2 October 1921, 1; "Cameron Mayor Bars KKK Parade," and "Neff Non-committal as to Lorena Riot," *WTH*, 3 October 1921, 5; "Klan Parade Doesn't Take Place," *WTH*, 6 October 1921, 2; Brown, *Hood, Bonnet, and Little Brown Jug*, 62, 68; "Resolution Condemning the Ku Klux Klan Before the Texas Chamber of Commerce," *WTH*, 14 October 1921, 7; "Klansmen battle in a Texas Town," *Chicago Defender*, 8 October 1921, 1; "Let Probe of Ku Klux Drop," *WTH*, 23 October 1921, 1; "Says Sheriff is Responsible," *F&L*, 13 October 1921, 1.

15. "Neff Submits Masked Moves to Solons," *WTH*, 1 August 1921, 1; "Neff Decides Enough Bills Put Forward," *WTH*, 6 August 1921, 1; "Neff Non-Committal as to Lorena Riot," *WTH*, 3 October 1921, 5; "Masked Parades Illegal, Official Opinion," *WTH*, 16 October 1921, 1.

16. "Masked Parades Illegal, Official Opinion," *WTH*, 16 October 1921, 1; "Opinions Wide Apart: Masked Parades Illegal-Keeling; Says Clan Can Parade-Clark," *F&L*, 20 October 1921, 1, 3, 6; Brown, *Hood, Bonnet, and Little Brown Jug*, 68.

17. "Opinions Wide Apart," *F&L*, 1, 6.

18. Testimony of Erwin Clark in *Senator From Texas Hearings*, 57, 59, 120, 126; "Anti-Klan Warn Texas Judge to Leave," *Chicago Defender*, 6 August 1921, 1; "Judge Clark in Note Signed 'Anti-Klan' is Told to Leave Texas," *WTH*, 1 August 1921, 2; *F&L*, 4 August 1921, 4; Brown, *Hood, Bonnet, and Little Brown Jug*, 60.

19. "Sheriff and Bondsmen Sued for \$50,000," *F&L*, 17 November 1921, 1; "Second Suit Filed Against Sheriff," *WTH*, 22 November 1921, 8; "Suit Against Buchanan Set," *WTH*, 8 January 1922, 1; "Civil Suit Against Sheriff is Reset," *WTH*, 2 February 1922, 9; "Choosing Jury to Try Crow-Buchanan Suit For Damages," *WTH*, 22 February 1922, 1; "One Additional Juror in the Crow-Buchanan Damage Trial," *WTH*, 27 February 1922, 1; "Three Qualify Tentatively on Buchanan Jury," *WTH*, 28 February 1922, 1; "Trial Delayed by Effort to Get Witnesses into Court," *WTH*, 1 March 1922, 1; "Exhaustion of Panel Halts Damage Suit," *WTH*, 2 March 1922, 1; "Transfer Crow-Buchanan Damage Trial to Belton," *WTH*, 6 March 1922, 1; "Buchanan Case Must Be Tried in Waco, Decision," *WTH*, 3 May 1922, 1. *Ivez L. Crow, et al. versus Bob Buchanan, et al.*, November term, 1921, case no. 4532, McLennan County, District Court, Office of the Clerk, Seventy-fourth Judicial Circuit, Waco, Tex. By July, the *Waco Times Herald* had not printed another article on the trial. Erwin Clark resigned because of an unrelated conflict with the Ku Klux Klan, which will be explained later in the chapter.

20. Testimony of Erwin Clark in *Senator From Texas Hearings*, 57, 59, 120, 126; Chalmers, *Hooded Americanism*, 40.

21. Harrison, Jr., "Oral Memoirs," 93; *Colonel Mayfield's Weekly*, 10 December 1921, 4 (hereafter cited as *CMW*); *CMW*, 24 December 1921, 5; "937 Initiated Into Waco Klan," *F&L*, 9 February 1922, 1.

22. Harrison, Jr., "Oral Memoirs," 98; "Ku Klux Aids Family in Mart," *WTH*, 11 July 1921, 1; "Ku Klux Aids Poor Homeless Children," *WTH*, 20 July 1921, 1; "Ku Klux Sends Caps to Orphans," *WTH*, 21 December 1921, 3; "Board of Control Methodist Orphanage Decline Ku Klux Gifts," *WTH*, 22 December 1921, 5; "Bell's Hill Mothers Thank Ku Klux For Gift of Piano," *WTH*, 3 March 1922, 16; "Child Welfare League Thanks Ku Klux for Gift of Automobile," *WTH*, 12 March 1922, 3; "Ku Klux Present Big Flag to Scouts," *WTH*, 18 March 1922, 3. For other examples of Klan philanthropy, see *WTH*, December 11, 13, 19, 1921, January 4, 6, February 20, 25, April 15, May 27, June 10, 1922. Bell's Hill is a neighborhood within Waco.

23. Testimony of Erwin Clark in *Senator From Texas Hearings*, 124-125, 129. No other reports of Mexican bank robbers or a planned "uprising" have been found. This could be attributed to the secrecy of the Klan, but, more than likely, the Klan's fear of radical conspiracies shaped their perception, which had no factual basis. Between 1900 and 1920 the Mexican-born population boomed in the Upper Brazos River valley (Bosque, Falls, Hill, and McLennan), an agricultural area in need of farm hands because of black migration north. In 1900, the Mexican-born population in these counties totaled sixty-one, with seventeen in McLennan County. In 1920, the Mexican-born population reached 3,331, with 1,502 in McLennan County. The U. S. census counted Mexican-Americans as white until 1930, which makes calculating the total Hispanic population in McLennan County in 1920 difficult. Census information charted in Carrigan, "Between the South and West," 260.

24. Testimony of Erwin Clark in *Senator From Texas Hearings*, 130-131; Harrison, Jr., "Oral Memoirs," 94-96.

25. "Night Watchman Shot by Negroes," *WTH*, 2 December 1921, 5; "Three Negroes Confess to Holdup," *WTH*, 5 December 1921, 12; "Mob Calls for Hold Up Negroes," *WTH*, 6 December 1921, 7; "Negroes Held For Attack in Jail in Dallas," *WTH*, 7 December 1921, 2; "Ku Klux Aids Mrs. Connally," *WTH*, 11 December 1921, 1.

26. "Mob Lynches Man Held For Attack Here," *WTH*, 14 December 1921, 1.

27. Ibid.; "Taken From Jail and Hanged," *F&L*, 15 December 1921, 1. For a thorough discussion of the definition of "whiteness" and its relationship to class in Central Texas, see Neil Foley, *The White Scourge: Mexicans, Blacks, and Poor Whites in Texas Cotton Culture* (Berkeley: University of California Press, 1997).

28. "Mob Violence Is Denounced," *F&L*, 22 December 1921, 1; "Judge Condemns Mob Violence," *WTH*, 16 December 1921, 1; "Lemke Demands Police Shakeup," *WTH*, 22 December 1921, 1; "Police Officers Vindicated," *WTH*, 29 December 1921, 1; "Grand Jury to Be Told of Mobs," *WTH*, 1 January 1922, 1; "Mob Rule is Blot on State Munroe Says," *WTH*, 2 January 1922, 1; "Grand Jury Will Probe Lynching," *WTH*, 6 March 1922, 4.

29. "Rangers Will Be Here Next Week During Negroes' Trial," *WTH*, 10 January 1922, 1; "Two Lawyers to Defend Negroes," *WTH*, 11 January 1922, 4; "Jury to Try Negro Filled," *WTH*, 18 January 1922, 1. The newspapers, at this time, made it a practice to publish the names and addresses of the defendant's attorneys and the jury in big criminal trials. As in Jesse Washington's case, the possibility that Kilbrough and the Graves brothers received a fair and impartial jury is slim, especially in light of the local Klan presence.

30. "Follow New Clues in Barker Case," *WTH*, 13 February 1922, 1,3; "Boy is Third Victim of Murderer," *WTH*, 14 February 1922, 1; "Officers Baffled; Can't Fix Motive; No Startling Developments in Axe Murder," *WTH*, 14 February 1922, 1.

31. "More Arrests in Ax Murder," *WTH*, 16 February 1922, 1; "Negroes Now Behind Bars in Waxahachie," *WTH*, 21 February 1922, 1; "Two Negroes Confess Barker Crimes Following Arrest of Leslie Stegall," *WNT*, 21 February 1922, 1.

32. "Rangers Bring Negroes Here," *WTH*, 22 March 1922, 1; "Alibi Testimony in Murder Trial," *WTH*, 25 March 1922, 3; "Fate of Negro Charged With Triple Concord Murder Rests With Jury," *WTH*, 26 March 1922, 9; "Negro Given Life Term for Boys' Murder," *WTH*, 27 March 1922, 1; "Johnson Murder Case is on Trial," *WTH*, 27 March 1922, 3; "Jury Has Case of Cooper Johnson," *WTH*, 29 March 1922, 4; "Cooper Johnson Condemned to Die," *WTH*, 30 March 1922, 9. According to a local newspaper, the defendants' attorneys did not give a reasonable explanation for the bloody shirt and ax.

33. "Mayfield 43,775; Ferguson, 34,928; Culberson, 29,822: Farmer, Stegall Easy Winners for McLennan County," *WTH*, 23 July 1922, 1; "Mitchell Admits All Crime and Hangs Monday," *WTH*, 30 July 1923, 1. In July 1923, Roy Mitchell, the last man to be executed by hanging in Texas, confessed to the Concord murders and five other killings. Several thousand attended his hanging, held in downtown Waco.

34. Bruce Glasrud, "Black Texans," 304; "Negro Baptists Break Ground Tomorrow for Fine New Church," *WTH*, 1 January 1922, 4; Sandra Denise Harvey, "Going Up Bell's Hill: A Social History of a Diverse Waco, Texas, Community in the Industrial New South, 1885-1955" (Master's thesis, Baylor University, 1985), 81. Harvey gives one example of a Klansman who carried Washington's finger in a box and showed it to children. For a well-illustrated account of the Jesse Washington legacy, see Carrigan, "Between South and West." Carrigan finds that Waco African Americans associate the 1953 tornado that struck a small portion of downtown with the lynching. They say that the tornado's path is the same as the one through which the mob took Washington, and that destruction was God's vengeance for the death.

35. "Make Plans at Meet Tuesday For Primary Election in February," *WTH*, 2 January 1921, 4; "Another Wide Open Primary is Indicated; city Executive Committee Hasn't Ruled Negroes Out," *WTH*, 5 January 1921, 12; "Light Vote is Polled in City Primary Here," *WTH*, 16 February 1921, 4.

36. "Mayor of Waco Dedicates a Play Ground For Negroes," *DEX*, 23 December 1920, 2; "Negro Rally Pushes Play Ground Idea," *WTH*, 12 March 1921, 5.
37. Glasrud, "Black Texans, 1900-1930," 81, 204-5; Hine, *Black Victory*, 115; "Negroes to Discuss Poll Tax Payments," *WTH*, 8 January 1922, 10.
38. Testimony of Erwin Clark in *Senator From Texas Hearing*, 110, 116-123, 131; "Klux Defeat Democratic Nominees For Waco Offices," *F&L*, 6 April 1922, 1; "Winners Want Votes Counted," *WTH*, 10 April 1922, 1; "Anti-Klan Leaflets Are Mailed Out By League," *WNT*, 7 July 1922, 4; Chalmers, *Hooded Americanism*, 44-45.
39. "J. A. Lemke Announces for Mayor," *WTH*, 19 January 1922, 4; "Mayfield's Campaign," *WTH*, 22 March 1922, 1; Testimony of J. S. Ainsworth in *Senator From Texas Hearings*, 340.
40. "Ku Klux Klan Initiates 548," *WTH*, 16 February 1922, 12; "Klan Assists Nurses' Home," *WTH*, 5 March 1921, 1; "Klan Marches 8000 Strong," *WTH*, 17 February 1922, 1; Testimony of Erwin Clark in *Senator From Texas Hearings*, 127; "Dark Horse Candidates in Waco City Election are Winners over Democratic nominees by 3 to 1," *WTH*, 5 April 1922, 4; "Klux Defeat Democratic Nominees for Waco Offices," *F&L*, 6 April 1922, 1.
41. "Strong in Race for Senate, Says He is a Klansman," *WTH*, 19 February 1922, 2; "Ku Klux Klan Must Die Says Culberson and Thomas," *F&L*, 6 April 1922, 1; "Ku Klux Klan Will Never Die Declares Henry," *F&L*, 13 April 1922, 1; "Henry Declares is KKK Member and Proud of It," *WTH*, 9 April 1922, 1; Testimony of Erwin Clark in *Senator From Texas Hearing*, 63-65; Erwin J. Clark to Members of KKK in Province No. 3, box 2D58, folder "Papers, 1913-1924," Alexander Dienst Papers, Center for American History, University of Texas at Austin; Charles C. Alexander, *The Ku Klux Klan in the Southwest* (Norman, OK: University of Oklahoma Press, 1995) 122-123; "Over 500 New Klansmen Added to Saxet 33, in Waco, Last Meeting," *F&L*, 1 June 1922, 1; "Waco Ku Klux Klan Barbecue Attended by 15,706-Initiate 2008," *F&L*, 29 June 1922, 1; Testimony of W. M. Castles in *Senator From Texas Hearings*, 992; Chalmers, *Hooded Americanism*, 43-44. For a more thorough examination of the Waco agreement and the Klan in Texas politics, see Brown, *Hood, Bonnet, and Little Brown Jug*, 100-103. Earle and Allison Mayfield are not related to Colonel Billie Mayfield, who published a Klan newspaper in Houston.
42. Chapman, "Lynching in Texas," 111; "Three Negroes Burned At Stake," *WTH*, 6 May 1922, 1; "Neff Sends Rangers to Lynching," *WTH*, 8 May 1922, 1; "Two More Negroes Lynched," *WTH*, 21 May 1922, 1; For a closer analysis of the Kirven lynchings, see Monte Akers, *Flames After Midnight: Murder, Vengeance, and the Desolation of a Texas Community* (Austin: University of Texas Press, 1999).

43. "Mob Menaces Jail With Negro Capture; Waco and Central Texas Stirred by Revolting Crime," *WTH*, 26 May 1922, 1; "Harris Goes to Stegall and Surrenders," *WTH*, 27 May 1922, 1; "Suspect Killed; Waco Mob Burns Body," *DEX*, 3 June 1922, 1; Brown, *Hood, Bonnet, and Little Brown Jug*, 57.

44. Ibid.; "Harris Goes to Stegall and Surrenders," *WTH*, 27 May 1922, 1.

45. "Harris Goes to Stegall and Surrenders," *WTH*, 27 May 1922, 1.; "Young Man Killed, Woman Outraged at Jolly, Texas," *WTH*, 10 July 1922, 1; "The Wrong Man," *DEX*, 10 June 1922, 2.

46. "Huge Crowd Sees Granger Parade, Austin KKK Aids," *F&L*, 16 March 1922, 1; "Work for the Klux," *F&L*, 21 April 1921, 4; "Is There Need of Ku Klux Activity?" *F&L*, 9 June 1921, 1; Testimony of Erwin Clark in *Senator From Texas Hearings*, 118; "Suspect Killed; Waco Mob Burns Body," *DEX*, 3 June 1922, 1; MacLean, *Behind the Mask of Chivalry*, 141-142. MacLean explains that fear of racial "amalgamation" was a potent part of Klan propaganda, which stressed that any move toward social equality would mean "racial pollution." Studies such as Neil Foley's *The White Scourge* have examined the varying degrees of whiteness in popular perception, but more work needs to be done on twentieth-century perceptions of "blackness" with respect to skin color, gender, and class in both white and black society.

47. "Negroes Barred From Voting in County Democratic Primary," *WTH*, 17 June 1922, 1; "Negroes Ask Vote in July Primary," *WTH*, 27 June 1922, 5.

48. "Negroes Ask Vote in July Primary," *WTH*, 27 June 1922, 5; "Negroes Will Contest Ruling that Bars Them from July Primary," *WTH*, 28 June 1922, 5; "Fire Burns Grocery Store in East Waco," *WTH*, 28 June 1922, 4; "Thousands Participate in Monster KKK Initiation and Barbecue Thursday Night," *WTH*, 30 June 1922, 1; "The Visible Part of the Invisible Empire in Waco," *WNT*, 1 July 1922, 1; "Waco Klan Thrills Texas," *CMW*, 1 July 1922, 1.

49. "Negro Voting Will be Put Up to County Board," *WTH*, 7 July 1922, 4; "Negroes in Court to Force Primary Vote," *WNT*, 7 July 1922, 1; "Hearing is Held For Primary Vote," *WNT*, 9 July 1922, 9; editorial, *F&L*, 13 July 1922, 4; "Negroes Refused Primary," *WNT*, 12 July 1922, 1.

50. "Negroes Refused Primary," *WNT*, 12 July 1922, 1; editorial, *F&L*, 13 July 1922, 4.

51. "Kaiser Bill of Texas," *Texas 100 Per Cent American*, 16 June 1922, 1; E. J. Clark to Robert L. Henry, June 13, 1922, box 2D58, folder "Papers, 1913-1924," Dienst Papers; Testimony of Erwin Clark in *Senator From Texas Hearings*, 65, 68-69.

52. Testimony of Erwin Clark in *Senator From Texas Hearings*, 133; E. J. Clark to Robert L. Henry, June 13, 1922; Erwin J. Clark to Brown Harwood, June 15, 1922; Robert Henry to Dudley M. Kent, June 15, 1922; E. J. Clark to Z. E. Marvin, July 3,

1922; E. J. Clark to H. W. Evans, July 17, 1922; all in box 2D58, folder "Papers, 1913-1924," Dienst Papers; Brown, *Hood, Bonnet, and Little Brown Jug*, 456.

53. "Mayfield 43,775; Ferguson, 34,928; Culberson, 29,822: Farmer, Stegall Easy Winners for McLennan County," *WTH*, 23 July 1922, 1; Brown, *Hood, Bonnet, and Little Brown Jug*, 82-82; "Bob Henry Resigns From Ku Klux Klan," *F&L*, 14 September 1922, 3; Chalmers, *Hooded Americanism*, 44.

54. "Mayfield 43,775; Ferguson, 34,928; Culberson, 29,822: Farmer, Stegall Easy Winners for McLennan County," *WTH*, 23 July 1922, 1; "County Atty. Tirey Attacks Ku Klux," *F&L*, 6 July 1922, 12; Tom Connally and Alfred Steinberg, *My Name is Tom Connally* (New York: Thomas Y. Crowell Company, 1954), 117-118; Chalmers, *Hooded Americanism*, 41.

55. Hine, *Black Victory*, 60, 159, 198; "Waco Leader Dies Here Wednesday," *WTH*, 3 December 1930, 1; *Houston Informer*, 17 June, 1938, 1; Phone Interview, Eucolia Erby, 21 January 2000.

56. "Erwin Clark Dies Suddenly This Morning," *WTH*, 2 September 1925, 1; "Erwin Clark Is Suicide At His Home," *Houston Post*, 3 September 1925, 1.

## CONCLUSION

For African Americans, the effects of World War I on race relations in Waco were similar to those elsewhere in the United States. As a result of the war's demand for patriotic racial cooperation, blacks emerged from the war more outspoken and militant, rejoiced in their renewed racial pride, and demanded greater civil rights. The war became a turning point for African Americans' self-perception, contributing to an even stronger awareness of their social importance. Once ignited, this "New Negro" spirit continued to flourish, sparking demands for further political and social changes. On the other hand, however, the war and its aftermath also created among many whites a sense of disillusionment, cynicism, fears of radicalism, and a desperate need to restore traditional morality and racial control. In several places, including Waco, these two side-effects of World War I clashed.

Waco, however, serves as an example of the importance of local studies in understanding the complexities of these larger movements. Here, a black middle-class grass-roots organization made the first legal attempt to overthrow the white primary in Texas. It was also the first successful attempt, although short lived. To some extent the political courage of those who spearheaded the case had existed prior to the war in several individuals, including L. M. Sublett, who had been a leader in the black Populist movement, and R. D. Evans, who had faced white opposition by representing Andrew Smith when he was arrested for speaking out against the lynching of Jesse Washington in



1916. The war, however, spread that courage throughout the black community, as illustrated by the number of black voters in 1919 and 1920.

The racial cooperation that existed during and immediately after the war can be attributed, in large part, to the Federal Government's presence at Camp MacArthur and Rich Field. Although the Federal Government never forced regulations or demanded racial unity, the Council of Defense made it a "patriotic" duty. Likewise, the Army's presence served as a daily reminder of the need for this cooperation, particularly after the 1917 riot, and represented an economic force that local leaders did not want to sacrifice. Surprisingly this cooperation continued throughout most of 1919, even after the *Sublett v. Duke* decision and the Red Summer.

On the surface, Judge Erwin Clark's decision to ban the white primary in *Sublett v. Duke* and his role in the Ku Klux Klan appear contradictory. How could a Klansman, much less the state organization's official legal counsel, publicly support African Americans' right to full suffrage? His judgeship in the Nineteenth District Court of McLennan County was an appointed position, and since the evidence shows that Clark never attempted to run for an elected office, his ruling in *Sublett v. Duke* was not an attempt to garner the black Democratic vote for himself. Nor did he campaign for any local candidates. Clark did not have any apparent vendettas against the local Democratic executive committee or the Democratic Party, to which he belonged. In fact, the number of times he defended his court decision in newspapers and other public forums to fellow Klansmen indicates that he truly believed that blacks should be allowed full suffrage.

As Clark illustrates, motivations for joining the Ku Klux Klan varied depending on the individual and location. Charles Alexander, in his study, *The Ku Klux Klan in the*

*Southwest*, argues that the Klan in Texas was not exclusively an anti-black organization, but rather a politically and morally-driven law-and-order organization that used vigilante tactics against bootleggers, wife-beaters, adulterers, and drug dealers. This argument is apparently accurate in the case of Erwin Clark, but it is misleading in regard to the overall commitment of the Klan to racial control and the disfranchisement of African Americans. It is true that the number of Klan parades and acts of intimidation reported in newspapers dropped off sharply after Clark gained control of his district in January, 1922, particularly in comparison to the Dallas and Houston Provinces. Concern over the “New Negro” spirit, however, motivated countless individuals to join the white supremacist group, as evidenced by the restoration of the white primary in 1922 and the increased violence as Clark soon lost control of his province. The Waco Klan in the 1920s illustrates the diversity within both the local and state organization, as well as the importance of local issues in the K. K. K.’s popularity.<sup>1</sup>

Because of time constraints, this study leaves several questions unanswered. Although touched on, class divisions within the Waco black community, as well as class differences within the local white community, need further examination. The evidence suggests that the self-help philosophy adopted by many middle-class blacks in Waco, along with Klan-applied pressures, widened the intraracial economic gap and contributed to the deepening of negative attitudes toward impoverished blacks. Also, a better understanding of political divisions between accommodationists and more militant activists is needed to grasp the complexities within the black community, and to counter the misleading image of a homogenous racial consciousness. In addition, further study of the local Klan during and after Clark’s resignation would reveal how much impact or

control he did have within his province. Obviously, more research needs to be done on Clark, as well as on early civil rights pioneers, L. M. Sublett and R. D. Evans.

Finally, a study of the evolution of race relations through the Depression, World War II, and the later Civil Rights Movement in smaller cities and rural areas in Texas would add another layer of sophistication to our understanding of the struggle for civil rights. The politically active black community and the legacy of racial violence and discrimination makes Waco and McLennan County prime subjects for such studies. An examination of racial tensions and struggles during Waco's last fifty years of the twentieth century may also help explain why tensions still exist in that city today.

The stigma of Waco's brutal past still haunts the city. For example, Lawrence Johnson, a black city councilman since 1990, first heard of Jesse Washington's lynching at the National Civil Rights Museum in Memphis, Tennessee, where he found a picture of Washington's body, still with a chain around his neck, lying on burning garbage surrounded by thousands of white Waco onlookers. Beyond the brutality, Johnson was most disturbed by the fact that it "was a city-condoned event." Since then, he has tried to convince city leaders to build a memorial to "the Waco Horror," to condemn the city's actions in 1916, and affirm Waco's dedication to "justice, due process, and the protection of people."<sup>2</sup>

His proposal, however, lacks support from other city council members, who would rather not remember such negative images from the past. What they do not realize is that the importance of the Jesse Washington lynching lies not only in what happened that day in 1916, but also in the entire history of violence and oppression that it symbolizes. By ignoring the past, many whites refuse to acknowledge their role in

shaping contemporary race relations. But more than the Jesse Washington lynching has been forgotten; so, too, has the perseverance of those who faced that violence and yet continued their struggle for equal rights.<sup>3</sup>

## NOTES

1. Charles C. Alexander, *The Ku Klux Klan in the Southwest*. (Lexington: University of Kentucky Press, 1965), 23.
2. Patricia Bernstein, "Past, Tense" *Texas Monthly* 27 (April 1999), 24.
3. Ibid.

## Bibliography

### Primary Sources

#### Newspapers and Periodicals

*Baptist Standard*

*Chicago Defender*

*Colonel Mayfield's Weekly* (Houston)

*The Crisis*

*Dallas Morning News*

*Dallas Pitchfork*

*The Helping Hand* (Waco)

*Herald* (African-American paper, Austin)

*Houston Informer* (African-American newspaper)

*Houston Post*

*Paul Quinn Weekly* (African-American paper, Waco)

*Rich Field Flyer* (Waco)

*San Antonio Inquirer*

*Texas Monthly*

*The Texas Kourier* (Dallas)

*The Texas 100 per cent American* (Dallas)

*Waco Farm and Labor Journal*

*Waco News Tribune*

*Waco Times Herald*

### **Local Court Records**

McLennan County, District Court, Office of the Clerk, Waco, Tex.

*Deed Records, McLennan County*, Office of the County Clerk, Waco, Tex.

### **Government Documents**

Texas Drought Relief Committee. *Statement and Petition of Drought Relief Committee and State Council of Defense of Texas*. Austin: 1917.

Texas State Council of Defense. *Final Report of the Texas State Council of Defense, 1917-1919*. San Antonio: Alamo Printing, 1919.

United States Department of Commerce and Labor, Bureau of the Census. *Thirteenth Census of the United States Taken in the Year 1910 with Supplement for Texas*. Washington, D. C.: Government Printing Office, 1913.

United States Department of Commerce, Bureau of the Census. *Fourteenth Census of the United States Taken in the Year 1920 with Supplement for Texas*. Washington, D. C.: Government Printing Office, 1923.

U. S. Congress, Senate. *Senator from Texas: Hearings before a Subcommittee of the Committee on Privileges and Elections United States Senate Sixty-eighth Congress First Session Pursuant to S. Res. 97 Authorizing the Investigation of Alleged Unlawful Practices in the Election of a Senator from Texas*. Washington, D. C.: Government Printing Office, 1924.

### **Oral Interviews**

Clemens, Kneeland H. Interview by Vivienne Malone Mayes, 21 October 1988. Baylor University Institute for Oral History, Baylor University, Waco, Tex.

Erby, Eucolia. Phone Interview by Author, 21 January 2000. Notes in Author's Possession.

Harrison, Guy B., Jr., Oral Memoirs, June 28, 1972—June 28, 1974. Baylor University Institute for Oral History, Baylor University, Waco, Tex.

Malone, Vera. Interview by LaWanda Ball, 5 December 1975. Baylor University Institute for Oral History, Baylor University, Waco, Tex.

Olenbush, Adrienne Wilkes. Interview by Susan Monaghan, 21 October 1975. Baylor University Institute for Oral History, Baylor University, Waco, Tex.

### **Archival & Manuscripts Collections**

Bledsoe, Jules. Papers. Texas Collection, Baylor University.

Black Women in Texas Collection. Ruthe Winegarten compiler. Center for American History, University of Texas at Austin.

Connor, George S. and Jeffie O. Papers. Texas Collection, Baylor University.

Dienst, Alexander. Collection. Center for American History, University of Texas at Austin.

Farmers' Improvement Society. Papers. Texas Collection, Baylor University.

Federal Food Administration Records. State and Local Administrations. Record Group 4. National Archives Southwest Depository, Fort Worth, Texas.

Papers of the NAACP, Part 7, Anti-Lynching Campaign, 1916-1950. Series B, Anti-Lynching, Legislative and Publicity Files, 1916-1955, Microfilm, University of Texas at Austin.

Papers of the NAACP, Part 9, Discrimination in the U.S. Armed Forces, 1918-1955, Series A: General Office Files on Armed Forces Affairs, 1918-1955, Microfilm, University of Texas at Austin.

Papers of the NAACP, Part 11, A Special Subject File, 1912-1939, Series B, Africa to Garvey, 1912-1939, Microfilm, University of Texas at Austin.

New Hope Baptist Church Records. Texas Collection, Baylor University

Mrs. Percy V. Pennybacker. Papers, 1878-1938. Center For American History, University of Texas at Austin.

Smith and Cobb Family. Papers. Texas Collection, Baylor University.



Texas War Records. Collection. Center For American History, University of Texas at Austin

### Miscellaneous

"A Fundamental Klan Doctrine." K. K. K., 1915.

"Annual report of Waco-McLennan County Chapter, American Red Cross, November 30, 1918." Waco, Tex.: L. S. Henry, 1918.

"Annual report of Waco-McLennan County Chapter, American Red Cross, November 30, 1919." Waco, Tex.: L. S. Henry, 1919.

Evans, Hiram Wesley. "Is the Ku Klux Klan Constructive or Destructive? A Debate Between Imperial Wizard Evans, Israel Zangwill and Others; Reported by Edward Price Bell."

\_\_\_\_\_. "The Klan of Tomorrow." Knights of the Ku Klux Klan, 1924.

Harvard Census Data, online database. Available at  
<http://www.fisher.lib.virginia.edu/cgi-local/censusbin/census/cen.pl>.

Jones, Granville. "Prohibition and Democracy." Waco: B. H. Simpson?, n. d.

\_\_\_\_\_. "The Saloon and the Race Problem: An Address." Waco: B. H. Simpson, 1903.

Mackey, J. H. *The Municipal Hand Book of the City of Waco, 1912-1914*. Waco, Tex.: J. C. Smith, 1914.

National Association for the Advancement of Colored People. *Negro Yearbook*. New York, 1918-1919.

\_\_\_\_\_. Pamphlets on Lynching, 1932.

\_\_\_\_\_. *Thirty Years of Lynching in the United States, 1889-1918*. New York, 1919.

"Report of W. W. Seley and H. H. Flynn, Waco (McLennan County) Chapter, American Red Cross, April 30, 1918." Waco, Tex.: L. S. Henry, 1918.

Russo, Pasquale. "Ku Klux Klan, Church and Labor." Chicago: P. Russo, 1923.

Sleeper, John. *Waco, and McLennan County, Texas; Containing a City Directory of Waco, Historical Sketches of the City and County, Biographical Sketches and Notices of a Few Prominent Citizens, Information with Regard to Our Various Institutions, Organizations, Etc.* Waco, Tex.: printed by Job Establishment, 1876.

Sleeper, John. *A Brief History of the Mayors of the City of Waco, Texas.* Prepared for the Historical Society of Waco and McLennan County, Texas. 17 May 1922.

Smith, R. L. "An Uplifting Negro Cooperative Society." *World's Work* 16 (July 1908), 10462-10466.

Speech of Robert Lee Henry, U. S. Senator candidate. Waco, Texas, 31 March 1922.

*Waco City Directory*, 1916-1926.

"The Waco Horror," Supplement to *The Crisis*, XII (July, 1916).

Werkenthin, Max J. *The Diary of Max J. Werkenthin: Imprisoned Without Trial March 21, 1918, at Waco, Texas, U.S.A., Reprinted on the occasion of the 100th Anniversary of His Birth.* Aug. 9, 1992. Austin: Conrad P. Werkenthin, 1992.

Witcher, Walter C. *The Unveiling of the Ku Klux Klan: Being a Concise and Condensed Analysis of the Philosophy of the Ku Klux Klan, Together With an Exposure of its Intrigues, Conspiracies, and Sham Patriotism.* Fort Worth: Jas. C. Wright, 1922.

Wright, W. C. *Religious and Patriotic Ideals of the Ku Klux Klan.* Waco, Tex., 1926.

## Secondary

### Unpublished

Ahfield, Danny. "Fraternalism Gone Awry: The Ku Klux Klan in Houston, 1920-1925." Master's thesis, University of Texas at Austin, 1984

Anderson, Adrian Norris. "Albert Sidney Burleson: A Southern Politician in the Progressive Era." Ph.D. dissertation, Texas Technological College, 1967.

Arnold, Kendra E. "Enforcing White Womanhood." Paper on Internet, 30 July 1998, available at <http://techno.king.net/~nrrdgrl/klan.html>

Baker, Margaret Bouland. "The Texas Negro and the World War." Master's thesis, University of Texas, 1938.

- Baker, Walter. "Political History of McLennan County." Master's thesis, Baylor University, 1936.
- Banks, Melvin James. "The Pursuit of Equality: The Movement for First Class Citizenship Among Negroes in Texas, 1920-1950." Ph.D. dissertation, Syracuse University, 1962.
- Batts, William Malcolm. "What the General Baptists of Texas (Negro) Want Education With Suggestions for Improvements of the Educational Program." Master's thesis, Prairie View University, 1946.
- Brooks, Glynn Austin. "A Political Survey of the Prohibition Movement in Texas." Master's thesis, University of Texas at Austin, 1920.
- Brophy, William Joseph. "The Black Texan, 1900-1950: A Quantitative History." Ph.D. dissertation, Vanderbilt University, 1974.
- Carrigan, William. "Between South and West: Race, Violence, and Power in Central Texas, 1836-1916." Ph.D. dissertation, Emory University, 1999.
- Chambers, Bill. "The History of the Texas Negro and his Development Since 1900." Master's thesis, North Texas State Teachers College, 1940.
- Chapman, David L. "Lynchings in Texas." Master's thesis, Texas Tech University, 1973.
- Debes, Robert R. "A Sociological Study of Paul Quinn College, Waco, Texas." Master's thesis, Baylor University, 1949.
- Du Puy, Louisa Romans. "Social Trends in McLennan County, Texas." Master's thesis, Baylor University, 1934.
- Ellis, Stephen M. "The First Amendment on Trial in Texas During World War I: The Espionage Act, Albert Sidney Burleson, and the Hallettsville *Rebel*." Master's thesis, Southwest Texas State University, 1997.
- Ellison, William M., Jr., "Negro Suffrage in Texas and Its Exercise." Master's thesis, Colorado State College of Education, Greeley, Colorado, 1943.
- Estes, Mary Elizabeth. "An Historical Survey of Lynching in Oklahoma and Texas." Master's thesis, University of Oklahoma, 1942.
- Glasrud, Bruce Alden. "Black Texans, 1900-1930: A History." Ph.D. dissertation, Texas Technological College, 1969.

- Greene, Casey Edmond. "Apostles of Hate: the Ku Klux Klan In and Near Houston, Texas, 1920-1982." Master's thesis, University of Houston at Clear Lake, 1995.
- Harvey, Sandra Denise. "Going Up Bell's Hill: A Social History of a Diverse Waco, Texas, Community in the Industrial New South, 1885-1955." Master's thesis, Baylor University, 1985.
- Johnson, Aimee Harris. "Prostitution in Waco, 1889-1917." Master's thesis, Baylor University, 1990.
- Kosary, Rebecca. "Regression to Barbarism in Reconstruction Texas: An Analysis of White Violence Against African-Americans From the Texas Freedmen's Bureau Records, 1865-1868." Master's thesis, Southwest Texas State University, 1999.
- Livingston, David. "The Lynching of Negroes in Texas, 1900-1925." Master's thesis, East Texas State University, 1972.
- Madla, Frank L., Jr. "The Political Impact of Latin Americans and Negroes in Texas Politics." Master's thesis, St. Mary's University, 1964.
- Morris, Mark N. "Saving Society Through Politics: the Ku Klux Klan in Dallas, Texas in the 1920s." Ph.D. dissertation, University of North Texas, 1997.
- Murphy, Leonard Brewster. "A History of Negro Segregation Practices in Texas, 1865-1958." Master's thesis, Southern Methodist University, 1958.
- Ramsey, John Gordon. "The Negro in McLennan County, Texas." Master's thesis, Baylor University, 1932.
- Rice, Lawrence. "Negroes in Texas, 1874-1900." Ph.D. dissertation, Texas Technological College, 1967.
- Schmitz, Steven A. "Klavaliers, Klaverns, and Klavalkades: The KKK in McLennan County, Texas, 1921-1923." Graduate paper, Southwest Texas State University, 28 April 1997.
- Seymour, James Bernard. "'War Within a War': The Effects of the Great War on Social Progressivism in Texas." Ph. D. dissertation, Texas A&M University, 1997.
- Smith, Rogers M. "The Waco Lynching of 1916: Perspective and Analysis." Master's thesis, Baylor University, 1971.
- Spurlin, Virginia Lee. "The Conners of Waco: Black Professionals in Twentieth Century Texas." Ph.D. dissertation, Texas Tech University, 1991.

- SoRelle, James M. "The Darker Side of Heaven: The Black Community in Houston Texas, 1917-1945." Ph.D. dissertation, Kent State University, 1980.
- Thompson, Phillip A. "Mobilized Democracy: The Origin and Application of the Espionage Act of 1917." Master's thesis, Baylor University, 1977.
- Torrence, Lois E. "The Ku Klux Klan in Dallas, 1915-1928: An American Paradox." Master's thesis, Southern Methodist University, 1948.
- Turner, Oran Elijah. "History of the Texas State Council of Defense." Master's thesis, University of Texas at Austin, 1926.
- Veit, Richard J. "The Growth and Effects of Anti-German Sentiment in Waco, Texas, 1914-1918." Master's thesis, Baylor University, 1980.
- Xie, Jingjing. "The Black Community in Waco, Texas: A Study of Place, Family and Work, 1880-1900." Master's thesis, Baylor University, 1988.

## **Published**

### **Books**

- Akers, Monte. *Flames After Midnight: Murder, Vengeance, and the Desolation of a Texas Community*. Austin: University of Texas Press, 1999.
- Alexander, Charles C. *The Ku Klux Klan in the Southwest*. Lexington: University of Kentucky Press, 1965.
- Barr, Alwyn. *Black Texans: A History of Negroes in Texas, 1528-1971*. Austin: Jenkins Publishing Company, 1973.
- Breen, W. J. *Uncle Sam at Home: Civilian Mobilization, Wartime Federalism, and the Council of National Defense, 1917-1919*. Westport, Conn.: Greenwood Press, 1984.
- Brewer, J. Mason. *Negro Legislators of Texas and Their Descendants*. With an Introduction by Herbert P. Gambrell and Alwyn Barr. Austin: Jenkins Publishing Company, The Pemberton Press, 1979.
- Brown, Norman D. *Hood, Bonnet, and Little Brown Jug: Texas Politics, 1921-1928*. College Station: Texas A&M University Press, 1984.
- Buenger, Walter L. and Robert A. Calvert, ed. *Texas Through Time: Evolving Interpretations*. College Station: Texas A&M University Press, 1991.

- Butler, John Sibley. *Entrepreneurship and Self-Help Among Black Americans: A Reconsideration of Race and Economics*. Albany: State University of New York Press, 1991.
- Calvert, Robert A. and Arnolde De Leon. *The History of Texas*, 2<sup>nd</sup> ed. Wheeling: IL: Harlan Davidson, Inc., 1996.
- Chalmers, David. *Hooded Americanism: The First Century of the Ku Klux Klan, 1865-1965*. Garden City, N.Y.: Doubleday & Company, Inc., 1965.
- Christian, Garna L. *Black Soldiers in Jim Crow Texas, 1899-1917*. College Station: Texas A&M University Press, 1995.
- Conger, Roger Norman, ed. *A Century of Fraternity, Waco Lodge No. 92, A.F. & A.M.; Waco, Texas 1852-1952, a Memorial History*. Waco: Freemasons, Waco Lodge No. 92., 1952?
- \_\_\_\_\_. *Waco: A Basic History*. Waco: Texian Press, 1984.
- Connally, Tom and Alfred Steinberg. *My Name is Tom Connally*. New York: Thomas Y. Crowell Company, 1954.
- Daniel, Pete. *The Shadow of Slavery: Peonage in the South, 1901-1960*. Urbana, Ill.: University of Illinois Press, 1972.
- Ferrell, Claudine, L. *Nightmare and Dream: AntiLynching in Congress, 1917-1922*. New York: Garland Press, 1986.
- Fogelson, Robert M. and Richard E. Rubenstein, eds. *Mass Violence in America: Hearings on the Ku Klux Klan, 1921*. New York: Arno Press & The New York Times, 1969.
- Foley, Neil. *The White Scourge: Mexicans, Blacks, and Poor Whites in Texas Cotton Culture*. Berkeley: University of California Press, 1997.
- Franklin, John Hope. *From Slavery to Freedom: A History of Negro Americans*. 3<sup>rd</sup> ed. New York: Vintage Books, 1969.
- Goodwyn, Lawrence. *The Populist Moment: A Short History of the Agrarian Revolt in America*. New York: Oxford University Press, 1978.
- Gould, Lewis L. *Progressives and Prohibitionists: Texas Democrats in the Wilson Era*. Austin: University of Texas Press, 1973.
- Green, James R. *Grass-Roots Socialism: Radical Movements in the Southwest, 1895-1943*. Baton Rouge: Louisiana State University Press, 1978.

- Hall, Jacquelyn Dowd. *Revolt Against Chivalry: Jessie Daniel Ames and the Women's Campaign Against Lynching*. New York: Columbia University Press, 1979.
- Harries, Meirion, and Susie Harries. *The Last Days of Innocence: America at War, 1917-1918*. New York: Random House, 1997.
- Harvey, McClennon Phillip. *A Brief History of Paul Quinn College: 1872-1965*. Waco, Tex.: Smith Printing Company, 1965.
- Hine, Darlene Clark. *Black Victory: The Rise and Fall of the White Primary in Texas*. Millwood, N.Y.: KTO Press, 1979.
- Jackson, Kenneth T. *The Ku Klux Klan in the City, 1915-1930*. Chicago: Elephant Paperbacks, Ivan R. Dee Publisher, 1992. Originally published in 1967.
- Jones, Beverly Washington. *Quest for Equality: The Life and Writing of Mary Eliza Church Terrell, 1863-1954*. New York: Carlson Publishing, Inc., 1990.
- Kelley, Dayton, ed. *The Handbook of Waco and McLennan County, Texas*. Waco: Texian Press, 1972.
- Kellogg, Charles Flint. *NAACP, A History of the National Association for the Advancement of Colored People*. Baltimore: The John Hopkins University Press, 1967.
- Kennedy, David M. *Over Here: The First World War and American Society*. New York: Oxford University Press, 1980.
- Lay, Shawn, ed. *The Invisible Empire in the West: Toward a New Historical Appraisal of the Ku Klux Klan of the 1920's*. Chicago: University of Illinois Press, 1992.
- \_\_\_\_\_. *War, Revolution and the Ku Klux Klan: A Study of Intolerance in a Border City*. El Paso: Texas Western Press of University of Texas at El Paso, 1985.
- Levine, Lawrence W. *Black Culture and Black Consciousness: Afro-American Folk Thought from Slavery to Freedom*. New York: Oxford University Press, 1977.
- MacLean, Nancy. *Behind the Mask of Chivalry: The Making of the Second Ku Klux Klan*. New York: Oxford University Press, 1994.
- MacArthur, Judith N. *Creating the New Woman: The Rise of Southern Women's Progressive Culture in Texas, 1893-1918*. Chicago: University of Illinois Press, 1998.

- Martin, Roscoe. *The People's Party in Texas: A Study in Third Party Politics*. Austin: University of Texas Press, 1970.
- McCarty, Jeanne Bozzell. *The Struggle for Sobriety: Protestants and Prohibition in Texas, 1919-1935*. El Paso: Texas Western Press, 1980.
- McSwain, Betty Ann McCartney, ed. *The Bench and Bar of Waco and McLennan County, 1849-1976*. Waco: Texian Press, 1976.
- Meier, August. *Negro Thought in America, 1880-1915: Racial Ideologies in the Age of Booker T. Washington*. Ann Arbor: University of Michigan Press, 1988. Originally published in 1963.
- Mjagkij, Nina. *Light in the Darkness: African Americans and the YMCA, 1852-1946*. Lexington, Ky.: University Press of Kentucky, 1994.
- Newton, Micheal. *Racial and Religious Violence in America: A Chronology*. New York: Garland Reference Library of Social Sciences, 1991.
- Poage, W. R. *McLennan County Before 1980*. Waco: Texian Press, 1981.
- Shannon, David. *Between The Wars: America, 1919-1941*. Boston: Houghton Mifflin Company, 1979.
- Sharpless, Rebecca. *Fertile Ground and Narrow Choices: Women on Texas Cotton Farms, 1900-1940*. Chapel Hill: University of North Carolina Press, 1999.
- Simpson, Harold B. *Gaines' Mill to Appomattox: Waco And McLennan County in Hood's Texas Brigade*. Waco: Texian Press, 1963.
- Tindall, George. *The Emergence of the New South, 1913-1945*. Baton Rouge: Louisiana State University Press, 1975.
- Waco Heritage and History Society. *Blacks in Waco, 1800-1950*. Waco: Historic Waco Foundation, 1984.
- Wallace, Patricia Ward. *A Spirit So Rare: A History of the Women of Waco*. Austin: Nortex Press, 1984.
- \_\_\_\_\_. *Our Land, Our Lives: A Pictorial History of McLennan County, Tex.* Waco: Texian Press, 1986.
- Weinstein, Allen and Frank Otto Gatell. *The Segregation Era, 1863-1954: A Modern Reader*. New York: Oxford University Press, 1970.



Winegarten, Ruthe, comp. *Black Texas Women*. Austin: University of Texas Press, 1995.

Woodward, C. Vann. *Origins of the New South, 1877-1913*. Baton Rouge: Louisiana State University Press, 1966.

## Articles

Baulch, Joe R. "Making West Texas Safe for Democracy: The 1917 Farmers and Laborers Protective Association Conspiracy." *West Texas Historical Association Year Book* 62 (1986): 119-129.

Beck, E. M. and Stewart E. Tolnay. "A Season for Violence: The Lynching of Blacks and Labor Demand in the Agricultural Production Cycle in the American South." *International Review of Social History* 37 (January 1992): 1-24.

Blumenthal, Henry. "Woodrow Wilson and the Race Question." *The Journal of Negro History* 48 (January 1963): 1-20.

Buenger, Walter L. "'This Wonder Age': The Economic Transformation of Northeast Texas, 1900-1930." *Southwestern Historical Quarterly* 98 (April 1995): 518-549.

Cantrell, Gregg and D. Scott Barton. "Texas Populists and the Failure of Biracial Politics." *Journal of Southern History* 55 (November 1989): 661-692.

Christian, Carole E. "Joining the American Mainstream: Texas's Mexican Americans During World War I." *Southwestern Historical Quarterly* 92 (April 1989): 559-595.

Christian, Garna L. "The Ordeal and the Prize: the 24<sup>th</sup> Infantry and Camp MacArthur." *Military Affairs* 50 (April 1986): 65-70.

Cohen, William. "Negro Involuntary Servitude in the South, 1865-1940." *Journal of Southern History* 42 (February 1976): 31-60.

Conger, Roger. "Insults, Innuendo, and Invective: Waco in 1897." *Waco Heritage and History* 9 (Fall 1978): 3-8.

Davis, Margret. "Harlots and Hymnals: A Historic Confrontation of Vice and virtue in Waco." *Waco Heritage and History* 9 (Fall 1978): 1-20.

Goodwyn, Lawrence C. "Populist Dreams and Negro Rights: East Texas as a Case Study." *American Historical Review* 76 (December 1971): 1435-1456.

- Green, James R. "Tenant Farmer Discontent and Socialist Protest in Texas, 1901-1917." *Southwestern Historical Quarterly* 81 (October 1977): 133-154.
- Hall, Jacquelyn Dowd. "'The Mind That Burns In Each Body': Women, Rape, and Racial Violence." *Southern Exposure* 12 (November/December 1984): 61-71.
- Harris, J. William. "Etiquette, Lynching, and Racial Boundaries in Southern History: A Mississippi Example." *American Historical Review* 100 (March 1995): 387-410.
- Haynes, Robert V. "The Houston Mutiny and Riot of 1917." *Southwestern Historical Quarterly* 76 (April 1973): 418-439.
- Hobson, Fred. "The Savage South: An Inquiry into the Origins, Endurance, and Presumed Demise of an Image." *The Virginia Quarterly Review* 61 (Summer 1985): 377-395.
- Johnson, Doug. "George Clark," in *The Handbook of Texas Online*. Ron Tyler, ed. Austin: Texas State Historical Association, 1997, 1998, 1999. Available at <http://www.tsha.utexas.edu/handbook/online.html>.
- Lamon, Lester C. "W. T. Andrews Explains the Causes of Black Migration From the South." *The Journal of Negro History* 63 (Fall 1978): 365-372.
- Meier, August and Elliot Rudwick. "Attorneys Black and White: A Case Study of Race Relations Within the NAACP." *Journal of American History* 62 (March 1976): 913-946.
- Murphy, Paul L. "Sources and Nature of Intolerance in the 1920's." *Journal of American History* 51 (June 1964): 60-76.
- Newman, Samuel. "Waco's Private and Denominational Schools." *Waco Heritage and History* 9 (Winter 1979): 29-40.
- Porter, Catherine Rife. "Gussie Oscar and the Auditorium, 1915-1928." *Waco History and Heritage* 11 (Summer 1980): 1-22.
- Reich, Steven A. "Soldiers of Democracy: Black Texans and the Fight for Citizenship, 1917-1921." *Journal of American History* 82 (March 1996): 1478-1504.
- Rice, Lawrence D. "Farmers' Improvement Society" and "Smith, Robert Lloyd," in *The Handbook of Texas Online*. Ron Tyler, ed. Austin: Texas State Historical Association, 1997, 1998, 1999. Available at <http://www.tsha.utexas.edu/handbook/online.html>.
- Sharpless, M. Rebecca. "Central Texas College" and "Paul Quinn College," in *The Handbook of Texas Online*. Ron Tyler, ed. Austin: Texas State Historical

- Association, 1997, 1998, 1999. Available at  
<http://www.tsha.utexas.edu/handbook/online.html>.
- Smith, C. Calvin. "The Houston Riot of 1917, Revisited." *Houston Review* 13 (Fall 1991): 85-102.
- Smith, T. Lynn. "The Redistribution of the Negro Population of the United States, 1910-1960." *The Journal of Negro History* 51 (July 1966): 155-173.
- Sokolow, Jayme A. and Mary Ann Lamanna. "Women and Utopia: The Women's Commonwealth of Belton, Texas." *Southwestern Historical Quarterly* 84 (April 1984): 370-392.
- Sonntag, Mark. "Fighting Everything German in Texas, 1917-1919." *Historian* 56 (August 1994): 655-670.
- SoRelle, James M. "'The Waco Horror': The Lynching of Jesse Washington." *Southwestern Historical Quarterly* (April 1983): 517-536.
- Thelen, David. "Jim Crow." *Journal of American History* 75 (December 1988): 841-868.
- Tolnay, Stewart E. and E. M. Beck. "Black Flight: Lethal Violence and the Great Migration, 1900-1930." *Social Science History* 14 (Spring 1990): 347-370.
- \_\_\_\_\_. "Racial Violence and Black Migration in the American South, 1910 to 1930." *American Sociological Review* 57 (February 1992): 103-116.

## VITA

Katherine Kennis Kuehler Walters was born in New Braunfels, Texas on November 24, 1972, the daughter of K. Joe Kuehler and Ann Kuehler. After completing her work at New Braunfels High School, New Braunfels, Texas, in 1991, she entered Texas Lutheran College in Seguin, Texas. She attended the University of Texas at Austin in 1994 and the spring of 1995. She received the degree of Bachelor of Arts from Texas Lutheran College in May, 1996. She entered the Graduate School of Southwest Texas State University, San Marcos, Texas in January 1997, where she worked as a teaching assistant. She presented the first chapter of this thesis at the University of Memphis African-American History Conference in October, 1999.

Permanent address: 548 So. Santa Clara  
New Braunfels, Texas 78130

This thesis was typed Katherine Kennis Kuehler Walters