

Chapter 5: “The First Time a Charge Like This Has Ever Been Tried in the Courts”: The End of Lynching in Marion County, Florida. pp. 70-88

Title Page, Copyright
Contents, pp. vii-viii
Illustrations, pp. ix-x
Acknowledgments, pp. xi-xii
Introduction, pp. 1-7
Chapter 5, pp. 70-88
Endnotes for Chapter 5, pp. 224-228

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Lethal Punishment

LYNCHINGS AND
LEGAL EXECUTIONS
IN THE SOUTH



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CONTENTS

List of Illustrations ix
Acknowledgments xi

<i>Introduction</i>	1
1 <i>Legal and Extralegal Executions in the American South</i>	8
2 <i>Lethal Punishment in Tennessee and Florida</i>	18
3 <i>Eleven Lynchings for Every Execution: Lethal Punishment in Northwest Tennessee</i>	28
4 <i>“There Can Be Nothing but Death”: Lethal Punishment for Rape in Shelby County, Tennessee</i>	50
5 <i>“The First Time a Charge Like This Has Ever Been Tried in the Courts”: The End of Lynching in Marion County, Florida</i>	70
6 <i>The Mob and the Law: Mock Trials by Mobs and Sham Legal Trials</i>	89
7 <i>“The First Duty of a Government”: Lynching and the Fear of Anarchy</i>	103
8 <i>When the Mob Ruled: The Lynching of Ell Persons</i>	119
9 <i>Prevented Lynchings: White Intervention and Black Resistance</i>	141

10	<i>“No Reason Why We Should Favor Lynching or Hanging”: Efforts to End Legal and Extralegal Executions in Tennessee</i>	156
11	<i>Conclusions</i>	176
	Appendix A Sources and Methods	187
	Appendix B Inventory of Confirmed Lynchings and Legal Executions	196
	Notes	203
	Bibliography	261
	Index	275

ILLUSTRATIONS

Figures

1. Map of Northwest Tennessee	32
2. Lynching of Unknown Victim	36
3. Shelby County Jail, Memphis, Tennessee	61
4. Marion County Courthouse, Ocala, Florida	77
5. Night Riders of Gibson County, Tennessee	110
6. Headline, <i>Nashville Banner</i>	115
7. Antoinette Rappel's Grave, Memphis, Tennessee	139
8. Mrs. J. C. Butler	148
9. Duke C. Bowers	160
10. Samuel Allen McElwee	169

Tables

1. Confirmed Lynchings and Executions	3
2. Tennessee Executions, 1916–1960	20
3. Florida Executions, 1924–1964	24
4. Timeline of Executions and Lynchings in Seven Northwest Tennessee Counties	35
5. Executions and Lynchings in Shelby County, 1890–1930	54
6. Timeline of Lynchings and Executions in Shelby County, 1890–1930	55
7. Shelby County Lynchings and Executions for Sexual Assault, 1890–1930	58
8. Executions and Lynchings in Marion County, 1885–1930	72
9. Marion County Lynchings and Executions for Sexual Assault, 1885–1932	74
10. EII Persons Timeline, April–May 1917	132
11. Benjamin Reed Timeline, July 1892–December 1893	153

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Introduction



*D*yer County, Tennessee, had a well-established tradition of lynching by 1915. At least eight men had been hanged in the small rural county for offenses ranging from horse theft to murder. When Robert Davis was arrested for murdering a young white woman by beheading her, there was every reason to expect a lynching, but the sheriff of Dyer County quickly moved Davis to the relative safety of the Memphis jail. There Davis's luck continued. At a time when indigent African American defendants could expect the barest minimum of legal assistance, Davis's lawyer spent his own funds to investigate the case. He found compelling evidence that the woman had been murdered by her husband, not by Davis. At the request of the prosecutor, the judge entered a verdict of directed acquittal and Davis was freed.

Two years later, Julius Morgan, a black man, was accused of raping a white woman in Dyer County. Morgan narrowly escaped being lynched. The sheriff went to great lengths to protect Morgan from the mob, moving him to jails in Jackson, Union City, and finally Nashville. Morgan was represented by several attorneys who secured a change of venue to Memphis, where he was tried, convicted, and sentenced to death. After his appeal was rejected, Morgan was electrocuted at the state prison in Nashville; he was the first person to die in Tennessee's electric chair.

Just seventeen months after Morgan's legal execution, Lation Scott became the suspect in the rape of a white woman in rural Dyer County. He was captured outside the county and brought back to Dyersburg by law enforcement officers who did not resist when a mob demanded their prisoner. The mob brought Scott to downtown Dyersburg on the morning of December 2, 1917. It was Sunday and church services had just ended. Thousands of people assembled to watch as the leaders of the mob tortured and burned Lation Scott alive a few blocks from the courthouse. Scott was the last person to be lynched in Dyer County.

These three cases, occurring in one county within a three-year period, illustrate some of the complexities of "lethal social control" in the American

South.¹ Why did local law enforcement go to such lengths to save Davis and Morgan but sacrifice Scott? Why did the mob burn Scott, when every other Dyer County lynching had been by hanging? Why did lynching in the county end after the burning of Lation Scott? The differing fates of these three men reveal the capriciousness of the white southern response to African Americans suspected of serious crimes. The man accused of murder was protected, defended, and freed, while both of the men accused of rape died, one in the state prison before a few selected witnesses, the other in downtown Dyersburg before a crowd of thousands.

It is probably impossible to fully answer the questions posed above or the many other questions raised by the cases recounted in this book. I do not claim to have found explanations either for broad patterns in the data or for the varying outcomes of individual cases. What I found as I did the research for this book is evidence of the variety of both legal and extralegal punishment, the complex ways in which they differed from and resembled each other, and the significance of local circumstances and individual actions.

The Scope and Purpose of the Book

This book explores lethal punishment in the late nineteenth and early twentieth century in three distinct cultural and geographic areas, with an emphasis on the relationship between the two types of punishment. Using the cases that occurred in seven rural counties of northwest Tennessee, in Shelby County (Memphis), and in Marion County (Ocala), Florida, I document local histories of executions and lynchings.² I examined local patterns of lethal punishment in an attempt to find productive middle ground between the two major types of lynching studies, those that take an aggregate (or social science) approach, using quantitative statistics to analyze patterns in the data, and those using a case study (or historical) approach.³ I sought to gain breadth by including all instances of lynching and execution within an area for a period of several decades while adding depth through detailed examination of individual cases.

I hoped by this approach to be able to achieve a deeper understanding of lynchings, executions, and the relationship between them than could be attained through statistical analysis. While statistics can test for the existence of a connection between the two types of punishment, statistical analysis is unable to provide insight into the mechanisms by which the two forms of punishment may have been related.⁴ A quick legal execution in response to a threatened lynching, for example, might convey a number of messages to potential lynchers. It might impress them with their own power to influence the authorities and thus encourage them to threaten further violence. Or it might satisfy their immediate desire for retribution and increase their confidence that their wishes would be respected in the future, thus increasing their inclination to rely on the state to carry out punishment. Cases of legal and extralegal executions that were closely proximate in time and location provide an opportunity to explore how local residents

and authorities viewed the two types of punishment. Placing particular cases against the background of local histories and contemporary events can yield insights into otherwise unexplained changes in the behavior of the authorities, who sometimes praised, sometimes denounced, and very rarely attempted to prevent lynchings or punish those responsible.

A disadvantage of the method of research I have chosen for this book is that it does not provide a solid basis for generalization. There is an inevitable trade-off between depth and breadth in research, and I have chosen to try to achieve greater depth at the expense of broadly applicable findings. Thus, this study focuses on a few localities rather than attempting wide geographic coverage. In order to avoid too narrow a focus, I have chosen to look at executions and lynchings in counties with divergent histories and demographics. Close study of events in these small areas should illuminate the local histories of lethal punishment and may provide a tentative basis for broader conclusions, or at least point the way for further research to test the broader applicability of the findings.

The areas I examined in detail for this book are seven rural counties in northwest Tennessee,⁵ Shelby County (Memphis), and Marion County (Ocala), Florida. Table 1 indicates the number of confirmed lynchings and executions for each area during the years studied. The starting and ending years vary by location, depending on whether sources were available for cases from years before the 1880s and on the last identified lynchings in each area. The selection of locations for the study proceeded from my knowledge of and interest in specific local events, the availability of records, and examination of lynching and execution patterns as indicated in existing inventories. I do not consider these areas to be broadly representative of the South; they are chosen precisely because they are “local, individual, and . . . particular.”⁶

The South was not a uniform society; there was “great variety and individuality of southern communities and southern people.”⁷ While certain beliefs and values, including a devotion to white supremacy, were broadly shared by white southerners, the interpretation and application of those values could differ. Among these diverse communities, the occurrence, function, and meaning of lethal punishment are likely to have varied substantially.⁸ Simple examination of data by county reveals striking differences. In some locations a decades-long pattern of lynching ended abruptly, followed by a series of legal executions. In other counties legal executions were rare, lynchings were common, and both

TABLE 1 *Confirmed Lynchings and Executions*

	Years	Lynchings	Legal Executions
Northwest counties, Tennessee	Civil War–1940	66	6
Shelby County, Tennessee	1890–1930	15	23
Marion County, Florida	1885–1932	19	6
Total		100	35

practices came to an end at about the same time. Some counties carried out legal executions but had no lynchings, some had lynchings and no legal executions, and others never used either form of lethal punishment.

I used counties or a group of small contiguous counties as the geographical unit of analysis. County-level data allow the researcher to take into account local political culture, race relations, historical events, and geographic and demographic factors. Data on demographics and economics are usually available by county, and changes over time can be traced conveniently within the county unit. Stewart Tolnay and E. M. Beck argue for counties as the best unit of analysis for studying lynching, noting their importance in the administration of criminal justice and their position as “the smallest spatial unit with which it is possible to study the geographic distribution of southern lynchings on a wide scale.”⁹ W. Fitzhugh Brundage notes, however, that mobs were not constrained by county lines and often crossed them in pursuit of a suspect; thus, the county where a lynching occurred might not be the same county, or even the same state, where the mob originated or the alleged offense took place. In his study of lynchings in Georgia and Virginia, Brundage analyzed cases within regions of the states. This approach was also taken by Terence Finnegan in his study of Mississippi and South Carolina cases and by William Carrigan in his work on lynchings in central Texas.¹⁰

Counties or regions within states can be useful geographic boundaries for studies of capital punishment as well.¹¹ During the earlier years covered by this book, executions were carried out locally by county authorities. Death penalty laws are written at the state level, but death sentences are imposed by courts with countywide jurisdiction, jurors are drawn from county-based records, and prosecutors and defense services are generally organized by county. Counties within a single state can vary widely in the frequency with which they seek and obtain death sentences.

I have made strenuous efforts to document every lynching and legal execution for the counties and years under study. The methods and sources of data I have used and the problems encountered are described in detail in the appendix. In brief, I worked primarily from available inventories of lynchings and from Watt Espy’s inventory of executions.¹² I relied largely on contemporary newspaper reports to confirm the cases of lynching and to find details about them. I also searched county histories, memoirs and diaries, and other relevant sources for information on the cases. For information on the legal executions I used newspaper articles, court records, and documents related to executive clemency, as well as local histories.

Determining what constitutes a lynching is not always easy. I used the following definition, agreed upon at a 1940 meeting of the NAACP and other antilynching organizations: “There must be legal evidence that a person has been killed, and that he met his death illegally at the hands of a group acting under the pretext of service to justice, race, or tradition.”¹³ I am sure that I have not identified all the lynchings that took place in the areas I studied. Certainly I was

unlikely to find lynchings that were never reported in the local or state newspapers. I found that the standard inventories incorrectly listed a number of lynchings that did not occur, occurred in other jurisdictions, or did not meet the definition of lynching.¹⁴ Where I was unable to positively document cases as lynchings, I omitted them. By taking a conservative position and consistently excluding doubtful cases, I ensured that my analysis does not erroneously include as lynchings cases that do not clearly meet the definition of that crime. Documenting legal executions was a much simpler process. I am confident that the list of executions is complete for the later years and is close to complete for the earlier years of the study.

Historical data, in Douglas Eckberg's evocative phrase, often have a "ragged quality" that limits the analysis and conclusions the data can support.¹⁵ In the course of this research, I was frequently confronted by the ragged quality of my data. Information was often missing, sometimes contradictory, and never as complete as I wished. I acknowledge the limitations of my data by noting in case summaries when existing accounts make contradictory assertions, when I am making assumptions based on the available evidence without definite supporting documentation, and when information is missing and cannot be inferred.¹⁶

A weakness of this study, as of most other studies of lynching and historical executions, is the failure to systematically take into account cases that could have, but did not, result in either form of deadly punishment. There are many documented examples of prevented lynchings.¹⁷ Sometimes the courage of one person was sufficient to prevent a lynching, as happened in 1931 in Tennessee, when a sheriff's wife, Pearlie Gooch Butler, single-handedly turned a mob away from the Carroll County jail. Similarly, there were cases in which a death sentence and quick execution seemed all but inevitable, and yet the outcome was a lighter sentence, a commutation, or even an acquittal. To fully understand lethal punishment, we need complete inventories of prevented lynchings and of persons eligible for capital punishment who were not executed. The problems with compiling inventories of executions and lynchings are dwarfed by the problems of identifying potential cases of lethal punishment, however, and those cases I discuss came to my attention by chance.

An Overview of the Book

The book begins with an overview of lynching and the death penalty in the South, a discussion of similarities and differences in the two practices, and a review of the literature that tests the relationship between them. To provide context for the case studies that follow, chapter 2 briefly describes social conditions and race relations in Tennessee and Florida and reviews the history of lynching and the death penalty in both states. The remaining chapters fall into three sections, the first documenting and examining local histories of lethal punishment, the second exploring the relationship between lynching and legal execution through case studies, and the last looking at resistance to both forms of punishment.

In chapter 3, I investigate patterns and cases of lynching and execution in northwest Tennessee, an area where extralegal executions outnumbered legal ones by eleven to one. In these seven counties, many African Americans were lynched for offenses that were not capital crimes—indeed, some were not crimes at all, but were violations of the area's rigid racial caste system. Testifying in court, having knowledge of thefts, fighting a white man, entering a white girl's bedroom, and resisting the Ku Klux Klan are among the reasons for lynchings in northwest Tennessee.

In the fourth and fifth chapters, I restrict my analysis to cases of lethal punishment for sexual offenses. Unlike northwest Tennessee and Marion County, Florida, Shelby County had a large city with a population that increased greatly during the late nineteenth and early twentieth century. Shelby County was the only one of the three areas I studied that made more use of legal than extralegal executions. Through a systematic comparison of cases resulting in lynching and execution, I try to distinguish factors that led to the different outcomes. The chapter concludes with a detailed account of the lynching of Lee Walker and the execution of Henry Johnson.

In chapter 5, I examine cases from Marion County (Ocala), Florida. Marion County had a firmly entrenched tradition of lynching. The public nature of the lynchings, the participation of large crowds, the lack of effective resistance by law enforcement, and enthusiastic endorsement by the local newspapers all indicated a particularly high level of white community support for the practice. Until the 1930s, no African American man accused of raping a white woman had been legally tried in the county. In the early 1930s this long sequence of lynchings ended as three legal death sentences were imposed in quick succession. Correspondence between Marion County and state officials indicates that the substitution of legal execution for lynching in these cases was conscious and deliberate.

The second part of the book explores the complexities of the relationship between lynching and legal executions, using case studies to demonstrate ways in which the legal and extralegal processes imitated, influenced, and differed from each other. While I draw most cases from the counties analyzed in the first part of the book, I include several from other counties in Florida and Tennessee. Lynch mobs occasionally went to great lengths to imitate legal proceedings, holding mock trials, calling witnesses, and having mob members deliberate as jurors. In a sort of mirror image of these mock legal proceedings, authorities sometimes held rushed trials under mob pressure and followed them with quick executions, violating even the minimal due process requirements of the time. The sixth chapter presents examples of mock and sham trials and discusses the varying concepts of law and justice that may have motivated actors in both types of proceeding.

Opposition to lynching among whites often rested on their concern that mob violence would lead to general anarchy. Chapter 7 focuses on a period of turmoil and lawlessness in west Tennessee in 1908 when white fears of lawlessness prompted rare attempts by the authorities to use force to restore order and

prevent lynchings. Building on the theme of threatened anarchy, the eighth chapter is a detailed case study of a mob that wrested control of most law enforcement functions from the established authorities for a period of several weeks and carried out the most brutal lynching in Shelby County's history. The mob that pursued and lynched Ell Persons in Memphis in 1917 forced the sheriff to flee the state, set up roadblocks around the county, searched and detained police officers, and posted guards around the jail and courthouse, providing a chilling illustration of the potential power of the mob, even in a large and relatively cosmopolitan urban area.

The final section of the book shifts from cases of lethal punishment to efforts against lynching and the death penalty. In chapter 9, I examine a number of prevented lynchings that were not followed by legal executions, including an 1892 Florida case in which lynching was averted by the armed resistance of the black community. Although my research on prevented lynchings was not systematic, I believe that the cases I found provide important perspective. Lynching and execution were not inevitable outcomes; these cases prove that intervention and resistance were possible and were sometimes successful. Prevented lynchings raise painful questions as to why intervention was not more common.

In the tenth chapter I describe the campaign against lynching and the movement to abolish capital punishment in Tennessee. Just as the relationship between executions and lynchings is complex and sometimes contradictory, so is the relationship between efforts to abolish the two practices. Tennessee is an ideal state to study these movements because it had several active antilynching efforts and because Tennessee, uniquely among formerly Confederate states, briefly abolished the death penalty for murder through legislation. The final chapter summarizes the findings of the book, outlines issues for further research, and concludes with a discussion of lynchings in relation to the modern use of capital punishment. A methodological appendix contains a detailed discussion of the research process and sources of data.

CHAPTER 5

“The First Time a Charge Like This Has Ever Been Tried in the Courts”

THE END OF LYNCHING IN MARION COUNTY, FLORIDA



The patterns of lynchings and executions in the seven counties of northwest Tennessee and in Shelby County reveal no evidence that legal executions replaced mob lynchings. In Marion County, Florida, in contrast, officials ended a long and deeply rooted tradition of illegal hangings by rushing three black men accused of the rape of white women to trial. These trials were held under mob influence, after lynchings had been narrowly averted, and resulted in the quick imposition of legal death sentences. Correspondence between local and state officials indicates that the authorities deliberately substituted these trials for lynching.¹

Between 1885 and 1930, nineteen black men were lynched in Marion County, nine of them for sexual offenses. Marion County lynchings were public affairs, often carried out before hundreds of witnesses, but none of the perpetrators was prosecuted. By the 1920s, the tradition of mob violence had begun to trouble community leaders who wanted to promote the development of the county. When three white women in the early 1930s reported having been raped by black men in separate incidents, local authorities for the first time resisted attacks by mobs and brought the cases to trial. The state attorney who prosecuted the cases wrote to the governor, “This is the first time in Marion County history that a charge like this has ever been tried in the Courts.”² In each of the three cases the defendants were found guilty and condemned to death; two were executed and the third, whose guilt was very much in doubt, eventually received a life sentence.

Marion County, Florida

Marion County lies in the center of the state of Florida; its county seat is Ocala. The county was established in 1844, before Florida became a state. In the

1850s, Marion County was settled by South Carolinians who established plantation slavery in the area. In the postwar period, the county remained rural, with the exception of Ocala, and agriculture, including citrus, was the predominant means of livelihood. Marion County was the site of several phosphate mines, especially in the area of Dunellon in the southern part of the county.³

Marion County's history contains a number of racially motivated incidents typical of those that occurred in Florida and other southern states in the late nineteenth and early twentieth century. In 1860, Lewis, Israel, and Allen were lynched in Marion County for killing their master, after being informally tried by a group of twelve citizens.⁴ Near the end of the Civil War, several black Union soldiers in Marion County were burned to death for supposedly trying to recruit other blacks into the Union army. A Radical black leader in the area was shot and killed by a white Conservative during Reconstruction, and in the late 1860s there was a period of more than a year when no criminal cases were tried in the county because local judges and lawyers refused to hold court before integrated juries.⁵ The Ku Klux Klan was active in Marion County, and in one case lynched the suspected murderers of a white man, hanging the skeleton of one of their victims from a tree near Ocala.⁶ When black laborers were employed at a lumber camp in Marion County in the late nineteenth century, white workers attacked their sleeping quarters, wounded several men with gunshot, and chased them all away.⁷

Marion County in the early 1930s had a population of nearly 30,000, almost evenly divided between blacks and whites. In contrast, African Americans made up only 29.4 percent of the population of the state of Florida. Ocala, the largest city of Marion County, had 7,281 inhabitants; the 1930 Census classified all the rest of the county as rural. Nearly 3,000 black people lived in Ocala, while 11,560 lived in the rest of the county. The black illiteracy rate in Marion County in 1930 was 18 percent, while native whites had an illiteracy rate of 1.2 percent, and foreign born whites, 2.6 percent. Blacks made up 91 percent of all persons in Marion County employed in domestic and personal service.⁸

Lynchings and Executions in Marion County

The capital sanction, whether legal or extralegal, was reserved entirely for African American men in Marion County during the late nineteenth and first half of the twentieth century. Not until 1946 was a white man executed for any crime committed in the county.⁹ A black man accused of murder in Marion County might receive a trial, but if he were suspected of the sexual assault of a white woman or girl, he would face mob violence. Between 1885 and 1930, Marion County legally executed four men and lynched nine for murder; both the last legal execution and the last two lynchings for murder took place in 1912. In the same time period, nine black men were lynched for sexual offenses.¹⁰ Table 8 summarizes Marion County lynchings and executions.

A striking aspect of lynching in Marion County is the frequency with which mobs took their victims from the custody of law enforcement, apparently

TABLE 8 *Executions and Lynchings in Marion County, 1885–1930*

	Executions	Lynchings
Black		
Murder	4	9
Sexual offense		9
Other		1
Total	4 (100%)	19 (100%)
White		
Murder		
Sexual offense		
Other		
Total		
Total	4	19

Note: Sexual offenses include attempted rape and one case of writing an insulting letter to a white woman. The offense of murder includes attempted murder and complicity.

meeting little or no resistance. Of the fifteen cases in which I have been able to determine the circumstances of the suspect's capture by the mob, all but two involved suspects already in the custody of law enforcement officers. Most of the Marion County lynchings were mass lynchings in Brundage's classification, involving public executions before large crowds. Lynchings in Marion County were almost all carried out by hanging, often with shots being fired into the body. Marion County mobs sometimes left a placard or a sign attached to the body of the victim; when Robert Larkin was lynched in 1893, the mob left a placard reading, "Done by 300 of the best citizens of this county."¹¹ Marion County mobs rarely lynched for noncapital offenses. In 1887, George Green was lynched for theft. Norman McKinney was lynched for wrecking a train in 1901, which resulted in the death of a popular white engineer.¹² The only lynching for a trivial offense occurred in 1915, when John Richards was hanged for writing an "insulting" note to a white woman. A case that occurred in 1868 or 1869 was unusual in that the lynchers were African American. A black man was suspected of murdering a young white woman in Orange Springs. He was whipped by other blacks until he confessed, and then was informally tried by a jury of twelve black men; they found him guilty and hanged him.¹³ Table 9 summarizes lynchings and legal executions for sexual offenses in Marion County.

White supremacy was deeply established in Marion County. In 1924, the *Ocala Banner* gave front-page space to an announcement that the Ku Klux Klan would be organizing a chapter in Marion County. Interested parties were instructed to send their name, church and lodge affiliations, and their place of birth, "only 100 per cent Americans wanted." The initiation fee was ten dollars and robes cost another five dollars.¹⁴ The tradition of lynching was also deeply rooted in the county. The author of a memoir of the community of Citra recalled

the route taken by the local school bus in the 1920s: “it went through Cabbage Hammock, by Mr. Wartman’s fence, and then by ‘The Hanging Tree,’ where it was not unusual to see pieces of frayed rope swaying from a stout limb, in the early morning light.”¹⁵ Lynching seems to have had broad support among whites in Marion County.

Until the middle of the 1920s, the local press took a uniformly approving tone when reporting lynchings. When Elijah Jones was lynched for allegedly raping a seventy-year-old white woman and attempting to assault an eleven-year-old white girl, the *Ocala Banner* reported that three thousand people either participated in hanging Jones or viewed his body after the lynching. The *Ocala Evening Star* wrote a long article on the lynching, defending it in strident terms. According to the paper, Jones was a “bad nigger,” a “filthy ruffian,” a “rape fiend,” and a “degenerate young devil.” Those who lynched him were not a mob but “representative citizens, and they consider it their duty to rid their county of rapists and rattlesnakes as soon as possible.” The mob members “understood all about” a remark Jones was reported to have made, “that he wanted white because he was tired of black. That is the inspiration of all the rape fiends, and the only thing to meet it with is hot lead and hemp.” The paper scornfully dismissed an inquiry from the Associated Press concerning race troubles in Marion County, insisting that all was quiet and that everyone was going about their business as usual.¹⁶

By 1926, when Chandler Colding was lynched in Marion County, support for the long tradition of lynching was beginning to wane.¹⁷ Colding was lynched on suspicion of raping a white woman in the Marion County community of Citra. He was abducted from the custody of law enforcement officers who were taking him to the hospital for identification by the victim. The negative response to this lynching was significant, and, for the first time, Marion County seemed responsive to the critical views of outsiders. The tone of coverage in the local press was much more restrained than had been the case for any previous lynching. The *Ocala Evening Star* wrote brief straightforward accounts of events without justifications for the lynching and with only one use of inflammatory language. The *Ocala Banner* wrote an editorial about “that lynching which occurred twenty miles away” under the headline “Ocala Getting a Bad Name.” The editorial noted that such publicity was “most hurtful . . . [coming] just at a time when we are trying so hard to put Ocala forward by inviting wealthy, intelligence and a decent population by giving her a good name as a law abiding city.” The paper actually went on to say that every effort should be made to prosecute the lynchers. Sheriff S.C.M. Thomas, however, was quoted by the *Gainesville Daily Sun* as saying, “There will be no arrests made on the lynching charge.”¹⁸

Marion County, like the rest of Florida, was indeed trying to attract business and residents. In the 1920s, the local chamber of commerce produced several handsome illustrated booklets, each of about fifty pages, extolling Marion County as a place to live and do business. According to these promotional materials, Marion County was the next thing to paradise. The 1927 booklet described the county’s enchanting landscapes, magnificent trees, excellent roads, wonderful

TABLE 9 *Marion County Lynchings and Executions for Sexual Assault, 1885–1932*

Name, Date, Type of Mob	Age, Gender, Race, Status of Victim	Age, Gender, Race; Status of Suspect	Length of Time Suspect was in Community	Precipitating Event	Where Offense was Committed	Time Between Crime and Capture; Taken from Custody?	Threats or Intervention	Place and Method of Execution or Lynching
Robert Larkin 7/12/1893 Lynched (mass)	17 years old Female White	Young adult Male Black Criminal record	Well known in area	Rape	In or near Citra	A day or two In custody; in prelim hearing	No known attempt to prevent lynching	Near depot, Citra Hanging; body shot Placard on body Mob included blacks
Nero Young 5/15/1894 Lynched (mass)	16 years old Female White	Adult Male Black Arrest for robbery	Well known in area	Rape	Rural area near S. Lake Weir	Within hours Taken from Ocala jail	Judge tried to persuade mob not to lynch him; sheriff held off first assault	Outskirts of Ocala Hanging
William Jackson 12/1/1894 Lynched (unknown)	Adult Female Black	Adult Male Black "Desperado"	Unknown	Rape	Near Martel	In custody of constable	No known attempt to prevent lynching	Hanging Black mob
William Jones 12/15/1894 Lynched (mass)	15 years old Female White	15 or 16 years old Male Black	Lived in community	Rape	Near Reddick	A few hours In custody of constable	No known attempt to prevent lynching	Reddick Hanging
John Richards 2/17/1915 Lynched (mass)	Adult Female White "Respectable" Worked in store	Adult Male Black	Lived and had family in area	Wrote insulting note to white woman	Near Sparr	Taken from custody of deputy sheriffs	No known attempt to prevent lynching	Near Sparr Hanging and shooting

Joseph Nimrod 12/29/1915 Lynched (unknown)	4 years old Female White	17 years old Male Black	Unknown	Attempted rape	In or near Reddick	Unknown	No known attempt to prevent lynching	Outskirts of Reddick Hanging and shooting
Richard Anderson 1/28/1916 Lynched (mass)	Adult Female White "Respected" "Prominent"	Adult Male Black "Desperate" Criminal record	Lived and had family in area	Rape	Ebenezer	Two days Not in custody; mob took him to victim for identification	No known attempt to prevent lynching	Ebenezer Hanging and shooting
Elijah Jones 2/12/1921 Lynched (mass)	77 years old 11 years old Female White	Adult Male Black Escaped convict	Stranger to area	Rape Attempted rape	In or near Ocala	Taken from jail in sheriff's presence	No known attempt to prevent lynching	3 miles from Ocala Hanging and shooting
Chandler Colding 1/11/1926 Lynched (mass)	Adult Female White	26 years old Male Black	Lived in area	Rape	Near Citra	Taken from custody of two officers	No known attempt to prevent lynching	Near Citra Hanging and shooting
John Graham 6/18/1931 Executed	14 years old Female White Schoolgirl	Adult Male Black	Worked at local lumber mill	Rape	Near Kendrick	Within hours	Serious lynching attempt; moved out of county	State prison Electrocution
Lee Jacobs Feb. 26, 1932 Executed	19 years old Female White	22 years old Male Black	Lived and had family in area	Rape	Rural area near Blichton	Within hours	Serious lynching attempt; moved out of county	State prison Electrocution

business and agricultural opportunities, and healthy climate of “almost constant cooling breezes,” which purportedly kept the summer heat from being excessive. The booklet described Ocala as “permeated with a genuine spirit of progress . . . a wholesome, thoroughly American town.”¹⁹ Writers for the Work Projects Administration agreed, noting in 1939 that Ocala had “the vigorous bustle of a modern northern city.”²⁰

Clearly, the image Marion County’s civic leaders wanted to project was that of a modern, progressive, and law-abiding community. Lynchings undermined this image in at least two ways. First the lurid accounts of crimes committed by blacks against whites might deter whites from visiting or moving to Marion County. Certainly headlines announcing in huge block type that “rape fiends” were prowling the county would not present an attractive view of the area.²¹ Perhaps more important, potential tourists, residents, and, above all, investors were unlikely to be favorably impressed by mob violence and the inability of the local authorities to maintain order. It is likely that these concerns, rather than a growing sensitivity to due process and civil rights, prompted the president of the Ocala Chamber of Commerce and the editor of the *Ocala Banner* to write to Governor Martin requesting an investigation of the 1926 lynching of Chandler Colding.²²

This change of attitude concerning lynchings was occurring throughout Florida during the 1920s. The boom of the era made investment in Florida land, buildings, and tourist-related endeavors highly attractive. The counties and cities of Florida vied with each other to do everything possible to attract the attention of potential tourists, residents, and investors, presenting a view of Florida as a paradise with limitless potential for enjoyment and profit.²³ Editors of major papers began to criticize lynching, not only because it brought bad publicity but also because, in the words of the *Tampa Daily Times*, “the mob is wrong, shocking to the sense of justice which men and women should maintain.”²⁴ The old values of white supremacy and communal punishment had not been abandoned, but newer values were beginning to compete with them. Lynching had become an embarrassment and an obstacle to progress; for some whites, it also raised disturbing issues of justice and fairness.

The Transitional Cases

Concern for the reputation and development of their community had created by the early 1930s a climate in which community leaders in Marion County were no longer willing to tolerate lynching. But the concerns of the business and civic leaders were not sufficient to overcome the deeply rooted tradition of lynching in the area. Only with the addition of two further elements—effective law enforcement resistance to mob attempts to abduct prisoners and quick trials and executions of suspects—was the long career of the lynch mob ended in Marion County. In the early 1930s, three cases provided a transition point between lynching and legal executions for black men suspected of raping white women.²⁵

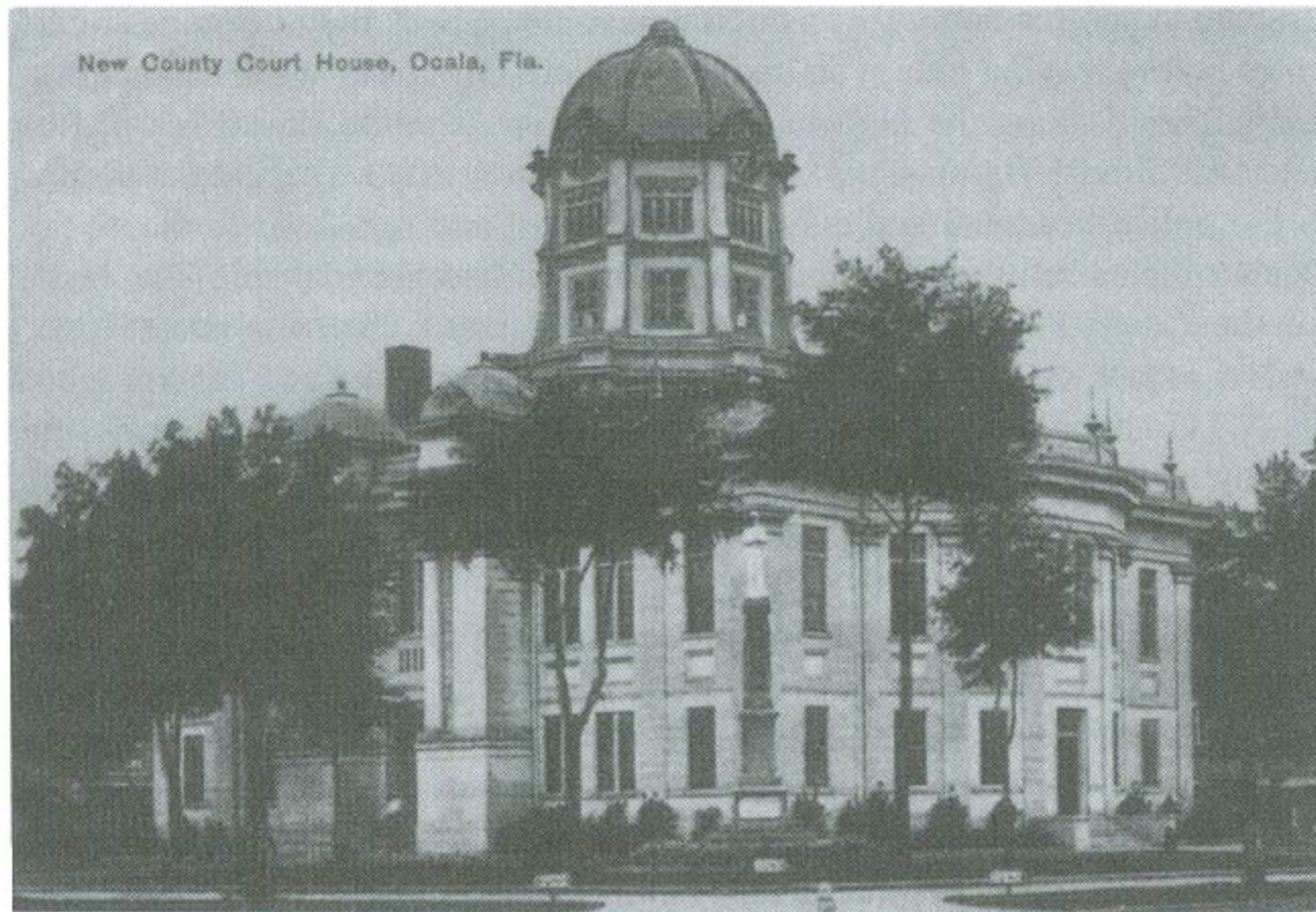


FIGURE 4. Marion County Courthouse, Ocala, Florida. Courtesy of the Florida Photographic Collection, State Archives of Florida.

John Graham, Executed 1931

On March 24, 1931, a fourteen-year-old white girl was raped near the Cummer Lumber Company in a small town not far from Ocala. The assailant slashed the girl's throat, apparently in an attempt to kill her. The girl managed to make her way home and informed her mother, who called the sheriff and reported the crime. Dr. R. D. Ferguson examined and treated the victim in her home and confirmed that she had been raped. The local newspaper later reported Dr. Ferguson's conclusion "that the black fiend accomplished his purpose toward the fair and innocent white child."²⁶ Sheriff S.C.M. Thomas and his deputies arrived at the victim's house and obtained details of the assailant's dress and appearance. An employee of the Cummer Lumber Company who was present recognized the description as fitting John Graham, a twenty-nine-year-old black man who worked for the company. This man said that he had seen Graham in the area soon after the reported time of the crime.²⁷

Sheriff Thomas, with deputies and bloodhounds, went to Graham's home, broke the door down, and arrested him. Graham was taken to the victim's home, where she positively identified him as her attacker. A small group of angry white men and boys had gathered at the victim's home. One officer threatened them with his rifle, while the sheriff and several deputies took Graham to a car "and drove off immediately, scarcely three minutes before three carloads more of white men drove up and stopped at the house."²⁸ Sheriff Thomas personally took

Graham to another county, by a circuitous route on back roads, driving some 265 miles before leaving him in an undisclosed jail. Groups of white men with guns had gathered along the highway, hoping to intercept the sheriff's car. Rumor held that Sheriff Thomas had been seen going toward Ocala, and the mob went to the police headquarters, courthouse, and jail and remained for some hours. Ocala officers refused to reveal where Graham had been taken.²⁹ The headline for the *Ocala Evening Star*, March 25, 1931, read, "SHERIFF SAVES LIFE OF NEGRO AFTER ASSAULT: BLACK FIEND WHO ATTACKED SCHOOL GIRL IS SPIRITED AWAY." Graham had first been taken to Jacksonville, but the "authorities there, fearing an attempt to take the prisoner from the Duval county jail, requested his removal. Sheriff Thomas thereupon took the negro to Orlando. An attempt was made by members of a mob of Marion county men to take the girl's attacker from the Orlando jail and the sheriff of Orange county asked permission to remove the negro to Tampa."³⁰

The continuing possibility of a lynching persuaded Judge W. S. Bullock to forgo a preliminary hearing in the case, and Graham was brought back to Ocala just before his trial began on June 10, 1931. Graham had no legal representation before the trial. At trial, R. L. Anderson and L. W. Duval, described by the *Ocala Evening Star* as two "of the ablest and most experienced lawyers in the city," agreed to serve as defense counsel.³¹ The *Ocala Evening Star* and the *Ocala Banner* reported that Graham was tried, convicted, and sentenced within about one hour.³² The transcript of the trial is eight pages long.

The victim was the first witness for the state. She testified about the attack, again positively identifying Graham as her attacker. Graham's defense countered with only one question on cross examination: "You are sure that this man is the person who assaulted you, Miss _____?" "Real sure."³³ Sheriff Thomas then took the stand and described the events leading to Graham's arrest. The victim, he related, had said her attacker was a negro, tall, and wearing a belt held together by wire and with the letter "N" on the belt buckle, all of which described Graham accurately upon his arrest. There were no questions by the defense. The state's third and last witness was Dr. R. D. Ferguson, who had examined the victim after the assault. He testified as to the nature of her wounds and to witnessing her identification of John Graham. The defense did not cross-examine Dr. Ferguson.³⁴

Graham told his attorneys that his brother-in-law could testify for him, but the lawyers determined that the brother-in-law had nothing helpful to say and did not call him as a witness.³⁵ Graham took the stand himself and denied committing the offense. His entire testimony follows:

Q: You are charged here, John, with committing a rape on the 24th day of March, 1931, on a little girl named _____. That is what you are being tried for. You remember the day that this happened?

A: Yes sir; I remember it.

Q: Where were you?

A: That day?

Q: On that day—yes.

A: I was here in Ocala awhile; in Ocala awhile.

Q: Where were you at the time this is supposed to have taken place? Were you in Ocala at that time?

A: Yes sir; I reckon I was in Ocala.

Q: How long did you stay in Ocala? What time did you get in Ocala, and when did you leave?

A: Well, I don't know, sir, exactly what time it was when I left.

Q: Was it in the afternoon or the forenoon?

A: It was afternoon.

Q: How did you come to Ocala—ride in a car?

A: I come in a car.

Q: Who brought you here in a car?

A: I come here in my brother's-in-law car.

Q: Drive alone?

A: Sir?

Q: Did you drive the car yourself?

A: No sir.

Q: What time did you leave your home to come to Ocala?

A: I left there about 10 o'clock—just about 10 o'clock.

Q: In the forenoon?

A: Yes sir.

Q: Come straight to Ocala?

A: Yes sir.

Q: How long did you stay in Ocala?

A: Well, I don't know, Sir, how long it was I stayed here.

Q: What time did you get back to your home?

A: I got back just about 5 o'clock—just about 5 o'clock.

Q: Is there anything else that you want to tell the jury—your side of the case?

A: That is about all I know.³⁶

Graham was not cross-examined. Counsel for the state and defense agreed to submit the case to the jury without argument.³⁷

Less than three minutes after beginning deliberations, the jury returned a guilty verdict without recommendation of mercy. Judge Bullock immediately pronounced the death sentence, saying, "You need expect no mercy from me, and had it not been for the sheriff who in performance of his duty saved you from the mob on the night of the crime, they would have torn you limb from limb."³⁸

A mob had gathered outside the courthouse and it appeared that Graham might yet be lynched. Sheriff Thomas and a dozen officers managed to remove the defendant from the courthouse, while the judge retained all spectators in court for fifteen to twenty minutes. The sheriff drove Graham to the state prison

at Raiford.³⁹ J. S. Blich, superintendent of the prison, received Graham and immediately wrote to Gov. Doyle E. Carlton asking authorization to keep him in the prison, rather than in the county jail, where condemned prisoners were customarily housed. Blich noted that “the feeling was so high [in Ocala] and Sheriff Thomas saw a mob gathering up, so he slipped him out through the back and brought him here.” Superintendent Blich also wrote a letter marked “Personal” to Nathan Mayo, the state official in charge of prisons, regarding “the negro that Sheriff Thomas run in here yesterday afternoon late.” Blich expressed the hope that “the Governor will issue the death warrant as quickly as possible and let us make an example out of this man.” Pressure for Graham’s death came also from the state attorney who had prosecuted the case. A. P. Buie sent a telegram to Governor Carlton, saying, “Please act promptly allowing officials of Marion County to keep their word to community.”⁴⁰

Governor Carlton was quick to respond. The very next day he sent Superintendent Blich a telegram stating, “This is your authority hold negro rapist expense Marion County pending arrival death warrant naming week of June fifteenth week of execution.” The following day, Superintendent Blich informed the governor that he had scheduled Thursday, June 18, as the day of the execution.⁴¹

John Graham was electrocuted eight days after his trial, without any appeal or request for clemency. The *Ocala Banner* reported that Graham stated, “I’m the right man and I’m ready to pay for what I did.’ Barefoot and wearing only the prison garb of shirt and trousers, Graham walked quietly into the death chamber, unassisted by either of the two guards. With a half smile on his lips and scarcely glancing at the witnesses present, he seated himself calmly in the chair.” A group of at least twenty people from Marion County, including the victim’s father, witnessed the execution. Sheriff Thomas, whose efforts had saved Graham from several lynch mobs, threw the switch. Graham was buried in the prison cemetery.⁴²

The day after Graham’s execution, the Marion County grand jury commended local officials for their exceptional efforts to save Graham from lynching. The grand jury reported that Sheriff Thomas had been closely watched and that his name was “forged to an order to a jailer” in an attempt to abduct the defendant. The grand jury also commended state attorney Buie for his efforts to bring the case to trial. The father of the victim had taken his daughter out of Marion County to prevent her from testifying at trial, for fear she would be further humiliated. Buie “for hours, steadfastly, earnestly begged and pleaded with the wild, raving parent” until Buie persuaded him to reveal his daughter’s whereabouts and to allow her to testify.⁴³

Lee Jacobs, Executed 1932

Less than four months after John Graham was executed, another white woman reported having been raped by a black man in Marion County. On the morning of October 8, 1931, a “pretty 19-year-old northern hitchhiker” reported that she had been assaulted.⁴⁴ She was found lying face down by a highway near

Ocala and was taken to Chief E. G. Grimes of the Williston police force. She told Grimes that she had been walking along the highway when she became aware that a man was following her. She reported that the man had overtaken her and raped her in the nearby woods. Chief Grimes took the victim back toward the scene of the alleged crime. On the way, they passed the houses of several black families and noticed a man sitting on the porch of one of the houses. The victim identified him as her attacker.⁴⁵

When Lee Jacobs saw a white woman pointing at him from a car, he left the porch and went into the house. The car drove by again, and Jacobs jumped from a back window and fled. He managed to escape, though shots were fired at him. While Jacobs remained at large, the *Ocala Evening Star* printed its October 8 edition with the headline, "SHERIFF HEADS POSSE ON TRAIL OF BLACK FIEND." The night of October 8, "a mob of angry white men" patrolled the highway searching for Jacobs. The *Ocala Banner* estimated the number of "incensed men" at "two hundred, three hundred, perhaps a thousand."⁴⁶ Jacobs was arrested October 9, some miles south of Ocala, as he walked beside the highway, and was "spirited away to another county by Sheriff S.C.M. Thomas for safe keeping."⁴⁷

Jacobs's trial was held fourteen days after the alleged offense; Jacobs was represented by two local court-appointed attorneys, D. Niel Ferguson and Walter Sturgis.⁴⁸ The trial began on October 22 at 9:00 A.M., and by 10:10 the jury was sworn in. The state used three challenges to dismiss prospective jurors, and the defense used only two out of the ten allowed. Jacobs stated that he was satisfied with the jury, and the trial began immediately, with the state presenting its case.⁴⁹ Jacobs's trial appears to have been somewhat longer than Graham's; the trial transcript in Jacobs' case is sixty-five pages long, in contrast with the eight pages in Graham's case.

The victim testified that Lee Jacobs had assaulted her on the morning of October 8. She related to the jury that while she was walking on State Road 19, Jacobs emerged from the woods and asked her where she was going. When she replied, Jacobs offered her an "improper proposal," which she said she refused. Jacobs robbed her of a few dollars and a wristwatch, threatened her with bodily harm if she did not submit, and dragged her away from the highway into a dense area of the woods. After assaulting her, Jacobs threatened to kill the victim if she reported the rape, or if she looked back before she had walked a mile. She walked away and continued until she fell fainting by the highway.⁵⁰

Nearly as damning as the testimony of the victim was the testimony of Jacobs's aunt, Letha Glenn. Glenn appeared as a witness for the state and reported that she and Jacobs had been sitting on her porch the morning of October 8, and that they had seen the white woman passing on the road. Soon after, she said, Jacobs had excused himself to go cut wood. He returned several hours later. After his return, the victim had driven by with several white men and pointed Jacobs out as he sat on the porch. Jacobs then fled. Glenn's testimony concerning Jacobs's movements was corroborated by George Sanderson, a white man who lived nearby.⁵¹

Dr. J. L. Chalker, who had examined the victim several hours after the alleged attack, testified that he could not be sure that she had been assaulted. He saw no marks of violence.⁵² Lee Jacobs took the stand in his own defense, denying any participation in an assault on the victim. He was also emphatic in denouncing his aunt as a liar, saying she testified falsely to gain control of his property in Marion County. Jacobs offered an alibi, stating that he left his aunt's house in search of a horse and to borrow a dime from a friend named Jesse Stidham. Jacobs testified that on his way back to his aunt's house, he encountered three young men from the town of Montbrook. After some discussion on the importance of calling the three to testify, the defense decided against doing so. Jesse Stidham was not called as a witness either.⁵³

The judge and the attorneys for the state and for the defense used condescending and racially disparaging language during the trial. Buie called Letha Glenn "Aunt Letha" and "Auntie." Both Buie and defense attorney Sturgis referred to Lee Jacobs as "this boy." Judge Stringer referred to the potential witnesses from Montbrook as "three darkies."⁵⁴ From an account of the trial published in the *Ocala Banner*, it appears that Jacobs's defense lawyers were not especially zealous in their representation: "Both attorneys for the defense pointed out that they had been appointed by the court to defend Jacobs and said that they would do their best . . . [they] were officers of the court and acting in such capacity. Mr. Sturgis said that he would not have taken the case if he had not been appointed."⁵⁵

The jurors retired to deliberate at 4:45 p.m. About an hour later the foreman announced that they were unable to reach a verdict. The judge sent them back to the jury room and they deliberated until 10:35 at night but still did not reach a verdict.⁵⁶ The next day, after several more hours of deliberation and a new charge by the judge, the jury returned with a guilty verdict and no recommendation of mercy. According to one account of the trial, Judge Fred Stringer had "sent for the Jury and explained the meaning of rape, in that the word rape did not mean only vicious physical attack or words to that effect but that if the woman consented it was also termed 'rape.'" ⁵⁷ This interpretation of the judge's actions is confirmed by a letter from state attorney Buie to the governor:

However the last morning, when the jury asked the Court to charge them further, they retired, and in a very few minutes brought in their verdict. Never, at any time, did any of the jury doubt that the crime had been committed, but this one juror felt that the woman had consented; that it was a question of the degree of force used in the commission of the act. When this was brought to the attention of the Jury by the Court, there was no question then, and the verdict was rendered.⁵⁸

Judge Stringer sentenced Jacobs to death immediately after the verdict, saying, "You shall then be taken by the Sheriff of Marion County, Florida, and executed according to the Laws of Florida by Electrocution, until you are dead, dead, dead; And may Almighty God have mercy on your soul."⁵⁹

Soon after the trial, Marion County officials began to ask Governor Carlton to take action in the case. On October 31, 1931, state attorney Buie wrote to the governor, requesting an execution date for Jacobs. Buie praised the governor for his speed in issuing a warrant for John Graham and stated “that was the reason, primarily that the Law was not taken into the hands of the people in the [Jacobs] case.” Buie asserted that Jacobs’s guilt was “absolute” and that one juror had held out for mercy “because he had heard rumors, and only rumors, as to the character of the woman. She was a stranger to Marion county, hitchhiking.” Buie went on to urge a speedy execution: “Dont [*sic*] delay your warrant any longer than you can possibly do so. Let us keep our record as to speed up to the level so promptly and efficiently set by you last June.” When a month had passed with no warrant, Buie wrote again, making explicit reference to the need for a speedy execution in order to prevent future lynchings. Buie wrote that people “are continually after me” about the case and “I am afraid if such another case happened, the people would take things into their own hands.” The governor responded to Buie’s request by noting that “some question has been raised and I want to take no chances of an injustice to the prisoner. I feel sure this little delay will do no harm.”⁶⁰

Sheriff Thomas also wrote to the governor, complaining:

I had to take steps in saving this negro from mob violence and was assisted by some of the most influential [*sic*] men of the County they believing that this negro would receive the same quick action as the one prior for the same offense and I am afraid that if the same crime should occur again it would be hard to prevent drastic measures from the hands of a mob as the people are resentful and donot [*sic*] fail to express themselves feeling that the negro should have been electrocuted before now and of course they are blaming me for the delay in carrying out the sentence of the Court.⁶¹

In reply to Thomas’s letter, the governor wrote, “Several questions have been raised in the above case. It has been suggested by some of the members of the State Board of Pardons that we make sure that no error has been made in this matter.” In a letter to one of Jacobs’s defense attorneys, the governor asked for the address “of the woman who was offended” and added, “This might be a case for investigation by some of our welfare workers.”⁶² Whether the governor received the victim’s address or made any attempt to contact her does not appear in the records.

The delay in issuing a warrant angered a number of whites in the area. The Grand Jury of Marion County, meeting for the spring term of 1932, made the following presentment: “It has been brought to our attention that there is evidence of unrest and discontent among the citizens of Marion County, with reference to the disposition of the case of one Lee Jacobs. . . . We respectfully request his Excellency, Governor Doyle E. Carlton, to dispose of this case with as usual expediency as is consistent.” Fifty-eight citizens of Marion and neighboring Levy

County signed a petition to the governor, which set out very plainly why they desired the execution:

We, the undersigned, citizens of Marion and Levy Counties, Florida, and residents of the section of said County, in which recently one _____, a white girl, was raped by one Lee Jacobs, a negro man, urge you to take immediate action and complete the death warrant for the execution of the above named negro. . . .

[We] respectfully call your attention to the fact that the delay has already caused a change in the demeanor of the negroes in our section. It is our belief that they have some assurance that his execution will not be consummated and they are showing signs of departing from the humble and restrained position that they have recently assumed. This condition caused us much concern as our habitations are located at some distance from our neighbors and the safety of our ladies, is to some extent jeopardized.

When this man was captured we were disposed to allow the law to take its course, secure in the assurance that justice would be swift, basing our assumption on the action taken in a similar recent case.⁶³

On February 19, 1932, Governor Carlton signed a warrant ordering Jacobs's execution. A commutation hearing was set for February 25, and the execution was scheduled for the next day. Despite pressures for the execution, some efforts were made on Jacobs's behalf. Rev. A. W. Puller, minister for black prisoners at the state prison, made several attempts to inform the governor of "important facts" and of "newly discovered and uncontradictory evidence in behalf of Lee Jacobs." The governor agreed to give Reverend Puller a chance to present his evidence during Jacobs's commutation hearing. But Reverend Puller responded, "Serious second thought convinces me that is best for me and for the fair name of our beloved state for me not to appear in behalf of Lee Jacobs." There is no record of what Reverend Puller had to say, or of why he decided it was best not to say it.⁶⁴ A white Lutheran minister from Fort Lauderdale also wrote to Governor Carlton asking clemency for Jacobs.⁶⁵ D. Niel Ferguson, one of Jacobs's defense attorneys, wrote a letter in his behalf, stating there was "a grave question in the minds of many white people that there was much resistance on the part of the prosecutrix." Ferguson enclosed for the governor's consideration a letter he had received from Dr. R. S. Hughes, arguing that the encounter had been consensual.⁶⁶ Lee Jacobs himself wrote a letter to the governor asking that his life be spared. Jacobs maintained his innocence, writing:

I am asking you for mercy: Please spare my life, to your Honor; the Crime that I am charged with, I am not guilty. The Judge pronounced Death sentence upon me, but I am Innocent of the Crime. I have never been in before. My records is clear from Ocala in Marion County where I was born. I am married and my wife is in bad health. She has no one

to help her but me her husband. I have never gave the officials of Marion County any Trouble before nor any where else in The World, To your Excellency & Greatness, I am begging you to allow me another chance for my life. I am a poor boy, I have no one to help me, but my wife and she is a poor girl, and she have'nt got anything. I am a member of New Hope Baptist Church. I was converted in 1924. I am a Christian, speaking to you in Earnestness & sincerity I am a Motherless child. All my friends have forsaken me. Excusing Jesus & you Governor; I am begging you for I know you has all Power in your hands; Please give me mercy and sympathy: I believe you will) If I go down I will go down a innocent Man. please and to your Honor feel my smpathy. Now I will close which will be Respectfully Yours, From Lee Jacobs.⁶⁷

These efforts on Jacobs's behalf were not successful. The governor's earlier doubts apparently were resolved, and he allowed the execution to proceed. Jacobs was electrocuted at 10:01 A.M. on Friday, February 26. Jacobs's only remark was, "I am ready to die and want to go like a man." He was pronounced dead seven minutes and twenty seconds later.⁶⁸ Like Graham, Jacobs was buried at the prison.⁶⁹ Three days after Jacobs was electrocuted, Sheriff Thomas wrote to the governor commending the prison officials for "courtsies [*sic*] and splendid cooperation . . . shown to myself and the witnesses to the execution of Lee Jacobs."⁷⁰

Will James, Convicted 1932

State attorney Buie wrote to Governor Carlton a few days before Jacobs's execution, "God forbid that we have another of such cases."⁷¹ In fact, Lee Jacobs had been dead only six months when a third white woman in Marion County reported that she had been raped by a black man. The victim was a seventy-seven-year-old woman who was assaulted as she returned to her home from buying groceries. She was met in the road by a man who dragged her into the woods. The assailant kicked the elderly woman, seriously injuring her, but she managed to return to the highway and flag down a passing car.⁷²

The victim described her assailant as a black man wearing tennis shoes and a white cap. A posse with tracking dogs went immediately to the area and found the elderly woman's hat and a loaf of bread left at the scene of the attack. The dogs followed the attacker's scent to a group of houses but then lost the trail. The sheriff and posse were convinced that the attacker was still in the vicinity. They searched the house of Will James, a forty-eight-year-old black man, and found a white cap. James jumped out of his window and tried to flee but was captured. He was wearing tennis shoes at the time. After the arrest, James was taken to jails in Tavares and Gainesville for protection.⁷³ A mob pursuing James searched both the Marion County Jail and the Ocala City Jail, but he had already been taken from the area.⁷⁴

Will James's trial was held November 2, 1932. He was represented by a young lawyer, James Smith Jr., who had never before tried a case.⁷⁵ The elderly

victim, whose eyesight was poor, testified repeatedly that she could not positively identify James but that he bore a resemblance to her attacker. The white cap, said to be worn by the attacker and found at James's residence, was too small for him and was never established as belonging to him. James's tennis shoes were not matched with footprints found at the scene of the crime. James offered alibi witnesses who stated that he was elsewhere when the assault took place.⁷⁶ Although the evidence was weak, the jury returned within fifteen minutes with a verdict of guilty and no recommendation of mercy. When asked if he had anything to say before pronouncement of sentence, James said, "I am not guilty, Judge, and I ask for mercy." He was immediately sentenced to death in the electric chair by Judge W. S. Bullock. Sheriff S.C.M. Thomas and deputies in three cars took James directly to the state prison.⁷⁷ James was in a cell on death row some eight hours after his trial began.

One week after James was sentenced to death, Buie wrote to the governor, stating that "the details of this case are very, very revolting," and that when the governor received the record, Buie "would be glad for you to look over the same and issue your warrant as soon as possible."⁷⁸ No effort was made by James Smith, the court-appointed defense lawyer, to bring an appeal of the conviction or sentence, or to ask for executive clemency. Governor Carlton took no action in James's case, however, perhaps because he was in the last months of his term as governor. Carlton was succeeded in office in January 1933 by David Sholtz, who set James's execution for the week beginning March 27, 1933.⁷⁹ It appeared that James would be executed, but by a most peculiar bit of luck his fate was drastically changed.

Walter Marshall and Ben Grant, two reporters from Jacksonville, went to the state prison on March 24, 1933, to witness the execution of another condemned man, Elvin E. Jeffcoat.⁸⁰ During Jeffcoat's execution, Will James climbed "upon a plumbing fixture in his cell, . . . jumped as high as he could, jack-knifed, and dove head first on the concrete floor." Upon learning of his suicide attempt, Marshall and Grant became interested in James and decided to pursue the case of the "friendless negro." They returned to Jacksonville and contacted two young lawyers, Montague Rosenberg and Fuller Warren.⁸¹ Volunteering their time, the lawyers reviewed the court records. They concluded that the evidence against James was insufficient to support the conviction.

Rosenberg and Warren contacted Judge W. S. Bullock, who told them that he had not been sure of James's guilt and that he had written a letter to Nathan Mayo, the Florida official in charge of prisons, to express his doubts about the case.⁸² The attorneys wired Governor Sholtz, asking for a stay of execution, so that they could make a formal presentation to the pardon board and request clemency for James. Governor Sholtz responded at once and issued a reprieve, stating, "WHEREAS, it has officially been brought to my attention that further investigation should be given this case, as there is serious doubt as to the guilt of the said Will James. . . . NOW, THEREFORE, I . . . do hereby cancel and revoke the Death Warrant."⁸³

Will James was never executed. His sentence was reduced to life and he remained in prison until 1948, when he was paroled.⁸⁴ James had the good fortune to escape death, although he served fifteen years for a crime it is likely he did not commit. Saved from the lynch mob by the quick action of Sheriff Thomas, his legal execution seemed inevitable. James's rescue from the electric chair depended on a series of lucky and unlikely events. If the two sympathetic reporters had not been at the prison, heard of his suicide attempt, and met with him, and if they had not known of two lawyers willing to take the case immediately, James almost certainly would have been executed.

The Transition from Lynching to Execution in Marion County

The cases of John Graham and Lee Jacobs illustrate the point in Marion County history when lynchings were replaced by courtroom proceedings that gave an appearance of propriety to a result that was substantially the same as that reached by a lynch mob. It is ironic that Sheriff Thomas, whose efforts saved Graham, Jacobs, and James from lynching, was the person who actually threw the switch during executions. A further irony lies in the fact that Thomas, who as sheriff was the chief law enforcement officer in Marion County, apparently allowed "various vices to flourish in exchange for kickbacks." Thomas served as sheriff of Marion County from 1921 to 1937 and then again from 1945 to 1946. In 1946 he was removed from office by Governor Caldwell.⁸⁵

The eagerness of white officials and community leaders to prevent lynchings was commendable; still, it is doubtful that they were motivated by great concern for the legal rights of blacks. Lynchings had become embarrassing as local officials attempted to promote the tourism and development potential of Marion County. Even defense lawyers did not necessarily reject the doctrines of white supremacy. Fuller Warren, who generously devoted time and effort to preventing Will James's execution, became governor of Florida in 1949. During his campaign he swore in an affidavit that "no Negroes will be admitted to White schools and colleges" if he were elected.⁸⁶ Warren presided over the execution of seventeen men, eleven of them black, while in office. Warren once promised to expedite the execution of Walter Irvin, a black man condemned upon extremely dubious evidence of the rape of a white woman.⁸⁷

In the minds of many Marion County whites, the goal of trials and lynchings seem to have been identical. Both lynchings and executions were methods of maintaining the status quo of white dominance. Whites intended the effects of quick and brutal punishment to be general as well as specific. The petition requesting Lee Jacobs's execution stated that the electrocution was necessary to keep blacks in the area humble and restrained.

There is very little evidence as to how the defendants in these cases viewed their situations. They may have perceived themselves as individual victims of capricious white actions, or they may have understood their misfortunes as a part of the general oppression of blacks. Existing documents give almost no clue to

John Graham's personality or thoughts. Lee Jacobs's letter requesting clemency indicates an intelligent author but is not the sort of document that can reveal much about its writer's real thoughts. Will James's moods and conversation were reported by the *Jacksonville Journal*, but in racist terms: "'Boss,' he said looking worshipfully at his benefactors, 'I never had no trouble with white folks before in my life. God knows I didn't commit that crime.'" The *Journal* reported that before James attempted suicide, he left two notes. One was to the superintendent of the prison, and the other was "to the negro race."⁸⁸ It would be most interesting to know what James wrote "to the negro race," but the letter was not found with any of the records of the case.

The pattern of lynchings and executions in Marion County is unlike that of northwest Tennessee or Shelby County. Compared to the variety of precipitating events, circumstances of capture, and methods of killing seen in the Tennessee counties, the Marion County cases follow a much more predictable pattern. Marion County mobs very rarely lynched for trivial offenses or caste violations. The lynchings in the county were carried out openly and the great majority of victims were taken from law enforcement officials. Unlike the other two areas studied, Marion County presents a clear break point; no lynchings for any offense occurred after the first legal execution for rape. In both areas of Tennessee, local officials made weak and sporadic efforts to uphold the law and prevent mob violence but then lapsed back into indifference or collusion. In Marion County, officials made almost no effort to prevent lynchings before the 1930s, at which time they quite abruptly and deliberately resisted mobs in order to quickly try and condemn black men accused of sexually assaulting white women. With assertive law enforcement and quick trials, the practice of lynching ended.

Marion County thus provides an example of a jurisdiction where legal executions replaced lynchings. The fact that the situation in the other areas examined differed is evidence that even during this period of white dominance in the South, there were important local variations in the use of lethal punishment. Local traditions, situations, and personalities must be considered in any attempt to explain patterns of lynching and execution.

77. *Memphis Commercial Appeal*, November 4, 1933, 8.
78. In 1934, Percy Smith, Jasper Graham, and Frank Mays; 1940, C. C. Mobley; 1941, Van Gilmore; 1946, George Douglas; 1949, Bruce E. Watson.
79. *Memphis Commercial Appeal*, February 18, 1966, 1.

Chapter 5: “The First Time a Charge Like This Has Ever Been Tried in the Courts”

1. To compile an inventory of lynchings in Marion County, I worked from four sources: the NAACP list, the annual listings published by the *Chicago Tribune*, the inventory posted by the Historic American Lynching Project (which is based on Tolnay and Beck’s data), and the inventory of Florida lynchings in Susan Jean’s senior thesis. (See Appendix A for details on these sources). I confirmed and supplemented these lists with newspaper reports, county histories, and other sources. I am sure that my list undercounts lynchings in Marion County, especially during the early years. I eliminated ten cases that were reported in other inventories; six of the killings I judged to be murders rather than lynchings, two occurred in other Florida counties, and in one case the two victims reported to have been lynched were not killed.

This latter case is of particular interest because the two men were supposedly lynched by a black mob in revenge for their cooperation in the lynching of Robert Alexander, black, by a white mob. E. M. Beck and Stewart E. Tolnay, “When Race Didn’t Matter: Black and White Mob Violence against Their Own Color,” in *Under Sentence of Death: Lynching in the South*, edited by W. Fitzhugh Brundage (Chapel Hill: University of North Carolina Press, 1997), 132–54, 140. Beck and Tolnay base their summary of the case on an article published in the *Jacksonville (FL) Times-Union*, June 13, 1899. Three days later the *Florida Times-Union and Citizen* published another article on the case under the headline “Only One Lynched,” the one being Robert Alexander. The paper reported that whites, under the direction of the sheriff, had dispersed the black mob before they were able to lynch their intended victims (June 16, 1899, 2). The *Ocala Evening Star* discussed the case at length and interviewed A. Watkins, one of the men supposedly lynched by the black mob, about his escape (June 12, 1899, 1).

2. A. P. Buie to Doyle E. Carlton, June 13, 1931, RG 690, ser. 443-A, John Graham case file, State Pardon Board Files, FSA.
3. Larry E. Rivers, *Slavery in Florida: Territorial Days to Emancipation* (Gainesville: University Press of Florida, 2000), 66, 73. For an account of a phosphate mining town in Marion County, J. Lester Dinkins, *Dunellon, Boomtown of the 1890’s: The Story of Rainbow Springs and Dunnellon* (St. Petersburg, FL: Great Outdoors Publishing, 1969).
4. James M. Denham, “A Rogue’s Paradise”: *Crime and Punishment in Antebellum Florida, 1821–1861* (Tuscaloosa: University of Alabama Press, 1997), 211, 335.
5. Jerrell H. Shofner, *Nor Is It Over Yet: Florida in the Era of Reconstruction, 1863–1877* (Gainesville: University Presses of Florida, 1974), 19, 192, 103.
6. Joe M. Richardson, *The Negro in the Reconstruction of Florida, 1865–1877* (Tampa, FL: Trend House, 1965), 166.
7. Pamela N. Gibson and Joe Knetsch, “White Caps and Night Mares: Violence against African-Americans in Florida, 1894–1896,” paper presented to Florida Historical Society Annual Meeting, 1998.

8. U.S. Bureau of the Census, *Fifteenth Census of the United States, 1930, Population, Vol. III, Part 1* (Washington, DC: Government Printing Office, 1932), tables 2, 13, 14, and 20.
9. George L. Sullivan was executed January 14, 1946, for a Marion County murder. William J. Bowers, with Glenn L. Pierce and John F. McDevitt, *Legal Homicide: Death as Punishment in America* (Boston: Northeastern University Press, 1984), 426.
10. Marion County was noted for its large number of lynchings. Frank Shay mentioned Ocala as one of the two Florida cities with the most victims of lynching, and Jack E. Davis noted that Marion County had more lynchings than any other county in Florida. Frank Shay, *Judge Lynch: His First Hundred Years* (1938; repr., New York: Biblo and Tannen, 1969), 128; Jack Davis quoted in Walter T. Howard, *Lynchings: Extralegal Violence in Florida during the 1930s* (Selinsgrove, PA: Susquehanna University Press, 1995), 89.
11. *Florida Times-Union*, July 13, 1893, 1.
12. This case is briefly described by Ellis Connell May, *From Dawn to Sunset: Recollections of a Pioneer Florida Judge* (Tampa: Florida Grower Press, 1955), 2:131–32 and in several newspaper articles: *Florida Times-Union and Citizen*, January 17, 1901, 7; *Evening Sentinel*, January 14, 1901, 1; January 15, 1901, 1.
13. This case is mentioned by Richardson, *The Negro in the Reconstruction of Florida*, 38, and by Eloise Robinson Ott and Louis Hickman Chazal, *Ocali Country: Kingdom of the Sun* (Ocala, Fla.: Marion Publishers, 1966), 93–94. Both accounts are brief and the date of the event differs by one year.
14. *Ocala Banner*, May 30, 1924, 1.
15. Faye Melton, *Citra: Home of the Pineapple Orange* ([Citra, FL?]: F. P. Melton, 1987), 20.
16. *Ocala Banner*, February 18, 1921, 5; *Ocala Evening Star*, February 14, 1921, 1.
17. Chandler Colding was also known as Nick Williams. The Ocala and Florida press covered the case: *Ocala Evening Star*, January 11, 1926, 1; January 12, 1926, 1; January 14, 1926, 8; *Tampa Morning Tribune*, January 12, 1926, 1; *Gainesville Daily Sun*, January 12, 1926, 1; *Florida Times-Union*, January 12, 1926, 7; see also clippings in NAACP Papers, sec. 7, ser. A, reel 10, frames 2–4.
18. In its January 14 article, the *Ocala Evening Star* referred to Colding as a “black fiend” (8); *Ocala Banner*, January 29, 1926, 1; *Gainesville Daily Sun*, January 12, 1926, 1.
19. Marion County Chamber of Commerce, *Marion County: The Kingdom of the Sun* (Ocala, FL: n.p., 1927), 15, 17. (Available in P. K. Yonge Collection, University of Florida, Gainesville). See also John M. Spivack, “Paradise Awaits: A Sampling and Brief Analysis of Late Nineteenth Century Promotional Pamphlets on Florida,” *Southern Studies* 21 (1982): 429–38.
20. Federal Writers’ Project, Work Projects Administration, *Florida: A Guide to the Southernmost State* (New York: Oxford University Press, 1939), 525.
21. At least one Florida County explicitly called itself a “white man’s country” in its promotional literature, emphasizing that there were few blacks in the area and thus that it was a safe place to live. Spivack, “Paradise Awaits,” 434–35.
22. Jerrell H. Shofner, “Judge Herbert Rider and the Lynching at LaBelle,” *Florida Historical Quarterly* 59 (1981): 292–306, 296. The Florida State Chamber of Commerce passed a resolution against lynching in June 1926 and pledged to “do all in its power to create a proper regard for law and order.” News clipping in NAACP Papers, sec. 7, ser. A, reel 8, frames 979, 982, 985. See Michael J. Pfeifer, *Rough Justice: Lynching*

- and American Society, 1874–1947* (Urbana: University of Illinois Press, 2004), 139–47, for similar efforts organized by the business and middle class of Shreveport, Louisiana, in the early twentieth century.
23. James M. Ricci, “Boasters and Boom: Popular Images of Florida in the 1920s,” *Tampa Bay History* 6 (1984): 31–57; Victoria H. McDonell, “Rise of the ‘Businessman’s Politician’: The 1924 Florida Gubernatorial Race,” *Florida Historical Quarterly* 52 (1973): 39–50.
 24. *Tampa Daily Times*, July 2, 1926, 6-A.
 25. Information on these cases was obtained from several sources. Newspaper reports provided many details of the crimes as they were alleged to have happened and gave a good sense of the attitude of the white community toward the crimes and defendants. The files of the State Pardon Board (RG 690, ser. 443-A), Florida State Archives, Tallahassee, contained much correspondence and legal information on the cases. John Graham’s file is located in box 33 of this series; Lee Jacobs’s and Will James’s files are in box 44. All material from this record group is hereafter cited as State Pardon Board Files. The Death Warrant files of the Division of Elections (RG 156, ser. 12, box 15), also in the Florida State Archives, contained Lee Jacobs’s trial transcript (Marion County Circuit Court, *State of Florida vs. Lee Jacobs* [hereafter cited as Jacobs trial transcript]). Florida State Archives RG 670, ser. 500, includes the prison register, which is cited for information on Will James’s release from prison. John Graham’s transcript (Marion County Circuit Court, *State of Florida v. John Graham* [hereafter cited as Graham trial transcript]) and several legal documents in Will James’s case were located in the Marion County Courthouse in Ocala, Florida. I obtained death certificates for John Graham and Lee Jacobs.
 26. *Ocala Evening Star*, March 25, 1931, 1, 5.
 27. *Ibid.*; *Ocala Banner*, March 27, 1931, 1.
 28. *Ocala Evening Star*, March 25, 1931, 1, 5.
 29. *Ibid.*
 30. *Ocala Banner*, June 12, 1931, 1, 2.
 31. *Ocala Evening Star*, June 11, 1931, 1, 12.
 32. *Ibid.*; *Ocala Banner*, June 12, 1931, 1, 2.
 33. Graham trial transcript, 1–2.
 34. *Ibid.*, 2–4, 4–6.
 35. *Ocala Evening Star*, June 11, 1931, 1, 12.
 36. Graham trial transcript, 7–8.
 37. *Ibid.*, 8.
 38. *Ocala Evening Star*, June 11, 1931, 1.
 39. *Ibid.*
 40. J. S. Blitch to Doyle E. Carlton, June 11, 1931; Blitch to Nathan Mayo, June 11, 1931; telegram from A. P. Buie to Carlton, June 11, 1931, Graham case file, State Pardon Board Files.
 41. Telegram from Carlton to Blitch, June 12, 1931; Blitch to Carlton, June 13, 1931, Graham case file, State Pardon Board Files.
 42. *Ocala Banner*, June 19, 1931, 1, 6; *Ocala Evening Star*, June 18, 1931, 1; State of Florida, State Board of Health, Bureau of Vital Statistics, Certificate of Death, John Graham, June 18, 1931, state file 10217.
 43. *Ocala Evening Star*, June 19, 1931, 1, 5.
 44. *Ibid.*, October 23, 1931, 1.

45. *Ibid.*, October 9, 1931, 1, 8; October 22, 1931, 1, 8.
46. *Ibid.*, October 9, 1931, 1, 8; *Ocala Banner*, October 9, 1931, 1.
47. *Ocala Evening Star*, October 10, 1931, 1.
48. In 1871, three black men had been hanged for the murder of D. Niel Ferguson's grandfather. Ferguson's father, then a child of five, witnessed the triple execution. Ott and Chazal, *Ocali Country*, 94.
49. *Ocala Evening Star*, October 22, 1931, 8.
50. *Ibid.*, 1.
51. *Ibid.*, 8.
52. *Ocala Banner*, October 23, 1931, 1, 6.
53. *Ocala Evening Star*, October 22, 1931, 1, 8.
54. Jacobs trial transcript, 23, 24, 56, 64.
55. *Ocala Banner*, October 23, 1931, 1, 6.
56. *Ibid.*, 1.
57. Dr. R. S. Hughes to D. N. Ferguson, October 30, 1931, Jacobs case file, State Pardon Board Files. Dr. Hughes was an African American physician who practiced medicine in Ocala. Maxine D. Jones, "The African-American Experience in Twentieth-Century Florida," in *The New History of Florida*, edited by Michael Gannon (Gainesville: University Presses of Florida, 1996), 371–90, 380.
58. Buie to Carlton, December 4, 1931, Jacobs case file, State Pardon Board Files.
59. Jacobs trial transcript.
60. Buie to Carlton, October 31, 1931; Buie to Carlton, December 4, 1931; Carlton to Buie, December 8, 1931, Jacobs case file, State Pardon Board Files. Buie and Carlton were on friendly terms. Buie added a footnote about deer hunting to his letter requesting a death warrant: "A ten point buck ran by . . . head and hide in Sim Blitch's hands for mounting and tanning. Better get busy, you are behind; catch up." In his response, the governor addressed Buie as "Dear friend."
61. S.C.M. Thomas to Carlton, January 14, 1932, Jacobs case file, State Pardon Board Files.
62. Carlton to Thomas, January 21, 1932; Carlton to D. Niel Ferguson, November 3, 1931, Jacobs case file, State Pardon Board files.
63. Grand Jury Presentment to W. S. Bullock, Spring term, 1932, Circuit Court, Marion County; petition to Doyle E. Carlton, no date, Jacobs case file, State Pardon Board Files.
64. Telegrams from Rev. A. W. Puller to Carlton, October 26, 1931; Nov. 20, 1931; February 22, 1932; telegram from J. C. Huskisson to Puller, February 23, 1932; telegram from Puller to Secretary of Pardon Board, February 24, 1932, Jacobs case file, State Pardon Board Files.
65. Rev. Dallas Gibson to Carlton, February 23, 1932, Jacobs case file, State Pardon Board Files.
66. D. Niel Ferguson to Carlton, October 30, 1931; Dr. R. S. Hughes to Ferguson, October 30, 1931, Jacobs case file, State Pardon Board Files.
67. Lee Jacobs to Carlton, February 8, 1932, Jacobs case file, State Pardon Board Files. Spelling and punctuation in original.
68. *Ocala Evening Star*, February 26, 1932, 1, 8; L. F. Chapman to Carlton, February 27, 1932, Jacobs case file, State Pardon Board Files.
69. State of Florida, State Board of Health, Bureau of Vital Statistics, Certificate of Death, Lee Jacobs, February 26, 1932, state file 3196. The line indicating place of

- burial is nearly illegible but appears to read “Fla State Farm,” which was the name used for the prison.
70. Thomas to Carlton, February 29, 1932, Jacobs case file, State Pardon Board Files.
 71. Buie to Carlton, February 20, 1932, Jacobs case file, State Pardon Board Files.
 72. *Ocala Evening Star*, October 10, 1932, 5; November 3, 1932, 5.
 73. *Ocala Evening Star*, November 2, 1932, 4; November 3, 1932, 5.
 74. *Ocala Evening Star*, October 12, 1932, 1; Buie to Carlton, Nov. 10, 1932, James case file, State Pardon Board Files.
 75. *Jacksonville Journal*, March 29, 1933, 1.
 76. *Ocala Evening Star*, November 2, 1932, 4; *Jacksonville Journal*, April 14, 1933, 11.
 77. *Ocala Evening Star*, November 3, 1932, 5.
 78. Buie to Carlton, Nov. 10, 1932, James case file, State Pardon Board Files.
 79. *Jacksonville Journal*, March 29, 1933, 1.
 80. Elvin Jeffcoat was a white man condemned for the murder of his wife in Pinellas County in 1930. His lawyers filed several appeals in the attempt to overturn his conviction and sentence. See *Jeffcoat v. State*, 138 So. 385 (Fla. 1931); *Jeffcoat v. Chapman*, 146 So. 588 (Fla. 1933); *Ex parte Jeffcoat*, 146 So. 827 (Fla. 1933).
 81. *Jacksonville Journal*, March 29, 1933, 1.
 82. The letter from Judge Bullock to Nathan Mayo was not found in the Pardon Board or Death Warrant files of the Florida State Archives. I also checked without success the papers in the Florida State Archives of Leonard F. Chapman, superintendent of Florida State Prison when James was on death row, and Nathan Mayo’s papers in the P. K. Yonge Collection, University of Florida.
 83. *Jacksonville Journal*, March 30, 1933, 1; *Florida Times-Union*, March 30, 1933, 6; reprieve issued by Gov. David Sholtz, March 29, 1933, James case file, State Pardon Board Files.
 84. I have been unable to determine whether James’s sentence was reduced through court or executive action. The prison register contained the following information on Will James: his name, sex (M), race (C), age at time of conviction (48), birth state (Florida), county of conviction (Marion), crime for which convicted (rape), sentence imposed (life), date of sentence (November 2, 1932), date of release (December 14, 1948), prison number (24548), and type of release (parole). The prison register did not indicate that James had originally been sentenced to death.
 85. Timothy Brandt Robinson, “Law and Order, by Any Means Necessary: The Life and Times of Willis V. McCall, Sheriff of Lake County, Florida” (master’s thesis, Florida State University, 1997), 22–23.
 86. Quoted in H. D. Price, *The Negro and Southern Politics: A Chapter of Florida History* (New York: New York University Press, 1957), 99.
 87. Bowers, *Legal Homicide*, 426; telegram from Fuller Warren to J. R. Hunter, July 6, 1950, Walter Irwin case file, State Pardon Board Files. For a detailed account of Irwin’s case, see Steven F. Lawson, David R. Colburn, and Darryl Paulson, “Groveland: Florida’s Little Scottsboro,” *Florida Historical Quarterly* 65 (1986): 1–26, and Gary Corsair, *The Groveland Four: The Sad Saga of a Legal Lynching* (Bloomington, IN: 1st Books, 2004). Warren did sponsor legislation to unmask the Ku Klux Klan. David Colburn and Richard Scher, *Florida’s Gubernatorial Politics in the 20th Century* (Tallahassee: University Presses of Florida, 1980), 223.
 88. *Jacksonville Journal*, April 14, 1933, 11.