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How enfranchisement
stops lynching.

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ORIGINAL RIGHTS MAGAZINE

PUBLISHED MONTHLY BY CHARLES LENZ

THE CENTRAL BUILDING, 25 W. 42D STREET

NEW YORK CITY

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economic system of civilized peoples and that the struggle for the survival of the fittest, destructive to life, health, and happiness was sanctioned by the God of mercy and love; to-day the wisest of men and thousands of divines boldly assert that the one is a woeful error of the human mind, and the other a relic of heathen barbarism and superstition.

Whenever, in past ages, the wisest and holiest of men have raised the standard of truth and justice in contradiction of long accepted beliefs they were ostracised by the fetish worshipers or suffered martyrdom. But truth is mighty and must finally prevail. Succeeding generations accepted the new ideas and advanced in the humane. When we turn the pages of history we shudder at the woeful tales of the death of martyrs and of the destruction of nations and realms because generations refused to accept the new and stubbornly adhered to the past. Likewise, future generations may wonder at our folly which may sweep us into anarchy and ruin because of our idolatrous veneration for antiquated institutions that by the passions of avarice, ambition, and fear have been transmitted from the Dark Ages to the age of science and democracy.

How Enfranchisement Stops Lynchings

By IDA B. WELLS-BARNETT.

THE Negro question has been present with the American people in one form or another since the landing of the Dutch Slaveship at Jamestown, Virginia, in 1619. For twelve years the founders of the English colony had indifferently succeeded in getting permanently established. The younger sons of the British were miserable failures as pioneers. They would not do the work necessary to wrest a livelihood from the bowels of the earth, and they could not make the Indian do it for them. One such colony perished from the face of the earth and succeeding ones lagged with indifferent success until

the coming of those fourteen African slaves, who became the hewers of wood, drawers of water and tillers of the soil. They were submissive, and easily dominated, so they were harnessed to the plow and became the beasts of burden; then the Jamestown Colony began to thrive.

So successful was this first venture into slavery, that the shores of Africa were again invaded. Men, women and children were overpowered, captured, crowded into the holds of the slaveships, brought to this new country and made the slaves of the colonists. For two hundred and fifty years this condition obtained. The original fourteen slaves became four millions. Their unrequited toil had made this country blossom as a rose, created vast wealth for the masters and made the United States one of the mighty nations of the earth, ere the American people harkened to the voice which commanded, "Let my people go." When the mighty upheaval came which almost rent the American nation in twain, it struck the shackles from the Negro slave, and did not stop until he was not only a free man, but a citizen.

The flower of the nineteenth century civilization for the American people was the abolition of slavery, and the enfranchisement of all manhood. Here at last was squaring of practice with precept, with true democracy, with the Declaration of Independence and with the Golden Rule. The reproach and disgrace of the twentieth century is that the whole of the American people have permitted a part, to nullify this glorious achievement, and make the fourteenth and fifteenth amendments to the Constitution playthings, a mockery and a byword; an absolute dead letter in the Constitution of the United States. One-third of the states of the union have made and enforced laws which abridge the rights of American citizens. Although the Constitution specially says, no state shall do so, they *do* deprive persons of life, liberty and property without due process of law, and *do* deny equal protection of the laws to persons of Negro descent. The right of citizens to vote is denied and abridged in these states, on account of race, color and previous condition of servitude, and has been so denied ever since the withdrawal of the United States troops from the South. This in spite of the fifteenth amendment, which declares that no state shall do this.

These rights were denied first by violence and bloodshed, by ku-klux klans, who during the first years after the Civil War murdered Negroes by wholesale, for attempting to exercise the rights given by these amendments, and for trusting the government which was powerful enough to give them the ballot, to be strong enough to protect them in its exercise. Senator Tillman told how it was done in a speech on the floor of the United States Senate, when he said, that he and the people of South Carolina shot Negroes to death to keep them from voting. This they did till Congressional investigation of Ku-Klux methods turned the limelight on the unspeakable barbarism of those wholesale murders.

The South changed its tactics after that investigation, but never once let up on its aim to nullify and finally abrogate these amendments, and rob the Negro of the only protection to his citizenship—his ballot. Again we have the testimony of the United States Senator, on the floor of the Senate, as to how this was further done, when Senator Tillman defiantly told how he and his compatriots stuffed ballot boxes, and threw out those of that remnant of the black South, which still tried to register its gratitude at the polls.

When this bewildered race turned in dazed appeal to the Government which gave it freedom and the ballot, awaiting explanation and beseeching protection, it was told that the Government had made a mistake in enfranchising them; that it had offended the South by so doing, and was now busy repealing the civil rights bill, affirming Jim Crow legislation, upholding disfranchising state constitution, and removing in every way possible the constitutional guarantees to life, liberty and the pursuit of happiness, removing everything, in fact, which was offensive to those who had fired on the flag and tried to break up the union, and the Negro must now look out for himself.

This he has done for the past thirty years as best he could. He was advised that if he gave up trying to vote, minded his own business, acquired property and educated his children, he could get along in the South without molestation. But the more lands and houses he acquired, the more rapidly discriminating laws have been passed against him by those who control the ballot, and less protection is given by the law makers for his life, liberty and property. The Negro has been given separate and inferior schools, because he has no ballot.

He therefore cannot protest against such legislation by choosing other law makers, or retiring to private life those who legislate against his interests. The more he sends his children to school the more restrictions are placed on Negro education, and he has absolutely no voice in the disposition of the school funds his taxes help to supply. His only weapon of defense has been taken from him by legal enactment in all of the old confederacy—and the United States Government, a consenting Saul stands by holding the clothes of those who stone and burn him to death literally and politically.

With no sacredness of the ballot there can be no sacredness of human life itself. For if the strong can take the weak man's ballot, when it suits his purpose to do so, he will take his life also. Having successfully swept aside the constitutional safeguards to the ballot, it is the smallest of small matters for the South to sweep aside its own safeguards to human life. Thus "trial by jury" for the black man in that section has become a mockery, a plaything of the ruling classes and rabble alike. The mob says: "This people has no vote with which to punish us or the consenting officers of the law, therefore we indulge our brutal instincts, give free rein to race prejudice and lynch, hang, burn them when we please." Therefore, the more complete the disfranchisement, the more frequent and horrible has been the hangings, shootings, and burnings.

The records show that beginning with 1882, in which year there were fifty-two persons lynched, there was steady increase until 1892, when two hundred and fifty persons were lynched with the utmost cruelty, publicity and barbarism. Public sentiment condoned and approved this method of disposing of Negroes suspected or accused of misdemeanor or crime against white persons. The custom spread to the North, East and West and lynchings and burnings occurred in any community in which a crime was committed and suspicion put on the Negro. An effort made in 1893 to get these facts before the conscience of the world, proved by statistics based on charges made by the lynchers themselves, that less than one-fourth of the persons hanged, shot and burned by white Christians were even accused of the usual crime—that of assaulting white women.

From the year 1894 lynching decreased year by year for the next decade. The conscience of the nation was again lulled to sleep and

the record of the past ten years shows a surprising increase in lynchings and riot even in the North. No Northern state has more frequently offended in this crime than Illinois, the State of Lincoln, Grant and Logan. Since 1893 there have been sixteen lynchings within the State, including the Springfield riot. With each repetition there has been increased violence, rioting and barbarism. The last lynching, which took place November 11th of last year in Cairo, was one of the most inhuman spectacles ever witnessed in this country.

The Negroes of Illinois have taken counsel together for a number of years over Illinois' increased lynching record. They elected one of their number to the State Legislature in 1904, who secured the passage of a bill which provided for the suppression of mob violence, not only by punishment of those who incited lynchings, but provided for damages against the City and County permitting lynchings. The Bill goes further and provides that if any person shall be taken from the custody of the Sheriff or his deputy and lynched, it shall be *prima facie* evidence of failure on the part of the Sheriff to do his duty. And upon that fact being made to appear to the Governor, he shall publish a proclamation declaring the office of Sheriff vacant, and such Sheriff shall not thereafter be eligible to either election or reappointment to the office. Provided, however, that such former Sheriff may within ten days after such lynching occurs file with the Governor his petition for reinstatement, and give ten days' notice of the filing of such petition. If the Governor upon hearing the evidence and argument, shall find that such Sheriff has done all within his power to protect the life of such prisoner then the Governor may reinstate the Sheriff and the decision of the Governor shall be final. This Bill passed both houses, was signed by Governor Deneen and became a law in 1905.

In the Springfield riot and lynching of two years later, the only parts of this law that were applicable were those providing punishment for the persons inciting rioting and lynching, and damages for the relatives of the victims of the mob. The men lynched then were not prisoners in the custody of the Sheriff, but peaceable, lawabiding citizens whom the mob lynched at their homes for the fun of it. Because of the dangerous public sentiment, which says it is all right to kill so long as the victim is a Negro, no jury has been found in

Springfield to convict any of those who were tried for that lynching and murder.

On the morning of November 11th last year, a double lynching was reported from Cairo, Ill.—a white man and a Negro. A white girl had been found murdered two days before. The bloodhounds which were brought led to a Negro's house three blocks away. A Negro who had stayed in that house the night before was arrested and sweated for twenty-four hours. Although the only clew found was that the gag in the girl's mouth was of the same kind of cloth as the handkerchief of the prisoner, threats of lynching him became so frequent that the Sheriff took him away from the city, back in the woods twenty-five miles away. When the mob had increased its numbers, they chartered a train, went after the Sheriff, brought him and his prisoner back to Cairo. A rope was thrown over Will James' neck, he was dragged off the train to the main business corner of the town. The rope was thrown over a steel arch, which had a double row of electric lights. The lights were turned on and the body hauled up in view of the assembled thousands of men, women and children. The rope broke before James was strangled to death and before hundreds of waiting bullets could be fired into his body. However, as many as could crowd around, emptied their revolvers into the quivering mass of flesh as it lay on the ground. Then seizing the rope the mob dragged the corpse a mile up Washington Street, the principle thoroughfare, to where the girl's body had been found. They were followed by a jeering, hooting, laughing throng of all ages and of both sexes of white people. There they built a fire and placed this body on the flames. It was then dragged out of the fire, the head cut off and stuck on a nearby fence post. The trunk was cut open, the heart and other organs were cut out, sliced up and passed around as souvenirs of the ghastly orgy and our American civilization. Having tasted blood, a voice in the crowd said, "Let's get Salzner." Away went the mob to the county jail. Salzner, a white man, had been indicted for wife murder and was in jail awaiting trial. The suggestion is said to have come from the brother of Salzner's murdered wife. The mob demanded that the Sheriff, who had repaired to his office in the jail when Will James had been taken from him an hour before—get Salzner for them. He begged them to go

away, but when they began battering in the doors he telephoned the Governor for troops. The lynchers got Salzner, hanged him in the court yard in front of the jail, emptied their remaining bullets in his body and went away. When troops reached the scene six hours later, they found, as the leading morning paper said next day, that "the fireworks were all over."

In mass meeting assembled the Negro citizens of Chicago called on Governor Deneen to do his duty and suspend the Sheriff. Two days later the Sheriff's office was vacated. Ten days more and Sheriff Davis had filed his petition for reinstatement, and on December 1st, argument was had before Governor Deneen both for and against the Sheriff.

The Sheriff's counsel, an ex-state Senator, and one of the leading lawyers of Southern Illinois, presented the Sheriff's petition for reinstatement, which declared he had done all in his power to protect the prisoners in his charge. He read letters and telegrams from Judges, editors, lawyers, bankers, merchants, clergymen, the Mayor of the City, Captain of Company K, of the State Militia, his political opponents and even the temporary incumbent of the Sheriff's office himself—all wrote to urge Sheriff Davis' reinstatement. The petitions were signed by hundreds of citizens in all walks of life and the Catholic Priest of Sheriff Davis' Parish was present all day and sat at the Sheriff's side.

As representing the people who had sent me to Cairo to get the facts, I told of the lynching, of visiting the scenes thereof, of the three days' interview with the colored people of Cairo, and of reading the files of every newspaper in the city published during the lynching to find some account of the steps that had been taken to protect the prisoner. I told of the mass meeting of the Negroes of Cairo in which a resolution was passed declaring that from Tuesday morning when Will James was arrested, until Thursday night when he was lynched—the Sheriff had neither sworn in deputies to aid him in defending the prisoners, nor called on the Governor for troops. We said that a reinstatement of the Sheriff would be an encouragement to mobs to hang, shoot, burn and pillage whenever they felt inclined in the future, as they had done in the past.

Governor Deneen rendered his decision a week later, removing the

Sheriff. After reviewing the case he said: "The sole question presented is, does the evidence show that the said Frank E. Davis, as Sheriff of Alexander County, did all in his power to protect the life of the prisoners and perform the duties required of him by existing laws for the protection of prisoners? The measure of the duty of the Sheriff is to be determined from a consideration of his power. He is vested in his County with the whole executive power of the State. He wields within his jurisdiction all the power of the State for the preservation and protection of the public peace. In this capacity it is within his power to call to his aid when necessary any person or the power of the County. The law has made it a criminal offense for any person over the age of eighteen years to neglect or refuse to join the posse comitatus. In case the preservation of the peace and good order of society of any community shall require it, the Sheriff has the power to summon and enroll any number of special deputies. Such deputies when enrolled, have all the powers of deputy sheriffs and are subject absolutely to the orders of the Sheriff. It is made a criminal offense to decline to be enrolled as a special deputy. The Sheriff has the power to arm such force of special deputies to suppress riot. After having commanded the riotous persons to disperse, the Sheriff or his special deputies are justified in taking life should such riotous persons refuse to disperse.

The Sheriff is the keeper of the jail and has custody of all persons confined therein. In case of mob violence, which the Sheriff and his deputies are unable to suppress, the Sheriff may call upon the Governor for troops.

Such being the tremendous power vested in the Sheriff, what are his duties with respect to the protection of a prisoner who has been committed to his keeping?

Upon this question the Legislature has spoken in such terms as not to be misunderstood. It has cast upon the Sheriff the very highest degree of care. The Legislature in the mob violence Act of 1905, has said that in case a prisoner is taken from the Sheriff and lynched, the Sheriff after having been removed from office, must before reinstatement, show that he did all in his power to protect the life of such prisoner. The Legislature has in this Statute specifically defined the duty of the Sheriff. No part of his power can with

safety be neglected. The very highest degree of care must be exercised for the protection of the prisoner. The Sheriff must take every precaution that human foresight can reasonably anticipate. In fact under this Statute, the Sheriff is practically the insurer of the safety of the prisoner.

The law guarantees to the prisoner a fair and impartial trial, not by mob violence, but by the orderly proceedings of duly constituted courts. To this the personal presence of the prisoner is necessary. To await his trial the State has deprived the prisoner of his liberty. By the Statute in question, however, the whole power of the State surrounds the prisoner and guarantees to him the protection of his life.

Measured with these standards it does not appear that Frank E. Davis, as Sheriff of Alexander County, did all in his power for the protection of the prisoners. The crime was of such a nature to excite great public indignation. Ordinary prudence would indicate that at such a time riots, turmoils and breaches of the peace might be expected. No attempt was made then, nor at any time, to summon or enroll special deputies. Not the slightest preparation was made to resist the mob. No showing is made that the jail in Alexander County would not have been safe for the confinement of the prisoner William James. The Sheriff knew some hours before taking William James into custody that mob violence was threatened. Knowing this he neither enrolled special deputies nor communicated with the Governor advising him of the fact and requesting the aid of troops, although two companies of State Militia were stationed in the City of Cairo. In the face of this the Sheriff took his prisoner almost without protection, outside the County. When the Sheriff left the train at Dongola, no attempt was made to communicate either with the Governor or with the Sheriff of Union County. While the Sheriff had the prisoner William James in custody, it does not appear from the evidence in my judgment, that reasonable precaution was taken for his protection.

After the execution of James the mob repaired to the County jail. Although cognizant of the temper of the mob, no effort whatever was made to place additional guards about the jail. Neither the Sheriff nor his deputies made any showing of force. The most

that was done was to ask for volunteers. Although it must have taken some time to beat down the cell door, yet the Sheriff is unable to identify a single person composing the mob, or to identify a single person whom he asked to aid him in suppressing the mob. After Salzner was taken from his cell, no effort was made to follow up the mob and rescue Salzner.

In view of these facts only one conclusion can be reached, and that is that the Sheriff failed to take the necessary precaution for the protection of his prisoners. Mob violence has no place in Illinois. It is denounced in every line of the Constitution and in every Statute. Instead of breeding respect for the law it breeds contempt. For the suppression of mob violence our Legislature has spoken in no uncertain terms. When such mob violence threatens the life of a prisoner in the custody of the Sheriff, the law charged the Sheriff, at the penalty of the forfeiture of his office, to use the utmost human endeavor to protect the life of his prisoner. The law may be severe. Whether severe or not it must be enforced.

Believing as I do that Frank E. Davis, as Sheriff of Alexander County, did not do all within his power to protect the lives of William James and Henry Salzner, I must deny the petition of said Frank E. Davis for reinstatement as Sheriff of Alexander County, and the same is done accordingly."

Alexander County was one of the pivotal Counties, politically speaking, in the last election. Sheriff Davis belonged to the faction of the Republican party in Illinois, which gave Governor Deneen his re-election to the executive chair in 1908, by a smaller majority than four years before. It was believed that because of this the Governor was obligated to heed the wishes of Sheriff Davis' friends. But he had a higher obligation as Governor to protect the fair fame and uphold the Laws of Illinois. He had the highest obligation of protecting his friends from themselves, of enforcing their respect for the majesty of the law, and of aiding them to see beyond their passions and prejudices, "so they might rise on stepping stones of their dead selves to higher things."

It is believed that this decision with its slogan "Mob law can have no place in Illinois" has given lynching its death blow in this State. On three separate occasions since Sheriffs of other Counties in the

State have checked the formation of mobs by calling at once on the Governor for troops, and in this way prevented the scheduled lynching.

But the people of Cairo were not convinced, besides they were in an ugly mood because of Sheriff Davis' retirement from office and they determined to try the metal of the new Sheriff, who had sworn to uphold the laws. During the first week in March, two months ago, two Negroes were in jail in Cairo, having been arrested on suspicion of pocket-book snatching. Sheriff Nellis, having heard threats of lynching, immediately swore in special deputies and strengthened his guard at the jail. When the mob appeared at eleven o'clock that night, the Sheriff warned them not to cross the threshold. The warning was unheeded—a volley rang out, and one man—the leader of the mob—lay dead on the steps, and several more were wounded. No lynching took place that night and Sheriff Nellis had done what the Grand Jury of Alexander County, sitting for the whole month of December, had failed to do—found the leaders of a mob. The dead man was John Halliday, the son of a former Mayor of Cairo, and his uncle owns the leading hotel in Cairo—the Halliday House, which bears his name. The others who were wounded were men of like station. They have since been indicted by the Grand Jury and it rests with local public sentiment whether a jury can be found to convict them of attempted murder, and make their punishment so severe that the lesson will not soon be forgotten.

In this work all may aid. Individuals, organizations, press and pulpit should unite in vigorous denunciation of all forms of lawlessness and earnest, constant demand for the rigid enforcement of the law of the land. Nay, more than this, there must spring up in all sections of the country vigilant, aggressive defenders of the Constitution of our beloved land. South Carolina and her section have dominated this country to its hurt and sorrow from the beginning. When Payne wrote the Declaration of Independence, South Carolina refused to come into the Federation Colonies unless they struck out the clause abolishing slavery. She won, and slavery was fastened as an octopus upon the vitals of the land. She was responsible for the cringing, compromising, yielding attitude of Congress on the slavery question for the fifty years preceding the war. She fired on the flag of the United States and for the fifth time attempted to secede

from the Union. She plunged the country into the most terrible Civil War the world has ever known. She has led in all the secession movements for the nullification of the constitution and for the abrogation of the 14th and 15th amendment. She has led in all the butcheries on the helpless Negro which makes the United States appear a more cruel government than Russia, for her deeds are not done under the guise of democracy and in the name of liberty.

The Asiatic Question

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By CHARLES LENZ, PH.D.

IV.

THE SLAV COLOSSUS.

THE Eastern or Asiatic question had its origin in the growth of the Russian Empire, and Peter the Great stood godfather over its cradle; it must be considered the excrescence of the policy, inaugurated by Peter, and so religiously followed up by his successors, in fact, it may be safely said that the very existence of the Russian Empire, as now constituted, and the reign of the house of Romanoff depend on a policy the avowed object of which is the dismemberment of the Ottoman and Austrian empires and the conquest of Asia. Such is the manifest policy of the rulers of Russia, and has been so considered over a thousand years. It is a magnificent dream but once realized, Russia rules the world. By sheer weight she will crush Teutonic civilization, democracy and Protestantism.

The possession of Constantinople is to the Eastern Popes just such a political necessity as the possession of Rome is to the Western Popes. Once in possession of Constantinople the Slavic empire overshadows Europe and will conquer the whole of Asia and Africa. It will reach out further East and threaten the political, moral and economic interests of the American empire and assail its natural right of dominion over the Pacific. The success or failure of Bismarck