

Great Indignation: A Study of Racial Violence in Thomas County, Georgia, 1930

BY SCOTT MCALEER

On August 29, 1930, in the small community of Five Forks, near Thomasville, Georgia, Henry Price and C. V. Moore arrived at the house of Alec and Minnie Lee Thomas. Alec Thomas was away driving his cotton to market in nearby Pavo, but his wife was home. The two men kicked in the doors and chased Minnie Lee Thomas into a field. They knocked her to the ground and, while her children stood on the porch calling for their mother, put a gun to her head and raped her, choking her each time she called for help. Price and Moore were both white. The Thomases were black.¹

Less than a month later, on September 24, a man attacked a nine-year-old white girl on her way home from school. Unhurt, but badly bruised and terrified, the girl identified her assailant as black and the white community of Thomas County moved into action. By nightfall a twenty-year-old convicted horse thief named Willie Kirkland had been arrested, and approximately one thousand people soon converged on the stockade where he was in custody. Assurances from the local sheriff to the mob that no action would be taken until morning secured Kirkland's safety that night,

¹*State of Georgia v. Henry Price and C. V. Moore*, Thomas County Superior Court (1930), 156-65.

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but the next day nearly one hundred people again gathered outside of the county courthouse and overpowered the sheriff when he attempted to move Kirkland. A crowd of angry men hurried Kirkland away to nearby Magnolia Park where he was shot. His corpse was dragged through town behind a car and put on display in front of the courthouse.²

Three days later Minnie Lee Thomas's cousin Lacy Mitchell, who had been scheduled to testify at the trial of her rapists, was at home with his family when a small group of men arrived at his door and shot him in the stomach. Mitchell lingered for two agonizing days and in that time described his attackers to authorities. Suspicion immediately fell on Jack Bradley and Ed Allen. Thomas County began its second manhunt in a week, but this time the fugitives were white.³

These events, which were possibly the worst episodes of racial violence in the history of Thomas County, came at a time when such turbulence in the South was on the decline.⁴ There was nothing particularly unusual about any of the three episodes. The rape of black women by white men occurred with uncomfortable frequency in the Deep South.⁵ Allegations of rape or sexual assault by black men on white women frequently led to lynching: an execution without trial similar to the shooting of Willie Kirkland.⁶ As for Lacy Mitchell's murder, the death of a black man scheduled to testify against white defendants would not have surprised many people living in early twentieth-century Georgia.

What occurred in Thomas County during this month-long stretch of violence was three attacks on blacks by whites and one

²Thomasville Times-Enterprise, September 25, 1930; Arthur F. Raper, *The Tragedy of Lynching* (Chapel Hill, N.C., 1933), 233-43.

³Thomasville Times-Enterprise, September 30, 1930; *State of Georgia v. Jack Bradley and O. E. Allen*, Thomas County Superior Court (1930), 177-79.

⁴By 1930 the instance of lynching in Georgia had dropped dramatically from previous years. Lynching peaked between 1900-1909 when Georgia saw 137 blacks killed for an average of 13.7 per year. By 1930 there were only seven for the entire year. W. Fitzhugh Brundage, *Lynching in the New South: Georgia and Virginia, 1880-1930* (Urbana, Ill., 1993), 263.

⁵Darlene Clark Hine, "Rape and the Inner Lives of Black Women in the Middle West: Preliminary Thoughts on the Culture of Dissemblance," in Ellen Carol Dubois and Vicki L. Ruiz, eds., *Unequal Sisters: A Multi-Cultural Reader in United States Women's History* (New York, 1990), 293; Laura F. Edwards, *Gendered Strife & Confusion: The Political Culture of Reconstruction* (Urbana, Ill., 1997), 200.

⁶Brundage, *Lynching in the New South*, 58-59.

on a white by a black. Dissimilarity marked the three attacks by whites; moreover, none involved the same aggressors. Still, threads of continuity underlie the causes of the assaults and link the three cases not only to each other, but also to the thousands of other cases of racially motivated violence that occurred during the late nineteenth and early twentieth centuries. All three attacks highlight the structure of racial oppression that characterize race relations during those volatile decades.

Execution was not the only form that racial violence took in the New South. Rape was also a powerful tool utilized by whites to oppress blacks. Minnie Lee Thomas was not accused of any crime; she was not hunted down or attacked by a violent mob. Yet there are aspects of her rape that suggest she may very well have been attacked for racial reasons similar to many victims of lynching. As a counterpart to lynching, the rape of black women served as a gender tool of racial oppression. The rape of Thomas fits a pattern that recent scholars have termed the rape-lynch syndrome.⁷ Through this lens, the rapes of black women are seen as a visible adjunct to the lynching of black men. While the causes, effects and dynamics of these rapes might be just as amorphous and difficult to discern as those of lynching, the intentions of the rapists and the results on the black communities were similar.⁸ By exploring the correlation between the rape of Thomas and the murders of Kirkland and Mitchell parallels between the various forms of violence become clearer.

The murder of Lacy Mitchell, however, presents certain problems. Categorized by some as an execution and others as a murder, Mitchell's killing appears on the surface to be simply a means of preventing him from testifying.⁹ Certain specific factors in this case suggest that he was killed to prevent him from crossing certain lines, or because in a way he already had crossed the lines that

⁷Laura F. Edwards, "Sexual Violence, Gender, Reconstruction, and the Extension of Patriarchy in Granville County, North Carolina," *North Carolina Historical Review* 73 (July 1991): 237-60.

⁸*Ibid.*; Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work and the Family, From Slavery to the Present* (New York, 1985); Jacquelyn Dowd Hall, "The Mind That Burns in Each Body: Women, Rape, and Racial Violence," in Ann Snitow, Christine Stansell, and Sharon Thompson, eds., *Powers of Desire: The Politics of Sexuality* (New York, 1983), 238-46.

⁹Raper, *Tragedy of Lynching*, 233-60. Raper asserts that the death of Mitchell would be better classified as a murder, referring to it as a gangster-like procedure. Brundage, however, refers to it as a lynching. Brundage, *Lynching in the New South*, 280.

defined his status and rights in society in a way that warranted his death in the eyes of his killers.

The day of the murder of the accused black rapist Willie Kirkland, a coroner's jury suggested that no charges be brought against his killers due to lack of evidence. Subsequently, a Thomas County Superior Court Grand Jury decided not to pursue the case.¹⁰ The same jury however, decided to prosecute both the rapists of Minnie Lee Thomas and the murderers of Lacy Mitchell.

The challenge presented by these cases, therefore, is to explain the inconsistencies between community and court reactions to the Mitchell murder and the Kirkland murder, as well as the rape of Thomas. What made two juries composed of white males from the same region decide that the violent, anarchic, killing of Willie Kirkland involving dozens of people in broad daylight in the center of town could be so easily dismissed?

In sharp contrast the Mitchell murder might easily have been swept under the rug. It occurred far from the heart of the county and received little media attention until brought to trial. The only witnesses were members of the victim's families who were black, and the murderers who were white. Yet members of both a grand jury and a superior court trial jury rejected the opportunity to fulfill the roles that one might expect them to play as whites, and justice fell on the side of the black victim. In discussing this series of events, historian W. Fitzhugh Brundage explained the difference in the juries' decisions as being attributable to the fact that Mitchell had committed a transgression that did not warrant death and therefore the community did not condone his murder.¹¹ This is certainly one explanation. Nonetheless, there are other factors that provide additional interpretations for the apparently conflicting reactions of the community.

There seem to be two factors as the driving forces in these explanations. First, class distinctions among the murderers and victims, based on economic and social determinants, played an essential role in defining the parameters that residents of Thomas County dealt with in the three cases. Moreover, the issue of black

¹⁰Grand Jury Presentments, Thomas County Superior Court, October 24, 1930, 483.

¹¹Brundage, *Lynching in the New South*, 31.

resistance to violence played a pivotal role in bringing about justice in both the rape of Thomas and the murder of Mitchell.

Despite the fact that Thomasville once enjoyed a unique economy based on tourism, it was still a southern town with all of the accompanying racial problems. By 1870 there were 8,363 blacks living in Thomas County; very few owned property and most were engaged in similar patterns of labor as blacks in the rest of the South.¹² Those who did not work the land of white landlords through sharecropping occasionally found themselves in the swelling ranks of convicts, both black and white, in labor camps, leased out at eight dollars a head to saw mills before the convict lease system ended in 1908.¹³ Still, the Resort Era produced more economic opportunities for blacks in Thomasville than in many other regions of the Deep South.

Disenfranchisement had taken a toll on black Southerners however, and violence marked the era all across the South. As Redeemers reclaimed political power in Georgia, Thomas County blacks also saw their voting rights disappear, and faced mounting inequity in educational expenditures.¹⁴ Although white residents were willing to call for extralegal solutions to what they perceived as threats to the community by outside groups, the most far reaching and persistent types of violence remained reserved for blacks. Between 1877 and 1930 as many as nine local blacks besides Willie Kirkland and Lacy Mitchell lost their lives.¹⁵

In at least one instance the authorities brought in troops to prevent a lynching in Thomasville and a skirmish took place with would-be lynchers. A local photographer who captured the 1911 event on film recorded his comments on the back of his images, some of which later became postcards. These pictures show a tense standoff in downtown Thomasville as armed men tried to

¹²William Warren Rogers, *Thomas County, 1865-1900* (Tallahassee, Fla., 1973), 8; Numan Bartley, *The Creation of Modern Georgia*, 2nd ed. (Athens, Ga. 1990), 23-44.

¹³Harold Henry Spangle, *The History of the Black Community of Thomas County, Georgia From 1827 To 1909* (Thomasville, Ga., 1994), 97.

¹⁴*Ibid.*

¹⁵W. Fitzhugh Brundage documented only three lynchings in Thomas County during the period from 1880-1930 as taken from the reports of the *Tuskegee Institute*. Brundage, *Lynching in the New South*, 270-80. Local historian Harold Henry Spangle, however, claimed that six blacks fell victim to lynching in Thomas County between 1877 and 1909. Spangle, *History of the Black Community*, 100. Because the names of the victims do not overlap, the total number lynched between 1877 and 1930 could be as high as nine.

ensure the safety of the prisoner; soldiers even used bayonets to keep the mob back from the courthouse. While transferring the prisoner to the train station a full confrontation ensued at the junction of Broad and Jackson streets. "The Brute," as the attackers called the accused, appears to have been saved (although he was executed some time later). A spectator recorded the effort of the soldiers when he wrote: "Most of the fellows in the mob were [the victim's] neighbors or friends but [the troops] never faltered."¹⁶ Seemingly, the soldiers in this case responded to their duty to follow orders rather than to any loyalty to whites in the crowd.

By 1930, twelve years had elapsed since the people of Thomas County had witnessed a lynching, and it certainly appeared as if the era of violence had finally passed. All across the South racial episodes had begun to decrease in intensity. Unfortunately for the residents of Thomasville, the most brutal outbreaks lay in the future.

Still, the details of the racially motivated attacks that occurred in Thomas County after a decade of relative peace are not clear. Many of the circumstances surrounding the death of Willie Kirkland remain cloudy due to conflicting newspaper reports. Even though the murder occurred in broad daylight in the heart of downtown Thomasville and involved perhaps one hundred people, no one, white or black, later admitted to seeing who had pulled the trigger.¹⁷ Yet the basic components of the various newspaper accounts agreed that on September 24 a man violently attacked a child on her way home from school. Although residents immediately applied the term "attempted rape" to the event, the actual nature of the assault remains unclear. The girl did experience some form of violent attack, as evidenced by a large bruise around her throat that many people witnessed later that night.¹⁸

The attention of the community immediately turned to Willie Kirkland, a convicted horse thief, who was serving out the remain-

¹⁶Historical Photographs of Thomasville, Thomasville Historical Society, Thomasville, Ga.

¹⁷Some details of both the Kirkland and Mitchell murders as well as the rape of Minnie Lee Thomas are included in Raper, *Tragedy of Lynching*, 233-60. Raper's lack of citation greatly diminishes its usefulness, however. The problem is compounded by the fact that some of Raper's account is in direct conflict with information contained in court documents.

¹⁸*Thomasville Times-Enterprise*, September 25, 1930.

ing thirty days of his sentence at a nearby prison work camp. The local papers never explained why the authorities singled out Kirkland from the other convicts, although it does appear that he was the primary suspect from the start.¹⁹ According to the press, a large posse had gathered near the county stockade and combed the swamps for the accused. The mob, estimated to be as large as one thousand, included many armed men. The posse even brought in dogs from nearby Camilla; the bloodhounds led the searchers through an old aviation field to a black cemetery, and from there to the convicts' camp where they lost the scent.²⁰ At this point the sheriff's men took Kirkland and several other prisoners into custody and removed them to Thomasville. According to some accounts, the search continued for a time after the arrest but suspicion apparently fell on Kirkland when a damp set of clothes found at the home of his father seemed to suggest that the young man had fled through the swamps and had taken refuge there. The authorities also believed he had changed clothes to throw off the dogs.²¹

As evening wore on, the mood of the growing crowd at the courthouse grew ugly as the victim's mother demanded to know what was going to be done. Some reports say that the authorities took Kirkland from the stockade to the girl's home where she identified him. Whether or not this happened is somewhat unclear, but it is certain that the girl did name Kirkland as her attacker on two separate occasions during the night.²² Nonetheless, the majority of the spectators eventually went home with assurances from Sheriff Gordon E. Davis that nothing would be done until eight o'clock the following morning. Additional guards patrolled outside the courthouse as a small number of men maintained an all-night vigil.

As the crowd collected outside the stockade the next morning, Kirkland faced his accuser again. This time he was in the company of three other men of similar size dressed exactly as the girl had described her attacker. Just before eight o'clock she picked Kirkland out of the lineup. Moreover, although the crowd outside

¹⁹*Ibid.*

²⁰*Ibid.*

²¹*Brunswick News*, September 25, 1930.

²²*Thomasville Times-Enterprise*, September 25, 1930.

the jail was significantly smaller than the previous night, it still numbered around one hundred people and was much less patient with the sheriff. Adding to the volatility of the bystanders was the girl's father, who conspicuously brandished a shotgun. Sheriff Davis made a decision to move Kirkland to a safer place, and deputies escorted the accused and the three other black men from the stockade toward a waiting car. No effort had been made to break up the gathering nor to disarm the victim's father, and as Kirkland walked from the door of the stockade the irate father raised his gun and took aim. Someone in the crowd pushed his weapon up, but the yells of the angry citizens grew to cries of, "Get him." After disarming the sheriff and his men, vigilantes took Kirkland away.²³

The mob rushed Kirkland to nearby Magnolia Park where he was released and told to run, but he was shot in the back and back of the head as he complied. Showing little fear of prosecution, members of the crowd tied Kirkland's corpse to a car and dragged it through town before finally putting it on display in the center of the town.²⁴

The most important sources of information regarding the Kirkland execution are newspaper articles, none of which seriously entertained the possibility that he might have been innocent. In fact, a statement made by the warden of the stockade expressing his doubt as to Kirkland's guilt rarely merited mention, and even then it received only fleeting consideration. In an Associated Press article from September 25, which was circulated in the *Moultrie Observer* and the *Valdosta Daily Times* as well as the *Macon Evening News*, the warden's statement appeared inconspicuously at the end of the column. At the same time bold headlines in the *Valdosta* paper read, "Thomas County Mob Lynches Negro," with a subheading, "Small White Girl Identifies Negro as Her Assailant."

²³*Ibid.*

²⁴This account was compiled from articles found in the *Thomasville Times-Enterprise*, September 25, 1930; *Brunswick News*, September 25, 1930; *Moultrie Observer*, September 25, 1930; *Macon Telegraph*, September 26, 1930; *Bainbridge Post-Searchlight*, October 2, 1930; *New York Negro World*, October 4, 1930. An attempt to corroborate stories using separate newspapers is frustrated by the fact that many papers lifted parts of their accounts from an Associated Press article. Occasionally it was reported that Kirkland's body was hung from a tree in Magnolia Park before being shot. The majority of papers do not support this claim however.

It is only in the last paragraph that the reader learned, "Doubt that Kirkland was the guilty person was said to have been expressed today by the warden of the convict camp, who it was said stated that the negro did not leave the camp yesterday, the day of the attack." Headlines, such as "Identified By Girl as Her Assailant," often implied guilt. The *Thomasville Times-Enterprise* sub-headline went so far as to state, "No Doubt As To Negro Man Being Sought."²⁵ This type of press served not only to coalesce public opinion but also to remove any doubt as to the righteousness of the mob's actions.

In addition to the language of guilt integrated into these reports was an attempt to vilify and dehumanize Kirkland. The *Times-Enterprise* reported that when Kirkland had been arrested previously for stealing a mule, he had been chased down in the swamps by the dogs of the sheriff from Mitchell County, and that he had taken the lead dog and, "held its head under water until it drowned."²⁶ The fact that Kirkland was a prisoner merited frequent mention and the *Associated Press* article referred to him as a "Brute," the same label attached to the man in the 1911 lynching incident. If the headlines served to erase doubt over Kirkland's guilt, these descriptive phrases removed any compassion that the reader might feel for the accused. The message was clear: he was inhuman, he was guilty, and his killing was justified.

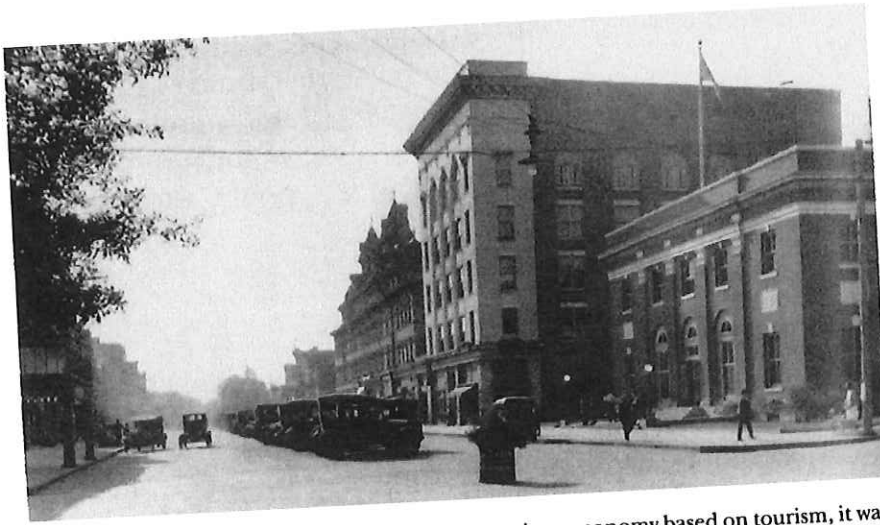
The only article that focused on the specifics of the Kirkland incident, including his potential innocence, was in the *New York Negro World* on October 4. The headline incorporated the warden's concerns: "Prison Warden Doubts Guilt of Negro Lynched in GA."²⁷ Even this story, however, did not go so far as to condemn the men responsible, possibly due to the nature of the crime and the knowledge that Kirkland was already a convicted criminal.

Although the Thomasville paper incorporated assumptions of guilt and dehumanization into its report, it was also the only local paper that expressed some degree of concern over the event itself. This concern was not in regards to the injustice of the killing, but to the handling of Kirkland's body. "Many people accidentally saw

²⁵ *Valdosta Daily Times*, September 25, 1930; *Brunswick News*, September 25, 1930; *Thomasville Times-Enterprise*, September 25, 1930.

²⁶ *Thomasville Times-Enterprise*, September 25, 1930.

²⁷ *New York Negro World*, October 4, 1930, as cited in Ralph Ginzburg, *100 Years of Lynchings* (Baltimore, Md., 1966), 191-92.



Despite the fact that Thomasville once enjoyed a unique economy based on tourism, it was still a southern town with all of the accompanying racial problems. This view of the downtown U.S. Post Office was taken c. 1915-1916. Courtesy of The Thomas County Historical Society, Thomasville, Georgia.

the negro as he was brought to the courthouse," the article stated of Kirkland's dead, bullet-ridden corpse, "and this brought expressions of horror and dismay from all sides, especially from women in front of whose homes the procession passed." The story ended, "Certainly nothing has been done here, which has aroused so genuine an indignation as this finale."²⁸ The fact that the "indignation" referred to was the exposure of local women to such a gruesome sight rather than to the acts of murder and mutilation, suggests the writer and editors of the *Times-Enterprise* held the sensibilities of the women in higher regard than either justice or the lives of the county's black citizens.

Whether or not Kirkland actually attacked the white girl will probably never be known. The fact that the prison warden expressed doubts as to his guilt and that a confession was never secured may suggest that an innocent man was murdered. Although the positive identification by the victim seems damning, one must take into account the frightened condition of the child given her attack earlier in the day, the prodding of an hysterical mother and

²⁸ *Thomasville Times-Enterprise*, September 25, 1930.

an angry father, and the sudden rage and attention of the irate townspeople. It is certainly conceivable that a nine-year-old girl would have felt more than a slight obligation to produce an attacker from those brought before her. Despite the possibility that Kirkland might have been innocent, it is important to note that actual guilt or innocence is seldom clear in the case of a victim of violence. In part because the legal process was bypassed, actual guilt in such a case was usually left unknown. Sometimes a confession emerged, but the accused was typically killed regardless.²⁹

Another area of significance involves the actions of officials responsible for maintaining law and order. Although Sheriff Davis did call in extra guards to the courthouse on the night of the twenty-fourth, his actions the following day can only be described as imprudent. The decision to move Kirkland to a "safe" location after he had passed the night without incident is suspicious in itself. But even more questionable is Davis's decision to transfer the prisoner, not in the middle of the night after the original mob dispersed, but late the next morning after one hundred people had again gathered. By that time it was clear that some members of the crowd were armed, including the girl's father, and that the mob had turned violent.

In his testimony at the coroner's inquest the sheriff explained, "The crowd had enlarged quite extensively by this time, but was very orderly, and I did not see a sign of a gun except in the hands of the girl's father."³⁰ Whereas in 1911 troops had been brought in to protect a prisoner in similar straits, the sheriff's assumption that he could manage with a handful of deputies seems to the modern reader as shortsighted.³¹ The sheriff's motives are further brought into question by his agreement with the mob that the accused would not be moved until the next day if the men would leave the prisoner alone that evening. Doubt is also cast on his sincerity by another statement he gave at the coroner's inquest claiming that he was unable to identify any of the men who took Kirkland from his custody. The coroner's jury did not find sufficient reason to question this testimony, nor did the court attempt to ascertain the

²⁹Brundage, *Lynching in the New South*, 41-42.

³⁰*Ibid.*

³¹Raper, *Tragedy of Lynching*, 233-43.

identities of the murderers. The entire matter was put to rest in one paragraph: "We the Jury wish to commend our Sheriff for the quiet and orderly manner in which he was able to handle the angry crowds at the jail and stockade, and prevention of other bloodshed. We feel assured that he did his duty in every respect."³²

After the twenty-fifth there was no further media coverage of the death of Kirkland. The decision of the coroner's jury not to pursue the case was upheld by the grand jury in October. Official concern over the matter ended with the jury presentments to Judge W. E. Thomas on October 24, in a statement that read, "We would especially call your attention to our investigation of the killing of one Willie Kirkland. After an examination of amny [sic] witnesses," the statement continued, "many of whom were prominent men in Thomas County it was necessary to close this investigation without an indictment for lack of evidence."³³ At least one citizen found irony in the fact that Thomasville had been a resort town for Northerners for decades, and yet the city witnessed such a violent and public lynching. An anonymous letter to the *Bainbridge Post-Searchlight* read:

Thomasville pulled her a lynching. Oh well must have been a pretty bad case as Thomasville is one of the staidiest [sic] towns in the state and never given to any undue excitement. There is one thing about this case. Thomasvill [sic] has been a big resort for northern people for forty years and if there is a town in the state where northern thought has been somewhat dominant it is Thomasville but that did not prevent that lynching and we bet a mule that there were northern men in that mob along with others. Rape will always bring a swift and terrible end.³⁴

Willie Kirkland's death demonstrated how the white citizens of Thomas County responded to a killing that they perceived as justified. Of the sheriff, the courts, the press, and a number of witnesses, none made any significant effort to seek legal justice. The vigilantes who killed Kirkland did not have to fear prosecution be-

³²Coroners verdict as reported in *Thomasville Times-Enterprise*, September 25, 1930.

³³Grand Jury Presentments, 483.

³⁴*Bainbridge Post-Searchlight*, October 2, 1930.

cause the community of Thomasville, including its most important institutions, supported their actions at the time and worked to ensure that the perpetrators went unpunished. Of the factors that contributed to the complicity of many people of Thomasville in the murder, perhaps none is more important than their perception of his alleged crime. As the October 2 commentary from the *Bainbridge Post-Searchlight* suggested it was the crime of attempted rape that brought about such a "swift and terrible end" for Willie Kirkland.

In order to explain the community's reaction to Kirkland's execution, one must have an understanding of southern perceptions, both white and black, on rape. This can be seen when analyzing the events following the attack on Minnie Lee Thomas. The rape of Thomas and the trial of her attackers is important for three reasons. The very fact that she decided to pursue the issue in a court of law speaks to the willingness of blacks to demand justice under certain circumstances, even though doing so might endanger their lives.³⁵ It also provides an excellent backdrop for considering the assumptions surrounding black and white womanhood in the post-Reconstruction South.³⁶ Finally, it provides good context for the discussion of how the justice system and legal communities dealt with the inseparable topics of rape and lynching.

On October 27, the trial of Henry Price and C. V. Moore began at the county courthouse. Prosecuting attorney C. E. Hay represented the state, J. R. Burch served for the defense, and Valdosta native W. E. Thomas presided as judge. It had been just over a month since the death of Willie Kirkland made headlines throughout south Georgia, but violence had not yet subsided. Lacy Mitchell had been gunned down by a small group of white men at his home just days after Kirkland's death. The motive was apparently to prevent him from testifying at the trial of Thomas's

³⁵W. Fitzhugh Brundage, "The Roar on the Other Side of Silence: Black Resistance and White Violence in the American South, 1880-1940" in Brundage, ed., *Under Sentence of Death: Lynching in the South* (Chapel Hill, N.C., 1997), 271-91. For examples of black and poor white women who took men to court for acts of sexual violence see Edwards, "Sexual Violence," 237-60.

³⁶Darlene Clark Hine, Wilma King, Linda Reed, eds., *We Specialize in the Wholly Impossible: A Reader in Black Women's History* (Brooklyn, N.Y., 1995), 407-561.

rapists. Yet in spite of the death of the state's key witness, the case against Price and Moore seemed strong.

The entire issue of justice in the post-Reconstruction South is a complex one. It is obvious that laws were not equally enforced among blacks and whites. It is clear that legal institutions were regularly used as tools to support white power. Exceptions did exist, and blacks were involved in legal proceedings on a regular basis. When they took part in such proceedings, especially if the interests of blacks and whites were in conflict, blacks found themselves in decidedly unfriendly waters. Judges, jurors, prosecutors, public defenders, private attorneys, law enforcement officials, coroners, and grand juries, were almost exclusively white. Because whites dominated not only public offices, but also the economic institutions during the period, including the larger agricultural plantations, timber industries, and railroads, whites called as witnesses were much more likely than blacks to appear as respectable members of the community.³⁷

With all of these factors favoring white justice, one wonders why white citizens needed a vigilante form of justice. But the forces that drove some people outside the law probably had little to do with the criminal justice system at all.³⁸ Tension existed between the official justice system and the more spontaneous justice that often took the form of execution or lynching. One interpretation of the degree to which whites actually felt the need to seek retribution outside of the court system is that it was based, in part, on the nature of the offense. For some infractions of the law in the literal sense, the action of the courts tended to suffice. Infractions of the unwritten law of white supremacy however, especially those involving murder or rape, brought about the use of extralegal violence, regardless of official legal constraints.³⁹

This tension was perhaps most powerfully felt by local sheriffs who frequently found themselves caught between the conflicting interests of the official justice system and the efforts of vigilantes. Fears of an uncontrolled, anarchic society influenced the deci-

³⁷See Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the Nineteenth-Century American South* (New York, 1984), 174-81.

³⁸Grace Elizabeth Hale, *Making Whiteness: The Culture of Segregation in the South, 1890-1940* (New York, 1998), 199-239.

³⁹Brundage, *Lynching in the New South*, 49-51.

sions of many whites during the lynching era, and the role of law officials in many ways was to maintain order. This was an order based as much on race and class as it was on the code of law. And when this order was breached in a way that presented a challenge to white supremacy, the solution was frequently not decided in the realm of legality, but in the mind of the mob. When this happened, local sheriffs had to assess their priorities and decide where their allegiances lay. Were they, after all, officers of the law, or were they white men?

Certainly, Sheriff Davis found himself in just such a situation during the Kirkland incident. Bending to the will of the mob may have been one way for law enforcement officers to maintain an illusion of control among the citizenry, while at the same time freeing themselves from personal responsibility by claiming that events had gone beyond their control. Nonetheless not all officials chose this route.⁴⁰

Though the actual circumstances surrounding individual lynching varied greatly, rape was often associated with events in one way or another. The two issues were frequently inseparable. Alleged attacks had basis in a mixture of fiction and reality. No doubt many white women were raped by black men just as they were raped by white men. Consensual relationships between black men and white women also resulted in some alleged attacks.⁴¹ Although rape certainly was not always the cause of violence, nor always the excuse, it routinely served as justification.⁴²

Interestingly, though rape was perceived by whites as the most obvious cause of lynching during this time, it was not the most frequently cited reason. Of all the lynching in the South between 1882 and 1930 sexual assault accounted for only 29.2 percent of alleged offenses by blacks. The most frequently cited alleged crime was murder, which came in at 37.3 percent. Other offenses

⁴⁰The taking of Willie Kirkland from Sheriff Davis ran counter to the trend that indicated decrease in lynching victims captured from local authorities in Georgia between 1915 and 1930. *Ibid.*, 240. For an example of a case where officials took steps to try and protect prisoners in 1904, including calling in troops, see Charlton Moseley and Frederick Brogdon, "A Lynching at Statesboro: The Story of Paul Reed and Will Cato," *Georgia Historical Quarterly* 65 (Summer 1981): 104-18.

⁴¹See Martha Hodes, *White Women, Black Men: Illicit Sex in the Nineteenth-Century South* (New Haven, Conn., 1997).

⁴²Ayers, *Vengeance and Justice*, 240; Joel Williamson, *The Crucible of Race: Black-White Relations in the American South Since Emancipation* (New York, 1984), 111-39.

counted for a full 31.7 percent.⁴³ This apparent disparity between what Southerners perceived to be the cause of lynching and what they themselves claimed to be the instigation for them suggests that the fear of rape was strong enough to dilute even the fear of murder. It is not hard to see under these circumstances why the attack on a young white girl in Thomasville could produce such a violent response toward Willie Kirkland.

Just as black men were given a unique sexual label in the post-Reconstruction South, black women earned a classification of their own. The idea that black women were inherently promiscuous led to their being regarded alternately as seductive temptresses or simply available. As anti-lynching activist Jesse Daniel Ames put it in 1936, the perception was, "that a Negro woman could not be assaulted, that it was never against her will."⁴⁴

Unlike the vast number of white-on-black rapes during this era, the attack by Price and Moore was not only investigated and prosecuted but was also resolved in a court of law. Of significance are not only the details about the crime that emerged during the trial, but also the manner used by the lawyers to approach their arguments. Additionally, the inherent assumptions of the defense attorney in regards to the nature of black women, and the likelihood of a white jury convicting two white men of such a crime against a black woman, are also significant.

According to testimony, after Alec Thomas had traveled from his home near Five Forks to the nearby community of Pavo to pick up his grandmother, he had returned home and worked in the field until he had his cotton loaded on his wagon. Sometime after 1:00 A.M. he began the journey to the gin at Pavo, leaving behind his grandmother, wife, and three young children ages four months, two, and five years old. The five were asleep in the Thomas's tiny house. Eliza Manning was by the front door and Minnie Lee Thomas and her children lay together on a pallet near the fireplace. At some point before daybreak the growling of a dog and the voices of two men calling for Alec woke the family. After a brief time of quiet, the sound of something striking the fence

⁴³Stewart E. Tolnay and E. M. Beck, *A Festival of Violence: An Analysis of Southern Lynchings, 1882-1930* (Chicago, Ill., 1995), 92.

⁴⁴Jesse Daniel Ames as quoted in Hall, "The Mind That Burns in Each Body," 331.

broke the silence. This noise turned out to be the tire of a truck that the men had removed and rolled into the fence. At this point the assailants again approached the house and began calling for someone to bring them a match. In an effort to persuade them to leave, Eliza Manning insisted repeatedly that Alec had used the last match before he left. This may have been the clue that the men were looking for that Alec was not inside.⁴⁵

As Manning rose and slipped to the back door to secure the latch, the kitchen door flew off its hinges and an intruder stormed in just as his accomplice rushed through the front door. In the dark, the elderly Manning could not get a good look at the attackers even though they grabbed her by the throat, but she could tell that one was considerably taller than the other. She knew from their speech that the two assailants were white.⁴⁶

In their rush through the doors the attackers ran by the younger woman and her children and went for Eliza Manning. Seizing the opportunity, Minnie Lee Thomas bolted out of the door, jumped off of the porch, and headed through the cotton toward the house of her cousin, Lacy Mitchell. Previously Mitchell had told the Thomases that in case of an emergency to make "alarms for him" as a signal that they needed help, and Thomas, running as fast as she could through the fields, called for Mitchell. The two assailants had seen her leave, however, and managed to close in on her long before she was within an earshot of the nearby residence. One man caught her, struck her over one eye, and forced her to the ground. Begging the two men not to hurt her, Thomas tried to fight, but the attacker threatened death. "If I can get hold of my gun," he told her "I will make you shut up." And she clearly heard him say, "If she moves again you blow her brains out." Still being held down by two men, with a gun pointed at her head and choked every time she tried to speak, Thomas alternately begged the men to let her go and screamed for Lacy Mitchell. Only Price actually raped her; perhaps it was her aggressive resistance that saved her from being attacked by Moore as well. But according to her later testimony, Moore only held her down and pointed the gun. When the two men released her, she ran im-

⁴⁵*State of Georgia v. Henry Price and C. V. Moore*, 157, 161.

⁴⁶*Ibid.*, 161.

mediately back toward her own house calling for her grandmother. Finding only her three young children on the porch, she gathered them together and ran back across the field to the Mitchell house.⁴⁷

As she approached her cousin's dwelling, Thomas discovered that Price and Moore were talking with Mitchell, acting as if nothing had happened. Intimidated by the presence of the two men and likely fearing for the safety of her children, the woman refused to talk. Even though Price asked, "What's the matter down here?" Thomas did not reply. Mitchell then told the men "She is scared."⁴⁸ It was only after the men left that Thomas told Mitchell what had really happened.

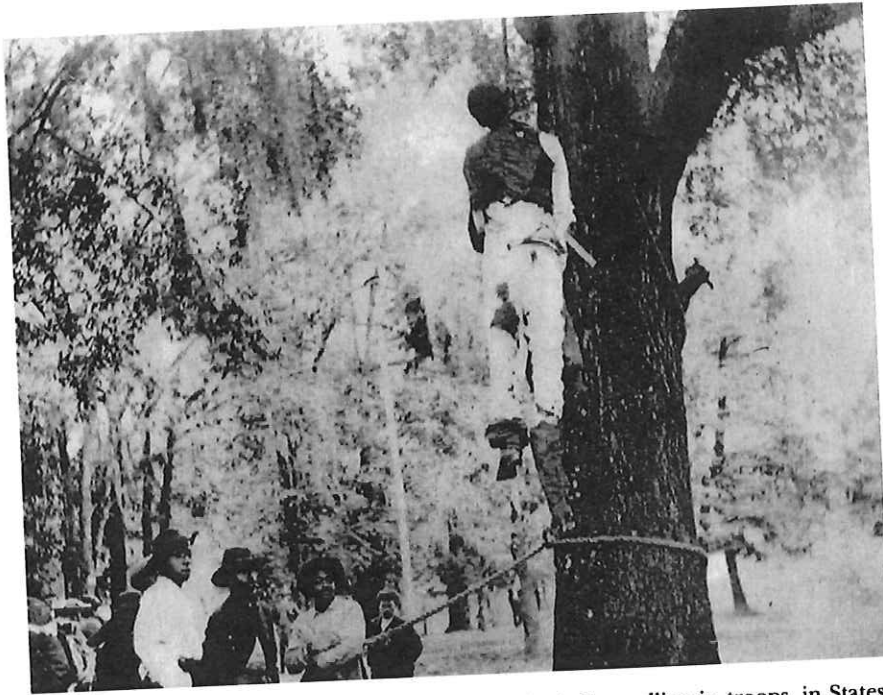
During the subsequent trial, the prosecution needed to prove that a crime had taken place. Moreover, the lawyers had to implicate Price and Moore as well as establish that despite the brutality of the attack and the risk to her life, Thomas did everything within her power to ward off the assault. Given the inherent handicaps that an all-white male jury presented and the prevailing stereotypes of black women as sexually available and promiscuous, Prosecutor Hay knew that he must firmly establish in the minds of the jurors that the sex had not been consensual and that Thomas in no way encouraged the attack. Several times during his questioning Hay encouraged her to reiterate that she had tried to call for help despite being choked. "Minnie Lee," he asked, "how many times did you try to holler and ask for help and get choked, do you know how many?" She answered, "I think I hollered about three times. He choked me three times." Hay continued, "Did he choke you every time you tried to holler so you could not?" "Yes sir," she responded.⁴⁹

Thomas was adamant regarding her story as well as consistent. The prosecutor ended his initial questioning by driving home the point that Thomas was the victim of an attack. Hay asked, "Did you continue to fight them and do all you could to prevent Price having sexual intercourse on you?" "Yes sir," she answered, "They held my hand so I could not move them." Hay ended this line of ques-

⁴⁷*Ibid.*, 157, 161-62.

⁴⁸*Ibid.*, 162.

⁴⁹*Ibid.*



Officials tried unsuccessfully to protect prisoners, including calling in troops, in Statesboro, Georgia, in 1904. This lynching took place in Bainbridge, in Decatur County, in 1905. *Courtesy of the Georgia Department of Archives and History, Atlanta.*

tioning by asking, "Is that the only reason they succeeded in having sexual intercourse with you?" "Yes sir," Thomas responded, "I could not help myself."⁵⁰ Defense attorney Burch attacked Thomas's story, but, from the start it was apparent that he was grasping at straws. It is likely that Burch based his strategy on his doubt that an all-white jury would convict two white men of such a crime solely on the word of a black woman. This tact might very well have worked if it had not been for the fact that it was poorly executed and that Thomas was a consistent witness.

Burch's line of questioning appears to have been intended, in part, to make Thomas out to be the Jezebel or loose woman that the racist southern culture expected her to be. The insinuation

⁵⁰*Ibid.*

was that she had done less than put up a fight.⁵¹ Moreover, the defendants testified that they had not been at the scene of the crime that night. According to their statements, they had been at the nearby community of Boston visiting Cary Vick regarding a dog for sale. On the way home the men claimed to have heard screams coming from somewhere twenty or thirty yards away from Mitchell's house. At this point Mitchell is said to have come out with his gun and asked for the men's help. Nonetheless, Price bungled his opportunity to clarify events; near the end of his statement he explained that when he and Moore followed Mitchell to Thomas's house that they "went on down there and got down the fense [*sic*] Minnie Lee Thomas was standing back of the house in the edge of some ragweed." Realizing that he had left himself open to the obvious question of how he knew what kind of weeds grew behind her house, he quickly followed with, "I had not been around the house to know what kind it was."⁵²

In the rebuttal for the state, the prosecutor tried to include some evidence regarding the murder of Lacy Mitchell and its connection with the Thomas case. In an attempt to keep Thomas from identifying them, Price and Moore had disguised themselves during the commitment hearing. Deputy sheriff and county jailor J. A. White testified that on the day of the arrest Moore's hair was "Clipped up to the skin . . . about as close as they could clip it." On the day of the hearing, "He got some smoked glasses, got some after he was brought up here."⁵³ It was only with the help of Lacy Mitchell that the two had been identified initially. The fact that the men had felt a need to disguise themselves added to the mounting evidence against them.

On October 28 an all-white jury convicted the two men of rape and sentenced each of them to a one-year term in the state penitentiary.⁵⁴ Certainly the black community must have felt some

⁵¹For a discussion of the image of the Jezebel figure see Edwards, "Sexual Violence," 237-60; Deborah Gray White, *Ar'n't I a Woman: Female Slaves in the Plantation South* (New York, 1985), 27-46.

⁵²*State of Georgia v. Henry Price and C. V. Moore*, 167.

⁵³*Ibid.*, 168.

⁵⁴The fact that Price and Moore were only sentenced to one year suggests that while the jurors were willing to convict the two white men, they were not prepared to send them away for any length of time. This decision stands in stark contrast to one earlier that week to sentence a black man, Homer Taylor, to twenty years in prison for pleading guilty to assault with intent to rape a black girl. *Thomasville Times-Enterprise*, October 23, 1930.

sense of vindication regarding the recent wave of lawlessness. But a lack of concern over this category of crime, or the fact that white newspaper editors may have been less than jubilant about the verdict, may explain why the local press did not carry the story. The only mention of the verdict came after the subsequent killing of Lacy Mitchell and was reported simply as a detail of the murder trial.

The result of the Thomas trial is important, but of equal significance is discerning why a white jury convicted white defendants. As damaging as some of the evidence against Price and Moore appeared, there was nothing presented that might not have been overlooked by a jury intent on maintaining a strict racial hierarchy in the community. Nor can it simply be supposed that keeping law and order was of primary concern to the people of the county, especially in light of their recent willingness to overlook the public execution of Willie Kirkland.

More subtle forces were at work. While race was no doubt the most obvious and important distinction in the South in 1930, there were also the related issues of economic and social status within respective communities and among the citizenry as a whole. Understanding how these class distinctions influenced life in the South and Thomas County is essential to understanding why this jury acted as it did. In order to analyze these distinctions however, it is first necessary to understand Thomas County's last violent episode of 1930: the murder of Lacy Mitchell.

Of the acts of violence that troubled the county during this month long stretch, the murder of Mitchell is in many ways the most tragic. Although he did not suffer the rage of a large mob as did Kirkland or brutal rape as did Thomas, his willingness to risk his life to see that justice was done adds an undeniable sense of drama to his death. On the surface it appears that his only transgression had been to stand up to his cousin's rapists and in doing so pose a threat to white supremacy.

What is known about Mitchell comes from the transcripts of the murder trial and from county tax records. One feature that can be discerned is his bravery, but underlying this is a degree of financial autonomy that likely had a good deal to do with his boldness. Mitchell was a man of relative prosperity. At the time of his

death he owned 125 acres of land valued at \$1,250. He possessed an additional twenty-five dollars worth of household goods and thirty-five dollars worth of farming implements. He owned fifteen hogs, four cattle, and several mules. He also paid his poll tax, making him one of the few blacks in the county eligible to vote.⁵⁵ His attitudes and actions were likely shaped by his financial independence and security. Unfortunately for Mitchell, financial success in the early twentieth-century South carried risks for blacks, and this prosperity surely compounded the hostility of his attackers.⁵⁶ Not only was his testimony at odds with the expected conduct for a black man, but it was also a direct attack on the well being of Henry Price and C. V. Moore.

Mitchell must have known that his safety was in jeopardy. His actions at the time of his cousin's rape and those that he took following the attack shaped the events that ended his life. Unfortunately, it is not clear just how the authorities became involved in the rape case, but whether or not Mitchell himself encouraged prosecution, he certainly does not appear to have been reluctant to cooperate with the authorities. When Thomas had been unable to recognize one of her assailants the day of their arraignment, Mitchell was not fooled. His positive identification of Price and Moore as the men who had been at his house on the night of August 29 was an important factor in their arrest.

With a little over a month until Judge Thomas was to preside over the October session of the Thomas County Superior Court, the response of local vigilantes would have to be swift. Sensing danger, Alec and Minnie Lee Thomas took their children and moved to the Mitchell residence for safety. It is not known whether or not Lacy Mitchell usually kept a loaded gun by his bed prior to this point, but he began sleeping with a rifle and shotgun nearby.⁵⁷ On the night of September 27 a small posse of between four and seven men led by Ed Allen and Jack Bradley entered his house and shot him in the abdomen, leaving him for dead. Within a day Allen was in the custody of the county sheriff, and by the following

⁵⁵Tax Digest of Thomas County, 1930.

⁵⁶Leon Litwack, "The Ordeal of Black Freedom," in Walter J. Fraser and Winfred B. Moore, eds., *The Southern Enigma: Essays on Race, Class, and Folk Culture* (Westport, Conn., 1983), 12-14.

⁵⁷*State of Georgia v. Jack Bradley and O. E. Allen*, 174-75.

week local deputies near Mayo, Florida, apprehended Bradley and returned him to Thomasville.⁵⁸ Thomas County prosecutors charged the two with murder and scheduled the trial during the same superior court term as the rapists of Minnie Lee Thomas. The decision to indict was made by the same grand jury that dropped the Willie Kirkland murder and prosecuted the rapists of Minnie Lee Thomas. The accused would be tried under the same judge and jury as Price and Moore just one week after their conviction. The response of the local press to the trial was substantial. Whereas the murder of Kirkland resulted in a brief flurry of media attention followed by stagnation, and the rape of Thomas barely drew any attention at all, the murder of Mitchell and the subsequent trial brought constant coverage in the days leading up to and following the proceedings. Though it was relegated to pages covering topics such as neighborhood prayer meetings and weekly hog sales, it was still a well-covered event.

The story first broke on Tuesday, September 30, and from this early report it was apparent that the press would take a drastically different approach. The *Times-Enterprise* reported in the local news section that the sheriff's office was investigating the shooting of a black man near the Five Forks area. The article did not provide sources, but the writer somehow made the connection between the murder of Mitchell and the rape of Thomas, reporting that the two cases were related. In an uncharacteristically pointed commentary the journalist added, "Great indignation is felt throughout the county on the report that the Negro was shot down in cold blood and it is certain that a most thorough investigation will be demanded by the courts and public sentiment will be solidly behind it."⁵⁹

For the next several weeks the paper's local news section contained bits of information regarding the story, including the capture of Jack Bradley in Florida. Being the only murder case in the October term of the superior court there was naturally a good bit of interest, but the frequent mention of the trial suggests that it was one of importance to the community. There also appeared to be a building sense of anticipation within the community. News

⁵⁸ *Thomasville Times-Enterprise*, October 6, 1930.

⁵⁹ *Ibid.*, September 30, 1930.

stories reported that the session of the court was "very important" and that "unusual matters" were expected to "come up for consideration."⁶⁰ Regardless of what other court decisions the paper carried on any given day, articles typically ended with speculation over the impending trial of Allen and Bradley.

Once the trial began, stories about the Mitchell murder moved from the local news section to full-length feature articles, and the amount of detail in the coverage proved substantial. In pieces printed on October 28 and 30 the paper offered readers details about the case that were fairly representative of the highlights of the proceedings. Nonetheless, the editorial commentary of the September 30 article regarding "indignation" in the community was never repeated. This suggests that a more conservative attitude by the editors may have evolved as the possibility grew that white men might actually be executed for the murder of a black. The paper employed a straightforward reporting style and only interjected a few impartial statements, referring to the Thomas and Mitchell inquest as "the most sensational pair of cases tried here during the term."⁶¹

News of the murder of Mitchell and the trial of Allen and Bradley did not receive as widespread or sensational coverage as that of the lynching of Kirkland. The events did, however, draw some attention outside the county. As would be expected, papers from nearby towns such as Moultrie carried stories, but an Associated Press article covered the arrest of Allen and Bradley while a follow-up reported their subsequent convictions. These two articles appeared in papers as far away as Savannah. Other papers that had run headlines about the Kirkland murder (such as the *Macon Observer*) made no mention of Lacy Mitchell.

Aside from local papers, the most important source of information regarding the trial is the court transcript. According to testimony, on the night of the attack Jessie Mitchell had gotten out of bed to go to the outhouse sometime in the middle of the night. On returning she found a man standing in her doorway. Frightened, Jessie worked her way around him as he said, "Hello." She did not answer, but stopped to look back at him. Referring to the

⁶⁰*Ibid.*, October 18, 1930.

⁶¹*Ibid.*, October 30, 1930.

Thomases, he asked her, "Where is them folks who live down yonder in the lane?" When Jessie told him that she did not know, he responded, "What about this mess? Is it settled?" Again Jessie told him that she did not know. "How 'bout them folks having them boys arrested?" the man asked. Jessie once again replied that she did not know. The strange encounter ended with the man adding, "It must be settled I mean."⁶²

Jessie walked inside and closed the door only to find that a smaller man had come in through the children's room. The intruder entered Lacy Mitchell's room and, pointing a pistol at him, simply told him to, "Rise." Lacy, who asked, "Who is that?" was told to "Get up." Watching through a doorway by the light of a fire from the children's room, Jessie saw her husband comply. By this point the larger man had come into the house and the smaller man had left. The larger man asked Lacy, "Where is them folks lives down yonder in that lane?" Lacy answered, "They done left here." The man then said, "Well, if you don't speak up, I will shoot you. Don't you believe it?" Lacy told him, "Don't shoot me. Ain't no use." The tall man answered, "Don't you dodge again like you want to dodge me or I will kill you."⁶³ Jessie had heard enough; she backed out of the room and fled. On her way through the kitchen she heard the first shot. She dropped to the floor and crawled out the back door where she heard the second. There she waited until after the men had left and Lacy called her name.

Jessie Mitchell was not the only family member to see the intruders; the victim's eleven-year-old niece Martha also witnessed what happened. The girl later testified that she saw two white men, their faces painted red and with handkerchiefs on their heads, enter the house. One had been let in by Lacy's young son and had passed through the children's bedroom. Although she did not get a good look at both men, the child saw one very clearly and identified him in the courtroom. According to Martha only one had entered the room while the other waited in the hall. She heard the man in Lacy's room say "Don't you just act like you want to shoot me down. I will shoot you." Lacy responded, "Don't shoot me.

⁶²*State of Georgia v. Jack Bradley and O. E. Allen*, 171.

⁶³*Ibid.*

There ain't no use in that."⁶⁴ The next thing Martha heard was a gunshot. Although she observed the man leaving Lacy's room, he quickly returned and she, "heard uncle Lacy hit him."⁶⁵ A second shot sounded and Martha saw it hit the fireplace. After the two men left, Lacy staggered out of the house and into the cane patch; his wife ran for the doctor.

Dr. S. E. Sanchez got to the Mitchell residence at around 10:30 to find Mitchell wounded in the abdomen; the sheriff arrived between twelve and one o'clock. When asked at trial if Mitchell thought that he was going to die, Sheriff Davis responded, "He didn't think there was much chance for him." Mitchell was alert however, and showed Davis the rifle that he had used to strike his attacker after he had been shot. He had broken the stock across the man's arm and later Davis would find a small bruise on the arm of Jack Bradley. Mitchell told Davis that he did not know the two intruders, but he was able to describe "one as being pretty stout and one a slim one." Davis brought out bloodhounds, but they only led to the empty cane patch behind the house and out to the road where a car had been parked. The doctor initially moved the wounded man to his office, but after several hours it became apparent that the patient was bleeding internally and needed to go to a hospital. Mitchell died slightly over twenty-four hours after the attack.⁶⁶

According to Jack Bradley, the death of Mitchell stemmed from a conspiracy to prevent the conviction of Price and Moore on the charge of rape. Bradley claimed that before Henry Price had been in custody for a week, his brother Arthur Price had approached him suggesting that some action needed to be taken. Bradley was elusive on the stand, never admitting that the talk had involved more than a flogging, but apparently the plot was widespread; Price's brother was not the only one demanding action. Price's mother had also talked with Bradley about "what she wished somebody would do to those darkies."⁶⁷ Bradley had worked for the Prices, who were distant relatives of his, and had promised Mrs. Price something would be done.

⁶⁴*Ibid.*, 191-92. The court recorder noted that Martha motioned toward one of the defendants but unfortunately does not make clear which one.

⁶⁵*Ibid.*

⁶⁶Mitchell was taken to Archibald Memorial Hospital, which was incidentally the only hospital in the state where black interns could train. *Ibid.*, 170-71, 191; Raper, *Tragedy of Lynching*, 259. See also, *State of Georgia v. Jack Bradley and O. E. Allen*, 170-71.

⁶⁷*State of Georgia v. Jack Bradley and O. E. Allen*, 186.

Talk turned to action on the morning of the October 27 when Allen arrived at the home of Cary Vick. He asked for a paper to see what was happening in the rape case and opened a pint of whiskey that he split with Bradley. By evening the two men had finished two and a half pints of liquor and a quart of wine. Thus fortified, the two reached the M. H. Price house sometime after dark and told the family that a group of men had already gone to Lacy Mitchell's house. Allen and Bradley wanted a weapon, but Mr. Price refused, claiming that he did not have one. It was the Price women who took the initiative, and Mrs. Price went inside and returned with a pistol that she gave to Ed Allen. At the suggestion of Mrs. Price, the female members of the family painted the faces of the men with rouge and put bandanas on their heads. Therefore, the mother of Henry and Arthur Price, Henry Price's wife Francis, and the two men's sister Gladys Price all participated as M. H. Price only watched.⁶⁸

Bradley later claimed that Lacy Mitchell had not been the target of the attack at all. The intended victim, he said, had been Minnie Lee Thomas's husband Alec. Whether or not this is true will never be known. Since the Thomases had been staying at the Mitchell residence following the assault, it is conceivable that the assailants were looking for the couple. Nevertheless, the action of Bradley and Allen and the prodding of the Price family were both aimed at the same goal: to use intimidation to keep the rape trial of Price and Moore from going forward.⁶⁹

⁶⁸It was at the home of Bradley's uncle, Cary Vick, that he had first met Ed Allen. This was the same house where Price and Moore claimed to have been inquiring about a dog on the night of the Thomas rape. *Ibid.*, 177-81.

⁶⁹Jack Bradley testified that when he and Allen reached Lacy Mitchell's house, Allen handed him the gun and told him to call for Mitchell. Four or five other men were said to be present but were never identified. Bradley claimed that when he went into the house two other men were already standing in the back doorway, and as he walked past an inside door Lacy Mitchell jumped him and a fight ensued. Shots rang out and Mitchell was hit. Immediately all of the other men fled, taking the Model T Ford that had been parked in front, leaving Bradley to fend for himself. Allen later showed up at Bradley's house, and the two men returned once again to the Price residence where Gladys and Francis Price washed the rouge off of the men's faces and gave them clean shirts to wear. Bradley left to spend the night at an aunt's home before fleeing to Florida. He did not see Allen again until the two were in jail. It is tempting to speculate that Henry Price or C. V. Moore might have been among the men, but there is no evidence suggesting that this was the case. Nor is there any record of whether or not they were still in custody during this time. *State of Georgia v. Henry Price and C. V. Moore*, 179-80.



The Thomas County Courthouse served not only as the jail, but as the location of the trials. The courthouse is seen here in 1906. *Courtesy of The Thomas County Historical Society, Thomasville, Georgia.*

There is no doubt that many elements of Bradley's testimony are self serving. By presenting his story in the manner he did, he managed to portray himself as a naive accomplice, made drunk on large amounts of alcohol, pressured by his employer and relative, Mrs. Price, and he only accepted a gun at the last minute. Confused and inebriated, he was attacked by Mitchell in the dark house and killed him out of self defense. Finally, abandoned by his co-conspirators, he had been left to fend for himself at the murder scene. Certain elements of his testimony do ring true. His story about the red paint and the bandannas was corroborated by the testimony of Martha Mitchell. Moreover, Jessie Mitchell also claimed that the men she had seen had worn some sort of cloth on their heads. Jessie also added that the men asked about the Thomases, suggesting that Bradley may have been telling the truth about their intentions that night. There is also reason to believe elements of his testimony, based on the fact that if he were lying, there was no reason for him to take responsibility for pulling the trigger.

The involvement of the Price women in the murder is also important. If Jack Bradley was truthful about the lack of involvement

of Mr. Price, then it would appear that the women were the chief instigators of the affair as it had been the mother who had made Bradley promise to do something about the situation. And it had been she who had provided the murder weapon.

If the rape of black women by white men was as prevalent during this time period as most scholars believe, then the fact that the Thomas-Mitchell clan was willing to take the action of pressing on in their fight to prosecute served not only as an immediate threat to the defendants, but also to the status quo of the racial sexual hierarchy in the South. If black women were to be defended from the attacks of white men then what little distinction remained between black women and poor white women would be further eroded. By encouraging the attack on Mitchell, the Price women did more than merely protect their family member. They bolstered racially based gender lines that had been deteriorating around them for some time.⁷⁰ Certainly one interpretation of the incident is that Mitchell was simply the victim of a conspiracy to save Price and Moore from facing rape charges. Using this model, the murder becomes little more than a preemptive measure aimed at either scaring Mitchell out of testifying or eliminating him as a threat altogether. There are additional aspects to consider however.

Lacy Mitchell, after all, represented a great deal more to blacks of Five Forks and Thomas County than merely a potential witness. Clearly, given the amount of property he owned and the value of his belongings, he was a man of relative prosperity in the black community. The fact that he participated in politics, at least to the extent of paying his poll tax, and his willingness to testify against whites demonstrated a level of independence that would have served not only as an example to local blacks but also as a glaring threat to some whites.

In addition to his material wealth, Mitchell served as a protector of his extended family. He had told the Thomases to "make alarms" for him in case of trouble.⁷¹ It was his house that Minnie Lee Thomas fled to when confronted by Price and Moore. It was his name that she called during the assault, and he was the one

⁷⁰Edwards, *Gendered Strife & Confusion*, 147-61, 198-201.

⁷¹*State of Georgia v. Henry Price and C. V. Moore*, 161.

who emerged with a gun to investigate the disturbance. It was his house that the Thomas family sought refuge in during the days after the incident. Now it was he who was prepared to stand up to the threat of white retaliation and testify against two white men in a court of law. In a few short weeks in September and October, Mitchell had become much more than simply a potential witness for the prosecution; he had become a symbol for black resistance. By letting him testify, the damage to white power would go much farther than the condemnation of two men. Mitchell was gunned down not only for the immediate threat he represented to Price and Moore, but also for the more widespread threat that some of the county's citizens perceived he represented to the white community.

In less than an hour on October 29 the jury found Allen and Bradley guilty of murder. Upon a recommendation of mercy, Judge Thomas sentenced both men to life in prison.⁷² That Mitchell's murder was not tolerated suggests several things about both the white and black communities of Thomas County and their attitudes toward blacks from financially successful families. But it also suggests a good deal about their attitudes toward poor whites, and the extent to which poor whites could act outside of the law in their treatment of blacks. The prevailing question surrounding the rape and the murders concerns the seemingly contradictory legal decisions made by the Thomas County Superior Court.

Certainly one set of factors centered on the specific triggers that instigated the events. In the case of Kirkland, the cause of his murder was widely accepted as justified. The attempted rape of a white woman, especially such a young girl, was the most intolerable crime in the unwritten code of behavior that bound blacks in the South. Such an attack represented not only a challenge to white authority, but also a threat to the racial purity that was so loudly championed by most white Southerners of both sexes.⁷³ It is not at all surprising that Kirkland died for his alleged crime or that his murder was carried out publicly with little if any regret on the part of whites. The reasons for the rape of Thomas and the

⁷²*Thomasville Times-Enterprise*, October 30, 1930.

⁷³Jacqueline Dowd Hall, *Revolt Against Chivalry: Jessie Daniel Ames and the Women's Campaign Against Lynching* (New York, 1979), 99-100, 201-206.

murder of Mitchell are much less dramatic, and were much less likely to have been acceptable to the white community as a whole. On the surface, Thomas does not appear to have done anything to have drawn white hostilities. For Mitchell the transgression was testifying against whites. Neither provided a clear-cut excuse to act violently against the victims.

Underlying these surface causes, however, are the effects of being relatively successful African Americans in the early twentieth-century South. White fears and frustrations in regards to blacks who displayed a degree of financial security and independence stemmed from the perceived need to undermine any degree of black ambition in order to maintain white political and economic hegemony. Blacks who did manage to succeed financially put themselves at great risk. As historian Leon Litwack stated: "The more blacks succeeded . . . the more likely they were to arouse white resentment and hostility."⁷⁴ But the arousal of white resentment did not require a terribly conspicuous degree of success. For Alec Thomas, simply driving his cotton to market might be enough to draw the ire of some whites although the success of his harvest did not provide an excuse for outright murder. So Price and Moore utilized the less public, but equally devastating tool of rape. In addition to its impact on the Thomas family, the rape sent a clear message to the black community. Price and Moore had reminded blacks of the threat of rape. And as with lynching, it was the threat itself that served as a controlling force over both men and women, and extended far beyond the actual assault.

But there are other considerations. Another possible way to explain the decisions to convict Price, Moore, Allen, and Bradley is to attribute the verdicts to the evidence presented at trial. The mishandled statement of Henry Price regarding his alibi, the strong testimony by Minnie Lee Thomas and Eliza Manning, and the statement of Jack Bradley admitting participation in the murder of Mitchell could be used to support an argument that would explain the rulings as inevitable. The evidence was simply against the defendants in both cases and the jury followed through on its responsibility to convict. Certainly this argument merits some at-

⁷⁴Litwack, "The Ordeal of Black Freedom," 14.

tention even though it also contains some problems. For instance, there is no reason to assume that the jury was incapable of overlooking evidence that it did not want to hear. Jury verdicts are frequently illogical and can be based as much on emotion, agenda, or prejudice as on evidence.

In the case of Price and Moore, the jury could simply have chosen not to believe that Thomas had been raped. The jurors could have chosen to believe that Price and Moore were indeed at Vick's inquiring about a dog. They might also have convicted one of the men rather than both, or convicted them of a lesser charge.⁷⁵ There is no reason to assume that the jurors found the evidence to be so insurmountable that they were unable to acquit the men, especially when such an acquittal would signal a maintenance of white domination over blacks, particularly black women.

Similarly, in the trial of Allen and Bradley there is nothing to suggest that the jurors could not have acquitted the men if they had wished. Within the testimony of Jack Bradley was the possibility for his acquittal on the grounds of self defense. A sympathetic jury could easily have seen fit to decide that the two men were simply trying to intimidate Thomas and Mitchell but were forced by Mitchell to self defense. Mitchell's death might have been dismissed as unfortunate, but not indicative of murder, and not justification for sentencing two white men to life in prison. Nonetheless, beyond the surface causes of the attacks and the nature of the evidence presented at the trials lies a different body of evidence that suggests a more complete explanation. This explanation is grounded in the more subtle realms of economic and social factors, and in black resistance to oppression in the post-Reconstruction South.

The most important means of defining the larger institutional conflicts in the South after the Civil War ended has been to look at them in terms of race. These racial divisions and the tendency of white Southerners to use any means possible to subvert black ambition is a powerful lens through which to view all of the problems that plagued the region. Next to race the most discernable divisions in the South were economic and social status. From the

⁷⁵The option of convicting one defendant but not the other was outlined by Judge Thomas in the Charge of the Court. *State of Georgia v. Jack Bradley and O. E. Allen*, 213-15.

moment of emancipation, wealthy white planters, and later the small class of industrial elite, understood that their hegemony could be threatened by a union of poor whites and blacks. The need for a cheap labor force to fuel the agricultural recovery following the end of slavery was of utmost concern to wealthy planters and therefore to politicians in Georgia and throughout the South.⁷⁶

Poor whites also suffered politically. Under this political and economic system, blacks were not the only ones with little hope for social or financial improvement. What scarce industry existed in the South was extractive in nature and did little to benefit local economies in the long run, and opportunities to succeed in agriculture suffered with continually falling cotton prices.⁷⁷ Consequently, the entrenchment of power was based as much on the entrenchment of the wealthy class, as it was on the entrenchment of the white class. Preserving this economic stratification within the white community, while at the same time distracting poor whites from its presence was of great concern to those with money. Upper-class whites fought attempts to bridge the gap between poor whites and blacks. The exploitation of racial differences and conflicts was a tool used by prosperous whites to maintain their hold on power.⁷⁸

Thomas County contained just such a drastically stratified economic makeup. The southern half of the county consisted of enormous plantations owned by wealthy white planters and later northern industrialists seeking southern retreats. The northern half of the county, however, contained a much poorer population and much smaller parcels of land. Similar stratification of course

⁷⁶Bartley, *Creation of Modern Georgia*, 32-35.

⁷⁷Industrial endeavors during the post-Reconstruction era were largely limited to extractive industries such as coal mining and timber harvesting. Local communities received only short-term economic gains from such practices, followed by ecological nightmares. Northern ownership of many of these companies compounded the problems as profits as well as resources flowed north, and many of the few Southerners who benefitted left the region as soon as they were able, taking their money with them. See Numan V. Bartley, *The New South 1945-1980* (Baton Rouge, La., 1995), 1-11; C. Vann Woodward, *Origins of the New South, 1877-1913* (Baton Rouge, La., 1951), 291-320.

⁷⁸For discussions of the effect of Populism on race relations see Edward L. Ayers, *Southern Crossing: A History of the American South, 1877-1906* (New York, 1995), 145-46; C. Vann Woodward, *Tom Watson: Agrarian Rebel* (London, 1938), 216-43; Also Sarah A. Soule, "Populism and Black Lynching in Georgia, 1890-1900," *Social Forces* 71 (1992): 431-49.

existed within the black community, although the differences in wealth were not nearly so drastic. This economic stratification goes a long way toward explaining actions of both blacks and whites that seemed to contradict expected patterns of behavior based solely on race. Thus, it is essential to understand communities and individuals in terms of their social and economic makeup as well as their racial ones.

The economic composition of both the coroner's jury and the grand jury that investigated the murders of Kirkland and Mitchell, as well as the superior court jury that convicted Price, Moore, Allen, and Bradley was fairly diverse, and no economic class dominated. The coroner's jury consisted of five individuals whose aggregate taxable wealth ran from a mere fifty dollars to a sizable \$18,490. The members of the grand jury reported taxable wealth from none at all to \$24,650. And the wealth of the superior court jurors ranged from no taxable wealth to \$5,840. This diversity suggests that the verdicts can be taken as fairly representative of the attitudes of the broader white community. In addition, although citizens in the Thomasville militia district did make up the largest component of all three juries, only two districts (Ellabelle and Ochlocknee) out of eleven did not have at least one member on one of the juries.⁷⁹

In the rape of Thomas and the murders of Kirkland and Mitchell a direct relationship existed between the economic status of the criminals and victims, and the way the community responded. The identity of the young white victim and her family was never recorded in any public document, so their economic situation is unknown. Among the murder victims, however, the economic and social situations of Kirkland and Mitchell were drastically different. A convicted horse thief with no known material possessions, Kirkland was not only the type of black generally arrested, but also the type whose execution would not be challenged by anyone.⁸⁰ Mitchell, however, was at the other end of the financial spectrum; he was a man of relative prosperity. His aggregate wealth in 1930 was assessed at \$1,515 in a district where the

⁷⁹Tax Digest of Thomas County, 1930.

⁸⁰Roberta Senechal de la Roche, "The Sociogenesis of Lynching," in Brundage, *Under Sentence of Death*, 48-80.

average taxable wealth for black heads of household was just over \$183. Equally as revealing is the amount of material wealth he possessed in comparison to whites within his militia district whose average for tax purposes was \$947.⁸¹ On the other hand, although Minnie Lee Thomas's husband Alec only claimed twenty-five dollars of taxable wealth for 1930, his grandmother Eliza Manning was fairly well off; she owned sixty-five acres and possessed an estimated \$775 dollars of taxable goods. Still, the Thomases were probably viewed as being of a fairly successful class based on their familial relationships with Manning and Mitchell, and by the fact that they owned land.

Equally as important to understanding the reasons for the community's reactions to the rape and murders is the social and economic status of the perpetrators. Nothing is known about the men who killed Kirkland, but the murder occurred in the relatively prosperous area of downtown Thomasville and upwards of one thousand people had gathered the night before. This suggests that word had spread throughout the county, and that residents of Thomasville were undoubtedly joined by angry people from outlying areas. The local paper reported that the "crowds were composed of persons from practically every section of south Georgia and from Florida counties adjacent."⁸² Much more is known about the status of Mitchell's murderers and Thomas's attackers. As for the Price family, the members who paid taxes fell far below the economic average for their militia district. Henry was not listed in the tax digest for 1930; his brother Arthur had his wealth assessed at a mere fifty dollars. The father, M. H. Price, fared slightly better at \$180 dollars of taxable wealth, but still far below the average for whites within his district and at about the same financial level as the average black resident—far below Lacy Mitchell.⁸³ C. V. Moore, does not appear anywhere in the tax digest, indicating that he may have been from outside of the region.⁸⁴

⁸¹Tax Digest of Thomas County, 1930.

⁸²*Thomasville Times-Enterprise*, September 25, 1930.

⁸³Barwick district, Tax Digest of Thomas County, 1930.

⁸⁴This is confirmed by the testimony of W. E. Pafford, a neighbor of Henry Price, who stated that Moore had only been in the area for "a short time." Pafford testified that, "Moore, if I understand the thing right, was staying with Henry or around there about the place." *State of Georgia v. Henry Price and C. V. Moore*, 165.

As for the murderers of Lacy Mitchell, similar economic and social patterns existed. Jack Bradley was not listed as having any taxable wealth in 1930, and was known to have been employed as a handyman by Mrs. Price. Apparently Bradley usually resided in Florida where he had fled after the murder. (Bradley had left Thomasville in 1923 and had only returned about one month before the murder.) Moreover, he seems to have been an infrequent visitor to Thomasville, as he had married "a Florida Girl." Ed Allen was also an outsider; although the prosecutor failed to get the fact admitted as evidence the state managed to insinuate that Allen was a vagrant, having arrived in Thomasville on a freight train only a few days before the incident.⁸⁵

In addition to economic factors is the issue of respectability. Mitchell was a family man, caring for a wife and three children and an orphaned niece. In contrast, evidence presented at trial suggests that in addition to being poor, the Price clan had other problems with respectability. Mrs. Everett Wilford, a cousin by marriage of Henry Price, testified that a few months before the trial he had slapped her off of her porch and grabbed her throat in an attempt to strangle her. During the same incident, he physically abused her sister-in-law. The questioning of Mrs. Everett was intended to show a connection between Price's violent temper and the rape. The prosecutor even hoped Mrs. Everett would say that the true nature of the attack had been an attempted rape.⁸⁶ Although she denied any sexual advances occurred, her testimony left questions about the respectability of the Price family. But poverty, vagrancy, and disrepute were associated with all four defendants, and this goes a long way in explaining the reaction of jurors. Many sociologists have concluded that poor whites put themselves at risk by attacking blacks of an elevated social and economic class. While poor and rich whites were both likely to be involved in lynchings, poor whites were much less likely to avoid punishment.⁸⁷ By killing Mitchell, Allen and Bradley had exceeded acceptable limits on

⁸⁵*Ibid.*, 165, 182.

⁸⁶*Ibid.*, 165-66.

⁸⁷La Roche, "The Sociogenesis of Lynching," 48-80. La Roche noted: "If a white was sufficiently poor and unrespectable he risked severe punishment if he killed a wealthier well established black," 58; Michael L. Radelet, "Executions of Whites for Crimes Against Blacks: Exceptions to the Rule?" *Sociological Quarterly* 30 (November 1989): 529-44.

their behavior based on their social and economic status. The same is true for Price and Moore and the assault on Thomas.

Thomas County blacks had experienced some level of political organization and resistance to oppression throughout their history, if only sporadically.⁸⁸ There is, however, little documentation of religious leaders from within the Thomas County community actively organizing blacks, which accounts in part for W. E. B. Dubois's description in 1903 of the county ministers as being ignorant and of average morals. Whether or not Thomas County blacks knew of Dubois's criticisms is unclear, but by 1906 resistance to white authority and some level of organization finally appeared when blacks boycotted a street carnival after being excluded from some events.⁸⁹ Blacks in Thomasville eventually found a political voice with the founding of a branch of the National Association for the Advancement of Colored People, but local whites did not condone such activity and the chapter's president quickly lost his postal job. By 1920 threats on his life shut down the Thomasville branch and efforts to revive it four years later by a black doctor named Percy S. Richardson proved unsuccessful.⁹⁰

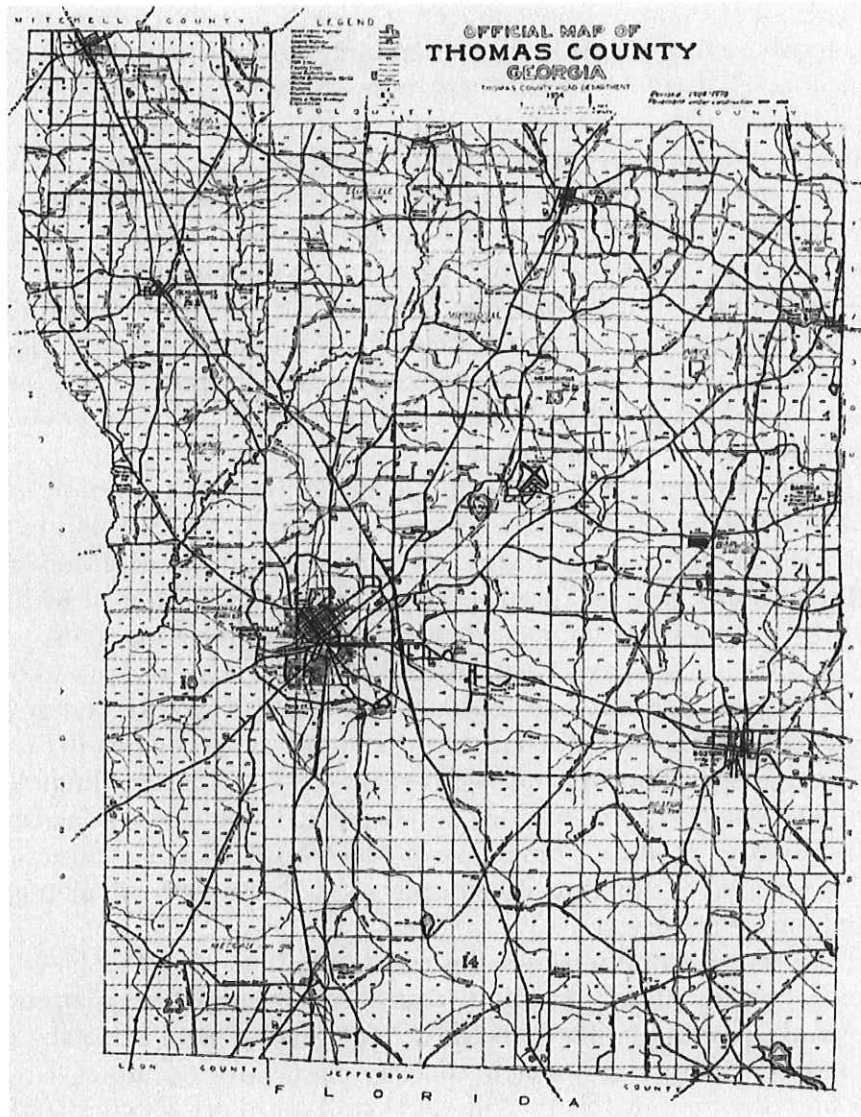
Such outright challenges to white authority as organized protest or the founding of a chapter of the NAACP were not the only means that blacks utilized to resist white oppression in the early twentieth-century South. In an atmosphere that so often turned volatile and dangerous for blacks, more subtle and anonymous forms of resistance frequently took place.⁹¹ In contrast, it is not at

⁸⁸In the late 1860s black leaders in Thomasville threw their weight behind the radical black politician Aaron Bradley whose mixture of blatant defiance of white authority and outright strong-arm tactics earned him contempt from whites throughout the state. E. Merton Coulter, *Negro Legislators in Georgia During the Reconstruction Period* (Athens, Ga., 1968), 75, 96.

⁸⁹In 1917 when wartime hysteria created by the Zimmerman note to Mexico fueled charges that Georgia's blacks had joined in a conspiracy with Germans in a plot to overthrow the government, Thomasville blacks quickly gathered to deny such accusations, as did those in Savannah and Macon. Donald L. Grant, *The Way It Was in the South: The Black Experience in Georgia* (New York, 1993), 219, 264, 302; Spangle, *History of the Black Community*, 57.

⁹⁰Grant, *Way It Was*, 313.

⁹¹For a complete discussion of various forms of black resistance see Brundage, "The Roar on the Other Side of Silence," in Brundage, *Under Sentence of Death*, 271-91. Included is a discussion of how subtle resistance often took forms that gave the appearance of complicity, such as the use of humor. Other acts, such as theft, vandalism, and songs of dissent, allowed for a degree of action that would not carry with it the inherent dangers associated with outright resistance.



Map of Thomas County in 1905. Five Forks is located east of Thomasville (see town underlined on right center of map). *Official Map of Thomas County, Georgia from the field survey books of the Thomas County Road Department, Thomas County Engineer's Office, Thomasville, Georgia.*

all difficult to understand how the actions of the Mitchell-Thomas clan constituted a challenge to white authority. By identifying his cousin's rapists and agreeing to testify against the defendants, Mitchell presented a challenge to the oppressive violence that

blacks in Thomas County endured. Through his wife's willingness to testify against the men who killed him, Mitchell had presented another challenge to white hegemony even after his death. Regardless of who reported the crimes and decided to prosecute them, the willingness of the Mitchells to appear in a court of law with a jury not of their peers but of white men sitting in judgment signified an act of defiance. It also signaled the demand of Thomas County blacks that justice be served. No such demands surfaced after the murder of Willie Kirkland. No one, black or white, emerged as a witness to the murder. No family members demanded justice, and no one challenged the recommendation of the coroner's jury or the decision of the grand jury that charges be dropped due to lack of evidence.

The discrepancy between the white community's reaction to each of the racially motivated events can therefore be partially explained by the fact that justice was demanded in the murder of Mitchell and rape of Thomas, but not in the execution of Kirkland. Those sitting on the grand jury faced no opposition in dropping the Kirkland case. Lacy Mitchell's identification of Price and Moore, and Minnie Lee Thomas's decision to press charges against them made it much more difficult for the grand jury to dismiss the case. Through her willingness to testify, Jessie Mitchell did likewise in regards to Allen and Bradley. These were open acts of defiance of white oppression posed through legal channels. The reaction of the white community was to bend to the demands that justice be served.

In trying to understand the era of southern racial violence, one is continually faced with the reality that no single explanation, formula, or model will ever be sufficient to describe all of its facets accurately. The same is true in the Thomas County examples. Undoubtedly the murders of Willie Kirkland and Lacy Mitchell and the rape of Minnie Lee Thomas were the result of a variety of factors, as were the community's reactions to each attack. The nature of each victim's transgression was certainly one important factor, but equally important were social and economic divisions within both the white and black communities that afforded varying degrees of protection for white perpetrators, and varying amounts of vindication for black victims. Driving the actions of authorities

and the judgments of the courts was a demand by citizens, black and white, to take action in some instances but not in others. Viewed in this context, the decisions of the Thomas County courts were not contradictory, but were consistent with white views on class in the South and were shaped by black resistance to oppression.