

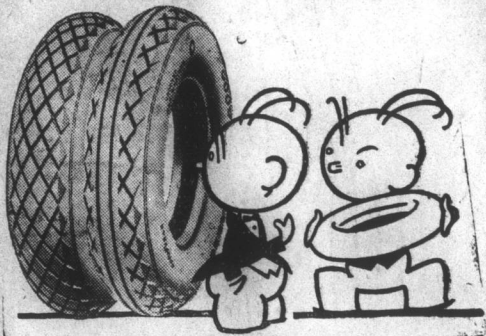
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North Carolina Crushes Mob Rule

Campaign Against Lynching Lands Scores of Citizens in Jail; "God Save the State That Has to Depend on Mobs to Protect the Women."

Wm. H. Richardson in Dearborn Independent. It requires no stretch of the imagination to visualize the succession of striking victories for law and order recently won in North Carolina. This state, when it awoke to a realization of its economic possibilities, after years of torpidity, set in motion programs that attracted nation-wide attention. The awakening, which was the result of the leavening influences of education, was attended by the birth of a new spirit which found expression not only in material advancement and educational achievement, but also in the establishment of higher human relationships. The physical proved to be incidental; the spiritual factors involved became dominant.

In the suppression and punishment of mob rule in North Carolina the greatest achievement. The utilization of material things for the advancement of the people and to promote their happiness was, of course, commendable. However, all that was required, once this state was educated to the point where it realized its needs, was that the abundant supply of available natural resources be capitalized and pressed into service. But in the great moral crisis that was at hand creative forces were brought into play. It has been seen that there was something at work besides mere desire on the part of an American commonwealth to be materially great.

A handful of soldiers, sworn to help maintain order, can disperse a mob, because a mob is coward. But it requires community and judicial courage to punish those who constitute a mob when they are apprehended. For nearly five years there has not been a lynching in North Carolina. The last one was during the summer of 1921. The possible formation of numerous mobs, however, has been prevented by the use of troops at the first sign of trouble. Yet, in spite of all precautions, there were two notable outbreaks during 1925. In each instance the offenders were not only rounded up by the law but were tried, convicted and imprisoned, a thing heretofore unheard of to any great degree. In this wholesale victory for law and order North Carolina won the plaudits of the entire nation.

Between April 1 and November 15, 1925, three men were arraigned in the Superior Courts of North Carolina for alleged participation in attempted mob rule. That they should have been arrested at all was an innovation. Convictions and the imposition of prison sentences resulting from these trials not only attracted favorable attention abroad, but served as a warning at home. In other words, the world now knows that North Carolina will not, under any circumstances, tolerate mob rule. The laws of the state must be respected, and those who attempt to administer them outside of courthouses do so at their peril.

Experience has shown that a mob is a coward, not only collectively but individually as well. Of the sixty North Carolina offenders arraigned in court during 1925, many threw up their hands and did not even offer to put up a fight when they found themselves in the meshes of the law. Their plea was for mercy, a virtue that they themselves had been unwilling to exercise while acting in the heat of passion. This was strikingly true in one case where the mob proved to be probably the most unmerciful of any that ever assembled in North Carolina, when it took a white man from jail and inflicted a form of punishment to which death would have been preferable to most men. When the majority confessed, some held out and were tried by juries and sentenced to terms ranging from a few months on the roads to thirty years in the state's prison.

The thirty-year man, whose sentence was equivalent to the maximum imposed in North Carolina for second-degree murder, appealed his case to the Supreme Court. He lost. The opinion affirming the verdict and judgment of the lower court was a scathing denunciation of mob rule and a declaration that it must be forever driven from the state. Members of the Supreme Court who passed on this appeal and concurred in the written opinion deciding it against the prisoner were: Walter P. Stacy, chief justice, and W. J. Adams, George W. Connor, Heriot Clarkson and L. R. Varner, associate justices. It might be added that each of these gentlemen is an active member of the church. Chief Justice Stacy teaches one of the largest Methodist Sunday School classes in the South. Associate Justice Varner, since resigned, taught, during his residence in Raleigh, one of the largest Baptist Sunday school classes in this section. Associate Justice Clarkson is an active Episcopalian, having served as senior warden in St. Peter's Church in Charlotte, which has furnished the diocese of North Carolina with two bishops. Of the remaining two, Associate Justice Connor is a devout Episcopalian, and Associate Justice Adams a devout Methodist.

By far the most dramatic battle, and brilliant victory for law enforcement ever waged and won in North Carolina took place in Asheville, in November, 1925. A series of heinous crimes had been committed there and the spirit of resentment against the perpetrators was at white heat. Following the arrest of a Negro suspect, an unsuccessful effort was made to storm the Buncombe jail, where he was thought to be confined, in order that he might be lynched and hanged. But the Negro was not there. He had been removed for safe-keeping. Later, a second Negro was arrested charged with a capital offense against a white woman.

When the Superior Court met to try these cases, Governor Angus W. McLean ordered the Adjutant General to proceed to Asheville, with definite instructions to take charge of the situation and preserve order at any cost, calling to his assistance as many state troops as should be necessary. Two units were summoned and served until the trials were concluded. One of the Negroes was convicted and sentenced to be electrocuted. Twenty-nine white men who were alleged to have been leaders of the mob that attempted to take him from jail, or would have attempted it if he had not been removed, were placed on trial. They were not tried for taking the Negro, because they did not get him, but for taking the law in their own hands. Eleven were convicted and nine pleaded guilty. Four were sentenced to terms in the State's

prison and eleven to terms on the county roads. Suspended sentences were imposed on the remaining five. The most remarkable thing about the whole proceeding was that one of the Negroes was acquitted, even though the community was stirred up to a point where it was thought that troops might be necessary to preserve order. This Negro was tried inside a circle of bayonets. The governor, sending the troops, had declared that the law must take its course. Although he was identified by the prosecutrix, the prisoner set up an alibi that stood the test and was believed by the jury. He appeared in court without counsel, and Judge A. M. Stack, presiding, appointed G. Lyle Jones, a former state's solicitor, to defend him. Although it did not know what affect its action might have, the jury acquitted the Negro and he was afforded protection until he could leave the community.

From the bench Judge Stack made the following comment: "That was the worst mob I ever heard of. God save the state that has to depend upon mobs to protect its women. The women of North Carolina do not have to depend upon mobs for their protection; the law will attend to that. What the officers need down there that night were a few machine guns. North Carolina must put more red pepper in its handling of criminals."

When the doors of the Buncombe County jail closed behind the convicted and sentenced mobmen, North Carolina, in its persistent fight for the abolition of mob violence, had won a notable victory. It had sternly contradicted the erroneous impression so often expressed in many sections that a Negro could not get a fair trial in the South; it had set at rest any remaining doubt as to whether mobbers could be convicted.

Although six thousand persons signed petitions asking executive clemency for the self-confessed and convicted Buncombe County mobmen, Governor McLean, on February 10, 1926, flatly declined to interfere with the prison sentences that had been imposed. Petitioners informed the governor that the families of these men were suffering. Whereupon, the chief executive officially called on the mayor of Asheville to seek aid for them in that community, informing him that in case this plan did not work he (the governor) would help him to secure outside aid.

"I regard these cases as of unusual importance," Governor McLean wrote the Asheville mayor, "because they represent a concrete example of law enforcement. While the law must be vindicated by the punishment of those who showed contempt for it, consideration must be shown to the innocent members of their families who are likely to experience inconvenience during the time the necessary processes of the law are in operation." Governor McLean's statement, issued when he definitely and finally refused to extend clemency to the imprisoned mobmen, will go down as one of the really great state papers in North Carolina.

"The families of these prisoners have my deepest sympathy," declared Governor McLean. "It is an unpleasant duty to decline these applications with the full knowledge of the distress that may result even though the prisoners themselves be responsible. I am sure the good citizens of Asheville, the churches, the civic organizations and others interested in human welfare will see that these unfortunate are provided for." Then, the governor turned his guns on lawlessness, and declared: "When the State of North Carolina takes a prisoner into custody it then becomes responsible for his safety and that responsibility remains until his case is disposed of in accordance with law.

"A prisoner in custody of the law is entitled to the same protection as is the judge on the bench, or the soldier who represents the State in the prosecution. "In this instance the State of North Carolina went to great expense in order that the prisoner in question might be given a fair and impartial trial. The National Guard of this State was called into service at the expense of the taxpayers. The prisoners (mobbers) sought to destroy the very process of government on which they now rely. The governor is the instrument of the law just as the judge is the instrument of the law. They were given a fair and impartial trial and convicted by jurors chosen from their fellowmen. The sentences imposed, it seems to me, were eminently fair and just and might easily have been more severe.

"Those who are asking for clemency for these men should remember that the crime they committed was one of the most serious known to our law—serious because the sovereignty of all the people of the State was trampled underfoot and insulted by the mob when it attempted to take the law in its own hands. "In a democracy like ours, the laws and the courts set up for the enforcement of the laws represent the true sovereignty of the people, because the people can only express their sovereignty through the laws that are enacted by their representatives for the protection of society.

"No question of mere sentiment should enter into a case of this kind. Sentiment should be all upon the side of the people whose sovereignty was insulted. No man can calculate the damage that may be done to the good name and fame of North Carolina by even one lynching, and the only way to suppress lynching is to let those who engage in it understand that they will be punished and punished severely. "As to the Negro under sentence of death, the woman he was convicted of having assaulted wrote the governor a letter asking that life imprisonment be substituted for the death penalty.

M. Pierre Hamp, who is now France's "best-seller" among novelists, began his career as a pastry cook and later was a waiter in London. For a time he was a railway porter, too. Nearly all his stories concern the lives of working men and women. A letter goes to King George every night telling him exactly what happened in the House of Commons during the day.

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