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A Noose at the Square, a Knife in the Dark: An Argument on the Employment of Secrecy in Early Twentieth-Century Lynching in the American Deep South

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A Noose at the Square, a Knife in the Dark

An Argument on the Employment of Secrecy in Early-
Twentieth-Century Lynching in the American Deep South

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Introduction

On February 23, 2020, three white men murdered 25-year-old Ahmaud Arbery, an African American man from Brunswick, Georgia. After what the shooters described as a number of break-ins in the neighbourhood of Satilla Shores, three residents by the names of William Bryan and Gregory and Travis McMichael were fed up with what they experienced to be inaction from local law enforcement and decided to take fate into their own hands. Spotting Arbery innocently jogging past the McMichael residence, they pursued him in two cars, eventually cutting him off. An altercation took place, in which Arbery attempted to get a hold of the shotgun held by Travis McMichael. Three shots followed, all of them hitting Arbery, resulting in his death. The fact that the attack took place in broad daylight not only implies that the men were convinced that Arbery was the perpetrator, but perhaps more importantly, it suggests, albeit speculatively, that they deemed both their apprehension and assault on Arbery justified, without the need for some form of secret justice.

The fact that the three men had acted as executors of justice outside of the American justice system to murder a black man, made many people across the country think back to a practice they had considered to be one of the past. Brian and the McMichaels had lynched Arbery, convinced as they were of his guilt.¹ Since the civil rights movement of the sixties, lynching numbers had decreased dramatically, but the practice had been so common in the first half of the twentieth century, that fear of it is still prevalent among African Americans today.² Though lynching had its greatest presence in society in the century following the American Civil War as a form of violent social control onto racial minorities, its origins lie in the country's fight for independence. Virginia resident Charles Lynch imprisoned Loyalists on behalf of the then still informal American government, without having the jurisdictional power to do so.³ In the decades that followed, lynching became a way of executing punishment that also served a cautionary function, and was therefore used as both penalty and warning. In the heavily racialised American society, and most prominently in the South, this resulted in a disproportionate focus on minorities. Broadly speaking, an act of lynching is one in which a group of people enacts their own judgment of justice upon someone who is either convicted or suspected of a crime. Whether these convictions or suspicions are rightful in a court of law is often of secondary importance.⁴ The sentiment amongst those considering a lynching is the leading motivation in almost every single case, and even when a just conviction has taken place and a fitting punishment has been exacted, it is up to the potential perpetrators whether they find justification for a lynching.⁵

With lynching being a practice that, although lessening in frequency, has remained a phenomenon with some regularity, a great deal of historical research has been done to unearth the reasoning behind its performance. Questions as to what moved a lynch mob into action and what goals they pursued have both been researched on a broad scale, as on a case-to-case basis. However, the academic work on what circumstances influenced the way in which a lynching

¹ Tariro Mzezewa and Richard Fausset, "Prosecutors Show Voluminous Evidence of Racism by Arbery Murderers", *New York Times*, February 16, 2022, <https://www.nytimes.com/2022/02/16/us/ahmaud-arbery-mcmichael-racism.html>.

² Manfred Berg, *Popular Justice: A History of Lynching in America* (Chicago: Ivan R. Dee, 2011), 92.

³ *Ibid.*, 3.

⁴ Berg, *Popular Justice*, 4-9.

⁵ *Ibid.*, 16.

was performed has been limited. As a starting point, this thesis focuses on the usage of secrecy as a guiding factor in the way these murders were performed. After all, lynching has never been legal in the United States at any point past the Civil War, and yet, this period saw its absolute 'golden age'. The reasons for performing a lynching in a certain way, would therefore have been tied tightly to a sense of fear of prosecution, versus a sense of duty as to the fulfilment of the murder. Therefore, the dominating question this research asks itself throughout its content sounds as follows: Why did the extent to which secrecy was employed in the execution of extrajudicial violence in the American South of the 1910's vary so greatly? This thesis hypothesises that this disparity is so wide because of two factors: firstly, the perceived guilt and severity of the crime perpetrated by the lynching victim, and secondly, the fear within the lynch mob for possibility of prosecution.

As a means to encapsulate and focus this research on concrete and comparable examples, this thesis will focus on the period 1910-1920. Why this specific period? Because this decade, in many ways, finds American lynching on a crossroads. News reporting was amassing a greater interest every year, racial tensions were growing in the South while anti-racist sentiments in the North became more and more common. And lastly, African Americans gained new perspectives on a racialised society as a mass migration of black people to northern cities, known as the Great Migration, kicked into gears.⁶ In this highly dynamic environment, the polarising effect of lynchings on social discourse grew to unprecedented heights. In turn, participants were performing their lynchings while in acknowledgement of the contentious nature of the practice, adding to the importance of the question whether to perform a lynching in public or in secrecy.⁷

Geographically, this thesis limits itself to the American South. As the heartland of racially motivated lynching and home to the largest part of African Americans in the country in the aforementioned time period, the American South lends itself excellently to a study on the inner motivations for lynching, as its white population indirectly facilitated the practice, sparking a debate on which lynchings were justified and which one were not.⁸ On top of that, the American South was home to a very multicultural society that, though separated by ethnical boundaries, loaned itself to an increase in racial tensions. Those tensions were codified in law as well. Jim Crow laws, named after the racist stereotype of black people used in showbusiness who were often played by white actors in blackface, discriminated and segregated the black southern population through law. Separated sanitation, schooling and housing, together with a plethora of other policies, divided and disadvantaged African Americans from the rest of 'white America'. As many of those laws were enacted through state senates and local policies, the more deeply racially divided South wielded a tougher body of Jim Crow laws, a disparity that we still see today in voting laws, for example.⁹

⁶ Ira Berlin, *The Making of African America: The Four Great Migrations* (New York: Penguin Books, 2010), 152–156.

⁷ Berg, *Popular Justice*, 16.

⁸ Jennie Lightweis-Goff, *Blood at the Root: Lynching as American Cultural Nucleus* (Albany: State University of New York Press, 2011), 31–36.

⁹ Stetson Kennedy, *Jim Crow Guide to the U.S.A: The Laws, Customs and Etiquette Governing the Conduct of Nonwhites and Other Minorities as Second-Class Citizens* (Tuscaloosa: University of Alabama Press, 2011), 26–36.

Lynching as an Affair of Secrecy

The context in which a lynching is committed is subject to great variability. The focus of a lynching party is often on an alleged criminal, but other suspects, possible collaborators or simply bystanders who are seen as standing in the way of 'justice' could become a victim as well. The severity of punishment that follows such judgment is highly subjective and dependent on the reigning sentiment amongst the lynchers. The punishment that is chosen is, once again, dependent on the lynch mob.¹⁰ A manifold of punishments were used in lynchings, such as burnings, beatings, the severing of limbs and execution by firearms, amongst a plethora of others. This adds to the consensus that, while lynching in a broad sense is easily classifiable, on an individual incidental basis, much is left to chance and circumstance.

Because lynching has never been a legal action for a civilian to undertake, it should be a logical deduction that lynchers would benefit from their identities remaining hidden. The most effective way, at least according to simple human logic, is to hide evidence of the lynching taking place. As a consequence, the actual historical records of lynching can almost never be seen as complete, because their occurrence was actively obscured by participants. There is no way of knowing whether all lynchings in the latter half of the nineteenth and first half of the twentieth century were recorded. In all likelihood, the records are incomplete to some degree. Even within the existing archives, there is a debate on how to define a lynching in an American context. The National Association for the Advancement of Colored People (NAACP) for example, states on its website that there were no recorded lynchings in seven states, most of them in the northern half of the country.¹¹ However, when we take a look at statistical analyses, such as the state-by-state comparison from Tuskegee University mentioned in the paragraph below, all seven of these states have seen instances of extrajudicial violence, just not on black citizens.¹² Although African Americans are disproportionately represented among victims of lynching, other minorities, including white Americans, were subjected to lynching. Mexicans, Irish and Italian migrants in particular, could face public unlawful punishment.¹³ While absolute statistical numbers on lynching have to be taken with a grain of salt, they can be valuable when looking at comparative percentages between the different American states, in order to get a clearer picture of the prevalence of lynching in different regions.

In total, a historical estimate based on archival research tells us that from 1882 to 1968, 4,743 people were lynched, of which 3,848 took place in the thirteen southern states (counting Kentucky and Missouri alongside the former Confederate States).¹⁴ Of those southern lynching victims, 3,240 were African Americans, 84.2% of the total and a much higher percentage than in other states. Some exceptions exist in the form of Oklahoma, West Virginia, Maryland, Illinois, Ohio and Pennsylvania, which also saw a relatively large percentage of African Americans among lynching victims. Most of these states, though not linked to terms such as 'slavery' and 'lynching' as strongly as the states of the Deep South, did see a considerable number of lynchings take place within their state borders. This accentuates the fact that while lynching was a far more prominent practice in the Southern states, this sentiment did not end

¹⁰ Ibid., 93-94.

¹¹ "History of Lynching in America", NAACP, accessed February 21, 2022, <https://naacp.org/find-resources/history-explained/history-lynching-america>.

¹² "Number of Executions by Lynching in the United States by State and Race between 1882 and 1968", Statista, accessed February 21, 2022, <https://www.statista.com/statistics/1175147/lynching-by-race-state-and-race/>.

¹³ Berg, *Popular Justice*, 117-122.

¹⁴ Statista, "Number of Executions by Lynching".

along state lines. Historically, a number of these states can be grouped into the Upper South, a region which was exposed to larger uses of slave workers early on in the plantation eras.¹⁵ However, the total numbers of these states generally do not come close to those of the southern states, and the proportion of white American lynching victims amongst their respective totals is much larger.¹⁶

Historical Analysis of Lynching as a Social Control Mechanism

The academic field researching the what and how of historical lynching has primarily focused on the input and output of the practice, meaning they sought to find the reasons inspiring a lynch mob and the results they hoped to gain. Crudely dividing the field into subsections, there have been two approaches to researching this subject. The first group looked to unravel lynching by assessing it as a consequence of social tensions first, and then inserting those broader values and circumstances into individual cases. For examples, one can look at William Carrigan and Clive Webb, who stated that the usage of lynching against Mexican Americans stemmed from a joint origin of violent political tension and social othering between the present white American presence on the Mexican-American border and the local Mexican population, who often lived in that region for longer than their white counterparts.¹⁷ Similar research was performed by Leonard Dinnerstein in the second half of the twentieth century, only then on antisemitic inspirations for lynching. Instead of political arguments, Dinnerstein argued that lynching was a relatively simple, yet drastic measure for maintaining social control, perfectly usable for those who aimed to control minorities one observed as being strange or foreign, such as the plethora of Jewish communities across the American South.¹⁸ Even broader are the observations of well-known historian Ira Berlin, who briefly mentions the effects of lynching in his magnum opus *The Making of African America*. There, he makes the argument that racial violence had a deciding impact on the willingness of the black population of the Deep South to make the collective move northward during a large part of the twentieth century, now known as the Great Migration.¹⁹ Stetson Kennedy reenforces this view on lynching by incorporating the consequences of Jim Crow laws into the lynching debate, arguing that the set of national and state laws discriminating the African American population made it easier for white Americans to vilify those black people who seemed to match their substantial prejudices.²⁰

As a ‘subgenre’ of this all-encompassing view on lynching, there are some who have combined elements of historical research with those of the psychological field. The most well-known articles on this hybrid view of lynching come from the hand of Jennie Lightweis-Goff, who makes the argument that while historically, the runup to a lynching could largely be explained, the manner in which the lynching would be performed and the outcome that would flow from the incident could be interpreted by using the basic principles of group psychology as well. She argued that one cannot overlook the impact of in-the-moment decision-making when analysing the application of such horrendously excessive violence.²¹

¹⁵ Berlin, *The Making of African America*, 131–38.

¹⁶ Ibid.

¹⁷ William Carrigan and Clive Webb, *Forgotten Dead: Mob Violence against Mexicans in the United States, 1848-1928* (Oxford: Oxford University Press, 2013).

¹⁸ Leonard Dinnerstein, *Antisemitism in America* (New York: Oxford University Press, 1994); Leonard Dinnerstein, *The Leo Frank Case* (New York: Columbia University Press, 1968).

¹⁹ Berlin, *The Making of African America*.

²⁰ Kennedy, *Jim Crow Guide to the U.S.A.*

²¹ Lightweis-Goff, *Blood at the Root*; Lightweis-Goff, ““Blood at the Root””, 288–295.

The other school of thought when approaching the research of lynching, has argued the other way around. By closely studying individual cases, one can better analyse the intricacies that are encompassed in a single incident, and then see if those minute details are reflected back in other cases on a grander scale. Often, authors belonging to this group have a personal connection to the case they are describing, such as Mary Phagan Kean, who is a direct descendant of a girl whose alleged killer was lynched in Atlanta, a case of which there is more to come later on in this thesis.²² Another such an academic, who will feature in this research later on, is Patricia Bernstein, who penned down an in-depth analysis of the brutal public murder of teenager Jesse Washington. Going down in history as one of the most violent occurrences of lynching in the era of photography, the Washington killing is seen as one of the most apt examples of mass lynching. Bernstein stresses that while the initial motivations for the lynching might well have been very comparable to a variety of other, more secretive cases, there are certain triggers that spell whether a lynching will expand into mass participation or not. Of a deciding nature within that context are the presence or absence of law enforcement and politicians in the middle of potential escalation. A second trigger is the insignificance of the victim, both from a racial standpoint, as from the perspective of his or her brandishing as a criminal, thereby foregoing any right on a fair trial in the eyes of the public.²³

Lastly, one cannot underestimate the importance of news reporting in the analysis of individual cases. As many of the cases described in this paper have recently ‘celebrated’ their centennial, many local and national newspapers have dedicated articles on these incidents, with a particular focus on why the remembrance of lynching in these areas has been so lacking.²⁴ *The Texas Observer* has, in recent years, spent considerable attention to the crimes of the Texas Rangers in the border region in the early twentieth century. These often forgotten killings are particularly hard to digest for the American public and government, as the Rangers were and still are a government sanctioned law enforcement agency.²⁵

Primary source material consists mainly of newspaper clippings and articles in the sparse array of pro-black magazines that existed at the time. Of particular significance was the testimony of NAACP reporter Elisabeth Freeman, who visited the city of Waco for their magazine, *The Crisis*, in the weeks following the aforementioned lynching of Jesse Washington. Her report is used by Bernstein to affirm her hypothesis that a lack of law enforcement intervention allowed the crowd to accelerate towards the death of Washington at an even greater pace.²⁶ Other newspaper clippings can be distinguished into two classes. National newspapers seem to start their involvement with a case after the murder had taken place, and were, at their most supportive of a killing, indifferent to its occurrence. In almost all other cases, they collectively reject the murder taking place. This is different for regional papers. They tended to follow an escalating situation before a lynching had actually taken

²² Mary Phagan, *The Murder of Little Mary Phagan* (Far Hills, New Jersey: New Horizon Press, 1987).

²³ Patricia Bernstein, *The First Waco Horror: The Lynching of Jesse Washington and the Rise of the NAACP* (College Station: Texas A&M University Press, 2006).

²⁴ “1918 Centennial”, Porvenir Massacre, accessed February 23, 2022, <https://www.porvenirmassacre.org/>.

²⁵ Nashwa Bawab, “A Century After the Porvenir Massacre, Remembering One of Texas’ Darkest Days”, *Texas Observer*, January 31, 2018, <https://www.texasobserver.org/century-porvenir-massacre-remembering-one-texas-darkest-days/>; Jake Bernstein, “Trouble at Porvenir Crossing”, *Texas Observer*, July 19, 2002, <https://www.texasobserver.org/829-trouble-at-porvenir-crossing-what-happens-when-soldiers-become-witnesses-for-the-prosecution/>.

²⁶ Elisabeth Freeman, “Supplement to the Crisis, July, 1916”, *The Crisis*, July 1, 1916, <https://modjourn.org/issue/bdr510193/>.

place, and therefore often make the conscious call whether to support or denounce a lynch mob looking to exact their revenge.

What Leads up to a Lynching?

If one thing stands out amongst the body of scientific research that covers early twentieth-century lynching, it is that by far the most attention goes out to the effect of different types of lynching on the surrounding society. The inverse, the effect that society has on the execution of a lynching, remains largely unnoticed, with some noted exceptions that dive into the fields of psychology and sociology.²⁷ Nevertheless, a plethora of research enables the questions posed in this thesis to be answered at least in part. The cases studied in this thesis have in recent years sparked multiple works, both who simply reference to these incidents, or who treat them as their primary subject of research.²⁸ Much of what is known about these lynchings, comes from a combination of newspaper articles from both regional and national media of the time, and a comprehensive inquiry from civil rights activists in the area.²⁹ Besides these commonalities, the second case studied later on in this thesis stands out because of its isolated nature, which partly explains that contemporary sources are scarce. In recent years, around the centennial year of 2018, efforts have been made by descendants of victims and local newspapers to generate attention for the historic significance of this event, another important source of information for this thesis.³⁰ Lastly, one must not forget the racial background against which these lynchings took place, which is why a selection of used works use these case studies as examples in broader studies on racist ideology in early-twentieth-century American society.³¹

However, considering that secrecy plays such a paramount role in the influences on and consequences of lynchings, the output of historians on the subject has been surprisingly low. In the study of American lynching, plenty of research has been done on the effect on lynching on minority populations, the disparity between the number of lynchings in the North and South of the United States, or why America had such an intimate and complex relation with lynching in the first place.³² The well of lynching research starts to dry up when one looks for works that describe individual cases, certainly when the aim is to connect multiple cases through common denominators. Whether that is because the consensus is that seemingly individual factors in these cases should not be categorised or that they simply have not yet bothered to do so remains to be seen. Whatever the cause, the result is that there exists a hole in the academic coverage of lynching performance when it comes to secrecy.

The research that up until this point has been done on early-twentieth-century lynching has focused a great deal on the place of lynching in society, and what broad tendencies inspired individuals to commit such heinous acts. However, it has unconsciously chosen to ignore the direct effects cultural and social factors had on the factual execution of lynching. It is in this

²⁷ Lightweis-Goff, *Blood at the Root*; Jennie Lightweis-Goff, ““Blood at the Root””, 288–295.

²⁸ Bernstein, *The First Waco Horror*.

²⁹ Freeman, “Supplement to the Crisis”.

³⁰ Carrigan and Webb, *Forgotten Dead*, 64–65; Bawab, “A Century After the Porvenir Massacre”; Bernstein, “Trouble at Porvenir Crossing”; “1918 Centennial”, Porvenir Massacre, accessed February 23, 2022, <https://www.porvenirmassacre.org/>; Mary Phagan, *The Murder of Little Mary Phagan* (Far Hills, New Jersey: New Horizon Press, 1987).

³¹ Dinnerstein, *Antisemitism in America*; Dinnerstein, *The Leo Frank Case*; Berlin, *The Making of African America*; Kennedy, *Jim Crow Guide to the U.S.A.*

³² Just two out of the plethora of works produced in this category are: Berg, *Popular Justice*; Nicholas Villanueva, *The Lynching of Mexicans in the Texas Borderlands* (Albuquerque: University of New Mexico Press, 2017).

gap that this thesis gives a first set of indications on how certain environmental group behaviours might influence the process of decision-making in the mind of the lyncher. Although still lacking in its ability to incorporate disciplinary arguments from psychology and sociology,³³ this thesis bases itself on the historical analysis of lynching to formulate an answer to the research question. In doing so, it grants potential further research somewhat firmer building blocks on which to construct more comprehensive, multi-disciplinary answers on the nature of secrecy in lynching. By pursuing a definition of secrecy from the perspective of an influence on lynching, instead of a consequence, this research might grant the reader the possibility to not see lynching as a consequence of a racially divided society, but as a means to keep it that way. In doing so, this research makes the argument that by micro-observing individual outbursts of human emotions, both for good and for bad, it can serve as a blue print from which to test certain hypotheses one might form within the field of historical research on lynching. A positive ‘side effect’ of this approach, is that by approaching lynching from the visceral viewing point of grim reality, one might honour those that died as a consequence of lynching, and do justice to the horrible nature of the practice, in the hope that one might not forget that history is not tactile and sterile, but messy, bloody, and often full of resistances to certain ways of life, or even peace in all its generality.

Common Causes through Individual Instances

From the two general schools of thought that encompass the researching field on lynching, this thesis will belong to the individual case approach. The subject of secrecy in lynching is one with an incredible nuance, and therefore it is warranted to describe a limited number of incidents, in this case three, and draw general lessons from those cases. The conclusions drawn from these analyses, which will be based on primary sources describing the attacks, both as they were happening and after the fact, will then be cross-referenced with secondary material, of which a significant part includes sources already mentioned in this introduction to the topic at hand. With the information gathered from that cross-referencing, it becomes possible to formulate a clear answer to the research question, and figure if secrecy does indeed dictate the manner in which a lynching was performed in the designated geographic area and time window.

Lynching cannot be observed and studied disconnected from racist and biased ideology. That is why this thesis only uses examples of lynching within a racial context. On top of that, when race is employed as an instigation for lynching, the actual proof or severity of the crime is limited to a greater degree.³⁴ Following that thought process, participants of racially biased lynchings have more reason to (actively) consider what degree of secrecy they are utilizing in their execution.

Of course, African Americans were not the only the only racial group that were subjected to the practices of lynching. Even white Americans would be at the receiving end of a murder from time to time, though far less frequently. One of the communities that were subjected to lynching on a much grander scale, are those residing in the U.S. who were of Mexican decent. A telling example can be observed in statistical data. When compared to the other southern states, Texas shows a remarkably high percentage of white Americans that are lynched when compared to their African American victims. However, that difference is explained when it is revealed that Mexican Americans, too, are included in that demographic

³³ Lightweis-Goff, “‘Blood at the Root’”, 288–295.

³⁴ Villanueva, *The Lynching of Mexicans*, 1.

of the data.³⁵ Certainly within a broader framework of racialised border tension, cross-border raids by Francisco ‘Pancho’ Villa’s revolutionaries and a lack of governmental overview, the opportunity for lynching mobs to exact their own views of justice was aplenty.³⁶

These forms of violence were not limited to American-born minorities only. Migrant groups were especially vulnerable, even when there did not necessarily exist a difference in skin colour. Irish, Italian and Jewish migrants can be found in lists of lynching victims with a reasonable frequency. That certainly does not connote that white Americans were not being subjected to lynching. As a tool of public justice, lynching in the U.S. has been used against anyone who was, in the eyes of the public, deserving of such punishment.³⁷ However, that judgment became so systematically harsher when minorities were included, that one cannot deny the existence of a systematic bias.

In order to ensure a thorough and clear picture of the researched, being the employment of secrecy in lynching, this thesis makes use of a comparative method. Three examples, set forth in one chapter each, illustrate three main variables in this discussion. Firstly, the attention goes to the lynching of Jesse Washington in Waco, Texas, on May 15, 1916. After being convicted for the murder of his employer’s wife, he was pulled from the courtroom and lynched below a tree in front of the city hall, under the watchful eyes of thousands.³⁸ The example of Washington’s death has been described by historian Patricia Bernstein as one of the most extreme examples of public lynching, in which a convicted felon is abducted post-sentencing in broad daylight and brutally murdered, with an audience exceeding ten thousand people.³⁹

The second chapter discusses the so-called Porvenir Massacre, in Porvenir, Texas, on January 28, 1918. Following a period of frequent raids into Texan territory by guerrilla forces, a group of Texas Rangers, United States cavalymen and local ranchers pulled fifteen men and boys from their beds, led them into the hills and shot them all. All those killed were of Mexican decent, while the Anglo-American population of the desert town were left alone. A connection between the inhabitants of Porvenir and the recent raids was never found, nor was there any incriminating evidence against any Porvenir inhabitant at that time. The incident destroyed the small community, and the remains of Porvenir are now part of a vast collection of western Texas ghost towns.⁴⁰ In the relatively obscure history of early-twentieth-century racial border violence, the killing at Porvenir serves as an absolute low, according to William Carrigan and Clive Webb.⁴¹ Considering the relative obscurity of the incident, both then and nowadays, and the complete lack of evidence and even suspicion of the victims, the Porvenir Massacre is an effective counterpart to the lynching of Jesse Washington. It also adds an extra layer to the discussion, as this lynching was performed by U.S. law enforcement personnel while in function.

Lastly, elements of both incidents are intermeshing in the final example of this thesis. In the early hours of August 17, 1915, Jewish factory supervisor Leo Frank was hanged for the supposed murder of a 13-year-old employee by the name of Mary Phagan. Living in Atlanta, Georgia, Frank’s trial and sentencing were highly publicised and commented on by those in

³⁵ Villanueva, *The Lynching of Mexicans*, 1–2.

³⁶ Thomas Smith, *The Old Army in the Big Bend of Texas: The Last Cavalry Frontier, 1911-1921* (Austin: Texas State Historical Association, 2018), 33–48.

³⁷ Lightweis-Goff, *Blood at the Root*, 31–36.

³⁸ Bernstein, *The First Waco Horror*, 87–118.

³⁹ *Ibid.*, 5.

⁴⁰ Carrigan and Webb, *Forgotten Dead*, 64–65.

⁴¹ *Ibid.*, 64.

favour of and opposed to the trial. Fraught with highly debatable evidence and antisemitic sentiments in the public and jury, researchers of both history and law, such as Leonard Dinnerstein, discredit the validity of the trial in almost every aspect.⁴² After having his death sentence overturned to a lifelong prison sentence for lack of evidence, already two years after the murder, a group of notable Atlanta citizens, amongst whom were the former governor of Georgia and the future president of the Georgia senate, abducted Frank at nightfall through an elaborate plot and lynched him the next morning.⁴³ Frank's murder addresses a number of aspects that feature in the Porvenir Massacre and the lynching of Jesse Washington. Both the trial and the murder were highly publicised, as with the Washington case, but the lynching itself was performed with secrecy in mind, as was the case in Porvenir. The lynch mob itself even consisted of government officials, again much like Porvenir.

Naturally, this thesis will be unable to completely satisfy all aspects of secrecy in lynching. The main shortcoming in the completion of this analysis is its lack of in-person interviews with descendants of those involved. Did the urges to use or neglect secrecy echo through into the generations that followed, both from the victim's as from the mob's perspective? Besides that fact, there are also limitations to the analysis through a small selection of case studies. While deliberately chosen for its possibility of closely examining individual cases, there remains a limitation in small scale over large scale. That is why such an emphasis has been put on this research as a blue print on which to test to other cases. Ultimately, that process should lead to a rich tapestry of individual analyses, together forming an all-encompassing conclusion on the usage of secrecy in lynching, for as much as the term 'all-encompassing' might be used in historical research without sounding too teleological.

The Lynching of Jesse Washington

On May 8, 1916, the body of white girl Lucy Fryer was found in her home in Robinson, Texas, now part of the larger Waco metropolitan area. Showing signs of sexual assault, it was concluded that Fryer had been murdered with a blunt object. Following a testimony that placed seventeen-year-old Jesse Washington, a black stable boy at the Fryer farm, at the scene of the crime minutes before it allegedly took place, law enforcement sought out the house of the Washington family. There they encountered Washington, dressed in bloodstained overalls, which according to him was due to a nosebleed.⁴⁴ Washington was taken for questioning and ultimately signed a confession statement. Local media sensationalised the murder by comprehensively describing the struggle that had taken place between Lucy Fryer and Washington, although the autopsy pointed out that Fryer had been killed by instant-impact blunt-force trauma. This, in turn, prompted a lynch mob to search a local penitentiary facility in a search for the accused. Being unable to find him, the crowd dispersed.⁴⁵

Less than a week after the murder, a trial in Waco's courthouse was scheduled on May 15. Upon Washington's entering, a member of the public pulled out a gun, but he was quickly pacified by bystanders. After a number of testimonies, Washington's attorney asked him

⁴² Dinnerstein, *The Leo Frank Case*, 48-51.

⁴³ *Ibid.*, 1, 136-147.

⁴⁴ James SoRelle, "The 'Waco Horror': The Lynching of Jesse Washington", *The Southwestern Historical Quarterly* 86, no. 4 (April 1983): 520.

⁴⁵ Freeman, "Supplement to the Crisis", 2.

whether he was guilty of the described crime, which he confirmed. Following this process, the jury deliberated for no longer than four minutes, after which Washington was deemed guilty of the murder of Fryer and sentenced to death.⁴⁶

What happened next is of a particularly gruesome nature, but this thesis does not intend to spare its reader any details of the described lynchings. Having said that, it was after the sentencing that pandemonium broke out in the courtroom. While officials tried to extract Washington, a group of spectators got a hold of him and dragged him outside. It is worth noting that the initiators of Washington's seizing were not directly related or acquainted to the Fryer family, largely negating a possible motive of an emotional reaction. Washington was pulled through the streets by a metal chain that had been placed around his neck. During their journey towards city hall, the crowds grew to a number in the thousands, with estimates ranging from ten to fifteen thousand spectators.⁴⁷ Along the way, Washington's clothes were removed, after which he was beaten and stabbed multiple times.

The chain was then thrown over a branch of a tree in front of city hall, after which Washington was doused in oil and hung above a bonfire, which had been prepared in the time it took the procession to reach the square. Bystanders cut off his fingers, toes and genitals. Still alive, Washington was repeatedly raised and lowered above the fire, which, according to historian Manfred Berg, was done to prolong his suffering.⁴⁸ After succumbing to his severe wounds, Washington's body was finally allowed to burn to ash. His genitals, toes, fingers, teeth and other remains were gathered by the crowds and kept as souvenirs. What remained was tied to a horse and again dragged through town, until it was finally displayed in the nearby town of Robinson, where Lucy Fryer was murdered.⁴⁹

First of all, the acknowledgement of these horrific events serves as an important reminder of the atrocities that were committed in the history of American lynching, and secondly, the way in which a lynching is performed is of importance to the aspects of lynchings that are analysed in this thesis, and should therefore not be shied away from.

Even for early-twentieth-century standards, the killing of Jesse Washington represented an exceptional outing of racially motivated violence, both in its intensity and in its scale, with thousands, often passively, participating in the slaughter. That violence cannot be isolated from the social conditions that, for a lot of participants, warranted such horrific behaviour. Lynching in this time period cannot be observed purely as what it is, an utterance of extreme violence, without discussing the one factor that makes the term 'lynching' such a loaded word: race.

Race in Waco, Texas

As all three case studies that are used in this research feature diverse geographic and social landscapes, the observation of racial tension will for this chapter be limited to Waco, Texas only. The NAACP's *The Crisis*' report by Elisabeth Freeman offers some insight. The image that emerges from her brief description of the city is one of a typical city in the South. An ethnically diverse population, with the infrastructural and social resources necessary to segregate that population. In 1910, 26.425 people were registered to live in the city, of which almost a quarter were African American. That percentage was the same for the entire McLellan

⁴⁶ Ibid., 3.

⁴⁷ Bernstein, *The First Waco Horror*, 5.

⁴⁸ Berg, *Popular Justice*, 103.

⁴⁹ Freeman, "Supplement to the Crisis", 6.

County. Since 1890, the number of black residents in the county had nearly doubled.⁵⁰ This growth is exemplary for southern cities in the decades following the abolishment of slavery and would only become more typical in the decades to come, as the Great Migration not only moved African Americans from South to North, but from the countryside to urban environments as well.⁵¹

Not only did numbers of African Americans in urban environments skyrocket in the early twentieth century, the interaction between black and white Americans surged as well. As the distance, both geographically and socially, between the two groups shrunk, both assimilation and alienation took hold. Whereas black entrepreneurs became part of trade cycles and the wellbeing of the black community became a concern of white lawmakers, a deep sense of injustice festered within a part of white Waco residents. Their economic dominance had waned in recent decades, and now they had to settle amongst those who they had once seen as their property. While some came to a new understanding of the African American experience, others saw their stereotyping becoming enforced further, with the ‘danger’ only getting closer to their homes.⁵² Amidst this expectedly flammable combination of racism, deeply burrowed in Waco’s society, and ethnic diversity, it cannot be a surprise that excesses of violence had occurred previous to the Washington killing. In 1905, an African American man named Tommie Sank “Majors” Cheatham was hanged from the Washington Avenue Bridge after stabbing a white woman who was married to a childhood acquaintance of him.⁵³ The murder of Sank Majors showed striking similarities with the lynching of Jesse Washington, more than a decade later. Majors too, was arrested shortly after the crime, and was hunted by a feverishly violent mob, both while he was on the run and after his arrest. The defendant was given the death sentence, but due to a technicality, the trial had to be redone to avoid a successful appeal. It was this indignation that sparked a renewed mob frenzy, and Majors was abducted from a Waco jail to meet his end, less than two months after the murder.⁵⁴

Outrage and Shock Throughout the Nation

The mass interest in the Washington lynching sparked fierce debate in nationwide media and across all levels of American society. Upon hearing of the incident, the NAACP sent suffragette activist Elisabeth Freeman to Waco to investigate the circumstances in which Washington had been murdered. Besides a detailed account of the events leading up to the murder, and a retelling of the lynching, Freeman confronted government officials and media executives with their inaction.⁵⁵ Judge Richard Monroe, who had presided over the trial, only agreed to talk with her on a second attempt, in which she pretended to be someone else entirely who wanted to protect Waco against a northern smear campaign.

Newspapers from Dallas refused to spend more attention to the incident than a simple editorial news feature. According to Freeman, this was because recently, *The Dallas News* had

⁵⁰ Freeman, “Supplement to the Crisis”, 1.

⁵¹ Berlin, *The Making of African America*, 124-130.

⁵² Bernstein, *The First Waco Horror*, 16-20.

⁵³ Bill Minutaglio, *A Single Star and Bloody Knuckles: A History of Politics and Race in Texas* (Austin: University of Texas Press, 2021), 77; Trevor Wardlaw, “Sank Majors Lynching”, Texas State Historical Association, accessed March 11, 2022, [https://www.tshaonline.org/handbook/entries/sank-majors-lynching#:~:text=Sank%20Majors%20\(alias%20Tommie%20Sank,worked%20for%20the%20Mackie%20family.](https://www.tshaonline.org/handbook/entries/sank-majors-lynching#:~:text=Sank%20Majors%20(alias%20Tommie%20Sank,worked%20for%20the%20Mackie%20family.)

⁵⁴ Ibid.

⁵⁵ Freeman, “Supplement to the Crisis”, 7-8.

blundered on another lynching case in which the victim turned out to be innocent.⁵⁶ *The Waco Semi-Weekly Tribune*, one of Waco's leading newspapers, was particularly criticised for their lack of interest. Freeman met with its owner, one Judge McCullum, who stressed upon asking that he would have acted very differently had Lucy Fryer been black and Washington white:

*"I said, 'I would like to ask you, if that had been a colored woman and a white boy, would you have protected that woman?' He answered, 'No.' 'If it had been a colored boy and a colored woman?' 'No. We would not have stopped the niggers doing anything they wanted to.' [...] Then he began to tell me how he knew all about the niggers and we northerners do not."*⁵⁷

Following that testimony, she spoke with a number of prominent Waco inhabitants, amongst whom were W.A. Brazelton, the foreman of the jury, a newspaper owner named as mister Ainsworth, and Allen Stanford, ex-mayor of Waco. They all stated that though they themselves or people in their surroundings were inclined to stage a protest against the lynching, they were under the impression that such a protest would either be ineffective or would even spark repercussions from the local population. Among this group of social elites, Freeman was urged to please clear the majority of the Waco residents of blame in this lynching incident, as they, in their eyes, could not possibly be held accountable for the occurrence of such a horrific incident. By inserting this entire exchange into her report for *The Crisis*, Freeman illustrated both the division in the city of Waco itself, as well as her own scepticism during the entire experience.⁵⁸

No matter how strong the message in Freeman's report is, its notoriety in the years following the Washington lynching was owed due to the complementary publication of photo material. Shot by American photographing pioneer Fred Gildersleeve, who lived in the city, they depict both wide shots from the immense crowd which had gathered outside city hall, and close-ups of the charred body of Washington as it leaned burning against the tree from which he was hanged.⁵⁹ Besides supplying the photo material to *The Crisis*, Gildersleeve printed the photos in large quantities on postcards, which were sold in bulk in the weeks following the lynching. The production of said cards only ceased after an unnamed group of influential Waco residents had insisted on stopping the sale to avoid slandering the reputation of the city of Waco even further.⁶⁰

Mass Participation as an Accelerator of Violence

So what does the lynching of Jesse Washington say about the utilisation of secrecy, or in this case, lack thereof? The lynching of Washington certainly proves that the desire for secrecy is abandoned once the participants of the lynch mob deem themselves safe in a crowd of substantial size. Ideological bystanders benefitted from that sense of safety, bystanders who

⁵⁶ Ibid., 6.

⁵⁷ Ibid., 6-7.

⁵⁸ Bernstein, *The First Waco Horror*, 139.

⁵⁹ Amy Louise Wood, 'The Spectacle of Lynching: Rituals of White Supremacy in the Jim Crow South: The Spectacle of Lynching', *American Journal of Economics and Sociology* 77, no. 3-4 (May 2018): 782-83, <https://doi.org/10.1111/ajes.12249>.

⁶⁰ Dora Apel, *Imagery of Lynching: Black Men, White Women, and the Mob* (New Brunswick: Rutgers University Press, 2004), 31-32.

had been able to form an extremely negative image of Washington for the duration of the trial. Looking first at the week leading up to the trial, and consequentially, the lynching, a number of factors have an effect on the public nature of lynching that has been used in this particular incident. An aspect that cannot be overlooked is the certainty of guilt pointing in the direction of Washington, shortly after the crime took place. He was arrested on the same day that Fryer was murdered, and after a short phase of denial during police interrogations, he confessed to the crime, both after those interrogations and during the court trial.⁶¹ This in turn dissolved an important barrier that stands between public and private lynching, being the questionability of blame. Prompting a surge of anger at an apparently obvious and inviting criminal, the fact that the court trial took place within a week, did not allow for those extreme sentiments to calm down.

Therefore, the initial anger was able to mutate from a spark into a raging wildfire of racially inspired hatred. In the days leading up to the lynching, Washington escaped death twice already, once by lynch mob, and once by gunshot through a bystander sitting in the courtroom.⁶² It is clear to see that in the eyes of numerous Waco residents, Washington was deserving of a horrible end, regardless of the lawful judgement. This in part offers an explanation for the excessive application of blunt force trauma to the lynching victim, in combination with other brutal performances of violent torturing, to give a scientific name to the many beatings, stabbings and lacerations that Washington's body had to endure before his death by burning.

Political Inactivity as Fuel on a Fire

The lethal judgment of a crowd, whatever its size, is just one side of the medal. Anger in a regulated society behaves much like sound in a vacuum; no matter the extremity of the source's output, there is simply no medium through which it can be transported. For the anger of a possible lynch mob to be able to manifest itself, it needs an environment which accommodates that violence. On May 15, 1916, Waco, Texas was such an environment. Although there had been a plethora of signs and indications that a large mass of people was out for Washington's blood, Waco governments officials did not increase police patrolling.⁶³

The only action to guarantee Washington's safety in the week leading up to the trial that historians know of is his transfer from his initial cell to another penitentiary, in nearby Hill County.⁶⁴ Besides that cautionary measure, Sheriff Samuel Fleming from Waco's McLennan County urged the population of Robinson to remain calm in the days to come. Such an effort was not made towards the people of Waco.⁶⁵ Whether that was because of laxities from the Waco government, or simply because a city with the size of Waco could not be centrally addressed like that cannot be pinpointed exactly. Even if the intention of these actions was good, the amount of evidence pointing in the direction of a political inactivity is overwhelming. Once the lynch mob had grown to several thousand people, Sheriff Fleming ordered his men to stand down and not interfere with the lynching in process, likely because he feared that the anger of the crowd would then turn to his own employees. Historian Patricia Bernstein posed that Fleming could have been constrained to inaction as he feared that an intervention would

⁶¹ Bernstein, *The First Waco Horror*, 91-103.

⁶² SoRelle, "The 'Waco Horror'", 522-523.

⁶³ Freeman, "Supplement to the Crisis", 4.

⁶⁴ SoRelle, "The 'Waco Horror'", 186-187; Berg, *Popular Justice*, 102.

⁶⁵ Bernstein, *The First Waco Horror*, 101.

imperil his re-election.⁶⁶ Adding to that, there was no action whatsoever from either mayor John Dollins or from Guy McNamara, the Waco chief of police. It was even rumoured that Dollins, hoping to turn the lynching into a beneficial event for his political career, had cheered the lynch mob on. Fact is that he was present at the lynching, if only for the fact that Washington was burned right below the window of his office.⁶⁷

Summarising the rise in racially motivated hatred during the week between Washington's arrest and his trial, it is clear to see that two factors were of a deciding influence on the public's perception of lynching their victim. First, there was what in their eyes seemed to be irrefutable evidence that Washington had performed the crime, and secondly, the lack of central regulation from the government towards the sentiment amongst Waco residents. However, the aforementioned quote from Judge McCullum implies that this incredible degree of hatred, and the willingness to act on it, was heavily inspired on racial bias. Historian David Garland called public lynchings a "strategic form of violence in struggles to maintain racial supremacy", indicating that lynching was a means of ensuring the 'proper' racial hierarchy would remain as close to the pre-Civil War years as possible, thereby mentally fortifying the waning positions of white Southerners in American society.⁶⁸ Consequentially, this statement is used to illustrate that in lynching, race is not just an aggravation, it is a motive in and of itself.

Violence as a Means of Social Control

So far for the external reasons. Granted, reason to assign guilt and lack of intervention from external parties that, in theory, possess a monopoly on violence are important for us to understand how 15.000 people deemed it a good idea to brutally murder a seventeen-year-old boy, but it neglects one aspect still. Why did the lynch mob think they would get away with this? To openly murder Washington, was to assume a sense of immunity, granted not only by the fact that mob members would be hard to identify, but more importantly, that their actions were so justified in the public eye that to prosecute them would be a socially challenging thing to even do. At the root of secrecy lies the desire to get away with undesirable or illegal behaviour. To state that lynch mobs only find passage through perceiving themselves as immune to the law, is an obvious, yet intriguing conclusion, which deserves further dissection. In order to go to the root of this phenomenon, it is important to understand that lynching and secrecy are, in many ways, opposites of each other. Secrecy implies an element of stealth, not wanting to be found out, and leaving as little evidence as possible. Meanwhile, historical research on lynching has shown that besides serving as a public display of private judgment, lynching also served as a warning.⁶⁹

In the case of Jesse Washington, this message was very strong and highly effective. African Americans in the Waco area better watch out with whatever they are doing, because the entire white Waco residency apparently has no problem with tearing off your extremities and hanging you above a bonfire in front of the mayor's office. Once again, the quote from the

⁶⁶ Ibid., 85.

⁶⁷ SoRelle, "The "Waco Horror"", 527; Amy Louise Wood, *Lynching and Spectacle: Witnessing Racial Violence in America, 1890-1940* (Chapel Hill: The University of North Carolina Press), 181.

⁶⁸ David Garland, "Penal Excess and Surplus Meaning: Public Torture Lynchings in Twentieth-Century America", *Law & Society Review* 39, no. 4 (December 2005): 793.

⁶⁹ As is illustrated by David Garland's statement in Garland, "Penal Excess and Surplus Meaning", 793.

interview of Judge McCullum is just one confirming example.⁷⁰ The same can be said of many historical lynchings, and those did not even have to be very public. A victim teared to shreds, bloodied and beaten, conveyed a message no matter the crowd.

Following that train of thought, one does have to ask oneself the question whether lynchers deemed sending a message for the advancement of racial supremacy a valid reason to receive a judicial penalty themselves. After all, although lynching was commonplace during the early twentieth century, it was illegal to lynch someone in the state of Texas at the moment of Washington's murder.⁷¹ So as to get to the point at which one would want to lynch someone, there are two barriers that stand in the way, one of which has to be breached in order to form a lynch mob. The first of these is a barrier of emotional involvement. This barrier is less applicable to the case of Jesse Washington. Broadly speaking, this barrier signifies the personal connection that a potential lynch mob member had to the victim of the supposed crime. In the case of Waco, this would be the circle of family and friends of Lucy Fryer. Their distraught could have reached a critical point in which some of its members would have been willing to suffer the potential judicial penalty for lynching, in exchange for what for them would have felt as the ultimate revenge. That is the reason why Sheriff Fleming travelled to Robinson to speak to the townsfolk.⁷² However, it has already been mentioned that this was not the case in the eventual lynching of Washington. Among clear markers of strong sentiments against Washington, the people who were assumed of being the biggest risk to the defendant were those close to the Fryer family.

The second possible barrier is one of perceived immunity. The existence of racist sentiment or a positive attitude towards lynching does not have to result in a lynching per definition. There has to be a strong expectation that, when executed by a large enough mob, the participants will go unpunished. Otherwise, the incentive to join a lynch mob is severely reduced.⁷³ Looking at the Washington lynching, there seems to be a remarkable exponential social force working its effect on the crowds. If many people commit to a lynch mob and seem to go unpunished, much like the mob that pulled Washington from the courtroom, there are fewer reasons to hesitate taking part yourself. On a grander scale, one could say that the more people join a lynch mob, the more enticing it becomes for other people to join, making the mob even bigger and the lure of participation even greater. That is what allowed a group of several hundred people mutate into the massive crowd that spectated Washington's eventual death.

So at this point, there seem to be three main exacerbating reasons for the high level of publicity of the murder of Jesse Washington. Firstly, the small window of time between the crime and the trial and the heated debate and hatemongering that took place in that one week. Consequentially and secondly, there were little social barriers left that the initial lynch mob had to breach in order to create a laissez-faire environment, drawing even more people to the gruesome spectacle. Through both these factors, Washington's race can be clearly seen as a catalysing factor within both these processes, the third aggravating condition. His criminal

⁷⁰ Freeman, "Supplement to the Crisis", 6-7.

⁷¹ John Ross, "Lynching", Texas State Historical Association, accessed March 14, 2022, <https://www.tshaonline.org/handbook/entries/lynching>.

⁷² Bernstein, *The First Waco Horror*, 101.

⁷³ Lightweis-Goff, "Blood at the Root", 288-295: Although this claim is difficult to concretise through witness statements, some studies have delved into the sociological processes in lynch mobs, among which is Lightweis-Goff. In her article, she connects Freudian principles of group psychology to lynch mobs, and makes the argument that the often extreme jealousy of these groups allowed for extreme forms of violence to be demonstrated with much less restraint as would have "usually" been the case.

status was seen by many as a natural consequence of him being African American, and those hateful outings of otherness manifested themselves in the severity of the punishments he underwent during his lynching. Yet, this does not wholly explain why the Washington lynching was so heavily attended. A large percentage of lynchings in the American South took place with the lynch mob under the impression that the lynch victim's guilt was uncontested, and their deeply racist motivations for participating in the lynching were commonplace in the southern states. So why were not almost all lynchings in the South carried out en masse? Because of two factors. Public lynchings could only take place when enough people could be amassed, meaning that a potential victim had to be declared a persona non grata of the highest degree. Therefore, the perceived criminality of the lynching victim had to be of a particular severity. And secondly, the expected resistance against a mass lynching in the making had to be sufficiently low for large crowds to form. In the instance of Washington, one could point at the weak response from politicians and lax attitude from law enforcement.

These repeated instances of open and facilitated mob killings in an urban environment seem to spell out a certain pattern when it comes to the lynching of those under clear condemnation of the public. Whether they actually committed the crime was of secondary importance to the enraged public. Looking ahead through this thesis, comparable elements can be encountered in the lynching of Jewish factory supervisor Leo Frank, in Atlanta.⁷⁴ Therefore, the suspicion is raised that an urban environment could accelerate mass participation in lynching. Looking back at the lynching of Jesse Washington, the argument can be made that the preliminary steps towards a massive lynch mob were made by the swift accusation and indictment of Washington, whereas the urban environment in which this process took place allowed for a quick increase in both public interest and its ultimate mass participation.

Of course, this does not exclude lynchings within a more rural setting from becoming mass events, but the combination of the aforementioned factors surely fuelled the swelling of the huge crowds in Waco. So rounding off the analysis of the lynching of Jesse Washington, there is a selected number of preliminary conclusions that can be drawn from this case, of which some appear to be relative open doors. Firstly, the growth of a lynch mob is highly dependent on the crowd's certainty that the accused has committed the crime. On top of that, that crime has to be of a certain severity, although a difference in racial ethnicity can blur the lines of what a disgruntled crowd thinks to be severe enough for the accused to be lynched. The fact that Washington was trialled so shortly after the crime took place did little to appease the Waco residents. Adding onto this dynamic is the element of an urban environment, which complicates crowd control and accelerates collective anger. Along with systemic governmental inaction, born both from political and physical self-preservation, these conditions proved to be fatal for young Jesse Washington. Below that week of torrential anger and racism in Waco, the city had dealt with such cases in the past, and time and time again, its society had proven to still be highly engrossed in southern racial rhetoric. All these factors prevented members of the lynch mob from feeling subjected to the law, that stated that lynching was illegal in the state of Texas, and made a murder in the most public of manners possible. Therefore, secrecy did not have to be employed in any shape or form by the lynch mob.

⁷⁴ Leo Frank's death sentence had, in fact, been overturned and changed to a lifelong incarceration. This prompted a lynch mob that still deemed him guilty of murder to undertake action, as described in "Grim Tragedy in Woods", *New York Times*, August 19, 1915, <https://www.leofrank.info/enright/new-york-times-1915-08-19-grim-tragedy-in-woods.pdf>.

The murder of Jesse Washington in Waco, Texas proved to be a symbol of the wide support of racially motivated lynching in the American South and was therefore highly publicised in contemporary media, sparking widespread criticism and disdain for the continuation of the practice. Very much the opposite of this incident is the second case study that this thesis breaches upon, known as the Porvenir Massacre. This mass murder, which is usually classified as being a lynching on account of its perceived guilt of the victims and because of its racial nature, took place in relative obscurity and was only brought into the limelight after efforts made by descendants of its victims.

A Nightly Raid at Porvenir, Texas

In January 1918, United States Army forces and Texas Rangers were being driven to despair after a series of raids by Mexican revolutionaries were performed within American territories. With the Mexican Revolution rocking stability in the country, tensions between white Americans and people of Mexican descent in border states such as Texas rose to a critical point.⁷⁵ Led by the revolutionary turned guerrilla leader Pancho Villa, these raids aimed to both antagonise the U.S. government for supporting his political opponent Venustiano Carranza and, more importantly, gather military resources for his armed struggle in Mexico.⁷⁶ Following the Battle of Columbus, a raid that evolved into a full scale armed battle with American armed forces, president Wilson started efforts to counter the raids by sending another 5,000 soldiers to the border.⁷⁷

Within that highly flammable situation, it seemed to be only a matter of time before the local population would become victimised. On Christmas Day 1917, a raid to acquire goods and horses resulted in the death of three men at Brite Ranch, also in Texas and only a few dozen kilometres removed from the village of Porvenir.⁷⁸ Interestingly enough, two of those men were of Mexican descent, suggesting that at least from the point of view of the bandits, this conflict was not ethnically motivated.

Following the Brite Ranch raid, the Texas Rangers B company was assigned to pursue any leads that might possibly lead to the apprehension of the bandits. On January 26, 1918, they entered the small border community of Porvenir, located a few hundred metres from the Rio Grande border river. After a thorough search, only two firearms were found, and nothing to tie anyone within the community to the raids that had taken place in the area in the past few months. Three Tejano men (Texan residents of Mexican descent) were taken for questioning, but were returned to the village the next day.⁷⁹

Although the matter seemed to have been resolved for the residents of Porvenir, quite the opposite was true. Early in the morning on January 28, ten Rangers of B Company returned to the village. This time, they were accompanied by eight United States Army cavalrymen and four local ranchers, all of them white Americans.⁸⁰ They ordered everyone out of their homes, and consequentially selected fifteen men and boys, all of them of Mexican descent, to step

⁷⁵ Thomas Smith, *The Old Army in the Big Bend of Texas*, 2–3.

⁷⁶ Ibid.

⁷⁷ Eileen Welsome, *The General and the Jaguar: Pershing's Hunt for Pancho Villa* (Lincoln: University of Nebraska Press, 2006), 177.

⁷⁸ Carrigan and Webb, *Forgotten Dead*, 64.

⁷⁹ Villanueva, *The Lynching of Mexicans*, 103–104.

⁸⁰ Ibid., 126.

forward. Following this seemingly random selection, the group was led beyond a hill next to the village, with the cavalrymen making sure no one would follow the group.⁸¹ There, all fifteen people were killed by gunshot, leaving the bodies on the hill. Two of those killed were still children, at fifteen and sixteen years of age.

Although the main apparent difference between the lynching of Jesse Washington and the Porvenir Massacre, featured in this chapter, seems to be the difference in the scale of participation, it would be far too simple to state that the lynch mob members in Porvenir simply did not have access to larger crowds due to the geographical location of the incident. Other factors are at play here. Therefore, one should ask themselves the following question throughout this chapter: What factors made the Porvenir lynch mob choose to act within a state of secrecy? Upon initial assessment, it could be considered very likely that just as with the murder of Jesse Washington, the lynch mob in Porvenir would be concerning themselves with the aforementioned challenges of safety through mass participation and the concern for self-apprehension. Through the perspective of a military police unit, these two factors become warped, explaining a few of the differences between the case of Porvenir and other case studies within this thesis.

The Rangers under Scrutiny

The next day, Juan Flores, the thirteen-year-old child of one of the men taken by the Rangers, and schoolteacher Henry Warren made their way to the site and discovered the bodies. Following the discovery, the Mexican population in the village did not feel safe staying in the village any longer, and quickly packed up their belongings to flee, prompting the remaining villagers to leave as well.⁸² This exodus of the around 140 remaining residents took place within the space of a few days.⁸³

It took over three weeks before the Rangers' high command was notified of the incident.⁸⁴ While B Company stated that the fifteen men had assaulted them before their killing, Henry Warren and even the cavalrymen declared that the men had been executed without a distinguishable reason. Following up to these testimonies, an investigation into the possible prosecution of B Company was started. Even though enough grounds had been found upon which the company could be tried, all members were assessed to be innocent of any crimes by a jury, although five were later dismissed by the Texas governor and the rest were reassigned, ultimately disbanding B Company. In the wake of that report, a broader investigation was launched in June of 1918 and finalised a year later, looking for the possible involvement of other Rangers in unjustified violence, particularly focused on those of Mexican descent. This inquiry drew a much harsher conclusion, stating that the Texas Rangers had been involved in the death of hundreds, if not thousands of overwhelmingly innocent civilians. As a consequence

⁸¹ Ibid., 126-127.

⁸² Masedonio Huerta, "Affidavit", interview by Hugh D. Chamberlain, Second Lieutenant U.S. Cavalry, March 15, 1918, https://www.porvenirmassacre.org/uploads/1/1/7/9/117989226/canalesreport_150_volume2__dragged__1.pdf.

⁸³ "State Department Probes Execution of Mexican Peons", *El Paso Morning Times*, February 8, 1918, <https://texashistory.unt.edu/ark:/67531/metaph199506/m1/1/zoom/?resolution=2&lat=4512.9145015547265&lon=2801.604934911171>.

⁸⁴ Captain James Monroe Fox of B Company, letter to Austin Adjutant General James A. Harley, February 18, 1918.

of this study, the organised structure of the Rangers was severely overhauled and new training methods and selection criteria were introduced.⁸⁵

Very little primary source material that covers the Porvenir Massacre has survived the test of time. However, there are indirect sources that shed some light on the proceedings surrounding the investigation of the incident. The inquiry into the Porvenir Massacre was soon incorporated into a larger investigation, issued by the at that time only Mexican American elected representative in Texas, José Tomás Canales.⁸⁶ Records of the Canales Investigation exist to this day in full, and are freely available online. In relation to the incident in Porvenir, they contain both testimonies from residents, Texas Rangers officers and Army high command, providing a highly detailed mosaic of the way things unfolded that morning in 1918. Of course, the analysis of these sources demands a watchful eye, as many of those questioned for the inquiry had personal stakes in the outcome of the investigation, referring mostly to officials within the Rangers and Army divisions.

Certainly at first instance, the public response to the massacre in Porvenir was very minimal. Interest only started to rise when the establishment of a formal investigation became public knowledge. Before that point, the only documented communication on the subject stems from exchanges between Texas Rangers high command and the operating officer of B Company, Captain James Monroe Fox. After reporting the incident to his commanding officers, a formal inquiry was started following objections by the Mexican ambassador to the United States, Ignacio Bonillas.⁸⁷ With the first news reports on the incident being published in the second week of February, Captain Fox replied with a report on how events unfolded according to him. Fox was very adamant to stress that his forces were forced into their decisions, as is proven by the next excerpt from his report:

“On January 29th, eight Rangers on a scout went into the town of Polvanier and began searching Mexican houses and found some ten or twelve Mexicans in these houses. They were carried out on the edge of the town and were being investigated as to who they were, when some of their comrades who were not in this bunch of Mexicans fired into the Rangers, the Rangers horses breaking loose and leaving them all on foot. They immediately lay down returning fire on all moving objects in front.”⁸⁸

However quickly, and already with the suspicion that events had unfolded differently than Fox claimed they had, the investigation continued with the gathering of testimonies from fled villagers and relatives of those killed in the incident. While conducting these inquiries, an entirely different image of the event started to be sketched out. Witness after witness, both Mexican and white American, testified that firstly, there had not been even a hint of violence from the residents, not in connection to the Brite Ranch raid nor when the Rangers first visited

⁸⁵ “1919 Canales Investigation”, Texas Ranger Hall of Fame & Museum, accessed April 14, 2022, <https://www.texasranger.org/texas-ranger-museum/researching-rangers/1919-canales-investigation/>.

⁸⁶ Ibid.

⁸⁷ “Investigation to Follow Killing of 15 Mexicans by Texas Rangers”, *Associated Press*, February 7, 1918, https://www.porvenirmassacre.org/uploads/1/1/7/9/117989226/canalesreport_150_volume2__dragged__1.pdf.

⁸⁸ Captain James Monroe Fox of B Company, letter to Austin Adjutant General James A. Harley, February 18, 1918.

Porvenir in that capacity.⁸⁹ Secondly, that the next morning, the eventual victims were randomly taken from their homes, again without violence. And lastly, that they found out later that morning that they had been killed, after which most of the Porvenir residents journeyed across the river and into Mexico.⁹⁰ It is noticeable that the conductor of these interviews was being guided by a very sternly set order of questions, as the affidavits vary little in content. The indication from that fact is that from the get go, there was a strong suspicion as to what aspects of Captain Fox's story might have been altered or falsified, though this is somewhat of a speculative argument.

So then the next issue that comes to one's mind is whether the Porvenir Massacre conveyed a message. After all, in the first chapter it was established that most lynchings take place on the basis that they, besides settling a public grudge, serve as a warning to those belonging to the victim's social or ethnic group. The logical argument would be that if the lynching was a means of sending a message, then there would be no reason to take all these measures to do so in secret. Opposed to that stands the fact that even the Rangers had no reason to believe that these residents were involved in the border raids, nor did they show any form of hostility in their previous encounters. Once more, a closer look at the affidavits of the Porvenir survivors that were included in the Canales Investigation can shed some light on this issue. For example, look at this quotation from the testimony of Eulalia Gonzalez Hernandez, whose husband Ambrocio was murdered that morning:

*"[...] that I did not hear any shots fired during the night; that about sun-up next morning, I found my husband dead, being shot through the head; that my husband's face had been mutilated by many stab wounds [...]."*⁹¹

The mutilation of Hernandez' face, most likely having occurred after his execution, is a strange outlier in an otherwise orderly mass execution. Had the wounds been the result of an enraged B Company, chances are that they would not have been able to contain themselves to an orderly evacuation of the fifteen men and boys from the village on that early morning, and instead might as well have gone on an immediate killing spree. So then another option opens up, being that the mutilations served as a message not to the deceased Hernandez himself, but to those who would find them. In that case, being that they intended to threaten the rest of the village, B Company would have considered their actions highly effective, seeing as the entire village was completely abandoned within a few days.⁹² However, these assumptions cannot be confirmed through historical analysis, at least through the academic resources of this thesis paper. For all we know, the mutilations could have been the result of Hernandez making the wrong remark against a particular vengeful member of the group of Rangers, who decided to take it out on his remains after the job had been done. Surely, the suspicion of a message is

⁸⁹ In the same letter as is mentioned in the previous footnote, Fox makes the argument that within the houses that B Company investigated, they found a number of items "that came out of Mr. Bright's Ranch", such as pocket knives, soap and shoes. Supporting evidence to fortify that claim was never found.

⁹⁰ Of the nine affidavits that were included in the Canales Investigation, eight were taken from Mexican relatives of the victims. They all state to have moved across the Rio Grande and into Mexico the morning following the lynching, to both bury the dead and flee from any further persecution.

⁹¹ Eulalia Gonzalez Hernandez, "Affidavit", interview by Patrick Kelly, First Lieutenant U.S. Cavalry, April 5, 1918, https://www.porvenirmassacre.org/uploads/1/1/7/9/117989226/canalesreport_150_volume2__dragged__1.pdf.

⁹² As is stressed in each of the nine affidavits that were included in the Canales Investigation.

there, and it is not hard to arrive at the conclusion that the Rangers intended there to be a warning, but it cannot be confirmed with absolute certainty.

Murder in a Social Vacuum

The massacre that took place at Porvenir could be described as taking place in somewhat of a social vacuum. An isolated village right on the Mexican-American border with less than two hundred inhabitants of mixed ethnicities and races.⁹³ It is clear to see that there is a significant difference between this socio-political climate, and the one from the previous case study, even when their locations are not even that far apart, certainly by American standards.

A first factor that has to be taken into consideration once more, is that of race. For Mexicans who ventured into the United States, the interaction with those who already settled there was limited. Mainly settling in rural areas, often close to the border with Mexico, they sought employment that did not necessarily force them into positions of interaction with white Americans. This resulted in a sense of alienation from the American side. Whereas other non-white racial groups, such as African Americans, were viewed, at its most negative, as a nuisance who ‘punched above their weight’, the Mexican was seen as being alien altogether.⁹⁴ This distinction had the potential to influence the way in which perceived justice was exacted on them to a great extent. To put it bluntly, Mexicans could be, at worst, be seen as weed that had to be extracted from the garden. This is certainly true when put in the context of the turbulence that was experienced at that time along the Mexican-American border.

To clarify the relations between the different involved groups at Porvenir, one might ask themselves the following question: Who is the victim and who is the assailing party? In the incident, the physical victims were the fifteen men and boys that were taken to their death that morning in January, but ultimately the whole village became victimised.⁹⁵ The perpetrators in this conscious killing of innocents were not the general public, but government officials in the form of the Texas Rangers. This disparity between victim and perpetrator makes for an entirely unique stage on which the massacre in Porvenir took place.

The most tactile characterisation of the Porvenir Massacre can be found in the mandate for violence that was utilised by the performers of the lynching. The Texas Rangers however, had a mandate to exact violence by governmental decree.⁹⁶ As an investigative and securitising armed force, they had been given the right by the Texas governor to protect the Texan population, mainly those who resided in desolate parts of the state, a long way from regular police support. Throughout the ninety years before the Porvenir Massacre, the irregularity and unclarity of the rural Texan terrain, crime and crimefighting provided the rangers with a sense of frontier justice.⁹⁷ After all, who could possibly have more insight into the correct procedure for prosecution and punishment than them?

Add to this the rise in international ethnic tensions that came along with the intensification of border conflict in the 1910’s, and suddenly, a first situation arises that is somewhat comparable to the lynching of Jesse Washington. Though far less sudden, the sense

⁹³ Villanueva, *The Lynching of Mexicans*, 103-104.

⁹⁴ *Ibid*, 2-3.

⁹⁵ As stated before, the entire village was abandoned. The Mexican residents left out of fear and to bury their dead, and by doing so they inadvertently destroyed the village’s economy, prompting the remaining residents to find their luck elsewhere.

⁹⁶ “An Act to Provide for the Protection of the Frontier in 1874”, Texas Ranger Hall of Fame & Museum, accessed April 15, 2022, <https://www.texasranger.org/texas-ranger-museum/researching-rangers/laws-1874/>.

⁹⁷ Texas Ranger Hall of Fame & Museum, “1919 Canales Investigation”.

of anger and powerlessness against the raids into American territory must have saturated the ranks of the Rangers very deeply. With the raids becoming more and more frequent while still remaining largely uncaptured, a certain sense of desperation took hold of the Rangers, resulting in more unauthorised interventions, and with more malice in their intent.⁹⁸ Entering that spiral of ethnic distrust and lack of control on their mandate of violence, the aggression against innocent Mexican Americans became harsher and harsher until it culminated in the unjust slaughter of fifteen men and boys in Porvenir.

At Porvenir, one cannot speak of governmental inaction, whether by law enforcement or politicians, as the lynching was performed by the law enforcement itself. Even worse, they were facilitated to do so by United States cavalrymen, who in the Canales Investigation were cleared of any guilt as they declared that they had not known for what purpose the fifteen men and boys were removed from the village by the Rangers they were supporting.⁹⁹ So instead of a social factor that allows for a large number of people to engage in the illegal and violent execution of their own perception of justice, that factor is based in Texas state law as well when it comes to the Porvenir incident.¹⁰⁰

However, there seems to arise a contradiction in the unfolding of this story. When there is both a social and a judicial mandate for the lynchers to perform a lynching, then why bother with any secrecy at all? The answer to this question requires a reimagining of the term secrecy within the context of historical lynching. The basic school of thought here suggests another layer of secrecy, or more aptly named in this case, obscurity, at the Porvenir Massacre. At first sight, it is of course the fact that the men were first taken from the village and brought to a nearby hill for their execution. Why bother if you believe that you have a mandate to do so? Well, if one accounts for the fact that the Rangers brought backup in the form of cavalrymen and left the bodies for dead without notifying the remaining population of the village, this decision can easily be appointed to a desire to minimise social unrest and possible violent retaliation against the Rangers.¹⁰¹

Adding to that however, is another interpretation of the desire to execute these men in secret. By isolating the victims-to-be from the rest of Porvenir, the amount of witnesses is minimised to those who committed the lynching. But in turn, this decision has significance for the usage of secrecy. In the basis of their actions, B Company was perfectly aware of the illegality of their actions. Yes, they very likely thought these people deserved to die, and yes, they were authorised by the state of Texas to use lethal force when the situation forced them to. But the people of Porvenir had done nothing to invoke the usage of that mandate, not by prior actions, nor by any resistance during the encounter with the Rangers. The affidavits included in the Canales Investigation all independently confirm that the residents of the village

⁹⁸ Smith, *The Old Army in the Big Bend of Texas*, 33-37.

⁹⁹ "Rangers Admit Killings", *Associated Press*, February 8, 1918, https://www.porvenirmassacre.org/uploads/1/1/7/9/117989226/canalesreport_150_volume2__dragged__1.pdf; contrary to how events unfolded, local military authorities not only claimed that there were no army men present at the incident in Porvenir, they even assisted those who fled from the village at Camp Everett. Instead, it were the Everett soldiers who pillaged the remains of the village in the days following the lynching.

¹⁰⁰ "Organization of the Texas Rangers in 1911", Texas Ranger Hall of Fame & Museum, accessed April 15, 2022, <https://www.texasranger.org/texas-ranger-museum/researching-rangers/laws-1911/>.

¹⁰¹ Although it cannot be ruled out that the remains of those killed were left unattended simply for the fact that the relocation of the bodies to their relatives would be a logistical puzzle that B Company would rather not have to solve, not to mention the psychological confrontation with the Porvenir residents that would follow.

did not resist B Company in any way whatsoever.¹⁰² So ultimately, however strong their conviction of justice must have been, the Texas Rangers were not acting in accordance with their mandate. The fact that once contradicting reports on the incident reached lawmakers and government officials of a higher standing, an immediate investigation was launched, does not only confirm the seeming sincerity of the eyewitness reports, but also that these officials saw the idea of Rangers applying excessive violence as not too farfetched.¹⁰³

Overall, it can be concluded that the way in which individual decision-making and conditions allowed for secrecy or openness in the case of Porvenir was highly circumstantial, as it almost always was with lynchings in this time period. A lynch mob would assess the conditions under which a killing would have to take place, and they would take precautions accordingly. Not only is this true for the execution of a lynching, but also for the forming of its motivations. The fifteen murders were performed by a group of professionals who had gained a mandate of violence from the government itself, a mandate that they misused against those who gave no reason to be on the receiving end of its performance.¹⁰⁴ Instead of the anonymity of partaking in a lynching in a large group, anonymity in this case was derived from the isolated location of the village, and the fact that the victims all belonged to a marginalised group.¹⁰⁵ Anger clearly made an impact on the decision-making process of the Rangers, exemplified by the excesses of violence that were performed besides the actual execution itself, such as the mutilation of the remains of Ambrocio Hernandez.

So far, all these factors would indicate that there was made no effort whatsoever to keep the lynching a secret from public knowledge. However, other examples prove that there was no intention from the side of B Company to let this incident get public. No report was filed to the Rangers high command, and when it was inquired whether something uncanny had taken place in the village, Captain Fox tried to sell a story of self-defence to his superiors. There was made no extra largescale effort to purvey a message to Mexican Americans in the surrounding area, so that takes away any extra motivation to go through with making the lynching public and suffering the consequences that would have then undoubtedly followed.¹⁰⁶ Instead of forming a group big enough to mitigate any risk of identification, the Rangers trusted on their mutual bonds, to keep the details of the incident a secret. B Company leaned on the isolated location and lack of spotlight for the remaining Porvenir residents to pertain their own secrecy, a hope which ultimately proved to be in vain.

¹⁰² Estefana Jaso Moralez, "Affidavit", interview by Patrick Kelly, First Lieutenant U.S. Cavalry, April 5, 1918, https://www.porvenirmassacre.org/uploads/1/1/7/9/117989226/canalesreport_150_volume2__dragged__1.pdf.

¹⁰³ This assumption can be derived from the fact that immediately after Ignacio Bonillas' warning, Texas Senate authorities immediately undertook action to investigate not only the Porvenir Massacre, but other rumours of unwarranted Ranger violence as well.

¹⁰⁴ Huerta, interview; Moralez, interview; Hernandez, interview.

¹⁰⁵ Violent behaviour from the Mexican side of this conflict was rarely a factor in the occurrence of unwarranted violence against Tejanos; Villanueva, *The Lynching of Mexicans*, 1-12; Carrigan and Webb, *Forgotten Dead*, 18-22.

¹⁰⁶ In fact, this self-sacrificing way of performing a lynching is not dominant, occurring predominantly in cases where the lynch mob consists of or is led by those who had a close connection to someone who was reportedly killed or attacked by the lynching victim.

A Jewish Director on Trial

On the night of April 26, a body was found in a factory basement in Atlanta, Georgia. The remains belonged to a girl by the name of Mary Phagan, a thirteen-year-old who had been laid off from work in that same factory a few days earlier.¹⁰⁷ Raped and strangled, two notes were found beside the heavily mutilated body, which in poor grammatical fashion tried to point the police in the direction of a “tall negro man”, interpreted to perhaps be night watchman Newt Lee. However, after the discovery of more blood on the second floor, factory director Leo Frank, who had his office on that floor, was brought to the crime scene. Frank’s levels of nervousity were deemed to be of a suspicious intensity, and from then on, the focus of the investigation shifted more and more in his direction. After observing holes in his alibi, and a bloodied shirt on the property of Lee, which the police thought to be planted false evidence, Frank was accused of being Phagan’s killer.¹⁰⁸

On August 26, precisely four months after the murder, Frank was sentenced to die by hanging on October 10.¹⁰⁹ Remarkably enough, much of the prosecution’s argument was based on the testimony of James Conley, an African-American janitor who worked in the factory. Conley’s statements changed dramatically over the course of several interviews, continuously trying to point to Frank as the murder in differing ways. Through a series of appeals, postponing his execution, Frank and his defence team tried to indicate that Conley had not assisted Frank in the relocation of the body after Phagan’s death, but in fact was the only killer. However, at that time, appeals in death penalty cases could only be made on the basis of errors in the court proceedings, not because of new evidence. After a comparison with existing writings from Conley’s hand, it was concluded that he wrote the notes found besides Phagan’s remains.¹¹⁰ However, the surplus of evidence pointing at Conley as the sole guilty party could not be used to negate Frank’s conviction.

During the period of two years between the murder and Frank’s last appeal, public opinion was heavily split. Those in favour of Frank’s execution were in majority, and a quite fanatical majority at that. Fuelled by a combination of already existing antisemitism and further instigations made by political figures who benefitted off of a correct and faultless sentencing, Frank’s potential innocence was not an option that was on the table from the moment that he was arrested. However, a number of influential people in the city of Atlanta, as well as a small selection of media outlets, supported Frank’s argument that Conley, not him, was the killer.¹¹¹

So it was, that after the final appeal was rejected and Frank merely hoped to commute his death penalty to a life imprisonment, the stars finally seemed to align somewhat in his favour. The application for commutation of the penalty was given to Georgia governor John Slaton, who was at the very end of his term. His past as an attorney had seen him working closely together with Frank’s primary attorney as well.¹¹² On June 21, 1915, a hearing took place in which Slaton based his argument around the highly transformative and inconsistent

¹⁰⁷ Phagan, *The Murder of Little Mary Phagan*, 15–19.

¹⁰⁸ *Ibid.*, 54.

¹⁰⁹ Dinnerstein, *The Leo Frank Case*, 57.

¹¹⁰ Phagan, *The Murder of Little Mary Phagan*, 137.

¹¹¹ Steve Oney, *And the Dead Shall Rise: The Murder of Mary Phagan and the Lynching of Leo Frank* (New York: Vintage Books, 2004), 367, 377–378, 388.

¹¹² Albert Lindemann, *The Jew Accused, Three Anti-Semitic Affairs (Dreyfus, Beilis, Frank), 1894-1915* (Cambridge: Cambridge University Press, 1991), 270.

testimony of Conley, stating that a man who very likely was at most minimally involved with a murder while the main suspect walks free was not deserving of the death penalty, and therefore would overturn that penalty to life in prison.¹¹³

Following the hearing, chaos broke out in Atlanta. Not only did the public undertake efforts to attack governor Slaton, local media, who were often edited by political rivals of Slaton, actively advocated for Frank to be lynched by the public.¹¹⁴ Members of a mob were selected. A remarkable combination of skilled tradesmen, who would collectively be able to abduct Frank from prison, and several local political heavyweights would perform the task. Among them were the former governor of Georgia Joseph Mackey Brown, later president of the Georgia Senate Eugene Herbert Clay, sitting mayor of Marietta E.P. Dobbs and a selection of attorney's, bankers and even local sheriffs.¹¹⁵

In order to protect Frank, he had quietly been taken to a prison in Milledgeville on the night of his penalty commutation. Situated in a particularly rural part of the state and 150 miles from the city of Marietta, the lynch mob required quite some prepping to get a hold of Frank. Arriving at the prison in the late evening of August 16, an electrician cut the telephone wires, the prison's cars were drained of gasoline, and the warden was handcuffed, after which Frank was put in one of the mob's cars. The parade drove through the night at a low speed, on obscure backroads, passing through villages in which lookouts were posted to signal ahead that the motorcade was approaching. At seven in the morning, they finally arrived in Marietta, where finally, Frank was hanged from a tree, looking in the direction of the Phagan family home. With efforts made by some members of the public to mutilate his remains, the ringleaders of the mob only barely succeeded in securing his remains. They did accede with a public viewing opportunity for the body, after a group of thousands stormed the undertakers office, demanding to be granted a glimpse of Frank's remains. Finally, Frank's body was transported to New York, and buried there.¹¹⁶ Having discussed two examples of lynching which propagate two relative extremes of the employment of secrecy and anonymity in lynching, it is time to combine the deciding factors observed in these incidents into a hybrid. The case study that this chapter analyses, being the lynching of Leo Frank in 1915, contains elements akin to both incidents from the previous chapters. Like the murder of Jesse Washington, Frank's life became severely endangered because of the woes of the general public, sparking extremely violent sentiments. However, like the Porvenir Massacre, the eventual mob that lynched Frank was not only small, but was very aware of their legal wrongdoing and therefore took active measures to avoid apprehension both during and after the murder.

Antisemites of Atlanta

Remarkably enough, little to no attention was directed towards the actual members of the lynch mob following the brutal murder of Leo Frank. Instead, much media attention was directed towards the way in which both media and the public responded to developments in the crime's investigation, trial and ultimate overturning of the death sentence. Responses by both parties were rife with antisemitic sentiment. How non-tactile such an argument is to make, there are

¹¹³ Dinnerstein, *The Leo Frank Case*, 136.

¹¹⁴ Comer Vann Woodward, *Tom Watson: Agrarian Rebel* (New York: Oxford University Press, 1963), 432, 439.

¹¹⁵ Kathy Sawyer, "A Lynching, a List and Reopened Wounds; Jewish Businessman's Murder Still Haunts Georgia Town", *Washington Post*, June 20, 2000, <https://web.archive.org/web/20171215053157/https://pqasb.pqarchiver.com/washingtonpost/doc/408651327.html>.

¹¹⁶ "Parties Unknown", *Boston Evening Transcript*, August 24, 1915, 2; "Grim Tragedy in Woods", 1.

very concrete signs that the Jewish population at least felt targeted by the general population. Around half of all Jews in Georgia left the state following Frank's lynching, often referring back to the Dreyfus affair, a notorious French trial from 1894 in which Jewish military officer Alfred Dreyfus was unjustly convicted for treason and ultimately exonerated.¹¹⁷ Some northern newspapers speculated that the strong sentiments against Frank were being fuelled by the strong lobby by the local Jewish population, caused partly because of Frank's active involvement in the Atlantan chapter of international Jewish fraternal organisation B'nai B'rith.¹¹⁸ Other efforts by mostly northern influential individuals and organisations in turn caused the southern population to antagonise 'outsiders' from the north as well within the context of Frank's guilt, furthering the social tension surrounding his conviction.

As per custom in early-twentieth-century lynching, items belonging to Frank were quickly being passed around as souvenirs, such as the familiar postcards with his remains printed on them, pieces of the shirt Frank wore at the time of his death and even branches from the tree from which he was hanged. While the newly elected governor Nat Harris promised to apprehend the members of the lynch mob, none were ever actively pursued. Even though the identities of those who partook in the lynching were generally known to the Marietta public, a concrete list of participants was not constructed until the year 2000, when a register, consisting of 28 names, was made public through the research of historian Mary Phagan Kean, who herself is a great-niece of Frank's alleged victim.¹¹⁹ The list of lynch mob participants was not the only aspect to this particular incident which saw consequences much later in the twentieth century. Frank's eventual pardon was only accepted at the second attempt to clear him from all charges, and was only given to him, not within the context of his very likely innocence, but because of the state of Georgia's failure to protect him during both the conviction and the actual carrying out of the incarceration. Even at the centennial of the Mary Phagan's death in 2013, a number of websites were published online that tried to put the focus of the evidence back towards Frank, proving once more that the racial and ethnic tension, even after a century of fierce civil rights debate, have never ceased to be present in American society.¹²⁰

Editorial Slander Campaigns

A first aspect to the lynching of Leo Frank and the response to the killing that deserves attention, is the role that antisemitism played in both the accusation of Frank as the killer of Mary Phagan and the response in the Atlantan surroundings following his own death. Looking at it in comparison to the other two case studies in this thesis, a clear difference seems to be observable. Whereas both Jesse Washington and the Porvenir Massacre victims belonged to clearly demarcated ethnic groups which occupied distinct places in American society as either historically subservient to white Americans or as a foreign group which expressly journeyed across the border in the hopes of better (financial) prospects, the same cannot immediately be said of Jewish immigrants. Certainly, they were considered to be foreigners, yet they did not mainly occupy any type of border region, neither did they shun themselves from parts of society in which they would not be typically welcome.¹²¹ This is certainly true for Jewish communities

¹¹⁷ Dinnerstein, *The Leo Frank Case*, 72-73.

¹¹⁸ Oney, *And the Dead Shall Rise*, 11.

¹¹⁹ Phagan, *The Murder of Little Mary Phagan*, 1-6.

¹²⁰ Bradford Huie, "100 Reasons Leo Frank is Guilty", *The American Mercury*, accessed July 24, 2022, <https://theamericanmercury.org/2013/04/100-reasons-proving-leo-frank-is-guilty/>.

¹²¹ Dinnerstein, *Antisemitism in America*, 61.

in urban environments, one of which Frank was an active participant in. In fact, these communities were often very aware of their image within their cities, as was the case in Atlanta, where several progressive synagogues implicated changes that were meant to assimilate their members into American society. Those who were less complacent in changing their behaviour in order to fit in were even frowned upon, as the Russian Jews were frowned upon by the already largely assimilated German Jews in the city. Still, prominent members of the Jewish fate feared that a hatred of Judaism as a whole would remain an unsolvable problem, as was the case in a child labour conference in 1913, where some put the blame on the fact that many factories were owned by Jewish people.¹²²

Now to put these sentiments into the Phagan murder. While at first media sensationalism had not addressed the possible nature of the murderer and had simply focused on vilifying whomever would be charged with the crime, they later on switched to a slander campaign of Frank. Nowhere was there a specific condemnation of Frank because of his faith alone, but indirectly, the Atlantan Jewish community did not popularise themselves among the rest of the citizens. Seeing as they had quite an observable presence in the city, people who were close with Frank or had business ties with him amassed to show their support of his innocence. While the Jewish community hoped to counter the slander campaign, this antagonised them even further from those accusing Frank, as they did not necessarily address whether they thought that Frank was actually innocent.¹²³

While this murder case had started as a relatively simple whodunnit in what was essentially a fast growing and increasingly diversified urban environment, it morphed into a social struggle. White American Atlantans saw a man whom they had been told was obviously guilty of a heinous crime, and the Jewish community saw the umpteenth example of 'one of their own' being bullied and tormented, simply because some circumstantial evidence pointed in the direction of a Jew. The incident transformed from a murder into a political debate, and not a very pretty one at that.

A Highly Coordinated Murder

The complicated nature of the tension surrounding the Frank case echoes through in the performance of the lynching. The two manners of lynching which this thesis has analysed up until now, relied either on the opportunity of a large crowd to gain control of the target individual, or on a lack of witnesses with agency, permitting for an undisturbed lynching environment. The lynch mob that killed Frank had neither of them. Seeing as the hatred and discussion had been commonplace for much of two years, the local law enforcement seemed to be more aware of the fact that Frank's safety might be in question if handled inadequately. The advantages that a particularly large lynch mob had were therefore largely negated. The alternative would be to find someone with close access to Frank to deliver him to the mob, but that would significantly increase the risk of discovery and apprehension, seeing as the lynch mob could not expect to receive particular kindness from the very man who commuted Frank's death penalty to a life sentence. So, a middle way would have had to be found, in order to get a hold of Frank without the mob getting apprehended themselves. This reason can be logically traced from the composition of the mob, consisting of handymen that would address the practical execution of the abduction, and a number of dignitaries that both served as muscle

¹²² Oney, *And the Dead Shall Rise*, 7.

¹²³ Ibid., 366.

and as a political legitimisation of the lynching. Whether that last factor was intentional or not is debatable, one could also make the argument that those people were simply close to the fire and therefore more involved.¹²⁴ Whatever was the case, the effect remains the same.

And yet, despite the highly calculative composition and organisational precision of the lynch mob, the slaying of Leo Frank cannot be classified as a typically secretive lynching. The idea that Frank should be lynched was actively promoted in local media, and the lynch mob were not alone in their plans of abducting Frank.¹²⁵ Alongside the route to the appointed lynching site in Marietta, lookouts were posted alongside the planned route. Whether these people should actually be counted towards the lynch mob is up for debate, as they did assist in the success of Frank's abduction, yet cannot be held directly accountable for the actual murder. But outside of that group even, largescale active support during the abduction and killing was present. At least part of the population of Marietta had to be up-to-date on what was about to happen, as in advance of the actual abduction, a site just outside the town had already been prepared for the arrival of the lynch mob.¹²⁶

A final argument that suggests that the Marietta residents were aware of what was going to happen that early morning, can be found in the fact that a crowd formed very quickly around the murder site. Not drawn in by the bustle of police or other forms of law enforcement who were approaching the crime scene, rumours of the spectacle had reached the residents with remarkable speed. Whereas leading members of the lynching mob made some efforts to continue on with the procedure and dispose of Franks remains in an orderly way, certain participants in the crowd started to rile up the crowds, urging that the body be cut in into pieces, amongst other gruesome suggestions.¹²⁷ At this moment, one could say, it is settled that the lynching has been a success in terms of secrecy. The murder was carried out successfully, the mob was not followed, and now the large crowd that had come to see Frank's body hang from a tree allowed for the mob members to dissolve into the background. Pictures were even taken of several of the mob members with Frank's remains, but they were merely observed to be members of an intrigued crowd and therefore not prosecuted.¹²⁸

The lynching of Leo Frank stands out in the way in which its perpetrators approach secrecy. Instead of a consequence of mass participation, as with Jesse Washington, or as an absence from possible attention, as was the case in the isolated Porvenir, secrecy was a factor that was actively and carefully deliberated. Even if the members of the lynch mob would be exempted from criminal punishment, enough of them would have been expecting serious repercussions in their working lives, due to the public nature of their occupation as judge, lawyer, sheriff or politician. That fear necessitated a carefully structured plan. Besides collecting enough men capable of secretly performing a prison heist, they actively utilised public opinion to their advantage.

There is one last connection that still has to be made in this case study, and that is the way in which the politisation of the Frank discussion in public connects to the element of secrecy. Did the fact that Frank became a symbol of a larger discussion impact the way in which his lynching was carried out? The possible answer will remain clouded in subjective

¹²⁴ During the entire Frank saga, numerous occasions saw the erection of militia forces, whether they were raised to either ensure Frank's safety or to jeopardise it. It is not outside the realm of possibilities that the formation of the eventual lynch mob followed a similar birth process; Dinnerstein, *The Leo Frank Case*, 136.

¹²⁵ Woodward, *Tom Watson*, 432.

¹²⁶ "Parties Unknown", 2.

¹²⁷ "Grim Tragedy in Woods", 3.

¹²⁸ *Ibid.*, 1.

observations and assumptions, but for all intents and purposes, the most likely connection lies in the confirmed fact that the Frank discussion was not an aggressor versus victim conflict. Frank was not simply vilified by a vast majority of Atlanta and protected without question by a miniscule minority. No, there were large amounts of people who questioned Frank's guilt. A significant number of newspapers reported that Frank was unjustly kept incarcerated while the likely killer, Jim Conley, walked free.¹²⁹ Certainly among a significant portion of Atlanta's wealthy and most intellectuals, Frank was the victim of this case. That tense debate did not allow for a sloppy lynch mob. The chances of repercussions were simply too great. Therefore, the lynchers thought it essential to perform the lynching with the highest standards in the means of applied secrecy, both in execution and in the safeguarding of the lynch mob's identity.

A second sign that points towards this high degree of calculated precision is the manner in which Frank was ultimately lynched. Large numbers of people only appeared at the lynch sight once Frank had been killed. Up to that point, the number of people involved in his abduction was kept to a minimal when possible. Instead of a grand and public killing, to set a what for the anti-Frank camp must have been a highly necessary and cathartic display of public condemnation, the decision was made to only allow mass congregation around Frank after his actual death. This too, points in the possibility that the lynch mob was not only afraid of identification within the law, but were also weary of public shunning if their names would be tied to the crime, even if only to the extent of localised gossip.¹³⁰

Conclusion

While Southern lynching's heydays seem to lie firmly in the past, the phenomenon continues to keep on popping up once in a while. For that reason, and mostly for symbolic acceptance of the commonplace lynching has in the American historical canon, the United States Congress voted to enact the Emmett Till Antilynching Act, that from now on incriminates the usage of extrajudicial violence with the leading motivation being the victim's race or ethnicity. Instead of being tried for (attempted) murder, kidnapping, sexual abuse or aggravated assault, a perpetrator can from the year 2022 onwards be judged for what he or she has actually done: the performance of a lynching.¹³¹ The late moment of this enactment, spurred on by the conviction of Ahmaud Arbery's killers, stands as a testament of the troubled relation between Americans and their racially charged past and present.

The three case studies included in this thesis, although having happened over a century ago, represent the hybridity of lynching, and why it has proven to be so hard to unite different aspects of the crime into a single judicial definition. By analysing the presence and usage of secrecy within these instances of lynching, it is possible to produce an initial assessment of which factors generally attribute to its employment. Following the results of this research, it can be broadly assumed that the degree of secrecy in the performance of a lynching can be determined by two factors: the severity of the crime performed by the lynching victim and his or her perceived certainty of guilt, and the degree of doubt existing within the lynch mob because of a fear of prosecution for their actions.

¹²⁹ Oney, *And the Dead Shall Rise*, 178-188.

¹³⁰ Dinnerstein, *The Leo Frank Case*, 139-142.

¹³¹ "H.R.55 - Emmett Till Antilynching Act", Congress.gov, accessed September 7, 2022, <https://www.congress.gov/bill/117th-congress/house-bill/55/text>.

While the urban environment in which Frank was attributed guilt for the murder of Mary Phagan allowed for a rapid mobilisation of hatred and social outrage, as was the case in the Washington murder, the time span over which this hatred, anger and prejudice was allowed to simmer and swell took multiple years, much like the growing anger within the ranks of the Texas Rangers because of the intensification of border raids. Other concrete examples are the similarity in popular fetishising of the Washington and Frank lynchings, with the distribution of a wide array of souvenirs, and the power mandate of the lynch mobs in both the Frank and Porvenir case.

It is possible to assign the different parameters we have already encountered in this thesis a gravity, when it comes to their importance in the utilisation of lynching. So to start, it is worth it to make a common chronological timescale that is applicable to all three case studies, on which all those factors can be placed.

The first variable circumstance is not necessarily chronological, but because it is a condition that forms in the years before a lynching takes place, it must be taken in account first. The social landscape in which a lynching can take place is of vital importance to the circumstances in which a lynching is performed. Firstly, there has to be a systemic hatred or aversion towards an individual or a group in order to warrant a lynching. Speaking of the American South, systemic racism forms the basis for these sentiments. In the cases of Washington, Frank and Porvenir, it is the broad distrust against African Americans, Jewish people and Mexicans respectively that warrant an almost immediate and absolute condemnation by the public.

Whereas the Washington case seems to suggest that in order to stage a public lynching, it is necessary that the number of active participants is so high that law enforcement cannot hope to control it, the Frank lynching seems to contradict this fact, at first glance. Actually, it appears that there are two phases to a possible arrest within the context of a lynching. The first time frame is in the act, while the lynching is being performed, the second time frame is following the lynching. Because of the public's general cooperation in hiding the lynchers' identities, and the secret nature of the actual performance itself, there was never any need for a lynch mob of massive proportions.

The second milestone in the chronological progression of a lynching is the perceived crime that is committed by the lynching victim-to-be. In the Washington and Frank cases, this process was remarkably similar. Very quickly, the accused was apprehended and large amounts of sometimes circumstantial evidence was dumped on the public, whether through official press releases or through local media coverage. With the amount of incriminating material increasing in a short amount of time, local outrage at the defendant surged upward in a dramatic fashion. Whether the defendant is actually guilty was of secondary importance. In this respect, there seems to be a clear difference between the Porvenir Massacre and the Frank and Washington incidents.

However, it in fact offers an explanation for why these lynchings took place as they did. While the population of Porvenir could not be tied to the Brite Ranch raid in any way, they served as a near-perfect scapegoat for the thoroughly frustrated Rangers of B Company. And therein lies the crux. Jesse Washington was conceived to be guilty of his crime, but the anger that arose after his arrest did not form in a vacuum. It was the direct consequence of systemic racial hate in the Waco community, which finally found an emotional outlet in the form of a supposedly murderous African American. Leo Frank was perceived to be just as guilty of his crime, but tensions between the Jewish community in Atlanta and those living around them

had been rising for years, a struggle for acknowledgement in which even Frank himself was involved. This proves that the culprit's perceived guilt is actually of a secondary importance, behind his or her function as a scapegoat for largescale social tendencies.

The next variable for a place on the chronological timescale is the span of time between the arrest and the conviction. While the Washington case might suggest that a short amount of time between the arrest, accusation and conviction of a possible criminal is contributory to the likelihood and intensity of a lynching, the Frank and Porvenir incidents tell a different story. In those cases, the lynching was triggered by two main factors, long simmering hatred towards a marginalised group, and simple opportunity to do so without the fear of immediate and dire consequences for the lynch mob. The disparity between these two different intensities of timeframes, indicates that time itself, or lack thereof, was not the deciding factor in order for widespread hatred and anger to mutate a crowd into a lynch mob. In Waco, Texas, the lynching of Washington was preceded by decades of racial tensions. In Porvenir, months of border raids brought an already severely frustrated Texas Ranger company to the edge. And in Atlanta, sectionalisation of the city's society was able to mutate into right-out antisemitism.

The final two steps in the 'standard' chronological timescale both focus on the core of this thesis, being the manner of execution of the lynching and the following (lack of) persecution of members of the lynch mob. At this point, the lynching of Leo Frank serves as a clearly distinguishable incident from the two previous examples. In order for the lynching of Frank to have transpired as it did, the members of the lynch mob must have contemplated two questions and found their answers to be favourable. Firstly, would they be able to abduct and murder Frank without being caught in the act by law enforcement, and secondly, could they trust the residents of Marietta to not give away their names after the deed was done? As it turned out, both potential problems could be countered.

So, concludingly, what consequences do these case studies have for the way in which secrecy in the context of lynching can be described? Ultimately, it all comes down to the definition of secrecy. As can be observed in both the Frank case and in the other two case studies, secrecy for a lynch mob means two things: the opportunity and privacy to perform a lynching without interruption, and the security of anonymity following the murder. The residents of Waco found both privacy and security in their numbers because 'everyone' participated and therefore had a stake in remaining anonymous and the Texas Rangers of B Company found confidence in the marginality of their intended targets and the closeness of their fellow mob members. In that respect, the mob that killed Frank was much more calculative.

Of course, a lot of similar aspects to these lynchings could be found along the way. Frank was driven through the Georgia woodlands to minimise the chance of detection, just like the victims of the Porvenir Massacre were brought beyond the hill to be shot. And mass sympathy turned out to be of tremendous help to the lynch mob that abducted Frank, just like it had for the lynchers of Jesse Washington. But these are all parameters that decide whether a lynching in secret is successful as being such, and tells us little about the lynchers intentions. No matter how hard it is to read into the hearts and minds of those participating in the communal murder of an innocent man, the precautions taken by the lynchers of Washington, Frank, and the fifteen men and boys killed at Porvenir, give us an inkling of clarity on how they hoped to get away with it, which unfortunately, they did ever so often.

Ultimately, these three case studies prove two things. Firstly, that the question of guilt on the part of the lynching victim is completely irrelevant as to whether the lynch mob seeks

to employ an element of secrecy in their acts. And secondly, that active contemplations as to the circumstances and preparations of a lynching are paramount in the lynch mob's assessment of their own anonymity. In this decade of spectacle lynching, where the performance of such an act was a regular and unordinary sight in the American South, the concern for secrecy lay not in the validity of the punishment, but in the execution of that punishment. To put it simply, a lyncher did not care whether his victim was truly guilty in order to determine the openness of his acts, but instead was focused merely on his own safety from judicial prosecution. Even when one has to be careful not to align past events with the present, the recent re-emergence of public violence against minorities based purely on the suspicion of criminal behaviour in the United States beckons the question as to what extent these incidents are born out of poorly educated accidents, and to what degree they might be extensions of group psychology.

Looking back at the process of researching this thesis, some immediate thoughts as to how this research could have been further intensified spring to mind. The first of those, would of course be to visit the environments in which these lynchings took place, in order to both get a grip on the precise surroundings in which these incidents took place, and to make use of local knowledge through the usage of archival material and witness testimonies of descendants of both victims and perpetrators. Through their eyes, it would have been possible to construct a more carefully constructed visage of how the internal machinations of lynch mob participants influenced their decision-making during the performance of the lynching. In fact, in this shortcoming lies a truth that is essential to understanding the limitations of this research. No matter the influence of factors such as mass participation, lack of law enforcement infrastructure, and systemic racial tension, the ultimate decision as to how a lynching will take place lies in the immediate circumstances and the way in which they are interpreted and acted upon by the active participants themselves. Had this thesis focused on the 'simple' reason as to why a lynching takes place, some of these considerations could have been considered to be negated, but when discussing something fluid and subjective as applied secrecy, one cannot neglect this fact.

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