

ABSTRACT

“The Good Angel of Practical Fraternity:”
The Ku Klux Klan in McLennan County, 1915-1924.

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This thesis examines the culture of McLennan County surrounding the rise of the Ku Klux Klan in the 1920s and its influence in central Texas. The pervasive violent nature of the area, specifically cases of lynching, allowed the Klan to return. Championing the ideals of the Reconstruction era Klan and the “Lost Cause” mentality of the Confederacy, the 1920s Klan incorporated a Protestant religious fundamentalism into their principles, along with nationalism and white supremacy. After gaining influence in McLennan County, Klansmen began participating in politics to further advance their interests. The disastrous 1922 Waco Agreement, concerning the election of a Texas Senator, and Felix D. Robertson’s gubernatorial campaign in 1924 represent the Klan’s first and last attempts to manipulate politics. These failed endeavors marked the Klan’s decline in McLennan County and Texas at large.

“The Good Angel of Practical Fraternity:”
The Ku Klux Klan in McLennan County, 1915-1924

by

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A Thesis

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TABLE OF CONTENTS

CHAPTER ONE - Introduction	1
“The Athens of Texas”	3
Lynching in McLennan County before 1920	6
Sank Majors (1905)	11
Jesse Washington (1916)	19
CHAPTER TWO - Ritual: Rise of the Ku Klux Klan in McLennan County	33
The Ku Klux Klan in Texas	36
The Ku Klux Klan Comes to McLennan County	43
Religion, Nationalism, and White Supremacy	48
CHAPTER THREE - Violence: The Lorena Riot	61
Sheriff on Trial	75
CHAPTER FOUR - The Klan Enters Politics	81
The Waco Agreement	83
The Revised Agreement	92
Aftermath	97
CHAPTER FIVE - Felix Robertson and the Election of 1924	101
General Felix Huston Robertson	101
Judge Felix D. Robertson	107

Felix D. Robertson's Campaign	118
Robertson's Critics	125
Robertson's Defeat and the Demise of the Klan	128
CHAPTER SIX - Conclusions	130
Backlash Against the Klan	131
BIBLIOGRAPHY	140

ILLUSTRATIONS

<i>Figure</i>	<i>Page</i>
1. The Grave of Lucy Fryer at Lorena Cemetery, Lorena, Texas.	24
2. The McLennan County Courthouse, 1916.	27
3. Mayor John Dollins and Waco Chief of Police Guy McNamara.	30
4. The Charred Corpse of Jesse Washington after Lynching.	30
5. Colonel William Joseph Simmons.	34
6. Dr. Hiram Wesley Evans.	38
7. Drawing of Ku Klux Klan Stations in a Typical Ceremony.	40
8. Lee Jenkins, Waco Chief of Police.	45
9. Field at 13 th Street at Bosque Boulevard, Waco, Texas, 2009.	58
10. McLennan County Sheriff Bob Buchanan.	62
11. Louis Crow, with Foot on Step of Auto.	75
12. Klan Parade in Waco Consisting of 2,000 Members, January 1923.	80
13. Robert Lee Henry.	81
14. The Raleigh Hotel, Waco, Texas.	84
15. Successful Klan Candidates in McLennan County, 1922.	100
16. Jerome B. Robertson.	102
17. Felix Huston Robertson.	103
18. Felix D. Robertson.	109
19. Judge Felix D. Robertson's Infamous Article for Motorists.	113
20. Klan Parade on Austin Avenue, Waco, Texas, 4 July 1924.	125

TABLES

<i>Table</i>	<i>Page</i>
1. Ku Klux Klan Titles and Descriptions.	39

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For my family, friends,
and supporters of local history

CHAPTER ONE

Introduction

Located roughly seventy miles south of Dallas, Texas, in McLennan County, Waco represents the largest city between Dallas and Austin.¹ Built near the confluence of the Bosque and Brazos rivers, Waco's origins trace back to the founding of McLennan County and Waco Village in the early 1850s. Growing to around 750 people in 1859, Waco became an incorporated city due to the explosion of cotton along the Brazos River.

Frontier justice took hold of McLennan County after the Civil War, leading to several infamous lynchings and shootouts, giving Waco the name "Six Shooter Junction."² One of the most notable incidents was the fate of William Cowper Brann, a talented writer with a penchant for attacking Baylor University. After penning several unfavorable articles regarding morality at the university in his publication, *The Iconoclast*, Brann was shot at point blank range on 1 April 1898, dying the same day as a result of his wounds. Brann's monument at Oakwood cemetery later became the target of pistols, as animosity towards the writer took many years to fade. Around the same time period, the Lindsey brothers were lynched for horse theft on one of the Waco's many "hanging trees" along the old Meridian road, near present day Lindsey Hollow Road.

¹Handbook of Texas Online, "Handbook of Texas Online – WACO, TX," Available from <http://www.tshaonline.org/handbook/online/articles/WW/hdw1.html>, Internet, accessed 21 April 2009.

²William Robert Poage, *McLennan County, Before 1980* (Waco: Texian Press, 1981), 189-193.

Waco's reputation for violence became so pronounced that train conductors arriving in Waco would often yell, "Waco, Texas, get your guns!"³

Beginning in the late nineteenth century, Waco's reputation for violence also came in the form of lynching, specifically racially charged actions against black citizens in McLennan County.⁴ The population of blacks in McLennan County declined rapidly after the Civil War.⁵ United States Census reports in 1860 indicated that blacks represented 37.1 percent of the county. The numbers dropped almost ten percent in 1880 to 28.3, reaching twenty-four percent by 1900. This drop was further exacerbated by the racial violence and the rise of the Ku Klux Klan of the 1920s in McLennan County, with the 1930 census indicating that black citizens represented only 18.9 percent of the county's population.

This study focuses on several topics pertaining to the Ku Klux Klan's influence in Waco and McLennan County during the 1920s. Each chapter deals with a specific aspect caused by the Klan's actions in Waco. Chapter one concerns the phenomenon of lynching, which greatly contributed to the culture which gave rise to the Ku Klux Klan of the 1920s. Chapter two pertains to social, political, and religious factors that allowed the Klan to gain strength in McLennan County. Chapter three addresses the Lorena Riot of 1921, a crucial event to understanding how involved the Klan became with law enforcement and the judicial system in the county, paving a path for the Klan to move into politics. Chapters four and five examine the political campaigns of Robert L. Henry

³Patricia Ward Wallace, *Waco: Texas Crossroads* (Woodland Hills: Windsor Publications, 1983), 46.

⁴*Ibid.*, 59.

⁵Patricia Ward Wallace, *Our Land, Our Lives: A Pictorial History of McLennan County, Texas* (Norfolk: The Donning Company, 1986), 155.

and Felix D. Robertson, two key politicians from McLennan County that represent contrasting aspects of the Klan's growing power in Texas.

"The Athens of Texas"

Reflecting one facet of Waco's complex personality, "The Athens of Texas" refers to Waco's established reputation as the educational apex of Texas during the late nineteenth century.⁶ The city of 25,000 boasted four significant institutions of higher learning in 1894, Baylor University, Paul Quinn College, the Catholic Academy of the Sacred Heart, and Waco Female College. With numerous other business colleges and private schools, Waco also boasted a large natatorio-sanatorium that was built shortly after hot artesian water was discovered under the city in March 1889.

Planned out in squares on the two banks of the Brazos River, East Waco was planned as residential development, while West Waco hosted the town proper.⁷ Streets that paralleled the river were numbered starting with First Street and the intersecting streets were named: Austin, Franklin, Mary, Jefferson, Columbus, and Washington. Austin Avenue was the primary thoroughfare, leading to City Hall and the square. The square was the center of commerce on weekends as farmers traveled to Waco to shop and trade in the stores that opened nearby.

Predominantly Baptist in denomination and politics, Waco housed roughly as many churches as it had saloons.⁸ Also having houses of worship for Methodists, Catholics, and Episcopalians, Waco sought to suppress the stigma of legalized prostitution

⁶Charles Carver, *Brann and the Iconoclast* (Austin: University of Texas Press, 1957), 31-33.

⁷*Ibid.*, 34.

⁸*Ibid.*, 37.

on Second Street. Advertisement for its many churches and circulation of four monthly religious pamphlets were some of the measures the city took to restrain its other personality known as “Six-Shooter Junction.” Given the title after frequent arbitration settled according to the dueling code of the Old South, Waco’s infamy for gun battles continued into the early years of the twentieth century, often including notable figures associated institutions of higher education.⁹

Violence in McLennan County also affected the black population as rural black families migrated from the nearby farming communities of Downsville, Asa, Mart, and Gurley to Waco.¹⁰ In the city they had access to better public education, higher education, and better jobs. While the majority of the black population remained relatively poor, a middle-class of educated black professionals began to emerge in the early years of the twentieth century. Historian Patricia Ward Wallace contends that “black prosperity fueled white racism and created a climate where educated professional whites not only joined the Ku Klux Klan but also participated in lynch mobs.”¹¹

Waco’s penchant for violence was not out of character for Texas, as historian W. Eugene Hollon asserted that homicide was common to the vigilante movement of the nineteenth century and Texas led the country for its frequency of violence.¹² Noting the prevalence of violence in Texas, Hollon contended, “the image of frontier Texas as the most violent of lands is still difficult to erase. To deny that lawlessness existed in

⁹*Ibid.*, 33.

¹⁰Wallace, *Our Land, Our Lives*, 155.

¹¹*Ibid.*

¹²W. Eugene Hollon, *Frontier Violence: Another Look* (New York: Oxford University Press, 1974), 52-53.

wholesale quantities throughout much of the state's history would be as foolish as to pretend that snow is not characteristic of Alaskan winters."¹³

Evolving from the context of corporal punishment, lynch law is described by historian Richard Maxwell Brown as "the practice or custom by which persons are punished for real or alleged crimes without the due process of law."¹⁴ However, the punishment intensified during the mid-nineteenth century as the term altered from reference to punishment in the form of lashings to one that became argumentatively tantamount with extralegal hangings. Historiographically, Texas is credited with two of the worst instances of lynch law violence in the United States: the 1916 lynching of Jesse Washington in Waco, and earlier, the "Great Hanging at Gainesville" in 1862. The lynchings at Gainesville in northern central Texas claimed forty lives out of the one hundred and fifty-one Union sympathizers indicted by an extralegal jury of Confederate supporters that convicted and sentenced their neighbors within the context of pervasive fear of slave revolt. Richard Maxwell Brown, in his book *Strain of Violence: Historical Studies of American Violence and Vigilantism*, described Central Texas as a region unmatched in the United States in its long-term vigilante violence.¹⁵

¹³*Ibid.*, 55.

¹⁴Ken Hammond, "Lynchings in Texas: The Awful Violence of Frontier 'Justice'," *The Houston Chronicle*, 1 December 1985.

¹⁵Patricia Bernstein, *The First Waco Horror: The Lynching of Jesse Washington and the Rise of the NAACP* (College Station, TX: Texas A&M University Press, 2005), 12.

Lynching in McLennan County Before 1920

The burning and lynching of seventeen year-old Jesse Washington, a farmhand working for the Fryer family in nearby Robinson, became fixed in the minds of the citizens of McLennan County years after the crowd of an estimated fifteen thousand left the scene of his charred body and returned to their daily lives on 15 May 1916¹⁶ During the two decades surrounding the lynching of Jesse Washington, Central Texas witnessed an active extralegal subculture that witnessed and participated in roughly eight known lynching actions: four fairly unconfirmed episodes and five documented cases, including Washington's.¹⁷ Of the eight acts of vigilante violence, seven of the victims were African-American, and only one was classified as Caucasian. Furthermore, accusations of rape constitute a common denominator among the crimes attributed to the victims of extralegal violence in four out of the five well-documented cases.

Historian William D. Carrigan recently compiled charts of evidence indicating that lynch law erupted in McLennan County during the latter third of the nineteenth century, with a total of fifty documented and unconfirmed cases of mob violence between 1865 and 1900.¹⁸ Between 1880 and 1910, Texas saw a seventy-one percent increase in its black population though the percentage of blacks in McLennan County was steadily dropping.¹⁹ Historian Edward L. Ayers contributes the greater frequency of lynchings as a result of the population increase in sparsely populated areas where black strangers lived

¹⁶William D. Carrigan, *The Making of a Lynching Culture: Violence and Vigilantism in Central Texas, 1836-1916* (Urbana: University of Illinois Press, 2004), 1-3.

¹⁷*Ibid.*, Appendix A-B.

¹⁸*Ibid.*

¹⁹Edward L. Ayers, *The Promise of the New South: Life After Reconstruction* (New York: Oxford University Press, 1992), 156; Wallace, *Our Land, Our Lives*, 155.

and worked. This era saw a significant increase in racial violence as the effects of emancipation weighed on the minds of whites in Central Texas. Local leaders increased criticism regarding lynch parties that executed whites, but they granted approval to groups that hanged African Americans in the context of the growing scourge of rape emanating from the black community.²⁰

Rape in the specific instance of African American men violating a white woman caused great fear in the minds of the white community, yielding an increase in participation in vigilante groups seeking to defend their homes and women from the horrendous actions of black rapists. As extralegal groups continued their mission to protect their wives and daughters, their violent actions began to receive the disapproval of respectable white leaders in McLennan County with news of events such as the bombing of the Phillips family house in neighboring Falls County, which claimed the lives of seven black citizens, including a mother and young child.²¹

This increase in mob violence in central Texas halted between 1897 and 1905. Carrigan contends that the lack of evidence of violent mob action during this timeframe contrasts greatly with the continued organized advancement of vigilante groups in other regions of Texas and the United States. This can be explained and substantiated by a whitecapping incident in McLennan County that set a new precedent regarding the activism that local law enforcement and the county attorneys took toward these frequent, violent incidents.²² Mob violence surrounding labor disputes were common at this time,

²⁰Carrigan, *The Making of a Lynching Culture*, 160-164.

²¹*Ibid.*, 165-166, Appendix A.

²²“A White-Cap Horror,” *Dallas Morning News*, 21 August 1896; Carrigan, *The Making of a Lynching Culture*, 164-166.

as much of society viewed African Americans as ‘troublemakers,’ but the instance of white capping in 1896 proved substantially different.

Whitecapping represents another phenomenon with a purpose different from lynching, but it shares a similar mob mentality that often proved as lethal. Historian William F. Holmes describes whitecapping roughly as all types of criminal acts perpetrated by whites against blacks.²³ He contends that this type of criminal act was utilized for the purpose of attempting to forcibly remove blacks from property or homes they owned or rented. In context with Holmes’ definition and the account of whitecapping in McLennan County described below, this definition holds true with the addition that whitecappers were also influenced by potential economic competition from the black farmers they were attempting to remove.

Exploring the origin of the term “whitecapping,” Holmes contends that while it is somewhat ambiguous, he observes a connection with the Ku Klux Klan of the Reconstruction era.²⁴ While dismissing rumors that whitecappers typically wore costumes similar to the Klan, he states that the term possibly originated “when Klansmen sometimes wore robes and hoods to disguise themselves; the Whitecaps, in fact, modeled themselves partly on earlier terrorist groups such as the Ku Klux Klan, Knights of the White Camelia, and rifle clubs.”²⁵

As a group of black men were conversing in their front yard after a day of work in the cotton fields and enjoying their evening meal, a group of masked whitecappers

²³William F. Holmes, “Whitecapping: Agrarian Violence in Mississippi, 1902-1906,” *Journal of Southern History* 35, no. 2 (May 1969), 166.

²⁴*Ibid.*

²⁵*Ibid.*

approached the group, drew weapons, and proceeded to beat them. One of the members of the victimized group, Anderson Vaughn, did not fully comprehend the gravity of the situation at hand, and was described as confused and hesitant in following the attackers' directions. This resulted in Vaughn's death and the severe whipping of the other members of the group: the Robertson brothers, Evant Sandler, and Morris Davis. Described by local individuals as "all good colored citizens," the surrounding farming communities reacted with pledges to support local law enforcement in the apprehension of the white men responsible for this violent murder and flogging against a group of African Americans striving to maintain the respect of their white peers.²⁶

Responding to support from the citizens of the community, County Attorney J. W. Taylor pushed this issue to the forefront of current cases and demanded the whitecapping incident receive special attention at a grand jury hearing and a thorough investigation that would bring the perpetrators to trial.²⁷ As the case reached the grand jury of the Fifty-fourth District Court, Judge Samuel R. Scott publicly decried whitecapping and requested that the jury be "more than ordinarily diligent" in proceeding with this case and others of its kind.²⁸ Judge Scott later referenced the whitecapping case as the paramount blemish on the virtue of McLennan County. The grand jury's subsequent inquiry resulted in ten

²⁶"A White-Cap Horror," *Dallas Morning News*, 21 August 1896.

²⁷*Ibid.*; "Members of the Waco Bar, 1897," in *The Bench and Bar of Waco and McLennan County, 1849-1976*, ed. Betty Ann McCartney McSwain (Waco: Texian Press, 1976).

²⁸"Grand Jury Sworn In," *Dallas Morning News*, 8 September 1896; Carrigan, *The Making of a Lynching Culture*, 164.

indictments ranging from whites such as Bruce Kendrick, a wealthy farmer's son, to Henry Downing, a married and settled man.²⁹

This step toward judicial equality in the midst of an increasingly divided color line in McLennan County contributed to new insight into the consequences of mob violence, showing that justice was apparently moving toward a sense of color blindness in Central Texas. However, this impartial justice was not without ulterior motives, as common knowledge indicated that the indicted Kendrick was the son of the prominent farmer, James Kendrick who employed the victimized black gentlemen. This proved to be a key issue in the responses of the farming communities, as they viewed this event as means to use violence to further limit the supply of employable black men in central Texas and a direct strike on the legitimate commerce rights of James Kendrick.

The Texas penal code complicates efforts for law enforcement and the legal system by justifying actions of vigilantes. Changing minimally since its initial version in 1856, Richard Maxwell Brown argues that the code “retains too much of the frontier in its treatment of fire arms [and] still permits too much force on too many occasions.”³⁰ Brown goes further to contend that the Texas penal code favored the rights of individuals exercising deadly force, providing them with a significant amount of discretion in the section dealing with justifiable homicide.

Specifically, Article 1108 addressed the issue of an individual's duty to retreat before responding with deadly force, stating, “The party whose person or property is so unlawfully attacked is not bound to retreat in order to avoid the necessity of killing his

²⁹“The Hillside Whitecapping,” *Dallas Morning News*, 23 August 1896; “Hillside Whitecapping,” *Dallas Morning News*, 26 August 1896; Carrigan, *The Making of a Lynching Culture*, 164-166, Appendix A.

³⁰Richard Maxwell Brown, *No Duty to Retreat* (New York: (Oxford University Press, 1991), 26.

assailant.”³¹ Article 1091’s subsequent clause pertaining to those charged with the duty of the execution of a convict afforded ambiguity to the duty of a peace officer and possibly another avenue for justification of mob violence, stating, “By officers in the performance of a duty, and by other persons under certain circumstances.”³²

Summing up the complexities that the Texas penal code presented in the early twentieth century for the prevention of mob violence, Brown quotes Henry P. Lundsgaarde stating the need “for police, judges, juries, and any form of third party authority [is practically eliminated] as long as one can convincingly establish that the killing was a response to a threat against person or property.”³³ In conjunction with ambiguous laws concerning mob violence, such acts remained a primary method for lower class white citizens to exert power, and flaunt what little status they could attain.

Sank Majors (1905)

The reprieve in organized mob violence ceased in 1905 with the extralegal lynching of Sank Majors, an African-American man from Waco, ending the eight years of silence from the vigilantes in McLennan County.³⁴ In précis, the lynching of Majors began a new period in heightened racial violence, as the addition of extreme torture by lynch mobs became the norm, with crowd sizes swelling to numbers well into the thousands as the twentieth century began and continued into its first two decades. On the evening of 11 July 1905, Majors allegedly sexually assaulted Mrs. Clinnie Robert of

³¹*Penal Code of the State of Texas, Adopted at the Regular Session of the Thirty-Second Legislature, 1911*, (Austin: Austin Printing Company, 1911), 297.

³²*Penal Code of the State of Texas*, 292.

³³Richard Maxwell Brown, *No Duty to Retreat*, 28.

³⁴Carrigan, *The Making of a Lynching Culture*, 163-164.

Golinda.³⁵ Mrs. Robert, the eighteen-year-old wife of Captain Ben Robert, described the assault to local law enforcement officials in graphic detail.³⁶

While sitting at the rear of her home in Golinda, she reported that her husband had ventured into town, and Sank Majors, a roughly twenty-year-old son of a woman employed by the Mackey family, walked across her yard. Following this event, Mrs. Robert described being attacked from behind, thrown to the floor, knocked unconscious, and waking to find that she had been sexually assaulted. She advised that she never saw the attacker's face but noticed a scar on the hand of the aggressor. Within hours of the report of the rape, the *Dallas Morning News* reported that five hundred or more men from the surrounding communities went out searching for Majors with intentions of lynching him.³⁷ Further reports indicated that due to the hysteria and confusion that resulted in the enormous search mob, the vigilante group only hindered the apprehension of Majors, and led to erroneous accounts of a lynching. Soon after, Sheriff G.W. Tilley of McLennan County issued reports in major regional newspapers indicating a warrant for Majors' arrest.³⁸

Unrest spread throughout Waco and surrounding farming communities as Majors remained at large and women began to fear another attack. A local farmer near the community of Golinda told a local reporter, "With temperatures ranging high up in the 90s at night, our wives and daughters do not dare to sleep with doors and windows open

³⁵"Wrong Negro Caught," *Dallas Morning News*, 16 July 1905; "Sank Majors Indicted," *Dallas Morning News*, 29 July 1905.

³⁶"Sank Majors on Trial for His Life in the 19th Judicial District Court," *Waco Times Herald*, 2 August 1905; Bernstein, *The First Waco Horror*, 21-23.

³⁷"Wrong Negro Caught," *Dallas Morning News*, 16 July 1905.

³⁸"Warrant For Sank Majors," *Dallas Morning News*, 16 July 1905; "Reward For Capture," *Dallas Morning News*, 17 July 1905.

for fear of the entrance of one of those prowlers whose deeds carry terror to all our homes.”³⁹

Recognizing a need to expedite the arrest of Majors, Sheriff Tilley crafted a petition that would give a monetary reward for the lawful capture of the accused rapist. This petition was received well and endorsed by a citizen committee of McLennan County at a mass meeting. Seizing the opportunity to allow justice to progress as swiftly as feasible, the sheriff presented the petition to Governor Samuel L. M. Lanham on 16 July as his train momentarily stopped in Waco while en route to Austin from Weatherford. The Governor apprehensively approved a reward of two hundred dollars due to comments made by a citizen reflecting the inflammatory sentiments of vigilantes in the county and an article featured in the *Dallas Morning News* regarding the search for Majors. Assured by the committee and the sheriff that extralegal justice would be avoided and lawful authority would prevail with a fair trial for Majors, the Governor departed to Austin.

After days of numerous newspaper articles describing the manhunt, Sheriff W. T. Jackmon of Hays County and Sheriff J. J. Sanders of Caldwell County captured Majors near Lockhart, Texas, and placed him in the Travis County Jail in Austin on 21 July.⁴⁰ Upon questioning, Majors sternly declared his innocence to Sheriff Tilley, who traveled to Austin to visit the accused as fear of mob upheaval was prevalent in McLennan County with news of his capture.⁴¹ Majors went on to assert that he left Waco via the

³⁹“Reward For Capture,” *Dallas Morning News*, 17 July 1905.

⁴⁰“Sank Majors Captured,” *Dallas Morning News*, 23 July 1905; “Majors, the Assailant of Mrs. Robert, Captured,” *Waco Times Herald*, 22 July 1905; Bernstein, *The First Waco Horror*, 22-23.

⁴¹“Sheriff Tilley Sees the Negro,” *Waco Times Herald*, 23 July 1905; “Negro Placed In Jail,” *Dallas Morning News*, 23 July 1905.

Valley Junction or the Lewis Switch in order to assist his brother, Polk Majors, and other relatives with their crops near Lockhart; not because he was guilty of raping Mrs. Robert.⁴² A grand jury in Waco quickly convened in special session on 28 July and returned an indictment against Majors, setting a trial date for the following Wednesday, 2 August.⁴³ On the day of the trial, Majors provided an incoherent and illogical alibi of his actions on the day of the assault and then proceeded to admit he only confessed out of duress.⁴⁴ Regardless, the confession of the accused was still admitted as evidence in the trial. Mrs. Roberts also gave a passionate testimony against her alleged assailant identifying the scar on Major's hand as the same as her attacker. Within seven minutes of deliberation, foreman Pat Vick returned the jury's verdict of guilty and sentence of death by hanging to the Nineteenth District Court Clerk. Curiously, the *Dallas Morning News* covered the trial and reported that the reward to be bestowed upon Sheriffs Jackmon and Sanders now totaled three hundred dollars, not the two hundred originally reported on 17 July.

Days after the death sentence, Marshall Surratt, the trial judge who presided over Majors' case, granted the condemned man a new trial on grounds that he as a judge had failed to charge the jury in a correct manner.⁴⁵ Concern arose from this technicality as the defense attorney, George Barcus, implied that the conviction would most likely be overturned if appealed. Quickly, Judge Surratt announced a new trial for Majors on

⁴²*Ibid.*; Bernstein, *The First Waco Horror*, 22-23.

⁴³"Sank Majors Indicted," *The Dallas Morning News*, 29 July 1905; "Sank Majors To Die," *Dallas Morning News*, 3 August 1905.

⁴⁴"Majors Given Death Penalty by the Jury," *Waco Times Herald*, 3 August 1905; "Sank Majors to Die," *Dallas Morning News*; Bernstein, *The First Waco Horror*, 22-23.

⁴⁵"A New Trial Granted Sank Majors," *Waco Times Herald*, 6 August 1905; "Sank Majors Gets New Trial," *Dallas Morning News*, 6 August 1905; Bernstein, *The First Waco Horror*, 23-24.

Wednesday, 9 August, in hopes of expediting the process to prevent mob action. Within a day, the *Waco Times Herald* ran an editorial in defense of Barcus as overwhelming criticism and harassment befell him for simply representing a black defendant as effectively as possible.⁴⁶ Anger quickly rose from men particularly around the Golinda area knowing that Mrs. Robert would have to testify again, putting masculine white supremacy at risk through African American resistance represented by an honest lawyer who attempted to look beyond the color line in McLennan County. Before due process could once again be served in the case of Sank Majors, extralegal justice came in the form of a lynch mob in the early morning hours of 7 August.⁴⁷

Preparation for the lynching began around 10:30 p.m. the previous evening as two hundred men from Golinda and nearby Falls County resolved to take Majors from the McLennan County Jail at roughly 1:30 a.m. As the mob arrived, the jailer and Deputy Sheriffs J.A. Tilley, Harvey B. Ross, and John C. Walton attempted to circumvent the mob action. After being summoned, Sheriff Tilley hastily arrived and tried to subdue the mob by explaining he would resist any invasion. Defiantly, members of the mob brought dynamite to induce law enforcement away from the jail's entrance and began to break down the outer doors with sledgehammers. Reports printed in the *Dallas Morning News* revealed that though neither the vigilantes nor local law enforcement fired any shots, hand-to-hand combat ensued.⁴⁸ The Dallas newspaper insinuated that the lynching might have possibly been delayed if members of the McLennan County Sheriff's Office had

⁴⁶Bernstein, *The First Waco Horror*, 23-24; "Unjust Criticism," *Waco Times Herald*, 7 August 1905; Carrigan, *The Making of a Lynching Culture*, 169-170.

⁴⁷"Lynching at Waco," *Dallas Morning News*, 9 August 1905; Bernstein, *The First Waco Horror*, 23-25.

⁴⁸"Lynching at Waco," *Dallas Morning News*, 9 August 1905.

fired volleys into the air to startle the mob, but declared later in the editorial, “The slaughter of three-fourths of the band of 600 Texas farmers would not have saved the negro.”⁴⁹

The extralegal crowd extracted Majors from his jail cell and took him to Austin Avenue and then towards the market square.⁵⁰ The angry farmers were first inclined to burn Majors alive, as kindling was apparently available along the route taken on Austin Avenue. After seeing Majors prematurely doused with petroleum and lit with a match, the faction that favored hanging from the suspension bridge overcame those who favored burning, and Majors was extinguished and taken towards the bridge. Mrs. Robert and Majors himself supposedly favored the change in execution style, as Majors allegedly proclaimed, “I wanted Sheriff Tilley to hang me. I done the crime and ought to be hung, but I don’t want to be burnt alive.”⁵¹ Reports from *The Dallas Morning News* detailed how Majors attempted to further infuriate the mob by reciting the appalling details of how he sexually assaulted Mrs. Robert a total of three times before the lynch mob reached the suspension bridge.

Historian Patricia Bernstein suggests that any confession that came from Majors en route to his demise was unquestionably coerced by the lynch party.⁵² A noose was tied to a crossbeam on the suspension bridge and fitted around Major’s neck while he was

⁴⁹*Ibid.*

⁵⁰Bernstein, *The First Waco Horror*, 24-26; “Lynching At Waco,” *Dallas Morning News*, 9 August 1905.

⁵¹“Lynching at Waco,” *Dallas Morning News*, 9 August 1905.

⁵²Bernstein, *The First Waco Horror*, 25.

being placed on a horse to serve the purpose of a makeshift scaffold.⁵³ As members of the mob led the horse away, Sank Majors died of strangulation ten minutes afterward. Shortly after the confirming his death, vigilantes began to collect souvenirs of anything remotely related to the night's event, such as pieces of clothing, fingers, and anything else that would serve as a reminder of the incident. They also cut up the rope and passed it out to participants as other mementos. Ironically, former McLennan County Sheriff, Captain Dan Ford had used the same rope in two legal hangings. The lynch party left Majors' body hanging until John Fall, McLennan County's undertaker, came to collect it around 2:30 a.m.

The aftermath of the extralegal execution of Sank Majors left little doubt of the assertion of masculine white supremacy upon the black community in McLennan County.⁵⁴ While some in the black community hesitantly approved the efforts of the lynch mob as justifiable, others were defiant about the mob killing. Carrigan contends that the primary issues concerning vigilante violence in Central Texas gravitates around Majors' demise. The insult of a lenient judicial system packed with lawyers who observed the toleration of minimal civil rights for African Americans attacked the pride and honor of a breed of men reared in a society that cherished the individual who took the law into his own hands and honored forefathers who were the exemplars of this mentality.⁵⁵

⁵³“Lynching at Waco,” *Dallas Morning News*, 9 August 1905; Bernstein, *The First Waco Horror*, 24-25.

⁵⁴Carrigan, *The Making of a Lynching Culture*, 168-170; “Lynching at Waco,” *Dallas Morning News*, 9 August 1905.

⁵⁵Carrigan, *The Making of a Lynching Culture*, 167-170.

Resistance from the black community also played a key role in the extralegal group that sought to hang Majors. Preceding the work of Majors' defense attorney, George Barcus, was the trial of Will King in McLennan County. Charged with murder, his defense team successfully argued that the grand jury and trial were unconstitutional based on the fact that no African Americans were present in either jury. After appeals to the Texas State Court of Appeals and the Texas Supreme Court, a new grand jury and trial were announced. African American educator A. J. Moore sat on the second grand jury. The second trial resulted in a hung jury and, to the avail of the committed defense team, Will King was convicted and sentenced to death after a third trial, and legally hanged in McLennan County on 25 October 1901.

The effects of the King trial infuriated whites in McLennan County, as it represented a clear attack on the unified front that whites had presented in judicial affairs, and then remembered as Sank Majors received a second trial. Regarding the efforts of the McLennan County Sheriff's Office and other local law enforcement, Carrigan argues that their lack of investigation or indictment of those responsible for Majors' lynching as major contributing factors propagating the lawlessness of racial violence that ultimately came to a climax in the case of Jesse Washington in 1916.

Jesse Washington (1916)

The discovery of Lucy Fryer's body on 8 May 1916 propelled the Robinson community into rage as Jesse Washington, an illiterate and possibly retarded seventeen year old African American farmhand of George and Lucy Fryer, was implicated as the

murder suspect.⁵⁶ Shortly before sundown, Mrs. Fryer's daughter, Ruby Fryer, discovered her mother's body in the doorway of the family's seed house showing signs of severe head trauma and possible sexual assault. A blunt object apparently served as the murder weapon, with at least two of the six visible wounds on her crushed skull, according to the testimony of Dr. J.H. Maynard, as the likely cause of death. Initially, Maynard advised the *Waco Times Herald* that Mrs. Fryer indeed had been sexually assaulted, leading to a rush for local newspapers to publish the details of the crime.

Within hours of the incident an investigation of the Fryer farm yielded incriminating evidence against Jesse Washington, and Deputy Sheriff Lee Jenkins arrested him at his home. Jenkins interviewed Chris Simon, a neighbor of the Fryers, who described Washington planting cottonseed earlier on the morning of 8 May, identifying the accused as the closest individual to the scene of the crime. Jenkins also found physical evidence of the crime: Washington's blood soaked undershirt and pants. For the sake of gaining possible evidence from Washington's family, his mother, father, brother, and a female with the name of "Moore" were also detained shortly after Jesse Washington's arrest. Historian Patricia Bernstein contends that the apprehension of Washington's family occurred for the sake of pressuring Jesse Washington to confess to the murder of Mrs. Fryer.

After Washington's arrest, rumors of mob violence swept through Robinson, pressuring Sheriff Fleming to move Washington to an undisclosed location where he

⁵⁶"Negro Confesses to Terrible Crime at Robinsonville," *Waco Times Herald*, 9 May 1916; SoRelle, James, "The 'Waco Horror': The Lynching of Jesse Washington," *Southern Historical Quarterly* 86 (1983), 520-521; Bernstein, *The First Waco Horror*, 87-90, 104.

could be safely interrogated without fear of mob intervention.⁵⁷ In the early hours of 9 May, Sheriff Fleming moved Washington to Hillsboro for safekeeping. After initially denying all knowledge of Fryer's murder in Waco, Washington confessed to sexually assaulting and murdering Lucy Fryer under the pressure of renewed interrogation from Sheriff Fleming and Hill County Sheriff Fred Long. Washington initially told his interrogators that the murder weapon was a piece of iron, but later recanted and stated that the true weapon was a medium sized blacksmith's hammer. Washington eventually divulged the location of the murder weapon, and after officers discovered the hammer near a hackberry tree off of the main Robinsonville road, as Washington had indicated, this became the most incriminating aspect of his initial confession. The *Waco Times Herald* reported that the weapon was covered with dried blood, a fact later submitted as evidence in Washington's trial with the addition of bits of cottonseed on the hammer.⁵⁸

Sheriff Fleming realized that news editorials of Washington's confession would ignite the passions of vengeance among the citizens of Robinson, so he transferred Washington to Dallas as a precaution. The illiterate Washington then dictated and signed a formal confession detailing the rape and murder of Mrs. Fryer with an "X" in place of his name under the supervision of Dallas County Attorney Mike T. Lively. In less than twenty-four hours after Mrs. Fryer's murder, Sheriff Fleming and the McLennan County Sheriff's Office had captured their prime suspect, retrieved the murder weapon, and obtained a signed confession.

⁵⁷"Negro Confesses to Terrible Crime at Robinsonville," *Waco Times Herald*, 9 May 1916; SoRelle, "The 'Waco Horror': The Lynching of Jesse Washington," 520-521; Bernstein, *The First Waco Horror*, 92-94.

⁵⁸SoRelle, "The 'Waco Horror': The Lynching of Jesse Washington," 521-522; *State of Texas Versus Jesse Washington*, District Court of McLennan County, Texas. Fifty-fourth Judicial District, March Term, 1916. Cause No. 4141; Bernstein, *The First Waco Horror*, 92-93.

On 10 May, Waco's three newspapers published Jesse Washington's confession.⁵⁹ The confession published in the *Waco Times Herald* contained edits to appease censorship standards, but retained elements graphic enough to convey the detestability of the crimes Washington committed:

On yesterday, May 8, 1916, I was planting cotton for Mr. Fryar (sic) near Robinsonville, close to Waco, Tex. and about 3:30 o'clock p.m., I went up to Mr. Fryar's (sic) barn to get some more cotton seed. I called Mrs. Fryar (sic) from the house to get some cotton seed and she came to the barn and unfastened the door and scooped up the cotton seed. I was holding the sack while she was putting the seed in the sack and after she had finished, she was fussing with me about whipping the mules and while she was standing inside of the door of the barn and still talking to me, I hit her on the side of the head with a hammer that I had in my hand. I had taken this hammer from Mr. Fryar's (sic) home to the field that morning and brought it back and put it in the barn at dinner. I had picked up this hammer and had it in my hand when I called Mrs. Fryar (sic) from the house and had the hammer in my right hand all the time I was holding the sack.

When I hit Mrs. Fryar (sic) on the side of the head with the hammer, she fell over, and then I assaulted her. I then picked up the hammer from where I had laid it down, and hit her twice more with the hammer on top of her head. I saw the blood coming through her bonnet.

I then picked up the sack of cotton seed and carried it and the hammer to the field where I had left the team. I left the sack of cotton seed near the planter and went about forty steps south of the planter and the mules, and put the hammer that I killed Mrs. Fryar (sic) with in some woods under some hackberry brush.

I knew when I went to the barn for the cotton seed that there wasn't anybody at the house except Mrs. Fryar (sic), and when I called her from the house to the barn, I had already made up my mind to knock her in the head with the hammer and then assault her.

I had been working for Mr. Fryar (sic) about five months, and first made up my mind to assault Mrs. Fryar (sic) yesterday morning, and took the hammer from the buggy shed to the field with me and brought it back and put it in the barn at dinner time, so that I could use it to knock Mrs. Fryar (sic) in the head when I came back for seed during the afternoon.

I planted cotton the rest of the afternoon, then put up the team and went home to my daddy's house where I was arrested.

⁵⁹“Sworn Confession by Jesse Washington,” *Waco Times Herald*; Bernstein, *The First Waco Horror*, 94-96.

There wasn't anybody else who had anything to do with the killing or assaulting of Mrs. Fryar (sic) except myself.

Signed Jess Washington, X, his mark.⁶⁰

The alleged rape of Lucy Fryer carried more weight than her murder. Similar to the case of Sank Majors, Jesse Washington's plight began to revolve around the act that had threatened white male authority and infuriated the extralegal mob eleven years earlier. Patricia Bernstein noted that aside from the stark violence mingled with common events, the confession showed a "strange combination of the grossest vernacular with rather stilted speech that probably does not represent the way Jesse Washington really talked."⁶¹ Bernstein also noted that Washington's confession fits into a category of newspaper editorials known as "acceptable folk pornography," a definition used by historian Jacquelyn Dowd Hall for the supposed crimes of typified black male rapists during the era.⁶² Aside from the possibilities in dialect discrepancy, the fact remains that Washington was illiterate and probably incapable of the exact wording of the confession.

Enraged by the published confession, at least five hundred livid farmers and citizens from Robinson and the surrounding communities poured into Waco in an attempt to find Washington at the McLennan County Jail.⁶³ With Washington in custody of Dallas County, Sheriff Fleming encouraged the mob to search the jail for the confessed murderer, informing the group that Washington had been transferred out of McLennan County for safekeeping until the trial. After an exhaustive search of the jail, Sheriff

⁶⁰"Sworn Confession by Jesse Washington," *Waco Times Herald*.

⁶¹Bernstein, *The First Waco Horror*, 96.

⁶²*Ibid.*, 94.

⁶³SoRelle, "The 'Waco Horror': The Lynching of Jesse Washington," 521-522; Bernstein, *The First Waco Horror*, 94-95.

Fleming offered to pay for expenses for the vigilante group to travel to Hillsboro and search the Hillsboro jail as well. However, the group declined the sheriff's offer and returned to their homes empty-handed. Shortly after this preliminary endeavor to bypass due process, community leaders from Robinson announced to McLennan County law enforcement that no further extralegal action would be taken under the condition that the judicial system provided a swift trial and punishment for Washington.

During the initial attempt to lynch Washington, Mrs. Fryer's burial went largely overlooked. After a simple ceremony at the Fryer farm, Lucy Fryer was interred at the Lorena cemetery in Lorena, Texas, a small community south of Waco.⁶⁴ The cemetery sits near present-day Interstate 35, a few miles outside downtown Lorena. Lucy Fryer was buried relatively near her daughter who had died in early childhood. Printed below is a present day photograph of Lucy Fryer's grave in Lorena (Fig. 1). Headstones bearing the surname Fryar are located in the same area as the Lucy and George Fryer headstones. It is unknown if any connection exists between the two families, as the aforementioned Mr. Fryer and Mrs. Fryer were immigrants from the United Kingdom.⁶⁵

The McLennan County judicial system began moving at a rapid pace after the makeshift vigilante group delivered their urgent ultimatum regarding the efficiency of the county's legal system in the case.⁶⁶ A grand jury indicted Washington of murder after less than thirty minutes of deliberation on 11 May. With Washington unable to pay for his legal defense, Fifty-fourth District Court Judge Richard I. Munroe appointed six

⁶⁴Bernstein, *The First Waco Horror*, 94.

⁶⁵*Ibid.*, 88-89.

⁶⁶"Grand Jury Indicts Slayer of Mrs. Fryar," *Waco Times Herald*, 11 May 1916; SoRelle, "The 'Waco Horror': The Lynching of Jesse Washington," 522; Bernstein, *The First Waco Horror*, 100-101; "Will Permit Law to Take its Course in Negro Boy's Trial," *Waco Times Herald*, 13 May 1916.

youthful, inexperienced Waco lawyers to defend Washington in his murder trial set for the upcoming Monday, 15 May. Allowed two days to prepare for Washington's trial, the attorneys spent only a short time with the accused late on Sunday, 14 May.



Fig. 1. The Grave of Lucy Fryer at Lorena Cemetery, Lorena, Texas.⁶⁷

Due to the relative lack of inexperience and the complications of defense attorney George Barcus in Sank Majors' trial of 1905, it can be contended that Washington's young lawyers were appointed simply to let justice play out its course without a great deal of turmoil in the interest of keeping the vigilantes from once again bypassing due process. Attempting to keep the peace before the trial, Sheriff Fleming made an appearance on Saturday, 13 May, at Joe Swayne's store in Robinson to speak with the enraged farmers. Advising the crowd that every possible measure had been taken to

⁶⁷Fair, Richard H., Photograph by Richard H. Fair of Lucy Fryer's grave, Lorena Cemetery, Lorena, Texas, 26 November 2007.

assure the speedy trial of Washington, Robinson leaders received Sheriff Fleming respectfully and advised the community to be patient regarding the trial. Believing that matters regarding mob violence were under control, Sheriff Fleming brought Washington back to Waco on Sunday evening in preparation for the trial.

Sunday and early Monday morning proved vastly different from the calmness that McLennan County saw on Saturday.⁶⁸ As predicted by the *Waco Times Herald*, a great crowd from at least twenty-five miles surrounding Waco came to the city to witness Washington's trial. With the throng of citizens migrating to Waco via train, the McLennan County Sheriff's Office, the Mayor, and Waco Chief of Police Guy McNamara took no action to supply a greater number of officers in anticipation of the large attendance at the trial. Local newspapers advised Waco citizens that Washington would be transferred into Waco on Monday morning, but Sheriff Fleming brought Washington back late Sunday night for the defense attorneys to meet with him before Monday morning. Advised by his attorneys to spend his last moments of life in prayer, Washington appeared mostly unmoved or unaware of the gravity of his situation.

Presiding over a packed courtroom, Fifty-fourth District Court Judge Richard I. Munroe made no effort to ask men to remove their weapons, and he did not clear the severely overcrowded courthouse (Fig. 2).⁶⁹ He only routinely asked for silence in the court and frequently requested that all men remove their hats in respect to the court. Jury selection moved rapidly from the twenty-four jurors that were successfully served from

⁶⁸“Everything Ready for Trial Here Tomorrow of Jesse Washington,” *Waco Times Herald*, 14 May 1916; SoRelle, “The ‘Waco Horror’: The Lynching of Jesse Washington,” 522-523; Bernstein, *The First Waco Horror*, 102-103.

⁶⁹“Mob Takes Negro From Court House, Burns Him at Stake,” *Waco Times Herald*, 15 May 1916; SoRelle, “The ‘Waco Horror’: The Lynching of Jesse Washington,” 523; *State of Texas Versus Jesse Washington*, District Court of McLennan County, Texas; Bernstein, *The First Waco Horror*, 104-105.

Waco and the surrounding communities of Valley Mills, Mart, Moody, McGregor, and West. Prominent Waco businessman, William B. Brazelton was appointed foreman of the jury with no intervention or questioning regarding jurors from the defense counsel.⁷⁰

Preliminary procedures moved quickly as Washington entered a plea of guilty and Judge Munroe explained the penalty of a verdict of guilty to the defendant. The prosecution opened with the medical testimony of Dr. Maynard, who recounted his observations of the head trauma that killed Mrs. Fryer, but made no mention of evidence that would substantiate sexual assault, the apex of local newspapers' attention and the lead motive for previous extralegal attempts at Washington's life.

Curiously, records of Washington's case obtained from the McLennan County District Clerk's office have no subpoena information for Dr. Maynard's admission as a witness.⁷¹ After Sheriff Fleming, Deputy Sheriff Lee Jenkins, Dallas County Attorney M.T. Liveley, Hill County Sheriff Fred Long, and investigator W.J. 'Joe' Davis gave their testimonies regarding Washington's apprehension and obtainment of his confession, McLennan County Attorney J.B. McNamara read the confession to the jury and rested his case. The defense's case proved extremely short, as the only witness called was the defendant, Jesse Washington.⁷²

⁷⁰"Mob Takes Negro From Court House, Burns Him at Stake," *Waco Times Herald*, 15 May 1916; SoRelle, "The 'Waco Horror': The Lynching of Jesse Washington," 523, 526; *State of Texas Versus Jesse Washington*, District Court of McLennan County, Texas; Bernstein, *The First Waco Horror*, 104-105.

⁷¹"Mob Takes Negro From Court House, Burns Him at Stake," *Waco Times Herald*, 15 May 1916; SoRelle, "The 'Waco Horror': The Lynching of Jesse Washington," 523, 526; *State of Texas Versus Jesse Washington*, District Court of McLennan County, Texas; Bernstein, *The First Waco Horror*, 104-105.

⁷²SoRelle, "The 'Waco Horror': The Lynching of Jesse Washington," 523,526; *State of Texas Verses Jesse Washington*, District Court of McLennan County, Texas.



Fig. 2. The McLennan County Courthouse, 1916⁷³

After Washington advised he had nothing more to add to his written confession, the defense rested. Further research into the defense's case yielded that numerous entries on the subpoena form indicate both Joe Fee and J. J. Hutcheson, listed as newspapermen, as material witnesses for the defense. However, no other documentation has substantiated any information regarding those two individuals' testimony.⁷⁴ In addition, Henry and Martha Washington, the parents of Jesse Washington were also subpoenaed along with three other material witnesses with the occupations of baker, architect, and blacksmith.

After closing arguments by County Attorney McNamara essentially praising the McLennan County judicial system and the defense attorneys for doing their legal

⁷³The McLennan County Courthouse, Courtesy of Bradley T. Turner.

⁷⁴Defense Subpoena Form, *State of Texas Verses Jesse Washington*, District Court of McLennan County, Texas.

obligation, McNamara stated, “The prisoner has been given a fair trial, as fair as any ever given in this court room.”⁷⁵ After loud approval from the courtroom audience, the jury went into deliberation for four minutes. Foreman William B. Brazelton and the jury returned with a guilty verdict and a sentence of punishment by death.

Judge Munroe had only begun transcribing the verdict into the docket book when a white observer yelled for the crowd to seize Washington, and a group of men quickly took custody of the convicted from McLennan County deputies and ran down the stairs of the courthouse.⁷⁶ Reports of the moment before the seizure of Washington vary. Elizabeth Freeman’s report contends that Warren Hunt, the court stenographer, quickly exited the courtroom before the crowd surged forward, and McLennan County Sheriff’s Office Deputy Sheriff Barney Goldberg drew his sidearm for only a moment to realize that other deputies and Sheriff Fleming had already left Washington’s side. Other accounts of Deputy Sheriff Goldberg’s reaction state that he struck two men in the mob with his revolver, thus inciting threats of violence upon him. The *Waco Times Herald* article regarding the trial contends that the vigilante crowd surprised the deputies before anyone could interfere.

As the mob carried Washington toward City Hall, Washington was beaten with bricks and shovels and stabbed.⁷⁷ By the time the macabre parade reached its

⁷⁵SoRelle, “The ‘Waco Horror’: The Lynching of Jesse Washington,” 526; “Mob Takes Negro From Court House, Burns Him At Stake,” *Waco Times Herald*, 15 May 1916.

⁷⁶“Mob Takes Negro From Court House, Burns Him At Stake,” *Waco Times Herald*, 15 May 1916; SoRelle, “The ‘Waco Horror’: The Lynching of Jesse Washington,” 526-527; Bernstein, *The First Waco Horror*, 106.

⁷⁷William D. Carrigan, “Heritage of Violence: Memory and Race Relations in Twentieth-Century Waco, Texas,” in *Making a New South: Race, Leadership, and Community After the Civil War*, ed. Paul A. Cimbala and Barton C. Shaw (Gainesville: University Press of Florida, 2007), 65; “Mob Takes Negro From Court House, Burns Him At Stake,” *Waco Times Herald*, 15 May 1916.

destination, Washington was covered in blood. A pyre was lit as members of the mob hoisted him above the fire by a chain around his neck. Other participants castrated Washington and cut off one of his ears. As the fire grew around him, Washington's fingers were cut off as he struggled to move away from the flames. After being lowered into the flames several times, Jesse Washington finally died. Shortly after, a member of the mob tied the remnants of Washington's body to his horse and paraded it around the City Hall plaza, later removing it to Robinson. The body was placed in a sack and hung on a telephone pole in front of a blacksmith's shop for several hours.

As the gruesome event progressed through the late morning of 15 May 1916, Mayor and former Chief of Police John R. Dollins and current Waco Chief of Police Guy McNamara watched the event unfold from the office of the Mayor in City Hall. (Fig. 3)⁷⁸ The McLennan County Sheriff's Office and the Waco Police Department made no attempt to quell the riotous behavior of the lynch mob after its departure from the courthouse. A crowd of an estimated fifteen thousand men, women, and children gathered to watch the dying pleas of the convicted murderer receive justice at the hands of extralegal vigilantes, not the legal execution deserved under due process as indicated in the Fifth Amendment of the United States Constitution. While the reasons and excuses for attending the lynching of Jesse Washington vary, it is clear that Sheriff Fleming and the city of Waco had been inadequately prepared for the insurgency in the courtroom and the brutal lynching that followed (Fig. 4).⁷⁹

⁷⁸SoRelle, "The 'Waco Horror': The Lynching of Jesse Washington," 527-528; "Mob Takes Negro From Court House, Burns Him At Stake," *Waco Times Herald*, 15 May 1916; Bernstein, *The First Waco Horror*, 108-109; Roger Norman Conger, *A Pictorial History of Waco* (Waco: Texian Press, 1972), 207.

⁷⁹*Ibid.*, Bernstein, *The First Waco Horror*, 109-110.



Fig. 3. Mayor John Dollins and Waco Chief of Police Guy McNamara⁸⁰



Fig. 4. The Charred Corpse of Jesse Washington after Lynching⁸¹

⁸⁰Conger, *A Pictorial History of Waco*, 207.

⁸¹Spectators looking at the charred corpse of Jesse Washington hanging from tree after lynching, Waco, Texas, May 15, 1916, Portrait, From Library of Congress: *Visual Materials from the National Association for the Advancement of Colored People Records*, <http://hdl.loc.gov/loc.pnp/cph.3a39263>, accessed 10 May 2009.

The day after the incident, the *Waco Times Herald* published a short article emphasizing the incomplete judgment on the Fifty-fourth District Court's docket and clarifying that no further inquiry would be made regarding the extralegal mob action by the county attorney's office or the six young lawyers who represented Washington, and by identifying the lynching of Jesse Washington as a "closed incident."⁸²

Joseph Martin Dawson, pastor of the First Baptist Church of Waco, was present at City Hall during Washington's lynching.⁸³ Though he later introduced numerous resolutions at Waco Pastors' Association meetings, preached against the lynching, and encouraged law enforcement to make more inquiries in the case, he was met with criticism and lack of support even after news spread that Washington was likely innocent and another individual was arrested. Specifically, Dawson recalls being very disappointed with Dr. Charles T. Caldwell, pastor of the First Presbyterian Church, stating that he "refused to say a thing about it, due likely to his intense Southern uprearing."⁸⁴ Though he remained one of the few ministers to publicly denounce the mob's actions, stating, "the people who burned the Negro were the lowest order of people in Waco," he concedes support existed among ministers who did not vocally oppose vigilantism.⁸⁵ Recalling the role the Klan played in the event, Dawson did not believe the entire lynching was performed only by Klansmen, but he stated, "I think Klansmen were in it and perhaps induced it."⁸⁶ Recalling his shock at the entire episode, Dawson

⁸²"Court's Entry Not Finished When Mob Secured Negro," *Waco Times Herald*, 16 May 1916.

⁸³Joseph Martin Dawson, Oral History, Institute for Oral History, Baylor University, Waco, Texas, 53-54.

⁸⁴*Ibid.*, 54.

⁸⁵*Ibid.*

⁸⁶*Ibid.*, 56.

stated, “To my utter surprise, when they discovered they had burned an innocent man. . . .the only comment I heard around town, deeply disappointing to me, was, “Well, it’s fine. At last, they got the right Nigger.”⁸⁷

This pervasive culture of violence allowed the return of the Ku Klux Klan to McLennan County in the early 1920s. Furthermore, lynching engrained the animosity of lower class whites against blacks in McLennan County. The phenomenon of lynching acted in two capacities when the Klan returned to Waco. Coupled with the pervasive lawlessness of the county, the Klan’s denouncement of lynching, violence, and immorality became a focus of their propaganda to recruit wealthy whites and the support of Protestant clergymen. As Klan membership branched out to lower-class whites, class distinctions between wealthy and poor Klansmen led disadvantaged whites to utilize lynching to exert control over blacks while the wealthy Klan leadership used the group’s growing membership for political gain.

⁸⁷*Ibid.*

CHAPTER TWO

Ritual: Rise of the Ku Ku Klan in McLennan County

“Under a blazing, fiery torch the Invisible Empire was called from its slumber of half a century to take up a new task and fulfill a new mission for humanity’s good and to call back to mortal habitation the good angel of practical fraternity among men.”

David M. Chalmers

The rise of the Ku Klux Klan of the 1920s offers a stark contrast to the Klan of the Reconstruction era. Returning with humble efforts at Stone Mountain, Georgia during the winter of 1915, the state granted the resurrected Klan a charter for the purpose of existing as a “patriotic, secret, social, benevolent order under the name and style of ‘Knights of the Ku Klux Klan’.”¹ Primarily regarded as the founder of the resurrected Klan, William Joseph Simmons of Atlanta, Georgia, was no stranger to fraternal orders (Fig. 5).²

Born in 1880 in Harpersville, Alabama, Simmons served in the Spanish-American War and alleged that he attended medical school at Johns Hopkins University, but no records exist to substantiate this.³

¹Norman D. Brown, *Hood, Bonnet, and Little Brown Jug* (College Station: Texas A&M University Press, 1984), 49. References to Edward Young Clarke’s first name are found in the previous citation where he is referred to as “Edward” while he is referred to as “Edwin” in his interview with the *Dallas Morning News*. See “Ku Klux Parade Saturday Night,” *Dallas Morning News*, 22 January 1922.

²Wyn Craig Wade, *The Fiery Cross: The Ku Klux Klan in America* (New York: Simon and Schuster, 1987), 141.

³*Ibid.*

The son of a doctor, occasional mill owner, and member of the Reconstruction era Ku Klux Klan, Simons recalls stories of his childhood, “My father was an officer of the old Klan in Alabama back in the 60s. I was always fascinated by Klan stories. . . .My old Negro mammy, Aunt Viney, and her husband, used to tell us children about how the old Reconstruction Klansmen used to frighten darkies.”⁴

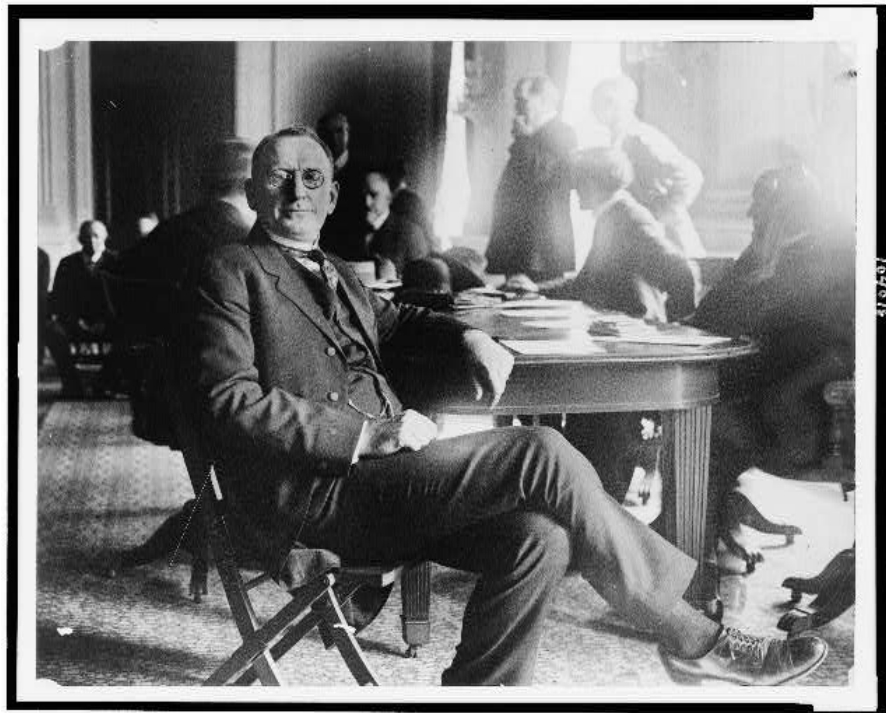


Fig. 5. Colonel William Joseph Simmons⁵

After his conversion to Christianity and subsequent enrollment at Southern University, Simons became a licensed Methodist minister and utilized his persuasive

⁴Chalmers, *Hooded Americanism*, 28.

⁵Col. William Joseph Simmons, full-length portrait, seated at table during House committee investigation of the Ku Klux Klan; men standing and seated in background, Portrait, From Library of Congress: *National Photo Company Collection*, <http://hdl.loc.gov/loc.pnp/cph.3c04018>, accessed 10 May 2009.

public speaking ability as a circuit rider in Florida and Alabama.⁶ Adept at preaching the gospel or giving public lectures such as “Women, Weddings, and Wives,” “Kinship of Courtship, and Kissing,” and “Red Heads, Dead Heads, and No Heads,” he preferred public speaking engagements, later leaving the pulpit after being suspended from the ministry in 1912 for inefficiency, moral impairment and after having a vision of the future Klan. Historian Wyn Craig Wade describes the experience as,

One summer night, sitting drunk at the window and staring at the moon, he [Simmons] saw a vision of ghost-riders in the sky. Swiftly they raced through the clouds and across the heavens, while the moon’s surface became a relief map of the United States. Joe fell to his knees, beseeching God for an explanation. None came, but he would later proclaim this vision a divine augury of his true calling.⁷

After his departure from the Methodist ministry, Simmons became enamored with fraternal orders, joining several varieties of Masons, Knights of Pythias, Knights Templars, the Odd Fellows, and the Woodmen of the World, along with retaining memberships in Missionary Baptist and Congregational churches.⁸ He also held office as a national aide-de-camp and post commander for the Spanish-American War Veterans. By 1914, he was appointed district manager for the Woodmen in Atlanta, successfully earning \$10,000 per year in commissions.⁹

However, an automobile accident rendered Simmons bedridden for three months in 1915 when he had a second vision of the revived Klan.

Enamored by the motion picture *The Birth of a Nation* and Tom Dixon’s novel, *The Clansman*, Simmons began rewriting literature about the Klan, taking ideas from an

⁶Wade, *The Fiery Cross*, 140-141; Chalmers, *Hooded Americanism*, 29.

⁷Wade, *The Fiery Cross*, 141.

⁸*Ibid.*; Chalmers, *Hooded Americanism*, 29.

⁹Wade, *The Fiery Cross*, 142.

1867 Reconstruction Klan Prescript and expanding the offices, ritual, and hierarchy of the Klan.¹⁰ Proud of his accomplishment, Simmons stated, “Its ritualism is vastly different from anything in the whole universe of fraternal ritualism. It unfolds a spiritual philosophy that has to do with the very fundamentals of life and living, here and hereafter.”¹¹

After a series of business agreements during the summer of 1920, William Joseph Simmons of Atlanta, Georgia, and Edward (Edwin) Young Clarke began a campaign to sell the Ku Klux Klan to the United States, boasting an ideology of white supremacy, patriotism, anti-Catholicism, anti-Semitism, opposition to foreign immigration, championing the purity of womanhood, and stressing the virtues of pure Americanism. White supremacy emerged as a definitive focus, as individuals throughout the country joined or secretly supported the group. Stressing the urgent need for the preservation of white supremacy and subtly hinting at the organization’s interest in politics, Clarke asserted in an interview with the *Dallas Morning News*, “Some time someone besides a pure Caucasian may be sitting in the White House if we do not awake to the danger. This is a Caucasian country and our children are entitled to find it still governed by Caucasians when they reach manhood.”¹²

The Ku Klux Klan in Texas

The Ku Klux Klan arrived in Texas in the fall of 1920 when Z. R. Upchurch, a high-ranking representative of the group, attended a reunion of the United Confederate

¹⁰*Ibid.*; American National Biography, “Dixon, Thomas,” Available from <http://www.anb.org/articles/16/16-03509-print.html>, Internet; accessed 20 May 2009.

¹¹Wade, *The Fiery Cross*, 143.

¹²“Ku Klux Parade Saturday Night,” *Dallas Morning News*, 22 January 1922.

Veterans in Houston.¹³ Taking advantage of romantic memories of heroism and the Confederate ‘Lost Cause,’ he selectively recruited one hundred citizens of the Houston area to form “Sam Houston Klan No. 1,” the first Klan chapter in Texas.¹⁴ Other leading citizens later felt compelled to join after the Klan’s successful attempt to instill fear in the white citizenry in response to the Houston race riot of 1917, led by mutinous black soldiers of the Twenty-fourth Infantry and responsible for sixteen white casualties, including five police officers.¹⁵ Not two years after the founding of the Houston klavern, membership in the Texas Klan reached between 75,000 and 90,000, as the Texas realm divided into five provinces overseen by ‘Grand Titans’ who maintained headquarters in Houston, San Antonio, Fort Worth, Dallas, and Waco under the leadership of Texas realm Grand Dragon Dr. A. D. Ellis, an Episcopal minister from Beaumont, and the sociable and charismatic Hiram Wesley Evans, Grand Titan of Province No. 2, Dallas (Fig. 6).¹⁶ Klan terminology explains the various roles of members within the organization. Historian Henry P. Fry contends that Klan nomenclature typically consists of terms beginning with the letter “L” placed after the first letter of the word, which in practical terms, involves a “C” replaced by a “K”.¹⁷

¹³Norman D. Brown, *Hood, Bonnet, and Little Brown Jug*, 51-52.

¹⁴*Ibid.*

¹⁵*Ibid.*, 51.

¹⁶*Ibid.*, 52.; Chalmers, *Hooded Americanism*, 40. The quantitative figure for Klan membership in Texas can also be found in Edwin Young Clarke’s interview with the *Dallas Morning News* in “Ku Klux Parade Saturday Night,” *Dallas Morning News*, 22 January 1922.

¹⁷Henry P. Fry, *The Modern Ku Klux Klan* (Westport: Negro Universities Press, 1969), 83.



Fig. 6. Dr. Hiram Wesley Evans¹⁸

The chart provided below presents the roles of pertinent members of the Klan and locations in the Klan ceremony (Table 1), (Fig. 7).

¹⁸Dr. Hiram Wesley Evans, Imperial Wizard of the Ku Klux Klan, leading his Knights of the Klan in the parade held in Washington, D.C., Photograph, From Library of Congress Prints and Photographs Division, <http://hdl.loc.gov/loc.pnp/cph.3b08983>, accessed 9 May 2009.

Table 1. Ku Klux Klan Titles and Descriptions¹⁹

Name	Role
The Klavern	The meeting place of the local Klan chapter.
The Exalted Cyclops	The President of the local chapter
The Klaliff	The Vice President
The Klokard or Kleagle	The Lecturer and Officer who administers oath to new recruits
The Kludd	The Chaplin
The Kligrapp (Kligrapp)	The Secretary
The Klabee	The Treasurer
The Kladd	The Ceremonial Officer
The Klagoro	The Inner Guard who is responsible for the security of the interior of the Klavern
The Klexter	The Outer Guard who is responsible for the security of the exterior of the Klavern
The Klokkan	The Investigator
The Klokann	Board of four investigators
The Klepeer	Voting delegate that attends committee meetings and represents the Klavern
The Night Hawk	Officer in custody of recruits that are waiting to be inducted into the Klan
The Senator	A county official that sits in Klonvocation representing his Klavern's county

¹⁹Knights of the Ku Klux Klan, *Kloran* (Atlanta: Knights of the Ku Klux Klan, 1916), 2. Page 2 describes the roles mentioned in the above chart in a similar form. This manual by the Klan can also be found in similar form with the particular state listed in the title. The manual examined for this work is indicated to be the property of Klavern 43-1, Kloran number 303 of the Realm of Mississippi.; See also Fry, *The Modern Ku Klux Klan*, 83-85; Fry notes that the role of "Kludd" was borrowed from the term used to identify the high priest of the ancient Druids.

On the national scale, Imperial Wizard Evans set a lofty goal of recruiting ten million Klansmen in the United States.²¹ Reciting Evans' recruitment vision at a meeting of the Klan's Grand Dragons, Brown Harwood asserted this would only become a reality with dedicated Klansmen's "united efforts and harmonious co-operation and action, all working together with an eye single to the advancement of the noble cause."²²

Recruitment in the Klan worked in a systematic fashion as "kleagles," or recruiters, persuaded upper class citizenry to join their cause.²³ After these prestigious charter members gained recognition for the Klan klaverns, organizers began recruiting the middle class members which typically made up the majority of a chapter's membership. Finally, Klan recruiters insisted on selling Klan ideology to lower class citizenry in order to fill out their total chapter membership and retain a percentage out of each initiate's fee. Mandatory requirements for induction into the Klan entailed that the applicant be of Caucasian ethnicity, native-born and Protestant, as well as pay a ten dollar initiation fee. Klan acceptance of lower class individuals provided an outlet for them to feel some sort of superiority.

Historian David M. Chalmers suggests prospective kleagles often rose from the ranks of other ritualistic, fraternal orders such as the Scottish Rite Masons.²⁴ Considering the adaptability of this large secret order, Edward Young Clark carefully considered the possibility of perceived animosity toward Roman Catholicism yielding plentiful

²¹Brown Harwood, "Introduction," in *Papers Read at the Meeting of Grand Dragons, Knights of the Ku Klux Klan: Together with Other Articles of Interest to Klansmen*, ed. Ray Allen Billington and others, 3-7 (New York: Arno Press, 1977), 6.

²²*Ibid.*

²³Norman D. Brown, *Hood, Bonnet, and Little Brown Jug*, 49.

²⁴Chalmers, *Hooded Americanism*, 34.

recruitment in the lower ranks of Masonry. However, no accurate measure of this plan's success within McLennan County and Texas could be found.

Wyn Craig Wade echoes Chalmers' assessment of the Klan's connections with the Masons and other fraternal orders, stating, "Kleagles also hung around other fraternal lodges and were especially successful at wooing the Masons. Many Kleagles were Masons themselves."²⁵ Wade goes further to insist that recruiters publically announced their desire to recruit Masons and other fraternal members through newspapers, such as the case of the Klan chapter in Madison, Wisconsin, listing an ad in the 26 August 1921 edition of the *Madison State Journal* stating, "Wanted: Fraternal organizers, men of ability between the ages of 25 and 40. Must be 100% Americans. Masons preferred."²⁶

Contesting this association, William F. Johnson, Grand Master of the Centennial Grand Lodge of Missouri, Ancient, Free, and Accepted Masons addressed rumors of connection to the Klan by stating, "We can not, as Free Masons and good citizens, recognize the right of any secret society or combination of men to assume to themselves of the right to administer law and to inflict punishment upon their fellowmen. Such an assumption is subversive of our republican institutions, contrary to the great principles of Free Masonry."²⁷ Noting the commonality between Klan membership and other fraternal groups in McLennan County, Congressman William Robert Poage later commented, "It was just like your other memberships. You could join anything you wanted to whether the Masonic Lodge or the Klan or anything, but I mean, they didn't put on the kind of

²⁵Wade, *The Fiery Cross*, 155.

²⁶*Ibid.*

²⁷"Grand Master of Masons Denounces Ku Klux Klan," *Dallas Morning News*, 21 September 1921.

pressure here on the campus [Baylor University] that I felt sure that they did to the businessmen.”²⁸ While the Klan made active attempts to solicit membership on the Baylor University campus, Poage acknowledged that students at Baylor did join the Klan, but not in any significant number.²⁹ He surmised that the majority of the undergraduates were too young to hold membership and interest during the time he was a member in 1921 and 1922.

The Ku Klux Klan Comes to McLennan County

The realization of the growing influence of the Klan in Dallas prompted a response from the *Dallas Morning News* that came to influence social and political opinion regarding the Klan on a state and nation-wide basis. After the nighttime march of the Dallas Klan on January 21, 1921, the *Dallas Morning News* adopted an increasingly negative response to the Klan’s action, seeking to oppose them in every possible way and encourage the destruction of the organization by revealing the group’s violations of state and federal statutes.³⁰ Describing the Klan march as a “slander to Dallas,” the newspaper assailed the Klan’s principles by stating, “White supremacy is not imperiled. Vice is not rampant. The constituted agencies of government are still regnant. And if freedom is endangered, it is by the mob spirit in the disguising garb of the Ku Klux Klan.”³¹

²⁸William Robert “Bob” Poage, Oral History, Institute for Oral History, Baylor University, Waco, Texas, 152.

²⁹*Ibid.*, 151.

³⁰Linda Elaine Kilgore, “The Ku Klux Klan and the Press in Texas, 1920-1927,” Master’s thesis, University of Texas, Austin, Texas, 1964, 203-204; Ernest Sharpe, *G. B. Dealey of the Dallas News* (New York: Henry Holt and Co., 1955), 197-199.

³¹Kilgore, “The Ku Klux Klan and the Press in Texas,” 203; *Dallas Morning News*, 22 May 1921.

In contrast to the negative Klan image presented in the *Dallas Morning News*, on February 3, 1921, the *Waco News-Tribune* reported more than 700 initiates in the Austin chapter with approximately 1,500 present during the ceremonial meeting that included numerous speeches focusing on the denouncement of anti-American tendencies and immoral conditions that the Klan felt existed in the capital city. Yet the focus of the article centered on a higher initiation class of 937 in the Waco klavern with 210 turned away due to lack of space in the building hosting the ceremony.

The origins of the Waco chapter began at the Waco Hotel around 1921, when Edwin J. Clark met with eight other prominent men from Waco, and formed Saxet Klan number 33.³² Declaring himself Grand Titan of the Waco province, Clark began to warn people he considered immoral to leave town or face tar and feathering. A Klokann of the Waco chapter later recalled, “If we had a report about a man’s immoral conduct, we would select one of the neighbors, someone who knew him well, and we would authorize this party to watch him from day to day and night to night and render reports. If we wanted telephone conversations, why we got them; or anything else of that nature.”³³ The membership of Waco mayor Ben C. Richards and the Board of Police Commissioners, possibly including Waco Chief of Police Lee Jenkins, also highlighted the growing interest in the group in Central Texas (Fig. 8).³⁴

³²Wallace, *Our Land, Our Lives*, 154.

³³Wallace, *Waco: Texas Crossroads*, 56.

³⁴Chalmers, *Hooded Americanism*, 41. Ben C. Richards and Lee Jenkins can be found in a chronological listing of Mayors of Waco and Chiefs of Police in Waco in Dayton Kelley, ed., *The Handbook of McLennan County, Texas* (Waco: Texian Press, 1972), Appendix II, III.



Fig. 8. Lee Jenkins, Waco Chief of Police³⁵

Joseph Martin Dawson, pastor of First Baptist Church of Waco, recalled attempts by members of his congregation to solicit his membership in the Waco chapter of the Klan.³⁶ Declining membership due to his strong relationship with Baylor University president Samuel P. Brooks, Dawson recalled, “Fortunately, President S. P. Brooks was very influential and strongly set against the Klan. He was my dearest friend and strongest supporter.”³⁷

However, not all faculty at Baylor University were against the Klan according to John Strecker’s former aid, Homa Hill.³⁸ Describing John Strecker’s membership in the Klan, he stated, “Well, Mr. Strecker. . .wore a Ku Klux Klan ring like my father did. . .or

³⁵Conger, *A Pictorial History of Waco*, 208.

³⁶Dawson, Oral History, 52.

³⁷*Ibid.*

³⁸Homa Hill, Oral History, Institute for Oral History, Baylor University, Waco, Texas, 13.

a pin. . . I forget which, but it had a red cross in the ring, like a big ruby.”³⁹ Noting a specific encounter between Strecker and Morris Sheppard, the former United States senator responsible for the authoring of the Eighteenth Amendment, Hill recalls Sheppard sending Strecker a letter asking him to get confirmation from the Texas chapter of the Ku Klux Klan to ensure he would have no competition from any of their politicians in the next senatorial race.⁴⁰

Former Baylor history professor Guy B. Harrison became a member of the Waco chapter after he returned in 1921 from a job in Cleveland.⁴¹ His father convinced him to join and his initiation took place at the Buchanan farm west of Waco. He purchased a hood and robe for ten dollars and paid his membership dues of \$1.50 that night and later attended numerous weekly meetings that lasted two to three hours with attendance reaching as many as 25,000.

Imperial Wizard Evans made an effort to appeal to law enforcement personnel and communities that perceived lawlessness by espousing the Klan’s solemn duty to stand behind the law.⁴² Emphasizing that Klansmen were not attempting to act above the law, Evans stated, “Our duty is to get behind the constituted officers of the law as every one of you have sworn to do. Let’s get a national law enforcement program – let’s fix it so people will have to go to the penitentiary for violating law. You cannot enforce laws

³⁹*Ibid.*

⁴⁰*Ibid.*, 14.

⁴¹Wallace, *Waco: Texas Crossroads*, 56. Wallace provides this account from an interview she conducted with Guy B. Harrison for this book.

⁴²Dr. H. W. Evans, “Where Do We Go From Here,” in *Papers Read at the Meeting of Grand Dragons*, 13.

in the form of a super-government trying to force your will or your government on the law of the land.”⁴³

Often the Waco Klan attempted to aid local law enforcement officials by providing monetary assistance for bounties on fugitives. In February 1922, the Klan offered a \$250 reward for the capture of L. C. Cooper Johnson and Benny Young, both African Americans sought for questions regarding their alleged connection to the triple murder of Mr. and Mrs. W. H. Barker and Homer Turk at Concord⁴⁴ The Klan’s offer, along with Governor Pat Neff contributing \$250, Sheriff Bob Buchanan offering \$500, and ten dollars donated by Charles Robinson of Waco, comprised the \$1,010 bounty for the fugitives’ capture. McLennan County Constable Leslie Stegall and his deputies successfully captured Johnson and Young near the Corsicana road in Waco on 20 February 1922.

From Fred Anderson, a private citizen’s perspective, the Klan’s lofty goal of backing law enforcement was far from perfect.⁴⁵ Describing his view to the *Dallas Morning News*, he stated,

When a mob of masked men take a lash, a kettle of tar and a bag of feathers, go forth under cover of darkness, overpower a man or woman, carry him or her to some lonely spot, and carry out their nefarious intentions, and still proclaim that they are for upholding the Constitution, can any one believe them? When in this manner they trample the law under their feet, are they 100 per cent American?⁴⁶

Fred Anderson of Leonard, Texas, wrote the *Dallas Morning News* on 9 March 1922 to comment about his views of the Klan in regard to events such as the Lorena Riot

⁴³*Ibid.*

⁴⁴“Two Negroes Held for Triple Murder,” *Dallas Morning News*, 21 February 1922.

⁴⁵“Letters from Readers,” *Dallas Morning News*, 9 March 1922.

⁴⁶*Ibid.*

of October 1921.⁴⁷ Seeing a distinct connection between individuals who participated in lynchings and those who joined the Ku Klux Klan, he stated:

Have you not noticed where they claim to have their greatest membership? It is among people who believe in lynchings and mob law. They claim to have the best citizens of the country in their klan—and I have no doubt there are some good citizens among them, being led off by the high ideals they claim to stand for—but by their acts they prove they do not stand for good.⁴⁸

Religion, Nationalism, and White Supremacy

The lingering sentiments fostered for Jesse Washington's brutal lynching and the conflicting desire to end such actions created a perfect environment for the Klan's return to McLennan County. As World War I came to a close, Waco emerged disillusioned over the hardships of war and a devastating plague of Spanish influenza.⁴⁹ Weary over a crusade for national security, old prejudices that were distracted by the common moral enemy during the war lingered, taking a new focus. Animosity toward Germans, the reviled figures that occupied the minds of citizens during the war, was gradually replaced with long standing hatred for blacks, Jews, and Catholics. Continuing the image of a Christian nation going off to war, the Ku Klux Klan arose in McLennan County to combat moral injustice in accordance a purely white, Protestant image. Waco emerged in the early 1920s as one of the westernmost strongholds of the resurrected Ku Klux Klan in Texas.

Recruitment on the local level often began with the kleagle approaching Protestant ministers, offering free membership and a potential office of "Kludd", or

⁴⁷"Letters from Readers," *Dallas Morning News*, 9 March 1922.

⁴⁸*Ibid.*

⁴⁹Wallace, *Waco: Texas Crossroads*, 56.

chaplain, within the local Klan chapter.⁵⁰ Acts of religious charity often accompanied this behavior, such as Klansmen silently marching during a church service, tithing a typical amount between thirty and forty dollars to the preacher, and then departing as silently as they came. While ministers were not always professed members of the order, sermons indicating support of the Klan, typically referencing Romans chapter twelve, often warranted a monetary contribution from the group. Sometimes the gifted amount was considerably larger, as indicated by a contribution of \$100 by the Waco chapter.⁵¹

At a service on April 14, 1922, five Klansmen wearing full regalia entered the Tabernacle Baptist Church, approached the pulpit where evangelist V. B. Starnes praised the Klan, and offered a letter containing a note and a \$100 bill.⁵² The accompanying note signed by the “Knights of the Ku Klux Klan, Saxet Klan No. 33, Realm of Texas. . . [stated], . . .you are preaching the doctrine which this organization stands for.”⁵³ Coincidentally, the Houston klavern made the same generous offer to V. B. Starnes on May 28, 1922 as he preached at the Trinity Baptist Church in Houston.⁵⁴

Attempting to show benevolence during the Christmas season two months after the Lorena riot of 1921, Waco Klansmen dressed in full regalia made an appearance at the Clay Street Methodist Church during a Christmas tree celebration to offer gifts of candy, nuts, and fruit to the poor in the church.⁵⁵

⁵⁰Chalmers, *Hooded Americanism*, 34.

⁵¹“Klansmen Give Preacher \$100 and Crowd Cheers,” *Dallas Morning News*, 15 April 1922.

⁵²*Ibid.*

⁵³*Ibid.*

⁵⁴Danny Lee Ahlfield, “Fraternalism Gone Awry: The Ku Klux Klan in Houston, 1920-1925,” Master’s thesis, University of Texas, Austin, Texas, 1984, 40.

⁵⁵“Klansmen Take Fruit and Candy to Church,” *Dallas Morning News*, 25 December 1921.

A key verse to the Klan's ideology comes from Romans 12:1, "I beseech you therefore, brethren, by the mercies of God, that ye present your bodies a living sacrifice, Holy, acceptable unto God, which is your reasonable service."⁵⁶ Essentially appealing to the strict separation of justification and sanctification in the Holy Spirit as espoused by the Dallas Seminary during the early 1920s, the Klan seemed interested in utilizing their ceremony of "Naturalization" into the Invisible Empire to, in part, symbolically represent the act of dedication to the Holy Spirit. When referencing the Klan's induction ceremony in his anti-Klan book *The Modern Ku Klux Klan*, Henry P. Fry asserted it to be ". . . How the Kleagles, for Ten Dollars, profane Christianity's Holiest Rite."⁵⁷

The process of induction into the Invisible Empire involved the candidate moving to various points in the klavern where Klan officers required the individual to listen to various passages, swear allegiance to the Klan, and then undertake a ritual strikingly similar to Protestant baptism.⁵⁸

Other goals of the Klan meriting a favorable response from Protestant clergy included the promotion of Christianity, preservation of prohibition, support of orphans and widows, prevention of Bolshevism, and attempts to control mob and lynch law.⁵⁹

Taking on the connection between Protestant Fundamentalists and the Ku Klux Klan, Historian Norman Furniss asserts that both parties, affected by the fervor of World

⁵⁶Bible Gateway, "BibleGateway.com – Passage Lookup: Romans 12:1," available from [http://www.biblegateway.com/passage/?search=romans 12:1&version=9/](http://www.biblegateway.com/passage/?search=romans%2012:1&version=9/), Internet, accessed December 6, 2008; William W. Combs, "The Disjunction Between Justification and Sanctification in Contemporary Evangelical Theology," *Detroit Baptist Seminary Journal* 6 (Fall 2001): 29-30.

⁵⁷Fry, 82.

⁵⁸*Ibid.*, 86. Knights of the Ku Klux Klan, *Kloran*, 11-23.

⁵⁹Kilgore, "The Ku Klux Klan and the Press in Texas," 22; Charles C. Alexander, *Crusade for Conformity: The Ku Klux Klan in Texas, 1920-1930* (Houston: Texas Gulf Coast Historical Association, 1962).

War I, extolled a calling of certainty in uneasy postwar America, professing “that two sinister forces, evolution and modernism, were the evil agents producing this uneasiness.”⁶⁰ Additionally, fears of an impersonal, distant God, reflected in the ideas of Modernist thinkers, provided Americans believing in the benevolence of a close, personal Savior with reason to cling to the literal infallibility of the Bible and tenants of Fundamentalist belief. Attempts to combat perceived opposition from Modernists and evolutionists often spewed forth in fiery rhetoric of Fundamentalist clergy, detailing a symbolic war that must be won in order to preserve the essence of their religion.

The literature of both the Fundamentalists and the Klan exhibited similarities between the two groups, documenting ardent attacks upon beliefs and ideologies contrary to these movements.⁶¹ Klan opponent John Moffatt Mecklin recognized a striking resemblance in the Fundamentalist-driven elements evident in the Klan’s rituals. Articulating their similarities, he noted, “The orthodox tenets of Evangelicalism from the Blood Atonement to Verbal Inspiration are all there, by implication at least. A Fundamentalist would have found himself thoroughly at home in the atmosphere of the Klan ceremonies.”⁶² Further evidence of this statement emerged in the opening prayer recited by the Kludd before the opening of a Klan meeting:

Oh God our Heavenly Guide, as finite creatures of time and as dependent creatures of thine, we acknowledge the (sic) as our Sovereign (sic) Lord. Permit freedom and the joys thereof to forever reign throughout our land. May we as Klansmen forever have the courage of our convictions and that we may always stand for thee and our great nation. May the sweet cup of brotherly fraternity ever

⁶⁰Norman F. Furniss, *The Fundamentalist Controversy, 1918-1931* (New Haven: Yale University Press, 1954), 35-36.

⁶¹*Ibid.*, 37.

⁶²John Moffatt Mecklin, *The Ku Klux Klan* (New York: Harcourt, Brace, and Company, 1924), 19; Furniss, *The Fundamentalist Controversy*, 37.

be ours to enjoy and build within us that kindred spirit which will keep us unified and strong. Engender within us that wisdom kindred to honorable decisions and the Godly work. By the power of thy infinite spirit and the energizing virtue therein, ever keep before us our oaths of secrecy and pledges of righteousness. Bless us now in this assembly that we may honor thee in all things, we pray in the name of Christ our blessed Savior. Amen.⁶³

Sentiments of narrow American nationalism were apparent in parts of the Klan's closing ceremonies, particularly, the dialogue between the Exalted Cyclops, the Klaliff, and the Kludd. At the completion of the meeting, the Exalted Cyclops asks the Klaliff, "What is the fourfold duty of a Klansman?"⁶⁴ Rising from his seat, the Klaliff responds, "To worship God: Be patriotic toward our country: be devoted and loyal to our Klan and its officers and to practice Klanishness toward his fellow Klansmen."⁶⁵ Following up on this statement, the Exalted Cyclops asks of the Kludd, "How speaketh (sic) the oracles of our God?"⁶⁶ In response, the Kludd rises and states, "Thou shalt (sic) worship the Lord thy God. Render unto the state the things which are the state's. Love the brotherhood: honor the King. Bear ye one anothers (sic) burdens, and so fulfill the law of Christ."⁶⁷

Finally, the Kludd's closing benediction prayer instills the sense of righteous warfare described by Fundamentalists while espousing the goals of the Klan organization:

Our Heavenly Father we invoke thy divine benediction upon us. Keep us unfettered from the world that we might fight the good fight, run a true course and be worthy to claim the prize. May we as brethern (sic) and Klansmen be steadfast

⁶³Knights of the Ku Klux Klan, *Kloran*, 8.

⁶⁴*Ibid.*, 9.

⁶⁵*Ibid.*

⁶⁶*Ibid.*

⁶⁷*Ibid.*

and unremovable, (sic) always abounding in the work of our Lord knowing that our labor is not in vain. Through Jesus Christ we pray, Amen.⁶⁸

In his 1924 work, *Darker Phases of the South*, sociologist Frank Tannenbaum observes similarities between the two movements due to a “remnant of the millennialism which identified Germany with the devil, and the hope of victory with the dawning of a new and beatific world. The disillusionment so general after the war was due to the failure of this Utopian hope.”⁶⁹ Accounting for this failure, Tannenbaum cited typical targets of Klan and Fundamentalist ire such as Catholics and Jews as a partial explanation for the remnants of sin in the world that destroyed a white utopian dream and ushered in a synthesis of millennialism and militarism. He further indicates that the Ku Klux Klan was another, “attempt to destroy the ‘evil’ that stands in the way of the millennial hope – a hope made vivid to many souls who actually believed that the war would usher in a ‘world fit for heroes to live in’.”⁷⁰

While the connections between these two movements seem apparent, Furniss contends that although the Klan might share mutual influences with the Fundamentalists, no concrete relationship can be made between the two movements, despite a remarkably coincidental relationship.⁷¹

Citing Baptists as a reference group for Klan support, Mecklin contended in 1924 that a great portion of the denomination’s ministers were “either secretly or openly sympathetic with the Klan.”⁷² Historian David Stricklin further advances this view in his

⁶⁸*Ibid.*, 10.

⁶⁹Frank Tannenbaum, *Darker Phases of the South* (New York: G. P. Putnam’s Sons, 1924), 16-17.

⁷⁰*Ibid.*

⁷¹Furniss, *The Fundamentalist Controversy*, 37.

⁷²Mecklin, *The Ku Klux Klan*, 100.

book on Southern Baptists, *A Genealogy of Dissent: Southern Baptist Protest in the Twentieth Century*.⁷³ Citing an interview of Otis Strickland by Baylor University Church Historian Glenn O. Hilburn, Strickland reveals that fellow pastor C. E. Matthews, infamous for garnering the animosity of J. Frank Norris, was an ardent member of the Klan. Regarding his origins and activity within the group, Strickland stated:

Well, he got into that [the Klan] in Missouri, out in the mountains of Missouri, a little ways out of St. Louis. You know, they were strong up there. And he just continued that when he was down here. And he'd go to the meetings and he would have part. Some man in the community who wasn't treating his family right, they'd have a little meeting with him. And they'd put it on him; they'd do whatever they had to do. And Brother Matthews was right in the midst of it. He just brought that right down with him and continued it here.⁷⁴

David Stricklin contends that members of the Protestant clergy participating as members of the Klan were not limited to C. E. Matthews, but transcended divisions between the North and South to encompass many prominent, respectable individuals in the public eye including ministers, politicians, and other professionals.⁷⁵

Explaining the context that strengthened the tie between religious affiliation and Klan membership, Mecklin argued that “mental attitudes of . . . old Scotch-Irish stock in Southern society” attributed to the rapid spread of membership to the middle and lower classes.⁷⁶ Asserting the deeply Protestant nature of this group, he described the transition of many former Presbyterians to largely members of Baptist and Methodist churches, with Baptists representing the “religious mainstay of the Klan.”⁷⁷ With this in mind,

⁷³David Stricklin, *A Genealogy of Dissent: Southern Baptist Protest in the Twentieth Century* (Lexington: The University of Kentucky Press, 1999), 16-17.

⁷⁴*Ibid.*, 17.

⁷⁵*Ibid.*

⁷⁶Mecklin, *The Ku Klux Klan*, 100.

⁷⁷*Ibid.*

Mecklin contended that the strength of the Klan lay in the “large, well-meaning but more or less ignorant and unthinking middle class, who inflexible loyalty has preserved with uncritical fidelity the traditions of the American stock.”⁷⁸ This unyielding loyalty fit cleanly within the parameters of the organization’s view of the staunch separation of church and state.

In an assessment of perceived Klan support in the news media, historian Linda Elaine Kilgore asserts that the *Waco Times-Herald* fell on the side of supporting the Klan due to its lack of editorial opinion coverage of the Klan incited riot in Lorena, Texas, on October 1, 1921.⁷⁹ On days preceding the planned Klan parade in Lorena that ignited the riot, the *Waco Times-Herald* ran reports of the parade’s location and time along with filler ads displaying the mysterious announcement “KKK is almost here.”⁸⁰ Describing the condition of Waco during the incident, she states:

In a city which supported the Klan so strongly that its grand jury would openly defy the state law, as specifically interpreted by the Attorney General, and censure instead the Sheriff and other law enforcement officers who attempted to carry out their responsibility against the will of the Ku Klux Klan, it is not surprising that the editor of the newspaper did not attempt to oppose the organization. His attitude of sympathetic or non-committal silence surely did nothing to hinder the growth of the Klan; perhaps it contributed to the organization’s strength. The Klan leaders in Waco and the surrounding area, which was one of the centers of the Klan activity in the state, should have had little difficulty in obtaining the publicity they needed to carry out their mission, even when it defied the laws of the state.⁸¹

⁷⁸*Ibid.*, 103.

⁷⁹Kilgore, “The Ku Klux Klan and the Press in Texas,” 63. For an overview of the Lorena riot, see Kilgore, “The Ku Klux Klan and the Press in Texas,” 54-63.

⁸⁰*Ibid.*, 54; *Waco Times-Herald*, 1 October 1921.

⁸¹Kilgore, “The Ku Klux Klan and the Press in Texas,” 63.

Kilgore's statement concisely explains the socio-political climate that fostered the complexities in McLennan County that played a crucial role in the development of the "Waco Agreement," the Klan's political decision concerning the 1922 senatorial race. The course of action surrounding this agreement and the subsequent destruction of Robert L. Henry's political career demonstrate the magnitude of Klan influence in Texas politics.

Shortly after the Waco chapter's founding, the Klan targeted the nuns that administered Providence Hospital and called them individuals of questionable conduct.⁸² Supporters of the nuns took the threat seriously, armed themselves, and camped at the hospital overnight because of fears that the Klan would physically attack the sisters.

Economically, Catholics were often objects of discrimination and targeted specifically by the Ku Klux Klan in McLennan County. The account of Oscar Emil Hessdoerfer's cousin, Harry Bahl, represents but another example of the Klan's rising strength in the county beginning around 1914 or 1915.⁸³ Bahl's wife inherited the Artesian Laundry located on the corner of Mary and Fourth Street and Harry took over the management of the business. After Bahl established a competing business with the existing laundry service owned by Louis Crow, the Klan began harassing him about his Catholic beliefs, and as Hessdoerfer describes the other laundry service owner, ". . . I think he was a Klansman and in some way he rooted this cousin of mine out."⁸⁴

Later recalling the location of the Klan's meetings in Waco, Hessdoerfer recalled, "I know he [the competing laundry cleaning owner] was a Klansman. They were out

⁸²Wallace, *Waco: Texas Crossroads*, 56.

⁸³Oscar Emil Hessdoerfer, Oral History, Institute for Oral History, Baylor University, Waco, Texas, 93-94.

⁸⁴*Ibid.*, 92; "Louis Crow Dies from Stab Wound Received in Lorena," *Waco Times-Herald*, 5 October 1921.

there in the white robes and people would go along. . .Thirteenth and Bosque Boulevard. . .and you could see. . .the Klansmen having their meeting.”⁸⁵ Describing the location, he recalled that it was farmland, and the meetings were held roughly one hundred and fifty feet from Bosque Boulevard (Fig. 9).⁸⁶ Summarizing the Klan’s purpose from his point of view, Hessdoerfer noted that, “they kept the black people straight. It’s about the only good thing they did. But, outside of that. . .they were against Jews and Catholics. . .and that’s where you got your trouble.”⁸⁷

This type of activity was common as the Waco chapter boycotted all Catholic and Jewish-owned business owners that did not join the Klan.⁸⁸ A former member of the Waco Klan stated that Klan-owned businesses displayed, “a white card with black bars across it. . .[and] I wouldn’t go to a barbershop or any other place that didn’t have a Klan card present somewhere.”⁸⁹

The Klan of McLennan County also took interest in regulating individuals they perceived as harmful to society because of their lack of employment. The N. B. Forrest Klan members of Mart, Texas, located approximately eighteen miles southeast of Waco took it upon themselves to persuade a young man in Mart to have a better work ethic.⁹⁰

⁸⁵Hessdoerfer, Oral History, 92.

⁸⁶*Ibid.*, 93.

⁸⁷*Ibid.*, 94.

⁸⁸Wallace, *Waco: Texas Crossroads*, 56.

⁸⁹*Ibid.*

⁹⁰“K. K. K. Called Incubator of Hate,” *Dallas Morning News*, 29 June 1922.

Sending a letter on official Klan stationary, they advised that the individual should, “get some work to do, and not be a parasite on the community, and also. . .not permit his mother to work in the field.”⁹¹



Fig. 9. Field at 13th Street at Bosque Boulevard, Waco, Texas, 2009⁹²

Former McLennan County Attorney O. H. Cross commented on this event at a meeting of the McLennan County Citizens’ League by indicating that the young man’s mother insisted the youth worked in the field with her and is greatly concerned about what action the Mart Klan might take against him.⁹³ Cross further indicated the criminality of sending a threatening letter by stating, “We have a statute that makes it a

⁹¹*Ibid.*

⁹²Jean M. Fair, Photograph by Jean M. Fair of present-day 13th Street at Bosque Boulevard, 13th Street at Bosque Boulevard, Waco, Texas, 29 March 2009.

⁹³“K. K. K. Called Incubator of Hate,” *Dallas Morning News*, 29 June 1922.

felony to send a threatening letter to a person, and every member of the klan sending this letter becomes a felon as a result of the sending of this letter.”⁹⁴ Cross’s reference was to Article 1446 of the 1911 revision of the Texas Penal Code pertaining to threatening letters which stipulated that individuals would be assessed a fine of between one hundred and a thousand dollars with possible imprisonment in the county jail for one year.⁹⁵

The Mart chapter also targeted blacks by posting threatening notices around the city.⁹⁶ On 19 May 1921, the chapter placed posters around town proclaiming, “Notice—The Ku Klux Klan has been organized in the city of Mart and all had better heed to the warning of this order. [T]here is no city in the country that has so much sin and corruption as this little town and we. . .mean to have it cleaned up. . .to make Mart a better place to live in, a place where the white people shall rule instead of negro wretches.”⁹⁷ The chapter later placed a notice on a black-owned store that ordered the owner to close by 8:00 p.m. and promised to punish any black loiterers found in the street.

Vagrancy was another issue the Waco Klan took seriously in June 1921.⁹⁸ In the early morning hours of 7 June, Kenneth Cummings of 914 Ross Avenue was forcibly removed from his home by five men with their faces partially concealed by masks. Seizing his wife after she answered the door, the men took Cummings and carried him

⁹⁴*Ibid.*

⁹⁵*Penal Code of the State of Texas*, 383.

⁹⁶Wallace, *Our Land, Our Lives*, 154.

⁹⁷*Ibid.*

⁹⁸“Bond is Granted in Whitecap Cases,” *Dallas Morning News*, 14 July 1921; “Wife Fires on Men Attacking Husband,” *Dallas Morning News*, 8 June 1921; “Whitecapping is Charged at Waco,” *Dallas Morning News*, 10 July 1921.

down the street, and eventually tarred and feathered him. Cummings managed to escape after his wife broke free, found a pistol, and fired shots towards the men who held her husband captive. Cummings later told police that he had received a threatening message from the Ku Klux Klan stating that he and his wife must leave Waco ten days prior to being tarred and feathered.

O. D. Reed, Bowden Hays Jr., George Jackson, and William L. Edmond were apprehended by McLennan County law enforcement officers, charged with whitecapping, and set with bonds of \$1,000 on 9 July.⁹⁹ At a preliminary hearing in the Fifty-Fourth District Court for Reed, Hays, and Edmond on 13 July, the defense attorney representing the accused requested a motion to waive a jury trial, but County Attorney Frank B. Tirey announced that the State would present testimony and evidence. A placard that was placed around Kenneth Cummings' neck after being tarred and feathered was presented as evidence. Painted in red, the placard was inscribed, "This is a sample to evil doers and pro-Germans. Beware. One hundred per cent Americans - others must go. Ku Klux Klan."¹⁰⁰

In disillusioned post-war America, the Lorena riot serves as another example of the Klan's war against lawlessness and anti-Americanism, and resulting conflict between legal and extralegal forces. Furthermore, it indicates the growing social and political influence of the Klan in McLennan County as citizens found themselves denouncing the McLennan County Sheriff and putting their support behind the Klan.

⁹⁹"Whitecapping is Charged at Waco," *Dallas Morning News*, 10 July 1921; "Bond is Granted in Whitecap Cases," *Dallas Morning News*, 14 July 1921.

¹⁰⁰"Bond is Granted in Whitecap Cases," *Dallas Morning News*, 14 July 1921.

CHAPTER THREE

Violence: The Lorena Riot

“Texas is big, but Texas is not big enough for a democracy and an invisible empire to dwell within its borders.”

The *Dallas Morning News*, 7 October 1921

In the fall of 1921, McLennan County hosted numerous public parades, courtesy of the Ku Klux Klan. October marked the second of these parades as the Waco chapter of the Klan prepared to march on Lorena, a small community outside the city limits of Waco.¹ After parading in the Mart community a few weeks earlier, the Klan announced the location and time of the Lorena parade by placing posters on telephone and telegraph poles around Waco and surrounding communities. The *Waco Times-Herald* covered reports of these advertisements and also somewhat encouraged them with the placement of mysterious advertisements in the newspaper announcing, “KKK is almost here.”²

On the evening of October 1, 1921, the Klan began the parade at 8:30 p.m. with an abundance of citizens in attendance. The *Waco Times-Herald* reported, “Never were there so many people in Lorena before. Every man, woman, and child in the town, and all the farmers and their families for miles around were assembled to view the parade. Added to that were hundreds of people from Waco.”³ The newspaper estimated the attendance at roughly between 3,000 and 4,000 eager citizens in the small business district of Lorena. According to Guy B. Harrison, “the whole face of the earth was

¹*Waco Times-Herald*, 1 October 1921, 1; Kilgore, “The Ku Klux Klan and the Press in Texas,” 54.

²*Ibid.*

³“Attempt of Sheriff to Stop Parade Results in the First Shooting Since Marches Began,” *Waco Times-Herald*, 2 October 1921.

covered with cars,. . .just a solid stream of headlights all the way out from Waco.”⁴

McLennan County Sheriff Bob Buchanan and Deputy Sheriffs M. Burton and I. Mack Wood went to Lorena with the intent to stop the parade unless the Klan informed the Sheriff who would be leading it (Fig. 10).⁵



Fig. 10. McLennan County Sheriff Bob Buchanan⁶

About an hour before the parade, Buchanan and his deputies confronted the parade entrance located half a mile north of Lorena and inquired as to who would be leading the parade. Met with refusal to reveal the identities of the two Klan parade leaders, the Sheriff stated, “If they will just let me see who is leading so I can know who

⁴Wallace, *Waco: Texas Crossroads*, 58.

⁵*Ibid.*; “Sheriff Buchanan Shot Down While Seeking to Stop Forbidden Parade,” *Austin American-Statesman*, 2 October 1921. It is important to note the *Waco Times-Herald* article makes no mention of Buchanan’s attempts to reason with the crowd and Klansmen if the leaders of the parade were identified.

⁶“Sheriff is Indicted on Charge of Killing Louis Crow at Lorena,” *Dallas Morning News*, 20 January 1922.

to hold responsible if anything happens, I will not stop the parade.”⁷ The Klan members continued to refuse law enforcement’s request to identify, carrying on with their plans to begin the parade at 8:30 p.m, much to the approval of the crowd. The Sheriff started walking back through the large crowd toward the business district, attempting to convince citizens of his logic by stating, “It is not right for them to pass through here when no one knows who they are. It is not the law. They can’t go through until they get me.”⁸

A crowd began forming around Buchanan as some criticized him, some attempted to reason with him to allow the parade to continue, and a few declared he was right in conducting his duty as Sheriff.⁹ Many times before the parade began, notable citizens of the county such as the pastor of Lorena Baptist Church, C. E. Poe, Charlie Westbrook, and County Engineer Manton Hannah attempted to reason with the Sheriff as he continued to proclaim, “They shall not parade if I can keep them from it.”¹⁰ At around 9:30 p.m., the parade began with law enforcement still striving to prevent it. Marching two by two, the Klansmen headed into town, making their way down the main street of Lorena with the leaders of the parade marching in single file, one carrying a large American flag and the other carrying a fiery cross.¹¹ As the Sheriff and his deputies

⁷“Sheriff Buchanan Shot Down While Seeking to Stop Forbidden Parade,” *Austin American-Statesman*, 2 October 1921.

⁸*Ibid.*

⁹*Ibid.*

¹⁰*Ibid.*; “Attempt of Sheriff to Stop Parade Results in the First Shooting Since Marches Began,” *Waco Times-Herald*, 2 October 1921.

¹¹*Ibid.*; “Sheriff Buchanan Shot Down While Seeking to Stop Forbidden Parade,” *Austin American-Statesman*, 2 October 1921.

reached the cross street to Lorena from the Waco road, the two parties met and the battle began.

As the leader of the parade carrying the American flag met Buchanan, he momentarily stopped.¹² Though no reports of an exchange between the Sheriff and the flag carrier exist, the *Austin American-Statesman* reported that Buchanan attempted to remove the Klansman's mask, causing several robed Klansmen to come to the aid of the flag carrier and starting a brawl. Additionally, the *Waco Times-Herald* reported that Buchanan attempted to take the American flag from the carrier. The *Austin American-Statesman* provided a detailed series of events that coincides with the reports of the *Waco Times-Herald*:

A wild scene ensued. A pistol shot rang out. A lull of a few seconds followed, then between ten and fifteen shots were fired in rapid succession. The sheriff and Deputy Burton were seen dashing about the road. Sheriff Buchanan knife in hand, soon cleared a space about him. He was knocked down at the beginning of the fight by a pole in the hands of one of the paraders (sic), but arose knife in hand. He said some one took his gun away from him while he was down. While he was down, one of the white men [referring to Klansmen] grabbed the flag, and the parade moved on [about fifty Klansmen passed according to the *Waco Times-Herald*] but soon dispersed. Banners carried by the paraders (sic) were taken by while the sheriff and deputy Burton were held by bystanders.¹³

Offering statements similar to Buchanan's and the reports from the *Austin American-Statesman* and the *Dallas Morning News*, Deputy Sheriff Burton later testified that the fight broke out after Buchanan made an attempt to take the Klansman's mask.¹⁴

¹²*Ibid.* It is necessary to point out a discrepancy between the *Waco Times-Herald* and the *Austin American-Statesman* on the initial action that ignited the riot. The *Waco Times-Herald* makes no mention of Buchanan's attempt to remove the Klansman's mask, but stresses the fact that Buchanan, ". . . seized the man and the flag. . ."

¹³"Sheriff Buchanan Shot Down While Seeking to Stop Forbidden Parade," *Austin American-Statesman*, 2 October 1921.

¹⁴"Waco Officer Making Brave Fight for Life," *Austin American-Statesman*, 3 October 1921; "Grand Jury Will Inquire Into Ku Klux Disturbance at Lorena Saturday Night," *Dallas Morning News*, 3 October 1921.

Burton stated that numerous citizens in the crowd, jeering at Buchanan, yelled that he would not be re-elected to office if he attempted to stop the parade. In his account,

Burton recalled the moments after the fight started:

As I recall it, Sheriff Buchanan grabbed about the third masked man that passed him and pull off his mask. This was a block north of the Waco road. I saw several men take hold of Mr. Buchanan and six men caught me. I heard several in the crowd cry out, "We've got him!" referring to Buchanan. I had my automatic pistol in my hand and had had it there when it seemed to be that trouble would occur. I did not fire a shot until after Buchanan had been shot. I heard Buchanan say he was shot. Then I began firing into the crowd that was piled on top of the sheriff. I do not know how many shots I fired, but six men had hold of me when I began discharging my pistol. . . I recognized only one of the six men who had had hold of me and he was a prominent citizen of Lorena. . . [in reference to Buchanan's assailant], I am of the opinion that Sheriff Buchanan was shot by a masked man.¹⁵

The aftermath left Buchanan with a gunshot wound under his right arm, Louis Crow with a knife wound on his right side, Waco police officer Ed Howard with a knife wound in the stomach, Carl West with a gunshot wound to the neck, W. E. Smith with a knife wound, J. R. Jones with multiple knife wounds, and Will Lawson with a knife wound to the neck.¹⁶ When a reporter interviewed the weak and injured Buchanan at a Waco hospital, he said, "Just tell them that the whitecaps shot me. . . I begged and I pleaded with them to halt the parade, but they would not hear me."¹⁷

After the riot, witnesses of the event and angry citizens from the surrounding communities signed a witness list and a letter demanding action against Sheriff Buchanan

¹⁵*Ibid.*

¹⁶"Attempt of Sheriff to Stop Parade Results in the First Shooting Since Marches Began," *Waco Times-Herald*, 2 October 1921.

¹⁷"Sheriff Buchanan Shot Down While Seeking to Stop Forbidden Parade," *Austin American-Statesman*, 2 October 1921.

and his deputies, and both were published in the *Waco Times Herald* on 3 October.¹⁸ Of the seventy-nine names on the witness list and 339 names on the letter, forty names appeared on both lists. Twenty-one of the remaining names on the witness list had relatives who signed the letter against the sheriff, while only eighteen names appeared on the witness list only.¹⁹ Exactly 109 of the people who signed the letter demanding action against Buchanan were related to people on the witness list, leaving only 149 names of the 339 unassociated with the witness list. These numbers suggest that most of the professed witnesses of the riot either felt compelled to demand legal action against Buchanan personally, or encouraged their family members to do so. Furthermore, the witnesses seemed to feel no reservation in augmenting the number of people claiming to be disappointed with Sheriff Buchanan's actions by soliciting their families to sign their letter of disapproval as well. The witnesses, and probably participants, of the riot clearly saw the need to ensure that legal action would be taken against the sheriff.

On Monday, October 3, a joint decision by Fifty-fourth District Judge Richard I. Munroe and McLennan County Attorney Frank B. Tiley announced that a grand jury investigation would be needed in order to ascertain fault in the Lorena incident.²⁰ To the great dissatisfaction of residents of Lorena, Waco, and the surrounding communities of McLennan County, Tiley insisted on abstaining from setting a date for a hearing until ascertaining the conditions of Sheriff Buchanan and the other injured men. As of

¹⁸“Await Calling of the Grand Jury,” *Waco Times-Herald*, October 3, 1921; “Grand Jury Will Inquire Into Ku Klux Disturbance at Lorena Saturday Night,” *Dallas Morning News*, 3 October 1921.

¹⁹*Ibid.*

²⁰“Await Calling of the Grand Jury,” *Waco Times-Herald*, October 3, 1921; “Waco Sheriff Making Gallant Fight for Life,” *Austin American-Statesman*, 3 October 1921; “Grand Jury Will Inquire Into Ku Klux Disturbance at Lorena Saturday Night,” *Dallas Morning News*, 3 October 1921.

October 3, Buchanan, Crow, West, and Howard remained in serious condition, hospitalized in Waco.

As a result of the outcry of injustice from the citizens of Lorena, the *Waco Times-Herald* printed a full text petition signed by 339 citizens of the county professing their displeasure with the sheriff in order to persuade Tirey to set a definitive court date and file charges against the sheriff:

This statement holds the Klan blameless for any violation of the law or attempted violation. Attention is called to the effort made by leading citizens of Lorena to prevail upon the sheriff and his deputies to permit the parade to be held unmolested, these citizens guaranteeing that the parade would be orderly and law-abiding.

Lorena, Texas, Sunday, Oct. 2, 1921.

We, the undersigned citizens of Lorena and vicinity, deplore the tragedy that was enacted in our little town last night.

We grieve for the blood that was spilled.

But in order that the world may know the facts, we desire to make public the following statements:

1. We do not believe that the members of the Ku Klux Klan who staged the parade violated any law or that they had any intention of violating any law.
2. We attempted to prevail upon the sheriff of this county and his deputies through the medium of dozens of representative citizens to permit the parade to be held, guaranteeing that it would be law-abiding and orderly.
3. We induced the leaders of the parade to accede to the sheriff's demand that two of the paraders (sic) should be unmasked.
4. We implored the sheriff not to jeopardize the lives of our women and children.
5. We admire and we honor the spirit and the individual that kept the American flag from being trampled to the earth.
6. We conclude by affirming our belief in the preservation of America for Americans, and by offering tribute to the little band of men who last night showed by their calm and determined action that their lives supported this principle.²¹

In contrast with the sentiments of the citizens of Lorena and other supporters of the Klan, Governor Pat Neff requested the Attorney General to make a ruling on the legal status of masked parades, keeping in mind the events that transpired in Lorena. In the

²¹*Ibid.*

October 16 edition of the *Waco Times-Herald*, an abridged version of his ruling against masked parades appeared:

All efforts of persons under any name they may have assumed to better the moral conditions of the country through the medium of threats, fear, intimidations, and personal violence, is violative (sic) of the spirit and letter of the constitution and laws of Texas and each and every act, done and performed by them, carrying out or furthering any illegal purpose, or which has for its object the doing or any act forbidden by the law would involve the guilt of all participants having knowledge of a general purpose to do illegal acts or actual knowledge of the doing of an illegal act.

If any order, organization, or body of individuals agree and confederate among themselves to do any act which would be in violation of the laws of the country, every act of every individual composing the conspiracy in the furtherance of the conspiracy would be illegal. This would apply to the masked parades where such parade is part of and in furtherance of a purpose to do some act which would be in violation of the law.²²

After learning of the events in Lorena, Governor Neff expressed his sadness that an event like that could occur in Texas and tendered services in his official capacity to aid McLennan County's law enforcement and justice system in uncovering the facts of the case and upholding the law to the fullest extent.²³ Neff later wrote District Judge Richard I. Munroe and County Attorney Tirey on October 11, once again offering the services of all civil and military power within the state in order to make a thorough investigation.²⁴ The same day, Judge Munroe charged the grand jury with the investigation of the Lorena incident to a crowded courtroom.

Clearly expressing his feelings toward the parties involved as a result of the Lorena incident, Governor Neff stated in his letter to Judge Munroe,

²²*Waco Times-Herald*, 16 October 1921, 1; Kilgore, "The Ku Klux Klan and the Press in Texas," 60.

²³"Neff Deplores Lorena Tragedy," *Waco Times-Herald*, 4 October 1921.

²⁴"Won't Comment on Neff's Letter," *Waco Times-Herald*, 12 October 1921.

The law can and should be enforced only through the duly constituted authorities of the Government. No individual and no organization, however large, should be above the law. The strong arm of the law should reach up and down and all around and bring to the bar of justice, without fear or favor, all those who trample the law under their feet. To this end the law-enforcing power of the State is at your command.²⁵

Days after the incident, law enforcement officials in San Antonio, including Sheriff John W. Tobin and Chief of Police Mussey, announced that they would not permit the San Antonio chapter of the Klan to have a parade, taking into consideration the riot in McLennan County days earlier.²⁶ Amidst rumors that the local chapter was preparing to parade through downtown San Antonio, Sheriff Tobin stated, "There will be no parade of masked Ku Klux Klansmen if I can prevent and I propose to use every means to prevent it. The law forbids any person to appear masked upon the highways of the State or in any public place and it is my intention to see that the law is obeyed."²⁷

Hearing twenty witnesses before the McLennan County grand jury on 13 October, they believed that it would not be possible for the grand jury to complete the investigation that week because seventy-five other citizens from the Lorena area were subpoenaed to testify.²⁸ At the end of the week, the grand jury set to recess until the proceeding Wednesday, 19 October, after examining thirty witnesses with no guilt ascertained against either the Klan or Sheriff Buchanan and his deputies.²⁹

²⁵"Governor Neff Sounds Call for Respect of Law," *Dallas Morning News*, 13 October 1921.

²⁶"San Antonio Officers Warn Against Parade," *Dallas Morning News*, 4 October 1921; United States Department of Commerce-Bureau of the Census. *Fourteenth Census of the United States: 1920-Population*. Texas, Series T625, Roll 1779, 129.

²⁷*Ibid.*

²⁸"20 Witnesses Have Already Appeared Before Grand Jury," *Waco Times-Herald*, 13 October 1921.

²⁹"Grand Jury to Recess Friday Afternoon till Wednesday Next Week," *Waco Times-Herald*, 14 October 1921.

During the period that the McLennan County grand jury was investigating the riot, the *Dallas Morning News* published an editorial praising the fearlessness of some members of Texas law enforcement for not abdicating to the Klan's wishes.³⁰ Calling the Klan into question, the editorial stated:

The Lorena affair indicates that Klansmen do not carry weapons for nothing, even when on parade. The wounded Sheriff who lies at Waco probably knows how much truth there is in the vaunted boast from national and local leaders of the Klan that it stands ready at all times to aid the officers of the law. God pity the public official, State, county or municipal, whose mouth is closed by fear for his body or whose arm is shackled by an oath of allegiance to an empire alien to liberty and justice. God pity the patriotism that requires the decimal point or the Americanism that needs a per cent sign.³¹

On 5 November, the grand jury adjourned with no indictments in the Lorena investigation. However, the panel members submitted a written report to Judge Munroe once again indicating their displeasure with Buchanan; the *Waco Times-Herald* featured the full report on page one of the 5 November edition:

To the Hon. Judge of the 54th District Court, McLennan County, Texas

Dear Sir:

We, the undersigned members of the McLennan county grand jury, impaneled in the September term of your court, respectfully submit herewith the following report:

For a number of weeks we have been engaged in a thorough investigation of the tragedy enacted at Lorena on the night of October first wherein a number of McLennan county citizens were seriously injured in a clash between certain citizens of that community and the sheriff of this county.

A careful review of the facts in this case has revealed that a Ku Klux Klan parade was to be had in Lorena on the night of October 1st, advance notice of which had been given to the public, and that the Lorena citizens were desirous of seeing the parade, believing that the results would accrue to their community therefrom (sic).

The sheriff of this county, being apprised of the contemplated parade, accompanied by two of his deputies, went to Lorena in the late afternoon of October 1st with the avowed purpose of stopping the parade. Upon arriving there he was met by many of the most substantial citizens of that community, to whom he announced his purpose. They, as well as many other influential and respected citizens, of other parts of McLennan county, urged that he would not interfere

³⁰“A Time for Outspoken Fearlessness,” *Dallas Morning News*, 7 October 1921.

³¹*Ibid.*

with the parade, stating that many hundreds of people were there to witness it and that no disturbances had accompanied similar parades elsewhere that foreboded trouble of any nature upon that occasion. *The evidence before us has shown that scores of substantial citizens of Lorena agreed to assume personal responsibility for all unlawful acts and disturbances of the Klan, all of which assurances the sheriff refused to accept.* The evidence further shows that he stated repeatedly to the crowds in the presence of creditable witnesses that if the parade should attempt to come through, it would have to pass over his dead body. *The sheriff was repeatedly urged by his friends to proceed to the place where the parade was forming and dispense with it there, if he would not permit it to pass unmolested and thus not endanger the lives of the hundreds of innocent bystanders.* This he refused to do, and the sad tale of life and physical suffering occasioned by that refusal is already known to the people throughout the county. The grand jury has not returned a bill of indictment in this investigation believing that the best interests of society at large will be served. However, we do desire to go on record as severely condemning the methods employed by Sheriff Buchanan and Deputy Sheriff Barton, in the discharge of what they conceived to be their duty. A preponderance of the evidence that has been introduced before us convinces us that they grossly violated every law of humanity in their acts upon that occasion and that they had conclusively proved themselves to be temperamentally unfitted for the high offices they occupy. This grand jury does not presume to record itself as a defender of the Knights of the Ku Klux Klan, and our sole purpose in submitting this formal report of our findings is that the public may be apprised of the conclusions to which our investigations had led us.³²

The opinion of the grand jury in this case is crucial to understanding the strength of the Klan's deep roots in McLennan County.³³ Openly defying the opinion of the Attorney General regarding masked parades, members of the McLennan County grand jury suppressed the legitimacy of the Sheriff and his deputies as a law enforcement organization due to their stance against the Waco Klan.³⁴ According to the *Waco Times-Herald's* coverage of the riot along with the evidence provided in Linda Elaine Kilgore's similar research in her thesis, "The Ku Klux Klan and the Press in Texas, 1920-1927,"

³²*Waco Times-Herald*, 5 November 1921, 1; Kilgore, "The Ku Klux Klan and the Press in Texas," 62. The italics are the author's. The italicized statements conflict with initial reports by the *Waco Times-Herald*, the *Austin American-Statesman*, and the *Dallas Morning News*.

³³Kilgore, "The Ku Klux Klan and the Press in Texas," 62-63.

³⁴*Ibid.*

the media ran no editorials or statements from the McLennan County Sheriff's Office or other law enforcement entities in the county.

One would easily conceive the possibility that these officers or the citizens present at the riot who agreed with the Sheriff's actions might have commented on the grand jury's action. Considering the volatile nature of this event, a multitude of opinions would be expected as the presence of a Klan parade alone often warranted extensive editorial coverage, as with the Klan parade in Dallas on 21 January 1922.³⁵ However, these comments received no voice from the media in Waco. If not for reporters from the *Dallas Morning News* and the *Austin American-Statesman* present in Waco to cover the story, the limited statements provided in this work by Buchanan and Burton would remain mute.

Joe J. Sheppard, a lawyer in Tom Green County, commented on his opinions of the Klan's sway over jurors as he stated, "The jurors of this country are more responsible for the nonenforcement of our laws than anyone else. I have spent the best part of the last twenty-five years around the courthouse and know the jury is the refuge of the criminal. If the juries will do their duty the K. K. K. won't have anything to lean on except its doctrine of hate."³⁶

However, editorial opinions from Waco's surrounding communities continued to appear in the *Dallas Morning News*. Exacting sentiments over the failed work of law enforcement and the justice system over issues such as prohibition violations, gambling,

³⁵"Ku Klux Parade Saturday Night," *Dallas Morning News*, 22 January 1922; "The Right to the Streets," *Dallas Morning News*, 25 January 1922; "Letters From Readers," *Dallas Morning News*, 1 February 1922.

³⁶"San Angelo and the Klan," *Dallas Morning News*, 21 October 1921; United States Department of Commerce-Bureau of the Census, *Fourteenth Census of the United States: 1920-Population*, Texas, Series T625, Roll 1844, 178.

and burglary, W. W. David of Mart appealed to the sentiments of Klan supporters asserting that the parade, “neither morally nor legally, was a crime, and no worse than a masked Mardi Gras or Halloween parade.”³⁷ Furthermore, in reference to the failed work of Buchanan, he asserted that McLennan County law enforcement was,

straining at gnats and swallowing camels. . .making mountains out of mole hills and mole hills out of mountains. . .A great wave is sweeping over the land, as all concede [regarding perceived lawlessness in the country]. Our courts and juries either can not, or will not arrest it. The K. K. K. was organized, as I understand it, for this very laudable purpose. Deprive it of its mask and secrecy and you destroy its efficiency and paralyze its efforts.³⁸

Readers expressed similar sentiments on 10 October by criticizing the editors of the *Dallas Morning News* for printing the opinion that the Klan fired shots back at the Sheriff and his deputies and “rendering judgment before facts are ascertained.”³⁹ Further charging that the newspaper’s editorial writer should volunteer his evidence to the grand jury or cease his bantering against the Ku Klux Klan, Joe M. Moore insisted that the *Dallas Morning News* attempted to influence the action of legislation to suppress the Klan and the opinion of the grand jury in McLennan County. Not without support for the Sheriff and his department, F. G. Swanson posed questions to the Klan and its supporters. He contested the validity of the Klan, charging it with treason. Citing federal statutes, he argued that the Klan organization was not part of that government, but an organization possibly planning to, “set up its government in competition with or as substitute for regularly elected and constituted officers and authority.”⁴⁰

³⁷“Hold Klan Innocent,” *Dallas Morning News*, 10 October 1921.

³⁸*Ibid.*

³⁹“Letters From Readers,” *Dallas Morning News*, 14 October 1921.

⁴⁰*Ibid.*

Joe J. Sheppard of San Angelo rose to defend Buchanan's actions days after the riot with an article in the *Dallas Morning News* that draws sections of the criminal code to the side of the Sheriff, stating, "The Sheriff at Lorena did right in attempting to arrest the masked men as they were parading the streets to alarm and terrorize the citizens of that community, which is a violation of Articles 310 and 312 of Wilson's Criminal Code of this State, for it is the Sheriff's duty to arrest anyone whom he sees violating any of the State laws."⁴¹

Sheppard also drew comparisons between other fraternal groups such as the Catholic Knights of Columbus in his assessment of the Klan's culpable actions in Lorena: "Every act they [the Klan] do is unlawful, therefore I can not speak a word for them, much less join them. When the K. of C. [Knights of Columbus] violate any of our laws they will certainly be arrested and investigated."⁴²

Reflecting on his memories of the riot, William Robert Poage, an undergraduate student at Baylor University at the time, recalled that he had dropped his membership in the Klan by the time of the parade, but he distinctly remembered the Buchanan and Crow incident, reflecting that the riot was "the scene of most of the violence in McLennan County"⁴³

Positive comments directed toward the Sheriff were sparse in the months following the grand jury indictment. Much to Buchanan's surprise, the death of prominent laundry owner, Louis Crow, ushered an onslaught of public opinion against him as he was charged and indicted for Crow's murder by a McLennan County grand

⁴¹"San Angelo and the Klan," *Dallas Morning News*, 21 October 1921.

⁴²*Ibid.*

⁴³Poage, Oral History, 151-152.

jury.⁴⁴ Crow became the first mortal casualty of the Lorena Riot when he died Wednesday, October 5 October 1921 at 9:55 a.m. from a stab wound Sheriff Buchanan inflicted on his right side.⁴⁵ Taking the opportunity to honor a notable citizen of the community, the *Waco Times-Herald* ran a significant portion of its 5 October issue detailing the life and legacy of Crow (Fig. 11).

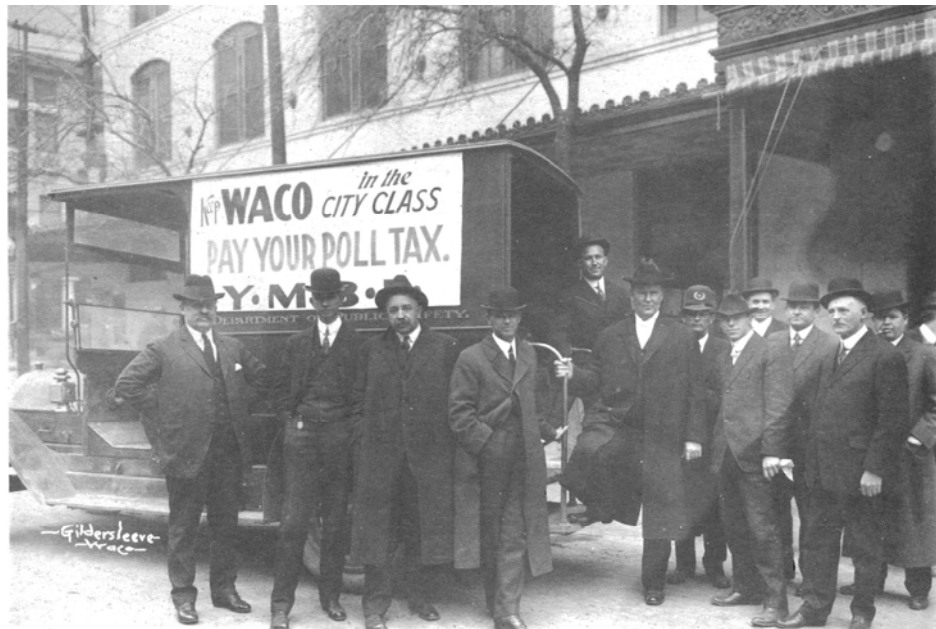


Fig. 11. Louis Crow, with Foot on Step of Auto⁴⁶

Sheriff on Trial

Mrs. Inez I. Crow, wife of Louis Crow, and Carl West, another victim of the violence at Lorena, filed damage suits in the Seventy-Fourth District Court on 8 January 1922.⁴⁷ Both plaintiffs intended to seek \$50,000 each against Sheriff Buchanan. Days

⁴⁴“Buchanan Indicted; Enters Race,” *Waco Times-Herald*, 20 January 1922.

⁴⁵“Louis Crow Dies from Stab Wound Received in Lorena,” *Waco Times-Herald*, 5 October 1921.

⁴⁶Conger, *A Pictorial History of Waco*, 188.

⁴⁷“Suits Against Sheriff Set For Feb. 2,” *Dallas Morning News*, 8 January 1922.

after this filing, on 12 January 1922, the McLennan County grand jury began another investigation of the Lorena riot after the previous grand jury failed to return indictments from the event.⁴⁸ Unlike the previous grand jury, the body from the January term returned an indictment against Bob Buchanan, charging him with “unlawfully killing Louis Crow.”⁴⁹

It is unclear to what degree the Texas penal code was conferred in this case, as Article 1101 addresses the issue of riots specifically, and specifies that justifiable homicide constitutes a proper means to suppress a riot if no other manner is available.⁵⁰ Furthermore, if Deputy Sheriff Burton’s account is taken into consideration, the McLennan County Sheriff’s Office refrained from firing until Buchanan had been shot, providing another example of justifiable homicide as seen in Texas penal code Article 1092: “Homicide by an officer in the execution of the lawful orders of magistrates and courts is justifiable when he is violently resisted and has just ground to fear danger to his own life in executing the order.”⁵¹

Visibly affected and surprised by the grand jury’s finding, Buchanan made no comment regarding the indictment, but announced his intent to run for re-election as Sheriff in the July primary as his term expired in December 1922.⁵² Faced with a bond of \$5,000 set by County Attorney Frank Tirey, a murder charge, and two pending civil

⁴⁸“Lorena Affair Again Before Grand Jury,” *Dallas Morning News*, 12 January 1922.

⁴⁹“Sheriff Is Indicted on Charge of Killing Louis Crow at Lorena,” *Dallas Morning News*, 20 January 1922.

⁵⁰*Penal Code of the State of Texas*, 295.

⁵¹*Ibid.*, 292.

⁵²“Buchanan Indicted; Enters Race,” *Waco NewsTribune*, 20 January 1922; “Sheriff Indicted on Charge of Killing Louis Crow at Lorena,” *Dallas Morning News*, 20 January 1922.

suits worth \$100,000 as a result of the events in Lorena, Buchanan faced a dark month in January 1922.

Despite this period of turmoil for Buchanan, he was not without support, as notable figures such as Mayor John Dollins, attorney John W. McNamara, and former McLennan County Sheriff Dan Ford announced their decisions to be sureties on the embattled sheriff's bond.⁵³ As the proceedings opened for the civil damages trial of Crow versus Buchanan, Mrs. Inez Crow chose former Nineteenth District Court Judge Erwin J. Clark to represent her while W. L. Eason and Nat Harris defended Buchanan and his bondsmen.⁵⁴ Due to insufficient time to complete the trial during the remainder of the term for the Seventy-Fourth District Court and a shortage of potential impartial jurors, the trial was reset until 22 February.⁵⁵

The unusual circumstances surrounding the civil case, which included the sheriff as a defendant, disqualified any officers of the McLennan County Sheriff's Office as bailiffs during the trial.⁵⁶ Furthermore, Constable Leslie Stegall's decision to run as a political opponent against Sheriff Buchanan in the July 1922 Democratic primary also barred McLennan County Constables from this role. Finding no authority in the Texas statutes allowing a judge to assign special officers, even in the extenuating circumstances of the Buchanan-Crow trial, Judge Harvey M. Richey sent a petition to Governor Pat

⁵³ "Buchanan Bond Set At \$5000," *Waco News Tribune*, 21 January 1922; McLennan County, Texas, "Former Sheriffs," available from <http://www.co.mclennan.tx.us/sheriff/sheriffs.aspx/>, Internet; accessed 11 March 2008; Conger, *A Pictorial History of Waco*, 207.

⁵⁴"Lorena Suits Are Docketed for Today," *Waco News Tribune*, 1 February 1922; "Governor to Send Special Officers," *Waco Times Herald*, 22 February 1922; "Erwin Clark Completes Term as Judge at Waco," *Dallas Morning News*, 13 December 1920.

⁵⁵"Civil Suit Against Sheriff Is Reset," *Waco Times Herald*, 2 February 1922.

⁵⁶"Governor to Send Special Officers," *Waco Times Herald*, 22 February 1922.

Neff requesting special officers from the Texas Rangers to cover the trial security detail. Neff agreed to send a detachment of Texas Rangers consisting of Captain Tom R. Hickman, Sergeant John Gillion, Ranger R. W. Hardesty, and Ranger M. M. Koonsman to Waco for the trial.⁵⁷

The issue of the sheriff operating in the official capacity of his office the night of the riot became key to the civil liability case against Buchanan and his bondsmen.⁵⁸ During preliminary hearings on 23 February 1922, defense attorney Eason submitted a demurrer disclaiming the sheriff's bondsmen C. H. Graves, W. N. Lazenby, and J. L. Pippin of liability for the plaintiff's allegation that Buchanan's actions led to the death of Louis Crow.⁵⁹ Basing the motion on lack of evidence provided by the plaintiff in initial proceedings along with numerous witnesses brought to the stand, the defense argued "[that] no allegation of fact showing a violation of the law was presented, and that no warrant for arrest was in possession of the sheriff at the time of the alleged act, therefore the bondsmen of the sheriff were not liable, since the sheriff was acting as an individual and not as an official."⁶⁰

In response to the defense's argument, plaintiff attorney Clark cited numerous opinions from Texas and other states indicating that sureties on bonds held by peace officers were held directly liable.⁶¹ Furthermore, Clark cited various authorities

⁵⁷"Argue Issue of Bondmen's Liability in Buchanan Suit," *Waco Times Herald*, 23 February 1922; "Governor to Send Special Officers," *Waco Times Herald*, 22 February 1922; "Neff to Send Rangers for Trial at Waco," *Dallas Morning News*, 22 February 1922.

⁵⁸"Argue Issue of Bondmen's Liability in Buchanan Suit," *Waco Times Herald*, 23 February 1922.

⁵⁹"All Witnesses Are Searched at Trial," *Dallas Morning News*, 24 February 1922; "Argue Issue of Bondmen's Liability in Buchanan Suit," *Waco Times Herald*, 23 February 1922.

⁶⁰"Argue Issue of Bondmen's Liability in Buchanan Suit," *Waco Times Herald*, 23 February 1922.

⁶¹*Ibid.*

contending that Sheriff Buchanan was indeed acting in official capacity for McLennan County, and made a point to argue that the legality of the Ku Klux Klan parade should not serve as a determining issue in the case. After hearing both counsels, Judge Richey denied the demurrer on Friday, 24 February and began the jury selection.⁶²

While the Third Court of Civil Appeals in Austin debated Buchanan's case in April and May 1922, the Klan appointed Mrs. Inez Crow's attorney, Erwin Clark, as general counsel for the Texas chapter.⁶³ With this new title, Clark would now carry the burden of representing the Klan for all legal matters occurring in the Texas realm. It remains difficult to ascertain whether Clark took on the Buchanan-Crow case at Crow's request in anticipation of receiving the national Klan body appointment.

The Lorena riot brought change in elected law enforcement as a "Ku Klux Klan Ticket" defeated Buchanan and County Attorney Frank Tirey.⁶⁴ Not only had the Klan effectively swayed the judicial process through the grand jury, but now they began to focus their efforts on politics within the county. Leslie Stegall, former McLennan County Constable elected to Sheriff and C. S. Farmer, elected to County Attorney, secured the former officials' seats. With sentiments affirming the validity of the Klan, Stegall and Farmer achieved victory at a margin of more than two to one against the incumbents, sealing the Klan's influence in McLennan County for the rest of 1922.

Despite Sheriff Buchanan's attempts to halt the Klan parade in Lorena and the legal battles that followed, the Klan continued similar demonstrations through most of the

⁶²"Choosing Jury to Try Crow-Buchanan Suit for Damages," *Waco Times-Herald*, 24 February 1922.

⁶³"Buchanan-Crow Cases Submitted at Austin," *Dallas Morning News*, 27 April 1922; "Judge Erwin J. Clarke Appointed Klan Counsel," *Dallas Morning News*, 14 May 1922.

⁶⁴"So-Called Klan Ticket Carries McLennan County," *Dallas Morning News*, 24 July 1922.

early 1920s. In January 1923, 2,000 Klansmen marched in downtown Waco in one of the largest parades hosted by the Klan in Texas (Fig. 12).⁶⁵ Adrienne Wilkes, a member of the large crowd recalled that neither the onlookers nor the marchers, “made a sound. It was a silent parade.”⁶⁶ Their continued presence in the public eye serves as another indicator of their increasing influence in Central Texas.

Furthermore, the riot serves as a juncture between lower class and upper class methods of using the Klan to further increase social influence and power. While lower class citizenry continued to rely on mob violence, upper class members of the Klan increasingly turned to politics to cement their place in the social hierarchy and advance their own agendas.

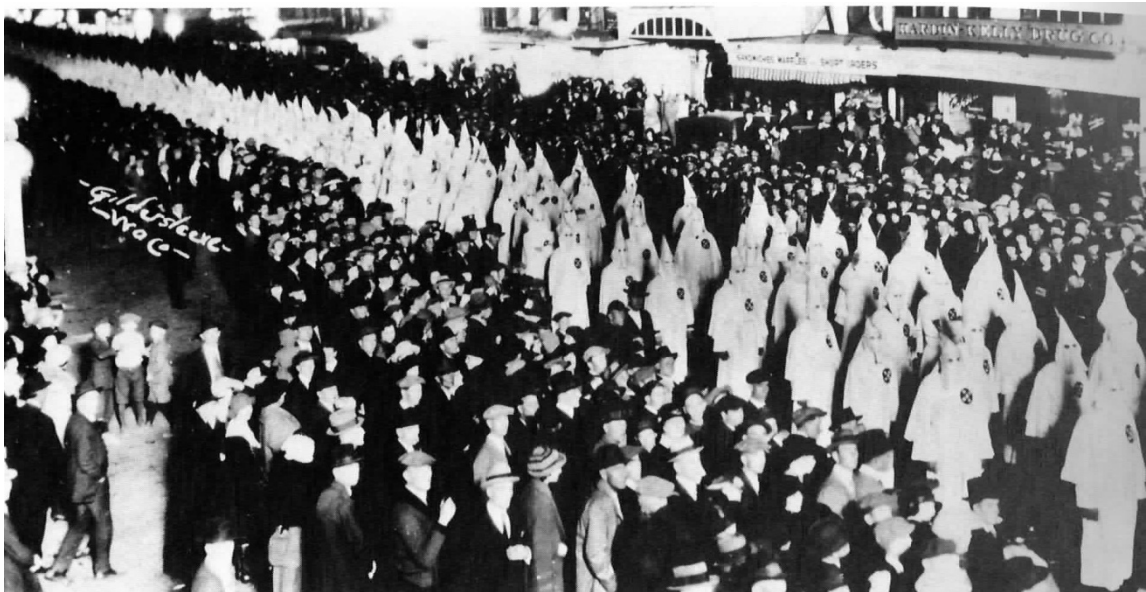


Fig. 12. Klan Parade in Waco Consisting of 2,000 Members, January 1923⁶⁷

⁶⁵Wallace, *Waco: Texas Crossroads*, 58.

⁶⁶*Ibid.*

⁶⁷Wallace, *Our Land, Our Lives*, 166. Wallace notes Gildersleeve's photograph is courtesy of Mrs. Alexander Haw.

CHAPTER FOUR

The Klan Enters Politics

“Waco is a political center. There is no doubt about it. Just as much so as Tyler, and she takes governorships and senatorships as her political diet. Nothing short of these.”¹

The Dallas Morning News, 21 February 1892

Born Robert Lee Henry on May 12, 1864 in Texarkana, Texas, “Bob” Henry attended college at Southwestern University, graduating in 1885, and was admitted to the State of Texas Bar in 1886. He subsequently obtained a degree from the University of Texas Law School in 1887 (Fig. 13).²

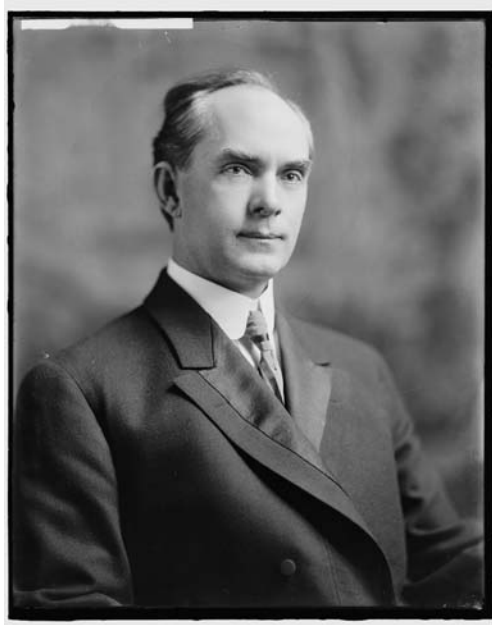


Fig. 13. Robert Lee Henry³

¹“Waco and Her Candidate,” *Dallas Morning News*, 21 February 1892.

²Kelley, *The Handbook of McLennan County*, 127.

³Henry, Robert L., Honorable, Portrait, From Library of Congress: *Harris and Ewing Collection*, <http://hdl.loc.gov/loc.pnp/hec.16334>, accessed 10 May 2009.

Following a brief tenure as mayor of Texarkana in 1890, Henry served as an assistant to the attorney general and then as assistant attorney general from 1893 until his relocation to McLennan County in 1895. Entering into private law practice with O. L. Stribling, he remained outside the realm of politics until his successful bid for state representative of the Texas Eleventh Congressional District in 1897. He served in this position through the sixty-fourth Congress, ending in 1915. During his tenure as state representative, he successfully allocated federal funding for construction on the Brazos River in order to make it more navigable. Henry relinquished this position in 1916 to run against Texas United States Senator and two-term incumbent Charles Allen Culberson, who was in very poor health at the time.⁴

After Culberson successfully secured a third-term, Henry reorganized, preparing to make another bid for the senate seat in 1922.⁵ Pitted against two other Klansmen for the Democratic Party bid, Henry ran against attorney Sterling P. Strong of Dallas and Earle B. Mayfield, a member of the Texas Railroad Commission, former state senator, and attorney.⁶ Henry became the last member of the Klan triumvirate to enter the organization, earning his membership in the Invisible Empire in February 1922, just prior to the upcoming campaign.⁷ Coincidentally, Mayfield stopped paying Klan membership dues the same month that Henry joined.

⁴Brown, *Hood, Bonnet, and Little Brown Jug*, 88-89.

⁵*Ibid.*, 93

⁶*Ibid.*, 99-100.

⁷*Ibid.*

With roughly 100,000 Klan-influenced votes at stake, Klan leaders in the Realm of Texas felt the necessity to take measures to come to an agreement concerning who the state leadership would ultimately recognize as the Klan candidate, fearing a split in the votes.

The Waco Agreement

Four of the Klan's Great Titans for the Realm of Texas met at the Raleigh Hotel in Waco in March 1922 to discuss which of the three klansmen running for the senate seat would receive the cohesive recognition of the Texas Klan (Fig. 14).⁸ H. C. McCall of Houston, Hiram Wesley Evans of Dallas, Erwin J. Clark of Waco, and Brown Harwood of Fort Worth were present at the meeting, while San Antonio representative Ralph Cameron could not attend. Running into Earle Mayfield at the hotel, Erwin Clark found it oddly coincidental to see him there before the meeting. Evans further confirmed Clark's suspicions regarding Mayfield's untimely attendance as he remarked, "Erwin, I have a dead one in Dallas [reference to Sterling P. Strong] and you have a dead one here in Waco [reference to Robert L. Henry]. Mayfield is the man. Now, they are all three Klansmen, and Strong and Henry are both good fellows, and we do not want to hurt their feelings. Let them ride for awhile and at the proper time we will ditch them and concentrate on Mayfield."⁹

⁸*Ibid.*

⁹Testimony of Erwin J. Clark in the U. S. Congress, U. S. Congress, Senate, *Senator from Texas: Hearings before a Subcommittee of the Committee on Privileges and Elections United States Senate Sixty-eight Congress First Session Pursuant to S. Res. 97 Authorizing the Investigation of Alleged Unlawful Practices in the Election of a Senator from Texas*, Washington, D. C., Government Printing Office, 1924, 63-66; Brown, *Hood, Bonnet, and Little Brown Jug*, 99-100. See also Charles C. Alexander "Secrecy Bids for Power: The Ku Klux Klan in Texas Politics in the 1920's." *Mid-America* 46, no. 1 (January 1964).

Uneasy with the concept of slighting his friend and future colleague Henry, Clark attempted to convince Evans of his merits by soliciting time for him to prove his electability if the Klan allowed him to campaign.¹⁰

After debate and discussion, the Texas Klan leaders constructed the “Waco Agreement.” In Clark’s opinion, the agreement essentially sanctioned an open race, allowing all three Klan candidates to run without interference from the Texas Klan officials, and that the strongest candidate would win the support of the Realm of Texas. In addition, Clark stated, “It was further agreed that in the event there were two Klansmen in the run-off, the Klansman receiving the less number of votes would withdraw immediately after the first primary.”¹¹



Fig. 14. The Raleigh Hotel, Waco, Texas¹²

¹⁰*Ibid.*

¹¹*Ibid.*

¹²The Raleigh Hotel, Courtesy of Bradley T. Turner

After the meeting, Clark sent out a letter dated April 17, 1922, describing the accepted agreement to all the Exalted Cyclops in Texas.¹³ Meanwhile, he spoke with Henry, advising him that state officials in the Texas Klan would stand behind the agreement, granting him approval to prepare for his campaign. Seemingly unconvinced, Henry also spoke with the new Grand Dragon of the Realm of Texas, Brown Harwood, who offered his promise professing no plans for elimination among the three Klan candidates, and also gave his approval for campaign preparations.

Not satisfied with only the approval of the Texas Klan officials regarding his campaign, Henry felt compelled to visit with Erwin Clark again and secure permission to declare himself freely as a Klansman in response to mounting attacks against the Klan from the *Dallas Morning News*.¹⁴ Fears of attack from anti-Klan groups and repercussions from fellow Klansmen weighed on Clark's mind as he advised Henry, "You will be shot from both sides."¹⁵ Wanting to respond to attacks from incumbent senator Culberson and candidate Cullen Thomas of Waco, Henry persisted in his attempt to convince Clark of the need to defend the principles of the Klan. Finally winning Clark's support, Henry convinced him to secure permission from the Klan's national officials in Atlanta, particularly the acting Imperial Wizard, Edward Young Clarke.

After attempting to call Atlanta and learning that the required officials were out of town, Clark left a message to be passed on to them requesting a response as soon as

¹³Testimony of Erwin J. Clark, *Senator from Texas*, 63-66; Brown, *Hood, Bonnet, and Little Brown Jug*, 99-100.

¹⁴Testimony of Erwin J. Clark, *Senator from Texas*, 67-68; Testimony of Robert L. Henry, *Senator from Texas*, 54-55; Brown, *Hood, Bonnet, and Little Brown Jug*, 100.

¹⁵*Ibid.*

possible.¹⁶ Clark received a telegram from Clarke and Evans, now the Imperial Kligrupp, or national secretary, the next morning of April 6 from Little Rock, Arkansas, indicating their approval for Henry to move forward with his plans to reveal his association with the Klan with the message: “Your request regarding Henry granted. Good luck and best wishes to you.”¹⁷

Opening Henry’s campaign in Waco on March 31, Reverend R. E. Goodrich of the Austin Avenue Baptist Church introduced Henry in the Auditorium Theater, with Dr. H. F. Connally presiding over the event.¹⁸ During this speech, Henry made no mention of his status as a Klansman. Within a week of his campaign opening, Henry decided to confront opposition from the *Dallas Morning News* by using his campaign speech at the Fort Worth Chamber of Commerce Auditorium on April 8, 1922, to take a stand on his position regarding the Klan, his membership within the organization, and other pertinent issues such as states’ rights, free trade, and taxation.¹⁹

Responding to the *Dallas Morning News* criticism of the Klan, Henry remarked “These gentlemen and that great journal tell you that the klan must be destroyed. I tell you that the Ku Klux Klan must and will survive.”²⁰ Speaking before a group of 1,000, he displayed animosity toward what he perceived as a “religious issue [that] had been injected into the campaign ‘by these gentlemen’.”²¹ Henry’s acknowledgement of his

¹⁶*Ibid.*

¹⁷*Ibid.*

¹⁸“Henry to Open Campaign at Waco Friday Night,” *Dallas Morning News*, 30 March 1922.

¹⁹“R. L. Henry Comes to Klan’s Defense,” *Dallas Morning News*, 9 April 1922.

²⁰*Ibid.*

²¹*Ibid.*

perceived connection between the Klan, politics, and religion was cemented in his speeches throughout the remainder of his campaign. Throughout the address, the audience consisting of predominantly men vocally expressed their agreement with Henry's frequently fiery, yet eloquent statements of defense for the Klan.

Citing personal sentiment regarding his connection with the Klan, Henry avowed, "Why I am a natural born klansman, they don't have to make me one. My father was a member of that klan [reference to the Reconstruction-era Klan] and he told me in my childhood days that those men in hoods and robes riding through the street of Linden, Cass County, where I was born, were riding to take the heel of the negro off the neck of the white men of the South."²² Further cementing ties with the Klan of Reconstruction, Henry proclaimed, "I tell you that the present klan is based on purposes as holy as was that organization that our fathers found it necessary to found."²³

Expressing what he perceived as the most important issue facing the state and country, Henry emphatically pronounced his stance against class-based legislation and the equality of black citizens.²⁴ Following these two issues, he affirmed his support for limits to immigration, contending that it represented one of the primary principles of the Klan. After several allusions to these principles, Henry declared his membership in the group by producing the telegram sent from Clarke and Evans.²⁵ Calling upon the *Dallas Morning News* to speak as clearly as he regarding his status on campaign issues and preference for the Klan, Henry assailed, "Do these gentlemen and does the Dallas News

²²*Ibid.*

²³*Ibid.*

²⁴*Ibid.*

²⁵*Ibid.*; Brown, *Hood, Bonnet, and Little Brown Jug*, 100-101.

favor admitting the speckled progeny of the hordes from over there! How do they stand? Let them speak out as plainly as I have spoken. They ought to do it.”²⁶

Advocating for a campaign that focused on the issues at stake for Texas and the nation, Henry promised that if the issue of the Klan remained prominent over the other issues, he would keep defending the Klan’s ideals and would be seen “going up and down the State with a fiery cross as the symbol of Christian religion in one hand and the flag of the United States in the other.”²⁷ Met with great applause and approval, Henry continued to address the issue of states’ rights. Asserting that federal legislation had recently eclipsed the rights of the individual and states, he alluded to himself as a potential senator willing to fight for the cause of preserving individual and states’ rights. In regard to the mounting war debt the Allies owed to the United States for its participation in World War I, Henry maintained that he would not vote for cancellation of the eleven billion dollar debt, no matter how miniscule the amount.

Numerous times during his speech, Henry read passages from a copy of Dallas First Baptist Church pastor Dr. George W. Truett’s “Baptists and Religious Liberty” sermon delivered at the National Capitol on May 16, 1920.²⁸ Asserting that he held no intention of drawing Truett into his political campaign, Henry stated that he was fond of reading his sermons and felt that a significant Protestant figure like Truett would stand staunchly behind absolute separation of church and state in the event of a forced union of the two on either the state or nation. Utilizing Truett’s sermon to support an argument for

²⁶*Ibid.*

²⁷*Ibid.*

²⁸*Ibid.*; Handbook of Texas Online, “Handbook of Texas Online- TRUETT, GEORGE WASHINGTON,” available from http://www.tshaonline.org/handbook/online/articles/TT/fr16_print.html, Internet; accessed 7 December 2008.

the separation of church and state and referring to this concept as “the most important of all of the tenants of the Ku Klux Klan,” Henry cited a passage from Truett’s sermon as evidence:

A Baptist would rise at midnight to plead for absolute religious liberty for his Catholic neighbor and his Jewish neighbor, and for everybody else. But what is the answer of a Baptist to the contention made by a Catholic for Papal infallibility. Holding aloft a little book, the name of which is the New Testament and without any hesitation or doubt, the Baptist shouts his battle cry, ‘Let all the world go to bits and we will reconstruct it on the New Testament.’²⁹

The Klan’s interpretation of this quote asserted Catholics in the United States believed in papal infallibility and presented danger to the integrity of the nation.³⁰

Viewing the Roman Catholic Church as opposed to Protestantism and willing to abdicate all authority to a foreign autocrat, the Klan perceived themselves as truly American for their loyalty to domestic governance and condemnation of Papal authority. Offering further justification for the Klan’s position, Truett believed the Baptist message constituted the opposing view of Roman Catholicism due to its “doctrine of baptismal regeneration and transubstantiation. . . [being]. . . .to the Baptist mind fundamentally subversive of the spiritual realities of the gospel of Christ.”³¹ Henry crafted this aspect of Baptist theology with Klan opinion effectively in this speech, utilizing it numerous times throughout his campaign.

The Klan’s argument against Catholics and Jews lay at the heart of the organization’s purpose, according to former Klan member Henry Fry.³² Asserting that

²⁹“R. L. Henry Comes to Klan’s Defense,” *Dallas Morning News*, 9 April 1922.

³⁰Mecklin, *The Ku Klux Klan*, 158-159.

³¹George Truett, “Baptists and Religious Liberty,” *The Reformed Reader*, available from <http://www.reformedreader.org/baptistsandreligiousliberty.htm/>, Internet; accessed 7 December 2008.

³²Fry, *The Modern Ku Klux Klan*, 107.

the Klan wanted to rid these two religious groups from public life in American, Fry quoted numerous Klan facts regarding the Catholic church from propaganda material that the Klan distributed:

[T]he pope is a political autocrat. That a secret treaty made by him started the war. . . That he has courts here enforcing the cannon law. . . That he denounces popular government as inherently vicious. That his canon law condemns public schools and forbids children to attend them. . . That Knights of Columbus declare they will make popery dominant in the United States.³³

Further bolstering the moralistic connection between the Klan and Protestantism, Henry highlighted the Roman Catholic Church's perception of the Klan as a menace attempting to destroy its institution, stating, "directly and indirectly the klan is bringing in more young men and young women into Protestant churches than ever before."³⁴

Attempting to tie this synthesis together and attack the *Dallas Morning News* once again, Henry proclaimed, "The Klan is not an anti-Catholic or anti-Jew but the white banner of Christianity will float above the millions of this country and there will forever be separation of Church and State. We are not going to bow to any power here or across the border. Do the distinguished gentlemen want to destroy the klan because it stands for these things?"³⁵

However, many opponents of the Klan existed, wishing to crush the organization on which Henry staked his political campaign. Highland Park Methodist minister Charles S. Field met the Klan's contention that Catholics were essentially un-American due to their religion's reverence of the Papacy.³⁶ Insisting on Catholic loyalty to the

³³*Ibid.*, 109.

³⁴"R. L. Henry Comes to Klan's Defense," *Dallas Morning News*, 9 April 1922.

³⁵*Ibid.*

³⁶"Preacher Answers Attacks by Klan," *Dallas Morning News*, 4 April 1922.

United States, Field quoted the words of George Washington saying, “I hope ever to see America among foremost nations in example of justice and liberty and your fellow citizens will not forget the patriotic part which you took in accomplishing our revolution, or the important assistance they received from a nation in which the Catholic faith predominates [France].”³⁷ Further refuting Klan oriented misconceptions of Catholic loyalty, Field went on to espouse the service of Catholic military personnel in World War I. Commenting on an address President Woodrow Wilson used to respond to the Catholic community during the outbreak of war, Fields continued,

There are about 65,000 graves of American soldiers in France. Of this number nearly 20,000 lived and died in the Catholic faith. . .whether Protestant, Catholic, or Jew, [they] were alike brave, patriotic, and 100 per cent American, and every true patriot of America should scorn any association of men who would asperse their character and dishonor their memory.³⁸

After the positive reception at Fort Worth, Henry met Mayfield at the Texas Hotel to discuss his speech the previous night.³⁹ Commenting on the display of the telegram from Atlanta during his speech, Mayfield felt that Henry made a mistake in presenting this document as he believed “the people of Texas do not like the word ‘Imperial,’ and I think you might have just left that out.”⁴⁰ Mayfield’s complacency and lack of vocal acknowledgment of the Klan quickly became a staple of his campaign as he declined to answer the Dallas Citizens’ League questionnaire regarding candidates and the Ku Klux Klan. Indicating that he believed the commotion over the Klan was confined specifically to Dallas, he felt that this raised awareness of the group was nothing more than a political

³⁷*Ibid.*

³⁸*Ibid.*

³⁹Brown, *Hood, Bonnet, and Little Brown Jug*, 101; Alexander, “Secrecy Bids for Power,” 11.

⁴⁰*Ibid.*

effort to advance the candidacy of Cullen Thomas. Mayfield responded to this by stating, “I refuse to walk into their trap.”⁴¹

At an address at the Dallas City Hall auditorium on June 6, Henry took up the focus of attacking the *Dallas Morning News* for its anti-Klan position by once again stressing the wholesome connection between the Klan and Protestants.⁴² Returning to the issue of church-state separation once again, he assured the audience of 1,500 of his and the Klan’s shared intentions not to interfere with the Roman Catholic Church and the Knights of Columbus if they agreed not to interfere with the Klan and Protestantism. Perhaps the most revealing of Henry’s blended religious and political aspects of his campaign came later in the address when he likened the doctrine of Christianity to the Klan’s beliefs of Christian Americanism and proclaimed the Klan a ‘Christian body’, declaring, “The klan believes in the tenants of the Christian religion. It believes in Christ and him crucified . . . They [reference to the *Dallas Morning News* and the Dallas Citizens’ League] are not going to defeat me because I belong to the klan. It’s not going to hurt this country or State to have a klansman sit in the United States Senate in this day and hour and fight for Americanism.”⁴³

The Revised Agreement

Citing numerous reasons for supporting of Mayfield as the Texas Klan candidate for the senatorial race, Hiram Wesley Evans voiced his opinion to Erwin J. Clark at a

⁴¹*Ibid.*; *Dallas Morning News*, 16 April 1922.

⁴²“News Is Scored By Henry in Address,” *Dallas Morning News*, 6 June 1922.

⁴³*Ibid.*

national Klan meeting in May 1922.⁴⁴ Evans argued, “Earle Mayfield is in a position to get in touch with the big business of the country. Earle Mayfield is on the railroad commission. He is in line with the railroad interests of this country. He can even get in touch with . . . Standard Oil.”⁴⁵ At a meeting in Dallas on May 21, 1922, Evans addressed Mayfield and Henry with the attendance of Brown Harwood, Grand Dragon of Texas, Dudley M. Kent, Exalted Cyclops of the Fort Worth Klan, Z. E. Marvin, Exalted Cyclops of Dallas, and secretary of the Dallas Klan, George Butcher.⁴⁶ Citing goals of the Texas Klan and elsewhere to become a vast, politically militant organization, Evans told the two Klan candidates that defeat was inevitable if both continued campaigning against each other.

Furious at what he perceived as betrayal, Henry toted the telegram from Evans and Edward Wesley Clarke sent days before his Fort Worth address as proof of his legitimacy as a candidate.⁴⁷ Candidly asserting the true intentions of the Klan’s national officials, Evans stated that, “the understanding of the officials was that we need a stalking horse, and we would make a stalking horse of you by giving you permission to come out in the open and defend the Klan; and that is the reason we gave you the authority, although Mr. Mayfield has been intended as our candidate all the time.”⁴⁸ Refusing to accept the reality of his position as a deflection for Mayfield and a scapegoat for the Klan, Henry held to the promise of the “Waco agreement” as valid justification for

⁴⁴Brown, *Hood, Bonnet, and Little Brown Jug*, 101.

⁴⁵*Ibid.*

⁴⁶*Ibid.*, 101-102.

⁴⁷*Ibid.*, 102.

⁴⁸*Ibid.*; Testimony of Erwin J. Clark, *Senator from Texas*, 46-55.

continuing his campaign. Equally angry at his reluctance to yield, Evans threatened to send an official order to all Texas klaverns indicating Mayfield as the candidate for Klan support if Henry refused to willingly abdicate the race within ten days. Still unwilling to compromise, Henry left the meeting with intentions to continue his campaign.

Roughly two weeks later, Erwin J. Clark met with Harwood, McCall, Mayfield, and several other notable Klansmen in the Driskill Hotel in Austin on June 10.⁴⁹ However, Evans did not attend. Despite attempts to strike a compromise regarding Evans' ultimatum to Henry, Mayfield remained steadfast, demanding that Henry withdraw from the race or agree to an urgent elimination election by the Klan. Countering Mayfield, Clark cited a letter he sent to Evans as the Kligripp's promise to keep the "Waco agreement" and that he "was not going to take any further action or interest in Texas politics this year."⁵⁰ Other Klansmen including Harwood and Z. E. Marvin, insisted upon conducting an elimination election due to persuasion from Evans.⁵¹ Clark eventually yielded and called Henry to advise him of the outcome of the meeting. Furious, Henry insisted he would not yield to an elimination election and boasted that he held information making it extremely unwise for him to be forced to do so.⁵² After Clark relayed Henry's message to the others at the meeting, they began to verbally assail them both until Marvin left, stating, "I am going back home tonight for Dallas, and I propose to

⁴⁹*Ibid.*; Testimony of Erwin J. Clark, *Senator from Texas*, 69, 76-77.

⁵⁰*Ibid.*

⁵¹Charles C. Alexander, *The Ku Klux Klan in the Southwest* (Norman: The University of Oklahoma Press, 1995), 122-123; Brown, *Hood, Bonnet, and Little Brown Jug*, 102; Testimony of Robert L. Henry, Erwin J. Clark, and Dave C. McCord, *Senator from Texas*, 55, 423-426, 377.

⁵²Brown, *Hood, Bonnet, and Little Brown Jug*, 102.

call a meeting of the klan as soon as I get there, and it will be a dead shot for Earle Mayfield.”⁵³

Marvin promptly sent a letter supporting the elimination election between Mayfield and Henry to Klan chapters throughout the Dallas and Fort Worth vicinity.⁵⁴ In the contents of the letter, he advised the klaverns to hold local elections and forward the results to him specifically. After learning of the elimination election letter, Clark sent his disapproval to Harwood, insisting that a run-off election would prove unbeneficial to the Klan as faction lines and individual preferences for the candidates had already been drawn. He also cited concern that the election might cause great disunity among the rank and file members of the Texas Klan. However, this argument did not hold much weight with Harwood. Though he told Clark he would argue to suspend the elimination, he later advised Henry that it would take place in all Texas klaverns with the results posted later in the week. After hearing this unexpected news from Henry, Clark took the matter to the Grand Dragon of Texas, again warning of the disastrous potential of disunity within the ranks due to this political matter.⁵⁵

Results from the run-off election conducted by roughly 2,500 of Dallas area Klan members showed Mayfield definitively ahead with 1,400 votes, Henry with 700, and Strong with 400.⁵⁶ Despite Clark’s opposition to the election, it likely took place on Friday, June 16. Following the results in Dallas, the Fort Worth klavern quickly

⁵³*Ibid.*

⁵⁴*Ibid.*, 102-103.

⁵⁵*Ibid.*, 103.

⁵⁶*Ibid.*; Kenneth T. Jackson, *The Ku Klux Klan in the City* (New York: Oxford University Press, 1967), 72.

conducted a similar election with results also indicating Mayfield with the majority vote. Harwood hastily sent notice of the Dallas and Fort Worth klaverns' actions and within a short period of time, almost every active Klansman in the 240 state chapters had begun to accept Mayfield as the official senatorial candidate of the Texas Klan.⁵⁷ After Mayfield's acceptance in the Waco klavern, home to Henry and Clark, Clark resigned his post as a national Klan official on July 17, disgusted with the actions taken by the national and state bodies.⁵⁸

Clark took advantage of the news media outlets in order to shed light on the wrongs he felt Henry endured during the previous months.⁵⁹ Releasing a private letter from Imperial Wizard Evans to Klansmen along with Clark's correspondence to the *Dallas Morning News*, Clark lambasted Evans for allowing the 'Waco Agreement' to be broken. Boosting Henry's dedication to the Klan, Clark stated,

I can not understand your attitude in reference to Mr. Henry. I know to my positive knowledge that he defended the klan openly on the stump before the senatorial race began, and before he was a klansman. He has fought valiantly for the organization on every occasion. It is being charged against him that he is using the klan to ride to office. I say to you that the klan has been a millstone around his neck, and you know it full well.⁶⁰

Furthermore, Clark calls Evans' policies of Klan brotherhood and unity into question as he asserted:

that only dissention in our ranks can halt our progress, and that every klansman should cement themselves together with such a strong bond of brotherly love and fraternal kindness that no enemy, either within or without our organization can

⁵⁷Brown, *Hood, Bonnet, and Little Brown Jug*, 103; Alexander, *The Ku Klux Klan in the Southwest*, 123; Ken Anderson, *Dan Moody: Crusader for Justice* (Georgetown: Georgetown Press, 2008), 18. The last two sources confirm the estimate of 240 klaverns aside from the Dallas and Fort Worth chapters.

⁵⁸*Ibid.*; *Dallas Morning News*, 20 July 1922; Alexander, "Secrecy Bids for Power," 13.

⁵⁹"Waco Man Resigns Klan Counsel Post in Political Fight," *Dallas Morning News*, 20 July 1922.

⁶⁰*Ibid.*

put discord and distrust in the minds and hearts of klansmen. I thoroughly agree with you in this respect, doctor, but do not think that the practices followed by you in regard to Mr. Henry will be calculated to promote this end. From the very start you have used him as a stalking horse, and to your surprise he has developed a race horse. I stand for a fair deal among all klansmen and if dissention is essential in order to purge our ranks then, although much to be regretted, it is best by far that the issue be raised and that the truth be made known to loyal klansmen.⁶¹

Aftermath

Careening headlong into the remainder of his doomed campaign without the Texas Klan's support, Henry continued to assail his opponents, now including Mayfield in particular, focusing on his lack of support or denouncement of the Klan and its ideals. Charging that the reasons behind Mayfield's silence on the Klan issue resulted from his taking sides with the *Dallas Morning News* and the minority vote, Henry berated, "Of course, this explains much of Mr. Mayfield's 'pussyfooting' on the klan question and his awful silence down in 'the valley' and along the Rio Grande and the Mexican border, where he is fighting so hard to corral the Catholic vote and that of the Mexican population. He has tried to set his trap down there to catch them going and coming."⁶²

Support came from an unlikely source in late June as Sterling P. Strong, the weakest of the Klan triumvirate, withdrew from the race to throw his support behind Henry.⁶³ Henry also optimistically hoped that revealing the broken "Waco agreement" would motivate Klansmen to split from Mayfield to rally to his side.⁶⁴ However, this hope proved to be in vain as the Democratic primary quickly approached on July 22.

⁶¹*Ibid.*

⁶²"R. L. Henry Assails Two of Candidates," *Dallas Morning News*, 14 July 1922.

⁶³"Strong Quits Senate Race in Favor of Robert L. Henry," *Dallas Morning News*, 24 June 1922; Brown, *Hood, Bonnet, and Little Brown Jug*, 103.

⁶⁴Brown, *Hood, Bonnet, and Little Brown Jug*, 103, 110.

Although the revelation of the Klan's intimate role in the Democratic candidate selection proved unfruitful to Henry's campaign, it served as an important reminder of the strength of the Klan's influence in Texas politics.⁶⁵ As the election results for the Democratic primary came in, Mayfield's 125,636 votes solidly led Henry's 31,739.⁶⁶ The broken "Waco agreement" achieved its goals, but with not without some cause for concern. A surprising 30,000 vote margin between Mayfield and Jim Ferguson, a staunch anti-Klan Democrat, who earned a solid second place in the polls, left many Klan members feeling uneasy.⁶⁷ Henry fell into obscurity shortly afterward, not running for the senate seat in 1928 and abstaining from politics for the remainder of his life.

The legacy of Robert L. Henry's infusion of Protestantism within the context of the ideals and goals of the Ku Klux Klan was evident throughout his short campaign for the United States senatorial seat in Texas. Though unsuccessful in his vocal support of the Klan and its ideals, Henry's oratorical skills greatly enhanced the Klan's foray into politics and left a definitive mark upon the interaction between religion, the Ku Klux Klan, and politics in the state of Texas during the early twentieth century.

Waco's significance in the agreement that ultimately propelled the Klan's political motives and methods remains important, as it epitomized a city entrenched with Klan influence throughout 1922. Documenting the largest voting ever cast in McLennan County's history during the July 1922 primary, the *Dallas Morning News* contended that the Klan issue was materially important to the turnout as Henry was the projected winner

⁶⁵Alexander, *The Ku Klux Klan in the Southwest*, 123.

⁶⁶"Vote is Complete From 180 Counties," *Dallas Morning News*, 30 July 1922.; Brown, *Hood, Bonnet, and Little Brown Jug*, 110-111.

⁶⁷*Ibid.*; Kelley, *The Handbook of McLennan County*, 127.

of the county primary.⁶⁸ Not the only political candidate in the county aligned with the Klan, the offices for Sheriff and County Attorney were awarded to Klan supported candidates Leslie Stegall and C. S. Farmer, respectively partially due to the incumbents' roles in the Lorena Klan riot the previous October (Fig. 15).⁶⁹ Boasting the Klan's political success in McLennan County, Guy B. Harrison recalled, "We controlled every office in the city of Waco. We controlled every office in the county; we controlled the Legislature and the governor, and we elected congressmen."⁷⁰

Henry's significance lay not in his political accomplishments, but in his oratorical skill and keen understanding of the Klan's ideological reliance on Protestantism to advance its goals of white supremacy, total separation of church and state, and one hundred percent Americanism in the political arena. Boldly claiming his membership in the Invisible Empire to the state of Texas and ardently defending an organization that abandoned him, Henry provides an example of a Klansman who defended the Klan's Christian principles, but fell victim to the same organization's political aspirations.

Observing the paradox of a secret, totalitarian organization championing Christian principles but aspiring toward becoming a major player in the democratic process, historian Charles C. Alexander views this ultimately as the cause of the Klan's demise in the late 1920s.⁷¹ Regarding the power of dissention once the Klan became immersed in the political sphere, Erwin J. Clarke's warnings to Brown Harwood were not unfounded

⁶⁸"Heavy Vote is Being Polled in McLennan," *Dallas Morning News*, 23 July 1922.

⁶⁹"So-Called Klan Ticket Carries McLennan County," *Dallas Morning News*, 24 July 1922.

⁷⁰Wallace, *Waco: Texas Crossroads*, 59.

⁷¹Alexander, *The Ku Klux Klan in the Southwest*, 128.

or far-fetched.⁷² The “Waco Agreement” provides a perfect example of the opportunistic nature of the Klan leaders in achieving their own ends and preserving their personal power and influence.



Fig. 15. Successful Klan Candidates in McLennan County, 1922⁷³

⁷²Brown, *Hood, Bonnet, and Little Brown Jug*, 102-103.

⁷³“Three McLennan County Officials Elected for the Ensuing Term,” *Dallas Morning News*, 16 December 1922.

CHAPTER FIVE

Felix D. Robertson and the Election of 1924

In a different display of the same opportunistic attitude, the Klan offered its support to Felix D. Robertson's campaign for the explicit purpose of appealing to popular 'Lost Cause' sentiments. Felix D. Robertson's political career, specifically the Texas gubernatorial election of 1924, reveals the Ku Klux Klan's manipulative nature through by supporting a candidate conveniently tied to the Klan of the Reconstruction era and the Confederacy. Robertson's father, former Confederate Brigadier General Felix Huston Robertson, served as a connection to the "Lost Cause" that provided the Texas Klan with a perfect opportunity to advance their own political interests within the context of their proclaimed ideals.

General Felix Huston Robertson

Born 9 March 1839 at Washington-on-the-Brazos, Texas, Felix Huston Robertson is a figure infamous for several roles during his lifetime.¹ His military career as the last surviving Confederate general and only native Texan to reach that rank in the Confederate Army deems his professional life notable. Furthermore, he and his father, Dr. Jerome Bonaparte Robertson, comprise one of the few father and son teams to serve as generals in the Confederate Army (Fig. 16).

¹James H. Colgin, "The Life Story of Brig. Gen. Felix Robertson," *Texana* 8 no. 2 (1970): 154.



Fig. 16. Jerome B. Robertson²

Moving with his family to Independence, Texas, in 1845, Felix Robertson received a diverse education, attending Baylor University from 1851 to 1856, and was appointed to West Point by Texas Governor Peter H. Bell in 1857 at the age of 17 (Fig. 17).³ Robertson's association with West Point ended abruptly in January 1861, when he decided to join the Confederate army.⁴ Initially serving as an assistant marshal for Confederate President Jefferson Davis' inaugural parade in Montgomery, Alabama, Robertson soon received a commission as a second lieutenant of artillery under the command of General P. G. T. Beauregard.⁵ After seeing action at Fort Sumter, Robertson was sent to Pensacola, Florida, to serve under the command of General Braxton Bragg, earning a promotion to captain. Distinguishing himself at Stones River in

²Conf Mil Pers R, "Conf Mil Pers R," Available from <http://members.fortunecity.com/dforbus/cr.htm>, Internet; accessed 3 March 2009.

³Colgin, "The Life Story of Brig. Gen. Felix Robertson," 154, 162.

⁴*Ibid.*, 163-164.

⁵*Ibid.*, 155.

December 1862, he received a promotion to major on 1 July 1863, taking command of the reserve artillery of Bragg's army.⁶



Fig. 17. Felix Huston Robertson⁷

Serving at Chickamauga with the Army of Tennessee prompted another promotion to lieutenant colonel for Robertson in January 1864, making him commander of artillery for General Joseph Wheeler's Cavalry Corps.⁸ His final promotion to brigadier general came only months later on 26 July 1864 after Wheeler took notice of Robertson's bravery during the Atlanta campaign.

In October 1864, Robertson earned notoriety for his brigade's actions during the Battle of Saltville in Southwestern Virginia.⁹ Major General John C. Breckinridge defended the fort at Saltville with roughly twenty-eight hundred Confederate troops.

⁶*Ibid.*, 156-158.

⁷Conf Mil Pers R, "Conf Mil Pers R," Available from <http://members.fortunecity.com/dforbus/cr.htm>, Internet; accessed 3 March 2009.

⁸Colgin, "The Life Story of Brig. Gen. Felix Robertson," 156-158.

⁹Burkhardt, George S., *Confederate Rage, Yankee Wrath* (Carbondale: Southern Illinois University Press, 2007), 193-195.

Invading Union forces led by Brigadier General Stephen G. Burbridge consisted of units from the Kentucky, Ohio, and Michigan cavalry, with approximately six hundred black soldiers from the 5th U. S. Colored Cavalry. The battle resulted in a clear victory for the Confederates, as the Saltville mines provided a natural fortress, allowing the Union troops no opportunity to advance unnoticed.

Robertson's brigade arrived the day after the battle, met by numerous Confederate troops including notorious guerilla leader Champ Ferguson seeking to quench their bloodlust on the wounded black Union troops left on the field.¹⁰ Robertson's brigade noticed Confederates from Breckinridge's regiment scouring the field for wounded black Union soldiers to kill. Robertson's troops commenced in the same manner, killing every wounded black soldier they could find. Describing the scene as the sounds from a skirmish, the Kentucky brigade's adjutant Captain Edwin O. Guerrant stated that the incessant gunfire "sung the death knell of many a poor negro who was unfortunate enough not to be killed yesterday. Our men took no negro prisoners."¹¹

Historian George S. Burkhardt contends that the casualty figure of 118 black Union troops is conservative, as no breakdown for the number of soldiers killed, wounded, and missing exists.¹² However, General Burbridge's chief surgeon, James G. Hatchitt, reported that the 5th Colored Cavalry suffered a total of 112 casualties: twenty-two killed, thirty-seven wounded, and fifty-three missing. Historian Thomas D. Mays later disputed this figure after examining the 5th Colored Cavalry's records at the National

¹⁰*Ibid.*, 195-197.

¹¹*Ibid.*, 196.

¹²*Ibid.*, 200.

Archives, uncovering at least forty-six black troops unaccounted for in the estimates reported by General Burbidge's staff.

After learning of the slaughter at Saltville, General Breckinridge became angry and informed General Robert E. Lee of the atrocities committed, implicating Felix H. Robertson as the guilty general.¹³ Refusing to cooperate with Lee and Breckinridge's orders to stand trial for his brigade's actions, Robertson marched his troops to Georgia to join up with General Wheeler's cavalry, never facing formal charges for the Saltville massacre. However, Robertson took great caution to refrain from speaking of his brigade's actions at Saltville after the Civil War. Coincidentally, the Confederate Senate later refused to confirm General Wheeler's promotion of Robertson from Major to Brigadier General.¹⁴

After returning to civilian life, Robertson settled on a ranch near Crawford, Texas in 1868, west of Waco.¹⁵ Shortly after arriving in Central Texas, he and his wife, Sarah, had a son named Felix D. or "Little Felix," in 1871. Working as a farmer while studying to become a lawyer, Robertson passed the bar exam in 1876, and he practiced law for the remainder of his life in Waco while also speculating in real estate after his father, Jerome B. Robertson, moved to Waco in 1879. Felix Robertson also attempted to enter local politics in 1902, making a bid for Waco mayor in the Democratic primaries.¹⁶ Though

¹³*Ibid.*, 198.

¹⁴Colgin, "The Life Story of Brig. Gen. Felix Robertson," 159.

¹⁵*Ibid.*, 159-161; United States Department of Commerce-Bureau of the Census, *Ninth Census of the United States*, Texas, Series M593, Roll 1598, 172.

¹⁶"Riggins Again Chosen," *Dallas Morning News*, 5 March 1902; "Gen. Robertson to Run for Mayor," *Dallas Morning News*, 9 February 1902.

defeated by incumbent J. W. Riggins, Robertson proved to be legitimate competition for Riggins, losing by only 650 votes.

Further cementing his infamous reputation, Robertson became the defendant in a criminal case in May 1896 after attempting to evict his ranch manager, Captain C. F. Bewely, from a house on his expansive 730 acre ranch near Crawford.¹⁷ A confrontation ensued over a business disagreement which led Bewely to fire at Robertson with a shotgun, leaving superficial wounds from the blast on Robertson's arm. Robertson proceeded to fire back at Bewely with a Winchester rifle, killing the belligerent tenant.

After the incident, Robertson surrendered to McLennan County law enforcement and was released on 23 May 1896, posting \$5,000 bail after a habeas corpus hearing.¹⁸ On 30 May, the McLennan County grand jury found enough evidence to bring an indictment against Robertson for the unlawful killing of Bewely, setting a trial for 29 June in Judge Sam R. Scott's court. With Robertson's legal defense arguing that he acted in self-defense after Bewely fired the initial shots that wounded Robertson, he was later cleared of the charges.

Robertson remained a loyal southerner throughout the remainder of his life. During the outbreak of the Spanish-American War in 1898, he spoke to the *Dallas Morning News* about his thoughts on Texas sending troops to participate in the conflict.¹⁹ He candidly denounced the war, urging caution with this warning for the South:

¹⁷"Homicide Near Waco," *Dallas Morning News*, 23 May 1896; Colgin, "The Life Story of Brig. Gen. Felix Robertson," 160-161.

¹⁸"Homicide Near Waco," *Dallas Morning News*, 23 May 1896; "Indictment Against Gen. Robertson," *Dallas Morning News*, 31 May 1896; "Gen. Robertson's Trial," *Dallas Morning News*, 29 June 1896; Colgin, "The Life Story of Brig. Gen. Felix Robertson," 160.

¹⁹"The Disasters of War," *Dallas Morning News*, 27 February 1898.

The effect of war on the south would be disastrous from the beginning. The best young men would rush to battle and many of them would never return. Its effect on the markets would be against the south. It would increase to the poor the cost of necessities and depress cotton even lower than its present price. The south would get no contracts for supplying arms, clothing, shoes, and munitions. All the profitable features would remain in the north and east where the great armories and factories are located. We would furnish the soldiers and pay the debt the war would incur.²⁰

Robertson retained ties with other Confederate veterans throughout the remainder of his life, participating in groups such as the United Confederate Veterans. Robertson was reelected as Commander of the Texas division of the United Confederate Veterans in May 1913.²¹ Governor Oscar B. Colquitt also appointed him as the Texas Representative for the Battle of Gettysburg Commission, commemorating the battle's fiftieth anniversary held 1-4 July 1913.²² These ties proved useful to his son, Felix D. Robertson, in his bid for Texas governor in 1924.

Judge Felix D. Robertson

Felix D. Robertson's law career began in 1896 after he studied at night to practice law.²³ Serving as an assistant attorney general of McLennan County for six years under the supervision of Cullen F. Thomas, Robertson moved to Dallas in 1911 to practice law privately. During his time in McLennan County, Robertson actively served as the Adjutant General and Chief of Staff of the United Sons of Confederate Veterans, Trans-

²⁰*Ibid.*

²¹"Reelected Commander of Texas Division, U. C. V.," *Dallas Morning News*, 28 May 1913.

²²"Address to Veterans," *Dallas Morning News*, 7 May 1913; "Gen. Robertson Appointed," *Dallas Morning News*, 21 May 1912; Handbook of Texas Online, "Handbook of Texas Online – COLQUITT, OSCAR BRANCH," Available from <http://www.tshaonline.org/handbook/online/articles/CC/fco32.html>, Internet; accessed 21 April 2009.

²³Brown, *Hood, Bonnet, and Little Brown Jug*, 213; "Felix D. Robertson Opens His Campaign," *Dallas Morning News*, 29 February 1924.

Mississippi Department.²⁴ He also served as a commissioned aide to Governor Joseph D. Sayers with the rank of Captain.²⁵ While in private practice in Dallas, Robertson became an ardent supporter of women's suffrage, taking the opportunity to speak at a luncheon of the Dallas Equal Suffrage Association in March 1915.²⁶ Stating that he understood the hardships of women, he asserted he had long been a supporter of women's rights. "Since they have been granted the privileges of worshiping and education, they have proven themselves better worshipers and better students than man. And I do not doubt that when they are given the privilege of the ballot, they will make better voters than the men," he declared.²⁷

Robertson's support of women's suffrage contradicts the Reconstruction-era Klan's interpretation of the roles of women (Fig. 18).²⁸ Viewing gender roles as separated by the home, Klansmen of the 1860s and 1870s saw women as guardians of the nation's morality due to their work in the home, not the political arena. Klansmen, deprived of their white masculinity by military defeat, political challenges, and financial woes often utilized carnivals with minstrelsy to put forth their heated opinions regarding women's suffrage and the rights of blacks. This agenda altered in the Progressive era as the resurrected Klan believed that women could be powerful allies in their shared fight

²⁴"Confederate Veterans' Sons," *Dallas Morning News*, 20 April 1901; Handbook of Texas Online, "Handbook of Texas Online – SAYERS, JOSEPH DRAPER," Available from <http://www.tshaonline.org/handbook/online/articles/SS/fsa41.html>, Internet; accessed 21 April 2009.

²⁵"Aide to Gov. Sayers," *Dallas Morning News*, 14 July 1901.

²⁶"Felix D. Robertson Speaks," *Dallas Morning News*, 9 March 1915.

²⁷*Ibid.*

²⁸Rory McVeigh, "Power Devaluation, the Ku Klux Klan, and the Democratic National Convention of 1924," *Sociological Forum* 16, no. 1 (March 2001): 11; Elaine Frantz Parsons, "Midnight Rangers: Costume and Performance in the Reconstruction-Era Ku Klux Klan," *The Journal of American History*, 92, no. 3 (December 2005): 830-832.

against issues such as prohibition, vice, and immorality. Thus, women's suffrage proved a useful tool to the Klan of the 1920s.



Fig. 18. Felix D. Robertson²⁹

Seizing the opportunity to serve in the military like his father, Robertson entered World War I as a Major in the 132nd Field Artillery of the Thirty-sixth Division, commissioned by Governor James E. Ferguson.³⁰ Later transferring to the Second Squadron of the First Texas Cavalry in the Texas National Guard under the leadership of creator Brigadier General John A. Hulen, Robertson was discharged at the end of the war as a lieutenant colonel. Major E. A. Simpson, who served with Robertson in the Thirty-

²⁹Bain News Service, publisher, Felix D. Robertson, Photograph, from Library of Congress: *George Grantham Bain Collection*, <http://hdl.loc.gov/loc.pnp/ggbain.37410>, accessed 29 April 2009.

³⁰Brown, *Hood, Bonnet, and Little Brown Jug*, 213; "First Texas Cavalry Officers Assigned," *Dallas Morning News*, 17 June 1917.

sixth Division during World War I, questioned his service after Robertson, claimed publicly that he had seen active duty.³¹ Stating that Robertson's record did not match the noted fame of his father, Simpson argued, "Robertson was discharged from the army for the convenience of the Government on four separate counts: first, that he lacked administrative ability; second, that he lacked executive ability; third, that he was temperamentally unfitted to be an army officer, and fourth, that he was generally unfit for service."³² Clearly an opponent of Robertson in his 1924 bid for Texas governor, Simpson described Robertson's service as similar to the timeline historian Norman D. Brown outlines in *Hood, Bonnet, and Little Brown Jug*.³³ Simpson claimed that Robertson was not deployed while enlisted in the Thirty-sixth Division or the First Texas Cavalry. It indeed appears that Simpson's claims were correct, because Robertson served as a public speaker for patriotic recruiting rallies for the Texas National Guard in the Dallas area during 1917.³⁴ Colonel Miller, Robertson's superior officer at Camp Stanley, recalled that Robertson remained under Stanley's command for only three months after being discharged from Camp Bowie on 9 April 1918.

After Robertson returned from World War I, Mayor Frank W. Wozencraft named him successor to Dallas Corporate Judge Bennett Hill on 20 April 1919.³⁵ Three months after his appointment, Robertson took progressive steps to toughen automobile laws in

³¹"Felix Robertson's War Record Cited," *Dallas Morning News*, 21 August 1924.

³²*Ibid.*

³³Brown, *Hood, Bonnet, and Little Brown Jug*, 213; "First Texas Cavalry Officers Assigned," *Dallas Morning News*, 17 June 1917.

³⁴"Increase is Shown in Recruiting Here," *Dallas Morning News*, 30 June 1917.

³⁵"Col. Felix D. Robertson Appointed City Judge," *Dallas Morning News*, 20 April 1919; "Felix D. Robertson Opens His Campaign," *Dallas Morning News*, 29 February 1924; Brown, *Hood, Bonnet, and Little Brown Jug*, 213.

the Corporation Court.³⁶ The *Dallas Morning News* reported on 29 August 1919 that Robertson had gradually raised fines from ten dollars to fifteen dollars for operating an automobile with an open muffler, with intent to raise the fine five dollars a week to the maximum of one hundred dollars in order to combat this growing automotive infraction.

Robertson began targeting speeders in the Corporation Court, earning him the infamous title the “dollar-a-mile” judge.³⁷ He set a new standard for fines assessed in the Corporation Court in April 1919, with \$4,400 collected. In September, Robertson fined a Dallas youth one hundred dollars for speeding between fifty-five and sixty miles per hour across the Oak Cliff viaduct.³⁸ Lofty speeding fines became a staple of Robertson’s courtroom, such as a \$200 fine charged to J. W. Brownlee for speeding at thirty-five miles per hour and operating an automobile while intoxicated.³⁹ To step up traffic law enforcement on the Oak Cliff viaduct, Robertson fined J. A. Staples two dollars a mile for driving at thirty-fives miles per hour over the viaduct. Robertson later commented, “Speeding will come in the luxury class soon and will doubtless be subject to the Government’s luxury tax if people are not more considerate of others. If \$2 and \$3 are not sufficient to stop speeding I will make it \$5 per mile.”⁴⁰

Robertson took on another traffic related issue in 1921 pertaining to problems with prohibited left-hand turns in downtown Dallas.⁴¹ Speaking at a meeting of the

³⁶“Judge Increases Fine for Muffler Violation,” *Dallas Morning News*, 29 August 1919.

³⁷“Continues Dollar-A-Mile Rate for Speeding Cases,” *Dallas Morning News*, 3 May 1919.

³⁸“Judge Determined to Stop Speeding Across Viaduct,” *Dallas Morning News*, 14 September 1919.

³⁹“Judge Robertson Fines Man \$200 for Speeding,” *Dallas Morning News*, 1 July 1919.

⁴⁰*Ibid.*

⁴¹“Wants Traffic to Go to Left Also,” *Dallas Morning News*, 2 November 1921.

Automobile Club, Robertson asserted, “The rule again the left-hand turn is the height of foolishness. It congests traffic instead of relieving. The idea of saying that a man can not turn to the left, even when the cross is clear is ridiculous, yet if a policeman permits any one to so turn, he violates the law.”⁴² Urging members of the club to visit with Dallas City Commissioners regarding this issue and others such as speeding in school zones and employees allowing adolescents to drive work-related vehicles, Robertson frequently attempted to empower the Automobile Club to act as a voice against traffic problems he perceived in Dallas.

In another attempt to aid in regulating traffic law in Dallas, Robertson posted the following article in the *Dallas Morning News* on 26 February 1922, outlining his convictions for how motorists should behave on the roadways (Fig. 19).⁴³

This article later became a staple of Robertson’s court, as he kept a large supply to pass out to traffic violators who appeared before him in his court.⁴⁴ Educating while punishing traffic offenders, Robertson often stated, “most violations of the city traffic ordinances are due to ignorance of the law, as no good citizen violates the law intentionally.”⁴⁵

Weeks after publishing this article, Robertson announced a campaign of stringent enforcement on automobile parking violations in Dallas on 28 February 1922.⁴⁶

⁴²*Ibid.*

⁴³“Ten Commandments for the Autoist,” *Dallas Morning News*, 26 February 1922.

⁴⁴“Arm Signals Urged by Safety Bodies,” *Dallas Morning News*, 25 June 1922.

⁴⁵“Electric Club Hears Talk on Traffic Laws,” *Dallas Morning News*, 30 June 1922.

⁴⁶“Traffic Law Enforcement Will Be More Stringent,” *Dallas Morning News*, 28 February 1922.

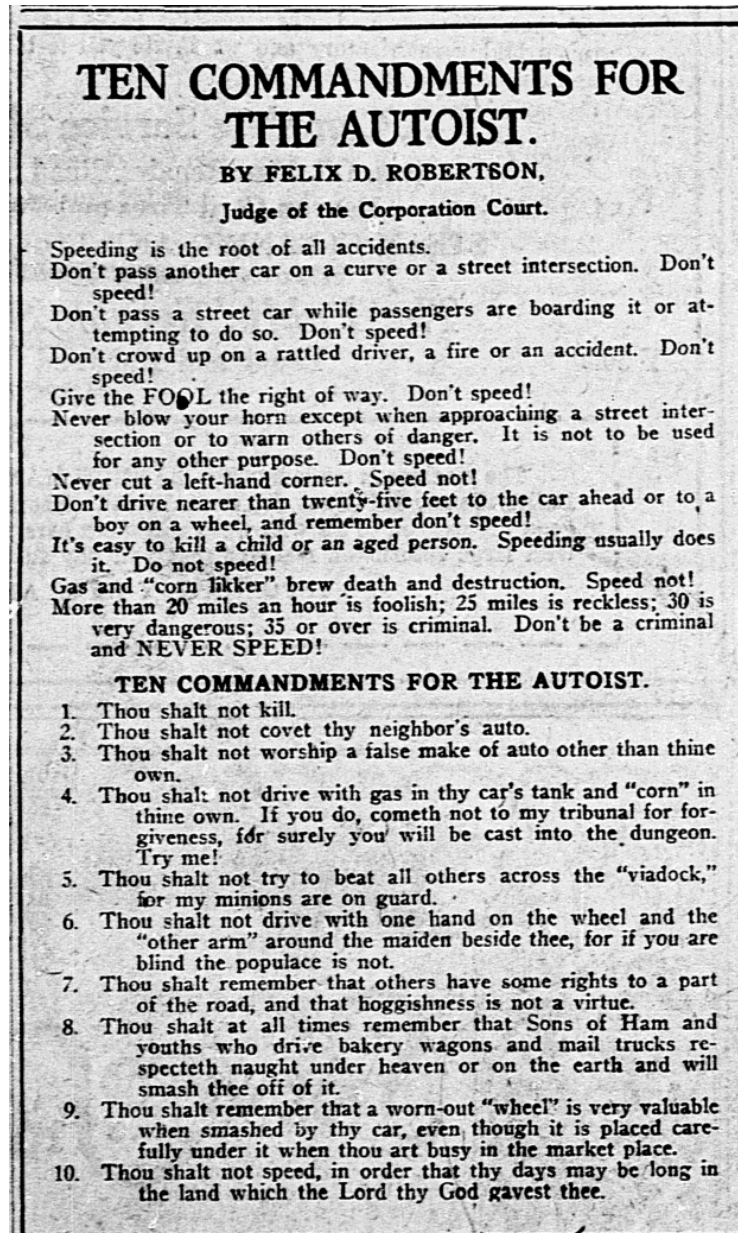


Fig. 19. Judge Felix D. Robertson's Infamous Article for Motorists⁴⁷

Stating that nearly seventy-five cases of parking violations were pending in his court, Robertson promised that the Dallas Police Department would step up its enforcement of all parking meters in the city.⁴⁸ Robertson's new campaign ran afoul of

⁴⁷Ten Commandments for the Autoist," *Dallas Morning News*, 26 February 1922.

⁴⁸"Traffic Law Enforcement Will Be More Stringent," *Dallas Morning News*, 28 February 1922.

the Dallas Automobile Club, which claimed the number of “no parking” signs and designated areas within the city had reached excessive levels. In a letter to the Dallas Mayor and City Commissioners the club requested such signs be confined to areas around hotels, office buildings, and theaters.

Campaigning for the Criminal District Court judgeship in Dallas, Robertson secured the seat in August 1922, ending his tenure as Judge of the Corporation Court.⁴⁹ Incidentally, Robertson’s campaign against incumbent Judge R. B. Seay in the Democratic Party primary marked the first mention of Robertson’s name in connection with the Dallas Klan chapter in the *Dallas Morning News*.⁵⁰ During campaign season, the anti-Klan Dallas County Citizens’ League solicited information regarding candidates and their status with the Ku Klux Klan.⁵¹ Judge Seay answered in the negative while Robertson refused to answer the questionnaire.

Robertson’s sentiment and membership with the Klan became clear in August 1922 when he defended the Dallas Klan against the *Dallas Morning News* and the Dallas County Citizens’ League.⁵² Lamenting that the pressure from the League caused a Klansman to question his membership, Robertson charged the League as being “a bunch of crooks who stood around a dirty pool and croaked so loudly that they called Maury Hughes from the Ku Klux Klan. The News [*Dallas Morning News*] was right at the pool too, and the deep bass voice of that paper roared more loudly than the other voices and

⁴⁹“Corporation Court Judge is Named to Succeed Robertson,” *Dallas Morning News*, 30 August 1922.

⁵⁰“Klan is Big Issue in Dallas Primary,” *Dallas Morning News*, 22 July 1922.

⁵¹“Names of Pledged Candidates Read,” *Dallas Morning News*, 21 June 1922.

⁵²“News Denounced By Klan Cyclops,” *Dallas Morning News*, 26 August 1922.

gloated in its cries, ‘Ain’t I crooked, ain’t I crooked.’ Maury heard those voices and thinking it the voice of God leaped in the pool, and since he has climbed out of the pool he swears he can whip the one that led him into the pool.”⁵³ A year later, Robertson gave a speech to 700 assembled Klansmen preparing to march for 7,000 eager spectators gathered in McKinney, north of Dallas.⁵⁴

Robertson inherited an embattled court due to numerous flogging cases that went without indictments or convictions in 1921 and 1922.⁵⁵ The case of Philip Rothblum’s flogging gained significant media attention in March 1922 because three Dallas police officers, J. J. Crawford, Sergeant Louis Spencer, and Paul Adair were implicated in the flogging, but no indictments were returned by Judge Seay’s court.⁵⁶ While a concrete connection of the Dallas Klan’s culpability in the case was never ascertained, sentiment published in the *Dallas Morning News* cited the Klan as “morally responsible, if it has not in every instance decreed them.”⁵⁷ Robertson’s lack of response on these cases was an early indicator of the pro-Klan and anti-black stance he would take on law enforcement in his campaign for Texas governor.

Setting their sights on political influence, Texas Klan leaders seized every opportunity to manipulate political campaigns and elections to suit their purposes. The gubernatorial election of 1924 offered a prime opportunity for the Ku Klux Klan of Texas to present a viable candidate for the purpose of advancing the organization’s political

⁵³*Ibid.*

⁵⁴“7,000 Persons See Klan Parade at McKinney,” *Dallas Morning News*, 25 November 1923.

⁵⁵“No Indictments in Rothblum Flogging,” *Dallas Morning News*, 16 March 1922.

⁵⁶“Three Dallas Officers Involved in Flogging Case,” *Dallas Morning News*, 24 March 1922.

⁵⁷“Two Governors,” *Dallas Morning News*, 25 March 1922.

aspirations.⁵⁸ With membership between 97,000 and 170,000, the Klan represented a well-organized minority in Texas that set its sights on the Democratic Party. However, factionalism erupted over who the Klan candidate would be. Individuals such as Tom T. Connally and Marshall Hicks were considered by the Klan, but those candidates never came to fruition.⁵⁹ Houston Klan newspaper editor Billie Mayfield touted Dallas attorney V. A. Collins as best suited for the governorship. A charter member of the Dallas Klan, former state senator, and prohibitionist, Collins entered the race in December 1923 without consulting the Klan for permission.

This caused friction with Dallas Grand Dragon Z. E. “Zeke” Marvin because he did not have Collins in mind for the nomination.⁶⁰ Setting his sights on Criminal District Judge Felix D. Robertson, Marvin used his influence over Imperial Grand Wizard Simmons to secure Robertson’s candidacy in a meeting of state Klan representatives in Dallas in January 1924. A total of sixty Klansmen met to confirm Robertson’s candidacy, including seven officials from each Klan province in Texas and five additional members from each province. Robertson proved a suitable match for the Klan’s nostalgic reverence for the Ku Klux Klan of the Reconstruction era because of his father’s military service in the Confederate army.

After the first Democratic primary began, V. A. Collins officially attacked leaders in the Klan for conspiring to eliminate him from the race.⁶¹ Implicating a class struggle within the Klan, Collins supported the rank members by stating that, “. . .the rank and file

⁵⁸Brown, *Hood, Bonnet, and Little Brown Jug*, 211.

⁵⁹*Ibid.*

⁶⁰*Ibid.*, 211-212.

⁶¹“Collins Criticises Klan Higher-Ups,” *Dallas Morning News*, 11 April 1924.

of the members of the klan are as fine citizens as exist and were moved in joining only by the highest impulses. . . .they thought when they joined that they could assist in developing higher ideas of citizenship and the obligation that they took was along that line, and if strictly kept would make any man a better man.”⁶² As a charter member of the Dallas Klan, Collins insisted that the chapter was not founded on political purposes, but he asserted, “A few men are trying to manipulate the entire Klan organization and vote its membership like white-faced cows. . . .[and they] now are trying to dictate to the thousands of good members who they should or should not vote for.”⁶³ He was eventually suspended from membership in the Dallas Klan after speaking out against Grand Dragon Marvin in chapter meetings.⁶⁴

Similarities between V. A. Collins and Robert Henry emerged in how the Texas Klan systematically refuted them in the middle of their political campaigns. As a result of the “Waco Agreement,” Henry underwent the same scrutiny as Collins, being eliminated by internal partisan politics in the leadership of the Texas Ku Klux Klan.

Concerned only with its own best interests, the Klan felt no reservations toward retracting the promised support extended to Henry and Collins when doing so benefitted the Klan.

⁶²*Ibid.*

⁶³*Ibid.*

⁶⁴Alexander., “Crusade for Conformity,” 59.

Felix D. Robertson's Campaign

Felix D. Robertson opened his campaign for governor on 28 February 1924 in Waco, touting a campaign for common sense government.⁶⁵ Accompanied on stage by his father, Felix H. Robertson, and campaign manager Larry Mills of Dallas, Felix D. Robertson gave a lengthy speech describing his upbringing near Crawford and stressing his issues for the campaign: taxation, education, and law enforcement. Reminiscing on his youth in Waco, Robertson stated, "It's been twenty years since I left McLennan County to seek new fields of endeavor, but in all the years gone by I have always thought of Waco as my home town and McLennan County as home folks. [Waco is] the home of Coke and Ross, two great men elected by the people to fill the high office to which I aspire."⁶⁶ Speaking of another notable figure from Waco, Judge Robertson recalled his relationship with the current Texas governor, Pat Neff:

I can not pass over this great occasion without saying some word of commendation for my boyhood friend who now holds the high office of Governor of Texas, the Hon. Pat M. Neff. I have known him all my life. Pat Neff is a worthy son of McLennan County and I shall strive to do my duty as I know he has done under all circumstances and conditions because I know him to be a Christian, a patriot to the core, and an honorable gentleman.⁶⁷

Governor Neff's status with Robertson at the time of his speech remains unclear.

While Neff never definitively spoke against the Klan or Robertson, he did not lend support to Robertson's most significant opponent, Miriam Ferguson.⁶⁸ Neff's primary

⁶⁵"Felix D. Robertson Opens His Campaign," *Dallas Morning News*, 29 February 1924; "Gainsville Hears Felix D. Robertson," *Dallas Morning News*, 4 June 1924.

⁶⁶*Ibid.*

⁶⁷"Felix D. Robertson Opens His Campaign," *Dallas Morning News*, 29 February 1924.

⁶⁸Dorothy Blodgett, Terrell Blodgett, and David L. Scott, *The Land, The Law, and The Lord: The Life of Pat Neff, Governor of Texas 1921-1925, President of Baylor University 1932-1947* (Austin: Home Place Publishers, 2007), 147.

statement that could be construed as denouncing the Ku Klux Klan and mob violence seemed somewhat vague: “I stand for the strict enforcement of all the laws in the land, and this is all there is to it.”⁶⁹ Neff’s statement contrasted with Louisiana Governor John M. Parker’s position, who called for an anti-mask law, prohibiting masked parades and setting his sights on utilizing all law enforcement personnel necessary to combat the Ku Klux Klan in Oklahoma. Parker went further to send Assistant Director of the Bureau of Investigation J. Edgar Hoover a message pleading for federal assistance, as the Klan had grown so powerful that it effectively controlled the northern part of Louisiana.

Shifting the focus of his speech to economic concerns, Judge Robertson promised not to approve any appropriation bill unless it fell well within the state revenue. He essentially wanted to put the state on a cash basis.⁷⁰ To prevent any disputes over taxes, Robertson stated that he would reduce daily expenses of the state government, not create any new offices, and demand accountability from all departments in the state. Explaining how he would achieve those ends, he proclaimed, “I will demand strict economy in all State purchases. . . .boards and commissions where not absolutely necessary to the public good will be abolished, practical sense and common honesty will be demanded throughout every department and every employee of the State will be required to give an honest day’s work for an honest day’s pay.”⁷¹

⁶⁹“Two Governors,” *Dallas Morning News*, 25 March 1922; Federal Bureau of Investigation, “Federal Bureau of Investigation – Press Room – Headline Archives, A Byte out of FBI History: Imperial Kleagle of the Ku Klux Klan in Kustody,” Available from <http://www.fbi.gov/page2/march04/kkk031104.htm>, Internet; accessed 21 April 2009.

⁷⁰*Ibid.*

⁷¹*Ibid.*

Judge Robertson later followed up on his economic plans while giving a speech in San Saba by focusing on taxation enforcement as a means to increase state revenue.⁷² Insisting that he would keep big business out of the state government if elected, Robertson attacked opponent Lynch Davidson, former lieutenant governor and lumberman, for wanting to exempt land owned by lumber trusts in East Texas.⁷³ Robertson believed tax exemptions could be better spent by postponing taxes on homes owned by widows, but said such tax reform could not happen as long as business interests controlled the state government.

In a speech at Wichita Falls, Robertson explained to Texas voters that they were primarily responsible for high taxes, ridiculing his opponents who espoused the idea that taxes could be reduced by 1925 if they were elected.⁷⁴ Stating that money must be saved in order to reverse the high taxes the taxpayers voted for such as road and school bonds and Confederate pensions, he explained, “Most of you probably do not realize that but 6 per cent of your taxes are used for support of the State government, or was authorized by the Legislature and, on the other hand, you are to blame for the remaining 94 per cent.”⁷⁵ Taking a more optimistic tone, Robertson vowed to lower taxes if enough money could be saved to pay off the state deficit. Later defining his plan to reduce this deficit, Robertson told a crowd in Vernon that repayment could be met in two years, followed by the desired reduction in taxes.⁷⁶ He further charged his opponents who espoused the

⁷²“Felix Robertson Speaks at San Saba,” *Dallas Morning News*, 11 April 1924.

⁷³*Ibid.*; Brown, *Hood, Bonnet, and Little Brown Jug*, 220.

⁷⁴“Felix Robertson at Wichita Falls,” *Dallas Morning News*, 5 June 1924.

⁷⁵*Ibid.*

⁷⁶“Felix Robertson Speaks at Vernon,” *Dallas Morning News*, 6 June 1924.

reduction of taxes as “demagogues trying to fool the people or have too little sense to be Governors.”⁷⁷

Opponent Lynch Davidson attacked Robertson’s plan in Vernon a week later, stating that he could save the state \$10,000,000 in taxes if he was elected.⁷⁸ Contending that business principles applied to state government could cut a significant amount of money, Davidson accused Robertson of merely highlighting the importance of his membership in the Klan instead of thinking as a businessman regarding the state’s economic difficulties.⁷⁹ In a speech in Anson, Robertson questioned Davidson’s ability to make good on his plan because of his inability to tell voters exactly how “sound business and economy” would work.⁸⁰

Speaking of the need to provide every child with an equal chance at education in Texas, Robertson told a crowd in Abilene, “Children of the boggy bottom and the wind-swept plains are entitled to the same education facilities as those of the cities, at least so far as the State can provide them.”⁸¹ Though he readily claimed he was no expert on educational administration, he told voters that the state could provide education for children starting in kindergarten and going up through the university level. While opponents argued over the issue of excessive spending for state universities, Robertson argued that the state universities should be left with those skilled in higher education

⁷⁷*Ibid*

⁷⁸“Lynch Davidson Speaks in Vernon,” *Dallas Morning News*, 15 June 1924.

⁷⁹*Ibid.*

⁸⁰“Anson Voters Heard Felix D. Robertson,” *Dallas Morning News*, 18 June 1924.

⁸¹“Felix D. Robertson Speaks at Abilene,” *Dallas Morning News*, 19 June 1924.

administration, rather than big business interests.⁸² Free textbook distribution for public school districts became a key point in Robertson's campaign as he urged the School Survey Commission to approve a fifteen dollar per capita apportionment to continue funding for free textbooks and other educational expenditures.⁸³

Early in his campaign, Robertson charged jurors of Texas courts with allowing too much leniency toward criminals on trial, but he made no mention of Ku Klux Klan related incidents.⁸⁴ Insisting that citizens must do their duty to aid the legal system, Robertson promoted a policy of strict law enforcement through the judicial process and legal law enforcement, instead of resorting to mob violence. Speaking in the Texas Senate chamber after ninety previous campaign speeches, Robertson declared that the only way to stop individuals charged with rum-running was to give them a trial by jury of strict prohibitionists.⁸⁵ Robertson also repeated his position against mob rule, kidnappings, and floggings by promising that he would enact strict enforcement of the laws using the Texas Rangers and state militia if necessary.

General M. M. Crane of Dallas met Robertson with fierce opposition, telling a Dallas audience that he firmly believed that Robertson's roots with the Klan were too deep to trust him to enforce laws against klansmen partaking in mob violence.⁸⁶ Stating that he failed to serve faithfully as the Criminal District Judge of Dallas especially failing to serve justice against sixty-three flogging incidents dating back to 1922, Crane asserted

⁸²"Felix D. Robertson Makes 90th Talk," *Dallas Morning News*, 10 May 1924.

⁸³"Felix Robertson Speaks at Georgetown," *Dallas Morning News*, 11 July 1924.

⁸⁴"Felix Robertson Speaks at Midland," *Dallas Morning News*, 27 March 1924.

⁸⁵"Felix D. Robertson Makes 90th Talk," *Dallas Morning News*, 10 May 1924.

⁸⁶"Gen. Crane Opposes Felix D. Robertson," *Dallas Morning News*, 20 August 1924.

that Robertson had the power of the state behind him to bring these vigilantes to justice, but he failed to convict any of these individuals.

Robertson attacked James E. Ferguson in a speech in Waco, charging him with using the Klan issue as a farce to cover up prohibition issues.⁸⁷ Stating that Ferguson had not faltered from his anti-prohibition opinion, he exclaimed, “A whisky politician would crucify his own mother in order to bring whisky back into Texas.”⁸⁸ V. A. Collins was critical of Robertson’s public prohibitionist view.⁸⁹ Charging that Robertson courted and was indorsed by brewery interests while campaigning for State Representative for McLennan County in 1906, Collins argued Robertson’s prohibitionist stance was far from sincere.

S. E. Barnett, editor of the Lone Oak News and a staunch Robertson supporter, attended the state Democratic convention in Waco in May 1924.⁹⁰ His view of the Klan’s role in politics showed the degree to which the people of McLennan County supported the Klan:

At the Waco convention held in May we were there and saw the steam roller used effectively against the opposers [sic] of the Ku Klux Klan. The steam roller machinery was brought into action on several occasions and each and every time it smashed the opposition as flat as a gingercake [sic]. No one at the convention dared to vote his disapproval of the Ku Klux Klan. . .⁹¹

W. E. Lea, campaign manager for Senator Oscar W. Underwood and also in attendance at the Democratic convention in Waco on 26 May 1924, held similar

⁸⁷“Robertson at Waco Denounces Mob Law,” *Dallas Morning News*, 17 August 1924.

⁸⁸*Ibid.*

⁸⁹“Collins Criticises Klan Higher-Ups,” *Dallas Morning News*, 11 April 1924; “For the Legislature,” *Dallas Morning News*, 22 June 1906.

⁹⁰“Steam Roller Methods,” *Dallas Morning News*, 24 September 1924.

⁹¹ *Ibid.*

sentiments.⁹² Characterizing the convention as essentially “klan dominated,” Lea felt that “There are no real personalities in this, but we feel that the majority of people in Texas resent the attempt of any secret organization to control the Government from behind closed doors.”⁹³

Offering a slightly different view of the convention, a reporter from the *Dallas Morning News* covering the convention acknowledged that the Klan displayed a very open and obvious presence, but, “At the same time inveterate foes of the klan were on hand. Notwithstanding that such was the case, harmony was the obsession of practically all hands. If the Democracy of Texas were threatened with anything like a serious opposition, the explanation of that desire would be ready and easy.”⁹⁴

After Robertson’s victory in the first Democratic primary election, advocates of Lynch Davidson and T. Whit Davidson offered their support to Robertson for his run-off campaign.⁹⁵ Judge W. M. Pierson, a former supporter of T. Whit Davidson, offered to speak on Robertson’s behalf at a rally in Corsicana. Mrs. John B. Claybrook, president of the Women’s Democratic Club of Texas and former Lynch Davidson supporter, also offered to make a number of speeches around the state on Robertson’s behalf.

In celebration of Robertson’s victory in the first primary, the Klan held a parade on 4 July as part of the city’s Independence Day festivities in anticipation of further victory (Fig. 20).

⁹²“Claims Convention is Klan-Dominated,” *Dallas Morning News*, 27 May 1924.

⁹³*Ibid.*

⁹⁴“The State Democratic Convention,” *Dallas Morning News*, 29 May 1924.

⁹⁵“Felix Robertson Given Assurances of Support,” *Dallas Morning News*, 8 August 1924.

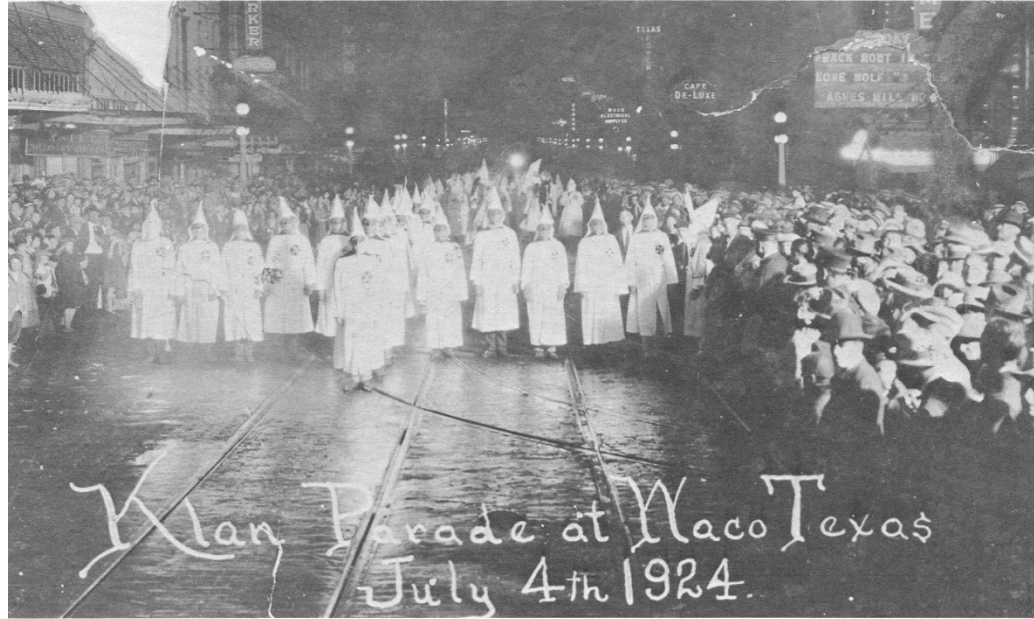


Fig. 20. Klan parade on Austin Avenue, Waco, Texas, 4 July 1924⁹⁶

Robertson's Critics

Robertson was not without critics, as General M. M. Crane spoke out against Robertson in favor of Miriam Ferguson in August 1924.⁹⁷ Stating that he believed Robertson was dodging questions that state voters wanted to know, he also charged Robertson of being wholly unqualified for the office of governor. Implying that the Klan issue was of utmost importance in the race, Crane recognized the growing influence of the Klan. "I am opposing him because he is a candidate of the klan leaders, and really has no right in a Democratic primary, because the klan as conducted constitute a complete political party of its own," asserted Crane.⁹⁸ Furthermore, he charged that rank and file

⁹⁶Conger, *A Pictorial History of Waco*, 290.

⁹⁷"Gen. Crane Opposes Felix D. Robertson," *Dallas Morning News*, 20 August 1924.

⁹⁸*Ibid.*

members of the Texas Klan were not privy to the selection of Robertson as the Klan candidate.

Believing that good men who entered the Klan lacked a voice, Crane charged, “He got permission from Hiram Wesley Evans, who was never known as a statesman, but about a thirteenth rate dentist, and Z. E. Marvin. That naturally makes him popular with a certain class of pro-klansmen.”⁹⁹ Crane’s comment further demonstrated the growing polarity between the large working class members of the Klan who espoused the merits of the national Klan creed and the upper class members of the Klan who had an agenda oriented solely toward political domination in Texas. Judge Hiram F. Lively of Dallas also criticized Robertson and the Klan before the first primary, perceiving the Klan issue as the primary question affecting voters.¹⁰⁰ Issuing a warning to Robertson to guard against potential betrayal after his defeat, Lively insisted that the Klan officials were not above issuing another “Bob Henry double cross.”

Former Texas Governor James E. “Pa” Ferguson’s wife, Miriam “Ma” Ferguson, was Robertson’s opponent in the second Democratic primary.¹⁰¹ Due to James Ferguson’s impeachment and removal from office in 1917, he could not run again for state office, but he took it upon himself to do the bulk of the speaking engagements for his wife Miriam, focusing his attacks on the Texas Klan and Robertson’s record as a

⁹⁹*Ibid.*

¹⁰⁰“Whit Davidson Denounces Klan,” *Dallas Morning News*, 18 June 1924.

¹⁰¹Alexander, *The Ku Klux Klan in the Southwest*, 196-197.

prohibitionist. After Ferguson tallied 46,000 votes under Robertson's 192,508 in the first primary, "Pa" Ferguson stepped up his crusade against Robertson and the Klan.¹⁰²

Possibly the most significant damage to Robertson came in August 1924 when Ferguson denounced the Klan's national leader, Imperial Wizard Hiram Wesley Evans.¹⁰³ Early in the runoff campaign between Robertson and Ferguson, Evans traveled from Shreveport, Louisiana to Fort Worth, Texas, via train. Accompanied by a black servant, Evans permitted the servant to occupy a Pullman car reserved for whites only. After receiving threats from white male passengers for remaining in the presence of white women, the servant fled to the car reserved for blacks. As news of this event trickled around Texas, Evans came under fire for buying the servant's ticket and permitting him to remain in the "whites' only" car.

This incident cost Robertson an estimated 50,000 to 100,000 votes, according to historian Norman D. Brown.¹⁰⁴ Taking advantage of this potential windfall for Ma Ferguson, Pa Ferguson responded:

Now, Mr. Klansman [referring to Robertson], it's up to you. . . All along you have said that you were in favor of white supremacy and you took an oath to observe klanishness and employ only klansmen and then you talked about respect for womanhood. It seems that your last two, ex-Grand Emperor Simmons and Clarke, were whore lovers and now your present grand gizzard is a 'nigger lover.' Which is the worst? Just think, Mr. 100 per center, of your old mother having to climb away up into a pullman hay loft to get a little rest while a big buck nigger is allowed to snore at ease and luxury in a lower berth along side of the great Ku Klux god, Evans, as his personal servant. If you boys in the Ku Klux want to still follow your 'nigger loving' boss, all right; but you ought to stop all that 'bull' you have been handing out about white supremacy and respect for womanhood.

¹⁰²*Ibid.*; "Mrs. Ferguson Has Lead of 3,389 Over Lynch Davidson For Second Place," *Dallas Morning News*, 29 July 1924

¹⁰³Brown, *Hood, Bonnet, and Little Brown Jug*, 234.

¹⁰⁴*Ibid.*

Don't forget how that Felix Robertson is being run by a nigger lover and everyone knows it.¹⁰⁵

As the runoff campaign came to a close, support for Robertson dwindled as newspapers around the state granted their support to Ma Ferguson. The *Dallas Morning News* extensively covered endorsements of Robertson from notable individuals such as General M. M. Crane, Alvin Owsley, national commander of the American Legion, Cato Sells, Maury Hughes, Jed Adams, former United States Senator Joseph W. Bailey, and former Texas Governor Oscar B. Colquitt.¹⁰⁶ Sentiments revolved around fear that if Robertson were elected, the office of Texas governor would essentially fall under Klan control because of Robertson's apparent apprehension to discuss in detail how he planned to counter mob violence related to Klan activity. Meanwhile, Klansmen around the state began dropping out of the Klan and denouncing Klan leaders for their concentration on politics and dictatorial policies towards members.¹⁰⁷

Robertson's Defeat and the Demise of the Klan

On 23 August 1924, during the Democratic Party runoff election, the Dallas Klan, assured of their victory, parked a large float bearing the inscription, "GOOD-BYE MA" in large letters.¹⁰⁸ However, victory eluded Felix Robertson and the Klan that day.

Pulling the largest vote in Texas history, "Ma" Ferguson defeated Robertson 413, 751 to

¹⁰⁵*Ibid.*

¹⁰⁶Alexander, *The Ku Klux Klan in the Southwest*, 197; "Gen. Crane Opposes Felix D. Robertson," *Dallas Morning News*, 20 August 1924; "Cato Sells Will Favor Mrs. Miriam Ferguson," *Dallas Morning News*, 20 August 1924; "Maury Hughes Speaks for Mrs. Ferguson," *Dallas Morning News*, 20 August 1924; "Jed Adams Hits at Robertson Record," *Dallas Morning News*, 20 August 1924.

¹⁰⁷Chalmers, *Hooded Americanism*, 47.

¹⁰⁸*Ibid.*

316, 019, leading in 173 of the 249 counties reporting.¹⁰⁹ Robertson's demise resulted from a lack of support in metropolitan areas. While he carried Tarrant, Dallas, and Jefferson counties, he failed to secure former Klan strongholds Bexar, El Paso, and Travis.

After his son's defeat, Felix H. Robertson responded to inquires from the *Dallas Morning News* asking if he would continue his past record of supporting the Democratic Party and now support Ferguson.¹¹⁰ Responding that he had no obligation to support Ferguson, he stated, "This will not be the first time I have exercised my privilege of voting against the Democratic nominee."¹¹¹

The Klan's treatment of Felix D. Robertson, V. A. Collins, and Robert L. 'Bob' Henry exemplified typical Klan behavior in its desire for political power. The Klan leaders' push for political supremacy in Texas ultimately led to their demise by pinning their hopes on Robertson's failed campaign.¹¹² Robertson's lack of clear commitment regarding law enforcement along with public resentment toward Klan influenced floggings and tarring and feathering also led to the Klan's undoing in McLennan County and Texas at large.¹¹³ Thousands of prominent members quickly dropped membership after Robertson's defeat, saying that they had been coerced or forced to join, and expressing remorse for their membership.

¹⁰⁹Brown, *Hood, Bonnet, and Little Brown Jug*, 238-239.

¹¹⁰"Felix H. Robertson Will Not Support Nominee," *Dallas Morning News*, 1 September 1924.

¹¹¹*Ibid.*

¹¹²Alexander, *The Ku Klux Klan in the Southwest*, 198-199.

¹¹³Chalmers, *Hooded Americanism*, 48.

CHAPTER SIX

Conclusions

“The Klan may presently fade away as quickly as it came. But the general state of mind which could manifest itself in this strange way – that is a far more permanent aspect of our national life.”

Frank Bohn

Describing the mood of the Texas legislature towards the Klan after Miriam Ferguson’s defeat of Felix D. Robertson in the Texas Governors’ race 1924, William Robert Poage recalled,

Just a little before the time that I got into politics, it was dying down by 1924. And in fact, the first session that I was in the legislature, we passed the antimask bill. My recollection is I voted for it. I am not absolutely positive of that, but I think I did. But it had reached a point where they made horseplay out of it. . .[and]. . .the issue isn't as burning as it had been. Luke Mankin was the representative from Williamson County at that time, offered the Mankin bill, which made it an offense for anybody to appear in public wearing a mask of any kind. And George Purl, who was originally from Georgetown, too, but was then a representative from Dallas, began offering a bunch of amendments to it just ‘hoorawing,’ the kind of thing that I know that a legislative body oughtn't to do but the kind of thing the Texas legislature does do and still does from time to time, such as, ‘Provided that nothing herein shall prevent English tourists wearing hats,’ and ‘Nothing in this bill shall apply to deep-sea divers while under water,’ and, ‘Nothing in this bill shall apply to Santa Claus while on official business, giving him three days to go and three to return,’ and such stuff as that. Well, to me, that is clear indication that by that time the Klan issue was not as hot, vital issue that it had been even two years earlier.¹

¹Poage, Oral History, 150.

Backlash against the Klan

On 24 July 1921, over one hundred Waco citizens banded together to sign a petition declaring their opposition to the Ku Klux Klan and its practices carried out in Waco.² As the document circulated among business men, prominent citizens, and other professionals, the *Dallas Morning News* reported these significant Waco individuals as signees:

Dr. S. P. Brooks, president of Baylor University; Asher Sanger, merchant; State Senator Edward E. Witt; Lee A. Davis, Tax Collector; James P. Alexander, District Judge; W. W. Woodson, president of the First National Bank; Fred B. Robinson, vice president of the Waco Times-Herald; John B. McNamara, former County Attorney; C. H. Machen, Assistant County Attorney; C. C. Lewis, secretary of the Retail Merchants' Association; T. H. Claypool, Baylor University professor; W. M. Sleeper, lawyer, and others.³

William Sleeper quickly became a vocal adversary to the Waco Klan. Playing an active role in establishing the McLennan County Citizens' League, Sleeper called the Klan's sway over prominent citizens in Waco into question at a meeting on 21 June 1922, stating, "The Ku Klux Klan has got a large element of the best citizens of Waco cowed. They are afraid they'll be struck, then they turn around to find out who has dealt the blow, no one will be there."⁴

Taking an opportunity to call Robert L. Henry's candidacy for United States senator into question, Sleeper continued, "I have never heard anyone yet who belonged to the klan admit his identity unless he was a candidate for United States Senator, and who

²"Leading Waco Citizens Sign Anti-Klan Petition," *Dallas Morning News*, 24 July 1921.

³*Ibid.*

⁴"Judge Declares Klan Un-American," *Dallas Morning News*, 22 June 1922.

secured a dispensation to tell that he was a member. There's something wrong when a man belongs to an organization and has to secure permission to reveal his identity."⁵

Former McLennan County Attorney O. H. Cross offered a comparison of the Klan of the 1920s to its Reconstruction era counterpart. Asserting that religious intolerance towards Catholics and Jews was not a focus of the original Klan, he argued, "If Jackson and Lee and Jeff Davis could return to this earth, can you imagine their indignation toward those who have stolen the name of the Ku Klux Klan to create religious bitterness and prejudice?"⁶ He further cemented this comparison by recalling Jefferson Davis' cabinet member, Philip Benjamin, who was a Jew and Catholic poet-priest Father Ryan who wrote songs reflecting the ideals of the South. He further charged the Klan with hypocrisy for its benevolence towards Protestant churches while persecuting Jews and Catholics by stating:

If I were some of those preachers who today permit those masked hooded figures to come down the aisles of their churches and lay a few paltry dollars on the altar, as Satan did in the Garden of Eden, and then say to them, 'Oh, you white angels,' I'd feel like Judas Iscariot did when he betrayed his Lord and I go out and do as Judas did; I'd hang myself.⁷

During the height of the political primary season, the Waco Klan was victimized by theft.⁸ On 12 July 1924, the secretary of the Waco chapter reported that thieves broke into the Waco Klan hall on the outskirts of Northwest Waco, breaking the lock and stealing several Klansmen's robes in the process.

⁵*Ibid.*

⁶"K. K. K. Called Incubator of Hate," *Dallas Morning News*, 29 June 1922.

⁷*Ibid.*

⁸"Thieves Steal Robes of Waco Ku Klux Klan," *Dallas Morning News*, 13 July 1924.

Contending that the governors' race consisted not of two individuals running, but of whether or not to support Klan ideology and offer it power to become the political organization it strived to become, George W. Riddle of Dallas commented, "You can't run a State nor a Nation by signs, grips and a symbol in the white cap and gown. It would finally produce death and destruction. The klan has a wrong theory of government and I would not be contented to advocate its cause."⁹

Summarizing the sentiments of politicians such as Senator Tom Connally, William Robert Poage frequently recited a story that adequately illustrates the mixed opinion towards legacy of the Klan:

Well, of course, I admit that I saw it just like another one of Senator Connally's stories, and the senator tried pretty well to see it that way himself, although I must say that he spoke out, that he was not in favor of violence, and I think that many of us felt that way. But the senator used to tell about a fellow who was making a speech, a political speech, and he was talking on and on; and there was a man back in the back, kept trying to break in. He'd keep going right on, and finally he couldn't fail to answer the question. He says, 'Just answer one question Senator. How do you stand on the Ku Klux Klan?' And the senator said, 'Why, I'm glad you asked me that question, my friend.' He said, 'I always try to be frank about every issue and to tell the people just where I stand on any matter before the public. Some of my friends feel very strongly in favor of the Klan; some of them think that it's necessary for this country. Others of my friends feel equally strong that the Klan's dangerous to our institutions. And I always stay with my friends.' And that's what most of us tried to do. We tried to 'stay with our friends' in those days.¹⁰

Around this time, Klan chapters in Dallas, San Antonio, Houston, and Fort Worth closed their doors and were transferred to Klan receivers for auction.¹¹ Klan membership saw an estimated drop from 13,000 to 1,200 in Dallas, while the entire state maintained

⁹"Letters from Readers," *Dallas Morning News*, 11 August 1924.

¹⁰Poage, *Oral History*, 149.

¹¹*Ibid.*

numbers less than 18,000 at the end of 1926. A few years of relative inactivity passed after the climax of Klan influence in McLennan County. The prominent Klan hall, a great stucco building located on the fringe of Northwest Waco, was sold to Roy Rutland along with the Klan's forty lots surrounding the structure on 30 October 1927.¹² Though the Klan would rise again in the 1960s, the political grip held by figures such as Hiram Wesley Evans faded as the Depression took hold of Texas and the United States.

Evolving from a pervasive culture of violence, the Ku Klux Klan thrived as the popular personification of the lawless society in McLennan County and Central Texas in general. However, as tendencies toward violence faded, so did the Klan's preeminence. The organization's failed attempts to manipulate Texas politics to their advantage signaled the beginning of its decline and the end of its implicit rule. Despite great efforts to advance their cause and increase their influence, especially in politics, leaders of the Ku Klux Klan in Texas ultimately brought about their organization's demise through overly ambitious aspirations and dissention within its ranks.

Historian Norman F. Weaver suggested that the Klan's demise was attributed to its emphasis on perpetual crisis and divisions within society.¹³ As with any organization focusing on only a single theme, it could only appeal to a limited number of people. Once recruitment had exhausted this finite interest group, the Klan could only go into decline. Under the particular circumstances in Central Texas in the 1920s, this theory could be a contributing factor in the Klan's decline in McLennan County. However,

¹²"Klan Building Sold," *Dallas Morning News*, 31 October 1927.

¹³Norman F. Weaver, "The Knights of the Ku Klux Klan in Wisconsin, Indiana, Ohio, and Michigan," (PhD diss., University of Wisconsin, Madison, Wisconsin, 1954), 105; Alexander, *The Ku Klux Klan in the Southwest*, 242.

historian Charles C. Alexander contends that Weaver's theory fails to take into account the effects of the Klan's involvement in state politics.¹⁴

Regarding the internal structure of the Klan, Alexander quotes,

The dictatorial character of the Klan hierarchy, based on the principal that all power should originate in the Imperial Wizard and move downward from him, presented a ready-made opportunity for unscrupulous and power-hungry leaders. These Klan officials sometimes abused their authority in order to achieve their designs for political preferment and personal aggrandizement.¹⁵

The hierarchy described was incompatible with political competition among Klansmen, as seen in the fate of Robert L. Henry and V.A. Collins. After witnessing these examples of internal turmoil, other members who believed in the democratic process readily left the Klan, unable to suffer the militaristic rule of Imperial Wizard Evans.¹⁶

Alexander also contributed the Klan's disintegration on its failure to keep promises of preserving law and order.¹⁷ Furthermore, controlling vigilante violence within the organization became an issue, as the Klan opened recruitment to "sadists, grudge-holders, and fanatics."¹⁸ This policy of open recruitment to lower-class whites proved a detriment to the Klan's prosperity, as its large middle-class membership base left the group due to outbursts of paranoia-fueled extralegal activity. Guy B. Harrison recalled his departure from the Klan as he stated, "[the Klan] began to bring in men who were not desirable characters, and the character of the Klan rapidly changed. When I saw

¹⁴Alexander, *The Ku Klux Klan in the Southwest*, 243.

¹⁵*Ibid.*, 248.

¹⁶*Ibid.*

¹⁷*Ibid.*, 246.

¹⁸*Ibid.*

what was happening, I got out of it right away.”¹⁹ The lower-class’ eager participation in vigilante violence to preserve white supremacy also repelled potential recruits and support from non-Klan citizens.

The editor of the *Waco Messenger*, an African American newspaper, wrote in 1937 that Waco was mob-infested during the height of Klan influence. While he did blame the Klan for violence against blacks in Waco, he also found fault in “the unhealthy attitude of Waco and McLennan County business, civic and political leaders toward law enforcement.”²⁰ The lynching of Jesse Thomas in 1922 was a notable occurrence of extralegal violence.²¹ Killed by Sam Harris after his daughter, Maggie Hays, claimed that she was assaulted by Thomas, a mob of 2,000 desecrated the corpse after stealing it from an undertaking firm. Dragging the body to City Hall behind a truck, the angry mob burned Thomas’ body and proceeded to drag it around the streets of Waco. No charges were filed against Harris or members of the mob.

Unlike Jesse Washington, who was a newcomer to McLennan County, Jesse Thomas was a native to Waco.²² According to sociologist Roberta Senechal de la Roche, lynchings of individuals both inside and outside the community occur under distinctive circumstances.²³ She contends that “classic lynchings” occur following an accusation against a lower-class person who is culturally and relationally distant from the victim and its supporters. “Communal lynchings” are the result of numerous accusations against an

¹⁹Wallace, *Waco: Texas Crossroads*, 59.

²⁰Carrigan, “Heritage of Violence,” 73.

²¹*Ibid.*, 75-77; *Waco Times Herald*, 27 May 1922.

²²Carrigan, “Heritage of Violence,” 77.

²³Roberta Senechal de la Roche, “Why Is Collective Violence Collective?,” *Sociological Theory* 19, no. 2 (July 2001), 130.

individual accepted within the community, with cultural distance representing much less of a determining factor.²⁴ “The likelihood of a lynching depended on who offended whom—especially the degree of intimacy between the alleged offender and victim and the social status of each. It also depended on unequal partisanship,” she explains. This theory adequately explains the conditions of Washington’s lynching, yet fails to explain Thomas’ case, as he was a reputable black citizen and friendly acquaintance of the victim.²⁵ Echoing de la Rocha’s assessment of “classic lynchings,” historian Edward L. Ayers implies that lynchings readily occurred where whites are surrounded by, “strange niggers, blacks with no white to vouch for them, blacks with no reputation in the neighborhood, [and] blacks without even other blacks to aid them.”²⁶

Thomas’ lynching served as an example of the Klan’s inability to preserve law and order in McLennan County due to its concerns with political gain. The Klan failed to account for the prevalent mob spirit that remained from the late nineteenth century. In context with sweeping social reforms in the Progressive era, the blending of progressivism and white supremacy allowed the mob mentality to continue into the 1920s.²⁷ William A. Link contends progressivism failed to condemn mob violence, placing the blame on the breakdown of the legal system and the unwillingness of black communities to police criminals in their midst.²⁸ The paradox of Southern progressivism

²⁴*Ibid.*, 130, 133.

²⁵*Ibid.*, 131; Carrigan, “Heritage of Violence,” 75, 77.

²⁶Ayers, *The Promise of the New South*, 157.

²⁷C. Vann Woodward, *Origins of the New South, 1877-1913*, vol. 9 of *A History of the South*, ed. Wendell Holmes Stephenson and E. Merton Coulter (Baton Rouge: Louisiana State University Press, 1951), 373.

²⁸William A. Link, *The Paradox of Southern Progressivism, 1880-1930* (Chapel Hill: University of North Carolina Press, 1992), 59.

was succinctly expressed by C. Vann Woodward: “Southern progressivism generally was progressivism for white men only.”²⁹

Sparked by class conflict and racial animosity, the Klan worked against itself as its members sought to utilize extralegal violence to reconcile perceptions of weak government and law enforcement in McLennan County.³⁰ White women’s fear of savage black men who sought to defile them continued into the 1920s and can be attributed to Thomas’ lynching. Despite the Klan’s promises to maintain law and order and support local law enforcement, in its opinion, the abounding paranoia of black rapists indicated that the legal system failed to enact swift justice on these violent offenders. Hence, the lower-class members of the Klan found themselves turning increasingly to the extralegal activities they vowed to restrain to continue protecting white womanhood and white supremacy.

The group’s preoccupation with the Waco agreement among its upper-class leadership allowed this paradox to develop, proving Charles C. Alexander’s thesis that the Klan failed to acknowledge the preservation of law and order.³¹ Neglect of its initial promise to aid legal law enforcement, along with the totalitarian control Klan leadership exerted on its members further alienated the upper-class leadership from its lower-class members. These combined circumstances eventually caused the breakdown of Klan power in McLennan County after Felix D. Roberston’s failure to secure the gubernatorial nomination in 1924.

²⁹Woodward, *Origins of the New South*, 373.

³⁰Ayers, *The Promise of the New South*, 157.

³¹ Alexander, *The Ku Klux Klan in the Southwest*, 246.

Unable to cope with a state rapidly moving toward “business progressivism, not prejudice and reaction,” the Klan’s utopian dreams of “100 percent Americanism” faded into obscurity in the face of sweeping political and social change.³²

³² Ibid., 243-244; George B. Tindall, “Business Progressivism: Southern Politics in the Twenties,” *South Atlantic Quarterly* 62 (Spring 1963), 92-106. Anti-Catholicism and immigration control championed by the Klan fell out of favor as the Stopgap Immigration Act of 1921 and the Johnson-Reed Act of 1924 set restrictionism as a national immigration policy and shifted the preference of immigration to individuals of Northern or Western European descent, satisfying the Klan’s racial nativist platform.

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