

IN THE TALL GRASS WEST OF TOWN: RACIAL VIOLENCE IN DENTON COUNTY
DURING THE RISE OF THE SECOND KU KLUX KLAN

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The aim of this thesis is to narrate and analyze lynching and atypical violence in Denton County, Texas, between 1920 and 1926. Through this intensive study of a rural county in north Texas, the role of law enforcement in typical and systemic violence is observed and the relationship between Denton County Officials and the Ku Klux Klan is analyzed. Chapter 1 discusses the root of the word *lynching* and submits a call for academic attention to violence that is unable to be categorized as lynching due to its restrictive definition. Chapter 2 chronicles known instances of lynching in Denton County from its founding through the 1920s including two lynchings perpetrated by Klavern 136, the Denton County Klan. Chapter 3 examines the relationship between Denton County Law Enforcement and the Klan. In Chapter 4, seasons of violence are identified and applied to available historical records. Chapter 5 concludes that non-lynching violence, termed “disappearances,” occurred and argues on behalf of its inclusion within the historiography of Jim Crow Era criminal actions against Black Americans. In the Prologue and Epilogue, the development and dissolution of the St. John’s Community in Pilot Point, Texas, is narrated.

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PROLOGUE

In a grove of trees in the northeast corner of Denton County, Texas, lies St. John's Cemetery. Within its haphazard fencing are the final resting places of several hundred freedmen, women, and children who worked, worshipped, and built a community in Pilot Point, Texas, at the turn of the twentieth century. The first known burial in St. John's Cemetery is that of Angeline Williamson who died in 1882. Angeline lived in the Oakdale Community, just across the northern county line. The next two burials were also from Oakdale. Charles Oliver died in 1883 and was followed by his wife, Peggy, in 1884. Burials at St. John's picked up in 1889 and an average of one person per year was buried in the cemetery from 1889 until 1925. The last confirmed burial in St. John's was George Truitt who died on July 16, 1938.¹

Louis Whitlow Sr., formerly enslaved in Chambers County, Alabama, saved money from emancipation until 1880 to move to Texas. He left Chambers County, Alabama after harvest in the fall of 1880 and took sixty-five freedmen and women by train to a new life in Sherman, Texas. Upon arrival, part of the group moved south and founded the Oakdale Community in southern Cooke County near the line with Denton

¹ "Angeline Williams," *Uncovering St. John's*, May 2018; "Charles Oliver," *Uncovering St. John's*, May 2018; "Peggy Oliver," *Uncovering St. John's*, May 2018; "George Truitt," *Uncovering St. John's*, May 2018. This statistic is based upon an aggregation of death certificate and headstone data. While much effort has been made to use burial as a way of discerning community membership, the data available lends an alternative explanation. St. John's served the Pilot Point Freedmen's Community from 1882 until 1916 when Pilot Point Memorial Cemetery's use in interment began. Both cemeteries had burials between 1916 and 1925 when St. John's no longer had new burials (with the notable exception of two in the late 1930s). In fact, it appears as though any headstones in Pilot Point Memorial Cemetery prior to 1916 were moved there as a product of the cemeteries which were relocated during Lake Ray Roberts construction. Therefore, St. John's served as the cemetery for the totality of the Pilot Point Freedmen's Community until the early 1920s when burials were shifted to Pilot Point Memorial Cemetery near downtown Pilot Point, Texas. Denton County Tax Records, "R S Seal," 1894, Denton County Clerk, Denton (TX). FamilySearch shows the home of R. S. Seals in an area east of Sanger which was eventually flooded by Lake Ray Roberts. Seals now rests in Pilot Point Memorial Cemetery. He died in 1907. "R S Seals," Find-a-Grave, April 8, 2019. <https://www.findagrave.com/memorial/135580962/r-s-seals>.

County. The establishment of the Oakdale Community marked the beginning of the greater Pilot Point Freedmen's Community, the largest association of freedmen in Denton County, Texas.²

County Line Baptist Church was founded by Louis Whitlow Sr. in Oakdale in 1881. By 1890, Whitlow had saved enough money to purchase 150 acres – at the high price of twenty dollars per acre – in the southeastern corner of the Charles Smith survey, about three hundred yards from the northwest corner of the St. John's Community. The County Line Baptist Church was new and without common burial grounds in the early years, so when Washington Whitlow (the likely brother of Louis Whitlow Sr.) died in 1891, he was buried in the St. John's Cemetery. Cross membership was common as preachers delivered sermons on a circuit throughout the greater freedmen's community. In fact, two of the founding members of County Line Baptist Church, Aaron Phillips and Hezekiah Griffin Sr., both married women from the St. John's Community. Many years later, as their community disappeared, several St. John's congregants became members of the County Line Baptist Church.³

The first record of St. John's in Pilot Point was on January 30, 1886. The St. John's Community was geographically defined as the land which surrounds the St. John's Baptist Church and St. John's Cemetery. The center of this location is approximately four miles southeast of the town of Pilot Point, bracketed by Farm-to-

² "Local News," *Pilot Point Post-Signal*, August 24, 1939, accessed March 25, 2019. Ancestry.

³ "Local News," *Pilot Point Post-Signal*, August 24, 1939, accessed March 25, 2019. Ancestry; "Personal and Local," *The Post-Mirror* (Pilot Point, TX), March 17, 1888, accessed March 17, 2019, The Portal to Texas (UNT). The founding date of County Line Baptist Church is reported incorrectly in Valerie L. Scott, "County Line Baptist Church," *Texas Historical Commission*, 2007. <https://apps.dentoncounty.com/website/historicalmarkers/PDFs/County-Line-Baptist-Church.pdf>; Denton County Land Records, "Land Deed: S. A. Porter (Grantor) Louis Whitlow Sr. (Grantee)," August 28, 1890, Denton County Clerk, Denton (TX).

Market Road 455 in the north, Sherman Dr. in the south, State Highway 377 in the east, and the Elm Fork of the Trinity River in the west. These boundaries, while rough, give a broad concept of the land which was home to dozens of farms and families in the area called St. John's by some and "Sam Allen's Community" by others.⁴

The St. John's Baptist Church is rumored to be a re-congregation of the eponymous church in Chambers County, Alabama.⁵ As a center for the Pilot Point Freedmen's Community, St. John's served a religious function as a one-room Baptist Church, a scholastic function as the church shared a home with a one-room school, and a social function. Reverend C. C. Trimble hosted a debate society in 1888 for the members of St. John's. At their first meeting, they sought to answer the question, "who has been treated worse by white people: Native Americans or African Americans?" Native Americans won the debate. In 1888, a Colored Odd Fellows Lodge opened in Pilot Point with members from all three community centers. This was followed by the Black Masons in the 1920s. Events in St. John's were of interest to all people in the

⁴ "Personal and Local," The Post-Mirror (Pilot Point, TX), March 17, 1888. The Portal to Texas (UNT); "Texas General Land Office Land/Lease Mapping Viewer," Texas Land Office, March 25, 2019. <http://gisweb.glo.texas.gov/glomaps/index.html>; "Dissipated Towns of Denton County: Elizabethtown, Drop, and Stony," Denton County Office of History and Culture (blog), March 29, 2019. <https://dentoncountyhistoryandculture.wordpress.com/>; Tenth Census of the United States, Denton County, Denton County Clerk, Denton (TX): Schedule 1 (Population). HeritageQuest (UNT); Twelfth Census of the United States, Denton County, Denton County Clerk, Denton (TX): Schedule 1 (Population). HeritageQuest (UNT). On methodology: The St. John's Community in the image above is defined based upon areas of high-density burial in the St. John's Cemetery, distance from alternative African American churches, and geographic features which would encourage and/or inhibit common travel. For the original version of the 1897 Denton County Land Map used, see "Map of

⁵ This oral tradition is not supported by historical documentation; however, that could be a product of the lack of St. John's Baptist Church records altogether. Denton County Land Records, "Land Deed: John Skinner (Grantor) John Burton, Joe Medders, and Abram Lyles (Grantees)," January 30, 1886, Denton County Clerk, Denton (TX); Denton County Tax Records, "Abram Lyles," 1885, Denton County Clerk, Denton (TX). Family Search; Denton County Tax Records, "J. R. Burton," 1885, Denton County Clerk, Denton (TX). Family Search. John Skinner sold two acres of land to John Burton, Joe Medders, and Abram Lyles for a Baptist Church. In 1885, Abram Lyles already owned six acres in the J. M. Moses survey and 100 acres of the Sylvester Williams survey. John Burton owned one half of an acre of the William Neil survey in the same year. Unless Joe Medders went by Meadows, he did not own land in 1885.

1880s, including the white readership of the *Pilot Post-Mirror*. “The [C]olored people have been carrying on an interesting protracted meeting for two weeks at the [C]olored Baptist church,” one article read. Another told the story of Mr. Jackson, who was hell-bent on keeping his daughter from marrying. Jackson rode into town and informed the Justice of the Peace not to issue a marriage license for Ophelia Jackson and Bill Faust. But Ophelia had spent quite some time giving her father the wrong name of her sweetheart to avoid paternal interference. Minutes after Mr. Jackson left, a marriage license was issued to Ophelia Jackson and George Burton as he was most certainly not Bill Faust.⁶

St. John’s was also a community of sharecroppers and tenant farmers. By 1895, most members of the St. John’s Community owned a buggy or wagon, a pair of horses, a couple head of cattle, and a few hogs. They grew cash crops and raised livestock on reasonable acreage surrounding the church and cemetery. The St. John’s Community used the Mustang alliance gin for their cotton. This reflects a solidly middle-class lifestyle compared to others in the Pilot Point and Denton County area.⁷

As a community, the St. John’s membership supported one another through crises. On May 22, 1888, a storm destroyed much of the farmland and crops of the St. John’s area. August 26, 1896, John Grundy’s home burned and \$30 in donations were

⁶ “Personal and Local,” *The Post-Mirror* (Pilot Point, TX), March 17, 1888. The Portal to Texas History (UNT); “Personal and Local,” *The Post-Mirror* (Pilot Point, TX), November 17, 1888. The Portal to Texas History (UNT); “City and County,” *The Post-Mirror* (Pilot Point, TX), August 7, 1891. The Portal to Texas History (UNT); “All Over the State,” *The Post-Mirror* (Pilot Point, TX), August 17, 1894. The Portal to Texas History (UNT).

⁷ “Mustang,” *The Post-Mirror* (Pilot Point, TX), September 15, 1888. The Portal to Texas History (UNT); Denton County Tax Assessment, 1895, Denton County Clerk, Denton (TX). FamilySearch.

made by both black and white citizens to help him get back on his feet. A thank you letter was printed in the newspaper signed by both Lewis Whitlow Sr. and Sam Allen.⁸

The people of St. John's lived and thrived together west of Pilot Point from 1880 until their peak population in 1900. Yet, after the turn of the century, the St. John's community saw vast membership loss. By 1930, the community was gone leaving a cemetery behind in a wooded area well off main access roads. Even with the visible population decline, it is unknown exactly when St. John's Baptist Church stopped congregating. Likely, it mirrored the burials in St. John's Cemetery and stopped around 1925. Some members of the St. John's Community were absorbed into the other corners of the greater Pilot Point Freedmen's Community, centered around either St. James Baptist Church or County Line Baptist Church in the early twentieth century. While few members moved into downtown Pilot Point, the remainder of St. John's Community membership left the area entirely. This begs the question: why did they leave?⁹

⁸ "The Storm," The Post-Mirror (Pilot Point, TX), May 26, 1888. The Portal to Texas (UNT); "Card of Thanks," The Post-Mirror (Pilot Point, TX), August 28, 1896. The Portal to Texas History (UNT).

⁹ "Local News," Pilot Point Post-Signal , August 24, 1939. Ancestry.

INTRODUCTION

According to folklore, there once was a Black goat farmer named Oscar Washburn who lived in the woods just north of the Old Alton Bridge in the southern portion of Denton, Texas. From his farm he grew a thriving business and the people of neighboring Alton called him “the Goatman.” His popularity drove his business success, but his location in the woods was confusing to find. So, the Goatman erected a sign on the Old Alton Bridge to guide his visitors. It read, “This way to the Goatman.”

As the story goes, in 1938 the Ku Klux Klan became enraged by the Goatman’s sign and success and rode in full hood and robe to the Washburn family home. There, they snatched Oscar -- the Goatman -- away from his wife and kids and brought him to the Old Alton Bridge. The Klan members tied a noose around his neck and pushed him over the edge. What supposedly happened next has become an often-repeated local legend. Expecting a splash as his body encountered the creek, the hooded men became alarmed when no sound was made. Members climbed down the banks of the creek to ensure the Goatman was hanged but found the noose empty.

Concerned the Goatman escaped and would seek revenge, the Ku Klux Klan rode to the Washburn home. There, they massacred the Goatman’s wife and children and burned his home to the ground. As the tale goes, if you drive to the Old Alton Bridge at night and honk three times the Goatman will appear and, if you have Klan blood running through your veins, he will exact his revenge.¹⁰

Folklore acts as an expression of the public belief system, like a historical

¹⁰ The record shows that there was once an Oscar Washburn, but he was white and lived in Pilot Point with his wife and three children. In the fall of 1917, O.T. Miller, Washburn’s brother-in-law, shot Oscar to death for abusing his sister. “Bond Not Yet Fixed for Alleged Slayer of Brother-in-Law,” *Denton Record-Chronicle*, October 16, 1917, accessed February 16, 2020. Newspaper Archive (UNT).

Overton Window, and promises a glimpse into what regular people believe is possible. For a tale to catch steam, it must resonate with reality even as it injects a mystical component into everyday life. Through the story of the Goatman it can be surmised that Denton County residents believed the local Ku Klux Klan was not only in existence, but capable of the brutal murder of the Washburn family in 1938. They also believed the existence of a moderately successful Black farmer was enough to enrage hooded white citizens into the commission of heinous acts of violence. These acts would only be possible through the dehumanization of Black families, even those well known to the membership of the KKK.

While whispers of terror echo into the present through unprovable tales, the true stories of racial violence in Denton County have been systematically erased from the public memory and, similar to the disappearances Diana Taylor chronicles in Argentina, “forgetting had become official policy, much against the wishes of certain groups that had vowed never to forget.” Records have been destroyed and the history has been sanitized of all untidy fragments of racial strife. Many citizens believe there was never a Ku Klux Klan in the rural county of Denton and until recently, the county proudly believed that they had never lynched a person of color.¹¹

The action of visually observing – or staring at -- violence against Black bodies is sometimes an expression of power, as bell hooks reminds us in her work on the oppositional gaze. When I glance at this story with my brown eyes and pale skin, I wrestle with this concept. Is this research and work an expression of power because it

¹¹ Diana Taylor, *Disappearing Acts: Spectacles of Gender and Nationalism in Argentina's "Dirty War"* (Durham, NC: Duke University Press, 1997), 13; “Editorial,” *Denton Record-Chronicle*, December 14, 1922, accessed February 10, 2020. Newspaper Archive (UNT).

gazes at violence against Black bodies? It is this question that draws me, as author, directly into the narrative because it is incomprehensible to separate my race, my privileged class, from the stories I aim to tell. These stories are about the intersection of white supremacy, Black life in the Jim Crow South, and horror. What is to be done about the similarity of my pinkish complexion and white womanhood to that of the women who falsely cried rape to avoid the social consequences of a mutual relationship with a Black man? For this and many reasons, I acknowledge my personal role within this story. To do otherwise would be dishonest to the relationship I have, as a writer, to the research and narratives of Black lives.¹²

Therefore, what is the purpose – as a white woman – of telling these stories of violence? As bell hooks asserts, the gaze is a political act and I am, in this thesis, using it as such. Disappearance does work by removing the identity, the uniqueness, the life stories of Black men and women and, subsequently robs communities of both the individual and the oppositional gaze. Detailing the lives of the victims of disappearance is my form of praxis. In this work, I am taking specific action to re-identify the nameless and paint, to the best of my ability, what is left of their unique character in historical records. This is my way of deconstructing the ongoing work that disappearance does in the present. Without names, faces, and stories, men like Burl Stephens continue to rest, unnamed, in city cemeteries.

By describing violence, I am acknowledging its *realness*, something that is lacking specifically in Denton County, and demanding empathy for crimes that have

¹² bell hooks, *Reel to Real: Race, Sex, and Class at the Movies* (New York: Routledge, 2008), 253; Nancy K. Miller, “But Enough About Me, What Do You Think of My Memoir?” *The Yale Journal of Criticism* 13, no. 2 (Fall 2000): 421-436.

been unacknowledged. Horror serves a purpose and while bell hooks and others who critique the folk pornography of lynching studies are right – we should not dwell there too long – I believe they are missing something important. It is our job, like those who hear stories of the holocaust, to “bear witness” to the atrocities of Jim Crow. Bearing witness is a powerful form of gaze, one that must be utilized to view this, our national crime. Yes, the destruction, criminalization, murder of Black bodies in cinema and even on the nightly news is a fetishized practice – but that is not what this work does. This work seeks to acknowledge crimes unstudied from a past that is still doing work in the present.

I entered this story of racial violence in Denton County through a research course on a freedman’s community in Pilot Point called St. John’s. It was co-taught by Dr. Andrew Torget and Dr. Todd Moye and I was assigned to the group tasked with writing biographies of each person we could identify as buried at the St. John’s Cemetery. I developed a deep feeling of responsibility to the men and women buried there as, together with a group of six other students, I wrote the stories of their lives from whatever documents could be found. Together our class built an online museum entitled *Uncovering St. John’s* to share the information with the community.¹³

As the semester drew to a close, I felt the story was incomplete and brought together a group of four students to trace the St. John’s Community forward into the 1920s. Our goal was to understand and share why this thriving community of exslaves in Pilot Point, Texas, disbanded and moved away. We planned to consider economic, social, and personal factors -- to identify migration groups and where they moved -- but

¹³ The St. John’s Online Museum is available here: <https://omeka.library.unt.edu/s/stjohns/page/welcome>

in the summer of 2018, Dr. Torget forwarded me a newspaper article about the lynching of two Black men in Pilot Point on December 14, 1922. At first glance, I did not see the connections between that horrific story and the lives I was trying to trace. The lynching seemed to fall outside my concept of the St. John's Community and I felt it was off topic. For six months I was told that Denton County was not racially violent and had internalized that belief by fellow students who grew up in the area, Denton County officials, and residents. I believed them when they told me that Denton had both very little slavery and subsequently, very little racial strife, because the narrative was so widespread.

Meanwhile, I was unable to find what happened to the husband of one of my first St. John's biographical subjects -- Risom Shears -- and so, after much prodding by my research team, I began a search for the two men lynched in Pilot Point to take my mind off the Shears family. I also learned that the two unnamed Black men had a memorial beam at the National Memorial for Peace and Justice, which honors the victims of lynching in America with individual beams upon which their names are etched; but on the beam where a name should be, the Denton County memorial reads "unknown, unknown." It became my mission to find the names which belonged on the beam in that museum.¹⁴

At first, I searched death certificates in my naive belief that one would read, "death by lynching." That was a fruitless endeavor. I followed the death certificate search up with a newspaper search in both Denton County and the surrounding metropolitan area for mentions of this act of violence. While they did not produce a

¹⁴ For more on the National Memorial for Peace and Justice see: <https://museumandmemorial.eji.org/>

name, the newspaper articles held clues to the men's identities. One had previously been in the penitentiary and was "well known" in the Denton County court system.

So I began a new search. I looked for Black men who had an encounter with the Justice System in Denton County prior to December 14, 1922. I found that court records were unavailable so I relied upon reports in the *Denton Record-Chronicle*. What I believed would be a brief search, instead, produced hundreds of articles about arrests. With a Black population under ten percent, why were so many Black men and women arrested for crimes such as stealing a silver pencil, vagrancy, and borrowing a coat? Access to means to pay the excessive fines levied was a struggle for many of those arrested and banal crimes often resulted in extended jail stays, time on the "chain gang," or a term working off their debts as a part of the convict-lease system. As I researched, I found that this search process placed oppression within the Jim Crow Justice System on display. I was profoundly moved by the casual violence of policing.

From there, I began to chronicle arrests, homicides, and acts of violence against Black men and women in Denton County between 1909 and 1925 to identify if the prevailing narrative was wrong. Was Denton County more racially violent than anyone knew? From the newspapers alone I developed a list of 326 unique instances of arrest, violence, or homicide. For a county with a 1920 population of around 3,000 Black citizens, that was nearly a one-in-nine chance of arrest, violence, or homicide in a sixteen-year span. It was clear that Denton County had a violent racial past.

I began to compare the names on my list with tax and census records, marriage and death records, to identify anyone who did not survive past December 14, 1922. What I found was that over twenty of the men who were arrested between 1921 and

1924 were untraceable following their arrest. Some of their stories appear in this text. Why did so many Black men seemingly *disappear* after an arrest in Denton County? This became my central research question. What I found was staggering. In Denton County, during the 1920s, a partnership was formed between law enforcement and the Ku Klux Klan which utilized the Jim Crow Justice System to perpetrate and obscure racial violence.

In this thesis I use two methodological approaches to identify victims of racial violence. The first is a qualitative method comprised of the shared characteristics of two known lynchings in 1920s Denton County. The second is a quantitative method based upon the list of 326 arrests, acts of violence, and homicides paired with a list compiled by my research partners which chronicles Ku Klux Klan activity during the same time period. Both methods are discussed in detail in Chapter 4.

In Chapter 1, I discuss what differentiates a lynching from other forms of violence and define the unique character of lynching in Texas. This is built upon the history of the word lynching, modern lynching scholarship, and research into the lynching history of Denton County.

In the next chapter, I discuss the incidents of lynching which were recorded in Denton County. Beginning in 1860 and culminating in the December 14, 1922 lynching in Pilot Point, I break down the key components of the practice. I also distill the lynchings into qualitative components to identify the pattern of racial violence that was unique to Denton County.

In Chapter 3 the relationship between the Ku Klux Klan and law enforcement in Denton County is explored through an examination of the relationship between arrests

and Klan activity. Therein, I answer the question of whether the Ku Klux Klan had the keys to the Pilot Point and Denton County jails.

In Chapter 4 I establish a methodology for identifying obscured acts of violence. Through the analysis of the relationship between arrests, acts of violence, and Klan activity, seasons of violence are visible and analyzed.

In Chapter 5 I argue on behalf of a new term – “disappearance” -- for violence that does not fit under the definition of lynching. I also discuss the relationship between language that surrounds racial terrorism and power.

Utilization of silence as a historical record leaves many questions unanswered. It is not possible, in this work or others similar, to speak definitively on any individual act of violence; however, there is truth nestled in the compilation of these unanswered questions and historical gaps. Through a micro study which contextualizes the local space, violence otherwise hidden seeps through the page. It is this very violence that has been (and continues to be) obfuscated by missing historical records. Without an intensive micro study, the true stories of disappearance would remain invisible and without honesty in our history, we will never heal the wounds of the past. Because of this, truth-telling is an essential component of healing from racial violence. In her book on the legacy of lynching, Sherrilyn A. Ifill writes, “A truth and reconciliation process for lynching would create the conditions in which for the first time [B]lacks and whites would collaboratively retell the complex history of the communities in which they live.” It is the aim of this work, and this author, to aid in that healing process.¹⁵

¹⁵ Sherrilyn A. Ifill, *On the Courthouse Lawn: Confronting the Legacy of Lynching in the Twenty-First Century* (Boston: Beacon Press, 2007), xviii.

CHAPTER 1

LITERATURE REVIEW: VIOLENCE DEFINED BY LYNCHING

At the close of Reconstruction following the Civil War, a cluster of *de facto* norms and *de jure* legal structures emerged which enforced segregation and second-class positioning for African Americans, particularly -- though not exclusively -- in the American South. This power structure, which established a racial caste system in the United States, was known as Jim Crow, named for a stereotyped Black theatre character known for his ability to trick white power brokers during enslavement. Written laws were selectively enforced and crafted with the intent of racial targeting while unwritten laws were enforced extra-judicially. While the *de facto* and *de jure* laws of segregation appeared to be enforced by separate entities, in the 1920s white supremacist power structures fused legal and extra-legal enforcement. This culminated in the murder of thousands of Black men and women through a method called *lynching*. In spite of its long and horrific history, identification of what was and was not a lynching remains historically complex. Therefore, to begin a discussion on racial violence in Denton County we must first step back and examine the discourse which defines lynching and then observe how this discourse intentionally impacts our ability to retroactively identify acts of racial terrorism.¹⁶

Any study of lynching must begin, as Ashraf H. A. Rushdy notes in *American Lynching*, with the question of “what constitutes a lynching?” While many readers may find an image reminiscent of Billie Holliday’s *Strange Fruit* when the word is evoked, the parameters of the word lynching are fraught with scholastic contention. For example, is

¹⁶ William H. Chafe, Raymond Gavins, and Robert Korstad, *Remembering Jim Crow: African Americans tell about Life in the Segregated South*, (New York: The New Press, 2014), xxiv.

lynching tied to a specific technology of violence (e.g. rope) or does it encompass a broader use of tools (e.g. burning, firearms, whipping)? Must a lynching be fatal or is it possible for a lynching to be successful and for the victim to survive? Must the victim be accused of a crime or can lynching occur without the excuse of criminality? It is because of these questions and many others that Christopher Waldrep finds the term itself cannot be defined and Rushdy argues that lynching is “more evocative than descriptive.” Simply, in order to identify acts of lynching one must first determine what defines a particular type of violence as such and, to study the acts of violence hidden within the Jim Crow Era, one must apply that definition to differentiate between what is and is not a lynching.¹⁷

Inclusion within the scope of lynching is a powerful tool wielded by activists and historians alike. In 1905, James Elbert Cutler published the first historical study of lynching entitled, *Lynch-law: An Investigation into the History of Lynching in the United States*. Therein, Cutler defines lynching as “an illegal and summary execution at the hands of a mob, or a number of persons, who have in some degree the public opinion of the community behind them.” Five years earlier, in her speech to an anti-lynching rally in Chicago in January of 1900, Ida B. Wells-Barnett proclaimed:

Our country’s national crime is lynching. It is not the creature of an hour, the sudden outburst of uncontrolled fury, or the unspeakable brutality of an insane mob. It represents the cool, calculating deliberation of intelligent people who openly avow that there is an "unwritten law" that justifies them in putting human beings to death without complaint under oath, without trial by jury, without opportunity to make defense, and without right of appeal.

Lynching remains powerful as a symbol of racial injustice and does work as a more extreme version of the term hate crime. The categorization of a crime as a lynching

¹⁷ Ashraf H. A. Rushdy, *American Lynching*, (New Haven: Yale University Press, 2012), 4-7.

results in public outrage while other crimes (like excessive use of force by police) are debated and acquitted. Thus, exclusion from the accepted parameters of lynching downgrades the gravity of a crime and, in some cases, denies justice altogether.¹⁸

The inclusion of crimes under the category of lynching has, historically, been debated through the definition of the word itself. Prior to Cutler and Wells, the Tuskegee Institute began cataloguing and compiling lynchings of Black individuals in 1882. Tuskegee was followed by the *Chicago Tribune* and eventually the National Association for the Advancement of Colored People (NAACP) also published annual lynching statistics. This was the beginning of the anti-lynching movement and the debate to define lynching. The NAACP often reported the largest number of lynchings as leadership in the organization viewed racial terrorism as a visual manifestation of all racial injustice in the nation. They feared without a broad definition, many lynchings would not be recognized as such and that the battle to end lynching would result in underground racial violence.¹⁹

At the same time that the NAACP, *Chicago Tribune*, and Tuskegee Institute were compiling statistics on lynchings in America, the Association of Southern Women for the Prevention of Lynching (ASWPL) advocated for a narrow definition. Jessie Daniel Ames, a leader in the ASWPL, believed that lynching had become normalized in white Southern society and her goal was to show, through lynching reporting, that lynching

¹⁸ James Elbert Cutler, *Lynch-law: An Investigation into the History of Lynching in the United States*, (New York: Negro Universities Press, 1969); Ida B. Wells, speech, January 23, 1900, Chicago (IL), accessed January 6, 2020, <https://speakola.com/ideas/ida-b-wells-lynching-chicago-speech-1900>; Philip Dray, *At The Hands of Persons Unknown: The Lynching of Black America* (New York: The Modern Library, 2002), viii.

¹⁹ Walter L. Buenger, *The Path to a Modern South*, (Austin: University of Texas Press, 2001), 26; Christopher Waldrep, "War of Words: The Controversy over the Definition of Lynching 1899-1940," *The Journal of Southern History* 66, no.1 (February 2000): 75-100.

was an abnormal practice. Therefore, the ASWPL set a “lynchless year” as their target and used a narrow definition to decrease the number of lynchings reported, thereby denormalizing the practice. The ASWPL believed that, while a narrow definition might exclude many lynchings, the perceived decrease in lynchings would forecast a real decrease in lynchings and eventually end the practice.²⁰

This debate on the definition of lynching had a confusing impact on the populace who read, in some accounts, that the first lynch-free year occurred between May 1938 and May 1939; yet, during that same period, the NAACP identified six lynchings. Therefore, in December 1940, the three major anti-lynching groups met (along with representatives from International Labor Defense who argued for the inclusion of police brutality and labor strike retaliation in lynching statistics) to create a common definition of lynching. The Tuskegee Institute, led by sociologists and social scientists like Monroe N. Work, W. E. B. DuBois, and Walter White believed that the world could be changed through statistical data. Following in the tradition of Ida B. Wells, Tuskegee often produced statistics that were in between the goals of the NAACP and the ASWPL and therefore faced pressure from both sides. The Tuskegee Institute arrived in December 1940 with their definition of lynching, “an activity in which persons not officers of the law, in open defiance of the law, administer punishment by death to an individual for an alleged offense or to an individual with whom some offense has been associated.”²¹

²⁰ Christopher Waldrep, “War of Words: The Controversy over the Definition of Lynching 1899-1940,” *The Journal of Southern History* 66, no.1 (February 2000): 75-100.

²¹ Christopher Waldrep, “War of Words: The Controversy over the Definition of Lynching 1899-1940,” *The Journal of Southern History* 66, no.1 (February 2000): 75-100; ASWPL Papers, quoted in Waldrep, “War of Words,” 97.

Through the 1940 conference, major points of contention were identified. The NAACP and the International Labor Defense were displeased as Tuskegee's definition excluded deaths caused by law enforcement and secret -- or hidden -- lynchings. The ASWPL was equally displeased with the definition because it did not clearly require a corpse and a legal record of the event. The ASWPL felt as though the Tuskegee definition was a form of propaganda and that the only way to end lynching was to convince white Southerners that lynching had ended, not to increase its presence in the press. After considerable debate, the conference agreed on four key components which must be present to label a murder as a lynching: (1) the presence of a dead body; (2) the murder had to take place outside of the law; (3) it must be done by a group; (4) the group must have acted "under pretext of service to justice, race, or tradition."²²

This debate underscores an inherent problem within the study of lynching. The definition of the word itself was used, contemporaneously, to combat the act of lynching. All definitions of lynching based upon historical context are written from the perspective of anti-lynching activists who expanded and contracted its meaning in an effort to both raise awareness and end the practice. Because of this, it is evident that the word lynching has never possessed a common definition. It has always been employed for its utility and illustrative capacity. Yet, without a firm definition of lynching it is impossible to determine the breadth and scope of this form of racial terrorism. The result is a wide variation in statistics, characteristics, and trends based upon the subjective decision of each author on the subject. This problem is a crack in the foundation of any study of lynching as the pinnacle of racial violence during the Jim Crow Era.

²² Waldrep, "War of Words," 98.

Today, lynching definitions remain crafted by and for their intended use, but many adhere to the same debates waged in 1940. The question of whether to include proof of death encompasses a broader question. Is it necessary for an act of violence to be verified as fatal to be considered a lynching? On October 1, 1894, Texas Governor James Stephen “Big Jim” Hogg described lynching as “the wanton, cruel, unhuman execution of defenseless citizens and prisoners by murderous bands of criminals.” The use of the word execution is indicative of Hogg’s belief that lynching was, indeed, fatal, and is mirrored by William D. Carrigan in his 2006 book *The Making of a Lynching Culture* where he defines lynching as a “summary execution committed by a self-appointed group without regard for established legal procedures.” Federal legislation supported by the NAACP and tabled in 1922 defined lynching broadly but included fatality as well, stating that lynching is “three or more persons acting in concert for the purpose of depriving any person of his life without authority of law.” On the other hand, a 1934 anti-lynching bill expressed a growing open-mindedness on the requirement of lethality. Therein, the bill asserts that lynching is a “mob or riotous assemblage composed of three or more persons acting in concert, without authority of law, to kill or injure any person in the custody of any peace officer, with the purpose or consequence of depriving such person of due process of law or the equal protection of the laws.” Lynching historians such as Cynthia Skove Nevels and Trudier Harris similarly omit death as a requirement in their books on the subject.²³

²³ E. R. Bills, *Black Holocaust: The Paris Horror and a Legacy of Texas Terror*, (Fort Worth: Eakin Press, 2015), 33; William D. Carrigan, *The Making of a Lynching Culture: Violence and Vigilantism in Central Texas 1836-1916*, (Urbana, IL: University of Illinois Press, 2006), 10; Philip Dray, *At The Hands of Persons Unknown: The Lynching of Black America* (New York: The Modern Library, 2002), viii.

Even the modern use of lynching as a symbol of racial injustice does not require explicit lethality but instead uses lethality as a metaphor. This is exemplified by Supreme Court Justice Clarence Thomas's reference to allegations of sexual harassment and assault as a "high tech lynching" in 1991. This usage draws a parallel between the lethal lynchings of the 1920s and what Justice Thomas perceived as an attempt to "kill" his nomination. The symbolic use of the word lynching further muddies an already complex debate and increases the difficulty of writing in the present about lynchings of the past.

Not only is the debate on the presence of a dead body about whether lynching is, by definition, a murder, but it is also about whether hidden acts of violence are lynchings as well. If a lynching is required to have a body but no body is ever found, was the person lynched or simply murdered? Even if an act of violence fits all other criteria of a lynching, if we accept this requirement and the body of a victim is buried in an unmarked grave or left in a deep body of water -- as many were -- historians cannot categorize the event as a lynching. Furthermore, this component leaves questions about victims who were unnamed by historical records and "whereabouts unknown." This question and many others about victim erasure will be explored further in Chapter Four.²⁴

The second criteria of modern debate on the definition of lynching revolves around the relationship between lynchings and the justice system. In the 1940 consensus definition, lynchings took place outside of the law. In his book *Hangings and Lynchings in Dallas County, Texas 1853-1920*, Terry Baker agrees and limits the scope

²⁴ This is a reference to the poem at the beginning of Chapter Five.

of lynching to illegal hangings adding that lynching acted “as a service to justice, or revenge, without the due process of law.” Similarly, in his monograph *American Lynching*, Ashraf H. A. Rushdy discusses the need for a comprehensive definition which fits lynching across time, not just in the peak period of spectacle lynching between 1880 and 1930. This definition, Rushdy argues, is “an act of extralegal collective violence by a group alleging pursuit of summary justice.” Both authors find the extralegal component essential in defining this heinous form of violence; however, this component, like the first, is not universal in its inclusion. Ersula J. Ore argues the opposing side through her broad definition in *Lynching: Violence, Rhetoric, and American Identity*. Therein, Ore identifies all instances of “legally sanctioned eradication of [B]lack life” as lynching. This definition places an emphasis on the role of a complicit justice system in racial terrorism rather than its occurrence outside of the jail. The primary problem with the inclusion of the word extralegal is that its use considers neither the relationship between the lynch mob and local law enforcement nor the lack of legal consequence for the perpetrators of the lynching crime. Lynching, while not the legal result of a guilty verdict, was inextricably linked to the justice system and any definition which does not take this factor into account is missing a significant component of the crime.²⁵

Next, use of the word “group” as a distinguishing feature of lynching has near-unanimous support in lynching discourse. It is intended to reference the lynch mob, which many attempted to quantify in the early portion of the twentieth century. Some

²⁵ Terry Baker, *Hangings and Lynchings in Dallas County, Texas 1853-1920*, (Fort Worth: Eakin Press, 2016), vi; Rushdy, *American Lynching*, 20; Ersula J. Ore, *Lynching: Violence, Rhetoric, and American Identity*, (Jackson, MS: University Press of Mississippi, 2019), 11.

definitions required three or more persons while others required five. Governor Hogg's definition referred to "murderous bands of criminals" while the 1934 anti-lynching bill read "a mob or riotous assemblage composed of three or more persons acting in concert." Carrigan and Rushdy agree and reference "a self-appointed group" and "group" respectively. In the end, most scholars agree with the consensus definition's use of the word group without specificity on the number of members needed to constitute a mob.²⁶

The last point of contention is the inclusion of a phrase which defines the motivation of the mob. The 1940 consensus definition asserts that the perpetrating group must act "under pretext of service to justice, race, or tradition." In his 1973 thesis, David L. Chapman writes "lynching is an act of mob violence which results in the killing or maiming of a person or persons charged with or suspected of a serious crime." Chapman draws focus on the alleged criminality of victims of lynching through his reference to suspicion of a "serious crime." Ashraf H. A. Rushdy similarly includes "alleging pursuit of summary justice" in his definition. This is problematic as its inclusion codifies an excuse for racial violence. The racial component of a modern definition of lynching, as expressed by Ersula Ore, is a common theme in lynching discourse. Trudier Harris joins with Ore in the argument that lynching is a form of American ritual that was "carefully designed to convey to [B]lack persons in this country that they had no power and nothing else whites were obligated to respect." Cynthia Skove Nevels describes lynching as the "most deadly form of racial domination" and argues for a complex pairing of psychosexuality, social pressure, cultural definition, and religion as

²⁶ Elizabeth Jane Hall, "The Crusade Against Lynching," (master's thesis, North Texas State University, 1975), ii.

its causes in her book on borderland lynchings entitled *Lynching to Belong*. Other authors, such as Leon Litwack, argue on behalf of an intended secondary audience for lynchings -- the Black community. In addition to its “random nature,” Litwack writes that lynching “seemed designed not only to punish the alleged offenders but also to send a message to the entire community.”²⁷

Modern scholarship on lynching is also available from the Equal Justice Initiative (EJI), a non-profit legal representation initiative which advocates on behalf of Black interests in the criminal justice system. EJI distinguishes between “terror lynchings,” hangings, mob violence, and “racial terror lynchings.” The topic of interest, both of EJI and this work, is racial terror lynching which they define as terrorism and “horrific acts of violence whose perpetrators were never held accountable.” The institute goes on further to state that “racial terror lynching was a tool used to enforce Jim Crow laws and racial segregation -- a tactic for maintaining racial control by victimizing the entire African American community, not merely punishment of an alleged perpetrator for a crime.”²⁸

These disagreements over the essential components of a lynching underscore the power wielded by the term’s application. Lynching is widely understood to be barbaric, racially motivated murder which exists in a category of crime to itself. Yet, in response to debate over its meaning, Philip Dray calls the definition of lynching “ambiguous” and believes the term is used in the present as a symbol. Similarly, Texas historian William D. Carrigan avoids a narrow definition of lynching in his 2004 book on

²⁷ David L. Chapman, “Lynching in Texas,” (master’s thesis, Texas Tech University, 1973), 1; Trudier Harris, *Exorcising Blackness: Historical and Literary Lynching and Burning Rituals*, (Bloomington, IN: Indiana University Press, 1984), x; Cynthia Skove Nevels, *Lynching to Belong: Claiming Whiteness Through Racial Violence*, (College Station: Texas A&M University Press, 2007), 3; Leon F. Litwack, *Trouble in Mind: Black Southerners in the Age of Jim Crow*, (New York: Random House, 1998), 13.

²⁸ Equal Justice Initiative, “Lynching in America: Confronting the Legacy of Racial Terror,” 3rd ed., 2017.

lynchings in Central Texas because the word itself is defined by historical memory that has changed over time. For the purposes of this work, it seems fitting to follow the guide of recent scholarship and utilize a broad definition: *Lynching is a form of terrorism, employed as a substitute for due process, committed by a group that is functionally immune from prosecution.*²⁹

This definition rests upon the work of many authors who have wrestled with the definition of lynching. The term terrorism is utilized by many modern scholars and I include it to describe both the personal violence of lynching and the intended impact on the greater community as described by both EJI and Leon Litwack. The second component of this definition -- a substitute for due process -- speaks to the myriad of criminal and moral allegations which were used as justification for murder and violence throughout the history of the practice. It is also in conversation with the breakdown of county-level and statewide legal systems that occurred during the height of the lynching era. Like both the NAACP and Tuskegee Institute, I include the word group and intentionally leave its definition open to interpretation to avoid exclusion of events due to hazy records which surround the mob of perpetrators. Lastly, I argue for a new component to lynching definition discourse. The phrase “functionally immune from prosecution” is new but its conceptual framework is intrinsic in the field. The men who performed the ritual of lynching believed their actions would be shielded from prosecution due to the involvement of law enforcement, socio-political power of individual mob members, and the silence of spectators. Without effective protection

²⁹ Philip Dray, *At The Hands of Persons Unknown: The Lynching of Black America* (New York: The Modern Library, 2002), viii; William D. Carrigan, *The Making of a Lynching Culture: Violence and Vigilantism in Central Texas 1836-1916* (Urbana (IL): University of Illinois Press, 2004), 10-12.

from legal recourse, such acts of violence would have been investigated, prosecuted, and therefore disincentivized.

While my definition does not include specificity regarding the *causus belli* of lynching, during the Jim Crow Era the predominant explanation for racial violence given by proponents of lynching was a false narrative of interracial rape. White Southerners believed, or claimed to believe, that Black men committed rape against white women at a disproportionate and increasing rate following emancipation. This fear was produced by a mixture of stereotyped Black male bodies and religious revivalism, the second of which claimed that miscegenation was a crime against God. Therefore, forced miscegenation was considered both brutal (due to a prevailing belief that lingered from slave auctions that Black men had abnormally large phalluses) and unnatural.³⁰

Willful sex between a white woman and a Black man was considered a sin against both the white community and God. White female participants were punished socially for such perceived aberrations while Black men were punished with violence. As such, if a Black man and a white woman were found to be in a covert consensual relationship, it was in the white woman's self-interest to assert the tryst was forced. In doing so, she preserved her social standing and avoided the personal consequences of interracial love. The result was a Prisoner's Dilemma paradox for the white woman and certain brutality for the Black man. Often, white women cried rape as a result.³¹

³⁰ The "trope" of rape was debunked as early as 1892 by Ida B. Wells. See also: Ida B. Wells-Barnett, *Southern Horrors: Lynch Law in All its Phases*, (Aberdeen, Scotland: Thomas and Duncan Printers, 1892); Ida B. Wells-Barnett, *The Red Record*, (Chicago: Donohue and Henneberry, 1895).

³¹ The Prisoner's Dilemma is a game theory paradox where, if two individuals commit a crime and are held and questioned separately from one another, cooperation is generally disincentivized. For more on the Prisoner's Dilemma see Steven Kuhn, "Prisoner's Dilemma," *The Stanford Encyclopedia of Philosophy* (Winter 2019). <https://plato.stanford.edu/archives/win2019/entries/prisoner-dilemma>.

The fervor against the Black rape of white women was so strong that “many felt even execution to be small justice if it came too late to impress other would-be criminals with the consequences of such criminal activities.” Paired with the belief that justice would not be served, whether due to a lack of evidence or a legal technicality which freed the accused, lynch mobs believed they were taking justice into their own hands. The result was a willful breakdown of the law and a violent enforcement of protestant values by mobs of unelected white men who “gather[ed] quickly, [did their] fatal work, and dispers[ed] speedily.”³²

This perversion of due process is reminiscent of the role citizens play in a representative democracy. Officials are elected to do the will of the people and, if they are otherwise unable to do so, they are removed and replaced with someone who is capable of executing the public will. The perception of structural roadblocks to the will of the people (such as laws which require equal protection and the right to due process) led to a belief that democracy was not functioning properly and therefore fair representation was impossible. The remedy was, in the minds of spectators and mob membership, to return judicial powers to the people. Lynching was therefore perceived as a democratic act by citizens empowered by the constitution to choose their own governance; however, in combination with increasing fears of modernity and crime which swept the nation during the industrial revolution, mob fever reigned, and mass-sanctioned violence was its result. In the period between Reconstruction and World War II, lynching was used as a tactic to deny Black Americans constitutional rights with the implicit -- and often explicit -- permission of the white community at large.

³² Chapman, “Lynching in Texas,” 11; Richard Maxwell Brown, “The Historical Patterns of Violence in America,” quoted in Chapman, “Lynching in Texas,” 15.

Lynching was a widespread atrocity, especially in the former Confederacy. According to statistics from the NAACP, there were 3,858 lynchings in the United States between 1889 and 1962, of which 2,834 were perpetrated in the South. Modern estimates place the total number of lynchings closer to 4,500. During this time period, Texas lynched hundreds of individuals of which seventy-one percent were Black. Further, NAACP statistician Walter White argued that many Black men in Texas lost their lives to lynching in the three years following the Civil War. His estimate includes 1,035 “possible lynchings” based upon homicide statistics in 1870. Texas lynching statistics are notably varied and incomplete.³³

With few exceptions, scholarship on lynching in Texas remains focused on the role of the public and the composition of the lynch mob. This outcome is tempted by the dearth of historical records about the lynchings themselves, especially those committed in the rural reaches of the state. Most available records were, at some point of culpable clarity in the past, destroyed or whitewashed to obscure the crimes themselves. While professors William D. Carrigan and Christopher Waldrep both advocate for expanded work on the international spread of the word lynching as a method for deeper understanding of the phenomenon itself, what they miss is the absence of comprehensive work on Texan lynchings which continues to limit the innovative approaches to lynching so desired by the academy. It seems scholars of racial violence have, for almost a century, assumed a work which does not yet exist. To date, a comprehensive academic book has yet to be written on lynching in the State of Texas.³⁴

³³ Chapman, “Lynching in Texas,” 5; Equal Justice Initiative, “Racial Terror Lynching,” 2020, accessed January 12, 2020, <https://eji.org/reports/lynching-in-america/>; Chapman, “Lynching in Texas,” 6, 39.

³⁴ For record destruction specific to Denton County see: “Lost, Waterlogged, Destroyed: Fate of Old Denton Criminal Justice Records,” *Denton Record-Chronicle*, January 4, 2020, accessed January 4,

The lack of comprehensive scholarship on lynching in Texas is underscored by the variation in the number of lynchings that exists in scholarship on the topic. The *Handbook of Texas* entry on lynching, written in 2016, claims between 1885 and 1942 there were 468 lynchings in Texas of which 339 of the victims were Black. In 2001, Walter L. Buenger asserted 522 lynchings in Texas of which 366 of the victims were Black. In 1938, Frank Shay identified 549 lynchings of which 384 victims were Black. As of 2020, the collaborative online project *Lynching in Texas* has identified over 600 lynchings in the state between 1882 and 1942, utilizing the 1940 coordinated definition. In 1995, Stewart E. Tolnay and E. M. Beck found the number of lynchings in Texas is much closer to 1,200, but they included the years between 1819 and 1885. This number was found to be low in Clifford R. Caldwell and Ron DeLord's 2015 collaboration entitled *Eternity at the End of a Rope*. Therein, Caldwell and DeLord identify 650 additional cases of lynching between 1819 and 1942, which brings their total to nearly 1,850 victims. As a result of this scholastic debate, an entire book could be written on the choices made by scholars to include and exclude victims of extralegal mob violence in Texas. To provide a true and accurate portrayal of lynching in Texas, hundreds of micro-studies must be completed to identify victims that have been otherwise obscured by poor, county-level record retention.³⁵

Despite the lack of a comprehensive study and a consistent definition, it is possible to categorize lynching in Texas into five distinct periods. The first period, pre-

2020; William D. Carrigan, "No Ordinary Crime: Reflections on the Future of the History of Mob Violence," *The Journal of American History* 101, no. 3 (December 2014): 847-849.

³⁵ John R. Ross, "Lynching," *Handbook of Texas Online*, June 21, 2016, accessed January 17, 2020; Buenger, *The Path to a Modern South*, 21; Frank Shay, *Judge Lynch, his First Hundred Years* (New York: Ives Washburn, 1938), 114; Jeffrey L. Littlejohn, "Lynching in Texas," Sam Houston State University, 2020, accessed February 7, 2020; Clifford R. Caldwell and Ron DeLord, *Eternity at the End of a Rope: Executions, Lynchings, and Vigilante Justice in Texas 1819-1923* (Santa Fe: Sunstone Press, 2015), 13.

1860, was marked by vigilante action against perceived criminality outside the reach of law enforcement. The second period, 1860-1880, was marked by secessionist conflict and the immediate racial fears following emancipation. These first two periods bore witness to steadily increasing public attention and by 1880, a new lynching era arrived in Texas: spectacle lynching. From 1880 through 1920, Texans performed frequent ritualistic public killings primarily against Black and Mexican men, and these murders were witnessed by, at times, thousands of spectators. Special trains sold destination tickets to the rural reaches of the state to carry thousands of witnesses to watch the gruesome spectacles. In 1916, one particularly brutal lynching was perpetrated against Jesse Washington in Waco, Texas, as he was burned alive in front of thousands. Pictures of this grim act were spread across the nation and fueled anti-lynching activism as well as efforts toward a federal anti-lynching bill. The resultant negative national attention following the lynching of Jesse Washington slowly ended the era of spectacle lynching in Texas; however, in the fall of 1920 the second Ku Klux Klan arrived in Houston and rapidly spread across the state. This fourth period of lynching between 1920 and 1924 was more controlled and calculating than its predecessor. With the fear of federal legislation to penalize lynchers and their home counties in mind, the lynchings of the second Ku Klux Klan in Texas were compartmentalized and the public, aware and supportive, remained silent as these acts of terror were committed in the dark of night. The final phase of lynching in Texas, born out of the silence of the Ku Klux Klan era, was underground lynchings. From 1925 until at least 1942, lynchings were committed quietly against men of color and elected officials performed increasingly realistic attempts to stop the practice altogether. As the public perception of lynching shifted

from a necessity to a crime, racial violence after 1924 was difficult to identify and infrequently reported by the press.

Texas was the third most prolific state in its number of racial terror lynchings, behind only Georgia and Mississippi and, in 1922, Texas lynched more individuals than any other state. This is a significant point as most nationwide lynching scholarship identifies a marked decrease in lynchings which began in 1919, but in Texas this decrease did not take place until the statewide movement against the second Ku Klux Klan in 1924.

Texas was, similar to the rest of the South, attached to the rhetorical coagulation of rape and lynching; yet, between 1889 and March 1935, seventeen percent of lynching victims in Texas were accused of rape, less than the nearly twenty-four percent who were accused of a trivial (non-felony) crime such as “being troublesome generally” or “quarrelling over profit-sharing.” These accusations were often front-page stories and thus, as more lynchings are discovered in the state, the proportion of lynchings attributable to alleged rape has decreased over time. In total, only seventy-one men were accused of rape in Texas and lynched. Based on Frank Shay’s finding of 549 lynchings between 1882 and 1938, this represents only thirteen percent of total lynchings in the state.³⁶

To identify persistent trends within lynching and the broader crime of racial violence, local study of individual actors, victims, and power structures is necessary. All too often, these studies are completed in areas of high-density lynching and they therefore miss other silent acts of violence perpetrated during the Jim Crow Era.

³⁶ NAACP, “Anti-Lynching Campaign Reports on Anti-Lynching Legislation, Burning at the Stake, and Lynching Statistics,” *NAACP Papers*, 67.

However, in the absence of high-density lynching, a thorough survey of racial violence is possible. Therefore, for the purposes of this work, I have selected Denton County, a rural county on the northern edge of the Dallas/Fort Worth Metropolitan Area for this deeper study of racial violence during the rise of the second Ku Klux Klan.

From a bird's eye view, the few lynchings recorded in Denton County appear statistically insignificant; however, to tell the full and accurate history of lynching in Texas it is essential to share more than just the stories of Henry Smith and Jesse Washington interspersed with statistics from areas of high-density lynching. By telling every story rather than the broad characteristics of the practice in The Lone Star State, historians center the victims whose humanity was stripped by white mobs rather than the groups of perpetrators. This local research, done in county offices and small-town museum basements, should be the future of lynching studies.

The inconsistency present in the study of lynching in Texas is an example of the ramifications of a century-long debate over the scope of the word lynching. Even with the best of intentions, the history of the word is political in nature and will remain thus. The act of quantifying and qualifying lynching persists as a racialized tool in the present and therefore consensus remains elusive on a macro scale. It is only through county-level research on racial terrorism that historians can approach the true scope of lynching. This is an essential act, as many white communities have worked to erase the memory of their own histories of terror perpetuated against their own Black citizens. Denton County is one such place, missed by macro statistics, where the history of lynching has been nearly forgotten by most of its white populace. Despite the work on

lynchings across Texas which has been completed, very little has been written on lynching in Denton County. This work aims to correct this omission.

CHAPTER 2

THE LYNCHING PATTERN OF DENTON COUNTY

Until recently, many Denton County citizens believed that racial violence, specifically lynching, did not occur in their small rural community. Stories of terrorism against Black citizens and spectacle lynchings were from Paris, Waco, Dallas, and East Texas -- areas formerly of high-density slavery. In a county where under ten percent of the population identifies as African American, it seemed possible that the prevailing narrative about Denton County was true and the county was unique in its lack of racial violence. However, between 1860 and 1880, Denton County lynched at least seventeen men and one boy in eight separate lynching events. Some accounts of the era refer to many others who were extralegally hanged for similar offenses, but their names and alleged crimes are unknown. This boom of extralegal violence during the secessionist period was followed by a period of forty years without a publicly recorded lynching. With the rise of the Ku Klux Klan in Denton County, lynching returned in the 1920s. During this period, in less than fourteen months, four Black men were arrested by law enforcement for crimes with which they were never charged, taken from jail, and lynched. These are not the actions of a county free of racial violence. Through a careful study of the remaining records of these acts of violence, both the methodology and essential partnerships of the Ku Klux Klan in Denton County, are visible and can be organized into a ritualized pattern to identify other obscured acts of violence during the Klan Era in Denton County.³⁷

³⁷ Throughout my research into this topic, I have been told by countless Denton residents that Denton was not a county where racial violence occurred and, if it did, it was subtle and geared toward displacement of Black communities like Quakertown (see Chelsea Stallings, "Removing the Danger in the Business Way"). These narratives date back to articles printed by the *Denton Record Chronicle*

Lynching was perpetrated in Denton County during two distinct eras. The first wave occurred in the period of secessionist lynchings, between 1860 and 1880. These lynchings were publicly perceived as expedient justice and often imitation courts or judges were recruited to participate in the proceedings. Due to shifts in the public perception of white criminality and lynching as a violation of due process, white lynchings in Denton County stopped in 1880 and never resumed. Their actions added a sense of legitimacy to an illegitimate act of violence. Racial distinctions in appeals to justice, alleged offenses, and victim selection are also visible during the first wave of lynchings and were predominant across the second wave, which exclusively targeted Black men and occurred during the rise of the second Ku Klux Klan, 1920-1924.

From its founding in 1857 through the present, there have been four known lynching events in Denton County with white victims. The first occurred in early 1863, less than a year after the establishment of the Confederate draft and during the height of the Civil War. Following the Great Hanging in Gainesville, the largest mass hanging in United States history, "home guards" -- comprised of men who could not be conscripted into Confederate service (primarily those who were over sixty or under twenty) were organized to protect the home front from threats within and outside the county. The home guard in Denton County lynched three white men "in a grove between Panther Creek and Doe Branch in the eastern part of the county," rumored to have stolen horses. In *History and Reminiscences of Denton County*, Ed Bates writes: "It was secretly done. The bodies were cut down and buried under the tree, and old

where it is explicitly stated that Denton has never experienced a mob lynching. See: "Editorial," *Denton Record-Chronicle*, December 14, 1922, accessed February 10, 2020. Newspaper Archive (UNT). See Ed Bates, *History and Reminiscences of Denton County*.

saddles which had belonged to the dead men were left setting close by.” Bates goes further to tell the story of another man lynched in 1863 who was “found hanging on a tree in the public square of Denton, on the west side.” A note had been fastened to the man’s shirt reading “Caught riding a horse not his own.” These were not the only lynchings committed by the home guard during the Civil War, Bates explains, and the remainder of the lynchings were of a similar “mysterious character.”³⁸

In October 1869, five men and one boy were lynched for horse theft. Two of the men were hanged from a tree, then, a pole was hammered into the tree, extending out from the split. The three remaining men and the boy were hanged from the pole. In its report on the incident, *The Washington Reporter* in Washington, Pennsylvania, entitled their article on the lynching “A Good Deal of Such Fruit Is Raised in Texas,” and concluded that “...one can get away with murder in Texas, but not horse theft.” In May 1880, Matt Henderson, son of a wealthy farmer in Tarrant County, and Charles Gray were also lynched for horse theft. Their bodies were found on the “Grapevine Prairie,” hanging from a tree and their bodies bore signs which clearly stated their alleged crime. The editorial staff of the *Denton Monitor* found this lynching to be outside the range of acceptability and wrote of the lynchers, “They should be hunted down and punished for seeking to stain the good name of Denton County with the blame of a deed belonging to Tarrant. We believe our sheriff, Capt. R. H. Hopkins, will so move in the matter as to bring these shirking lynchers to the responsibility of their own affair, and relieve Denton

³⁸ Edmond F. Bates, *History and Reminiscences of Denton County -- Primary Source Edition* (Denton, TX: McNitzky Publishing, 1918), 104-7.

of a stigma which does not belong to her.” The only cause of white lynching in Denton County was horse theft.³⁹

Unlike the lynchings of white men in Denton County, vigilante violence against Black men was based upon racially stereotyped fears. These alleged crimes often spoke to power and were the result of collective hysteria. In every case of white lynching in the county, the victims were hanged to death -- a method which mirrored official executions at the hands of the justice system -- while the execution method of, and subsequent care for, the body of Black men varied. The first lynching of white men in 1863 underscores this key difference. The bodies of white men were hanged un mutilated and this method of killing left the remains intact for identification and subsequent burial in a marked grave. To be hanged to death without disfigurement or torture highlighted the mob’s acknowledgement of the victim’s humanity in spite of their alleged criminality. Saddles which belonged to the men were not stolen or taken as tokens in memory of the ritual killing; rather, they were carefully placed alongside the bodies. This attention to the condition of the body postmortem is a privilege of white lynching victims. On the contrary, Black victims were gunned down, unnamed, and buried in unmarked graves.

Another feature of white lynching in Denton County is the location chosen for execution. White victims were found hanged from trees in groves, prairies, and in the town square -- each area with high visibility and therefore a high likelihood of the body being found and buried. Black victims were chased down haphazardly, peppered with

³⁹ Caldwell and DeLord, *Eternity at the End of a Rope*, 178-9; “Texas Facts and Fancies,” *The Weekly Democratic Statesman* (Austin, TX), May 13, 1880, accessed February 7, 2020. Library of Congress *Chronicling America*; “Texas Facts and Fancies,” *The Weekly Democratic Statesman* (Austin, TX), May 13, 1880, accessed February 7, 2020. Library of Congress *Chronicling America*.

bullets, hanged on private property the next county over, or found at the bottom of a creek. In other white lynchings in the county, notes were left which identified the crime and pinned to the clothing of the deceased. No such record was left for Black victims.

Between 1860 and 1870 there were four lynching events with six Black victims, and, except for the earliest lynching, each man was taken to a hasty form of court with no real jurisdiction over the alleged crime and “sentenced” to death. This disparity in lynching method between white and Black victims underscores the faith each mob had in their trial officiant to rule against a Black suspect and conversely the doubt they had that a similarly comprised makeshift trial would result in conviction and execution for a white man accused of stealing horses.

The earliest recorded lynching in Denton County occurred in May 1860 in response to widespread fears of a slave insurrection in North Texas. In early May, an enslaved youth in neighboring Collin County brutally murdered his master and the master’s family. He was lynched on May 18, 1860 for his crimes, but within a few days, three additional Black men were detained for an unclear role in the death of the Kincaid family. The men were held and summarily executed by the people of Pilot Point for an accessory role in the plot to kill the Kincaid family in nearby Kentuckytown, Texas. The death of these three men, according to the diary of C.B. Moore, constituted the earliest recorded lynching in Denton County.⁴⁰

Three years later in 1863, thirty-year-old Pess White was accused of the attempted rape of a “war widow,” a woman whose husband was away in service to the Confederacy. White was immediately detained by the home guard and taken to the

⁴⁰ Caldwell and DeLord, *Eternity at the End of a Rope*, 82.

Justice of the Peace in Little Elm where he was “given a speedy trial” and quickly “condemned to death.” The lynching occurred at sunset, just across the county line in Collin County in a pasture belonging to Lighter Hoffman. White was given fifteen minutes to pray prior to his execution and his hands and feet were tied in a prayer-like position for that purpose. While White prayed, he was shot in the chest by the “executioner.” During the same year, Nelse Dougherty, a Black man enslaved by the Dougherty brothers, was similarly “charged” by the home guard with attempting to poison a “war widow” and convicted by the Justice of the Peace in Little Elm. Nelse was hanged from a tree in Denton for his alleged crime.⁴¹

On March 17, 1869, a freedman named George Crawford was accused of “outraging” a socialite in Denton named Sarah Newland. After the incident, Crawford fled and was tracked down by a group of men in a cabin in the woods. There the men voted to “lynch him on the spot” but they were eventually convinced that this would result in reprisal by the federal military presence in Texas. The mob took Crawford to a lawyer named John McCombs who had a trial outside of the judicial system. Because Crawford was not in police custody, he had to be transported to sympathizer homes for meals. On the morning after his extrajudicial trial, on the way to the home of Mrs. Lauderdale for breakfast, Crawford escaped. The mob shot at their prisoner, but he escaped and was found in the Elm Bottoms where he either died of gunshot wounds from the escape or died of lynching by gunshot upon his discovery. In his 1918 reflection upon the lynching of Black men across the history of Denton County, Ed Bates writes,

The execution of these...[N]egroes may seem unauthorized and barbarous, but when compared to the lynchings and the use of the torch of this age, which took place in our adjoining counties, we can but commend the wisdom, patience, and

⁴¹ Bates, *History and Reminiscences of Denton County*, 108.

mercy of the home guards of 1861-65 in their effort to protect the women and children of Denton County. Fifty-two years have passed and...The people have made rapid progress in every other line but the [N]egro question is still unsettled in the matter of crimes against white women. Lynchings are of frequent occurrence, and the wild passions of men seemingly cannot be controlled...when these horrible crimes are committed. Denton County has never yet burned a man at the stake.

Through this excerpt, Bates acknowledged in 1918 what few acknowledged in 2018 -- lynchings have been a frequent occurrence in Denton County. While several white men were lynched for horse theft prior to 1880, the practice of extralegal violence was utilized against Black men for a cluster of crimes directly related to their position in society.⁴²

The lynching of Black men between 1860 and 1870 occurred as retribution for an alleged *intimate crime* -- a crime in which the perpetrator violates private spaces while simultaneously disregarding emotionally based norms such as interpersonal trust or the protected status of women and children. Intimate crimes are unique in a racial caste system, as the commission of an intimate crime threatens the positional power of white men. This concept could be further applied to studies of masculinity and crimes which violate masculine power. In comparison with the crimes for which white men were lynched (horse theft), allegations of Black criminality spoke directly to the fears of Southern reconstruction society. The commission of intimate crimes fomented hysteria about rising Black power and increased concerns about whether legal equality would result in the Black invasion of white spaces, namely its power preeminence.

⁴² The word "outrage" has a fascinating history. Generally, outrage was used as a polite term for rape; however, according to Rushdy, outrage was also utilized in place of the word lynching to describe acts of mob violence without categorizing the event as a lynching. This dual use is worthy of future study. Caldwell and DeLord, *Eternity at the End of a Rope*, 171-2; Bates, *History and Reminiscences of Denton County*, 109.

While available records indicate the practice of lynching Black men stopped in 1869 and did not revive again until 1921, Denton County citizens and newspaper editors celebrated and participated as spectators in the spectacle lynchings of nearby counties in the interim. When Henry Smith, a mentally disabled seventeen-year-old Black young man from Paris, Texas, killed three-year-old Myrtle Vance in 1893, at least one prominent Dentonite traveled to Lamar County to witness the lynching and burning. "People carried off knee caps and ribs for mementos," wrote the editor of *Denton County News*, "Surely this execution is beyond parallel." In an allusion to unrecorded lynchings, the same newspaper printed, "Every day we see an account of an outrage of some [B]lack brute in our own state, notwithstanding lynchings are frequent. Our people do not participate in these lynchings for vengeance alone, but for warnings as well...were our citizens to let the law take its slow course, there would be twenty outrages where there is now only one." Other editions described how the county's most "bloodthirsty" citizens could catch the special train to go witness a threatened lynching occur.⁴³

The lynching of Black men in Denton County mirrored racial sentiment which persisted in the county well into the twentieth century. In his 1947 memoir *Down in the Cross Timbers*, Judge, former Representative, and newspaper owner Worth S. Ray wrote,

Nearly two hundred years ago a bunch of patriots signed a historical document in which they declared that it was self-evident, among other things 'that all men were created equal.' If they had intended to consider [N]egroes as 'men' no bigger lie was ever written...Down in the cross timbers it is conceded that

⁴³ "Slowly Roasted Alive," *Denton County News*, February 9, 1893, accessed February 8, 2020. The Portal to Texas History (UNT); "Editorial," *Denton County News*, June 8, 1892, accessed February 8, 2020. The Portal to Texas History (UNT); "A Lady Murdered," *Denton County News*, October 31, 1895, accessed February 8, 2020. The Portal to Texas History (UNT).

according to law the [N]egro belongs to the human race. But that don't make him ipso facto a member of the Democratic Party"...People up North who voted for [the Fifteenth amendment] thought they had us 'sewed up' and didn't know they left a hole in the thing that a cow could crawl through.⁴⁴

While it is unclear whether lynchings occurred in Denton County between 1869 and 1921, when lynching manifested in Denton County after World War I, it was perpetrated by the Ku Klux Klan. While many lynchings occurred in Denton County, during the rise of the second Ku Klux Klan, racial terror lynchings were obscured from federal and state law enforcement due to fear of anti-lynching legislation. The resulting historical records are often incomplete, and it is difficult to ascertain the true story of events. Two lynching events occurred during the Klan period in Denton County, both of young Black men, and similar in circumstance; yet, one was contemporaneously called a lynching and the other was never referred to as such. Due to the methodological and ritualistic behavior of the Ku Klux Klan, these two lynching events establish a pattern unique to Denton County's Klavern and, this pattern is useful in the identification of other acts of racial violence during the same four-year period.

Pilot Point, Texas, lies in the far northeast corner of Denton County and, in 1921, it was an isolated and segregated community with both a healthy collection of wealthy white elite and the largest thriving freedmen's community in the county. This freedmen's community, originally isolated to sharecropping contracts on the sandy dirt in the western portion of town, spread into downtown and north to the county line during the World War I period. The lines of demarcation between white areas and Black areas were blurred and contested. The remote nature of Pilot Point created an insular community and, often, it took days before officials from Denton investigated crimes

⁴⁴ Worth S. Ray, *Down in the Cross Timbers* (Austin: Worth S. Ray, 1947), 155-6.

committed there. In the rural county of Denton, Pilot Point was and remains an isolated town surrounded by scrub trees, winding creeks, and vast swaths of unoccupied land.

Sam Norrod -- the owner of the local dry goods store -- and his family lived and worked in Pilot Point. On Wednesday, October 19, 1921, in the dark of night, two Black teenagers entered the Norrod home while he and his family laid asleep. The motive of the intruders was unclear as no property was stolen; however, prior to their departure the young men were spotted by thirteen-year-old Mary Norrod. This spotting proved valuable as her account of the break-in would become the basis for legal action. The next morning, based upon the descriptions provided by Mary Norrod, two Black teenagers were arrested and placed in the Pilot Point jail under suspicion of "immoral conduct involving white women," an allegation based upon the thirteen-year-old's sighting of the young men in her home rather than any reported interaction between the three teenagers.⁴⁵

Charges against the young men were withheld as the Pilot Point police investigated the crime and the two teenagers were held in jail while law enforcement worked. The suspects were outsiders, from Texarkana, and while one of the teenagers spent his formative years in Pilot Point, their names were not taken by the police and therefore remain unknown. This was, in part, because the Pilot Point police anticipated a transfer of their prisoners to Denton County jail upon discovery of incriminating material. Law enforcement simply did not believe a long stay in the jail in Pilot Point was

⁴⁵ "Pilot Point Negroes Given a Flogging," *The Eagle* (Bryan, TX), October 21, 1921, accessed October 27, 2019. Newspapers.com; "Two Negroes Taken From Jail at Pilot Point and Whipt," *Denton Record-Chronicle*, October 21, 1921, accessed October 27, 2019. Newspaper Archive (UNT); *Fourteenth Census of the United States*, Denton County Clerk, Denton (TX), Schedule 1 (Population), accessed October 27, 2019. Ancestry..

possible and therefore, did not bother with the collection of essential facts of information such as the names and ages of their prisoners.⁴⁶

The investigation of the Norrod home invasion progressed, but remained incomplete as night approached and so, the two unnamed young men prepared to spend the night together, without guards or any law enforcement presence, in the Pilot Point jail. At 11pm that night, three vehicles approached downtown Pilot Point and parked near the jail. Onlookers were unable to determine if the men who exited the cars were masked and the darkness cloaked all their identifying features. It took only a handful of minutes for the faceless group to enter the unguarded jail, capture the unarmed teens, and place them into one of the cars, which departed immediately for an undisclosed location.⁴⁷

While the official record is hazy following the kidnapping of the two teenagers from the Pilot Point jail, some facts can be gleaned from newspaper coverage. On Thursday, October 20, 1921, the same night the young men were taken from jail, twelve vehicles were left parked in a pasture north of town belonging to influential Pilot Point banker, Joe B. Burks. In accounts of Klan ritual, cars were often parked near to the event rather than stored in a separate location and the headlights of the cars of Klansmen were sometimes used to illuminate the proceedings in darkness. Because the *Denton Record-Chronicle (DRC)* was operated by Will C. Edwards, a Klan candidate for

⁴⁶ “Two Negroes Taken From Jail at Pilot Point and Whipt,” *Denton Record-Chronicle*, October 21, 1921, accessed October 27, 2019. Newspaper Archive (UNT). The rationale for not taking the names of the men when they were taken into custody was that their stay was anticipated to be short. Because of this, the names of these two men are unknown to the present day.

⁴⁷ “Two Negroes Taken From Jail at Pilot Point and Whipt,” *Denton Record-Chronicle*, October 21, 1921, accessed October 27, 2019. Newspaper Archive (UNT). This was standard operating procedure in areas with an entrenched Ku Klux Klan presence. By October 1921, zero Klansmen had been convicted based on their violent behavior in Texas.

the Texas State House of Representatives in 1922 and Lieutenant Governor in 1924, newspaper coverage of the Ku Klux Klan by the *DRC* should be viewed as propaganda. While the *Denton Record-Chronicle* maintained that it was “unknown” where the cars and young men headed following the abduction, it is reasonable to assume, because the location of the cars was included in the article, that the teenagers were taken to the land belonging to local bank co-founder Joe B. Burks.⁴⁸

While in the custody of the mob, the young men were beaten and the extent to which they were brutalized beyond the “flogging” has been erased from historical records. But, before the mob went home for the night, they penned a message which was left at the newspaper offices in downtown Pilot Point. The note was left on the back of a white envelope, tacked to the office door of the editor of the *Pilot Point Post-Signal* - W. J. Miller -- and clearly visible when he opened the office door on Friday morning. Scrawled in pencil across the white paper was a message left for Miller’s dissemination: “Yes we did it -- applied the lash. This should be a warning to all loafers and lawbreakers. K. K. K.”⁴⁹

⁴⁸ “Two Negroes Taken From Jail at Pilot Point and Whipt,” *Denton Record-Chronicle*, October 21, 1921, accessed October 27, 2019. Newspaper Archive (UNT); *Fourteenth Census of the United States*, Denton County Clerk, Denton (TX), Schedule 1 (Population), accessed October 27, 2019. Ancestry; Both Joe Burks and Sam Norrod were members of the oldest Masonic Lodge in Denton County “Joseph B. ‘Joe’ Burks,” *Find-a-grave*, accessed October 27, 2019, https://www.findagrave.com/memorial/26857161/joseph-b_-burks; “S. H. Norrod of Pilot Point Dies,” *Denton Record-Chronicle*, March 30, 1943, accessed October 27, 2019. Newspapers.com; US Congress, House, *Congressional Record: Proceedings and Debates of the Second Session of the Sixty-Eighth Congress*. Volume LXVI - Part I US Government Printing Office; Interestingly, Klan candidates frequently denied their affiliation for political reasons. This was not seen as abandoning the cause, but rather, it was viewed in a Machiavellian light. See “Edwards Says He is Not a Klansman,” *Denton Record-Chronicle*, August 9, 1924, accessed December 8, 2019. Newspaper Archive (UNT).

⁴⁹ “Investigation Made of Whipping of Two Pilot Point Negroes,” *Denton Record-Chronicle*, October 22, 1921, accessed October 28, 2019. Newspaper Archive (UNT); “Negro Taken From Jail and Lashed,” *The Port Arthur News*, October 22, 1921, accessed October 27, 2019. Newspapers.com; “Two Negroes Taken From Jail at Pilot Point and Whipt,” *Denton Record-Chronicle*, October 21, 1921, accessed October 27, 2019. Newspaper Archive (UNT).

Denton County Sheriff James Goode did not receive official notice of the events in Pilot Point through normal law enforcement means and as of 12:30am on Friday, the Denton County Sheriff's Department had not been formally informed of the kidnapping. When pressed about an investigation of the Pilot Point jail, Goode stated that Deputy Sheriff Decker had other business in Pilot Point that day and would investigate the events while he was up there. This response was not enough and on the morning of Saturday, October 22, 1921, Sheriff James Goode and County Attorney B. W. Boyd headed to Pilot Point to investigate the disappearance.⁵⁰

While in Pilot Point, Goode and Boyd found the "two young [N]egroes" were taken from jail by "a crowd of men," given a "severe whipping" on their backs, and then disappeared. Sheriff Goode refused to make a statement beyond those basic facts until after he conferred with District Judge Pearman who was "out of the city" for the weekend and unavailable until Monday morning.

Lynchings and racial violence were front page matter in the 1920s and news of this open Klan activity was reported on the *Associated Press* wire the following morning. The story reached as far as the *Washington Post*. Regardless of the national press attention which surrounded the crime, by Monday, October 24, 1921, no action had been taken -- District Judge Pearman was busy with court -- and by Tuesday all newspaper coverage of the disappearance ceased. Despite the many witness accounts and the investigation conducted by high-ranking Denton County law enforcement, "no trace of [the young men] was ever found."⁵¹

⁵⁰ "Investigation Made of Whipping of Two Pilot Point Negroes," *Denton Record-Chronicle*, October 22, 1921, accessed October 28, 2019. Newspaper Archive (UNT).

⁵¹ "Investigation Made of Whipping of Two Pilot Point Negroes," *Denton Record-Chronicle*, October 22, 1921, accessed October 28, 2019. Newspaper Archive (UNT); "Pilot Point Mob Takes Negroes From Jail;

Like the notice left on an envelope in October 1921, another note was found on the door of the *Pilot Point Post-Signal* by Editor-in-Chief W. J. Miller fourteen months later on the morning of Thursday, December 14, 1922. This time, it was written on plain white paper with a pencil and “bore no signature,” but the implications were clear. “Both the [N]egroes were given what they had coming. Let this be a warning to all [N]egro loafers. Negroes, get a job or leave town.” This message was left by or, more accurately, *created* by the local Denton County Klan, Klavern 136. Therein, the Klan referenced another pair of Black men from Pilot Point kidnapped, taken from jail after they were accused of a crime, and disappeared by a mob of white men. The series of events which culminated in the lynching of two Black men just after midnight on December 14, 1922, began three days prior at the home of Sam Gertin.⁵²

Gertin, a Black long-time resident of Pilot Point, owned a small home at Jefferson and Main Street, on the white side of the downtown square, and a yard where he kept two horses. Gertin’s two sons, Roscoe and Jim, were nearly lynched on March 3, 1910 for causing a disturbance on the front lawn belonging to a white family and the pair spent time in jail for the infraction. On the night of Monday, December 11, 1922, two of Gertin’s horses went missing and he promptly reported the suspected theft to the

Lash Them,” *The Austin American-Statesman*, October 21, 1921, accessed October 27, 2019. Newspapers.com; “Band Flogs Two Negro Boys,” *Washington Post*, October 22, 1921, accessed October 27, 2019. Newspapers.com; “No Action Taken As Yet on Pilot Point Whipping,” *Denton Record-Chronicle*, October 24, 1921, accessed October 28, 2019. Newspaper Archive (UNT); “Notice on Door Says Negroes Got What Was Coming,” *Longview News-Journal*, December 14, 1922, accessed October 27, 2019. Newspapers.com.

⁵² “Negroes Taken From Jail,” *New York Times*, December 15, 1922, accessed November 4, 2019. Newspapers.com; “Letter Warns Negro Loafers in Pilot Point,” *Denton Record-Chronicle*, December 14, 1922, accessed November 4, 2019. Newspaper Archive (UNT); “Negroes Vamoose and Warning Left on Door of Jail,” *Abilene Daily Reporter*, December 14, 1922, accessed November 4, 2019. Newspaper Archive (UNT); “Prisoners Spirited from Unguarded Jail,” *The Appeal* (St. Paul, MN), December 30, 1922, accessed November 4, 2019. Newspapers.com.

authorities. The Sheriff's Department was unable to investigate the crime until Wednesday morning. By the time that Denton County Sheriff James Goode and Deputy Nick Akin arrived to investigate, the bridles, saddles, and blankets from Gertin's horses were found in the tall grass west of town and the horses themselves reappeared in Gertin's yard.⁵³

While it appeared, the mystery had been solved, Sheriff Goode and Deputy Akin arrested two Black men in connection with the disappearance of Gertin's horses. They were not charged with a crime. The unnamed Black men were placed in the Pilot Point "calaboose," a makeshift jail, to be held overnight. Had the men lived to the following morning, they would have heard Sheriff Goode announce that the authorities "did not find sufficient evidence to warrant filing charges."⁵⁴

On the night of Wednesday, December 13, 1922, like the "flogging" on October 20, 1921, two incarcerated but uncharged Black men were taken from the unguarded Pilot Point jail and lynched by members of the Ku Klux Klan. The following morning, around the same time W. J. Miller found the letter on his door, Pilot Point officers discovered the jail door open and the cell devoid of its prisoners.⁵⁵

⁵³ "Lynching at Pilot Point Threatened," *Denton Record and Chronicle*, March 10, 1910, accessed February 9, 2020. The Portal to Texas (UNT); *Fourteenth Census of the United States*, Denton County Clerk, Denton (TX), Schedule 1 (Population), accessed November 4, 2019. Heritage Quest (UNT); "Letter Warns Negro Loafers in Pilot Point," *Denton Record-Chronicle*, December 14, 1922, accessed November 4, 2019. Newspaper Archive (UNT).

⁵⁴ "Letter Warns Negro Loafers in Pilot Point," *Denton Record-Chronicle*, December 14, 1922, accessed November 4, 2019. Newspaper Archive (UNT).

⁵⁵ "Two Negroes Held in Texas Jail Missing," *Hutchinson News* (Hutchinson, KS), December 14, 1922, accessed November 4, 2019. Newspaper Archive (UNT); "Two Negroes Mysteriously Disappear from Jail — No Trace — Second Such Case," *Corsicana Daily Sun*, December 14, 1922, accessed November 4, 2019. Newspaper Archive (UNT); "Editor's Note," *Lincoln Evening State Journal* (Lincoln, NE), December 15, 1922, accessed November 4, 2019. Newspaper Archive (UNT); "Telegraph Briefs," *Lincoln Nebraska State Journal*, December 16, 1922, accessed November 4, 2019. Newspaper Archive (UNT); "Prisoners Spirited from Unguarded Jail," *The Appeal* (St. Paul, MN), December 30, 1922, accessed November 4, 2019. Newspapers.com; "Letter Warns Negro Loafers in Pilot Point," *Denton Record-Chronicle*, December 14, 1922, accessed November 4, 2019. Newspaper Archive (UNT); "Negroes Taken From Jail

Sheriff Goode addressed the reason for the kidnapping indirectly through his argument in favor of their guilt. “We were convinced the [N]egroes arrested got the horses,” Goode extolled, “but we could find no witnesses to support our suspicions.” If law enforcement was unable to convict the men that the Denton County Sheriff was certain were guilty, it meant that the justice system was constrained in such a way as to allow criminals to roam free. This matches the narrative used in the development of the Denton and Gainesville klaverns -- that the system of due process led to free-range criminals -- and with a crime spree reported in the major newspapers of record, this caused public fear. In addition, just two months prior to the lynching, the Denton County Sheriff’s Department reported that they were *overwhelmed* by criminal activity in the county and *incapable* of effectively policing it on their own. The lack of evidence, Goode stated, was the reason the sheriff’s department did not “bring [the men] to Denton Wednesday night,” a precaution that would have saved their lives. On the day of the lynching, Sheriff Goode, Deputy Nick Akin, and County Attorney B. W. Boyd were already in Pilot Point on official business outside of the Gertin case. Mr. and Mrs. Joe Burks informed the newspaper that they would be traveling to Denton on December 14, the day of the attack. Sheriff Goode, Deputy Nick Akin, and County Attorney Boyd were back in Denton Thursday morning with no leads on the whereabouts of the men who “disappeared” from the Pilot Point jail.⁵⁶

at Pilot Point,” *Fort Worth Star-Telegram*, December 14, 1922, accessed November 4, 2019. Genealogy Bank; “Negro Prisoners Gone,” *Fort Scott Daily Tribune* (Fort Scott, KS), December 14, 1922, accessed November 4, 2019. Newspapers.com.

⁵⁶ “Change of Venue Applied for in Sam Skinner Liquor Case,” *Denton Record-Chronicle*, October 4, 1922, accessed March 25, 2019. Newspaper Archive (UNT); “Letter Warns Negro Loafers in Pilot Point,” *Denton Record-Chronicle*, December 14, 1922, accessed November 4, 2019. Newspaper Archive (UNT); “Personal Mentions,” *Denton Record-Chronicle*, December 14, 1922, accessed November 5, 2019. Newspaper Archive (UNT); “Personal Mentions,” *Denton Record-Chronicle*, December 15, 1922, accessed November 4, 2019. Newspaper Archive (UNT); “Two Negroes Held in Texas Jail Missing,”

The story of this “abduction” was incredibly popular on the AP wire. Unlike the *Denton Record-Chronicle*, *Fort Worth Star-Telegram*, and *Dallas Morning News* whose coverage was sparse and referred to the lynching as a mysterious disappearance, newspapers around the country were less inclined to utilize the talking points of the Ku Klux Klan in their reporting. “Two [N]egroes missing at Pilot Point, Tex., are supposed to have been lynched” read an editor’s note in Lincoln, Nebraska; “Lynched Two Prisoners?” asked *The Pittsburg Daily Headlight*. A publication in Atchison, Kansas, was more direct and printed “Disposed of Two Negroes” as the article’s headline.⁵⁷

Hutchinson News (Hutchinson, KS), December 14, 1922, accessed November 4, 2019. Newspaper Archive (UNT).

⁵⁷ Some of this coverage is available in “Negroes Taken from Jail and Spirited Away,” *Brownwood Bulletin*, December 14, 1922, accessed November 4, 2019. Newspaper Archive (UNT); “Negro Horse Thieves Missing, Warning,” *Carbondale Free Press* (Carbondale, IL), December 14, 1922, accessed November 4, 2019, Newspaper Archive (UNT); “Telegraph Briefs from Entire World,” *Lincoln Star*, December 15, 1922, accessed November 4, 2019. Newspaper Archive (UNT); “Two Negroes Vanish; Note Hints Reason,” *Springfield Leader and Press* (Springfield, MO), December 14, 1922, accessed November 4, 2019. Newspapers.com; “Left Note; Warning Negro,” *The Parsons Daily Sun* (Parsons, KS), December 14, 1922, accessed November 4, 2019. Newspapers.com; “Two Negroes Missing,” *The Coffeyville Daily Journal* (Coffeyville, KS), December 14, 1922, accessed November 4, 2019. Newspapers.com; “Notice on Door Says Negroes Got What Was Coming,” *Longview News-Journal* (Longview, TX), December 14, 1922, accessed November 4, 2019. Newspapers.com; “Stole Negroes from Jail,” *The Junction City Daily Union* (Junction City, KS), December 14, 1922, accessed November 4, 2019. Newspapers.com; “Got What Was Coming,” *The Tuscaloosa News* (Tuscaloosa, AL), December 14, 1922, accessed November 4, 2019. Newspapers.com; “Negro Horse Thieves Missing; Warning,” *The Daily Free Press* (Carbondale, IL), December 14, 1922, accessed November 4, 2019. Newspapers.com; “Are Taken From Jail,” *The Salina Evening Journal* (Salina, KS), December 14, 1922, accessed November 4, 2019. Newspapers.com; “Two Negro Thieves Disappear From Jail, Note Tells Grim Story,” *The Selma Times-Journal* (Selma, AL), December 14, 1922, accessed November 4, 2019. Newspapers.com; “Negroes Taken From Jail,” *The Huntsville Times* (Huntsville, AL), December 14, 1922, accessed November 4, 2019. Newspapers.com; “Negroes Told to Work or Move,” *Colorado Springs Gazette*, December 15, 1922, accessed November 4, 2019. Genealogy Bank; “Pilot Point, Tex.,” *Flint Journal*, December 17, 1922, accessed November 4, 2019. Genealogy Bank. This is, by no means, a comprehensive list of everyone who reported the events in Pilot Point; “Editor’s Note,” *Lincoln Evening State Journal* (Lincoln, NE), December 15, 1922, accessed November 4, 2019. Newspaper Archive (UNT); “Telegraph Briefs,” *Lincoln Nebraska State Journal*, December 16, 1922, accessed November 4, 2019. Newspaper Archive (UNT); “Lynched Two Prisoners?” *The Pittsburg Daily Headlight* (Pittsburg, KS), December 14, 1922, accessed November 4, 2019. Newspapers.com; The *Topeka State Journal* referred to the event as a “Texas Sentence” in “Negroes Taken from Jail,” *The Topeka State Journal*, December 14, 1922, accessed November 4, 2019. Newspapers.com. While *The Journal and Tribune* asserts that the “contents of the note were unmistakable” in “Contents of Note Were Unmistakable,” *The Journal and Tribune* (Knoxville, TN), December 15, 1922, accessed November 4, 2019. Newspapers.com; “Disposed of Two Negroes,” *The Atchison Daily Globe* (Atchison, KS), December 14, 1922, accessed November 4, 2019. Newspapers.com. Many newspapers printed headlines which

In the days and weeks that followed, there was great variation in the content of reports on the lynching of two Black men in Pilot Point, but a singular fact was printed in every article — this has happened before. Each paper printed that “two [N]egroes disappeared from the Pilot Point jail in a similar manner several months ago,” and that of the four men who vanished out of the custody of law enforcement, “no trace of any of them was found.” The event referenced was the “whipping” of two Black teenagers on October 20, 1921 — an event that was never contemporaneously called a lynching. However, in response to the nearly 100 articles on the 1922 extralegal murder in Pilot Point and the persistent comparison to the “whipping” in 1921, it must be considered as more than possible that the two young men who disappeared on Thursday, October 20, 1921 suffered the same fate as those who disappeared on Thursday, December 14, 1922. As the *Austin American-Statesman* printed, “nothing has been learned as to what became of the two [N]egroes who previously disappeared, officers said, and they are likewise without information as to the whereabouts of the [N]egroes who were arrested yesterday.” It is therefore plausible that all four men were killed in a similar fashion, north of town on the property of Joe B. Burks, in the dark of night.⁵⁸

referenced the event as a lynching “Possible lynching,” *The Salt Lake Tribune*, December 15, 1922, accessed November 4, 2019. Newspapers.com; “Texas Negroes Lynched?” *St. Joseph News-Press* (St. Joseph, MO), December 14, 1922, accessed November 4, 2019. Newspapers.com; “Negro Prisoners are Gone; May be Slain,” *Muskogee Times-Democrat*, December 14, 1922, accessed November 4, 2019. Newspapers.com; “Negroes Missing, Lynched Perhaps,” *Reno Gazette-Journal* (Reno, NV), December 14, 1922, accessed November 4, 2019. Newspapers.com; “Two Negroes Missing in Jail. Believe Lynched,” *The Indianapolis Star*, December 15, 1922, accessed November 4, 2019. Newspapers.com; “Note Indicates Two Negroes Are Lynched,” *The Montgomery Advisor* (Montgomery, AL), December 15, 1922, accessed November 4, 2019. Newspapers.com; “Fear Negro Lynched,” *The South Bend Tribune* (South Bend, IN), December 15, 1922, accessed November 4, 2019. Newspapers.com.

⁵⁸ “Negroes Disappear Mysteriously from Pilot Point Jail,” *Brownsville Herald*, December 14, 1922, accessed November 4, 2019. Newspaper Archive (UNT); “Two Negroes Taken from Pilot Point Jail; Fate Unknown,” *Austin American-Statesman*, December 14, 1922, accessed November 4, 2019. Newspapers.com. On Friday, December 15, 1922, the Pilot Point Masonic Lodge donated \$67 to the Boy Scouts to build a small wooden cabin on the Joe B. Burks pasture just north of town. “Pilot Point Budget,” *Denton Record-Chronicle*, December 18, 1922, accessed November 5, 2019. Newspaper Archive (UNT).

There are reasons not to trust the official account of these events. The lynching of two men on December 14, 1922 was not called a lynching by any local newspapers. In fact, the only people who directly attributed the event to a Klan lynching were outside of the state of Texas. In contradiction to the reported “whipping” on October 22, 1921, every newspaper account of the December 14, 1922 lynching states that a similar event happened months earlier -- a direct reference to the actions of Klavern 136 on October 20, 1921. If we take these accounts as originating directly from Klan-affiliated newspapers (the *Denton Record-Chronicle* and the *Pilot Point Post-Signal*) and therefore as honest to the violence as the Klan desired for it to be a deterrent, then the October 22, 1921 “whipping” should instead be re-categorized as a lynching.⁵⁹

As for the question of whether the October 20, 1921 lynching was lethal, it is apparent through the coverage of the October 20, 1921 disappearance that Klavern 136 desired both for the disappearance of Black bodies to be publicly known and for the end result of their kidnapping to remain mysterious. Were the two teenagers to have lived past their “whipping,” the silence of reporting and investigation would not have been necessary. Men in the mob would have become folk heroes. Conviction for “whipping” a Black criminal, for a first-time white offender, would have resulted in, at most, a suspended sentence by Judge C. R. Pearman. That outcome would also have required felony charges to be filed against the mob of men in a county friendly to racial violence. Actual consequences for a “whipping” were unlikely. Therefore, Denton County Klan members did not seek notoriety for their lynchings because they learned from the

⁵⁹ “Prisoners Spirited from Unguarded Jail,” *The Appeal* (St. Paul, MN), December 30, 1922, accessed November 4, 2019. Newspapers.com.

attempted prosecution of mob members in nearby Dallas and Fort Worth the importance of unprovable circumstances.⁶⁰

Additionally, the racial violence on October 20, 1921 fits the definition of lynching. The note left behind as a “warning” indicates the violence committed against the young men was done with the intention of terrorizing the Black community, or, more specifically, the goal was to convey a message to Black citizens of Denton County. Second, the teenagers were arrested by Pilot Point police officers and held in jail for an alleged crime that was being investigated by law enforcement. This investigation was ongoing when the Ku Klux Klan removed the prisoners and “applied the lash” as punishment. The actions of the Ku Klux Klan violated the due process rights of the teenagers who were already awaiting charges and were likely too young to be charged with a felony. Also, the perpetrators of this racial violence formed a group to abduct the young men from jail and were never charged with a crime. The day-after-day delay of investigation by Sheriff Goode and resultant lack of action makes clear that the Ku Klux Klan was functionally immune from prosecution in Denton County.

Details are significant as they repaint a picture that has been forgotten due to erasure. Not only were the men erased from their communities and lives, so too were the records erased of their existence. This silence of records does work in the present to steal humanity from the deceased and leaves in its place fear, rather than fact. It is also our task in the present to bear witness to the atrocities committed against Black bodies during the Jim Crow Era. Sharing the stories of these two lynchings is a historical form of the oppositional gaze and, as such, it is an intentional act of praxis.

⁶⁰ State of Texas, Sixteenth District Court, *Criminal Minutes and Indexes, 1914-1941* (Denton, TX). Denton County Archives.

These two lynchings during the Klan era have many similarities. Both events victimized a pair of Black males in Pilot Point and all four men were left unnamed by the press, even though three of the men were from Pilot Point and both the newspapers and the officers likely knew who they were. In both cases, the mob membership was also obscured. This was significant. If the men were reported as masked, it meant their actions were certain to be attributable to the soon-to-be-announced Denton County Klan, Klavern 136 in 1921, or the recently announced Klavern in 1922. If they were unmasked, their identities would have been visible, and those individuals would have been able to be prosecuted for the actions of the mob. The omission of this fact both by the public and the press was standard practice in areas with robust public support for the Ku Klux Klan. It is similarly important that this detail was unable to be ascertained by local law enforcement following an investigation and brings into question the apparatus of support that shielded the men from responsibility. The public was also unable to identify the men "because of the darkness." This mirrors other accounts of Klannishness in Texas where license plates were unable to be read, faces unable to be recognized, and stories evolved to omit key identifying details to protect the members of the mob from prosecution, indictment, and/or conviction.

This propaganda-style relationship with the press was also a common factor between the two lynchings. The role of the press is highlighted by the 1921 disappearance from Pilot Point jail. The envelope was tacked by the Ku Klux Klan to the office door of the *Pilot Point Post-Signal* rather than the front door, which indicates that the Denton County Klan had access to the keys to the *Post-Signal*. It was also written, not on paper, but on an envelope -- an office supply -- that could easily be procured

from the office of the *Post-Signal*. By 12:30am, news of the disappearance was reported to the AP wire, complete with a tale of confusion surrounding the location of the two young men. The story was reported by the *Post-Signal*, out of their Pilot Point offices, as it ran nationally from Pilot Point rather than Denton. Therefore, the complete story of events was available to the national press *before* W. J. Miller discovered the note on his office door, an event that occurred on the morning of Friday, October 21. Had the story been reported by another staff member at the *Post-Signal*, Miller would have awoken surprised to find reports of a note on his door *prior* to finding the note himself. With these facts in mind, it can be concluded that W. J. Miller witnessed, if not participated in, the disappearance of two men from the Pilot Point jail and either witnessed the writing of or personally wrote the note left on his own office door. A similar series of events occurred following the lynching on December 14, 1922.⁶¹

Similarly, Klan member and editor-in-chief of the *Denton Record Chronicle*, Will C. Edwards, editorialized about lynchings on December 14, 1922. The editorial was above the fold on page two, one page behind the story of the previous night's lynching. Therein, Edwards argues that areas with reported lynchings have higher incidences of Black crime, particularly the crimes most feared by the white pro-lynching populace. Edwards concludes the editorial by writing, "...there are dozens of counties in the State - - Denton is one of them -- in which there has never been a case of mob violence and in which it also will be found that crimes of the type responsible for such outbreaks in other

⁶¹ On a weird note, the editor of the *Pilot Point Post-Signal* gave an eight-pound sweet potato to the state press the morning after the two young men disappeared. The sweet potato was obtained from the head of the local rest cottage and *Dallas Morning News*, who did not cover the disappearance, was very grateful for the lunch. See: "The State Press," *Dallas Morning News*, October 22, 1921, accessed October 27, 2019. Genealogy Bank.

counties have been extremely few or none at all.” Through this piece, the Klan is writing its own narrative of the night’s lynching. First, they impress that in areas where lynchings are acknowledged as such, crime rises as a result. Second, they state that Denton County has never experienced an act of mob violence -- in direct contradiction of the story printed on the front page of the very same newspaper. Last, they explain that the lack of acknowledged mob violence is why Denton County has less violent Black crime.⁶²

Another commonality regarding the press coverage of both events is found in the coverage prior to the violent attacks. On the day of each lynching, the *Denton Record-Chronicle* printed articles about anti-lynching activism on its front page. On the day of the October 20, 1921 lynching, an article was published on the front page of the *DRC* entitled, “Favorable Report on Anti-Lynching Measure is Made.” Therein the article describes the penalties listed in the Dyer Anti-Lynching Bill which would befall members of a mob who took the life of its prisoner. “Any member of a mob which puts anyone to death,” the article reads, “shall be imprisoned for life or not less than five years.” Even more poignantly, the article specifies punishment for derelict law enforcement officers stating, “state and municipal authorities who thru(sic) neglect of duty fail to prevent a lynching shall be imprisoned for not more than five years or fined not more than \$5,000.” While the Dyer Bill never passed, many feared that it would. Perhaps as a result of this front page coverage, mob members were intentionally unable to be identified and the death of the teenagers was never referenced -- neither in the note left by the K.K.K. nor in the newspaper coverage which surrounded the violence. Without a

⁶² “Editorial,” *Denton Record-Chronicle*, December 14, 1922, accessed February 10, 2020. Newspaper Archive (UNT).

clear proof of death, how would someone prosecute the mob for a lynching? Similarly, the following year, on the morning of December 13, 1922, the *DRC* printed an article about a Governors' Conference slated to begin the following day which would discuss the problem of the Ku Klux Klan. It is, therefore, possible that the newspaper's focus on the Ku Klux Klan led directly to the omission of a Klan signature on the note left behind at the *Pilot Point Post Signal's* office following the December 14, 1922 lynchings.⁶³

Lastly, both lynchings received front page coverage from county newspapers. Therein, both the violence and the whereabouts of the victims were obscured, but the alleged crimes were placed in central positioning. The words written by the Klan in their notes to the press were printed in full and in both instances, they included the words "warning" and "loafers," clearly speaking to the Black community. These messages were successful. The week of December 19, 1922, two Texas rangers visited Pilot Point in search of prohibition violations and four more Black men from the Pilot Point community were arrested. In the days following the lynching, the Black people of northeast Denton County fled. "Since the men have been kidnapped" wrote one source, "scores of men, women, and children have left the vicinity." "There are not many [C]olored people here and opportunities for employment are scarce," penned *The Appeal*. The exodus of Black bodies from Denton County in late 1922 was also influenced by the warning campaign run by the Klan prior to the lynching which stated, "stop stealing and go to work."⁶⁴

⁶³ "Favorable Report on Anti-Lynching Measure is Made," *Denton Record-Chronicle*, October 20, 1921, accessed February 10, 2020. Newspaper Archive (UNT); "Dry Law, Klan, Movies and Business Conditions Coming Before Governors' Conference," *Denton Record-Chronicle*, December 13, 1922, accessed February 10, 2020. Newspaper Archive (UNT).

⁶⁴ "Negroes Disappear Rangers Investigate," *McKinney Daily Courier*, December 30, 1922, accessed November 4, 2019. Newspaper Archive (UNT); "Prisoners Spirited from Unguarded Jail," *The Appeal* (St. Paul, MN), December 30, 1922, accessed November 4, 2019. Newspapers.com; "Horse Thieves are

Despite the wide similarities in press coverage, the most significant commonalities are those pertaining to the justice system due to its predictability. First, all four men lynched were arrested for, but uncharged with, crimes that were uncertain to have legitimately occurred. In the case of the Norrod home break-in, the only witness was thirteen-year-old Mary Norrod and nothing was taken from the home. The charges posited were not burglary or breaking and entering, but rather an unspecified “immoral conduct involving white women.” No information was reported or retained by local authorities which supported the idea that a crime occurred. Similarly, the crime of which the two men were accused in 1922 -- horse theft -- had resolved itself prior to their arrest. The horses had returned, all horse accessories were recovered, and no witnesses could place the two men either with the horses or at the scene of the crime.

This finding leads to the second significant similarity between the two lynchings. Both were investigated by the Denton County Sheriff’s Department and neither investigation produced enough information to bring charges. This indicates that neither crime would have been able to be successfully prosecuted. The investigations moved slowly and broadcast to the public that a conviction would be unlikely. This very lack of evidence was utilized as the reason why the victims were not transferred to Denton County Jail for their safety. Had enough evidence existed for a conviction, the Denton County Sheriff’s Department was prepared to safely house the men while they awaited

Missing from Jail,” *Bryan Daily Eagle*, December 14, 1922, accessed November 4, 2019. Newspaper Archive (UNT); “Negro Thieves Spirited From Jail in Texas,” *The Daily Ardmoreite* (Ardmore, OK), December 14, 1922, accessed November 4, 2019. Newspapers.com; “Query — Where Did Negroes Go?” *Spokane Chronicle* (Spokane, WA), December 14, 1922, accessed November 4, 2019. Newspapers.com. Interestingly, the *Independence Daily Reporter* from Independence, Missouri also referred to the lynching as a ‘warning’ in “Pilot Point Warns Negroes,” *Independence Daily Reporter* (Independence, MO), December 14, 1922, accessed November 4, 2019. Newspapers.com.

a trial; however, because no incriminating information was found, they were left, unguarded and unarmed in the Pilot Point Jail overnight.

The whereabouts of the two Black young men stolen from the Pilot Point jail in 1921 remain unknown; yet, their disappearance speaks loudly through its narrative omissions. First, the names of the teenagers were omitted in all records of the event. This action serves a purpose as it erases the identity of two human beings with families, histories, uniqueness, personalities, and potential and paints in its place two generic Black men imagined through the lens of 1920s stereotypes. The alleged crime, as one of the few known facts about the young men, did work as it replaced the humanity of the unnamed teenagers with the fear of home invasion and crimes against women. Other than the alleged crime, the only other detail known about the two young men was that they were from Texarkana, a town fraught with racial violence during the reign of Judge Lynch. The day before the alleged invasion, the *Denton Record-Chronicle* published a story about a Black man who violently murdered his wife near Texarkana. A week before the disappearance, W. McNeeley was lynched in Leesburg, Texas -- a town sixty miles southwest of Texarkana -- for the alleged rape of a white woman. These stories exemplify the exposure that Denton County citizens had to generic stereotypes about Black men from the northeast corner of the state. This stereotype likely converged with the forced anonymity of the two teenagers to paint a picture of dangerous outsiders.⁶⁵

Second, the lack of detail places focus on the process of Klan violence in Denton County. A crime was alleged by a member of a local fraternal organization against a

⁶⁵ "Bowie County Mob Composed Largely of Negroes Seeks to Lynch One of Own Race," *Denton Record-Chronicle*, October 18, 1921, accessed December 9, 2019. Newspaper Archive (UNT); Chapman, "Lynching in Texas," 111.

white woman, supposedly committed by a person of color, and reported to law enforcement. Then, law enforcement moved quickly to capture and jail Black men for the alleged crime while an investigation was made. But the investigation was slow, communication with the Denton County Sheriff's office was untraceable, and the public learned the men were held in jail with no guarantee of conviction. A group of seemingly invisible, indistinguishable, white men then took the Black men from jail. The targets of the process, the Black men, were never seen again and their fate was left mysterious and unable to be determined by either the press or investigators. A note was left by the Ku Klux Klan for the press to ensure coverage of the act of disappearing Black bodies. The Denton County Sheriff's Department responded slowly, a half-hearted investigation was completed, delay tactics were employed, and ultimately no charges were filed against the perpetrators.

This process signals a pattern through which historians can identify acts of racial violence in Denton County despite record loss and omission. In search for Black bodies disappeared by the Jim Crow Justice System in 1920s Denton County, the following factors are significant:

- (1) Unclear identity of the accused
- (2) Arrest for a crime that is uncertain to have occurred
- (3) Slow investigation by the Denton County Sheriff's Department with no guarantee of conviction
- (4) Detention in a loosely guarded or unguarded jail
- (5) Klan activity
- (6) Disappearance from jail
- (7) No further record of the victims

Through the acknowledgement of this framework of violence and in spite of efforts to obscure and propagandize the coverage of lynchings in Denton County, a pattern can be applied to other opaque instances of racial violence. Through this pattern, historians can approach the omitted breadth and scope of racial terrorism within the county. This will be further examined and applied in Chapter 4.

The lynching pattern in Denton County was typical of Texas lynchings its corresponding time periods. In the mid-1800s, mobs of lynchers accused Black men of intimate crimes and white men of horse theft. Yet, the terrorism becomes obscured during the rise of the second Ku Klux Klan in the 1920s and is only visible due to a strict adherence to an unseen, organized procedure. This framework establishes a pattern of conduct on the part of two ritualistic entities -- law enforcement and the Ku Klux Klan -- who were both essential components in the deaths of four men between 1921 and the close of 1922. The uneasy marriage between the mission of these two seemingly opposed entities leaves one remaining question. How did the Ku Klux Klan of Denton County open the door to the Pilot Point Jail, twice, without the key?

CHAPTER 3

THE KEYS TO THE JAIL

On October 19, 1921, two Black men were taken from the jail in Pilot Point, Texas, by the Ku Klux Klan, beaten, and never seen again. On December 13, 1922, two Black men were taken from the jail in Pilot Point by the Ku Klux Klan and lynched. Investigations into the whipping, murder, and disappearance of these men resulted in zero criminal charges. How were four men removed from jail without a witness? Sheriff James Goode, County Attorney Ben Boyd, and Judge Charles Pearman, unable to uncover key details about how the men were taken from jail, abandoned investigatory efforts. Through the examination of thousands of primary source records and secondary scholarship which spans a century, this chapter takes on the very question left unanswered by Denton County officials in the early 1920s: Did the Ku Klux Klan have the keys to the Denton County jail?

Nancy MacLean asserts the Ku Klux Klan was and remains the most powerful far-right movement in American history; yet, the citizens of Denton County between 1920 and 1925 saw the Klan as a benevolent organization. David Chapman found that most lynchings occurred in areas of high-density slavery, but Denton County only held ten persons in bondage before 1850. The majority of lynching victims in Texas were taken from the hands of the sheriff's department. This chapter tells the story of a county with statistically unlikely lynchings and a Klavern often remembered for fraternity rather than violence. The absence of a violent historical memory of the Denton County Klan is due to broad, contemporaneous support of its practices. Between 1921 and 1924, Klavern 136 was able to remove prisoners from jail because the Sheriff, City Marshall,

County Attorney, and District Judge were among its ranks. During these three years, the Ku Klux Klan held both the metaphorical and literal keys to the Denton County jail.⁶⁶

“Writers of Texas history have either treated the [far-right] movement [of the 1920s] in this state superficially or ignored it completely” argues historian Charles Alexander in *Crusade for Conformity*. Like a tornado wrapped in rain, the activity and membership of the Ku Klux Klan in Denton County (and Texas) were cloaked in populism, which “prepped [the] people for activism” and “evoke[d] a mythical concept of the people.” This incarnation of populism has been studied and written about many times over, often with little more than a passing reference to the Ku Klux Klan in Texas. The very same anti-elitist, anti-globalist, and anti-intellectualism public sentiment, which was birthed from, and essential to, populism became central tenets of Klan ideology. Alexander further states, “Many Texans who found themselves living in a rapidly changing urban environment but clinging to the values of their rural backgrounds turned to the Klan, which promised to preserve the rural-minded Texan’s conception of what was right and wrong.” His assessment is significant to understanding the rise of extralegal violence in the 1920s. The reaction of white, Baptist, rural congregants to a “postwar crime wave” and the “supposed moral breakdown” of urbanity were expressions of fear in a changing economy with changing normative behavior and

⁶⁶ Nancy MacLean, *Behind the Mask of Chivalry: The Making of the Second Ku Klux Klan* (New York: Oxford, 1994), xi; Seventh Census of the United States, Denton County Clerk, Denton, TX. Heritage Quest (UNT); David L. Chapman, “Lynching in Texas,” (master’s thesis, Texas Tech University, 1973), 21, 55. The treatment of far-right populism in Texas historiography has changed some since Chapman wrote those words in 1973; however, it still does not receive the full-throated treatment necessary to dissect the Ku Klux Klan in 1920s Texas.

technology. As such, the Klan in Denton County was a part of a “quest for law and order” in an increasingly unionized, professionalized, and urbanized postwar world.⁶⁷

In 1903, The Girls Industrial Institute and College of Texas -- which would later become Texas Woman’s University -- opened on sixty-seven acres donated to the institution just north of Quakertown. Immediately south of Quakertown were two streets known as “silk stocking row” for their density of prostitution. By 1916, the student population of the Girls Industrial Institute and College of Texas, renamed College of Industrial Arts, swelled to 1,600 white women. In the same year, the United Daughters of the Confederacy unveiled a statue of a Confederate soldier topping an arch on the courthouse lawn in downtown Denton. The first screening of *Birth of a Nation* in Denton County was at the College of Industrial Arts on January 17, 1917. Within three years, women gained the right to vote when the United States ratified the Nineteenth Amendment. Women began to wear makeup, bob their hair, and purchase shorter skirts from department stores in urban areas. Liberation came. Within four months, Denton County had established its first chapter of the Ku Klux Klan.⁶⁸

Nationally, the Klan saw crime fighting as an act of masculinity and Klan recruitment led by community leaders, specifically those essential to the ideology of the organization itself. Businessmen (for prestige and economic power), pastors and

⁶⁷ Charles C. Alexander, *Crusade for Conformity: The Ku Klux Klan in Texas, 1920-1930* (Galveston (TX): Texas Gulf Coast Historical Association, 1962): v; Gordon, *The Second Coming of the KKK*, 25-36; *Ibid.*, 38-61; Alexander, *Crusade for Conformity*, 9; *Ibid.*, 7.

⁶⁸ US Department of Interior, National Park Service, *National Register of Historic Places Application* (Denton (TX): March 1992). [https://www.cityofdenton.com/CoD/media/City-of-Denton/Business/Development%20Review/Historic%20Preservation/NationalRegisteredDistrict-\(1\).pdf](https://www.cityofdenton.com/CoD/media/City-of-Denton/Business/Development%20Review/Historic%20Preservation/NationalRegisteredDistrict-(1).pdf); “United Confederate Veterans’ Monument to be Unveiled by U.D.C.’s Next June,” *Denton Record Chronicle*, November 11, 1915. Newspaper Archive (UNT); “Coming,” *Denton Record-Chronicle*, January 5, 1917. Accessed March 18, 2019. Newspaper Archive (UNT); Chelsea Stallings, “Removing the Danger in the Business Way’: The History and Memory of Quakertown, Denton, Texas.” Master’s thesis, University of North Texas, Denton (TX), 2015.

reverends (for moral power), doctors, well-known farmers, and political officials -- “especially the sheriffs.” Klan recruiters generally began recruitment efforts with the local Masonic Lodge, followed by the local law enforcement. For this reason, the overlap was considerable between the Ku Klux Klan and the Masons.⁶⁹

While the people of Denton County were introduced to the idea of a Ku Klux Klan through *Birth of a Nation*, the first masked crusaders were imitated in nearby Fort Worth three months before Denton’s first screening of the film. The Fort Worth Klan began at the request of Fort Worth City Commissioner Jamieson. He asked the Chief of Police Chollar to “organize a Ku Klux Klan to head the fall festival parade” on October 12, 1916. Because the establishment of an *official* Klavern requires a paid membership of ten dollars by 100 members and a charter from the Klan’s Atlanta Headquarters, it would be four years before these roots stoked into a fully operating organization.⁷⁰

The Ku Klux Klan in Texas began at a United Confederate Veterans (UCV) reunion in Houston on October 6-9, 1920. Z. R. Upchurch, third in command of the propaganda/recruiting arm of the national KKK, arrived in Houston for the UCV reunion in late September 1920. During his time at the UCV reunion, Upchurch enlisted the required 100 new Klansmen to establish the first klavern in Texas: Sam Houston Klan No. 1. Over the next three months, 150 additional klaverns formed, each with the requisite 100 paid members.⁷¹

⁶⁹ Gordon, *The Second Coming of the KKK*, 25-36, 95; Robert L. Duffus, "How the Ku Klux Klan Sells Hate," *Worlds Work* 46, June 1923, 181.

⁷⁰ “Chollar Assigned to Form ‘Ku Klux Klan’ for Pageant,” *Fort Worth Star-Telegram*, October 14, 1916. Genealogy Bank. What was truly amazing was the speed with which the Ku Klux Klan became entrenched in Texas politics. Less than two years from its origin in the state it had become the major platform issue of both parties and some estimates proport the majority of members of the State House of Representatives were members of the Klan by 1922.

⁷¹ Alexander, *Crusade for Conformity*, 1, 4-5; See Appendix 1.

By December 31, 1920, the *Denton Record-Chronicle* (Denton's newspaper of record) echoed the recruitment language of the Klan. The editor, William C. Edwards, wrote of a general sentiment that a crime wave existed in Denton County and mused about its causes. Edwards settled on the inability of law enforcement to take care of crime because each person arrested was accused of so many crimes that the judicial system did not seem to punish them correctly. The Fort Worth Klavern 101 was in operation by 1921, as was Dallas Klavern 66. Because the order of establishment dictated a Klavern's charter number, when the nearby small city of Gainesville was awarded Klavern number 151 was announced twelve days into January of 1921 to "combat [the] possible increase of [a] crime wave" it is clear that Denton Klavern 136, too, was in operation. The countywide "crackdown on vags" (vagrants) began on January 14, 1921, but with eighteen prisoners in jail at the time, only three were Black (17% of the prison population).⁷²

To the immediate south of Denton were three Klaverns: Dallas, Fort Worth, and Oak Cliff. Dallas announced its establishment of Klavern 66 in April 1921. Reverend A. C. Parker was the Exalted Cyclops of Klavern 66 at its inception followed by Hiram Wesley Evans, a dentist and future Imperial Wizard of the whole Invisible Empire. In the most extensive published work on the Klan in Texas, Charles Alexander writes, "Texas was the star Klan state, and Dallas was the star Klan city."⁷³

⁷² Editorial, *Denton Record-Chronicle*, December 31, 1920. Newspaper Archive (UNT); "Alexander, *Crusade for Conformity*, 5; Gainesville Will Have Ku-Klux-Klan," *Denton Record-Chronicle*, January 12, 1921. Accessed March 18, 2019. Newspaper Archive (UNT); "Fourteen 'Vags' in Jail; Four Held on Other Charges," *Denton Record-Chronicle*, January 14, 1921. Newspaper Archive (UNT).

⁷³ Vaughn, Daniel, "Barbekue: How Barbecue Marked the Rise and Fall of the Texas Klan," *Southern Foodways Alliance*, 2019. <https://www.southernfoodways.org/barbekue/>; Portz, Kevin G., "Political Turmoil in Dallas: The Electoral Whipping of the Dallas County Citizens League by the Ku Klux Klan, 1922," *Southern Historical Quarterly* 119, no. 2 (October 2015), 151. Project Muse; Charles C. Alexander,

As if asked by an unknown source, the *Denton Record-Chronicle* denied the existence of a Klan again on June 29, 1921, regardless of “unverified statements that an organizer has been here and has discussed an organization in Denton.” Ten days later Edwards reiterated the message stating, “so far as outward indications go,” there was still no Klan in Denton. Through the Klavern numbering convention, it is certain that a Klan *did* exist in Denton County on both June 29th and July 9th, 1921. Therefore, the statements regarding the lack of KKK in Denton were likely written with the intent of heightening the drama and/or increasing the public support before the Klan’s formal reveal.⁷⁴

On July 1, Edwards published an editorial which criticized a senatorial candidate for his anti-Klan stance stating, “He must have mistaken the ‘sign of the times.’” This sentiment was echoed later the same week by Governor Pat Morris Neff who told the state house that “murder, theft, robbery, and holdups are hourly occurrences that fill the daily press. The spirit of lawlessness has become alarming.” Neff went on to bemoan the growth of “technicalities” that had “sucked the lifeblood out of the penal code.” Edwards responded in print, “The Ku Klux Klan has been called into being largely in those communities where the existing authorities have demonstrated either their inability or their unwillingness to enforce the laws.” “The KKK typically justified vigilantism by charging that the police were not doing their jobs.” Because this offended police officers, Hiram Evans shifted the narrative from inept police to engaging police

The Ku Klux Klan in the Southwest (University of Kentucky Press, 1965), 90. Google Books; Alexander, *Crusade for Conformity*, 13.

⁷⁴ “No Evidence of Ku Klux Klan in City,” *Denton Record-Chronicle*, June 29, 1921. Accessed March 18, 2019. Newspaper Archive (UNT); Editorial, *Denton Record-Chronicle*, July 9, 1921. Newspaper Archive (UNT); See Appendix 1.

and thereby legalizing or legitimizing extralegal action. The Sheriff's office responded in arrests -- twenty-three men and women were held in the county jail in August 1921 of which forty-eight percent were of color.⁷⁵

On Monday, December 19, 1921, 330 hooded Klansmen marched in the streets of Denton from Robert E. Lee High School, where they put on their regalia, to the courthouse square where Mayor H. V. Hennan addressed the crowd of hooded attendees. Several thousand people watched the procession as Klansmen carried a burning cross and a sign that said "Denton Klan, Knights of the Ku Klux Klan." This was the first official action of Klavern 136.⁷⁶

The Klan became largest in areas of small Black populations. As such, both the Klan and the population at large were worried about the birthrate of immigrants and African Americans. Larger numbers of non-white citizens would have increased the perceived threat of otherness. Fundamentally the Jim Crow justice system contained sexuality interlaced with racism and, the Klan both participated in and encouraged its feverous marriage. Racial threats to monoracial sexuality detailed through factual events in courtrooms, served as a form of folk pornography. In a period of violent conservatism, the miscegenation described in Black-on-white cases was "titillating" and generally relayed a standard narrative of Black sexual conquest against the will of a young, virginal white girl. It was only after the narrative had been shared that an

⁷⁵ Gordon, *The Second Coming of the KKK*, 102; Editorial, *Denton Record-Chronicle*, July 1, 1921. Accessed March 18, 2019. Newspaper Archive (UNT); Alexander, *Crusade for Conformity*, 8; Editorial, *Denton Record-Chronicle*, July 7, 1921. Newspaper Archive (UNT); "Twenty-Three Prisoners in County Jail; Eleven Negroes," *Denton Record-Chronicle*, August 20, 1921. Newspaper Archive (UNT).

⁷⁶ "Klan Parade is Staged at Denton," *McKinney Courier-Gazette*, December 20, 1922. Newspapers.com.

accused Black criminal, in a white court, with a white jury could be disposed of -- either in the penitentiary or through the noose.⁷⁷

Over half of all victims of lynching in Texas were taken out of the custody of law enforcement. Linda Gordon argues that this and the broader success of the Ku Klux Klan in the 1920s was due to its pseudo-legal status. This could have only been provided by the involvement of the legal system itself in the work of the Klan, as Sheriffs and Deputies alike would have otherwise felt the calling to raid meetings. While secrecy may have intensified membership in the Invisible Empire, local Klan Klonklaves were advertised in the newspaper in Denton beginning in January 1924.⁷⁸

In Oklahoma, law enforcement officers occasionally handed suspects over to the Klan for violent extralegal punishment. Sometimes, those law enforcement officers “even participated in the beatings.” Less public, Denton County officials appear to have signaled to the Klan when action was requested but distance required on the part of the Sheriff’s Department. The morning of accused rapist George Smith’s disappearance, the *Denton Record-Chronicle* printed a one-line statement that said “Sheriff Goode and his officers are overworked.”⁷⁹

Membership on the District Court’s Grand Jury was both public and semi-regular for some citizens. Former law enforcement officers were frequently selected and would serve in a non-consecutive rotating semi-pattern. “In Oklahoma, and perhaps in

⁷⁷ Gordon, *The Second Coming of the KKK*, 38-61; Patricia Bernstein, *The First Waco Horror: The Lynching of Jesse Washington and the Rise of the NAACP* (College Station: Texas A&M Press, 2005) 94. Not all Texans were members of the Ku Klux Klan, in fact, many rallied and voted for candidates whose platforms were wholly anti-Klan.

⁷⁸ Gordon, *The Second Coming of the KKK*, 25-36. “Classifieds,” *Denton Record-Chronicle*, January 11, 1924. Newspaper Archive (UNT); “Classifieds,” *Denton Record-Chronicle*, February 7, 1924. Newspaper Archive (UNT); “Classifieds,” *Denton Record-Chronicle*, March 25, 1924. Newspaper Archive (UNT).

⁷⁹ Gordon, *The Second Coming of the KKK*, 101; “Change of Venue Applied for in Sam Skinner Liquor Case,” *Denton Record-Chronicle*, October 4, 1922. Newspaper Archive (UNT).

elsewhere too, Klan membership was automatically suspended for any man called for jury duty, so that he could deny it and not be excluded for bias” argues Linda Gordon.⁸⁰

A Klan advertisement in the Beaumont Enterprise read “The law of the Klan is JUSTICE” -- a term also painted on the side of the makeshift platform used for the live incineration of Henry Smith. As such, the Klan often acted as the investigative body of local Sheriff’s Departments. Erwin J. Clark testified in 1924 that the Ku Klux Klan had an organized system of espionage where members were assigned people to watch. All Mexican and African Americans were watched in addition to any other white Americans who were considered of poor moral character. This was the work of the Klokann. “If we had a report about a man’s immoral conduct we would select one of his 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.”⁸¹

The Governor of Arkansas became so overwhelmed with the actions of the Ku Klux Klan in 1922 that he petitioned the Department of Justice for help. J. Edgar Hoover contemporaneously reported, “The Governor has been unable to use either the mails, telegraph, or telephone because of interference by the Klan” and that, “local authorities are absolutely inactive.” In Houston, Klansmen tapped telephone wires, intercepted telegraphs, and spied at the post office. This information was then transmitted to the Sheriff’s Department who would respond through capturing the offender and placing

⁸⁰ Denton County Sixteenth District Court, *Criminal Minutes and Indexes 1914-1941*, Denton County Archives; Gordon, *The Second Coming of the KKK*, 99.

⁸¹ Alexander, *Crusade for Conformity*, 10; E. R. Bills, *Black Holocaust: The Paris Horror and a Legacy of Texas Terror* (Fort Worth: Eakin Press, 2015), 13-15; “Witness Explains How Money was Raised to Help Mayfield’s Race,” *Fort Worth Star-Telegram*, May 14, 1924. Genealogy Bank; Alexander, *Crusade for Conformity*, 11-12; See Appendix 2.

them into custody. It was from this very custody that the accused were taken by the Klan under the cover of masks and darkness.⁸²

Police forces were active participants in the Ku Klux Klan. "Take Dallas County as an instance," opined anti-Klan gubernatorial candidate Henry Warner on July 19, 1922, "Sixty-three outrages committed and only one case brought into court. And then it was the prosecuting witness who was tried. Or Harris County, where a great number of outrages have been perpetrated; Jefferson, Hardin, Liberty, Chambers, Angelina, Harrison, McLennan, and half a hundred others the tale is the same. In Travis County, Peeler Clayton was shot to death near the Klan hall. Every effort has been made to ascertain his slayers and there is today no information to be had by the grand jury, despite the strenuous effort of the District Judge and the District Attorney and the Grand Jurors. I cite you these facts as a reason why the courts were first captured by the Klan."⁸³

James H. Goode was the Denton County Sheriff from 1918 until his retirement in 1922. He was born to pioneer settler John Hawkins Goode who moved to North Texas from Kentucky in 1851. His father and mother -- daughter of Denton County early settler Willis Hubbard Bates -- enslaved a female teenager who lived with the family in 1860. James Goode was not born until five years after emancipation.⁸⁴

Before his service as Sheriff, Goode went on several Oklahoma land runs, served as an oxcart teamster during the construction of the Denton County Courthouse,

⁸² Federal Bureau of Investigation, "Famous Cases and Criminals: KKK Series," Fbi.gov, accessed March 20, 2019. <https://www.fbi.gov/history/famous-cases/kkk-series>; Alexander, *Crusade for Conformity*, 17.

⁸³ Gordon, *The Second Coming of the KKK*, 25-36.

⁸⁴ Thurman and Lucas, *150 Years of Denton County Sheriffs*, 68; Eighth Census of the United States, Denton County Clerk, Denton (TX): Schedule 1 (Free Population); Eighth Census of the United States, Denton County Clerk, Denton (TX): Schedule 2 (Enslaved Population); This connection makes James Goode the nephew of the author of the quote at the beginning of this article, Edmond Franklin Bates.

and was elected as the City Marshall for almost a decade. Upon swearing in as Denton County Sheriff in January 1918, Goode moved his young family into the first floor of the jailhouse -- the Sheriff's residence -- where they lived for four years. Sheriff Goode's daughter, Myra Louise Goode, wrote a memoir of the family's years living in the county jail entitled *Doing Time* where she writes, "It's not everyone that has fun while in jail, but I believe my whole family spent four very pleasant years in the Denton County jail."⁸⁵

During his tenure as Sheriff, Goode focused heavily on prohibition violations by bootleggers of northeast Denton County. Goode's daughter Myra attended the College of Industrial Arts while her father was Sheriff and this likely impacted his opinion on the proximity between Quakertown and the all-girls school. Goode's eldest daughter, Phoebe, was a third-grade teacher at Stonewall Jackson School while his youngest, Pauline, attended high school. Elizabeth Goode, the Sheriff's wife, cooked all of the meals for the prisoners in the jail, which were then delivered to the upstairs incarcerated residents by way of a dumb waiter which ran from the family's kitchen to the jailer's room.⁸⁶

Catcalls and harassment were a standard part of life for the Goode daughters in the Denton County jail. Prisoners discovered the name of one of the daughters -- Pauline -- and would call out every time a female entered the parlor, "Hello, Pauline" and "Pauline, your lover's in the parlor." Myra, Phoebe, and Pauline became so hardened to the frequent harassment that they stopped listening. This proved

⁸⁵ Denton County Historical Survey Committee, *Biographical Data: Denton County Judges* (Denton: Self-Published, 1973); Thurman and Lucas, *150 Years of Denton County Sheriffs*, 68.

⁸⁶ Thurman and Lucas, *150 Years of Denton County Sheriffs*, 68-70; The objectification of Sheriff Goode's daughters by prisoners appears to play directly into established miscegenation fears in Denton County; however, the accounts were notably absent of racial distinction.

problematic when prisoners escaped and left the screaming jailer (Mr. Yerby) tied up in his room. Following Goode's term as Sheriff he became a road contractor in Denton County. These incidents were building blocks of Sheriff Goode's views on justice, criminality, and extralegal action.⁸⁷

William M. Swinney narrowly defeated former Sheriff William Fry for County Sheriff in 1922 and took office on January 1, 1923. His campaign attorney, Alvin Owsley, went on to be the national head of the American Legion and the Klan considered Owsley as a potential candidate for Vice President. Swinney served as City Marshall during James Goode's term as Sheriff after moving to Denton from Mart, Texas in 1914. Swinney was a member of the Grace Temple Baptist Church, the Masonic Order of the Eastern Star, and had one daughter with his wife, Cora. He was fifty-one years old when he took the oath of office as County Sheriff.⁸⁸

Sheriff William Fry returned to the office of Sheriff in January 1925 on a campaign to eradicate "bootleggers and moonshiners." This sentiment echoed the stance taken by the Denton County Baptist Association in 1922 to avoid funding the bonds of bootleggers. Alcohol was often linked to immigrants and people of color as one of the societal ills brought by increased integration. The connection between Blackness and alcohol was made at least as early as the 1880s in the Cross Timbers and continued to do work as a racialized code into the twentieth century. Children in the

⁸⁷ Thurman and Lucas, *150 Years of Denton County Sheriffs*, 70; "County is Defendant in Two Highway Suits Filed in District Court Friday," *Denton Record-Chronicle*, October 11, 1924. Newspaper Archive (UNT).

⁸⁸ "Four Votes Decide Denton County Race," *Fort Worth Star-Telegram*, August 2, 1922. Genealogy Bank; "Alvin Osley Is Urged As Running Mate With Wm. McAdoo," *The American Citizen*, July 20, 1923. Reveal Digital (UNT); Thurman and Lucas, *150 Years of Denton County Sheriffs*, 73; *Ibid.*, 73; Fifteenth Census of the United States, Denton County Clerk, Denton (TX): Schedule 1 (Population).

south of Denton County in the 1880s played a game which casually and derogatorily repeated a chant:

Monkey, monkey, bottle o' beer
How many monkeys have we here.
One, two, three
Out goes *he*.⁸⁹

There is no evidence that people of color drank alcohol during prohibition more or less than their white counterparts. Yet, through his statement about “bootleggers and moonshiners,” Sheriff Fry signaled that he intended to police and incarcerate non-whites with priority. This stance marked his tenure in office and remained a goal until he suffered a stroke in 1927 and retired from the department.⁹⁰

Not only were law enforcement officials an essential component of extralegal justice and, the majority of victims of lynching in Texas taken directly from the custody of the police, but the Sheriff’s Department in Denton County coordinated directly with the Ku Klux Klan as early as the summer of 1921. Deputy Sheriff J. W. Fox was visited at home by members of Klavern 136 in August 1921 who encouraged the Sheriff’s Department to “clean up the whiskey situation” in the eastern portion of Denton County and supplied the deputy with information about alleged prohibition violators. The Klansmen indicated if Deputy Fox did not act on the information shared, the Klan would act and their response would be far less “mild.” The men met again a few days later

⁸⁹ Edward Everett Dale, *The Cross Timbers: Memories of a North Texas Boyhood* (Austin: University of Texas Press, 1966), 89.

⁹⁰ Thurman and Lucas, *150 Years of Denton County Sheriffs*, 73-77; James N. Rayzor, *History of Denton County Baptist Association and the Sixty Churches within its Jurisdiction* (Denton (TX): McNitzky Press, 1936), 218.

after Fox arrested a father and son in the eastern part of the county on prohibition charges; within days, two more raids were conducted in the same spot.⁹¹

The significance of this marriage between violent ideology and the justice system in Denton County became apparent in October 1921. Gus Fowler, a Black man who lived a few miles south of Pilot Point in the eastern portion of Denton County, received a letter from the Ku Klux Klan on Friday, October 7, 1921. The letter warned Fowler not to continue his pattern of Saturday night parties and that he “better watch [his] conduct.” The letter was signed “K.K.K.” and stated that Fowler would only get one warning. Deputy Sheriff J. W. Fox publicly denied any knowledge of the letter or its contents and Fowler canceled his party for Saturday night.⁹²

The following Friday, students dressed as Klansmen, calling themselves the “Keen Kollege Klan,” marched across the campus of North Texas State Normal College in Denton.⁹³ On Thursday, October 20, 1921, officers detained two Black men in jail “on suspicion” of attempted burglary in Pilot Point, Texas. The twelve-year-old daughter of the Norrod family reportedly identified the two men, who were from outside the county, as the men who broke into her home on October 19 and so unnamed arresting officers placed the two men in custody. At 11:10pm on the night of October 20, three

⁹¹ David L. Chapman, “Lynching in Texas” (master’s thesis, Texas Tech University, 1973); “Letter Signed K.K.K. Warns Mustang Negro,” *Denton Record-Chronicle*, October 11, 1921, accessed November 3, 2019. Newspaper Archive (UNT). [Link](#); “Father and Son Arrested on Whiskey Charges Friday; 150 Gallons of Mash Found,” *Denton Record-Chronicle*, September 3, 1921, accessed November 3, 2019. Newspaper Archive (UNT). [Link](#); “Three Charged with Violation of Prohibition Laws; Thirty Gallons of Whiskey Seized,” *Denton Record-Chronicle*, September 5, 1921, accessed November 3, 2019. Newspaper Archive (UNT). [Link](#).

⁹² “Letter Signed K.K.K. Warns Mustang Negro,” *Denton Record-Chronicle*, October 11, 1921, accessed November 3, 2019. Newspaper Archive (UNT). [Link](#)

⁹³ “Keen Kollege Klan,” *Campus Chat*, October 15, 1921, accessed December 8, 2019. Newspaper Archive (UNT). This college went through several names, including North Texas State Normal College, before settling on the University of North Texas (UNT) in 1988.

automobiles arrived at the jail. Witnesses could not identify the vehicles “because of the darkness” and were also unable to ascertain whether the men were masked. The men from the vehicles acquired the two prisoners and drove them to a field owned by Joe B. Burks north of Pilot Point.⁹⁴

In the Burks field north of town the three automobiles met up with twelve more. It is unknown what happened to the two men after this point as witness accounts were not reported in the newspaper beyond confirmation of the location. If each car contained an average of three men, it would indicate the Klavaler squad of Denton Klavern 136 was comprised of forty-five men. The men left a note on the office door of W. J. Miller, the Editor-in-Chief of the *Pilot Point Post-Signal*, which read, “Yes we did it -- applied the lash. This should be a warning to all loafers and lawbreakers. K.K.K” The prisoners were never seen again.⁹⁵

The following morning, the *Denton Record-Chronicle* ran an article on the attack. The third subheading of the article stated, “Sheriff Not Notified” in bold type. This is significant. When Sheriff Blakemon of Collin County was invited to naturalize into the Ku Klux Klan, he refused to join due to his oath of office. The Klan replied, “You need not let this deter you. Our plan is whenever one is to be whipped in Collin County to send for a whipping squad from Dallas Denton or some adjoining county. You can be at home asleep and not know anything about it. We of the McKinney Klan will return the

⁹⁴ “‘YES WE DID IT!’ Reads Note Attached to Newspaper Man’s Door Signed ‘KKK,’” *Denton Record-Chronicle*, October 21, 1921. Newspaper Archive (UNT); This point is significant as the only law-enforcement-related conviction (which was immediately overturned, and the Sheriff re-elected) during the Klan era was for *whitecapping* which is “threatening another person while wearing a disguise.” Alexander, *Crusade for Conformity*, 22;

⁹⁵ See Appendix 2; “‘YES WE DID IT!’ Reads Note Attached to Newspaper Man’s Door Signed ‘KKK,’” *Denton Record-Chronicle*, October 21, 1921. Newspaper Archive (UNT); “Negroes Taken from Jail at Pilot Point,” *Fort Worth Star-Telegram*, December 14, 1922. Genealogy Bank.

compliment and send a whipping party to do the job when called upon in adjoining counties and you, being a peace officer, will not be delegated to go on such missions.” The October 1921 kidnapping of two prisoners from jail played out these roles perfectly. The *Denton Record-Chronicle* received word of the crime and contacted the Sheriff for comment at 12:30am on October 21. The Sheriff had heard nothing of the events prior to their notification and informed the newspaper staff that Deputy Sheriff Decker was headed to Pilot Point on other business later in the day and would investigate further. Because the Sheriff was not made aware of the crime contemporaneously, history may never know the fate of the two men taken from jail that night.⁹⁶

On Saturday, October 22, Sheriff Goode and County Attorney B. W. Boyd traveled to Pilot Point and made an investigation of the crime. They concluded “that the negroes were taken out of the jail all right” and that Goode “thinks that they were whipped.” Goode informed the journalist that he had found out some additional information but desired to wait until he could confer with District Judge C. R. Pearman before he released it and Pearman was to be out of the city until Monday morning. By Monday afternoon, Goode and Boyd were still waiting on a conference with Pearman that had yet to transpire. No further information was released about the case and no charges were filed; meanwhile, Sheriff Goode offered a \$25 reward to anyone with information on a case of auto theft two days later.⁹⁷

⁹⁶ “Whipping Squads from Other Towns,” *Dallas Morning News*, July 18, 1922. Genealogy Bank; “‘YES WE DID IT!’ Reads Note Attached to Newspaper Man’s Door Signed ‘KKK,’” *Denton Record-Chronicle*, October 21, 1921. Newspaper Archive (UNT).

⁹⁷ “Investigation Made of Whipping of Two Pilot Point Negroes,” *Denton Record-Chronicle*, October 22, 1921. Newspaper Archive (UNT); “No Action Taken as Yet on Pilot Point Whipping,” *Denton Record-Chronicle*, October 24, 1921. Newspaper Archive (UNT); “Richardson Buick Car Stolen Tuesday Night; 2nd Attempt,” *Denton Record-Chronicle*, October 26, 1921. Newspaper Archive (UNT).

On December 13, 1922, two Black men were accused of stealing two horses from another Black man named Sam Gertin in Pilot Point. The horses went missing on Monday night, December 11, and returned Wednesday morning, December 13, when Sheriff Goode and Deputy Nick Akin traveled to Pilot Point to investigate the possible crime. The saddles were found west of town and while the Sheriff's Department was "convinced the negroes arrested got the horses" they found no witnesses or information which could lead to a county charge. With no regard for habeas corpus, the two men were held in custody in Pilot Point in an unguarded jail overnight.⁹⁸

On the morning of December 14, 1922, W. J. Miller found a note tacked to his office door which stated, "Both the negroes were given what they had coming. Let this be a warning to all negro loafers. Negroes, get a job or leave town." Similarly, when the jailers arrived at the jail to give the two men breakfast, they found the men missing along with the lock to the jail door. The officers from Pilot Point informed the *Denton Record-Chronicle* that they had "absolutely no trace of the two negroes" but that they assume the letter to the *Post-Signal* referred to the same men. While it was not reported as such in local papers, African American publications called the event a *lynching* and stated that the Ku Klux Klan had perpetrated the attack. Every publication (save for the *Denton Record-Chronicle*) stated that the disappearance was very similar to one several months beforehand, presumably, the attack on October 20, 1921.⁹⁹

⁹⁸ "Letter Warns Negro Loafers in Pilot Point," *Denton Record-Chronicle*, December 14, 1922. Newspaper Archive (UNT).

⁹⁹ "Letter Warns Negro Loafers in Pilot Point," *Denton Record-Chronicle*, December 14, 1922. Newspaper Archive (UNT). Other contemporaneous reports state that the instances of the word "Negro" were instead "Nigger." I selected the least profane and offensive version of the letter for the purposes of this chapter; The reporting of the underlying crime in the *Denton Record-Chronicle* is difficult to decipher. In the same article they state the two horses went missing on Friday and Monday; Notes, *Nebraska State Journal*, December 16, 1922. Newspapers.com; "Prisoners Spirited from Unguarded Jail," *The Appeal* (St. Paul, MN), December 30, 1922.

There was no investigation that followed the disappearance of two men on December 13, 1922. The general law enforcement response to each of the five men who went missing during the fourteen-month period was a resounding “meh” followed by a period of excuses for inaction. This blasé response by the men entrusted with keeping the peace was a powerful statement of ideological agreement with the Ku Klux Klan. In the criminal justice system of Denton County in the 1920s, Black criminals faced heavy sentences while white vigilantes went uninvestigated, unindicted, unaccused, and unknown.

Membership in Klavern 136 is difficult to determine as no formal records have yet been uncovered by historians of this predominantly rural Klan. It is through relationships and comparison with known Klan activity that some insights into membership become apparent. Scholarship by Linda Gordon, Charles Alexander, and Shaun David Henry suggests the cross-membership between the Grand Lodge and the Klavern was substantial. Both Exalted Cyclopes of Klavern 66 (Dallas) who went on to higher office held dual membership. Even the *Dallas Morning News* weighed in on the topic in 1921. “Good men have been induced to join the Dallas Klan on the claim that within its ranks would be found certain men of local Masonic prominence.”¹⁰⁰

The First Baptist Church in Denton was organized in the Masonic Hall in 1858. William C. McClung was pastor from 1919 until 1931 and openly endorsed the Ku Klux Klan in Denton County. McClung frequently hosted events and conventions where pastors present had received Klan donations (this was a sign of pastoral support and

¹⁰⁰ Gordon, *The Second Coming of the KKK*, 25-36; Shaun David Henry, “The Klan and the Craft: An Analysis of Masonic Dual Membership with the Ku Klux Klan in Dallas 1920-1926,” (master’s thesis: University of Texas at Dallas, 2017): 70; “World Reviews Tactics of Klan,” *Dallas Morning News*, Sept 22, 1921. Genealogy Bank;

usually membership as well). T. R. Bowles, pastor of the Baptist church at Stony is another example of a Klansman at the head of a Denton County Baptist Church. The pastor from Roanoke also accepted Klan funding from masked men mid-sermon and at the thirty-seventh annual session of the Denton County Baptist Association held on August 30, 1922, the body of governance passed the following resolution, "We, as Baptists, deplore the practice of our brethren in aiding Bootleggers by going on their bonds."¹⁰¹

The Baptist connection also bled into political representation with Representative Charles G. Thomas who served Denton and the State of Texas as Speaker of the House in the Thirty-Seventh Legislature (1921-1923). Prior to his foray in politics, Thomas was President of the Denton County Baptist Association, a title that likely brought ballot box strength. In 1921, the Texas House considered legislation to disapprove of the Klan, but it failed 69-54. Speaker Thomas did not vote; however, it is likely a motion which failed did so at the permission of the leadership.¹⁰²

The political power of the Ku Klux Klan was nearly as attractive as its moral tenants to Denton County residents. Alvin M. Owsley, a Denton politician, was mentioned as a possible running mate for William G. McAdoo at a meeting of the Dallas 'McAdoo for President' club on July 14, 1923. His nomination was urged by a member who stated, "we must nominate a ticket composed of men whose sympathies and interests are known to be with the people." This was printed gleefully in the Fort Worth

¹⁰¹ "Major Principles of K.K.K. Endorsed by Baptist Pastor," *Denton Record-Chronicle*, January 23, 1922. Newspaper Archive (UNT); "Klansmen Visit Church at Stony; Leaving Donation," *Denton Record-Chronicle*, August 22, 1922. Newspaper Archive (UNT); James N. Rayzor, *History of Denton County Baptist Association and the Sixty Churches within its Jurisdiction* (Denton (TX): McNitzky Press, 1936), 22, 24-25, 26; *Ibid.*, 216, 218; Alexander, *Crusade for Conformity*, 11.

¹⁰² "Charles Graham Thomas," *Handbook of Texas* (online), Texas State Historical Association, accessed April 27, 2019; 37th Texas Legislature, *House Journal*, 1st Called Session, 73-74.

Klan Newspaper *The American Citizen*. Similarly, Mayor H. V. Hennan spoke at every Kluxer rally in Denton County during his tenure of office and on October 20, 1922, Dr. W. G. Kimbrough received a Klan burial by eight hooded members of Klavern 136. The Klansmen placed a cross of roses with the letters KKK atop at his grave in Denton's I.O.O.F. cemetery after they spent time in a place of prominence at his church funeral.¹⁰³

Businessmen joined the Klan to avoid boycotts, politicians to gain votes, and editors to ensure readers and advertisers. Will C. Edwards, the Editor-in-Chief of the *Denton Record-Chronicle* was the chosen Klan candidate for Lieutenant Governor in 1924. Edwards never denied membership throughout his campaign which, perhaps, cost him the election. Citizens and business owners wrote to the *American Citizen*, a Fort Worth Klan newspaper, to express their dissatisfaction with the anti-Klan stance of the Chamber of Commerce or the Elks Lodge. These letter writers were additional Klansmen of Klavern 136 and expressed the viewpoint of the Klan in Denton County.¹⁰⁴

On July 17, 1923 at 8:30pm Joe Berry, a white section hand who lived two houses down from the T & P Railroad in Denton, was beaten while his wife and children attended church at Mission Baptist. The flogging was done with a horse whip by six robed and hooded men who were walking along McKinney street to the Barber Grocery store and turned back after seeing Mr. Berry in his yard. The attackers put a

¹⁰³ "Alvin Osley Is Urged As Running Mate With Wm. McAdoo," *The American Citizen*, July 20, 1923. Reveal Digital (UNT); "Klan Cross Put on Denton Man's Grave," *Fort Worth Star-Telegram*, October 21, 1922. Genealogy Bank.

¹⁰⁴ Robert L. Duffus, "How the Ku Klux Klan Sells Hate," *Worlds Work* 46, June 1923, 179-80; "Miller Addresses Crowd at Kaufman," *Fort Worth Star-Telegram*, August 19, 1924. Genealogy Bank.

handkerchief over Berry's mouth, brought him to the space between his home and Mr. Barber's home (directly to the west), and whipped him "seven or eight times."¹⁰⁵

On the same night, law enforcement was informed of the brutality at 11:00pm. Deputy Nick Akin received the report as he was preparing to go off duty, reported the event to R. M. Huffines who, in turn, called Sheriff Swinney. When pressed the following morning on the inaction of the Sheriff's Department, Swinney explained that he was "sick when the call came and could not have done any more than he could do Wednesday morning."¹⁰⁶

Swinney, Akin, and County Attorney Boyd conducted the investigation. When interviewed, Berry's neighbor J. M. Barber said he heard nothing and was home all evening. In a statement Wednesday afternoon, County Attorney Boyd said the investigators could not find any neighbors who heard or saw the attack. When Swinney and Boyd were finally able to interview Mr. Berry, they "found no marks from a whip." Within three days of the attack, the Berry family moved from their home on McKinney street to Arizona.¹⁰⁷

At the Imperial Klonvocation in late 1922, Imperial Wizard Hiram Evans made a declaration which limited the use of Klan regalia to official acts (parades, meetings, initiations). Five months later, Paul Merritt, a witness for accused white rapist Barney

¹⁰⁵ "Section Hand is Reported Flogged," *Denton Record-Chronicle*, July 18, 1923. Newspaper Archive (UNT); Retail Merchants' Association. Retail Merchants' Association's Denton City Directory, book, 1923; Denton, Texas. The Portal to Texas History (UNT); "Section Hand is Reported Flogged," *Denton Record-Chronicle*, July 18, 1923. Newspaper Archive (UNT).

¹⁰⁶ "Section Hand is Reported Flogged," *Denton Record-Chronicle*, July 18, 1923. Newspaper Archive (UNT).

¹⁰⁷ "Section Hand is Reported Flogged," *Denton Record-Chronicle*, July 18, 1923. Newspaper Archive (UNT); "No New Developments in Whipping Here," *Denton Record-Chronicle*, July 19, 1923. Newspaper Archive (UNT); "No New Developments in Reported Flogging Party," *Denton Record-Chronicle*, July 21, 1923. Newspaper Archive (UNT); Thirteenth Census of the United States, Pinal County Clerk, Florence, AZ. Heritage Quest (UNT).

Cloninger, was beaten by men wearing black masks and coveralls. This choice of outfit was notably different from traditional, white, Klan garb but nevertheless coordinated and conveyed the same anonymous message. In reference to the actions of these “white cappers” in Denton County, Sheriff Swinney stated, “I am confident it was done by men outside of Denton County.”¹⁰⁸

At 11:30pm on March 30, 1923, Merritt and several family members left Denton for Pilot Point and were stopped on Elm Fork Bridge. There, Merritt was abducted and driven ten miles back toward Denton. He was taken out of the car and through woods on A. D. Turner’s land where they met up with two other cars of men who all beat him severely. After the beating, a man referred to as “doctor” was asked by one of the masked men if he had the “tools for an operation.” The doctor replied that he would not perform it and would rather die than see it happen to this man. Following the incident on Elm Fork Bridge, Merritt was dropped off west of the city square in Denton blindfolded and bound. When he got into town, he stopped for a drink and then walked to his hotel. Merritt reached his hotel around 12:30am and was greeted by a doctor, called by law enforcement officers who were aware of the attack.¹⁰⁹

These two incidents, in addition to the two disappearances, call into question the close relationship between the law enforcement of Denton County and the Ku Klux Klan. However, a survey of historical literature on the Ku Klux Klan argues for a consensus on that previous question. The involvement, or at least passive approval, of the Sheriff’s Department and City Police was an essential component of extralegal

¹⁰⁸ “Witness in Denton Court Whipped by Masked Men,” *McKinney Courier-Gazette*, April 6, 1923. Newspapers.com.

¹⁰⁹ “Witness in Denton Court Whipped by Masked Men,” *McKinney Courier-Gazette*, April 6, 1923. Newspapers.com.

violence. Without this unholy alliance, the Klan would not have been able to operate with impunity. In the state of Texas, during the second rising of the Ku Klux Klan in the 1920s, only three Klansmen were prosecuted for their involvement in extrajudicial violence. Charles Alexander makes this case in *Crusade for Conformity* stating, "During its violent phase, the Texas Klan had enlisted law enforcement officials to avoid interference in its clean-up activities, and as a result had eluded prosecution in most areas of the state."¹¹⁰

The principle of Klannishness dictated that all contracts were given to Klansmen with preference, therefore, when Sheriff Goode hung up his spurs and went into the public sector as a road contractor, his Denton County contracts affirm a relationship with the local Klan. This same principle can be applied to the relationship between Sheriff Swinney and Alvin Owsley who acted as his campaign attorney in 1922. Both Swinney and Goode followed textbook Klan procedures as Sheriff, with Goode as the unseen accomplice and Swinney as one with active knowledge. This is typified through their times in response to action by the Klan and by the purging of Nick Akin, a member of the Chamber of Commerce, from the Sheriff's Department in 1923.¹¹¹

City Marshall Joe Young and County Attorney Boyd were universally involved in Klan-related violence and its subsequent "investigation." Neither Young nor Boyd ever found evidence of wrongdoing sufficient for charges against members of Klavern 136. Judge Pearman, similarly, found himself absent in each case -- just long enough for public concern to abate. In the Fall of 1925, Pearman announced that he had diarrhea and would be taking a leave of absence for three months. During this time, he refused

¹¹⁰ Alexander, *Crusade for Conformity*, 23, 26.

¹¹¹ See Appendix 2.

to resign and allow another justice to take his place, but instead, relied upon a rotation of local attorneys who took turns adjudicating cases until his return. During the tenure of District Judge Pearman, criminals were unable to plead guilty and receive a suspended sentence through normal means. Fines and bonds were heavy under Pearman (almost doubly so for defendants of color) and thus, even if he was not a member of the Ku Klux Klan, he certainly did their bidding from 1920 through 1925.¹¹²

From 1920 until the close of Sheriff Swinney's term in January 1925, the Ku Klux Klan had membership in important positions in the Justice System of Denton County. James Goode, William Swinney, Joe Young, Ben Boyd, and Charles Pearman were, at best, passive participants in Klavern 136 during the second wave of the Ku Klux Klan. This explains why it was unnecessary to assault a jailer when the Klan took prisoners as victims for extralegal violence and why there were no witnesses within the jail when the Sheriff's entire family lived between the front door and the cell doors. The complicit and explicit actions of Sheriffs Goode and Swinney explain why evidence of whippings, floggings, and lynchings were never found -- not because those events did not occur in Denton County; but rather, because those crimes were sanctioned by the Denton County Justice System in the Jim Crow Era.

While scholars and academics have long questioned the symbiotic relationship between law enforcement and the Ku Klux Klan in Texas, few tackle it explicitly. References are often delicate, to avoid a direct indictment of cops, or they assume a consensus that has yet to solidify on the topic. But the local study of the history of the

¹¹² "Investigation Made of Whipping of Two Pilot Point Negroes," *Denton Record-Chronicle*, October 22, 1921. Newspaper Archive (UNT); "Judge Pearman III Special Judge to Preside Over Court," *Denton Record-Chronicle*, September 21, 1925; Denton County Sixteenth District Court. *Scire Facias Docket in Minutes District Court, entry 158*. Denton County Archives. Denton, TX, 1915-1930.

relationship between white supremacist groups and the sheriff's department offers a powerful and intimate critique of both the past and the present. In a county with a history of whitewashing racial tension and violence, this study takes aim at the heart of the very system that perpetrated racialized crimes. Because Klavern 136 and the Denton County Sheriff's Department (as well as the County and District Courts) worked together in the early 1920s, a question claws at our collective understanding. If the system operated with white supremacist aims in the 1920s, what has changed between then and now to ensure purity of purpose in policing? Are we to believe that modern law enforcement venerates a fair application of "liberty and justice for all?" Succinctly, are we certain who has the keys to our jails in 2020? The historical evidence points to an arrangement like that of nearby Dallas where, "all public officials were Klansmen." Without an honest acknowledgement of the sins of the past, Denton County will never truly reckon with race in the present.¹¹³

In late 1920, a Klan formed in Denton County which had the power to remove prisoners from jail; and it did so for a period of four years. While much has been written about how the Ku Klux Klan needed the membership of law enforcement to guarantee access and safety from prosecution, perhaps a more significant finding is that law enforcement needed the Klan in rural areas where the populist call for justice was loudest. In the 1920s, when faced with the actions of Klavern 136, the inaction of the Denton County Justice System demands their collective culpability. The combination of Klannish action and judicial inaction was a well-rehearsed drama that played out across the South and resulted in the death of several thousand Catholics, Immigrants, Jews,

¹¹³ Judge Sarah T. Hughes, oral history by Fred Gantt, University of North Texas, 1969.

and African Americans in the 1920s. America has spent much time vilifying the second wave of the Ku Klux Klan yet so little attention has been paid to the explicit and complicit actions of county-level law enforcement which structured and permitted racial violence.

CHAPTER 4

SEASONS OF VIOLENCE

The body of Rolly Parks was found on July 20, 1898, lying alongside the train tracks in Aubrey, a small town four miles south of Pilot Point. His body was nearly naked, and it was physically apparent he had been beaten to death. Squire Selman of Pilot Point was arrested while an investigation was completed, but he fled town and returned once interest in the crime abated. Rolly Parks never received justice. His body was discarded as valueless trash. He did not receive a proper burial. His name was scarcely used in descriptions of his own death. The loss of Rolly Parks and the placement of his body by the railroad tracks asks an important question: if a train had struck Rolly Parks prior to the discovery of his body, would a crime have even been visible?¹¹⁴

At 6am on the morning of Thursday, July 21, 1921, fifteen-year-old Burl Stephens sat unconscious on the tracks of the Texas and Pacific Railroad. His body was upright with his knees against his chest, arms laid across his knees, and his neck bent downward so that his head rested in his hands. The train whistle sounded as the southbound Katy to Dallas began its ascent around a curve north of the railyard and again when Stephens was spotted on the tracks. R. L. Cole, the engineer who operated the Katy train that morning, applied the brakes as soon as he saw Burl but the train was traveling twenty-five miles per hour and Stephens became visible when he was only one train car length ahead. Despite the hiss of the brakes and the screech of the twice-

¹¹⁴ "Negro's Body Found," *Dallas Morning News*, July 21, 1898, accessed December 11, 2018. Genealogy Bank.

sounded train whistle, Burl Stephens did not appear to wake before he was struck.¹¹⁵

The train was stopped after impact and the train crew carried Stephens, alive, onto the train and back to the T&P station in Denton. Stephens received an initial medical examination and then was taken, alive, to the undertaking parlor where he died two hours after the train hit his body. The front left of Stephens' skull was crushed from his eye to his ear and his jaw was broken in many places. His ribcage was crushed and several "ribs were torn loose." Both his left arm and left leg were broken and there was a long gash in the skin over Burl's left eye. Fifteen-year-old Burl Stephens spent the last hours of life unconscious, continually vomiting blood, in an undertaking parlor while onlookers waited for him to pass.¹¹⁶

These descriptions of the body of Burl Stephens were written in official government documents and in the newspaper. Burl's body was brutalized by a train and the *Denton Record-Chronicle* found it more significant to print the details of his bodily horror than the story of his life. His death was voyeuristic and white citizens literally gazed upon his broken Black body for days thereafter for a glimpse of racialized horror. This spectacle was for the benefit of the empowered white class at the expense of a young minority man. I have elected to include the wounds Burl sustained within this paper to detail the way in which his body was treated, to highlight the grotesque entertainment gained by a privileged community, and, most importantly, to re-humanize a young man whose body was humiliated and stripped of its identity following his death.

¹¹⁵ "Unknown Negro Hit By Train and Dies," *Denton Record-Chronicle*, July 21, 1921, accessed October 25, 2019. Newspaper Archive (UNT); "Negro Killed by Train," *Fort Worth Star-Telegram*, July 21, 1921, accessed February 27, 2019. Genealogy Bank; "Boyd Announces Coroner Verdict in Two Cases," *Denton Record-Chronicle*, July 25, 1921, accessed October 25, 2019. Newspaper Archive (UNT).

¹¹⁶ "Unknown Negro Hit By Train and Dies," *Denton Record-Chronicle*, July 21, 1921, accessed October 25, 2019. Newspaper Archive (UNT).

The body of Burl Stephens laid in rest in Denton for two days following his death. Law enforcement estimated his age around twenty-four or twenty-five, ten years older than he was, and while members of both the Black and white communities viewed the body, they were unable to identify him. The only lead in the investigation appeared to be a note, tucked deep within Burl's pocket, with the name and address of Hendrix Slater handwritten on a scrap of paper. Slater, a Black man from Pilot Point Burl had met the previous night, did not recall the name of the young man but insisted that their conversation surrounded finding jobs. Stephens took down Slater's information with a promise to inform him if he found any work.¹¹⁷

The body of Burl Stephens was finally released for burial following the coroner's verdict on Monday, July 25, 1921, stating, "unknown negro hit by an engine, one mile north of Denton, driven by R. L. Cole, engineer." He was buried in Oakwood Cemetery on July 23, 1921, without a headstone, and his name listed in cemetery records as "Male Unknown." Yet, his name *was* known. On the day he was struck by a train, the *Fort Worth Star-Telegram* reported the victim's name as Burl Stephens. This information was attributed to the Denton press, who must have also known his name. Burl was the baby of the Stephens family. He was born in Grayson County, Texas, ten years after his nearest sibling, to Frank Stephens, a tenant farmer, and Mollie Woods, a homemaker. The Stephens family valued education and each of their six children attended school beginning at age seven. Burl's father died in Burl's early childhood and his brothers stepped in to help provide for the family while his mother worked as a laundress out of the home. He lived with his mother and two siblings on Jefferson Street in Pilot Point,

¹¹⁷ "Unknown Negro Hit By Train and Dies," *Denton Record-Chronicle*, July 21, 1921, accessed October 25, 2019. Newspaper Archive (UNT).

Texas, and was still attending school -- likely at Oakdale -- when he was killed by a train in 1921.¹¹⁸

Names carry significant meaning, especially within the Black community. Prior to emancipation, names were used to signify familial bonds and those bonds became especially important following forced family separations. Names also represent self-esteem and are intimately linked to our conceptualizations of self. To remove a name from an individual is stealing not only their identifiability, but also their inner self, as well as a deeper attachment to their family. This act of identity removal by calling Burl Stephens “Unknown Negro,” did damage beyond a simple factual omission. It was an act of violence.¹¹⁹

The coroner wrote the wrong date of death on Burl’s death certificate and the certificate itself was issued for “Unknown Negro.” This is evident of the lack of concern for deceased Black bodies, or particularly for Burl Stephens who had no prior interactions with the justice system. The *Denton Record-Chronicle* had access to the same information as the *Fort Worth Star-Telegram* but elected to leave Burl without a publicly acknowledged identity. His name was even reported on the United Press wire, and yet no acknowledgement was made in any of the three *DRC* three stories of his name.

While his age was misrepresented in the *Denton Record-Chronicle* and his name

¹¹⁸ “Boyd Announces Coroner Verdict in Two Cases,” *Denton Record-Chronicle*, July 25, 1921, accessed October 25, 2019. Newspaper Archive (UNT); “Male Unknown,” Find-a-Grave, accessed December 10, 2019; “Negro Killed by Train,” *Fort Worth Star-Telegram*, July 21, 1921, accessed February 27, 2019. Genealogy Bank; *Fourteenth Census of the United States*, Denton County Clerk, Denton (TX), Schedule 1 (Population), accessed October 25, 2019. Ancestry; *Twelfth Census of the United States*, Denton County Clerk, Denton (TX), Schedule 1 (Population), accessed October 25, 2019. Ancestry.

¹¹⁹ Herbert G. Gutman, *The Black Family in Slavery and Freedom 1750-1925* (New York: Random House, 1976); S. L. Koole, et al, “What’s in a Name: Implicit Self-Esteem and the Automatic Self,” *Journal of Personality and Social Psychology* 80, no. 4 (2016): 669-685.

omitted, somewhere in the northeast corner of the county a son and brother went missing. Why didn't the family of Burl Stephens come forward? Why were officials so adamant to leave Burl nameless? Why did the Fort Worth press report the young man's name but in his home county Burl Stephens remained an "Unknown Negro?"

When pressed about his interaction with Burl, Hendrix Slater emphasized that he was searching for work. This is a common thematic element in Klan narratives both in Denton County and across the nation. In the notes yet to be written for the lynchings that followed the death of Burl Stephens, a similar narrative echoes. "Let this be a warning to all negro loafers," read one note, "get a job or leave town." Another note read, "This should be a warning to all loafers and lawbreakers" signed "K.K.K." It is worthy of note that the one identifying characteristic published of Burl Stephens -- his meeting with Hendrix Slater -- was co-opted and turned into a message, one which sounds an awful lot like the voice of the Ku Klux Klan.

The only anecdote included by the writing staff at the *DRC* was a note with Hendrix Slater's name -- a man whom they tracked down in Pilot Point for comment while somehow avoiding any citizen of Pilot Point who knew the Stephens family and that Burl was missing. Furthermore, Burl's family members did not feel comfortable coming forward to identify the body, though they must have privately suspected it was him. This fact stops the argument that Burl simply fell asleep on the tracks cold. If the death of Burl Stephens was an accident, why didn't he wake to the train whistle? If his death was not contentious, why didn't his family claim the body? Even community members did not recognize the young man when they visited his body. Black citizens of Denton County were performing an act that indicates a pressure, from an authority more

fearsome than a mother's grieving heart, to leave him unnamed. As a result, Stephens lies -- to this day -- in an unmarked grave in the city cemetery.

In Denton County, there is a pattern to racial violence. Through the compilation of all reported arrests and violence against Black citizens and of Black homicides between 1909 and 1925, an ebb and flow are visible and demands acknowledgement as a direct correlation between violent and deadly acts against Black individuals and arrests by law enforcement. These three factors rise and fall together in seasons of violence which, between June 1921 and September 1923 also mirror local news coverage of the Ku Klux Klan activities in the Denton County area. Through macro analysis of the patterns of law enforcement activity, racial violence, and the Ku Klux Klan, seasons of violence are observable which point to otherwise unobservable acts of racial terrorism.

Violence, particularly hate crimes, rise in correlation to the temperature. This pattern often waxes through June and July and peaks in August with a rapid decline in September. This is a studied phenomenon and the consensus among scholars in psychology and sociology is, as Craig A. Anderson penned in 2001, "Hot temperatures increase aggression by directly increasing feelings of hostility and indirectly increasing aggressive thoughts." It is this same theory which provides a foundation of analysis for observed seasons of violence in Denton County. As social pressure increased during each rise in racial activity it was observable through the coverage of racialized events in the *Denton Record-Chronicle*. This social pressure drove direct acts of racial violence and homicide as well as arrests of Black citizens on charges unrelated to the violence. At the same time, both real and reported Klan activity increased in the area. To explain this phenomenon in the same language as the heat-violence theory: as racial

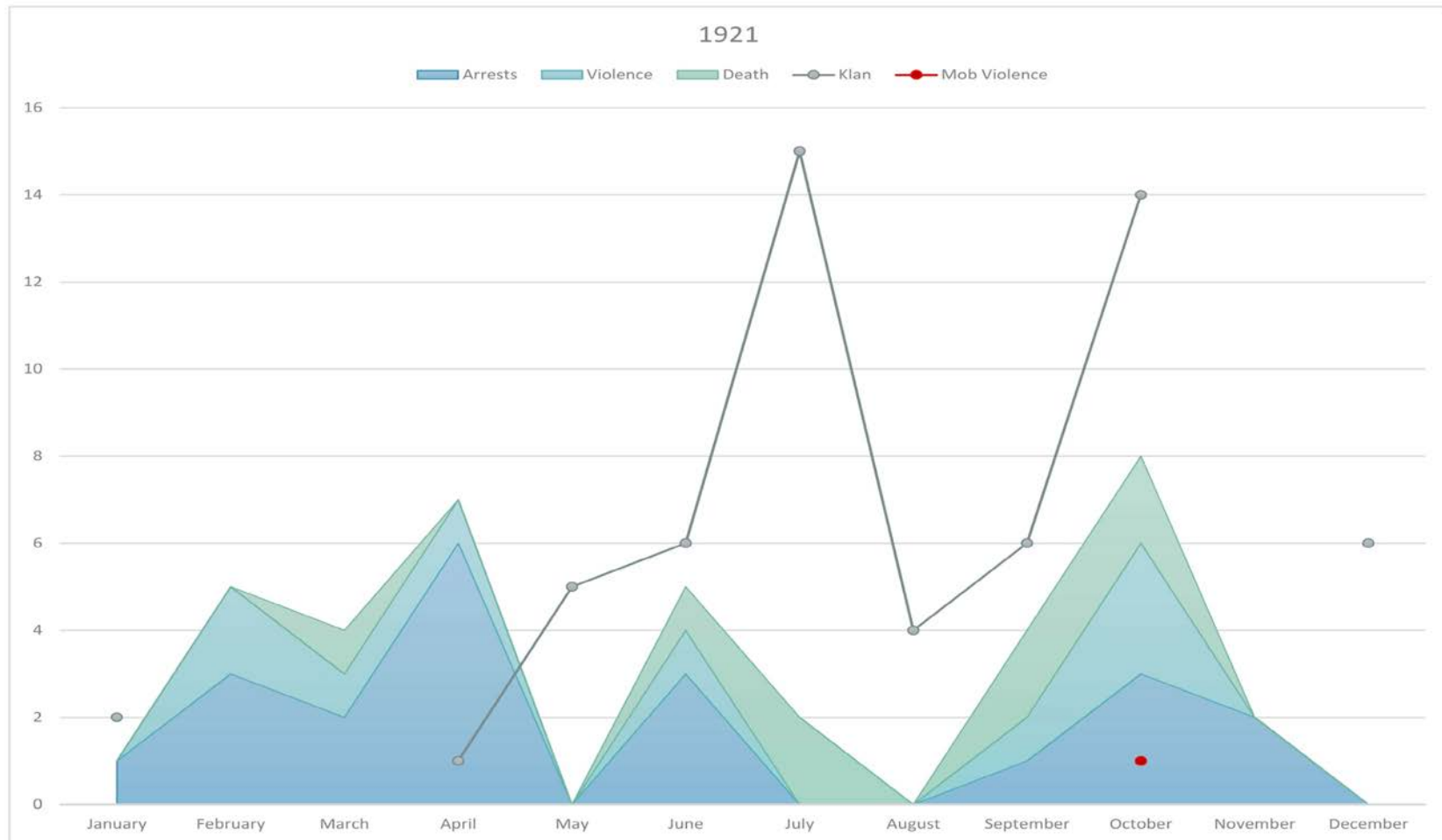
temperatures increased in Denton County, so did acts of hostility by the public, arrests by the police, and aggressive behavior by the Ku Klux Klan. The three were inextricably linked.¹²⁰

The pattern is observable beginning in the summer of 1921 where, following low amounts of racialized violence? in May, there was a spike in June and July which corresponded to a leap in Klan activity. This peak was followed by a dramatic decline in August, despite the heat-violence theory. Again, a swell began to form in September and reached its peak in October with corresponding Klan activity. On October 20, 1921, two young men were taken from the Pilot Point Jail and lynched. In November, there is zero reported Klan activity and are only two arrests -- no violence, no homicides. In December, Klavern 136 held their first parade but it did not drive an increase in arrests, violence, or homicides. This rate stayed at zero for the closing month of the year.

In 1922, the pattern was at its most pronounced. A peak is observable in March and April, followed by lower activity in May and June. In July a new swell began which reached its apex in August and declined slowly through September. This was followed by zero reported arrests or acts of violence in October and November and five total Klan activities in the two months combined. In December a peak rapidly rises, albeit to less prominence than that of the summer summit, and it corresponds directly to an increase in Klan activity as well. On December 14, 1922, two men were taken from the Pilot Point Jail and lynched by the Ku Klux Klan.

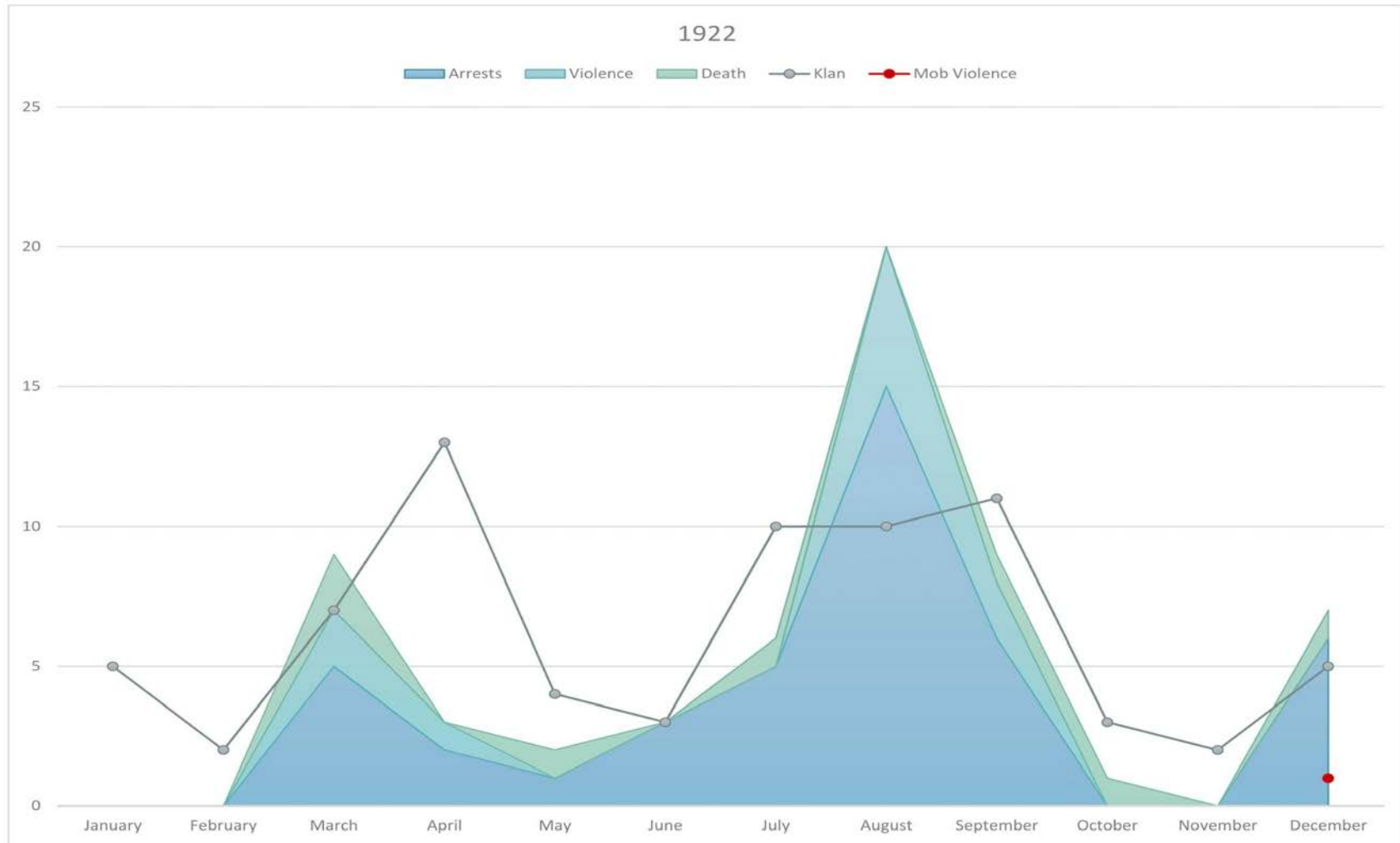
¹²⁰ "A Rise in Murder? Let's Talk About the Weather," *New York Times*, September 21, 2018, accessed February 15, 2020. NYTimes.com; Craig A. Anderson, "Heat and Violence," *Current Directions in Psychological Science* 10, no. 1 (February 2001): 33-38.

Figure 1: Violence, Arrests, and Homicides in Denton County 1921 ¹²¹



¹²¹ Crittenden, Micah et al, "1921," University of North Texas, December 2018. based upon research compiled in Crittenden, Micah and Jessica Floyd, "Violence, Arrests, and Homicides in Denton County 1909-1925," University of North Texas, December 2018 and Stewart, Hannah, Jessica Floyd, and Emily Bowles, "Ku Klux Klan Activity in Denton County 1917-1927," University of North Texas, December 2018.

Figure 2: Violence, Arrests, and Homicides in Denton County 1922¹²²



¹²² Crittenden, Micah et al, "1922," University of North Texas, December 2018. based upon research compiled in Crittenden, Micah and Jessica Floyd, "Violence, Arrests, and Homicides in Denton County 1909-1925," University of North Texas, December 2018 and Stewart, Hannah, Jessica Floyd, and Emily Bowles, "Ku Klux Klan Activity in Denton County 1917-1927," University of North Texas, December 2018.

Figure 3: Violence, Arrests, and Homicides in Denton County 1923¹²³



¹²³ Crittenden, Micah et al, "1923," University of North Texas, December 2018. based upon research compiled in Crittenden, Micah and Jessica Floyd, "Violence, Arrests, and Homicides in Denton County 1909-1925," University of North Texas, December 2018 and Stewart, Hannah, Jessica Floyd, and Emily Bowles, "Ku Klux Klan Activity in Denton County 1917-1927," University of North Texas, December 2018.

The December 1922 swell was followed by three months of relative inactivity in early 1923. A smaller peak occurs in April followed by a drop in arrests and violence, but not in Klan activity in May. There are two different ways of reading the remainder of the year. There are either two peaks which occur between June and July and again between September and October without clear correlation to Klan activity, or, there is a singular peak which swells from June to October and the Klan activity in August indicates a missing piece. Due to reliance on press reports rather than law enforcement records, it is uncertain which reading is the most accurate.¹²⁴

The visible peaks in correlated violence, arrests, homicides, and Klan activity are indicative of seasons of violence in Denton County. From the examination of thousands of newspaper articles, six seasons of violence are observable. The peaks in activity are as follows: June/July 1921, October 1921, March/April 1922, August 1922, December 1922, and August 1923.

Burl Stephens was killed at the end of the June/July 1921 season of violence. There was considerable Klan activity surrounding his death. On July 9, 1921, the *Denton Record-Chronicle* offered a one-line editorial stating, "So far as outward indications go, the Ku Klux Klan has not organized a 'den' in Denton." While, again, the Klavern numbering convention makes this statement unequivocally false. The day before Burl's death, the *DRC* cover story was four separate articles about Klan activities in Texas and the following day, Imperial Wizard Simmons initiated an investigation into the lawlessness of the Klan in Texas. Finally, on July 23, 1921, the *Taylor Daily Press* announced an end to the Klan's "marauding" "week of terror" across the state of Texas.

¹²⁴ While subsequent years are worthy of analysis, the pattern is less pronounced and so, for the purposes of this small study, I have limited the analysis to the years 1921-1923.

Therefore, while hooded men are not identified in press accounts surrounding the death of Burl Stephens, their swell of activity during that particular week leaves possible their involvement.¹²⁵

In three of the six instances, rise in racial strife in Denton County culminated in a targeted act of Klan violence. This ritualized action was followed by two to three months of low arrests, low violence, low homicides, and low Klan activity. Through macro analysis of the pattern of press coverage in Denton County, this study shows distinct growing patterns of racial animus followed by a lethal act of racist catharsis and then a subsequent period of racialized abatement.

Why does this method work? First, seasons of violence are visible through newspaper coverage in Denton County because the editor-in-chief reported stories on behalf of the Ku Klux Klan. Second, the arresting officers in the county were either sympathetic to, or directly members of, Klavern 136 and therefore arrests were driven by the same group driving press coverage. Lastly, both the Ku Klux Klan of the 1920s and law enforcement are highly ritualized entities who perform their roles based upon a set format. This methodology allows for the observance of patterns due to the standard operating procedures and ritual which surrounded racial violence specific to this county. The exchange of information between the press, law enforcement, and the Ku Klux Klan was an essential component in the performance of white supremacy in Denton County in the 1920s. This three-entity performance created a process which signaled the

¹²⁵ "Editorial," *Denton Record-Chronicle*, July 9, 1921, accessed December 11, 2018. Newspaper Archive (UNT); See Appendix 2; "Ku Klux Klan Activities Continue," *Denton Record-Chronicle*, July 20, 1921, accessed December 10, 2018. Newspaper Archive (UNT); "K.K.K. Chief to Order General Investigation," *Denton Record-Chronicle*, July 22, 1921, accessed December 6, 2018. Newspaper Archive (UNT); "Masked Mob Activities in Southwest Settles After Week of Terror," *Taylor Daily Press*, July 23, 1921, accessed November 17, 2018. Newspapers.com.

intensity of racial animus of the county at any given time through press reporting. It is that process which allows for the observation of obscured acts of violence in Denton County during the rise of the Ku Klux Klan.

This is a significant finding. If each season of violence culminated in an obscured act of terrorism, this method allows historians to listen, indirectly, to the silence left in the record. This does not necessarily mean that each of the six swells resulted in a lynching, but rather, it means that an act of violence toward the end of the peak of activity was a likely event perpetrated by a deeply ritualized group. Burl Stephens cannot be categorized as a lynching as there is no direct proof, he was intentionally harmed by a group. It is uncertain, even if he was harmed by the Klan, that their activity was a service to justice. Simply, the death of Burl Stephens would have been excluded by all three groups who participated in drafting the 1940 consensus definition. But this methodology provides additional support for the theory that an act of racial violence was perpetrated against the fifteen-year-old.

This method draws attention to violence that does not fit the definition of lynching. In doing this work, it makes space for the unknown. In *Violence* by Slavoj Zizek, he argues that we should look at violence through indirect glances. This is evidenced through traumatic events. In crimes with deep trauma, the lack of clarity is, in itself, proof of the existence of the crime as the haze which surrounds trauma often omits key details. As Zizek argues, violence is less like prose and more like poetry in that it alludes to a process which cannot be described. This is the reason we must search out the acts of violence which were obfuscated by contemporaneous reports. While the observation of seasons of violence does not allow for the definitive declaration

of lynchings undiscovered, it does provide a glance at violent processes hidden within the remaining records of 1920s Denton County.¹²⁶

Violence can be further studied through the comparison of micro patterns. In the same way a pattern is observable through macro analysis, in Chapter two a pattern was established through micro analysis of the two lynchings in the early 1920s. In Denton County, during the rise of the second Ku Klux Klan, racial violence often fit several of the following criteria culled from the lynchings in the same period. These criteria are: unclear identity of the accused, alleged crime is uncertain to have occurred, slow investigation by authorities with no guarantee of conviction, detention in a loosely-guarded or unguarded jail, Klan activity which surrounds the event, disappearance from jail, and no further record of the victims.

These tendencies inform about the standard form of violence in Denton County during the rise of the second Ku Klux Klan. There is a tendency toward uncertainty and opaqueness which surrounds recorded acts of violence. Whether in the identity of the victim or in the investigation of the alleged crime, this lack of clarity allows for propaganda to take the place of facts. Also, of note, the removal of a victim's identity prevented Black martyrdom and, as described in Chapter two, left in its place a general sense of criminality. Detention in an insecure facility indicates that respect for the rule of law was not the intended message of the violence. The men who were detained in jail did not attempt to break free, but rather, they honored the legal system which held them in state-sponsored bondage. If justice and the rule of law were the ultimate goals of acts of violence, the men would have been afforded due process following their stay in jail.

¹²⁶ Slavoj Zizek, *Violence*, (New York: Picador, 2008).

This did not occur. Instead, Klan activity increased surrounding the arrest. The inmates trusted the jail to afford them protection that it simply was not designed to provide. After the violence was committed, a cloud of uncertainty surrounded the event which led to an unknown fate of the victim and the subsequent disappearance from record.

The death of Burl Stephens fits within this pattern. His identity was listed as “unknown” despite clear evidence otherwise. While he was not publicly accused of a crime, the investigation of his death was slow and did not provide any additional evidence. There was considerable Klan activity which surrounded his death and while he was never incarcerated, he was taken alive to the coroner to await his death. Lastly, because he remained unnamed, his fate was left unknown to his family and friends. It is impossible to visit the site of his burial as his grave is unmarked and its location within the cemetery is unknown. Uncertainty surrounds the death of Stephens and it obscures his memory into the present. Through close attention to both the macro and micro patterns of racial violence in Denton County, it is possible to catch glimpses of attempted and successful acts of racial terrorism.

Attention to uncertainty within the execution of racial crimes places young men like Ennis Johnson into discourse on violence. On the afternoon of Monday, September 25, 1922, sixteen-year-old Ennis Johnson drove his buggy down a rural road lined with cotton. It was the end of the cotton harvest in Pilot Point, a small town in northeast Denton County and, fortunately for the people of Pilot Point, 1922 was a vast improvement over the boll weevil scourge of 1921. Many families were squeezing out the last drops of profit from the fluffy fields of white as Ennis Johnson rode by. At about 3 o'clock, Johnson stopped to speak with a girl who worked in one of the fields two

miles south of town. He looked up from his brief conversation to see a white man watching the exchange from across the road in a nearby field. Concerned with the impact of a young Black man talking to a young white woman, Johnson rode away and down the road. He was promptly arrested by the Deputy Sheriff.¹²⁷

Deputy Nick Akin was in Pilot Point on other business and was alerted to the felonious conduct by a growing crowd of concerned citizens. The lynching sentiment was growing in Pilot Point and so, when Akin arrested Ennis Johnson he took him twenty miles south to the Denton County jail to protect him from the growing mob. It is unclear why some individuals were left without protection from the mob while others were whisked away to a remote location for safe keeping. Perhaps it has to do with the officer's perception of the strength of the case against the accused -- if conviction looks possible, protect the suspect; if conviction seems unlikely, turn the suspect over to the Klan.¹²⁸

Regardless of the rationale behind Akin's rescue, Ennis Johnson was in danger from the start. Johnson was accused of making an "improper proposal" to a twelve-year-old white girl in Pilot Point and the Klan wanted to kill him. A potential sentence of several years in jail would not quell their thirst for vengeance. In the minds of Denton County, the justice system could not provide the sentence the crime deserved. That night, a mob of masked Klansmen formed and burned down a tabernacle in a Black community -- Quakertown -- two blocks from the Denton County jail. Officers

¹²⁷ "Negro Charged with Attempted Assault on Small White Girl," *Denton Record-Chronicle*, September 26, 1922, accessed September 30, 2019. Newspaper Archives (UNT); "Cotton Receipts Exceed Last Year's," *Denton Record-Chronicle*, September 23, 1922. Newspaper Archives (UNT); "Weevil Does Most Damage to Cotton," *Denton Record-Chronicle*, September 26, 1922. Newspaper Archives (UNT).

¹²⁸ "Negro Charged with Attempted Assault on Small White Girl," *Denton Record-Chronicle*, September 26, 1922, accessed September 30, 2019. Newspaper Archives (UNT).

investigated the cause of the fire in the following days but found no evidence and suspended their investigation without charges.¹²⁹

The following morning, Tuesday, September 26, 1922, sixteen-year-old Ennis Johnson was officially charged with the attempted criminal assault (rape) of a twelve-year-old white girl. Bail wasn't initially granted, but the following morning Justice J.G. Boyd heard the examining trial of Ennis Johnson and set bail at \$1500 (\$23,258 in 2019 dollars), but he struggled to find anyone willing to guarantee his bond for release. As previously established, jail was not a place of safekeeping. Because Black men were denied the right of due process by the Ku Klux Klan and, because jails were left intentionally unguarded at night, incarceration was a trap and arrest was tantamount to kidnapping. If left outside of jail, Black men could run, hide, or otherwise defend themselves from the Klan, but inside the jail they were stripped of self-defense and left as sitting ducks waiting for abduction.

On Thursday, September 28, just as James Goode and his seventeen year old daughter Pauline were headed to visit Sanger (located about fifteen miles northwest of Denton) for a Kiwanis event, a large gathering of Klansmen was held near the town of Prosper for the initiation of the Denison and Sherman Klans in an "outdoor Konklave." It was rumored to be the largest gathering of Klansmen in the North Texas area held a large initiation ceremony, complete with a lighted cross on a hill, a few miles east of Denton County limits near Prosper. Hundreds were in attendance from Denton and both Denton and Dallas Klansmen participated in the ceremony. Because Sheriff Goode and his family visited Sanger and were not present at their home on the first floor of the

¹²⁹ "Denton," *Fort Worth Star-Telegram*, September 28, 1922, accessed October 28, 2019. Genealogy Bank; "Local News in Brief," *Denton Record-Chronicle*, September 29, 1922. Newspaper Archive (UNT).

Denton County jail, it left only one attendant, the jailer, to protect the inmates from a Klan that held the keys to the jail. The scenery was ripe for mob violence.¹³⁰

From the day of his arrest to that moment, every article about Johnson received front page coverage. On Friday, September 29, 1922, exactly one year after the death of his grandfather Ransom Johnson, newspaper coverage of Ennis Johnson -- a Black teenager accused of the attempted rape of a young white girl -- abruptly stopped. Johnson was held in jail alongside his brother-in-law (for a separate set of charges) for over one month before his bail was decreased to \$100 by Judge C. R. Pearman in a Habeas Corpus Hearing. This abrupt shift in tactics was due to County Attorney Boyd's conclusion that, "the evidence indicated that there had only been a disturbance." Boyd determined that it was "doubtful" a grand jury would vote to indict on the original charges. Ennis Johnson posted bail and left Denton County, never to return.¹³¹

As a result, the spaces where Ennis belongs are empty, silent. After Ennis disappeared, his father, Lee Roy, moved in with his grandmother, Sylvia. After Sylvia

¹³⁰ "Klan Klonklave at Prosper Tonight," *McKinney Courier-Gazette*, September 28, 1922, accessed February 11, 2020; "Collin County News," *Denton Record-Chronicle*, October 2, 1922. Newspaper Archive (UNT); "Sanger News Notes," *Denton Record-Chronicle*, September 27, 1922. Newspaper Archive (UNT); "Invisible Body to Conduct Open Air Ceremonial," *McKinney Courier-Gazette*, September 28, 1922. Newspapers.com; Denton County Sixteenth District Court, *Criminal Minutes and Indexes 1914-1941*, Denton County Archives; Newspaper Archive (UNT); "Kluxers Initiate Class Near Prosper," *McKinney Courier-Gazette*, September 29, 1922, accessed February 11, 2020. Newspaper Archive (UNT); "Collin County News," *Denton Record-Chronicle*, September 30, 1922. Newspaper Archive (UNT); "Mentions," *Denton Record-Chronicle*, September 28, 1922. Newspaper Archive (UNT).

¹³¹ "Negro Charged with Attempted Assault on Small White Girl," *Denton Record-Chronicle*, September 26, 1922, accessed September 30, 2019. Newspaper Archives (UNT) Link; "Denton," *Fort Worth Star-Telegram*, September 28, 1922, accessed October 28, 2019. Genealogy Bank; "Bond for Enis Johnson Set for \$1500 After Hearing," *Denton Record-Chronicle*, September 27, 1922. Newspaper Archives (UNT); \$1500 is equivalent to \$22779.64 in 2018 money according to "Inflation Calculator," *WestEgg*, Accessed September 30, 2019, <https://westegg.com/inflation/infl.cgi>; "Denton," *Fort Worth Star-Telegram*, September 28, 1922, accessed October 28, 2019. Genealogy Bank; "Negro Granted Bail in Sum of \$100 Friday," *Denton Record-Chronicle*, October 27, 1922, accessed February 14, 2020. Newspaper Archive (UNT); Ennis moved to Dallas with his mother and grandmother where he lived until at least 1930. Thirteenth Census of the United States, Dallas County Clerk, Dallas County (Dallas, TX), Schedule 1: Population.

Johnson's death in 1935, the two remaining members of the Johnson family -- Lee Roy and Lonnie -- abandoned the family's land, gave de facto control of the property to neighbors, and moved west. But, in 1986, a search was made for any heirs of Ransom and Sylvia Johnson to determine true land ownership rights. In this search, every child and grandchild of Ransom and Sylvia Johnson was listed, and old residents signed an affidavit of the search's completeness. Therein, no mention was made of Ennis Johnson. It was as if he had never existed. But *he did exist*. The story of Ennis Johnson's life and near-death struggle had been forgotten by the entire community. As Gloria Etheridge Knight writes in *Poems From Prison*, "He is an empty space."

Ennis Johnson is a lens through which we can see the season of violence. As calls for the lynching of Ennis Johnson rose, all of the features of violence identified in the micro pattern emerged. While he was named, his age was doubted. Johnson was arrested for a crime that, as County Attorney Boyd later acknowledged, was uncertain to have occurred. The investigation into the crime was slow and legitimately did not produce a conviction. Ennis was placed into jail, but the Sheriff and his family left town leaving only one jailer to contain the crowd of prisoners held within. Klan activity swelled and Klavern 136 burned down a Black church only blocks away from the Denton County Jail. Yet after a month of detention, Ennis Johnson was able to flee the county alive. Why did the fervor die down? What piece of this puzzle remains missing?

Ennis Johnson's grandfather, Ransom Johnson, was born into bondage in Marion County, Texas in 1862. At the age of twenty, Johnson married Sylvia Greer and over two decades the couple had thirteen children. Only two of their children survived to the age of thirty. The Johnsons moved to Denton County in the 1890s and, though

illiterate, quickly began buying and selling large swaths of land from both locals and the Texas and Pacific Railroad Company. Johnson rented much of the land to tenants -- both white and black. In the 1910s, the Johnson family moved from the northern edge of Denton County into Pilot Point city limits off Pilot Point and Stamps Factory Road. Ransom and Sylvia lived with their three surviving children, Lonnie, Lee Roy, and Odie, along with Lonnie's son from his first marriage to Lydia Avery named Ennis. While living in Pilot Point, Ransom ran a family farm and a small dry goods store while Sylvia took care of the home.¹³²

Ransom Johnson was "well known among the white people" of Denton, so much so that when the tires were stolen from his vehicle in January 1921, Constable J.M. Sanders seriously investigated the theft. The very next day, Clyde Mask was arrested for the theft. Ransom Johnson was integrated within the greater Pilot Point Black community as well, both as a landlord and a shop-keep. He rented land to the Moore family on the Cooke County line and one of the Moore sons, Heaver, married Johnson's daughter, Odie, in 1920. Both Black and white citizens financed land purchases and

¹³² -- but, in spite of his consistent land ownership, his family always self-identified as renters on the census. It is unclear in the remaining records whether this was due to fear of their economic status being made known or if they legitimately did not have control of the land they owned. Fourteenth Census of the United States, Denton County, Denton County Clerk, Denton (TX): Schedule 1 (Population), accessed July 31, 2019. Ancestry; "Ransom Johnson," Death Certificate, Texas State Board of Health, Bureau of Vital Statistics, Denton County (TX), accessed July 29, 2019. Ancestry; Fifteenth Census of the United States, Denton County, Denton County Clerk, Denton (TX): Schedule 1 (Population), accessed July 31, 2019. Ancestry; "Real Estate Transfers," *Denton Record-Chronicle*, January 29, 1917, accessed June 15, 2019. Newspaper Archive (UNT); Real Estate Transfers," *Denton Record-Chronicle*, November 8, 1913, accessed June 15, 2019. Newspaper Archive (UNT); "Real Estate Transfers," *Denton Record-Chronicle*, November 21, 1912, accessed June 15, 2019. Newspaper Archive (UNT); "Real Estate Transfers," *Denton Record-Chronicle*, February 3, 1920, accessed June 15, 2019. Newspaper Archive (UNT); Sixteenth Census of the United States, Denton County, Denton County Clerk, Denton (TX): Schedule 1 (Population), accessed July 31, 2019. Ancestry.

shop items through Johnson and he held several promissory notes for those items as of 1921.¹³³

On the morning of September 29, 1921, Ransom Johnson loaded up several cases of soda and set out to deliver the bottles to a grocery store nearby. Just before 11am, Johnson made his delivery and stopped, parched, in the back of the store to drink from one of the remaining bottles. While in the rear of the grocery store, Johnson found a bottle containing a brown liquid. When the soda was approximately halfway gone, Johnson -- reportedly -- added two ounces of the mystery liquid to his soda bottle. He finished the drink and immediately became ill with intense abdominal pain. Dr. J. M. Harris attended to Johnson beginning at 11am as he suffered in excruciating fashion. Ransom Johnson died at 9:20pm on the night of September 29, 1921 after suffering ten hours of "intense" pain. He was buried at Pilot Point Memorial Cemetery on October 1, 1921. His official cause of death was accidental poisoning by carbon dioxide.¹³⁴

When he died, Ransom Johnson left behind a family of heirs. The Johnson family owned four downtown lots comprising nearly an entire block of property in downtown Pilot Point. His heirs were Lee Roy and Lonnie who moved to Quakertown in Denton

¹³³ "Negro Drinks 'High-Life' Thru Mistakes and Dies," *Denton Record-Chronicle*, September 30, 1921, accessed July 31, 2019. Newspaper Archive (UNT); "Pilot Point Budget," *Denton Record-Chronicle*, January 6, 1921. Newspaper Archive (UNT); "Local News in Brief," *Denton Record-Chronicle*, January 6, 1921. Newspaper Archive (UNT). Clyde Mask was the brother-in-law of Jim Walden; One of Moore's daughters, Ida, married Joe Goodner who disappeared after two years in the penitentiary in 1923. Ida was listed as a widow in the following census.

¹³⁴ The writers at the *Denton Record-Chronicle* believe Ransom Johnson assumed the liquid was whiskey and this explains why Johnson added it to his soda. "Negro Drinks 'High-Life' Thru Mistakes and Dies," *Denton Record-Chronicle*, September 30, 1921. Newspaper Archive (UNT); "Ransom Johnson," Death Certificate, Texas State Board of Health, Bureau of Vital Statistics, Denton County (TX).

and later to California, Sylvia (his wife), Ennis Johnson, his grandson, and Oda Moore, who deeded her interest in the property to her mother six days after Ransom's death.¹³⁵

Oda (Odie) Johnson was twenty years old when she married Heaver Moore. Six months after the death of her father, on March 23, 1922, Odie Johnson Moore was shot in the head with a .38 caliber pistol. Odie died at 2:30pm in Pilot Point and officials immediately began a manhunt for her husband. While he was rumored to have left town, Heaver Moore was found at a relative's house near the Cooke County line -- where the family owned property. When questioned, Moore explained that a Black man entered their home and shot Odie. Moore attempted to shoot the man as he ran away but was unsuccessful. Fearing for his own safety, Heaver hid in the woods until nightfall when he sought refuge at a relative's home and asked the relative to contact law enforcement. Heaver explained that a Black man had shot Odie and that Heaver fired back but missed. Fearful the man was out in the area searching for the sole witness to the crime, Heaver hid in the woods until nightfall when he contacted the police to report the death of Odie. Moore was charged with the murder of his wife, held in jail for six months, convicted in October 1922, and served a six-year sentence in the penitentiary as a result. Odie was laid to rest beside her father in Pilot Point.¹³⁶

After the deaths of Ransom and Odie, the relocation of Lonnie and Lee Roy, and the erasure of Ennis, Sylvia Johnson was left as the sole heir of the Johnson Family

¹³⁵ Ransom and Sylvia Johnson owned Lot 16 Block 12, Lot 4 Block 12, Lot 5 Block 12, and Lot 16 Block 5 of the T&P in September 1921.

¹³⁶ Land Deeds, Denton County Clerk, Denton County (TX); Affidavit, Denton County Clerk, Denton (TX). [Link](#); "Odie Moore," Death Certificate, Texas State Board of Health, Bureau of Vital Statistics, Denton County (TX); "Denton," *Fort Worth Star-Telegram*, March 26, 1922, accessed December 11, 2018. Genealogy Bank; "Negress Killed at Pilot Point," *Denton Record-Chronicle*, March 24, 1922, accessed November 17, 2018. Newspaper Archive (UNT); "Denton," *Fort Worth Star-Telegram*, October 15, 1922, accessed December 11, 2019. Genealogy Bank. Interestingly, Heaver Moore was in the Denton County Jail at the same time as Ennis Johnson.

land and money with no future for familial inheritance. She slowly sold off their land holdings and notes and, when she passed in 1935, her land was assumed by the Bruce family in Pilot Point. It is details such as these that may, one day, lead to the reintegration of the story of the Johnson family back into community discourse.

The disappearance of the Johnson family is only visible through context. Without first identifying the targeted erasure of Ennis Johnson, the poisoning of Ransom Johnson seems like a terrible accident and, without the facts which surround the deaths of both Ennis and Ransom, Odie Moore's death appears to be a case of domestic violence. Yet, when all three pieces are placed together and evaluated as a group, the likelihood that the Johnson family was targeted by violence between September 1921 and September 1922 dramatically increases.

A macro approach to racial violence is not only useful in identifying broad trends but is also an important tool for combating the silence of records which engulf violence and obscure its identification. In Denton County, between 1921 and 1923, six distinct seasons of violence are observable through this approach. Use of a qualitative approach is also essential in identification of acts of ritualized violence. The marriage of these two approaches resulted in this study which has identified more victims of violence than the term lynching can encompass.

In July 1921, Burl Stephens died at the hands of persons unknown and his identity was erased by the Jim Crow Justice System. The circumstances which surround his death are, now, impossible to identify. Similarly, between September 1921 and September 1922, three members of the Johnson family were the victims of obscured violence and erased by the same systemic force. These types of violence

were made visible through both a quantitative and qualitative method aimed to expose omissions in the record. Through leaning into the silence left in the spaces where Burl Stephens and the Johnson family belong, violence beyond lynching is audible.

CHAPTER 5

THE DISAPPEARED

I have the same name as 1 grandfather, 3 cousins, 3
nephews,
and 1 uncle. The uncle disappeared when he was 15, just
took
off and caught a freight (they say). He's discussed each
year
when the family has a reunion, he causes uneasiness in
the clan, he is an empty space. My father's mother, who
is 93
and who keeps the Family Bible with everybody's birth
dates
(and death dates) in it, always mentions him. There is
no
place in her Bible for "whereabouts unknown."

Etheridge Knight, "The Idea of Ancestry"
(*Poems from Prison*, 1968)

During the rise of the second Ku Klux Klan, most racial violence in Denton County did not fit neatly into the definition of lynching. Neither Burl Stephens nor the members of the Johnson family were lynched according to any version of the definition. Even still, the documented lynchings in Denton County are missing proof of death and therefore were likely excluded by contemporaneous lynching counts. Through the wholesale purchase of lynching as the singular type of terrorism wielded against Black Americans in Jim Crow, historians allow the perpetrators to re-define reality based upon their own propaganda. The requirement of proof of a victim's death allows the perpetrators to silence violence entirely through the omission of essential documentary evidence such as a death certificates, press reports, and justice system records. As a result, in the status quo, the narrative of racial violence is still defined by actions taken in the 1920s by the Ku Klux Klan. Without a broader term unencumbered by restrictive

technicality, historians will never approach the breadth of violence committed against Black citizens during the Jim Crow Era.

The institutional power expressed in our present definition of violence is observable through the destruction of records. In the search for Ennis Johnson's fate (along with the names of the men lynched in 1921 and 1922), I made sweeping record requests from law enforcement. First, I requested law enforcement records from the City of Pilot Point, but the records had been stored in a room underneath the water tower and so they became wet and destroyed. Second, I requested all records from the Denton County Sheriff's Department between 1865 and 1930, but they could not find any records which fit my criteria. I was informed that all Sheriff's Department records prior to the early 1950s had been destroyed because the county is not statutorily required to retain them. When I followed up with a request for records about the destruction, I was similarly met with zero records responsive to my request. Third, I contacted the *Pilot Point Post-Signal* for copies of its newspaper from the 1920s and found the newspaper had zero copies of their own publication prior to the 1970s. I followed this request by asking the Library of Pilot Point for their newspaper copies from the 1920s, but the City of Pilot Point does not have copies of their newspaper of record prior to 1964. Lastly, I requested legal records from the City of Pilot Point who informed me that they *might* have some copies of tickets from the 1920s locked in a vault and that they would get back with me shortly, but that the remainder of their judicial records had also been destroyed. They never called me back. These events draw to mind the series of fires on Denton's square in the early history of the county. More so, in the 1920s, buildings which held records of the Ku Klux Klan in Denton were incinerated. If

historians lean in to record loss, a narrative becomes clear from the spaces where records belong that are, instead, left blank. As the adage goes, “where there’s smoke, there’s fire.”

There is a complex code of silence surrounding racial violence in Denton County. Privately, the Black community was all too aware of the crimes committed against itself and yet, a public silence was required by the white supremacist power structure. The same dichotomy is observable in the white population. The perpetrators of racial violence were members of the white community and therefore knew of the crimes as they were committed; however, like the masked costume of the Ku Klux Klan, white knowledge of these crimes was capped. It does not appear to this researcher that anyone discussed racial violence in Denton County in a public forum during the 1920s. This divide between private and public acknowledgement has led to a modern ignorance of local racial terrorism. Yet, despite the best efforts of white supremacist sympathizers at containment, the truth leaks out through folklore. Stories like that of the Goatman signal to a violent past without direct indictment of the participants.¹³⁷

Even in the articles available from local newspapers, evidence of a crime is opaque. Careful work was done to side-step the term lynching. Whether the goal of this action was to avoid martyrdom of the victim or avoid the negative publicity associated with being a lynching town, the impact is the same on historical records. Similarly, reliance on a white newspaper to honestly depict acts of racial violence -- especially those at the hands of law enforcement -- is a dishonest practice. Black newspapers existed, but rarely focused on singular violent incidents, and generally missed reporting

¹³⁷ The story of the Goatman is discussed in detail in the Introduction, beginning on page 1 herein.

acts of violence in rural Texas. “[H]e who counts heads always silences facts and voices. “Silences,” Michel-Rolph Trouillot reminds us, “are inherent in the creation of sources.” Without a broader term, the narrative of a white press prevails and will continue to define our historical understanding of the Jim Crow South.¹³⁸

To combat the bias inherent in newspaper and local record accounts of Jim Crow violence, I have paid a great deal of attention to silence. This has required reading newspaper accounts, not just at face value, but also comparative to other articles in the same publication on similar topics. For example, I found that names were included as a rule and so I noted instances where the identity of the victim was obscured. It is through this similar method that I built a list of all individuals who had justice system encounters between 1909 and 1925. Because the court records were destroyed, newspapers provided a different approach to combat the archival silence.

It is also necessary to read between the lines in newspaper articles. Details listed within the pages of the *Denton Record Chronicle* were not just functional – they were also indicative of other processes less hidden. Much can be determined based upon the order in which law enforcement arrived to investigate a crime and how they learned a crime was committed. Paired with reports of who was visiting the town and who was strategically out of town, a sense of the practices of racial terrorism can be attained. This method requires a holistic approach to racialized silences and demands a broader study of racial terrorism in the South.

While the word lynching wields considerable power built upon a century of activism, we must, as a field, find the words to describe obscured acts of violence that

¹³⁸ Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995), 51.

cannot be defined as lynching. Jackie Goldsby argues the same point writing “The history of lynching poses too great a burden for one word to carry...To produce a history of lynching attentive to its constitution and operations through language, we need to invent a new name for the violence.” Still yet, Slavoj Zizek’s definition of violence there are three categories: symbolic violence, systemic violence, and subjective violence -- each of which would struggle to be contained in the singular word, lynching.¹³⁹

When we glance at the collection of visible and invisible violence in Denton County, its victims are best described as *the disappeared*. Disappearance is a term which includes racial violence obscured by record destruction, that which is only contextually visible, where key details have been omitted -- even if committed by law enforcement -- where the end result is erasure, not just of Black bodies, but also of Black identities. The act of disappearing someone is inclusive of deadly violence without possessing a mortality requirement.

The concept of disappearance has precedence in historical discourse. The term itself has been used to describe similarly obscured crimes in Latin America at the hands of the government. It is also used by magicians to describe sleight-of-hand tricks which distract the viewer from key changes to the environment and subjects of the act. Like the difference between military professionals who are suddenly missing, ranking officers assign likely outcomes based upon the surrounding facts without a guarantee of accuracy. These professionals are listed as killed, prisoners of war, or missing in action based upon an inference rather than certainty. Disappearance works through ruling out possible outcomes and, through exhaustive research, arrives at an unstable conclusion

¹³⁹ Jackie Goldsby quoted in Ashraf H. A. Rushdy, *American Lynching*, (New Haven: Yale University Press, 2012), 5; Slavoj Zizek, *Violence*, 1-4.

which can be argued but not always proven due to the unavailability of key details which would clarify the circumstances that surround the missing person.

Disappearance is more than a term that liberates historians from a word fraught with contention. The lynchings in Denton County were also disappearances. Lynching and other forms of named racial violence act to remove Black bodies from contested spaces and are, therefore, types of disappearance. This is especially significant to lynchings where records have been destroyed, identities have been obscured, and where press accounts are incomplete or non-existent. Simply because the Jim Crow Justice System ran a clean-up effort on their records does not mean these acts of violence did not occur. They should be named, chronicled, and shared so that we can learn from -- and not repeat -- the sins of our collective past. As long as these crimes go unacknowledged, the past will continue to live within us and surreptitiously guide the present.

Power is conveyed through the construction of history. Michel-Rolph Trouillot describes “two families of tropes” which are used to break down the significance of events in the interest of power maintenance. Within the first group are formulas of erasure which “cancel what happened through erasure of facts or their relevance.” This was done through actions such as the publication of an editorial, the morning after a lynching, which read “...there are dozens of counties in the State -- Denton is one of them -- in which there has never been a case of mob violence...” A generalized version of this same formula is the argument that “white men were lynched too.” These efforts to distract from and therefore minimize Black disappearances or to fictionalize the history

of racial terror lynchings do work to preserve a power structure that believes the true recitation of past atrocities would damage their ability to unilaterally govern.¹⁴⁰

The second family of tropes aimed at silencing racial violence are the formulas of banalization. These remove the universal character from acts of violence, instead, placing focus on the differences between unique events. This has occurred as a result of the restrictive definition of lynching. When the white press called for a common definition of the word in 1938, it resulted in the exclusion of a myriad of violence which fell outside the agreed upon parameters. Since that time, public perception of racial violence has become nuanced. Acts of violence have been marginalized based upon the perceived motive of the perpetrator and sympathy for victims of hate crimes is split amongst the public. The impact of this attention to the differences between individual hate crimes is a decrease in the power of the collection of violent crimes to inspire change. The only hate crime which continues to wield universal condemnation is lynching, a term that is no longer in prosecutorial use, lending credibility to the conclusion that the only way racial violence can be unilaterally identified and condemned is through the lens of history. Therefore, this fear of banality should not stop historians from describing non-lynching violence in the Jim Crow Era. Truly, it is the only proven method of consensus against racial violence in the present.¹⁴¹

¹⁴⁰ Trouillot, *Silencing the Past*, 96; "Editorial," *Denton Record-Chronicle*, December 14, 1922, accessed February 10, 2020. Newspaper Archive (UNT).

¹⁴¹ Trouillot, *Silencing the Past*, 97; Kellina M. Craig and Craig R. Waldo, "'So What's a Hate Crime Anyway?' Young Adults' Perceptions of Hate Crimes, Victims, and Perpetrators," *Law and Human Behavior* 20, no. 2 (1996), 113-129; Lyons, Christopher J., "Stigma or Sympathy? Attributions of Fault to Hate Crime Victims and Offenders," *Social Psychology Quarterly* 69, no. 1 (March 2006), 39-59; However, this point may change due to the very recently passed Emmett Till Antilynching Act. The text of the senate version of this legislation is available here: <https://docs.house.gov/billsthisweek/20200224/BILLS-116hr35-SUSv2.pdf>

Disappearance aims to dismantle both formulas of silence. Through the intentional construction of a term inclusive of all racial violence, each crime has inherent value. While Ennis Johnson did not die at the hands of the Jim Crow Justice System, his memory in Denton County did. Through intimidation -- both by the Ku Klux Klan and the Denton County Sheriff's Department -- Johnson feared for his safety if he stayed in the community where he was raised. This intimidation forced Ennis to leave and never return to the county of his birth. This erasure is evidenced by the search for heirs of Ransom and Sylvia Johnson in 1986 -- a search that produced the names of every descendant with the sole exception of the youngest, Ennis Johnson. This forced removal is a form of violence. In 1922, sixteen-year-old Ennis Johnson was disappeared by the Jim Crow Justice System.

By accepting the discursive framework of lynching, the most well-meaning of historians propagate a system of power maintenance. The application of preeminent value to Black men and women who were murdered in a specific fashion includes, within its framework, a value system for ranking Black life. Burl Stephens is a case in point for the problematic nature of the power expressed through lynching discourse. Even if the events which led to his death were innocent, the removal of his identity was not. The destruction of the personhood of Burl Stephens remains unquestioned 100 years later, after scores of historians have scoured the South for instances of racial violence. Stephens has remained excluded because of the implicit value placed on Black life and death by the word lynching. The death of Burl Stephens was not high profile enough, not lynching enough, to warrant historical attention.¹⁴²

¹⁴² Trouillot, *Silencing the Past*, 105-6.

Nowhere is the importance of disappearance as a weapon of paradigm destruction more apparent than through deaths caused by law enforcement. For nearly two months, the rural roads of Denton County were either washed out or frozen. When the cold snap finally broke in early February 1921, sunshine poured like rain on parched earth and Jim Walden, a rural farm laborer in the northeast corner of the county, misplaced his coat in excitement. The warm air brought new life to the winter-worn fields and three weeks passed before the winds changed. As the cold air returned to North Texas, Walden left the fields in search of his missing coat. He arrived at his brother-in-law's house (where he had been staying for several months), but found the doors locked. Jim circled the structure in search of a window unlatched where he could climb up the sides of the house and into the residence to retrieve his winter coat. After circling twice, he found just that -- a window ajar -- and Walden maneuvered himself into the home. Unable to find his own coat and accustomed to the free exchange of clothing between brothers, he borrowed a coat and headed back to the fields to work. That evening, Jim returned home -- with the coat -- to his brother-in-law's house. To his surprise, the winter coat had already been reported stolen by his brother-in-law, along with a five-dollar bill nestled in its pocket. That night, Jim Walden was arrested for felony burglary and placed in the Denton County jail.¹⁴³

¹⁴³ "One Man Indicted in Six Burglary Cases by Grand Jury," *Denton Record-Chronicle*, February 26, 1921, accessed October 24, 2019. Newspaper Archive (UNT); "Thirty-Seven of Criminal Cases Set for Trial," *Denton Record-Chronicle*, March 8, 1921, accessed October 24, 2019. Newspaper Archive (UNT); "To Devote Next Week to Organizing County [Club] Work," *Denton Record-Chronicle*, February 26, 1921, accessed November 2, 2019. Newspaper Archive (UNT); "W. F. Moyer Gets Two Years Suspended Sentence Tuesday," *Denton Record-Chronicle*, March 15, 1921, accessed October 24, 2019. Newspaper Archive (UNT). The five-dollar bill reporting was not frivolous. Accounting for inflation, but not racial, circumstantial, and time-specific poverty, five dollars in 1921 had the same spending power as nearly seventy-two dollars in 2018. "Inflation Calculator," *WestEgg*, accessed November 2, 2019, <https://westegg.com/inflation/infl.cgi>.

Bail was set but, for Jim Walden, a man of limited means, it was unaffordable. The result was three weeks spent -- three weeks with his life on hold -- waiting for his trial in jail. In mid-March, Judge C. R. Pearman finally heard *The State of Texas v. Jim Walden*. At the trial, Walden was charismatic and funny. Unable to afford outside counsel, Jim represented himself and explained the confusion surrounding the missing coat with ease. Walden's legal presentation caused "considerable merriment" in the District Court, so much so that the *Denton Record-Chronicle* reported that "he presented his case in such a way that the jury found him not guilty of the charge." After three weeks spent behind bars for borrowing his brother's coat, Jim Walden was free to go.¹⁴⁴

Five years passed before Deputy Sheriffs A. R. Gooch and Brown opened fire on Jim Walden. According to law enforcement, Tom Leftridge was found in possession of a medical bag filled with medicine and several chickens on the morning of Monday, April 19, 1926. Leftridge confessed that both he and Walden went on a "chicken raid" the night before but after the raid, as the pair drove south toward Denton, their car overturned at Clear Creek. Leftridge explained that Jim Walden took some of the stolen chickens and hitch hiked to Denton to find someone to rescue the overturned vehicle. But while Walden was away, Leftridge was spotted by Deputy Sheriff Brown on the side of the road and placed under arrest where he confessed to the crime.¹⁴⁵

¹⁴⁴ "One Man Indicted in Six Burglary Cases by Grand Jury," *Denton Record-Chronicle*, February 26, 1921, accessed October 24, 2019. Newspaper Archive (UNT); "Thirty-Seven of Criminal Cases Set for Trial," *Denton Record-Chronicle*, March 8, 1921, accessed October 24, 2019. Newspaper Archive (UNT); "W. F. Moye Gets Two Years Suspended Sentence Tuesday," *Denton Record-Chronicle*, March 15, 1921, accessed October 24, 2019. Newspaper Archive (UNT).

¹⁴⁵ "Negro is Shot and Killed by Officers," *Denton Record-Chronicle*, April 19, 1926, accessed October 24, 2019. Newspaper Archive (UNT); "Two Cases are Filed Against Companion of Negro Shot Here," *Denton Record-Chronicle*, April 20, 1926, accessed October 24, 2019. Newspaper Archive (UNT).

After they arrested Leftridge, Deputy Sheriffs Gooch and Brown headed south to the Jackson house where Walden was rumored to be seeking assistance for the overturned vehicle. As the officers approached in their car, Jim Walden sprinted out the back door to hide himself behind the house. The deputies circled behind the house and at first sight of the two armed officers Jim began to run. Deputy Sheriff Gooch yelled for Walden to stop and, when he did not, "both officers opened fire." Brown fired three bullets and Gooch fired six, the last of which reached the base of Walden's skull, 150 yards away, and "came out in the center of [his] forehead." Neither Gooch nor Brown checked to see if Jim Walden was still alive as they collected his body. They assumed, based on his injuries, that he was dead. He was not.¹⁴⁶

The officers drove Jim Walden to "a negro undertaker" who, upon receipt of Walden, called Sheriff Fry to tell him the suspect was still alive. While the *Denton Record-Chronicle* published that Walden died just before 12:00pm, the coroner -- his only attending medical professional -- believed that he lived an hour and a half longer. Jim Walden was shot at 11:00am on Monday, April 19, 1926 and died two-and-a-half hours later. His cause of death was "From Shot: Bullet carried through skull, base of brain. Resisting arrest."¹⁴⁷

The following morning, Sheriff William S. Fry indicated the officer who killed Walden, Deputy Sheriff Gooch, would not face charges. At the time of his death, Walden was forty-one years old, divorced after being widowed, and worked as a day

¹⁴⁶ "Negro is Shot and Killed by Officers," *Denton Record-Chronicle*, April 19, 1926, accessed October 24, 2019. Newspaper Archive (UNT).

¹⁴⁷ "Negro is Shot and Killed by Officers," *Denton Record-Chronicle*, April 19, 1926, accessed October 24, 2019. Newspaper Archive (UNT); *Texas, Death Certificates*, Texas Department of State Health Services, Austin (TX). Ancestry.

laborer. He lived on Maddox Street with the family of his first wife. His body was laid to rest in Pilot Point, likely at St. John's Cemetery.¹⁴⁸

Jim Walden posed no threat to the life of either deputy. He posed no threat to the community at large. The killing of Jim Walden was performed by two law enforcement officials who valued stopping a suspected thief of food and medicine over a man's life. A deeper dive into this core truth makes visible the racialized values of the men sworn to *serve and protect* Denton County in the 1920s. The crimes committed by Black men were more significant to the Denton County Sheriff's Department than the men themselves and the fear of criminality stoked by the Ku Klux Klan was either influential in or informs the present of a conscious effort to criminalize Black male bodies as a weapon of erasure.

It is also significant that Walden had successfully defended himself from an overreaching prosecution six years prior. The story of Jim Walden and the missing coat humanizes Walden. Disappearance continues to act against an individual long after they are gone with a goal of total erasure from the county, community, and collective memory. While the details may seem more like minutia at first glance, filling in Walden's life with as much detail as possible is a rebellious act aimed to deconstruct disappearance and reconstruct identity.

The story of Jim Walden underscores the necessity of a word that is inclusive of law enforcement violence as his death fits all of the criteria for lynching. When local law

¹⁴⁸ "Negro is Shot and Killed by Officers," *Denton Record-Chronicle*, April 19, 1926, accessed October 24, 2019. Newspaper Archive (UNT); *Texas, Death Certificates*, Texas Department of State Health Services, Austin (TX). Ancestry; "Two Cases are Filed Against Companion of Negro Shot Here," *Denton Record-Chronicle*, April 20, 1926, accessed October 24, 2019. Newspaper Archive (UNT). For more on St. John's Cemetery see *Uncovering St. John's*, University of North Texas, accessed November 1, 2019, <http://omeka.library.unt.edu/s/stjohns/page/welcome>.

enforcement is, or acts in the interest of, a group like the Ku Klux Klan, their lethal actions must be chronicled as a part of racial violence discourse. Jim Walden was killed as a suspect, not a criminal. Walden had yet to be interviewed, the chickens had yet to be secured, and the voracity of the claims of Leftridge – the only witness – had yet to be ascertained. As such, Jim Walden was shot by law enforcement as an innocent man whose only visible crime was running from the police – a crime that does not carry the death penalty. Deputies Gooch and Brown acted extrajudicially and were neither investigated nor charged with the murder of Jim Walden. They acted as police, judge, jury, and executioner in a case where the facts were still undetermined. Jim Walden was never arrested for his alleged crime but was indicted as a criminal by the *Denton Record-Chronicle* and murdered by two deputies protected by the Denton County Sheriff.

Walden's death also fits portions of the pattern of racial violence specific to Denton County. While his identity is known and a crime appears to have occurred, after being exonerated in a previous trial, it seems likely that law enforcement had doubts as to whether Walden would be convicted of this offense. Because of the close relationship between the Denton County Justice System and the Ku Klux Klan, it is unnecessary to identify whether the Klan had an increase in activity which surrounded the event; the Sheriff's Department was directly involved. Last, Walden fits the criteria of being last seen (almost) in the custody of law enforcement and, because he died of his wounds no further record of his life is left.

The history of Jim Walden, again, points to the toxic power of lynching discourse. Murders committed by law enforcement have been – and continue to be – excluded

from lynching and hate crime statistics. It is as though the alleged criminality justifies the summary execution of Black men and women. If true, we have learned no lessons from the 4500+ summary executions termed as lynchings, each with a similar presumption of guilt.

This justification of murder based on the presumption of guilt of *any crime whatsoever* is highlighted through the criminalization of death certificates. Jim Walden's official cause of death reads "From Shot: Bullet carried through skull, base of brain. Resisting Arrest." The death certificate of Jim Walden reads as though he is to blame for his own death. Even if we accept the premise that Walden's flee from police was a contributing factor in his death (although, I'm not sure we should) death certificates of individuals who die of heart disease have nothing written in their cause of death about their lifestyles; accidental deaths do not have lists of the unsafe activities which contributed to their demise; deaths by illness are not listed alongside preventative measures not taken by the victim. Furthermore, death certificates of individuals who died by gunshot in the same county and during the same time period, state nothing about the factors which led to the deceased being fired upon – as long as it wasn't done by law enforcement. Death certificates were used as documentation to support the disappearance of Black victims of law enforcement. The entire system perpetuated the same narrative. Words both indicate and carry power.¹⁴⁹

Joe Goodner married Ida Moore in 1910 and the young couple began their lives together as tenant farmers on a small farm in Denton County. Within two years of their marriage, Ida gave birth to their first child, Mattie, and in 1913 their second daughter,

¹⁴⁹ State of Texas, *Death Certificates*, Texas Department of State Health Services, Austin (TX). Ancestry.

Opal, was born. Work was scarce and, with his small family in mind, Goodner stole a bag of corn in the winter of 1917. He was fined one dollar and given a sentence of ten days in jail. He worked off his sentence on the county chain gang and so, he did not register for the draft until the fall of 1918, less than two months prior to the armistice, and therefore did not deploy. To support their growing family, Joe worked as a laborer for wages while Ida worked as a laundress out of their home. In 1920, the Goodner family lived on an unnamed road in Quakertown, a thriving middle-class Black community in Denton, Texas, and attended the local AME church. Their first son was born in 1922 and Joe and Ida named him William Fred.¹⁵⁰

Joe Goodner was one of at least two men who broke into N. B. Jones's grocery store on April 5, 1923 looking for food. The men stole groceries. The crime was investigated by Deputy Sheriff Bell along with the inexplicable inclusion of special agents from the Katy Railroad and the MK&T Railroad. The officers arrested Joe Goodner and searched his home. There, they found sugar, canned goods, and crackers. During their search, the investigators stumbled across some rubber tubing that the railroad officials "thought" they recognized as being from a train. Goodner was subsequently charged with burglary of the grocery store and burglary of a rail car.¹⁵¹

¹⁵⁰ *Thirteenth Census of the United States*, Denton County Clerk, Denton (TX), Schedule 1 (Population), accessed October 28, 2019. Ancestry; *Texas, Select County Marriage Records, 1837-2015*, Denton County Clerk, Denton (TX), accessed October 28, 2019. Ancestry; *Fourteenth Census of the United States*, Denton County Clerk, Denton (TX), Schedule 1 (Population), accessed October 28, 2019. Ancestry; "Negro Pleads Guilty to Theft Charge; Fined \$1 and 10 Days," *Denton Record-Chronicle*, February 28, 1917, accessed October 28, 2019. Newspaper Archive (UNT); *World War I Draft Registration Cards*, United States Selective Service System, National Archives and Records Administration, Washington D.C., accessed October 28, 2019. Ancestry; *Texas, Convict and Conduct Registers 1875-1945*, Texas Department of Criminal Justice, Austin (TX), accessed October 28, 2019. Ancestry.

¹⁵¹ "Groceries Stolen from Jones Store," *Denton Record-Chronicle*, April 6, 1923, accessed October 28, 2019. Newspaper Archive (UNT).

With no option for recourse, Joe pled guilty to the crimes. In June, Goodner was sentenced to two years in the state penitentiary for each crime which, as Judge C. R. Pearman emphasized, would not run concurrently. Joe Goodner arrived at the Texas State Penitentiary in Huntsville, Texas, on July 22, 1923 where he was a model inmate. He was made Trustee in 1925 and was discharged on February 26, 1926 after serving only thirty-two months of his forty-eight-month sentence.¹⁵²

No record of Joe Goodner exists beyond this discharge date. His wife, Ida Moore Goodner, was listed as a widow in the 1930 census four years later and no children were born after 1922. No death certificate exists for Joe Goodner. He is not mentioned in the *Denton Record-Chronicle*. According to the remaining records of the period, Joe Goodner disappeared after release from the state penitentiary. *He is a blank space.*¹⁵³

Disappearance is not as simple as death. In the case of the two men lynched and the two teenagers “flogged,” the close of their story in the Denton County community was at the end of a rope. Ransom Johnson died by hands unknown while it is known that Jim Walden was killed by the police. But for young men like Ennis Johnson and Burl Stephens, disappearance meant erasure. In Denton County, between 1921 and 1923, the Ku Klux Klan, in coordination with the Denton County Sheriff’s Department and the editors of the *Denton Record-Chronicle* and the *Pilot Point Post-Signal*, disappeared Black men without consequence. These masked and unmasked men acted on behalf of, and were protected by, the community they stoked with fear. The

¹⁵² *Texas, Convict and Conduct Registers 1875-1945*, Texas Department of Criminal Justice, Austin (TX), accessed October 28, 2019. Ancestry; “Jury Cases for This Week End,” *Denton Record-Chronicle*, June 27, 1923, accessed October 28, 2019. Newspaper Archive (UNT); *Texas, Conduct Register*, Texas Department of Criminal Justice, Austin (TX), accessed October 28, 2019. Ancestry.

¹⁵³ *Fifteenth Census of the United States*, Denton County Clerk, Denton (TX), Schedule 1 (Population), accessed October 28, 2019. Ancestry.

disappearance of Black men from Denton County in the early 1920s placated fears of otherness in the white community while they both gutted and terrified the Black community. These acts of disappearance were performances of white supremacy that utilized terrorism to remove communities of color.¹⁵⁴

The result was the destruction of the bonds between Black citizens within the communities under attack. The Black men who were disappeared left families uncertain about the fate of their loved one. They pitted one against another – like Sam Gertin – to avoid the noose. These actions, which were taken to survive, resulted in suspicion between neighbors and friends. “He causes uneasiness in the clan,” the poem says, and modern residents echo this concern as they seek unity with one another to heal the wounds of the past.

Still, it is that very past which calls to us from unmarked graves and pastures long filled with water. Through the expansion of our view of violence – from lynching as the penultimate to lynching as one form of the broader crime of disappearance – we come closer to understanding the spectrum of atrocity hidden within the Jim Crow Justice system of Denton County.

¹⁵⁴ It also brings into question our present-day historical record maintenance. If criminal records are protected from the public while the accused is alive (for privacy reasons) and destroyed before the accused dies (due to limitations on how long a governing body must maintain records), how can the public ever have oversight? This is relevant in each of the cases of disappearance as the Sheriff's Department destroyed all of its records prior to the 1950s at some point during the 1990s.

EPILOGUE

The disappearance of the St. John's Community was driven by several factors. Some died of disease. In 1911, public health officials were so concerned with Diphtheria that they delayed the start of Elementary School for weeks. While Pneumonia rose in prominence during the outbreak of Influenza in 1918, Tuberculosis was a threat across the years and resulted in more deaths than any other reported cause. Heart Disease and Infection were the third and fourth most common causes of death with neither occurring more often in any single year.¹⁵⁵

There were also economic advantages to leaving the Pilot Point area. An editorial in the Post-Mirror read, "The sugar planters in Louisiana are to a large extent employing white laborers instead of [C]olored, shall we say the Africans, too must go." This sentiment carried with the white community and areas once blanketed with black farms were leased to white farmers by 1920. In addition, there was a movement to create a black state in Oklahoma. With a new neighbor state full of the promise of equality, it is not difficult to see the draw for members of the St. John's Community.¹⁵⁶

But, on December 14, 1922, two unnamed black men were arrested for horse theft in Pilot Point. They were taken to the jail and left unguarded overnight when

¹⁵⁵ "Will Not Open Friday," Record and Chronicle (Denton, TX), November 2, 1911. The Portal to Texas History (UNT); Disease prevalence determination was made using an aggregation of over 100 death certificates of African Americans from Pilot Point between 1911 and 1925. This map is interactive and accessible online here: <https://embed.kumu.io/bd2dfc0e083025bfd130d4e0f7937218>.

¹⁵⁶ "Editorial," The Post-Mirror (Pilot Point, TX), November 24, 1888. The Portal to Texas History (UNT); Twelfth Census of the United States, Denton County, Denton County Clerk, Denton (TX): Schedule 1 (Population). HeritageQuest (UNT); Thirteenth Census of the United States, Okmulgee County, Okmulgee County Clerk, Okmulgee (OK): Schedule 1 (Population). HeritageQuest (UNT); Twelfth Census of the United States, Denton County, Denton County Clerk, Denton (TX): Schedule 1 (Population). HeritageQuest (UNT); Thirteenth Census of the United States, Okfuskee County, Okfuskee County Clerk, Okemah (OK): Schedule 1 (Population). HeritageQuest (UNT); "Martha Whitlow," Find-a-grave, accessed April 1, 2019. <https://www.findagrave.com/memorial/96217985/martha-whitlow>; Thirteenth Census of the United States, Okfuskee County, Okfuskee County Clerk, Okemah (OK): Schedule 1 (Population).

members of the Ku Klux Klan “spirited” the men from the calaboose. They were lynched the same night they were arrested. This was not the first instance of targeted violence against persons of color in Pilot Point, but it was the last straw for many who fled the area thereafter. Disproportionate law enforcement activity in conjunction with an established pattern of extrajudicial lynching had an impact greater than the actual number of individuals who lost their lives to the metaphorical and literal noose.¹⁵⁷

. At times violence was random, jarring, and struck within the safety of their homes. In 1911, after Will Drake had been arrested for the third time for a petty crime, his wife attempted suicide by poisoning. She utilized carbolic acid and was narrowly saved of her grim fate. In 1921, Ransom Johnson was poisoned while delivering soda to a grocery store and died a painful ten-hour death. On the night of February 8, 1924, a teacher from the African American high school in Denton was found poisoned and her body was taken away too quickly for an autopsy or death certificate. Acts of mob violence served to inform the members of St. John’s of their undesirable status and their expendability.¹⁵⁸

And so they left.

Stories of disappearance do work to disentangle the power structure so that identities are reclaimed, and racial violence is brought into the light of day. Through the detailed humanization of victims of disappearance, Black communities are given closure

¹⁵⁷ “Texas News,” The Nebraska State Journal , December 16, 1922. Newspaper Archive (UNT); “Negroes Taken from Jail at Pilot Point,” Fort Worth Star Telegram , December 14, 1922. Genealogy Bank; “Letter Warns Negro Loafers in Pilot Point,” Denton Record-Chronicle , December 14, 1922. Newspaper Archive (UNT); “Two Negroes, Missing in Jail. Believed Lynched,” The Indianapolis Star , December 15, 1922. Newspapers.com; “Prisoners Spirited from Unguarded Jail,” The Appeal (St. Paul, Minnesota), December 30, 1922. Newspapers.com. 29 “Attempted Suicide,” The Post-Signal (Pilot Point, TX), October 27, 1911. The Portal to Texas History (UNT); “Negro School Teacher Dies Here Suddenly Friday,” Denton Record-Chronicle , February 9, 1924. Newspaper Archive (UNT).

and some of the effects of erasure are diminished. Efforts to thwart Black martyrdom break down when the individual is recognized. While justice is impossible to serve a century later, acknowledgement of the crimes committed against Black individuals and the Black community is the first step toward a process of reconciliation.

In 1921 and 1922, four Black men were taken from the unguarded Pilot Point Jail, by the Ku Klux Klan, and lynched. This was possible because law enforcement members were both active and passive participants in Klavern 136. The lynchings themselves were obfuscated by a system-wide effort by the press, law enforcement, and a supportive citizenry – each of whom allowed the lives and memory of these four men to be silenced.

While lynching did occur in Denton County, other acts of racial violence have previously gone unobserved. When examined individually, the men who disappeared from Denton County appear as anomalies; however, when combined, they are a significant exclusion from discourse on racial violence. To change this in the future, historians must expand their studies of violence beyond lynching and utilize a term inclusive of the varied ways in which Black lives were violently silenced during the Jim Crow Era. Disappearance side steps the structure of power that upholds lynching as the penultimate in racial terrorism and allows for a meaningful analysis of the unknown unknown.

When I first began this project two years ago, I did not know where the facts would lead. The path to understanding disappearance was paved in local study, without which the essential and intimate details of these acts of violence would not have been visible. The limitations of available evidence also required leaning into silences that

would normally be a hinderance. As a result, many stories within this work are, for the first time, shared with a broad audience.

While my examination of the silence of records has resulted in the dissemination of new information about racial violence in Denton County, I am struck by the many questions left unanswered by this study and methodology. Was Ransom Johnson poisoned? What happened to Joe Goodner? Why weren't the officers charged in the death of Jim Walden? How did law enforcement communicate with the Ku Klux Klan? Why? On October 17, 2006, the Counter Terrorism Division of the Federal Bureau of Investigation released an unclassified Intelligence Assessment on the infiltration of local law enforcement by white supremacist groups. Therein they warn that work to counter white supremacy cannot reliably be conducted by local law enforcement because many police forces have been infiltrated by white supremacist groups and ideology. This highlights the importance of an open examination of racial violence, unencumbered by use of a rope. With a clearly established relationship between the Ku Klux Klan and the Denton County Sheriff's Department in the 1920s, this work asks a question of our present: what has structurally changed in the oversight of law enforcement since 1920?¹⁵⁹

These questions are the reason why we study stories of violence. It is not to glorify the ghastly acts of racists or to unnecessarily demonize complicit forces in their commission, but rather, it is to have a conversation with our present selves about whether we have learned from our history. Is the nature of racial violence in the present

¹⁵⁹ US Department of Justice. Federal Bureau of Investigation, Counterterrorism Division, "White Supremacist Infiltration of Law Enforcement." October 17, 2006. <http://s3.documentcloud.org/documents/402521/doc-26-white-supremacist-infiltration.pdf>

so different from disappearance in the past? While it is hard to find the answers to these questions, we intend to keep asking them.

APPENDIX A
KLAVERNS OF THE TEXAS REALM

1	Sam Houston	26	50
2	Harris County	27	Edna
3	Alvin	28	Stephen F. Austin Klan (Houston area)
4	Goose Creek	29	Newaygo County
5	Longview	30	
6	Marshall	31	San Antonio
7	Beaumont	32	
8	Glen Flora/Bryan	33	Waco
9		34	Palestine
10	Kingsville	35	Silsbee
11	Angleton	36	Galveston
12		37	Waco
13		38	Richmond
14	Amarillo	39	La Grange
15		40	Dayton
16	Lufkin	41	
17	Lufton	42	Elgin
18	Eagle Lake	43	
19		44	Blackwell/Sealy
20	Brenham	45	
21	Bedias	46	Temple
22	Crockett	47	Mexia
23		48	Bryan
24	Jasper	49	Cleveland
25	Port Arthur		
			51
			Orange
			52
			Clayton County
			53
			54
			Timpson
			55
			Corsicana
			56
			Freeport
			57
			Brookshire
			58
			59
			Rusk
			60
			61
			62
			63
			Groveton
			64
			Knob Creek
			65
			66
			Dallas
			67
			Texas City
			68
			Teague
			69
			70
			Center
			71
			Joaquin
			72
			73
			Belton
			74
			Yoakum

75	Tyler	100	El Paso	125	Mathis
76		101	Fort Worth	126	Edgewood
77	Longview	102		127	
78	Hemphill/Wichita Falls	103		128	Wills Point
79		104	Texarkana	129	
80	Bellville	105	Sherman	130	Grand Saline
81	Livingston/Austin	106	Marlin	131	
82	Memphis	107		132	Rosenburg
83	Manor	108	Cleburne/Wolfe City	133	Mineral Wells
84	Mercedes	109	Luling	134	
85	McAllen	110	Rosebud	135	Canyon
86		111		136	Denton
87	San Benito	112		137	Merkel
88	Manor	113	Denison	138	Henderson
89	Hillsboro	114		139	Abilene
90	Paris	115	Rockdale	140	Batson
91		116		141	Amarillo
92	Sour Lake	117	Taylor	142	Shepherd
93	Cuero	118	Bremond	143	
94	Bastrop	119		144	Greenville
95	McAllen	120	McKinney	145	
96	Mineola	121	Beeville	146	Aransas Pass
97	Gonzales	122		147	Lockhart
98		123	Burleson County	148	Vernon
99	Terrell	124	San Marcos	149	Sinton

150	175 Celeste	200 Alice
151 Gainesville	176 Weatherford	201 Gause
152 Eastland	177 Dublin	202
153	178 Georgetown	203
154	179	204 Robstown
155 Smithville	180	205
156	181	206
157	182	207
158	183	208
159	184	209
160	185	210 Iredell
161	186	211 Meridian
162	187 Georgetown	212
163 Honey Grove	188 Deweyville	213
164	189 Electra	214
165	190	215
166	191 Willis	216
167	192	217 Sweetwater
168 Harrison County	193	218
169	194 Bonham	219
170	195 Wichita Falls	220 McGregor
171	196	221
172 Collegeport	197	222
173 Commerce/ Winters	198	223
174	199 Lubbock	224

225	Corpus Christi	250	Dalhart	275
226		251		276
227		252		277
228	Slaton	253	Port Lavaca	278
229		254		279
230		255		280
231		256	Waxahachie	281
232		257		282
233		258		283
234		259		284
235		260	Plainview	285
236	Jacksboro	261		286
237		262		287
238		263		288
239		264		289
240		265	Bowie	290
241		266		McCullough County
242		267		291
243	Italy	268		Falfurrias
244		269		292
245		270		293
246	Waxahachie	271		294
247		272	Winters	295
248	Colorado	273	Winters	296
249	Gustine	274	Kerrsville	Farmersville
				297
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300	325	350
301	326	351
302	327	352
303	328	353
304 Throckmorton	329	354
305	330	355
306 San Angelo	331	356 Fort Worth
307	332	357 Fort Worth
308	333	358
309 La Porte	334 Oak Cliff	359 Ennis
310	335	360 Amari
311	336	
312	337	
313	338	
314	339	
315 Alpine	340	
316	341	
317	342	
318	343	
319	344	
320	345	
321 Bee County	346 Brownwood	
322	347	
323	348	
324	349	

APPENDIX B
KLAN TERMINOLOGY

Sources (page number follows in parentheses):

§Simmons, William J. *Kloran: Knights of the Ku Klux Klan (K-UNO)*. Atlanta: Ku Klux Press, 1915.

ΔAlexander, Charles C. *Crusade for Conformity: The Ku Klux Klan in Texas 1920-1930*. Texas Gulf Coast Historical Association, 1962.

Alien - A non-Klansman (§4)

Exalted Cyclops - Leader of a Klan (§53)

Furies - Twelve officers of a Province who work for the Great Titan (§52)

Genii - Fifteen officers of the Imperial Wizard (§52)

Giant - An Exalted Cyclops of the original Ku Klux Klan (§54)

Government of the Invisible Empire - The Imperial Wizard, Emperor, and Genii (§52)

Grand Dragon - Leader of a Realm (Δ41)

Grand Titan - Leader of a Province (Δ41)

Hydra - Nine officers of the Realm who work for the Grand Dragon (§52)

Imperial Kligrapp - National Secretary (Δ41)

Imperial Klonvokation - Convention of the Invisible Empire (§52)

Imperial Wizard - Leader of the Invisible Empire (Δ41)

Invisible Empire - The entirety of the Klan (§52)

King Kleagle - Chief Kleagle for a Realm (§53)

Klabee – Treasurer (§4)

Kladd – Conductor (§4)

Klaliff - Vice-Leader (§4)

Klan - Local, numbered, and chartered group of 100 or more Klansmen (§52)

Klan Emperor - Symbolic title given to William Simmons

Klannishness - Doing business with Klansmen in preference above all others (Δ34)

Klansman - A first order title (K-UNO) for a member of the Ku Klux Klan (Δ53)

Klanton - The jurisdiction of a Klan (Δ52)

Klarogo - Inner Guard (Δ4)

Klavalier - Member of the Military Department of the Klan (Δ53)

Klavalkade - A parade (Δ53)

Klavern - Meeting place of a local Klan (Δ53)

Kleagle - Organizer for the Ku Klux Klan, Recruiter (Δ53)

Klectokon - Membership dues paid upon initiation (Δ21)

Klexter - Outer Guard (Δ4)

Kligrapp – Secretary (Δ53)

Klode - Klan song (Δ12)

Klokan(n) - Investigator(s) (Δ4)

Klokard – Lecturer (Δ4)

Klonklave - Meeting Ceremony of a Klan (Δ8)

Kloran - “‘THE BOOK’ of the Invisible Empire” (Δ5)

Klorero - Realm Convention of Klansmen (Δ35)

Kloxology – hymns (Δ28)

Kludd – Chaplain (§4)

Naturalization Ceremony – Initiation (§21)

Nighthawk - Custodian of the Fiery Cross, entertains candidates while they wait (§4)

Province - District Divisions within a Realm (§52)

Realm - A primary subdivision of the Invisible Empire (§52)

Terrors - Twelve officers of a local Klan who work for the Exalted Cyclops (§5)

WKKK - Women of the Ku Klux Klan (Δ38)

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Tenth Census of the United States. Denton County Clerk. Denton, TX
Twelfth Census of the United States. Denton County Clerk. Denton, TX
Thirteenth Census of the United States. Dallas County Clerk. Dallas, TX
Thirteenth Census of the United States. Denton County Clerk. Denton, TX
Fourteenth Census of the United States. Denton County Clerk. Denton, TX
Fifteenth Census of the United States. Denton County Clerk. Denton, TX
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<i>Austin American-Statesman</i>	<i>Fort Scott Daily Tribune</i>
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