

Fight to end racial prejudice - 1946 race riots

By Tim Wood

The fight to end racial prejudice was one of the major national stories of the 20th century.

One day in 1946, racial tensions in Columbia put the city in the national news and ultimately brought a future Supreme Court Justice to Columbia.

The incident is known by different names, including the "Mink Slide Riot" or more simply, the "Columbia Race Riot."

It was a day of high tension, government mismanagement and monumental misunderstandings. The events leading up to the incident as well as the aftermath have been well chronicled in two books: "Let There Be No More Social Lynchings" by Dr. Robert Ikard, a Nashville surgeon and native of Columbia; and "The Color of the Law," by Gail Williams O'Brien, a professor of history and associate dean at North Carolina State University.

The information in this story is based on those books, as well as back issues of The Daily Herald.

Racial violence in Maury County.

To put Feb. 25, 1946 into perspective, one must look at three tragic incidents that preceded it. In 1924, a black man was shot while in the Maury County Courthouse following his acquittal on a charge he raped a young white woman. Robert Wilson had been sentenced to two years in prison after being convicted, but the judge immediately set aside the sentence.

Then shots were fired. The brother of the alleged victim killed Wilson. But Maury

County residents lined up to sign the bond of suspect Davis J. Twomey, who was acquitted by an all-white jury one year later.

On Nov. 11, 1927, a white woman accused an 18-year-old black man, Henry Choate, of accosting her as she went to catch her school bus. Choate was arrested and taken to the Maury County Jail.

At about 8 p.m. that night, a mob approached the jail. After being refused entry, they forced their way in and abducted Choate. It is not known exactly when Choate died. A rope was slung over the railing of the second floor balcony of the courthouse and Choate's body was suspended from it.

In 1933, Cordie Cheek, a black man, was cleared of charges that he assaulted a white woman. After being released from jail in Nashville, he was abducted, castrated and hanged from a tree in the Culleoka area. News of this lynching made the front page of the New York Times. Cheek's killers were never brought to justice.

Columbia's black community comprised about 25 percent of the city's population in 1946, a percentage that has since decreased to about 16 percent. The black community was essentially separate and an uneasy

peace existed.

Peace shattered

On Monday, Feb. 25, 1946, that peace was shattered. A World War II veteran named James Stephenson and his mother, Gladys had a dispute with the local Castner Knott store. Gladys Stephenson had taken a radio there to be repaired, but was not satisfied with the work. She had asked that an electrical cord be re-attached, but when her sons, James and John, picked it up, it had not been reattached. She returned with the radio to try to get it fixed correctly.

As she left the store with her son, she made a comment about the repair service to another customer, suggesting that the customer would be better off to go elsewhere.

What happened next is in dispute. A store employee, Billy Fleming, followed the Stephensons out of the store. The store door closed, with Fleming inside and the Stephensons outside.

James Stephenson looked back through the door in a "challenging" manner, according to the Ikard book. Fleming then opened the door and pursued Stephenson down the street. An altercation ensued.

If Fleming intended to start a fight, he didn't know what he was getting into. James

Stephenson was a former Navy boxer, having served in World War II. Fleming ended up flying through a window and was stabbed with broken glass. Other white men jumped into the fight. Gladys Stephenson was

struck in the eye and ran to a drug store to ask the owner to call police.

Police Chief Walter Griffin and officer W.C. Frazier arrested the Stephensons. Fleming was taken to a hospital. He would recover from his injuries.

The initial Daily Herald report of the incident quoted Chief Griffin as saying that the Stephensons admitted pushing Fleming through the window. Griffin said they also cut Fleming with fragments of glass.

Before World War II, such an incident may not have occurred, as James Stephenson might not have felt empowered to defend himself. But as blacks across the nation served alongside whites in the military, they discovered a world much different than their segregated hometowns. And having risked their lives the same as white soldiers, they felt they deserved similar respect.

No more social lynchings

News of the incident spread rapidly. Fleming's injuries were escalated by the rumor mill. The Stephensons ended up being arrested - and the black community feared the worst.

They were not going to permit another social lynching.

The term "social lynchings" comes from a statement that black businessman and community leader Julius Blair made at the time of the Stephenson incident. Blair recalled that after the earlier lynchings, the parties responsible for the lynchings actually would have parties in which they cut up the rope that was used. The horrible lynchings were

turned into a social event, hence the term "social lynchings."

Initially, the Stephensons were taken before a magistrate. They admitted fighting -

Gladys Stephenson said she fought back - and each was fined \$50 plus court costs.

They didn't have the money to pay immediately, so they were held in the county jail.

Despite Billy Fleming's preference not to press charges, his father, John Fleming, wanted the Stephensons held for attempted murder. The original warrant was canceled and changed, according to Dr. Ikard's book.

Tensions build

Attempts were made to defuse the situation. Sheriff J.J. Underwood, a lame duck who soon would turn his office over to the newly-elected Flo Fleming, had a generally good relationship with the black community, which was led by Julius Blair and his son, Saul.

The Blairs were businessmen, with several establishments on East Eighth Street. This area was known as "Mink Slide" and as "The Bottom." The term "Mink Slide" was considered derisive by blacks. The term "The Bottom" was used in Columbia and in other communities to describe all-black business districts.

East Eighth Street was home to several black businesses, including the Morton Funeral Home and barbershops operated by the Blairs. There

also was a church and a lodge hall on the street.

But on the night of the arrests, it became a hotbed of tension.

White men congregated on the square. Rumors spread that someone had purchased some rope from a hardware on the square, ostensibly planning to use it for a lynching. John Fleming, a brother of Billy Fleming, pleaded with the crowd gathered on the courthouse square not to cause any trouble, according to a Daily Herald report.

Many men of the black community, mindful of the past lynchings, assembled on East Eighth Street, taking up positions in various locations. They were armed.

Response by local officials was critical to the outcome of the situation. Looking at it in hindsight, it would appear to have been less than optimal. But then, who would have thought Columbia would become the scene of the first major post-war race riot?

As tension built, Underwood visited with the Blairs and discussed the potential for trouble. Underwood tried to assure the Blairs that there would be no problems.

The Stephensons signed their warrants and were taken from the jail shortly after 5 p.m. by the Blairs and John Dudley. Gladys Stephenson was hidden successfully. James

Stephenson was initially taken to Nashville, and later traveled further north for his safety.

Initially, estimates of the two groups gathering downtown were 25 to 50 whites assembled on the Square and 75 to 100 black men assembled

on East Eighth Street.

Sheriff Underwood made another trip to try to keep the peace. Columbia's police force, consisting of eight men, had five of them on duty. Four of them drove down East Eighth Street around 8:30 p.m. and talked with the crowd without leaving their car.

Underwood also walked through the square, sensing unrest. He phoned the jail and asked if there still was a group of men there armed with guns. At 8:30 p.m. he called

Tennessee Governor James McCord and asked for state law enforcement help.

Officers shot

After 9 p.m., Chief Griffin and three other officers decided to walk down East Eighth Street and try to talk the mob out of violence. Lights on East Eighth Street had been shut off - some had been shot out. The officers were wearing dark blue uniforms and did not have lights. But as they tried to communicate with the mob, gunfire erupted and all four officers were wounded.

Officer Will Wilsford received the most serious injury as he was struck in the mouth by a bullet. Wilsford's wife, who resided a block west on Eighth Street from where the shooting occurred, saw her wounded husband placed in a car to be taken to the hospital.

The injured officers managed to get back up to South Main Street and cars were commandeered to take them to the hospital. Chief Griffin and officers Sam Richardson and Bernard Stofel received first aid at King's

Daughters Hospital.

After the shooting, bystanders stopped Sheriff Underwood from going down East Eighth Street, and he ended up preventing armed whites from going down there. Not long before, Mayor Denham had called the Tennessee State Guard and asked for help.

The two agencies called upon for help were a contrast to their modern day counterparts.

The Highway Patrol was headed by Lynn Bomar, a former football All-American at Vanderbilt. Bomar was a towering figure and wore a yellow scarf in Columbia.

The State Guard was created in 1941 to provide military protection while the National Guard was mobilized for World War II. The troops were teen-agers and men ineligible for the draft. They were underfunded, undertrained and underequipped. The Guard was headed by Gen. Jacob Dickinson.

The raid on East Eighth Street

A curfew was put into effect and a heavy rain fell, curtailing unnecessary activity on the streets. At 1:30 a.m., local and state law officers made plans to enter the Mink Slide area, control the blacks there and seek those who had shot the police officers. They decided to begin at 7 a.m. to have the benefit of daylight and more troops.

But Bomar ignored the plans. At 6:07 a.m., he, Sheriff Underwood, 40 to 50 patrolme and an unknown number of other semi-official deputies converged on East Eighth Street. A gunfight started at Saul Blair's barbershop. The lawmen claimed a shot was fired from inside the

barbershop. They shot out the shop's windows and lock and arrested its two occupants, William "Rooster Bill" Pillow and Loyd "Papa" Kennedy.

The Daily Herald reported that three highway patrol officers were wounded. The patrolmen started shooting out locks and store windows up and down the street. They arrested black men, in some cases treating them brutally. For several hours, they continued to damage businesses on East Eighth Street.

The Guard managed to keep others from going down the street. Col. Victor Wilson faced down one man, took away his gun and bent it around a post. After that, he persuaded many more to go home.

The patrolmen broke into the Morton Funeral Home, causing \$2,000 in damage - a considerable sum in 1946. The most notorious act was writing the letters "KKK" in powder across a closed blue coffin. An image of the coffin would be reprinted in publications around the country, and it became a symbol of the race riot.

By 9:30 a.m. Tuesday, patrolmen had arrested 31 people, retrieved 30-40 guns and had inflicted considerable damage upon the businesses of West Eighth Street.

Bomar obtained permission from the state attorney general to search homes and businesses for weapons. Although the request was of questionable legality, it was approved. About 75 deputized patrolmen and 75 guardsmen went into the black residential areas of the town and confiscated ammunition and about 300-400 weapons.

By Wednesday, there were 800 Tennessee Guardsmen and 75 Highway Patrolmen in the area. At this point, there had been no

fatalities. But that was to change.

Tragedy in the jail

The jail, a converted two-story house, was jammed with 100 prisoners. There were few beds. Buckets served as toilet facilities.

The overcrowded situation led to the only deaths of the race riot.

Three prisoners - James "Digger" Johnson, Willie Gordon and Napoleon Stewart were taken to the sheriff's office to await bail. There were confiscated guns stacked everywhere. Somehow, Gordon and Johnson managed to get their hands on two loaded guns. Each fired, grazing Deputy Tom Darnell.

Several patrolmen were in the corridor at the time and had removed their side arms as they approached the cell block. They were there to identify potential suspects in the shooting on West Eighth Street.

The patrolmen quickly obtained side arms and opened fire on Gordon and Johnson.

Stewart ran to a corner and put up his hands. He was not wounded.

The wounded prisoners were taken to the then all-black Meharry Hospital in Nashville.

There is some question as to why they were not taken to the local hospital. Some said it was because of the all-white policy of the hospital, while others said the local hospital could not handle injuries of

the severity suffered by the prisoners.

Gordon and Johnson died en route to Nashville.

Later that day, 42 prisoners were loaded into a cattle truck and taken to a jail in Nashville, where conditions were much better. By March 7, all of the prisoners had been released, either due to making bond or for there not being any reason to have them in jail.

Sorting it out

It wasn't long before the legal system began to sort out what had happened. Would any of the men on East Eighth Street be charged and convicted of shooting the officers? Was the conduct of the Highway Patrol legal, and if not, would there be any consequences?

The first of many attorneys to become involved arrived the day after the riot. Maurice Maxwell Weaver, a 33-year-old lawyer from Chattanooga, arrived in Columbia on Feb. 26.

Later becoming involved with defending the accused black men were Z. Alexander Looby, a lawyer who practiced in Nashville; Leon A. Ransom, 47, a member the NAACP legal staff; and Thurgood Marshall, a NAACP attorney who went on to become the first black Supreme Court Justice. Weaver was the only white attorney of the group.

Paul F. Bumpus, 45, was the attorney general who would prosecute the cases. A Mount Pleasant native, he believed the county and nation were facing a civil war.

U.S. Attorney General Horace Frierson, a Columbia native, said early on that no civil rights had been violated, but asked for FBI involvement

after the jail slayings.

Federal grand jury

The issue of law enforcement and civil rights was addressed by a federal grand jury hearing which convened April 8, 1946 before Judge Elmer D. Davies.

After their investigation, the jury reported on June 14 that they had heard no evidence that would warrant indictments for "violation of any federal statute." They said they could not assign blame in the initial fight between the Stephensons and Billy Fleming.

They found no evidence of a malicious rope purchase or an organized lynch mob action.

While the grand jury acknowledged there were acts of vandalism on East Eighth Street, the jury found it "wholly impossible to determine the identity of such person or persons or to elicit facts upon which to predicate an indictment in this respect."

The jury said that while black men were struck by the arresting officers, the force used was "not unreasonable" and the killings of Johnson and Gordon were "justifiable homicide, according to Gail O'Brien's book "The Color of the Law."

Blacks were disappointed at the findings. They asked why the jury had not addressed the needless destruction, mistreatment of Negroes, Weaver's inability to reach his clients, unwarranted arrests and indictments and unlawful search and seizure. They asked why a special grand jury had not been impaneled, instead of the existing jury, which had no black members. They also were concerned about Judge Davies

who had been a member of the KKK during his young manhood, according to Dr. Ikard's book.

The law turned its attention to prosecuting suspects in the riot.

Ultimately, the following cases were presented:

4718, State of Tenn. vs. Saul Blair, et al. Charged: Saul Blair, Julius Blair, James Morton, Meade Johnson, James Bellanfent with inciting Robert Gentry, Luther Edwards, Paul Miles, Raymond Lockridge and others to commit murder; accused of trying to kill Will Wilsford.

4719: Indicted whites Carl Kelly, Roy Scribner, Earl Tomlin and Joe Williams for the assault on the jail to snatch the Stephensons.

4720 State vs. William Pillow and Loyd Kennedy, charging the two men, the alleged shooters from Saul Blair's barbershop, with injuring Patrolman Ray Austin.

3721: John Blackwell was accused of attempting to murder patrolman C.A. Cartwright.

4722: "Included luckless hidiers in Morton's funeral home," according to Dr. Ikard's book.

4731: Gladys and James Stephenson were charged with inciting a riot.

In late June, a change of venue was requested. The defense attorneys were hoping for a move to Williamson County or Davidson County. On July 2, Judge Joe Ingram moved the trial to Lawrence County, to the horror of the defense attorneys. Ingram denied a quick withdrawal of the change of venue motion.

Trial in Lawrenceburg

The next legal proceeding was the trial in Lawrenceburg. The defense team did not stay in Lawrenceburg - not even Weaver, who was white.

Jury selection started Aug. 14. Testimony didn't start until Sept. 19, 1946, as jury selection dragged on and on. There were 10 blacks in the 312-man jury pool, but none were picked for the jury.

Defense testimony started Sept. 27. After a two-week trial, the jury took less than two hours to return a verdict of not guilty for all but two defendants. Gentry and McGivens were found guilty of attempted murder and the jury recommended a sentence of no more than 21 years.

The verdict surprised many, but there were reasons to back it up. The prosecution never identified a gunman. In the absence of specific evidence, prosecutors relied on conspiracy theory. Bumpus gave a rambling, illogical closing argument, according to Dr. Ikard's book.

O'Brien quotes juror James Davis: "We had decided that the state didn't have anything. We know there was a conflict, there was a war. Both sides, one building up and down in Mink Slide, and the other up ... around the courthouse ... But the only solid proof they had was a photograph of an officer's fanny, turned up .. with his pants down, and some speckles in his bottom. Of course we knew somebody hit him with buckshot but it could've been anybody ... we were all of the same opinion that they didn't have enough. These things might have happened. It was kind of a fairy tale as far as we were concerned. It wasn't real because they couldn't produce any concrete evidence, and

that's the law."

O'Brien's book quotes another juror as saying that if 25 people had shot at an officer with the intent to kill him, they surely would have succeeded.

In late October, Judge Ingram awarded a new trial to Robert Gentry and John McGivens. Neither they nor the Stephensons ever came to trial, as charges were quietly dropped for lack of evidence.

One more trial

In November, case 4720 against Loyd "Papa" Kennedy, 21, and William "Rooster Bill" Pillow, 38, went to trial in Columbia.

The prosecutors said Kennedy and Pillow fired on patrolman Ray Austin from Saul Blair's barbershop in the dawn of Feb. 26.

Thurgood Marshall became one of the defense lawyers, replacing Ransom. Marshall, who had been prevented from participating in the first trial because of illness, arrived Nov. 15, after the jury was selected and the prosecution had begun to present its case. Looby and Weaver were the lead lawyers. Julius Blair was consulted frequently.

A Daily Herald editorial commented: "People of Maury County were combating the Communistic spirit that had been injected into the earlier trial of Negroes from outside."

Jury selection took 72 hours. Ingram made a list of "leading citizens" from which he completed jury selection. The defense used only one

afternoon for its presentation.

After the presentation of testimony and closing arguments, the jury deliberated for 1 hour, 20 minutes. Pillow was acquitted; Kennedy was convicted of attempted murder in the second degree. Kennedy was sentenced to not more than five years imprisonment. Kennedy's impudent behavior while on the witness stand may have caused him to be convicted. His sentence later was commuted and he served only a few months in prison.

Long term effects

What effect did the race riot of 1946 have on Columbia? Rather than increase the animosity of whites toward blacks, it had the opposite effect.

O'Brien writes in her book "Nevertheless, the decision by (black) businessmen to take up arms in defense of James Stephenson altered their image in the local white mind and improved the treatment that whites accorded them.

"Raymond Lockridge recalled that prior to the 'riot,' whenever he worked for whites, they gave him something to eat on the back porch; afterwards, he either ate with them or at their table when they had finished. Similarly, Addie Blair Cooper, who worked in a downtown department store as an elevator operator, noted that after the fray whites began to treat blacks 'with just a little more courtesy.'"

Carl Rowan wrote in his 1952 book "South of Freedom" that when he traveled to Columbia to ask about the riot, Saul Blair told him "You just

tell them that before the riot Columbia was a hell-hole, but that we've got a good city now. Used to be that when a Negro went in a store uptown the clerks didn't see him until he started to walk out. Then they might offer to serve him. You go in now and ask for a pair of galluses and those clerks will button 'em on you."

Today, East Eighth Street contains vacant lots where businesses existed in 1946 although some businesses remain. There are no signs of the incident that shook the United States in 1946. The Castner-Knott store is long out of business. James Stephenson, who traveled to the North to escape harm, settled there.

Three years after the riot, a branch of the NAACP was formed in Maury County. Its members would fight and win many a battle for the rights of blacks in Columbia. The legacy of the 1946 Columbia Race Riot is that brave men stood up for their rights and said there would be no more social lynchings.

And there weren't.