

5-2020

## 'The once peaceful little town:' Edmondson, Arkansas, and the Decline of African American Landownership

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### Citation

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“The once peaceful little town”: Edmondson, Arkansas, and the Decline of African  
American Landownership

A thesis submitted in partial fulfillment  
of the requirements for the degree of  
Master of Arts in History

by

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Bachelor of Arts in History, 2018  
University of Arkansas

May 2020  
University of Arkansas

This thesis is approved for recommendation to the Graduate Council.

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## **Abstract**

This thesis examines the systematic dispossession of African American property by white planters in the Arkansas Delta. It argues white planters, backed by a legal system favorable to their interests, expropriated the black land in the once flourishing community of Edmondson, Arkansas. Founded in 1902 by African American business and political leaders, the Edmondson Home and Improvement Company purchased farmland and town lots and began to sell or rent the land to African Americans coming to the area. Located in Crittenden County, Edmondson represented black defiance in the face of Jim Crow laws and white supremacy. The town consisted of black-owned businesses financially supported by the productive cotton-growing soil that surrounded the town. However, the Great Depression lowered the price of cotton, and the town fell into decline. By the mid-1930s, New Deal programs, particularly the Agricultural Adjustment Agency, revitalized the cotton industry, making the land in Edmondson coveted by the dominant white planters.

During this time, a white man named Weaver acquired a town lot through an African American agent working on his behalf. The arrival of the first white landowner in Edmondson set in motion a conspiracy to take the land from African Americans and place it under white planter control. By 1941, Weaver had acquired nearly 600 town lots and was collecting rent from the original owners. Left economically devastated and under the control of white planters, the black people of Edmondson had no resources to contest the loss of their land. When the Southern Tenant Farmers Union arrived in Edmondson in 1936, it used its connections to fund a civil suit against Weaver in which they alleged that Weaver's acquisition was part of a conspiracy to wipe out the last independent black community in Crittenden County. The people claimed that the sheriff and tax collector of Crittenden County had declared their land delinquent for failure to

pay a tax that he had not properly levied against them. Having declared the lands delinquent, the sheriff then sold the lands to the State of Arkansas. The state then conveyed the land to Weaver, leaving him virtually the sole proprietor of Edmondson. The civil suit lasted from 1941 to 1949 when a Crittenden County judge dismissed the suit without a trial, and the people of Edmondson never reclaimed their property.

## **Acknowledgments**

I could not have completed this master's thesis without the support of my amazing professors, friends, and family. I owe an extreme debt of gratitude to my advisor, Professor Michael Pierce, who first introduced me to the story of Edmondson. Nothing I have done would have been possible without his unending guidance and support.

I would like to thank the other members of my committee, Professors Caree Banton, Jeannie Whayne, and Patrick Williams, for their time and expertise during this process. Their various perspectives introduced me to new ways of thinking, a gift more valuable than words can express. Furthermore, I thank the University of Arkansas Department of History for its support in researching this thesis and for making the last two years one of the best experiences of my life.

Additionally, I owe a debt of gratitude to Professor James D. Ross of the University of Arkansas at Little Rock, who provided me with some of the most necessary information in telling this story. I would also like to thank the excellent staff at the University of Arkansas Libraries, Special Collections, the Wayne State University Walter P. Reuther Library, Archives of Urban and Labor Affairs, the Arkansas State Archives, and the Crittenden County Courthouse for their help in researching this topic.

Finally, I could have never finished this degree without the emotional support of my friends and family. To my partner, Ellie, thank you so much for always believing in me, especially when I didn't believe in myself.

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## **Introduction**

On August 11, 1911, a few hundred African American men and women celebrated the small Arkansas Delta town of Edmondson's incorporation. The city's main street bustled with black-owned businesses and restaurants, and the black-owned farms surrounding the town grew some of the finest cotton in the world, which the proprietors brought to black-owned cotton gins. Some of Edmondson's people were born enslaved, later possessing the land they were once forced to cultivate. Others were survivors of a white mob that forcibly expelled Crittenden County's African American politicians and prominent citizens in 1888. The incorporation was the result of nearly a decade of work. In 1902, seven industrious African Americans, dedicated to establishing a community of black landowners free from white authority, started the Edmondson Home and Improvement Company. The company purchased land and sold it to African Americans on the condition they could only resell the property to other black men and women. Edmondson exemplified black resilience at a time when Jim Crow ruled, and white planters sought to control the existence of the black population. Edmondson promised to allow black people to control their own destiny, offering the same for future generations.

Thirty years later, the town was ripped from the hands of the African Americans who built it and ended up in possession of a single white planter, Harold Weaver. In February 1942, H. L. Mitchell, the general secretary of the Southern Tenant Farmers Union (STFU), wrote Walter White of the National Association for the Advancement of Colored People (NAACP) to ask for assistance in returning the land to its rightful owners. Mitchell explained:

For five years a man by the name of Weaver has been there running the town, corrupting the morals of this community and completely demoralizing the

residents. He has gotten control of homes and land through devious methods of securing tax titles.<sup>1</sup>

Throughout the 1940s, the black citizens battled Harold E. Weaver, suspected of being an agent of the elite white planters, for control of the "last stronghold of the Negroes in Crittenden County."<sup>2</sup>

This thesis examines the process by which the white landowners of Crittenden County exploited the legal system to extinguish Edmondson and reassert control over the land and its black population. It argues that Edmondson's mere existence challenged the racial and economic status quo in the Arkansas Delta and threatened white planter hegemony. In 1943, one investigator noted Edmondson's demise resulted from "the belief among the planters that it is bad to have any land-owning Negroes in the county; it might make the Negro tenants and laborers dissatisfied with their lot."<sup>3</sup> However, the planters' motivation for taking control of Edmondson was far more complicated. Edmondson's incorporation disproved the notion of black inferiority, but the settlement had remained mostly undisturbed for nearly three decades. It was not until the New Deal programs, particularly the Agricultural Adjustment Act, had revitalized the cotton industry and raised the value of the farmland around the town that whites endeavored to deprive African Americans of their property. When Harold Weaver took Edmondson, he sought to erase the memory of black independence in Crittenden County and reasserted white control of the land.

No historical monographs exist that examine the plight of African American landowners

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<sup>1</sup>H. L. Mitchell to Walter White, February 18, 1942, reel 20, item 3, Southern Tenant Farmers' Union Records, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill (microfilm copy accessed at the University of Arkansas Libraries). Hereinafter referred to as STFU Records.

<sup>2</sup> Ibid.

<sup>3</sup>Joseph Freeland to Morris Milgram, November 20, 1943, Box 189, Folder 6, Workers Defense League Records, Walter P. Reuther Library, Archives of Labor and Urban Affairs, Wayne State University. Hereinafter referred to as WDL Records.



in Arkansas, particularly in the Delta counties where thousands of migrant blacks established themselves after emancipation. However, there is a growing body of scholarship addressing black landowners in other parts of the South. Beginning in 1978, Claude Oubre's *Forty Acres and a Mule: The Freedmen's Bureau and Black Land Ownership* argues that scholars have "generally concentrated either on the development of the share-tenant system of agriculture or on efforts to provide the freedmen with education."<sup>4</sup> Oubre connects the Freedmen's Bureau's inability to provide the freedmen with land to the Jim Crow laws established in the late 19<sup>th</sup> century. These laws impeded black political, economic, and social progress in the hundred years after emancipation. He contends, "the tragedy of Reconstruction is the failure of the black masses to acquire land since, without the economic security provided by landownership, the freedmen were soon deprived of the political and civil rights they had won." The story of Edmondson, though, complicates Oubre's Reconstruction story by showing the resolve of freedpeople and their families to acquire land and participate in civic life.<sup>5</sup>

In 1990, Loren Schweniger published the first comprehensive study of black property owners in the United States South. In *Black Property Owners in the South, 1790-1915*, Schweniger argues that African Americans viewed the acquisition of property as the most expedient method of entering mainstream American society. Schweniger identifies a tradition of black Americans seeking to use property ownership as an avenue to economic and social independence dating back to the antebellum era. Schweniger ends his analysis in 1915 at the height of white violence toward blacks who could not stand the sight of economically prosperous African Americans. The collapse of Edmondson is an excellent example of how black property

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<sup>4</sup> Claude Oubre, *Forty Acres and a Mule: The Freedmen's Bureau and Black Land Ownership* (Baton Rouge: Louisiana State University Press, 1978), xi.

<sup>5</sup> *Ibid*, 197.

ownership threatened ideas of white supremacy in the South. The existence of a completely independent black community caused panic among influential planters who reacted to their success by appropriating their land and stripping them of their independence.<sup>6</sup>

More recently, scholars have uncovered the history of prosperous black landowners, described by Debra Reid as "a forgotten class."<sup>7</sup> *Beyond Forty Acres and a Mule: Black Landowning Families since Reconstruction*, the volume she edited along with Evan Bennett, links the establishment of strong community ties to the preservation of African American landownership. The authors provide evidence that black landownership was the foundation of political resistance in the Jim Crow South. Despite Arkansas's establishment of the poll tax and the white primary in the 1890s, Edmondson's people preserved their right to vote. This right would not have been possible had Edmondson's prosperity not provided the necessary economic security.<sup>8</sup>

Still, only one monograph fully examines how African Americans had their property taken from them during the twentieth century. Pete Daniel's *Dispossession: Discrimination Against African Americans in the Age of Civil Rights* argues that the United States Department of Agriculture (USDA) facilitated the decline in African American farms from over half a million to only 45,000 between 1950 and 1975. Daniel maintains that the USDA's promotion of capital-intensive operations contributed to the consolidation of farmland by white planters, displacing black farmers in the process. Furthermore, the administration of federal programs by county officials allowed whites to deprive blacks of the very programs designed to foster landownership in the 1960s. This thesis extends the scope of Daniel's work from the 1950s and 1960s back into

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<sup>6</sup> Loren Schweniger, *Black Property Owners in the South, 1790-1915* (Urbana: University of Illinois Press, 1990.)

<sup>7</sup> Debra A. Reid and Evan P. Bennett, eds, *Beyond Forty Acres and a Mule: African American Landowning Families since Reconstruction* (Gainesville: University Press of Florida, 2012), 2.

<sup>8</sup> Ibid.

the 1930s and 1940s and argues that New Deal programs inadvertently encouraged the decline of black landownership. When Crittenden County's planters exploited government financial assistance to enhance their wealth, they used their advantage to wipe out the only independent black community left in the area.<sup>9</sup>

Several works document how Arkansas's plantation owners manipulated federal programs to control African Americans in the 1930s and 1940s. Jeannie Wayne's *A New Plantation South: Land, Labor, and Federal Favor in Twentieth-Century Arkansas* focuses on the emergence of the elite planter class from the perspective of Delta county of Poinsett. Wayne argues that the New Deal programs augmented the power of the planter class by funneling cash directly to landowners, who used government subsidies to further their own interests. By 1934, the tension between landowners and their tenants culminated in the formation of the Southern Tenant Farmers Union which began demanding better pay and job security from the planters. The STFU's involvement in the battle over property rights in Edmondson demonstrates how the union used the courts to combat planter rule.<sup>10</sup>

Nan Woodruff's *American Congo: The African American Freedom Struggle in the Delta* contends that elite planters exercised their influence in the federal government to maintain a stable workforce during World War II. The elites lobbied for policies that restricted farmworkers from entering military service, making false claims of a Delta labor shortage. The power of elite planters illustrates the kinds of opposition the people of Edmondson found themselves up against in their battle to possess the land and foster black economic independence. *American Congo* also offers a brief examination of black landownership in the Delta between 1870 and 1900.

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<sup>9</sup> Pete Daniel, *Dispossession: Discrimination Against African American Farmers in the Age of Civil Rights* (Chapel Hill: University of North Carolina Press, 2013), xi-xiii.

<sup>10</sup> Jeannie M. Wayne, *A New Plantation South: Land, Labor, and Federal Favor in Twentieth-Century Arkansas* (Charlottesville: University Press of Virginia, 1996).

According to Woodruff, “black farmers made up 66 percent of all Delta farm owners at the turn of the century.”<sup>11</sup> Woodruff identifies economic and social factors of the decline of black farmers. Volatile cotton prices in the 1880s and 1890s left black farmers with limited resources to maintain possession of their property, and many of them found themselves working as sharecroppers on their former property. Furthermore, Woodruff illustrates that the white fear of the emerging black middle class resulted in violence and the call for black disfranchisement.<sup>12</sup>

The dispossession of Edmondson exposes collusion between elite planters and local law enforcement to deprive black landowners of their property to assert their economic domination and increase their wealth simultaneously. The story of Edmondson is one of greed, corruption, and theft by forces reacting to the presence of an economically and politically independent African American community. It is also a story of resilience. It is about the refusal to give up in the face of overwhelming odds. In the end, the planters won and erased the memory of the once-prosperous black community. It is my hope that this study will keep the memory alive. In the end, Edmondson represents how African Americans took it upon themselves to fulfill the broken promises of Reconstruction – they had possessed the land.

Uncovering the lost history of Edmondson presented numerous challenges, the most significant being locating the voices of the dispossessed. Legal documents found in the basement of the Crittenden County Courthouse in Marion, provide a full record of the civil suit between the Edmondson Home and Improvement Company and Harold Weaver. Unfortunately, the case never made it to trial, so the voices of the plaintiffs are unrecorded. The primary material used for this study consists mostly of correspondence in records of the Southern Tenant Farmers

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<sup>11</sup> Nan Elizabeth Woodruff, *American Congo: The African American Freedom Struggle in the Delta* (Chapel Hill: University of North Carolina Press, 2003), 22.

<sup>12</sup> *Ibid*, 5-6, 21-23.

Union Records and the Workers Defense League, much of which relates to a campaign to free Tee Davis, a sharecropper from Edmondson and the subject of chapter three. Newspaper articles published during the campaign reveal some details of Edmondson's history but mainly focus on the period after Weaver took possession of the town. Therefore, nearly two decades of Edmondson's history remain untold.

The rest of the evidence comes from the only four published works mentioning the existence of this small Delta town. The local history of Crittenden County includes valuable information about Edmondson's development in the early twentieth century but omits a discussion of the battle the black residents of Edmondson waged for their land back. Instead, Margaret Woolfolk's *A History of Crittenden County*, describes the Edmondson Home and Improvement Company as a "failed venture," that "ceased to exist because of its failure to pay taxes which it had pledged to pay."<sup>13</sup> From this perspective, Weaver had fairly received the land after he agreed to pay the back taxes, acquiring 588 town lots, including many acres of farmland. A 1911 work by an African American educator from Memphis named Green Polonius Hamilton, by contrast, credited the town's success to the Edmondson Home and Improvement Company and described it as a shining example of what black people could accomplish when they were free from white oppression.<sup>14</sup>

Two other works offer some insight into the true story of how Edmondson fell into the hands of a white planter. In his autobiography, STFU co-founder H. L. Mitchell recalls K. T. Sutton's endeavor to win back the land through the courts. He insists that Weaver acquired his first piece of property after he sent an African American agent to purchase the land from the company. Only later did they discover that the man had conveyed the property to the Weaver,

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<sup>13</sup> Margaret Elizabeth Woolfolk, *A History of Crittenden County*, Arkansas, (Marion: M. E. Woolfolk, 1991), 197.

<sup>14</sup> Green Polonius Hamilton, *Beacon Lights of the Race* (Memphis: E. H. Clarke and Brothers, 1911), 544-546.

who became the only white landowner in Edmondson. Finally, STFU historian James Ross includes a summary of an interview with a resident of Edmondson in the 1990s wherein he says that Anthony Fleming of the Edmondson Home and Improvement made a deal with an unnamed white man to deliver its taxes to the county seat of Marion where blacks were unwelcome. According to Ross, this explains the company's "failure" to pay its taxes.<sup>15</sup>

Chapter one argues that Edmondson's incorporation was a result of black defiance. It focuses primarily on African American political development in Crittenden County following emancipation that ultimately resulted in the expulsion of black officials in 1888. Those who survived returned at the turn of the century to reclaim the property they had acquired in the 1870s and 1880s. A group of these landowners formed the Edmondson Home and Improvement Company, which led to the incorporation of Edmondson a decade later. Twenty years later, New Deal programs had revitalized the declining cotton industry, and the fertile farmland in Edmondson became coveted by white planters.

Chapter two shows how the town of Edmondson fell into the hands of a single white planter – Harold Weaver. It argues that Crittenden County's legal system supported Weaver's actions. Often planters themselves, law enforcement officials abused their power to control the lives of the black population through intimidation, violence, and deceit. It also maintains that the arrival of the STFU in Edmondson in 1935 provided the dispossessed with the necessary resources to combat this corruption in the courts. In the end, Weaver's victory came as a result of the support he received from the Crittenden County courts, which looked out for the interest of white planters.

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<sup>15</sup>H. L. Mitchell, *Mean Things Happening in This Land: The Life and Times of H. L. Mitchell Co-Founder of the Southern Tenant Farmers Union* (Montclair: Allanheld, Osmun & Co. Publishers, Inc., 1979), 200; James D. Ross, *The Rise and Fall of the Southern Tenant Farmers Union in Arkansas* (Knoxville: University of Tennessee Press, 2018), 78.

Chapter three tells in full the story of sharecropper Tee Davis to illustrate the methods Weaver used to maintain order in the town and control its residents. Tee Davis served ten years in prison for defending his home one night when Harold Weaver began kicking the door down to conduct an illegal search for a cattle thief. The story of Tee Davis is an example of how Weaver retaliated to the STFU's legal action against him. Furthermore, this chapter argues that Arkansas's governors, members of Congress, and courts alike supported the Delta legal system to appease the influential planters whose control of the black population contributed to their persisting power.

## Chapter One:

### **Foundations of Defiance: The Edmondson Home and Improvement Company and the Incorporation of Edmondson, 1888-1935**

Patrick Henry Ward was born enslaved to a white plantation owner named J. E. H. Ward, in Lynchburg, Virginia, in 1850. The following year, J. E. H. Ward migrated west, taking Patrick and his mother to Arkansas. He settled in a newly opened area named for its first settler, Andrew Edmondson. A decade later, P. H. Ward and his mother found themselves free from enslavement. Sometime later, Ward received 160 acres from the state of Arkansas, which he cleared for his homestead. Ward married his wife, Dorkas, who gave birth to their first child in 1871. Together, they raised five children on their farm in Edmondson, placing them among freedpeople who migrated to Arkansas following the end of the Civil War seeking to acquire land cheaply and enjoy the benefits that accompanied landownership. In the 1870s, Ward added to his holdings by purchasing a cotton gin. By the turn of the century, P.H. Ward had accumulated well over five-hundred acres of the finest cotton-growing land in the world. In 1905, Ward conveyed 481 acres to the Edmondson Home and Improvement Company, which was founded three years earlier. On August 11, 1911, Ward, his son Granville, and his son-in-law Dan Lyons, joined thirty others in affixing their names to Edmondson's petition for incorporation. This would be the start of a thriving black-owned and black-controlled community in the heart of the Arkansas Delta.<sup>16</sup>

Although Ward had lived in Arkansas before the Civil War, black settlements like

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<sup>16</sup>Woolfolk, *History of Crittenden County*, 195-197; Crittenden County Deed Record Book Z-2, Crittenden County Courthouse, Marion, Arkansas, 116-117; "United States Census, 1880," database with images, FamilySearch (<https://familysearch.org/ark:/61903/3:1:33S7-9YY1-TLP?cc=1417683&wc=XWH7-7M9%3A1589394996%2C1589396129%2C1589396717%2C1589395213> : 24 December 2015), Arkansas > Crittenden > Proctor > ED 60 > image 37 of 46; citing NARA microfilm publication T9, (National Archives and Records Administration, Washington, D.C., n.d.).



Edmondson owed their existence to the migration of African Americans to Arkansas from all over the South in the decades following emancipation. Landownership's promises of independence and freedom brought them to the eastern part of the state, where land could be acquired cheaply. The farms they established were the foundation of stable African American communities where blacks found opportunities for economic independence and political participation. Between 1870 and 1890, the number of black-majority counties in Arkansas rose from eight to fifteen. These communities established businesses and schools, formed fraternal organizations and churches, and elected blacks to local and state offices. Though little known and barely remembered, the town of Edmondson is one of the best examples of how industrious African Americans relied on the purchase of property to protect their communities from white authority.<sup>17</sup>

The incorporation of Edmondson is inextricably linked to the acquisition of property and the election of black candidates in Crittenden County during the latter half of the nineteenth century. Located just across the Mississippi River from Memphis, Crittenden County was home to some of the best cotton-growing lands in the world, providing freedpeople with the opportunity for economic prosperity. These black landowners went on to establish themselves politically, securing positions at both the county and state levels. By 1870, Crittenden County's black population had risen to 67 percent. In 1871, Crittenden County's Republican voters elected two formerly enslaved candidates to the Arkansas House of Representatives. Demonstrating the continued political success of its black citizens, Crittenden County voters elected a total of nine black candidates to the state legislature between 1871 and 1891, and dozens more to county offices. Of those nine, seven were born enslaved, and five had served in local office before being

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<sup>17</sup>Story Matkin-Rawn, "'The Great Negro State of the Country': Arkansas's Reconstruction and the Other Great Migration," *Arkansas Historical Quarterly* 72 (Spring 2013), 27-31; Woodruff, *American Congo*, 22.

elected to the state legislature. All nine legislators had migrated to Arkansas and purchased property in Crittenden and surrounding counties. These nine men are just a few examples of how African Americans realized the promises of emancipation in Arkansas between 1868 and 1893. By the end of the century, whites had dashed the aspirations of African American politicians with the imposition of the poll tax and the all-white Democratic primary, keeping African Americans out of the state legislature for eighty years.<sup>18</sup>

Democrats reacted to the political victories of black Republicans by intensifying white resentment. The Democratic press stoked racial tension by warning white Arkansans of the prospect of “Negro Domination.” Despite Democratic control at the state level, Republicans maintained substantial numbers in counties with large African American populations. To preserve their influence in these areas, Democrats entered into arrangements with Republicans wherein the two parties agreed to allocate each party certain offices on the ballot, ensuring the presence of both parties in government. These so-called “fusion” arrangements were commonplace during the 1870s and 1880s. In Crittenden County, Republicans took the offices of circuit clerk, county judge, assessor, and state representative, while Democrats took the positions of sheriff, treasurer, and surveyor.<sup>19</sup>

The power-sharing arrangements that Democrats and Republicans forged in Delta counties like Crittenden were disrupted by the arrival of the Agricultural Wheel’s political arm, the Union Labor Party, in the 1880s. The Agricultural Wheel emerged from the economic problems that arose in the 1870s and 1880s. Volatile cotton prices led to a growth in tenancy and

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<sup>18</sup> Krista Michelle Jones, “It was awful, but it was politics”: Crittenden County and the Demise of African American Political Participation,” (M.A. thesis, University of Arkansas, 2012), 32; Blake Wintory, “African-American Legislators in the Arkansas General Assembly, 1868-1893,” *Arkansas Historical Quarterly* 65 (Winter 2006).

<sup>19</sup> *Ibid*, 46; Wintory, “African American Legislators, 388; Matkin-Rawn, “The Great Negro State of the County,” 21; Melanie K. Welch, “Violence and the Decline of Black Politics in St. Francis County,” *Arkansas Historical Quarterly* 60 (Winter 2001), 366.

the crop lien system in the Delta, so poor and middling Arkansas farmers banded together to form a series of farm organizations dedicated to defending their livelihoods. One of the more influential of these organizations was the Agricultural Wheel. Created by farmers from Prairie County in 1882, the Wheel demanded the end of the crop lien system, the passage of anti-trust laws, restrictions on monopolies, and welcomed both black and white members, albeit in segregated lodges. In its early years, the Wheel did not support independent candidates but rather supported pro-Wheel Democrats. By 1886 it had become evident that the Democrats were ignoring the pleas of the poor farmers. The Wheel began running its own candidates at the state level, and by 1888, its 75,000 members presented a formidable political threat to the Democrats. That same year, the Wheel joined with the Knights of Labor to form the Union Labor Party. Soon after, Republicans joined the alliance, increasing the likelihood of upsetting Democrats at the state level.<sup>20</sup>

In Crittenden County, the election of 1888 culminated in the formation of a white mob that forcibly expelled the county's black politicians and prominent citizens, marking the end of black presence in county offices. This process was detailed in Krista Jones's master's thesis, "It was awful, but it was politics': Crittenden County and the Demise of African American Political Participation." According to Jones, the fusion arrangement between Republicans and the Union Labor Party resulted in a plot by Democrats to tighten their control of the county's government. The most effective way to achieve this goal was to disfranchise blacks and to remove them from office. On July 12, rumors spread that blacks were planning an uprising after the *Arkansas Gazette* published an article called "Turbulent Negroes Threaten to Precipitate a War of the

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<sup>20</sup> Matthew Hild, *Arkansas's Gilded Age: The Rise, Decline, and Legacy of Populism and Working-Class Protest* (Columbia: University of Missouri Press, 2018), 23-24; Jones, "It was awful, but it was politics," 57-61; Welch, "Violence and the Decline of Black Politics," 362-367.

Races.” That same day, two African American officeholders – judge Daniel Lewis and clerk Davis Ferguson – were to stand trial following an indictment for public drunkenness. The proceedings were interrupted by a mob of armed white citizens – including the sheriff – who gathered outside the courthouse and ordered Lewis, Ferguson, and Ferguson’s deputy, J. L. Fleming, outside. The mob accused the three officials of sending threatening letters to prominent white citizens of Marion who had pushed for Lewis and Ferguson’s indictment. Lewis and Ferguson denied the allegations to no avail. The judge did nothing to protect them, and Lewis, Ferguson, and Fleming became the first of many black officeholders and citizens escorted to Memphis and warned under threat of death never to return. The mob may have deprived the expelled of their political rights, but they could not take their property from them. The land blacks had acquired in Crittenden County remained in their names, and years later, they returned to claim it.<sup>21</sup>

In 1902, a group of African Americans formed the Edmondson Home and Improvement Company. The main objective of the company was to establish a completely black-controlled community and facilitate the growth of black landownership. The group, the *Chicago Defender* later explained, consisted of “leaders who escaped” and “later returned to establish the town of Edmondson.”<sup>22</sup> While available sources confirming that the survivors of the 1888 mob founded the company are scarce, two key players in Jones’s thesis share a family name with those involved in the Edmondson Home and Improvement Company and the incorporation of Edmondson in 1911. The first is J. L. Fleming, deputy-clerk to David Ferguson and editor of the *Marion Headlight*. The name Fleming is significant in the history of Edmondson. Anthony L. Fleming was one of the original members of the Board of Directors of the Edmondson Home and

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<sup>21</sup> Jones, “It was awful, but it was politics,” 65-71.

<sup>22</sup> “‘Padded’ Vote in Negro Town Hit in Court Action,” *Chicago Defender*, May 15, 1943.

Improvement Company and served as the group's first secretary. He is one of the original signers on the petition to incorporate the town. The name Fleming is engraved in the town's history, evident in Fleming Street, named for A. L. Fleming. In 1920, the town annexed some of Fleming's land, known today as the Fleming Addition.<sup>23</sup>

Anthony L. Fleming's life demonstrates the kinds of opportunities available to African Americans in Crittenden County after emancipation. Born in Virginia in 1866, Fleming came to Arkansas with his family in 1870, settling on the farmlands surrounding Edmondson. Fleming was educated in Crittenden County schools and eventually became a teacher. In the 1890s, Fleming enrolled in the National Business College in Delaware to study business. Once he completed his education, he returned and became one of the founding members of the Edmondson Home and Improvement Company. Later, Fleming served as secretary-treasurer of the People's Telephone Company, director of the Fraternal Savings Bank and Trust Company of Memphis, and a member of the Board of Trustees and Board of Stewards of the Campbell African Methodist Episcopal Church of Edmondson. On top of his impressive business involvement, Fleming also owned 120 acres of farmland, making him one of the wealthiest people in Edmondson.<sup>24</sup>

The second name connecting the expulsion of 1888 to the Edmondson Home and Improvement Company is Crittenden County Assessor, J. R. Rooks, who was among dozens of black officeholders rounded up by the mob. The name Rooks repeatedly appears in the available sources on the early foundations of Edmondson. William Rooks joined Fleming in signing the original petition for Edmondson's incorporation and was an officer for the Edmondson Electric Plant and Manufacturing Company which "provided ice, water, and lights as well as

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<sup>23</sup> Jones, "It was awful, but it was politics," 65-71; Woolfolk, *History of Crittenden County*, 195-198.

<sup>24</sup> Hamilton, *Beacon Lights of the Race*, 313-317.

manufacturing spokes, flooring, siding, and doors.”<sup>25</sup> Effie Rooks owned a restaurant, and deed records reveal that several members of the Rooks family purchased land from the Edmondson Home and Improvement Company. The names Fleming and Rooks are just two of many belonging to families that helped build the town into what it was before the Great Depression.<sup>26</sup>

While Edmondson as a territory had existed since the U.S. Congress ceded the lands to the State of Arkansas in 1850, the town’s incorporation occurred sixty years later. On November 2, 1902, seven African American businessmen joined together and signed the articles of incorporation of the Edmondson Home and Improvement Company. The seven, W. G. Waterford, H. G. Harrison, A. L. Fleming, Chas Ward, A. A. Waterford, A. P. Price, and Granville Wells, made up the original Board of Directors. Harrison served as the company’s first president, Price as vice president, Fleming as secretary, and Ward as treasurer. The company’s mission, according to the articles of incorporation, was “buying, selling, and improving land, taking and holding title thereto and conveying the same under the Incorporate seal.”<sup>27</sup> By 1903, the company had received \$500 from stockholders, which it used to purchase the company’s first tract of land. In 1905, P. H. Ward added to the company’s holdings by conveying to it 481 acres. The company then acquired three tracts of land in Edmondson that amounted to 2,000 acres. By 1911, the company itself controlled 5,407 acres of land, while the people outside of the company controlled over 12,000 acres.<sup>28</sup>

Edmondson achieved remarkable success between 1902 and 1911. Eventually, word spread to nearby Memphis, where it attracted the attention of Green Polonius Hamilton, a

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<sup>25</sup> Woolfolk, *History of Crittenden County*, 198.

<sup>26</sup> Jones, “It was awful, but it was politics,” 67-71; Woolfolk, *History of Crittenden County*, 195-197.

<sup>27</sup> Crittenden County Deed Record Book S 2, Edmondson Home and Improvement Company Articles of Agreement and Incorporation, Crittenden County Courthouse, Marion, AR, 481-484.

<sup>28</sup> Hamilton, *Beacon Lights of the Race*, 544-545.

Memphis educator, and principal of the city's only black high school. Hamilton wrote, "The settlement of Edmondson extends from the northeast to southwest about ten or eleven miles, and has an average width of three or four miles. Thus the land of the colored people of Edmondson, Ark., covers an area of thirty square miles."<sup>29</sup> Hamilton profiled the town for his book *Beacon Lights of the Race*, a publication written "for the inspiration of the youth of the Negro race."<sup>30</sup> Hamilton documented Edmondson's Main Street, bustling with dozens of businesses, including the People's Telephone Company, the Edmondson Electric Light Company, a bank, stores, restaurants, hotels, and boarding houses. P. H. Ward owned the Edmondson Gin Company with William Wofford, a member of another prominent Edmondson family of which a street bears the family name. W. G. Waterford, a stockholder and member of the board of directors of the Edmondson Home and Improvement Company, owned a two-story office building. There were three churches and a school building with three teachers, among them was Beauregard G. Wedlock, for whom the school was named. Wedlock's status as a community leader is also evident in his federal appointment as postmaster from 1910-1913 and as a member of the church building committee. Hamilton expressed his admiration for the town, writing, "Altogether, the town of Edmondson is a monument to the wisdom of colored people, and is destined to become one of the leading centers in this country to show what the Negro race is capable of doing when it is left to its own judgment and will."<sup>31</sup>

Edmondson's success made it a destination for black migrants at a time when Jim Crow laws and disfranchisement had stymied opportunities for blacks elsewhere. In 1904, a young doctor named J. S. Tackett found himself stranded in Memphis on the way from Chicago to his

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<sup>29</sup> Ibid, 545.

<sup>30</sup> Ibid, 1.

<sup>31</sup> Ibid, 545-546; Woolfolk, *History of Crittenden County*, 198.

home in Mississippi. Tackett was born and raised in Holmes County, Mississippi, and worked on a farm with his family until his father's death. Early in his adulthood, Tackett enrolled at New Orleans University, returning a year later to Mississippi, where he served as principal of Indianola Public School while simultaneously attending medical school. Tackett moved around the country for his medical education, spending a year at Flint Medical College in New Orleans and eventually graduating from Illinois Medical College in Chicago in 1904. Tackett had intended to return to Mississippi after receiving his medical degree, but on the way home he ran out of money in Memphis. In Memphis, he first heard of Edmondson and the opportunities the all-black settlement offered for African Americans in business and agriculture. Tackett agreed to serve as the town physician, and the people of Edmondson agreed to pay the fees for his medical exam before the Arkansas State Board of Examiners. Between 1904 and 1911, Tackett enjoyed tremendous success in Edmondson. He owned the town's only drug store, served as president of the People's Telephone Company, and owned 320 acres of farmland, which he rented to twenty families. On August 11, 1911, Tackett's name was one of the first on the petition for Edmondson's incorporation.<sup>32</sup>

Between 1911 and 1930, Edmondson experienced a series of setbacks that contributed to its collapse in the 1930s. There is a significant lack of sources covering this period of Edmondson's history, but Margaret Woolfolk's *A History of Crittenden County* offers some insight into what occurred. Flooding in 1912 and 1913 wiped out several of Edmondson's businesses, which they were able to rebuild. Then in 1927, a fire destroyed several more businesses, including the People's Telephone Company Office and J. S. Tackett's drugstore. What Woolfolk does not say is how the volatile nature of cotton prices affected the town's

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<sup>32</sup> Hamilton, *Beacon Lights of the Race*, 303-307; Woolfolk, *History of Crittenden County*, 195.



economy. Cotton was the foundation of Edmondson's success, and the residents were not immune to the crop's decline. With the end of World War I, the price of cotton dropped by 41 percent, drastically affecting the livelihood of Delta farmers. Cotton prices continued to fall in the years after the war, declining by 70 percent between 1929 and 1931. Cotton's decline led to a dramatic increase in tenancy, with the numbers doubling between 1880 and 1930, leaving poor farmers with little to no resources to provide for their families. African American landowners were hit particularly hard by cotton's decline, and the percentage of Arkansas's black landowners dropped from 21.3 percent to 14.4 percent between 1920 and 1930.<sup>33</sup>

The 1930s were a significant turning point for the cotton industry. Franklin Roosevelt's New Deal Programs, specifically the Agricultural Adjustment Agency, revitalized the industry by paying farmers to curtail production. The federal government sent checks directly to landowners who were supposed to allocate a percentage of the subsidy to their tenants. Unfortunately, the AAA's so-called plow-up campaign was more advantageous to large landowners than to small farmers or tenants. Plantation owners would often evict their tenants or force them to sign over their portion of the subsidy and keep it for themselves. Landowners used federal money to purchase tractors or to hire day laborers, facilitating the cotton industry's transition from a labor-intensive industry to a capital-intensive industry. This left poor black and white farmers with little option but to work as low-wage day laborers on the land they once owned or rented. Cotton's revitalization spelled disaster for the landowners of Edmondson,

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<sup>33</sup> Woolfolk, *History of Crittenden County* 196; Charles S. Aiken, *The Cotton Plantation South Since the Civil War* (Baltimore: The Johns Hopkins University Press, 1998), 66-68; Ben F. Johnson III, *Arkansas in Modern American Since 1930*, 2<sup>nd</sup> ed. (Fayetteville: University of Arkansas Press, 2019), 6,9; Jarod Roll, *Spirit of Rebellion: Labor and Religion in the New Cotton South* (Chicago: University of Illinois Press, 2010), 43; Jeannie M. Whyne, Thomas A. DeBlack, George Sabo III, and Morris S. Arnold, *Arkansas: A Narrative History*, 2<sup>nd</sup> ed. (Fayetteville: University of Arkansas Press, 2013), 338.

whose farmland had a renewed value, leaving them vulnerable to white planters who sought to take the land from them.<sup>34</sup>

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<sup>34</sup> Woodruff, *American Congo*, 152-158; Johnson III, *Arkansas in Modern American*, 27-28; Whyne, *New Plantation South*, 167.

## Chapter Two:

### **The Edmondson Home and Improvement Company vs. Harold E. Weaver, 1932-1949**

On October 13, 1941, J. R. Butler, president of the Southern Tenant Farmers Union (STFU), submitted a report to the union's legal defense agency, the Workers Defense League (WDL), describing an upcoming civil suit in Arkansas's Crittenden County Chancery Court. The STFU arrived in Edmondson six years earlier and had engaged in several confrontations with the white planters trying to take control of the town and its black citizens. Throughout the 1930s, a white man named Harold E. Weaver, supported by Crittenden County's corrupt legal system, consolidated his power through the acquisition of property in Edmondson. By 1941, Harold Weaver had become Edmondson town marshal and had acquired nearly 600 town lots, making him virtually the sole proprietor of the town. According to Butler:

Weaver, presumably acting as an agent of a planter or planters, moved into Edmondson. He is Postmaster, merchant and manager of a liquor store there now and conducts a dance hall, or "honky tonk," deliberately corrupting and demoralizing the once peaceful little town." He has had shade trees and fruit trees cut down; streets and alleys plowed up and houses torn down and completely destroyed; claiming property by penalty of non-payment of drainage taxes and collecting rent on property from the original owners.<sup>1</sup>

Butler had spent the previous year and a half working closely with citizens of Edmondson and their attorney, K. T. Sutton, to gather data and prepare to file court proceedings against Weaver. Those involved endeavored to expose the disingenuous methods by which a white planter had obtained land formerly belonging to African Americans. Specifically, the people of Edmondson claimed that the drainage tax Butler mentioned was never actually levied against them, though it was the chief reason for declaring their lands delinquent. The legal battle persisted throughout

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<sup>1</sup>J. R. Butler report to the Workers Defense League, October 13, 1941, reel 19, item 2, STFU Records.

the 1940s, and, in the end, Weaver maintained possession of the property with the support of the Crittenden County courts.

The STFU knew that suing in Crittenden County offered little promise of success. Writing in 1949, the political scientist V.O. Key described Arkansas politics as “the one-party system in its most defiled and undiluted form.”<sup>2</sup> Without competition from other parties, candidates secured positions by enlisting the support of local leaders. There was no class of local influences so powerful as the planters of the Delta’s “machine counties.” Key observed that, in Crittenden County, “the custom has been to offer a voter a ballot already marked with the request that he sign it. And obliging election officials have marked the ballot for citizens too busy to turn up at the polls. Pressure on employers brought the discharge of workers who had voted wrong.”<sup>3</sup> The high rate of tenancy and the economic advantages supplied by New Deal programs made the planters of Crittenden County one of the most influential counties in the state. Officials in Crittenden County used their political clout to enrich themselves at the expense of their tenants.<sup>4</sup>

The Agricultural Adjustment Agency’s plow-up program in the 1930s solidified planter control as it revitalized the cotton industry. Realizing the potential for higher profits, many landowners simply evicted their tenants and sharecroppers and hired them back as low-wage day laborers. In 1934, twenty families were evicted from the Hiram Norcross plantation in nearby Poinsett County, resulting in the organization of the Southern Tenant Farmers Union, which directly challenged the power of white landowners. The union – which included both black and white members – was immediately met with opposition from local law enforcement who supported the planter class by intimidating union members and subduing its activities.<sup>5</sup>

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<sup>2</sup> V.O. Key, *Southern Politics in State and Nation* (New York: Alfred P. Knopf, Inc., 1949), 183.

<sup>3</sup> *Ibid.*, 203.

<sup>4</sup> *Ibid.*, 183-197.

<sup>5</sup> Woodruff, *American Congo*, 153-158; Whayne, *New Plantation South*, 184-185.

The first confrontation between the STFU and Crittenden County landowners occurred in 1936. That year, the STFU orchestrated a cotton choppers' strike in St. Francis, Crittenden, and Cross Counties, demanding a daily wage of \$1.50 and calling for job security through employment contracts, angering local landlords. Angered by the strike, planters directed the county's law enforcement officers to arrest union members on trumped-up charges and hold them on exorbitant bonds. Crittenden County Sheriff Howard Curlin arrested two union members for allegedly shooting into a crowd of thirty strikebreakers. Curlin charged them with assault with intent to kill and held them on a \$2,500 bond despite the testimony of witnesses who claimed the two men were not even holding guns during the strike. Paul D. Peacher, a plantation owner who served as one of Curlin's deputies and town marshal of Earle, used the strike as a pretext to arrest thirteen African Americans – many of whom were sitting on the front porches of homes they owned – on false charges of vagrancy. After a speedy "trial," the thirteen men were sentenced to work on Peacher's land, providing him with unpaid labor. Peacher's action later attracted the attention of federal prosecutors, and Peacher was found guilty of peonage. Despite his conviction, Peacher served no jail time. His defense was paid for by several Crittenden planters who protected their own.<sup>6</sup>

The brazen collusion between law enforcement officials and planters in Crittenden County resulted in several occasions of federal intervention. Paul Peacher was the first of many Crittenden County officials to come under federal investigation for depriving individuals of their civil rights. In September 1941, a federal court indicted sheriff Howard Curlin, deputy sheriff and county jailer Omer Curlin, deputy sheriff and West Memphis town marshal C.C. Culp,

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<sup>6</sup> Donald Grubbs, *Cry from the Cotton: The Southern Tenant Farmers Union and the New Deal* (Chapel Hill: University of North Carolina Press, 1971), 104-105; Robert Thompson III, "The Strange Case of Paul D. Peacher, Twentieth-Century Slaveholder," *Arkansas Historical Quarterly* 52 (Winter 1993), 428-449.

deputy sheriff Harold “Bud” Holland, prominent attorney Cecil B. Nance, and former Crittenden County jail prisoner Jim Miller. The six men were accused of depriving the civil rights of over forty people, many of them non-residents of Crittenden County. The investigation revealed that the sheriff and his deputies would arrest people on false charges and take them to the county jail, where Miller intimidated them into hiring Nance as their attorney. Once they agreed to pay Nance a hefty fee, the men were released.<sup>7</sup>

The lawmen’s trial was scheduled for November 1941 but was postponed when Howard Curlin died of a heart attack three days before proceedings began. The following January, over forty witnesses gave testimony revealing the extent of the corruption. Some spoke of the horrible conditions of the Crittenden County jail where jailers had inmates abuse prisoners and forced them to sleep on soiled cots. One of the more shocking cases involved African American farmer L. A. Millsaps, who was falsely accused of murdering his stepson. Cecil Nance, assigned by the judge to represent Millsaps, charged the farmer \$2,500 for his services. To pay the fee, Millsaps signed over his 160-acre farm to Nance. Upon conviction, Millsaps received a twenty-one year suspended sentence and had to leave the state. On January 27, 1942, the jury acquitted Omer Curlin and Harold “Bud” Holland while Cecil Nance, Jim Miller, and C.C. Culp were each given two-year sentences.<sup>8</sup>

The national exposure of Crittenden County’s corrupt legal system emboldened the people of Edmondson to take action against Harold Weaver, whose arrival in Edmondson originated with deceit and treachery. Few sources exist that detail Edmondson’s decline from the

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<sup>7</sup> “Six Crittenden Residents Said to be Indicted,” *Arkansas Gazette* (Little Rock), September 24, 1941.

<sup>8</sup> “Crittenden Officials to Trial Jan. 12,” *Arkansas Gazette* (Little Rock, AR), November 25, 1941; “Curlin Regime Jail ‘Horrible’, Witness Says,” *Arkansas Gazette*, January 15, 1942; “Official aids Defendants in Liberties Case,” *Arkansas Gazette*, January 20, 1942; “Jury Convicts Three of Five at Jonesboro,” *Arkansas Gazette*, January 28, 1942; Woodruff, *American Congo*, 219-220.

perspective of its citizens, but the historian James Ross provides a glimpse of the story in his book, *The Rise and Fall of the Southern Tenant Farmers Union*. Ross recounts an interview he conducted with Edmondson resident, Granville Whittiker in the 1990s. Though eighty-six years old at the time, Whittiker remembered in vivid detail when the town's black citizens owned the town's businesses and farmland. Whittiker also noted the town began to collapse in the late 1920s and the 1930s. According to Whittiker, in the 1920s, Anthony Fleming had made a deal with a white man from Proctor, Arkansas, in which the white man agreed to deliver the town's tax payments to the county seat of Marion, where blacks were unwelcome. Years later, the people realized with horror that their payments had never arrived, and the white man had purchased their property when it went up for sale on the courthouse steps. Left destitute by drought and economic decline, the people of Edmondson had limited resources to pursue legal action against the person who had stolen their land.<sup>9</sup>

STFU co-founder H. L. Mitchell offered another explanation for the town's decline. According to Mitchell, an African American man purchased land for a cotton gin and a town lot for a mercantile in Edmondson in the early 1930s from the Edmondson Home and Improvement Company. Soon after construction, the citizens of Edmondson were shocked when they discovered that a white man had actually received title to the property and began managing the mercantile.<sup>10</sup>

While neither Whittiker nor Mitchell mention the name of the white man who started acquiring property in Edmondson, court records suggest that it was Harold Weaver. From these initial efforts, Weaver's control over the black population only grew. The town's post office was attached to Weaver's store, and his wife, Dorothy, served as postmistress from 1932 to 1977. Not

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<sup>9</sup>Ross, *Rise and Fall*, 78.

<sup>10</sup>Mitchell, *Mean Things*, 201.

only did the Weavers control the mail, but Weaver, through his connections to the county's political machine, was also named town marshal, allowing him to act with virtual impunity. Under Weaver's increasing power, more and more of Edmondson's residents lost possession of their property and became indebted to him. By 1941, Weaver controlled every town lot and much of the fertile cotton land surrounding the town.<sup>11</sup>

The corruption permeating the Crittenden County legal system, and the method by which the county collected taxes, suggests that Edmondson's dispossession was a part of a conspiracy to conquer the only black-controlled town left in the county. Sheriff Howard Curlin – indicted for depriving citizens of their civil rights and the subject of numerous complaints from black sharecroppers and landowners – was also responsible for collecting the county's taxes. It was Curlin who declared Edmondson's property delinquent for failure to pay a drainage tax for a county drainage district. After that, the state of Arkansas seized the land and then sold it to Harold Weaver. K. T. Sutton, though, later asserted that the sheriff had never posted the delinquencies and had conducted "a pretended sale" of the lands to the State of Arkansas. Unaware that their taxes had been listed as unpaid, the people of Edmondson were virtually blindsided when they discovered they no longer owned their homes.<sup>12</sup>

Although the exact details of the appropriation will probably remain unknown, the people of Edmondson contended that the loss of their property was rooted in the outrage of the white planters at the black town's independent status. African American landowners threatened to upend the racial hierarchy of agriculture in the Delta. In 1943, Morris Milgram of the Workers

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<sup>11</sup>Mitchell, *Mean Things*, 200; Woolfolk, *History of Crittenden County*, 197-198; J. R. Butler report to the Workers Defense League, October 13, 1941, reel 19, item 2, STFU Records; Edmondson Home and Improvement Company v. Harold E. Weaver, #6048 in the Crittenden County Chancery Court, Crittenden County Courthouse, Marion, AR.

<sup>12</sup>Woolfolk, *History of Crittenden County*, 2-3; *Edmondson Home and Improvement Company v. Harold E. Weaver*, #6048 in the Crittenden County Chancery Court, Crittenden County Courthouse, Marion, AR, Complaint.



Defense League sent a Kentucky attorney named Joseph Freeland to investigate the circumstances surrounding the arrest and conviction of Tee Davis, a sharecropper and STFU member who fired shots at Harold Weaver (see next chapter). Freeland described the white antagonism toward Edmondson as rooted in “the belief among the planters that it is bad to have any land-owning Negroes in the county; it might make the Negro tenants and laborers dissatisfied with their lot.”<sup>13</sup>

When Harold Weaver took over Edmondson in the mid-1930s, he began removing evidence of the town’s independence. He started tearing down the homes and businesses built by the Edmondson Home and Improvement Company. In doing so, he was simultaneously destroying the economic prospects of Edmondson’s black residents and erasing the memories of Edmondson’s black success. Fortunately for the people of Edmondson, the arrival of the STFU and the formation of Local #115 in 1935 provided them with the resources to fight back. J. R. Butler worked closely with Edmondson Local #115 to provide economic relief and protection from planters enraged by the union’s arrival in Crittenden County.<sup>14</sup>

By 1937, Local #115 reported a membership tally of 302 tenant farmers, sharecroppers, and day laborers. The local demanded rates of \$0.75 per hundred and \$1 per day for day laborers. The strength of the union angered the planter class, whose methods of obstructing the union included intimidation and violence. That year, an individual identified simply as “W” reported to H. L. Mitchell that union members were afraid to hold a meeting in Edmondson because they had been “threatened by land owners who declare the union cant [sic] stay in this section.”<sup>15</sup> “W” also asked that Mitchell send his letters anonymously because the postmistress in Edmondson –

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<sup>13</sup>Joseph S. Freeland to Morris Milgram, November 20, 1943, Box 189, Folder 6, WDL Records.

<sup>14</sup>J. R. Butler report to the Workers Defense League, October 13, 1941, reel 19, item 2, STFU Records.

<sup>15</sup>*The Disinherited Speak: Letters from Sharecroppers*, (New York: Workers Defense League for the Southern Tenant Farmers Union, 1937), 9-10.

then Dorothy Weaver – reported each letter to the planters, who threatened to flog “W” for keeping in contact with the union’s leadership.<sup>16</sup>

Planters also used intimidation to prevent union meetings from taking place in Edmondson. In 1937, word reached Butler that a group of planters from nearby Proctor had threatened to break up a union meeting scheduled for August 22, 1937. Butler wrote the group – Cecil Oliver, Bob Caldwell, Henry Craft, and deputy sheriff Charlie Dabbs – warning them that “unless you men wish to be known as law breakers, ruffians and thugs you will take no part in any attempt to interfere with the Southern Tenant Farmers Union in any manner nor allow any of your men to do so.”<sup>17</sup> Butler also sent a telegram to Arkansas governor Carl Bailey asking him to intervene in the planters’ plot to disrupt the union meeting. Bailey’s secretary, John F. Wells, responded by contacting Cecil Oliver and the others who assured the governor’s office that they had “no intention of causing any trouble.” No records exist that indicate whether the planters broke up the meeting, but it would not be the last attempt by Crittenden County officials to quash the union and keep Edmondson’s people under control.<sup>18</sup>

White planters also worked to prevent those in Edmondson from receiving New Deal relief. A 1937 survey conducted by the union reported that 25 families with 89 dependents required financial aid and estimated that over thirty other families required relief. The STFU attempted to help the people of Edmondson by providing them with assistance in taking advantage of the worker’s education programs of the Works Progress Administration (WPA). Local #115 secretary Mary L. Jones attempted to establish a workers’ education program in

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<sup>16</sup> Ibid.

<sup>17</sup> J. R. Butler to Cecil Oliver, Bob Caldwell, Charlie Dabbs, and Henry Craft, August 20, 1937, reel 5, item 2, STFU Records.

<sup>18</sup>Telegram from J. R. Butler to Carl E. Bailey, August 20, 1937, reel 5, item 2, STFU Records; John F. Wells to J. R. Butler, August 21, 1937, reel 5, item 2, STFU Records.

Edmondson. However, the state supervisor of adult education, W. E. Halbrook, required her to obtain certification from the Crittenden County Department of Public Welfare to receive the benefit. Jones's efforts were obstructed by the director of Public Welfare, who informed her he did not have the authority to issue such certification. Butler then wrote to Halbrook on Jones's behalf, but their efforts were ultimately unsuccessful, and they resorted to organizing a Christmas toy drive, the proceeds of which went to assisting Edmondson's families.<sup>19</sup>

Edmondson's people also contended with the issue of disfranchisement. Because of their economic independence, the people of Edmondson were able to pay the poll tax instituted in the 1890s. However, a poll tax receipt was not sufficient to protect black voting rights in Crittenden County. The planter dominated county government resorted to illegal methods to prevent blacks from voting. In October 1937, seventeen citizens found themselves unable to vote despite showing proof they had paid their poll taxes for 1936. John Winston, who arrived in Edmondson in 1915 at the height of the town's success, filed a complaint on behalf of the group in Memphis with the Shelby County court. It is unclear why Winston chose to file his complaint in Memphis where authorities had no jurisdiction in Crittenden County, though the contents of the complaint suggest he did so because of concerns over the Crittenden County court system's dedication to upholding the law.<sup>20</sup>

According to the complaint, Winston and the others first went to vote in nearby Hulbert for a special election for the United States Senate that pitted Carl Bailey against John Elvis Miller, the man who prosecuted black union members following the Elaine massacre of 1919. When Winston and his associates arrived, officials turned them away, saying blacks were not

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<sup>19</sup>Crittenden County, Arkansas Relief Survey, 1937, reel 7, item 1, STFU Records; Mary L. Jones to J. R. Butler, October 30, 1937 reel 5, item 4, STFU Records; J. R. Butler to W. E. Halbrook, November 15, 1937, reel 5, item 5, STFU Records; Mary L. Jones to J. R. Butler, December 2, 1937, reel 5, item 6, STFU Records.

<sup>20</sup> Complaint filed in Shelby County, TN, October 20, 1937, reel 5, item 4, STFU Records.

permitted to vote in that precinct. They then went to West Memphis to take the matter up with a judge who informed them that if they wanted to vote, they would have to locate their correct precinct, though he claimed not to know where it was. Eventually, the group located the “correct” precinct at Simsboro, ten miles south of Edmondson. Unfortunately, as they arrived, white officials told them the polls had closed. While waiting outside and discussing their next steps, several white men approached the group and told them to leave, or they would call the police. The group complied, but on the way back to Edmondson they were pulled over by Crittenden County deputy sheriff Charlie Dabbs – one of the men Butler had written warning not to interfere with union business – who forced the group out of their truck, searched it, and told them to go back to their homes as white men “were running the election.”<sup>21</sup>

Among the seventeen involved in the complaint was Dr. George W. Austin, a member of the Edmondson Home and Improvement Company who acted as liaison between the town of Edmondson and the STFU. By the late 1930s, Austin and Butler realized that their only option to free Edmondson from planter control and provide justice for the people of Edmondson was to sue for their property back. In 1940, attorney K. T. Sutton of Helena, AR, agreed to take on the case, signaling the beginning of a decade-long legal battle. Sutton had presented himself as a friend to black agricultural laborers when he won a case challenging the constitutionality of the convict-lease system in Arkansas. In December of 1940, Sutton and Butler began discussing the possibility of Sutton taking on the Edmondson case after Sutton asked the union to endorse his appointment to the U.S. Senate to replace John E. Miller, who had been appointed as a federal judge in Arkansas’s Western District. When Governor Homer Adkins appointed someone else to

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<sup>21</sup> Ibid.

the position, Sutton agreed to represent the people of Edmondson in court.<sup>22</sup>

Meanwhile, J. R. Butler worked with Austin to raise funds for Sutton's court costs, estimated at \$500. Austin collected what little he could from the impoverished community, but most of the contributions came from outside organizations. Butler reached out to his friends at the WDL and the National Association for the Advancement of Colored People to ask for their financial support. In July, Butler wrote to the national secretary of the WDL, Morris Milgram, and asked him to contribute \$100 to Sutton's and to implore any similar agencies to contribute to the cause. Butler then appealed to Walter White of the NAACP, asking White to contribute \$100 "so that action in chancery to restore the town of Edmondson to its right owners can be started at once."<sup>23</sup> While the WDL remained active in supporting Sutton's legal activities in Edmondson throughout the 1940s, securing help from NAACP proved difficult. The following year, H. L. Mitchell wrote another letter to White that emphasized the urgency in continuing the case because the sheriff had begun issuing eviction notices to the people involved.<sup>24</sup>

By October 1941, Sutton believed he and the others had gathered what information they needed for a successful suit. That month, the Sutton submitted a complaint, and the *Edmondson Home and Improvement Company v. Harold E. Weaver* began. Sutton filed the suit in the name of the company because it still held the title on the lots and farmland that were being paid in installments. When the Great Depression left the Edmondson Home and Improvement Company's borrowers unable to pay their mortgages, the company could not pay the state and county taxes on the property. Furthermore, Sutton claimed the sheriff and collector of Crittenden

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<sup>22</sup> Mitchell *Mean Things*, 199-200; K. T. Sutton to H. L. Mitchell, December 2, 1940, reel 16, item 2, STFU Records; J. R. Butler to K. T. Sutton, reel 16, item 2, STFU Records; K. T. Sutton to J. R. Butler, December 19, 1940, reel 16, item 2, STFU Records.

<sup>23</sup> J. R. Butler to Walter White, July 18, 1941, reel 18, item 4, STFU Records.

<sup>24</sup> George W. Austin to K. T. Sutton, April 16, 1941, reel 18, item 2, STFU Records; J. R. Butler to Morris Milgram, July 18, 1941, reel 20, item 4, STFU Records; H. L. Mitchell to Walter White, February 18, 1942, reel 20, item 4, STFU Records.

County – at the time Howard Curlin – had never levied a tax for a local drainage district against the people of Edmondson. As a result, the sheriff declared the property delinquent for non-payment of taxes the people did not know they owed. Sutton strategized that proving the sheriff and collector’s malfeasance could nullify the sale and return the property to the Edmondson Home and Improvement Company. To prove the company owned the property in question, Sutton had assigned George Austin to have the borrowers fill out quitclaim deeds confirming the company possessed the property taken by Weaver. Austin gathered data for over 200 town lots and over 100 acres of farmland.<sup>25</sup>

In his complaint, Sutton cited several instances in which the government failed to follow the procedures mandated by the state. This, he claimed, made the state’s subsequent sale of those properties to Weaver “wholly void and invalid and of no effect, and was ineffectual to convey titles and was ultra vires.”<sup>26</sup> Sutton maintained that the sheriff and collector had orchestrated a “pretended sale,” when he declared the properties sold to the State of Arkansas. Furthermore, he argued that the unpaid tax in question – collected for Crittenden County Drainage District no. 2 – had never been properly levied against the people of Edmondson. Once the sheriff declared the lands delinquent, he had neither kept a list of delinquent titles in the county clerk’s office as required by law, nor had he specified the amount owed in back taxes. Furthermore, the sheriff and collector had intentionally obscured the list of delinquent lands from the foreclosed by publishing it in an unspecified newspaper. The county clerk did not make it known which newspaper and on what dates the sheriff published the list. Sutton asserted that Curlin and

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<sup>25</sup> Edmondson Home and Improvement Company v. Harold E. Weaver, #6048 in the Crittenden County Chancery Court, Crittenden County Courthouse, Marion, AR, Complaint, Amendment to Make Complaint More Definite and Certain in Response to Motion by Defendant; George W. Austin to K. T. Sutton, April 16, 1940, reel 18, item 2, STFU Records; J. R. Butler to K. T. Sutton, May 21, 1941, reel 18, item 3, STFU Records

<sup>26</sup> Edmondson Home and Improvement Company v. Harold E. Weaver, #6048 in the Crittenden County Chancery Court, Crittenden County Courthouse, Marion, AR, Complaint.

Weaver's actions "constituted fraud, unfairness and inequitable conduct, and they were actuated by sinister motives, conceived in iniquity, born of sin and nurtured in corruption."<sup>27</sup> Sutton demanded that Weaver return the property to the Edmondson Home and Improvement Company and pay \$25,000 in damages.<sup>28</sup>

Weaver's defense strategy involved delaying the case as long as possible. Marion attorneys James Hale and John Fogleman responded to the complaint with three motions "to require the plaintiff to make his complaint more definite and certain" filed between 1941 and 1945. The motions called for Sutton to specify how the plaintiff came into possession of the property and provide exact dates for when the fraudulent behavior occurred. Sutton responded to each of the complaints in kind, providing the court with the quitclaim deeds George Austin had collected in the summer of 1941. Sutton contended that most of the evidence against Weaver would need to be given through testimony. However, they never had the opportunity to tell their side of the story.<sup>29</sup>

After three years of complying with the court's orders, Sutton's biggest challenge remained establishing ownership of the property in question. The court rejected the quitclaim deeds Sutton had attached to his amendment because they had been signed just a few months before proceedings commenced. The judge granted yet another motion to make the complaint "more definite and certain." To address this issue, Sutton required an abstract of the listed properties that showed the transfer of the property from owner to owner, beginning with the establishment of the Edmondson territory in 1850. Preparing an abstract required the expertise of

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<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> Edmondson Home and Improvement Company v. Harold E. Weaver, #6048 in the Crittenden County Chancery Court, Motion to Require Plaintiff to make his complaint more Definite and Certain; Amendment to Make Complaint More Definite and Specific in Response to Motion by Defendant.

the local abstract company, the Guaranty Abstract Company of Marion, but Sutton found them uncooperative. Sutton's repeated efforts to contact the company received no response. In October 1944, a frustrated Sutton then submitted a motion to the court asking it to require the abstractor to either perform the service or give Sutton access to their books. The following January, Sutton wrote to Morris Milgram with an update on his progress. Sutton said that several weeks after filing his motion, he was approached by the manager of the Abstract Company, who assumed the court would require her to prepare the abstract and asked Sutton to provide her with the list of properties. Despite this bit of good news, Sutton had yet to receive an estimate for the cost of the work and told Milgram he expected the company to delay the work as long as it could.<sup>30</sup>

In May 1945, the Guaranty Abstract Company completed the abstract, and Sutton filed documents with the court that traced the transfer of the property from 1850 until it was acquired by the Edmondson Home and Improvement Company in the early twentieth century. Having spent the previous four years circumventing the legal process, the court finally required Weaver's attorneys to file an answer to Sutton's complaint. Weaver denied each of Sutton's allegations, including that the Edmondson Home and Improvement Company had ever engaged in the business of providing land to "frugal and industrious people who desired the advantages of home ownership and independence."<sup>31</sup> Furthermore, Weaver denied that the town was the well laid out and attractive town that Sutton described in his complaint. Weaver asserted that he had improved the lands after the plaintiff "abandoned the lands...and made no claim thereto until this defendant had...improved the same and enhanced their value."<sup>32</sup> For reasons unknown, the

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<sup>30</sup> Edmondson Home and Improvement Company v. Harold E. Weaver, #6048 in the Crittenden County Chancery Court, Crittenden County Courthouse, Marion, AR, Motion to Require Abstract Co. to Deraign Title or Give Access to Books; K. T. Sutton to Morris Milgram, January 18, 1945, Box 189, Folder 16, WDL Records.

<sup>31</sup> Edmondson Home and Improvement Company v. Harold E. Weaver, #6048 in the Crittenden County Chancery Court, Crittenden County Courthouse, Marion, AR, Answer.

<sup>32</sup> Ibid.



chancery court never scheduled a trial, and the judge dismissed the suit in 1948. Efforts by the STFU and the people of Edmondson to keep it alive continued into 1949.

Few sources reveal the circumstances of the suit between 1946 and the case's dismissal in 1948. Correspondence in the STFU Records reveals that Sutton had recruited another attorney, Francis Williamson, to assist him in representing the Edmondson Home and Improvement Company. In addition to being an attorney, Williamson was one of the few African American landowners left in Edmondson. He had been introduced to the case in 1945 during Sutton's struggle to find an abstractor. Williamson provided Sutton with valuable information on the property, which Sutton believed would help get the work done much faster than anticipated. After it became evident that the suit would never go to trial, Sutton and Williamson strategized to keep the case going until Weaver would have to settle out of court. Between 1946 and 1948, the two attorneys rejected an offer because the amount was unacceptable. Williamson passed away waiting for a better offer. K. T. Sutton later stepped down as the Edmondson Home and Improvement Company's attorney, though existing documents do not explain why or when he made the decision.<sup>33</sup>

Replacing Sutton was Little Rock attorney, Ross Robley, an attorney for the Congress of Industrial Organizations. Robley had represented a group of strikers from the Southern Cotton Oil Mill after they had been arrested for violating an Arkansas anti-labor law that placed the blame for any violence occurring during a strike directly on strikers. During a CIO organized strike, four African American oil workers stood on the picket line. During an outbreak of violence, a white strikebreaker named Otha Williams murdered one of the strikers. After the

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<sup>33</sup> K. T. Sutton to Morris Milgram, May 24, 1945, Box 189, Folder 16, WDL Records; H. L. Mitchell to Morris Milgram, February 22, 1946, Box 189, Folder 20, WDL Records; H. L. Mitchell to Ross Robley, March 7, 1949, reel 34, item 1, STFU Records.

murder, police arrested Williams and the other three strikers. An all-white jury acquitted Williams for murder while the other three received prison sentences. After their conviction, activist and journalist Daisy Bates published an article in the *Arkansas State Press*, denouncing the presiding judge and the verdict. Bates and her husband were arrested for contempt of court and hired Robley to represent them. Robley demonstrated the unconstitutionality of their arrest, and Daisy and L. C. Bates went free.<sup>34</sup>

Robley's arrival breathed new life into the case. In early 1948, Robley motioned for more time in which he and his partner, W. W. Shepherd, could prepare for trial. Meanwhile, Hale and Fogleman filed the last of many motions to dismiss the suit because the plaintiff had failed to prosecute the case properly. On June 16, the court issued an order giving Robley 45 days to submit "additional proof" against Weaver, or else it would dismiss the case. On July 30, Robley submitted a motion for trial and asked the court to set a date "in order that the plaintiff may introduce proof and take testimony" before the court. Two months later, the court issued an order of dismissal, claiming that the court had notified the attorneys of a previous motion filed on August 20, but had not received a response.<sup>35</sup>

Circumstances surrounding the dismissal suggests that the court was just as eager to be done with the civil suit as was Harold Weaver. Malfeasance is evident in the fact that Robley did not hear of the suit's dismissal until December 24, 1948, a full three months after the court dismissed the suit. This was because the order of dismissal – which stated court had notified the attorneys of the dismissal – was sent to A. H. Harris, the treasurer of the Edmondson Home and

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<sup>34</sup> Daisy Bates, *The Long Shadow of Little Rock: A Memoir* (Fayetteville: University of Arkansas Press, 1987), 40-43.

<sup>35</sup>Edmondson Home and Improvement Company v. Harold E. Weaver, #6048 in the Crittenden County Chancery Court, Crittenden County Courthouse, Marion, AR, Order, Motion to Dismiss, Order, Motion for Trial, Order of Dismissal.

Improvement Company. It is unclear why Harris waited so long to forward the notice to Robley in Little Rock, but Harold Weaver's wife operated the post office to which the letter was sent. Therefore, it is possible that Weaver knew the notice was coming and withheld it until it was too late. In a letter to the Crittenden County Chancery Clerk, Robley expressed his dismay at the dismissal. Robley had heard nothing from the court since submitting the motion for trial in June and was "awaiting notification from your court or the attorneys representing Mr. Weaver as to when we might be heard on said motion."<sup>36</sup> Robley received a weak reply on January 8, 1949, from the newly installed Chancery Clerk, who claimed not to know any of the details of the case and simply attached a copy of the order of dismissal. Defeated, Robley wrote to Joseph Johnson of Edmondson, saying that "the suit against H. E. Weaver was lost before we were consulted in the matter."<sup>37</sup>

Backed by a legal system that favored white planters, Harold Weaver stood victorious as the legal owner of the town of Edmondson. Some efforts to keep the case going came from H. L. Mitchell and Arthur Churchill, minister to farm labor of the National Farm Labor Union (the new name of the STFU). Writing on behalf of the people of Edmondson, Churchill made one final attempt to enlist the support of the NAACP. Churchill received polite responses from the office of NAACP special counsel, Thurgood Marshall, but there was nothing to be done to return the land in Edmondson to its rightful owners. As the years passed, people like Granville Whittiker

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<sup>36</sup>W. W. Shepherd and Ross Robley to the Crittenden County Chancery Clerk, December 31, 1948, reel 33, item 5, STFU Records.

<sup>37</sup>Ibid; Edmondson Home and Improvement Company v. Harold E. Weaver, #6048 in the Crittenden County Chancery Court, Crittenden County Courthouse, Marion, AR, L.C. McCuiston, Jr. to Ross Robley; Ross Robley to Joseph Johnson, December 31, 1948, reel 33, item 5, STFU Records.

found themselves in a position to purchase back from Weaver, but the town of Edmondson never returned to the days of prosperity it enjoyed in the first decades of the twentieth century.<sup>38</sup>

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<sup>38</sup>Arthur Churchill to Thurgood Marshall, January 9, 1949 reel 34, item 1, STFU Records; Franklin H. Williams to Arthur Churchill, January 12, 1949, reel 34, item 1, STFU Records; Constance Baker Motley to Arthur Churchill, March 1, 1949, reel 34, item 1, STFU Records; Ross, *Rise and Fall*, 78; Mitchell, *Mean Things*, 200.

## Chapter Three:

### The Case of Tee Davis, 1943-1949

Tee and Elizabeth Davis came to Edmondson from nearby Hulbert in January 1943 to rent land from one of the few remaining African American landowners in Edmondson. Their shack rested on the outskirts of town near the train tracks that had helped make the town a haven for African American settlers in the early twentieth century. As the couple prepared for bed one night in March 1943, they were alarmed by a loud banging at their front door. When Tee Davis demanded to know who was there and heard, “This is Weaver. You god damn black son of a bitch, open this door.” When they refused, the intruder began to kick in the door. Fearing for his and his wife’s safety, Tee Davis picked up his shotgun and fired a blast through the bottom of the door. Weaver returned fire, prompting Davis to fire once again, grazing Weaver’s hand. Weaver fired three more shots and deputies Bud Holland and Ivan Dixon arrived at the Davis home and declared, “Get out here you black son of a bitch! This is the law!” At that, the officers entered the home and arrested Tee Davis for assault with intent to kill.<sup>1</sup>

It was not until Tee Davis was sitting in the county jail that he learned exactly why Weaver had come to his house. That same day, a man named Eddie Mayberry had allegedly stolen some cattle from a nearby farm and was hiding in one of the sharecropper cabins around the Davis’s house. Crittenden County deputy sheriffs Holland and Dixon had enlisted the aid of Harold E. Weaver, now Edmondson’s town marshal, in searching for Mayberry.<sup>2</sup> On the evening of March 22, the three men, lacking search warrants, entered and searched sharecropper shacks

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<sup>1</sup> Testimony of Tee Davis, *State of Arkansas v. Tee Davis*, Circuit Court of Crittenden County, Criminal Division, Box 189, Folder 35, WDL Records.

<sup>2</sup> Bud Holland also arrested Tee Davis in 1937 for allegedly firing a shotgun into the back of a truck carrying black strikebreakers during a cotton chopper’s strike. Holland was also among the six Crittenden County officials indicted for conspiracy to deprive individuals of their civil rights, though Holland was ultimately acquitted. See chapter two.

in the northern part of Edmondson. However, it appears the reason for Weaver's violent attempt to enter stems less from his intent to locate a criminal, and more from his animosity toward the Southern Tenant Farmers Union, evidenced by Davis's status as an active union member. The pending civil suit threatened to expose Weaver's plot to steal property from the all-black town and control the lives, both politically and economically, of Edmondson's people. K. T. Sutton agreed to represent Davis in his criminal trial. In September 1943, an all-white jury convicted Davis of assault with intent to kill, and judge Zal B. Harrison sentenced him to ten years in prison.<sup>3</sup>

The conviction of Tee Davis is yet another part of the story of white planters exercised control over the town of Edmondson and its black residents. Elite Crittenden County planters, incensed at the union's presence, engaged in violent intimidation, police corruption, and brutality to frighten union members in and ensure that they maintained control in the Arkansas Delta. Crittenden County was one of the most powerful "machine counties" that controlled elections. When the STFU and Workers Defense League launched their campaign to free Tee Davis, Democrats supported the actions of those who kept them in power.<sup>4</sup>

In May 1943, just two months after the arrest of Davis, K. T. Sutton filed another suit against Weaver for tampering with local election results in Edmondson. According to the complaint, Weaver had abused his role as election judge to falsify election results for mayor, recorder, and four aldermen. The plaintiffs were the black candidates who alleged that Weaver had counted votes cast for them in favor of their white opponents. H. L. Mitchell suggested that Sutton connect the election results with the pending civil suit as "part of the conspiracy to deny

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<sup>3</sup> It should also be noted that Zal Harrison had appeared as a character witness for the defense in the federal trial against Crittenden County officials. See chapter two.

<sup>4</sup>Key, *Southern Politics*, 183.

Negro citizens of their rights and property.”<sup>5</sup> The petition to contest the election results was the second grievance the union had filed against Weaver in just two years, and Mitchell and Sutton decided that the case would benefit from a national publicity campaign. Sutton wrote Mitchell saying that the case “should be given considerable publicity, as you know, publicity is a great weapon.”<sup>6</sup>

When a jury found Tee Davis guilty in September 1943, the STFU found the perfect opportunity to unsheathe that “great weapon.” The battle for Tee Davis’s freedom made him a *cause celebre* exemplifying the exploitation of African Americans by white employers in the South. H. L. Mitchell and K. T. Sutton wrote Morris Milgram, national secretary of the WDL, to ask for funds for Sutton’s retainer, but more importantly to spread awareness of the case through the national media. The ensuing campaign presented a direct challenge to planter hegemony; it shined a light on the mistreatment of African Americans and union members, putting the cotton South on trial before the court of public opinion. Arkansas officials responded to the national media campaign by decrying it as communist intervention waged by “outsiders” who were merely interested in infiltrating the South. Throughout the 1940s, Arkansas’s state press spread the false notion that the WDL was a communist organization, using the lie as a convenient excuse to discount the facts of Tee Davis’s case, taking the side of the court’s over the demands of “outside influences.”

The campaign developed in four distinct stages, the first being through the Arkansas courts. With the help of the WDL and the NAACP, the STFU kept Sutton on retainer so he could file appeals in the Arkansas Supreme Court, arguing that the Crittenden County prosecutor, Marcus Fietz, had failed to prove that Davis had *intended* to kill Weaver on the night in question.

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<sup>5</sup> K. T. Sutton to H. L. Mitchell, May 4, 1943, reel 24, item 2, STFU Records.

<sup>6</sup> Ibid.

Sutton also requested a new trial because the all-white jury was prejudiced against Davis on account of his race. The second phase introduced Arkansas state senator Peter A. Deisch, an acquaintance of Sutton's, whom Sutton believed could help sway Governor Homer Adkins to grant clemency to Davis. When it became evident that the State of Arkansas would not reverse Davis's sentence, the STFU and WDL employed massive national publicity and letter-writing campaigns. Through friendly newspapers and magazines, the WDL urged sympathetic Americans to write to Arkansas's governor and demand he release Davis at once. The final stage manifested itself in the form of a local grassroots campaign spearheaded by the WDL's Mae Pearl Kelley, an African American and native Arkansan, and Little Rock preacher, Samuel F. Freeman who formed the Arkansas Citizen's Committee. The Arkansas Citizen's Committee was an interracial organization made up of prominent Arkansas attorneys, ministers, and everyday citizens who dedicated themselves to racial equality in Arkansas's courts, taking up the case of Tee Davis first. Ultimately, Arkansas authorities rebuked all these efforts, and Tee Davis remained in prison until the election of liberal governor Sidney S. McMath.

The first effort to free Tee Davis came from the people of Edmondson, namely from his wife, Elizabeth, and their neighbor Will Gilyard, who immediately set about trying to raise funds for Tee's bond, set at \$500. Given Edmondson's economic situation, local funds proved challenging to raise, so H. L. Mitchell reached out to Roy Wilkins of the NAACP, who agreed to provide the full \$500. However, Crittenden County sheriff increased the amount to \$2,500, insisting that Davis's indictment of assault with intent to kill was cause enough to keep him in jail until his trial in September.<sup>7</sup>

On September 20, an all-white jury held Tee Davis's fate in its hands. In total, the jury

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<sup>7</sup>K. T. Sutton to H. L. Mitchell, July 24, 1943, Box 189, Folder 5, WDL Records; H. L. Mitchell to Morris Milgram, August 23, 1943, Box 189, Folder 5, WDL Records.



heard from six witnesses. Tee Davis, Elizabeth Davis, and Will Gilyard testified for the defense. Testifying against Davis were Harold Weaver and the arresting officers, Holland and Dixon. K. T. Sutton represented Davis and Marcus Fietz, the state. The trial took one day, and the jury heard conflicting testimony from Davis and Weaver. Davis told the jury that Weaver had “kicked the door with his foot...and he bust that door from the cross bar on the door to the bottom.”<sup>8</sup> When Davis asked what he wanted, all Weaver said was, “Open this door and open it quick.”<sup>9</sup> That was when Davis grabbed his gun and fired the first shot, alerting Holland and Dixon who were searching nearby. Sutton argued that Davis was within his rights to fire at Weaver because Section 2998 of Pope’s Digest of the Statutes of Arkansas stated that every man’s home was his castle and that any attempt to enter into that castle “in a violent, riotous and tumultuous manner” justified the use of deadly force.<sup>10</sup> Weaver, on the other hand, testified he had merely knocked gently on the door and had no idea why Tee Davis fired a gun at him. Fietz cited Davis’s previous conviction of assault with intent to kill for which Davis plead guilty for firing a gun at a group of strikebreakers. The WDL maintained that Davis had only fired a warning shot and had only pleaded guilty to receive a lighter sentence. Ultimately, the jury rejected the testimony of the Davises and Will Gilyard and found Tee Davis guilty.<sup>11</sup>

The verdict sparked the first stage of the Tee Davis campaign. The STFU and WDL cooperated to raise funds to pay for Sutton’s retainer and court costs when filing his appeals with the Arkansas Supreme Court. Sutton agreed that the appeal was the best avenue toward Davis’s freedom, and quickly got to work filing it. Meanwhile, STFU president H. L. Mitchell reached out to WDL national secretary Morris Milgram to raise money and build public interest in the case.

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<sup>8</sup> Testimony of Tee Davis, Box 189, Folder 35, WDL Records, 41.

<sup>9</sup> Ibid, 41.

<sup>10</sup> Ibid.

<sup>11</sup> Testimony of Harold E. Weaver, Box 189, Folder 35, WDL Records, 4-17.

Sutton summarized the Tee Davis case as “one of the most outrageous things that has happened in Arkansas for years. It is typical of Crittenden County.”<sup>12</sup> He was optimistic they could win Tee Davis’s freedom by further exposing the corruption in Crittenden County that had first made national headlines with the indictment of six Crittenden County officials conspiracy to violate civil rights at their own personal gain. While Milgram believed that the case was worth a national campaign, he insisted on having his own investigation into the matter. In November, the WDL sent a Kentucky attorney, Joseph S. Freeland, to Crittenden County to investigate Tee Davis’s case. The final report, sent to Milgram on November 20, detailed the founding of Edmondson, Harold Weaver’s scheme to acquire the land from its previous black owners, and described how his actions against Tee Davis were “inextricably linked with the fight the STFU is making for the civil rights of the people of Edmondson.”<sup>13</sup> Freeland’s report, later published as an article in the leftist magazine *The New Leader*, became the first of many stories printed in similar publications from 1943 to 1947.

An article by Dwight Macdonald, a prominent journalist and social critic who lent his voice in support of Tee Davis, demonstrates liberal efforts to expose racism in Arkansas at the national level. In late 1943, Macdonald wrote a piece called “Arkansas Farmer Defends Home; Gets 10 Years” that appeared in black publications such as the *Pittsburgh Courier*, the *New York Amsterdam News*, and the *Baltimore Afro-American*. Macdonald stated that the Arkansas statute proclaiming that a man was entitled to use deadly force to prevent an intruder from entering his home was “the law in Arkansas – if you’re white.”<sup>14</sup> Macdonald then summarized the night of Davis’s arrest, pointing out the inadequacies in the prosecution’s arguments: Davis had not known

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<sup>12</sup> K. T. Sutton to H. L. Mitchell, October 12, 1943, reel 25, item 2, STFU Records.

<sup>13</sup> Joseph Freeland to Morris Milgram, November 20, 1943, Box 189, Folder 6, WDL Records.

<sup>14</sup> Dwight Macdonald, “Ark. Farmer Defends Home; Gets 10 Years,” *Pittsburgh Courier* (Pittsburgh, PA), January 8, 1944.

why Weaver was there, nor was it certain that Davis even knew Weaver was a representative of the law. Weaver was also a known enemy of the STFU after Sutton filed the civil suit against him two years prior. By circulating this article, Macdonald had begun executing the WDL's tactic of raising public awareness for the Davis case.<sup>15</sup>

The STFU and WDL hoped that the Arkansas Supreme Court would overturn the court's decision or at the very least, grant Davis a new trial. Sutton's brief for the Arkansas Supreme Court cited the following points: that the sentence was excessive, that the court was prejudiced against Davis and "did not give appellant a fair and impartial trial," that the prosecution's opening remarks used Davis's prior conviction in 1937 against him, that the officers had no search warrants, and that Tee Davis "had an absolute right to fire his gun under the circumstances in defense of his home and family."<sup>16</sup> In defense of the state, attorney general Guy E. Williams, who led Arkansas's efforts to prohibit black participation in Democratic Party elections, and assistant attorney general Oscar E. Ellis asserted "Nothing in this case more favorable to the appellant could be said than was said in that case...there remains nothing to do but for this court to affirm the judgment of the court below."<sup>17</sup> The State Supreme Court agreed and completely disregarded Davis's testimony that Weaver had kicked the door before announcing who he was. Justice Robert Knox contended that Elizabeth Davis had failed "to corroborate his [Davis's] statements as to the abusive language or the kicking on the door," failing to acknowledge that neither Sutton nor Fietz had asked Mrs. Davis how the altercation began.<sup>18</sup>

Having lost in the courts, the WDL and STFU decided the next logical step was to appeal

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<sup>15</sup> Ibid.

<sup>16</sup> *Tee Davis vs. State of Arkansas*, case number 4340 in the Supreme Court of Arkansas, statement and brief on behalf of appellant, K. T. Sutton, filed on December 20, 1943, Box 189, Folder 34, WDL Records.

<sup>17</sup> *Tee Davis vs. State of Arkansas*, case number 4340 in the Supreme Court of Arkansas, statement and brief on behalf of appellee, Guy Williams and Oscar E. Ellis, filed on January 11, 1944, Box 189, Folder 34, WDL Records.

<sup>18</sup> *The Law Reporter*, Volume 80, Number 15, Little Rock: Democrat Printing and Lithographing Company, 638-646. Located in Box 189, Folder 34, WDL Records.

to the governor of Arkansas to pardon Tee Davis. In the summer months, the STFU and WDL raised money for Sutton's retainer while he contacted a friend, Arkansas State Senator Peter A. Deisch whom Sutton promised a \$50 retainer and \$200 if he secured Davis's freedom.<sup>19</sup> Milgram and the WDL, doubtful of Sutton's success, urged people to write letters to the governor, urging him to free Davis, but Sutton urged him to patiently await the decision by Adkins before pressing on with the campaign. In June, Sutton assured Milgram that Deisch's close relationship with Adkins would make the governor "more inclined to act favorably in this matter."<sup>20</sup> However, the 1944 Arkansas Senate race put Sutton's plan on hold as Adkins battled his bitter enemy J. William Fulbright for the seat. Even after Fulbright defeated Adkins, the governor continued to put off responding to Sutton. Milgram grew increasingly annoyed and impatient with Sutton's plan and wrote to Mitchell to express his skepticism about using Deisch in the first place. Milgram asked Mitchell to give him "an O.K." to go ahead with the letter writing campaign; Mitchell, faithful to Sutton, urged him to wait.<sup>21</sup>

In December, the STFU enlisted the assistance of Reverend Charles Greenville Hamilton of Mississippi to help convince Adkins to pardon Davis. In a letter to Morris Milgram, Hamilton proposed that they double Deisch's fee from \$250 to \$500 to encourage the state senator to act more quickly in convincing Adkins to pardon Davis before the new governor, Ben Laney, took office on January 8, 1945. This last request brought Milgram's annoyance with Sutton to a boil. Milgram wrote to Hamilton that Sutton "was certain he had the influence with the Governor to get the pardon. Then Mr. Sutton announces he is quite certain that Senator Deisch could get the pardon

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<sup>19</sup> Randall Bennet Woods, *Fulbright: A Biography* (New York, NY: Cambridge University Press, 1995) 62, 89.

<sup>20</sup> K. T. Sutton to Morris Milgram, June 1, 1944, Box 189, Folder 9, WDL Records.

<sup>21</sup> Morris Milgram to H. L. Mitchell, November 8, 1944, Box 189, Folder 11, WDL Records.

from Governor Adkins. Now you suggest that we double the \$250 fee for Sen. Deisch.”<sup>22</sup> Though Milgram initially opposed the idea, he eventually came around because NAACP legal counsel Thurgood Marshall agreed to supply the other half of Deisch’s fee and proposed they make Deisch’s fee conditional on securing Davis’s release from prison.<sup>23</sup> Sutton, apparently offended by his lack of faith, fired back at Milgram, “while I am not complaining, I have devoted a great deal of time and efforts and expense to this case...had I not been interested in the case of humanity and the rights guaranteed all mankind I would not have devoted the time and effort that I have to this case”<sup>24</sup> Despite Sutton’s plea for support of his plan to send a delegation to Adkins, Milgram pressed on with the letter campaign, flooding Adkins’ office with over a hundred letters by the end of December.<sup>25</sup>

The first wave of letters appealed to Adkins’ Christianity and patriotism, invoking the spirit of Christmas in pressing him to grant Davis a “Christmas pardon” and emphasizing that the ongoing fight to preserve freedom and democracy in the face of fascist dictatorships. Letters poured in from all over the United States. A father of two sons fighting in Europe, D.B. Gray of Hull, Illinois wrote, “There is no fight for world justice at a cost of hundreds of billions of dollars and the lives of our sons if we do not expect to grant justice at home.”<sup>26</sup> Another correspondent asked Adkins to consider a pardon a Christmas present for Tee Davis. Other letters attempted to get through to Adkins by trying to convince him that Davis’s conviction was not only a slight to justice but a mark on Arkansas’ reputation as a state. Nonetheless, as the letters poured in, the

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<sup>22</sup> Morris Milgram to Charles Greenville Hamilton, December 21, 1944, Box 189, Folder 12, WDL Records; This was not the first time that WDL members and supporter expressed discontent with Sutton’s work on the case. The previous December, Dwight Macdonald criticized Sutton for failing to mention the racist motivations behind Tee Davis’s conviction in the brief submitted to the Arkansas Supreme Court. See Dwight Macdonald’s December 15, 1943 letter to H. L. Mitchell in the STFU Records.

<sup>23</sup> Thurgood Marshall to Morris Milgram, December 20, 1944, Box 189, Folder 12, WDL Records.

<sup>24</sup> K. T. Sutton to Morris Milgram, December 27, 1944, Box 189, Folder 12, WDL Records.

<sup>25</sup> “Adkins Reports Pleas for Pardon of Negro”, *Blytheville Courier News*, December 28, 1944.

<sup>26</sup> D. B. Gray to Homer Adkins, December 16, 1944, Box 189, Folder 13, WDL Records.

League found it difficult to circumvent the governor's claims of outside interference.<sup>27</sup>

According to Sutton, the Governor had agreed to meet with him to discuss the Tee Davis matter on January 2, 1945, just days before he left office. However, on January 3, Morris Milgram received a letter from Adkins contradicting Sutton's optimistic account. Adkins was angry with the WDL for circulating a news bulletin containing the full text of Sutton's appeal submitted to the Arkansas Supreme Court. The bulletin, a vibrant shade of yellow with notes printed in red ink pointed out the deficiencies in the prosecution's argument against Davis. Adkins told Milgram that the WDL had acted on insufficient information, that Tee Davis's prior conviction indicated that he was "criminally inclined," and reasoned that intent to kill had been proven because the evidence showed "that the Deputy Sheriff told him he was an officer of the law and who he was and Davis shot through the door, shooting a flashlight from the officer's hand, and had it not been for a heavy coat the Sheriff was wearing it likely would have killed him." Adkins signed off by telling Milgram he would not pardon Davis, noting specifically that this was Davis's second conviction for the same crime. Illustrative of Adkins' frustration in dealing with outside pressure, Adkins implored the WDL to "give this letter the same publicity as you gave the News [sic] item, which was written without full information."<sup>28</sup> Though Sutton persisted in his plan to use Deisch's connections and lobbying background to appeal to the new governor, Ben Laney, these efforts never bore fruit.<sup>29</sup>

The WDL's letter writing campaign picked up in 1945 and 1946. Hundreds of individuals from all over the United States wrote to Ben Laney in the hopes that the new governor may be more amenable to granting clemency to Tee Davis. At the same time, dozens of newspapers

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<sup>27</sup> A. Q. Burns to Homer Adkins, December 17, 1944, Box 189, Folder 13, WDL Records; Unknown author to Homer Adkins, December 16, 1944 Box 189, Folder 13, WDL Records; Clara M. Standish to Homer Adkins, December 20, 1944, Box 189, Folder 13, WDL Records.

<sup>28</sup> Homer Adkins to Morris Milgram, January 3, 1945, Box 189, Folder 8, WDL Records.

<sup>29</sup> K. T. Sutton to Morris Milgram, January 5, 1945, Box 189, Folder 14, WDL Records.

published articles detailing the story and Tee Davis and urging the readership to play their part by writing a letter and giving a contribution to the cause.<sup>30</sup> Frustrated by the campaign, Ben Laney and the Arkansas press reacted accordingly, issuing press releases of their own condemning the WDL as a communist front and claiming that Davis had been “described by his neighbors as ‘a mean negro,’” and was an “unsatisfactory prisoner.”<sup>31</sup>

On January 5, 1945, the WDL circulated a news bulletin to all of its members containing a letter from Lillian Smith, activist and author of the 1944 novel *Strange Fruit*, which told the tragic story of a relationship between a white man and black woman in Georgia in the 1920s. In the letter, Smith dramatized the case of Tee Davis, writing:

Tee Davis, afraid of thieves in the vicinity, or a possible lynching bee, stumbled back into his room...grabbed his shotgun...aimed it at the floor...and with a prayer on his lips, slowly pulled the trigger.

Tee Davis is now serving ten long years in an Arkansas Prison Camp for defending his home and his family according to the laws of the State of Arkansas. Tee Davis is giving up those ten years of his life because an Arkansas jury and an Arkansas governor, educated to believe in white supremacy, have little respect for the rights of Negro Americans.<sup>32</sup>

The WDL circulated Smith’s letter throughout 1945, and it serves as a summary of the strategy for waging the media campaign on behalf of Tee Davis: to expose miscarriages of justice in the Arkansas Delta and to place pressure on Arkansas politicians to correct such injustices. The ensuing struggle between white southerners and northern leftists determined the fate of Tee Davis.

To bolster the campaign, Morris Milgram and WDL chairman Reverend Aron S. Gilmartin contacted Arkansas religious leaders to mobilize their congregations in support of Davis. Believing that having a supporter in Little Rock could only benefit their efforts, Milgram and

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<sup>30</sup> “Ask Pardon for Tenant Farmer in ‘Frame-Up,’” *Chicago Defender*, January 13, 1945; “Negro Sentenced for Defense of Home,” *Labor Action* (New York), December 25, 1944, Box 189, Folder 32, WDL Records; “Intensifies Drive to get Pardon for Farmer Tee Davis,” *New York Amsterdam News*, August 31, 1946.

<sup>31</sup> “Arkansas Board Grants Parole to 26 Convicts,” *Blytheville Courier News* (Blytheville), April 4, 1946; “Clemency Denied to Tee Davis,” *Arkansas Gazette*, April 4, 1946.

<sup>32</sup>Letter circulated to WDL members written by Lillian Smith, January 5, 1945, Box 189, Folder 14, WDL Records.

Gilmartin reached out to Samuel F. Freeman of the Pulaski Heights Christian Church. Reverend Charles Greenville Hamilton of Mississippi had been in communication with Freeman since December, and Freeman had written to Homer Adkins and received a politer response than was usual from the Governor's office. Freeman had connections in influential political circles in Little Rock and urged Milgram to share all new information about the case with him. Freeman assured Milgram that he would forward any information to the Crime and Delinquency Committee of the Greater Little Rock Inter-Racial Commission but urged Milgram to keep the case "as quiet as possible."<sup>33</sup> While the WDL largely ignored Freeman's advice, they realized the benefit of having Arkansas natives supporting Davis within the state and pressed forward with efforts to form an Arkansas delegation to press the governor to pardon Tee Davis.

Meanwhile, Elizabeth Davis worked tirelessly, but with limited resources, to garner rural support for her husband. Davis kept in close contact with H. L. Mitchell and, in May, went to Memphis to meet with him and Morris Milgram at Mitchell's office. Having not seen her husband since late 1943, Elizabeth asked Milgram to take her picture and send it to Davis as comfort. In letters to his wife, Tee Davis expressed gratitude for all of those fighting on his behalf, but mostly took a reassuring tone to let his wife know that he was doing alright in prison.<sup>34</sup> The two tried to orchestrate a trip for Elizabeth to travel to the prison in Lincoln County with the wife of a fellow inmate serving time with Davis. However, Elizabeth was unable to make it to the meeting spot and would not see her husband in person until the following year.<sup>35</sup>

By August, Sutton had abandoned his plan of using Deisch to convince Governor Laney to

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<sup>33</sup> Samuel F. Freeman to Morris Milgram, January 17, 1945, Box 189, Folder 14, WDL Records.

<sup>34</sup> Tee Davis to Elizabeth Davis, January 10, 1945, Box 189, Folder 14, WDL Records; Tee Davis to Elizabeth Davis, March 1, 1945, Box 189, Folder 15, WDL Records; Tee Davis to Elizabeth Davis, Box 189, Folder 16, WDL Records.

<sup>35</sup> Elizabeth Davis to Tee Davis, March 1945, Box 189, Folder 15, WDL Records.



pardon Davis. Instead, Sutton believed he could convince Marcus Fietz, the prosecuting attorney in the case, to write a recommendation to the governor saying he believed that Tee Davis's three years in prison were sufficient punishment for his crimes. Sutton also urged Fietz to reach out to Crittenden County's new prosecuting attorney, the Crittenden County sheriff's office, and any other county officials to write a recommendation on Davis's behalf. Sutton and Milgram both agreed that pushing for another Christmas pardon would achieve the results they hoped for. Still, as letters continued to pour into Laney's office, they were met with the standard response informing the correspondents of Davis's previous conviction. It remained unlikely that Ben Laney would ever grant clemency to Tee Davis. Instead, Laney spent much of 1946 making the WDL and Sutton jump through various hoops, asking them to provide him with recommendations from Crittenden County so he could have something on which to base his decision.<sup>36</sup>

In November 1945 WDL national chairman Aron S. Gilmartin wrote Laney urging him to pardon Davis on the grounds that the Crittenden County courts treated Davis differently than a white man in the same situation. Gilmartin also questioned the prosecution's use of Davis's prior conviction in arguing for apparent intent to kill. Gilmartin told Laney that Davis "was not convicted but entered a plea of guilty in order to get off lightly. Certainly the court erred in permitting detailed evidence concerning this affair, that occurred during a period of great turmoil."<sup>37</sup> Gilmartin also reminded Laney of the Arkansas statute proclaiming a man's home was his castle and he had the right to use homicide as a means to defend it from intruders. Laney's response was short and to the point, letting Gilmartin know that he had "been giving consideration to this case and have had a very careful investigation made. My decision is that I do not feel

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<sup>36</sup>K. T. Sutton to Marcus Fietz, August 24, 1945, Box 189, Folder 17, WDL Records.

<sup>37</sup> Aron Gilmartin to Ben Laney, November 21, 1945, Box 189, Folder 18, WDL Records.

justified in granting executive clemency at this time.”<sup>38</sup>

Laney’s refusal prompted a new WDL strategy for 1946: “To bring public clamor and private pressure to bear on Gov. Laney in support of a pardon for Tee Davis with emphasis on influential key people backed by broad support from masses of citizens through out [sic] the state.”<sup>39</sup> The WDL designed the strategy to take place in several steps. The first was to arouse public support within the state through a petition and publicity campaign. This included utilizing the mailing list of STFU members in the state, contacting all Arkansas colleges and universities, renewed efforts to enlist the support of churches and ministers, and hiring a reporter to cover the story in Arkansas.<sup>40</sup> The WDL hoped to persuade influential Arkansans to form a delegation to visit with the governor on Davis's behalf. The strategy also emphasized raising funds through calls for contributions in the press. Milgram and Gilmartin were certain they could sustain Davis's campaign through contributions from WDL and STFU members alone. Finally, the 1946 strategy introduced Mae Pearl Kelley, an African American WDL employee in Arkansas whose duties included circulating petitions to union locals throughout the central and eastern parts of the state.<sup>41</sup>

While the petitions circulated and letters continued to pour into Laney’s office, Brigadier General H.C. Holdridge, a Marine veteran and chairman of the Legislative Committee of the Veterans League of America, joined the fight to free Davis. Milgram hoped that General Holdridge could use his influence as a veteran and Arkansas native to form the delegation that could convince Laney to grant clemency. Holdridge urged Laney to free Davis immediately, stating “In view of the circumstances it is difficult to understand why Tee Davis was imprisoned at all,” and asking

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<sup>38</sup> Ben Laney to Aron Gilmartin, December 20, 1945, Box 189, Folder 18, WDL Records.

<sup>39</sup> “Tee Davis Campaign Plan”, March 1946, Box 189, Folder 1, WDL Records.

<sup>40</sup> Ibid; The STFU changed its name to the National Farm Labor Union in 1946.

<sup>41</sup> Ibid.

whether the three years Davis had already served were not sufficient punishment.<sup>42</sup> In his response, Laney assured the general that he would forward his letter to the Arkansas Board of Pardons, Paroles and Probation, requesting they make a proper investigation of the case.<sup>43</sup> For the moment, it seemed to the WDL and STFU that Holdridge's involvement in the Tee Davis campaign offered some promise of success.

Laney's investigation was yet another smoke screen employed by the governor. As it turned out, the Arkansas Parole Board's idea of a thorough investigation was holding open hearings on Tee Davis's application for a farm furlough, an alternative to prison where inmates were hired out to local plantations to perform agricultural labor. Holdridge wrote to Laney expressing his disappointment at the method selected to investigate the Tee Davis case, but more importantly, to express his dismay that the governor did not inform him the hearing would take place. Laney denied Holdridge's request for a meeting because, according to the governor, he was "cooperating very closely with the Parole Board and with the courts in this matter," and therefore would not require the input of the WDL on the matter.<sup>44</sup>

At the hearing on Davis's application for farm furlough, attorney Frank Williamson, who had also begun working with Sutton on the civil suit against Weaver, appeared on Davis's behalf. Also attending was Samuel Freeman on behalf of the Little Rock Inter-Racial Commission. Williamson emphasized he represented Davis's wife rather than the WDL. Williamson's insistence that he was not a union representative casts doubt on whether or not the attorney *wanted* a WDL representative at the hearing. Samuel Freeman, who had earlier urged the WDL to keep the case as quiet as possible, had frequently written back and forth with both Gilmartin and Milgram but

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<sup>42</sup> H. C. Holdridge to Ben Laney, February 11, 1946, Box 189, Folder 20, WDL Records.

<sup>43</sup> Ben Laney to H. C. Holdridge, April 25, 1946, Box 189, Folder 23, WDL Records.

<sup>44</sup>Ibid.

had failed to inform them of the hearing's date and time on April 4, 1946. The attitude that the WDL's pressure campaign was more harmful than helpful seemed to strengthen by mid-1946 and eventually altered the organization's primary strategy in the campaign's latter years.<sup>45</sup>

In fact, it was only through the press that Holdridge and the WDL discovered that the hearing had taken place at all. The League was particularly outraged by an article by Dick Allen in the *Memphis Commercial Appeal* on April 7, 1946 labeling the WDL as "Race Do Gooders" and claiming it had failed to show up for Davis despite the public attention it had drawn to the case. The article noted that Williamson and Freeman stressed they had no union affiliation. It detailed the night of Davis's arrest from Weaver's perspective, reporting that "Mr. Weaver was wounded while he stood on the negro's front porch." The article also questioned the objectivity of the WDL's press release and what the League planned to do with the contributions raised. The article also reiterated an argument that Ben Laney's office echoed throughout 1946 and 1947: that Davis was "a mean negro" and that "Even members Davis's own race urged that he be kept in jail." Finally, the article ended by declaring that the Arkansas Parole Board expected no "further agitation" from the WDL.<sup>46</sup>

The League responded to the *Commercial Appeal* by haranguing the newspaper for publishing "many misstatements of facts and drawing false inference concerning both the case itself and the role of the Workers Defense League in it." The special emphasized that Ben Laney had assured General Holdridge that the governor would make a full investigation into the case, but never explained that the "investigation" would come in the guise of open hearings on Davis's application for a farm furlough. Furthermore, the League stated that their associate national

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<sup>45</sup> "Clemency Denied to Tee Davis, *Arkansas Gazette*, April 4, 1946.

<sup>46</sup> Dick Allen, "Race "Do Gooders" Collect - Eastern Pressure Group Fails to Provide Funds for Negro's Hearing After Much Hearing", *Memphis Commercial Appeal*, April 7, 1946, Box 189, Folder 23, WDL Records.

secretary, Rowland Watts, had been in Crittenden County on March 31 and April 1 and could have attended the hearing had he known its time or place. The WDL requested the *Commercial Appeal* publish their response in full in the newspaper, but it never appeared in print.<sup>47</sup>

The questions posed in Dick Allen's article in the *Commercial Appeal* sparked some doubt among Arkansas newspapers more likely to present a view of the case more favorable to Tee Davis. Allen Tilden, editor of the *Arkansas Democrat*, wrote to WDL chairman Aron Gilmartin asking eight questions that would "allow us to continue to give your side as well as that of the Arkansas State Administration."<sup>48</sup> The questions were: 1) was the League aware of Tee Davis's previous conviction and sentence in Crittenden County for "firing a double-barrel shotgun into a truckload of cotton pickers of his own race?" 2) did the League plan to send a representative to Arkansas to investigate the case? 3) Did the League plan on sending a representative to the Parole Board to plead Davis's case? 4) Had the League read prosecution briefs quoting Davis as saying that Weaver identified himself prior to the shooting? 5) Had the League tried to secure Davis's release through means other than press releases and letters to the governor? 6) What steps did the League propose after the Parole Board unanimously voted to deny clemency for Davis? 7) How much had the League raised through contributions for Davis's campaign? 8) Were Lillian Smith and General Holdridge coordinating their efforts in Arkansas?<sup>49</sup>

Gilmartin forwarded Tilden's questions to Rowland Watts who addressed each of Tilden's concerns in a special to the *Arkansas Democrat*. Watts thanked Tilden for his concern and for allowing a chance for the League to quell stirrings of "outside interference" from an organization whose sincerity in promoting Davis's case had been questioned in the local press. Watts explained

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<sup>47</sup> Special to the *Commercial Appeal*, April 1946, Box 189, Folder 23, WDL Records.

<sup>48</sup> Allen Tilden to Aron Gilmartin, April 6, 1946, Box 189, Folder 1, WDL Records.

<sup>49</sup> Ibid.

that Davis's prior conviction had taken place during a cotton choppers' strike and the shot was Davis's "ill-advised" method of warning off strikebreakers and that Watts himself had undertaken a full investigation of the case in both Crittenden County and Little Rock. He also assured Tilden that the League had taken several measures to send delegates, including General Holdridge to speak on behalf of Tee Davis and noted their earlier efforts to lobby to Homer Adkins through Peter Deisch. Watts also relayed that the League had been successful in raising nearly \$3000 for Tee Davis and that most of that money went to legal retainers and printed material pleading Davis's case. Most importantly, Watts stressed that, even though Weaver had informed Davis of his name, the marshal had not identified himself as any sort of law enforcement and failed to tell Davis why he had come to his house. This echoed a central element of the WDL's defense: that the Crittenden County prosecutor had failed to prove *intent* to kill, since Davis had only shot in self-defense.<sup>50</sup>

By June, the controversies surrounding Davis's conviction had caught the attention of the U.S. House of Representatives member Ezekiel "Took" Gathings, who represented Crittenden County and the northern portion of the Arkansas Delta. On June 11, 1946, the *Arkansas Gazette* published an article called, "Gathings Hits Campaign to Free Negro," reporting a statement Gathings made on the House floor on June 10. Overlooking the often bitter divisions between Socialists and Communists, Gathings smeared the WDL as a communist front and enumerated alleged connections the organization had with the Communist Party of the United States, specifically citing their affiliations with A. Philip Randolph of the Brotherhood of Sleeping Car Porters, Freda Kirchwey, whom Gathings described as "one of the most active Communist propagandists in America," and Norman Thomas whose early connections with the STFU made him a prime target for Arkansas conservatives. Even though none of the afore mentioned figures

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<sup>50</sup> Rowland Watts to Allen Tilden, "Special to the Arkansas Democrat," April 1946, Box 189, Folder 1, WDL Records.

were members of the Communist Party, and had been critical of Communist activities, Gathings listed more and more “communists” whose sponsorship of the WDL negated the organization’s credibility in attacking the Arkansas court system. After including the full transcript of the Arkansas Supreme Court’s decision on the Davis case, Gathings signed off, saying, “Arkansas people will not stand idly by and have its courts and its peoples integrity and good name challenged at the hands of an off-brand subversive and un-American organization such as the Workers Defense League.”<sup>51</sup>

Gathings’ statement led to a new wave of articles in Arkansas newspapers decrying the efforts of “northern interests” as nothing more than a guise to raise funds for their own purposes. One article in the *Crittenden County Times* quoted their Washington correspondent as saying the WDL’s involvement in the Davis case was “Proof that no incident involving a negro is too trivial to give the professional bleeding hearts of the North an excuse to cry in print and then ask for money.”<sup>52</sup> The next month, the same newspaper offered its opinion that “Davis should be right where he is and should be made to serve his full time. We welcome a parole board that...has respect for the decision of our courts regardless of the pressure brought to bear by outsiders.”<sup>53</sup> John L. Fletcher of the *Arkansas Gazette* went so far as to describe the publications sent out by the WDL as slander and accused the organization of “promoting class hatred.”<sup>54</sup> Additionally, these articles inspired members of the public to write into their local newspapers. One letter to the editor of the *Memphis Commercial Appeal* called for a federal investigation into any organizations dedicated

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<sup>51</sup> “Gathings Hits Campaign to Free Negro”, *Arkansas Gazette* (Little Rock, AR), June 11, 1946: 6; 79 Congressional Record, A3364 – A3367 (June 10, 1946), Google Books.

<sup>52</sup> “Campaign Being Waged by Northern Interests for Negro”, *Crittenden County Times* (West Memphis, AR), June 28, 1946.

<sup>53</sup> “The Case of Tee Davis”, *Crittenden County Times*, July 5, 1946.

<sup>54</sup> John L. Fletcher, “State’s Courts Being Smeared by Promoters – Nation-Wide Slander Revealed,” *Arkansas Gazette*, July 2, 1946: 2; Fletcher also quotes a report from prison superintendent, T.C. Cogbill, claiming that Davis, who carried the mail in prison, had lost some of the items. Fletcher seemed to indicate this was reason enough to prove Davis's criminal inclination.

to promoting civil rights. W.L.C. Griffin expressed his opinion that “the KKK is no worse than the N.A.A.C. [sic] or S.C.C.W. and W.D.L. As long as these Communists racial organizations are permitted to spread propaganda and racial hatred we will have the Ku Klux Klan.”<sup>55</sup>

After years of publicity calling for letters to the governor, contributions, and Davis's pardon, the media campaign to free Davis had been met with little more than accusations of “outside interference” and was dismissed as a communist effort to spread propaganda that would upset the South's racial status quo. Unwilling to give up the cause, Morris Milgram and Aron Gilmartin decided it was best to press on with a local campaign that obscured WDL involvement. To coordinate local efforts, the WDL appointed Mae Pearl Kelley, an African American from Arkansas, to circulate petitions among Arkansas National Farm Labor Union (NFLU) locals and work closely with Elizabeth Davis to keep in touch with her husband. Mae Pearl Kelley first became involved in the Davis campaign back in February 1946 when she, Rowland Watts, and Samuel Freeman discussed employing a Forrest City attorney named Bert Mann to represent Davis. H. L. Mitchell had arranged a meeting between supporters and Mann who would receive \$300 if he was able to free Davis “with no strings attached.”<sup>56</sup> Kelley fit the bill as the new face of the campaign, and was confident that Arkansas politicians and newspapers would find it more difficult to claim outside interference.

Kelley's efforts involved working closely with Samuel Freeman and other influential Arkansans to form the Arkansas Citizens' Committee, an organization made up of a biracial group of Arkansans, dedicated to addressing issues of racial justice in the state. Kelley also worked closely with Elizabeth Davis, helping her to visit Tee in prison in September 1946, even going so

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<sup>55</sup> W.L.C. Griffin, “Letter to the Editor: ‘Investigate N.A.A.C.’,” *Memphis Commercial Appeal*, July 15, 1946, Box 189, Folder 32, WDL Records.

<sup>56</sup> Rowland Watts to Mae Pearl Kelley, February 6, 1946, Box 189, Folder 20, WDL Records.



far as to conceal Kelley's identity, pretending to be a cousin to get her past the guards. In September, Kelley met with Elizabeth at the prison where Tee and Elizabeth finally saw each other for the first time in nearly three years. At this point in the campaign, affiliating oneself with the WDL or any other "outside" influence was considered a dangerous action. Kelley warned Morris Milgram against including his name or the WDL anywhere on mail sent to Arkansas as Kelley suspected mail tampering in Arkansas.<sup>57</sup> During their visit, Kelley observed that Tee's spirits were high considering his current circumstances and he seemed "very independent and intelligent; normally wouldn't be liked by 'Southern whites.'" Kelley also told a WDL official that even Tee Davis agreed that League publicity could only harm his chances of executive clemency.<sup>58</sup>

With tension between Arkansas politicians and labor sympathizers high, Pearl Kelley and Samuel Freeman agreed it was best for the Arkansas Citizens' Committee to lead the charge on securing Davis's release. The first step was to revise the language on the petitions that had circulated through Arkansas. Freeman and Kelley both agreed to remove the WDL name and the racial aspect of Davis's arrest. Kelley reported that Freeman felt the petitions were "too bold for the average white Arkansan and if support is to be gotten from the people in Arkansas, we must appeal to them strictly from the angle of clemency and not on the basis of principle."<sup>59</sup> Milgram agreed, and the revised petitions argued for clemency for Davis solely on the fact that he had been a model prisoner for the previous three years. Meanwhile, Kelley worked to enlist the support of influential whites from the Delta as, according to Kelley, those were the only opinions that mattered to the "powers that be in Arkansas."<sup>60</sup>

Relations between the WDL and the STFU strained in October over Kelley's handling of

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<sup>57</sup> Mae Pearl Kelley to Morris Milgram, September 2, 1946, Box 189, Folder 28, WDL Records.

<sup>58</sup> Mae Pearl Kelley to Rowland Watts, September 15, 1946, Box 189, Folder 28, WDL Records.

<sup>59</sup> Ibid.

<sup>60</sup> Mae Pearl Kelley to Morris Milgram, October 6, 1946, Box 189, Folder 29, WDL Records.

the petitions. On October 1, 1946, H. L. Mitchell wrote an angry letter to Morris Milgram after Mitchell had realized that Kelley was recruiting NFLU members to the WDL. "As we understand it, the National Farm Labor Union is affiliated with the Workers Defense League, and as President of the Union, I am a member of your National Executive Board...Therefore, we cannot see any point in soliciting these workers for individual membership in the WDL...It only creates confusion and requires the time of our people whose main work is the Union." Mitchell was not pleased that Mae Pearl Kelley was concentrating "her efforts among Union members. None of us need to be sold on the idea of freeing Tee Davis."<sup>61</sup> Mitchell thought she should be working among other civic organizations to gain more popular support for Tee Davis's campaign instead of recruiting those who already have voiced their support for Davis. From then until Davis's release, STFU involvement was sidelined while the Arkansas Citizens' Committee handled the bulk of Davis's campaign.<sup>62</sup>

Officially formed on November 1, 1946, the Arkansas Citizens' Committee comprised ten members, five black (Kelley, J. R. Booker, Reverend W. Marcus Taylor, Father George Walker, and Mr. C. H. Jones) and five white (Freeman, Mrs. W. F. Bates, Mrs. Lulu Ashby, Mrs. F. Galloway, Mr. William H. Williams), united under the slogan, "Equal Justice for All."<sup>63</sup> The Committee issued a press release on November 29, 1946, telling the story of Tee Davis and explaining the Committee's purposes. Though the Committee had focused exclusively on Tee Davis, the letter claimed a more general interest in "seeking justice in our courts."<sup>64</sup> The first initiative of the ACC was a fundraising campaign intended to raise contributions to supplement

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<sup>61</sup> H. L. Mitchell to Morris Milgram, October 1, 1946, Box 189, Folder 29, WDL Records.

<sup>62</sup> From here on out, primary materials regarding the Tee Davis become frustratingly scarce. The new strategy to conceal any union involvement in the Davis campaign took a toll on the records kept by the League and, as of this writing, no manuscript collection exists holding the papers of the Arkansas Citizens Committee.

<sup>63</sup> Mae Pearl Kelley to Rowland Watts, November 1, 1946, Box 189, Folder 29, WDL Records.

<sup>64</sup> Arkansas Citizens Committee letter, November 29, 1946, Box 189, Folder 29, WDL Records.

the work of the Committee. In its correspondence, the committee maintained that Davis's sentence was excessive, and he had been punished simply for defending his home. However, Kelley and Freeman realized it was too late to obtain a government pardon and were waiting until February, when Davis was up for parole, to undertake any significant effort on his behalf.

In February 1947, the Arkansas Parole Board denied Tee Davis's application. When Davis applied later in May and again in September, the Board again denied him. Despite all efforts, the Arkansas press continued to label efforts to free Davis as communist intervention. The *Crittenden County Times* didn't even mention the Arkansas Citizens' Committee but instead reported that the WDL was still representing Davis. In fact, the *Times* labeled the League as a "Communist front of New York."<sup>65</sup> Throughout 1948 and 1949, Kelley and Freeman remained active in finding a way out for Davis, but conservative anti-union forces were ever present and precluded any more public efforts for Davis's release and the activities of the Arkansas Citizens Committee dwindled toward the end of the decade.<sup>66</sup>

Hope came for Davis when Sidney McMath succeeded Ben Laney as governor of Arkansas in 1948 thanks in part to the African American vote. A labor-friendly liberal, McMath signaled a brief transition in Arkansas to a more progressive politics. Though cautious about fully endorsing civil rights for African Americans, McMath garnered 90 percent of the black vote in Arkansas by supporting the abolition of the poll tax, better funding for African American schools, and equal justice for blacks in the courts.<sup>67</sup> In September 1948, H. L. Mitchell told Rowland Watts that he had hired William H. Flowers, an African American attorney and activist from Pine Bluff who

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<sup>65</sup> "Tee Davis is Up Again: Crittenden Negro Again is Seeking Release on Parole", *Crittenden County Times*, May 16, 1947.

<sup>66</sup> Mae Pearl Kelley telegram to Rowland Watts, April 11, 1948, Box 189, Folder 31, WDL Records; William H. Williams to Rowland Watts, September 27, 1948, Box 189, Folder 31, WDL Records.

<sup>67</sup> Pierce, "Odell Smith, Teamsters Local 878, and Civil Rights Unionism in Little Rock," 936.

played an instrumental role in mobilizing Arkansas' black voters in support of McMath.<sup>68</sup> Flowers agreed to take on the case but wanted it handled solely through Elizabeth Davis to avoid any affiliation with the WDL.<sup>69</sup> Arkansas Citizens Committee member William H. Williams echoed that sentiment by urging caution in moving forward with the Tee Davis case. Williams told Watts that, "so much propaganda was employed and useless pressure exerted we may stir up more than will be beneficial in the long run."<sup>70</sup>

The final piece of correspondence regarding Tee Davis in the WDL Records is between an Albert K. Herling and Nathan Schoenfeld, a close associate of McMath's during the GI Revolt in Hot Springs following World War II.<sup>71</sup> Herling suggested that the prior refusals to grant Davis parole were on account of his being a "labor agitator" and that "Mr. Williams" (presumably William H. Williams), was certain that Davis's conviction was "due solely to his union activities."<sup>72</sup> Apparently, interested parties still worked on freeing Davis during the election of 1948, but they were instructed to keep it quiet so as not to hurt McMath's chances of election. According to Herling, the new governor was interested in the case and had agreed to "work to set Davis free through commutation of sentence or in any other way possible."<sup>73</sup> However, McMath's involvement in the Davis case remains frustratingly unclear.

It is thus that the story of Tee Davis comes to a rather unsatisfying conclusion. Despite the extensive press coverage between 1943 and 1947, no article exists that reports Davis's release. In his autobiography, H. L. Mitchell remembers the Tee Davis case and reprints a letter Elizabeth sent him in 1977 informing him of her husband's death. According to Mitchell, all union attempts

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<sup>68</sup> John A. Kirk, *Beyond Little Rock: The Origins and Legacies of the Central High Crisis* (Fayetteville: University of Arkansas Press, 2007) 55-69.

<sup>69</sup> H. L. Mitchell to Rowland Watts, September 14, 1948, Box 189, Folder 31, WDL Records.

<sup>70</sup> William H. Williams to Rowland Watts, September 27, 1946, WDL Records.

<sup>71</sup> Sid S. McMath, *Promises Kept: A Memoir* (Fayetteville: University of Arkansas Press, 2003) 174, 181.

<sup>72</sup> Albert K. Herling to Nathan Schoenfeld, December 19, 1949, Box 189, Folder 31, WDL Records.

<sup>73</sup> *Ibid.*

to free Davis were ultimately unsuccessful and “Tee Davis served seven years on the Cummings [sic] Prison Farm in Arkansas.”<sup>74</sup> After his release, Tee Davis remained an active union member and attended the STFU’s 40<sup>th</sup> Anniversary in Little Rock in 1974. Considering the election of a liberal governor with ties to organized labor and the employ of Flowers, it is safe to assume that Davis submitted a successful application for parole sometime in 1949 or 1950, though the answer to the question of how Tee Davis gained his freedom may never be certain.

Though Tee Davis was not among the landowners who had lost their property to Harold E. Weaver, he illustrates how county and state court systems allowed the planter to act with impunity in his control of the once African American settlement. By using him as a *cause celebre*, the WDL and STFU successfully brought the plight of Edmondson to the national spotlight, and in doing so, put the issues of African Americans in the South in the national conversation. Throughout the 1940s, Arkansas politicians contended with labor and African American organizations threatening to expose the mistreatment of blacks in the South at the national level.

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<sup>74</sup> H. L. Mitchell, *Mean Things*, 337, 341.

## Conclusion

Turning off Arkansas Highway 147, I am greeted by a sign welcoming me to Edmondson, “A City Moving Toward the Future.” More than a century ago, those who gathered to celebrate the town’s incorporation envisioned a future wherein their children and grandchildren could grow up in a thriving community with endless possibilities. Behind the city’s welcome sign is a large cemetery where headstones bear the names Wofford, Ward, Fleming, and Rooks. The only other physical reminder of the city that once was are the street signs paying tribute to the industrious black families who dared to defy white rule in the name of freedom and independence. Farther down the road, the future they imagined is far bleaker than those early settlers could have imagined. A small condemned shack sits across from a two-story house where a white family is out horseback riding. The expansive soybean fields surrounding the town show the results of agricultural mechanization that displaced thousands of black laborers under the guise of modern advancement.

Further down the road, one sees the slow, inevitable creep of gentrification. Where the office building of the Edmondson Home and Improvement Company once stood are large modern homes that seem so out of place in a town so impoverished. I try to imagine where the People’s Telephone Company once stood, where Effie Rooks ran her restaurant, where Tee and Elizabeth Davis lived, and where Patrick Ward and William Wofford operated their cotton gin. No monument to the people exists in this now forgotten town. The school named for Beauregard G. Wedlock burned down long ago, and Edmondson’s children attend Weaver Elementary in West Memphis. At Edmondson City Hall, a plaque commemorates where Harold Weaver’s general store stood until it too caught fire in the 1970s. If you look closely, you will realize that fire is a common occurrence in Edmondson because the city has no fire hydrants.

This is the legacy of Harold Weaver and the planting elite who worked so hard to erase the memory of black independence in Crittenden County. This “city moving towards the future,” like so many others, will soon be swallowed up by the construction of housing developments and other twenty-first century conveniences. However, the descendants of Edmondson’s founders will carry on their family names. In doing so, they keep alive the memory of those whom K. T. Sutton once described as “self-reliant, hard-working, ambitious, industrious people with a desire for better citizenship.” So long as their names remain, they will not be forgotten. The hardships they endured and the battles they fought will serve as poignant reminders of the resilience of African Americans all over the United States who continue to fight the same battles their ancestors fought a century ago.

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