

action sequences, historical photographs, and expert testimony, Labovsky's film attempts not only to tell the story of the lynching a town forgot, but to place it in its proper historical context from a state, local, and national perspective.

While there is a great deal to celebrate in the film there are a few notable issues that should be addressed. One is the question of voice. Labovsky builds the historical context for Wilmington from a particular perspective. Although the film features an African American narrator and purports to tell the story of George White through court records from the time, the point of view is decidedly one sided and hostile to African Americans. Labovsky employs Henry Seidel Canby's fanciful and frankly racist recollections of life in Wilmington at the turn of the century both to describe the tenor of race relations in the city and set the tone for the lynching. Shortly after Canby's comments the viewer is treated to the criminal history of George White over the plaintive wail of a harmonica. There is very little that is sympathetic about him or any other person of color with which to balance this portrait. His profile is immediately followed by a fairly balanced treatment of the man who preached the lynching sermon, the Reverend Robert Elwood.

There were several African-American sources, most notably Alice Dunbar Nelson, Edwina Kruse, or even Jay Saunders Redding who may have been able to balance this view somewhat by describing what life was like for people of color, not simply how they were viewed by Wilmington's white elite. With the absence of such commentary the film inevitably inherits Canby's notion that sometimes "a waiter went mean," and that the events leading to the lynching of George White present just such a case.

However, by far the most disturbing element of the film was its ending. Rushing through the wave of violence that engulfed the city in the aftermath of the lynching, the film focuses its gaze on Delaware Chief Justice Charles Lore who gained national attention for his efforts to bring the Wilmington lynchings to justice. Besides robbing the African-American community of any agency in shaping events in Wilmington, the sequence instantly reminded me of the prologue to an interesting piece I had heard on National Public Radio entitled, "Election as Narrative." "Americans like stories," the narrator opened the show, "not long stories like the ones Russians embrace, but short, instructive tales that end well." Referencing literary giant William Dean Howells's famous observation, "What the American public always wants is tragedy with a happy ending," the show queried its listeners, "But where's the happy ending in a political campaign? Especially at a time when the country is so evenly and intensely divided, when one voter's happy ending is another's tragedy?"²

publication of Carole Marks's *History of African Americans of Delaware and Maryland's Eastern Shore*. That volume contained an essay by Professor James Newton that referenced the lynching. Newton wrote, "The climax of this frustrating period of disappointment came in 1903, when under the excitement of a sermon preached by the pastor of Olivet Presbyterian Church, members of the community broke into the workhouse. They dragged out George White for lynching. White was a black man accused of rape and murder. The press was unanimous in denouncing the affair, and the racist minister was later driven out of town."³

The facts as presented by Newton were so inconsistent with what I had read about other lynchings that it sparked my curiosity. Either Wilmingtonians were the most intolerant of the lynching set or other factors were at work. I spent the better part of the next two years immersed in my own attempts to document, explain, and hopefully better understand the lynching of George White. I began by checking Newton's source for his observations, African-American author, educator, and poetess Alice Dunbar Nelson.

The first person, black or white, to actively engage the meaning of the lynching, her account, in the eighty plus years since it was written, has become one of the chief sources for those seeking to make sense of the lynching. First published in the African-American magazine the *Messenger* in 1922, in a series devoted to the state of race relations across the nation, Nelson used the lynching to support her main point that Delaware was a "Jewel of Inconsistencies" on the issue of race. Born and raised in Louisiana, Nelson had arrived in Wilmington a few short months before the lynching, making her both a chronicler of the events and one would assume a witness. However one would find it hard to escape the hint of poetic justice inherent in her portrayal of events in Wilmington and the alleged fate of Robert Elwood, who incidently was not run out of town but actually elevated in standing because of the position he took regarding lynching.

An author, poet, and playwright, it is perhaps not surprising to find elements of compelling literature in all of the accounts of White's lynching using Nelson as a principal source. A contemporary of Howells, and celebrated writer in her own right, it seems fairly obvious that she too well understood the dimensions of what makes a good story. Her remembrance and interpretation of the lynching fit Howells' observations quite neatly. She wrote her account while the National Association for the Advancement of Colored People, of which she was a member, was in the midst of promoting

the Dyer Anti-lynching Bill and may have been an attempt on her part to shame Delaware's Republican legislators into action by showing a consistent strain of intolerance against lynching among the people of Delaware. Hers was a didactic, if not factual, interpretation seemingly written to celebrate a glorious defeat over intolerance. Nelson placed the blame solidly on Elwood, absolving the rest of the city and for that matter the state from guilt. In the process she either consciously or unconsciously helped to shape the perspective that Delawareans were right to forget the lynching; after all, it was none of their doing.⁴

In conceptualizing the lynching in the manner they did, both Labovsky's film and Nelson's account share an important common element, their desire to promote reconciliation, a theme not lost on popular attempts to understand the lynching. As *Wilmington News Journal* columnist Harry Themal proposed in a 2002 article partially dedicated to the lynching, "Today we should remember the worst day of racial violence in New Castle County history less than a century ago." "Why today?" he continued, "It's Martin Luther King, Jr.'s holiday when we celebrate his efforts to bring about racial understanding and equality. It's the 25th anniversary of 'Roots,' the landmark that brought forward African-American history. It's the eve of Black History Month in February, when many Delaware classes will be teaching 'Live Without Hate.'"

Themal's comments are instructive from the perspective that he shapes the story of the lynching not on what happened in the past but what ultimately is to come from it. For the professional historian such moments are awkward because they ultimately force us to confront the invisible hand that brings order to the universe and to history through such interpretation. Could it be, as Howells suggested, that we ultimately try to craft a happy ending for events that have none, so that we are constantly rewriting history in order to make it fit? As historians well know, the public's quest to manufacture such a triumph often tramples on history in the name of memory and leaves us with myth, the philosopher Voltaire's proverbial "lie agreed upon."

And yet it is difficult to deny the value of such lessons. Risking another trite expression of a historical truism, those who do not remember the past are doomed to repeat it, we note that those who ignore the historical record may find in their memory some glorious past that exists only in memory. After a black motorist died in police custody in Dover, Delaware, in March 2001, a letter to the editor of the *Delaware State News* conjured shades of Delaware past. After chastising the newspaper for printing stories in sympathy with

criminals who claimed to be innocent the author boldly declared, "In America it should be like when I was a little girl. Kill them. Take them out and hang them on trees or the whipping post. Why don't they still do that?" In January 2005, Wilmington Mayor James Baker similarly invoked the lynching as a warning against all things black crime. "Wilmington experienced only one horrifying public lynching in its past history," he told those in attendance, "yet, in one year alone, black-on-black crime has killed 15 people."⁵

But remembering how the lynching was and has been remembered is only part of the problem. Of equal importance is why it was forgotten. Labovsky's film demonstrates how, from the moment it happened, people were actively trying to erase it not only from public memory but from the historical record. The attempt by the assistant coroner to conceal White's bones was in one sense a gruesome example of the attempt to banish White from the public record. Without a body or a suspect, there was no crime, no overriding of the law. Governor John Hunn likewise pleaded with Wilmingtonians not to talk to the press, to be quiet, and move on. The arrest of Arthur Cornell which fueled the rioting in which blacks armed in self-defense was quietly dismissed from the papers and by July, in Delaware at least, the lynching had faded from the spotlight. Ironically the one person who was dissatisfied with this was Chief Justice Lore, who emerges in Labovsky's film as a champion for justice. Here is perhaps my biggest problem with the film.

It is the same problem I had with the aforementioned January 2002 partial review of Edmund Morris's *Theodore Rex*, by *Wilmington News Journal* columnist Harry Themal, who devoted a substantial discussion to the national and international implications of the Delaware lynching. Tying that event to the yearly celebration of Martin Luther King, Jr.'s birthday, the hallmark of racial reconciliation in this country, Themal laid out the significance of the lynching. "What makes this one more memorable than the 100 other lynchings committed that year," he noted, "is that it did not occur in the Deep South but near Wilmington. It also inspired the first statement ever by a president about lynchings." In Themal as well as Morris's account of the lynching, President Theodore Roosevelt is lionized for taking a stand when in fact he waited months before issuing public comment. Themal informs his readers that Roosevelt was a friend to African Americans who reached out throughout his presidency. The truth is far more complicated.⁶

Labovsky, like Nelson and Themal, seems to be searching for a hero in order to bring the story full circle. Near the end of the film Labovsky says that two powerful political forces were at work. He sets Governor John Hunn

against Chief Justice Charles Lore fighting over whether the lynchers should be prosecuted. Anyone familiar with the history of Delaware's bench would immediately find this curious. Lore enjoyed a distinguished career in Delaware as Attorney General of the state; in 1897 he was named Chief Justice of the Delaware Supreme Court. He, perhaps better than anyone else, knew that there was no chance that White would have escaped the death penalty in Delaware.

Interestingly enough the political divide to which Labovsky alludes represented a significant role reversal. Chief Justice Lore was a Democrat, the party largely identified with segregation and white supremacy at the turn of the century. Governor Hunn, on the other hand, was a Republican, widely celebrated among African Americans as the party of Lincoln and Reconstruction. African Americans had overwhelmingly supported the ticket of William McKinley and Theodore Roosevelt in the national election and John Hunn for governor of the state. However, once in office both Roosevelt and Hunn proved to be somewhat disappointing to some of their black constituents, who began to question whether the Republican Party was beginning to take black voters for granted.

In a well-crafted essay published on the 100th anniversary of the lynching, Millersville professor Dennis Downey provided the most comprehensive and well-written account of the lynching to date. Downey attributed the lynching to racial politics in the city of Wilmington. However, even this expert scholarship focused on the immediate local, regional, and national politics of the lynching.⁷ In order to completely understand the racial politics of the period, as well as the administration of criminal justice in the First State, one would have to go back to the period of Reconstruction to see how the state's reaction to the lynching of George White was not an act of forgetting but actually of remembrance and reconciliation. The actual context for the lynching stretches back twenty-three years with the United States Supreme Court's decision in *Neal v. Delaware*. In that case the high court vacated the rape conviction of a black laborer after determining a pattern of discrimination in the seating of juries in violation of the Fifteenth Amendment. This local context best explains the lynching not as an act of forgetting but action in remembrance.

While the crime of rape was far more infrequently charged before than after the Civil War, Delaware, like her southern neighbors, claimed to be plagued by black rapists assaulting white women. Between 1860 and 1880, the state executed twelve persons for the crime of rape. All were black. Although the court dockets that survive for all three counties in Delaware

show numerous charges of rape against white offenders, they rarely received the maximum sentence and certainly none was ever sentenced to death. The average sentence for a white man found guilty of rape in the First State was ten years in prison, corporal punishment of sixty lashes at Delaware's infamous whipping post, and an hour in the pillory. The addition of corporal punishment to the sentences, however, was largely ceremonial. In the twenty-year period between 1852 and 1872, three different governors set aside the corporal punishment for all white offenders accused of rape. Typical was the case of a white farmer Frank Susby who was accused of raping a young girl. The court reduced the charges to assault, fining him \$300. Less fortunate Henry Bayman, found guilty of rape, was sentenced to ten years in prison, one hour in the pillory, and a \$500 fine. Not surprisingly, a large percentage of whites accused of the crime were found not guilty and released.⁸

For black males, however, the statistics were far more grim. Between 1860 and 1880 the state executed seventeen men—fourteen black and three white. Eleven of the executions were for rape, one was for breaking and entering with the intent to commit rape, and five were for murder. All of the men executed for rape were black. In Delaware, as in other places, the race of the victim was important as well. Of the twelve, only one was accused of raping a black woman, but he was ultimately hanged for an alleged similar assault on a white woman. In at least four of those cases there were serious questions raised about the credibility of the alleged victim and in the case of two individuals overwhelming evidence that the accused were not guilty of the crime of rape.

The most sensational of these cases occurred in 1878 when two black field hands, Samuel Chambers and George Collins, were arrested for the rape of a white woman and assault on her husband. The victims, a pair of vagabonds from Philadelphia, claimed that the laborers had lured them into a field under the pretense of helping them find work when they suddenly assaulted the husband and took turns sexually assaulting his wife. After a near-lynching of one of the suspects, the men were tried, convicted and sentenced to die.

Shortly after their conviction, the husband, Peter Smith wrote a letter in which he admitted that he and the woman were not married and that she was a Philadelphia prostitute who had agreed to have relations with the two field hands in exchange for money. He further admitted that it was the woman who had struck him on the head when he protested the arrangement. When the field hands refused to pay the agreed upon fees, after the deed was done,

the pair fabricated the story in retribution. Prompted by Smith's story, a group of prominent Wilmington citizens gathered to try to win a reprieve for the two men. They even found the woman, Kate O'Toole, who, while not fully admitting her perjury in court, also wrote a letter asking the governor to pardon the men. On March 18 State Secretary of State Ignatius C. Grubb delivered the governor's final report and decision regarding the Middletown outrage. Citing his inability to interfere with the courts, Governor John Price Cochran refused to commute their sentences and the two men met their deaths on the gallows on March 22, 1878. In response to the governor's decision not to intervene, the editor of the *Philadelphia Times* observed, "It is evident that the Negro has no rights in Delaware which a white Governor is bound to respect." "The lessons taught by yesterday's tragedy," responded the *Wilmington Every Evening*, "is not what the *Times* attempts to sum up in the above sentence, but rather that the meanest and poorest woman who lives in or comes to our State shall be safe from such outrages committed by these men."

Undaunted by their inability to save Chambers and Collins, two years later many of the same persons involved themselves in the case of William Neal, a black field hand accused of the rape of a white housewife near Smyrna, Delaware. Despite considerable lynching talk, Neal's life was saved by a quick thinking sheriff who lodged him in a nearby hotel for safekeeping. After a brief trial Neal was sentenced to death. Although the persons who championed his cause were nonpartisan, the defense became most associated with a Wilmington lawyer and Republican named Anthony Higgins. It was primarily his idea to challenge Neal's conviction on the basis of the lack of representation of blacks on juries. The argument was fairly simple, that no black man had ever served on a jury was *prima facie* evidence of the state's attempts to undercut the Fifteenth Amendment since jury rolls were drawn directly from the pools of eligible voters. The idea was also to kill two birds with one stone, as a ruling on juries would inevitably assist voting rights for blacks. It worked and in 1881 the case was remanded to Delaware for retrial. This time with a solidly Republican jury William Neal was acquitted and released.

For the next twenty-two years, 1881-1903, proponents of speedy and violent justice for blacks would hold up the Neal case as an example of how the black escaped justice in Delaware. It was this theme that Reverend Elwood touched upon in his sermon calling the men of Delaware to the defense of their wives and daughters if the accused, George White, should be freed on

some technicality. With the lynching of George White in 1903 Delaware's white population finally put the ghost of William Neal to rest. The White lynching provided long awaited reconciliation as both Republicans and Democrats seemingly endorsed the violence. The party of Lincoln had championed the cause of black civil rights in the First State. If African Americans anticipated that a Republican victory at the polls would result in improved conditions they were sorely disappointed. A few weeks into his term Governor Hunn came under attack from black voters who denounced him for refusing to appoint a black justice of the peace at Camden. Hunn's election begged the question whether Republican rule would usher in an age of African-American equality. The governor's stance on the White lynching answered that question resoundingly with a no.

And although Delawareans remain proud of the fact that the state only experienced one lynching, in fact there were at least three others that can be traced back to the period just after the Civil War. The lynchings were uniformly denounced in the press along the same lines as the lynching of George White nearly four decades later. Prior to the Neal case at least white Delawareans were proud of the ability of justice system to handle "Negro lawlessness." After a black union veteran was lynched for a suspected arson in Leipsic, Delaware, in 1867 the editor of the *Delaware State Journal and Statesman* declared,

If there is any place in the world where such a crime is unpardonable, it is in Delaware. Here we have a Bench composed of gentlemen possessing high legal attainments, and unquestionable honesty. The records of our Courts show that their decisions have ever been in strict conformity to well-established law. No man has dared openly breathe a word of suspicion against them, or charge them with being influenced by improper motives in their official capacity. What could have prompted these men to assume to take the law into their own hands? It could not have been from the fear that justice would not be meted out in the Courts, for they knew that such an idea would be destitute of even a shadow of foundation in fact.⁹

Chief Justice Lore echoed these sentiments nearly forty years later. In the months after the lynching he spent a great deal of his time defending the decision of the Delaware justices not to call a special session to try White and pushing for the prosecution of those involved. As attorney general of

Delaware between 1869 and 1874, he had commended his fair share of "Negroes" to the workhouse and gallows. Lore and his associate justices, who included Ignatius Grubb, the former secretary of state who had delivered the governor's decision in the Chambers and Collins case, were also defending the bench that they occupied against the charge of dereliction of duty. This is what ultimately fueled Lore's vigorous pursuit of justice in the case, "Not for White" as one newspaper headline proclaimed, "But for Law."¹⁰

Lore's own words in defense of the rule of law betray these far from heroic, but nonetheless noble sentiments. "In this country," he opined while charging the grand jury convened to charge those accused of participating in the lynching, "we make the laws: they are our will formally expressed. It is the duty of every good man to obey the law himself and to see that it is obeyed by others as far as he may." He therefore called on the members of the grand jury to "so act that the crime of lynching may be suppressed in this state, so far as by your action that end may be attained and the perpetrators of the crime and authors of the disgrace that has come upon us through their crime will be dealt with according to their just merits."¹¹

In the years after the lynching, as memory morphed into myth and myth into history, the complex dimension of the historical background to the lynching is what has been lost. My substantive problems with the film are to be found here, in its one-sided presentation of Wilmington's past of a city in the words of Henry Sidel Canby plagued by good-natured black wretches always on the brink of criminal madness, and the so-called heroes who stood in their defense. But as I have had the opportunity to watch numerous audiences view the film, Labovsky's genius is evident. For everyone who has seen it has come away with more than an opinion. They have evidenced an earnest desire to dialogue. This perhaps is why scholarship may never solve the problems of the world. Books don't talk back. Labovsky's film has sparked meaningful dialogue among people, and although I am not thrilled with its manufactured hero in Chief Justice Charles Lore, I also appreciate Labovsky's larger aim. For if indeed William Dean Howells was right, and we all subconsciously crave a tragedy with a happy ending, Labovsky has given us that not in the person of Charles Lore but in the opportunity to talk openly about race. By ending the documentary in the way he did, he consciously left the door open for his audience to write the next chapter in the churches, civic halls, and classrooms where his film is being viewed and discussed.

A TRAGEDY WITH A HAPPY ENDING?

NOTES

1. Detailed accounts of the lynching of George White can be found in Dennis B. Downey, "'Mercy Master, Mercy!': Racial Politics and the Lynching of George White," *Delaware History* 30 (2003): 189-210; Dennis B. Downey, "The Lord's Messenger: Racial Lynching and the Church Trial of Robert Elwood," *Journal of Presbyterian History* 79 (2001): 135-49; Yohuru Williams, "Permission to Hate: Delaware, Lynching and the Culture of Violence in America," *Journal of Black Studies* 32 (2001): 3-29. The lynching is also briefly mentioned in Roger Lane, *William Dorsey's Philadelphia and Ours* (New York: Oxford University Press, 1991); Ralph Luker, *The Social Gospel in Black and White* (Chapel Hill: University of North Carolina Press, 1991); Harold Livesay, "The Delaware Negro, 1865-1915," *Delaware History* 13 (1968): 87-123; James Newton, "Black Americans in Delaware: An Overview," in *A History of African Americans of Delaware and Maryland's Eastern Shore*, ed. Carole Marks (Wilmington: Delaware Heritage Press, 1998).
2. "Election as Narrative," *The Connection*, hosted by Dick Gordon, National Public Radio, show first aired 2 November 2004. Available from the World Wide Web: (http://www.theconnection.org/shows/2004/11/20041102_b_main.asp).
3. Newton, "Black Americans," 21.
4. Alice Dunbar Nelson, "Delaware a Jewel of Inconsistencies, Part 2," *The Messenger*, Vol. 6, No. 9 (September 1924); Nelson's article from *The Messenger* has been reprinted in Tom Lutz and Susanna Ashton, eds., *These "Colored" United States: African American Essays from the 1920s* (New Brunswick: Rutgers University Press, 1996), 59-75. On Alice Dunbar Nelson's literary works, see Gloria T. Hull, ed., *The Works of Alice Dunbar-Nelson* (New York: Oxford University Press, 1988).
5. Office of Mayor James M. Baker, Text of Inauguration Speech of Wilmington Mayor James M. Baker, Tuesday, January 4, 2005, at the Baby Grand Theater in Wilmington, Delaware Mayor Baker's Second Term as Wilmington's 54th Mayor. Available from the World Wide Web: (http://www.ci.wilmington.de.us/mayorpress/2005/0104_inaugurationspeech.htm).
6. Harry Thelma, "1903 lynching in Delaware was a shock," *Wilmington News Journal*, January 21, 2002; Edmund Morris, *Theodore Rex* (New York: Random House, 2001).
7. Downey, "Mercy Master, Mercy," 189-210.
8. The information on lynching and capital punishment in this and the following paragraphs is taken from my forthcoming book on lynching and capital punishment in Delaware and several unpublished conference papers including Yohuru Williams, "A Holiday of Blood: Lynching and Capital Punishment in Delaware, 1860 - 1930," paper presented at 100th Anniversary Delaware Public Archives, Dover, DE, March 2005; Yohuru Williams, "Unequal Justice, Lynching and the Death Penalty in Delaware, 1860-1930," paper presented at the National Council of Black Studies Annual Conference, Atlanta, Georgia, April 2003.
9. "Lynch Law," *Delaware State Journal and Statesman*, July 30, 1867. The White lynching seemed to me a unique opportunity to explore the relationship between lynching and capital punishment. Although many scholars and activists have attempted to establish a connection between capital punishment and legal lynching many remain dismissive of the claim. They maintain that the criminal justice system, for the most part, proceeds by the democratic principles established within the Constitution. They further maintain that the courts were generally able to distance themselves from the murderous desires of American mobs. For example, William Fitzhugh Brundage, the leading

scholar on lynching, has argued that for Georgia, at least, it is wrong for scholars to assume that the courts were always ready to do the work of the lynch mob. With regard to the crime of rape, however, there is abundant evidence in Delaware that legal lynching was a grim reality for African Americans. Although Delaware never experienced the double-digit lynchings of her sister states to the south, the statistics on executions for rapes in particular are staggering. W. Fitzhugh Brundage, *Lynching in the New South* (Urbana: University of Illinois Press, 1993).

10. Chief Justice Charles Lore quoted in "Not For White But For Law," *Atlanta Constitution*, September 22, 1903, 3; see also "Laws Relation to Judge Lynch," *Atlanta Constitution*, August 15, 1903, 2.
11. Justice James Pennewill, who served with Chief Justice Lore and Justice Ignatius Grubb, remembered Lore in the 1930s. Describing the former Chief Justice as a "loveable man [who was] exceedingly popular, especially with the common people," Pennewill nevertheless charged that in court, Lore was "quick in reaching his conclusion, impulsive and impatient of delay." As he explained, "Lore's disposition was to decide the case at once and very briefly give the reasons therefore. He had decided in his own mind what was the right of the matter and was not bothered by decisions in other States, which he thought were always hopelessly conflicting anyway." He concluded, "Lore had plenty of confidence in his opinions which Grubb sometimes called 'spitting opinions.'" For the full text of Justice Pennewill's comments, see "Pennewill's Recollections," no. 2 (June 24, 1933) reprinted in *Year Book of the Delaware State Bar Association* (1933), 37-52.