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“EVER SINCE THE HANGING OF OLIPHANT”
LYNCHING AND THE SUPPRESSION OF
MOB VIOLENCE IN TOPEKA, KANSAS

BRENT M. S. CAMPNEY

“The most remarkable scene ever enacted in the heart of a great city was witnessed in Topeka last night, in the final act of the tragedy on which the curtain rose with the sunrise yesterday,” reported the Topeka Daily Capital on June 5, 1889. “Twelve hours after the spirit of Alonzo T. Rodgers had taken its flight, his murderer was hung in the very center of the capital city, under the broad glare of the electric light and by a body of ‘vigilantes’ which in its composition was equalled by no other in all the history of the western world.” Notwithstanding the hyperbole of the Capital, the lynching of Nat Oliphant, a white transient, by an enormous mob was a defining event in the history of Topeka, Kansas.¹

In the early hours of June 4, a burglar stirred Alonzo Rodgers from his sleep. Confronted, the intruder shot Rodgers three times and his wife, Bertie, once before they were able to wrestle the pistol from him. “The [prowler] weakened as soon as he lost his weapon and began to beg,” reported the Capital. “He said, ‘Let me go, I won’t hurt you!’” In response, Rodgers struck the man a blow and responded: “Get out of the house. I will be more merciful to you than you were to me.” As the burglar fled, Rodgers collapsed, dying within hours. Bertie survived.²

Rodgers was a tailor and a prominent resident, and his murder aroused anger at all levels of society. “[Rodgers] had the fullest respect of all Topeka for his character,” reported the Capital. “He was identified with what is best in the growth and prosperity of the city; large-hearted, upright, genial, enterprising, liberal and valued as a citizen.” When news of his shooting swept the city, “the rush for [papers] was so great that it was almost impossible to supply the demand,” it noted. “The feeling against the murderer was intensified until the most conservative and law abiding citizens, the staid matron and the mother with her child clasped to her breast, talked as glibly of the potency of Judge Lynch as did ever bearded vigilantes to a ‘rustler’ in a frontier mining camp.” The Topeka State Journal painted a similar picture.

Key Words: class conflict, murder, police, racism, resistance, violence

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“The people of Topeka are generally conservative, seldom excitable and generally slow to act; but the wave of popular indignation that swept this city from limit to limit was probably never equaled in a city of the size before.”

Reporters estimated that the crowd that gathered that afternoon numbered 10,000 to 12,000—in a city of roughly thirty-thousand residents—and represented a broad cross-section of the populace. They observed that “many women were in the crowd” and claimed that the multitude included principally the so-called respectable citizens. “The hoodlum element was entirely absent,” the Leavenworth Advocate noted. “Lawyers, merchants, bankers and other business men gathered in knots and discussed the situation and the unanimous opinion was that the wretch ought to hang.” There was, added the Journal, “not a mask or a disguise in the whole assemblage.”

Armed with a description of the burglar, police officers soon arrested Oliphant, “a suspicious looking party” whom they found hiking along the Santa Fe railroad. Drifting into town two days earlier, Oliphant was what the Capital called a “tramp,” as marginal as Rodgers was respectable. “The rogue,” it declared, “was a tough looking individual with sandy complexion, light brown hair, close cropped side-burns and a face that had not seen a razor for several days.” Officers, reporters, and the growing crowd deemed him guilty and the press claimed that he had admitted his guilt. Nevertheless, contradictory reports also suggested that Oliphant had strenuously argued his innocence and that the chief witness, Mary A. Klinkerman, a domestic in the Rodgers home, had seemed less than certain in her identification. After gazing at Oliphant “long and fixedly,” she said that “his nose was not as it looked in the dark room, nor did she recognize any familiar features in the lower part of his face.” After a few minutes, she “decided that Mrs. Rogers [sic] ought to be called in to complete the identification.” Interpreting Klinkerman’s response, the Capital declared that “it was evident that she recognized Oliphant, though she was so very cool and collected about it.”

By the early evening of June 4, the crowd seemed to lose some of its “spirit of indignation,”
creating a lull that proved to be “but the calm before the tempest.” Around 8:30 p.m., however, the crowd unleashed a volley of rocks and eggs, smashing the windows of the Shawnee County jail. Moments later, angry men attacked the guards, tossing them around effortlessly and forcing them into a hasty retreat. They soon battered down the jailhouse doors and within a short time surged into the building and pulled the prisoner from his cell. “A cheer went up” among the mob members inside the jail, noted one observer, and the cheer was “answered by a wild yell from the thousands in waiting on the outside. A rope was thrown about the shoulders of the murderer of A. T. Rodgers and . . . the wretch was run down the winding stairs, out the front way and clean around the building, thus heading off the crowd, and then began a race for the avenue.”

“On reaching Kansas avenue the leaders started south on a run, in which the followers joined, and for a distance of a block 5,000 people were seen engaged in a mad race to the goal of death,” noted the Capital. Even before the mob smashed into the jail, a few prominent citizens had spoken out against violence. “Let us guard the fair fame of our city,” pled a doctor, “by maintaining the laws which we ourselves have made, and by supporting the officers whom we ourselves have chosen.” A few brave souls continued to protest the violence even as the mob selected a hanging site. Appearing at the side of the condemned man, a minister was aggressive. “This man wants me to pray for him,” he spat at the crowd. “I should pray for you.” The protesters pleaded in vain. “Encouraged by the assistance of the preacher the doomed man made a show of resistance and the two struggled against the mob about them. It was as though the lamb should resist the lion.”

Selecting a telegraph pole, mob members dragged Oliphant from his protector, beating and strangling him. “He was insensible when he was hoisted up; and without hands or legs pinioned, he was elevated to a height of twelve feet, where he hung without a motion, like a dead weight,” reported the Journal. “One convulsive movement was made when he had hung about three minutes,” noted the Capital. “That was the last. Some one in the crowd fired a bullet into his body as he swayed to and . . . fro. In mercy and humanity it may be hoped it ended his miserable existence.” After swinging in the air for fifteen minutes, “the body was cut down and taken to [the] Undertaker.” Mob members went about the work of harvesting souvenirs and “the telegraph pole was whitled [sic] up for relics before the body had reached the morgue.”

The lynching of Nat Oliphant initially brought the people of Topeka together in an enthusiastic common effort to exact revenge against the accused man for his alleged murder of an upstanding citizen and the attempted murder of his wife. Within hours, however, some were soberly reflecting over the deed that the community had committed. In this article I investigate the tension that developed in the city between the majority of citizens who had no misgivings about the Oliphant lynching or about the appropriateness of this most brutal form of mob violence, and the minority of so-called best citizens who soon regretted the incident and its long-term implications for the city. I also address the concerns motivating both groups, the means employed by the influential minority to assert control over the
majority, and the ultimate success of their efforts. Finally, I contextualize this incident within the larger historiography of lynching in Kansas and in the Great Plains more generally.

“IT WAS NOT A PLEASANT SIGHT TO LOOK UPON”

Like many communities across the American West, Topeka had experienced its share of mob violence prior to 1889. In 1861 a small mob composed of Indians and whites invaded the city lockup and hanged Isaac Edwards, a low-status white prisoner accused of killing a Pottawatomie Indian named Black Hawk. The mob left his corpse dangling in his cell until morning. In 1885 white railroad laborers accosted and threatened to hang a black man whom they had accused of assaulting a white woman. Had not a white man who witnessed the alleged assault arrived on the scene and affirmed the innocence of the suspected man, noted the Topeka Daily Capital, the soon-to-be victim “would have been summarily suspended to the nearest limb.” To the Oliphant case, however, the people of Topeka responded quite differently in both the short and long run.

As suggested by both the number and the enthusiasm of the participants in the mob, city residents strongly endorsed the Oliphant lynching. “The sentiment almost universally expressed,” declared a reporter, “is one of horror at the taking of vengeance by the people, but of satisfaction that the murderous wretch . . . is dead and died summarily.” Gazing at the mangled remains of Oliphant, he could summon little sympathy. “The wounds upon the forehead and face were torn and bled, and blood also oozed from the nostrils and the mouth,” he remarked. “It was not a pleasant sight to look upon; but one could not help thinking, as he looked upon the hardened countenance of the dead man, that he was a desperate character, by the removal and riddance of whom the public safety was greatly promoted.”

Many Topekans justified the lynching on the grounds that the Kansas Legislature had essentially abolished capital punishment. In 1872 it had passed a bill that “transferred the power to order the execution (the signing of a death warrant) from the trial judge to the governor.” It did not compel the chief executive to sign the warrant, however, and from 1872 until the turn of the century no governor did so. After the Oliphant lynching, the Topeka press linked the weakness of the statute to the grisly spectacle. “The terrible scenes of last night will, it is hoped, be a warning to desperate criminals and a protest against the insufficiency of the legal penalty for murder,” declared the Capital. “For the people’s sake and the law’s sake, capital punishment must be made legal.” The Topeka State Journal took a similar stance. “The laxity of the laws of Kansas in dealing with such outlaws furnish[es] a partial excuse for the shocking execution,” it argued. “Weak laws lessen the respect of people for law, in the very emergencies which the law is created to cover. The lesson is a terrible one and should be a warning alike to criminals . . . and to lawmakers who, in failing to make required laws, give opportunity to the exercise of lawlessness.”

Although many civic authorities and community leaders supported—even participated in—the lynching, some of them developed misgivings about it almost before the sun rose on the morning after the event. They undoubtedly believed that Oliphant had received his just deserts but worried that the event would assure a torrent of unflattering coverage of the city in the national and state press. In a dispatch to an Indiana paper, a reporter chronicled the rapid diminution in support for the lynching among these residents. “Already,” he noted, “many persons seriously regret the occurrence.” As the story spread, the Capital tersely predicted that “Topeka will suffer from the imprudence of Tuesday night’s mob.” Suffer it did.

Papers across the nation published sensational reports. “Please Break My Neck,” headlined the Macon (GA) Telegraph, “And Kansas Lynchers Gratified Murderer Oliphant’s Request.” The Kansas City Star jeered that “the experiment of running a town on the Metropolitan police plan, aided by mob law, will not prove successful at the Kansas capital.” Kansas papers provided extensive coverage, with some blasting those in Topeka for dishonoring the state. Compounding the ig-
nominy, a mob in Lincoln, Kansas, lynched Pat Cleary, a white man accused of murder, at almost the same moment that the mob was lynching Oliphant. The Lawrence (KS) Daily Journal published a scathing attack on both mobs but reserved most of its vitriol for the prominent residents and public authorities in these municipalities. “The record Kansas made on Tuesday night is a disgraceful one,” it mourned. “It is no defence to claim that some of the best citizens of both places participated in these outrages. The best citizens in a time of overwhelming lawlessness, endeavor to stay its flood, not to lead it.”

Humiliated and chastened, the “best citizens” in Topeka turned decisively against mob violence generally, vowing to prevent another such incident from ever again occurring and maintaining that vow steadfastly thereafter. The “best citizens” connoted an informal coalition of middle-class and elite residents such as merchants, business owners, and professionals, as well as the public officials who served their interests. They also included the white newspaper editors whose reportage provided much of the information employed in this study. The best citizens were motivated by three interrelated concerns. First, they feared that mob violence would damage the reputation of Topeka and jeopardize its prospects. “Here in Topeka, the capital of a great state, the most orderly and peaceful and safe city for life and property in the country, with well organized courts and peace officers, ready to protect all, the resort to lynching is a stain upon the honor and good name of the city,” declared the Capital. In another dispatch, it asserted that “the spirit that animates mobs protects nobody, does infinite damage to the good name of the city and excites passions that are dangerous to the public peace.” The Journal expressed similar concerns, complaining that “Topeka is being given a reputation of lawlessness by foolish articles about ‘mobs’ every time any excitement prevails here.”

Second, the best citizens worried that mob violence undermined respect for the law generally and for the authority of the courts and the police more specifically. “That the present law regarding capital punishment is wrong and should be changed no one doubts,” reasoned the Capital.

Lynchings, it declared, was “not in harmony with later civilization and self control. It is something left over from barbarism.”

Third, they recognized that the toleration of mob violence emboldened what in their view was a scruffy, dangerous, working-class rabble that might challenge their own control over the social order. “It is the general experience that an outbreak of mob violence throws to the surface the most dangerous element and ends in worse crimes than those it undertakes to avenge,” argued the Capital. “It is rarely indeed that mob agitators and incendiary haranguers who fan the spark of riot and disorder into a blaze are of the class of respected, useful [and] law observing citizens. People have need of their better judgment when these dangerous agitators are in evidence.” Given the turbulent nature of labor relations, the best citizens conflated mob members with the labor organizers whom they vilified as revolutionaries. Describing a crowd that threatened a lynching in 1895, the State Journal made this link explicit. “One or two railroad men, who have been prominent in strikes, came near touching the match to the magazine at one time.”

“MOB TALK IN TOPEKA”

Those in the less influential majority took away a very different lesson from the Oliphant lynching. With its carnival atmosphere and in their view its praiseworthy outcome, they interpreted the incident as an effective way of redressing the aforementioned weakness in the criminal justice system. With it as a precedent, they ushered in an era of popular bloodlust and civic disorder that
lasted for more than a decade. Between 1889 and the turn of the century, proponents of lynching in Topeka threatened at least eight more such incidents. Amid one of these episodes, they chanted a mantra that epitomized their view of the proper means of administering justice to those accused of sensational crime, as the Topeka State Journal captured in a haunting passage: “‘Hang him, hang him,’ shouted some one and the cry was taken up by the crowd and the street echoed with the ominous shout.” Those from a range of backgrounds participated in this unrest. “The crowd . . . was a motley one,” declared the Topeka Daily Capital in one instance. “There were men who had worked in the shops all day and men who had worked in offices; there were old men and young men, negroes and boys.” Crowds threatened so many lynchings that, when the Capital condemned an extralegal hanging elsewhere, the Salina Herald retorted that Topekans had no business dispensing criticism. The Capital, it advised, should “sweep about [its] own doors and look well to the little mobs that constantly menace the good citizens of Topeka.”

“Ever since the hanging of Oliphant by the mob there has been mob talk in Topeka,” lamented the State Journal amid an episode of unrest in 1895. A beleaguered policeman agreed. “That Oliphant hanging, while doubtless the man deserved it, was a bad precedent for Topeka, a bad precedent,” he grumbled. In the same instance, another reporter resurrected the case as a telling barometer of public anger in the city after a sensational crime. “Not before since [sic] . . . an infuriated mob took Murderer Oliphant . . . and hanged him . . . has Topeka been so aroused,” he reckoned. In 1901 another reporter again raised its specter. “The Santa Fe shop men have a past record in cases of this kind,” he wrote as angry crowds milled about menacingly in the streets. “They lynched . . . Oliphant twelve years ago for a like offense.”

Like the one that hanged Oliphant, subsequent crowds almost invariably threatened to lynch those accused of sensational crimes, such as rape, attempted murder, and murder. In 1895, however, they threatened vengeance after discovering that a graveyard had been robbed in order to supply cadavers for dissection at the Kansas Medical College. An observer reported that “it looked for a time . . . as if there might be bloodshed over it.” In fact, crowds discussed sacking the college. “All yesterday the grave robbing was the topic of conversation on the street. At every corner knots of men could be seen and heard discussing in angry tones the events of the day. Threats of mobbing the college and hanging the grave robbers could be heard on every side.” Faculty and scholars made themselves scarce. “Most of the students have left town or are in hiding.”

As in the Oliphant incident, crowds typically collected at or near the municipal or county jail, threatening to storm the building and seize the prisoner. “In less time than it can be told,” reported the Journal in 1898, “a crowd of thousands had blocked the street around the police station and in a few minutes the numbers were augmented until the streets adjacent to the police headquarters were a mass of people swaying now this way and now that all seemingly anxious to get their hands on the [prisoner].” Five years later, “a mob of 700 or 800 people gathered early in the evening around the city prison, where it was generally supposed [Will] Mason and Thomas De Moss, who was an accessory to the crime, were confined, and some expressed the opinion that Mason ought to be taken out and hanged.”

On occasion, crowds moved beyond threats, morphing into destructive mobs. In 1891 a mob smashed into the city courthouse in a frenzied and chaotic hunt for a concealed prisoner. “The mob rushed madly in and proceeded to demolish things,” reported the Capital. “The place was searched and some of the doors to the interior offices broken open. The furniture was upset and the rooms left in confusion, but no man was found and the greater number now dispersed, though part of the mob went back and hung around the county jail and city prison.” Ten years later, another mob attacked a lockup, although it did not effect an entrance. “By 6 o’clock there was an angry mob of a thousand men around the county jail demanding that the prisoner be delivered to them,” noted the Topeka American Citizen. “A brigade of sturdy Santa Fe boiler makers armed with heavy sledge hammers stood ready to make
short work of the jail in case the demands were not granted.” Before the night was over, the mob “twice . . . started to break in the jail doors.”

Like Oliphant, a number of potential lynching victims were white men of low social status. Accused of murdering his nine-month-old stepson, B. F. McLain was “a scavenger” who, with his wife and three children, occupied “a little hut and lived in want and misery.” McLain, added the Capital, had “never borne a good reputation.” The Journal attributed his situation to his alleged mental deficiencies, arguing that he “is more of an idiot than anything else. He always was considered more or less insane.” In the grave-robbing incident, however, the potential victims included white men of much higher social status. “The doctors of Topeka never experienced such a night,” the Capital quipped. “Only a few of them got any sleep, and some of them narrowly escaped personal injury.”

In three of the instances, would-be victims were black men. In such cases, however, white crowds targeted blacks as much—if not more—to intimidate or terrorize the black community as to punish alleged criminals. In these instances, the crowd adhered to this mantra: “String up the nigger.” In 1897 whites sought to lynch Charlie Price, a black policeman whose sole offense had been to arrest a white man, an act that ran counter to prevailing notions of white supremacy. “Kill the nigger Policeman,’ shouted one [man], and this was seconded by a yell of ‘shoot the nigger.’” Price raced into a building, but the mob pursued him. “Tear down the building,’ yelled the . . . boys and a yell went up from the crowd, which numbered almost two thousand by this time.” Price escaped the crowd. Although nothing further on the incident was reported in the local press, the officer was undoubtedly more circumspect about attempting to arrest white offenders thereafter—an outcome that would certainly have pleased his persecutors.

In a second instance of antiblack violence, thousands of whites besieged the city jail on May 10, 1898, coupling their intentions to lynch a black victim with bellicose calls for a race riot. They did so amid great racial unrest in Topeka. At the time many white Kansas soldiers had spent days camped in a city park (dubbed Camp Leedy in recognition of then governor John W. Leedy) in preparation for deployment in the Spanish-American War. While there, they had amused themselves by physically abusing the blacks who entered the park. On May 8, they went on a rampage in what newspapers described as a small race riot, accosting women, beating men, and humiliating their victims by dunking them into slop barrels. Matters deteriorated that night when black youths retaliated by roaming the city, beating the small groups of soldiers whom they found on the darkened streets. Clearly, the residents of Topeka and the soldiers camped there were enmeshed in the “racial hysteria” that gripped the nation during the war, erupting most spectacularly in a November 1898 race riot in Wilmington, North Carolina, where white mobs slaughtered an unknown number of blacks.

Two nights later—May 10—whites threatened the lynching after a fight between a black man and a white soldier left the latter wounded. Initially, crowds of white civilians and a demonstrative group of soldiers massed downtown, threatening to invade the black quarter and burn houses. The soldiers were encouraged “by the wildest demonstrations. The cheering was tremendous and continuous. Three thousand people shouted at the sight of the men as if they had just returned from some victory.” Coming just a week after U.S. naval forces had defeated the Spanish in Manila Bay in the Philippines, the Journal linked the incipient riot to the war, quipping that “The Manila Celebration Came Near Ending in More ‘Manila.’” As the crowd approached the black quarter, someone proclaimed the arrest of a black man in connection with the earlier fight, and the crowd stampeded back across town intent upon carrying out a lynching. Not surprisingly, the crowd instilled terror among blacks, and, the Journal noted, “not a colored person could be seen anywhere.”

“COOL-HEADED MEN”

Following the Oliphant incident, municipal officials and community leaders developed a range of methods to contain and control popular dis-
order, deploying them as required to deny angry multitudes any successes in these subsequent attempts at lynchings in the city. As a few had done without success prior to the 1889 hanging, prominent men delivered impassioned addresses to unruly crowds before they could attack jails, imploring them to abandon their designs. During the grave-robbing incident, an attorney “made a sensible speech which pleased . . . the policemen,” reported the Journal. “Gentlemen, I am opposed to any kind of mob violence or any proceeding at variance with law,” he admonished. “To do anything of this kind would, indeed, be a grievous mistake.” Since the grave robbers had targeted a Catholic cemetery, noted the Topeka Advocate, “the Catholics are very naturally thoroughly aroused over the matter”; not surprisingly, therefore, Catholic leaders were at the forefront in curbing the anticipated disorder. “Father Hayden of the Church of the Assumption” declared that “There will be no violence on the part of our people. Such a thing would not be tolerated.”

When making such addresses, speakers understandably sought to ingratiate themselves with angry listeners. In some cases, they asserted support for lynching under certain circumstances before insisting that the present case did not rise to that standard. The attorney who counseled moderation in the grave-robbing incident was emphatic in asserting that “if this [sort of crime] ever occurs again . . . the [offenders] should . . . hang.” A politician curried similar favor in another instance, casting himself as a ringleader of the 1889 lynching before assuming his new role as fuddy-duddy. “Boys . . . you all know me. I am John Schmidt of the Second ward and I know you can trust me. I want to tell you right here that if you were right, I would be with you. I was one of the men who helped to take Oliphant from the county jail, but boys you have made a mistake. The man arrested is not the man you want.”

During the 1898 incident, military officials did much to prevent the lynching of the black prisoner jailed for the alleged assault on the white soldier. First, they did not inform the soldiers still in camp that a suspect had been captured. Second, they seized a note sent to the camp in anticipation of deployment to the Spanish-American War, it joked that “The Manila Celebration Came Near Ending in More ‘Manilla.’” Courtesy of the Kansas State Historical Society.
forming these soldiers that a man had been jailed and requesting that “every soldier . . . come up town, [and] break in the jail.” “The note was intercepted by Sergeant Taylor . . . and was not allowed to work up the excitement it was meant to.” Third, military officials maintained the discipline necessary to prevent the enlisted men from joining the mob. “There were many wild spirits who advocated a break through the lines, and it is due largely to the non-commissioned officers and the cool headed men that these persons did not spread the contagious spirit of revenge.” Finally, they dispatched a squad to return those soldiers already downtown on passes. “News of the trouble had reached the camp and the guard had come to town, ostensibly to collect the stragglers.” While this squad did fulfill its assignment, it undoubtedly did much to exacerbate the racial hatred already very much in evidence. “The temper of the men in the command was such that it had more the nature of a detail on the war path for Negroes.”

More commonly, officials precluded lynchings by spiriting potential victims from jail to undisclosed locations elsewhere, often using one of several possible ruses to accomplish their intent. “Last evening a mob of several hundred people gathered around the city prison, it being generally supposed the men were confined there,” reported the Capital in an instance in 1903. “The mob finally dispersed after midnight being convinced that the men had been slipped out of town.” In that case, the Capital declared, it was due to the “wise action of Chief of Police Goff that trouble was averted.” After the rapid transfer of another prisoner, the paper affirmed the long shadow of the 1889 hanging. “The police,” it noted, “had profited by the Oliphant affair.”

In order to slip prisoners from jail, resourceful officers occasionally masked them. In one instance in 1891, officers costumed a white prisoner in blackface—a novel cover in an era when racist mobs lynched thousands of blacks across the country. “It was very easily done,” crowed the Journal. “The prisoner was brought in . . . and [Officer] Dumont rubbed a blacking brush over his face until he looked like a darky, while [Officer] Jester replaced his old slouched hat with a good straw one, a new coat was thrown over his shoulders and a moment later a healthy looking colored man accompanied by a policeman walked out of the front door and turned down Jackson, taking plenty of time and seemingly in no hurry.” Amid “Mutterings of Mob Law” in 1897, the Journal reported that another prisoner had already “once been smuggled out of jail in disguise.”

When officials apprehended wanted men outside Topeka, they either returned them surreptitiously or delayed their return until public sentiment had cooled. Arresting alleged murderer David Coulter in Valley Falls, policemen took steps to prevent a lynching. “The dead boy’s friends made threats against the prisoner,” noted the Lawrence Daily Journal, “and it was deemed advisable not to bring him to Topeka.” Instead, authorities transported him to the home of a magistrate north of the city for a “Midnight Hearing.” After considering the evidence, the justice “bound the murderer over . . . without bond, and he was taken to Meriden last night and this morning Sheriff Burdge landed him in the penitentiary at Lansing, where he will be kept until all fears of lynching disappear.”

Having lodged prisoners elsewhere, officials then permitted crowds to explore lockups in order to confirm that the men wanted were not in custody. “Sheriff Cook told the crowd that the prisoner had been removed and offered to let a committee search the jail,” noted the American Citizen when a mob demanded “Slick” Slater. “Ten men . . . made a thorough search, but Slater could not be found.” Officers were particularly accommodating of the mob members who refused to believe that B. F. McLain was not in the city jail. “The statement from the office[rs] that the man wanted was not in the city prison did not appease the crowd,” noted the Capital. “They demanded an investigation and were informed that the doors would be opened to a committee.” Finding that McLain was not there, mob members raced to the county jail. According to the Capital:

They were met by the sheriff who informed them that the man wanted was not and [h] ad not been in the jail. A few were disposed to take the sheriff’s word but the other and
larger element was not satisfied but demanded admittance and the privilege of searching the jail. They were informed that this would be satisfactory and a committee of five [was] appointed. They passed through the jail peering into every cell and returned to their companions with the information that their search had been fruitless. . . . Another committee of ten was at once appointed and the search was repeated. After passing through the corridors and inspecting every cell, they carried their investigations into the basement and garret and then into the living apartments of the sheriff and jailer. The closets were examined and some members of the committee went so far as to look under the beds.

Officers permitted these searches to minimize the risk of violence. During the McLain incident, however, mob members remained unsatisfied, demanding to search the courthouse as well. The sheriff again acquiesced, informing them that the janitor would unlock the courthouse. In no mood to “wait for the keys,” mob members smashed their way in, engaging in wanton property destruction as they rampaged through the building.36

As a result of this violence, officials made a more aggressive stand when the mob regrouped for a second night of disorder. “Last night there was a partial repetition of the experience of Wednesday,” noted the Capital. “A noisy crowd gathered before the city prison and swore McLain [sic] was in the city and they intended to make a search for him.” Their patience exhausted, officers told crowd members that “they would not again permit the search of the prison” and drove them back from the building. “Two officers stood in the stairway with loaded shotguns ready to use them if necessary but when the mob saw that the officers were resolute they kept back and no attempt was made to force an entrance.”37

The following day, officials filed charges against eight mob members, accusing them of inciting a riot and attempted murder. “The young men . . . are now finding that there are two sides to everything,” jeered the Journal. “They were allowed to inspect the jail [f]rom outside the bars, [but] now some of them are in the cages and looking out.” These men had felt the need to “do the ‘inspecting,’” it added, but authorities now felt “that it is necessary to take some action in defense of good order.” When the sheriff learned that another mob was preparing to liberate those who had been arrested, he made preparations. “A dozen or more deputy sheriffs were sworn in and twenty-five Winchesters were secured at a hardware store,” reported the Capital. “The governor was consulted and a company of militia under Colonel Hughes, [was] stationed to guard the state arsenal. The day men on the police force were kept at the station, and if the mob had appeared there would probably have been bloodshed.”38

Officials took similar precautions during the grave-robbing incident, dispatching officers to protect the medical college and its students and faculty. They also appealed to state leaders to call out the National Guard. “The faculty called upon the police for protection, and the sheriff called upon Gov. [Edmund N.] Morrill for militia,” noted the Lawrence Daily Journal. “In response to the request, several companies were ordered under arms, but the mob failed to put in an appearance, and the orders for troops were countermanded.” Officials kept a company at the ready for days, however, and “members of the battery reported at the armory in the capitol grounds and patrolled the grounds.” During the 1898 incident, too, a general ordered that two companies of soldiers be held “in readiness for any trouble that might arise.”39

Nevertheless, the use of the militia could prove almost as embarrassing as a lynching because it attracted widespread attention. Following the McLain incident, the Journal scolded officials for dispatching soldiers, thereby drawing unnecessary attention to the continued disorder in Topeka and risking further damage to the reputation of the city. “There is a great deal of foolish talk about the ‘mobs’ of last week,” it fumed.

These so-called mobs were composed almost entirely of boys, and there was no time when they could not have been dispersed by a well directed stream from a hose. There is a desire on the part of certain persons to convert a
mole hill into a mountain. There is not the slightest danger of any attack being made by any one on the jails, and all this display of guns and militia three days after everything is over tends to make the affair more than ridiculous, besides injuring the reputation of the city.40

Regardless of the tactics employed, mob opponents could face serious danger from resentful crowds, as several of the principals involved in the McLain incident soon learned. “There was much foolish talk,” noted the Journal. “Some suggested hanging Chief Gardiner because he would not give up the prisoner, others thought Officer Dumont should hang, while a third element suggested that Officer Pavey had hauled him away and he should be the man to stretch the rope.” In the incident in 1898, a crowd silenced a peacemaker when he tried to persuade fellow white would-be lynchers that they were overreacting to a minor fight between a white soldier and a black man. “A young man by the name of Kelly climbed up onto the railing in front of the jail, and tried to make a speech,” noted the Capital. “He made an unhappy allusion to ‘the little affair up on Kansas avenue’ and the crowd allowed him to go no farther.”41

When confronted with white-on-black incidents, officials had to prepare not only for lynchings but also for potential race riots. In 1898, as noted, they were concerned with containing crowds that threatened to invade and destroy the black quarter. Furthermore, they had to prepare for potential riots resulting from self-defense by armed blacks, a common tactic they employed to keep black prisoners from the clutches of white lynch mobs. In an incident in 1903, irate whites jammed the streets, clamoring for a prisoner and threatening to storm the jail. At the same time, black men collected near the jail, confronting whites and informing them that they were there “to see that our people receive fair treatment.” “Talk of lynching was rife and a clash between the negroes and whites was narrowly averted,” noted the Capital. “Fifty negroes were in an alley nearby, fully armed, for the expressed purpose of preventing the hanging.”42

In this instance, the chief of police adopted a diplomatic approach to defusing the situation. First, he denied his officers permission to disarm and arrest the blacks as requested because he feared that the attempt might provoke violence. Second, he deemed it unwise to disarm the blacks without also disarming the whites. Given his evenhandedness in the midst of this tense confrontation, both sides dispersed without incident. The Capital cheered the chief’s judicious style. The Topeka Plaindealer, a black paper, effusively praised him. “The people have learned that the officers will do their duty,” it concluded. “As long as Sheriff Lucas, Chief of Police Goff, the County Attorney and Judge [sic] continue to do their duty, they need never fear a mob.”43

Goff’s response is surprising because many white policemen shared the attitudes of whites generally. In fact, black residents dubbed Topeka’s police officers the “Demons of Satan” because of their notoriety in employing racist violence. In a corroborative statement, a black editor concluded that, considering events in Topeka and elsewhere in Kansas, “some officer[s], especially in arresting a colored man, are [a] little too handy with their guns.” Amid a spate of police brutality in 1889, an Officer Steele gunned down George Parker in Topeka in an incident that exemplified not only police attitudes towards blacks but white support for those actions as well. Although Steele shot Parker in the back, white papers championed him and jeered the victim as a “notorious colored desperado.” Steele, the Capital predicted, “will have no trouble to prove that he shot in self-defense.”44 Even if it remains tempting to view Goff’s 1903 response as reflective of his liberal racial attitudes, the chief of police himself made it clear that he dealt fairly with the blacks not to ensure racial justice but to suppress disorder potentially injurious to both the reputation of Topeka and respect for law and authority. Admonishing his deputies that it was their responsibility to prevent disorder rather than create it, he concluded, “If anything is started, let them [the blacks] start it.”45 In fact, Goff was demonstrating what historian W. Fitzhugh Brundage observed in his study of lynching in Virginia—that fear of unrest rather than opposition to racial inequality was what animated white opponents of mob violence.46
Would-be lynchers continued to threaten prisoners—white and black—in Topeka well into the twentieth century; nonetheless, the best citizens and the police continued to prevail, utilizing the methods they had perfected since the lynching of Oliphant. On two occasions in 1916, for example, mobs clamored unsuccessfully for accused murderers. In the first, officials initially diffused the situation by hustling Fred Bissell, a white man, to Lawrence and then permitting a committee to search the jail. Nonetheless, some were so eager for the lynching of Bissell that they actually traveled in an automobile caravan to Lawrence for that purpose. They only abandoned their effort when they learned that officials there had now transferred him to the state penitentiary in Lansing. In the second instance, officers quietly transferred Claude Biggers, a black man, to safer quarters as soon as whites began to gather. “Without telling anyone of their destination, Sheriff Keine and Under Sheriff Larimer loaded the negro into a touring car and left the jail. They did not even tell Charles Hixon, deputy sheriff, who was watching the jail, where they were going.”

“The ‘CULTURAL WAR’ IN KANSAS”

The events in Topeka tell us much about the history of lynching in Kansas. While the hanging itself brought together residents from across all social groups, it quickly revealed significant cleavages among them. On one side was the influential minority, the best citizens, who feared that mob violence jeopardized the city’s reputation and prospects, undermined law and order, and emboldened what they viewed as a seedy working-class majority. On the other side was the majority itself, those who supported lynching. Blacks, it should be noted, were apparently represented in small numbers among the mobs that targeted both Oliphant and McLain but opposed wholeheartedly the racist mobs that targeted fellow blacks. Despite their much smaller numbers, the best citizens were able to leverage their influence to end lynching in the capital city. Nonetheless, they shared the same virulent disdain for blacks as the majority white working-class, differing only in their vision of the means necessary for maintaining the racial hierarchy. Eschewing the use of mob violence, they preferred the use of the police force and the judicial system—both accountable to themselves—to control the black minority. This study corroborates the findings of historian Michael J. Pfeifer who wrote that “lynching . . . was an aspect of a larger cultural war over the nature of criminal justice waged between rural and working-class supporters of ‘rough justice’ and middle-class due-process advocates.”

The Oliphant lynching was one of the first major battles in this “cultural war” in Kansas. Lynch mobs killed with abandon in Kansas in the 1860s and 1870s, as historians such as Genevieve Yost, James David Drees, and John N. Mack have demonstrated. While they killed primarily alleged white outlaws—not surprising in light of the fact that whites constituted more than 90 percent of the state’s population—white mobs also killed a substantial number of blacks as a means of enforcing white supremacy, as historians such as James N. Leiker and myself have clearly established. By the 1880s, however, critics increasingly condemned mob violence. Following the lynching of Samuel Frayer, a white man accused of murder in Marysville in 1884, the hometown Marshall County News published an editorial forcefully arguing that “Mob Law Is Always Wrong.”

Like the one in Marysville, most of the lynchings in Kansas in the 1880s occurred in rural areas or small towns, attracted relatively little attention across the state or beyond, and did little to incentivize active opposition to lynching by the growing and increasingly influential urban middle and upper classes. Unlike these small-town lynchings, the spectacular lynching of Oliphant simply could not be ignored. Occurring in one of the largest cities in the state and in the capital no less, it attracted widespread attention and ridicule, and humiliated not only the best citizens in Topeka but also those across the state. The Topeka lynching ended the use of that practice in the city itself. It also marked an important turning point in the fight to eradicate lynching in the state but it was not the last humiliating episode required to spur the best citizens of Kansas to bring this grisly institution to an end.
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...the state, it continued to transpire primarily in the hinterlands and attracted little sustained attention from the urban middle and upper classes. Two incidents in the early twentieth century finally stirred them to action. In January 1901, five thousand whites in Leavenworth carried out the most notorious lynching in Kansas history, executing Fred Alexander, a black prisoner accused of rape and murder. The mob “tied Alexander to a rail and covered him with kerosene,” found historian Shawn Leigh Alexander. “Alexander did not confess. Instead, he turned to the crowd and proclaimed, ‘People you are killing the wrong man.’” The mob took no pity. “Alexander was set afire.” With its action, the mob brought upon Kansas a deluge of negative national publicity that made the attention resulting from the Oliphant incident pale by comparison. In the aftermath of the burning, the best citizens across the state turned sharply against mob violence. "Leavenworth has disgraced Kansas," it raged. Those who composed the mob “not only disgraced Kansas but they disgraced the civilization of the new century."50

Then in December 1902, hundreds of whites in Pittsburg hanged Montgomery Godley, falsely accused of murder. “Nobody can seriously defend the persons in Pittsburg who lynched a negro murderer Christmas night,” declared the Topeka Daily Capital. “It is a coincidence that a negro was lynched in Leavenworth just before the last Kansas legislative session. The excuse given was that the capital punishment law is a dead letter, and public opinion favored meting out punishment befitting the crime. The same excuse, though no excuse at all, may be made for the lynching at Pittsburg." Although it had trumpeted the same “excuse” after the Oliphant lynching, the Capital now adamantly opposed mob violence under any circumstance: “Let the law take its course.” Up until 1902, “there had been no legislation concerning lynching,” noted Yost. “Prompted, perhaps, by the lynching in Leavenworth in 1901 and by one in Pittsburg in 1902, the legislature of 1903 passed [an anti-mob law].”51 With the law, the best citizens effectively crushed the institution of lynching, with just a handful of subsequent incidents occurring in the state between 1903 and 1932.

The efforts to suppress lynching in Topeka specifically and in Kansas more generally in the late nineteenth and early twentieth centuries also contribute to the historiography of mob violence in the Great Plains more generally. The chronology of lynching and of resistance to it in Kansas matched that in the adjacent state of Colorado, where lynching mobs prowled the state aggressively in the 1860s and 1870s, and at a significant but rapidly declining rate in the 1880s and 1890s. Historian Stephen J. Leonard wrote that he had “unearthed more than 175 Colorado lynchings, starting in 1859 and ending in 1919, with all but two occurring before 1907.” He also noted similar patterns in other Great Plains and western states. “Between 1882 and 1903, Montana, Wyoming, Colorado, New Mexico, and Arizona formed a kind of lynching belt that outdid most of the South in lynchings on a per capita basis.” He further charted a similar chronology of resistance. “Proponents and opponents of lynching were always playing a game of tug-of-war,” he wrote. “From the late 1850s to the mid-1880s the proponents usually won; after that the opponents commanded the field.”52

While lynching mobs declined precipitously after the turn of the century in the heavily white northern Great Plains states, where whites were the primary victims, they continued to kill at an impressive rate well into the twentieth century in the southern Great Plains, where blacks were the targets of the vigorous enforcement of de jure Jim Crow practices. In Oklahoma, for example, state leaders achieved statehood in 1907—much later than all the neighboring states—and entered the Union without Jim Crow laws because state legislators feared that such laws might jeopardize their statehood bid. Immediately after securing statehood, however, they pushed through such laws, thereby unleashing a torrent of violence directed at black opposition. “The opening years of statehood brought a sharp increase in the number of deaths from mob violence,” noted historian Jimmie Lewis Franklin, with “the period of the greatest number of lynchings . . . [coming] between 1910 and 1918.”53 In Texas, the best citizens did
not assert strong opposition to mob violence until well into the twentieth century. Historian William D. Carrigan noted that the 1916 burning of a black youth named Jesse Washington in Waco precipitated the same kind of negative national attention which had so alarmed white middle-class Kansans after the Topeka, Leavenworth, and Pittsburg lynchings. “Ironically, the moment of central Texas’s most brutal act of racial violence became a turning point in the region’s history of race relations,” he wrote. The lynching of Washington “received widespread exposure in the state, national, and even international media . . . fostering in the minds of readers a picture of Waco as a center of racial brutality.”

CONCLUSION

Ironically, the best citizens were so successful in preventing lynchings in Topeka during the decade and a half after the Oliphant affair that the tumult of that period was largely lost to posterity. Contemporaries long remembered the spectacle of a mangled corpse swinging from a rope but quickly forgot the many unsuccessful attempts to replicate that outcome in the interval. Consequently, the Capital—itself an active participant on both sides of the debate over the previous thirty years—demonstrated an unexplained amnesia about the history of mob violence in 1919 when racial tensions nearly precipitated a riot, prompting state officials to muster the militia and city officials to swear in additional deputies. “Race feeling has not been acute in Topeka at any time,” it declared. “On the whole we may say that the colored race has been more fairly treated in Topeka than in most places.” Similarly, a reporter named Tim Hrenchir published a brief article on the Oliphant lynching in the Topeka Capital-Journal in 2003 under the title of “Oliphant’s Fate a Rarity in Topeka.” “Nat Oliphant became the second and last man to be lynched in Topeka,” he noted. “Details are sketchy about the first, which occurred in March 1861 when a murder suspect named Isaac Edwards was lynched by three men who entered his cell.” While Hrenchir was factually correct that death at the hands of a mob was a rarity in Topeka, he did not explore the reasons behind it. Had he not done so, he would have discovered that this rarity was the result not of a lack of ambition by a large segment of the city’s residents but of the disciplined efforts of the “best citizens” to end mob violence in the years after 1889—“ever since the hanging of Oliphant.”

NOTES

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37. “About McClain [sic],” Topeka Daily Capital, November 6, 1891.
40. [Untitled], Topeka State Journal, November 9, 1891.
42. “Race War Was Averted,” Topeka Daily Capital, October 20, 1903; “Dies from His Wound,” Topeka Daily Capital, October 20, 1903.
43. “A Fiendish Act,” Topeka Plaindealer, October 23, 1903. See also “Spirited Away,” Topeka State Journal, October 20, 1903, and “Race War Was Averted,” Topeka Daily Capital, October 20, 1903.
44. “Ben Hickey,” Kansas State Ledger (Topeka), August 13, 1898; [untitled], Leavenworth Advocate, June 29, 1889; “Shot His Man,” Topeka Daily Capital, June 16, 1889; “Arrested the Officer,” Topeka Daily Capital, June 18, 1889.
51. [Untitled], Topeka Daily Capital, December 27, 1902; Yost, “History of Lynchings in Kansas,” 205.