

MOB KIDNAPPED TENNESSEE NEGRO

Inquiry Shows Lynching Followed Seizure at Home of Relatives in Nashville.

JUST FREED BY THE COURT

Sheriff Calls Act 'High-Handed' and Advises Kin of Victim to Invoke Federal Law.

COLUMBIA, Tenn., Dec. 16 (AP).—Investigators learned today that Cord Cheek, an 18-year-old Negro, lynched near here last night, had been abducted from the home of relatives in Nashville soon after his release from jail upon the grand jury's failure to indict him in connection with an alleged attempted attack on a young white girl.

Sheriff L. A. Bauman at Nashville was told that Cheek had been at the home of his relatives there only a few minutes when a band of armed men appeared in automobiles and spirited him away. No report of him was received until a telephone call last night advised that he had been lynched.

Sheriff Bauman declared that the kidnapping of Cheek in Nashville was "one of the most high-handed things which has happened around here in a long time." As kidnapping is a Federal offense, he suggested to the Negro's relatives that they take up the matter with United States authorities.

W. A. Pinkston, chief deputy sheriff at Columbia, said that an investigation into the lynching of Cheek, whose body was found hanging from a cedar tree limb in the Glendale section, was under way, but that no clue to the identity of the lynchers had been found.

Bullet Wounds in Body.

He expressed the belief that Cheek had been killed and his body dragged over the road behind an automobile before it was hanged to the limb near forks of the road. This belief was based on the finding of three pistol bullet wounds in the body, a deep gash in the head and fine gravel in the clothing. The youth's neck was broken.

Death by lynching at the hands of "unknown parties" was the verdict returned after a coroner's inquest.

The alleged attempted attack occurred about a month ago in the Glendale section, where the 11-year-old orphan girl lived. Cheek was employed about her home.

As soon as he was arrested he was taken to Pulaski because of high feeling in the neighborhood and later was removed to the stronger jail in Nashville for safe-keeping.

But when the county grand jury met Wednesday it failed to return an indictment against Cheek and orders were sent to Nashville to release him. Chief Deputy Pinkston expressed the opinion that the grand jury failed to act because no witnesses appeared.

When Cheek was released from the Nashville jail bystanders gave him a few coins and he was directed how to reach the home of his relatives. Twenty minutes after reaching there the armed men arrived and seized him.

Two Negro college students who were standing near by when the abductors drove up, took the license numbers of their two automobiles, and these will be turned over to Columbia authorities.

Lynching Curve Turns Upward.

The lynching of Cord Cheek brought the total of lynchings in the United States so far this year to twenty-eight, according to records of the National Association for the Advancement of Colored People made public through The Associated-Press. This compares with only ten last year and is the highest total since 1926, when thirty-four were listed.

The records, which extend back to 1890, show that 3,686 persons have been lynched since that year.

The 1933 figures, by States, were given as follows: Alabama, 5; Florida, 1; Georgia, 4; Louisiana, 4; Maryland, 1; Mississippi, 2; North Carolina, 1; South Carolina, 3;

12/16/1933

12/16/33

Negro, Freed by Court, Hanged in Tennessee; Lynching Handled Quietly, Sheriff Says

By The Associated Press.

COLUMBIA, Tenn., Dec. 15.—The body of Cord Cheek, a 20-year-old Negro, whom the grand jury had refused to indict after his arrest for an attempted attack on an 11-year-old girl, was found hanging from the limb of a cedar tree near here tonight.

Sheriff Claude Godwin said that the lynching was "handled in a very quiet manner" and that "no one knew anything about it."

The Sheriff said that he received an anonymous telephone call that he could find a "dead Negro at the forks of the road" in the Glendale section of the county, and to "come and get him."

When Sheriff Godwin arrived the Negro apparently had been dead only a short time, the officer said, but there was no trace of those responsible for his death.

The alleged attempted attack on the child occurred in the Glendale section about a month ago. Cheek was arrested and taken first to Pulaski and then to Nashville for safe-keeping.

But the Maury County grand jury

on Wednesday refused to return an indictment, Sheriff Godwin said, and orders were sent to Nashville to release Cheek.

Jailer R. M. McDonald said that the girl, who is an orphan, had identified Cheek as the Negro who attempted to attack her. Search for him was started immediately, the jailer said, but the Negro was not found until the day following the alleged crime.

Two lynchings during the past month have caused a nation-wide protest at "mob rule" and condemnation by President Roosevelt, prominent churchmen and civic bodies.

On Nov. 26, the two confessed kidnapper-slayers of Brooke Hart, son of a department store owner, were taken from the San José (Calif.) jail by a mob and hanged.

The next day a 19-year-old Negro who had confessed attacking a white girl was taken from the St. Joseph (Mo.) jail and lynched by a mob which defied police guards and military troops armed with tear-gas bombs and tanks.

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THE CORDIE CHEEK LYNCHING CASE
by Thomas E Jones

On December 16, 1933 while enroute to Nashville from New York, an item appeared in the Cincinnati papers about the lynching of a Negro near Columbia, Tennessee. Upon reaching the Fisk University campus at 5:00 P M, it was found that the boy had been kidnapped on Friday afternoon within two doors of the Fisk campus and that two Fisk women had taken the license numbers of the cars. A mass meeting was in session in the Fisk Memorial Chapel and excitement was rather high. A committee was named to decide where, when and how to stage a parade of Negro students to the State House as a protest against the dastardly deed. After long conference, in which Dr R E Park of the University of Chicago, visiting at Fisk at the time joined, the committee decided to leave no stone unturned to get the law to act in the case and that efforts should be focused in this direction, rather than in making public a demonstration. President Jones pledged his word to make of this a test case in seeing whether an educational - church center such as Nashville in a border state such as Tennessee could and would take action. It was decided if, after having expended every possible effort toward getting the law to act, nothing happened, full proceedings of the case should be published.

Public
Opinion

In accord with this decision, Dr Jones called early on Sunday morning, December 17, local members of the Trustee Board to see what was the best thing to do. It found them of the opinion that something should be done. He then called upon some of the leading citizens to organize support for the law enforcing agencies of the city.

Persons contacted were Messrs James G Stahlman, Dr James I Vance, Chancellor James H Kirkland, Mr John R Aust, Mr Vernon Tupper and Mr Lee J Loventhal, the latter two being Fisk trustees. They all pledged complete backing in seeing the matter publicly condemned and the guilty parties brought to trial.

County
Officials

On Monday morning, December 18, Dr Jones, with Mr Arthur

Raper of the Interracial Commission in Atlanta and Mr S L Smith of the Julius Rosenwald Fund, called upon the Sheriff and Attorney General at the Court House. He found considerable excitement with some officials wishing to place responsibility upon Maury county officials and others feeling that Davidson County had jurisdiction not only for the kidnapping but the murder. Judge Chester K Hart ruled that jurisdiction rested in either county and instructed the Grand Jury of Davidson County to bring in indictments for both kidnapping and murder. The Attorney General requested Dr Jones to state what he knew about the case and Fisk's connection with it before a group of ex-sheriffs, assistants to the attorney general, and other deputies. There seemed to be a consensus of opinion that something should and would be done to bring the kidnappers and murderers to trial.

Senator
McKellar

Leaving this conference, Dr Jones and S L Smith hurried to a meeting in the Governor's office, with the following

people: Messrs James G Stahlman, Vernon Tupper, Lee J Loventhal, Dan E McGugin, Litt A Pardue, Dr Roger T Nooe, and one or two other leading citizens. While waiting for admission to the Governor's office, we met United States Senator McKellar. He deplored the crime and hoped that local

courts would do something about it. He stated that he had gone into this whole lynching problem some years ago when the Federal Anti-Lynching bill was before Congress and had concluded at that time that the Federal Government could do nothing about it until there was an amendment to the Constitution. He was seen in Washington again in January and refused to intercede locally or encourage the government to do so.

The
Governor

Upon being admitted to the Governor's Office, we found him already acquainted with the case. After hearing our concern, he turned to us and said "Gentlemen, you know how difficult it is to get prosecutions in these cases. I do not wish to have any part in this one unless you mean to see it through". Whereupon Mr James G Stahlman, expressing the sentiment of the committee, said, "Governor, this is different. They came into our county and we mean to stay with this thing until hell freezes over". The Governor then called his secretary and dictated an order offering a \$1000 reward for the apprehension of the criminals.

The
Kidnapping On Monday evening Mr Raper and Dr Jones by the help of Dr Charles S Johnson and others got in touch with the family of Jackson Cheek, 1614 Jackson Street, where the kidnapping had taken place. The family was very much frightened and hesitated to talk but gradually their confidence was won and they told the story which appears in the accompanying affidavits. In brief, they said that Cordie Cheek, having been let out of the Davidson County Jail a little before 3:00 P M on Friday, December 15, arrived at their home on Jackson Street about 3:30. Leona Cheek, Cordie's aunt, and Rush Cheek, age 17, his

cousin, were at home at the time. They invited Cordie in the kitchen and started to prepare him something to eat. He was in good spirits and seemed greatly relieved that he had been set free because the Maury County Grand Jury had found nothing against him. He stated his innocence of the charge of rape against eleven year old Lady Ann Moore of Glendale, Tennessee, and said the trouble had arisen over a quarrel between himself and Henry Carl Moore, Lady Ann's brother. He was just saying he wanted a bath to get rid of the "jail smell" when there was a rap at the door.

Mrs Cheek went to the door and saw a man about five feet eight inches in height, with iron gray hair, apparently above forty years of age, standing there. In the yard with him were six or seven other men, some of them armed. The man asked if this was the home of "Cheek" about that time, seeing that his mother was frightened, Rush Cheek went to the door. He was asked if he was Cordie Cheek. Rush said no his name was Rush whereupon the man said you are not the one we are looking for. At that time, thinking these people were perhaps officers from the jail and that something had gone wrong, Cordie came to the door. The man asked "Are you Cordie Cheek" and was answered in the affirmative. The man then said, "Consider yourself under arrest" and turning to the people in the yard he said, "Here he is boys, come on and get him."

Two young men, a tall slim one and a red haired one, came up and took hold of each arm and started with Cordie to the gate. The elderly man came behind Cordie. Two shorter people were near the gate in the yard or just outside the gate near the two automobiles. One young man with a felt hat and a dark suit was standing near the gate with a pistol in his hand. He held this on _____ Cheek who hearing a commotion had come back home and was standing on the porch.

Identification Just as the party had gotten into the two Ford cars and were starting to pull away, Dixie Stones, a cousin of Cordie and Rush Cheek, came around the house to visit the Jackson Cheek family. She had grown up in Glendale and played with children in the Moore family hundreds of times. She had recently left Glendale and was at that time employed in Nashville. She saw Henry Carl Moore, with pistol in hand, standing on the running board of the rear car. She looked straight at him and recognized without any doubt whatever that it was Henry Carl Moore, brother of Lady Ann Moore. As the cars pulled away, two Wisk students who were eating at a restaurant diagonally across the street from the Cheek home, took the license numbers of the cars and presently telephoned them to the police.

Cause of the Lynching The mother, Mrs. Moore, did not believe there was danger and what Dixie Stones and the Cheeks then related what they had heard happened which caused the trouble in Glendale.

The Cheek and Moore families had grown up together in this small town. Tenny Cheek, the mother of Cordie, had been cook, maid, mid-wife and nurse for the Moore family. She had treated the Moore children as her own.

When Mrs Moore died, she did what she could for the family and still helped out after Mr Moore committed suicide about in the winter of 1932. Cordie 17 and Henry Carl 19, now having grown to manhood, with Cordie having to work for Henry Carl since the Moore parents were dead, social friction evidently of a status nature, developed between the two former playmates.

This culminated in a quarrel, if not a fight, in which Henry Carl, - the Cheeks understood - was worsted. To get even, on the afternoon of November 16 about 3:00 P M when Cordie was cutting wood at the Moore homestead, and was required to bring in an arm load of wood to build a fire which eleven-year old Lady Ann was expected to build, Cordie pushed past her as

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he came in the door and a splinter of wood caught on Lady Ann's dress tearing a three-cornered hole in it. She was, of course, angry. Henry Carl, it was reported, then persuaded his little sister by giving her a dollar to say that Cordie had tried to rape her. This was not done, however, until around five o'clock as Cordie finished his wood cutting around four o'clock and was invited by Lady Ann's older sister and husband, who were living in the house at the time, to come back to work the next morning. Cordie went home without anxiety and was there until nearly six o'clock when one of the Negroes who worked over at Hancock's store, heard Moore, Hancock and others plotting the lynching. He slipped out and told Cordie and his mother that it was dangerous and that Cordie had better flee. The mother, "Tenny", did not believe there was danger and went over to the store to see about it. She found people in a hubbub. Moore cursed her and slapped her face. When she returned, Cordie, being warned again fled up a ravine and along the railroad track taking most of the night to reach his sister's home on the farm of Joel Cheatham, some fourteen miles away.

Lady Ann's aunt, a Mrs Maberry for whom Dixie Stones worked, said soon after the incident that she didn't believe a word of it and that Lady Ann was such an untruthful and incorrigible child that no one could put dependence in what she said.

The above story, the basic facts of which was told at the Raper-Jones interview, has since been corroborated from many angles. It was so plausible that Jones and Raper were inclined to accept it and passed it along in conversations with other citizens and officials interested in the case.

Attorney
General

Upon going to the Sheriff's office on Tuesday morning to arrange for the Grand Jury to meet the Jackson Cheek family, Jones, Raper and Smith found that the Sheriff and the Attorney General had gone to Columbia "to find out the facts". It has subsequently been stated that only officials, relatives of the girl, and the girl herself were contacted. White or colored people who did not believe the story of rape were not contacted or given a hearing.

Upon returning to the Sheriff's office on Wednesday morning, they found sentiment reversed. The boy was supposed to be guilty and deputies and others did not think anything should be done about it. It was pointed out, however, by some officials and leading citizens that the boy's guilt had nothing really to do with it. The Maury County Grand Jury had "dismissed the case for lack of evidence" and had set him free. As a free man, therefore, marauders had come into Davidson County, kidnapped the boy, forcibly carried him to Maury County and then lynched him. For this the criminals should be apprehended and sentenced for murder in the first degree.

Citizens
Committee

While all this had been going on, Dr A W Taylor, Chairman of the Inter-racial Commission, Rabbi Julius Mark and others had started a movement to form a citizens committee to voice public sentiment and follow up the case. Accordingly, some fifteen ministers, business men, and officials met in the offices of the Chamber of Commerce at noon on Wednesday, December 21. Dr A W Taylor was in the chair. By unanimous vote a citizens committee was set up, composed of Judge John R Aust, Chairman, Dr James I Vance, Pastor of the First Presbyterian Church, Dr Edwin Mims, Professor of English Literature at Vanderbilt University, James G

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Stahlman, Editor of the Nashville Banner, and Hon Litt A Pardue, Editor of the Nashville Tennessean. This committee then arranged for a mass meeting in the First Presbyterian Church on Wednesday, December 27, and called upon officers to prosecute the case to the fullest extent of the law.

Opposition During the next days the opposition in the person of lawyers worked on Judge Hart to make him think he had been wrong in charging the Grand Jury to indict for both kidnapping and murder. Officers and business men of Maury County assured officers here that the boy was guilty, that prosecution of the case at that time would produce riots in Maury County, and that the mob was right in lynching the Negro. Maury County relatives of members of the citizens committee pleaded with them not to push the case. Leading citizens and bankers from Columbia offered to raise bond to any amount to get out any one indicted on the charge, members of Nashville Luncheon Clubs urged Dr Jones and others to desist from pushing the case, and it was reported that the Attorney General himself stated at a meeting of the Red Men's Fraternal Order in Nashville that he did not intend to prosecute the case. He pointed out to persons interested in pushing the case through that the old Grand Jury was very busy and that the new Grand Jury was coming into office on January 1, 1934. We thought it was best to hold the matter over and present it the first thing when the new Grand Jury came in to power.

Newspapers In the meantime, the Christmas and New Year holidays intervened. When the Cheek side of the case was presented to the newspapers, they stated that rumors or reports could not be printed without risk of suits of libel and that it would be necessary to wait for further news releases until an indictment was gotten or the matter brought

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to trial. Members of the citizens committee, too, pointed out that it was good strategy to let the excitement die down so that additional evidence could be gotten from both white and colored people.

Delays

At the same time the Reese case, involving a political bank scandal, broke which took the front page of the press and "all of the time of the Attorney General". As interest began to wane, Walter White, secretary of the National Association for the Advancement of Colored People, rightly telegraphed the Governor, implying delay and attempt at hushing up the case. This called forth protest from the Governor and the chairman of the citizens committee. It was pointed out that this case was to be handled by the citizens and courts of Nashville and that no interference was needed from New York or the outside.

Outside

Interference Having heard repeated condemnations of outside interference

in the Scottsboro case and witnessing the feeling of the citizens committee, members of the Interracial Commission who were becoming more and more apprehensive that the case was being side tracked, decided to make this a test case to see if southern courts in one of the supposedly most enlightened centers of the South would bring action.

Depositions

After repeated efforts in vain to get the Cheek family before the Grand Jury the Attorney General was persuaded to come to Fisk University early in January and take depositions of eye-witnesses to the kidnapping. In the course of the questioning he incensed one of the witnesses greatly by asking if she was a prostitute. The depositions having been taken and the people assured that they would be called before the Grand Jury within a few days, the papers were filed and apparently forgotten.

The

Lynching

About this time it became known that a Negro truck driver near Lewisburg, James Garrett by name, had been an eyewitness

to the lynching. He was interviewed by Dr Jones early in January and some months later by others. He told the same story each time of how he, together with Andrew Allen, a white tenant on Dr Goddard's farm near Bryant Station, were returning along the Lewisburg highway from delivering a load of hay in Columbia. It was about 6:20 P M, just before dark. A man about 5 feet 8 inches tall with iron gray hair and heavy stature said "Do you want to see us kill this nigger"? Garrett said no, whereupon the man said, "Well you're going to anyway. Turn off that engine. We'll show you what happens to niggers who don't know how to treat white people". Garrett then related how he saw Cordie Cheek standing beside automobiles which answered the description of those seen in Nashville. He had a rope around his neck, a step ladder was under a cedar tree and the end of the rope was over a limb of the tree. After about fifteen minutes automobiles filled with people began to come from everywhere. There were 133 of them. When a sufficiently large crowd had gathered, they opened Cordie's trousers and castrated him by severing the testicle sack from his body. He was then pushed up the step ladder, the rope tightened and fastened around the tree by the man who was forcing James Garrett to witness the deed and Cordie was pushed off the ladder, by the same man, by means of a pole which he placed against Cordie's hips. The young man aiding in the affair, then shot into his body and passed around the pistol for others to shoot.

Collecting Evidence Affidavits of this story together with other bits of evidence were submitted from time to time to the Chairman of the Citizens Committee and through him to the Attorney General's Office. Every week some member of the Interracial Commission contacted the chairman of the Citizens Committee, the Sheriff or the Attorney General, with the assurance being.

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given each time that the Cheek case had not been forgotten, that it was the next thing on docket and as soon as the Reece case was out of the way, it would be presented to the Grand Jury. This continued for six months with no evidence of further action being taken.

**Interracial
Commission**

In the meantime, the Interracial Commission saw that if anything at all was to be accomplished, it would be necessary to hire a special attorney. This was agreed upon and a substantial fund quickly raised. The chairman of the Citizens Committee, himself becoming discouraged with the promises and dodges of the Attorney General, wrote him a sharp letter and agreed to the plan of the Committee.

Jeff

McCarn

Mr Jeff J McCarn was chosen to assemble evidence and get the matter before the Grand Jury. It had now become the middle of July but Mr McCarn, Dr Barnett of Scarritt College and Dr Jones of Fisk, other interested parties being out of the city at that time, began to gather evidence. They made trips to Columbia, Lewisburg, Glendale, and elsewhere and readily found the information recorded in the report of Dr Barnett appended to this statement.

The

Grand Jury

On August 27 and 28 Mr McCarn succeeded in getting the case before the Grand Jury. The persons directly involved in the case, Leona and Rush Cheek and Dixie Stones who saw Cordie kidnapped and James Garrett who saw him lynched, testified stating that they had positively identified the parties to the crime, that they could identify them, again and that they were certain of every detail to the kidnapping and lynching which they had related.

Joel Cheatham, white plantation owner near Columbia, also appeared and stated that he knew members of the mob who searched his

Nashville, Tennessee
December 23, 1933

Attorney General Richard M Atkinson
Nashville, Tennessee

My dear Mr Atkinson:

With Henry Carl Moore named by Susie Dixie Stones and the descriptions of his dark suit, light hat, and gun in his hand made by Leola Cheek, Rush Cheek, and Hilary Cheek, it is clear that Henry Carl Moore was among those who took Cordie Cheek from the 1614 Jackson Street address on the afternoon of December 15, 1933.

The one who first came to the door at the 1614 Jackson Street address and inquired for Cordie Cheek and when he found him said, "Consider yourself under arrest" was seen and described by Leola Cheek and Rush Cheek who were inside of the house and by Hilary Cheek who was standing in the yard. Leola Cheek, it will be noted, states that she thought she had seen this man before. (Jackson Cheek, husband of Leola Cheek) stated to you yesterday afternoon, you will recall that Deputy Austin Harland from Columbia had been to 1614 Jackson Street twice on the same day a few months ago looking for an accused Columbia Negro). These facts suggest that it was Deputy Austin Harland from Columbia who first among the kidnappers came to the door at 1614 Jackson Street on December 15, 1933. Leola Cheek, Rush Cheek and Hilary Cheek believe they can identify the men who first came to the door.

A third person, seen in the vicinity of the kidnapping with other unknown white men in the early afternoon of Friday, December 15, 1933, is described by Dr George Meadors and Edward Barnwell as being tall, about 45 years old with a rather narrow face. Dr Meadors stated that he thought this tall man was a Northerner by the way he talked, and that he was called "Dad" by the other white men who came in with him, the man with him being a short fellow. Edward Barnwell states in his testimony that this tall man was wearing a black leather coat which came to his hips. As these two men came in another white man

These are a very long and tedious memoranda, but since you are out of the city I thought they might be of some service to you when you return.

The more I see of this case the more I am convinced that there can be no excuse other than official negligence for failure to indict and convict.

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CHURCH U. S. A. WEST OF PITTSBURGH

December 23, 1933

TO MEMBER OF THE
INTER-RACIAL COMMISSION.

Gentlemen:

You have doubtless noticed the call by Judge John R. Aust and others for a mass meeting at the First Presbyterian Church, at noon on Wednesday, January 3 -- a brief meeting -- to take steps to organize a state-wide campaign against lynching. I sincerely trust that you will be present and that you will interest yourself in inviting others to that meeting.

I have taken the liberty of suggesting to Judge Aust that it might be advisable at this time to start again agitation for such an anti-lynching bill as we attempted to get through the legislature two years ago.

Please pardon a carbon copy, hasty action being necessary if anything can be done in time.

Sincerely yours,

JEC:ED

Aust presented resolutions *Jas. E. Clarke*

W. H. H. - City Attorney spoke first at above meeting

Rabbi Mark - followed representing Jewish Group and Interracial Commission of Tennessee

Bennion - represented Peabody

James Stahlman - spoke for newspapers

Chancellor Kirkland - " " Vanderbilt

Dr. H. B. King - Editor of Southern Advocate spoke for pastors

Raker was called on for statistics on lynchings

Mims presented another resolution

meeting called center section of the Church - was a very important group of Nashville citizens

All denounced lynching and favored strong means to punish offenders and uphold law

C o n f i d e n t i a l

Enc. 732

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MEMORANDA

To; Dr Thomas E Jones

From: Arthur Raper

By today's mail you will receive copies of statements which yesterday afternoon I discussed with Editors Pardue and Stahlman.

I see nothing else here now that I can be doing and accordingly I am returning to Atlanta today. I have made several attempts to get in touch with Attorney General Atkinson to make certain that he has in his possession the signed, notarized statements of witnesses taken here in the Library on last Friday afternoon. Since I have been unable to check this I think it would be well for you to find out about them upon your return. While I have every reason for believing that he has the statements, for Mr Creswell left them in the hands of one of his assistants in his office, if for any reason General Atkinson does not have these statements there are copies in the possession of Miss Bowles and Mr Creswell, and Judge Aust also has a copy of them.

The second matter which I think should claim your attention is to make certain that the Negro witnesses are in readiness to testify before the new Grand Jury. You will note from reports of the mass meeting and editorials on same that a request was made that the new Grand Jury be chosen with the view of indictments in the case and that Judge Gilbert expressed himself in the paper as determined that the case be thoroughly investigated.

Yesterday afternoon while in conference with Mr Stahlman he expressed the opinion that unless Judge Aust and his Committee stay immediately behind General Atkinson that there was little likelihood of Mr Atkinson making any thoroughly investigation. This same opinion was expressed yesterday by nearly everyone with whom I talked. You have heard, I suppose, of General Atkinson's virtual justification of a lynching in an address before a group of ex-service men (perchance the red men's meeting which Mr Atkinson was so anxious to report to Judge Aust the other morning when he came, you will recall, up to Judge Aust's office). Mr Stahlman further advised that just as soon as indictments had been secured the Judge should appoint a special prosecution in this case. I don't know that these suggestions of Mr Stahlman are particularly valuable, but they strike me as well worth special consideration.

When I get back to Atlanta I shall make copies of the statement of the witnesses and send a set to S L Smith and Dr W D Weatherford, both of whom I think may be in a position to help with the case - Mr Smith because of his acquaintance with one of the members of the legal committee appointed after this week's mass meeting, and Dr Weatherford, too, I think may be able to have

influence with some of the men. When making these copies I will send along to you another set for whatever use you can make of them.

I trust the Gulf did not freeze over and that your brief outing will bring you and your family back to the campus with even more enthusiasm and concern for human wellbeing.

If you think I can be of further service to you, I would feel that this would be sufficient reason for returning.

I was about to overlook a suggestion which Miss Bowles makes concerning the advisability of some kinsman of Cordie Cheek swearing out a warrant for Henry C Moore and perhaps others believed to have been among those who were in the kidnaping-lynching. I talked with Judge Aust concerning this matter yesterday morning and he doubted the value of this prosecution. Certainly should the warrant be sworn out someone other than one of the eye witnesses should do it.

In most cases I think the procedure is for the early arrest of the person or persons whose identity is known and from them information is secured concerning the confederates and the crime. In your contacts with Judge Aust, Mr Atkinson, and Sheriff Bauman, I think it might be well to inquire whether there would be any advantage in Jackson Cheek swearing out a warrant for their arrest.

Yesterday morning when I talked with Judge Aust he was somewhat worried because of the time which this case was taking or might take; also he spoke with considerable irritation about a correspondence which he had had from some northern organization. Concerning this latter matter, I think you should encourage him to let such matters go for what they are worth; that the principle business here is getting indictments and convictions. Certainly the naming of a Citizens Committee will not prevent organizations outside of the South interested in this case from writing to those men who have appeared in print as being leaders of local efforts in defense of law and order. What I distantly fear here is that some members of the Citizens Committee as pressure is applied on them from the lynchers and their friends to let the matter drop is that they may have a tendency to let letters from the outside organizations become an excuse for a kind of "hands-off" attitude in this case. I think you should talk with Judge Aust and assure him that outside organizations can get no foothold in this case and cannot become a complication so long as his Committee and leading local people are instrumental in securing indictments and convictions with despatch.

Now, between you and me, if indictments and convictions can not be secured in this case, a whole legion of outside organizations ought to expose this situation inside and out.

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January 2nd 1934

Judge John R Aust
American Trust Building
Nashville, Tennessee

Dear Judge Aust:

I appreciate very deeply your letter of December 29th. You know, Judge Aust, that I have complete confidence in you and feel a depth of gratitude for the stand you are taking relative to law enforcement. Mr Raper had left the city before I returned but in his letter to me he made no reference to the incident to which you referred. I note in a few of the contacts that I had with Mr Raper that he was inclined occasionally to let his enthusiasm and zeal press his friends a little too severely, enough that some of them resented his apparent haste. I am certain that he did not mean to leave this impression. Raper is a fine fellow and has done an excellent piece of work. He has an increasingly wide field of usefulness. If he should mention the matter to me, of course, I will state my high regard for you and assure him you are leaving no stone unturned in upholding the principal of law enforcement in the State of Tennessee.

I regret that the Governor has been annoyed by letters from some Negro organization which has not had the full facts in this case. I am sure that you, Governor McAlister, and other responsible citizens of this community know that I do appreciate the great help you are giving me in my work at Fisk University by the stand you are taking. It brings reassurance to white and black alike and gives us something on which to stand in furthering the work to which we have dedicated our lives.

Sincerely yours,

Thomas E Jones
President

TEJ w

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January 26th 1934

Dr Alva W Taylor
101 Bowling Avenue
Nashville, Tenn

Dear Dr Taylor:

I talked with Miss Young and Mrs Frankie Pierce the other day, both of whom are eager to assist in raising funds for the Cordie Cheek case. A conversation with Judge Aust and with Attorney General Atkinson indicates that they are ready now to take hold somewhat vigorously this case and push it ahead.

James Weldon Johnson and W W Alexander do not give us much hope that we can expect any tangible results from the services of a detective. They say they have spent thousands of dollars in years gone by and have gotten almost no benefit from such services. They think, however, that an attorney assisting the Attorney General can do a great deal of good. The chief thing is to have some one give his entire time to assembling information and pushing the matter through.

I stand ready to help in any way whenever you wish to get the committee together.

Sincerely yours,

Thomas E Jones
President

TEJ w

19
Southern Commission on the Study of Lynching

703 STANDARD BUILDING

ATLANTA, GA.

GEORGE FORT MILTON, CHAIRMAN
CARE CHATTANOOGA NEWS
CHATTANOOGA, TENN.

JULIAN HARRIS
JOHN HOPE
B. F. HUBERT
CHARLES S. JOHNSON
W. P. KING
W. J. MCGLOTHLIN
R. R. MOTON
HOWARD W. ODUM
ALEX W. SPENCE
MONROE N. WORK

January 3, 1934.

ARTHUR RAPER
RESEARCH SECRETARY
W. R. CHIVERS
ASSOCIATE

Dr. Thomas E. Jones, President
Fisk University
Nashville, Tenn.

Dear Dr. Jones:

I have your letter of January 2nd and note with interest your suggestion that Judge Aust felt that he had perchance spoken hastily in our last interview. I did not feel that he had beyond the fact that I feared he was growing tired in anticipation of the difficult struggle ahead if indictments and convictions were to be secured.

Attached, I am sending you copy of newspaper clippings concerning punishments of lynchers in recent years. I thought these would be very valuable to those people who attempt to justify doing nothing in this case because lynchers always go unpunished. Attached also I am sending copy of my letter to Mr. Smith of yesterday.

Attached too you have two sets of statements of witnesses. I thought you would perchance have use for these. It seems that one copy might with profit be left with Doctors Johnson, Frazer, et al, who are interested in this case and can perchance help locate further witnesses.

I am glad to see that you are beginning a movement to raise funds with which to engage additional counsel or detective services. It is highly important, I think, that Attorney-General Atkinson be repeatedly and continuously reminded that these cases must not be permitted to lag because his office does not happen to have the available money with which to employ additional counsel or detectives.

Remember me to Mrs. Jones, the boys and little Miss Jones, and express to them my appreciation of their kindness in permitting me to live with the family a few days. I too hope that our paths may cross often, and with less sadness; as I recall I have come to know you through the tragic death of

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Southern Commission on the Study of Lynching

703 STANDARD BUILDING

ATLANTA, GA.

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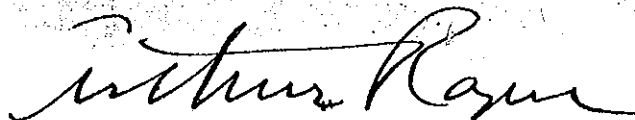
ARTHUR RAPER
RESEARCH SECRETARY
W. R. CHIVERS
ASSOCIATE

Dr. Thomas E. Jones--2

January 3, 1934

Dean Derricotte and the recent lynching of Cordie Cheek, but it is a pleasure when working on such cases to find a person such as you.

Cordially yours,



Arthur Raper

AR:TG

January 3, 1934.

Dr. Charles S. Johnson
Fisk University
Nashville, Tenn.

Dear Dr. Johnson:

By today's mail I am sending to President Jones copies of sworn statements of witnesses, and of my letter to Attorney-General Atkinson summarizing same, and also copy of newspaper reports of recent years concerning the indictment and conviction of lynchers.

In my letter to Dr. Jones I suggested that you, Messrs. Frazer and Bond and others, would perchance want to see these materials.

I am of the opinion that the witnesses know other persons who have first hand information concerning the Maury County end of the tragedy. Miss Stones insists that while willing to testify herself, she does not want her people in Maury County called into the courts. I think, however, it would be well for you and Dr. Jones to talk with her concerning possible evidence and know something about it in case it should be imperative to use it in the trials, which of course can come only if indictments are made.

I trust the annual meeting was quite a success and that you found some satisfaction in your own contribution, which, I gather from the program, was not small. I am looking forward to the publication of the papers.

It was very good to see Mrs. Johnson and the children again and have the opportunity to meet Dr. Park and to work with you even in such a tedious task.

Cordially yours,

Arthur Raper

AR: TG
ENCL.

73
January 4th 1934

Honorable Hill McAlister, Governor
State of Tennessee
State Capitol
Nashville, Tennessee

My dear Governor McAlister:

I understand from Mr S L Smith that you have received an unfortunate telegram from an organization of Negroes in New York. I merely wish to assure you that we had nothing to do with that communication. We have kept faith with you and other officers of the law in laying before you and you alone what facts we have been able to assemble in the Cheek case. I have full confidence in the District Attorney, the Sheriff, and the Citizens Committee, composed of leading citizens and under the direction of Judge Aust, in pushing this matter forward.

After all, as I stated to you in person, my interest in this case does not rest upon the fact that at present I happen to be at Fisk University. More than this, I am a citizen of Tennessee and of the United States of America. We have laws and competent executives to enforce them. I thoroughly believe in you and the persons charged with the responsibility of upholding law in this commonwealth. Anything that I can do to serve you you may be sure that I will be happy to do so.

Sincerely yours,

Thomas E Jones
President

TEJ w

27

January 9th 1934

Judge John R Aust
American Trust Building
Nashville, Tenn

Dear Judge Aust:

I am transmitting herewith a copy of newspaper reports on the punishment of lynchers during recent years, which has been sent to me by Mr Arthur Raper.

It is rather significant that as many people have been brought to justice in these cases. I feel encouraged to believe that as enlightened a community as Nashville will maintain no less enviable a record when the case in which we are involved is settled.

With continued appreciation for you and your work, I am

Sincerely yours,

Thomas E Jones
President

TEJ w

R. B. ELIAZER
EDUCATIONAL DIRECTOR
MRS. JESSIE DANIEL AMES
DIRECTOR OF WOMAN'S WORK

E. MCNEILL POTEAT, JR., PRESIDENT
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J. SHERRARD KENNEDY, TREASURER

ARTHUR F. RAPER
RESEARCH AND FIELD SECRETARY

Commission on Interracial Cooperation

INCORPORATED
703 STANDARD BUILDING

Atlanta, Ga.

February 16, 1934

Dr. Thomas E. Jones,
Fiske University,
Nashville, Tennessee.


Dear Dr. Jones:

I was in Nashville a week ago today and had hoped to talk with you about the present status of the Cordie Cheek case. I was on the campus in conference with Dr. Johnson in connection with a project for observing and reporting the effects of the new deal on the Negro. Due to an urgent request to be at Washington the next day, I was unable to remain on the campus until you returned to your office.

I had lunch with Mr. S. L. Smith, who reported that there was still a possibility of court action. I happened up with Dr. Weatherford who reported that satisfactory progress was being made for subscribing funds with which to employ special prosecution. I am wondering what the present status of this case is and just when we may expect to get special action.

If I can be of service at any time, please call upon me.

Sincerely yours,


Arthur Raper.

AR:MCS

February 19th 1934

Mr Arthur Raper
Interracial Commission
Atlanta, Georgia

Dear Mr Raper:

I regret that I was not in Nashville to see your happy face and talk over the Cordie Cheek situation. There has been little change since you were here. About four hundred dollars of the five hundred we were trying to raise has been subscribed and the other is in sight. With this and the assurance we have from Dr Alexander of an additional sum, the Committee is in a position to choose outside counsel. Messrs Jack Norman, Jeff McCarn, together with two or three others have been nominated.

The committee to raise funds, which was appointed by the State Interracial Committee, was enlarged at our last Nashville meeting to include Charles S Johnson and Albert Barnett of Scarritt College. It was requested that this committee work with the Citizens Committee in choosing additional counsel as we wanted to be as sure as possible that the right man is found. There has been no difficulty in getting the Citizens Committee to cooperate with this Interracial Committee on the matter.

Dr Alva Taylor and I think that Judge Aust and the Committee are as determined today to do something about this as they were six weeks ago. They say that we have to wait until Attorney General Atkinson get this Reece case off before he can be expected to give attention to the Cheek case. It looks now as if this ought to be handled within the next week and then we expect something definite. I will keep you informed of developments.

Sincerely yours,

Thomas E Jones
President

TEJ w

Nashville, Tennessee
February 28, 1934

TO CONTRIBUTORS TO THE ANTI LYNCHING FUND.

Confidential

Dear Friends:

You will be glad to know that Hon. Jeff McCarn has been retained by Judge Aust and the Citizens' committee, in consultation with and with the hearty approval of our committee on finance, representing the Interracial Committee. We are promised action as soon as the Attorney General is through with the Reece case. We now have \$400 pledged and about \$300 paid in on our half of the \$1,000 fund. If you have helped you will be interested in this information. If you have not yet done so we feel sure you will send us your contribution immediately so we can claim the \$500 promised us when we raise that amount. We must have our \$500 to procure it and we cannot go ahead with the case until we get it. We are depending upon you. Kindly send your check to Dr. W. D. Weatherford, our treasurer, or to the undersigned and oblige.

Sincerely,

Alva W. Taylor, Chr.
101 Bowling Avenue.

Thos. Elsa Jones.
Julius Mark.
W. P. King.
Alva W. Taylor, Chr.Com.

Pledged \$5.00, paid \$5.00. Thank you.

July 5, 1934.

Dr. Thos. E. Jones,
Fisk University Campus,
Nashville, Tenn.

Dear Dr. Jones:

I began immediately after talking with you and Dr. Alexander of Atlanta, moving toward some action in the case about which you talked to me. I have tried both by letter and an effort at personal contact to take the matters up with the Attorney General about which we talked. Just two or three days ago I succeeded in an indirect contact with him on the subject.

The term of the Criminal Court had reached a point at which it seemed that there had been a purpose in avoiding a hearing at this term, I mean before the Grandjury. I went immediately to the Judge of the Court who has charge of the Grandjury for the term and made arrangements with him to have the Grandjury for this term called back at such time as I find that I have procured facts that would justify a hearing before them. We can do this at any time that we get our witnesses lined up.

I also approached the Sheriff and find that he has some facts that are not very substantial, but are worth preserving. I am anxious indeed to have another talk with you before the matter goes before the Grandjury. Of course, you understand that I could not become openly active in the matter until I had authority from the Attorney General. I only received that authority this week, but am now in position to make investigation into substantial facts and to proceed with more or less vigor in pressing the matter to a hearing.

I was anxious to have this present Grandjury pass on the matter, so that if we failed with this Grandjury, we could take the matter up with the judges and be more certain of a proper Grandjury at the September term.

I want to see you immediately on your return to the city and am writing this letter for that purpose.

JMcC-H

Sincerely,

Jeff McCarn
Jeff McCarn.

28
July 10th 1934
Tuesday

Mr Jeff McCarn
Nashville Trust Bldg
Nashville, Tenn

My dear Mr McCarn:

I am transmitting herewith copies of correspondence and depositions regarding the Cordie Cheek case which you may need in prosecuting the case.

I am getting in touch with the witnesses here in Nashville and as soon as I have them lined up will see that you have an opportunity to meet them in case you wish to do so. It seems to me that if we could get Mrs Jackson Cheek and her two sons, Rush and Hiliary, who were at the house at the time of the kidnapping, to identify one or more of the suspects in the case, it would be a very good thing.

I cannot tell you the great satisfaction it gives me to know that you are taking hold of this case in earnest and are going to push it through to a successful conclusion.

Sincerely yours,

Thomas E Jones
President

TEJ w

September 11, 1934.

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Hon. Lit J. Pardue,
Publisher The Nashville Tennessean,
Nashville, Tenn.

Dear Mr. Pardue:

Let me express to you my very great appreciation of the editorials "COFFEE REPUDIATES THE MOB" and "CONVICTION" that appeared respectively in the Evening Tennessean of the 10th and the Morning Tennessean of the 11th. The Tennessean has consistently condemned mob violence, and for this it deserves the commendation of all who believe in orderly government.

The references in the editorial of the 10th to the failure of grand juries in Davidson and Maury counties to indict the lynchers of Cordie Cheek are particularly appropriate, since the recent session of the Davidson county grand jury had evidence placed before it that would seem abundantly to have warranted indictments.

Davidson County has a sorry record in cases of this kind. In 1924 a teen age Negro lad was taken from a hospital bed in Nashville, where he lay already mortally wounded, and was brutally lynched. It is said that the investigation of the lynching went far enough to discover who the lynchers were, and then the case was dropped! Has this happened in the Cordie Cheek case? Do we have in Davidson county a protection of crime by those whose duty it is to detect and punish it? Are our grand juries composed of professional jurymen who elect to take no cognizance of crimes of which their prejudices or personal political commitments lead them to approve? One hesitates to make charges, and yet one who has watched on the sidelines as a citizen cannot help but wonder about these matters.

On December 27, 1933, in spite of a bitterly cold day, a group of several hundred representative Nashville citizens gathered in the First Presbyterian Church of this city to express their resentment of the affront to civilized procedure represented in the Cordie Cheek lynching. A resolution introduced by Mr. Harry A. Myers and passed unanimously amid vigorous applause "respectfully" requested the judges of the Davidson County Criminal Courts "to select a particularly high-grade grand jury ... to hear witnesses in the Cheek lynching and return indictments against the lynch gang." One would venture to call this resolution to the attention of our judges whose prerogative it is to appoint grand jurors, because there surely are thirteen men in Davidson county eligible for jury service who will consider evidence instead of color and vote the indictments that are warranted in the Cheek lynching case.

At the above mentioned meeting last December 27th, Chancellor Kirkland of Vanderbilt University made an impressive condemnation of the lynching of Cordie Cheek and called on law enforcement agencies to do their full duty. He closed his statement with the exclamation, "God pity Tennessee" if this and similar crimes are permitted to go unpunished. His words echo again as your editorials bring them to mind, "God pity Tennessee" if lynch law is to prevail without being effectively challenged and overthrown!

Respectfully,
Albert E. Barnett.

30

January 8, 1935.

Dear Dr. Taylor:

Attached is a copy for the secretary of the resolutions on the Shelbyville outbreak which our committee was directed to draw up and send as indicated in the resolutions. We sent them to both papers and to the persons specified. They were published in the papers while I was out of town.

I am anxious that the Cordie Cheek case be brought to some conclusion. Dr. Jones is ill, and I am on a semi liquid diet for the same malady which he had in a more serious form. It is a physical impossibility for me to do the driving that would be involved in going to Columbia, Lewisburg et cetera in getting individual affidavits from the witnesses in the case. I do not believe that either the Nashville or the out of town witnesses will come in voluntarily any more for the making of affidavits. Absolutely the only chance I see for getting affidavits is to have these people subpoenaed here for the Grand Jury, and while they are here get them to make the affidavits required.

My feeling is that if we are not to take that procedure, we should come to the definite decision, and have Mr. Raper come up and get things in shape for publishing our pamphlet. The Costigan-Wagner Bill has been introduced. The Cheek case is a perfect illustration of the futility of local action through the state courts. I believe the larger service to our cause is to make this case available now for educational purposes.

I raised the question in the note on the attached sheet whether or not any notice of our resolution approving the Costigan-Wagner bill had been sent the President, Senators Costigan and Wagner, our Tennessee congressmen, and the several interracial organizations who would use it. The sending of this resolution was not as I understood it a responsibility of our resolutions committee. In case you intended that our committee handle that you can let me know and I will gladly do so.

Sincerely,

W. E. Barrett