By TOM HENDERSON WELLS

The Phoenix Election Riot

THE CROSSROAD COMMUNITY of Phoenix in Greenwood County, South Carolina, was racked with violence in November, 1898. Within a few days a dozen persons were shot to death and an unknown number, probably twice that many, were wounded. Among the victims were several prominent men of the area, a little boy, and an old Negro woman. Houses were vandalized, Negroes whipped, and the countryside terrified by the sight of heavily armed white mobs by day and the fear of murderous black gangs at night.

The point at issue was the right of Negroes to vote in a general election, as they had in all postwar elections before 1896. In an area in which there were three Negroes to each white person, the possibility of a return to black domination was great, and most whites were determined that this would not occur. So dramatic and horrifying were the events and so important were the personalities and principles considered that even President William McKinley and his cabinet became involved.

In 1895 South Carolina had adopted a new constitution, an intricate document designed to disenfranchise Negroes while permitting whites to vote. By 1896 Negro voters had been reduced by more than two thirds, and it appeared that few Negroes would be able to vote in 1898.[1] If the constitution of 1895 and election practices depending upon it continued to go unchallenged, citizenship would be worthless for Negroes.

At Phoenix, eight miles south of Greenwood, the Tolbert family and its Negro allies sought to make these challenges in the general election held on November 8, 1898. Since before the Revolutionary War, Tolberts had lived in up-country South Carolina, a respectable, well-educated, well-to-do family, generally likable, but for many years at political odds with their neighbors. The slaveholding Tolberts had opposed secession; yet, four Tolbert brothers fought for the Confederacy.[2] In defiance of their neighbors' opinions, they all voted for Grant for president in 1868 in an election so violent that their Phoenix voting place was closed for thirty years. Over these years Tolberts and their in-laws controlled the votes of Negroes and therefore of Republicans in their area. They held federal political appointments under the Republicans and served in Republican party offices. One of the Tolbert Confederates, John R., became Commissioner of Education for South Carolina's reconstruction government and was forcibly removed from office when Wade Hampton's Democrats re-

[1] Francis Butler Simkins, *Pitchfork Ben Tillman, South Carolinian* (Baton Rouge, Louisiana, 1944), pp. 289-96; V. O. Key, Jr., *Southern Politics* (New York, 1949), p. 288. See also George Brown Tindall, *South Carolina Negroes, 1877-1900* (Columbia, South Carolina, 1952).
[2] Members of Second South Carolina Cavalry, Hampton's Legion. From undated clipping of interview with John R. Tolbert in Greenwood *Index Journal* in 1911.

deemed the state in 1877.[3] In 1898 John R. Tolbert was Collector of Customs in Charleston, and was also a Republican National Committeeman. Robert Red Tolbert (usually called by his middle name, a family name), was State Republican Chairman. Robert Henderson, a cousin, was Republican Township Leader in Phoenix. Other Tolberts were or had been postmasters. Whether or not South Carolina voted Republican in a general election, it did have votes in the national convention, and the Tolberts could decide who would receive most of these votes. They were suitably rewarded.

It should not be thought that Tolberts acted only from political motivation. No amount of power could compensate them for social ostracism, economic reprisal, and the personal dangers which came with taking the stand of protector of Negroes. They were morally committed to their actions and they were stubborn. As Red Tolbert said, they showed "preference for Negroes who would work hard and pay their way and try to do right over the shiftless white trash who are the curse of a Southern community."[4] Because the Tolberts owned several thousand acres of land and Tolberts prospered, they received attention from the white riffraff of whom they were contemptuous. Tolbert homes and gins burned. On their farms they had Negro tenants at a time when some local whites were unable to find places to farm. Tolberts paid considerably higher wages than did their neighbors. Negro tenants looked to the Tolberts for leadership and received it; the Tolberts could and did deliver a great many votes on election day. But the Tolberts paid for whatever political power and patronage they achieved. They were to pay again heavily in the November elections of 1898.

The Tolberts determined to prevent disenfranchisement by legal action. Their plan was to enter Red Tolbert as Republican candidate for representative in the third congressional district. During the campaign he and his brothers Joe and Thomas and their cousin Robert Henderson held meetings for Negroes, often at night in churches — as their opponents put it, in weird places and unholy hours. Acting on the advice of Joseph Weeks Babcock, chairman of the Republican Congressional Campaign Committee, they instructed Negroes to go to the polls and present themselves as voters. If a man was refused permission to vote, he was to fill out a special form which the Tolberts would furnish at the polling place, get it witnessed, and drop it into a box the Tolberts would provide. Three affidavit forms were to be used: one for illiterates, one for those denied registration, and one for registered voters who were not permitted to cast their votes.[5] It was intended that one of the Tolbert faction would be pre-

[3] Martin Abbott, "Bourbon Political Control in South Carolina, 1877-1890 (Unpublished master's thesis, Emory University), pp. 28-29; Alfred B. Williams, *Hampton and his Red Shirts* (Charleston, South Carolina, 1935), p. 446.

[4] James A. Hoyt, *The Phoenix Riot* (Greenwood, South Carolina, 1938), p. 18. Hoyt was a young newspaper reporter assigned to the Phoenix riot in 1898. His is the most complete account yet published.

[5] Hoyt, *op. cit.*, p. 17 quotes one of these affidavits as follows:

sent at each polling place to witness the statement before it was placed in the simulated ballot box. Thus the way would be paved for action on a national scale: either by a Republican-appointed Supreme Court, by an election to be contested before a Republican Congress, or by intervention by the Republican president.

Election week came at a somber time for the people of Phoenix. The earlier part of the year had been so dry that seed had failed to germinate. August rains started early and continued through the autumn, rotting the scanty crops and sprouting the little cotton and corn that matured. The sodden countryside had a dejected air that even the prospective return of South Carolina volunteers from the Spanish-American War did little to cheer. Old people's health gave way.

One of the beloved women of the area, Mary Henderson, lay dying. As was customary in those days of closely knit families, her wake began even before her death. On election eve kinfolk gathered at her house near Phoenix crossroads. Among her relatives were the Tolberts, bound to her by various lines of blood, marriage, and affection.

Mary Henderson died November 7; her son Robert gave up plans to maintain the synthetic Republican ballot box at Lake and Watson's store in Phoenix the next day. Thomas Tolbert, brother of the candidate for Congress, took his place. Thomas, a mild-mannered bachelor, quietly carried his box upstairs over the store and began filling out affidavits. He was there when his Uncle Elias and spinster Aunt Ann passed the store about 8:30 in the morning on their way to prepare Aunt Mary Henderson's funeral. Everything was quiet.[6]

Half an hour later a party came to the polling place from Gaines, about two miles away, and demanded that Tolbert and his unauthorized ballot box be removed from the polling area. This party was led by J. Milton Gaines, recently defeated for Democratic renomination as state senator

State of South Carolina:

This certifies that the undersigned, being over the age of 21, male resident of the voting precinct ..... of Ward ..... and legally qualified to register and vote, therein, did, on this, the 8th day of November, 1898, present himself at the said voting precinct to vote for R. R. Tolbert, the Republican candidate for congress in the Third district of said state, desiring and intending to vote for the said R. R. Tolbert, and upon his attempting to so vote, was denied the right to so vote, and his vote thus offered to the proper officers was rejected.

And the undersigned further states that prior to such attempt to vote, and as required by statute, he had applied for registration under the laws of South Carolina, being entitled to such registration, but had been refused and denied the right to register, and he further states that if he had been permitted to register and to vote at said election he would have voted for R. R. Tolbert, the Republican candidate for congress in said district.

Signed.....

.....

.....

Witnesses

Personally appeared ..... and made oath that the above is correct.

.....

Notary Public

....., S. C.

November 8, 1898

[6] Ann Tolbert wrote two letters, one on November 18 to her cousin Mary Elizabeth Lake Burns, and one on November 21 to her cousin Harriet Lake. In these letters she recounts her own experiences as well as those of Thomas Payne Tolbert during the Phoenix riots. These letters have not previously been made public. The letters are in possession of the author.

but still County Democratic Chairman. Gaines had already warned Thomas Tolbert "it would be better to kill two or three white men and settle the thing than to let the niggers vote and have to kill a whole lot of people later."[7]

Thomas Tolbert picked up his box and went downstairs to see the storekeeper (also a kinsman), who gave Thomas a chair on the piazza. His ballot box, paper, and ink were placed on top of an empty crate. Thus Tom Tolbert was removed from an upstairs room filled with white Democratic election officials and placed out in the open where idle, curious Negroes crowded around to see one another fill out forms and go through a procedure which was intentionally made to look like a regular election. The eviction of Thomas Tolbert from the upstairs room was an error on the part of Gaines that was soon perceived.

After Tolbert had taken affidavits from twenty-two Negroes, he saw two of Gaines's men, two miles from the polling place at which they were judges, J. L. "Bose" Ethridge and Robert Cheatham, pushing their way through the crowd. Ethridge contemptuously kicked over Tolbert's box, ink, and blank forms, then hit him over the head with the box or a stick. His companion bashed Thomas in the head and arms with a stick. Joe Circuit, a massive Negro whom rumor said was about to be appointed a postal clerk by a Tolbert, retaliated with a blow with a metal object, fracturing Ethridge's skull. Shots rang out. A general melee followed, in which shotguns, pistols, and rifles all figured. Tolbert, struck by several shots, was sure that all the firing was done by Gaines's men, on the piazza, upstairs, and across the road. Other witnesses, mostly boys, reported seeing Circuit pull a pistol and fire it at Ethridge.[8] As more and more whites came piling downstairs from the polling place, shooting into the crowd, Negroes, some wounded, fled in all directions. Tolbert careened out. Ethridge lay still on the floor, a bullet hole through his forehead, and his skull smashed.

Down the road at Mary Henderson's house Ann and Elias Tolbert heard the shooting. Looking out, they saw scores of Negroes scurrying by. They stopped a white man who reported their nephew Thomas had been badly shot. Passing through the chaotic village in their buggy, they headed for Elias's house, the first Tolbert place up the road. Thomas had been taken that far by a white man in a buggy and then let off. He started to go in, but mindful of his maiden aunt and of his Uncle Elias's wife and seven small children, he lurched on, bleeding profusely from a punctured lung and numerous shotgun wounds in ear, head, and back. When he reached the Tolbert tanyard a mile north he could go no further. Sam Pressley, grandson of the old ex-slave tanner, came out of his cabin to help Thomas just before Ann and Elias drove up. Elias went on for a doctor while Sam hitched up his wagon and helped Ann load her

[7] Hoyt, *op. cit.*, p. 18.
[8] Columbia *State*, November 9, 1898.

nephew into it. They drove to Aix, the home of John R. Tolbert, and awaited medical assistance.

For a while, Ann, her stricken nephew, and a few house servants were alone in the big house. As soon as telephoned word of the shooting reached other ballot places at which the Tolberts were witnessing affidavits, each secured a doctor and all converged on Aix, first having taken their families to places of safety. Five doctors examined Thomas.

When Ethridge's friends realized that Thomas Tolbert had left the Phoenix store, they set out on his trail, determined to finish him off. Failing to find him at Elias Tolbert's, they ransacked the house, smashing doors, windows, and wardrobes, and strewing women's spare garments about. Then they headed for Aix, some on horseback, some afoot. It was about seven hours after Ethridge's shooting before they got to Aix. There is no telling why they took such a long time; perhaps they had trouble deciding what to do, or perhaps they wanted to be sure of overwhelming force. It took time to arm themselves and nearby stores were soon out of arms and ammunition.

Here is how Ann described their visit:[9]

> It was about 4 or 5 P.M. when there was a knock at the front door. I rose to open it. Seeing an armed mob, I told them I could not open the door. They forced both front and back doors open, entered, pushed me along the hall into the dining room, shut the door & a man crossed my hands & held me captive. The others pressed on to Thomas's bedside. I implored the man holding me to let me go to Thomas. He only urged the others to hurry up & finish Thomas. They had four others to kill before they returned. Will Stallworth, son of H. S. [Hodges Stallworth] was Cap. He said we spared you at Phoenix, but have come to kill you. Thomas said that will be an easy matter. I am almost dying & can say truthfully I never harmed one of you or any one else in my life. Harrison said you can tell us who killed Bose Ethridge. Thomas said I know nothing of his death. Did not know he was shot when I left Phoenix. Thomas said he had always told the truth & would not die telling a lie. Ellison says kill him, if he gets up, he will aid in prosecuting us for trying to kill the Irving boys.[10] Thomas replied that he had had nothing to do with their prosecution. Henry Hutchison urged his being shot immediately. Thomas asked him if he had not always acted on the square with him? He said he had. Then Will Stallworth said we will not shoot a man down.
>
> The door opened & as I passed through to Thomas, Henry Hutchison said Every Republican shall leave this county. No colored people shall live on their land. James Stallworth said you have talked of nothing but Dave Harris' death since he was killed.[11]

Facts of events at the Tolbert house as reported by Ann and by newspapers agree, but the points of view are poles apart. "A few picked men, full of grit went into the house and asked the women questions to find

[9] Ann Tolbert to Hattie Lake, November 21, 1898.
[10] Nothing could be discovered about this incident.
[11] Harris, an eighteen-year-old Negro accused of burning a neighbor's cotton gin had been taken from the sheriff and whipped to death. Columbia *State*, May 26, 1898.

where Tom was," is the way a reporter put it.[12] Ann did not think it took much grit for a band of heavily armed men, several of whom were her kinsmen, to enter a house containing a severely wounded man, his fifty-three-year-old sister, and a few house servants, but it did. The men were dreading mobs of blood-thirsty Negroes. When the whites rode up, there was a small group of Negroes around the house who melted away, but who might burst through the house at any moment.

Ann continues the story:

> Just then bro. John [John R. Tolbert, father of the wounded man] was seen approaching the yard, & a fusilade was fired on him, the frightened horse turned & ran furiously. He received 37 shots in his head and 20 in his back. Stevie, Elias's little boy was with him. He was wounded in several places, but their wounds were not serious & they are getting over them. Bro. John knew nothing of the mob being here, was returning from Bradley where he had voted.[13]

As the wounded horse bolted, Negroes on the road gave way, then closed behind the clattering buggy. The white mob did not pursue, believing that the Negroes were part of a kind of underground militia the Tolberts were rumored to have trained.

About a mile further on, the badly bleeding old man, unable to hold the wounded boy and manage the horse at the same time, lost control and the buggy overturned. A passing Negro carried the boy to a nearby house and John R. Tolbert staggered up the road to the home of another Confederate veteran, a Democrat but an old friend.

The mob left Aix about dark and broke up. Its members had families, and approaching darkness made urgent their safeguarding. Visions of hundreds of murderous blacks led by vengeful Tolberts were in their minds. No one could forget the overwhelming preponderance of Negroes in the neighborhood, or that a corn knife, broad axe, or scythe makes a formidable and silent weapon. Local defense forces were set up around isolated farmhouses and at the crossroad store.

One band of men searching for Tolberts and Negroes had just passed Rehoboth Church, the Tolberts' place of worship, when there was a burst of gunfire from the dark churchyard. M. J. Younger, a merchant from Greenwood, and Cresswell Flemming, a local farmer, were slightly wounded. Private Stuart Miller, a local youth awaiting discharge from his regiment in Columbia, was badly wounded, saved only by his pistol having partially deflected the bullet.[14]

With Thomas Tolbert lying near death at Aix, his uncle bleeding from fifty-seven shotgun pellets, and little Stevie whimpering with pain and fright, the Tolberts acted with moderation and deliberateness, hoping that rioting would go no further. Perhaps the death of Ethridge and the wounding of three Tolberts, three rioters, and an undetermined number

[12] Columbia *State*, November 11, 1898.
[13] Ann Tolbert to Hattie Lake, November 21, 1898.
[14] Columbia *State*, November 9, 1898.

of Negroes would have been the end if Joe Circuit had been among the casualties and if no outsiders had entered the area.

But Circuit was not found, and telephone calls to Greenwood, Edgefield, Abbeville, and Columbia brought men with rifles and the will to use them. Telephones went dead during the night, cut in four places and the wire used for obstructions in the road, an action blamed on the Tolberts.

Early next morning several hundred heavily armed strangers began to stream into the area, determined to kill Tolberts and Negroes. They were a lynch mob, not particular about whom they lynched. Sending to Greenwood for bloodhounds to aid in the search for one or two suspects out of the scores of Negroes present at the riot, they were unlikely to trail anybody successfully.

A more responsible group of about thirty or forty men came from Greenwood that same morning and went to Aix for a meeting with whoever of the Tolberts were there. Ann and Thomas and possibly Thomas Nathaniel (ex-Confederate, brother of John, Elias, and Ann) were there. Ann wrote:

> Mr. McKinny, Capt. [F. S.] Evans, a reporter in from Greenwood. Mr. McK was greatly excited, could not hear a word of our agony from the mob Tuesday afternoon. said they were in great terror . . . the people believed the woods were full of armed col[ored] people. We told them we had seen no armed colored people. All we had seen were running for life. We were assured if we advised the col people to disband, we would be protected. All the people had to leave our place. The col were never armed & were driven from fields & shot indiscriminately. Many were lynched. Before the men left our place, Aix, Wednesday, T's room, the dining room & hall were fired in by the largest balls. They went whizzing through the windows & we would have been killed if we had not been on the other sides of the room. Our cook had to leave & there was no one here but T & I Thursday. The mail came & when I read of the lynchings I fainted & was not able to be up Friday. I am up now . . . If we made a mistake, it was in giving out affidavits, & if we had known there was danger, would not have done it. We surrendered at the polls & since then have been worse treated than Cubans by Spanish.[15]

Harassment continued for many days. At Thomas Nathaniel's house near Abbeville his son Gus (a Democrat) barely escaped injury from shots.[16]

After the Greenwood Peace Committee left Aix, its members went by Rehoboth Church where Private Miller and party had been fired upon the night before. In the churchyard an arguing mob of two or three hundred men held eight or eleven captive Negroes. One, Wade Hampton McKenny, had been wounded at Phoenix store and so, in the eyes of

[15] Ann Tolbert to Mary Burns, November 18, 1898; Ann Tolbert to Hattie Lake, November 21, 1898.
[16] *Ibid.*

some of the mob, was guilty of Ethridge's murder. Ropes were placed around the necks of the Negroes. Some confessed to having fired at Ethridge or at Miller and his friends. Others admitted only to having been at the polls. Twice the Peace Committee quieted the mob; then feelings boiled up again. McKenny, limping from his wound, was led to a log, tied, and shot down. Slug after slug tore into his body. This murder caused some whites to free their captives; white Cleave Armstrong was shot in the neck by a member of the mob for releasing Latimer, and E. C. Rice (brother of the editor of the Columbia *State*) risked his life to save another Negro. But three Negroes, Columbus Jackson, Jesse Williams, and Drayton Watts, were tied and could not escape. They were shot. The four dead men were left lying on the log in front of the church.[17] Rain fell that night and the next while the corpses stiffened. A week later a Negro, George Logan, died of his wounds in a friend's house nearby. There may have been other mortally wounded men among the escapees.

Next day, November 10, hunting continued. In the morning Essex Harrison was caught. Fifteen men marched him to Rehoboth Churchyard. A newspaper reporter had time only to ascertain his name; then Harrison was loosed and fire opened. His heart was cut by a hundred shots as he lay over the four putrifying bodies of the previous evening's slaughter. The persistent reporter discovered that Harrison's guilt was that he had obeyed Tolbert instructions to go to Phoenix on election day.[18]

Later, Ben Collins was seen running on W. H. Stallworth's place, was slain and left lying where he fell. Ben was said to have emptied one pistol at Ethridge and then grabbed for another. Jeff Darling, slain the same evening, was killed for no reason beyond his presence at Phoenix on election day.[19]

Still, Joe Circuit was not captured. At one time a posse of thirty men with Winchester rifles thought they had him cornered, but he escaped their bloodhounds and was not found. Another alleged ringleader, Will White, was wounded but escaped.

The mob continued its brutality. The Negro church was desecrated. Hundreds of Negroes were driven from Tolbert farms and even from big Democratic landowners such as Andrew Stockbridge. Old Tom, tanner on the Tolbert place since slavery times, was beaten about the head and driven off, apparently for the offense of living on the spot to which Thomas Tolbert stumbled after being shot. Wallace Hunter, a quiet old man on Ann's place, had his door broken down, windows and dishes smashed, and provisions destroyed. An act of supreme wantonness occurred when passing night riders fired into the cabin of Eliza Goode, an

[17] Columbia *State*, November 10, 11, 1898; *New York Times*, November 11, 1898; Hoyt, *op. cit.*, pp. 8-11.
[18] *Ibid.*, p. 10.
[19] Columbia *State*, November 11, 1898; *New York Times*, November 11, 1898.

aged Negro widow, as she cared for her invalid daughter. Eliza was struck in the abdomen and soon died.[20]

Expecting further trouble, Tolberts spent the night after election day removing women and children from the embattled area and in making plans. Their Negro tenants and supporters reacted in various ways: some took to the woods, others stayed in their cabins with lights out and doors shut. Still others silently reported to the Tolberts for protection and instructions.

Thomas Tolbert was left with only Ann to protect him; since the mob had passed up one opportunity to finish off this critically wounded man, he would probably not be bothered. Little Stevie was left unguarded. Various Tolberts, including Thomas Nathaniel and his son, stopped by Aix to assure themselves that Thomas was receiving adequate medical treatment. Ann Tolbert looked after her nephew but sent doctors away to keep from drawing attention to the wounded man. Elias Tolbert was allowed by the mob to come and go at will, and he made a conciliatory declaration concerning the shooting. Either Elias Tolbert was not so fully committed to supporting the Negroes as the other Tolberts (he was concerned for the safety of his large family including the injured little boy), or he was misquoted when the newspaper printed strong white supremacy statements attributed to him.[21]

Ann wrote that Thomas cried to think none of the Tolberts could attend the funeral of Mary Henderson, who was so dear to them. Not even Robert Henderson could go. The day after Tolberts were wounded, Red put out a call to his Negro tenants to arm themselves and report to his home near Verdery, about nine miles northwest of Phoenix, near the home of Major White, where John R. Tolbert had been taken. Twenty Negro men voluntarily took part in Tolbert defense, well knowing the consequence to themselves if they had to kill any white men. Red and his brother Joe ("Tieless Joe" of later South Carolina Republican history), two brothers-in-law, Morton Collins and — Napier, and a cousin, probably Robert Henderson, completed the defense force which awaited attack all day November 9.[22]

To save his partisans from the danger of his presence and to permit him to make a direct call on Governor William H. Ellerbe for protection, old John R. decided to go to the state capital, Columbia. Red drove his father and Joe to the lonely whistle stop of Leonard, where at 2 A.M. on November 10 they lighted a fire on the track and halted the train.

Father and son got to Columbia that evening. The old man's wounds had been untended for thirty hours. As soon as they checked in at a hotel, Joe went for a doctor. On the street he was recognized by a soldier from Private Stuart Miller's outfit. Word got around the camp rapidly, and it

[20] Ann Tolbert to Hattie Lake, November 21, 1898.
[21] Columbia *State*, November 15, 1898.
[22] Hoyt, *op. cit.*, p. 17.

looked as if the capital of South Carolina might have a lynching. Lieutenant Wyatt Aikin, a Greenwood County man (later to be Congressman), wise to the ways of mobs and judges, swore out a warrant for the arrest of both Tolberts. The charge was inciting a riot—inappropriate, but enough to get the men arrested.

A newsman, acting faster than the law, went to John R. Tolbert's room for an interview. There he saw the tall, erect, worn old man, cold grey eyes defiant, showing deadly serious determination in the set of the stern, finely chiseled features. John R. Tolbert was armed with pistols, and so was his son. The veteran was prepared to fight it out then and there with the mob or with law officers. His son got him to surrender to the police.[23]

They were taken to the county jail. The United States District Judge and the Tolbert lawyer arranged for movement of John R. and Joe to the state penitentiary, which could more easily be defended against a mob. Federal authorities made certain that the Tolberts would not be moved to the Greenwood County jail for probable lynching. The prison doctor, a college schoolmate of John R. and a Confederate veteran, looked after his friend's wounds.[24]

Joe called upon Governor Ellerbe for protection for the whole Tolbert family. The governor promised all the protection in his power, but he advised against the return of any male Tolbert to the Phoenix area. He alerted the militia for possible duty but did not call it to service.[25]

Greenwood County Sheriff R. F. McCaslin was similarly inactive. The day after Ethridge's death a newsman passing through Greenwood on his way to Phoenix found McCaslin the town's only able-bodied man who had not gone to the scene of the trouble. The newsman remarked thirty years later, "if Negroes were to be killed, it was no place for the sheriff, in that day and times."[26] State and local governments had abandoned any idea of keeping peace.

This inactivity was no surprise to the Tolberts. Their hope was in federal intervention. Long before the election their plan had been to force the McKinley government to intervene. They had not planned violence, but they were prepared to take advantage of it.

Nine hours after his father left, Red Tolbert, escorted by the remaining men of his family and by Negro followers, made his way from his home at Due West to the railway station. There he sent a telegram to the deputy sheriff at Greenville in whom he had justified trust, for after his arrival at Greenville he was guarded through the night until he boarded the Washington train. It was well Red left when he did; a mob was preparing to assault his home when it found he was beyond their reach in

[23] Columbia *State*, November 11, 1898; *New York Times*, November 12, 1898.
[24] *Ibid.*
[25] *New York Times*, November 17, 1898.
[26] Hoyt, *op. cit.*, p. 6.

Greenville. Robert Henderson probably went with Red.[27]

Red arrived in Washington, D. C., November 11. He and the Solicitor General called on President McKinley.[28] This was at a time when the peace treaty with Spain was at a delicate point; yet the President not only received Red Tolbert but also took up Red's problem with his cabinet.

Federal intervention in local elections had been urged for years by men such as Henry Cabot Lodge, who regularly pressed for force bills to support use of the army to secure the rights of Negroes and a resumption of Republican power in the South. Seven months before the Phoenix riots, the Supreme Court had ruled a new Mississippi constitution legal because its voting qualifications had not been proved necessarily discriminatory on account of race, if fairly administered.[29] A similar ruling could have been expected on the South Carolina constitution of 1895, but in Phoenix not only had Negroes been denied the right to vote, they were being lynched without the feeblest objection by law enforcement agents. Local and state authorities had failed to secure life, liberty, and property and had thereby deprived citizens of equal protection of the law. The Fourteenth Amendment had been violated in clear, unmistakable and provable incidents.

But President McKinley also had to consider an increasing acceptance all over the country of the belief that Negroes were destined to remain at the bottom of society because of innate mental and moral deficiencies. In the North as well as in the South, postwar idealism had fallen before the idea that white men were and should remain supreme. It was easy to make a case against the Tolberts as a last remnant of the scalawag and carpetbagger heritage, intent upon using the votes of Negroes for their personal benefit; there would be little value in assuring Negroes their votes if the votes would fall into the hands of a self-seeking family clique; there would be nothing morally worth fighting for if the votes of Negroes were for sale to the highest bidder.

On the other hand, it would not do to alienate the one able white group in South Carolina which controlled Republican National Convention votes, nor would it be wise for the Republican Party to lose its national position as the friend of Negroes. Neither would it be wise to allow the national government to appear completely without interest or power when its citizens were being terrorized.

Red Tolbert was thus able to see the President and tell him the story of the riots. McKinley's ambition was to make his Administration an era of good feeling. He was even then planning a trip to the South to emphasize the unity of the country. A month after the Phoenix riots he made this trip, and it was a resounding success, with McKinley wearing symbolic

[27] Columbia *State*, November 11, 1898.
[28] *New York Times*, November 12, 1898; Columbia *State*, November 12, 1898.
[29] Williams v Mississippi, 13 U. S. Reports, 170.

grey cloth on his lapels as he greeted old Confederates in Atlanta.

Red Tolbert was turned over to the Attorney General. The Attorney General telegraphed messages to United States attorneys and marshals in South Carolina, who replied from their offices far from the scene of the riots, and nothing was done.[30]

The sole legal step taken was the trial in Federal Court of fifteen men for driving James Tolbert, a postal clerk, out of his job and house at McCormick, twenty miles south of Phoenix. It took a local jury nineteen minutes to free these men.[31] When Red Tolbert contested A. C. Latimer's election to the United States House of Representatives, his case received only the most perfunctory attention and his evidence was not included among the printed documents with other challenges.[32]

The lesson was clear: Tolberts and Negroes could get no protection from state and local officials, and no help from the national government.

Seen from almost seventy years later, the Phoenix riots mark a turning point in history. White supremacy became a legal as well as an economic and social reality. When courts released coercive mobs, when the President failed to act, and when Congress failed to investigate the election, a chance was lost for the development of a real Republican Party in South Carolina, as well as in the rest of the South. The Tillman constitution of 1895 was clearly discriminatory and should at least have been challenged in federal courts. Instead, it and similar constitutions in Mississippi and elsewhere were fastened on the South, perpetuating the alliance between astute, conservative white leaders and backward, illiterate white followers.

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[30] The records of the Department of Justice in the National Archives contain eleven telegrams and two letters to or from the Attorney General, United States Attorney for South Carolina, his assistants, and the United States Marshal and his depuy, in Year File 17743-1898, Current Nos. 18172, 18338, 18498, Instruction Book 104, pp. 389-391 and Book 105, pp. 101-102. Nobody went to the scene of the difficulties until November 14, when the Assistant Marshal went to John R. Tolbert's home and found all quiet.

[31] Columbia *State*, November 12, 1898; *New York Times*, November 17, 1898.

[32] Listed in *Catalogue of the Public Documents of the Fifty-Sixth Congress and of the Government of the United States from July 1, 1899, to June 30, 1901*, Washington, 1903, p. 218, and House Document 23, 56th Congress, First Session, Washington, 1903.