

## The Governor and the Mob

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On the eighth day of January the grand jury of Calloway County was convened in Murray and a thousand or more citizens from out in the Black Patch, so called because of the famous black tobacco it produces, rode into the city to watch the wheels of justice turn round. Martin was promptly indicted and his case was immediately docketed for trial the next day. However, by means of a technicality peculiar to Kentucky State law, Martin's attorney, J. P. Holt, obtained a continuance, for he knew it would never do to try him the next day, for the chances were a thousand to one that any jury from the Black Patch tobacco country would convict his client, and that if such a thing as an acquittal should happen, Lube Martin would never get away from the courthouse yard alive.

So when in the morning the thousand interested citizens came into Murray to see the wheels of justice grind, they were greeted upon opening of court by the official announcement that the trial of Lube Martin had been postponed to the next term of court since his attorney had obtained a continuance, and that by order of Judge Charles H. Bush the prisoner had been taken to Hopkinsville to be placed in the jail of Christian County.

When announcement of the continuance was made, with the added statement that the Negro had been taken out of the county, pandemonium broke loose. Immediately the solid citizens became a mob. They followed the judge to the hotel where he had gone after the court had adjourned. They filled the block, and low murmurings of dissatisfaction were frequently punctuated with angry cries of "Give us the nigger." Loud-mouthed citizens walked back and forth, inciting the crowd to further agitation.

Noses were pressed against the plate glass front of the New Murray Hotel, and when the door was opened the cry "Give us the nigger" became louder. Then the crowd entered the office and surged up the stairs.

Judge Bush sent word to the mob several times that he would never order the Negro brought back; that he would die first; and every such communication incensed the mob still further, and they shouted that they would hang the judge.

Witnesses have said the mob members had blood in their eyes and that they had no doubt Judge Bush would have been hanged if he had not ordered the Negro back. Anyway, the judge did order the Negro back. When he did so he left the hotel and walked a block away to a bank, and the mob followed him into the bank. They watched him an hour or so, to make sure that he had not played them false. Then when they made sure the order had been given for the Negro's return, they went back into the country, saying they would return the next morning when the Negro was due. And it was at 8 o'clock that night that an anonymous law-abiding citizen (who was afraid to telephone from Murray) telephoned from Paris, Tennessee, to Governor Stanley, at the Seelbach Hotel in Louisville, telling him he believed the Negro would be lynched the next morning, for he was being brought back from Hopkinsville. After a conference with several state officials who were in his

room at the time, a course of procedure to save the State of Kentucky from the degradation of another lynching was agreed on.

Governor Stanley immediately called up the New Murray Hotel and asked to speak to Judge Bush. Whoever it was that answered replied that he was Judge Bush, and said, "Yes, I issued an order for the return of the Negro to Murray. I was compelled to do so to save my own life, the mob having threatened to blow me up with a bomb if I did not comply with its request." Judge Bush now denies having made such a statement to the Governor or anybody else, or having talked with the Governor at all, but admits ordering the Negro back to Murray at the command of the mob.

The state militia being on the Mexican border could not be sent to Murray. Neither could a company be hastily organized in Louisville, because there was no equipment nearer than the state arsenal, at Frankfort. All that could be done was for the Governor to keep the Negro away from Murray (which he did by countermanding the judge's order that he be brought back), then go and face the mob and, by the strength of his own manhood and the majesty of the office he held, send its members back home cowed and ashamed. And that was what he did.

When the Governor reached Murray he found that excitement had been so high that most of the stores had remained open all night. He visited many of them, amazing some of the citizens by telling them that the Negro certainly would not be returned to Murray, and that he intended to face the mob himself in a few hours. Then he went to the hotel, held a conference with Judge Bush, Smith and a few others, and sent out invitations to all who might be in Murray at 9 o'clock to meet him at the courthouse. Many of Murray's leading citizens were there, but the house was mainly filled with men from the Black Patch who had come back to be present when the Negro was returned and perhaps to have a little fun, and who had gone inside "just to see the face" of the Governor who had dared oppose them.

Governor Stanley did not mince his words. He began by telling them that courthouses and reverence for law and order marked the one difference between savage and civilized communities. In the very second sentence he said: "If a man murders my brother, or my son, and I, after having had time to deliberate, arm myself with a deadly weapon and pursue and kill him, I, too, am a murderer, just as guilty in the eyes of the law as the wretch I slew; and if, lacking the courage to do the deed alone, I associate with me a thousand men, each of those men who participates in such deed is a wilful murderer."

The Governor was not applauded, but such expressions as "God, but he's nery," and "Good God, but that man's got guts" were heard. The Governor spoke about twenty minutes, and concluded as follows:

"The Circuit Judge and the Commonwealth's Attorney at your behest agreed to produce at this hour the body of the accused. I countermanded that order, and I directed the sheriff of McCracken County to hold that prisoner in Paducah and to protect him from violence at all hazards until I was assured that he could and would receive a fair and impartial trial without the possibility of intimidation of the court or violence to the prisoner. The Commonwealth's Attorney and the Judge have acted in good faith with you and but for

my order this prisoner would have been here at this hour.

"I, and I alone, am responsible. I am here without troops, without police protection, practically alone, absolutely unarmed, but I am hedged about by that which is stronger than a cordon of bayonets—the majesty of the law. I am here as the chief magistrate of this commonwealth in the discharge of a sacred duty, and for one I do not fear that any man within the sound of my voice is so lost to every sense of justice and decency as to attempt to force me to choose now between death and dishonor.

"This County of Calloway has been noted for its churches, for its schools, for its respect for law and order and religion. No county in this state has a greater number of citizens owning their own homes. I cannot believe that men, that householders, Christians, men who believe that murder is a crime and that courts are sacred, will do the things that I am told you have threatened to do."

When the Governor concluded one long, lean and hungry looking woodsman rose and shouted at the top of his voice, "Say, Guv, you've got the guts; I'm fer you." This seemed to be a cue, and practically every member of the audience went forward and shook the Governor by the hand.

The Commonwealth Attorney, the Judge, the Governor and Lube Martin's attorney then held a conference and agreed that the trial would be held February 5. Later, it was discovered that Judge Bush must be in Trigg County on that date, and the trial was set for February 19.

Judge Bush now denies that he ordered the Negro back to deliver him into the hands of the mob. His conduct is approved by the citizens of Murray. Twenty-five of them, including the postmaster, county officials and other men and women of the very highest standing, have signed a paper giving him a clean bill of health.

Kentucky is one of the states where the Ku-Klux flourished. Kentucky crushed the Ku-Klux. Governor Stanley has announced that every member of a mob can be punished under the old Ku-Klux statute. Commonwealth Attorney Smith has not announced that he will attempt to punish the gangsters under the Ku-Klux statute or any other statute, and Judge Bush has not instructed him to do so. Citizens of Murray do not approve of the actions of the would-be lynchers. They are ashamed of the thousand who strove for Lube Martin's life and proud of the Governor who saved it. And they are wondering whether the Judge and the Commonwealth Attorney whom they elected last summer will do anything, or attempt to do anything, to wipe out this last foul stain upon the name of Kentucky.

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