Perry Bush:

Thank you all for coming. It's delightful to be here, and it's real honor to win this award, so I'm very grateful. Thank you also for your willingness to flex. I was going to give this in October, and I came down with COVID, and I tell you what. I mean, we have been vaccinated and boosted, and then we got it. So there are just nasty new bugs going around, and you all be careful. I mean, there are worse flus, but it just wipes you out. So I'm grateful that I could come and do this.

Lima was shaken in the late 19th, early 20th century, by two different incidents of racial violence. On one hand it didn't render the city especially unique, lynchings were not uncommon in these years, and neither were they uncommon in the American Midwest. One scholar counted 28 lynchings in Ohio between 1856 and 1932, 45 in Illinois in the same years, and 66 in Indiana in the same period.

And these clearly, these incidents of racial violence were clearly surface manifestations of Gilded Era racism, like the cultural tectonic plates beneath beneath the nation's political, cultural surface. The same forces produced the legal structures of Jim Crow segregation, which of course was de jure in the South, but de facto in practice here, across much of the North. And that relegated people of color to a secondary, and clearly a subordinate place in American life. And you can read the first, this article actually looked at two different of these racial explosions, the Election Day riot of 1888, and then this other, attempted lynchings in 1916. And you could read both those as evidence of this new Gilded Age racism.

I'm going to focus on the second, just for reasons of time, and I'm going to watch my time, and try to get this all in, in the next 35, 40 minutes. Right?

Perry Bush:

Because the attempted lynchings in Lima, in late August of 1916, sent the city's history down a different channel, and really I think, were remarkable development in the history of lynching and on race relations here in Ohio. They seem to have proceeded on the usual kind of depressing channels, with a hate-filled mob, a perceived sexual assault, a hate-filled mob screaming for the blood of the offender, and authorities initially at least too cowed or overpowered to intervene. But at that point, this story of this lynching, these attempted lynchings, deviate from the nightmarish collusion that usually happened elsewhere. No lynchings occurred. Courts and prosecutors swung into motion, and packed the ringleaders of the mob off to prison. And the events of that night became a critical turning point, because those are the last attempted lynchings in the history of the state of Ohio. And what I'll argue is that the story of that August night in Lima, and subsequent developments that cemented the rule of law in the state, suggest that Lima itself might stand as a more hopeful beacon in the bleak landscape of American racism.

So what I did first when I tackled this is, I did what any historian does, and that is I had to contextualize it. And I had to survey the historiography, which was new to me, because I hadn't written on this before, right? I'd done a lot of work, actually, on Mennonites. I teach at Bluffton. And it's remarkable, I mean, it's depressing reading, but it's remarkably, it's fascinating reading. And there's been just a renewal in the historiography since about 1990, and a whole lot of new work done, of lynchings of

Mexican-Americans in the West and Southwest, of Latino Asian, and working class whites, by Western vigilante mobs, and of white and African-American victims across the Midwest. And a lot of new work has been done on the victims of lynching, victims of lynchings, and the scholarly sifting of the very subcultures out of which that work emerged, those lynchings emerged.

I find, I myself was really drawn to the work of a major scholar of lynching named Michael Pfeifer, who teaches at CCNY in the School of Criminal Justice. And this is his argument, that I thought was so helpful, in helping me unlock what happened in Lima. He argues that the rule of law only triumphed after a long struggle between two different contending groups of political-cultural combatants. And the one group he calls the due process group, and these were emerging new advocates, a group of what he calls "lawyers, entrepreneurs, clergy, and some editors, propelled by new humanitarian commitments and an inclination towards social engineering." Some of them moved towards an understanding of the rule of law that had no place for capital punishment. Others sanctioned the death penalty as a solution for the problem of social evil identified by their opponents. But the death penalty, they said, had to be practiced in a private state-administered sphere. And it was the embrace of the death penalty by these due process advocates, Piper suggests, that became key to their final victory.

Now, they were opposed, Pfeifer argues, by a group he calls rough justice advocates. And these were usually, he said, "Rural or working class orientation, or members of an urban petty mercantile group. They had little patience with these new emerging notions of criminal justice, that were so deliberative, ostensibly impersonal, and neutral," I'm quoting Pfeifer, "and so careful to safeguard the rights of defendants. Rough justice advocates preferred an older kind of ritualized, community-based punishment," unquote, that was practiced personally, with a measure of retribution that matched the offense, and that maintained what they saw as traditional community hierarchies. And it demanded more immediate punishment for especially heinous crimes, which from the advocates of rough justice, were the killing of whites by African Americans, the murders of women or officers of the law, or especially sexual assaults of white women by Black men. That was the ultimate evil.

And in those kind of instances, the rough justice advocates said that, "We can't mess with complicated court proceedings and we just simply have to lynch the offender," and moreover, they were done in what Pfeifer calls, "performative ways, to show that the weak state was incapable of enforcing community standards so they had to do it, and they had to do it in a very public, performative way." So these were often enacted in front of hundreds or sometimes thousands of spectators, and they had kind of clear ritualistic dimensions. "They happened so ritualistically," says the historian Joe Williamson, "it's almost like the lynchers had been sent to lynching school. Of the hundreds of African American men lynched annually across the 1890s South, of course were done for perceived sexual violations of white women, and they were commonly castrated before they were killed."

And then also, Pfeifer argues that real battleground between the rule of law advocates and the rough justice advocates, wasn't so much in the Gilded Age South as it was. First of all, he says that he roots it deeply in Antebellum America, and by the Gilded

Age, he said this central showdown between the rule of law crowd and the rough justice crowd, especially employed in the American Midwest. In the Gilded Age.

All right, so what I want to do is, I want to talk about the American Midwest, and I want to set the context for what happened in Lima. All right? The origins of the attempted lynchings in Lima, in 1916, lay in some wider developments. In this case, both the intensification, both of racism, and of the resulting racial violence that swept the country in the latter part of the 19th century. And secondly, the origins of what happened in Lima were also integrally linked to national ways in which African Americans began to resist and fight back to these developments. And I can't talk about Lima without laying down this larger backdrop. We historians, we give the context.

And so first of all, it's important to at least wrap our heads briefly around a new, virulent form of radical racism that permeated the country, that was expressed most violently in the South, where new post-war politicians like Benjamin Tillman, Rebecca Felton and Thomas Watson rode it to intellectual and political power. But it was given theoretical backing, not just by Southern white racists, but by Northern ones. Harvard intellectuals like Nathan Shaler, right? Or the writer and minister, and writer and later movie director named Thomas Dixon, whose novels The Clansman and The Leopard's Spots won immense popular appeal. And The Clansman, of course, was later made into really one of the landmark, I guess, landmark movies in the history of American filmmaking, right? The Birth of a Nation, which I guess in terms of filmmaking, was like the first three-hour feature-length film. But also, you know, hero-ized the Ku Klux Klan as the great champions and defender of white womanhood, against what was historians called the Black beast rapist. I mean, this is ugly stuff, but I'm going to just proceed.

And that was of course the fuel for what became explosive race riots in places like Wilmington, North Carolina in 1898, and Atlanta in 1906. And that was this fuel for the massive acceleration of lynchings that began to occur in the latter 19th century. African-Americans responded to these racial pogroms in the same manner that other oppressed groups have done throughout history. They left. There's the Great Migration, the movement of rural African-Americans from the rural South to the urban North, was due to a number of complex reasons. Historians point to a series of factors like the slow mechanization of Southern agriculture, the collapse of the Southern cotton prices in the wake of the boll weevil infestation, and the pull of jobs in Northern industries that accelerated with World War I. But historian William Tuttle has also found a net exodus of Southern African-American migrants from communities that had recently suffered horrific lynchings.

As African-Americans left the South, they especially tended to settle in northern cities. By 1910, David Gerber points out, "74% of Ohio's 110,000 African-American citizens lived in cities, almost half of them in the state's seven largest urban areas." White Ohioans responded to the incoming Black migrants in a manner similar to white Southerners, with exclusion and violence. The historian William Griffon has documented how de facto segregation accelerated across Ohio, right about the time of World War I. This had long been the practice in the old Southern Butternut regions of Southern Ohio. But the new intensification of Jim Crow across Ohio, the Butternut regions had always been hostile to African-Americans. But the new intensification of racism occurred in the old Western Reserve of Northeastern Ohio, through the Gilded Age. And there's been

fascinating work, Kenneth Kusmer's book on Black Cleveland, among others, documented how for a generation after the Civil War, Cleveland remained a relative oasis of more just race relations, and resistance to Jim Crow, in what became just really a Jim Crow country.

But that resistance in Cleveland vanished around the time of World War I. Jim Crow settled in, even in the old Northwest, excuse me, the old Western Reserve. Segregation of public accommodations and housing was already accelerating in Cleveland, laying the foundation for the growth of the city's Black ghetto that mushroomed after about 1915. And this was shared widespread, across the state, in the proposed... We know that the Ohio State Constitution, in 1912, underwent dramatic revision. I think, what, there were 53 amendments that were put before the voters, if I have this right. And one of them was to remove the word white from in front of the word voter. And voters decisively rejected that attempt. So voting in Ohio, the word white was in front of the word voter. Now the passage of the 14th Amendment in the Constitution, in 1867, gave Black men the right to vote. But even after that change, voters in Ohio refused to remove the word white from in front of the word voter. And couples, interracial couples, could expect increasing harassment or fines across the state.

And this popular racism soon found expression in violence across Ohio. The scholar Jack Blocker found that it was white fears of the hyper-sexualized Black male that drove them mob violence that largely decimated the small African-American community of Springfield, Ohio, in 1904 and 1906. And then it was at that point where racial lynchings began to accelerate. Pfeifer actually has cataloged these in the American West, he's got a state-by-state summary. So lynchings had long happened here in the Midwest. From 1857 to 1887, in those 30 years, mobs had put to death 17 people for murder, rape, and other rough justice violations of community norms, in Ohio. And 10 of those 17 victims had been white, including three not far away from Lima in Kenton and Columbus Grove, Ohio. Columbus Grove is about, I don't know, 10 miles west of Bluffton, in 1891. And then in Philo, Ohio in 1892.

But in 1892, a mob consisting of some of the leading citizens of the university town of Oxford, Ohio, broke into the town jail to seize and hang an African-American man accused of murdering a local white woman. And that began what one scholar called, "an epidemic of lynchings of Black men, five more over the next dozen years." On one hand, they appeared to replicate Southern patterns, with authorities taking little action against the mobs, and local newspapers immediately assuming the guilt of the accused. But the egregious nature of those assaults finally moved the state into action. Prodded in part by a courageous and crusading newspaper editor, and state representative from Cleveland, named Harry C. Smith. And Smith began working on Governor McKinley, and McKinley with an eye on perhaps the growing power of the Black vote that began to accelerate also with the Great Migration, proposed and signed into law an anti-lynching bill that made it easier for a lynch mob's relatives to sue the county where the lynching occurred. And was one scholar called it, "the most comprehensive measure against mob anywhere, up to that time."

But it was soon proved, in Ohio, a paper law that wasn't enforced. As the subsequent lynchings then proved. But nonetheless, it's evidence that African-Americans, of course, were beginning to fight back, and take to the courts and to do what they could to stop

this tide of lynchings. One, of course, courageous and central leader in the African-American struggle against lynchings, was Ida B. Wells. And she had pulled together several national organizations to expose the horror of lynching. And also, a new organization emerged in 1909, under the guidance of the leading African-American intellectual W.E.B. Du Bois. Sparked by a horrific out breaking of lynchings and mob violence in 1909, in Lincoln's hometown of Springfield, Illinois, the NAACP was formed. As a direct response to this increasing tide of lynchings, and began pushing for African-American civil rights on a number of fronts, including legal remedies, and added its voice to the campaign against lynching.

All right, I will come back now to Lima. I don't have time to kind of situate Lima. I'll simply say that by 1916, it had further boomed, thanks to the oil boom that of course had started in Lima. Benjamin Siefer wrote, the story was drilling for water for strawboard factories, hoping to hit natural gas, and he saw what was happening in Findlay with its natural gas boom. And he hit oil, right? And from 1885 to 1901 when Single Top blew, of course this whole region, Bowling Green. All you got to do is look at the photos there, at the Bowling Green Meijer, on the wall, and you know this is the center of the world's great oil industry.

And Lima was booming. It was booming because of oil, it was booming because of train production, and especially locomotive production in the Lima Locomotive works. It had, by 1916, a small and vibrant African-American community whose lives were marked by the strictures of de facto Jim Crow. They were not welcome in the city's hotels. They were not welcome, only in certain theaters. But by 1910, nearly a thousand African Americans called Lima home. And by 1921, I found one source that suggests about 90% of Lima's African Americans, owned their own homes. So there was a small but growing, vibrant Black community in Lima. It's public safety and legal establishment in 1916 remained in the hands of Democrats, including a county prosecutor named William Barr, and a widely respected judge of the common police court named William Klinger, and its sheriff was Sherman Eley.

Eley lived, along with his wife Hazel and three small children, in the county jail, which back then, was right next to courthouse. And his three-year-old daughter Doris, accompanied by her older brother, Albert, would toddle into the courtrooms, and charm the courthouse crowd. Eley was a tough guy. Eley came to power because he opposed the saloons. And of course, in 1895, the Prohibition movement had been reinvigorated by their adaptation of a new technique, local option, that allowed local counties to hold referendums to vote themselves dry. And Ohio passed a local option law in 1908, and by 1906, wrote one historian, "except for metropolitan counties in areas with large German populations," wrote that historian, "58 of the state's 88 counties have voted themselves dry." Now, that was not Allen County. A local option campaign had been defeated, and Eley was coming on hard against the saloons. And it had really raised the ire of the saloon crowd.

But again, what was going on in Lima as it was elsewhere, was just the new radical racism that took the country, of course was raising its head across Ohio. Governor Frank Willis, in 1916, had banned the blockbuster and viciously racist film The Birth of a Nation from playing in Ohio theaters. They weren't allowed to play it. But other viciously racist films did appear across the state, and of course it was in May of 1916 in which an

African-American farmhand named Jesse Washington, in Waco, Texas, was accused of murdering a local farm wife. And a mob grabbed Washington from his trial, castrated him, dragged him through the streets of Waco, Texas, behind an automobile. And burned him alive in front of an open fire. And the local schools had dismissed high schools for the day, so thousands of teenagers could watch this. So that's May of 1916.

In the early morning of August 30th, 1916, Vivian Baber, a 23-year-old mother, went to answer a knock on the door of her farmhouse on the Spencerville Road about four miles west of Lima. Her husband had left her work, she expected to see her brother, and she encountered a Negro waiting on the steps. He asked her for some breakfast, she says, "I only have a little bit of bread, it's for the baby." And in fact, what happens is that he sexually assaulted her. Her screams aroused the other occupant of the house, an aging boarder woman, who ran into the kitchen, found Baber struggling, sat on him with a broom handle, and then opened the door and let in the Baber bulldog. And the assailant broke off the assault, and ran out in the fields. The woman, Elizabeth Kelly, called neighbors, including Melvin Dixon, Baber's father, at his home a quarter mile away. Dixon found his daughter covered in blood, and semi-conscious. Dixon and his neighbors quickly pulled together a makeshift posse of area farmers who began, armed with rifles and shotguns, combing the countryside for Baber's attacker.

Sheriff Eley arrived and soon had a suspect in custody. He found a local African-American man, a hobo who had just arrived in town on the train. And he admitted he had been near the Baber farm that morning, so he had nothing to do with what happened to Baber, but the scratches on his chest and arms, and the tear in his blouse that seemed to corroborate the account that Eley had heard from Baber. And his name was Charles Daniels. Let's always say their names. Charles Daniels said he was innocent, but Eley, with Daniels in tow, went around that morning collecting evidence. Found a print from a boot heel that he thought matched Daniels' foot. Several neighbors identified Daniels as the person who had begged them for food that morning. The two then proceeded to the city hospital where Baber, then semi-conscious with a fractured skull and broken jaw, thought that Daniels was her attacker.

By late afternoon, Eley had Daniels back in the county jail, downtown Lima next to the courthouse, and charged him with, quote, "having committed rape upon Mrs. Vivian Baber." But by late afternoon, Eley began to have second thoughts, and he began to hear rumors in the community about a mob that was forming. And so about 6:00 PM, Eley took Daniels back out of the jail. And Daniels knew, he feared the worst. Daniels knew what happened to Black men accused of raping white women in America. And he told Eley, he said, "I think you men are going to kill me." And Eley said, "No, no. We wouldn't do that." Eley took him to the home of County Prosecutor Ortha Barr, and Barr and Eley said, "We got to get him out of here." And they drove them to Ottawa, the county seat of Putnam County, and lodged him in the Ottawa jail.

And then Eley got back in his car, and drove back to Lima, and back to his home at the county, at the jail. He arrived at 9:30 PM. Well, all the time that Eley was gone, a mob had gathered in front of the courthouse and the jail, screaming for Daniels' blood. And by 6:00 PM, there was about a thousand people there. The one local news newspaper said, in the end, it was close to 5,000. And by eight o'clock they moved to the jail and they ransacked it. Screaming for Daniels, and then for Eley. They roughed up Hazel

Eley, smacked around her sister. And at one point, one of the mobsters grabbed Doris Eley, three-year-old Doris, who was sick in bed with a fever. And said, "We'll hold her hostage until you tell me where Eley is."

So Eley then, not knowing any of this, comes back through the back door, back in the jail. And he sees the mob, and it's clear what they're there for. And he said, they told him that, and quote, "unless I gave up the Negro, they would take me in his place." Unquote. Eley made a break out the back door, and he got his far as the Elks Lodge, which is right down on West Street, still stands, down in Lima, Ohio. But the mob found him, they pried his fingers from the railing, they dragged them back down the street to the courthouse, beating him all the way. And they were motivated by Eley breaking up that prize fight, a year before, motivated by the saloon crowd. And there said, "We're going to lynch you unless you tell us where you put Daniels."

And at one point a streetcar was coming down the street, and couldn't get through the crowd. One guy, later identified as William Hall, got up on the roof of the streetcar, took the rope off the streetcar, they tied it around Eley's neck, and began to lynch him. At that point, I mean, that's an incredible story. Prosecutor Barr, who had been in the crowd with detectives, taking notes, identifying people. Barr got to Eley. My sense is he's on his tiptoes, and the rope is starting to lift him high-wards. And he said, "Would you reason? Would you reason?" And at that point, Eley said, "Okay, he's in the Ottawa County jail." The mob let Eley down. They tied him a spreadeagled to the roof of a creamery truck, and about a thousand mobsters got in their Model Ts, I mean, that must have been amazing, and they raced off in the summer night towards Ottawa.

But Barr also got on the phone, and called the authorities in Ottawa, and long before the mob arrived in Ottawa, they had Daniels safely in Toledo. At one point, the creamery truck with Eley spreadeagled on the hood, roped down. They stuffed him into the trunk of another car, he was vomiting and slipping in and out of consciousness, they'd been beating him the whole time. But he was also, there were a thousand, there were what? Hundreds of Lima police, breaking for Ottawa. I mean, at one point the mob violence was so intense that the Lima Fire Department tried to get a fire truck through to rescue Eley. And the mob said that, "If you try to drive us back with water," they were going to shoot them, hose them down, "we'll slash the hoses." And they slashed the fire department truck, the truck tires. I mean, this was... Anyway.

In Ottawa, the mob headed straight for the jail. At one point they let loose of Eley, and a local citizen pulled him into the hotel. And the Lima police were in the hotel. They spirited Eley out the back door into a Lima police car, while Lima police held off the mob at the front door of the hotel. They got him to a local house at the countryside and they called for a doctor. All right, that's the attempted lynching of August 30th, 1916.

The next day, stories of that event were on the front page of the New York Times, and mob violence reigned supreme in Lima for the next three days. The response of the Black community of Lima was fascinating. Three days after the riot, three prominent African-American leaders, two ministers and a local doctor, Dr. J.C. Bradfield, issued a joint statement on behalf of the city's Black residents. And you can't read this, but I'll give you the gist of it. They said, they admitted that, quote, "an act of violence had been perpetrated in our community by a stranger who happened to be a member of our race." But they suddenly reminded the white community of the larger context of Jim Crow, out

of which the lynching had occurred. "We colored people," reads this statement, have longed for the day when we might be able to meet strange Negroes and place them in proper environments."

By the 1930s, Lima had its own little Green Book, because of course people of color couldn't stay in any old house. But even as their churches and best citizens read this statement, welcomed strangers. They could always eliminate "undesirables", quote, unquote, who sometimes arrived in town. Quote, "We abhor, despise and regret that such inhuman crimes have committed in our midst." But they pled, they said, "with the intelligent and thinking people of Lima to see Lima's permanent Negro residents in proper and just light. Lima has always been kind and fair, and impartial in her courts." It reads here. "We did not ask for leniency, but did hope," quote, "for the fair-minded and just law enforcement that has always been exercised in Allen County." Unquote. They were pleading for the law.

Well, for the next three days, the mob ran the streets of Lima. And what they clearly were trying to do was stimulate a race riot that they could use to drive the Black community out of town. And the state militia commander, commander of the state militia, arrived in Lima and told the mob still gathered in front of the courthouse that, "I've got four company of militia nearby at Camp Perry, and they can be in the city in an hour, if you try it." And the Cleveland Gazette, which is a Black newspaper edited by Harry Smith, reported that many long-time Black residents were, quote, "in conditions bordering on terror." Local officials wanted them to stay off the streets, and any African-Americans who ventured downtown could expect to be threatened or assaulted. And by the day after the riot, a full fifth of Lima's Black community had left. They were threatened. With good reason.

Well, then the blow that ended the mob violence, was the death of Doris Eley. And her last words were, "Mama, don't let them get me." And apparently, that was read aloud to the mob. And then, in the words of one newspaper, quote, "they bared their heads and slunk quietly away." The mob vanished, and then, Eley appeared three days later at his daughter's funeral with 75 armed policemen. Bruised and battered, and walking with a cane. And the county prosecutor moved fast. Within a week after the riot, Ortha Barr had 15 of the mob's ringleaders under arrest, and were preparing indictments for the others. And Eley himself went around issuing arrest warrants.

So I'm going to jump ahead to the trial and the fate, and I'll try to make some, the fate of the rioters, the fate of Charles Daniels and the fate of the other participants. Daniels was given a short trial, packed by the way, so going in this with members of the Lima African-American community. The accounts of Daniels' trial were laced in really ugly racism. I don't know, it's sad, I'm not going to give you any quotes. But even these newspapers had to admit that Daniels was an impressive witness.

And the other thing that happened was Eley, Sheriff Eley brought Daniels back into town in the middle of the night, along with two other African-Americans. And they went to the hospital where Baber was lying, now more conscious. And they tried, they wanted to see if Baber could identify Daniels out of this police lineup. And she insisted that the guy who had attacked her wasn't Daniels, it was this other guy, who actually had been in jail for months. And so Eley began to harbor doubts, he didn't think that Daniels was

the culprit. Nonetheless, in the pressure and public face of the trial, Baber identified Daniels, and he was sentenced from, in the state pen at Columbus for three to 20 years.

And then, the rioters came to trial, with the principal witness as Sheriff Eley. And then, I guess it was a dramatic thing. At one point, Eley was describing the three different times he thought they were going to kill him. He thought for sure he was going to die in Ottawa. At one point, he just started to cry, and the judge brought the hammer down. Now he didn't want to try, I guess, 35 rioters. He identified the ringleaders. The people he thought played lesser roles, he allowed them to make a public apology. But the ringleaders six ringleaders, he sent off to Mansfield.

And then, the voters had a chance to weigh in on this, because Eley and Barr were up for reelection in November. Barr was defeated, but Eley was reelected by a vote, about a 54% margin. In other words, in the end, the voters of Allen County came down on the rule of law. The new prosecutor, John L. Cable, was just as vigorous a prosecutor, and they packed these guys off to prison, the rioters.

All right, so what does this all mean? Vivian Baber gave birth to a healthy daughter five months after her assault, and would go on to have eight more children with her husband, John Baber, before her death in Lima at age 91, in 1973. Charles Daniels served 14 years in the state pen, was released in 1932, I think, or '33. Vanished. But Anna Selfridge, down at the museum, found some obituaries for a Black man named Charles Daniels. And he was probably one of them. We don't know why he died, but you're a Black con in the depths of the Great Depression? Probably poverty, hunger.

Sherman Eley declined to run for reelection in 1918. Maybe the trauma of 1916 played a part. He taught school in the rural one-room schools of the county until 1938, when he retired and finally died in 1958, at his home in Lima at the age of 78. All right, so what sense do we make of this? Well, arguably, what I ended up doing was situating what happened here in the larger history of the death penalty.

The death penalty was up for reconsideration by the public. And a long period of experimenting went on. People began to decry, especially public hangings, as inhumane. And so states began varying, experimenting with apparently the length of the drop, in order to kill people more quickly rather than lie there and slowly be strangled. And the big breakthrough along these lines, and was done of course by the application of electricity, New York led the way in the adaptation of the electric chair. And after a few gruesome attempts, it began electrocuting its condemned offenders, routinely. And of course that's going to cement, according to Pfeifer, the rule of the rule of law advocates. Because Ohio quickly moved to centralize executions, and it quickly adopted the electric chair, it was the second state that did it. And of course, counties didn't have the apparatus to use the electric chair, only the state did. And so, again, public executions were no longer public. They were administered by the state in a private sphere, away from crowds. This was all humanitarian reform.

And in 1912, as part of the state constitutional revisions, voters succeeded in placing a proposal to abolish the death penalty before the state voters, as it was one of 41 possible amendments to the state constitution, but failed by about 8%. And then, lynching, mob violence no longer appeared in Ohio, the episode in Lima was the last one. But Ohio was one of the nation's, quote, "busiest death penalty states." From 1885 to 1962, Ohio conducted 343 executions.

Now, commentators have pointed out the lack of statistical correlation between the prevalence of lynchings, and that of state sponsored executions, underscoring for example the relative paucity of lynchings in states like Michigan and Wisconsin, where capital punishment was abolished early. Michigan abolished the death penalty in 1846.

Even so, Pfeifer writes, quote, "The history of lynching and the history of the death penalty in the United States are deeply and hopelessly entangled. One cannot be separated or understood apart from the other. And the decline of lynching seemed innately related to the rising power of the middle-class advocates of due process, and the victory of their state administered procedures of criminal justice. And what happened in Lima seems to epitomize that. One witness, on the night of August 30th, as one of the leaders of the mob, whipped up violence against Eley for refusing to reveal the location of Charles Daniels. One witness said that Spiker told the mob, quote, 'The American people must not uphold lawbreakers. They're going to uphold the law by lynching Daniels,' but an emerging new version of the rule of law emerged in Lima and sent Spiker and his lieutenants to prison."

A tough critique of some of the academic work on lynching has been that it's largely neglected the victims of lynching and their families. And this critique runs, "It has also paid inadequate attention to the strategies of resistance in the Black communities from which these victims emerged." To a scholar, Sundiata Keita Cha-Jua, "Legal arguments about middle-class champions of due process and the central role they played in lynching's decline fit into this pattern. Yet one contribution that I think that this story of mob violence and Lima renders, is that it reveals how critical that the rule was to African-Americans in the Jim Crow country. Only with the full protection of the law could they hope to enjoy the other rights of full citizenship." And this is seen by, A, the work of NAACP that began to employ lynching investigators, among them James Weldon Johnson, the writer of Lift Every Voice and Sing. Well, they sent him to investigate lynchings, and he was almost killed. I mean, it was dangerous work.

But they began to champion, by the way, what was happening in Lima. One of the most fascinating things is, I have students who used worked for me back then. And I said, "Okay, see what you can find on the page of The Crisis." They found The Crisis online, and they began. I said, "Go issue by issue, and tell me what it says." And they also were looking through issues of the Cleveland Gazette. The Black press had begun to lionize Eley, and Du Bois kept his eye on what he called "this Ohio frenzy." Du Bois noted Baber's misidentification of Daniels, his conviction on circumstantial evidence, and the ongoing trials of the rioters. He reprinted editorials from newspapers in New York, lauding the heroism of Sherman Eley.

And the best response here, I think, came in Columbus. A few days after Christmas, 1916, when a biracial crowd of several hundred people gathered at Second Baptist Church in Columbus, and one of the new state chapters of the NAACP brought in a sociologist, Charles Russell, to deliver the main address. Several hundred of the Ohio chapter, with NAACP, gathered a few days after Christmas, 1916 in Columbus. They brought in the sociologist to deliver a main address, but many in the audience were there for another reason. And at a key moment, well, Ohio governor Frank Willis stepped forward to recognize the honoree of the evening, Sheriff Eley of Allen County. And he summarized his bravery in the protection of Daniels, and then he turned the

podium over to Eley to speak, and Eley tried to speak, started talking of his little daughter. And he couldn't. He broke down.

And then the governor presented Eley with a cup. And this was from, actually, I don't know where my citation is, it's in the pages of The Crisis. And the inscription on the cup reads, "For devotion in defending a colored prisoner from lynching, and during torture and insult, that the majesty of the law might be upheld in Lima, Ohio, August 30th, 1960." That's the inscription on the cup.

Now to Sherman Eley, the majesty of the law was not some simple catchphrase that a clever lawyer tossed off. It was a cause that led to the death of his own daughter, and a cause for which he had almost given his own life. And something happened to him, in this process. So what my students found in the words of The Crisis, was a letter he'd written to the NAACP, that they published in spring 1917, as the prosecution of the rioters was now proceeding, and they were marking all these rioters being sent off to Mansfield.

He says, "We have one serving time in the Ohio Penitentiary, three serving time in the Mansfield reformatory, one locked up in the Ottawa jail." And he says, "We have them whipped here, and I hope and pray that our steps in this matter will have its effect everywhere." Now Eley's use of the word "we," in this context, fully referred to law enforcement officials in Lima. But I also wonder if that "we," that he included in that we, the larger network of anti-lynching activists, like the NAACP, whose cause he had now embraced has his own.

So in light manner, neither did the majesty of the law appear as some vague, academic attraction to African-Americans, something divorced from any relevance to their communities. In a nation where they had been enslaved for centuries, and where extralegal violence had locked them into a degraded and a subordinate place, the replacement of mob-driven justice with the rule of law was a shift of seismic proportions. Now, that transition was slow, it was uneven, and it's vulnerable to obscene manipulations. For 70 years, the entire obscene, brutal edifice of Jim Crow segregation was, by Southern definition, perfectly legal. And similarly, it's hard to posit capital punishment is a great step forward for justice, when a far disproportionate percentage of people legally executed in this country historically, and also our own day, have been people of color.

Quote, "The death penalty," writes its historian Stuart Banner, quote, "was a means of race control." Even so, as the Columbus NAACP recognized that December evening in 1916, the coming of the rule of law meant everything to African Americans in a society so saturated in racism. It was a necessary precondition for the civil rights movement. It was one step that made others possible.