

Lynching Follows Hung Jury in Murder Trial

Mob takes Richard James From Jail -- Gov. Morrow Removes Jailer Edger -- Judge Mulcahy Appoints Mrs. Edger -- Special Grand Jury

A mob took Richard James, a negro, charged with the murder of Ben T. Rodgers and Homer Nave in the Midway distillery the night of Oct. 8 last., from the county jail at about 1 o'clock Sunday morning and hanged him from a tree on the west side of the Midway turnpike, near its intersection with the Frankfort turnpike, a mile from Versailles.

Jailer John H. Edger, awakened by knocks at the door, put on his trousers and a dressing gown went to the door. He ways the porch was filled with men and that those surrounding the door, if not all, wore masks.

The leader said: "We have come for the negro and want the keys." Mr. Edger states that he refused to give up the keys and began to remonstrate with the mob, when four masked men sprang upon him and help him helpless while the jail keys were being taken from his trousers pocket. He was then jammed into a corner of the hall, he says and held there while members of the mob entered the jail and secured the prisoner and until they were ready to start off with him.

A rope was places about James' neck and, it is said, he was dragged by the neck from the jail through the side entrance.

Jailer Edger's son-in-law, Ben Thompson, went out and pleaded with members of the mob as they dragged James up the stairway, but in vain.

After the mob left, Jailer Edger telephoned to Sheriff Hawkins, chief of Police Dawson and County Attorney W. D. Jesse.

Seven or more automobiles were in front of the jail and the negro was put into one of the cars and the procession started north on Main street. It is said that a number on [sic] other automobiles were waiting in the north end of town and fell behind.

Several people living near Frankfort and Midway pike heard human cries of distress in the night that are supposed to have been uttered by James.

The cottonwood tree from which James was hung is but a short distance from another tree from which John Henderson, colored, was lynched by a mob August 21, 1890, for the murder of Gilbert H. Satterwhite, a white farmer.

James' body was cut down at about 4 a.m. and was taken to a colored undertaking establishment. It was buried at Midway on Monday.

Judge Stout on Monday called a special term of the Woodford circuit court for Saturday, March 26, when a grand jury will be empaneled to investigate the lynching of James.

A jury summoned Tuesday by Coroner B. B. Smith returned the following verdict:

"We, the jury, find Richard James came to his death in Woodford county on the 13th day of March 1921, and at the hands of parties unknown."

The trial of Richard James on the charge of the murder of Ben T. Rodgers, was begun last Thursday in the Woodford circuit court.

Commonwealth's Attorney V. A. Bradley, W. D. Jesse, county attorney, were assisted in the prosecution by H. A. Schoberth. Gov. Charles M. Harriss and Judge A. H. Nuckols, under appointment by the court, appeared for the defendant.

The jury was composed of W. A. Cox, E. E. Eves, C. H. Jones, Miles Chapman, Jesse Curd, Z. K. Howard, John Montgomery, W. E. Anderson, Steven Hartley, J. B. Lancaster, Frank Sublette and [illegible] Hanks.

The testimony showed that in the fight in the Midway distillery office between the negro whiskey thieves and the distillery guards, aided by Ben T. Rodgers, Homer Nave and Porter Hammond, James grappled with Rodgers and reached his right hand around Rodgers' back: that a shot was heard and both men fell to the floor, Rodgers dead, with a wound in his spine, had under his arm James' hat. James, in his testimony did not deny ownership of the hat. The bullet in Rodgers' body corresponded to a bullet in a "38 special" revolver which James gave to another negro the day after the shooting. Rodger's [sic] clothes were powder burned.

James denied that he shot Rodgers and also denied that the "38 special" pistol was the weapon he had, claiming that he had another pistol the night of the tragedy that he threw away. James admitted attempting to rob the distillery, but testified that Samuel Seay, superintendent of the bottling department of the distillery, had entered into a conspiracy with him and other negroes by which the negroes were to steal whiskey from he distillery warehouse and dispose of it, dividing the proceeds "50-50" with Seay.

Seay took the stand and emphatically denied this. He admitted when questioned that there were at the present time charges against him in Federal Court in connection with alleged whiskey thefts at the distillery.

The case was argued by Commonwealth's Attorney Bradley and H. A. Schoberth for the Commonwealth and by Judge A. H. Nuckols and Gov. Charles M. Harris for the defense. It was given to the jury at 5 o'clock Friday afternoon.

Eleven of the jury voted for the death sentence, but the twelfth man, W. E. Anderson, held out for life imprisonment and was immovable. He said the Bible was against taking any man's life and he had misunderstood the questions asked him when he qualified for jury service. After the jury had been out for 24 hours it was discharged at 5:10 Saturday afternoon.

Large crowds attended the trial and there was much feeling over the mistrial. The feeling was believed to have been allayed, however, when Judge Stout issued an order for a special term of court March 28 to re-try the case.

After the jury was dismissed, Gov. Harris and Judge Nuckols, who had defended James under appointment by the court, asked to be released from further connection with the case and Judge Stout granted their request.

Judge Stout's Comment

Paris, Ky., March 14 -- "So long as the better class of citizens in any community shirks jury duty and the courts are then compelled to take on persons unfit for jury service, just as long will the mob spirit occasionally rear its head," said Circuit Judge Robert L. Stout here this morning in delivering his charge to the grand jury of the March term of Bourbon circuit court.

"It is the duty of every good citizen to give up his time to the service of his State. If a criminal feels he has been given a fair trial, he is satisfied more or less, no matter what the verdict may have been. So long as the citizens believe that both the State and the defense has had a square deal, there will be no trouble. But if the juries are made up in part of persons unfit [sic] to serve then occasionally the mob spirit will arise.

"This was demonstrated at Versailles Sunday when a mob took the negro Richard James, from the Woodford county jail and executed him. but for the presence in the case of one unfit juror this unfortunate incident count not have happened."

Second article under front page headline

Gov. E. P. Morrow, acting under the new law which provides for the removal from office of a peace officer who permits a prisoner to be taken from his custody by a mob, issued a proclamation Monday removing John. H. Edger from the office of county jailer.

Mr. Edger will file a petition for reinstatement, as the law gives him the right to do. The law provides that after hearing the evidence "if the Governor be of the opinion that the officer had done all in his power to protect the life and person of such prisoner, and that the officer had not neglected to perform his legal duty, then the Governor shall order the immediate reinstatement of such removed officer."

Gov. Morrow also offered a reward of \$500 for the arrest and conviction of any member of the mob and addressed letters to County Judge E. Mulcahy and County Attorney W. D. Jesse requesting them to make a searching investigation of the mob and if possible to ascertain the names of the members. The response of these officers to the Governor was that a special term of circuit court had been called for this purpose and that the grand jury then empaneled [sic] would have an authority not conceded to a court of inquiry.

Judge Mulcahy on Monday appointed Mrs. John H. Edger as county jailer to fill the vacancy caused by the removal of her husband. Mrs. Edger took the oath of office and executed bond in the penal sum of \$5,000, with W. H. Edwards, Jr., surety.

Mrs. Edger, as far as we know, is the first woman to hold the office of jailer in Kentucky. In the event Gov. Morrow should fail to reinstate Mr. Edger, she will hold office for the remainder of the term, or until Jan 1, 1922.

Mr. Edger and his attorney, Field McLeod, went to Frankfort yesterday and requested of Gov. Morrow a hearing of Mr. Edger's claims for reinstatement as jailer. The Governor set the hearing for next Wednesday, March 23.

This transcript of the Woodford Sun articles was made by Nicolas S. Martin, July 10, 1996. Mr. Martin is the great-grandson of Mary Rodgers (Mrs. William Henry) Martin, sister of the slain Benjamin T. Rodgers.

Mr. Martin's research revealed that Rodgers is buried in the Midway Cemetery, Spring Station Pike. Richard James is buried in Midway's black cemetery, located behind the Midway Presbyterian Church with a marker reading "R. A. James" and with dates of birth and death.