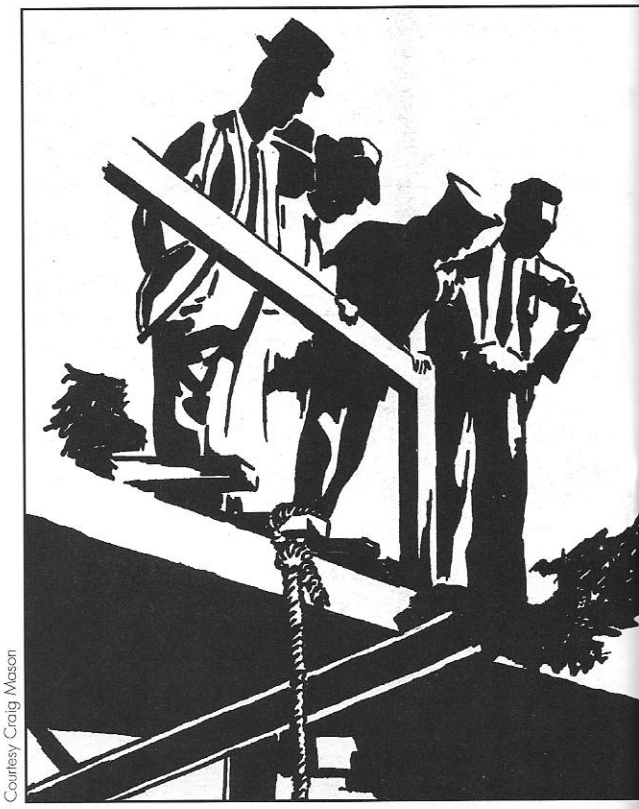
In the Name of Progress and Decency:

The Response of Houston's Civic Leaders to the Lynching of Robert Powell in 1928

by Dwight Watson*



Courtesy Craig Mason

In June of 1928, Houston prepared for its coming-out party as a major city. With the 1928 Democratic Convention in town and the eyes of the nation focused on their city, civic leaders hoped to project an image of growth and progress. Yet on June 20, the week before the opening of the convention, the lynching of Robert Powell challenged this progressive image.

National and local press coverage of the lynching contrasted this episode of racial violence in a strictly segregated city to the image of "heavenly Houston," a booming new South city that was a Mecca for black as well as white migrants.[1] The city's civic leaders responded immediately to the lynching with a strong and immediate condemnation of "lynch law." When questions arose about the possible involvement of members of the Houston Police Department (HPD) in the lynching, the city questioned police officers before moving on to the arrest of others for the crime. After the convention came relatively minor reforms in HPD. This response allowed the convention to go forward successfully while, at least for a time, raising fundamental questions about the nature and tone of Houston's Jim Crow racial order.

Lynching was the perverted marriage of racial hatred, distorted religious fundamentalism, paternalism, and psycho-sexual fear, which empowered mobs with the ultimate measure of social control and power.[2] Ida B. Wells, a black newspaper editor and anti-lynching activist, observed the hypocrisy of whites on this issue when she noted that church folk were "too busy saving souls of white Christians from burning in hell fire to save the lives of black ones from the present burning in the fires kindled by white Christians."[3] Despite the best efforts of Wells and others who fought for federal anti-lynching laws, a U.S. Congress dominated by southerners from the one-party South refused to pass such legislation.

By the 1920s, many whites in Houston and other growing southern cities viewed lynching as a pernicious rural "tradition" out of step with urban life. Although lynchings did occur in southern cities in the first half of the twentieth century, the need to maintain law and order in an urban setting undermined the continued acceptance of lynch law, and the mob rule it involved. In a booming city such as Houston in the 1920s, however, the perception of civic leaders could be starkly at odds with the attitudes of the tens of thousands of new migrants who came to the city from the surrounding countryside in search of opportunity. Houston's newspapers responded to the Powell lynching by lamenting that this was the first lynching within the city proper in anyone's memory. But Houston's population had exploded in the first decades of the twentieth century, growing from less than 45,000 in 1900 to nearly 270,000 in 1928, when its black population alone exceeded 50,000. Many of the new migrants who came to Houston in these decades had developed their racial attitudes in the small farming communities in east Texas and western Louisiana.[4]

Just beneath the surface of the Jim Crow system in Houston and throughout the South was the threat of violence against blacks who challenged the laws or the customs of segregation. In the small towns of the rural South, the enforcement of segregation was an intensely personal affair, with daily rituals played out in the fields and the town squares. In a city such as Houston, with large numbers of blacks and whites who did not know each other and who often did not live and work together, enforcement of Jim

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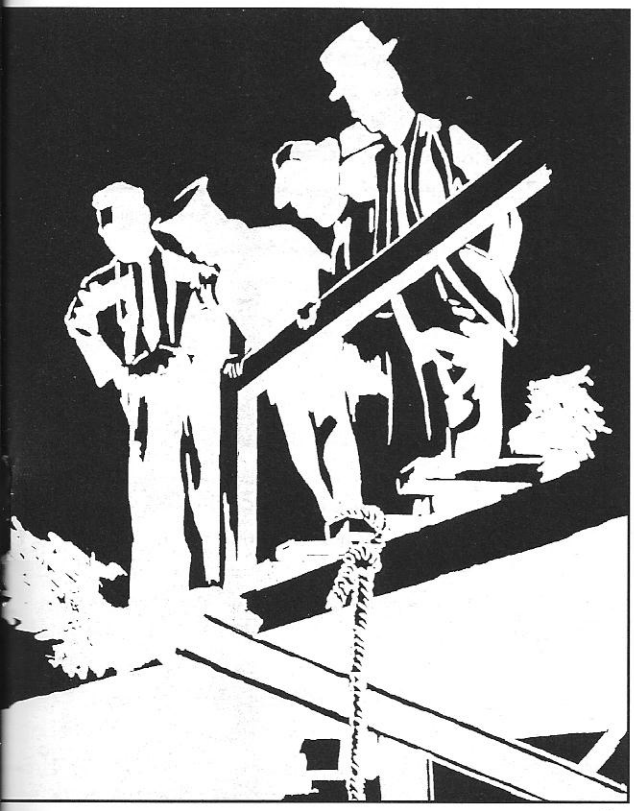


Crow fell more heavily onto the organized police force.

"Progressive" city or not, Houston shared the racial attitudes that had fed mob violence and bloody riots throughout the country from 1917–1921. Such riots had taken place in urban, not rural settings, and Houston had experienced its own bitter spasm of racial violence in 1917, during the Camp Logan Riot between black soldiers stationed in Houston and the Houston Police Department.[5] The dark web of human memory kept this tragic riot fresh in the minds of many blacks and whites, serving as a grim reminder of the death and destruction that could follow from the tensions created by Jim Crow life.

In Houston, the actions of the HPD attracted the scrutiny of economically independent black leaders. By the 1920s, the opportunities afforded to blacks in Houston's growing economy had fostered the growth of a black middle class eager to assert its voice in civic affairs and to legitimize its status within Houston by organizing groups such as a local chapter of the National Association for the Advancement of Colored People (NAACP). Newspapers written by blacks and for black readers reported a growing dissatisfaction with the racial status quo and a determination to fight for improved conditions. Houston's black civic leaders and newspapers aggressively protested the Powell lynching in a vocal, public way that would not have been possible without retribution in rural east Texas towns. Despite rigid barriers between blacks and whites, the lynching created a common link between black civic leaders and white civic leaders who fought to save the reputation of the "new" Houston they had proclaimed to the world.

These civic leaders were correct in their assessment of Houston's future prospects; their city was an emerging metropolis by the 1920s. Civic and business leaders worked diligently to make the city the South's poster boy for industry and progress. As a southwestern city, Houston's past and future looked in two directions. Many of its leaders voiced the sort of western imagery of rapid growth fed by free enterprise that subsequently came to symbolize the "Sun belt" cities. But much of its population remained firmly rooted in a rural southern past obsessed with the defense of Jim Crow.

Tensions heightened within the city's civic leadership. Most important was the class and status war being played out by the conservative leadership, black and white. Who would rule the city, those who feared that mob rule and lynching might undermine their city's future growth or Negrophobes who made racial segregation and social subordination their top priority and favored lynching and extra-legal violence as a means of social control?[6]

Among those who favored the first position was banker/financier Jesse Holman Jones. His influence and money helped Houston become the host city for the 1928 Democratic National Convention.[7] Jones pulled a rabbit out of his hat when his winning offer in the form of a certified check of $200,000 and a promise of new auditorium left San Francisco and Dallas in an angered daze.[8] On January 12, 1928, the *Houston Chronicle*, a major newspaper published by Jones, ran a special edition: "Houston Wins the 1928 Dem Convention."[9] More than a testament to Jones' clout and influence within the Party, this was also a victory for Houston. The negative publicity from the Powell lynching gave the city a very visible black eye just as it was dressing up in its Sunday best to impress the nation. But when Jones and other white and black leaders stood up to challenge the violence underpinning the Jim Crow system, they faced the wrath of racial traditionalists within the city who fought tenaciously to maintain the status quo. Particularly contentious was the role and responsibilities of the Houston Police Department.

In 1925 HPD had a total of 243 officers, including 178 patrolmen and even several black officers.[10] This number was woefully inadequate to meet the needs of a rapidly growing city. The force had its hands full, enforcing the law, protecting property, imposing social control, and enforcing racial segregation. Their zealousness in this last pursuit turned segments of the public against them. When black civic leaders joined forces with national civil rights organizations and local social reform movements to try to curb police abuses, HPD refused to hear such demands for change. Indeed, infused by elements of the Ku Klux Klan in the 1920s, the Houston Police Department proved recalcitrant on this vital issue.

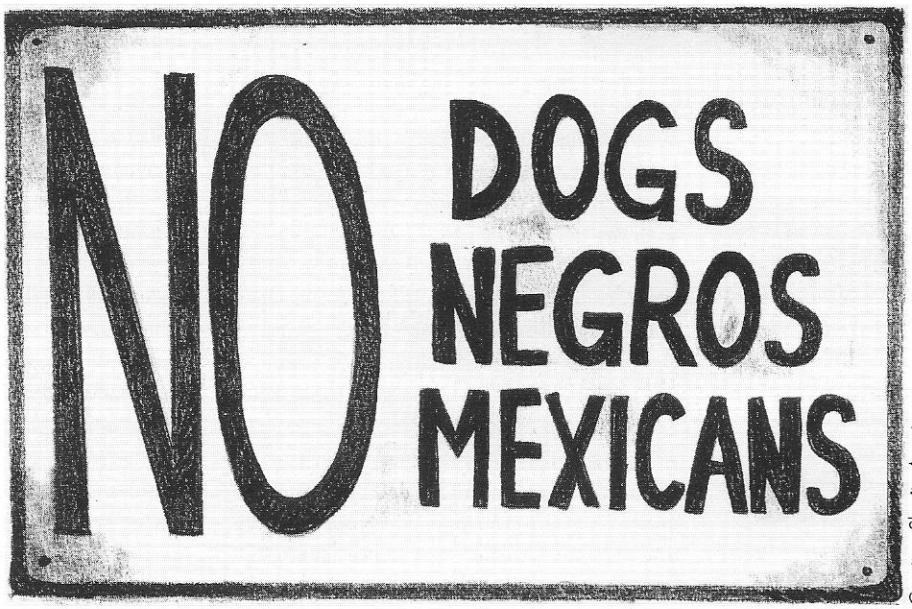
Blacks migrating to Houston to trade tenant farming for industrial jobs or to seek respite from the harsh demands of rural Jim Crow, courted the wrath of the HPD. Those sworn to serve and protect them—the police—were also strongly committed to maintaining the segregated racial order. For the flood of black migrants to Houston, urban Jim Crow's problems of overcrowded neighborhoods, police brutality, and inefficient city services were the trade-offs for escaping the sting of rural poverty and the bitterness of rural Jim Crow racism.[11]

Despite the growing rejection of the Klan by Houston's civic elite, the Klan maintained a strong hold on elements of Houston's white population and, for a time in the early 1920s, held firm control of parts of the county government. Important members of Houston society who joined the Klan from 1922–1925 included Harris County Sheriff Thomas A. Binford and former police chief Gordon Murphy. Historian Don Carlton notes that "booming Houston was the first Texas city to have a Ku Klux Klan chapter."[12] The Klan was neither secretive nor invisible in Texas as a whole. On October 23, 1922, "Klan Day" at the Texas State Fair attracted "151,192 persons."[13] Even

Houston mayor Oscar Holcombe briefly joined the Klan, but quit shortly afterwards because of its violent nature.

Colonel Billie Mayfield led the growth of the Klan in Houston.[14] The colonel was an officer in the Texas National Guard and had been a columnist for the *Houston Chronicle*. He made headlines in the 1920s with highly publicized attacks on those who opposed the Klan. One of these involved his efforts to arrest the editor of the *Houston Press* for criticizing the vigor of the Texas National Guard's enforcement of martial law against dock-workers on strike in Galveston. In the resulting court case, John H. Crooker, an attorney in the prominent Houston law firm of Fulbright & Crooker (later, Fulbright & Jaworski), successfully defended the publisher.[15]

Mayfield's Klan paper, *Colonel Mayfield's Weekly*, later increased his prominence within the local KKK, which fought hard to put its mark on Houston's development. At the height of the Klan's influence in Houston in about 1924, civic leaders who opposed its power fought back. Thus when two Klansmen sued the *Houston Press* for libel after its criticism helped defeat them in hotly contested local elections in 1924, Crooker again tried the cases, ultimately vindicating the editor of the *Press*.[16]



Courtesy Sherita Armstrong

After Oscar Holcombe quit the Klan, he became an open target for Klan-controlled factions in the city.[17] Mayor Holcombe's refusal to fire Catholics and blacks hurt him in the election of 1922, but not enough to prevent his reelection. The popular mayor's battles with the Klan in these years symbolized the ongoing efforts of many Houston leaders trying to come to grips with the racial tensions that threatened the city's future growth. Conservative and liberal factions emerged and challenged the Klan as being immoral and criminal, but most of all bad for the city's image.[18] Members of this group included the wealthiest of Houston elites such as Jesse Jones and prominent oilman Joseph S. Cullinan, the original president of Texaco. Cullinan, a Catholic, had helped found the Houston Anti-Klan Society in 1922. Violence and national scandals by the Klan caused other civic leaders to reject harsh Klan-like xenophobia as bad for business and out of step with the needs of a growing city.[19]

Elements of the Houston Police Department did not share such views. As the Democratic Convention of 1928 approached, HPD began to train its force "in order to line up in efficiency and appearance with the other police forces of the country."[20] Among the trainees were 116 new police officers "who were sworn in for the duration of the convention."[21] One hundred of the officers were temporary, and the final sixteen were kept as permanent mounted patrol officers attached to the traffic division. Many of these officers came from rural areas in east Texas and central Texas known for harsh racial bigotry and rigid enforcement of segregation. Many police accepted the stereotypical notion of blacks as inferior and prone to crime. They were trained to look for blacks in trouble spots of the city and to distribute "Jim Crow justice" swiftly and brutally.

Southern custom impacted police training and procedures on June 17, 1928. Early that morning two police officers did exactly what southern custom called for by asking a group of Negroes standing on a street corner near downtown Houston what they were doing out so late. When the two detectives, Henry Bradshaw and A. W. Davis, rousted the three black males, a gun allegedly fell out of the clothing of one of the suspects. When one of the suspects, later identified as 24-year-old Robert Powell, bolted and ran, Detective Davis pursued him on foot. During the chase shots were fired. Davis was killed by a shot in the head, and a bullet through the body severely wounded Powell.[22] After an aggressive search through the Fourth Ward area, the police found Powell at his mother's home and took him to Jefferson Davis Hospital, also in the Fourth Ward.[23]

There he lay for several days. Then in the early morning of Wednesday, June 20, a lynch mob took Powell from the custody of the Harris County Sheriff Department's watchman at the hospital. Witnesses reported that seven or eight armed white men charged in and took the black prisoner they believed had shot Detective Davis. According to *The Informer* (a newspaper written by and for blacks), the mob took Powell "several miles out of the municipal confines and treated to a practical demonstration of the celebrated pastime-Judge Lynch law."[24]

Around daybreak, Powell's tattered body was discovered hanging in the stale morning air from a bridge some six miles out from downtown Houston on Post Oak Road. This racially charged incident heightened suspicion of HPD's ability to professionally serve and protect blacks. Angry citizens across racial lines were appalled when eyewitnesses claimed that the police failed to take adequate measures to stop the lynching. Some witnesses even alleged that the police stood by and watched until the mob hanged the man.[25] In a macabre twist, the rope was too long and on the first attempt to hang him, Powell was left sitting at the bottom of a ditch alive. He allegedly cursed the mob for its ineptness. Unperturbed, his tormentors shortened the rope and successfully completed their gruesome task on the second attempt.[26] The city and the police department received considerable negative press from the lynching, and this bad publicity brought added pressure on

HPD to reform itself.

Led by C. F. Richardson, the owner and editor of *The Informer*, Houston's black press roundly condemned the cowardly act. Richardson had good personal reasons to denounce this act; he had avoided being lynched by the Klan in 1925 with the aid of blacks who guarded his home and the timely intervention of Mayor Holcombe, who personally threatened the Klan if any harm came to Richardson.

On June 23, 1928, the *Houston Chronicle* joined the condemnation of the lynching with an editorial entitled "A Blow to Houston." Stating that "Houston has been shamed before the nation," the editorial laments that "[t]his revolting crime which has been committed in our midst comes to blacken the day of our joy and pride."[27] In an attempt to salvage the city's image and show that Houstonians disapproved of the barbarous act, Jesse Jones publicly condemned the act in even stronger tones: "the lynching is a blot on the good name of Texas that must be lived down." After asserting that "there is no section of the country where the two races have so little faction," Jones argued that lynching for revenge was not justified and "we all deeply deplore this one."[28] The editorial and Jones' interview put forward in strong language the pragmatic attitudes toward race that ultimately shaped civic policy in Houston for the next fifty years. Denouncing racial violence and mob rule, it said nothing about the Jim Crow system sustained in part by the threat of such violence.

Other local newspapers also quickly condemned the lynching. The *Houston Press* stated that "they [the lynch mob] are ghouls" and that Powell "was killed by a coward." Appealing to the pride of white Texans, it went on to say: "It was not men like these who died in the Alamo. It was not craven creatures like these who fought at the Battle of San Jacinto. Men of that low, vile character did not build the Texas or the Houston of today."[29] While the *Press* condemned the actions of the mob, it also vilified the three black men, inferring that they were part of a group of "unruly, surly, trouble-making Negroes in Houston."[30] One New York paper reported that a "citizen's committee," the "Houston Committee on Inter-Racial Co-operation, composed of men of both races," passed a resolution condemning "the inexcusable crime of violence which has so grossly reflected upon the good name of our city."[31]

With such condemnation of the lynching ringing in its ears, Houston's city council responded by appropriating $10,000 for the investigation of the crime. The NAACP offered a $1,000 reward for information leading to the arrest and conviction of the suspects. Even Texas Governor Daniel J. Moody got into the act, putting up a $250 reward for information leading to the arrest of each of the culprits. A group called the "Loyalty to Law League" put up another $100. The lynching embarrassed the city and the state. Governor Moody had successfully challenged the Ku Klux Klan during Ma Ferguson's tenure as governor and it had provided a perfect segue to his election as governor.

HOUSTON'S HELLISH HUNS

...It is rather surprising that these Houston huns did not pull off their lynching bee inside or in close proximity to Sam Houston Hall, meeting place for the Democrats next week!

Looked at from another angle, Houston will lose considerable in prestige, and outside capitalists will be reluctant to invest their money in a mob-ridden and infested city.

In the face of the national parley of the Democrats, this lynching orgy will cause many to cancel their proposed visit to the city; and many of those who will come will live under a terrible mental strain and in constant fear of mobocratic demonstrations during the convention...

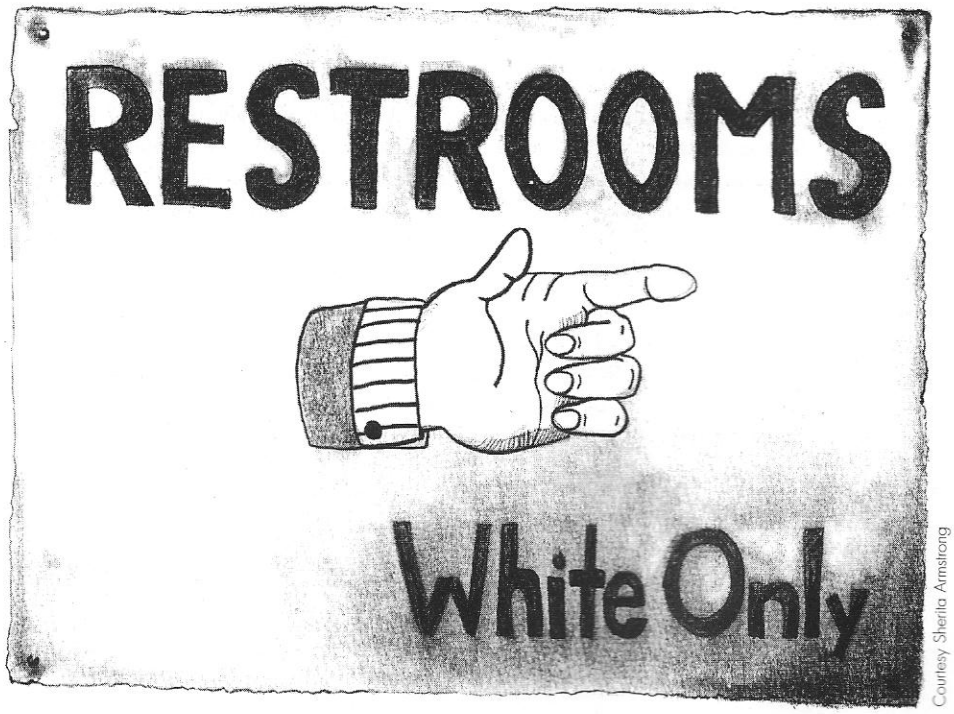
Headline and excerpt from The Informer, *June 23, 1928.*

The national press used strong language in discussing the lynching, including it in news stories about the Democratic Convention. On June 27, 1928, New York's *Amsterdam News* wrote that the "odor of lynching greets delegates to the Democratic National Convention."[32] New York's *Evening Post* took a similar tact: "Houston is meeting the vanguard of convention visitors with one hand and trying to solve its ugly lynching mystery with the other." Much harsher were the words of *The News* of New York City, which mocked the "crocodile tears" being shed by the Houston press over the "barbarous murder of a dying Colored youth." It went on that "Houston, Texas, like Dixie has been lynching Colored men in every way her fiendish, perverted brains conceived," noting that "colored citizens" in the South are lynched at the ballot box, "in inferior, degrading jim-crow schools...in jim-crow cars, in peonage, in forced prostitution, in race treachery."[33]

It was clear to Houstonians and Democrats alike that something needed to be done to stop the talk of the lynching before the opening of the convention. The city moved very quickly to "solve" the case. The day after the lynching, a grand jury called for testimony from several police officers about their possible involvement, since witnesses at the hospital had noted that at least one member of the lynch mob appeared to be wearing a policeman's uniform.

Only two days after the incident, a dragnet had produced five arrests and identified two other men believed to be involved. Three days before the opening of the convention, several newspapers listed the names of the five arrested suspects.

Thus by the opening of the Democratic National Convention on June 26, the lynching story had begun to subside. On the racial front, a more pressing concern arose regarding seating arrangements for black delegates or attendees. The southern wing of the Democratic National Committee initially threatened to leave if black delegates were not excluded from the convention. Frantically, the city and the national committee appeased southerners with a compromise that placed the black delegates and spectators in a separate chicken wire fenced area underneath the stage.[34] The *Amsterdam News* wrote that "the National Democratic Party in convention here will segregate those Negroes who for some reason or another, may desire to attend the session as spectators."[35] Such accommodations with the white southerners so vital to the success of the national Democratic Party of this era reflected the compromises being reached among Houstonians on the issues raised by race. How could an acceptably "gentile" version of the often violent, always discriminatory Jim Crow system be adapted to life in a changing nation and a growing city? How could the politics of the two major parties accommodate race? How could Houston prevent its inefficient, violence-prone racial accommodation from undermining its hopes for



Courtesy Sherita Armstrong

future growth and prosperity?

On the national level of politics, Powell's lynching provided fuel for continued attempts to pass anti-lynching legislation. Black civic leaders pressed hard for justice. Letters between local NAACP leaders and national leaders called for immediate action on the part of the government. White southerners responded to calls for anti-lynching laws as they had done for decades, with editorials and political diatribes challenging the constitutionality of federal anti-lynching laws. They vehemently argued that lynching was a state problem that required the effective enforcement of existing laws, not the writing of new federal laws. In the racially charged politics of the times, these proved to be winning arguments; anti-lynching laws were not passed at the federal level and failed to pass in Texas until 1949.[36]

Despite the untimely lynching, Houston had achieved its goal of improving its national reputation as an emerging metropolis. Even New York City Mayor Jimmie Walker applauded the police as being professional and the city second to none. Once the national spotlight turned away from Houston, none of the suspects arrested in the lynching were convicted. Their primary stated defense was that they were friends of the slain police officer; their unstated defense was that they were white. This outcome caused several national newspapers to print stories asking if the city had simply arrested the first available "mob" with assurances to the "suspects" that they would not be convicted.

The episode had raised doubts in the city about the operations of HPD, and the year after the lynching, a new police chief disbanded the mounted patrol unit in an apparent attempt to modernize the force. He then sold the horses and transferred the men to patrol duty within the traffic division.[37] Admitting no culpability for the lynching, HPD's disbanding of the mounted patrol was not in retaliation for the lynching. McPhail stated in the *Houston Chronicle* on April 17, 1929, that "from an efficiency stand point and from a humanitarian one, the abolishment of the mounted squad in my judgment is the proper thing."[38] Further, the department's immediate cause for the removal of the squad was that HPD had hired too many mounted patrol officers for the Democratic National Convention, and HPD wanted to mechanize and expand the motor patrol unit.

The 1928 Democratic Convention is frequently cited as a turning point in the development of Houston, a pivotal act of civic leadership by Jesse Jones and others that announced to the world that the booming city on the bayou had arrived as a major city. In sharp contrast, the lynching of Robert Powell remains a nearly forgotten historical footnote in Houston's history. Yet citizens of Houston in 1928 took the lynching seriously as a measure of the direction their city might take on the critical issue of race. Embarrassed by the lynching, the white businessmen who guided much of the city's development distanced themselves from racial violence as they had previously begun to distance themselves from the Klan, whose membership had significantly declined by 1928. Jim Crow remained unquestioned by these leaders, but they would seek a less violent, more orderly brand of racial subordination. Houston's Jim Crow system would be enforced in the future by a larger, better organized, and better-equipped police force, not by lynch law.

Just under the surface of this episode can be seen another important sign of change to come in the existing racial order. Black civic elites continued to grow and assert a louder voice in the city's affairs. The black newspapers, sustained by the tens of thousands of black citizens of Houston, played a key role in this process. Black leaders brokered their fragile power through gradual legal victories, the growing economic independence that segregation ironically provided, and the forming from time to time of bi-racial coalitions with whites whose interests were served through cooperation. National organizations such as the NAACP, which was only twenty years old in 1928, also took tentative steps into the lynching controversy.

Houston's surging black population took yet another dose of harsh realism when local courts exonerated all of the suspects connected to the Powell lynching. Yet they could take a measure of hope from the aggressive response to the lynching of newspapers, black and white, from the denunciations of racial violence by white civic leaders, and from the growing strength and volume of black voices raised in protest. Thirty-five more years would pass before the Civil Rights Act of 1964 would make segregation illegal, but the lynch law that lurked just beneath the surface of the traditional Jim Crow system had been challenged. Even as early as 1928, it had become clear that Houston's business-oriented leaders stood willing to condemn the worst abuses of the Jim Crow system if such abuses seemed to threaten the city's image and its primary civic goal of economic growth. ■