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Informants for *Remembering Jim Crow* by American RadioWorks

In the early 1990s, dozens of graduate students at Duke University and other schools fanned out across the S to capture and preserve stories of 20th century segregation before the black men and women who survived Ji Crow passed away.

American RadioWorks culled stories from more than 1,000 interviews for this project. ARW producers also conducted extensive field interviews of additional informants. Below are their names.

Wilhelmina Baldwin (b. 1923)

Waynesborough, Mississippi

Leonard Barrow (b. 1917)

New Iberia, Louisiana

George Kenneth Butterfield Jr. (b. 1947)

Wilson, North Carolina

Walter Cavers (b. 1910)

Selma, Alabama

Jesse Chassion (b. 1926)

Freetown, Louisiana

Thomas Christopher Columbus Chatman (b. 1919)

Coffee County, Georgia

Olivia Cherry (b. 1926)

Hampton, Virginia

Price Davis (b. 1921)

Charlotte, North Carolina

Cora Eliza Flemming (b. 1933)

Chapel Hill, Mississippi

Doris and Stine George (b. 1929;1931)

Moultrie, Georgia

Charles Gratton (b. 1932)

Birmingham, Alabama

Edward Kimes

Money Allan Kirby (b. 1914)

Biscoe, Arkansas

Maurice Lucas (b. 1944)

Renova, Mississippi

Cemore Morton Newsome

Otis Pinkard (b. 1916)

Tuskegee, Alabama

Ann Pointer (b. 1927)

Macon County, Alabama

Randolph

Amella Robinson

Tuskegee, Alabama

Lillian Quick Smith (b. 1931)

Wilmington, NC

Cornelius Speed (b. 1919)

Leon County, Florida

Gladys Stephenson

Della Sullins (b. 1917)

Tuskegee, Alabama

Georgia Sutton (b. 1929)

New Bern, NC

John Harrison Volter (b.1929)

New Iberia, Louisiana

Ferdie Miller Walker (b. 1928)

Fort Worth, Texas

John Welch

Kenneth Young (b. 1907)

Tuskegee, Alabama

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A Tense Time in Tennessee

By Janis Johnson

A trial in 1946 in a small town in Tennessee offers an early glimpse of the lawyer who would win national recognition a decade later in his battle against segregation. The man was Thurgood Marshall. He convinced an all-white jury to acquit twenty-six black defendants charged with rioting and attempted murder, and in the process, nearly lost his life.

A new radio and Internet documentary, *Thurgood Marshall before the Court*, tells the story of Marshall's involvement in the Tennessee town of Columbia in a case just after World War II. The one-hour radio program and its companion website mark the fiftieth anniversary of *Brown v. Board of Education*, Marshall's most famous legal case, which struck down the principle of "separate but equal" in American education. The radio biography, produced by American Radio Works and Minnesota Public Radio, uses first-person accounts and Marshall's own words to document Marshall's career from 1930 to 1961 as an attorney. It covers his role as the head of legal defense for the National Association for the Advancement of Colored People, from the strategies he used in court to the hazards he faced.

The website focuses on the thirty-year period before Marshall was appointed to the Supreme Court in 1967. It includes interviews, film images of the times, letters Marshall wrote from the field, and transcripts of radio and television footage, including a half-hour segment believed to be a silent film that Marshall shot in South Carolina in the thirties, documenting conditions in the segregated schools. An accompanying book by The New Press contains the oral arguments for *Brown* made by Marshall and his team.

Marshall was born in 1908 in Baltimore into a mixed-race family. He became interested in the law from family dinner-table arguments. He, his father, and his brother would wrestle through "race and everything in general . . . very loud," as Marshall describes it.

It was Charles H. Houston, a dean at Howard University Law School in Washington, D.C., who channeled Marshall's passion for civil rights into a career in law. Marshall became Houston's star student and in his final year at Howard began working with Houston on criminal cases in Virginia and North Carolina. Houston called this training "the program of making lawyers social engineers, instead of just somebody going out to make a dollar practicing law."

Marshall graduated at the top of his class in 1933 and began practicing law in Baltimore. Occasionally he joined Houston on cases. When going South, says anthropologist Kate Ellis, coproducer of the documentary, he sometimes took a camera to record what he saw.

When Houston became the head of the NAACP's Legal Defense Fund, Marshall joined him. Marshall was the "man on the ground"--the attorney always on the scene, says Gail W. O'Brien, professor of history at North Carolina State University and author of a book about the Columbia case, which she wrote with NEH support.

"The NAACP was very alert after World War II because there had been an outbreak of lynchings and race riots after World War I," O'Brien says. "The Columbia, Tennessee,

case was the first so-called race riot after World War II, and the NAACP didn't want a repeat of the episodes."

Columbia was a town of twelve thousand and the county seat of Maury County, forty-three miles south of Nashville. It had been a region of large plantations and had a rich horse-farming area at the center; at the edges of the county lived poor white farmers. Two lynchings had occurred in Maury County in the decade before the Columbia riots--in 1927 and in 1933.

The Columbia case, says O'Brien, was important for three things: the spotlight it put on white violence--especially police violence--in the growing protests against segregation; the way it demonstrated Marshall as a legal strategist; and what it revealed about post-war society.

"The fight that set off the rampage was between two recently returned veterans of World War II--a white man and a black man," notes project director Stephen Smith. "There is no question that the blacks' resistance resulted from what they had been doing overseas during the war--fighting racist ideologies." O'Brien says, "African Americans felt a sense of entitlement coming out of this war. They expected things to change."

Leonard Evans was one of the black men arrested during the Columbia riot. "I had lived with white soldiers over there and we was side by side, and you mean to tell me I come back home and have to live through this again?" he says. "The war changed the whole situation. It was time to stop all this."

In February 1946, an argument over repairing a radio sparked a fistfight between a black man and a white shopkeeper--both war veterans. James Stevenson had gone with his mother to pick up her radio; a fight ensued and Stevenson was arrested and charged with attempted murder. He was let out of jail for his own protection by the white sheriff, and friends whisked Stevenson out of town when they heard of plans to lynch him. As night fell, blacks gathered in their own business district, a section white residents called "Mink Slide." They were prepared to defend their neighborhood and some had guns. "We got tired of being kicked around," says Edward Kimes, now a retired educator, who was at the scene but did not carry a gun. "We just got tired of it . . . we'd rather die than take it." Police were dispatched to see what the crowd was doing; shooting on both sides ensued. After an all-night standoff, state troopers stormed in and searched businesses and homes door-to-door in a search for guns and suspects. More than one hundred black men were arrested. Twenty-seven were charged with rioting and attempted murder and two were shot awaiting bail in the local jail.

"The troopers were armed for action, they had machine guns. . . . I think they overreacted," recalls Bernard Stofel, a white Columbia police officer who was shot and wounded in the melee. "There was a lot of folk arrested back then, and there was no such thing as reading them their rights. And if they resisted, you kicked the hell out of them. But that's sort of the way the law worked back then."

The riot made national headlines. Three months later, Thurgood Marshall came to town as the lead attorney for the defense. The area was tense and the trial was moved to Lawrenceburg, in the next county. Marshall assembled a star team of white and black lawyers and found a place for them to stay in Nashville because of concerns for safety.

They were under constant scrutiny. The young wife of Maurice Weaver, a white lawyer on the defense team, was present for the trial and tells a story of accepting a ride from Nashville from one of the black attorneys on the case. "None of us gave any thought to it," she says, "but you could tell there was a lot of unrest in the courtroom and people were mumbling. Thurgood came over to me and said, 'If you run late again and need a ride I'll show you where the Greyhound station is and you ride the bus. You almost started another lynching here in the courthouse.'"

"The Columbia case demonstrated Marshall's physical courage, that he was willing to risk his life. I think the Columbia story will come as a surprise to many people," says Mark V. Tushnet, professor of law at Georgetown University and a former law clerk of Marshall.

Marshall called the Columbia case one of his most frightening. As he was leaving town after the trial, the police stopped his car and charged him with drunken driving. Marshall protested that he hadn't been drinking, but he was put inside the police car. Colleagues in another car were told to take off. "They wouldn't go," Marshall said. "They stayed following this police car, and when they couldn't shake [them], they turned around and went back in to town, and when they go into town-- big, wide street, nobody there hardly . . . they're all down at the river. So then we realized what was up. They were taking me down to the river, where all of the white people were waiting to do a little lynching," Marshall recalls. "And I managed to get away. That was one of the closest ones I ever was into."

The police took him instead to the magistrate, who decided Marshall had not been drinking and set him free.

"Marshall was one of the first black lawyers to try a case before an all-white jury and actually get some semblance of respect from them," Ellis says. "One of the common phrases was 'Thurgood's coming.' He was an inspiration to people and taught blacks that it was actually possible for things to change--that a black man could become a lawyer, and a lawyer that a white man would listen to."

Marshall's team was exacting and well prepared. In the Columbia case, they interviewed more than seven hundred potential jurors to get their twelve, O'Brien says. "They were worried when the trial was moved to neighboring Lawrence County, an even poorer county. But they put together a jury that was looking for facts, and the jurors didn't get them from the prosecution." At the end, twenty-six of the twenty-seven men charged were found not guilty. The one man who was found guilty of attempted murder was later pardoned.

Directing a legal assault on civil rights infringements across the country was a complicated task. Marshall and his team had to support the people who agreed to serve as plaintiffs, shore up NAACP workers who faced harassment and death threats, coordinate the work of lawyers across the nation, and raise the money to pay for the lawyers to keep it all going. The Columbia case gained national recognition and money was left over for future legal cases, O'Brien says. "It really caught the attention of all groups of African Americans and welded them to their support of the NAACP."

Marshall's ability to get along with his adversaries helped him navigate the court system. "He did what really good trial lawyers do," says Tushnet. "He had very good trial

preparation. He spent a lot of time learning what was going on, even when coming in as an outsider. He knew instinctively how to present himself to the decision makers and the judges and juries. It was his talent.”

“Marshall never felt that he had to be the smartest guy in the room,” says Ellis. “He was extremely good at bringing a group of the most educated and intelligent people together in a room and talk about a case and hold freewheeling sessions that seemed chaotic and disorganized well into the night. In the morning he would bring all those arguments together in a cogent presentation. He was never intimidated and good at tapping into others’ ideas.”

In the courtroom, Marshall was a master of examination and cross-examination. “His ability to understand a witness’s testimony and develop questions in response to a witness’s unanticipated responses made him especially impressive,” says Tushnet.

One of the witnesses in the Tennessee case remembers his surprise when he heard the verdict of not guilty. “I didn’t expect that decision,” says Edward Kimes, “and it shocked a whole lotta whites. Thurgood Marshall was the key to that whole thing . . . he stood up for what was right.”

Janis Johnson is a writer in Playa Vista, California. The American Radio Works and Minnesota Public Radio received \$90,000 from NEH to produce Thurgood Marshall before the Court, its website, and book.

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