

HISTORY OF
**GOVERNOR WALTON'S
WAR ON
Ku Klux Klan**

THE INVISIBLE EMPIRE

By
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Compiled largely from my personal acquaintance with Governor J. C. Walton, while a newspaper writer, from the time he first entered politics in Oklahoma City in 1917, and from sworn testimony taken before the military courts while Oklahoma was under martial law.

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CHAPTER I.

FROM LABORER TO GOVERNOR.

JOHN CALLOWAY WALTON was born in Indiana forty-one years ago. While he was an infant the family moved to Nebraska where the present governor of Oklahoma spent most of his youth. In later years the family again moved to Fort Smith, Ark., where the father owned a hotel.

Young Walton secured his first employment as a timekeeper on a railway construction gang working in eastern Oklahoma. He later learned to be a brakeman on the road, also fireman, also steam engineer. During his work as a railroad engineer he went to Mexico City where he was employed on the Mexican railway.

Walton was known as a strictly sober young man, and President Diaz recognized this, always insisting on Walton as the engineer to pull the president's train when he left the national palace.

It was while serving as head of the railway terminals in Mexico City that Walton took up the work of civil and electrical engineering. After completing this course Walton became a salesman, later locating in Oklahoma City, about seventeen years ago. The firm for which Walton was employed secured a contract in Kansas City and he removed to that city temporarily.



GOVERNOR J. C. WALTON

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Upon returning to Oklahoma City the firm of McIntosh & Walton was formed which in the past few years has installed electrical, water and sewer plants in about forty Oklahoma cities. This firm had headquarters in the First National Bank building at Oklahoma City at the time Walton became a candidate for commissioner of public works, in April, 1917. Walton's family consists of his wife and two daughters.

Prior to announcing his candidacy for office Walton had been taken into the Oklahoma City Stage Hands and Theatrical Workers' Union because of his friendship for theatrical workers during a strike. He had been a Democratic political worker, was known among the labor classes also among members of his profession. But other than this he was scarcely known in the political world.

Walton's rise politically has been spectacular from the day of the first city primary. He was not considered a candidate with much strength at the beginning, but both in the primary and the city election he led the ticket for commissioner of public works. This job paid \$3,600 yearly.

Walton, while commissioner, opposed every measure in connection with the building of the city waterworks and the expenditure of about a million dollars. He always declared that the water dam project would be a failure; that huge sums of money would be needed in later years to repair the dam and bypass.

While Walton's claims were thought to have

been extravagant at the time, two years' time proved that he knew what he was talking about. The city has already spent over a million dollars additional on the water project as was predicted by Walton.

City Commissioner Walton was opposed by nearly every newspaper and he fussed with reporters so much that it became a custom to give Walton the worst of every controversy through the newspapers.

With every city paper opposing him except one neutral paper Walton, with two of his four years yet to serve as commissioner, ran for mayor, was nominated on the Democratic ticket and was elected by nearly a thousand votes. He did not resign his first political office until after being elected to the mayoralty. This was one of the worst arguments used against him. He named his own successor as commissioner and formed a machine which controlled the city.

Walton defeated Guy Blackwelder, a Republican, in his first political victory. Blackwelder was one of the strongest Republicans in the city, politically. In the race for mayor Walton defeated C. H. Russell, a wholesale merchant. The campaign was one of the hottest in the city's history, with the newspapers fighting him in every possible manner.

While mayor, Walton brought two different libel suits against one of the Oklahoma City newspapers. The first suit was for \$200,000 and was

dismissed. Another similar suit was filed and still is pending.

Walton opposed the Ku Klux Klan as mayor, and notified members of the police force that no Klansmen would be allowed on the city pay roll in his department. In nearly every election held in Oklahoma City for the last six years Walton has been a factor. Most of the candidates either won or lost on Walton issues.

The Oklahoma City Chamber of Commerce fought Mayor Walton most bitterly. As the fight continued during his term of office the mayor ordered the arrest of the president of the Chamber, who was held in jail for several hours. The Chamber of Commerce was in sympathy with the packing house owners when a strike was called in the early part of 1922. Walton was in sympathy with the workingmen.

Walton made his campaign for governor with a jazz band and barbecue in many of the counties. People came by the thousands in some sections. The Ku Klux Klan openly supported R. H. Wilson, state school superintendent, for governor. Thos. H. Owen was the gubernatorial candidate of the standpat Democrats. Walton won in the primary, and in the general election against John Fields, republican. The Reconstruction League, composed of union men, Socialists and radical Democrats, supported Walton almost to a man. A number of old line Democrats bolted the ticket.

Governor Walton was inaugurated on January 8, in the most spectacular manner ever known in the west. More than 125,000 persons attended, the capitol being crowded to the guards. The celebration lasted for three days. A barbecue was given at the state fair grounds, where three miles of trenches were dug for the army of chefs who prepared the eats. Over thirty thousand gallons of coffee was served. In the capitol twelve brass bands furnished music for the visitors who danced the old time square dance. This took the place of the usual inaugural ball attended only by the society folks.

In his meteoric rise from a laborer to governor, Walton has thrived on publicity. The more adverse publicity given him by the newspapers the greater has been his strength in winning political battles. That "any kind of advertising was good advertising" seems to have been the result always in Walton's campaigns.

Like nearly every other governor just inaugurated, Walton finished with his first legislature in regular session without any serious upheavals except for a number of factional fights over failure to get political appointments.

All legislatures as a rule are harmonious when elected on the same ticket with the new governor. This is due to the fact that not sufficient time has elapsed in sixty days for the political soreheads to organize any factional fights worth while.

History of Oklahoma shows that Governors

Haskell, Cruce, Williams and Robertson all had trouble in handling the second legislature, elected two years following the inauguration of the governor. Haskell's second legislature threatened to call a special session to investigate him, in the same manner that Oklahoma's present legislature tried to perform. Haskell called them, restricting the members as to what could be done at the special session. He threatened defeat for the legislative programs of many of the members seeking big appropriations and managed to whip them all into line.

Governor Cruce's second legislature spent most of its time impeaching and investigating state departments. Cruce threatened to declare martial law at one time and force adjournment when there was talk of an all-year session.

Governor Williams removed the state board of regents at state university and had a storm of protest against his action that almost equalled the fight made on Walton for his somewhat similar action. Williams, toward the close of his term of office, pardoned and paroled a great number of convicts from prison. This brought another storm of protest that came near losing him the appointment of federal judge for the eastern district of Oklahoma.

Governor Robertson was saved from impeachment by his second legislature by only one vote. His pardon and parole record exceeded that of Williams.

CHAPTER II.

FIRST KU KLUX KLAN BLOODSHED.

GOVERNOR JACK WALTON'S first political battle wherein the Ku Klux Klan question was openly discussed was in the removal of Prof. Edwin DeBarr, head of the chemistry department of the Oklahoma University at Norman. Following the removal of Prof. DeBarr came a fight over President Stratton D. Brooks. President Brooks resigned and went to the Missouri University. This brought the controversy to an abrupt close. A new board of regents was appointed by the governor in place of the old and this brought about another statewide controversy.

Previous to the campaign in which Governor Walton entered, the first real Oklahoma bloodshed over the Ku Klux Klan was in the town of Wilson, Carter county. This was while Buck Garrett, now a member of Governor Walton's bodyguard, was sheriff of Carter county.

Nineteen persons were arrested at first for the murder of Policeman C. G. Sims of Ardmore, also Smith and Carroll. The body of Sims, with a black robe on, was found in a pasture near Wilson. Smith died at his home. The latter two are alleged to have been Klansmen. Carroll, the first of the three men killed, was not a Klansman.

The mob, according to the evidence in the trial, was after Carroll to whip him.

Eleven of the nineteen men originally arrested for the Carroll killing were charged with murder but only one of them was tried. Evidence was brought out that members of the Klan forced him to go to the Carroll home on the night that the Klan mob was after Carroll. The man tried, and who came clear, admitted that he was wearing a black robe and mask over his face at the time of the killing. He denied ever having fired a shot, however. There were 250 members of the Klan waiting in the pasture on the night of the Wilson riot which occurred in February prior to the August primary election, 1922, when Walton won the Democratic nomination for governor. With the support of the Buck Garrett faction in Carter county the Ku Klux Klan was made an issue.

Governor Walton's controversy over the university had scarcely died down until he met with another battle in the hands of President John Whitehurst of the state board of agriculture. The entire faculty at the Stillwater A. and M. college was removed by the governor. George Wilson, former manager of the Farmer-Labor Reconstruction League, was appointed head of the college. The bitter fight that resulted for several weeks terminated in the governor's removal of Wilson. This action resulted in a split among farmers and laborers, friends of Walton who

claimed that Governor Walton had double-crossed them.

Following the controversy over the Wilson removal Governor Walton went to Sulphur to rest for a few days. It was while there that information was communicated to him that citizens of Okmulgee requested martial law to prevent Klan activities. Girls and young men caught riding together in cars had been jerked out and flogged by masked mobs, the citizens told the governor. Charges of brutality by members of the Tulsa police force also were made to the governor.

Martial law was declared in Okmulgee county and Adjutant General B. H. Markham, with a command of 250 men, were sent to Okmulgee and Henryetta. The trouble soon was adjusted but before the soldiers were removed they were ordered to Tulsa, where the county was placed under martial law following news of the whipping of Nathan Hantaman, a Jew. Hantaman lived at the Colorado rooming house, North Main street, Tulsa. He was alleged to have been called to the police station for a talk with the night captain. This was a subterfuge, Hantaman said, for the purpose of identifying him to members of the Ku Klux Klan. On leaving the station following the talk with the captain two men grabbed Hantaman, according to his story, and threw him into an auto. Other Klansmen joined in the "night party" and Hantaman was taken outside

of the city along the Sand Springs road, where for two hours the lash was applied to him by different members of the mob.

Governor Walton directed that Hantaman be brought to Oklahoma City, and he appeared at the capitol where a physical examination of his body was made. The examination showed that his legs had been beaten in both the front and back from the hips down, the skin being bursted in many places, leaving open wounds, also his back was a mass of scabs from the shoulders down, as result of brutal lashes. Hantaman was barely able to walk when he appeared at the governor's office. He was compelled to lay in bed for ten days before recovering from the wounds.

"I had rather they would have killed me than to beat me the way they did," Hantaman told the governor. "I was strung up by my hands to a tree and each man took his turn in whipping me," continued the victim. "I started to fight them but it was useless. I often was near fainting when it seems that I was aroused by a blow on the head. When they got tired beating me they dumped me out of a car onto the Sand Springs road."

Sending of soldiers to Tulsa brought about opposition from the city and county; however, there was no great resistance when the adjutant general was placed in control of both the police station and sheriff's office. There was general opposition from the newspapers at Oklahoma

City, Tulsa and Muskogee over the martial law rule. Because of the bitter attacks of one Tulsa newspaper the governor placed a censor in charge of all news, but later removed same. The governor claimed that the Tulsa paper was inciting a riot by its attacks; that being located inside the military zone he had power to censor the same as was done in war times.

A military court was established by General Markham, where a court stenographer took down testimony of all witnesses called, the same as in other courts. The evidence was turned over to the civil courts, where charges were filed against the alleged guilty floggers.

To Governor Walton and the military court is due credit for the bringing about of the first conviction in the entire United States of Klan members for crimes committed while on night parties. Officials of Georgia, Kansas, Louisiana and Texas have made unsuccessful attempts to bring about Klan prosecutions.

Four men, all confessed members of the Tulsa Ku Klux Klan, were arrested through efforts of the Tulsa military court. When brought into court, each and every one of the quartet entered pleas of guilty. Sentences of two years in the McAlester prison, were given each of the four men. They flogged a woman, Myrtle Spain, at Broken Arrow, Okla. A deputy sheriff and a number of others who are alleged to have been

members of the flogging party now are facing trial at Tulsa.

A former constable of Broken Arrow, confessed that he was a member of the Klan which flogged a man named Goolsby and wife, of Broken Arrow. The man and wife were arrested by the city marshal and turned over to the mob, according to evidence secured. They were taken toward Tulsa under pretenses of going to jail. The mob overtook them on the way and the whipping followed. There were ten men in the party. The victims of the party were blindfolded when the whipping took place.

J. S. Lawhorn, pioneer merchant of Jenks, a small town near Tulsa, was flogged by a mob of Klansmen, he testified. A school teacher at the town of Alsuma is held under \$1,500 bond as being one of the floggers.

CHAPTER III.

KLAN CHALLENGES GOVERNOR.

AFTER considerable evidence of flogging parties had been collected by the military court at Tulsa, Governor Walton issued a statement to the effect that the Ku Klux Klan would have to unmask, also to cease its parades in public.

To this came a challenge from N. C. Jewett, grand dragon of the Oklahoma Ku Klux Klan, that the organization would continue to parade—and that there would be no unmasking. Jewett's challenge was published broadcast all over Oklahoma and in other states.

Walton threatened to place the state under martial law, if necessary, to stop the Ku Klux. Word reached the governor that the Ku Klux in Stephens county would parade, also that the hooded organization would parade at Bristow, in Wild Horse pasture. Orders were sent to sheriffs in both counties that martial law would be declared at once and soldiers sent to stop the parades, if the officers did not act forthwith. The parades were stopped as ordered, local officers agreeing to co-operate with the governor.

Oklahoma City, Tulsa and Muskogee newspapers assailed the governor for his threat to declare statewide martial law, claiming that there

was not sufficient evidence existing to warrant the drastic action.

Efforts were being made by the Tulsa Chamber of Commerce, to lift the ban to remove the soldiers. After two conferences the Tulsa business men were shown evidences of outrages that had been committed by the Ku Klux Klan, as taken before the military court. Upon hearing this evidence read, the president of the Chamber of Commerce agreed with the governor that owing to the Klan domination the governor was in the right in declaring martial law to break up the Klan.

Governor Walton demanded the resignation of city and county officers of Tulsa, whom he claimed were dominated by the Klan. Among them were the sheriff, also the police commissioner. The officers refused to resign and the martial law ban was not lifted.

In reply to the newspaper charges against the governor that testimony collected did not warrant martial law, Governor Walton made public certain evidence to the effect that the Ku Klux Klan had ordered whippings, also that Grand Dragon N. C. Jewett, who had publicly challenged the governor's authority to order unmasking, had personally taken part in floggings at Oklahoma City. Jewett's arrest followed on a charge of rioting. He was released on \$1,500 bond pending preliminary hearing.

Martial law was extended over the entire state,

but Oklahoma City is the only town except Tulsa where a large number of soldiers were stationed. Military headquarters were established in the Huckins hotel, where witnesses were examined. All persons who were out after 12 o'clock at night were arrested and taken to the police station if they did not have a military permit to be out. Both the sheriff and police forces were under supervision of the military.

Upon taking charge of the city the chief of police, also the night chief were relieved of duty. They were reinstated the same day, however. Machine guns with soldiers on guard were stationed in front of the police station, also on top of the court house.

Oklahoma City's military court heard a large number of witnesses as to activities of the Ku Klux Klan. A grand jury called by petition circulated through efforts of Campbell Russell, former state senator, was ordered not to meet on the day following the declaration of martial law. Russell is an opponent of the governor and sought to bring about an indictment, it was charged. Russell, under his own signature, admitted that he was a member of the Ku Klux Klan. He was arrested and thrown in jail for a few hours.

Judge Geo. W. Clark, who issued the order for the grand jury, testified before the military court that he had been a member of the Ku Klux Klan by payment of a \$10 initiation fee; that he never

had paid any dues or attended any of their meetings.

County Attorney J. K. Wright testified before the military court that he was a member of the Klan.

Sheriff Tom Cavnar, who publicly was quoted as denying membership in the Klan, testified before the military court that he was a Klan member.

Governor Walton, in reply to newspaper critics, declared that the county officers who are Klan members were trying to interfere with his war on the hooded organization. He also declared that the jury commission, which draws the names of prospective jurors from the box, are members of the Klan.

When it became known that the military court possibly would seek to bring about prosecution of other Klan members in Oklahoma City and Tulsa the records for the entire state membership were sent outside the state. Charls N. Bancroft, secretary of the Oklahoma City Klan, testified before the military court that the record of all committees and members were given to a man from Atlanta, Ga., who came here with an order for them from headquarters. The order bore the seal of the organization. The seal of the local lodge went with the other records, Bancroft testified.

Dr. A. A. Maupin of Oklahoma City, former member of the Klan, testified before the military court that the local Klan had a membership of

about 3,000. The first organizer, he said, was a man named Love; that the second organizer was Jack Caruthers.

A man name McCarron, according to Maupin, came to Oklahoma City to teach anti-Catholic, anti-Jew and anti-foreign doctrines, also to tell the Klan members how to conduct whipping and tar and feather parties—to negro porters and white persons who were deemed by the Klan to be in need of such punishment. Among the members of the local Klan were a number of well-known gamblers.

Maupin said that meetings were held in the Huckins hotel; the district court room; the old Methodist university; in a basement north of the Rose Hill cemetery; at the State Fair grounds and at the Seifers' candy factory building. Among the first officers elected were Grant Landon, member of the city school board, and Bob Eacock, local business man; N. C. Jewett, grand dragon, was the outside organizer, Maupin testified. In part, Maupin testified further:

“The guest of honor at one of our meetings was the grand goblin who came from Texas. He was purported to represent Texas, Arkansas, Oklahoma and Mississippi. He told the Klan of how they punished people in Texas, but always denied doing so, and how the press, friendly to the Klan, assisted in denying responsibility.

“While Jack Walton, now governor, was still mayor of Oklahoma City, an effort was made to

get him to become a member of the local Klan, but he refused to join it. Then, after it was known definitely that Jack Walton would not become a member it was determined to discredit him. McCarron of Texas and N. C. Jewett, grand dragon, were the principal instigators of a scheme to make it appear that Walton tried to join, but was refused admission to it; that is, if the occasion or apparent necessity for such wilful misrepresentation arose."

Upon motion of Grant Landon, Maupin testified a "Klansman's jury," composed of tried and trusted members, was selected to act as a secret investigating committee. It was composed of eighteen men.

Maupin told of how a young man named Merriman had been taken from the restaurant where employed by men who stuck guns into his side, demanding that he go with them. The mob took him outside the city, where a whipping was administered for alleged misconduct with a married woman.

Maupin testified that he had known the young woman and her entire family for years; that he knew the charges preferred by the Klan whipping squad were false. The mob tried to make the young man confess to their charges, Maupin said.

N. C. Jewett, Maupin testified, confessed that he was a member of the whipping party that took Merriman out; that Jewett made the admission

while going into the Liberty theatre after a notice of the whipping appeared in an Oklahoma City paper.

"I am the man who laid that on—I led the whipping party," Jewett is alleged to have said to Maupin. The witness said that Fatty Bancroft, in a conversation with him, did not deny that he was a member of the whipping squad that took Merriman out.

Maupin testified that Grant Landon called him over the phone one afternoon about 5 o'clock following the Merriman whipping and told him that the punishment was not administered officially; that the Sanhedrin or klan jury was the official whipping party. Landon professed to know nothing about the Merriman whipping, Maupin said. A well known Oklahoma City physician was named as the "cutting surgeon" by the witness, but this was later denied. Since there is doubt about the identity of the physician, his name is withheld.

With reference to further Klan activities in Oklahoma county, Maupin testified that the organization decided to automatically suspend all members called for jury service, in order that each member when called could testify that they were not Klansmen. After the jury service was finished the Klan again would reinstate them as members. The regalia for each member cost \$6.50 and came from the headquarters at Atlanta. No records or books were kept and all letters re-

ceived or sent about Klan activities were burned.

Maupin said that Dr. Davis, charged with murder for operating on a woman was railroaded to prison by a Klan jury.

At one meeting of the local Klan Grand Dragon Jewett warned that some of the members had been talking too much about what the Klan was doing—that some of them would be sent to the McAlester prison or to the Leavenworth federal pen, if talking was not stopped.

Bob Eacock, according to witnesses, reported at one meeting that the local Klan was “doing things” but “on account of the cases handled it had become necessary to keep them absolutely secret.”

E. R. Merriman, the young man whipped by the Oklahoma City Klan, testified in part as follows:

“On March 7, 1922, while I was eating supper in the car barn restaurant at Fourth street and Olie, two unmasked men came in representing themselves to be the law and stated that they had a warrant for my arrest for carrying concealed weapons. I never gave it any thought but requested that they give me time to finish my supper and they said no; for me to come on with them. They handcuffed me and carried me on the outside and we walked to Fourth and Olie streets.

“I was placed in a car, but before they did this I noticed as many as seven cars parked along

the south side of the street. They put me in the back car with four men or more. An old jumper sleeve was placed over my head and I was held to the floor of the car until they had gone a distance of possibly twelve or fifteen miles. I know pretty well the route we went because I have driven a car in the city for the last five years.

“I was carried out and asked a good many questions in relation to a certain young woman in town. I denied what I was accused of because there was nothing else to do. They accused me of having immoral relations with her.”

During the conversation among the mob members, witness said that he heard them ask: “Doctor, have you the administering tools?” The answer was, “Yes.”

Merriman testified that he was stripped of all clothing above the hips; that he was given twenty-seven lashes with a whip which sounded like a piece of rope. Also that the mob members cursed and poked guns into his ribs. He was ordered to “not let the sun go down on him,” and left the city for thirty days.

Upon returning to the city, Merriman said he filed charges with the county attorney's office and gave the names of eighteen men to Assistant Prosecutor Withington, but that nothing ever was done. Four or five days later, Merriman said, his boss man came to him and asked him to withdraw the charges. “My boss said:

“‘I understand that you have filed charges

against the batch of men that carried you out that night,' and I replied, 'Some of them that I could get hold of.' He asked me if I thought I had acted wisely and I told him that I felt like the men ought to be prosecuted enough to cause them some trouble. He suggested to me that it might cause me more trouble than it would the men and I replied that I was willing to have more trouble.

"My boss told me that if he were I, that he would reconsider the action and not do it.

"I asked him just what he knew about it and if he was a member of the klan.

"He replied that he was not; and when I asked him about his source of information, he replied that he had a friend who approached him, requesting that he come and talk to me about the matter.

"I told him that I would reconsider my action and think it over. I further told him: 'Suppose I do withdraw these charges, where do I get any guarantee of safety? He replied that he didn't know but that he would find out. I told him that I was going back to the county attorney in a day or two.'

Witness said that his boss threatened to discharge him if he did not withdraw the charges.

"I told him that I didn't have to do anything; that I was going to the county attorney and push the charges; that he could tell his friends in the Ku Klux Klan that they could go straight to hell."

CHAPTER IV.

THE GOVERNOR'S NEWSPAPER.

THE RECORD, a newspaper edited by Aldrich Blake, private secretary to Governor Walton, was published through the efforts of the governor and his friends, to let the people of the United States know his side of the controversy. The governor, in the first issue which appeared under date of Tuesday, September 25, assailed the "invisible empire," showing by evidence of the military court that the most fiendish crimes imaginable had been committed by the masked bands of white robed klansmen parading under cover of darkness. The evidence disclosed by the governor, he said, was offered to the newspapers but that they refused to publish his side of the case.

"Are you for the American Republic or the Invisible Empire?" was the leading first page article in The Record. In his defense for martial law in fighting the klan, the governor in The Record says in part:

"The Ku Klux Klan, that for over two years has spread terror throughout this state to races and religions against whom its organized efforts are directed—that has dragged its victims from their homes and from their beds during the dark hours of night, and without trial, without mercy,

men and even women, have been tied up like beasts of the field and beaten until only a wreck of humanity was left. I say that the leaders of the Ku Klux Klan are now pleading the law and the constitution—are denouncing me as a war-lord because I have uncovered their crimes and exposed their anarchistic defiance of law and order.

“When I began to investigate klan crimes I learned that where they operated most freely the local officers were members of the klan. If charges were brought against a klan flogging mob, a klan sheriff would have to make the arrest, a klan county attorney would have to prosecute the charges against them in a klan court before a klan jury drawn by a klan jury commissioner. Facing such a condition and after my warnings were flouted and set at naught, I declared martial law, drastic as such a measure is.

“Only under the protection of bayonets could whipped and cowed victims be induced to testify against the invisible monster that had warned them that death would be the penalty for testifying against the Klan. With great reluctance they testified, the truth coming falteringly from their trembling lips, for the invisible empire thwarted us in every way known to them, and through Klan officials their power was still felt, and their threats lodged against their victims.

“Owing to this oppression of the Klan, augmented by every political element that was will-

ing to throw its influence with the Klan in order to try and crush me, it became necessary to extend martial law further and further until I decided that it was necessary to include the whole state so as to reach every witness needed and to throw the necessary protection around those who were willing to testify.

“Little by little we have uncovered the ‘invisible’ monster until it is bared to the light of day in all its hideousness. Now it has run to cover. With the American flag that it desecrated wrapped around its dragons, cyclops, goblins and wizards, it holds aloft the constitution while calling upon all the people to witness that it represents the only Americanism in the land. At the same time, it denounces me as a violator of the constitution, a war lord mad with power, and a menace to the sacred institutions of this state.

“What have I done? Have I interfered with the business of a single merchant or professional man, with the operation of any corporation or any business institution in the state? They say I censored a newspaper and attempted to stifle the press. I did this for two days, for the reason that the paper was violently Ku Klux and tried to incite the people against the forces of the government operating against the klan.

“They say I have suspended the writ of habeas corpus. Only where necessary to uncover the crimes of the Klan and that has not been to the injury of a single guiltless man or woman in the

state. They cry out against statewide martial law.

"I say again, I had to do that in order to reach witnesses and protect others in order to uncover the Klan crimes. Not an honest man or woman in the state, not a business interest of any kind has suffered by reason of statewide martial law—only the Ku Klux Klan, and this monster that has committed almost every crime in the calendar behind masks and under cover of darkness, now cries aloud that I am violating the political rights of the people. Mousing the sacred Declaration of Independence, like criminals standing on the trap with the noose around their necks, mousing scriptures, they demand that I be impeached and removed from office.

"N. C. Jewett, grand dragon of Oklahoma, the emperor of the invisible empire of the state, began issuing defiance and challenging my power and authority as governor of this state, just as soon as we secured conviction of Klansmen. There is no question but he believed his invisible empire stronger than the government of this state."

"Mob cuts man's ear off; masked Klansmen would force helpless victim to eat his own bloody flesh," was another headline in *The Record* which told of how J. H. Smitherman was taken out and flogged by the Tulsa Ku Klux Klan. Smitherman's testimony before the military court in part is as follows:

"It was on the night of March 10, 1922, about

2 a. m., that someone knocked at my door and I asked: 'Who is there?' Somebody answered that it was a police officer. 'Smitherman, we want to see you—want some information,' he continued. I opened the door and when I did so, two men with drawn revolvers were standing there. I asked them what they meant and they said: 'We want you to get your clothes on and go to the police station.' They said the chief wanted to see me.

"I said, 'What for? I can come up there tomorrow or he can come here.'

"I asked them what the chief wanted and they said that he wanted to talk to me. I told them that I would not go.

"'Yes, you will go,' one of the men replied, and then a third man appeared, entering my room. All three of them punched me with their revolvers and I dressed and one of them got on each side of me. They were all around me. They led me to the top of the stairway and I met Lawyer Twine of Muskogee and I winked at him and told him that the three men had me arrested and I wanted him to go to the police station with me and see that my bond was fixed up and he replied, 'All right.'

"Twine started downstairs. One of the men told him that they would shoot his damned head off, and I did not see Twine any more. When we got to the bottom of the stairway and onto the sidewalk, we started north on Greenwood and I says: 'Where are we going?' and they said, 'To

the car,' and I says, 'If you are going to kill me, just kill me here—don't take me away,' and then I started to fight and I was felled with a gun, I suppose, in the hands of one of the men.

"I did not remember anything till I was in the car, handcuffed and with a man on either side of me, also with two men on the front seat. They drove south on Greenwood to Archer street and then turned east up Madison and then came back south to Admiral boulevard and drove out the federal drive on over the hill where the road forks to go to Claremore and Collinsville.

"They put a blanket over my head, and I don't know which direction they went from that time on, but after riding along a while the car stopped and they seemed to be discussing just where they would take me and finally I heard one man say:

" 'Well, we will take him to the hill,' and we rode again and finally stopped. I was pulled out of the car and was kicked several times. They took the blanket from over me and led me through barbed wire fence to a point about forty or fifty feet from the road and then unfastened the handcuff on my right hand and tied a rope in its stead and led me up to a big tree and put my arms around the tree. The rope was placed through the other part of the handcuff and brought my arms as tight around the tree as they could. Then they took my clothes off and they began to talk to me. There were two of them talking, one doing more than the other, and one of them said:

" 'You are registering damned niggers as Democrats and telling them to vote against this present city administration which is for good government.'

"I replied, 'I have advised all the colored people I could, to register as Democrats because I myself was a Democrat and there was nothing else for me to do but to advise them to register as Democrats, and to vote the ticket.'

"They also said to me: 'You have been bringing negroes into town from the country, not in the city limits, and having them registered.'

"I told them that this was not true, and one of them, a little fellow, then spoke up and said:

" 'You have been uncouth and ungentlemanly to a white lady that registered at 415 North Boston street, Mrs. Johnson.'

"I says: 'That is not true—not a word of it,' and so the little man, he hawked and spit in my face and I struck him and was felled again. I was sitting down when he spit in my face. I got up.

"Did the men have masks on?

"Eight of them had handkerchiefs over their faces and four of them were unmasked. The mob then buckled me to a tree and they all whipped me. One of them would whip till he got exhausted, then the other would whip. Finally the man that spit in my face came over and pulled his gun, stuck it at my head and says, 'I am going to kill you,' and there was an elderly man there, one of the unmasked, who prevented it, so they talked

about five minutes privately and this little fellow came up, pulled his knife out of his pocket, caught hold of my ear and cut it off and says: 'You will be a marked mother sucker the balance of your life!' Then he tried to make me eat my ear, and I would not do it. Then he took the butt end of the whip and hit me in the face until he was tired; all the time trying to make me eat my ear, and I would not do it. Finally, they turned me loose and told me to leave Tulsa and to leave Oklahoma and if I did not, one of the twelve would kill me, and that is the story."

CHAPTER V.

WOMAN FLOGGED IN NIGHT GOWN.

PERHAPS the most cruel and inhuman treatment reported to have been administered to white women by members of the Ku Klux Klan were the cases of Mrs. Peary Hayter of Tulsa, and Annie Pike of Broken Arrow, Okla. Both of these cases were investigated through the military court after local officers had failed to make any arrests.

George Petropol, a wealthy Greek of Tulsa, was flogged by the Ku Klux Klan, he testified, and following the whipping \$500 was extorted from him by a member of the masked mob. He had refused to settle a business controversy and the klan member with whom he was dealing, was a member of the whipping party. The whippers claimed that Petropol had been going with Pearl Hayter. This was one of the reasons for the action of the mob, they claimed, at the time of the trouble.

After flogging Petropol, the masked mob threatened Mrs. Hayter with similar treatment. Warning was given by a klansman who said in part: "The same thing is going to happen to you; I want to be a friend to you and warn you of the danger. It is not the people that want to

hurt you, it is him. You will have to leave him alone.

"Last week the Ku Klux Klan had a plan to take Petropol out and the Kamelia ladies were going to take you out, but there were some of us men asked them not to do it until we could investigate and talk to you about the matter.

"He told me," said Mrs. Hayter, "that there were four men who asked him to do the talking to me and find out if I would quit going with Petropol; that if I did, I would not be bothered by the Klan; that they did not want to hurt me in any way, but they did not want to see a white woman going with a Greek.

"Five men and one woman, all of whom had handkerchiefs over their faces, put me in an automobile on the night I was abducted. I was taken out in the country a few miles from town where the car was stopped. Two of the men in the attacking party threw me down on a blanket and one of the gang whom I believe was a woman, cut a bunch of hair off my head.

"After my hair was cut, they told me to get back into the car and to tell them the truth about a business deal between Mr. Berry, a banker, and a Mr. Petropol, with whom I was keeping company. Then they took me to the railroad station and instructed me not to even buy a ticket, in this language:

"Well, you are not going to buy a ticket. When you get out of the car don't you look back;

you walk right over and get on the train and when it starts you will pull down the shade and don't talk to anyone.'

"The train I boarded took me to Okmulgee. When I got off there, two men appeared, one on each side of me. They told me to get into a certain car. At the time there were two men in the car and as soon as I was seated a handkerchief was tied over my eyes. I was again queried if I was ready to talk about the business deal between Banker Berry and Mr. Petropol. I informed them that I had told them all I knew about the deal while in Tulsa."

"You mean that they forcibly outraged you?"

"Yes, sir," was the reply. She told in detail of how the two men in the back seat of the car mistreated her. "One of the men," she continued, "said, 'Lay her down in the seat there,' and then the other man took out a bottle of carbolic acid. He took the stopper out and just—well, you can see some of the burned places (exhibiting arm).

"They burned me on the arm with the carbolic acid. They would put the stopper on there and hold it, asking me if I was ready to talk or if I would talk. So, just like I did before, I told them that I didn't know anything to talk about.

"So they had me laying on the seat and they took hold of my dress, pulled it down and said they were going to burn my breasts, and these places on my arm—they had just let them go, you know, and they tortured me.

"They had commenced to hurt me and when they said they were going to burn my breasts, really I didn't think they would do it. I thought they were going to just try and make me talk, but they poured—you can see the places here (exhibiting burned places of breast).

"One of the fellows grabbed my dress and the other man held me. He pulled up my dress, and cut my underwear all to pieces, also my corset—and he told me what he was going to do * * * * where he was going to pour the carbolic acid if I didn't tell it. But the man in the front seat then objected to that and said that if it was him, he wouldn't do that."

Mrs. Hayter, upon returning to town, said that she met a policeman and went with him to the station. A doctor was called and her wounds from the carbolic acid burns were dressed. The date that this crime was committed was July 15, 1923.

Annie Pike's story of how the Ku Klux Klan took her out of bed in the night, at Broken Arrow, is in part as follows:

"The Klansmen came to the house and shouted: 'Open the door,' and Joe got up, opening the door. The men came in and approached my bed, telling me to get up.

"I asked them why I had to get up and they jerked me out of bed in my nightgown. They jerked me to the middle of the floor. I recognized them and they pushed me to the front door.

"I asked them to wait till I could get my dress

on and they replied, 'You don't need any dress.' When I reached to get my dress, one man threw a gun on me. I recognized that man as Leon Barth.

"I grabbed a quilt and wrapped it around me and they handcuffed us both, put us in the car and blindfolded us. When we left the house they went west on the pavement, but I don't know where they took us. There was a man on each side of the car, standing on the fenders.

"After we got out in the country, they took Joe out of the car, leaving two men to guard me. I called the mob members and asked them not to hurt Joe in any way. They replied that they were going to make a man out of him; that they had the privilege to do so from the United States government; that they were privileged to handle him in any way they saw fit.

"I couldn't see Joe, but I could hear his cries as they whipped him. They brought Joe back to the car, then took me by the arm and led me out a ways. When they took me out, they told me to walk like a man.

"Two men had hold of me and they asked if I would like to join the Ku Klux Klan. I told them that I did not, but that I wished someone in the gang would help me. When I said this, I heard M. C. Williams talking and recognized his voice, and I said: 'Please Mac, help me,' but I couldn't get him to talk any more."

Both victims of the flogging had been accused

by the Klan of selling Choctaw beer. "I told them that we quit making beer after being arrested and paying our fine," she continued, "and that they could go to the house which was open, and find out for themselves if they didn't think I was telling the truth. They said they were going to whip me and see if I was telling the truth. I asked them what for, telling them that I was innocent and that God knew I was telling the truth.

"One of the men replied, 'God, hell!' Then they told me to squat down and I told them that my knee was broken and that I could not stand. I heard someone make the statement: 'We will whip her standing up.'

"Before they started whipping me, they grabbed the quilt away which I had thrown around me, and I just had on my nightgown. They began whipping and I started screaming. One of the men put his hand over my mouth and I fell unconscious.

"I didn't know anything more till I was back in the car, and when I came to my senses I was all wet and someone had hold of my pulse, and another man asked me if my heart was beating.

"After I had come back to my senses, they asked me if I wanted a drink of water and I told them my jaws were locked; that I couldn't drink. They blindfolded me again and brought me back home. I was sick at the time the mob flogged me and I have been sick ever since."

Floyd C. Cook, a crippled soldier who served

our country during the recent war, was flogged by a Tulsa mob of masked klansmen. Ralph G. Cook told the following story before the military court:

"It was about 2 o'clock in the morning when I heard the firing of automatic pistols, also the screams of women. I jumped out and noticed that the firing was still going on. I observed that the trouble was in our house.

"I started to the crowd when one of the fellows stuck a gun in my ribs and made me go back. They were hollering for the man to come out. The mob members were shooting right through the house. The man inside had a light and when the mob members shouted, 'Come out,' the lady kept saying, 'Wait till I get these children.'

"A man in the mob replied: 'Let the children alone.' He drew his gun and fired at almost the same time. I expect there were fifty shots fired. When the man came out the mob struck him. His wife, who held a young baby in her arms, was knocked down by one of the men who struck her with a pistol."

W. E. Butler of Sand Springs testified that Fred Hill was arrested and his pistol taken off, about 7 o'clock p. m. by Policeman Jeter and Chief of Police Lampkins. A few hours later, Hill was brutally whipped by a Ku Klux Klan mob, the members of the organization being loaded into three cars with tops and curtains up. Each car contained seven men.

Hill, victim of the flogging, was with his mother at the time that the Klansmen seized him. The aged woman, Butler testified, was knocked down by the Klansmen, also that they beat up the son with guns before taking him out.

Butler's testimony in part is as follows:

"Hill had received warnings from the Ku Klux Klan and they had repeatedly threatened to whip him.

"A man named Murray was taken out of jail and whipped. Lampkin was chief of police and Jeter was assistant chief. There used to be an average of about one whipping a night and I don't recall any instance where there ever was a prosecution for the whippings.

"After Murray was taken from jail and whipped, he was left in the country where the flogging took place. He never was placed back in jail."

"I disarmed Hill," testified Assistant Police Chief Jeter, of Sand Springs. "I was told by him at the time of the flogging that a big crowd of men was after him. I was six blocks away when the mob got him. I could hear his cries as he was being abducted."

CHAPTER VI.

RIVAL IN LOVE WHIPPED BY KLAN.

JOHAN C. McCOY, captain of a whipping squad of the Shawnee Ku Klux Klan, loved a woman. J. C. Sowers, formerly with the Metropolitan Insurance Company of Shawnee, also was infatuated with her. Sowers did not belong to the klan. Captain McCoy called his squad together and took his rival, Sowers, and whipped him, according to the testimony of Ray Montgomery, captain of one of the Shawnee Klan whipping squads.

Montgomery says there were five whipping squads in the Shawnee Klan, that a captain had charge of each. Captain Howell, an officer in the Oklahoma national guard, was known as the supreme commander of the intelligence department which had charge of the whippings. The cyclops of the Klan gave permission before whippings were carried into execution. Montgomery testified that Dr. J. A. Walker, of Shawnee, gave permission to whip J. C. Sowers, in the love rival case.

Shawnee Klansmen had a precinct organization in the city where an intelligence squad in each precinct was located, according to Montgomery. Besides being captain of a whipping squad, Montgomery was assistant secretary to the

intelligence department, he testified. His testimony in part follows:

"The five captains of the intelligence squads were John C. McCoy, Mr. Martin of the Broadway Garage, Captain Howell of the national guard Howitzer company, C. W. Graves and myself. Captain Howell was known as the superior commander. All orders we five captains received were from him. We were the intelligence department of the Klan, and the members of our organization did participate in whippings, but it wasn't known exactly as the whipping squads, but they sought information in various ways. Each captain of the intelligence squad knew his men but he did not know the men in the other squads.

"J. C. Sowers, formerly of the Metropolitan Insurance Company, of Shawnee, was whipped during March, 1922. J. C. McCoy got permission from Dr. J. A. Walker to do this. The whipping took place three miles east of Shawnee on the Highland road by J. C. McCoy, Lafayette Evans, Orville Hunter, Mr. Shaw of the Mackay Telegraph Company, and Ernest Brundage. Orville Hunter did the lashing of Sowers.

Mr. McCoy told me in the office of the Metropolitan Insurance Company on the evening before they took Mr. Sowers out—I was with them—that he had permission to whip Mr. Sowers from Dr. J. A. Walker; that he wanted to beat him out of a woman whom he was playing. Mr. McCoy had discharged Mr. Sowers from the service of the

company, trying to get him to leave the woman. But it didn't have any effect on Mr. Sowers and McCoy told me that he was going to get permission to whip him, which he did.

"At this time Mr. Sowers has the rheumatism caused by this lashing and he is not physically able to perform his duties."

During 1921 a mob of 150 Klansmen took four men from the taxi stand near the Walcott hotel at Shawnee, and whipped them, the event taking place three miles southwest of the city, according to Montgomery. The victims were: Frank Cole, Tommy Jones, Claude McCannon and a brother of Cole. They were accused by the Klan of selling liquor, also with hauling immoral women in their cars.

"Major C. M. Reber, formerly of the Oklahoma national guard, secretary to the Klan organization, got permission from Dr. J. A. Walker to whip these men. We captured them in their office, then they were turned over to the mob waiting on the outside, composed of 150 Klansmen. After carrying the men to the place, they were severely beaten by Major Reber, a man named Higging now of Oklahoma City and a Mr. Johnson, now an employe of the Rock Island at Shawnee and foreman of the painters in the shops. They did the lashing.

"Mr. Graves, one of the captains in the intelligence department, wanted to tie Frank Cole behind a Ford car and drag him across the ground

to make him confess to the charges he was accused of. They beat this man till he was unconscious.

"Cole had false teeth and he begged them to let him take the teeth out; that he was about to swallow them. They replied that they didn't give a damn if they killed him; that he deserved it; that he was known as a gunman.

"McCannon, the next victim, pleaded for mercy but they didn't seem to have any. The mob told him that they really wanted to beat him to death. While Mr. Johnson was whipping this man I caught him by the arm and asked him to have mercy on this fellow. They were trying to make him tell that he had stolen \$250 from his sister-in-law, which some members of the Klan had been informed was the truth. But after all of the beating this man never confessed, claiming that he was not guilty.

"I saw all of these men the next morning following the whipping and they were in very bad shape."

Election work was not looked after by the whipping squad captains, according to Montgomery. In each precinct, however, there was a Klan captain who looked after the election, calling on Klan members to help him. In telling of other whippings, Montgomery continued:

"One evening Mr. Graves came to my house and asked me to go with him out in the country after a bad fellow. I told him that I would go

after he said that permission had been given to whip this man by Dr. Walker. This man, he said, was selling whisky, also was keeping a lewd woman at his place.

"Mr. Graves, Mr. Weaver, Oliver L. Hunter and Mr. Johnson of the Rock Island, also several others whom I can't recall, went with me. We found him with an old-like gentleman in his home, sitting peacefully smoking when Mr. Graves and myself entered the house.

"We captured this man and carried him something like 250 yards from the building and he was punished severely. Mr. Graves reported to Dr. Walker, after we returned to town, that the job was done and done well.

"I investigated this case later and found that this man we had flogged owed Mr. Graves \$20; that he formerly was an employe of the Rock Island and had gotten in debt to Graves for this money. I reported this to Dr. Walker, but he said he guessed he needed the whipping anyway. At this time I can't call this man's name, but I know him and can furnish this information later."

After each Klan whipping, the Shawnee squads reported to Dr. Walker that the "whipping was done and done well," according to Montgomery. Sometime the report was made privately while at other times it was made in the lodge. "It depends on who the party whipped is," continued Montgomery.

"If it is a man that they are really afraid

there will be a hereafter, it is very secretly discussed. But if it is a poor fellow who they think hasn't a chance in the world to get back at them, then they tell the members in open lodge.

"Mr. Donahoe, a blacksmith, corner Minnesota and Main streets in Shawnee, was taken out by Mr. Graves, Mr. Hunter and Mr. Pell and others in the organization. He was punished because he made a remark against the Klan, that "They never would whip him; if they did and there were fourteen in the mob, that there would be fourteen dead men." After whipping Donahoe, the event was reported in open lodge of the Klan."

El Reno had a Ku Klux Klan and a whipping organization in 1921, according to Montgomery, who was a member of the police force there at that time, he told the military court.

A negro porter at the Kerfoot hotel was flogged by the El Reno klan. The mob was unmasked. After the negro was beaten severely, he returned to the city and called the police station.

"Mr. Bannister and myself responded to the call," continued Montgomery. "The negro told us how they had punished him, also of the orders they gave him to leave town by 4 o'clock. He asked us to come back after him at 4 o'clock and carry him to the station.

"This negro said that he had been given orders not to tell anybody about the whipping. He named Carl Whitlock, a representative of the Daily Oklahoman newspaper, at El Reno, as one

of the mob members. At the time they seized this negro, two men told him that they had a federal warrant for his arrest; that they were going to take him to the county jail. He surrendered and they took him outside of the hotel to a Dodge car, which was used to carry him outside the city where the whipping was given.

"Mr. Thompkins of the Thompkins Motor Company is the cyclops of the El Reno Klan and I am not sure but I think Mr. Whitlock is the secretary. Mayor Kivett, Police Chief Laird and the policemen, also the sheriff of the county, are all Klansmen. The mayor was a member of the whipping squad.

"During 1921, the Klan, which operated in El Reno, was composed of members from Oklahoma City, Shawnee, Lawton and Enid. There was rumor that there would be trouble if they operated. Mayor Kivett made an open talk in the lodge hall that his police force were all members of the Ku Klux Klan; that he would give them protection.

"There have been other whippings at El Reno. A negro porter at the Majestic hotel was run out of town by a mob one afternoon. They were unmasked but most of them were Klansmen. The negro was shot in the leg and he said that Carl Whitlock, secretary of the El Reno Klan, shot him. The negro now is a porter in an Oklahoma City rooming house.

"While living in Shawnee, at one meeting of the Klan in the hall, a Klansman of official rank

made a talk about the Ardmore Klan and during his talk he told the Shawnee Klansmen what they did to members who talked too much. He said:

“I guess you gentlemen have heard of the two men being killed out in the field near Ardmore with their robes on; this is what we do with them when they give information about the Klan.’ The Klan speaker further warned the members that the Ardmore Klansmen paid the penalty for giving information to the sheriff’s office about a whipping that was to take place. Other members of the Klan killed them, the speaker told the Klan, according to Montgomery’s evidence.

CHAPTER VII.

SIGN OF CROSS IN FLESH

THREE Oklahoma City Klansmen in an automobile, one of them armed with a knife, cut a “fiery cross” on the breast of Remus H. Allen, of Yale, Oklahoma. Allen is an ex-soldier. He graduated from the Yale high school and was in the air service for a year in the 44th squadron, being honorably discharged at Post Field, Fort Sill, Okla., on November 16, 1922. The discharge shows his character as excellent.

“On September 24, 1923, I left the town of Edmond and started to walk to Oklahoma City,” testified Allen before the military court. “I caught a ride part of the way but got out of the car and walked a mile or two,” he continued.

“I came to where some road grading was being done and I sat down on the grader. It was dark at the time. A Dodge sedan car with lights on came down the road and stopped close to where I was sitting on the grader.

“I saw three men in the car and heard one of them say: ‘You fellows get Walton and you will get your money.’ That is all the remark that was made along that line. This man did not say Governor Walton or Jack Walton, but from the tone of voice that he spoke, I judge that they had been disputing. They saw me and one of them

growled out: 'I guess you heard that,' and I replied that I did. He then said to me: 'You do not look like a damn fool! Your life depends on your silence about what you have heard.'

"I never said a word to the fellows except answering their questions. These three fellows all had their hands on me. One of them took hold of my arm while another ran his hand around my hips to see if I had a pistol or arms or anything. This fellow ran up—the well-dressed man—and he said:

"'Will give you something to remind you to keep this to yourself.' And he jerked open my collar, the collar of my sweater, and tore that down. He then cut me with some kind of an instrument, but I could not see what kind it was. While this man cut me, the other two held me.

"I was cut down the middle of the chest and then cross-ways, making a complete cross."

Allen opened his shirt front, exhibiting the wound to members of the military court. Col. Graves described the wound into the court record as follows:

"A cut about ten inches long down the center and about eight inches long and across, evidently cut about two inches above the solar plexus and one-half of an inch to the right of the median line."

Allen testified that the fellow who drove the car said: "Remember what I said! This is warning."

Allen watched the car until it got out of sight. He walked on to Oklahoma City, arriving at the Huckins hotel, where he attempted to call Governor Jack Walton by telephone at 10 o'clock that night, to relate details of the attack. He did not get in communication with the governor's agents until the following day.

Dr. A. E. Davenport, state health commissioner, a former member of the Oklahoma City Klan, testified as follows:

"There was an 'upper bunch' in the Klan when I was a member that controlled things for the purpose of intimidating the general run of members and maintaining themselves in office. They used the Klan to carry out their own selfish aims. They would say: 'We will whip a Klansman as quick as we will anybody else; you have got to be right or you will get it too.'

"The only information I ever got about whippings was hearsay; I don't attend any of their meetings and haven't done so since last January. I don't have a thing to do with them.

"When I was a member of the Klan they took an active part as an organization in indorsing certain candidates. They wanted to beat a certain man for governor and they indorsed another candidate, hoping to elect their man. A committee was appointed to select the candidate and the lodge was bound by the committee's action. That was the general understanding, but I told them that I would not do it."

During the time he was a Klan member, Dr. Davenport testified that he did not know of any outrages being committed, or sanctioned by the Klan. "The fellows who controlled that didn't have anything to do with me because they knew where I stood," continued Dr. Davenport.

"Certain fellows, like Jewett and Breck Moss. I don't know what they did, only by hearsay, and they wouldn't invite me into their secrets and I didn't care to go into them in the first place.

"I heard that they took this dentist, a doctor that ran a sanitarium over on the east side, and that is my information that they took him out and I don't know just what they did."

"Goldberg, you have reference to?"

"Yes, Goldberg. I never knew the man myself. As a matter of fact these outrages are not reported to the ordinary members. They keep that in a certain circle.

"When a whipping would occur, of course, they would leak out, you know. I would not know anything about who they were, but I would just hear it."

"You say that certain ones were in the Goldberg party?"

"I didn't say certain ones. They said the Klan took him out, Klan members. They didn't mention any names. They were too smart for that, but they said Klan members took him out."

Breck Moss, a lawyer, testified that he joined the Klan in February of 1921 and that he now is

exalted cyclops of the Oklahoma City Klan No. 1; that he has held such position since the first week in December of 1922. He testified that there are seventy members under his jurisdiction. "I could not tell you the names of all of them to save my life," replied Moss, when asked for a list of the members, "that is impossible," he continued, "in fact, I do not keep any record."

When asked for the name of the precinct committee in his district, Moss replied that he did not know. He also denied knowledge of the names of any members of Klan precinct committees in Oklahoma City.

When questioned concerning the removal of the records of Klan members from Oklahoma City, Exalted Cyclops Moss stated that he had heard the records were moved, but that he had nothing to do with them; that he knew nothing about the records being turned over to an officer from Atlanta except that the secretary turned them over.

Colonel Graves said: "I would like to quote in the record an official document of the Klan, how these instructions come down:

"Imperial instructions. Document No. 1. Series A. D. 1918, AK LII.

"Being official instructions in K-uno in the border Realm of Karacter, from the one who traversed the Realm of the Unknown, wrested the solemn Secret from the grasp of Night, and became the Imperial Master of the great lost

Mystery. Words of timely Wisdom from the soul of the great Imperial Wizard, who out of Mystic Darkness brings Light.

"Done in the Aulic of His Majesty, the Imperial Wizard, Emperor of the Invisible Empire, in the Imperial Palace, in the Imperial City of Atlanta, Commonwealth of Georgia, United States of America, this the First day of the Fourth month of the Year of Our Lord, Nineteen Hundred and Eighteen, and on the Deadly day of the Windy week of the Apalling month of the year of the Klan LII, and in the third Cycle of the third Raign of our Reincarnation.

"Officially uttered, inscribed, signed, sealed, communicated and committed to you in the sacred unfailling bond."

"This is the method by which Wisdom comes down; the general policy of the Klan that comes down from Atlanta, that comes in their documents of that character?"

"I understand they do, Colonel. I do not know of any other authority."

"One would assume from the wording that they are talking to a colored organization. Do you want it to go into the record here that these are the words of the Imeprial Wizard, the Wisdom from the Realms of the Unknown, the Klan which never advocates investigations of the morals in your community are turned over to the civil authorities?"

"Yes, sir."

When asked concerning the official seal of the Klan, Exalted Cyclops Moss replied: "I do not know. I never saw the seal of our Klan."

"In your opinion, the Klan was making a mistake in continuing use of the hood and bed sheet as a mask?"

"I think so; I always thought so. This is my judgment. This is my personal opinion. I want to say here that I think it is a great mistake to wear a mask and I have always thought so. I have spoken that on numerous occassions. These things are not my policy—that is, these communications. I cannot draft those."

C. G. Landon, prominent member and former cyclops of the Oklahoma City Klan, at present a member of the Oklahoma City school board, testified before the military court that he did not remember the names of the Klan captains in the precinct committees. He also swore that he probably had seen the list but that he didn't remember the names of precinct registrars.

"Did you authorize any, as cyclops, while you were in office, warning citizens and non-members of the Klan to desist from immoral acts?"

"I was trying to think of a case—I don't remember of any specific case."

Landon admitted that he probably did, as cyclops of the Klan, address letters admonishing citizens to be righteous.

"Did you tell them: 'We understand you have been guilty,' and name the crime? And did you

also say: 'We ask you in the name of good government to desist,' or something like that? Or was it a pugnacious warning to quit?'"

"I don't remember what it contained."

Landon, when shown the seal of the Ku Klux Klan, said he didn't remember what the official seal looked like; that he had seen it. He said the letterhead shown him was somewhat similar to Klan stationery. The following letter was shown him signed by the Klan:

"H. O. Tintston:

"We have observed you for the past several months, and your conduct has been anything except that of an upright citizen. You have been abusing your family shamefully. We know you have worked very little and have never supported your family. We are advising you to treat your family as a man should, and we expect to see that you do. We will call your attention to this matter in the event that your conduct has not changed.

(Signed) "Knights of the Ku Klux Klan."
(Official seal of lodge in left hand corner.)

"Did you authorize that letter or not?"

"I don't even remember the name. I will say that I do not remember of ever authorizing a letter of that kind or that import."

"What does the Klan undertake to do?"

"I don't know that I can give you a comprehensive answer to that question. If reports are

correct, it seems that they have undertaken things that they have no right to do."

"What do you mean by that?"

"Well, I mean that they have no right to engage in outlawry, or floggings or whippings and matters of that sort, as reported to the press."

"The Klan took a great interest in politics, did it not?"

"The members took quite an interest in it."

"Did not the Klan take quite an interest in it?"

"The individual members took quite an interest in it."

"I will ask you if the Klan did not?"

"I will answer that it did; I think we did."

"Here is another paper, it is headed: 'Weekly News Letter No. 63, August, 1, 1922.'

"'Acting Imperial Wizard Edwards Young Clark addressed a master Klan ceremony at Tulsa, Okla., last week. One thousand aliens, spectators watched the proceeding. The primary election in this state takes place today and in Texas. The Ku Klux Klan has been forced into Oklahoma politics by its enemies.

"'Mr. Clark announced that there were 100,000 members in this state.'

"That comes from Atlanta. Now didn't the Klan take an interest in the city election for the purpose of putting over Bob Parman and Kid Moore?" (Both elected city commissioners.)

"I don't think that the Klan officially ever act-

ed on those things, but I think the majority of Klansmen did."

One hundred and forty flogging cases in Tulsa county alone were investigated by the military court. Not a single arrest or prosecution was made up until after the governor's military court began investigation. Seventy-six of the flogging and tar-feather cases have been made public.

The casualty list of the victims of the Klan mob, given out by the military court, follows:

Chester Eaton, Pearl Hayter, Raymond Brazure, John Barber, George Petropol, Harry Bishline, W. J. Matthews, J. H. Smitherman, Wilbur Horral, Phillip Anweiler, S. R. Hallman, Nate Hantaman, Fred Hood, George Cole (Cole whipped twice), S. R. Lesky, John Clemisham, Claude Murray, J. S. Daniels, Morris Nelson, Henry Cheatham, and James Robertson, Mrs. Robertson and C. L. Ivey, all of Tulsa.

Walter Eugene Carter, Leslie Goolsby, Mrs. Goolsby, C. C. Bowline, Leonard Bagby, Joe Pike, Annie Pike, Jack Wentz, Nathan Johnson and Amzi Stafford, all of Broken Arrow.

Art Frost, Roy Hollingsworth, Jean (Kid) Whipple, Dewey Estes, Raymond Skaggs and Joe Scott, all of Collinsville.

Jim Naifeh, John Naifeh and Pete Urquahart, all of Kiefer.

J. Y. Battenfield, of Pryor Creek.

O. E. Arnold and L. H. Mathews, both of Beggs.

S. M. Warren, George Bynum, and J. N. Gage, all of Skiatook.

Fred Hill, Floyd C. Cook, and Mrs. Floyd Cook, all of Sand Springs.

Joe Jim, of Sapulpa.

Loren Parker, of Barnsdall.

Matt Marshall, Roy LaForce, and Homer O'Neill, all of Catoosa.

Everett Foster and W. H. Craighead, both of Owassa.

Sam Kisling, of Turley.

Norman Chasser, of Mounds.

Ham Gilliam, of Hominy.

Dick Bowe, of Ochelata.

Otto Ballard, of Cushing.

Harvey Hendrix, of Oilton.

H. M. Wright, of Coweta.

Tommy Jones, J. C. Sowers, Frank Cole, Geo. McCannon and Donahoe, of Shawnee.

R. D. Lindsay, of Wayne.

Alex E. McLean, of Denoyah.

Raymond Gordon, of Ramona.

George Elder, of Kingfisher.

Sam Dobbs, of Holdenville.

E. R. Merryman and Salstein, of Oklahoma City.

From the enormous amount of testimony now in possession of the governor's office, persons whom the Klan secretly adjudged to be guilty, were whipped in many cases on mere suspicion of some wrong doing, or on gossip that was circu-

lated by unfriendly persons. The cases made public are only a few of the many crimes which the governor charges have been committed. The territory covered is only a very small portion of the state. In nearly every county of Oklahoma, the Klan has maintained an organization and has had whipping squads, it is claimed. In most of the cases, the victims were afraid to testify.

CHAPTER VIII.

THE IMPEACHING SESSION.

THREATS to convene a special session of the legislature without the call of Governor Walton, became numerous when martial law was declared in various counties. The climax over plans for impeachment did not arrive, however, until the entire state was placed under bayonet rule. Under the constitution, the legislature cannot convene without the governor's call except in regular session. That the solons could convene at any time for the purpose of making investigation of state officials, was the belief of many of the members.

Enemies of the governor, insistent on a special session, began circulation of a petition among the members. Representative McBee of Stephens county—one of the counties where the governor refused to permit a Klan parade—headed the list on the call for impeachment. Over sixty members signed the call. Governor Walton notified all members, that since the entire state was under martial law, and since the session was an illegal one—that he would not permit them to meet. Armed guards were placed over the capitol, also at the doors leading to chambers of the two

houses. When the members of the lower house arrived at the capitol, the order to disperse was read to them by the commanding officer. The members departed, seeking another place of meeting.

Efforts to secure the federal courtroom in the Oklahoma City postoffice building were well under way, when Governor Walton wired a protest to President Calvin Coolidge, in Washington. The president's secretary wired the custodian of the federal building at Oklahoma City, also every other postmaster in the state, that the federal buildings could not be used for meeting of the legislature.

Petitions to initiate a bill under the referendum law, asking the people to vote on the question, whether or not the legislature could assemble itself, were circulated and filed with the secretary of state.

Governor Walton's attorneys filed protests with the secretary of state, contesting the validity of the signatures. He lost with the state secretary, the case being appealed to the supreme court. The higher court handed down a decision on Saturday previous to the election on Tuesday. The law specifies that all such questions must be advertised in two newspapers of each county five days previous to election, before same can be legally submitted to the people. A special election to vote on other questions had been called several weeks previous. The enemies of the governor attached their legislative bill as a "rider" to other

questions, and managed to get the ballots printed in the various counties.

Governor Walton called off the election by proclamation but instructed the military not to use force to prevent the election officials from holding an election if they attempted to do so.

In the counties where the klan is in control the klansmen were armed and sworn in as deputies by sheriffs favorable to the klan. These armed men were stationed at each polling place with the result that the voters who were not klansmen, beat a hasty retreat when they approached the polls and witnessed the exhibition of guns. The sheriff of Oklahoma county claims that he had two thousand men under arms. The secretary of the Oklahoma City klan, claims in a published interview, that the local klan furnished eighty-five per cent of the sheriff's gunmen. Under these conditions the result was a foregone conclusion. Those who voted defeated the governor's wishes by over one hundred thousand votes in the state, however, more than half of the state did not vote. Thousands of the governor's most loyal friends and supporters remained away from the polls, believing that the election was illegal. An injunction suit was filed through Governor Walton's attorneys, stopping the secretary of the state election board from certifying the results of the election. Later, however, the governor called the legislature into extraordinary session, the call stating that it was for the purpose of considering legislation to break up the klan.

When the legislature convened, the House of Representatives appointed an investigation committee for the purpose of bringing charges against the governor. After weeks of delay, a total of twenty-

two charges were filed against him, which upon being approved by the house, constituted the bill of impeachment upon which he was tried before the senate.

The trial before the senate quickly degenerated into what was termed a kangaroo court. Every effort of the governor to get into the trial record the evidence gathered by the military court, was refused by the senate. Finally the rulings of that body became so prejudicial to the governor, that they refused to permit the cross-examination of witnesses who were accusing the governor. When this ruling was made, Governor Walton arose and declared that he would not submit further to such injustice, nor permit his attorneys to be treated with such indignities. He thereupon left the senate chamber without further attempt at setting up a defense.

Before Governor Walton left the senate chamber, the house managers who were conducting the case against him, withdrew all of the major items in the bill of impeachment—those growing out of the attack on the Ku Klux Klan and the declaration of military law. It was over this latter issue, that the legislature convened. In refusing to hear evidence on the Ku Klux Klan outrages, the legislature completely sidestepped the main issue.

The senate without hearing any evidence on the part of the defense, voted the governor guilty on several minor counts in the indictment. After the guilty verdict was filed, the house prosecutors dismissed the Ku Klux Klan and military law charges.

Since disposing of the Walton case, efforts to pass anti-kan legislation have been made. Owing to the overwhelming klan majority in both houses, it is impossible to pass any anti-klan law, unless it be a law dictated by the grand dragon of Oklahoma, and having the approval of the wizard of the klan, at Atlanta, Ga.