

No. 6 In A Series: Top 100 Favorite Photo Postcards From The Collection Of Carl Howell

Criminals, Courts, And Consequences I



This postcard shows the Kentucky State Militia guarding the prisoner, Jim Buckner, as he was brought to trial and the crowd of people standing near the Marion County Courthouse.

By Carl Howell - 2013

For many years we have all heard complaints about our nation's allegedly antiquated and ineffective court system. Among the most frequently voiced are (1) the length of time it takes for many capital cases to finally get to trial (2) that the government's chances of ever executing a defendant convicted and sentenced to die for the commission of a heinous crime (or even multiple crimes) are unlikely even when there is no doubt as to his guilt and (3) that it sometimes takes as long as ten to fifteen years before a defendant's appeals are exhausted.

The "due process" received by a defendant charged with a capital crime during the early 1900s bore little resemblance to that of today. The right of a defendant to be "Mirandized" prior to questioning by a law enforcement officer had yet to be constitutionally guaranteed by the U. S. Supreme Court. There were no lengthy court delays; there was no state-compensated public defender to repre-

sent a person unable to afford counsel; and, consequently, few appeals of convictions in circuit courts were filed by African-Americans and others who were indigent. When a jury returned a verdict of guilty, the consequences were usually inevitable and final.

A case in point involves the 1911 arrest, trial, and execution of a man found guilty of murder in Marion County Circuit Court, in Lebanon, Kentucky. On May 7, 1911, police officer, John A. Robey, became the first Lebanon policeman in thirty-four years to be killed while on duty. Two African-American men were arrested; one was taken to a Louisville jail and the other to the Nelson County Jail in Bardstown for their own safety. Twenty-five soldiers from Co. E, First Regiment of Louisville, accompanied one of the men, Jim Buckner, age 18, to Lebanon for his trial on May 13th, six days later. As he was brought in chains from the depot, twenty-five more soldiers from Co. A of Bowling Green helped keep the peace during this emotional time. The one-day trial ended with Buckner being sen-

Love all, trust a few, do wrong to none. --Shakespeare

In Kentucky During The Postcard Era

tenced to die in the electric chair, then being built at the Eddyville penitentiary. On July 8, 1911, he became the first person in Kentucky to die in this manner. The other man, Jesse Smith, was convicted of manslaughter on May 16, 1911, and sentenced to an undetermined number of years at hard labor.

A second trial of interest occurred a short time later on October 16 and 17, 1911, also in Marion County. John Boarman was one of two men accused of raping Minnie Lamb, a 17-year-old Marion County girl. The jury, composed of men who were residents of Boyle County, Kentucky, found him guilty and sentenced him to die in the electric chair in Eddyville. The other man, Clarence Alford, was later found guilty of criminal assault and given a sentence of fifteen years.

Some postcard photographers in the early 1900s routinely covered crimes, trials, and executions of prisoners who had been given death sentences. The more highly-

skilled and accomplished postcard photographers served as some of our country's earliest photojournalists. During these early years of postcard popularity, most small-town newspaper enterprises did not have the capacity to publish pictures on their pages. Consequently, postcards made and disseminated by local photographers often provided the first visual coverage of criminals and crime scenes.

Real photo postcards related to crime and the criminal justice system during the early 1900s have become scarce and highly collectible. Some collectors concentrate on detention facilities, including county jails and state prisons, while others focus on crime scenes and the criminals themselves.

Postcards that reveal blatant violence and its aftermath as well as all forms of racism and discrimination are highly sought by some collectors. While a few people may still collect them for racist reasons, most serious collectors

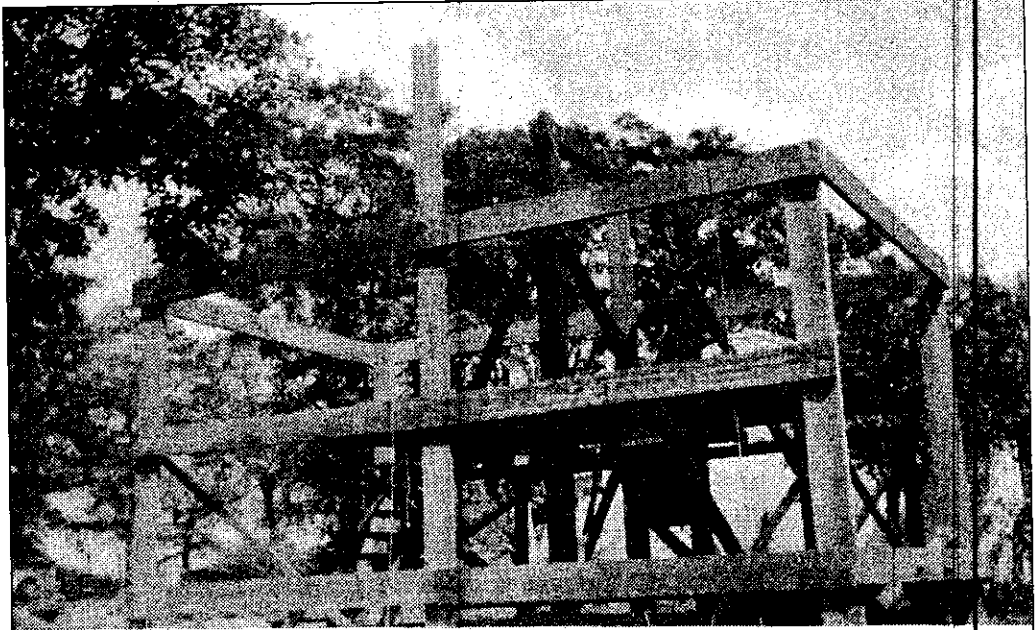


Top Row: Left to Right - J.P. Foster, Joe Tarkington, Henry Bonta, Commonwealth Atty. C.S. Hill, Deputy Sheriff J.H. Sporrang, County Atty. W.A. McElroy
 J.W. Coulter, J.M. Barrick, J.B. Caldwell
 Bottom Row: Gaston Miller, R.M. Morrison, Geo. W. Carlton, Circuit Judge J.H. Thurman, W.G. Overstreet, W.L. Penny, Geo. Taitt

This is an October 17, 1911, image of the trial officials and jury in the John Boarman trial who are posed for the photographer in front of the Marion County Courthouse.

Shelby County is recognized as the Saddlebred Capital of Kentucky.

This scaffold was used in several Kentucky counties for hanging criminals who had been convicted of capital offenses and given the death sentence. Among those known to have been hanged on this apparatus were: John Johnson in Mt. Sterling, Montgomery County, ca. 1895; Ray Ross in Lexington, Fayette County, on December 19, 1924; Ed Harris, in Lexington, on March 5, 1926; Pete Montjoy, in Covington, Kenton County, on December 17, 1937; and Harold Van Venison, in Covington, on June 3, 1938. Venison's death marks the last legal hanging in Kentucky. Later, in 1938, the law pertaining to hangings in Kentucky was repealed.



Scaffold at Kentucky Colonel, Williamstown, Ky.-----Used in last legal hanging in Kentucky.

cution law to include public hanging for both rape and attempted rape. It provided that the sentence would be carried out in the county in which the crime occurred.

The last legal **public** hanging in the United States occurred on August 14, 1936, in Owensboro, Daviess County, Kentucky. Rainey Bethea, a 23-year-old African-American, had been sentenced on June 25, 1936, to die for the June 7, 1936 rape and murder of Eliza Edwards, an elderly white woman. A crowd estimated at 10,000 packed downtown Owensboro for the hanging. This event received media coverage by reporters throughout the country; the picnic-and-circus atmosphere was covered by the *New York Times*, *Chicago Tribune*, and numerous other national publications; and chartered airplanes delivered photographs to major cities that published daily newspapers. The national reaction was a great outcry against public executions, and in 1938 the General Assembly modified the law to require that all executions take place within the walls of the state penitentiary.

Throughout most of the 1800s and into the early 1900s, Kentucky was one of our nation's most violent states. This was especially evident in the Appalachia region of Eastern Kentucky. Men living in this area placed a high value on their reputations and that of their loved ones. Often, when they were the victims of crimes perpetrated by local residents or people from nearby counties, they were known to demand their own form of deadly retribution rather than wait for the court system to provide justice. As many men routinely carried firearms and excessive alcohol consumption was widespread, incidents often occurred

during which fatal consequences resulted.

To further complicate matters, Kentucky's county sheriffs were elected by the citizenry to serve for only a two-year period. They were required to perform a variety of duties for which many were neither mentally able nor physically prepared to handle. They collected county and state taxes, were the chief election officials, served as the executive officers of circuit courts and provided the counties' law enforcement duties. Due primarily to the poor pay and the frequent life-and-death dangers to be faced, unqualified persons were often elected.

Consider, also, that during this time many armed criminals and fugitives were able to find sanctuary in nearby counties; that the sheriffs who resided in these counties were often friends of, and sometimes related to, the law-breakers; and, it is understandable that, in cases in which law enforcement officers in such counties were requested to assist in apprehension efforts, meaningful reciprocity among law enforcement agencies was mostly nonexistent.

For a few Eastern Kentucky counties in the Appalachia region, the formation of posses provided the only logical solution. Men who served in posses usually took an oath to serve as either deputy sheriffs or deputy constables. Often, the only financial incentive for these men was the opportunity to share in the reward money, if they were successful in their efforts.

The most noted leader of posses in Kentucky during this era was "Bad" John Wright of Letcher County, a celebrated enforcer of law and order. He has been credited with having killed seven men, all in self-defense and in the line

Kentucky was a popular hunting ground for the Shawnee and Cherokee Indian nations.



Wright Posse After John Allison, Who Killed Jim Wright
on Beefhide Creek, Ky. April 28, 1912.

This historic and rare postcard shows eight armed men who comprised one of John Wright's posses in 1912. The man they were attempting to apprehend, John Allison, had killed John Wright's nephew, Jim Wright, near Beefhide Creek in Letcher County, Kentucky.

Carl Howell, P. O. Box 116, Hodgenville, KY 42748, shares this article and postcards.

of duty. Many historians consider that, over an extended period, John Wright (1844-1931) did more than any other man in this region to preserve order and peace.

The following printed wording is located on the back of this vintage postcard: John Wright was one of the settlers living in the Jenkins area at the turn of the century when coal companies were opening up Southeastern Kentucky for coal mining. As a U. S. deputy marshal he enforced the law with a firm hand and the stories of his exploits have become legendary in this section. The name "Bad" or "Devil" given to him is complimentary and means that he was bad for lawbreakers. John Fox Jr.'s book, *The Trail of the Lonesome Pine*, is based on the happenings in the life of John Wright in the character, "Devil Jud" Tolliver.



"Bad" John Wright, Jenkins, Kentucky

A lie can travel half way around the world while the truth is putting on its shoes. --Spurgeon



FIRST CHAIR VICTIM—The Enterprise three weeks ago published a story on the first man to die in Kentucky's electric chair. He was Jim Buckner of Lebanon, who paid with his life for the slaying in May, 1911, of Policeman John A. Robey. The story reminded former City Patrolman Robert Gordon of an old picture in his possession. He brought it to The Enterprise office and it is reproduced above. It shows Buckner (third from right) in chains as he was being taken to Eddyville, where the state's then new electric chair was being installed. With Buckner are (left to right) Sheriff John A. Burton, Deputy Sheriff Tom Stayton, Jailer Bill Madden, Dr. Charles Kobert and N. O. Blair.

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LEBANON, TENNESSEE, THURSDAY, APRIL 23, 1914. No. 15

LEBANON.

NIGHT POLICEMAN JOHN A. ROBEY IS BRUTALLY STABBED TO DEATH

Two Negroes Charged With the Horrible Crime Are Arrested and Quickly Removed From Town to Prevent Lynching.

Tragedy Occurs in "Mud Alley" Early Sunday Morning and is Condemned by the People, Irrespective of Color.

GRAND JURY INDICTS PRISONERS FOR WILLFUL MURDER, AND TRIAL WILL BE HELD TOMORROW

At any time in the history of the people of Lebanon, there were the first of the kind, the brutal murder of a police officer, John A. Robey, was a tragedy which shocked the people of Lebanon. The tragedy occurred in the front yard of a negro house in "Mud Alley" about one hour and a half past midnight Sunday morning. The officer had been without his gun for some time. He was one of a number of officers who had proved faithful in the past. He was back at the head of the patrol, and in the line of duty, some of them were killed. Death was in- evitable.

SPREAD RAPIDLY
News of the fearful affair spread rapidly and Sunday was a day of intense interest. The streets which ordinarily are quiet, especially in the afternoon, were alive with people. Many were alive with sympathy for the officer who had been killed. At the same time, there was a feeling of apprehension because of the possibility of a lynching.

man at once called Governor Willson on the telephone, told him of the murder that had been committed and ask that he offer a reward. Governor Willson declined, however, to do so, stating that he did not "believe much in the reward system," and that "he never offered rewards in any instance until after the local authorities had first exhausted all means within their power to capture criminals."

SMITH IS CAPTURED

The officers worked quietly on the case all Sunday morning. They refused to talk to anyone about the information they had, and few of the people on the streets knew until sometime after it had happened that the officers were preparing to make the raid that resulted in the capture of Jesse Smith. Smith was caught about 1:30 o'clock in a negro house in "Guinea." Before going to the place the officers told T. M. Estes that they were going to make the raid, and arranged with him to have his automobile on the corner near the residence of H. F. Cooper so that as soon as the negro was taken into custody he could be whisked away to Bardstown to prevent a possible lynching. The house was surrounded by

formed Officer Thompson of the route taken by the suspect and a short time afterwards Buckner was placed under arrest. The negro was placed in Mr. Rankin's surrey, the curtains put on and the drive to the jail quickly made. When arrested Buckner had on his person the revolver belonging to Policeman Robey, which was missing from the dead officer's clothing. The negro also had a slight flesh wound in his side and it is supposed that, after having been stabbed, Mr. Robey attempted to use his gun. One shot was heard at the time of the tragedy and one chamber of the pistol was empty.

PEOPLE RUSHED TO JAIL

Soon after the prison doors had closed on Buckner news of the arrest reached the streets, and for the second time during the afternoon a rush was made to the jail. A crowd variously estimated from 500 to 1,000 crowded the street in front of the prison. It is generally believed that Buckner did the killing, and feeling against him was extremely bitter.

BUCKNER SPIRITED AWAY

Commonwealth's Attorney Clem S. Hill, County Attorney H. S. McElroy,

thorough search of the surrounding territory. A resolution was a local undertaker to and prepare the remain to make all necessary a the funeral services borne by the city.

Resolutions Adopted By the City Council

At a special meeting of the council held Monday afternoon at which the Mayor and men were present, resolutions were unanimously adopted. A disaster caused the death of John A. Robey, one of our fellow officers in the performance of his duty before he died.

RESOLVED, By the Lebanon in special session that in the untimely death of a faithful official the corporation has lost an honorable and up brave officer and a guardian of the lives of its citizens. He it further

RESOLVED, That the officers of the city at the death of John A. Robey in a bell of the City Hall the hour of the funeral the Mayor, council officials extend the heartfelt sympathy to the family. Be it

RESOLVED, That a resolution be given for publication, that the council give a copy of to the family of the that those resolutions large upon the mind body.

BUCKNER SAID NEVER H

Jesse Smith, who was taken to the Louisville Monday night kept separated from taken to the Louisville evening.

When a reporter newspaper visited morning he found the mood. He refused to statement. The Louisville "This morning his a though he had recent influence of some at laboring under great front of his shirt in cu He denies the word how the blood got on

passed their anger apparently because greater, and later, when the two suspected negroes were captured, only the efforts of city and county officials, together with the co-operation and influence of the better class of negroes, prevented trouble of a serious nature. It is doubtful even if the pleading of the officials to allow the law to take its course would have prevented the negroes being lynched had not officers succeeded in spiriting the prisoners out of town before dark. Mr. Robey is the first officer to be killed in Lebanon while on duty in more than thirty-five years.

BOTH NEGROES YOUNG

The two negroes charged with the crime are Jesse Smith and Jim Buckner. Both are young, possibly neither of them more than 20 or 21 years of age. Little is known about Smith, but Buckner is said to have been in trouble before and bore a bad reputation. His brother, Ben Buckner, cut and dangerously hurt Night Officer Billy Brown a few years ago, while that official had him under arrest and was taking him to the station house. The negro disappeared, and now lives in Indiana.

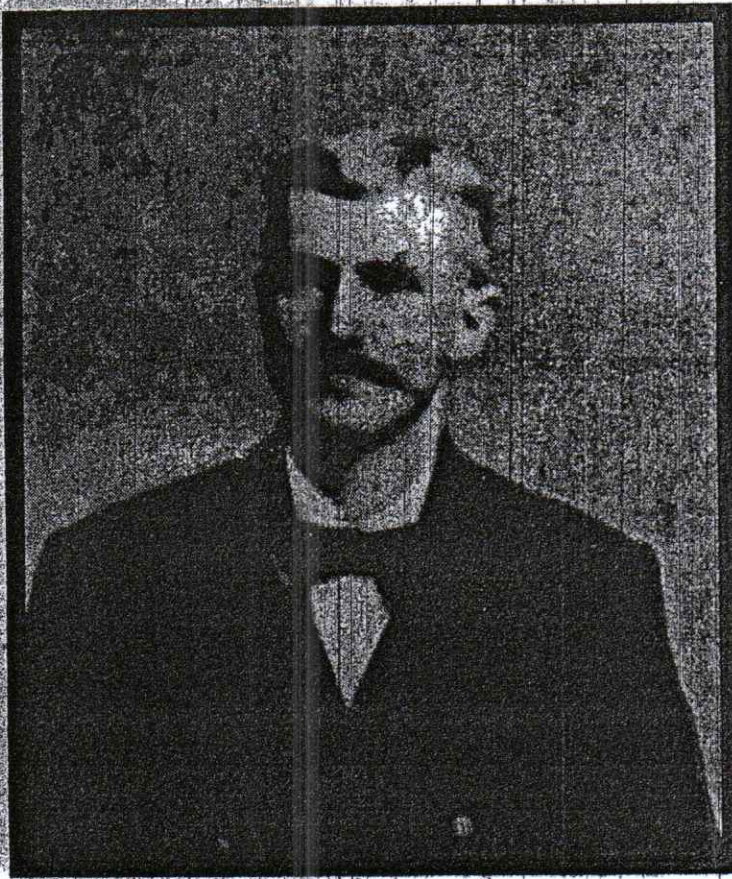
OFFICER STABBED REPEATEDLY

It has been a difficult matter to learn the exact details of the tragedy, and not until the trial of the two men is held tomorrow will the particulars be known. It is supposed, however, that Mr. Robey, who was absolutely fearless, went to the house in Baptist alley alone to quell some sort of a disturbance, and that the two negroes attacked him at a time when he was not expecting it. Smith is believed to have held Robey while Buckner repeatedly stabbed the officer. A negro who is said to have seen the murder summoned Night Officer J. A. Thompson and told him that Jesse Smith and Jim Buckner had killed Officer Robey. Mr. Thompson went quickly to the scene and, reaching there found Mr. Robey's lifeless body lying on the ground in a pool of blood. He notified Chief of Police Yowell, who was soon on the ground. The two officers called Undertaker C. U. Bosley, and the body was removed to Mr. Bosley's establishment where it was prepared for burial. City Attorney C. C. Boldrick, accompanied by a physician, went to Mr. Robey's home and notified Mrs. Robey of her husband's death. Mrs. Robey has been an invalid for several years and when the news was broken to her she was prostrated with grief. The dead officer was 55 years of age. He was an efficient official, of a quiet, unassuming disposition and was very popular with everyone who knew him.

REWARD IS OFFERED

Immediately after the body of Mr. Robey was removed to the undertaking establishment Sunday morning, the officers began a search for the two missing negroes. Mayor Spalding, who had been notified, had the city council called together between four and five o'clock that morning and a reward of \$100 was offered for the arrest and conviction of each of the negroes. Smith is thought to have come to Lebanon from Louisville and the authorities there were notified to be on the lookout for him. The in-

ing. The house was surrounded by



POLICEMAN JOHN A. ROBEY

Sheriff John A. Burton and several deputies while Chief of Police Yowell and Special Officer Wm. A. Brown went in. The two or three occupants denied that there was anyone in the house other than they, but Officer Brown broke open the door leading to the half-story room above and found Smith on a bed apparently asleep. "Come on go with me," said the officer. "What do you want with me?" the negro asked. "I'll tell you later," was Officer Brown's reply, "we must get a move on us now."

TAKEN TO BARDSTOWN

Smith was rushed to the waiting automobile. Through the back streets to the Springfield pike the machine sped, and before the people uptown knew what had taken place the negro was some distance out of town enroute to Bardstown.

When news of the arrest reached the people on the streets there was a rush made for the jail. Several hundred crowded the street in front of the prison, expecting that the negro would be brought there. When it was learned that Smith had been taken to Bardstown the people scattered, but few of them remained on the streets to await developments.

SECOND NEGRO ARRESTED

Shortly after 5 o'clock Buckner was captured on the farm of Arch O'Daniel, about a mile out of town. The arrest was made by Special Officer Edward Thompson. The negro was brought hurriedly to town in a surrey and locked up in jail before the people on the streets

Mayor C. C. Spalding, Judge H. W. Rives and others addressed the crowd, counseling peace and order. Each one of the speakers plead with the people to allow the law to take its course. Circuit court is in session, they said, and the grand jury is still at work. The murder would be taken up the very next day, they said, and if guilty the negroes would be indicted at once, a speedy trial given them and swift and certain justice meted out. While the addresses were being made, arrangements were also being made by officers to take the negro out of town. An automobile containing several officers made its way through the crowd to the front entrance of the jail. The people thought the prisoner would be brought out to the machine. Instead, Buckner was taken over the back fence of the jail, through a private yard to another automobile in waiting and was whisked out the Springfield pike. The officers turned in High street and reaching the St. Mary's pike a hurried run was made to St. Mary's. At that place the fast 7 o'clock train to Louisville was flagged and the prisoner taken into Louisville.

**City Council Meets
And Offers Reward**

Early Sunday morning Mayor Spalding, immediately after being notified of the murder of Officer Robey, called a meeting of the city council. All the councilmen were present and a resolution

evening. When a reporter newspaper visited morning he found th mood. He refused t statement. The Lou "This morning his though he had recen influence of some s laboring under great front of his shirt is c He denies the mur how the blood got or "Somebody shot me I had a gun or a knife to work for Mr. Rob to me. He was a rac There were severa scratches on his body been in the midst of

**Indictments
Charge Will**

Jesse Smith and indicted by the gr afternoon, the ind them with the willfu man John A. Robey the latter part o journed until yester have the murder of gated at once so tha expedited as much called together on a mony of several wi after which indict and reported to Cir Judge Thurman set negroes for tomorr 13. Four attorne H. W. Rives, P. K H. Spragens, wer court to defend S Each of the attorn Thurman that he l business out of tow the court declined they will have to re at the trial. It is trial will last but the negroes will be the law and then Lebanon.

**Without Pi
Is Copon**

An inquest to inc of Officer J. A. Rob shortly after noon McElroy. The inq undertaking esta Bosley. Five witn were J. A. Thomp son, C. U. Bosley and John Vaughn, t According to the ev the murder of the of the most brutal place here. Lanca testified that they s is said to have b Buckner stabbed l sight of blood did ne ers, for as fast as th from one wound it into another part The evidence show

...the life he had... Outside the courtroom when... about the building all... another murmur of ap... No demonstration of any kind... the word "death" was passed from one to another... a whisper, and then the people began to... They had stood in the sun about the... all day we learn the fate of the negro, and, having learned they were coming to return to their homes.

ARE FOR SEPARATE TRIALS

When Buckner and Smith were brought into the court room Saturday morning the privilege of a consultation with the prisoners was asked by the attorneys who had been appointed by the court to defend them. Until this time they had no opportunity to talk with either of the accused, and almost an hour was spent in a consultation held in one of the upstairs rooms of the courthouse. Upon their return to the courtroom the attorneys elected to have separate trials, and that of Buckner took place first. It was finished in the middle of the afternoon and immediately afterwards the trial of Smith was begun. Some little trouble was experienced in getting a jury for the second trial, and it was late in the afternoon before twelve men, competent and acceptable, were secured. On account of the lateness of the hour the jury was sworn after which court adjourned until Monday morning. So little trouble was experienced in making up a jury for the Buckner trial it was unnecessary to call upon any of the special venire of 200 men that had been summoned. Twelve of the regular panel, serving at the present term of circuit court, were chosen and tried the case.

SAME WITNESSES TESTIFY

Practically the same witnesses testified in both cases. None, however, stated that Smith held Mr. Robey while Buckner killed him, as was at first believed, and the Commonwealth was unable to prove that he had taken any part in the tragedy, other than that he was with Buckner and Mr. Robey and was seen to have Mr. Robey's pistol. In giving his own testimony Smith stated that a few seconds after Buckner stabbed the policeman the officer's pistol dropped to the ground and that it was then he picked it up. He said that while he had the pistol in his hand, Buckner cried to him "you've got the gun burn him up," but that he refused to shoot the officer or to allow Buckner to have the revolver. He said that he did not know at that time Mr. Robey had been fatally stabbed, or that he had been stabbed at all. The case was given to the jury Monday afternoon and after deliberating for about a half hour a verdict was returned finding Smith guilty of voluntary manslaughter. Under the new law, which recently went into effect, voluntary manslaughter is punishable by an indeterminate sentence in the penitentiary of from three to twenty-one years.

This means that after Smith has served two years in the penitentiary he may, if his conduct within the prison walls has been proper, be liberated on parole by the State Prison Commission, and that should he at any time during the remainder of the twenty-one years, violate the parole he will be re-arrested and must then serve out the rest of the term. Before being taken to the penitentiary Smith was sentenced to the county jail and will be taken at once to begin serving his term.

BUCKNER'S TRIAL FIRST

When the two negroes were brought

...anyone policeman. He also said he had later heard Buckner say, "We got him and we've got to leave here." Jim Lancaster told of seeing Robey struck down by Buckner and said he later heard him say: "You've got his gun; burn him up. If you won't, give it to me. I'll fix him."

GRABBED OFFICER'S PISTOL

John Vaughn, colored, who was next called, said that he was on his way home, and, reaching Baptist Alley, went up that street to see if a negro restaurant had closed. It had closed, he said, and on his way back he saw Mr. Robey, Jim Buckner and Jesse Smith coming down the steps. Jesse was walking behind, Jim was in front and Mr. Robey was talking to Jim.

"I heard Mr. Robey say to Jim," testified the witness, "go on down and quit your fussing; you have been fussing around here all evening." Jim told Mr. Robey that he would, and they walked on until they got about middle-ways of the house—right between the house and the fence—when Jim turned around right quick and grabbed Mr. Robey and throwing his hand up hit him. When he hit Mr. Robey I heard a shot go off. When the shot was fired Jesse ran up and grabbed and twisted the gun out of Mr. Robey's hand. Jesse then stepped back and when he did so Jim said, "He's shot me, burn him up, burn him up." Jesse stood there and never made any attempt that I saw to do anything. Jim struck Mr. Robey about nine or ten times, I think. I couldn't see what he had in his hand, but I saw him do the striking. They were rapid blows. After turning Mr. Robey loose Jim said, "I got him, let's go," and he and Jesse ran out the side gate and up through the alley."

CHARLIE LANCASTER'S STORY

Charlie Lancaster, colored, who next testified, told the following story: "When I got along about that church heard Jim Buckner cursing very loud, went on down and when I reached the corner Jim was still cursing. I saw Mr. Robey come across the lot, go through the gate and up the steps. Reaching the top of the steps he knocked on the door. I heard Jim say 'come in Mr. S— of a B—'. The door was opened and I heard Mr. Robey say, 'Jim, what are you raising all this sand about, you have been raising sand around here all night; you come on down from here and go home; if you don't I am going to arrest you and I don't want to do that.' Jim continued to argue with Mr. Robey who told him if he didn't come on down he would shoot him. They came on down the steps, Jim was first, Mr. Robey next and Jesse Smith was behind. When they reached the foot of the steps Jim was still cursing and talking back to Mr. Robey. I heard Jim say 'G— d— it shoot me.' Mr. Robey smacked him a time or two and told him to quit 'sassing' him. He said, 'I have told you to shut up and if you don't I'll lock you up.' Jim had his hand in his hip pocket all the time. At this time Jesse Smith spoke up and said 'Mr. Robey don't arrest him. He's been drinking and I'll take him home,' and just as Mr. Robey turned his head toward Jesse I saw Jim strike Mr. Robey. Believing that Mr. Robey would begin to shoot I ran about forty steps, and a moment or two later I heard a shot fired. Jim said 'Jack are you going to stand there and let him shoot me' and a few seconds later Jim said 'burn him up, burn him up, you've got the gun; if you won't do it give it to me and I'll do it.' Soon afterwards Buckner and Smith ran by me up the alley. I heard Jim say as they passed G— d— it."

...ay morning. The jury chosen was composed of the following:

- Joseph Blandford
- Oscar Hancock
- O. A. Lawson
- Gaston Miller
- J. N. Wright
- Clarence Lamkins
- Charles Logsdon
- C. H. Mattingly
- J. T. Mattingly
- W. E. Hall
- J. B. Bickett
- G. C. Banister

When the case was called Monday morning, after the arrival of the prisoner from Louisville, the same witnesses that were heard in the Buckner trial again testified. The only exception was that Smith took the stand in his own behalf.

STORY TOLD BY SMITH

Smith said: "The reason I went to the house that night was the mother of Jim Buckner, the boy who was tried here Saturday, asked me to go there and tell him to come home. He was in Mat Roberts' room, and he told me that he had just gotten there and that he was preparing to go home. When I walked in I told him his mother had asked me to tell him to come home. At that time they were making a lot of noise in the next room and Jim kicked on the door about three times and said: 'You people did me dirty once tonight, hush up that fuss.' About this time Mr. Robey came in. I was standing by the door and he told me to go on out of the room. I told him I would and went right out on the little platform which was at the top of the steps. Mr. Robey then said to the others in the room: 'All of you who don't belong here come on out. Eddie Keough and Bummie Brown passed by me and Jim Roberts walked out on the steps. Mr. Robey said to Jim Buckner 'Come on down now or I'll shove you down.' Jim said, 'G— d— it, I live here and I am not going.' Mr. Robey said, 'No you don't,' and told him to come on with him.

"At this time I said to Mr. Robey that Jim was drinking and that I would take him on home. He told me to go on away and by this time we had reached the bottom of the steps. I walked over to the gate next to Anna Belle Wright's house. When I walked over to the gate Mr. Robey still had Jim and was telling him to hush cursing. He pushed Jim up there by the fence and told him if he did not hush he would kill him. I was standing there by the gate, Bummie Brown was by the little peach tree in Anna Belle Wright's yard and Eddie Keough was just behind me with both hands in his pockets. When Mr. Robey told Jim he would kill him if he didn't stop cursing I said to the officer: 'Don't hurt him Mr. Robey, I'll take him home.' Mr. Robey turned to look at me and as he did so Jim struck him in the breast with the knife. The pistol went off just about the time Jim stabbed Mr. Robey, and when it went off Jim grabbed him with his left hand. He had the other arm around Mr. Robey and was stabbing him under the arm and in the back. I ran up and said 'Jim, don't kill him,' but he didn't pay any attention to me. Jim said 'Burn him up, Jack,' and I said that I didn't have anything to do it with. I stood there, and Jim shoved Mr. Robey from him. The last stab was about the forehead, and when Jim shoved him away Mr. Robey fell on the ground. The pistol which dropped on the ground when the shot was fired, and which I picked up, Jim asked me for and said for me to come on up the alley with him. I lived down in Guinea, any how, and went with him up the alley and on home."

After the attorneys had finished their speeches and the instructions had been given by the court, the case was given to the jury. A half hour later a verdict of voluntary manslaughter was returned. This crime, under the new law, is punishable by an indeterminate sentence of from two to twenty-one years in the penitentiary, in the discretion of the Prison Commission.

Buckner and Smith Guarded by Soldiers. Jesse Smith and James Buckner. The

So many of the te- habitual cons cause of their fai ject, that their a strongly called to ing the bowels op tant to do that, re it is especially tr From the time strate until men always vastly bet through healthy if movements. If y pated, with had t ion, headaches, b symptoms of indig take a small dose Peppin. It is a tive. You will find with salts, strong

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THE LEBANON SENTINEL

LEBANON, MARION COUNTY, KENTUCKY, FRIDAY, MAY 10

CRIME

Jack, we got him, and we have got to go now."

REPORTED THE MURDER

"I came on down the alley and met Fonsa Brown coming out of the gate with Mr. Robey's hat in his hand. He said to me not to go in there, that those negroes had killed Mr. Robey. I went to where Mr. Robey was lying and called to him two or three times, but he never answered. I then started on a run up the street to the station house to report what had happened. I got only a short distance when I met Policeman J. A. Thompson hurrying toward the scene. Before I could speak to him he asked me where that shooting was and I told him what had happened. I went back with Mr. Thompson to where Mr. Robey lay, and helped look for Mr. Robey's gun but we couldn't find it. Mr. Thompson found Jim Buckner's hat in the yard close to where Mr. Robey fell."

OFFICER'S CLOTHING AS EVIDENCE

Undertaker C. U. Bosley said that he found upon investigation nineteen knife wounds on Mr. Robey's body, twelve in the back, most of them on the left side; three in his arm, one through the shoulder, one into the spinal column, one into the right lobe of the heart and one into the forehead. "I probed the wound in the heart," Mr. Bosley said. "Mr. Robey had on a four-in-hand tie and the cut went through the double fold down into the heart. There are more stabs in the coat than are in the body. They were all stab wounds, cuts made in and out and crossways. None were cut upwards, all were cut down and some went in deeper than others. The wound through the heart was undoubtedly a death wound, while the stab, just above the collar, went right into the spinal column and was also a bad one." The clothes worn by Mr. Robey at the time of his death were exhibited as evidence.

Special Officer Edward Thompson told of having arrested Buckner on the farm of Arch O'Daniel, about a mile from town, and of having found on the negro Mr. Robey's pistol. The pistol was produced as evidence and identified by Commonwealth Attorney Clem Hill as one belonging to him which he had loaned the policeman about three weeks before the tragedy.

Buckner did not take the stand in his own behalf, nor were any witnesses introduced for the defense.

The instructions were read by the court, after which Henry S. McElroy, County Attorney, spoke briefly. He was followed by Judge H. W. Rives, for the defense. In beginning he said that he was performing a distasteful duty imposed upon him by the court. He asked that the jury be not hurried in their judgment or swayed either by the presence of the crowd outside or the militiamen within the room. Mr. Hill, for the Commonwealth, closed the speaking, and the case was given to the jury.

THE SMITH TRIAL

Immediately after the trial of Buckner was finished that of Smith was begun. As has been stated, considerable trouble was encountered in making up the jury for this case, as many of the jurors had formed an opinion as to the guilt of the accused. However, after a few hours' delay, a jury acceptable to both the prosecution and the defense was secured, but it was then well after six

together and both seemed to be in the throes of abject terror. The street was lined with people, everyone anxious to get a look at the two men accused of the murder of Policeman Robey.

Judge Thurman ordered the trial to commence immediately, and a jury was selected with but little difficulty. The soldiers surrounded the courthouse all during the day and kept the crowd back a certain distance from the building in which the trial was going on. At the adjournment of court Monday afternoon the two negroes under escort of the State troops were taken back to Louisville.

Detachment of Soldiers Doubled on Monday.

On Monday morning Jesse Smith, accompanied by the Sheriff and fifty-six soldiers, was brought back to Lebanon. The crowd was not as large as on the Saturday previous, still there were many people on the streets and around the courthouse anxious to get a look at the prisoner.

Again the soldiers surrounded the courthouse, but as permission had been given the public to enter the building no effort was made to keep people away from the courthouse. The jury to try Smith having been impanelled on Saturday the case was taken up at once. The day was consumed in hearing testimony and in speeches by lawyers representing both the Commonwealth and the defendant, and the case went to the jury late in the afternoon. About six o'clock the jury came in with a verdict of voluntary manslaughter, and the prisoner, under escort of the soldiers, was again taken on the evening train to the jail in Louisville.

Just before the prisoner was taken to the depot much excitement was caused by the soldiers attempting to halt a citizen who had unconsciously crossed over the line. Matters were, however, satisfactorily adjusted and the excitement soon abated.

The soldiers who accompanied Smith to Lebanon Monday comprised twenty-five men from Company E., First Regiment, of Louisville, under Capt. Kreiger and twenty-six men from Company A., of Bowling Green, Third Regiment, under Capt. Smith. Major H. H. Denhardt, of Bowling Green, was in command of the detachment.

Third Death Sentence In History of County.

There has never been but two legal hangings in Marion county since its organization. The first one took place was on July 9, 1858, when Nick Vancleave, colored, was hung in a woodland on the west side of the Springfield pike, about one mile from Lebanon and just beyond where the residence of T. M. Estes now stands. A woodland owned by Felix Mercer, and known as Mercer's woods, was the place selected for the execution. The crime for which

this negro was convicted was the murder of Henry Vancleave, a son of Carey Vancleave, who was the negro's master. The case was tried before Judge G. W. Kavanaugh, who was then circuit judge of this district and prosecuted by Andy Barnett, Commonwealth's attorney. G. W. Godrum was sheriff. On the day of the execution Vancleave was taken from the jail under an escort of cadets from St. Mary's college in command of Capt. Tom Cecil. Most of the college boys accompanying Vancleave to the gallows on that day were Marion county boys. Judge J. P. Thompson, H. J. Lancaster and Ed Roney being three of the cadets now living, who guarded the prisoner on that day.

The next legal hanging that took place in the county occurred in November, 1861. William Ray, colored, was hung for killing a negro named Gus Bickett. The killing took place at a corn shucking at the distillery of D. L. Graves, near Raywick. The trial of Ray took place before the same circuit judge that tried Vancleave, and the same Commonwealth attorney represented the prosecution. Henry Jackson, a brother of Tom Jackson, was sheriff at the time. The execution of this negro took place in the woods near the Sulphur Springs, on the road leading to the residence of Hon. C. S. Hill, and about two miles east of town. The condemned criminal was taken from the jail on the day of the execution in a wagon and, seated in his coffin, was escorted by guards to the place where he was hung. There was a triple hanging to take place on Grime's Hill about the close of the war. Three desperadoes named Crowder, Goode and Stephenson, were taken by force from the Lebanon jail and hung by a mob on the Danville pike, about one mile east of town.

The last hanging to take place in this county was that of two negroes who were hung on a turntable of the L. & N. just below the depot. These two negroes were convicted of a horrible crime and were taken from the jail by a crowd of infuriated citizens and put to death. This took place in February, 1882. The two negroes hung were Ben McElroy and Peyton Young.

COURT RENDERS DECISION.

The Supreme Court of the United States has rendered a decision at Washington, declaring that the Standard Oil Company is a monopoly in restraint of trade, and has issued an order that this giant corporation be dissolved within six months. The court was unanimous as to the main features of the decision. The government is now waging a relentless war on all the great corporations in the country, the conduct of whose business is deemed a menace to the industrial and economic advancement of the business interests of the people and other great corporations whose acts are called into question will be prosecuted before the Supreme Court.

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Price 25c,

JAMES F. BALLARD

To cure Smarting

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Mail orders promptly and and on mail order p warding cha:

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Two extraordinary values in

TAN OXFORDS; tan Ri wide toe, high heel last. this season's style; all sizes \$3.50 values. On sale at

GUN-METAL CALF PU sole, on regular short vamp all sizes and widths; regula On sale at

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BURIAL OF MAJOR LISLE.

The funeral of Major W. J. Lisle, who died last Thursday afternoon, was held at the residence on West Main street Friday afternoon, at five o'clock. The services were conducted by Rev. A. S. Moffett, pastor of the Second Presbyterian church of this city. Many friends were present to pay their last tribute of respect. Saturday morning the remains were taken on the early train to Louisville, where they were met by relatives and friends and conveyed to Cave Hill cemetery for interment. The services at the grave were conducted by Dr. Moffett, and the remains laid to rest in the family burial lot. Besides the immediate family, those who accompanied the remains to Louisville were: Miss Nannie Mourning, of Louisville; Dr. A. S. Moffett and Messrs. W. C. Rogers, C. C. Boldrick, W. P. Myers, C. T. Bohon and C. U. Bosley, of this city. No man stood higher in the county and was more universally beloved and respected than Major Lisle. At the time of his death he was the oldest member of the local bar. He was also vice-president of the Marion National Bank and for many years previous had been one of the board of directors of that financial institution. His ability and learning combined with his polite and accomplished manners, secured for him many clients and made him many friends, all of whom extend sympathy to the family and express sorrow at his death.

FOUR WILLS PROBATED.

Other than the probate of four wills, very little business of interest was transacted in the county court at the regular term on Monday. The wills filed were those of J. Proctor Knott, W. J. Lisle, W. C. Scott and J. B. Mattingly, and will be found elsewhere in this issue.

J. M. Knott qualified as executor of the will of J. Proctor Knott, deceased, without surety on his bond as requested in the will. J. A. Kelly, S. B. Bottom and O. D. Thomas were appointed appraisers of the estate.

G. H. Buckner was appointed surveyor of the V. T. Mattingly county road to succeed Sam Thompson, resigned.

George Edwards and Mary A. Lisle, nominated executors in the will of Major W. J. Lisle, qualified without surety on their bond as requested in the will.

Herman Logsdon was appointed to succeed James S. Thompson as surveyor of the James S. Thompson county road, Mr. Thompson having tendered his resignation.

Basil Boardman was appointed surveyor of the Clear Creek county road to fill the vacancy caused by the removal from the road of the former surveyor, George Boardman.

Margie E. Scott, qualified as executrix of the will of her husband, W. C. Scott, and B. J. Moldon, George Bricken and L. D. Knott were appointed to appraise the estate.

The tax suits of the Commonwealth against different distilling concerns in the county were continued.

The settlements continued at the last term of court for possible exceptions were confirmed, and the following were laid over one term for the same purpose: W. H. Smith's estate, Ross B. Graves' estate.

STORM DOES DAMAGE.

The storm Tuesday afternoon did much damage to the corn crop in this county. The high wind that prevailed blew down and in some instances broke up the growing stalks. It is thought that the heavy dews and dews will be beneficial to the corn on

BUCKNER MUST DIE TOMORROW.

Acting Governor Cox the latter part of last week rejected the application for commutation of sentence in the case of Jim Buckner, who was recently sentenced to death for the murder of Policeman John A. Robey. Gov. Cox said no good reason was presented why he should interfere with the verdict of the jury. The case was then taken to the Appellate court by Buckner's attorneys, but this court also refused to interfere. A dispatch from Frankfort yesterday says:

Kentucky's first legal execution by electrocution will take place at Eddyville on Saturday. The two judges of the Court of Appeals who are now in Frankfort today handed down an opinion refusing to consider the application for an appeal of the case of James Buckner, sentenced to death in Marion county for the murder of Night Policeman John A. Robey. Judge Settle handed down the opinion and he holds that there is no way for the appeal to get before the higher court since the motion for the appeal was not made at



the regular term of the Marion Circuit Court at which the conviction was secured. The points of law raised by the attorney for Buckner were not considered because no appeal can lie, but it is understood that the judges would have held that the points of law were not well taken.

Buckner was convicted and given the death sentence, his execution being fixed at a date in less than thirty days after the conviction. In the lower court there was no motion for an appeal. Before the time fixed for the execution it was discovered that the electric chair at the Eddyville penitentiary would not be ready by June 9, the date for the death sentence to be imposed, so Gov. Cox granted a stay of execution for thirty days.

Several days ago attorneys for Buckner asked Judge Settle and Judge Nunn to grant a writ of certiorari and order an appeal to be allowed. They contended that three errors had been made in the record. They said the defendant was not in court when the time for his trial was fixed, that the record does not show he was represented by attorneys and that the date for the execution was fixed at less than thirty days from the date of conviction.

Judge Settle holds that the appeal cannot be considered and therefore it is not necessary to pass on the points of law raised by the attorneys.

Item 4 is as follows: "In order to secure to my beloved wife an available fund immediately, or as soon as practicable, after my demise, I have for a number of years maintained two policies of insurance upon my life for the sum of \$5,000 each which will be payable when due to her own right, but in order to insure to her as far as I am able a competent maintenance in addition thereto I hereby will and direct that the net income arising from the entire estate hereby devised and bequeathed in trust for her use and benefit shall be paid over to her as the same may accrue. If, however, my said wife shall die before my own demise I hereby will and direct that whatever sum may be received upon the two policies above mentioned together with the additional sum of \$2,750 (that being as near as I can remember the sum received by me from my said wife upon our marriage) shall be paid to my said wife's niece and namesake, Sarah Rowanna McElroy, of Bowling Green, Ky., and that she shall also have all of my said wife's wearing apparel, jewelry, plate, books, pictures and other personal effects belonging to my said wife at the time of her death.

Item 5— I bequeath to my nephews and namesakes, J. Proctor Knott, son of Wm. Knott, of Los Angeles, California, and J. Proctor Knott, son of Joseph M. Knott, of Lebanon, Ky., the sum of \$2,500 each on the death of my said wife.

Item 6— As a special mark of my grateful appreciation of the affectionate attention of my beloved niece, Kate G. Knott, to me in my affliction, I hereby bequeath to her on the death of my said wife the set of plate presented to me by the State officials upon the expiration of my term of service as Governor of Kentucky in September 1897.

Item 7— As a slight testimonial of my profound gratitude to the good people of my native county for their manifold exhibitions of their kindness and confidence towards me I hereby direct that the sum of \$1,000 be set apart out of my estate after the death of my beloved wife for the erection of a suitable drinking fountain for man and beast at the corner of the crossing of Main street and Spalding avenue in the town of Lebanon, or some other convenient point in said town, equally convenient on Main street.

Item 8— My nephew, Joseph M. Knott, has been from his early boyhood all to me that a son from my own loins could have been. He has been affectionate and faithful to me and mine in sickness and in health. For many years at great trouble to himself he has without hope or expectation of fee or reward attended to my business affairs as carefully as if they had been his own. Therefore, as a token of my affection for him and of my gratitude for services for which he has refused all recompense I hereby bequeath to him at the death of my wife all my books and pictures besides one-third of all that may remain of my estate after carrying out the foregoing bequests and directions.

Item 9— Of the remaining two-thirds I bequeath one-fourth to my niece, Kate G. Knott, one-fourth to my niece, Annie H. Martin, of Carson City, Nevada, one-fourth to Minnie and Mattie, daughters of my sister, Keturah F. Rawlings, deceased, to be equally divided between them and one-fourth to Maude and Josephine Gorin, daughters of my sister, Joanna Gorin, to be equally divided between them.

Joseph M. Knott is nominated executor of the will without surety on his bond, and is given power to sell and convey real estate. A codicil bequeathing to Smith Bradshaw, a negro servant, \$1,000, was revoked. The will was witnessed by T. L. Eeelen, Joan B. Canfield and O. D. Thomas.

The will of Major W. J. Lisle is as follows:
I will all my debts paid
I bequeath to my wife on her death

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BIRTH YEAR--No. 24

SHORT SKETCHES OF WINNERS

Who Will Carry the Party Standard to Victory Next Fall? A Splendid Bunch of Men.

FOR UNITED STATES SENATOR
OLLIE M. JAMES - Born in Cruden county, July 27, 1871; admittance bar 1891; delegate-at-large to national conventions, 1904 and 1908; second nomination of William J. Bryant; President in 1908; chairman Democratic State Convention, 1900; Represent in Congress from First District, 1911.

FOR GOVERNOR
JAMES B. MCCREARY - Born Madison county, July 8, 1838; graduated from Centre College, Danville, Cumberland University, Tenn., Major and Lieutenant Colonel in Federal army under Gen. Morgan Breckinridge; admitted to bar in member Lower House, Kentucky oral Assembly, 1868, 1871, 1873; Governor of Kentucky, 1876-1879; Represent in Congress from Eighth District, 1897; United States Senator, 1903; delegate to Democratic National Conventions, 1888, 1904, 1908; delegate to International Monetary Conference, Brussels, 1891.

FOR LIEUTENANT GOVERNOR
EDWARD J. McDERMOTT - Born in Cruden county, 1870; graduated from Centre College, 1890; member of the Legislature, Kentucky, 1891; member of the Constitutional Convention, 1891; member of the Committee which wrote charter of Louisville, 1891.

FOR TREASURER
THOMAS S. RHEA - Born in La county; prominent in the business financial circles of Western Kentucky; being president of the Russellville Branch associated with his brothers, John and A. G. Rhea, in farming on an extensive scale.

AUDITOR OF PUBLIC ACCOUNTS
HENRY M. BOSWORTH - Born Fayette county, 1864; graduated from State University at Lexington, 1881; Sheriff of Fayette county, 1898-1901; State Treasurer, 1903-1907; Democratic nominee for State Auditor, 1907.

FOR COMMISSIONER OF AGRICULTURE
J. W. NEWMAN - Born in Morgan county in 1869; educated at South Normal School, Bowling Green; member of the faculty Kentucky State College now State University, at Lexington twelve years; member of the Lower House Kentucky Legislature, from Woodford county, 1903; member of Kentucky State Senate, 1906-1907; Secretary of Kentucky State Fair in 1909-1910; Democratic nominee Commissioner of Agriculture, 1907.

FOR CLERK OF COURT OF APPEALS
ROBERT L. DREHNS - Born in Cruden county; eleven years chief deputy clerk of the courts of Kenton and Boone counties; chief deputy clerk of the Court of Appeals, 1894, 1904, but held the position under five administrations; began the practice of law in Frankfort in 1904, after covering connections with the office of Clerk of the Court of Appeals.

FOR ATTORNEY GENERAL
JAMES GARNETT - Born in Boone county, November 15, 1874; graduated from Centre College and from

day morning had the grand jury immediately summoned and after hearing testimony an indictment was returned. The prisoner was brought from the Louisville jail to this place for trial under an escort of State troopers and the jury returned a verdict finding the negro guilty and fixing his punishment at death.

Buckner was immediately taken by officers to Eddyville to be electrocuted but as the death chair was not ready Governor Wilson granted a respite of thirty days. Every thing being in readiness at the penitentiary and the chair granted by the Governor having expired, Buckner was put to death by electrocution before sunrise.

THE CHAIR'S NEXT VICTIM.

The features of the execution of the death chair in this case were of a nature which attracted the attention of the public. The victim, Buckner, was a negro, and the execution was the first of the kind since the death of the late Governor, Shays, in 1891.

The execution of the death chair was a most interesting event, and the late Governor, Shays, is supposed to be the only one who has ever been executed by this method. The execution was a most interesting event, and the late Governor, Shays, is supposed to be the only one who has ever been executed by this method.

The Democratic primary is now over. The standard-bearers have been named, and this is the getting-together season.

In every political contest many harsh things are said and done, and many candidates have been charged with "horse stealing" and the charge proven to the general satisfaction during the heat of the political battle, when in reality they had stolen no horses at all; and the crime of another had been unjustly laid at their door. This is a time that Democrats should think long and well before they sink in their tents or falter in the Democratic faith. Before any voter makes up his mind against any Democratic candidate this year let him hear the whole case, and most likely it will become as plain as the nose-day sun that not a single man on the ticket has stolen any horse at all, in fact that they are all good men who live upon the broad plain of integrity and liberality and have no lives for many many years, enjoying the respect and esteem of all their fellow-men.

As for our part we have no patience with violence or untruthfulness to anybody, but in the Democratic ticket last November we find an exceptional line-up of able, distinguished and capable men, so better it is true than the candidates who were defeated, but an array of gentlemen of whom any people might well be proud.

It is safe to predict that Nelson County, one of the stalwart and rock-like Democratic counties of the Fourth Congressional District can be expected to give for an old-time Democratic party next November. -Kenton County.

ONE MARION COUNTY BOY DIES IN MISSISSIPPI RIVER.

Showing signs of the last year's influenza, a young man of Marion county died in Mississippi river.

[The text in this column is extremely faint and largely illegible due to the quality of the scan. It appears to contain several paragraphs of news or commentary.]

The First Legal Electrocution In Ky. Took Place At Eddyville

Jim Buckner, 18-Year-Old, Executed For The Murder Of A Marion County Police Officer

Crittenden Record Press - 1911

Calmly, without the support of anyone, on July 8, 1911, Jim Buckner, the 18-year-old murderer of Policeman John Roby of Lebanon, Marion County, Kentucky, walked into the death chamber at the Eddyville Branch Penitentiary in Lyon County, and 16 minutes later his lifeless body was being prepared for burial.

The first execution of a condemned prisoner by electrocution in Kentucky in July 1911 was a pronounced success in speed and the absence of the horrible features attendant upon public hanging.

Forty-five people, officials, ministers, and newspapermen witnessed the death of Buckner. Among all the assembled officials and spectators, Buckner was the least moved. From all indications, his heart was neither accelerated or retarded a beat or his breathing or color affected.

He walked into the room between former Chaplain J. B. Woodson and Guard Block, but neither of them touched him.

When he turned around and seated himself, the action was so natural that every person in the room, at the instant, thought of one seating himself in a barber's chair.

Buckner might have rehearsed his part in the performance with the officials, who undoubtedly were letter perfect in their roles, so exactly did he conform to the requirements of the occasion. After sliding back comfortably in the bulky death chair, he moved his feet together; laid his arms out along the arms of the chair, ready to be strapped; threw his head back against the rest, almost with the air of one who feels himself about to be relieved of some dreadful suspense; and never quivered until the first shock of electricity doubled his hands into fists. His lips were seen to mutter a prayer just as the cap was gently pushed down on his head. That was all.

Previously, during the death watch, he had requested them to "tell Mother I hope to meet her in heaven." He had been baptized by Rev. J. H. Holden, and he spent the hours of the night reading his *Bible*.

Just before the execution, both the Rev. J. H. Holton and the Rev. J. B. Woodson offered prayer for the repose of the doomed man's soul.

When everything had been adjusted and the prayers said, at a signal, P. W. Depp touched the button and one

rigor of the body in the chair showed that the current had gone home. A moment and then 2,300 volts shot through the body, producing no perceptible effect.

The End

That was at 4:13 a.m. Five minutes later, Dr. Moss pronounced Buckner dead; however, two minutes afterwards he thought he discovered a slight pulse, which was gone in another minute and returned no more.

Jim Buckner had paid the penalty for his crime.

He killed Policeman Roby of Lebanon, stabbing him 13 times in most fiendish fashion.

Early Times In Old Ky.

Interesting History Of The Commonwealth

The Hartford Herald - October 30, 1912

As early as 1769, the people of Virginia and the Carolinas knew and talked about the fine country of Kentucky, then an unsettled part of Virginia. The reports going about settlers of the rich land and the fine hunting territory of Kentucky attracted Boone and his companions to this Indian battleground. The early settlers of Kentucky were as a rule Virginians and probably three-fourths of this state's population today trace back to the pure Anglo-Saxon blood that settled in Old Virginia.

Kentucky was settled close around the Revolutionary period, being admitted into the Union in 1792, and many of her lands were given to Revolutionary officers in compensation for services rendered to the country. There were no roadways leading from civilization into Kentucky in those days, and it took brave, determined, healthy people to leave comfortable quarters in the old settlement and endure the hardships of becoming Kentuckians. We know any plant becomes hardy the further north it is found. Cold winters sift out the weaker ones and only the vigorous endure, until the plant life found in cold regions, as a rule, is more hardy, even when transplanted into a warm climate; so this process of hardships, endurance, and dangers weeded out the weaklings, the cowardly and the vacillating, and Kentucky's citizenship was made of healthy, hardy, brave people by the law of the "survival of the fittest."

No. 6 In A Series: Top 100 Favorite Photo Postcards From The Collection Of Carl Howell

Criminals, Courts, And Consequences I



This postcard shows the Kentucky State Militia guarding the prisoner, Jim Buckner, as he was brought to trial and the crowd of people standing near the Marion County Courthouse.

By Carl Howell - 2013

For many years we have all heard complaints about our nation's allegedly antiquated and ineffective court system. Among the most frequently voiced are (1) the length of time it takes for many capital cases to finally get to trial (2) that the government's chances of ever executing a defendant convicted and sentenced to die for the commission of a heinous crime (or even multiple crimes) are unlikely even when there is no doubt as to his guilt and (3) that it sometimes takes as long as ten to fifteen years before a defendant's appeals are exhausted.

The "due process" received by a defendant charged with a capital crime during the early 1900s bore little resemblance to that of today. The right of a defendant to be "Mirandized" prior to questioning by a law enforcement officer had yet to be constitutionally guaranteed by the U. S. Supreme Court. There were no lengthy court delays; there was no state-compensated public defender to repre-

sent a person unable to afford counsel; and, consequently, few appeals of convictions in circuit courts were filed by African-Americans and others who were indigent. When a jury returned a verdict of guilty, the consequences were usually inevitable and final.

A case in point involves the 1911 arrest, trial, and execution of a man found guilty of murder in Marion County Circuit Court, in Lebanon, Kentucky. On May 7, 1911, police officer, John A. Robey, became the first Lebanon policeman in thirty-four years to be killed while on duty. Two African-American men were arrested; one was taken to a Louisville jail and the other to the Nelson County Jail in Bardstown for their own safety. Twenty-five soldiers from Co. E, First Regiment of Louisville, accompanied one of the men, Jim Buckner, age 18, to Lebanon for his trial on May 13th, six days later. As he was brought in chains from the depot, twenty-five more soldiers from Co. A of Bowling Green helped keep the peace during this emotional time. The one-day trial ended with Buckner being sen-

In Kentucky During The Postcard Era

tenced to die in the electric chair, then being built at the Eddyville penitentiary. On July 8, 1911, he became the first person in Kentucky to die in this manner. The other man, Jesse Smith, was convicted of manslaughter on May 16, 1911, and sentenced to an undetermined number of years at hard labor.

A second trial of interest occurred a short time later on October 16 and 17, 1911, also in Marion County. John Boarman was one of two men accused of raping Minnie Lamb, a 17-year-old Marion County girl. The jury, composed of men who were residents of Boyle County, Kentucky, found him guilty and sentenced him to die in the electric chair in Eddyville. The other man, Clarence Alford, was later found guilty of criminal assault and given a sentence of fifteen years.

Some postcard photographers in the early 1900s routinely covered crimes, trials, and executions of prisoners who had been given death sentences. The more highly-

skilled and accomplished postcard photographers served as some of our country's earliest photojournalists. During these early years of postcard popularity, most small-town newspaper enterprises did not have the capacity to publish pictures on their pages. Consequently, postcards made and disseminated by local photographers often provided the first visual coverage of criminals and crime scenes.

Real photo postcards related to crime and the criminal justice system during the early 1900s have become scarce and highly collectible. Some collectors concentrate on detention facilities, including county jails and state prisons, while others focus on crime scenes and the criminals themselves.

Postcards that reveal blatant violence and its aftermath as well as all forms of racism and discrimination are highly sought by some collectors. While a few people may still collect them for racist reasons, most serious collectors



From left to right: J. P. Foster, Joe Tarkington, Henry Barton, Commonwealth Atty. Gen. Hill, Depts. Sheriff J. H. Sparron, County Atty. J. M. Eason, J. W. Coulter, J. M. Barrish, J. B. Salsbery, J. W. Miller, R. M. Morrison, Geo. W. Coyle, Circuit Judge J. H. Thurman, W. G. Overstreet, W. L. Penn, Geo. Batts.

This is an October 17, 1911, image of the trial officials and jury in the John Boarman trial who are posed for the photographer in front of the Marion County Courthouse.

Shelby County is recognized as the Saddlebred Capital of Kentucky.

have a different motivation. The collectors with whom I am familiar have attempted to document and thereby historically record evidence of atrocities imposed against African-Americans during the late 1800s and early 1900s. Postcard images of lynchings provide the most extensive documentation, commentary, and insight as to the extreme violence that was perpetrated during this period.

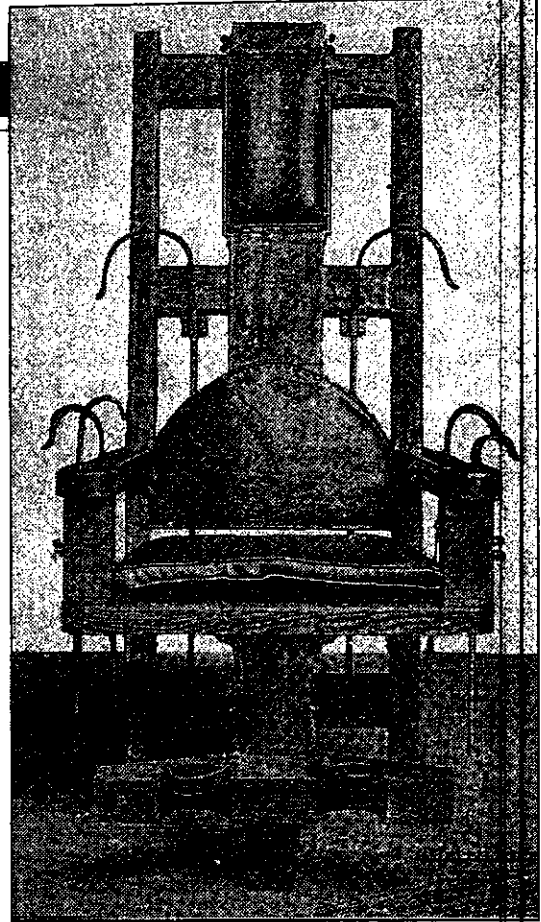
The most recognizable photograph among Kentucky collectors that depicts such atrocities directed toward African-Americans was produced as a colorized postcard in 1908. The postcard was purportedly copyrighted that year by Jack Morton, a salesman, whose address is shown on the card to be Stahlman Building, Nashville, Tennessee. The quantity actually printed for distribution to the public is unknown. Printed vertically on the right front section of the postcard is the following:

"TAKEN FROM DEATH," LYNCHING AT RUSSELLVILLE, LOGAN COUNTY, KENTUCKY, JULY 31, '08 [1908].

"Hanged on the old proctor lynching tree. This is a multiple cedar tree and these four make a total of nine men lynched on this tree, some were white men. This tree is an old landmark and was an old cedar tree, even in the youngest days of the oldest settlers. Russellville is one of the pioneer towns of Kentucky and was settled in a cane brake. This is an exact photograph taken at dawn Aug. 1, '08 [1908]."

A newspaper account of the incident reflects that in 1908, Rufus Browder, an African-American, shot and killed in self defense a prominent white farmer for whom he worked in Logan County by the name of James Cunningham. Browder was arrested and transferred to a jail in Louisville for his own protection. Four of Browder's African-American friends were arrested and placed in the Russellville jail for "disturbing the peace." During the early morning hours of August 1, 1908, a white mob entered the jail and demanded custody of the prisoners. With the jailer's cooperation, they were handed over to the mob and hanged simultaneously from the same tree. The victims were identified as Joseph Riley, Virgil Jones, Robert Jones, and Thomas Jones.

In 1920, The Kentucky General Assembly amended the 1910 electro-

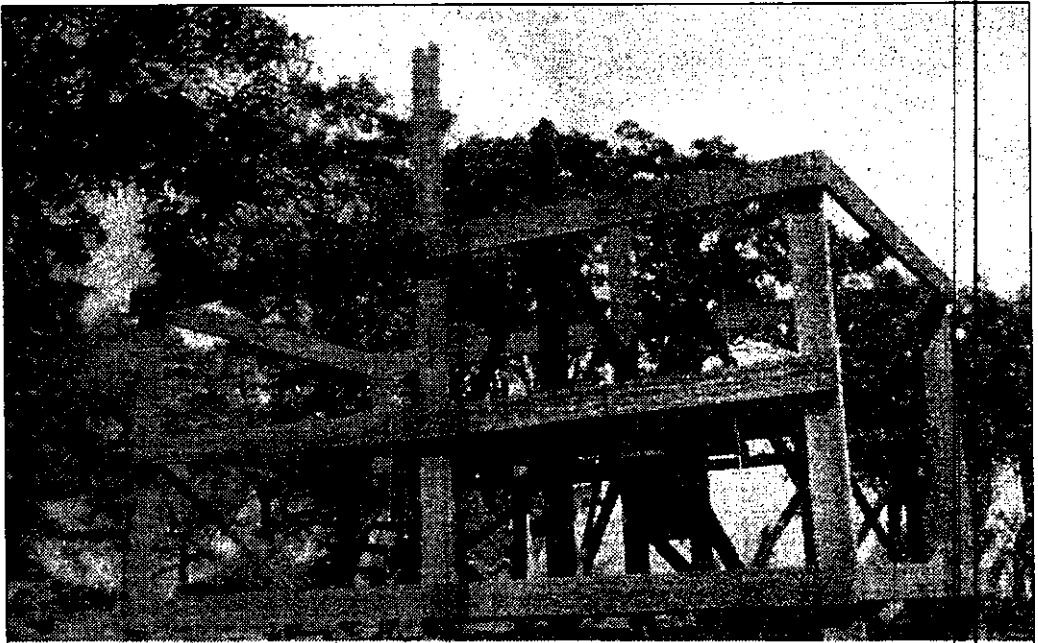


This is one of three vintage photo postcards in Carl Howell's collection of the electric chair in the Eddyville Penitentiary. One of the postcards is simply captioned Electric Death Chair. The Eddyville Penitentiary, a/k/a Kentucky State Penitentiary, is located on the banks of Lake Barkley in Eddyville, Lyon County, and is Kentucky's only maximum security prison.

About all that can be said with certainty about this captivating sepia-toned postcard is that the photographer, Albert Kraemer of Kraemer Art Company considered a picture of these nine well-dressed men on horseback near Williamsburg, Whitley County, Kentucky, to be of sufficient local interest to be published and sold as a postcard to the general public; that, for some reason, these men were all "Bound for Court" that day; and that it was mailed to Miss Emma Coons, Park Avenue, Lexington, Kentucky, by Stella (LNU) and postmarked in Williamsburg on August 21, 1912. As an attorney with an abiding interest in all matters related to such images, I hope to someday learn the identities of some or all of these men, the reasons why they were "Bound for Court," the date and place the picture was taken and the clearly perceptible relevance it has to this article.



This scaffold was used in several Kentucky counties for hanging criminals who had been convicted of capital offenses and given the death sentence. Among those known to have been hanged on this apparatus were: John Johnson in Mt. Sterling, Montgomery County, ca. 1895; Ray Ross in Lexington, Fayette County, on December 19, 1924; Ed Harris, in Lexington, on March 5, 1926; Pete Montjoy, in Covington, Kenton County, on December 17, 1937; and Harold Van Venison, in Covington, on June 3, 1938. Venison's death marks the last legal hanging in Kentucky. Later, in 1938, the law pertaining to hangings in Kentucky was repealed.



Scaffold at Kentucky Colonel, Williamstown, Ky.....Used in last legal hanging in Kentucky,

cution law to include public hanging for both rape and attempted rape. It provided that the sentence would be carried out in the county in which the crime occurred.

The last legal **public** hanging in the United States occurred on August 14, 1936, in Owensboro, Daviess County, Kentucky. Rainey Bethea, a 23-year-old African-American, had been sentenced on June 25, 1936, to die for the June 7, 1936 rape and murder of Eliza Edwards, an elderly white woman. A crowd estimated at 10,000 packed downtown Owensboro for the hanging. This event received media coverage by reporters throughout the country; the picnic-and-circus atmosphere was covered by the *New York Times*, *Chicago Tribune*, and numerous other national publications; and chartered airplanes delivered photographs to major cities that published daily newspapers. The national reaction was a great outcry against public executions, and in 1938 the General Assembly modified the law to require that all executions take place within the walls of the state penitentiary.

Throughout most of the 1800s and into the early 1900s, Kentucky was one of our nation's most violent states. This was especially evident in the Appalachia region of Eastern Kentucky. Men living in this area placed a high value on their reputations and that of their loved ones. Often, when they were the victims of crimes perpetrated by local residents or people from nearby counties, they were known to demand their own form of deadly retribution rather than wait for the court system to provide justice. As many men routinely carried firearms and excessive alcohol consumption was widespread, incidents often occurred

during which fatal consequences resulted.

To further complicate matters, Kentucky's county sheriffs were elected by the citizenry to serve for only a two-year period. They were required to perform a variety of duties for which many were neither mentally able nor physically prepared to handle. They collected county and state taxes, were the chief election officials, served as the executive officers of circuit courts and provided the counties' law enforcement duties. Due primarily to the poor pay and the frequent life-and-death dangers to be faced, unqualified persons were often elected.

Consider, also, that during this time many armed criminals and fugitives were able to find sanctuary in nearby counties; that the sheriffs who resided in these counties were often friends of, and sometimes related to, the law-breakers; and, it is understandable that, in cases in which law enforcement officers in such counties were requested to assist in apprehension efforts, meaningful reciprocity among law enforcement agencies was mostly nonexistent.

For a few Eastern Kentucky counties in the Appalachia region, the formation of posses provided the only logical solution. Men who served in posses usually took an oath to serve as either deputy sheriffs or deputy constables. Often, the only financial incentive for these men was the opportunity to share in the reward money, if they were successful in their efforts.

The most noted leader of posses in Kentucky during this era was "Bad" John Wright of Letcher County, a celebrated enforcer of law and order. He has been credited with having killed seven men, all in self-defense and in the line

Kentucky was a popular hunting ground for the Shawnee and Cherokee Indian nations.



Wright Posse After John Allison, Who Killed Jim Wright
on Beehide Creek, Ky. April 28, 1912.

This historic and rare postcard shows eight armed men who comprised one of John Wright's posses in 1912. The man they were attempting to apprehend, John Allison, had killed John Wright's nephew, Jim Wright, near Beehide Creek in Letcher County, Kentucky.

Carl Howell, P. O. Box 116, Hodgenville, KY 42748, shares this article and postcards.

of duty. Many historians consider that, over an extended period, John Wright (1844-1931) did more than any other man in this region to preserve order and peace.

The following printed wording is located on the back of this vintage postcard: John Wright was one of the settlers living in the Jenkins area at the turn of the century when coal companies were opening up Southeastern Kentucky for coal mining. As a U. S. deputy marshal he enforced the law with a firm hand and the stories of his exploits have become legendary in this section. The name "Bad" or "Devil" given to him is complimentary and means that he was bad for lawbreakers. John Fox Jr.'s book, *The Trail of the Lonesome Pine*, is based on the happenings in the life of John Wright in the character, "Devil Jud" Tolliver.



"Bad" John Wright, Jenkins, Kentucky

A lie can travel half way around the world while the truth is putting on its shoes. --Spurgeon