

## Witnesses to Jim Crow's Violence

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On a cloudy and unseasonably warm and muggy late winter afternoon in 1911, hundreds of residents of Anderson County, Texas, packed the second-floor courtroom in the county seat of Palestine. They all gathered for the opening day of the *habeas corpus* hearing of six white men—held without bail since the previous August—indicted for the murder of six African Americans. Prosecutors called Margaret Wilson, an African American woman of about 50 years of age, as the state's star witness. Wilson had spent her entire life in rural southern Anderson County. Born into slavery, she raised thirteen children on an 80-acre farm, eighteen miles southeast of the county seat. She and her husband eventually purchased the place in 1902, making them among the many Black landowners in the freedom colony of Sandy Beulah. Six months earlier, the men she confronted in that court room had led a gang of white men who terrorized her community, shot up their homes, torched their farms, and forced them into exile. Now, without significant guarantees of her own personal safety, she returned to Anderson County and dared to defy Jim Crow by providing the testimony that could condemn these murderers to death row.

Wilson had likely never seen the inside of a courtroom; certainly, she had never been on the witness stand. Unfamiliar with the formality of the proceedings and the setting—a stately room with high vaulted ceilings, ornate trim, and tall narrow windows customary of the courthouse's imposing Second Empire style of architecture—there is little reason to think that she had any experience with what to expect once she took the witness stand. But she did know that the stakes were high.

One thing was for certain: Margaret Wilson entered that courtroom determined to bear witness against mob violence.

District attorney Earle Adams, Jr., approached the witness stand and asked her to tell the court where she was on the morning of July 30, 1910.

“I was at home,” she replied.

*Did you witness anyone killed that morning?*

“There was somebody killed on that Saturday; it was Geffy [her nineteen-year-old son] and Dick Wilson [her husband] and brother Ben Dancy.”

*Did you see who killed them?*

“Mr. Isom Garner killed them.”

*Did Mr. Garner kill all of them?*

“I don’t know whether he killed all three of them, he might have shot them all, but I know he shot Geffy because I was looking at him, and he was not doing anything but sitting down when Mr. Isom Garner shot him. There was two more men with Mr. Garner when he shot them, but I didn’t know the other two; one was a tall man and the other one was a little low one.”

*Do you see those men in the court room today?*

“I see them in the Court room; there they are,” pointing them out. “That man that spit was one of them; he was the one that shot my brother Ben. That little one there shot Dick. Those were the three, Mr. Garner and those other two.”

Under the pressure of cross-examination, Margaret Wilson held firm to her account.

“I knew Mr. Garner at that time, but I didn’t know the others; I was so scared that I didn’t know them. There wasn’t any conversation; they just walked up there and went to shooting. ... they shot as long as they had anything to shoot, I reckon; they shot about twenty-five or thirty times”.<sup>1</sup>

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1 Margaret Wilson testimony, *Ex Parte, State of Texas v. Jim Sperger et al, Consolidated No. 5000-a*, Third Judicial District Court of Texas, In Vacation, Palestine, Texas, March 1911, transcript (hereafter trial transcript), 60–65, Box 1993/088-

*Figure 1: Margaret Wilson, undated family photograph.*



Courtesy of Jonathan Wayne Wilson.

More than four decades before Moses Wright identified Roy Bryant and J. W. Milam as the killers of Emmett Till in open court in Sumner, Mississippi, Margaret Wilson and sixteen other survivors of the atrocity at Sandy Beulah--including two other young mothers left widowed by the violence--summoned the courage to relive their trauma and defy

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122, File no. 1237, Texas Court of Criminal Appeals, centralized court case files, Archives and Information Services Division, Texas State Library and Archives Commission, Austin, Texas.

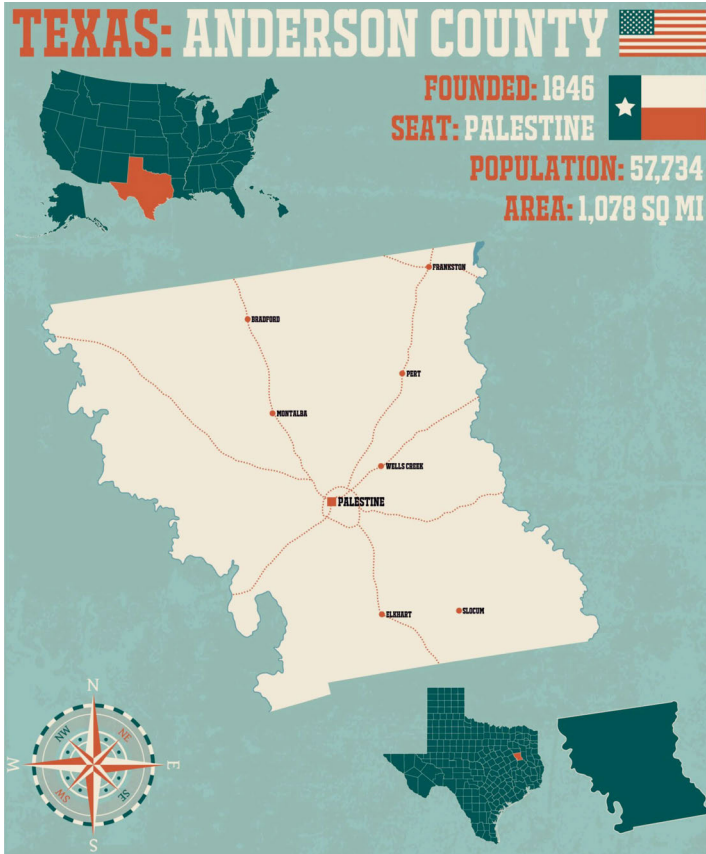
death threats to see that justice might be done. Convinced that their testimony showed clear evidence of “cold-blooded murder,” Judge Gardner denied bail to five of the six defendants. In 1911, in this far corner of the Jim Crow South, it appeared, for a moment at least, that men who killed in the name of white supremacy might be held to account (Gardner n.d., 120).

Wilson’s appearance in court was certainly incongruent with expectations of Jim Crow justice. In nearly all cases in which white vigilantes killed African Americans, local officials concluded their investigations by declaring that the victims had died “at the hands of persons unknown.” In doing so they repeated one of the most common refrains in southern history, one that read less as a statement of fact than as an admission that the criminal justice system had no commitment to holding the people responsible for mob violence accountable. Most southern whites, of course, knew who the killers were. Thousands of southern communities kept open secrets but seldom left a documentary record of the crimes of mobs.

All of which makes Margaret Wilson’s testimony and the circumstances that produced it highly unusual. In this case, Texas authorities refused to protect the identities of the killers. The county sheriff issued warrants for their arrest. Newspapers published their names. Texas Rangers interrogated them. More than 200 people testified against them before a grand jury, which returned six indictments for first-degree murder against eight men. The local judge denied them bail. Prosecutors sought the testimony of Black women to condemn them. The members of Wilson’s family certainly did not die at the hands of persons unknown.

Justice did not prevail in 1911. The court of criminal appeals awarded the defendants bail. Prosecutors lost interest. Public outrage subsided. The defendants went free. Memory of Margaret Wilson’s testimony waned. The identities of the killers and their accomplices over the years faded, eventually becoming, like those of other southern vigilantes, persons unknown.

Map 1: Anderson County Locator Map



The massacre at Sandy Beulah occurred about 4 miles to the southeast of the little village of Slocum in the southeastern region of the county. Copyright Christian Mueller-clausnitzer Dreamstime.com, [https://www.dreamstime.com/malachy96\\_info](https://www.dreamstime.com/malachy96_info)

The story of what has become known as the Slocum Massacre has been lost to history as well. No historian has made more than a passing reference to it (Bills 2014). Little evidence, it seems, has survived on

which to base a sustained analysis. Lurid coverage in the white press sensationalized the violence, reporting unsubstantiated rumors as fact. Once the violence subsided, the press offered only limited coverage of the criminal proceedings. Because the Department of Justice refused to intervene, federal records document little. Locals have long maintained that a fire at the courthouse in 1913 destroyed all court records connected with the criminal case as well as the deed records that would have documented evidence of African American landownership.

Memory of it thus survived only as the subject of whispers and conjecture. Most local whites claimed that the violence never happened or that stories of it were exaggerated and sensationalized. Blacks, of course, told a different story. The descendants of Jack Hollie, one of the founding patriarchs of Sandy Beulah, have done the most to keep the memory of the massacre alive within their family and to share it with journalists who would listen. In 2015, they convinced the Texas Historical Commission to erect a historical marker acknowledging the massacre. The white chairman of the Anderson County Historical Commission denounced the decision because he did not believe that a record of what happened could ever be substantiated. “We didn’t have no facts or anything other than what newspapers” reported at the time, he told a journalist for *Texas Observer* in 2019. “And I don’t copy anything that the newspapers say” (Barajas 2019). The Hollie family applauded the historical marker but believed that it only acknowledged a sanitized version of the story. They have now focused their efforts on discovering the unmarked graves of the victims. Without the bodies though, the Hollie family fears that it will never be possible to set the record straight.



Despite the heroic efforts of the Hollie family to uncover the truth of the fate of their ancestors, the atrocity at Sandy Beulah has remained Anderson County's unspeakable secret. As Harvard psychiatrist Judith Herman argued in her now classic book *Trauma and Recovery*, "the conflict between the will to deny horrible events and the will to proclaim them aloud is the central dialectic of psychological trauma" (Herman 1992, 1). And that dialectic, I would contend, frames historical understanding not only of the atrocity at Sandy Beulah, but the larger history of anti-Black racial violence in the United States. Even if knowledge of atrocity occasionally intrudes into the public sphere, its impact has not yet been socially and politically transformative or restorative. It even invites determined backlash. "Denial, repression, and dissociation," Herman reminds us, remain powerful forces that "operate on a social as well as an individual level" (Herman 1997, 1–2). Because the Hollie family's vernacular history of the massacre succeeds better at documenting intergenerational loss than at providing a record of exactly what happened, people in power (such as the chairman of the county historical commission) find it easy to dismiss its credibility (Williams 2012; Martinez 2018; Burnham 2022; Crabtree 2023). Traumatized societies then, like traumatized people, have been cut off from knowledge of their past. Recovering from psychological trauma, whether at the individual or social level, Herman contends, "begins with rediscovering history" (Herman 1997, 2).

Fortunately, evidence—hiding in plain sight and never before examined by historians—survives, allowing for such a rediscovery of history.

Records of the criminal proceedings, it turns out, were never housed in the Anderson County courthouse. When the district judge denied the defendants bail in 1911, defense attorneys filed an appeal. The case files were thus transferred to the appellate court where they have been filed and stored in the Texas State Archives ever since. Those records contain the full transcript of the ten-day bail hearing. Sworn testimony from fifty-four witnesses, Black and white, offers a window onto the perpetrators, victims, and survivors of the massacre. Even if the white people of Anderson County kept the crimes of their forefathers quiet for more than a hundred years, their ancestors spoke on record about what happened. And their words have remained preserved in the archives. The

testimony of Black witnesses—such as that of Margaret Wilson—are preserved as well, allowing the historian to recover her courageous act of bearing witness that nearly condemned six white men to the hangman's noose in 1911.<sup>2</sup>

The archive, then, is like the clinical consulting room, which Herman characterizes as a “privileged space dedicated to memory,” where survivors “gain the freedom to know and tell their stories,” increasing the likelihood of public disclosure of past abuses and atrocities, which “perpetrators are determined to prevent.” The discovery of such rare evidence—in which survivors bore witness to racial atrocity—is for the historian akin to the moment when the clinical psychologist hears a patient suddenly become conscious of repressed ideas, feeling, and memories. In this paper, I propose to listen to the witness testimony in this archival evidence perhaps not unlike the psychologist might listen to a patient in the consulting room. To push this analogy, the historian, like the clinical psychologist, is duty bound to bear witness, whether in the confines of the consulting room or the stacks of the archives. “Moral neutrality,” Herman reminds us, “in the conflict between victim and perpetrator is not an option. Like all bystanders, therapists—[and by extension in my analogy, historians]—are sometimes forced to take sides” (Herman 1997, 246, 247). The recovery of these witnesses’ testimony, and

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2 Other evidence survives as well. As the *Houston Post* reported at the time, a fire-proof vault protected Anderson County's records from the 1913 courthouse fire, leaving a rich lode of local sources to be mined. Most importantly, these records allows us to reconstruct the patterns of Black landownership in Sandy Beulah and to identify with considerable precision, which residents owned which parcels of land. See “Anderson County Courthouse Burns,” *Houston Post*, 7 January 1913. The principal actors in the drama also left traces of their lives in these records. They bought and sold property, paid taxes, started businesses, petitioned county administrators, borrowed money, sued their neighbors, probated estates, married loved ones, divorced their spouses, committed crimes, testified in court, signed affidavits, and spoke to federal census takers. Local and regional newspapers documented their comings and goings. This evidence permits us to recreate the world of Sandy Beulah, the people who made it their home, and the actions they took to defend it.

acknowledging the suffering and the loss that they endured, will help to unearth the buried history necessary for a traumatized community such as Anderson County to recover in the aftermath of atrocity, even after 100 years.

## The Massacre

The carnage at Sandy Beulah began when a white farmer tried to settle a vendetta against a Black landowner by spreading rumors of an impending Black uprising. Convinced that a thousand armed Blacks lurked in the nearby thickets, white farmers mobilized a preemptive attack. Within hours of the first gunshots, hundreds of heavily armed white men from near and far descended upon the scene. White vigilantes scoured the woods in pursuit of Blacks. White sentries guarded crossroads and interrogated travelers before letting them pass. Watchmen shepherded white women and children to safety where they kept them hunkered down for hours in schoolhouses, churches, and barns. White families that remained together converted their cabins into fortresses and stood ready to shoot any Black person they saw.

More than 36 hours passed before authorities put an end to the killing. When they did, they found plenty of evidence of a white massacre. None of a Black uprising. Investigators found the dead bodies of Black men, many of them teenagers, riddled with buckshot scattered along the roads. “We won’t find some of the bodies,” lamented the county sheriff, “until the buzzards reveal their location” (*Dallas Morning News* 1910). Officials eventually confirmed eight deaths, identifying another six who sustained severe injuries, the majority of whom were teenagers or very young men. Deputies made a thorough search of Black homes and farms and discovered just nine single-barreled shotguns, their “muzzles choked with spider webs” (Freeman 1910). This war of extermination, as the local sheriff characterized it, erased all evidence of Black settlement and prosperity. Forty years later, just a single Black family resided in that section of Anderson County. It was as if African Americans had never lived there.

The savagery of the wanton killings shocked even the sensibilities of white southern segregationists and their seemingly endless capacity to tolerate brutality against African Americans. Editors in the white press, merchants at the county board of trade, and local authorities denounced the massacre as an outrage perpetrated by a roguish mob of cowards against harmless Blacks (*The Caucasian* 1910; *Houston Chronicle* 1910; *Beaumont Enterprise* 1910; *Houston Post* 1910; *Montgomery Advertiser* 1910; *Palestine Daily Herald* 1910). In doing so, they expressed sentiments consistent with those advocated by an emergent cadre of middle-class, white, southern legal reformers who advanced an anti-lynching agenda rooted in the rule of law. Mob violence, they maintained, violated due process, threatened legally constituted authority, and promoted the anarchy of the mob over the order of law enforcement. Extra-legal violence, they asserted, jeopardized economic growth, business investment, and white immigration. To extinguish the mob spirit, due process reformers advocated expedited trials followed by swift executions (Pfeifer 2014, 835–36; Jean 2005).

The massacre of Black landowners at Sandy Beulah tested the resolve of these antilynching reformers. Perpetrators of mob violence usually had little to fear from district attorneys who seldom summoned the courage to investigate. The public denunciation of the massacre at Sandy Beulah and the chorus of calls for the mob leaders to answer to the law, created a political opening to prosecute the killers. Local due process reformers seized upon the moment, hoping to use the case to turn the legal tide against mob violence. Although the national Black press applauded what it called the brave talk of prosecution coming out of the county courthouse, Black editors expressed skepticism that a Texas criminal court could deliver anything other than a sham trial. Anderson County would only save its good name, they argued, if the court convicted and hanged those guilty of the atrocities (*St. Paul Appeal*, 1910).

The burden of converting that brave talk into a fair trial fell to Benjamin H. Gardner, the local district judge. Few white southern jurists seemed better equipped to do so. Like other due process reformers of the day, Gardner had long disavowed mob violence without denouncing Jim

Crow. In 1909 he declared that he would never “tolerate mobs and mob violence,” warned that he would not hesitate to impanel grand juries to investigate mob violence, and vowed, if evidence was sufficient, to deny bail to defendants in such cases (*Palestine Daily Herald* 1909). The massacre at Sandy Beulah forced Gardner to act upon his convictions. When criminal investigators discovered no evidence that Blacks had plotted an insurrection against their white neighbors, authorities had little choice but to arrest the white men they suspected of murder. Gardner empaneled a grand jury that delivered indictments against seven men within two weeks and held them in jail without bail. It remained to be seen whether Judge Gardner’s court would enforce the rules of criminal procedure against white defendants in the same way that it did when it condemned Black suspects to death row. More importantly, would Gardner’s court serve as a public forum capable of providing victims the space to speak their truth and have their suffering formally acknowledged?

### **Black Survivors: Witnesses to Atrocity**

If Palestine’s so-called leading white citizens were willing to condemn the perpetrators of the atrocity at Sandy Beulah as “unworthy white men,” few white people seemed eager to testify against their neighbors. Reporters observed that the prosecution faced growing difficulty in securing witnesses to testify against the defendants, placing the entire case in jeopardy. Because of the trepidation of so many white witnesses, prosecutors had to rely on the testimony of Black survivors. Their willingness to testify on the public record about unspeakable acts left invaluable traces in the historical record that enable us to take measure of the lives transformed by vigilante violence. Courtroom testimony of Black witnesses provides rare evidence that enables historians to perform the essential work of integrating the experiences of victims’ family lives into the scholarship of mob violence. New scholarship on racial atrocity has begun to counter the emphasis on the acts of perpetrators by recovering the experiences of victims and witnesses of violence. The kind of courtroom testimony left by the Black witnesses

of Sandy Beulah provides the critical voices needed to develop a more African American–centered history of racial violence that captures the full humanity of the victims and survivors (Williams 2014; 2018; 2023; Hill 2016; Martinez 2018; Crabtree 2023).

Furthermore, this kind of evidence underwrites the veracity of the vernacular history of racial violence. Witnesses and survivors who testified on public record provide the essential details that affirm the truth hitherto confined to the memories and stories passed along within families and local communities. It allows for a careful accounting of extralegal violence that has remained unavailable to the wider public and enables the expertise of professional historians to collaborate with community historians to read the historical evidence in concert with family lore to compose a narrative capable of setting the record straight about what happened. It would provide descendants with the history that they have long struggled to discover and tell (Burnham 2022, xv; Tilove 2018).

Survivor testimony such as we find in the *habeas corpus* hearing is so valuable because it is so rare. And thus we must approach the source with the care of a clinical therapist. As Judith Herman explains, survivors “often tell their stories in a highly emotional, contradictory, and fragmented manner which undermines their credibility,” which serves the interest of perpetrators who are determined to cast doubt on the stories of survivors (Herman 1997, 1). And no more was this the case than for the rare Black witness called to testify against white men in a Jim Crow criminal court. Consider the context in which Margaret Wilson took the witness stand. She had just listened to her 80-year-old mother retract statements that she had given to the grand jury, claiming now that her cataracts prevented her from making a positive identification of the defendants. Her own nephew, fifteen-year-old Charley Wilson, had become flustered upon cross-examination and misidentified the men he claimed shot his teenage cousin. She knew that the defense would attempt to pester her. Prosecutors warned her that the defense would badger Black witnesses, hoping to expose tensions and conflicts among them, even to the point of suggesting that Margaret Wilson’s own brother-in-law had stirred up the trouble with their white neighbors and hence was responsible for the carnage.

But as historian Jan Gross suggests in his remarkable study that pieces together the eyewitness accounts of the Poles who murdered their Jewish neighbors in the town of Jedwabne during World War II, it is essential that we accept as fact the testimony of survivors “until we find persuasive arguments to the contrary.” If we read this evidence with the cautious skepticism that we normally bring to historical evidence, we inadvertently challenge its credibility and create a narrative that comforts the perpetrator. The transcript of the bail hearing offers a rare chance to listen to what Gross calls “lonely voices reaching us from the abyss” (Gross 2001, 139–140).

If we follow Gross’s advice and accept as true Black testimonies about atrocities committed by their white neighbors until they are proven false, then the bail hearing transcript becomes powerful evidence to counter what historian Monica Muñoz Martinez calls the corrupt archive of racial terror. As she argues, official histories of the United States sanctioned by historical commissions, state boards of education, popular media, and politicians suppress the nation’s history of extralegal violence, trauma, and loss. Instead, they substitute a celebratory history of progress and national achievement that disavows the crimes perpetrated by the state and the vigilantes who acted with state sanction. The few surviving records that document the lives of the victims of racial atrocity often criminalize them as rapists, bandits, or insurrectionists who deserved their fate. The corrupt archive, we might say, comforts perpetrators and substantiates their version of history (Martinez 2018, 1–29).

Such a corrupt archive has made it difficult to set the record straight about the atrocity at Sandy Beulah. In the aftermath of the massacre, accounts in the press—even as most reporters denounced the white killers and exposed the false rumors that circulated—never challenged the claim that Blacks had plotted an insurrection in a series of secret meetings in a little schoolhouse in the woods. The defense seized upon that narrative to argue that their clients acted in self-defense against a community of Blacks that had become so “insolent, insulting, and mean to the white people” that they were all convinced that the Blacks “in-

tended to rise and do devilment".<sup>3</sup> Although historians would certainly be skeptical of such a version of events, it is difficult, if not impossible, to explain exactly how and why without the testimony of survivors and witnesses. Therein lies the threat witnesses pose to the perpetrator's narrative both at the time of trial and in the corrupt archive.

Throughout the *habeas corpus* hearing Black witnesses held firm in their determination to counter the perpetrator's narrative. Pressed by the defense to admit that her father knew of an insurrectionist plot by Blacks and had warned white farmers of the impending danger that they posed to white farmers, sixteen-year-old Eva McDonald testified that she never heard her father say as much. She refused to give any credence to the defense's claim that her Black neighbors threatened to kill her father and forced him to abandon his farm for betraying their plot. Asked if he knew about an insurrectionist plot, Jake Dupre likewise rebuffed the defense's version of events. The 25-year-old unmarried son of Black landowners testified "that if I had known that there was any plan up to kill out the white folks, I would tell it. If I knew it, I would tell you; I would tell you nothing but the truth." The only meetings that Blacks in Sandy Beulah held during the summer of 1910, he continued, were about raising money to build a new church and a Sunday school. Dupre shared his harrowing tale of escape with the court, which left little doubt that it was white people, not his Black neighbors, who were on a violent offensive. "I left home because I heard that they [white people] were coming to kill me." Before the assailants arrived, he and his teenage brother Ross had fled their farmstead without the protection of arms and journeyed three miles through thickets and creek bottoms, avoiding the main road, until they reached the sanctuary of their grandmother's in Cherokee County.<sup>4</sup>

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3 Appellant's Brief, File no. 1237, *Ex Parte Jim Spurger et al. v. The State of Texas*, Texas Court of Criminal Appeals, Box 1993/088-122, centralized court case files, Archives and Information Services Division, Texas State Library and Archives Commission, Austin, Texas.

4 Eva [Mc]Donald, trial transcript, 179–180; and Jake Dupre, trial transcript, 179–180.

Black witnesses provided essential details of the crimes that their white neighbors committed on July 29 and 30. Fifteen-year-old Charley Wilson detailed how whites ambushed him and his cousins Lusk Hollie and Cleve Larkin at dawn as they were walking to feed their stock. He survived only because he had the presence of mind to play dead. Charley's teenage cousin, Justice, identified several of the more than forty white men who attacked his father's farm, stormed into their house, and opened fire on 25-year-old Sam Baker who had taken refuge in a side bedroom. His mother, Margaret Wilson, explained what happened when they entered the house:

They searched all of the house, and they found Sam Baker in the little room. Mr. Sperger found him, and when he found him, he said "here he is, boys" and then he shot... There were several in there, Mr. Reid and Mr. Bridges; there was a whole lot them in there, but I couldn't tell you how many shots were fired, for there were so many in there and it looked to me like they shot as long as there was anything in the guns... I was so scared, I didn't keep any count of them.

Ernie Burley testified that about dozen men invaded her family farm, guns drawn, while she sheltered her children in their cabin. On the stand she explained the scene as she watched Jim Sperger shoot her unarmed husband at point blank range:

They called [Will, my husband] out and said that they weren't going to do anything to him—Mr. Jim Sperger called him out—and said that he wasn't going to kill him, but he didn't go when he first called him, but I don't know exactly how many times they called him—two or three times, though. There wasn't anybody that called him besides Mr. Jim Sperger that I heard. And when [Will] went out, he went out on the gallery, and when he go out there they asked him what he knew [about the Black uprising], and [Will] said that he didn't know anything and then they shot him... There were three shots fired at that time and Mr. Sperger fired them... I was so scared then... I did not help bury my husband, and never did see him after he was killed.

Asked why he no longer lived at Sandy Beulah, Joe Barnett, one of the oldest landowners of the colony, testified that “I thought it was best to go away, and further I received several notes ordering me to go.”<sup>5</sup>

The story, then, that emerges from survivor testimony is starkly at odds from that in the corrupt archive. We learn of a farming community that kept to itself; some of its leading men belonged to a Masonic lodge located some miles north of their colony; people of the community met frequently over the summer of 1910 in a school house to raise money to build a new church; no “old time negro” turned on their neighbors and friends and informed white farmers of an insurrectionist plot; and most importantly, white men by the score interrogated, beat, and intimidated Black boys, forcing them to reveal the location of neighbors hiding from the fury of the mob; gangs of whites stormed into the houses of black farmers, waylaid men and boys at point blank range, and shot Black males, young and old, in front of their mothers, wives, and children, forcing people to flee for their lives; those who survived and returned sold their property under threat of death, left, and never returned. And we learn exactly which white defendant killed each of the Black victims. This new archive not only contradicts the corrupt archive, it affirms family stories about the massacre that had been passed from one generation to the next. Maxine Session, whose father was an infant at the time of the massacre, grew up hearing tales of what her elders called Bad Saturday:

People had come in from the fields and were resting in the noon hour, and somebody came through and said, ‘You’ve got to get out of here; white people have gone crazy; they’re killing everybody black that they can see, so you’ve got to go’ (Tilove 2018).

The testimony that African Americans shared on the witness stand in March 1911 provide essential details, particulars, and specifics to the sto-

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5 Charley Wilson testimony, trial transcript, 198–202; Justice Wilson testimony, trial transcript, 65–67; Margaret Wilson testimony, trial transcript, 60–61; Ermie Burley testimony, trial transcript, 175–177; and Joe Barnett testimony, trial transcript, 172–175.

ries that Session and other descendants heard as children in exile from Sandy Beulah.

### White Witnesses: Bystanders to Atrocity

If Black witnesses showed remarkable courage in testifying on public record against white men in a Jim Crow court, few white witnesses mustered the courage to challenge the racial hierarchies of east Texas. White witnesses, even the twenty-five who agreed to testify for the state, could not be moved to share the burden of the victim's pain. Of the hundreds of white men who descended upon the Sandy Beulah community at the height of the violence, the overwhelming majority of them witnessed the killings but did not pull the triggers that killed the victims. They were bystanders to atrocity. Those who witness traumatic events, Herman explains, find themselves "caught in the conflict between victim and perpetrator." They cannot remain morally neutral and are thus forced to take sides. Bystanders, Herman continues, find it "tempting to take the side of the perpetrator," who asks nothing more than of the bystander than do nothing. Victims, on the other hand, ask bystanders to "share the burden of pain." Victims demand "action, engagement, and remembering" (Herman 1997, 7–8).

White witnesses for the State all walked a fine line as they spoke on record in open court. If they refused to offer testimony that corroborated the defense's theory of the case, neither did they want to come off as hostile to the defendants or as race traitors. As one witness (who was not alone in doing so), testified about his sympathies during the violence, "I was strictly on the side of the white folks".<sup>6</sup> White witnesses who testified for the State, even if they claimed to have had no prior knowledge of a Black uprising before the killing began, often spoke at great length, particularly on cross-examination, about rumors of secret meetings among Blacks, of the change in demeanor among Blacks throughout the summer, and of the Black landowners' reputation for impudence. Many of

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6 Testimony of M. F. Bridges, 217.

the witnesses claimed that they heard of rumors of an uprising but refused to clarify with any specificity of when they first heard about them (before the violence began or after the violence started). As one witness testified, "I never got to the bottom of any of these rumors"<sup>7</sup>. As Judge Gardner wrote in his memoirs, several white witnesses made statements to him in private that would have been valuable to the state's case, but when they took the witness stand, they shaded their testimony for the defendants. When asked to remember, they preferred to forget and in so doing betrayed the victims and offered comfort to the perpetrators (Gardner n.d.).

Just as Jan Gross maintains that everyone in Jedwabne knows what happened to their Jewish neighbors in 1941, so did everyone in southern Anderson County know what happened to the Black farmers of Sandy Beulah. Some white witnesses were intimidated and threatened; most simply lacked moral courage. Whatever the case, the perpetrators succeeded in convincing the bystanders to do nothing. Such equivocation on the witness stand offers direct evidence of what civil rights attorney Sherilyn Iffil has called the conspiracies of silence that have long concealed the identities of the perpetrators of racial atrocities, minimized the magnitude of Black loss, erased the memory of these crimes, and assured that disturbing histories of racial violence would not threaten the long-dominant American national narrative of democratic exceptionalism (Iffil 2018). These intentional acts of forgetting on the witness stand has left a deep legacy of distrust among African Americans so accustomed to whites, even those who profess to be allies, who, at a critical moment, lose the courage to bear witness.

## Implications

Today we find ourselves in the midst of a moment of public reckoning with America's history of racial atrocities in a new struggle of memory against forgetting. Across the country, new public spaces have emerged

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7 Testimony of H. C. Sory, 202.

that acknowledge the unspeakable: the removal of monuments to the Confederacy; the founding of the Equal Justice Initiative Museum in Montgomery, Alabama; the reframing of historical sites such as Whitney Plantation in Louisiana; the founding of Universities Studying Slavery; the declaration of Juneteenth as a national holiday; and the opening of the Burnham-Nobles Digital Archive by the Civil Rights and Restorative Justice Project. But the moment has sparked an intense backlash. The allies of the perpetrator's narrative are alive and well. State laws banning the teaching of critical race theory, inherently divisive subjects, and "woke-ism"—whatever that means—are little more than modern-day refusals to bear witness to the crimes narrated before us in public forums. This remarkable moment of public reckoning thus risks becoming what Judge Gardner's court was for the survivors of the Sandy Beulah massacre.

Today, descendants of the survivors have made a public push to have the public recognize and acknowledge the history of the massacre. The struggle for recognition has not been easy. White people in Anderson County, even those who eventually supported the erection of a historical marker, still refuse to bear witness, much as their white ancestors who testified for the prosecution more than one hundred years ago. "The citizens . . . [today] had absolutely nothing to do with what happened over a hundred years ago", insisted the county's historical commissioner. "This is a nice quiet community with a wonderful school system. It would be shame to mark them as a racist community from now until the end of time. Slocum has not buried their head in the sand and forgotten—they have moved forward and progressed." The county commissioner largely agreed. "It's a sad situation," he remarked, "but I feel like we're all past it and other ones carry the burden on their shoulders. Their ancestors dealt with it years and years ago, but some of them don't let it go." Or as one white woman admitted, "I don't deny the fact that it happened... [I]f it were my family and the roles were reversed, I would be upset too. But just bringing it all back up again is not going to change anything" (Tilove 2018).

Wishing to move on is little more than acknowledgment without reckoning. And without reckoning there is no path open to restitution,

reconciliation, and repair. As Bryan Stevenson, director of the Equal Justice Initiative, emphasizes, “Truth and reconciliation have always been sequential. You can’t get to reconciliation . . . until you’ve got to the truth, and we’ve not done a very good job of telling the truth.” Such work, however, remains dangerous. As Herman writes, those who “stand with the victim” — whether the psychologist with a patient in the consulting room or the historian working in the archives — “will inevitably have to face the perpetrator’s unmasked fury” (Fortek 2017; Herman 1997, 247). But it is work from which we must not shy. For it allows us to recover the stories of survivors such as Margaret Wilson, a woman who once converted a Jim Crow criminal court into a space in which she demanded to be heard and believed. It is time that we hear her again. Her words may not locate the bodies, but if we listen and bear witness, we will unearth the truth that has been buried for more than one hundred years.

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