

THE MALEVOLENT GODS OF HATRED: *Race, Representation, and the* *Puryear Ax Murders*

BY THOMAS AIELLO

As the sun rose in Memphis on May 2, 1932, Stanley Puryear crept into the bedroom where his wife Aurelia and eight-year-old daughter Zenia were sleeping. He raised an ax and began hacking the little girl into pieces. When his horrified wife awoke, he began chopping her, too. He then calmly left the house and found Will Jamison walking along the street. He offered Jamison three dollars to return with him to the house and help move some whiskey. Jamison was black, Puryear white, and both the racial and socioeconomic code of the Depression-era South virtually assured that Jamison would agree. Puryear led him back to the house where he shot his potential helper, leaving him stumbling in the street, mortally wounded. When the police arrived, Puryear told them that Jamison had killed his family and that he shot the black intruder in self-defense.¹

Had Jamison died immediately, Puryear's plan inevitably would have worked. White southern law enforcement was eager to believe stories of black crimi-

nality. But Jamison lived long enough to deny involvement in the crime. "He shot me down when we got to the house," he said. "I don't know anything about the things that happened inside."² That left Puryear as a prime suspect.

The pending investigation, the trial, and conviction would captivate Memphis, along with much of the South and the nation, but coverage was decidedly different depending on the press. White papers emphasized the victims of the ax murder and the family saga that led to their deaths. Black papers emphasized the heroism of Jamison, another casualty of the crime who also suffered the secondary crime of character assassination after his death. It was, for the black press, another example of white assumptions scapegoating black victims and trivializing their deaths. The difference in white and black coverage of the crime demonstrated that the outcomes of rights debates between white and black were so different in places like Memphis because the assumptions that created the argumentative starting points were so dif-

EVIDENCE PILES UP AS GRAND JURY TAKES CASE

To Will Jamison Who Vindicated A Race with A Deathbed Statement

JAMISON
EXTRA
EDITION

MEMPHIS WORLD
A MEMPHIS PUBLICATION

JAMISON
EXTRA
EDITION

Printed in the Post Office at Memphis, Tenn., to second class matter Jan. 20, 1922 under Act of March 3, 1879

MEMPHIS, TENN., TUESDAY, MAY 10, 1932

PRICE FIVE CENTS

BELIEVE THAT WILL JAMISON WAS DUPE VICTIM IN AX MURDER CASE

Death Bed Statement Proves Convincing

Memphis, May 10.—(AP)—A deathbed statement made by Will Jamison, a Negro, who was shot to death by Stanley Puryear, a white man, in the ax murders of May 1, 1932, is being taken into consideration by the grand jury today. The statement, which was made by Jamison to a priest, is being taken into consideration by the grand jury today. The statement, which was made by Jamison to a priest, is being taken into consideration by the grand jury today.

Was With Jamison



"Will Brought Me Home," Girl Says Of Victim

Memphis, May 10.—(AP)—A girl who says she was with Will Jamison at the time he was shot to death by Stanley Puryear, a white man, in the ax murders of May 1, 1932, is being taken into consideration by the grand jury today. The girl, who is a Negro, says she was with Jamison at the time he was shot to death by Puryear.

BEREAVED FAMILY OF JAMISON



PURYEAR, CHARGED WITH SLAYING NEGRO, MAY FACE JURY TODAY

Memphis, May 10.—(AP)—Stanley Puryear, a white man, who was charged with the slaying of Will Jamison, a Negro, in the ax murders of May 1, 1932, is being taken into consideration by the grand jury today. Puryear is being taken into consideration by the grand jury today.

SOLICIT FUND FOR JAMISON BURIAL

Memphis, May 10.—(AP)—A fund is being solicited for the burial of Will Jamison, a Negro, who was shot to death by Stanley Puryear, a white man, in the ax murders of May 1, 1932.

Believes Dream Was Death Sign—Mrs. Jamison

Memphis, May 10.—(AP)—Mrs. Will Jamison, the widow of the victim in the ax murders of May 1, 1932, believes that a dream she had was a sign of death. She says she dreamed of Will being shot to death by a white man.

Puryear Charged With Murder



LAW FORCES DESERVE PRAISE

Memphis, May 10.—(AP)—The law forces who have been working on the case of the ax murders of May 1, 1932, deserve praise for their efforts. The law forces have been working on the case of the ax murders of May 1, 1932.

First Denial Of Crime Made In Ambulance

Memphis, May 10.—(AP)—Stanley Puryear, a white man, who was charged with the slaying of Will Jamison, a Negro, in the ax murders of May 1, 1932, made his first denial of the crime in an ambulance. Puryear made his first denial of the crime in an ambulance.

Says Jamison Martyr of Bad Social System

Memphis, May 10.—(AP)—A man who says he was with Will Jamison at the time he was shot to death by Stanley Puryear, a white man, in the ax murders of May 1, 1932, says that Jamison was a martyr of a bad social system. The man says that Jamison was a martyr of a bad social system.

'Down on Beale' by Nat Williams, Biting Satire on Jamison Case

Memphis, May 10.—(AP)—A biting satire on the case of the ax murders of May 1, 1932, is being published in the Memphis World. The satire is titled 'Down on Beale' and is written by Nat Williams. The satire is being published in the Memphis World.

Keable Revived to Be at Lumbville Station

Memphis, May 10.—(AP)—A man who was revived after being shot to death by Stanley Puryear, a white man, in the ax murders of May 1, 1932, is being taken to Lumbville Station. The man is being taken to Lumbville Station.



In 1932, the Puryear Ax Murders captivated Memphis, but coverage differed decidedly depending on the press. White papers emphasized the victims of the ax murders and their family saga. Black papers emphasized the heroism of Will Jamison, another casualty of the crime. (Memphis World, May 10, 1932)

ferent. In the Puryear ax murders, white and black commentators saw one seemingly clear-cut incident two entirely different ways. That difference was significant, as black newspaper readers supplemented mainstream white news coverage with their local African American press. Whites had no such supplement. The black community had long been built on the distinct nature of its information systems, from kinship networks to the black press, creating a unique body of knowledge, a more complete body of knowledge, than that of whites. It was a knowledge that magnified the inequities of Memphis society while simultaneously ensuring that white and black readers of newspapers would continually talk past one another, insulating black Memphis and making legitimate interracial communication that much more difficult.³

Stanley Puryear ran the S.A.P. Auto Parts Company, a second-hand automobile junk yard. He claimed in the days after the attack that Jamison stole two pistols, sixty dollars, and a watch, but police found none of the items on him in his wounded state. Police Captain Frank Glisson was satisfied that Jamison "had no criminal record in the past." Jamison told police his version of events three times, the captain explained, "and never varied."⁴ And thus after the funeral for his wife Aurelia Cucinotta Puryear and daughter Zenia, police took Puryear and his twelve-year-old son Porter into custody and questioned them at length.⁵

Puryear's father and brother owned the Puryear Drug Company in the Tennessee

Hotel Building—not an elite Memphis family, but a respectable one—and vigorously defended Stanley's version of events. "There has never been any domestic trouble in my brother's home," said P.R. Puryear. "He was a kind, devoted husband and father. I believe he loved his little girl even more than his son. His wife's relatives will tell you the same thing." Jamison, meanwhile, could have entered the house through the back porch or two unlocked windows. "My brother kept two pistols on the bureau in his room where he slept with little Porter. The negro picked those up, and had collected Stanley's clothes and his watch before he murdered Mrs. Puryear and the little girl. He dropped them after he was shot."⁶

The local *Memphis Commercial Appeal* did pair such accounts in those early days after the crime with Jamison's deathbed statement. "I spent the night at a house on Beale Street," said the dying Jamison. "A little after daybreak I was at Beale and Third when a settled-aged man drove up and said he would give me \$3 to help him move some liquor. I went with him and he told me to wait in the garage. Then he called me up to the back porch and he shot me and I run. I didn't have no ax. I didn't go in the house, and I didn't hurt nobody."⁷ At the same time, however, the *Appeal* claimed that Puryear was "in a state of collapse" in his home after the ordeal, with a police guard outside the house "to keep traffic moving and to keep the morbidly curious from overrunning the premises."

The crowds, however, came, watching the Puryear house from across the street.⁸

The *Memphis Commercial Appeal* was long a bastion of white supremacy and white southern thinking. The *Weekly Appeal*, one of the two papers later combined to create the *Commercial Appeal*, was founded in 1841 as a Democratic rival to the young city's Whig newspaper, setting its course as a champion of white southern antebellum politics, state sovereignty, and the sanctity of slavery in particular.⁹ The year after Puryear's final failed appeal, for example, the *Commercial Appeal* celebrated its centennial anniversary. In a booklet celebrating its history, Robert Talley boasted proudly that at the onset of the Civil War, the *Appeal* "had been such a strong advocate of Southern rights that Southerners had praised it as 'the voice of the Confederacy' and Northerners had assailed it as 'the hornet's nest of the rebellion.' It was certainly the former and very likely the latter for, in the light of those flaming times, The Memphis Appeal was unquestionably 'the greatest rebel of them all.'" Talley argued that it was "more than a newspaper, it is a Southern institution." And of course the implication of such a statement was that it was a white southern institution.¹⁰

In the early twentieth century, the *Commercial Appeal's* racial stances were mixed. In 1917, the paper published the time and place of an upcoming lynching. In 1923, however, it won a Pulitzer Prize for its editorial opposition to the resurgent Ku Klux Klan. That opposition,

however, was based on a stated devotion to law and order, certain lynchings apparently excepted, and white southern critics of the *Commercial Appeal's* stance argued that the paper's editor, C.P.J. Mooney, was a Catholic. Despite its frustration with the Klan, however, the *Commercial Appeal* remained a white southern paper. Still, in the fall of 1936, the paper was purchased by Scripps-Howard, a newspaper chain founded in Cleveland and that spread across the country, predominantly outside of the South. It was becoming less a part of the Confederate ideal and more a part of a national conglomerate.¹¹

The story presented by the city's other white daily, the *Press-Scimitar*, was one that clearly preferred Puryear's version of events. The *Memphis Press*, later the *Press-Scimitar*, was founded in 1909 by Ross B. Young, a journalist originally from Ohio who used the paper over its first two decades to fight machine politics in the city, a crusading spirit continued by Edward J. Meeman, an Indiana journalist who came to replace Young as editor in 1931. The progressive stance that Meeman and his predecessor would take against Edward H. "Boss" Crump and his Memphis political machine, however, would not extend to a corresponding racial progressivism.¹² "Cloud-muted sunlight drifted lazily across the worn steps of the Church of St. Thomas," the paper reported on the Puryear funeral. "The world went lightly about its everyday affairs, but within the church a symphony of grief rose upward and seemed to

Mother, Girl Slain in Bed



The murder of Mrs. Stanley Puryear, above, and her 8-year-old daughter, Aurelia Zenia, below, as they slept in their Memphis, Tenn., home was believed avenged when the husband and father, awakened by the screams as they were hacked by an axe, pursued the alleged slayer, Will Jamison, a negro, from the home, shot and killed him.

Stanley Puryear murdered his wife and daughter, Aurelia Cucinotta and Aurelia Zenia Puryear, but blamed the deaths on Will Jamison. Puryear had insured his wife and daughter for \$500 each. (1932, Unidentified Newspaper Clipping)

hang to the ancient rafters as heads were bowed before the bodies of Mrs. Stanley A. Puryear and her daughter, Aurelia, victims of an ax-man who crushed their heads early Monday morning." In the *Press-Scimitar's* coverage, Puryear was broken but brave. "I'll never see her any more," he repeated between sobs. "But I've got you, Buddy," he told his son. "I've got you."¹³

"I love my family," said Puryear. "I didn't do this thing." Police may have believed Jamison's story, but the *Press-Scimitar* was sure to point out the police captain's statement that, "On the other hand, after talking with Puryear I would be convinced that his version of the slaying was the truth." The paper's account demonstrated that the case amounted to a choice between the upstanding white man's account versus the vagrant negro's, and thus it was only a matter of time until Puryear was officially cleared of wrongdoing.¹⁴

Still, the ax used in the crime was Puryear's and his "negro maid" told police that she had previously seen it in the house. Both his wife

and daughter were insured for five-hundred dollars each. "The negro started to run and I let him have it," said Puryear, claiming that he rushed into his wife's bedroom after hearing her screams. "But he kept on going out the back door and I went back to look after my wife and baby." He told police that Jamison "started blazing away with both guns, and I opened fire with a shotgun I kept by my bed. The Negro dropped, but got up and ran from the house." Puryear claimed to have left his house at 2:30 a.m. for his garage to ensure that the night watchman was guarding the business, but the Fox-Pelletier Detective Agency, which guarded the garage, claimed that they had made their hourly patrols and that "the seals I put on the office door and yard gate early in the night were intact when I made the last round this morning."¹⁵

Puryear's explanation was clearly unconvincing and police and the Shelby County Attorney General announced that they would continue to investigate.¹⁶ Those investigations were separate, the Attorney General's office taking "an unusual interest in the murders," according to the *Commercial Appeal*, "because of their cold-blooded brutality and unusual features."¹⁷ The coroner ruled that the deaths of the two Puryear victims came at the hands of "parties unknown," but Stanley Puryear openly admitted to killing Jamison "and only regrets that he did not do the job more thoroughly." When the Grand Jury met, then, it was to decide whether or not to charge Puryear with murder in the killing of the supposed black intruder.¹⁸

By the following day, police inspector Will Griffin was confident: "We've shot Puryear's statement full of holes." Police charged Puryear with Jamison's murder while Attorney General W. Tyler McLain planned to send the facts of the case to the Shelby County Grand Jury the following week. "The grand jury presentation will deal with every known fact in the case," the Attorney General promised. "It will cover more than the specific slaying of Jamison." McLain was confident. "We are getting some statements now that will make them sit up and take notice." He explained that there had been no blood on Jamison's hands and none on his clothes, save at the point of gunshot entry. "Would it be possible for a person to hack two bodies as those of Mrs. Puryear and the child were hacked and still get no blood on him?" he asked. "Possible but not probable."¹⁹

White Tennessee's willingness to accept black witness testimony, whether in the courtroom or in a deathbed statement, had a long and fraught history. An 1815 Tennessee law provided for trials of slaves who were accused of crimes. They would be tried in front of a jury of "freeholders or slave-holders," but those jurors were welcome "to take for evidence the confession of the offender, the oath of one or more credible witnesses, or such testimony of negroes, mulattoes or indians, bond or free, with pregnant circumstances, as to them shall seem convincing." That mandate only held, however, when slaves were defendants.²⁰

Tennessee's willingness to make black testimony in criminal cases legal came between 1868 and 1871, the same year that neighboring Kentucky did the same. In 1868, the Reconstruction legislature passed a new law to "make the rules of evidence in the Federal and State courts uniform." It was a vague statute, and when the legislature amended it in 1871, it did so in yet another vague manner, but after the December passage, witness rules in state civil and criminal trials were in line with the federal code, meaning that testimony would be accepted by any witness deemed credible. Neither statute explicitly mentioned race, color, or previous condition of servitude, but they did not have to. The first law was passed in the wake of the Fourteenth Amendment, which promised due process and "equal protection of the laws." In between the two state evidence efforts, the nation ratified the Fifteenth Amendment, which made "race, color, or previous condition of servitude" a household phrase nationwide. As of December 1871, Tennessee officially accepted black testimony in criminal trials. By the era of the Great Depression, testimony of black witnesses was an assumed part of the criminal code, even if it was, in practice, a rare occurrence in the prosecution of white defendants accused of crimes against white victims.²¹

Such is not to say that black witnesses were not the subject of bigotry. One of the cases that remained in the minds of Memphis residents in 1932 was a case in

St. Louis eight years prior. While the murder trial was held in Missouri, its defendant was Lemuel Motlow of Lynchburg, Tennessee, the nephew of Jack Newton Daniel and an influential part of the Jack Daniel's whiskey business. Motlow claimed that he accidentally killed a train conductor on a railroad taking him back to Tennessee because he was trying to kill a black porter who had been insolent to him. The porter, Ed Wallace, was grazed by a second shot, but testified that he had no quarrel with Motlow. The defendant's lawyers responded by demonizing Wallace. "There are two classes of Negroes in this country. One is the kind that knows its place. These are Negroes we love, care for, and protect," explained one of Motlow's Nashville-based lawyers, Frank Bond. "The other class demands racial and social equality. They want to intermarry with your daughters and mine. They shall not do it," he told them. "This Negro Wallis is one of these Negro uplifters." Motlow was acquitted.²²

Unlike the Motlow case, however, there was additional damning, if circumstantial, evidence against Puryear to accompany Jamison's testimony. Puryear's wife, for example, had to be rescued from a fire in 1925 when she was found unconscious in the couple's burning house. Puryear also had a close association with a local woman named Mary Sunshine Walker that whispers around Beale Street insinuated was sexual in nature.²³ The next turn in the case came when it was learned that Puryear was a violent opponent of Catholicism and that his

wife and daughter had adopted the faith. His daughter Aurelia had taken her first communion less than twenty-four hours prior to her murder. The *Atlanta Daily World*, the largest black southern newspaper and the parent paper of Memphis's most prominent black press, reported that Will Jamison's aunt gave police the name and address of "the little white girl" to whom Aurelia worried that her father "would kill her if she became a catholic."²⁴ It was a strange admission. Though Puryear was an avowed Protestant, his wife had been a devout member of St. Thomas Catholic Church, was active in the parish, and took both of her children with her to church.²⁵

The *Press-Scimitar* chronicled the investigation's progress, but gave equal page space above the fold to Puryear's denials. "With tears streaming down his cheeks," the *Press-Scimitar* reported, "Puryear professed his innocence of any crime, told of his great love for his dead wife and child and described the 'perfect bliss' that existed before tragedy settled on their little home." Puryear wept openly as he made his denials. "Insinuations of the police are lies, just lies," he claimed. "I loved my wife and baby dearly. I lived for them." The fire rescue story was "just a point blank lie," and his relationship with Walker was "merely just a friendship." The paper described its interview with Puryear being interrupted by Porter, Puryear's surviving son. "The boy rushed forward and was locked in his father's arms. Burying his face on the boy's shoulder Puryear wept, his form shaking."²⁶

The coverage clearly favored Puryear, but it also ignored the murder of Jamison, making coverage of Puryear the story of the mystery of the family slaying. Jamison was the reason Puryear was in jail, the reason his son Porter was so sad, but was otherwise unimportant in the *Press-Scimitar* narrative. The same was true of the *Nashville Tennessean*, the state's largest newspaper, which maintained consistent coverage of the ordeal through Associated Press reports from Memphis. The *Tennessean* reprinted initial coverage of the case that included Jamison's statement and did so again when Puryear was arrested, noting both the suspect's denials, Jamison's repeated deathbed testimony, and the sheriff's belief that the black victim's witness claims seemed believable.²⁷

A week after the murders, in contrast, the local black newspaper, the *Memphis World*, published a "Jamison Extra Edition," devoted "To Will Jamison Who Vindicated a Race with A Deathbed Statement." The *World* was a new voice in black Memphis, created less than a year prior to the Puryear murders in a city that needed new voices. "Living conditions for blacks in the urban South reflected their bleak occupational prospects," argues historian David Goldfield. They were "reminders of inferiority." In Memphis, black residents lived in neighborhoods named "Slippery Log Bottoms," "Queen Bee Bottoms," and "Shinertown," names that, in the words of Goldfield, "indicated their disadvantaged topographical position." The people of

Shinertown, those in such a disadvantaged position, were going to need a voice to help guide them through the worst economic catastrophe in American history.²⁸

And so in June 1931, the Southern Newspaper Syndicate in Atlanta, regional arm of the *Atlanta Daily World*, created the *Memphis World*, led in its early incarnation by editor and manager J.E. Oakes, giving the Georgia organization a tri-weekly voice far from home on the Mississippi River. By September, Oakes had hired Lewis Ossie Swingler from nearby Crittendon, Arkansas, to be the paper's city editor, and Swingler would eventually take over the *World* and steer it through the hard years of the Great Depression. The *World*, unlike its Tennessee counterparts like the *Nashville Globe* and Knoxville's *Flashlight Herald*, offered a full page of comics and littered its front page with lurid and sensational crime coverage. The paper "enters the field with no axe to grind or grudges to air in public print," it claimed in its inaugural edition. "The policy of The World will be one of sanity and fairmindedness. These columns will be no media for spite work." It argued that "the primary function of a newspaper is to print news. The Memphis World will not be content until it prints ALL the clean and constructive news originating here." The murder headlines and scandal coverage seemed to push against that claim, but the paper pushed back, "It is the mission of this newspaper to be a mirror. It strives to reflect the things happening." In one early February 1932 edition, for example,

the paper grimly reported with no headline or fanfare that the brief month that had passed in the new year had already witnessed ten race homicides, putting the city on pace to distance the seventy-five black victims killed in 1931.²⁹

Early in its history, however, the paper also encouraged black ministers to become more active in the fight for racial justice. It encouraged black businesses to stop gouging black customers. It actively sought higher wages for black teachers. Such were necessary fights. Black ministers in the South tended to cultivate a personal sense of salvation over and against the activism that was often a hallmark of black Protestantism. Black businesses, too, often took advantage of the fact that they had a relatively captive customer base to raise prices. Teacher pay disparity in Memphis as throughout the country, left black teachers making demonstrably less pay than white teachers. The *World's* advocacy included a rebuke of the West Tennessee Teachers Association, which had been ineffective at bringing about any substantial change, in favor of a new, more militant organization.³⁰

Even at its founding, the paper's lush layout included along with its comics page, a sports page, society page, and a page of church news. Those pages not reserved for such fare discussed local funerals, murders, traffic accidents, and robberies. In that sense, the *World's* service as "a mirror" reflected a black population struggling with the same ephemeral pleasures and inherent dangers of many socially marginalized and

economically limited groups, but it also showed the desire for upward mobility that was part of such a position. The news of national race stories like Scottsboro and the effort for a federal anti-lynch law demonstrated that Memphis was also aware of broader obstacles to race progress, as well. It was the kind of self-awareness that often belied criticisms of the black press as trading in vice, as mirrors serve not only as a reflection, but as a visit from what is most familiar. Just as the pages of Pulitzer's *New York World* and Hearst's *New York Journal* of the 1890s brought readers to the looking glass with scandal to prod them on civil service reform and government corruption, the *World* used society news, church information, sports, and crime to provide meaningful racial news that local white papers would never provide. That the focus of that racial news tended to veer from local events in an effort at self-preservation didn't make it any less relevant or meaningful to those moving toward the mirror.³¹

There were also, however, meaningful local stories, as well. In March 1931, for example, a car wreck between a black Tennessean and white Mississippian on the Mississippi side of the state border led the white driver and the local sheriff to hunt the black driver down in Memphis and murder him in front of a local black family. In the trial that ensued the following year, one month before Puryear's crime, the sheriff concocted a story about self-defense that every black witness denied, but it was enough for the all-white jury to

acquit. "A cold blooded murder," the *World* reported, "a crime typical of Mississippi treatment toward Negroes of the Delta state, had its counterpart in Tennessee." The paper understood its risks but also was outraged at the trial's outcome. Its coverage denounced the murderer and his obviously false testimony because he came from across the border, committing a crime "typical of Mississippi." Left overtly unreported but obvious was criticism of the principal culprits of the failed indictment, the all-white jury that freed the murderer. They were local and therefore could not be the focus of the coverage. The *World* reporters understood, however, that they did not need to be. Overt criticism of the murderer would lead to an all-too-familiar understanding of the local jury's failure by the paper's readers. Such were the coded references required of a practical radicalism that sought to advocate for victims without alienating the local white population. While the *World* would tow such a line in the Puryear case, emphasizing Jamison's heroism rather than Puryear's treachery, it would in its frustration also veer into overt criticism, pushing the boundaries of black southern journalism in the process.³²

The paper's "Jamison Extra Edition" rehearsed the facts of the case with an undisguised interest in the outcome—"A resume of a few high points in the case will serve the purpose of showing Jamerson [sic] was made the dupe of a merciless fiend," the paper explained—and speculated on the efforts of the Grand Jury and

the likely outcome of their deliberations. "The city awaits the action of the jury with intense interest." It described a dream about Jamison that his aunt claimed was a premonition of his death. She was "a member of the Holiness church and places much value on dreams and signs." The paper also praised "the relentless and open-minded manner in which Memphis police and special investigators have conducted the celebrated Puryear ax murder mystery," in particular their willingness to believe Jamison over and against the denials of his white attacker.³³

"Friends, sympathizers and other interested persons have been going about town with a donation slip in their hands trying to raise a sufficient amount of money to send his body back to his native state of Mississippi for burial. The funeral directors say that large numbers of the curious, both white and black have thronged the parlors for days in the attempt to obtain a glimpse of the earthly remains of the colored man who has gained so much attention in the public eye in as much as he died in the dramatic fashion that he did." They stood with a silence "which was rendered still more awesome by a knowledge of the forces which had brought this man to his present state. With hats in their hands

the spectators stood about helpless in the face of the eternal mystery, Death, but still more helpless in this instance, because the Grim Reaper had assumed one of his grimest [sic] aspects. The visitors filed out but with what thoughts?"³⁴

Ultimately, the Grand Jury indicted Puryear a week and a day after the murders. The *World* reported that although Puryear pled not guilty to all three charges, he did so in the face of evidence that corroborated Jamison's story, namely two white milkmen who encountered Jamison on the street and who heard an identical version of his story. "Jamison protested his innocence until the very end," the paper reported. He "was buried last Sunday at New Park cemetery. Burial expenses were made possible through public solicitation of funds." For the *Memphis World*, black viewers, and the rest of the black press, the case was always about Jamison, but his vindication meant that Puryear had to be guilty.³⁵

The *Atlanta Daily World*, parent of Memphis's black newspaper, opened its own Puryear coverage by explaining that, "One of those 'Negro-did-it' crimes where the alleged culprit is crucified on the cross of race prejudice has been checked and discounted by police who today are holding Stanley Puryear for grand jury action

African American newspapers carried extensive coverage of Puryear's murder of Jamison. "I spent the night at a house on Beale Street," said the dying Jamison. "A little after daybreak I was at Beale and Third when a settled-aged man drove up and said he would give me \$3 to help him move some liquor." (Beale Street, 1939, Library of Congress)

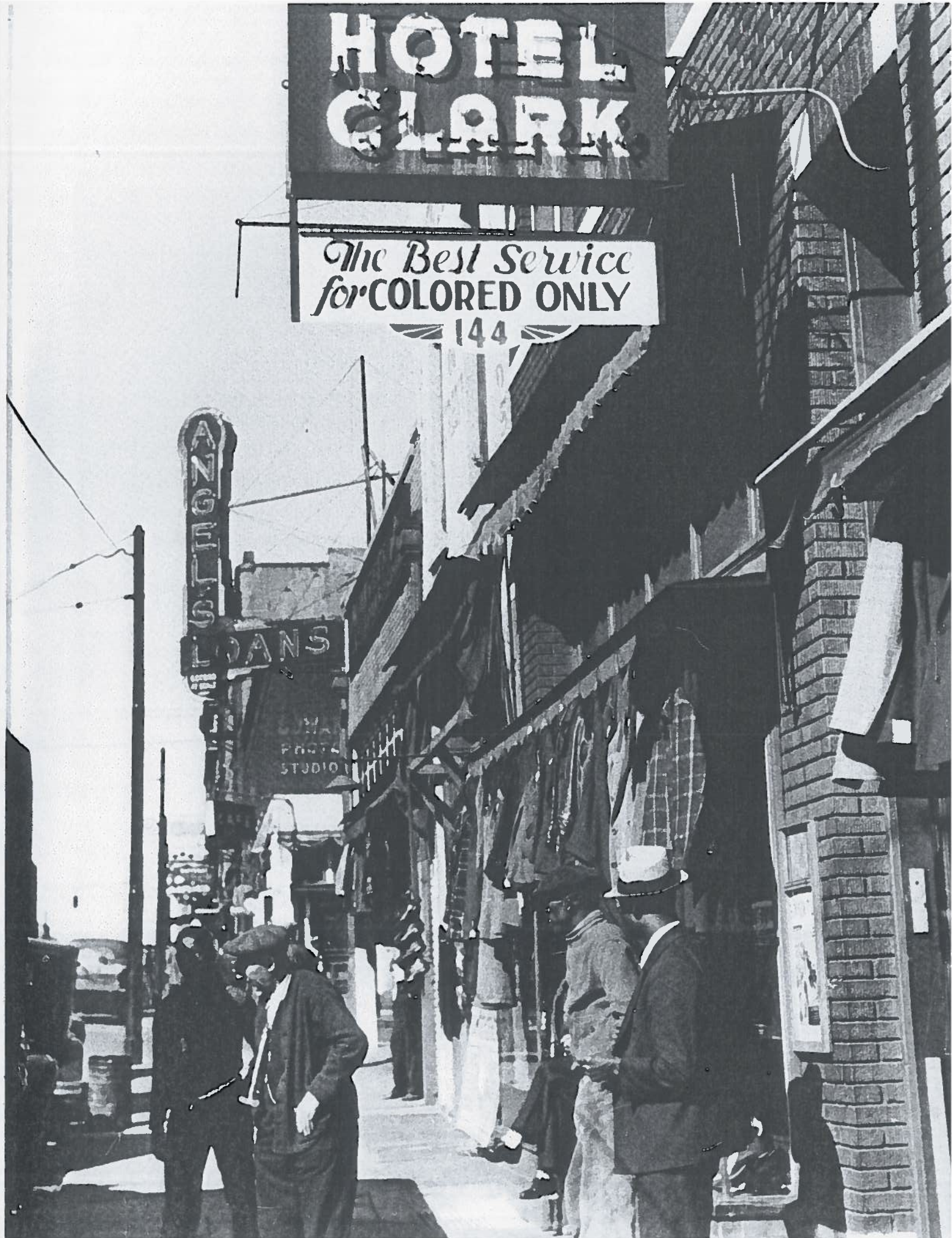
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charged with murdering Will Jamison, a Negro."³⁶ But its most common commentary came through reprinting editorials from its Memphis outlet. "Beale Street, like a heathen worshipper, had once again offered up the swarthy body of one of her sons as a sacrifice, a peace offering, a propitiation to the malevolent gods of Hatred, Prejudice, Lust and Greed," a stinging *Memphis World* editorial opened, simultaneously published in Atlanta, summarizing the black Memphis response to the case. "What happened to Jamison could have happened to you, to me, to any Negro in the city of Memphis who might have come under the shadow of circumstantial evidence."³⁷

"If circumstantial evidence points aright and Puryear is guilty of premeditated crime, why didn't he choose a white man for his victim? It is assumed that he could have obtained one of his own race as easily as he procured a Negro. Why did he seek among us for a cloak to hide behind? The answer is that Puryear realized what all of us realize—that the Memphis Negro is practically defenseless, that a black man's life isn't worth a dime hereabouts that Negroes have no rights which white men are bound to respect, and that there is not a single local Negro organization which would dare lift its voice in public protest. He realize that despite the fact that other Negroes may have been intimately connected with Jamison, that no local court would unhesitatingly accept their testimony, no matter what he might do to the man in question in their presence."³⁸

"His was a death resulting from a social condition, something inherent in our national system. And if it were not that the unfortunate deaths of his wife and child are involved, it is highly probable that Puryear would not now be besieged by the legal forces, for the slaying of a mere Negro. But sometimes Fate plays curious tricks even on white men guilty of killing black ones." It was not just Puryear, however. The white press was also to blame. "It is common knowledge that the white press—North and South—generally over-emphasize Negro crime news." When the Puryear ax murders hit the papers, however, "the papers blazoned forth with streaming headlines the fact that one of the persons involved was a Negro. It may be imagined that the average white man upon reading the article on his way home, looked upon every chance Negro passer-by as a potential ax-murderer. He did this not so much because he actually believes it, but because of the suggestion given by the papers. And it is this very suggestiveness which contributes so much to the condition which caused Puryear to use Jamison as a pawn. The papers go a long way in promoting and disturbing racial emotions." One way to fix the problem was "organized opposition on the part of Negro subscribers. One day's cessation in the use of white papers by Negroes would do more to stop them from painting all of us fiends than any other agency."³⁹

The editorial closed by tying together the murder, the trial, and its coverage in the mainstream press. "They took up a

collection in colored Memphis to bury Jamison's body. I wonder how many of us realized that we buried a symbol? Who will be the next sacrifice? It's easy to shake your head and say it's too bad, but what about the next victim, future peace offerings to the gods of racial misconceptions? Who will the *Press-Scimitar* next quote in the language of Amos 'n' Andy as saying, 'White folks Ah didn't hurt nobody?'"⁴⁰

"Willie Jamison has shattered a myth," went another co-published screed from the *Memphis World*. "The unknown, penniless man that met death so cruelly, made history when he died. For he proved that some crimes charged to Negroes are but another link in the chain of false testimony that brand our race with the stigma of lawlessness." His story was something new. "For a group of white men to believe a Negro's word against that of a white man seems a revelation. Surely this man Jamison must have had honesty shining in his eyes." The paper explained that the common response to "the merciless questioning of detectives" would have been a forced confession, but "we are thankful that Willie Jamison had enough steel in his torn body, enough bravery and courage in his heart to reiterate his innocence. So thus did a tragic figure die a hero."⁴¹

At the same time, the *World* took the local *Press-Scimitar* to task for its printing of Jamison's story. "From the accounts of Willie Jamison's deathbed statement concerning the Puryear ax murder, he was unable to speak English," the paper

explained with frustration. "If the dead man spoke in the language used by that daily, he must have been unable to see the movies, or to read newspapers." The *Press-Scimitar's* covered Jamison as saying, "White folks, ah knows ah's gwine ter die an' ah's tellin' yuh th truf." The *World* admitted, "It is true that Southerners of both races slur their words and have a drawl. But colored people don't use the strange words above in their conversation. Not in 1932." Reporters from the *World* did not hear the statement, but "we believe he spoke English as was described by the other afternoon paper [the *Commercial Appeal*]. And we are forced to believe also that use of such antique dialect is but another way to remind the Negro that he is but a child, unable even to grasp the language of the country to which he gives allegiance."⁴²

The *Chicago Defender's* coverage was titled "Job Seeker Murdered by Man to Hide Own Crime is Belief." The primary emphasis was on the murder of Jamison, as was that of its black southern counterparts, rather than the murder of Puryear's family. "Another perfect crime went wrong here Monday," the *Defender* began, "when the stranger on whom the deeds were to be blamed lived long enough to tell the true story to the police." The authorities began an investigation "after hearing an accused man accuse his accuser." After explaining the known facts at the onset of the investigation, the *Defender* compared the crime to that of Carl Wanderer, a Chicago man who in 1920 murdered his wife, then killed

a drifter to serve as a beard for the crime before finally confessing.⁴³

In the hands of the *Pittsburgh Courier*, Puryear "restlessly paces the narrow confines of his prison cell, while Jamieson's [sic] words, trumpeting forth from the shadow of his grave, rises to haunt him like a grim spectre."⁴⁴ Unconcerned with the fine points, the *Courier* continued to report Jamison's story, reporting unequivocally before the trial that "Puryear shot him and tried to foist the murder guilt on him."⁴⁵ The *Defender* similarly reported that Puryear, "who tried to have a Race man hanged for a crime he himself committed has been caught in the trap he set for the latter."⁴⁶ Neither paper seemed concerned with libel law, confidently asserting Puryear's guilt in the face of Jamison's testimony.

In July, Puryear was again denied bond as he waited for trial, and the *Courier* titled its coverage, "Cracker Who Tried To Say Negro Killed Wife Denied Bail."⁴⁷ A Baltimore *Afro-American* story was titled, "Dying Story Shows Guilt of Ofay."⁴⁸ When the *Afro-American* reported on Puryear's indictment, it did so noting that it was made "after Will Jamison, a jobless worker, had died in the hospital proclaiming his innocence of the murder of Puryear's family."⁴⁹

As the case progressed, Puryear's lawyers argued vigorously for a change of venue, claiming that their client could never receive a fair trial in Shelby County.⁵⁰ They failed, however, and when the trial eventually got underway in early October,

Puryear stuck to his story. He loved his wife and daughter. In the hands of the state, however, Puryear was a chronic drinker, a neglectful husband who often spent nights away from the house and never took his wife to the movies. Prosecutors worked diligently to tie him to Sunshine Walker, though he denied any untoward extramarital activity, claiming that she was "a friend of my family." When Walker herself took the stand, she also denied an affair. "Was Stanley Puryear ever undressed and in bed in your apartment while you lived on Walker Street?" lawyers asked. Despite her denials, continued questions such as those led to more sensational coverage of the trial in the mainstream white press, thereby minimizing the role of race.⁵¹

While investigators had proven at least marginally respectable to Jamison's family and the black Memphis community, the testimony of beat patrolman F.L. Gustafson, for example, demonstrated that black encounters with police at a more immediate level were far more problematic. Gustafson questioned the gut-shot Jamison and ignored his pleas for water and medical attention. "You ought to die," the officer told him, "for killing a WHITE woman and her child. I ought to take my pistol and blow your brains out." When Jamison denied it, Gustafson continued. "You chopped a WHITE woman to pieces. I'm going to kill you." The *Memphis World* was incensed. "Instead of seeing that Jamison, one of the victims of the tragedy, was taken to the hospital for medical attention, these

burly gentlemen of the law, grilled him and let him die." It was, the paper explained, "a significant example of the methods of local white policemen in dealing with Negroes," one that had been largely absent from the discussion of the case prior to the trial, as the black press focused on getting an indictment rather than antagonizing the local police.⁵²

It was "one of those queer inter-racial crimes which are so much a part of the Southern pattern of justice," the *Afro American* explained, "in which colored men are threatened although they lie dying in the gutter." Indeed, Jamison's important statement was only admitted at trial after a bitter fight between the prosecution and defense.⁵³

In its closing statement, the *Chicago Defender* reported, the defense "played upon the race prejudice" of jurors to win acquittal. "If you declare this man guilty, the word would go back to Beale St. denizens and make unsafe the bed of every white woman and child in Shelby county. These criminals would learn that all they have to do to escape the consequences of a crime is to say that they were enticed to the home or some other cock and bull story which gullible policemen would believe."⁵⁴

The case lasted two weeks. William Gerber, assistant state's attorney, asked for the death penalty for the crime of killing Jamison, claiming that Puryear's motive for the entire affair was the purported other woman, Sunshine Walker, while Puryear's defense continued to maintain Jamison's

guilt. The jury was out for more than twenty-two hours, and one time the jury foreman told the judge that there was an impassable deadlock. The judge, however, sent them back to work. When deliberations began, the jury was at a six to six draw for acquittal, then moved gradually to unanimity to acquit.⁵⁵

Gerber was incensed. "Puryear will yet have to stand trial for the murder of his wife and daughter," he explained. "I am going to try him again. I think this jury was the weakest I ever saw, which can be partly attributed to the condition of the country." He was unequivocal. "When the jury turned him loose, it was a miscarriage of justice. It was an outrage." The forthcoming trials, however, seemed bleak, as the one murder that was unquestioned was Jamison's, and the jury felt in acquitting Puryear that he acted with justification, meaning they decided that Jamison most likely killed the defendant's wife and daughter. "As usual in such trials," the *Pittsburgh Courier* reported, "Negroes were referred to by both prosecution and defense in only the most degrading terms."⁵⁶

The *Atlanta Daily World's* reaction was mixed. Puryear had been acquitted. A "Fulton county grand jury has refused to indict a supernumerary policeman who recently shot and killed his second Negro. Down in Griffin a convict camp warden was set free after he had been indicted and tried for the murder of a Negro prisoner. In Rome three policemen are being tried for the unwarranted shooting of a fleeing

PURYEAR IS CHARGED WITH SLAYING NEGRO; DIVORCEE IS SOUGHT

(Continued From Page One)

a m. Monday. Hare said that he had known Puryear for six years and had done business with him. Hare has been employed by The Commercial Appeal for 10 years.

Another negro, an employee of the Broadway Coal & Ice Company, whose name is withheld gave even more damaging testimony.

Without any hesitation he picked Puryear out from among five other men of the same husky build as the man who attempted to pick him up at Georgia and Mississippi at day-break, Monday.

"He drove up in a car and asked me about helping him do some moving," the negro said, "but I told him that I had a job and that he could get plenty down on Heise. He turned the car around in Humes' filling station and drove north." The negro also identified Puryear's automobile as being the one driven by his would-be employer.

Police Seek Evidence

Inspector Griffin has every available detective on the case and is confident of having other witnesses to-day who will identify Puryear as having been elsewhere than in his home early Monday.

Another link in the circumstantial

chain is the fact, according to Inspector Griffin, that blood from the fatal gashes in the skulls of the mother and daughter was congealed when taken to the hospital, indicating, he said, they were attacked some time before the negro was shot.

Puryear himself, in an early statement to police, told an untruth, later correcting it. He said that at 2 a. m. Monday he was nervous and restless, and went down to his second-hand auto shop to get a drink of whisky and also to check up on the night watchman. He first said he went in the office and took the drink, but did not see the watchman.

The watchman, an employee of Fox-Pelletier detective agency, agreed that he never saw Puryear, but said that people on the office door and gate to the premises were undisturbed all night long and that no one entered the place. Puryear yesterday, after reading that statement in the newspapers, revised his story—he states now that he went down to the shop but that the liquor was hid in an adjoining alley and that he did not go in the office.

Partly built, about five feet ten and heavily built, weighing about 150 pounds, Puryear, clad in white shirt and trousers with no necktie, was visibly distraught after emerging from the long ordeal of questioning yesterday afternoon.

Mother and Child Buried

Mrs. Puryear and her daughter were buried yesterday morning in Memphis Memorial Park after requiem mass at St. Thomas' Catholic church. Mrs. Puryear was a devout member of that parish and was mourned by relatives and friends as a sterling Christian character.

Bearing up bravely under the ordeal was little 11-year-old Porter

Sought for Questioning



What does this girl know of Stanley A. Puryear, whose wife and eight-year-old child were hacked to death by an unknown ax fiend early Monday morning?

That is what Memphis police are seeking to learn in searching for Mary Sunshine Walker, 26, divorcee, 48 North Watkins, who is known to have been friendly with Puryear.

Mrs. Walker left the Memphis

crop production office at 3 p.m. yesterday shortly after police decided to question her. She had asked officials to be allowed to leave for only a "breath of air," she vanished and has not been seen at the office, her home, or the home of her brother, the Rev. W. V. Walker, 421 Malory, which was listed as her address in the government office records.

... who was sleeping with his Judge Pitts, leader of the Roosevelt

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Prosecutors worked diligently to tie Puryear to Mary Sunshine Walker, though he denied any untoward extramarital activity. Walker also denied an affair. Despite her denials, their relationship led to more sensational coverage of the trial in the white press. (*Memphis Commercial Appeal*, May 4, 1932)

Negro gambler." Things seemed bad. "And yet in spite of the blocking of justice on almost every hand, the Negro should still find much to commend, for it was only a few years ago that it was absurd to think of even arresting a white official for the slaying

of Negroes." It was a pyrrhic victory, to be sure, but a victory nonetheless. "It may take years, but the time will come when convictions will be obtained, and, thus the chance of such acts occurring frequently will be curbed."⁵⁷

Meanwhile, the white *Commercial Appeal* was satisfied with the verdict. "The diligence of the police department and the attorney general's office should not relax," the paper urged, arguing disingenuously that the killer might still be on the loose. "No Memphis home is safe so long as women and children can be hacked and beaten to death and the murderers are permitted to go unapprehended and unpunished." Associated Press coverage of the acquittal, printed in papers like the *Tennessean*, described it as "growing out of the axe murders of his wife and daughter," rather than mentioning Jamison—the victim in the trial—by name.⁵⁸

Black skepticism about justice in American courts was conditioned by years of inequality, both in the justice system and in the mainstream press that found satisfaction in its verdicts. "Negroes came to look upon courts as instruments of injustice and oppression," explained W.E.B. Du Bois in the early twentieth century, "and upon those convicted in them as martyrs and victims."⁵⁹ The black experience as criminal witnesses in American courts was fraught with bigotry. Slaves and free black residents of Georgia, for example were only able to testify in court against other black residents, or "free Indians" or "mulattoes," but as Glenn McNair has explained, slaves rarely saw the criminal justice system, and when they did, "the criminal justice system was seldom more than another type of chain designed to keep them ever more securely bound."⁶⁰

In early nineteenth century Virginia, in *Chaney v. Saunders* (1811), a lawsuit between two white men, Stephen Saunders and Hezekiah Chaney, hinged on whether the maternal grandfather of one witness, John Rose, had been black, which would have disqualified him from testifying.⁶¹

In *Dean v. Commonwealth* (1847), a white defendant claimed that two witnesses' testimonies against him were invalid because they came from mulattoes, but the court ruled that the witnesses were competent because they were less than one-fourth black, the legal dividing line for competency at the time, a line that would dissipate as the nineteenth century progressed because of the virtual impossibility of maintaining it.⁶²

Still, the racial line was always negotiable, demonstrating that its development was more utilitarian than ideological. Until 1723, for example, slaves were barred from all testimony in Virginia capital cases, but that year the rule was changed to allow prosecutors to better punish slave insurrections, leadership realizing that if only slaves knew about a potential revolt, then only slaves could testify to its reality. Those slaves were never allowed to testify against white defendants, but the change did demonstrate that their status was variable based on white whims. In the early national period, for example, various states began amending the rules again to allow slaves to provide evidence in cases against free black residents and Indians. Again, white defendants were never included, but the tempo-

ral sliding scale that southern states used for how they chose to accept the word of black witnesses was not set in stone.⁶³

Western states in the 1850s also prohibited black witnesses from testifying against whites, along with native and Chinese witnesses. In *People v. Hall* (1854), for example, the California Supreme Court ruled that Chinese Americans and immigrants had no right to testify against whites in court. Some states removed those restrictions after the Civil War, but states like California and Nevada maintained them.⁶⁴ In the Reconstruction South, Kentucky gave black citizens the right to testify against whites in court in 1871. They won the right to serve on Kentucky juries in 1882.⁶⁵

Such concessions were never considered a looming threat. As one southern newspaper explained in the wake of the Civil War, "With white judges, intelligent white jurors, a proper estimate will always be placed upon negro testimony." As legal historian Melissa Milewski has explained, however, late nineteenth century "trial transcripts reveal a respect for blacks' words often missing from other areas of Southern life." Lawyers who made choices to put them on the stand demonstrated their confidence that such testimony would be taken seriously by jurors, and such choices did sometimes result in "verdicts based on black testimony, even when such testimony contradicted that of white witnesses."⁶⁶ Examples of such successes are perhaps most readily available from Gilded Age Virginia. In several cases during the period, white criminal

defendants were convicted largely on the testimony of black accomplices who had already been convicted. When alleged poisoner H.A. Davis claimed that he was playing cards with a black man named Baker at the time of the crime, prosecutors found three black men named Baker to testify that they had never played cards with the defendant. Historian Samuel Pincus has documented a variety of civil and criminal cases at the turn of the century wherein Virginia jurisprudence turned on black testimony, its success usually when that testimony was in aid of conviction. When black witnesses attempted to provide alibis for friends or relatives, their claims were often discounted, but when their accounts invalidated an alibi or otherwise incriminated a defendant, those witnesses were much more likely to be believed.⁶⁷

As legal historian Alfred Avins has explained, it was the defense of the right to testify that constituted the primary motivation for Republican inclusion of the Equal Protection Clause in the Fourteenth Amendment. Slaves were not even able to testify against white people when they were victims of violent acts at the hands of white defendants. A black woman was deemed incompetent to demonstrate that a white man was the father of her child. In 1862, Congress, freed from the power of southern lawmakers, prohibited the exclusion of witnesses based on color in the District of Columbia. In the wake of the Civil War, as Avins explains, though "some of the southern States had repealed or were disposed

to repeal laws barring colored testimony in order to conform to military orders and eliminate the Freedmen's Bureau, the local politicians advised the people that judges and juries did not have to believe such testimony." Still, the Civil Rights Act of 1866 made the effort nonetheless. Congressional leaders worried about black competency, they worried about state restrictions and their fundamental denial of equal protection, thus they included the Equal Protection Clause in the Fourteenth Amendment. Black complaints continued to arrive in Congress that their rights to testify were being abridged, so Congress followed the Fourteenth Amendment with the Enforcement Act of 1870, which gave everyone the right to testify, a provision designed in particular to address California's treatment of the Chinese.⁶⁸

Restricting black jury service for white defendants remained officially justifiable until the Supreme Court ruled in *Rogers v Alabama* (1904) that such restrictions violated the Fourteenth Amendment. Oliver Wendell Holmes's opinion in *Rogers* validated a motion to quash a murder indictment because "jury commissioners appointed to select the grand jury excluded from the list of persons to serve as grand jurors all colored persons, although largely in the majority of the population of the county, and although otherwise qualified to serve as grand jurors, solely on the ground of their race and color and of their having been disfranchised and deprived of all rights as electors in the State of Alabama."⁶⁹

While Puryear was going through his series of trials, Clarence Powell, one of the Scottsboro Boys charged with raping two white women, appealed his conviction on the grounds that black men were excluded from jury service, and the Supreme Court agreed, arguing that systematic exclusion violated the Fourteenth Amendment's Equal Protection Clause. Or, as Michael Klarman has explained, "The Norris Court declared that when no blacks had served on juries for a lengthy period of time in a county where many blacks satisfied the statutory qualifications for service, the state was obliged to provide some explanation beyond a simple denial of race discrimination."⁷⁰

Black testimony against white defendants, however, was officially sanctioned by the country's legal apparatus, if rarely a viable part of the justice system, particularly in the South. That did start to change, however, in the early twentieth century. Historian Bill Boyd describes a 1905 murder case in Valdosta, Georgia, wherein a longstanding family feud boiled over into a murder-for-hire that put a father and son on trial for a capital killing. The prosecution in that Deep South, largely rural, community hinged on the testimony of Alf Moore, a black farmworker from Tennessee who was first asked to commit the crime, then after refusing witnessed the machinations that ultimately led to the murder. "They came to me and asked me for the truth," Moore testified, "and I told them." Moore was not the only witness, but he was the one with the eyewit-

ness account, and despite being grilled on cross-examination by defense attorneys who tried to play on Moore's race to invalidate his testimony, he was convincing. The white father and son who were being tried for the crime were convicted of capital murder and hanged in the prison across the street from the Lowndes County courthouse. "It may have been the first time in Georgia history," Boyd explains, "that the testimony of a black man put a white man on the gallows."⁷¹

Sociologist Nancy Heitzeg has emphasized "the role of the white racial frame in constructing storylines for white deviance, while simultaneously constructing a narrative that condemns Blackness."⁷² Amanda Carlin uses Critical Race Theory to trace "the development of the courtroom as white space and the construction of legal narrative and legal truth as distinctly white." Emphasizing the modern twenty-first century outgrowths of such white spaces and the legacy of such disparities in their creation, she argues, "The courtroom has created a white space through the historical and consistent exclusion of people and narratives of color."⁷³

As of December 1932, with the help of such exclusions, Puryear was out of jail on \$34,000 bond, the *Pittsburgh Courier* reported. At the same time, it noted that Memphis would lead the nation in rate of homicide, averaging 36.1 per 100,000 people, compared to the national average of roughly 8.5. The homicide average for black citizens was an "appalling" 81.6 per 100,000, ten times the national average and

more than two and a half times the average for Memphis whites. "Included among the homicides," the *Courier* reminded its readers, "is the sensational Puryear ax murder."⁷⁴

Puryear would, however, ultimately face trial for murdering his wife the following year, but on November 29, 1933, his second murder trial ended in a mistrial, the jurors unable to come to a consensus on Puryear's guilt over the killing of his wife. The judge only allowed their deliberations for twenty-one hours before dismissing the case, to the frustration of many in the courtroom. "That's the workinist jury I ever got hold of," the bailiff explained to the press. "I think we could have gotten together," said one juror. "I do too," said another.⁷⁵

He would face his third trial a year later in November 1934, the prosecution again asking for the death penalty. Again Puryear testified, as did his young son Porter. "I saw my daddy with a shotgun," the young Puryear said. "I was scared so I ran and got in bed with my mother and sister. I felt something wet on my sleeve and I got out of the bed and turned on the light. It was blood on my sleeve and I saw my mother was hurt." Despite the gut-wrenching testimony, Porter also told the jury that he saw his father with an ax, making his story largely unhelpful to the defense. Mary Sunshine Walker testified again, but this time she was "more chic and auburn haired than when she testified" in the first trial. While prosecutors were unable to get the

As Puryear's Son Faced Police Questioning



Known Facts in the Puryear Ax Murder Case

Puryear's young son Porter testified in the November 1934 trial: "I saw my daddy with a shotgun," and that he ran to his mother's room, where "I saw my mother was hurt." Porter also told the jury that he saw his father with an ax, making his story largely unhelpful to the defense. (Porter and Stanley Puryear, *Memphis Press Scimitar*, May 4, 1932)

death penalty, they were finally able to get a conviction after a four-day trial and two days of jury deliberation. Puryear was sentenced to fifteen years in prison.⁷⁶

In August 1935, however, he was out again on another bond after appealing his sentence. And he was back in the news with

another racialized story. Puryear claimed that he was attacked in his garage by two black assailants who robbed his safe, taking two thousand dollars and a diamond ring before striking him over the head with a lead pipe. The *Courier* was doubtful. "Police are looking askance at this story for

several reasons," the paper claimed. "One is that neighbors heard no outcry, saw nobody but a white woman, who evidently made the telephone call, enter the place and there was no evidence either inside or outside of the garage of any struggle or any disturbance."⁷⁷ It was yet another racially motivated concoction by Puryear, this time presumably for financial compensation after years of litigation.

Despite the new controversy, the Tennessee Supreme Court granted Puryear a new trial in April 1936 for the murder of his family, claiming in its opinion that the district attorney attacked defense counsel with "improper, prejudicial and inflammatory" comments during his closing statements to the jury. "Unjustified attacks upon the defendant's counsel are unjustifiable" was the court's tautological explanation.⁷⁸ The new trial took place in June 1937, and again he was convicted, this time sentenced to serve twenty years for his crime. "The jury reached its verdict on the third ballot giving the maximum penalty for second degree murder," the *Memphis World* reported. "For colored citizens of Memphis interest in the Puryear case goes back to the slaying of Will Jamison."⁷⁹

Still, though he had yet to be tried for murdering his daughter, Puryear was out again on bond after his second conviction pending yet another appeal. And again he proved unworthy of that bond. In December 1937, Puryear again found himself in trouble for slashing a night club operator in a brawl in a Memphis hotel room.⁸⁰

This time, however, his luck had run out. The Tennessee Supreme Court in March 1939 finally sustained Puryear's conviction. "The voice of a dead man, having cried out for retributive justice against his slayer since that fatal Monday morning he lay dying at old General hospital seven years ago, has at last been heard and answered by the Tennessee supreme court," the *Memphis World* reported.⁸¹ Two years later, on November 1, 1941, at the age of 47, Puryear died of a diabetes-related heart attack at the state penitentiary in Nashville.⁸²

One of the most important facets of the black press in a southern town was the reporting of stories that white dailies would otherwise ignore, or providing emphases in mutual stories that would otherwise go unreported. Such was the case in the story of the Puryear ax murders and the shooting of Willie Jamison. Coverage in the white daily press centered on the grisly murder of the family and the interesting role a Negro played in the case. The *World*, however, devoted pages to Jamison, defending his innocence, supporting his statement, telling his life story, highlighting his family, and memorializing him in a way that white papers would never think to do, particularly considering their original assumption of his guilt. Such were the moments that bonded a paper to its community, no matter the racial compromises made of necessity along the way.⁸³

"The newspaper in your community is the only way in which you can keep

informed of local and round-the-world happenings among Negroes," a *World* advertisement argued. It was that community paper that "provides employment for men and women of our race who otherwise would not enter the field of their choice" because of "the steel bars of racial prejudice." The message was clear. Papers like the *World* not only provided what black readers simply could not get from white counterparts like the *Commercial Appeal* and the *Press-Scimitar*, but also stood as a dam against racial prejudice. In a world where a compromised husband and father could chop up his family with an ax, then kill a local black man to frame him for the crime, such dams would remain vital.⁸⁴

1. "Police Department, City of Memphis, Report of Homicide, Will Jamison, Negro, Age 27," "Police Department, City of Memphis, Report of Homicide, Aurelia Zina Puryear, white, age 8," "Police Department, City of Memphis, Report of Homicide, Aurelia Puryear, white, age 38," Box 1, Folder 55, Criminal Court Files, 1932–1937, Donald F. Paine Collection of Hiram Hall, Eugene D. Blanchard, and Stanley Puryear, MS.3204. University of Tennessee Libraries, Knoxville, Special Collections.

2. *Washington Post*, May 3, 1932, 10; and *New York Herald Tribune*, May 3, 1932, 5.

3. The emphasis on black newspapers as both a source and driver of community is not rare. Ethan Michaeli's *The Defender: How the Legendary Black Newspaper Changed America* (New York: Houghton Mifflin Harcourt, 2016), for example, has demonstrated that role for a twentieth century black press in the urban north. But most such studies emphasize northern papers. Patrick Washburn's *The African American Newspaper* (Evanston: Northwestern University Press, 2006), for example,

almost uniformly deals with northern and western newspapers, rarely venturing below Norfolk, Virginia, and P.B. Young's *Journal and Guide* in its scope. Roland Walseley's bedrock *Black Press, USA* (Ames: Iowa State University Press, 1971) does include papers like the *Atlanta Daily World* and *Birmingham World*, along with several other papers from Florida to Texas, but omits Tennessee prior to the late 1960s and early 1970s. Walseley virtually ignores southern newspapers from the first half of the twentieth century, those that did not survive into the late civil rights period. More recently, Armistead Pride and Clint Wilson's *A History of the Black Press* (Washington, D.C.: Howard University Press, 1997) does include the black southern press during the nineteenth century, but its coverage of the twentieth century stays decidedly in the Midwest and Northeast. Todd Vogel's 2001 essay collection (New Brunswick: Rutgers University Press, 2001), the first broad account of the black press in the twenty-first century, doesn't include any essays on the black press in the South. Finally, Henry Lewis Suggs's *The Black Press in the South: 1865–1979* (Westport, Conn.: Greenwood Press, 1983), cited in these notes, does at least emphasize black southern newspapers, including a chapter by Samuel Shannon on the progression of the black press in Tennessee.

4. *Atlanta Daily World*, May 4, 1932, 1; and *Memphis Commercial Appeal*, May 3, 1932, 1.

5. *Atlanta Daily World*, May 4, 1932, 1.

6. *Memphis Commercial Appeal*, May 3, 1932, 1.

7. *Memphis Commercial Appeal*, May 3, 1932, 1.

8. *Memphis Commercial Appeal*, May 3, 1932, 1. For a full run of the *Commercial Appeal*'s coverage of both murders, see "Commercial Appeal Articles, 1932 May," Box 1, Folder 51, Donald F. Paine Collection of Hiram Hall, Eugene D. Blanchard, and Stanley Puryear, MS.3204. University of Tennessee Libraries, Knoxville, Special Collections.

9. Thomas Harrison Baker, *The Memphis Commercial Appeal: A History of a Southern Newspaper* (Baton Rouge: Louisiana State University Press, 1971), 3–5.

10. Robert Talley, *One Hundred Years of the Commercial Appeal: The Story of the Greatest Romance in American Journalism, 1840–1940* (Memphis: Memphis Publishing Co., 1940), 16, 67.

11. Baker, *The Memphis Commercial Appeal*, 218–221, 252–256; Talley, *One Hundred Years of the Commercial Appeal*, 68–69; and Kenneth G. Goings and Gerald L. Smith, “‘Unhidden’ Transcripts: Memphis and African American Agency, 1862–1920,” *Journal of Urban History* 21 (March 1995): 372–373.

12. Clark Porteous, “The Two Eds of Memphis—Meeman and Crump,” *West Tennessee Historical Society Papers* 45 (1991); and Edward J. Meeman, *The Editorial We: A Posthumous Autobiography*, ed. Edwin Howard (Memphis: Memphis State University Press, 1976).

13. *Memphis Press-Scimitar*, May 3, 1932, 1. For a full run of the *Press-Scimitar*’s coverage of both the murder and Puryear’s first trial, see “Stanley Puryear Articles, 1932,” Box 1, Folder 50, Donald F. Paine Collection of Hiram Hall, Eugene D. Blanchard, and Stanley Puryear, MS.3204. University of Tennessee Libraries, Knoxville, Special Collections.

14. *Memphis Press-Scimitar*, May 3, 1932, 1, 2.

15. *Memphis Commercial Appeal*, May 3, 1932, 1, 4; and *Chicago Defender*, May 14, 1932, 1.

16. Investigating, however, would be difficult. Police announced that too many people had handled the weapon at the crime scene, making the recovery of fingerprints a virtual impossibility. *Memphis Commercial Appeal*, May 3, 1932, 4.

17. *Memphis Commercial Appeal*, May 3, 1932, 4. Mainstream “white” accounts eventually went beyond the immediate reports and opinions of the local press. In December 1940, for example, *Intimate Detective Stories* featured a sensationalistic account of the crime. Much later, in December 1997, local historian William F. Currotto compiled and published what amounted to a scrapbook that rehearsed the most lurid details of the case. Jack DeWitt, “Problem of the Curving Shot,” *Intimate Detective Stories* 1 (December 1940):

19–21, 36–38, Box 1, Folder 47, Donald F. Paine Collection of Hiram Hall, Eugene D. Blanchard, and Stanley Puryear, MS.3204. University of Tennessee Libraries, Knoxville, Special Collections.; and William F. Currotto, *Stanley Puryear Took an Ax* (Memphis: Patchwork Books, 1997), Box 1, Folder 49, Donald F. Paine Collection of Hiram Hall, Eugene D. Blanchard, and Stanley Puryear, MS.3204. University of Tennessee Libraries, Knoxville, Special Collections.

18. *Atlanta Daily World*, May 10, 1932, 2.

19. *Memphis Press-Scimitar*, May 3, 1932, 2. Tennessee referred to District Attorneys as Attorneys General. Shelby County was the state’s Fifteenth District, and McClain was the Attorney General for the district.

20. “An Act to repeal so much of the forty-eighth section the act now in force in the state as provides for the slaves for capital offences and directing the mode trial in future,” *Acts of the State of Tennessee, 1815* (Nashville: Printer to the State, 1815), 175–176.

21. “An Act to make the rules of evidence in the Federal and State Courts, uniform,” *Acts of the State of Tennessee, 1867–68* (Nashville: Printer to the State, 1868), 94; “House Bill No. 152,” *House Journal of the Thirty-Seventh General Assembly of the State of Tennessee* (Nashville: Printer to the State, 1871), 91–92, 133, 347; “An Act to amend an Act passed the 13th day of March, 1868, entitled An Act to make the rules of evidence in the Federal and State Courts, uniform, and the Acts amendatory thereof,” *Acts of the State of Tennessee, 1871* (Nashville: Printer to the State, 1871), 119–120; and §9774–§9805, Chapter 4, *Annotated Code of Tennessee, 1934*, vol. 8 (Indianapolis: Bobbs Merrill, 1934), 684–703.

22. John M. McGuire, “Case History: Poking Around in Old Court Files from the ‘20s, Retired Judge Arthur Litz Has Unearthed One of the City’s Most Scandalous Murder Trials,” *St. Louis Post-Dispatch, Everyday Magazine*, July 31, 1997, 1G.

23. *Memphis Press-Scimitar*, May 5, 1932, 1.

24. *Atlanta Daily World*, May 10, 1932, 2; and *Memphis World*, May 10, 1932, 1.

25. *Memphis Commercial Appeal*, May 3, 1932, 4.

26. *Memphis Press-Scimitar*, May 5, 1932, 1.

27. *Nashville Tennessean*, May 3, 1932, 1, May 4, 1932, 1, 2, May 6, 1932, 11, May 11, 1932, 1, 3. All of the *Tennessean's* coverage came from the AP, the paper clearly seeing the case's broader interest to its readers but not finding it important enough for editorializing or sending one of its own reporters to Memphis. See *Tennessean*, May 12, 1932, 3, June 19, 1932, 12, June 28, 1932, 12, July 19, 1932, 10, July 20, 1932, 2, September 22, 1932, 14, September 27, 1932, 6, September 28, 1932, 1, 2, September 29, 1932, 4, October 5, 1932, 1, October 7, 1932, 1, 6, October 8, 1932, 4, October 12, 1932, 14, October 19, 1932, 1.

28. David R. Goldfield, *Black, White, and Southern: Race Relations and Southern Culture* (Baton Rouge: Louisiana State University Press, 1990), 27. The *World's* Nashville equivalent was the *Nashville Globe*, and the black weekly surely covered the case similarly. Unfortunately, coverage from the paper no longer survives. Coverage from the two remaining editions from 1932 cover state murders, and the few editions from subsequent years do the same, along with coverage of Scottsboro and other racially charged cause celebres. But no *Nashville Globe* or *Nashville Globe and Independent* coverage remains during the 1932 period of May to October, nor does it remain for any of Puryear's subsequent retrials. See *Nashville Globe*, March 4, 1932, April 15, 1932, October 6, 1933, March 30, 1934, November 22, 1935.

29. *Memphis World*, June 28, 1931, 1, 3, September 16, 1931, 8, February 9, 1932, 1. During the Depression, financial problems forced the paper to move from three editions per week to two. Samuel Shannon, "Tennessee," in *The Black Press in the South, 1865-1979*, ed. Henry Lewis Suggs (Westport: Greenwood Press, 1983), 339-40. Though Swingler was a native Arkansan, he spent much of his time in Lincoln, Nebraska, where he attended college. *Lincoln City Directory, 1927*

(Detroit: R.L. Polk & Co., 1927), 466; *Lincoln City Directory, 1931* (Kansas City: R.L. Polk & Co., 1931), 453; *Polk's Memphis City Directory 1932* (Memphis: R.L. Polk & Co., 1932), 997; *Polk's Memphis City Directory 1935* (Memphis: R.L. Polk & Co., 1935), 947; *Polk's Memphis City Directory 1938* (Memphis: R.L. Polk & Co., 1938), 986; *Polk's Memphis City Directory 1939* (Memphis: R.L. Polk & Co., 1939), 926; *Polk's Memphis City Directory 1940* (Memphis: R.L. Polk & Co., 1940), 876; and *Sixteenth Census of the United States: 1940*, Population Schedule, Memphis, Tennessee, Sheet No. 1B. U.S. Federal Census.

30. Shannon, "Tennessee," 340-341.

31. *Memphis World*, July 26, 1931, 1, 8, September 16, 1931, 1, March 22, 1932, 8.

32. *Memphis World*, April 15, 1932, 1.

33. *Memphis World*, May 10, 1932, 1.

34. The paper's coverage of the indictments also noted that "several neighbors have testified since the grand jury session that the Puryears had had a violent quarrel a few days before the ax slaying." *Memphis World*, May 10, 1932, 1.

35. The *World* reported two weeks after the killing that Jamison's uncle Dan had been murdered with a shotgun fifteen years prior in Macon. "He and another man had been joking," Jamison's aunt explained. "Dan, I suppose, cracked the biggest joke. The man got mad and shot half his head off with a shotgun." The first murder was not racially motivated, but it still resonated. The *World* titled its coverage, "Jamison is 2nd Shotgun Victim in Family." *Memphis World*, May 17, 1932, 1; and *Atlanta Daily World*, May 16 1932, 1, 2.

36. Jamison was taken to Memphis's General Hospital where he died soon after he was able to speak to authorities, and the black press's compensatory celebration of his life began soon after. Jamison died on his twenty-sixth birthday, born in 1906 in Macon, Mississippi. A reporter from the *Memphis World* interviewed Jamison's first cousin for the Southern Newspaper Syndicate. She explained that Jamison left Macon in 1920 to work on a government barge crew, which took him

north, but he moved to Memphis in 1928. He was planning to go back to work for the barge crew the day he was killed. Jamison had no criminal record, and investigators had decided that he was most likely innocent of any crime by the time the *World* reporter had managed to interview his cousin, but right after he was shot, the police were not so sure. They stopped his cousin from bringing him a glass of water, despite his desperate plea for a drink. "His eyes were closed, set for the eternal sleep," the *World* explained, but he "was never able to have his last moments lightened with the comforting sight of his closest relative. Instead the man was hammered with a barrage of questions from officers and reporters, and died clinging to his original story." *Atlanta Daily World*, May 4, 1932, 1, May 10, 1932, 2; and *Memphis Commercial Appeal*, May 3, 1932, 1.

37. *Atlanta Daily World*, May 10, 1932, 2; and *Memphis World*, May 10, 1932, 1.

38. *Atlanta Daily World*, May 10, 1932, 2; and *Memphis World*, May 10, 1932, 1.

39. *Atlanta Daily World*, May 10, 1932, 2; and *Memphis World*, May 10, 1932, 1, 5.

40. *Atlanta Daily World*, May 10, 1932, 2; and *Memphis World*, May 10, 1932, 5.

41. *Atlanta Daily World*, May 10, 1932, 6.

42. *Ibid.* At the same time, the paper was willing to give credit where it was due. When homicide investigator William Lemmer died of a heart attack in the weeks following the Puryear murder, the paper eulogized him as a "friend of Negroes." He had been part of the Puryear investigation, and had been an early believer of Jamison's account. "He has tried to make this community as safe for Negro citizens to lie in as he did for white constituents," the *World* reported. *Atlanta Daily World*, May 16, 1932, 6.

43. The Wanderer case became known as "The Case of the Ragged Stranger." *Chicago Defender*, May 7, 1932, 3.

44. *Pittsburgh Courier*, May 14, 1932, 6.

45. *Pittsburgh Courier*, May 21, 1932, A1.

46. *Chicago Defender*, June 4, 1932, 1.

47. *Pittsburgh Courier*, July 30, 1932, 4.

48. *Afro-American*, October 8, 1932, 22.

49. *Ibid.*, June 4, 1932, 10.

50. While the change was being considered in June, they were able to win Puryear a delay until September, following the court's summer recess. *Memphis World*, June 17, 1932, 1; and *Atlanta Daily World*, June 17, 1932, 5. In July, Puryear's defense attorneys had Jamison's body exhumed to take fingerprints, an effort they claimed to demonstrate that he had a past criminal record for stealing cars, despite the fact that police argued that those crimes were committed by a different Will Jamison. *Atlanta Daily World*, July 7, 1932, 5A.

51. The state combatted Puryear's claim that Walker was a "friend of my family" by calling Hortense Hoffbauer as a rebuttal witness. She claimed that she had been on trips with the lovers, that Puryear, who she knew as "Mr. Martin," talked "like most sweethearts would" with Sunshine, promising that they would one day live together. *Nashville Tennessean*, October 14, 1932, 17; *Stanley A. Puryear v. State of Tennessee*, vol. 1, 1-3, Box 1, folder 57, *Stanley Puryear vs. State of Tennessee—Volume I*, 1934 December-1935 January (1 of 4), Donald F. Paine Collection of Hiram Hall, Eugene D. Blanchard, and Stanley Puryear, MS.3204. University of Tennessee Libraries, Knoxville, Special Collections; "Testimony of Stanley Puryear," *Stanley A. Puryear v. State of Tennessee*, vol. 2, 321-451, Box 2, folder 1, *Stanley Puryear vs. State of Tennessee—Volume II*, 1934 December-1935 January (2 of 4), Donald F. Paine Collection of Hiram Hall, Eugene D. Blanchard, and Stanley Puryear, MS.3204. University of Tennessee Libraries, Knoxville, Special Collections; and "Testimony of Mary Sunshine Walker," *Stanley A. Puryear v. State of Tennessee*, vol. 4, 751-781, Box 2, folder 3, *Stanley Puryear vs. State of Tennessee—Volume I*, 1934 December-1935 January (1 of 4), Donald F. Paine Collection of Hiram Hall, Eugene D. Blanchard, and Stanley Puryear, MS.3204. University of Tennessee Libraries, Knoxville, Special Collections.

52. *Atlanta Daily World*, October 7, 1932, 1A.

53. Puryear's defense called more than forty witnesses to vouch for the defendant, but state's evidence contradicted many of their statements. *Afro-American*, October 8, 1932, 22, October 15, 1932, 9, 22; and *Pittsburgh Courier*, October 15, 1932, 4.

54. *Chicago Defender*, October 29, 1932, 2.

55. "Verdict," *Stanley A. Puryear v. State of Tennessee*, vol. 4, 958–960, Box 2, folder 3, *Stanley Puryear vs. State of Tennessee*—Volume IV, 1934 December–1935 January (4 of 4), Donald F. Paine Collection of Hiram Hall, Eugene D. Blanchard, and Stanley Puryear, MS.3204. University of Tennessee Libraries, Knoxville, Special Collections; *Atlanta Daily World*, October 17, 1932, 1, October 20, 1932, 7; *Washington Post*, October 20, 1932, 4; *New York Amsterdam News*, October 26, 1932, 16; and *Afro-American*, October 19, 1932, 8.

56. *Afro-American*, October 29, 1932, 8; and *Pittsburgh Courier*, October 29, 1932, 4.

57. *Atlanta Daily World*, October 21, 1932, 6.

58. *Nashville Tennessean*, October 20, 1932, 2; and *Chicago Defender*, October 29, 1932, 2.

59. Frankie Y. Bailey and Alice P. Green, "Law Never Here": *A Social History of African American Responses to Issues of Crime and Justice* (Westport, Conn.: Praeger, 1999), xi–xvii; and WEB Du Bois, *The Souls of Black Folk* (Chicago: A.C. McClurg, 1903), 179.

60. Such interactions were part of a broader effort, as Delores D. Jones-Brown has explained, to "dehumanize the African." Thomas R.R. Cobb, *A Digest of the Statute Laws of the State of Georgia* (Athens: Christy, Kelsea, and Burke, 1851), 973; Glenn McNair, *Criminal Injustice: Slaves and Free Blacks in Georgia's Criminal Justice System* (Charlottesville: University of Virginia Press, 2009), 168–169; and Delores D. Jones-Brown, "Race as a Legal Construct: The Implications for American Justice," in *The System in Black and White: Exploring the Connections Between Race, Crime, and Justice*, ed. Michael W. Markowitz and Delores D. Jones-Brown (Westport: Praeger, 2000), 145.

61. *Chaney v. Saunders*, 3 Munf. 51, Virginia (1811); Joshua D. Rothman, *Notorious in the*

Neighborhood: Sex and Across the Color Line in Virginia, 1787–1861 (Chapel Hill: University of North Carolina Press, 2003), 215–216. For other cases wherein jurors were challenged based on race in the early national period, see *Thomas v. Pile*, 3 H. & McH. 241, Maryland (1794), *US v. Fisher*, 25 F.Cas. 1086, District of Columbia (1805), *State v. Fisher*, 1 H. & J. 750, Maryland (1805), *US v. Mullany*, 27 F.Cas. 20, District of Columbia (1808). See also Frank W. Sweet, *Legal History of the Color Line: The Rise and Triumph of the One Drop Rule* (Palm Coast, Fla.: Backintyme, 2005), 265–464.

62. *Dean v. Commonwealth*, 45 Va. (4 Gratt.) 210 (1847); and A. Leon Higginbotham, Jr., *Shades of Freedom: Racial Politics and Presumptions of the American Legal Process* (New York: Oxford University Press, 1996), 40.

63. Thomas D. Morris, "Slaves and the Rules of Evidence in Criminal Trials," *Chicago-Kent Law Review* 68 (June 1993): 1209–1210, 1215.

64. Leslie V. Tischauser, *The Changing Nature of Racial and Ethnic Conflict in the United States History* (Lanham, Md.: University Press of America, 2002), 90; and *People v. Hall*, 4 Cal. 399 (1854).

65. Karen Cotton McDaniel, "Elizabeth 'Lizzie' Fouse (1875–1952): Challenging Stereotypes and Building Community," in *Kentucky Women: Their Lives and Times*, ed. Melissa A. McEuen and Thomas H. Appleton, Jr. (Athens: University of Georgia Press, 2015): 275; and Victor B. Howard, *Black Liberation in Kentucky: Emancipation and Freedom, 1862–1884* (Lexington: University Press of Kentucky, 1983), 106–7, 144, 155.

66. *Macon Daily Telegraph*, October 25, 1865, 2; and Melissa Milewski, "From Slave to Litigant: African Americans in Court in the Postwar South, 1865–1920," *Law and History Review* 30 (August 2012): 747. See also Melissa Milewski, "From Slave to Litigant: African Americans in Court in the Postwar South, 1865–1920," (PhD diss: New York University, 2011).

67. *Davis v. Commonwealth*, 99 Va. 868 (1901); *Benton v. Commonwealth*, 89 Va. 570 (1893); *Hey*

v. Commonwealth, 73 Va. (32 Gratt.) 946 (1879); Samuel R. Pincus, *The Virginia Supreme Court, Blacks, and the Law, 1870–1902* (New York: Garland Publishing, 1990), 31–33. Such conclusions are backed and expanded upon in a chapter on black witnesses in criminal and civil cases in Charles S. Mangum Jr., *The Legal Status of the Negro* (Chapel Hill: University of North Carolina Press, 1940), 350–355.

68. Alfred Avins, “Right to Be a Witness and the Fourteenth Amendment,” *Missouri Law Review* 31 (Fall 1966): 471, 480–481, 484, 488, 497–499, 500–501. See also Victor B. Howard, “The Black Testimony Controversy in Kentucky, 1866–1872,” *Journal of Negro History* 58 (April 1973): 140–165; Jeannine Marie Delombard, “Representing the Slave: White Advocacy and Black Testimony in Harriet Beecher Stowe’s *Dred*,” *New England Quarterly* 75 (March 2002): 80–106. See also James Campbell, *Crime and Punishment in African American History* (New York: Palgrave MacMillan, 2013), 62–65, 78–81, 129–137.

69. Tischauser, *The Changing Nature of Racial and Ethnic Conflict in the United States History*, 90.

70. *Norris v. Alabama*, 294 U.S. 587; and Michael J. Klarman, “The Racial Origins of Modern Criminal Procedure,” *Michigan Law Review* 99 (October 2000): 65. Part of the reason that black citizens entered the legal system at such peril, whether for jury service, as witnesses, or as defendants or plaintiffs, was because of the larger criminalizing of the black population by white leaders and the courts themselves. For more on the early twentieth century criminalization of blackness, particularly in the development of modern cities, see Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America* (Cambridge: Harvard University Press, 2010).

71. Bill Boyd, *Blind Obedience: A True Story of Family Loyalty and Murder in South Georgia* (Macon: Mercer University Press, 2000), 97–108. Quote from 105.

72. Nancy A. Heitzeg, “‘Whiteness,’ Criminality, and the Double-Standards of Deviance/Social Control,” *Contemporary Justice Review* 18 (No. 2 2015): 199. For more on modern outgrowths of racial discrimination in criminal justice, see Katherine J. Rosich, *Race, Ethnicity, and the Criminal Justice System* (Washington, D.C.: American Sociological Association, 2007).

73. Amanda Carlin, “The Courtroom as White Space: Racial Performance as Noncredibility,” *UCLA Law Review* 63 (2016): 450–484. Quotes from 450, 484. See also Phyllis Gray-Ray, Melvin C. Ray, Sandra Rutland, and Sharon Turner, “African Americans and the Criminal Justice System,” *Humboldt Journal of Social Relations* 21 (No. 2 1995): 105–117. Former US Attorney Paul Butler noticed when trying Marion Barry in 1990 that black jurors would sometimes refuse to convict black defendants despite accepting their guilt, or hope that such defendants would be freed because their behavior was the result of a flawed system or because the prosecution of the crime was racist in its intent. This notion of retribution for racist behavior within white supremacist structures surely played a role in early decisions to keep slaves from the witness stand. Such conundrums leave Butler arguing that black jurors should harness the power of jury nullification to keep some nonviolent black offenders out of prison, as “the decision as to what kind of conduct by African Americans ought to be punished is better made by African Americans themselves, based on the costs and benefits to their community, than by the traditional criminal justice process, which is controlled by white lawmakers and white law enforcers.” Paul Butler, “Racially Based Jury Nullification: Black Power in the Criminal Justice System,” *Yale Law Journal* 105 (December 1995): 677–725, quote from 678.

74. *Pittsburgh Courier*, December 3, 1932, 1, December 10, 1932, 5. Puryear made bond by paying \$17,000 for each murder charge. *Nashville Tennessean*, November 19, 1932, 9.

75. *Washington Post*, November 30, 1933, 7; and *Memphis Commercial Appeal*, November 30, 1933, 1.

76. *Memphis Commercial Appeal*, November 20, 1934, 13, November 22, 1934, 13, November 23, 1934, 1, 12, November 24, 1934, 1, 12, November 25, 1934, 1, 5, November 26, 1934, 1, November 27, 1934, 1; *Nashville Tennessean*, August 30, 1934, 5, November 20, 1934, 12, November 22, 1934, 16, November 24, 1934, 7, November 27, 1934, 1, November 28, 1934, 9; *Pittsburgh Courier*, September 8, 1934, A7; and *Washington Post*, November 20, 1934, 1.

77. *Pittsburgh Courier*, August 31, 1935, A3; *State of Tennessee v. Stanley Puryear*, Motion for a New Trial, December 13, 1934, Box 1, Folder 53, *Stanley Puryear vs. State of Tennessee*, December 1938, Donald F. Paine Collection of Hiram Hall, Eugene D. Blanchard, and Stanley Puryear, MS.3204. University of Tennessee Libraries, Knoxville, Special Collections.

78. *Stanley A. Puryear v. State of Tennessee*, in the Supreme Court at Nashville, December Term, 1935, Box 1, Folder 56, Brief, Undated, Donald F. Paine Collection of Hiram Hall, Eugene D. Blanchard, and Stanley Puryear, MS.3204. University of Tennessee Libraries, Knoxville, Special Collections; *Memphis Commercial Appeal*, April 5, 1936, 1; and *New York Herald Tribune*, April 5, 1936, 30.

79. *Atlanta Daily World*, January 12, 1937, 2, July 2, 1937, 1; *Memphis Commercial Appeal*, June 29, 1937, 1, 5, 13; *Pittsburgh Courier*, March 13, 1937, 3; and *State of Tennessee v. Stanley A. Puryear*, Box 1, Folder 53, *Stanley Puryear vs. State of Tennessee*, December 1938, Donald F. Paine Collection of Hiram Hall, Eugene D. Blanchard, and Stanley Puryear, MS.3204. University of Tennessee Libraries, Knoxville, Special Collections.

80. *Atlanta Daily World*, December 30, 1937, 3; and *Pittsburgh Courier*, January 8, 1938, 3.

81. *Puryear v. State*, Supreme Court of Tennessee, March 4, 1939, *South Western Reporter*, Folder 46, *South Western Reporter—State of*

Tennessee vs. Stanley Puryear, 1939 March, Donald F. Paine Collection of Hiram Hall, Eugene D. Blanchard, and Stanley Puryear, MS.3204. University of Tennessee Libraries, Knoxville, Special Collections. The one victory Puryear had at the Supreme Court came following his failed appeal. His lawyer secured him fifteen additional days in the Shelby County jail before being transferred to the state penitentiary. *Memphis Commercial Appeal*, March 5, 1939, 1, 12, March 10, 1939, 11; *Nashville Tennessean*, November 27, 1935, 5, December 17, 1935, 7; and *Atlanta Daily World*, March 10, 1939, 2.

82. At the time of Puryear's death, his surviving son Porter was attending college in Memphis, where he would live for the rest of a long life. Porter Puryear died in Memphis in 2003. The other major figure in the case, Mary Sunshine Walker, moved to Coldwater, Mississippi, where she disappeared from the historical record. *Afro-American*, November 15, 1941, 8; *Pittsburgh Courier*, November 15, 1941, 23; *Chicago Defender*, November 15, 1941, 2; *Stanley A. Puryear v. State of Tennessee*, in the Supreme Court of Tennessee, Box 1, Folder 54, Tennessee Supreme Court Case, Undated, Donald F. Paine Collection of Hiram Hall, Eugene D. Blanchard, and Stanley Puryear, MS.3204. University of Tennessee Libraries, Knoxville, Special Collections; Bureau of the Census, *Sixteenth Census of the United States: 1940*, Population Schedule, Memphis, Shelby County, Ward 14, Sheet 5B; and Social Security Death Index, Porter W. Puryear, 414-62-2021.

83. *Memphis World*, May 10, 1932, 1, 5, 6; *Memphis Commercial Appeal*, May 3, 1932, 1; and *Memphis Press Scimitar*, May 3, 1932, 1, 2. (All of the coverage throughout early May from these two white dailies is exemplary of the coverage from May 3.)

84. Shannon, "Tennessee," 340.