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“The Death of Emma Hartsell”

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“In eighteen-hundred and ninety-eight,” as the song tells us, “Sweet Emma met with an awful fate.” Sweet Emma was Emma Hartsell, the twelve-year old daughter of a farmer in Cabarrus County, North Carolina, and the awful fate she met was murder. Just as awful, though, was the fate met by Tom Johnson and Joe Kizer a few hours later, hanged by a mob from a dogwood tree just outside of the town of Concord. Johnson and Kizer were black, Hartsell was white, and “The Death of Emma Hartsell” is a ballad that reminded everyone who heard it, mostly white folks, just what that meant in 1898 in North Carolina.

Lots of North Carolinians met awful fates in 1898. Tempers ran high. One-party rule had been upset for four years in North Carolina as Republicans joined forces with Populists in a fusion coalition that gained control first of the legislature and then of the governor’s office. White Democrats decided to take control back. To do so, they had to convince the white farmers in the Populist party to break ranks with the Republicans, whose strength lay in the support of the vast majority of the state’s black voters and a fair number of whites, especially in the mountains. The strategy the Democratic leaders— Charles B. Aycock, Josephus Daniels, and Furnifold Simmons— hit upon was to inspire fear. To frighten blacks away from the polls, they brought in Senator Ben Tillman from neighboring South Carolina to instruct local Democratic clubs on the finer points of terrorism. To keep whites in line, they whipped up racial fears and animosities that had briefly been submerged. Stories were manufactured and circulated by

Daniels' newspaper, the Raleigh News and Observer, of unspeakable outrages committed by black men on white women.

It was in this climate that Emma Hartsell's parents went off to church one Sunday morning at the end of May. Emma stayed home to look after a younger sister who was ill. Her parents returned to find her dead on the kitchen floor. A search was made, and two young African-American men, Tom Johnson and Joe Kizer, were carried to the jail in Concord. Later that evening, a mob broke them out of jail, carried them to Big Cold Water Hill outside of town, and dragged them up. Needless to say, no one was punished for the lynching. Sometime soon after the lynching, a woman named Mary Baker wrote a poem, ten verses that told the story of Emma and Tom and Joe and the mob. A little later, some singer picked up the poem, added a final verse, and set it to a tune used for "Barbara Allen." The song was widely known in the North Carolina Piedmont northeast of Charlotte. Folklorists collected it from schoolchildren in the 1920s, and the story, usually with the ballad, was a regular item in newspaper feature columns for decades.

"The Death of Emma Hartsell"

- (1) In eighteen hundred and ninety-eight,
Sweet Emma met with an awful fate;
'Twas on the holy Sabbath day
When her sweet life was snatched away.

- (2) It set my brain all in a whirl
To think of that poor little girl.

Who rose that morning fair and bright,
And before five was a mangled sight.

- (3) It caused many a heart to bleed
To think and hear of such deed.
Her friends, they shed many a tear.
Her throat was cut from ear to ear.

- (4) Just as the wind did cease to blow,
They caught the men, 'twas Tom and Joe.
The sheriff he drove in such a dash
The howling mob could scarcely pass.

- (5) They got to town by half past seven
Their necks were broken before eleven.
The people there were a sight to see.
They hung them to a dogwood tree.

- (6) Fathers and mothers a warning take
Never leave your children for God's sake
But take them with you wherever you go
And always think of Tom and Joe.

- (7) Kind friends we all must bear in mind

They caught the men who did the crime.

There's not a doubt around the lurk

Tom said he held her while Joe did the work

(8) Sweet Emma has gone to a world of love

Where Tom and Joe dare not to go.

We think they've gone to hell below

For treating poor little Emma so.

(9) Dear friends we all remember this

That Emma will be sadly missed.

And one thing more I also know

This world is rid of Tom and Joe.

(10) As they stood on death's cold brink

Joe Kizer begged the man for drink

No drink no drink the man replied.

To Hell to Hell your soul must fly.

(11) And one thing more my song does lack

I forgot to say the men were black.

Her friends and neighbors will say the same

And Emma Hartsell was her name.

On the face of it, “The Death of Emma Hartsell” sounds a lot like several other ballads from the South about murdered girls. Omie Wise from nearby Randolph County was one of them. In the 1830s, she thought that her lover, John Lewis, was going to marry her, but instead he drowned her in the Deep River near the town of Randleman. The ballad about the murder sets the scene and then goes on for a few verses as Omie catches on to what is happening and begs John Lewis to spare her. The rest of the ballad tells of the murder, the discovery of the body, and the capture of John Lewis. What’s different about Emma Hartsell, and other girls in lynching ballads, is that they don’t speak, they don’t beg for their lives. Emma Hartsell never figures as a full-fledged character in her own ballad. The central story the ballad tells is not really about her.

The crucial scene in “The Death of Emma Hartsell” is when Joe Kizer begs for a drink of water and is refused, just as the pleadings of Omie Wise are central to her ballad. In both cases, the person pleading has done something wrong: Omie got pregnant outside of wedlock, and Joe Kizer helped rape and kill a white girl. By portraying them begging for mercy, the ballad maker signifies that they have done wrong. The distinction is that John Lewis acts as an individual when he kills Omie Wise and is therefore in the wrong himself. A mob of two thousand people killed Joe Kizer and Tom Johnson, stamping the act with a legitimacy as far as the ballad’s audience was concerned.

In an important way, the mob in a lynching ballad usurps the power of judgment that is rightly reserved to God. When Joe Kizer begs for water, the man doesn’t just deny him water, he says, “To Hell, to Hell your soul must fly.” Verse eight spells it out explicitly: Emma goes to heaven, Tom and Joe go to Hell. Nothing in “The Death of Emma Hartsell” suggests that the

mob or the ballad's audiences had a problem with playing judge, jury, executioner, and God with the lives and souls of two black men in 1898. But just eight years later, a poet crafting a ballad about another lynching in a nearby county would turn this judgement on its head, using religion to condemn the lynching.

In 1905, J. V. Johnson, who was white, was a small farmer living near the South Carolina state line in Anson County, North Carolina, near the Pee Dee River. He had a drinking problem and never got along with his in-laws, the wealthiest landowners in the area. One December afternoon, he finished off a running argument with his younger brother-in-law, Guinn Johnson, with both barrels of a shotgun. He telephoned the sheriff and turned himself in, spending the next few months in jail at Wadesboro. After a first trial ended with a hung jury, a mob led by the dead man's brother broke Johnson out of jail on May 31, 1906, and hanged him from a pine tree on the edge of town.

Plyde Marsh, a Wadesboro merchant who had lived near Johnson for a few years, thought the lynching was worth preserving in song, so he took the same melody used for "The Death of Emma Hartsell," changed it slightly, and created this ballad:

"J. V. Johnson"

(1) 'Twas on a gloomy Sunday night
When Johnson thought he was alright
A hundred hearts of an angry mob
Did disobey the laws of God

- (2) 'Twas on land at half past two.
The great steel doors the men broke through.
They scarcely waited for this poor man.
The cell was opened at their command.
- (3) Into the cell they boldly went,
And only there a moment spent.
"Come out, come out, your time has come
When you'll repay the deed you've done."
- (4) "Don't hurt me boys," he sadly said.
"Hush, hush your mouth - you'll soon be dead."
"Oh, just give me one moment to pray,
And do not kill a man who prays."
- (5) "You did not give Guinn time to pray.
You took his dear sweet life away.
We will not give you time to pray,
But for his life your life shall pay."
- (6) That was a sad and awful time.
Just as they reached the fatal time.
A rope around his neck they tied,

And hung the man until he died.

(7) "I know the crime is awful black.

I wish that I could call it back.

It is so dark I cannot see.

My soul, what will become of thee?"

(8) "Farewell, this world, my friends, my wife.

This mob will surely take my life.

It is so dark I cannot see.

My soul, what will become of thee?"

The contrast between "J. V. Johnson" and "The Death of Emma Hartsell" could not be sharper. In 1898, when Joe Kizer and Tom Johnson were lynched, mobs were instrumental in setting up white supremacy in North Carolina; by 1906, the system was well in place and the mob was more of a problem than its target. Too many unruly whites might scare off industry and tarnish the reputation of the state. The mob that lynched J. V. Johnson became the first people prosecuted for lynching in North Carolina. Later in the summer, two members of a mob were convicted of lynching three African Americans in Salisbury, north of Charlotte. In "J. V. Johnson," the doomed man speaks and even gets the last word. In this, he is like another North Carolinian portrayed sympathetically in a ballad before being hanged: Frankie Silver, the only woman hanged by the state of North Carolina. Most significantly, ballad maker Plyde Marsh used religion to condemn the mob and their actions, not the person the mob was killing. He

makes this clear in the first verse. The mob doesn't give Johnson time to pray, and Johnson's final words in the ballad express his concern for his soul.

Folklorists usually document traditions that are vigorously alive or perhaps still persisting but in decline. When I was studying these ballads in the mid-1990s, they had all vanished and only one or two people could recall even a fragment of any of them. I got interested in the topic during my first semester studying folklore at the University of North Carolina. My teacher, Daniel W. Patterson, told me a student of his thirty years before had recorded an unusual ballad about a lynching, and he gave me a transcription he had made of the ballad's words and tune. A couple of days in the library led me to a newspaper account of the events the song was based on. The former student who had first collected the ballad put me in touch with a few people in Anson County, and I slowly began to learn more about the lynching. Looking for more information, I drove down to Wadesboro to spend a day in the library reading through the files of the local newspaper. The murder of Guinn Johnson and the lynching of J. V. Johnson was the biggest news Anson County saw in 1906, and articles spun out the story for weeks. Down the street, I dragged dusty books off the courthouse shelves to piece together the story of how J. V. Johnson came to such an unhappy end. A few weeks later, I got in touch with Eddie Gathings, the retired postmaster of Wadesboro. His father had been living in a room upstairs in one of the buildings downtown when the lynching happened. He heard the crowd outside and even went down to the street and tried to convince them not to kill Johnson. Later, when the sheriff asked him if he had recognized anyone in the mob, he said it was dark and he couldn't be sure. Gathings had heard of the lynching growing up in Wadesboro, and we walked through the downtown where the jail used to be and down the streets J. V. Johnson was dragged along ninety

years before. Gathings showed me the place where the pine tree, Johnson's Pine, people called it, stood until a few years ago when it was cut down to make way for some new houses. I never did find another soul who knew the ballad, though. Its strong critique of lynching seems to have given "J. V. Johnson" a rather short shelf-life in the oral tradition of the twentieth-century South. "J. V. Johnson" came from a historical moment that saw the beginning of the end of lynching in North Carolina. Its tenuous position in oral tradition shows the possibility that folk culture, far from being monolithic, can debate contemporary social issues. The disappearance of the song from tradition, though, shows that songs like "The Death of Emma Hartsell" were what most whites wanted to hear.

Tracking down information about "The Death of Emma Hartsell" was a little easier, since it seems to have been popular for a much longer time. Once again, I started in the library and wound up in the field, driving around Cabarrus County with notebook, tape recorder, and camera. Thinking back, I was remarkably fortunate to find some of the people I did, considering that the events I was studying had occurred almost a century before. My first stop once again was the local history room of the county library. A 1934 newspaper article had included both the text of the ballad and an account of the murder of Emma Hartsell. The columnist who wrote that piece still lived in the same town and helped me quite a bit. A newspaper article from the 1960s said that the house where the murder occurred was still standing alongside North Carolina Highway 49, so I went looking for it out of curiosity. I used to drive Highway 49 a lot, and I thought I recognized the building in the old newspaper photograph. It was a little eerie to realize I had driven right past the place Emma Hartsell was killed dozens of times and never knew it. When I stopped to ask directions that afternoon, I met the son of the doctor who had examined Emma's body, and he gave me stories about the murder and lynching that I had not heard

elsewhere. I even corresponded with one of Emma Hartsell's half-brothers and interviewed another. There's more of the past around us than we often realize.

One thing that made Emma Hartsell easier to track down than J. V. Johnson was that the story and the ballad had never dropped out of local tradition. One person who sang "The Death of Emma Hartsell" for quite a while was hillbilly music star J. E. Mainer. Born just a few months after Hartsell's death, Mainer had left the mountains and come down to work in the textile mills of Concord in 1922. A fiddler and singer, Mainer soon assembled a band in the rich musical ferment of the textile world, and Mainer's Mountaineers began playing shows and making records. By the mid-1960s, country music had left stringbands like Mainer's behind, but a new generation of fans was rediscovering the music. Mainer and the latest incarnation of his band continued to perform around Concord and make records. In the mid-1960s, Mainer became the first person to record "The Death of Emma Hartsell." About 1967, he published a songbook with some of his better known songs. Included was "Song of Emma Hartsell," which Mainer claimed to have written in 1966. Anyone ordering the record would receive along with it a copy of the photograph that went along with the ballad: two young black men hanging from a tree.

This record and the context in which it was produced is as useful a document of social history as the original ballad. Like the ballad itself, it assumes that Tom and Joe were guilty: as a note to the song said, "Crime doesn't pay." More than that, it assumes that there were people interested in hearing a song about the lynching of two black men. Mainer had been a successful musician for too long to misapprehend the tastes of his audience. Just as the song had been created at a time when many whites were learning to be afraid of African American men in public life and politics, the recording of "The Death of Emma Hartsell" appeared at a moment

when, in the wake of the Voting Rights Act of 1965, black men and women were finally re-emerging as a political force on a large scale. Like the song's original creators had done, Mainer and his audience reached for a familiar cultural form to address a contemporary issue.

Yet, "The Death of Emma Hartsell" had never told the true story of what happened in 1898. It was part of a mythology used to justify and create a system of white supremacy. The song said nothing about political agendas or abstract discussions of who should and should not participate in public life in the South. Instead, it presented a simple and clear image: the black beast rapist preying on a helpless white girl and suffering a terrible penalty at the hands of a righteous white mob. For decades, whites heard that ballad and that version of the lynching. Conflicting details in stories about the lynching gradually disappeared until the ballad's version of history was believed. The song that had started out to reflect a social reality had, in time, helped to create it.