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 THE “RECENT UNPLEASANTNESS”
IN HERNANDO COUNTY, FLORIDA:
RECONSTRUCTION, REDEMPTION,
RETRENCHMENT, AND ITS LEGACY

BY ROGER R. LANDERS

 In recent years, the lawlessness and violence of the Tampa Bay frontier has been well documented.¹ However, the violence that occurred following the Civil War in the plantation region of the northern extreme of the Bay area has yet to be examined. From the end of the Civil War through the periods of Reconstruction and Redemption, Hernando County was a hotbed of bitter violence and intrigue; a “code of silence” became the norm and remained so well into the twentieth century.

The violence was not as spectacular in nature as the Jackson County War of 1869.² The lawlessness in Hernando was, nonetheless, pervasive, and its impact remained through succeeding generations. Two murders—of Arthur St. Clair in 1877 and Herbert Smithson in 1931—signaled the beginning and end of an almost sixty-year period that typified the depth of local hostility.

In a May 1865 letter to Salmon P. Chase (Abraham Lincoln’s former secretary of the treasury and chief justice of the U.S. Supreme Court), General Israel Vogdes, the U.S. military authority in Florida, identified a particular segment of the Florida

¹ Robert P. Ingalls, *Urban Vigilantes in the New South: Tampa, 1882-1936* (Knoxville: University of Tennessee Press, 1988); James M. Denham, *“A Rogue’s Paradise”: Crime and Punishment in Antebellum Florida, 1821-1861* (Tuscaloosa: The University of Alabama Press, 1997); Canter Brown Jr., *Florida Peace River Frontier* (Orlando: University of Central Florida Press, 1991), 239-54; Canter Brown Jr., “Politics, Greed, Regulators, Violence and Racism in Tampa,” *Sunland Tribune: Journal of the Tampa Historical Society* 20 (November 1994): 25-30.

² See Jerrell H. Shofner, *Jackson County Florida—A History* (Marianna, Fla.: Jackson County Heritage Association), 279-95, for information regarding the bloody conflict that occurred in north Florida’s Jackson County.

Born in Tennessee, DR. ROGER LANDERS moved to Hernando County in 1963. He worked in public education for thirty-one years, earned his doctorate in Education from Florida State University, and retired in 1994. Landers currently lives in Brooksville with his wife Carol.

population as the most hostile, staunch secessionists who would be the most difficult to “reconstruct”: these were the partially educated, subordinate officers of the Confederate army and women.³ Time would prove this characterization correct in Hernando County. The end of the war brought dramatic changes in the roles and relationships of former masters and slaves. During Reconstruction, Hernando County, like other rural areas of the South, saw its share of social chaos in the form of intemperance, problematic labor contracts, misapplication of the law, denial of voting rights, racism, and a bitter hatred toward those perceived as traitors of the Lost Cause.

Hernando County, organized in 1843 from parts of Hillsborough and Alachua Counties, covered a large area of approximately 1,837 square miles. The seat of local government, originally established at Chocochatte near present-day Brooksville, was moved to the Gulf Coast town of Bayport (originally spelled Bay Port) in 1852. In 1856, a new community, Brooksville, was established to serve as the county seat.

The original 101 settlers arrived in what would become Hernando County in February 1842, bringing with them 57 slaves. Within a few years, the new county boasted a number of flourishing communities, including Homosassa and Crystal River in the north; Lake Lindsey, Bayport, and Pierceville in the center; and Fort Dade in the south. In the August 31, 1854, issue of the *Jacksonville Florida Republican*, a visitor to Hernando County described the area, noting the “model plantations” of “several gentlemen,” including,

Captain Thomas E. Ellis, Captain Frederick Lykes, Judge [Perry Green] Wall, William Hope, Major [Isaac] Garrison, C. Higginbotham, and a host of others. . . . [T]he cotton stalks on the plantation of Mr. Higginbotham are grown to such a height as to require topping, and well filled with bolls of a very superior staple, and the cotton generally will far exceed in quality any previous years. The corn, sugar, cane, rice &c. have never been equaled. On the beautiful plantation of Major Garrison, a grove or orchard of 200 banana trees . . . so heavily laden with fruit, as to require propping to contain them.⁴

With 21,000 acres in cultivation, Hernando County soon represented the southernmost tip of Florida’s antebellum plantation belt, an expanse of rich, fertile land that stretched northward through Marion County to Gadsden County. By the outbreak of the Civil War, the county’s slave population was more than nine hundred—almost triple the number recorded in 1850—and represented 42 percent of the total county population. In 1860, there were forty-three slave owners, including fifteen planters. The two planters with the largest holdings were David L. Yulee at

³ Jerrell H. Shofner, *Nor Is It Over Yet: Florida in the Era of Reconstruction 1863-1877* (Gainesville: University of Florida Press, 1974), 22-23.

⁴ *Jacksonville Florida Republican*, August 31, 1854.

Homosassa and the John May family at Brooksville.⁵

The 1861 Florida call to arms sent many young Hernando men to serve with the Third, Fourth, Seventh, and Ninth Florida Regiments. The hardships of war eventually forced many men to side with the Union, and some would ultimately serve in the Union army. Those who remained loyal to the South would neither forget nor forgive those who served the Union.

Although Hernando saw no significant military action, the county did have several incursions. The largest occurred in June 1864, when a Union force of 240 troops, including companies A and B of the Second U.S. Florida Cavalry, with 15 percent of the force being from Hernando, raided inland from Anclote to Brooksville and then on to Bayport. Other smaller raids took place at Crystal River, Bayport, the Lesley and Hope saltworks at Anclote, and the Yulee plantation in Homosassa.

Like much of the South, Florida was devastated by the Civil War. Soaring inflation destroyed its economy, and conscription laws had impoverished the countryside. Matters were no different for Hernando County. Within a few years of the war's end, many of Hernando's wealthier and leading citizens had abandoned the county for more amenable locations. The loss of such influential families and members of the old planter class took much of the community leadership. Thomas C. Ellis, a large landowner and planter, returned with his family to Alachua County.⁶ Some families who had fled from Hillsborough to Hernando County during the war began returning to Tampa. Most notable of these were William B. Hooker, Leroy G. Lesley, and John T. Lesley.⁷ Walter Terry Saxon, the eldest son of a prominent planter, a Confederate officer, county representative to the 1867 state legislature, and organizer of the local Ku Klux Klan, moved to Texas.⁸

Samuel E. Hope, a state legislator and Confederate veteran, moved to Anclote, in the southernmost part of the county.⁹ David Levy Yulee, Florida's first U.S. senator and the largest planter in Hernando, chose not to rebuild his war-ravaged plantations at Homosassa and remained in Jacksonville.¹⁰ Amid charges of impropriety, Judge Perry Green Wall—a planter, former county judge, and local Freedmen's Bureau agent—moved with his sons William, Joseph, and John to Hillsborough County, joining his sons-in-law Edward A. Clarke and Christopher L. Friebele.¹¹ Baptist Minister James

⁵ Tax records of Hernando County 1845-1872, microfilm; Brooksville Regional Library.

⁶ Thomas B. Ellis, "The Short Record of T.B. Ellis Sr.," Special Collection, 1913, George Smathers Library, University of Florida.

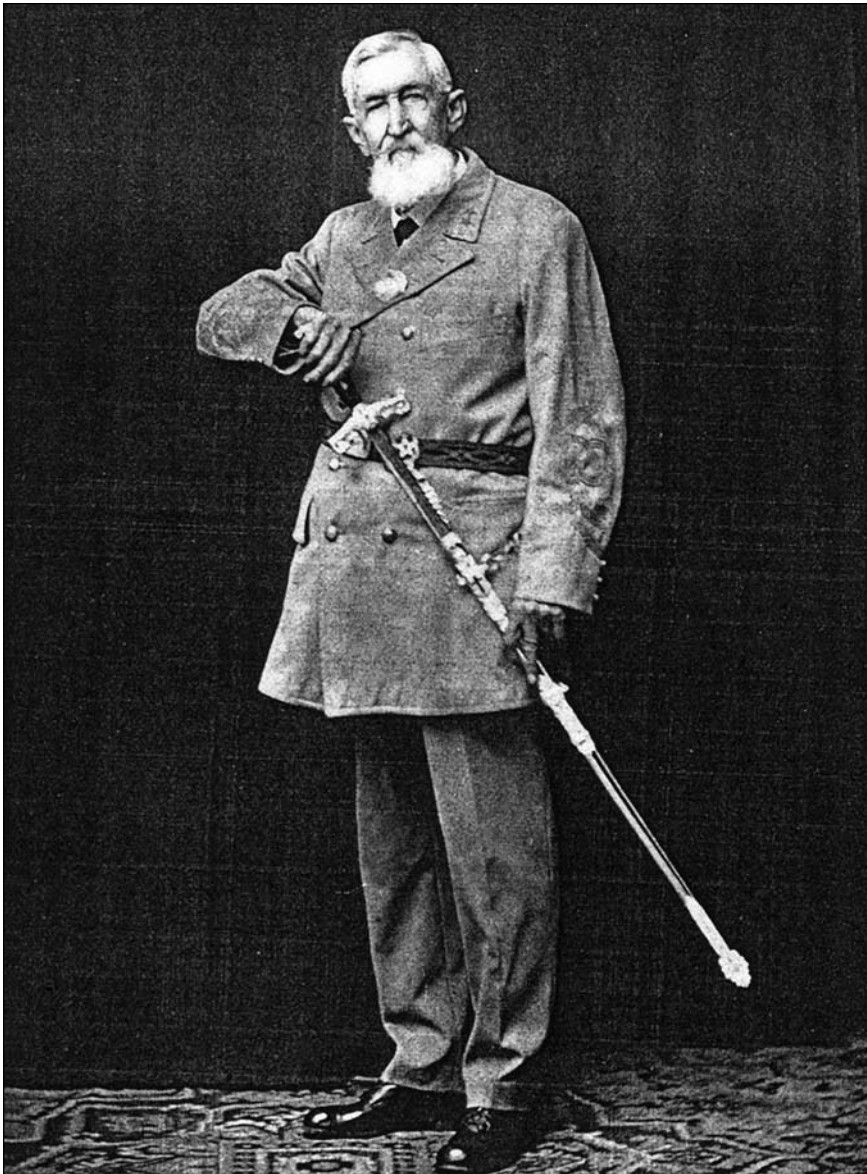
⁷ Kyle S. Vanlandingham, "To Faithfully Discharge My Duty: The Life and Career of Perry Green Wall," *Sunland Tribune: Journal of the Tampa Historical Society* 23 (November 1997): 4.

⁸ Frank W. Johnson, *A History of Texas and Texans*, ed. Ernest William Winkler (Chicago and New York: American Historical Society, 1914), 5:2518.

⁹ Joe Knetsch, "Captain Samuel E. Hope," *Sunland Tribune: Journal of the Tampa Historical Society* 20 (November 1994): 38.

¹⁰ Canter Brown Jr., *Jewish Pioneers of the Tampa Bay Frontier*, Tampa Bay History Center Reference Library Series No. 7 (Tampa: Tampa Bay History Center, 1999), 11-16.

¹¹ Vanlandingham, "To Faithfully Discharge My Duty"; Roundtree to Reed, Correspondence of the Governor, Office of the Governor, 01, Series 577, Box 2, March 21, 1870.



Courtesy of the Randolph Saxon Family

Walter Terry Saxon in Confederate Veteran Uniform.

H. Breaker, the builder of the 1855 Hillsborough Court House and a former slave owner, moved to Missouri in 1868.¹² James M. Taylor, a college-educated lawyer, brigadier general of Florida State Troops, commander at Fort Brooke, state legislator, and son-in-law of the planter Aaron T. Frierson, moved his family to Texas.¹³

The 1868 state constitution granted the governor authority to appoint all county officials such as sheriffs, judges, county commissioners, and tax collectors. This fostered the spread of Republicanism through the appointment of northerners (carpetbaggers, such as Hernando County judge Henry Roundtree), their southern white cohorts (scalawags), and blacks to these local offices, which inspired a violent backlash by southern white Democrats.

By 1875, most college-educated professionals and all but two of the old-money planter aristocracy had abandoned Hernando. While many of those citizens who remained, and the new immigrants, tried to build a positive and welcoming atmosphere in the county, others were fed by their parents and grandparents on a steady diet of the principles of southern (Confederate) nationalism. This group remained staunch in their old belief system—including the necessity and correctness of the institution of slavery and, therefore, the moral obligation of future generations to preserve the racial hierarchy that had been expressed in the master-slave relationship. Hernando, along with eight other Florida plantation counties, came to be known as a hotbed of Klan activity. "Human life is counted cheap when passion or politics call for its sacrifice," wrote William W. Davis in his 1913 treatise *The Civil War and Reconstruction in Florida*. Davis theorized that such violent incidents reflected the character of the population and the local political leadership. According to Davis, Hernando County was the only Bay Area county known for a prevalence of Klan-related violent crime in the years 1868–70.¹⁴ The actual number of crimes is unknown, as the perpetrators left no record of their deeds.

Allegations of fraud were rife in the elections of 1872, 1874, and 1876, both in Florida in general and Hernando County in particular. In 1876, at the request of state officials, Sheriff Benjamin Saxon (white) and Deputy Sheriff Arthur St. Clair (black) personally delivered the certified results to Tallahassee. Fearing assassination, the two traveled at night and slept in the woods. After arriving in Tallahassee, Saxon, the youngest brother of Walter Terry Saxon, died from exposure and the stress of the trip.¹⁵

Despite the disputed outcome, the 1876 election of Governor George F. Drew brought Florida's Reconstruction years to an end, and Redemption—the Democrats'

¹² "Our Court House," Tampa Herald, June 7, 1854; Historical Committee, *First Baptist Church of Brooksville, Florida 1847-2002*, (Brooksville: Burns [printer], 2002), 1-22.

¹³ Ann Huddart, *The Genealogy Papers of the A.T. Frierson Family*, Brooksville, Fla., n.d.

¹⁴ William Watson Davis, *The Civil War and Reconstruction in Florida* (1913; reprint, Quadricentennial Edition of the Floridiana Facsimile Reprint Series, with introduction by Fletcher M. Green [Gainesville: University of Florida Press, 1964], 580-81).

¹⁵ *New York Times*, November 29, 1876.

retaking of control of the state from the Republicans—began in earnest. In Hernando County, however, the Democrats had never truly lost political control. In the eleven years following the war, Democrats turned “Publican”—those individuals who seemed to Republican governors to have accepted the basic tenets of Reconstruction—with few exceptions, continued to run Hernando’s government.¹⁶

During the fourteen years following the Civil War, Hernando County recorded the murders of more than forty citizens, including the 1868 murder of cotton tax inspector Marcus Brendt.¹⁷ Other violent acts, such as the attempted murder of Republican County Judge Henry Roundtree, two courthouse arsons, and eleven murders in 1878-79, prompted the Hernando County grand jury in the spring 1879 term to call for “all citizens to demand, and expect, a return to law and order.”¹⁸ The urging initially fell on deaf ears, but it eventually spurred meetings at Crystal River, Fort Dade, and Lake Lindsay aimed at ending the violence and calling for the division of the county.¹⁹ Especially significant among the acts of violence enumerated by the grand jury was the 1877 murder of Reverend Arthur St. Clair—a former slave of the John May family, a Baptist minister, community activist, and three-time Republican candidate for the state legislature. St. Clair’s murder sparked a series of events that brought state and national notoriety to Hernando.

On May 6, 1877, Reverend St. Clair officiated in the marriage of an interracial couple, David James (black) and Lizzy Day (white). The following day, four white residents—Frank E. Saxon, James M. Rhodes, and William Center, all related by marriage to the William Hope family, and James McIntosh—went to the home of the couple to warn them of impending danger. Believing the visitors intended to harm the couple, neighbors opened fire. As a result, James was wounded and neighbor Coles Feaster was killed. Three of the four white men were wounded. Community meetings were held, and both whites and blacks publicly deplored the “act of miscegenation.” The couple was allowed to remain in Brooksville until James’s wounds healed.²⁰

The marriage by St. Clair proved to be the event that set into motion the “taking control from the local Republicans.” Just over a month later, St. Clair and young Mary Turner were returning to Brooksville from a Republican meeting at Fort Dade. With cries of, “There he is!” a party of twenty men surrounded the St. Clair party. St. Clair recognized several of the men, including Frank Saxon, and called them by name. The vigilantes shot and killed St. Clair and another man in the party; Mary Turner escaped. At the inquest, Mary Turner said she could not identify any of

¹⁶ Examples of Hernando County “Publicans” include Frank E. Saxon, Benjamin Saxon and the Wall family.

¹⁷ Brown, *Jewish Pioneers*, 25-26.

¹⁸ “General Presentment of the Grand Jury for Hernando County June Term 1879,” *Sunland Tribune*, July 3, 1877.

¹⁹ “Shooting in Hernando,” *Sunland Tribune*, July 7, 1877.

²⁰ “Resolution—Hernando,” *Sunland Tribune*, July 14, 1877; “Two Colored Men,” *Sunland Tribune*, July 21, 1877.

the twenty men, and the coroner's jury determined that it was impossible to identify "the person or persons" responsible.²¹ Turner later refuted her earlier testimony; in a sworn statement given in Tampa before John A. Henderson, Turner indicated she had feared for her life at the inquest because many of those on the jury had been perpetrators of the crime. At that time, she did identify many of the men at the murder and testified that George Cross was the shooter.²² A resolution passed later at a meeting in Brooksville chiding the editors of the *Sunland Tribune* and the *Ocala Banner* for printing the "false statements" of Mary Turner. The *Tampa Guardian*, edited by James T. Magbee, had refused to publish the resolution, claiming that "it was full of d— lies." Many of the signers of the resolution were either related to or business partners of those thought to be implicated in the shooting.²³

At 1:00 a.m. on Saturday, September 29, two days before the 1877 fall term of the circuit court was scheduled to convene, fire destroyed the courthouse and all records, including the voter-registration list and the sworn statements of Mary Turner.²⁴ This event forced the postponement of both the fall term and the following spring term of the circuit court. No indictments for the murder of Arthur St. Clair and others were ever presented. Another regional editorial implored Hernando civil officials to uphold the law, stating, "Such lawlessness in Hernando County reflects poorly . . . and does have a negative effect on the potential economic development of the area including Hillsborough."²⁵

On June 22, 1878, an advertisement requesting bids to construct a new courthouse in Hernando was published; this elicited a new round of debate concerning the violence in Hernando and the possible division of the county. Crystal River led the way by questioning the location of the courthouse in Brooksville without a public referendum, followed by several letters from Ft. Dade (Dade City).²⁶ Temporary court offices were established in rented buildings in Brooksville. The circuit court disposed of only two minor criminal cases at the fall term of 1878. All other cases were continued until the spring of 1879.

In the two years during which Hernando County was without courts, local men known as "Regulators" carried out "justice" in acts of vigilantism that often exacerbated hostilities. For example, on Christmas Eve 1878, William Cray Jr. killed Louis W. Valentine during a domestic dispute. James M. Rhodes, a Regulator, apprehended Cray and whipped him. A week later, Rhodes was killed at his home near Brooksville, reportedly in retaliation for the whipping of young Cray. In a related incident on the

²¹ "Statement of Mary Turner," *Sunland Tribune*, September 29, 1877.

²² "That Mass Meeting," *Sunland Tribune*, September 18, 1877.

²³ "Another Act of Lawlessness in Hernando—The Court House Burns," *Sunland Tribune*, October 6, 1877.

²⁴ Ibid.

²⁵ "That Mass Meeting," *Sunland Tribune*, September 1, 1877.

²⁶ "New Advertisements—Notice," *Sunland Tribune*, July 22, 1878, 3; "To the Voters and Tax Payers of Hernando," *Sunland Tribune*, June 19, 1878; Communicated—"Fort Dade, Florida," *Sunland Tribune*, September 14, 1878; "Democratic Meeting . . .," *Savannah Morning News*, October 24, 1878.

night of January 1, 1879, the wife of Anthony May was seriously wounded and their son killed as the family traveled to their home in Marion County.²⁷ The assault was said to be retaliation for May's testimony regarding David Hope in a recent lawsuit. A warrant was soon issued for May, alleging that he was the murderer of Rhodes. Marion County investigated the claim and refused to honor the warrant.²⁸

On March 11, 1879, during the circuit court's spring term, Hernando sheriff David L. Hedick died of pneumonia.²⁹ Court was suspended until a special session set for June. On May 1, 1879, proceedings were almost disrupted by another court fire in an apparent attempt to destroy the sheriff's records. The Hernando County Commission offered a reward of two thousand dollars for evidence that would lead to the identification of those responsible for the second courthouse arson.³⁰

In June 1879, County Judge William Center, who had been expected to identify the persons responsible for burning the courthouse, was killed at about 8:00 a.m. near his home in Brooksville.³¹ By noon, Center's murder had been reported statewide, despite the fact that telegraph connection did not reach Brooksville until 1884. The inquest in the case, which lasted for a week, resulted in no indictment.³²

With each successive murder or violent act, the state press would immediately publish a recap of the violent events of the past two years, beginning with those related to the interracial marriage of James and Day. A letter to the editor of the *Sunland Tribune* went so far as to call off action by "Judge Lynch" in order to restore order and end the era of violence. Hernando was becoming infamous for its lawlessness. On July 27, 1878, the *Sunland Tribune* reported, "all is quiet in Brooksville";³³ on February 5, 1879, the same newspaper noted that "the night shooters have been quiet for few weeks. . . . [W]e hope it continues."³⁴

In a November 1879 letter to the editor of the *Tallahassee Weekly Floridian*, a correspondent attempted to rebut the negative press about the county by touting the great agricultural opportunities in Hernando and its bountiful harvests of fruits and vegetables. Near the end of the letter, however, a telling reference to local political ideology appears: "Politics are not discussed much, though, when the time comes, this county as of yore will be found in the right place with her usual [Democratic] majority."³⁵

²⁷ "Outrage," *Sunland Tribune*, January 25, 1878.

²⁸ *Ocala Banner*, January 27, 1878.

²⁹ "Death of Hernando Sheriff," *Sunland Tribune*, March 15, 1879.

³⁰ "Incendiary in Hernando," *Tallahassee Weekly Floridian*, May 6, 1879; "\$2000 Reward," *Sunland Tribune*, May 17, 1879.

³¹ "County Judge of Hernando Killed," *Sunland Tribune*, June 5, 1879; "Hernando County," *Sunland Tribune*, June 12, 1879.

³² "That Mass Meeting," *Sunland Tribune*, September 1, 1877; "Hernando County," *Sunland Tribune*, June 12, 1879.

³³ "Anclote Items," *Sunland Tribune*, July 27, 1878.

³⁴ "Brooksville Items," *Sunland Tribune*, February 5, 1879.

³⁵ "Correspondent to the Floridian," *Tallahassee Weekly Floridian*, December 16, 1879.

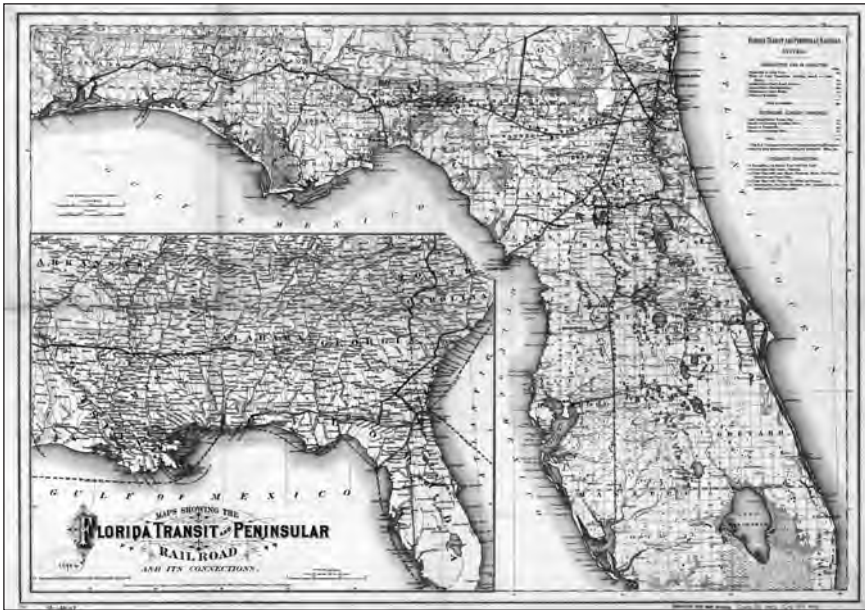
During the early 1880s, a number of similar letters were sent to the editors of various area newspapers, extolling the positive aspects of the county and encouraging immigration to the area. Unfortunately, these letters stood in stark contrast to the continued news reports of violence within the county. According to the press, more murders were committed in Hernando County than in any other county in the state. A *New York Times* article reported that five murders had been committed during a single three-week period in July 1881, adding: "There is scarcely a week that passes but what some sort of crime is committed in that county. There appears to be a dreadful fascination, with the people of that locality, both white and black, in the taking of human life."³⁶

In 1885, the revised state constitution of Florida restored citizens' right to elect local county officials, marking a period of retrenchment in Hernando County. For the next seventy-five years, the white Democratic Party would maintain total control of local elections due in part to the systematic repression of African Americans and their loss of voting rights, coupled with minimal population growth. During this time, few Republicans ran for public office, and virtually all local elections were settled in the primary election. This lasted until 1967, when two Republican members of the county commission and one school board member were elected as a result of the sizeable post-World War II growth in population, consisting mostly of Republican-leaning northerners.

During the early 1880s, a number of letters to the editors of newspapers appeared, both in the state and throughout the country, touting the positive aspects of immigrating to Hernando County, and the county's offer of free town lots for anyone willing to build a business began to pay off. The county grew in population, although its economic growth and development continued to be hampered by its lack of railroads. In late 1885, the Brooksville Railroad Association formed to promote the construction of a rail line to Brooksville. The Florida Southern Railroad connected with Brooksville by way of Ocala and Leesburg, using a one-way spur line from Croom Junction to Brooksville. The arrival of the train began to strengthen the local economy as the lumber, citrus, rock mining, and livestock industries became more profitable. One of the most prominent lumbermen was Dr. Howell Tyson Lykes, who began his empire in the cedar business. His son Fred recalled, "I've seen many as five or six thousand cedar logs piled upright in front of our house."³⁷ Dr. Lykes's sister Mary Matilda married Dr. Sheldon Stringer, a well-known physician who began his medical practice in Hillsborough County before relocating to Brooksville. Their son Frederick Lykes Stringer, a Brooksville attorney, legislator, and circuit judge, would become prominent in Hernando political affairs in the early twentieth century.

³⁶ *New York Times*, July 29, 1881; *Sunland Tribune*, July 21, 1881.

³⁷ "Old-Timers Meet Brooksville, Florida 1947," audio recording, transcribed by Roger R. Landers, 2009, Hernando Regional Library, Brooksville.



Courtesy of the Library of Congress

This 1882 map of Florida shows the size of Hernando County before it was divided into three separate counties. Note, too, the planned Florida Transit and Peninsular Railroad running down the peninsula, with a spur line to Brooksville and a terminus at Tampa, plus an extension to Charlotte Harbor.

As the population grew in the northern and southern parts of the county, pressure mounted to divide the county into smaller units. Three issues fueled this proposal: the inconvenient distance residents had to travel to conduct county business; the almost total domination of elected office by those living in Brooksville; and new residents' desire to distance themselves from the county's violent reputation. In June 1887, the Florida legislature approved an act dividing Hernando County into Citrus, Hernando, and Pasco Counties. Dade City became the county seat of the new Pasco County, with Mannsfield, and later Inverness, filling that role for Citrus County. With the division, Hernando became the smallest in land area of the three new counties.³⁸

The smaller Hernando County began moving into the twentieth century. Between 1890 and 1910, at least seventeen new communities developed around the large lumber mills, turpentine stills, and phosphate mines. At its zenith, Centralia, the best-known of the lumber communities, had a population of 1,500 and produced 100,000 board feet of lumber daily. Despite its economic growth, Hernando County's

³⁸ Department of Commerce, Bureau of Census Population of Florida, 1910.

population growth lagged behind that of Citrus and Pasco Counties, and when the supply of raw material needed to support the mills was exhausted, most of the related communities ceased to exist.³⁹ Within a few years following the division, Pasco County had three incorporated cities, with five more by 1930. Citrus County had one incorporated city in 1905, adding a second in 1917. Brooksville, incorporated in 1880, remains the only incorporated city in Hernando County.

During this era, an ill-fated effort was made to heal old North-South wounds. In August 1887, a group of Hernando County Civil War veterans organized to "demonstrate civility, healing and understand within the community." Twelve former Confederate and three former Union soldiers met and adopted by-laws for their association. The organization extended honorary memberships to a number of former general officers and national political leaders from both the North and the South.⁴⁰ Within two years, however, the United Veterans of the Blue and Gray was superseded by the United Confederate Veterans (UCV) and, in Pasco County, the Grand Army of the Republic (GAR). So ended the bold attempt to promote healing in the community. The Hernando camp of the UCV became the third organized in Florida. In 1896, women of Brooksville organized Chapter #71 of the United Daughters of the Confederacy, the fourth chapter in the state. On June 3, 1916, the birthday of Jefferson Davis, Chapter #71 erected a monument in memory of the "Lost Cause" on the southwest corner of the courthouse lawn. An estimated audience of three thousand, including a military band from Tampa, attended the unveiling of the only such monument in Citrus, Pasco, and Hernando Counties.⁴¹

In the years between 1880 and 1930, Florida recorded the second-highest per-capita rate of lynching among the states in the South.⁴² Charles S. Johnson's 1941 study of recorded lynchings revealed that from 1900 to 1930, Hernando County had the highest per-capita rate of lynching in the state and more than eight times that of Florida itself.⁴³ Former City of Brooksville police chief W. D. "Bill" Cobb Jr., son of Sheriff W. D. Cobb, recalled five lynchings between 1920 and 1925. The local newspapers reported two additional incidents. One was the 1929 lynching of Buster Allen, an accused rapist who was jailed in Hillsborough County for safety. Six days later, a group of "Hernando deputies" with a release order took custody of Allen, brought him to the Croom area of Hernando, and hung him. The release document

³⁹ *Thirteenth Census of the United States*, vol. 2, *Population*, Reports by States for Counties, *Fourth Census of the State of Florida*, 1915, 16.

⁴⁰ Record Book and By-Laws of the United Veterans of the Blue and Grey Association, 1887, Special Collection, George Smathers Library, University of Florida, Gainesville.

⁴¹ "The Florida District," *Confederate Veteran* 24, 516, 517.

⁴² Paul Ortiz, *Emancipation Betrayed: The Hidden History of Black Organizing and White Violence in Florida from Reconstruction to the Bloody Election of 1920* (Berkeley and Los Angeles: University of California Press, 2006), 270.

⁴³ Charles S. Johnson, *Statistical Atlas of Southern Counties, 1900-1930* (Chapel Hill: University of North Carolina Press, 1941), 77.

presented in Hillsborough was forged and written on stolen stationery, according to Sheriff Cobb. The grand jury in Hernando found no "evidence for indictment."⁴⁴

An unpublished 1923 photograph of the locally strong second Klan (1915-44), taken on the south lawn of the courthouse, depicts ninety mostly hooded members. The photograph is clearly intended to emphasize the Klan's law-abiding nature. The costumed members carry signs such as: "WE stand for clean politics"; "WE assist local law officers in performing their official duties"; "Jurors do your duty"; and "Bootleggers beware."⁴⁵ One older resident stated, "the Klan was likened to a civic organization, and if you were not a member, you supported their position." He also reported that it was not unusual for the Klan to enter a church service in full regalia and make a donation to the building fund.⁴⁶ The Klan's emphasis on law and order is paradoxical in a community unwilling to accord its citizens the protection of the law against vigilante violence.

In "Bootlegging in the Backwater: Prohibition and the Depression in Hernando County, Florida," Richard Cofer describes the production of moonshine and smuggling of liquor as a new industry and an economic boon for locals. Almost everyone was touched by this industry. According to Cofer, "the entire county's social and political structure was infused with the illegal liquor trade." One old-timer quoted by Cofer said, "there were so damn many moonshiners in Hernando County they had to sell to each other to stay in business."⁴⁷

In 1922, William D. Cobb, the son of John P. Cobb, a former Confederate colonel and former Hernando tax assessor, defeated Sheriff W. E. Law, a member of one of the oldest families in Hernando. W. D. Cobb Sr. held to the belief, "sometimes to a fault," that "a friend was a friend no matter what."⁴⁸

In December 1931, a heinous crime occurred that would eventually bring Hernando County to the realization that its "code of silence" must be broken. In the late 1920s, the county's heavy trafficking in illegal liquor brought with it allegations of violence, lawlessness, and corruption. Brooksville attorney Herbert Smithson became involved in a push to investigate these allegations. As the investigation progressed, in June 1931, Governor Doyle E. Carlton, "in the interest of the people of Hernando County," transferred a local circuit judge, Frederick Lykes Stringer, to the Alachua County circuit.⁴⁹ Governor Carlton appointed Judge John U. Bird and District Attorney J. R. Kelly for the October session. Before the session, Smithson had

⁴⁴ Dan DeWitt, "Past Pain Still Present: A Study of Recorded Lynching in Hernando County Reveals It Had the Highest Per Capita Rate of Violence against Blacks in the United States," *Hernando Times*, *St. Petersburg Times*, July 5, 2005.

⁴⁵ Haskell, "Brooksville Klan," unpublished photograph, November 25, 1923 (author's collection).

⁴⁶ Monroe A. Coogler Jr., conversations with the author, May 2009.

⁴⁷ Richard Cofer, "Bootleggers in the Backwater: Prohibition of the Depression in Hernando County Florida," *Tampa Bay History* 1, no. 1 (Spring/Summer): 17-23.

⁴⁸ William D. Cobb III, conversations with the author, October 2008.

⁴⁹ Doyle E. Carlton, Governor, June 6, 1931, Resolution State of Florida, Series 13, Carton 9, Florida State Archives.

late-night meetings with several unknown men at his home and told his neighbor, William R. Bailey, that he feared for his life.⁵⁰

On the evening of October 12, Smithson met with Judge Bird and District Attorney Kelly at the Tangerine Hotel. Smithson advised them that in addition to corruption, he wished to charge Sheriff Cobb for the December 2, 1930, fatal shooting of his friend and business partner John Warren Springstead.⁵¹ Springstead had been involved in a protracted domestic dispute with his own wife, who was reported to be living at the home of Sheriff and Mrs. Cobb. Judge Bird left the meeting to inform the clerk that he had more business with the grand jury. Returning to the hotel before 8:00 p.m., Judge Bird had a brief exchange with Kelly and Smithson and then retired to his room. Shortly thereafter, Lewis Finley came to the hotel lobby asking to speak with Smithson.⁵² After a few minutes, Smithson returned visibly shaken and told Kelly that his life had been threatened, saying, "They are going to get me tonight," and "they had put a friend on the spot." Kelly offered to let Smithson stay in his hotel room for the night, but Smithson refused, indicating that he must warn his friend. Just before 9:00 p.m., Smithson left the dining room, met briefly with some acquaintances in the hotel lobby, then walked to his car, where he was gunned down.

Judge Bird commented, "that [was the] hottest spot I was ever in," and District Attorney Kelly admitted that after the murder, he "got out of town as fast as [he] could go."⁵³ Many residents were too frightened to aid in the investigation. The *Brooksville Journal* maintained that the shooting of Smithson was related to moonshine and liquor smuggling.⁵⁴ For nine days, the coroner's jury heard testimony from twenty-one witnesses, but the jury failed to identify the perpetrator. Brooksville resident Frances Lingle Sibert recalled the night Smithson died: "We lived not a block away—I remember the gun blast. . . . [W]ithin an hour my father was asked to serve on the Coroner's Jury. My father was [always] very heartsick about the continued activities of the KKK in the county and mother persuaded him not to serve."⁵⁵

Although the Smithson family offered a reward of \$1,900 for information, and the governor appointed a special prosecutor, L. Grady Burton of Nineteenth Judicial Circuit, to investigate the murder, the case went cold. Almost a year and a half later, one Brooksville citizen, James Cager Rogers, began to brag that he knew who had killed Smithson. On the night of May 5, 1932, Rogers returned home very intoxicated; Sheriff Cobb was summoned, and following an altercation in the dining room of the Rogers home, Rogers was mortally wounded.⁵⁶

⁵⁰ William R. Bailey to Sholtz, Correspondence of Governor (Hernando County), Series 278, Carton 55, File Folder 6, Department of State, Tallahassee.

⁵¹ "Springstead Dairy Granted Charter" *Brooksville Journal*, February 1, 1930.

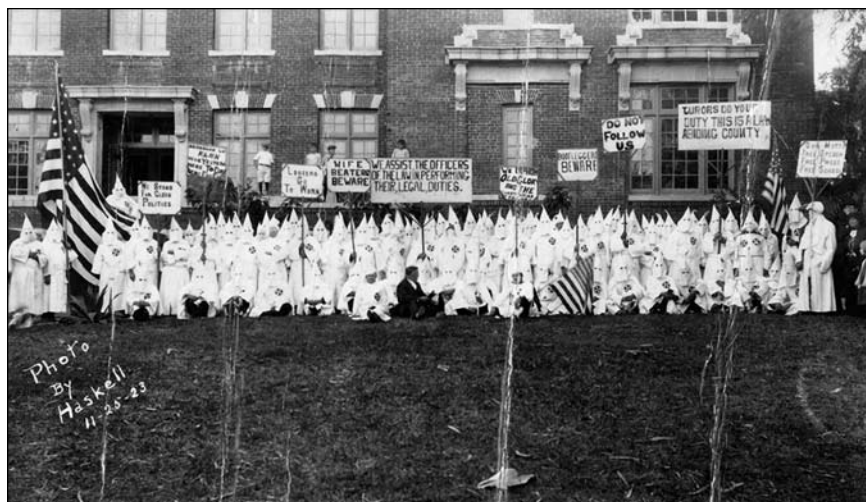
⁵² L. Grady Burton to Sholtz, Correspondence of Governor (Hernando County), Series 278, Carton 55, File Folder 6, Department of State, Tallahassee.

⁵³ Algernon Keathley to Sholtz, Correspondence of Governor (Hernando County), Series 278, Carton 55, File Folder 6, Department of State, Tallahassee.

⁵⁴ "Grand Jury Charges Three Men with Killing Smithson," *Brooksville Journal*, April 14, 1935.

⁵⁵ Frances L. Sibert, *The Era of Main Street* (Brooksville, Fla.: privately published, 2004), 3.

⁵⁶ *Ibid.*, 73; "Sheriff Shoots J. Cager Rogers," *Brooksville Sun*, May 6, 1932; "Cobb Is Exonerated in Fatal Shooting of J. Cager Rogers," *Brooksville Journal*, May 5, 1932.



Courtesy of R.G. Martinez Publisher of *Old Brooksville in Photos and Stories*

Klan Demonstration south side of Hernando County Courthouse, ca.1923.

The rival newspapers the *Brooksville Journal* and the *Brooksville Sun* often took opposing views of many political issues. While Editor Edwin Russell of the *Journal* often reported a minimum of information about such questionable conspiracies and violent acts, Algernon Keathley, editor of the *Brooksville Sun*, would not let the community forget the “gangland-type crimes” perpetrated in Brooksville. Keathley wrote an annual editorial calling for the continued investigation and prosecution of Smithson’s murder.⁵⁷ The morning following the publication of his October 6, 1933, editorial, a hangman’s noose was found dangling over the door of the *Brooksville Sun* office. This prompted Keathley to send an impassioned letter to Governor David Sholtz, reminding the governor that several of his predecessors had called for an outside investigation into violence during the last ten years, as all too often the local investigators were themselves members of “the gang” in question. He asked Governor Sholtz not to share his letter with anyone for fear of reprisal.⁵⁸ Sholtz responded immediately, once again assigning L. Grady Burton as his special prosecutor. Less than one week later, Keathley published another editorial asserting that the “lawless element” controlling the county must be held accountable for their crimes, and that despite the “hush-mouth” code of silence within the community, the *Sun* would not be intimidated.⁵⁹

⁵⁷ *Brooksville Sun*, May 6, 1932.

⁵⁸ Keathley to Sholtz, Correspondence of Governor, Series 278, Carton 55, File Folder 6, Department of State, Tallahassee.

⁵⁹ “Editorial—Muzzle the Press,” *Brooksville Sun*, October 13, 1933.

In March 1934, G. R. Ellis, a member of the local "establishment," wrote a letter to Governor Sholtz in which he tried to deflect reports that had "given Brooksville a bad reputation," referring to writings by Keathley, who, Ellis wrote, was "known as the agitator." Ellis continued: "I will tell you that we have had some very unfortunate things here . . . but nothing more than has happened in any other community. . . . [E]verything has been fully investigated. . . . [O]ur officials have gone to the bottom of every crime. . . . [O]ur officials have the respect and the confidence of the people. . . . [W]hen anyone says that investigations have been whitewashed . . . and crime has been covered up and ignored, [that] is nothing more or less than a most damnable lie."⁶⁰

After more than a year of investigation, Burton reported to the governor that he and "undercover agent" Polk County constable Frank Williams had met with witnesses concerning the case and discovered the identity of the person who shot Smithson. He was therefore confident in his ability to prosecute James Kirk (the driver), Gordon Mondon (the front-seat passenger), and Henry L. Croft (the shooter, originally from Citrus County, then living in Hillsborough) as those responsible for the murder.⁶¹ In January 1935, Burton and Neil Law, who had replaced Sheriff Cobb, traveled to Milledgeville, Georgia, to interview witness Lewis Finley, then an inmate in the Georgia State Prison.⁶² In a 1935 letter to Governor Sholtz, Brooksville resident William R. Bailey, a witness at the coroner's inquest, stated that Smithson had been in the process of filing conspiracy charges against Sheriff W. D. Cobb in relation to the death of John Warren Springstead, and the conspiracy charge was "the motive for the killing of Herbert Smithson."⁶³

In April 1935, the *Brooksville Sun* reported that the investigation of corruption and the shooting of John Warren Springstead could not be considered separately.⁶⁴ On April 13, 1935, James Kirk, Gordon Mondon, and Henry L. Croft were charged with



Courtesy of the Highlands Historical Society.

L. Grady Burton (1893-1981) State Attorney
19th District.

⁶⁰ G. R. Ellis to Sholtz, Correspondence of Governor

⁶¹ Burton to Sholtz, Correspondence of Governor, Series 278, Carton 63, File Folder 3, Florida State Library, Tallahassee.

⁶² Neil Law Jr., interview by the author, September 2008.

⁶³ Bailey to Sholtz, Correspondence of Governor, Series 278, Carton 63, File Folder 3, Florida State Library, Tallahassee.

⁶⁴ "‘Smithson a Noble Citizen,’ Said State Attorney Kelly; He Wanted to Save Another Man’s Life,” *Brooksville Sun*, April 19, 1935.

the murder of Smithson.⁶⁵ As anticipation of the coming trial grew, the *Brooksville Sun* chided the citizens of Hernando for being "hush-mouthed," saying that "politics is the strongest thing in this county, or has been, and politics, mixed up with liquor, put the poor misguided attorney [Smithson] on the spot."⁶⁶ At the next term of the 1936 circuit court, material witness James Sassaman was hospitalized in Alliance, Ohio, and therefore absent, forcing Burton to ask for a continuance until the fall term.⁶⁷ Though the continuance was granted and the trial scheduled for the fall term, the trial never took place; the murder of Smithson remains unsolved.⁶⁸ Gordon Mondon, one of those charged in the shooting, told his son before his death that "Smithson needed killin'. I didn't kill him, but I know who did." But Gordon Monson never revealed the killer's name.⁶⁹

In 1935, Prosecutor Burton indicted former Sheriff William D. Cobb for the December 2, 1930, shooting of Springstead. Cobb stood trial in October 1936, and the jury, after deliberating for only thirty minutes, acquitted him.⁷⁰

From 1931 to 1935, incidents that suggested collusion and mutual support among some elected county officials and others became evident. In October 1932, the *Brooksville Sun* reported that Deputy Sheriff Gordon Mondon and his brother, Chief Deputy D. G. Mondon, had both been charged on federal warrants for bribery in the illegal liquor trade. The investigations were said to have begun in March 1931.⁷¹ Interestingly, the *Sun's* rival paper, the *Brooksville Journal*, did not carry the story. Harry Mickler, Hernando clerk of the circuit court, and other prominent businessmen posted the two deputies' bonds. The outcome of their arrests remains unreported.

The Democrats' primary election of 1932 was hotly contested. The election for sheriff pitted W. D. Cobb Sr. against Neil Law Sr., a former special agent for the federal Department of Revenue and a one-time deputy for his father. Law, the son of former sheriff W. E. Law, unseated Cobb. The 1932 elections were tainted with ballot tampering in four precincts, and only the *Brooksville Sun* carried the story. A year later, as Lillie Sewell, registrar (supervisor of elections), walked to the courthouse, her neighbor Judge Stringer offered her a ride. In the course of conversation, Stringer asked her about the 1932 ballot tampering. She replied, "You should ask Gordon Mondon." Within an hour, D. G. Mondon, Gordon's brother, arrived at her office and verbally threatened her over the accusation. In another incident, also involving the judge, local minister E. B. McGill was slapped during a heated argument with

⁶⁵ "Grand Jury Charges Three Men with Killing Smithson," *Brooksville Sun*, April 13, 1935.

⁶⁶ Ibid.

⁶⁷ *State of Florida vs. Henry Croft, Gordon Mondon and James Kirk Defendants*, 1936, Miscellanea File, Clerk of Court, Hernando County.

⁶⁸ Hernando County Circuit Court Criminal Docket 1935-37.

⁶⁹ Tom Mondon, conversation with author, September 3, 2009, Brooksville, Fla.

⁷⁰ "Jury Acquits Former Sheriff W.D. Cobb after Short Deliberation," *Brooksville Sun*, November 13, 1936.

⁷¹ "Hernando Deputies Arrested on Bribery Charge," *Brooksville Sun*, October 14, 1932.

former sheriff Cobb. When McGill asked Judge Stringer for advice about the incident, Judge Stringer replied that McGill "should drop it—Cobb was now satisfied."⁷² Such was the continuing lawless nature of the community.

The county populace began to speak out at the ballot box. Most, if not all, of the old-time politicians had been replaced by the mid-1940s. Growth and development in the county remained very slow during the two decades between 1930 and 1950, 14 and 18 percent, respectively. The correlation between Hernando County's delayed population growth and development with its long history of violence publicized across state and national media can only be a matter of conjecture. By the 1960s, though, change came to the community.

In 1966, the Mackle Brothers Corporation purchased several thousand acres in the western portion of the county. Within ten years, the population of the corporation's developed community had reached more than six thousand residents. Other changes included an end of the local financial control by Hernando State Bank when First National Bank at Brooksville (1966) and First American Bank (1969) opened in west Hernando County. The *Brooksville Sun* and the *Brooksville Journal* merged in 1959 as the *Sun Journal*; in 1965, Jim Talley, a "Brooksville outsider," purchased the newspaper.⁷³ The public schools fully desegregated in 1969, though not without incident. When black students began a protest of perceived unfair treatment at the local high school, the local community and school leaders reacted—some positively through the ministerial associations and student leadership teams. Some negative reactions included the arrest and three-month confinement of NAACP leader David Reese on a traffic citation and the psychological intimidation of a black student leader by sheriff's deputies.

In 1993, when a white student was killed in a fight with a black student on a Saturday evening, fear of a major racial uprising seized Brooksville. Again, clearer heads prevailed, and the event passed with little notice, although the occasional rumor of racial tension at some schools still prompts many parents to keep their students at home.

The fears of "old times" still haunt many longtime county families. It is said that young lawyers and other newcomers who will be involved with the general public are often admonished "to take care with idle conversation about old Hernando families."

Hernando County, the southern tip of antebellum Florida plantations, saw the violent side of postwar Florida Reconstruction. In the ten years that followed Democratic Redemption, Hernando gained statewide and national notoriety for continued violence that seemed to become an accepted way of life. The postwar loss

⁷² Keathley to Sholtz, March 6, 1934, Correspondence of Governor (Hernando County), Series 278, Carton 55, Folder 6, Department of State, Tallahassee.

⁷³ Richard J. Stanaback, *A History of Hernando County 1840-1976*, Bicentennial edition (Brooksville, Fla.: Action '76 Steering Committee, 1976), 235, 105-22, 171-75.

of most of the “cool heads”—the former leading families—left Hernando guided by the “under educated . . . the most difficult to reconstruct” and new immigrants. As the roles and relationships changed between former masters and slaves, Hernando became entangled with the need to maintain its perceived Old South ideals. The resulting lawlessness, whether related to race, personal enmity, or inadequate or nonexistent law enforcement, began a spiral into the abyss of a culture of lawlessness sanctioned by community officials. The negative characterization of the county in the press further limited future development. This, coupled with a tendency to minimize lawlessness and violent local affairs, produced an entrenched environment filled with a fear of retaliation for speaking out against those in political and financial control. Into the 1930s, Brooksville continued to be known as a volatile, “violent” place.

With the rapid population growth (consistently over 50 percent growth in population every ten years from 1950 - 2000) and a shift in the local political and financial power structure in the mid-1960s, the county moved slowly and often unwillingly from its traditional and difficult past. At a 2004 gathering, longtime County Judge Monroe W. Treiman (1948-76) remarked: “The day I qualified for office, Henry C. Mickler, an old-time politician and former Clerk of Court, gave me some advice: ‘If a young fellow wants to stay in office [in this county] . . . [y]ou have to have two qualities, a thick hide and a short memory.’” Treiman, speaking of his experiences as a county judge, remarked that his mother had carried a pistol in her apron pocket most of her life. The judge, when pressed to reflect on the violent history of the past one hundred years, simply referred to it as “the recent unpleasantness.”⁷⁴

⁷⁴ Monroe W. Treiman, “A County Judge Remembers,” presentation at the Old Hernando History Roundtable, February 19, 2004, Brooksville, Fla.