

Treatment for "Summary Justice: A Lynching in College Town" a Screenplay

*"Summary Justice: A Lynching in College Town" is based on the essay
"Summary Justice, The Lynching of James T. Scott and the Trial of
George Barkwell" by Doug Hunt*

James T. Scott was feeling like an accomplished man in April, 1923. He was recently married to a schoolteacher from a good family, he had custody of two of his three young children from two previous marriages, and he was living just a few blocks from his mother and step-father whom he followed from Chicago to Columbia. Scott was gainfully employed as a janitor at the nearby medical school attached to the University of Missouri and he was one of three marshalls selected to lead the 60th Annual Emancipation Day Parade the previous summer. By the end of that month of April James Scott's family, his reputation, his dignity and his life would be cruelly taken from him by a lynch mob of thousands who ignored the law.

It's Spring, 1923 in the college town of Columbia in the "Little Dixie" part of Missouri. The beautiful, sunny Friday is shattered when Regina Almstedt, the young daughter of a University of Missouri professor, is raped by a black man. In her struggle to escape, she pokes his face and neck with her umbrella. Police are called to her home and Regina states that her attacker was a negro of medium size, in his twenties and had a Charlie Chaplin mustache. He also left a pair of used coveralls at the scene.

From that point, the city police work, the local newspaper, the district attorney and the county sheriff all failed in their duties, leading to a mob-frenzied lynching of an innocent man.

One of the bloodhounds who sniffed the coveralls led police to a restaurant, but no black man with a Charlie Chaplin mustache was found. (Prosecutors would later obtain eyewitness testimony that the actual rapist - Ollie Watson - had been a frequent customer and had been at the restaurant earlier that day.)

Columbia police chief, Ernest Rowland - the first cousin of one of the lynch-mob leaders - showed three black men to the victim for

identification; only one - James T. Scott - had a Charlie Chaplin mustache. The chief knew Scott as being a relative newcomer to town, a married janitor at the university, a marhsall in the previous year's Emancipation Day parade and one of the few owners of a car in Columbia, a Hupmobile he bought for \$600. When Regina Almstedt - from her home's porch - positively identified Scott as he stood in the street, Scott was surprised and confounded at both his mis-identification by the victim and his subsequent arrest and indictment. He vociferously professed his innocence.

Two further victim identification tests were conducted by the police chief. Both were flawed but produced results that confirmed the initial identification of James Scott.

Afterwards, Boone County Prosecutor Ruby Hulen - approving the police investigation work - conferred with the girl's father and then he indicted Scott for rape.

With the help of his church pastor, Reverend Jonathan Lyle Caston, Scott hired the best white lawyer in the county, Emmett C. Anderson, signing over his prized Hupmobile as collateral for payment. Reverend Caston, also called in another lawyer from St. Louis, George Vaughn, who was active in the NAACP.

Then one of the local newspapers, The Columbia Tribune, threw gasoline on the fire. A front page story was published on Saturday morning, a week after the rape saying that the taxpayers should be saved the cost of a trial and summary justice should be dealt to Scott.

Among those that the newspaper article inflamed was George Barkwell. The well-known contractor and former member of the city council had been following the story for a week, and he saw the article and another editorial printed in the same paper on the same day as a call to action for the men of the community to exercise retribution against Scott for the rape he was all-but-certain to have committed. That Saturday afternoon, at the local barber shop, Barkwell warns his black barber to stay off the streets that night, and tell his sons to stay off the streets as well.

With the town locals buzzing about taking justice into their own hands, a key opportunity to prevent the lynching is missed. A professor of Sociology at the university, Dr. Charles Ellwood, learns of the impending lynch mob's formation and he talks to Mayor Emmett McDonnell - who has been in office for three-and-a-half weeks - during a chance meeting on the street. The Mayor dismisses Ellwood's

concerns and explains that he spoke with Sheriff Brown on several occasions during the week and besides it is the "county" - not the city - that is responsible for the jail. Dr. Ellwood reluctantly accepts the Mayor's explanation.

Scott, now in jail awaiting trial, has been joined by another black man - Ollie Watson - who has been arrested for raping a young black girl a week before Regina Almstedt's assault. He usually wore a Charlie Chaplin mustache but he recently shaved it. Late that same Saturday, Ollie Watson, later identified as Regina's assailant as well, admits to Scott that it was "he" who raped Regina. Scott immediately requests to see his lawyer, but it is Saturday evening and visiting hours are over. Scott also recounts this to the mob just hours later, but it's too late. The mob fervently seeks to accomplish their purpose and isn't listening to anyone.

That Saturday night, a week since the rape, Anderson, Vaughn and Reverend Caston are having a late night meeting at Anderson's office overlooking Courthouse Square about the evidence they've gathered; two white witnesses who saw Scott at the University close to the time Regina was assaulted, and the apparent lack of marks on Scott's neck.

Sheriff Brown, despite hearing warnings of a lynch mob organizing that week, decided against bringing in additional deputies or moving James Scott, or perhaps all three black men he had in custody to another jail.

In a "perfect storm" of events, the weekend brought many farmers, their families and others into town for business trade, weekend fun, activities and shopping. At dinner time, Barkwell and a few key players (including the Police Chief's cousin, Hamp Rowland) organized a mob assault on the prison. The assault began at about 10PM when a brick was thrown through the window of the Jailer's Kitchen on the east side of the jail.

Despite pleas from Sheriff Fred Brown, Prosecutor, Ruby Hulen and even Judge Henry Collier (but notably NOT Police Chief Rowland), and in the presence of some reporters who would later be called to testify, the mob staged an assault on the jailhouse and went to great lengths to extricate Scott from his jail cell. Though Governor Arthur Hyde had been called by Scott's lawyers, and he activated the local National Guard, only a few men assembled at the Columbia Armory just feet away from the jail, and their actions were too little and too late to stop the mob.

In a scene that had to resemble a modern day march of Christ to his death at Golgotha, Scott was pushed and dragged from the jail for a mile's distance through the streets of Columbia, alongside the western edge of the university campus, to the Stewart Bridge. Deepening the humiliation even more, the mob approached the bridge on Maple Street by way of Sixth Street walking right past the McAlester Medical School where Scott worked, and two hospitals that were adjacent to the school. The mob had now grown to over two thousand, ten percent of whom were university students who had remained in town after the winter commencement the Wednesday beforehand. College boys sang to banjo music from fraternity house porch stoops near the bridge.

Professing his innocence every step of the way, invoking God for help, praying for mercy, Scott explained that he had a daughter the same age as the victim, and he re-iterated that his cellmate had confessed to him that "he" was the actual rapist. Nothing mattered at this point. Summary justice was being dealt.

Once at the bridge, Barkwell realized the rope used to leash Scott would not accomplish the task of hanging him, so he left the mob to secure a longer, stronger rope. At that time, the father of the rape victim, Hermann Almstedt pushed his way through the mob and made an impassioned plea to the mob on Scott's behalf, stating that he had been wounded more than any man in the mob, and that they should - in the name of law and order and the American Flag - allow the law to take its course and not besmirch their hands with such a deed. He was immediately threatened and shouted down, following which he pushed his way back through the mob and walked the few blocks back to his home. Barkwell then returns and he first removed the shorter, narrower rope from Scott's neck and used it to bind his hands behind his back. Then taking a longer, more robust rope, Barkwell tied one end of the rope to a railing on the bridge, fashioned a noose with the other end and placed it around Scott's neck, and lifted him to the railing. Despite Scott's pleading, and with the intense encouragement of the enormous crowd gathered, Barkwell pushed Scott off the bridge as Scott cried his final innocence.

The Governor's office was now in crisis mode as Scott's lynching was the second one in this administration. Press conference. Help from the Attorney General's office. Trying to put the best face on a horrific event. The Assistant Attorney General, Henry Davis, was assigned to help DA Hulen to immediately assemble a Grand Jury, gain indictments, and prosecute those responsible. Hulen, younger by ten

years than the Assistant Attorney General, had served under his command in World War 1.

A Grand Jury returns a murder indictment for George Barkwell, as well as lesser indictments for a handful of co-conspirators. All those charged are immediately bailed out by local businessmen and farmers who staunchly defend their actions.

The first to be tried will be Barkwell. His trial is set for early July in the sweltering heat of the Boone County Courthouse in Columbia. Prosecuting the case will be Assistant Attorney General Henry Davis and Boone County Prosecutor Ruby Hulen, the same prosecutor who had indicted James Scott for rape two months earlier. Representing George Barkwell are attorney Sam Major (a sitting US Congressman), Frank Harris (a sitting Missouri State Senator) and George Starrett, the former Boone County Prosecutor before Hulen.

In the two months leading up to Barkwell's trial, the prosecution team re-interviewed a number of people involved in the original rape case of the Almstedt girl. They determined, with a high level of certainty - that Scott was likely NOT the rapist. They conclude this after determining that the sheriff rushed to conclude Scott was responsible. Though Scott's face was pock-marked, he had no scratches or wounds on his face or neck from Regina's repeated stabs with her umbrella. And the methodology of Regina's identification of the perpetrator, his voice and the smell of his clothes were also flawed. Even the scent dogs used immediately after the assault had brought their handlers directly to the place where the more likely rapist - Ollie Watson - had visited that day. Watson also had worn a Charlie Chaplin mustache (though he shaved it off immediately after Regina's assault) AND he was accused of raping another young girl just a week before Regina. Finally, Prosecutor Hulen brought Regina Almstedt to see Ollie Watson at another jail where he was being kept after Scott's lynching and she is said to have identified him. Hulen tried to keep that to himself, but newspapers outside of Columbia picked up on the story and pointed out that the mob had likely hanged an innocent man.

All this created an incredible conundrum for Ruby Hulen. He now had indictments of a man and his accomplices who had led a mob to murder another *innocent-yet-indicted* man. Should he charge Ollie Watson with a second rape, that of Regina Almstedt? In doing so, he would be admitting that his initial indictment against James Scott was in error - a huge error - that cost a man his life! After the Barkwell trial, Hulen was able to convict Ollie Watson for the rape of his first victim, Ernestine Huggard, and Watson was sentenced to twenty-

four years in prison. But in the end, Hulen decided to spare Regina and her family the pain and public humiliation of a trial in which the defense team was certain to underline her initial "mis-identification" and the tragic results it caused. Hulen's decision did however leave James Scott and his family without a morsel of justice. No public exoneration for the accusations against him. Could he at the very least obtain a guilty verdict for the mob who robbed him of his life?

After a lengthy and distressing jury selection process, the trial of George Barkwell for first degree murder quickly gets out of hand when the defense shows its clear intent to make the trial about the guilt of James Scott as opposed to the innocence of their client, George Barkwell. They even revert to using Prosecutor Hulen's indicting statement of Scott in their closing remarks.

Only one of the three young newspaper reporters called to testify, Charles Nutter, is able to clearly point to Barkwell's complete involvement in the lynching, but his testimony is offset by a few more local and widely known men who claim Barkwell was a distant observer and even tried to calm the mob.

The defense uses the state and national coverage of the lynching and the shame that was cast on Columbia to its advantage in closing arguments when George Starrett proclaims to the jury "Let him among you who is without fault cast the first stone."

Within minutes of receiving their charge from the Judge, the jury delivered a "Not Guilty" verdict.

From that moment on, Hulen was a haunted man who failed to obtain even the smallest degree of justice. Ruby Hulen went on with his life for another thirty three years before he committed suicide.

The Good 'Ole Boys Club won yet again. The events of late Spring and early Summer, 1923 seared a wound in the psyche of Columbia, Missouri that has just barely healed. When members of the community raised funds and paid for an elegant headstone to replace the simple marker of Scott's grave site in 2011, the church where a memorial service was planned received bomb threats. Even a memorial plaque that was erected at the long-gone Stewart Bridge site in 2016 was vandalized in 2021 (though it was quickly repaired by the town).

So many lives were changed by these events, but some weren't. George Barkwell went on to live another twenty-five years as a free man. But Reverend Lyle Caston took his family and moved away a few years later. Ed Watson who wrote the editorial and approved the story

enciting mob violence against Scott continued to own and operate the Columbia Tribune until he died in 1937. He was inducted in the Missouri Press Association's Hall of Fame. But Charlie Nutter, the eyewitness reporter who positively identified George Barkwell and testified that he pushed James Scott off the bridge, was quickly chased out of town after the trial. Nutter went on to spend the rest of his life covering the world for various news organizations. Professor Ellwood was also harassed by the Ku Klux Klan after his outspoken and public dressing down of the Columbia community after the lynching. In 1930, he moved to North Carolina to start a Department of Sociology at Duke University. George Vaughn continued to press for civil rights on behalf of the St Louis NAACP. His argument before the US Supreme Court in Shelly v. Kraemer led to freeing black citizens from restrictive housing covenants. After her husband's lynching, Gertrude Scott went back to live with her parents; she re-married in 1930 and lived another twenty-five years. And Regina Almstedt - who, like James Scott, never asked for any of this pain - married in 1935 and had two sons. She passed away in 1980 at the age of seventy-one.

James T. Scott was a happy, successful man who raised a family, served his country and lived as a free man for his all-too-short life. He died in agony in front of a thousand people who cheered and laughed as he suffered. "He" was innocent, and "they" were guilty. Yet no one paid for his suffering, or that of his wife and family. Is there any better memorial to this man's loss than to **tell his story**?

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