

J.D. AND ETHEL SHELLEY
CELEBRATING THE PEOPLE BEHIND
THE LANDMARK SHELLEY V. KRAEMER CASE

BY CLARA GERMANI

DIRECTED RESEARCH PROJECT – AMCS 502

May 7, 2019

IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF ARTS
WASHINGTON UNIVERSITY IN ST. LOUIS

INTRODUCTION



FIG. 1

ETHEL SHELLEY, SECURE IN HER 4600 LABADIE AVE. HOME, READING ABOUT HER SUPREME COURT VICTORY. MAY 4, 1948
SOURCE: ST. LOUIS POST-DISPATCH

Her descendants will tell you that Ethel Shelley didn't understand much of the import of the moment beyond her huge sense of relief at the time this 1948 photo was posed, shot, and published on the cover of a lifestyle section of the St. Louis Post Dispatch.¹ But it was the imprimatur of the white press reluctantly declaring – if only below the fold and in just mug shot size – this black woman to be an historic figure.

It is an image of victory over the dominant white world – the stacked headline she’s reading is about her and the landmark Supreme Court decision that allowed her family to stay in the home they’d bought in a largely white St. Louis neighborhood and that outlawed the race-restrictive real estate covenants that had created the segregated lines of the modern American ghetto.

She’s reading the final edition of an afternoon newspaper hours after notification of the decision – a moment that, after the anxiety of three years of a legal battle that could see them evicted at any time, had to have been less static than the image portrays. As an artifact, the photo is an icon of the beginning of the modern Civil Rights movement. Without the Shelley family story, that’s all it is. But this project attempts to illuminate the Shelleys’ lived experience, which would give the photo and even the case itself emotional three-dimensionality.

The photo is partly artifice, partly harbinger.

In those ways it fulfills the hopes of Frederick Douglass, the 19th century black orator, writer and publisher, who 100 years earlier believed that the new technology of photography could resurrect black people from the “social death” and erasure of slavery by giving dignity to the African-American self-image as well as to the image of the African-American projected to the white-dominant society. Douglass’ visual theory of “photography as prophesy” posited that posed images might correct distortions of black humanity and was echoed in how his contemporary, Sojourner Truth, “crafted her photographic portraits to signal self-possession ... manipulating poses to produce a persona.”²

Ethel is a black homeowner “coded” white in the photographic vernacular of the slick shelter magazines of the time; she is posed as a middle-class woman of leisure might be in the vision of what was probably a white male photographer (because black and/or women professionals were a rarity in the white press of the time). Ethel’s image here was as much an image of a busted race barrier as a symbol of the actual race barrier she’d just busted in the Supreme Court. The pose projects dignity by having Ethel perform the intellectual act of studying a newspaper – even if she only had a fifth-grade education and the Bible was the only thing her family ever saw her read.

And, the fact that she is pictured alone suggests that even on that celebratory day she was playing her usual role, the decision-maker of the family holding down the fort, with her husband J.D. still at work and the kids still at school.

Looking commandingly comfortable in her upholstered chair, Mrs. Shelley was 43 years old here and only eight years removed from bone-breaking rural Mississippi poverty not too different than that experienced by her grandparents who were slaves.³ Her unpolished nails – and the absence of any jewelry on her neck, ears, wrists or fingers – speak of the practicality of a lifelong laborer who started picking cotton as a 5-year-old before she moved on to do laundry for white Mississippi women, sew baby carriage covers in a St. Louis factory, and mother eight children. But her serious erectness – emphasized by her unsmiling chin up pose, upswept coif and tasteful dress (probably homemade) – projects a class composure far from the breathless fear of lynching she left in Mississippi and only months removed from dodging bricks thrown by white racists through the windows of this very living room.⁴

This photo says: “I feel at home in the American Dream.”

The arc of that achievement – the quiet heroism of the family’s trajectory out of the absolute oppression of the Jim Crow South to the conflicted opportunity of the North – is the heart of this project.

The objective is to historicize the Shelleys. It is an effort to examine them as individuals and to elevate their lived experience and character into *the* story rather than footnotes in reams of text about their defining legal case. The Shelleys have been shadow figures – the uncelebrated people behind a celebrated case. Their name in *Shelley v. Kraemer* is simply the marquee on a case every American law student must study. This is the first comprehensive look at them as characters – a gathering and an analysis of lives long eclipsed by the stories of the more powerful and visible educated black activists who steered them and their legal case. Their story risks being lost with their aging descendants who knew and loved them. Their only surviving child, Chatlee Williams, 87, has Alzheimer’s and can only muster fragmented memories of her mom and dad.

The focus of this research is not their landmark Supreme Court case but the Shelleys’ experiences from their births in 1907⁵ in Mississippi up to their Supreme Court victory in 1948. Certainly much has been written about that era of the Great Migration, from scholarly books and articles on the post-slavery social and economic forces that, in the first 60 years of the 20th century, drove 6 million of black southerners⁶ into northern industrial cities to fictional literature bringing the soul of that epic time to life. The Shelleys were just drops in the migration wave that flowed into crowded northbound trains and into squalid and tight quarters of urban ghettos. But their specific story is important because it illustrates how, given the advantages of certain boosts from social

networks and legal activists, poor black Americans could rise above the prosaic harshness and quiet struggle of oppression and stay afloat in an otherwise racist society.

They did nothing but live hardworking lives pursuing the ordinary dream of improving their lot. They were the “salt of the earth” – their earnest honesty, the valued moral preservative of society that Jesus, in the Sermon on the Mount, compared metaphorically with the mineral so valuable to the economy of the ancients.⁷ Their Christian faith and determination were monumental in the face of the long legal battle, though the historic spotlight has always been on others around their case with more social currency and savvy. Those are the ones who guided the case and narrated it – and they were largely black people of a higher class who were neither social friends of the Shelleys nor advocates of them as individuals so much as tools of a larger cause. One New York ACLU lawyer even warned George Vaughn, the Shelley’s attorney, not to be “too soft-hearted” about them in considering possibly dropping their case as too weak to take to the Supreme Court.⁸ As one Shelley descendant described the power dynamic, these people held the family “in their hands” – for good or ill.

(It should be noted that similar forces flattened the profile of Louis and Fern Kraemer, too. A study of the Shelleys’ legal nemeses might well show these white neighbors nine houses down, who shared the Shelley v. Kraemer marquee, also to be thoroughly erased. Mrs. Kraemer had grown up in the working class neighborhood at issue. Her husband was an office clerk. And they appeared to be as much tools of the racist activist neighborhood association financing their case as the Shelleys were to the activists of their own race and cause. But the Kraemers were the losers – theirs is another, darker chapter to tell elsewhere, perhaps no less illuminating historically.)

I will narrate and analyze the Shelleys' 43-year path to their Supreme Court victory. It reveals detail that has not been described in research about them to date. And it gathers disparate, often conflicting, information that *does* exist and has never been combined, analyzed, and discussed in a mindful effort to tell their complete story.

Conceived as two chapters in a potential book about the Shelleys, the project now consists of four parts: this introduction; a scene-setting, deep read of the historical context for the Shelleys' saga; a description of the little that is known – and what can be re-created and presumed from facts on the ground – of the rural Mississippi life the Shelleys fled; and the short nine-year leap from poverty to the very white American Dream of homeownership in urban St. Louis.

The Shelleys came to my attention as a result of my American Culture Studies master's degree focus on race and inequality. My study started as a result of a break in my journalism career when I followed by husband to St. Louis in the spring of 2017. At the time, I was searching both for a writing project and an understanding of my initial surprise at "Midwestern niceness" in juxtaposition with the infamous racial fissures of the place, such as the Ferguson shooting and unrest. A theme that repeatedly presented through all of my study was racial erasure. I found that accumulated benign neglect and conscious, outright hostile intent contributed to the obliteration or obscuration of such things as: startling historical truths (chief among them the enduring effects of slavery and the complicity of American heroes like FDR who helped construct housing segregation⁹); powerful personal histories (such as the Shelleys'); the misunderstood and corrupted story lines (like the object racial lesson of the "misplaced" Sand Creek massacre which was rescued from the liminal ether into fact-based history¹⁰); the unseen trauma of simply

being black in a white world (such as the documentable PTSD that reverberates through generations when a home is lost or a neighborhood “renewed”¹¹ and when the accumulation of racial micro-aggression affects physical and mental health¹²); and the lost histories (like the East St. Louis massacre of black citizens that lay unstudied for nearly 50 years, and un-memorialized publically for 100¹³).

My first introduction to the complexities of erasure came in a history of photography course in which I studied Frederick Douglass’s theory and hope of the “revenant” – the resurrection of black people from “social death” after centuries of slavery. He thought the new technology of photography (in 1861) could do that.¹⁴

These studies of erasure inform this project as I pursue the very basic question of “Who, really, *were* the Shelleys?”

The methodology for my research includes scholarly reading and the scouring of collections in 12 historical institutions from St. Louis to Starkville and Jackson, Miss., and Montgomery, Ala.¹⁵ It includes primary documents such as court records, St. Louis City Recorder documents, residential directories, newspaper articles, and historical exhibits; a shelf-full of books and scholarly articles on the broad history of the era, the legal documents of the case itself, and legal histories of covenants and civil rights law; oral histories of former slaves who lived into the era the Great Migration; photographs documenting the places and times through which the Shelleys passed; my own ethnographic inquiry of contemporaries who knew the Shelleys (albeit people much younger) including some of their more than 100 descendants and – particularly in Mississippi – those who may not have known the Shelleys but experienced the lay of the land and society they inhabited.

An influence in my methodology is my profession as a journalist. This does not replace or dilute what is fundamentally a scholarly fact-finding and analyzing mission. But it does enrich the scholarly effort in two ways: first in the impulse to pursue facts creatively on the ground; and second, in the expression of those facts.

In the first case, my training and inclination is to physically go where facts direct. For example, I made trips to Starkville, Mississippi to do scholarly research on the area as it was in the first half of the 20th century. But by wandering the streets and networking with locals, as a journalist automatically does, I found very specific human connections to the time and place that provided me with factual texture specific to the Shelleys' path that scholarly texts did not, such as how a redbug bites children's bare feet while picking berries or how the train from Starkville to St. Louis was experienced. That kind of gathered factual detail, in turn, feeds the second aspect of the journalistic influence on the project: Expressing the information as a richly told narrative story answering the question, "Who *were* these Shelleys?" in the third and fourth sections about Mississippi and St. Louis. Because there is so little primary documentation of the Shelleys, my journalistic process allows me to weave a scholarly tale. For example, I can report the fact of the cold temperatures in the fall of 1939 when J.D. arrived in St. Louis, and I can suggest how that might have felt to him by contrasting temperatures in St. Louis and Mississippi. But I can't report the exact day he arrived, or the words he uttered when he saw and felt his first snowfall – nor will I attempt to. But as a journalist, I will piece together how the experience felt to others as well as crafting fact-informed interpretations of how it might have felt to the Shelleys.

I must also mention some of the limits and barriers I wrestled with in my research. And these, too, point largely to unintentional, but damaging, erasure of the Shelleys.

The legal historian Peter Irons' book – *The Courage of Their Convictions* – captures in tantalizing brief my very reasoning that an exposition of the Shelleys is necessary. His book tells quick stories of the individuals behind 16 landmark civil liberties cases – including J.D.

“During my law-school years I read hundreds of Supreme Court opinions, and noticed the lack of any description of the parties in most ... they were simply names on paper,” Irons wrote.¹⁶

His ratio of case history to personal detail is the fairest treatment of the Shelleys that exists: Irons spends nine pages dissecting the Shelley legal case and gives six pages to a lightly edited verbatim transcription of an interview he did with J.D.¹⁷ The only extended interview on record that Shelley ever did, it is a bright window on the man, his black vernacular voice and self-effacing humor. Irons' interview and Ethel's voice in 14 pages of court testimony are large gifts to this project.

In an unintentional but telling subtext of erasure, Irons long ago lost the Shelley tapes and the full transcripts because they had not been secured in a historical collection where “important” documents might ordinarily be preserved.¹⁸ And further, Irons' focus is J.D. and not Ethel, who I will show was the moral backbone of the family; if not the decision *maker*, then the powerful *persuader* and a spiritually inspired visionary that J.D. respected. Likewise, she commanded respect outside the bounds of family: When her ignorance of the ways of the world was on display in her court testimony, it was her

rectitude and humble honesty that won the heart of the white St. Louis judge who gave the Shelleys their initial legal victory.

Professor Irons would not allow me to grill him beyond a short email he sent offering me his recollection of the Shelley interview in their living room where “10 or 12 children and grandchildren were sitting around us on the floor, seemingly transfixed.”¹⁹

In a sad contradiction of Frederick Douglass’ notion that photography would preserve the dignity of the race, family photos may have been beyond the Shelley budget, or lost or left behind in their move to St. Louis and initial years of transient housing there. There is apparently no pre-St. Louis imagery of them to provide early visual context.²⁰ What photographs of the family that may exist – beyond a few newspaper shots at the time of the Supreme Court decision and in subsequent anniversaries of the case – are scattered among several dozen Shelley descendants. A great-granddaughter who keeps much of the lore of the family says she’s never seen pre-1939 photos of the Shelleys when they lived in Mississippi.²¹

Aside from Irons’ valuable but short documentation of the Shelley family, the only other serious family analysis I was able to find was from gathered bits and pieces mentioned in asides in legal historian Jeffrey Gonda’s comprehensive – and easy to read – history of the covenant cases from around the US that were argued together under *Shelley v. Kraemer*.²²

But the erasure of the Shelley story and its importance – being written out, written over or just ignored – is captured in this irony: Four books stake some claim on the *Shelley v. Kraemer* story.²³ None actually offer comprehensive detail about the Shelleys, and three focus on their black-middle class proxies in the battle.

One of these books, *Olivia's Story: The Conspiracy of Heroes behind Shelley v. Kraemer*, is at the heart of an odd partnership with the Missouri History Museum that effectively obscures the Shelley family's full history. The book is not a history of the Shelleys, and it is not peer reviewed or anchored in cited sources but, rather, is literary nonfiction about the activism around the Shelley case. Based on his association with the legal case and the Shelley descendants, Jeffrey Copeland, the author, was used as the museum's authority on Shelley v. Kraemer in its popular 2017-18 exhibit "#1 in Civil Rights: The African American Freedom Struggle in St. Louis."²⁴ Copeland told me in an email that though the book is literary nonfiction, "EVERY major event in the story is true and based upon my interviews with members of the Shelley family and others involved in the story."²⁵ I will take up the essential dispute of its truth and the liberties the author takes with the family's trust later in the paper. But here, I will simply note that Copeland effectively sidelines the family from their own story. He close-guards access to them, selectively choosing, with their tacit permission, who talks to them about J.D. and Ethel. He denied or parried requests from me to contact them and instead offered to answer my questions for the family. And he has colonized other points of access to the Shelleys – at many junctures in my research, when I would ask questions about the Shelleys to those who might have access to them, I would be told to go directly to Copeland. A Missouri History museum curator, librarians at two reputable institutions, a public radio reporter, and even a judge with strong connections to the St. Louis black community, all referred me directly to Copeland as the family's gatekeeper.²⁶

Further, a family member recounts that Copeland in 2015 literally put words in the mouth of the Shelleys' only living child, Chatlee, when he videotaped a documentary

for the museum exhibit and for later Amazon distribution. Given Chatlee's memory problems, says her granddaughter Monica Beckham Holmes, Copeland repeated things he said Chatlee had told him years before, and asked if she'd repeat them for the camera.

The family does rely on Copeland as a protective layer to some extent. But as I will explain in the epilogue, that disconnect has helped create community invisibility or erasure from modern recognition of the Shelleys as historical figures. The theme of this connective layering around the family today is reminiscent of the patronizing behavior of upper-class educated black (and white) activists in national civil rights groups toward the Shelleys and their first layer of insulation, the local black activists who steered their legal case. The New York ACLU lawyer mentioned earlier who politely cajoled attorney Vaughn not to be "too soft-hearted" about the Shelleys, also condescendingly noted that the Shelley's provincial champions were "well-meaning but unknowing elements" who could damage the larger anti-covenant campaign.

All of this goes to my point that the Shelleys have been written out, written over, or just ignored – sometimes used for larger personal or organizational purposes – in the institutionalism that has grown up around their case.

For some contemporary perspective, a St. Louis black housing activist Michael Burns is less generous about the family's insulation and public remove. Coming from poor roots and a single parent home, himself, he observes the Shelleys were quite fortunate – an intact two-parent family able to tap black networks of family, business, church and civil rights movements and to save and purchase a home made them, in his eyes, a rare middle-class black family that was relatively well off. Laboring today as an activist in the morass of housing segregation that still exists, Burns suggests that whining

about the erasure of the Shelleys as historical figures is perhaps the descendants' fault for not stepping up to take agency. They have no visible community profile, he explained recently in admitting that no Shelleys were invited to the rededication of the historic marker on the Shelley House. (Indeed, the family's informal contact person, Copeland, who is based in Iowa, did not help their chances of being visible and contactable, Burns noted.) He suggested to me in an interview that 71 years after the court decision, the family has had plenty of time to participate in and advocate celebration of J.D. and Ethel's place in history, but they instead are incommunicado, uninvolved and, thus, unknown in the St. Louis black community.²⁷

Whatever or whoever the forces of erasure have been – and they were many – they have hushed the Shelley story. This project makes progress on historicizing a fuller picture of them.



FIG. 2

'AT THE TIME OF THE LOUISVILLE FLOOD' CAPTURES RACIAL ERASURE AND RESISTANCE ALL IN ONE SHOT. AS BLACKS LINED UP FOR FLOOD RELIEF DURING THE 1937 OHIO RIVER FLOODING, THEY ARE CAST IN IRONIC CONTRAST TO THE WHITE CONSUMERIST BILLBOARD ADVERTISEMENT BY THE NATIONAL ASSOCIATION OF MANUFACTURERS.

SOURCE: MARGARET BOURKE-WHITE/LIFE MAGAZINE

CONTEXT

There couldn't be a more perfect illustration of the backdrop to the Shelleys' lives in the first half of the 20th century than this Depression era photograph. The Life magazine photographer Margaret Bourke-White captured the un-posed irony of dueling American images: black flood victims in Louisville queuing for food assistance in front of a billboard egging on the white consumerism of the American Dream.

There's nothing in the Shelleys' impoverished existence in Mississippi at the time, except perhaps an abiding Christian faith, that would inspire the caliber of hope this billboard aims to stir in its peppy effort to model the robust consumption – A car! Guzzling gas! Steering the wheel! Nice clothes! A dog! – that would jumpstart the national economic engine.

The billboard is not speaking to black Americans, but it's easy to imagine that in their hardship, they might have heard its message loud and clear and wished for a piece of that American Dream or to mimic the American Way that would get it for them.

The American Dream is a conflicted concept, but it's an enduring national ethos. It is the notion that liberty and equality offer a unique brand of American success and prosperity. It is, today, a sort of cracked mirror in which the powerful image of the United States, at one angle, becomes the aging, flawed and sad version at another.

While the Shelleys may not have described their trajectory as the pursuit of the American Dream, they certainly were pursuing its broad outline of improving one's lot. The pedigree of the Dream is traceable to the Declaration of Independence: The "unalienable Right [to] 'Life, Liberty and the pursuit of Happiness' "28 suggests an entitlement to well-being. A powerful, even admirable belief and incentive to live good lives, it also serves as a very adjustable goal post for Americans of all abilities, class, and race. But the means to that end – the "American Way" – has been less virtuous in its expression beyond individual human longing. It has been used and manipulated in war, geographic expansion, and callous economic and social policy.

As a creed, ideology, and even a faith, the American Dream and its "way" has been personified by everything from up-by-the-bootstraps pioneers achieving manifest destiny or stoic American Gothic farmers to apple-cheeked consumers pursuing the good life for their 2.5 children and a dog – all of them *white* "everymen."

One of the most captivating contemporary symbols of the dream is home ownership. Whether it's a plot of land to plow and build on, a McMansion in far suburbia, a penthouse atop the ruins of urban "blight," or a humble post-World War II ranch-style tract, this symbol is associated with the accumulation of monetary and social capital, privacy, and solid citizenship.

In near poetic construction, Matthew Desmond explains the universal hold of "home" in *Evicted*: It is more than shelter; in Egyptian hieroglyphics "home" is used in place of "mother;" in Chinese, "family" and "home" are equated; and "shelter" comes from two Old English terms for "shield" and "troop" (a family in a protective shell).²⁹ To *commodify* and *own* it? All the more powerful the desire for a house becomes.

Access to homeownership is the social and economic commodity at the heart of the Shelley story – it simultaneously ignited *their hopes* as well as *the fears* of their white neighbors.

Indeed, as historian Grace Elizabeth Hale's study of the culture of segregation, explains it, the slow but steady post-Reconstruction encroachment of black consumption in the white-dominated economy was explosive: "[T]hat an African American might try to be uppity by purchasing a product similar to or better than the things owned by their white neighbors excited white fears and sometimes white violence ... money and white supremacy were both at stake."³⁰

When the Shelleys ventured outside the squalid, overcrowded St. Louis ghetto to purchase a 30-year-old two-unit brick house, Louis and Fern Kraemer,

their white neighbors, sought to void the sale. Their lawsuit, backed by the Marcus Avenue Improvement Association and white realtors, asserted that sale of the property “to persons not wholly of the Caucasian [sic] race or to persons of the Negro or Mongolian race” would cause the Kraemers to “suffer irreparable injury and irremediable damages to their property.”³¹

These acts of white supremacy and black resistance were certainly an outgrowth of the unresolved issues flowing from emancipation of slaves only 80 years prior to the *Kraemer v. Shelley* case. But the US government enhanced the stakes by elevating homeownership to a sort of gold standard for good citizenship, savings and prosperity, and a way to stabilize the economy.

A case in point: the “Own Your Own Home” campaign. A part of US capitalistic policymaking ignited by the red scare of the Russian revolution in 1917, it promoted “a ‘patriotic duty’ to cease renting and to build a single-family unit.”³² The push was inspired by a government theory that “communism could be defeated in the United States by getting as many white Americans as possible to become homeowners – the idea being that those who owned property would be invested in the capitalist system.”³³

Both Herbert Hoover and Franklin Roosevelt – in pre-presidential Cabinet positions – were architects of homeownership promotion, and its racist financing and legal foundations. Those structures – as well as Roosevelt’s tacit, at times purposeful, promotion of segregation within government and his New Deal creation of the long-term mortgage – were designed for white Americans not black. These

programs and policies effectively created the modern American ghetto, which in turn reinforced racist white fears and social anxieties alongside imagery of black people as unsuitable neighbors.³⁴

The Shelleys' struggled successfully through this American Dreamscape – from Mississippi poverty to a Supreme Court victory – during a momentous era of change in technology, human rights, social relations and global currents.

While the Shelleys lived with no plumbing and electricity in the first half of their lives in rural Mississippi, the rest of the world was rapidly modernizing – the Wright brothers took their first flight just four years before the Shelleys were born and the year they bought their house in St. Louis, the US had developed and employed an atomic bomb to finish off World War II.

They were participants in the Great Migration of millions of Americans who fled the South to northern industrial cities, from the early 1900s to World War II. Though the Shelleys' staggered departures in 1939 and 1940 were late in that trend, J.D. benefited immediately with higher wages that continued to increase as World War II revved up and he found employment at the St. Louis ammunition factory where labor unions, on the ascendance, even opened up options for black workers on the previously segregated factory floor.

The Great Depression (1929-39) did not stanch the flow of black southerners to the North, but, rather, FDR's New Deal policies to stabilize the economy and create job opportunities (including the aforementioned homeownership programs) mitigated the hardship to varying degrees across all races. Indeed, it's conceivable

that because the Shelleys occupied the lowest rung of labor in Mississippi at the cheapest wage, they may never have been expendable enough to be unemployed during the Depression. (A local Starkville historian, James S. Coles told me that all white families – even the most modest and in the toughest times – in Starkville always employed black help in their homes.³⁵ Ethel was listed as a domestic laundress in the 1930s, during the Depression.³⁶)

Mississippi was the capital of lynching

The remnant abuses, inequities and attitudes of slavery drove many black citizens to flee the low – or, often, no – wages they were forced to accept in the rural South. But also an erasure, cruelly and capriciously wielded by white people against black.

So ubiquitous was the crime, the climate of fear it created in everyday affairs can't be underestimated. And, as will be explained later, fear of lynching was the trigger that sent J.D. and his oldest daughter north after his response to a white beating of a black girl put him on the radar as resistant to the white order.

The Equal Justice Institute, which erected a dramatic monument to the victims of lynching in Montgomery, Ala.³⁷ in 2017, has documented more than 4,000 lynchings in the US between

1877 and 1950.³⁸ That's a national average of about one victim a week for 73 years,

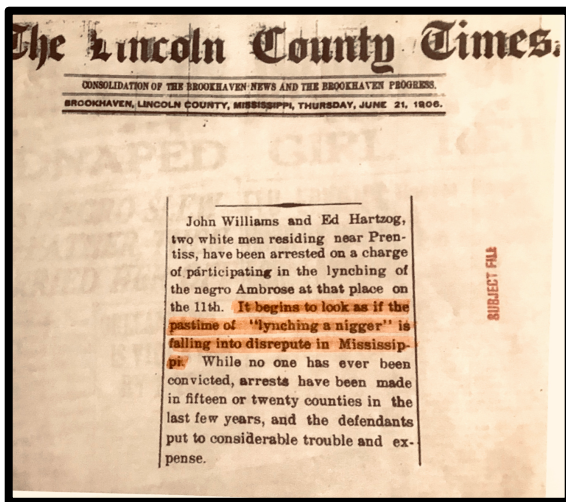


Fig. 3

THIS 1906 NEWSPAPER CLIPPING FROM THE LINCOLN COUNTY TIMES ILLUSTRATES THE CIVIC ATTITUDE TOWARD LYNCHING IN MISSISSIPPI, BEMOANING THE GROWING DISREPUTE OF THE "PASTIME OF LYNCHING."
SOURCE: MISSISSIPPI ARCHIVES AND HISTORY DEPARTMENT

and newly unearthed evidence is constantly increasing that average. Mississippi was the capital of that grim crime, with 656; and Shelley descendants recall Ethel and J.D. speaking of having witnessed lynching victims who probably were never documented officially.³⁹

Lynching's heyday – a post-Reconstruction white response to the new, unfamiliar black freedom – was steady between 1877 and the 1940s. There was a sharp increase, as indicated in this lynching timeline, during the Shelleys' teen years – a theme that would be defining in their feelings about and responses to the dominant white society around them.

This timeline may show the impunity of the era in which the Shelleys lived, but in that same period a crescendo of civil rights advocacy was building to counter racial injustice. Though the 1917 East St. Louis massacre quickly faded from public memory, it did spark the first mass public civil rights demonstration – the Silent Parade



FIG.4

THIS TIMELINE SECTION SHOWS PERIODS OF INCREASED FREQUENCY OF LYNCHING DURING THE SHELLEYS' MISSISSIPPI CHAPTER –FROM THEIR BIRTHS 1907 TO THEIR EARLY YEARS IN ST. LOUIS.

SOURCE: SMITHSONIAN.COM/MONROE WORK TODAY/AUUT STUDIO

protest in New York City, with 10,000 participants. And the white Congress investigated the massacre as an abuse of black civil rights.

Civil rights activism – such as lunch counter sit-ins in St. Louis in 1944, and that same year, a key voting rights case outlawing white Democratic primaries⁴⁰ – cobbled together a body of precedents starting at the end of the Civil War and peaking in the

1960s. (Indeed, the Shelleys almost certainly never voted in Mississippi where literacy tests to register were required and black residents registering to vote were announced in local newspapers). But today, if you Google “civil rights timeline,” there seems to be a consensus that the modern civil rights movement exploded fully formed in 1954 in *Brown v. Board of Education* when the Supreme Court struck down its own (1896) “separate but equal” doctrine interpretation of the 14th amendment guarantee of equal protection. But, as Gonda lays out in his treatise *Unjust Deeds* about the covenant cases (there were six consolidated in *Shelley v. Kraemer*, and years of lower court cases in the 1920s through 40s): “The unfolding battle for housing access and integration transformed black legal activism. The men and women who built the anti-covenant campaign forged new partnerships, developed innovative strategies and nurtured a new urgency and boldness within courtroom struggles for racial freedom...[the Shelley battle would] pave the way for a triumph over the doctrine of ‘separate but equal.’ ”⁴¹

Thurgood Marshall, who built the NAACP’s legal arm into a powerful force that won 29 of 32 Supreme Court cases it argued, was the architect of the 14th Amendment strategy of the Shelley case. It helped launch him to national prominence, and he would later become the first black Supreme Court justice.

The powerful forces and personalities of the era shaped the Shelleys’ lives. How they negotiated that environment is their quietly heroic story.

MISSISSIPPI

On a sleepy Mississippi Sunday in the fall of 1939, J.D. Shelley was relaxing playing checkers and cards with neighborhood men after a long hot week of construction work.⁴² He expected his wife, Ethel, to arrive shortly from church trailed by their five kids – ages 4 to 14 – sprung from Sunday school. Instead, that day, they raced home ahead of their mom in an excited clamor with some gruesome news – news that would change the Shelleys' lives immediately.

“Dad, they done beat Sister Hon and she cain’t walk!” J.D., 50 years later in an interview with Peter Irons, recalled them reporting.⁴³ The black teenager in the ditch was a friend that Mrs. Shelley had recruited to take her place as a laundress for a white preacher’s wife. But it had come, somehow, to no good: A wristwatch had gone missing, and the employer suspected the young girl.⁴⁴

J.D. had seen the sheriffs lead the girl away from her house earlier that morning to settle things with the employer. Her father stood watching her go without saying a word, and J.D. had been surprised the father didn’t follow his daughter: “I say, Man, you let them take your kid, whyn’t you go with your kid? And he say no.”⁴⁵

It wasn’t that J.D. didn’t understand that the father was petrified of seeming resistant or disrespectful to the sheriffs. It was well understood that with the Mississippi brand of Jim Crow justice, the only consistency in that white law was its unpredictability. But in the end, when the Shelley kids found the girl’s bloodied body, J.D. was shaken at how the incident with his wife’s former employer and a girl his own daughter’s age had turned so viciously and vicariously close to home.⁴⁶

“They beat that child with a hose and then they brought her over to the colored quarter and threw her in a ditch,” Shelley recounted. And no one wanted to get involved. “I jumped up and got Hannah, another colored lady, and we tried to get the men and they wouldn’t go. So Hanna said, Me and you get her, J.D. And we went up and got that child, she beat so bad she couldn’t sit.”⁴⁷

Just picking that young girl up was a form of resistance – never mind that the white accuser later found her watch misplaced, not stolen, behind a washbasin.⁴⁸ Basic human values of right and wrong, good and bad, in this small town of Starkville, carried malignant mutations when race was a factor. But J.D.’s Good Samaritanism had strong support from his wife, Ethel, the family’s moral backbone and Pentecostal believer who spoke in tongues and was considered in her congregation to be a “prophet” with powers of spiritual premonition.⁴⁹

The family’s bead on moral true north can’t be underestimated in how powerfully it steered the family’s direction, whether it was down an ankle-twisting rock road to a ramshackle country church every Sunday, or to the risky aid of a victim of racism, or to adopt children in need, or to buck a real estate covenant all the way to the Supreme Court.

Their character compass enabled them to navigate perilous Mississippi interactions. But no matter how foundationally reflexive his gesture of good will was that day in 1939, J.D. had to have been simultaneously aware that it would raise his profile with the local white power structure as someone willing to challenge their decision to beat and leave a child for dead.⁵⁰ Having done right wouldn’t have reduced the effect of the cocktail of adrenaline and sympathetic response. Sister Hon’s father, who’d stood

helplessly mute in the street, wasn't that far removed from J.D. The eldest Shelley child, Allie, was a gangly and sassy 14, beginning to negotiate the vagaries of the white world, just as Ethel and JD had done at the much younger age of 5 when they had to join their parents in picking cotton to survive.⁵¹ The emerging potential for trouble in that conflicted moment in 1939 created a fight-or-flight response that fell dramatically on the side of flight for J.D.

"I said, It's time for me to leave here now. 'Cause, if they beat my kids like that, these white folks have to *lynch* me down here, so I'm going to leave," Shelley recounted.⁵²

That turning point was a long time coming for the Shelleys. They were in their early 30s and had grown up hearing stories of fellow black residents fleeing Mississippi's economic and social oppression for northern opportunities of better pay and slightly better treatment. Descendants today say that the Shelleys never explained their delay in leaving. That 1939 trigger for flight was the only explanation the family is left with.⁵³

First-hand documentation of the Shelleys' Mississippi experience is almost non-existent. In the only extended interview on record with J.D., Peter Irons recorded about 2,400 words of recollections – a small fraction of that deals with Mississippi and is taken up exclusively with the incident with Sister Hon.⁵⁴ There are more than 100 Shelley descendants – at least half of whom spent quality time with J.D.



A POSTCARD OF MAIN STREET IN STARKVILLE, MISS. 1910.
SOURCE: MISSISSIPPI ARCHIVES AND HISTORY DEPARTMENT.

Fig. 5

and Ethel in their St. Louis home. But what they've offered in various interviews – radio, newspaper, and my own with three of them – is tantalizingly incomplete, understandably rose-colored, and often at odds with what records there are of the family that do exist.

Reconstructions of the surround of their lives is possible through Census records, government statistics, oral histories of former slaves who stayed in the area, generic regional photos, local histories (almost exclusively written by whites about whites) and local Starkville museum exhibits (also largely about whites, and startlingly mute on the topic of slavery, lynching, sharecropping, civil rights, etc.⁵⁵), and interviews with Starkville natives. Details can be deduced, but there are few specific certainties about the Shelleys, themselves – and no one I could find in Starkville knew of the family as locals nor as historic figures (indeed, locals active in civil rights history were unfamiliar with *Shelley v. Kraemer*).⁵⁶

Even the simple issue of the Shelleys' births is an example of the way their lives fade in and out of fuzzy visibility. J.D. told Irons that he and Ethel were born in 1907. But Census documents from 1910 to 1940 mostly suggest they were born in 1905, or in one case, 1908. The 1907 date, which falls before the time Mississippi began recording births, squares with most later descriptions of events in their lives.⁵⁷

Both were the eldest children – J.D. had a younger sibling, and Ethel had more than 20 younger siblings in three separate families, because her mother and two stepmothers died.

Ethel was born a Lamkin (also spelled Lampkin) – a ubiquitous black and white family name in Starkville, where the white founding sheriff and postmaster was a Lampkin.⁵⁸ Ethel and her father and many of her siblings were described as “mulatto” on

Census documents – and one of her sisters was so light-skinned that she could “pass” as white and lost family connection when she married a white man and moved to California.

Much less of the Shelleys is known – they were a smaller family and J.D.’s genealogical trail back in time peters out in the 1910 Census data.⁵⁹ But the provenance of his given name may tell something of his parents’ hopes for him.

“They named me J.D. but the initials don’t stand for nothing,” J.D. told Irons.⁶⁰ However, there is some scholarly and non-scholarly evidence that it may actually stand for something more. The nomenclature of initials in American black culture can be a form of resistance or assimilation – both efforts to be recognized as an individual worthy of respect. In an interview in the Tallahassee Democrat in 2006, the Florida A&M race scholar, Larry Rivers, said the use of initials became common after slavery in an attempt to dodge the white paternalistic habit of calling black people by their first name or demeaning nicknames. He noted that black preachers often used only their initials (e.g.: M.L. King, Jr.) to command white respect by forcing a more formal and dignified address.⁶¹ There is a form of power in self-identification in naming. In *Up From Slavery*, Booker T. Washington explores the power and control he derived from constructing his name when, at school, he was required to give more than just the first name he had gone by until then.⁶²

J.D. and Ethel were born on farms in Oktibbeha County, within miles of Starkville. Their parents sharecropped or worked directly picking cotton for white growers – and both J.D. and Ethel, were pressed into labor as early as age 5.⁶³ But they did have time to attend New Salem, a black public school until fifth or sixth grade.⁶⁴ The location and details of their school – a one-room structure, similar to but more modest



FIG. 6

BELL SCHOOLHOUSE, STARKVILLE'S OLDEST SCHOOL BUILDING (EARLY 1900S), ILLUSTRATES THE ONE-ROOM VERNACULAR SCHOOLHOUSE THAT THE SHELLEYS' GRADE SCHOOL FOR BLACK STUDENTS WOULD HAVE RESEMBLED.

SOURCE: CLARA GERMANI

than Starkville's oldest surviving school house shown at left is lost to time; it appears in no public records or local histories or memories of residents today.

It appears that school was where they first met and probably started eyeing each other in the fields from a stoop, plucking dirty white bolls from prickly cockleburs. Romance would have been a fine mental distraction from the tedium, but physically keeping an eye on your sweetheart

might have detracted from efficiently pulling the 70 bolls it took to make a pound – and 100 pounds was

“the magic number... the benchmark for payment

... fifty cents for a hundred pounds of cotton in the 1920s, the gold standard of cotton picking.”⁶⁵

Over the years, family lore has distilled only the romance of such a courtship – reducing it to J.D. finding Ethel's beauty irresistible and the two of them begging their parents' signatures for an underage marriage in December 1923, because they were both only 15. Marriage records in Oktibbeha County were recorded in elaborate penmanship in official logbooks, by race. The black record books in the courthouse show several Lamkin “negroes” marrying in 1923 and '24 – including Ethel's widowed father and brother, who married sisters. But there is no official record of the J.D. Shelley and Ethel Lamkin union there – just another unexplained way they sink into historic obscurity.⁶⁶

Allie Shelley, the first of five biological children and three adopted, was born in 1926 – three years after the Shelley’s wed. But it may not have been Ethel’s first pregnancy. Monica Beckham Holmes, great-granddaughter now in her 50s, often hesitates as she scours her thought for facts when asked about the Shelleys. But this topic seemed to be a vivid and immediate certainty to her: “Mama,” using the term all the descendants use for Ethel, “had five kids. But in between each one of those five kids she got pregnant with another – she lost four.”⁶⁷

It is worth a note here to ponder Ethel’s experience in light of the relatively new area of research connecting the dots between racism, class and the physical and mental health of minorities. The racist atmosphere of “structured stress”⁶⁸ in the black community and poor health ins manifest in such facts as higher rates of diabetes, heart problems, and asthma, not to mention the persistent facts that black infants are more than twice as likely than white babies to die before age 1, and black women are three to four times as likely to die from pregnancy-related causes than their white counterparts.⁶⁹ One psychiatric and medical study of asthma among black Americans calls the problem “community lynching” – a matter of “persistent, systematic, large-scale dispersal and dismemberment of urban ethnic minority concentrations of political, social, and economic capital [that have] consequences for health and illness at every level of scale and organization.”⁷⁰

Though newspapers of the times were filled with indications the region suffered from chronic health issues from malaria, to hook worm and pellagra,⁷¹ the Shelleys, by all accounts, were hardy people who were physically active and unexposed in their

Mississippi years to the junk food diets of the modern American poor. Indeed, J.D. died at 91, and Ethel lived to almost 80.

But, Ethel’s miscarriages – as well as the loss of two adult children to urban violence that I’ll discuss later – do take on a different tone considering this association between the toxic environment of racism and health. A New York Times investigation describes it as almost a form of exhaustion in the face of a freighted existence.⁷² It is tempting to imagine how affected black physical and mental health was in Mississippi, which had perfected unapologetic, overt racism.

Exploring one Shelley address

Censuses from 1910 to 1940 show that the Shelleys spent their whole Mississippi chapter living in rented structures in clusters of other “Negroes” in “Beat 4” – a large government supervisory district that encompassed a small area within the city limits into a broad rural area full of old cotton plantations, newer pine forests, and ponds and lakes tucked into what is called the Mississippi hill country.

The only specific address ever listed for them in the 1930s was on an extension of “Poorhouse Road,” which runs due west 7 miles from Starkville to the Longview settlement (known historically as “The Cross Tie Center of the World”) where J.D. worked at a sawmill.



THIS IS THE LOCATION THE 1930 CENSUS LISTS FOR THE SHELLEYS ON AN EXTENSION OF POORHOUSE ROAD, OUTSIDE STARKVILLE MISS., NEAR A SAWMILL AT WHICH J.D. SHELLEY WAS EMPLOYED.

SOURCE : CLARA GERMANI

An oddly rich and revealing confab developed when I took the retired Oktibbeha County NAACP president, Chris Taylor, 64, and Starkville’s first black postal carrier, Charles “Lala” Evans, 83, on a drive to the Shelleys’ 1930s address to see what life might have been for a rural black laborer, his wife and five children in the 1930s. We found Paul Yeatman, 72, who grew up on and around the Shelleys’ old address, near Talking Warrior Creek. In the 1930s, his mom was the timekeeper at the sawmill that employed J.D. Yeatman owns the land



PAUL YEATMAN (LEFT) AND CHARLES “LALA” EVANS.

today, runs a profitable welding business there and lives in a large custom-built house that flies a Confederate flag and is full of hunting trophies; antique, sporting, and semi-automatic guns; large stores of ammunition; and Trump campaign paraphernalia.

Yeatman piled us all into his four-seat pickup and drove us around the area for two hours. These men did not know each other, but in true country fashion in a county that at its peak today has 49,000 residents, they knew daddies and cousins and brothers and stray facts about each other. If there was racial discomfort, I couldn’t decipher it through the traditional Southern politeness as we passed by the Confederate flag on Yeatman’s porch and the three regaled each other with old memories and efforts to portray what the Shelleys’ lives might have been like.

A distillation of their offerings is this:⁷³

The Shelleys likely lived in a “tin top” shotgun shack owned by the sawmill company. Like so much else in the Shelleys’ lives, the tracery of their time and place has dissolved – no one could remember the name of the company, just its owner Henry Rhodes. The ruins of the mill are grown over by vines and shadowed by new growth pines planted by Yeatman and his son. There would have been no electricity or plumbing; but the one-room shack construction was designed to be cool with the breeze flowing from the front porch to the back end, carrying the heat of the back end-cooking porch away with it.

The kids – white and black – would have roamed barefoot, playing and hunting in the woods that had, and have, all manner of snakes and alligators, and are carpeted with treacherous spiky balls that fall from sweet gum trees. They would wrap their feet in old rags when the red bugs were out – all three attested loudly to the fact that no Shelley could have lived a spring or fall here and escaped the pest and its fondness for burrowing into the skin on “your private parts.”

The low-wage kind of poverty would have afflicted the Shelleys in their ability to buy staples at the country grocers in Longview, but like any rural resident that stayed put in one place for a season, they would have grown their own vegetables and fished in the local creeks and ponds that trace the countryside. (Indeed, Shelley descendants attest to Ethel’s green thumb long after she left the South and the greens she’d cook from her garden.) All three attested to the fact that wild blackberries were so profuse in the area that everyone consumed plenty.

Coming and going from that Longview area would have been limited in the 1920s, ’30s, and ’40s. Poorhouse Road was a “rock” road not always passable with horse

drawn wagons or automobiles; a rail line that went directly through the sawmill was perhaps the easiest way to get to Starkville seven miles away.

This forum of three diverse Mississippi men gave the nostalgic sense of a bucolic – if sweltering and humid – life in the woods. Indeed, a similar sense of this being a familiarly comfortable physical place, if not a fair and prosperous place, for black people is contained in WPA oral histories of former slaves and elderly residents in the 1930s.⁷⁴ Its space, sense of place and routines would be starkly different than the urban St. Louis setting the Shelleys would jump to as adults and their children as grade- and middle-schoolers.

Separately, Evans' contemporaneous experiences in Starkville of the 1930s and '40s, and Shelley descendants in possession of snippets of Mississippi lore retained from their interaction with Ethel and J.D., give a fuller picture of the Shelleys' Mississippi reality.

Skin color – even minute gradations from tan to “high yellow” – made a difference in Mississippi. When Ethel once sent little J.D. Junior down the road in Longview to pick up something from the grocery, he came home “picked on” by whites, Monica Beckham Holmes recalled. That's when, she says, Ethel decided she would do the family business going forward because, as Holmes understood it, Ethel was mulatto and could command a measure more respect and safety if she dealt with the whites rather than subject her son to them.⁷⁵

It would have been a deprivation of sorts for the children, not to be able to go to the country store. As Grace Elizabeth Hale describes in *Making Whiteness*, even a humble country store, “lit up” rural life. Even though white storekeepers frequently

reserved better quality products for whites only, their business was still a center of “sensuous and pleasurable abundance, visible and at least partially acquirable, to most rural southerners. And unlike national advertisers, white storekeepers considered blacks profitable customers [because] in the rural south, desire for more needed little stimulation.”⁷⁶

But, even if Ethel felt she had more social currency to deal with mean whites, it would still require a racist-inspired etiquette, explained Evans. “Here, you were under the gun, more or less. It was ‘Yassuh, Mr. Charley, whatever you say,’ ” says Evans. “If a white person was coming, we’d be like this,” he said, miming a jump off the elevated board sidewalks Starkville had at the time into the muddy street and tipping his hat and saying, “Hey boss.”⁷⁷ He says this etiquette had to be performed for white children, too.

“Our business was just as bad,” says Evans, who worked as a child in the ’30s and ’40s in his uncle’s Main Street shoeshine parlor. “We shoe-shine boys couldn’t sit in a chair where white folks sat ... not even the [black] owner of the place could.”⁷⁸

This etiquette, conspiring with larger humiliations and fears such as “Judge Lynch,” created distorted “psychic horizons” for black southerners from an early age (not to mention what these things did to reinforce white identity as dominant).⁷⁹ Evans specifically states in his descriptions of this racial performance of dominance and submission that it was accommodation, not acquiescence – a shared language but not a shared feeling. We can’t know the exact inner dialogues the Shelleys rehearsed in these instances, but we can see the fully formed conflict it produced in J.D.’s turmoil over helping Sister Hon.

Performing these day-to-day scripted submissions to white power required attention when interacting one on one with white people. But the larger magnitude of broader civic engagement was generally fraught or totally foreclosed to black citizens. Voting, for example. It's not likely – indeed probably not possible – that the Shelleys ever voted in Mississippi, though technically the law permitted black voting.

Evans likes to start his description of voting with the “bubble test.” When he came of voting age in the early 1950s, he faced the registrar’s literacy test. When Evans proved he could meet the reading standard for voting, the bar was raised with the question, “How many bubbles are there in a bar of soap?” His wild-guess of some random number, apparently was “right” enough to raise the bar again: Every black citizen who registered to vote, by local ordinance, would be listed by name for two weeks running in the Starkville Daily News. Evans said the registrar mused to him, “Your boss, he see your name in the paper, he say you a smart niggah, huh? You gonna go and vote. If you gonna vote, you ain’t got no job.”⁸⁰ (There were Southern counties – like Lowndes County in Alabama, which was 80 percent black but no black residents were registered to vote.⁸¹)

For Evans, whose uncle was his “boss” at the time and was encouraging him to vote, this was no impediment; nor was the \$2 or \$3 the county charged him to register. But, for the Shelleys, who lived further out of town (it would be a workday of travel and arrangements to even go to the registrar’s office) and down the socio-economic confidence ladder than Evans, having any sort of say or stake in the white order was an impossibility.

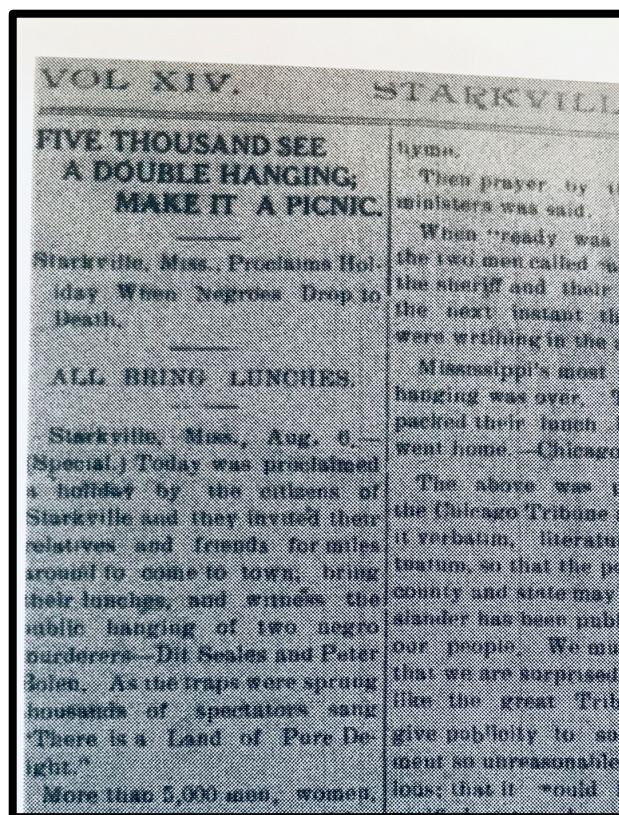
Lynching: the trigger for flight

And, draped over all of this was the caul of lynching.

It was a reality, a motif, a hair-trigger possibility – even a parental admonishment “Do you want to get lynched?” – for every black citizen of the South in the first part of the 20th century. Its unpredictable exercise could ensnare black people for the least unsubstantiated cause, some of which are catalogued by the Mississippi Civil Rights Museum in Jackson: debt, hiring a lawyer to protect a land title, theft of a saddle, hogging the road, annoying a white woman, writing an insulting letter, talking disrespectfully, organizing sharecroppers, race prejudice, mistaken identity, miscegenation, colonizing negroes, cutting a levee, grave robbery.⁸²

The terror of such capricious finality would explain very well why J.D. might recoil in fear and flight after his reflexive Good Samaritanism.

Though this form of terror was relatively rare compared to myriad other violence and humiliation showered on black people, wrote Amy Louis Wood in her study of execution spectacles (whether extrajudicial or not), “lynching held a singular psychological force, generating a level of fear and horror that overwhelmed all other forms of violence. Even one lynching reverberated, traveling with sinister force, down city streets and through rural farms, across roads and



STARKVILLE DAILY NEWS COVERAGE OF THE MASSIVE CROWD DRAWN TO THE HANGING OF TWO BLACK MEN CONVICTED OF MURDER AUG. 6, 2015.

SOURCE: MISSISSIPPI STATE UNIVERSITY SPECIAL COLLECTIONS

Fig. 9

rivers... and the specter of the violence continued to smolder long after it was over.”⁸³

Perhaps the largest crowd ever drawn in Starkville – before Mississippi State University stadium football brought tens of thousands to town – was the 1915 “Roman holiday” hanging of two black men, as one national magazine called it. J.D. and Ethel were 8-year-olds, and could not possibly have escaped news of the massive spectacle.⁸⁴

This was not a lynching, per se, but a performance of white supremacy in which 5,000 black and white spectators crowded into the amphitheater-like setting of bluffs encircling the county courthouse in Starkville to picnic and celebrate.

“By allowing white crowds to witness the punishment of a criminal, to grab souvenirs, and, in some cases, to take photographs, public officials created a continuum between the state and the people; the people were not merely onlookers to the imposing power of the state’s punishment but participants in the enactment of that punishment,” explained Wood. “The execution thus established a visceral identification between white spectators and the power of the state. The act of witnessing bestowed a sense of authority on the white spectator, as did his or her identification with the state’s authority to judge and condemn wrongdoing.”⁸⁵

The two black condemned men had been convicted of murder in court – albeit at a time when justice for black people, even in a court of law, was always dubious; and when in many places across Mississippi, the accused were routinely dragged from homes or jails and subjected to a “rope party,” as one lynching victim’s death certificate noted.

Local officials “decided that a public hanging would be the proper thing” and that authorities “did everything possible to make the hanging a gala event,” reported *The Jackson (Miss.) Daily News*. “[E]very vantage point was covered with spectators, all

Dr. Deudap

STANDARD CERTIFICATE OF DEATH State File No. **19160**
MISSISSIPPI STATE BOARD OF HEALTH
VITAL STATISTICS

PLACE OF DEATH **Stone**
 County **Stone** Registered No. _____
 Voting Precinct **Wiggins** or Village _____
 or City _____ No. **Sunshine Addition** St. _____
 (If death occurred in a hospital or institution, give its NAME instead of street and number.)
 Length of residence in place where death occurred? yrs. mos. ds. How long in U.S. if of foreign birth? yrs. mos. ds.
 FULL NAME **Wilder Charles Mc Gowan** **250** (Write or Print Name Plainly)
 (a) Residence: **Wiggins, Stone** **Miss.**
 (Usual place of abode) (County) (Town or City) (State)

| PERSONAL AND STATISTICAL PARTICULARS | | | | MEDICAL CERTIFICATE OF DEATH | |
|---|------------------------------|---|---|------------------------------|--|
| SEX Male | 4. COLOR or RACE Col. | 5. Single, Married, Widowed, or Divorced (write the word) Single | 21. DATE OF DEATH Nov 21 1938 | M | |
| 6. Married, widowed, or divorced (or) HUSBAND or WIFE of _____ | | | 22. I HEREBY CERTIFY, That I attended deceased from _____ 19 to _____ 19 | | |
| 7. DATE OF BIRTH (month, day, year): Years 29 Months 8 Days 22 If LESS than 1 day, hrs. or min. | | | I last saw h. alive on _____ 19. Death is said to have occurred on the date stated above. | | |
| 8. Trade, profession, or particular kind of work done, as spinner, sawyer, bookkeeper, etc. | | | The principal cause of death was as follows: _____ Date of onset _____ | | |
| 9. Industry or business in which work was done, as silk mill, saw mill, bank, etc. | | | Contributory causes: SEE CLIPPING ON YELLOW SIDE | | |
| 10. Date deceased last worked at this occupation (month and year) | | | 11. Total time (years) spent in this occupation | | |
| 12. BIRTHPLACE (city or town) _____ | | | Name of operation (if any was done) Rope Party Date of _____ | | |

eager to see the mandate of the court carried out.”⁸⁶

The Equal Justice Institute, which runs the Peace and Justice Memorial to lynching victims in Montgomery, Ala., has documented more than 4,000 lynchings in the US between 1877 and 1950, but states strongly in its exhibits that “many more” have not been documented. Indeed, Monica Beckham Holmes, recalls J.D. speaking of

THIS OFFICIAL DEATH CERTIFICATE FOR A 29-YEAR-OLD “COLORED” MAN MATTER OF FACTLY DOCUMENTS A LYNCHING WITH CAUSE OF DEATH AS STRANGULATION BY “ROPE PARTY.” IN COLLINS MISS. IN NOV. 1938.
 SOURCE: MISSISSIPPI ARCHIVES AND HISTORY DEPARTMENT.

walking to work, having the shudder of recognition of a girl’s body hanging from a limb in the early morning light. The lynching of a girl in that county has never been documented. Arguably, this could be a memory misinterpreted, or passed on so many years later that its veracity can’t be judged. But it is a testament to the staying power of lynching as a tool of white power.

“They left as though they were fleeing some curse; they were willing to make almost any sacrifice to obtain a railroad ticket and they left with the intention of staying,” wrote Emmett J. Scott, a black journalist who became the highest-ranking black affairs aide in the Wilson administration.⁸⁷

The Great Migration bore some of the magnetic draw of an American West gold rush. In the millions, it was certainly a greater shift of humanity, but it was the same feverish kind of exodus and abandonment of homes, long-time employers, extended family, church and the familiar to go north.

Northern labor agents, like carnival barkers came south or advertised southward in newspapers to extol job opportunities in the north.⁸⁸ Why labor for less than \$2 a day in Mississippi, as the Shelleys together did, when a single laborer in the thriving industries of northern cities could make \$17 or more a week?⁸⁹ It was a rush that caused white resentment in both the North and the South. Southern agriculture was seeing the hemorrhage of its biggest resource – cheap labor; likewise northern white laborers believed the mass influx of cheap labor was taking their jobs or undercutting their own wages. The century’s most deadly race massacre – in 1917 East St. Louis – was at least partially due to white unionist provocation complaining of black strikebreakers migrating from the South and depressing wages and taking jobs from white workers.⁹⁰

So why wouldn’t the Shelleys have pulled up anchor as a young couple, to seek fortune in the north? The northward flood was surely something of a known quantity: It had been ongoing since their births, and they had relatives and friends to testify to their own higher wages – if not raving about the crowded living conditions – in St. Louis and Detroit.

“There are a lot of reasons I left Mississippi and come up here,” J.D. told Irons. But, beyond the fear of imminent violence against him or his family, he never said what the other reasons were.⁹¹ Presumably, family members figure, they were the growing family was accumulating need for economic security. Indeed, if the young couple hesitated in their early marriage to take a chance on the north, that growing brood may have kept them from buying a train ticket north.

Because the migration was such a defining symbol of the time, it's unlikely the Shelleys didn't have hopes of new opportunities; nor is it hard to imagine the devout Ethel waiting for a sign of certainty, even if J.D. was waiting out of some hope of being responsibly ready to provide for the family when the time was right.

"It was kind of our Underground Railroad," said Evans, who made the trip repeatedly in his childhood and clearly loved what that stood for – but he also seemed to love each very different end of that rail ride.⁹²

To take the ride, Evans said, "You paid or you hobo-ed." The cost of a ticket could be up to \$20 – at least 10 days' wages for the Shelleys. But then there was the uncertainty of getting that ticket, too, because either in efforts to squelch the economically sapping exodus of laborers or just racial ill-will, white station clerks would often refuse to sell long-distance tickets to black customers. Some resorted to buying short-hop tickets at night when they'd be less noticeable – which might explain Evans' description of embarking on his trips from a town not on the main Illinois Central line that went through Starkville. His trip would start in the early evening and take a circuitous northeast loop of stops in small towns all night long until a change in Memphis – where as many as 200 black migrants boarded trains every evening – would make a straight shot to St. Louis by morning.⁹³

The first culture shock, for many rural black southerners who had never traveled faster than a walk, was the speed of the train; the second was finding themselves after a train change sitting next to white people without objection.⁹⁴

J.D. and his daughter Allie dressed up and went north in the fall of 1939 to stay with relatives in St. Louis; the rest of the family followed a year later. It was

very likely the first time any of them had been out of the rural areas of Starkville – and, no artifacts of their Mississippi lives seemed to come with them.⁹⁵

They were writing new lives on a clean slate, unencumbered by much but the memories that were driving them north. While they left no trace of themselves in Mississippi that can be found today, they would certainly make a mark on American history in St. Louis, in just a few short years – its indelibility has always been the question.

ST. LOUIS



THE FILTHY HAZE OF BLACK TUESDAY LINGERED TO THE NEXT DAY, NOV. 29, 1939, IN ST. LOUIS. HERE, MIDDAY AT 12TH AND MARKET WAS TURNED TO NIGHT. THERE WERE 28 DAYS OF INDUSTRIAL SMOG BLACKOUTS THAT FALL.

SOURCE: ST. LOUIS POST-DISPATCH

After 34 years in the relentless heat, though cheerful light, of the Mississippi sun, J.D. Shelley's first weeks in St. Louis in the fall of 1939 were visually grim. Coal smog blanketed the city in "blackouts" on 28 days of that season. The worst of those smoky days – Nov. 28, known as Black Tuesday – was so dark that drivers at high noon had to use their headlights to navigate.⁹⁶

The curtain of industrial smog added a liminality to the sensory shock of the city for a rural black Mississippian: clattering streetcars; the deep chill, snow and ice; the press of strangers black and white; the maze of streets shadowed by towering buildings; and the mental fog of new rules of racial oppression.

Yet, through all of this, the beacon was the promise of greater security – both personal and financial. The Shelleys, and other black pilgrims of the Great Migration “did not journey north simply seeking better wages and work, or bright lights and big adventures. They were fleeing the acquisitive warlords of the South. They were seeking the protection of the law.”⁹⁷

Even so, safety *and* better wages and work *did* make the arrival here a very rich human adventure. Just stepping off the train in St. Louis from the South created visceral reactions for a black southerner, recalls Charles “Lala” Evans. Now 86, he was a Starkville contemporary of the Shelleys. Born to Mississippi migrants in St. Louis, he was sent home to Starkville as an infant to be raised by an uncle when his mother died of tuberculosis contracted in a crowded downtown tenement much like the one in which the Shelleys would live.

What was typically a one-way trip for millions of others in the Great Migration became for Evans an annual experience visiting his father.⁹⁸

And always, he says, his arrival was utter relief, no matter how thick the smog or dark the future looked: “You felt like you was somebody, like you got *away*,” Evans says, throwing his head back, smiling peacefully and inhaling audibly through flared nostrils.

The sense of release from bondage was noticeable, for example, in racial interactions. The



FIG. 12

CHARLES “LALA” EVANS, 86, WAS A CHILD IN THE 1930S IN STARKVILLE WHEN THE SHELLEYS LIVED THERE. HE FREQUENTLY TRAVELED TO VISIT ST. LOUIS DURING THE GREAT MIGRATION. HE WAS STARKVILLE’S FIRST BLACK POSTAL CARRIER. SOURCE: TODAY SHOW

freedom could be disorienting without the southern framework of racial etiquette. In St. Louis, blacks did not have to elaborately create right of way for whites on sidewalks, nor doff their hats in submission and avoid eye contact. But there were more codified expectations about where blacks could go or mix with whites – chief among them the sharply calculated lines of residential segregation.⁹⁹

Like photographic film developing into resolution in a dark room, one's self-identity could take quicker shape against the city's fuller depth of field than in Starkville. While the Shelleys might suffer historical erasures to come, St. Louis as described by Evans, offered them the stage for fuller expression of themselves. Their arrival was a step up to a new proving ground for their character. New opportunity – perceived as well as real, measured in increased wages and choices of such things as jobs, schools, and churches – is the foundation of the family's upward trajectory. In just five years, they would find themselves vaulted out of the slums and up the social ladder into a home of their own in a largely white working-class neighborhood.

Their upward mobility, of course was not without snags, limits, and conflict. Racist segregation is the defining factor in the Shelley story – though it was a more polished northern version of that blunt instrument used in the Jim Crow South. In St. Louis, blacks enjoyed much more freedom and prosperity than in the South, and many had already hurdled social barriers to succeed in education, law, medicine, small business ownership and other professions. But with every step of black progress, new and more sophisticated barriers were thrown up to keep black residents separate and whites dominant.

Colin Gordon’s multi-dimensional study of St. Louis as the prime example of the decline of the American city explains the potent segregation equation and its legacy this way: “Throughout the twentieth century, private discrimination and public policy combined – intentionally and explicitly – to constrain the residential

Fig. 13



SEGREGATION IS STARKLY OBVIOUS IN THE CONCENTRATION OF DOTS IN THE CHETTOS OF DOWNTOWN AND THE VILLE AREAS OF ST. LOUIS IN 1934. EACH DOT REPRESENTS 100 BLACK RESIDENTS.

SOURCE: CITY OF ST. LOUIS/MAPPING DECLINE BY COLIN GORDON

options available to African Americans, to confine them to certain wards or neighborhoods, and to stem what was widely perceived ... as the threat of ‘invasion’ posed by north-to-south [sic] and rural-to-urban migration.... A variety of private and public policies – including explicitly racial zoning, state-enforced restrictive deed covenants, and redlining by banks and realtors – overlapped and reinforced one another over the course of the twentieth century. In a pattern not unique to St.

Louis, local reaction to early African American migration yielded restrictions and expectations that were replicated and exaggerated in the decades to follow.”¹⁰⁰

Housing segregation was sharply evident in the lines that divided St. Louis into clearly defined white and black neighborhoods, areas of tenanted owner-occupied properties and those amid crowded, often unplumbed, and noisome tenements. The first wave of the Great Migration, from 1910 to 1940, more than doubled the black population of St. Louis from 44,000 to 109,000.¹⁰¹ And the white real estate business and government agencies were “frighteningly successful at helping to seal burgeoning black populations into relatively small and deteriorating sections” of the city.¹⁰² The downtown area near the Mississippi River and The Ville, further west, were the black residential and business neighborhoods. Aside from employment at factories on the outer reaches of the city, the Shelleys’ orbit was largely confined to slums.

But what is not often acknowledged is that blacks did sometimes filter into majority white neighborhoods to live unchallenged. The Shelleys, for example, were not the first black residents on Labadie Avenue where they would purchase a home in 1945 between Taylor and Cora Avenues in the majority white Greater Ville area. But a few blacks had owned or rented there for years, and one home was owned by blacks as far back as 1882.

J.D. and his oldest daughter, Allie, arrived first. J.D. told legal historian Peter Irons he rented on Francis Street until the rest of the family joined him in 1940: “When I first came here I was only making \$17 a week ... at a medical place where

they made pills, and I was paying \$12 a month rent. It was cheap; I didn't have to pay much for nothing."

Once the rest of the family joined him, it was more expensive, and very hard in the crowded conditions of the segregated neighborhoods for Ethel and J.D. to find space for his four daughters and son. Slum rents, counter intuitively, increased even as the housing stock deteriorated. That's because demand increased with the growing number of black residents squeezing in. The difficult responsibility of providing for the family was recognized in J.D.'s 4-F draft status, which allowed him to sit out World War II.

These conditions – the captive overcrowding and resulting struggles for the black community – were the basis of “sociological” evidence that anticovenant strategists would begin to introduce in court cases as evidence of systemic racism. It was this argument that would later be a factor compelling the white St. Louis circuit court judge to hand the Shelleys their first legal victory (which would be appealed and lead later to the Supreme Court case).¹⁰³

“It was hard fitting us all in the places we was living during the war. At that time it was hard for you to find a place when you had children, so every place we'd go they didn't want us,” J.D. told legal historian Irons, who captured the only extended interview of J.D. on record. They did find a perch in this crowded wooden tenement on North 9th St. downtown that descendants today say was family headquarters, even though who actually could sleep there was fluid, with kids coming and going to the homes of other relatives and friends until the Shelleys bought a home.¹⁰⁴



FIG. 14

THE SHELLEYS' UNIT ON NORTH 9TH IN DOWNTOWN ST. LOUIS WHERE THEY LIVED BEFORE BUYING THEIR LABADIE AVE. HOME.

SOURCE: SCREEN GRAB OF A SHELLEY FAMILY PHOTO IN THE VIDEO DOCUMENTARY 'THE STORY OF SHELLEY V. KRAEMER'

Robert Green, 64, a prominent black St. Louis history buff, offers a first-hand glimpse of what that living space might have been like. In the 1950s a decade after the Shelleys arrived, Green lived in what he calls 1890s-era "St. Louis vernacular housing" in the Jeff-Vander-Lou neighborhood where J.D. first rented space on St. Francis St. "We heated with a potbelly stove. It had an inside toilet facility," he says, that was used by four families and became so foul that "we used a chamber pot" instead. He adds that his dream home remains a new construction house because, "when we moved out and left the sensations and smell of it, I never wanted to live in an old building ... again."¹⁰⁵

Domestic life: singing and partnership

In trying to cobble together a sense of the realities of the Shelleys' domestic life, I found much to indicate that hardship did not proscribe their happiness. They may have been dirt poor in Mississippi and not far removed from it when arriving in St. Louis, but they apparently were not hungry; they may have been underemployed and underpaid but never unemployed: and, they made steady progress into the urban working class and were able to save close to \$1,000 over their early years in St. Louis. Two important indicators suggest the Shelleys, who worked multiple jobs and saved diligently, were actually better off than most black families: The median income for a black man in 1947 was \$1,279.¹⁰⁶ Defense workers earned 80 cents an hour during the war – and even if Shelley earned half that as a black mechanic at the St. Louis Ordnance plant and had not worked a second job, he would have easily matched or exceeded the median income for black men.¹⁰⁷ Only 21 percent of black Americans owned their own home in 1940.¹⁰⁸ And by 1945, when the Shelleys bought their house at 4600 Labadie, only a little over 50 percent of *all* Americans owned a home.¹⁰⁹

Of course financial health is not necessarily equivalent to happiness; but the Shelleys' emotional well-being was likely at least as rich. Comparing where the Shelleys started financially – an annual household income of \$250 in the 1930s in Mississippi – with where they were a few short years later at more than five times that income, they were quantifiably better off.¹¹⁰

I asked Chatlee Williams – who, at 87, is the last surviving Shelley child – what she remembers about her mom and dad.

“They sing,” she said, without hesitation. It’s a fragment of memory, to be sure, because Chatlee has Alzheimers and, though smiling and nodding during my two-hour-

plus interview with her granddaughter, she said little more except that she loved Ethel’s cooking. But relatives in the room for the interview chimed in to validate her answer, “They sure *did* sing – gospel.” And, yes, everyone loved Ethel’s food, much of which came from her own garden. And she cooked, as long as she lived, for her children and their children – a constellation that grew into the many dozens orbiting the

Shelley house.¹¹¹

Not only was there singing in the Shelley home, but Monica Beckham Holmes, a Shelley great-granddaughter who lived there, says J.D.’s distinctive high-pitched whoop of a laugh was a signature of the home – especially when he watched the Cardinals on a muted TV with a radio announcer calling the game. The early 1940s was a golden time for a Cardinals fan. J.D. had been in St. Louis just three years when the team beat the Yankees in the 1942 World Series; and they went on to three more series in 1943, 1944 and 1946. J.D. didn’t hold a grudge against the team for its racist policy. He told Irons



CHATLEE SHELLEY WILLIAMS (LEFT), 87, LAST SURVIVING CHILD OF J.D. AND
ETHEL SHELLEY WITH HER GRANDDAUGHTER MONICA BECKHAM HOLMES.
SOURCE: SARA BANOURRA/CLARA GERMANI

FIG. 15

that, “When I came to St Louis ... the baseball diamond up on Sportsman’s Park, they don’t allow no colored in there at one time. When they did open up for colored, onliest place they could sit was in the bleachers.”¹¹² And, he had to have known, the pioneering black player Jackie Robinson was on record saying the worst jeering and treatment of black MLB players was in St. Louis.¹¹³

While Ethel sewed and knitted when she wasn’t cooking and gardening, J.D.’s amusements extended to playing cards and checkers. Evans, who did not know the Shelleys, was familiar with how games of chance captivated poor rural newcomers – particularly lotteries, unfamiliar to Mississippians. The itch to play the lottery “was exciting,” he says, noting that black kids would congregate at corner stores where the betting went on in the black community. But whatever hope or mental transport ghetto residents derived from the thrill of gambling, the devout Ethel was only disturbed by it. The family recalls her expressing premonitions of doom for family members who sinned that way. Indeed, her only son, J.D. Jr. and her much younger half brother, who the Shelleys raised, were both killed in card and dice disputes as adults – creating psychic wounds for Ethel, that descendants say laid her low in old age.¹¹⁴

Ethel had a strong faith community at the Pentecostal Church of God in Christ. And by all family accounts, she was a pillar of spiritual strength – singing gospel while cooking and reading a big, thick family Bible aloud in the living room. She had wrapped it in clear plastic and maintained the sprawling family tree her grandparents had started in it in the late 1800s. Psalms 23 was her favorite passage, assuring her of God’s shepherding and restorative capacity in her struggles.¹¹⁵ That Bible, says Holmes, has

gone the way of most family artifacts: lost or as good as lost to the wider family in possession of one of the more than 100 descendants.

Devout to the point of being considered a “prophet” and susceptible to channeling the divine by speaking in tongues, Ethel was considered the serious Shelley; a thin, light-skinned mulatto, she was never seen in pants and grew plumper with prosperity; she did not adorn herself with makeup or jewelry beyond a brooch pinned to her hat for Sunday church services.¹¹⁶

In the very American declension of social power – white men on top, followed by white women, then black men, and finally black women – Ethel had always been at the disempowered bottom: a poor or working class black woman. But as J.D.’s partner, she held powerful sway even as she played out the traditional gender role of housewife.

They were perfect partners, says Holmes, “because she was the church lady, she was the backbone ... she really was ... she was more of the housewife, she took care of the home and made sure we were fed, clothed and had anything that we needed. And on top of that, she worked, even as [J.D.] worked. But she was the more serious person [and] he would fall back on her ... to make decisions, like to leave Starkville.”

Holmes recalls other ways they worked well together: the story of Ethel’s inexpensive wedding band falling down the kitchen sink, for example. J.D. pulled the plumbing apart in a failed effort to find it – a memory absent of acrimony that seemed to Holmes is more testament to their strong bonds than any great loss.¹¹⁷

They shared the typical trials of parents in every age; worrying about Allie – the eldest, who took to carrying a knife to guard against attacks that threatened on urban

streets.¹¹⁸ They loved and were totally invested in their children, at least one of who lived with them until their deaths. And they did not hesitate to stretch their capacity to love and care for more. During their early years in St. Louis they “adopted” the youngest three of Mrs. Shelley’s 20 siblings when her second stepmother died in Mississippi – increasing to eight the brood they fed, clothed, housed and guided. That decision, of course, was taken by Ethel, who bore the brunt of the cooking, cleaning, and – as mothers inevitably do – the worrying and comforting of children making major transitions from free-range, barefoot rural children to city kids.

We pay rent, why not make house payments instead?

The epitome of their partnership was the decision, together, to buy a home. It was a bold idea that accentuated how far from Poorhouse Road they’d come, geographically as well as in their self-perception as people with expanding expectations. And, given the barriers to a black family buying a house in the racist St. Louis housing market, their decision was an act of resistance.

“We had been wanting to buy us a house but we thought we better save up some money while we was both working. I told my wife, I tell you what we’ll do. My check is more than yours, and we’ll just save my check and we’ll use your check to take care of the family and the household,”¹¹⁹ J.D. told Irons.

The idea gestated until the summer of 1945 as World War II ended. Perhaps it was the giddiness of victory infecting the nation, generally, and the Shelleys’ perceptions of a freer psychic horizon, specifically, but J.D.’s attention to that goal of a house strayed

to another symbol of the American Dream. “[When] we had some money saved up, I wanted to buy a new car,” he said.¹²⁰

That betrayal of the plan clearly set off domestic fireworks. Ethel’s sincere focus on a home for her family was unwavering. She laid down the law, J.D. said: “My wife says, J.D., no! We got these kids and it’s hard for us to find a place. What we’ll do is we’ll take what money we got and buy us a home. And when we get it straight and I’m still working, then we’ll buy us a car. I told her we couldn’t pay for no home and she said we pay rent, so we can make the payments on a house.”¹²¹

Their competing ideas of progress each had merit. As discussed previously, the American Dream of homeownership has been a gold standard of good citizenship and mastering one’s destiny. But in 1945, the average US home price was \$4,600; the average new car price \$1,020;¹²² and the car was the easier reach. Perhaps no other type of consumption could elevate the buyer so powerfully and quickly in the 1940s as an automobile purchase. It was true upward mobility – *mobility* in space, time and socio-economic terms, not to mention pure pleasure. The shiny aerodynamic steel was the American Way of industrial might and pioneering mobility – the driver in control and free to go anywhere. It was as compelling for a black buyer as it was fear inducing for a white racist hoping to separate and control blacks. Also, a car would be virtual armor in hostile territory, whether white or black. “Cars moderated the fear of venturing from the safety of a black community into white dominated space. Parents traveling with children could more adequately protect their offspring from the verbal and psychological assaults that accompanied a ride on a public conveyance.”¹²³ (Also, the Shelleys, had reason to

want protection: Their young teen daughter Leatha had recently escaped an attempted assault on the street near their downtown apartment.)

Given that powerful inducement – and the strong likelihood he’d always be firmly at the wheel of the car, if not the family helm – it’s understandable J.D. would find speedier gratification in a car purchase.

But the overlay of gender dynamics at the time is telling. While Ethel couldn’t immediately bring J.D. to heel, his male boss did, in a gesture masking but not limiting Ethel’s domestic power. “I talked to my supervisor the next day when I got to work,” Shelley told Irons, “and he say, Shelley, you know what? Your wife is right. So I came home and told her, Well, we’ll just go ahead and find a place.”¹²⁴

A civics lesson

The Shelleys had none of the savvy necessary to be in full control of the complicated future their new home would hold for them. Their path would involve them in an unfamiliar world of real estate agents, bankers, lawyers, civil rights activists, and closer proximity to white neighbors. The complexity was characterized in one court scene to come in which Ethel, on the witness stand tangled in confusion over three deeds of trust the couple had signed, was unable to account for exactly what financial commitments they’d made on the Labadie purchase.

It’s worth discussing, in this context, J.D.’s first brush with the world of business, law, and the assertion of civil rights at the St. Louis Ordnance plant, which was the anchor of his income during the war years. He was a mechanic at the world’s largest manufacturer of .30-caliber and .50-caliber ammunition for rifles and machine guns. The

government contractor employed nearly 40,000 in a war machine covering 240 acres and producing 24 hours a day, seven days a week. One Rosie the Riveter who worked there colorfully wrote about the factory in a St. Louis history magazine this way: “The place was immense. It swallowed me up. Enormous and terrible machines smiting the air with their unearthly poundings made me cower.”¹²⁵

The government war effort on the home front was a veritable crucible of social forces that gave J.D. an up-close civics lesson. And in what little commentary by J.D. that was ever recorded, the plant experience stands out as formative for him in its intersection of race, gender, economics, labor relations and civil rights.¹²⁶ With a generation of white men off at war, the social order on the home front was being tested: White women were pulled into defense industries to fill the gap while black workers were excluded. St. Louis was a flashpoint in the battle to change that: In 1942 hundreds of black protestors marched at the ordnance plant and won the right to work on a segregated production line; and eventually, in 1944, over some white protest, the government ordered full integration on the production line.¹²⁷

Here is J.D.’s first-hand account of what he saw in 1944, and how he interpreted it for Irons: “They had women operating the machines that make bullets. The mechanics, they were all men, and they had to fix the machines when they broke down. The colored men, they had to fix the colored girls’ machines; the white men, they fixed the white. Some of the colored mechanics, they complained about this, they figure they should fix whatever machine is broke. So they had a meeting at the Kiel Auditorium downtown, which was called by the union. A union man come from up north somewhere, and the man say we got a war and colored is over there fighting for this country. And he say,

There's got to be a change made; we going to fix it where the colored man going to be the mechanic on the machine for the white girl and the white men for the colored. And one white man get up and says he would rather work with a dog than work with a nigger. And they told him, You just have to work with a dog; if you want to stay out there you going to be a mechanic on the colored girls' machine. So they changed that." ¹²⁸

J.D.'s granular description of how this racial confrontation unfolded in a 9,000-seat arena full of union workers – with a white racist stripped of his bravado and given leave to work with a “dog” – is exquisitely simple in its emphasis on white comeuppance. The indistinct “union man” appeared from “up north somewhere” to deliver justice for black workers, even if it displeased the majority white membership. He was witnessing the collective power of community networks to help the underdog. This precedent experience would help build Shelley's trust in the savvy and power of the black professional network that would lead the family to purchase their house and then swarm to the legal battle as it rolled from the St. Louis Circuit Court and on up to national importance at the Supreme Court. That trust provided a measure of psychic comfort in the three-years of uncertainty it took to settle the case. But the hindsight in reconstructing the Shelleys as historical figures, suggests they were unaware of their precarious vulnerability to the very people pressing their case for profit or larger reasons than just the well being of one black family.

*A short history of the covenant*¹²⁹

"... no part of said property... shall be ... occupied by any person not of the Caucasian race, it being intended hereby to restrict the use of said property ... for resident or other purpose by people of the Negro or Mongolian Race.... It is further contracted and agreed that upon a violation of this restriction....parties to this agreement shall be permitted ... to bring suit at law ... to enforce this restriction [by forfeiture] of the title to any lot or portions of lot that may be used in violation of this Restriction...."

– Excerpt of the race restrictive covenant at issue in *Shelley v. Kraemer*. It was signed by owners of some properties on Labadie Avenue between Cora and Taylor Avenues, including the Shelleys' home at 4600 Labadie and the Kraemers' home at 4532 Labadie.¹³⁰

These are the words that shaped the modern American ghetto. Repeated in contracts all over the country, they created visible lines of demarcation between black and white neighborhoods by restricting blacks to certain areas and excluding them from white areas. This particular covenant, drafted when the Shelleys were toddlers in Mississippi 1911, would lay buried in St Louis City Hall for 34 years before it would be tested.

At first, the racial dirty work of segregated housing was accomplished in the early 1900s by municipal racial zoning ordinances, but they were struck down by the US Supreme Court in 1917 as discriminatory state action violating the Fourteenth Amendment. But, private agreements to discriminate circumvented that and a

“covenanting craze” ensued: the growth in the use of these contracts in northern cities paralleled the increase in the arrival of black southerners in the Great Migration.¹³¹

Close to 400 racial covenants were recorded in St. Louis on tracts of

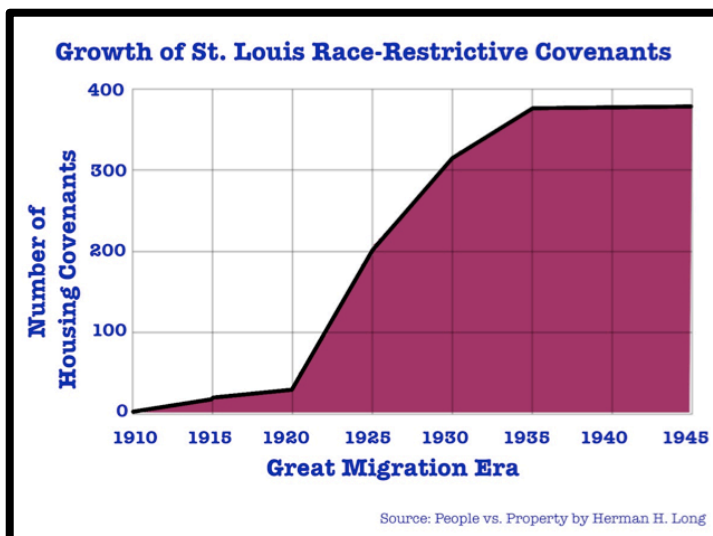


Fig. 16

housing between 1910 and 1940, a period that saw a 40 percent increase in the black population of the city.¹³²

The Labadie Avenue covenant that would threaten the Shelleys had already been drawn up, signed and recorded by homeowners in 1911. White developers originally subdivided the land in 1881, during an era so fresh from slavery that the notion of black neighbors may not have been conceivable to white homeowners.¹³³ (However, the Shelley v. Kraemer court documents do mention that 4608 Labadie had been occupied by blacks continuously from 1882.)¹³⁴

Deep in the bowels of St. Louis City Hall is a 10-pound ledger of real estate transactions for February, 1911, titled “#2400”; and deep in that 500-page book, in flowing script by government officials on yellowing lined paper, is the thorny cause at the heart of Shelly v. Kraemer.

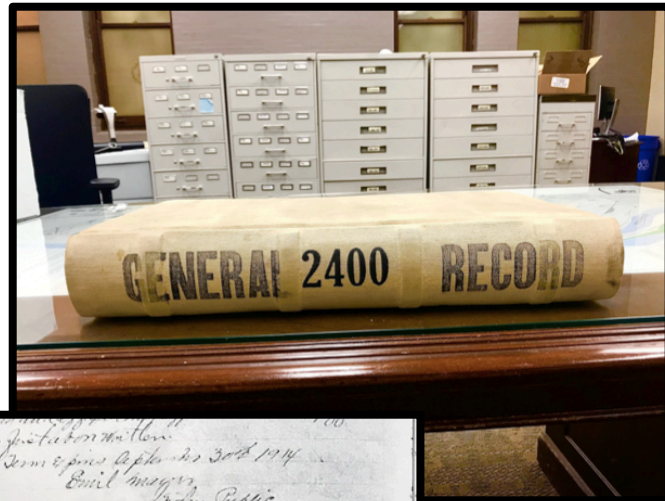
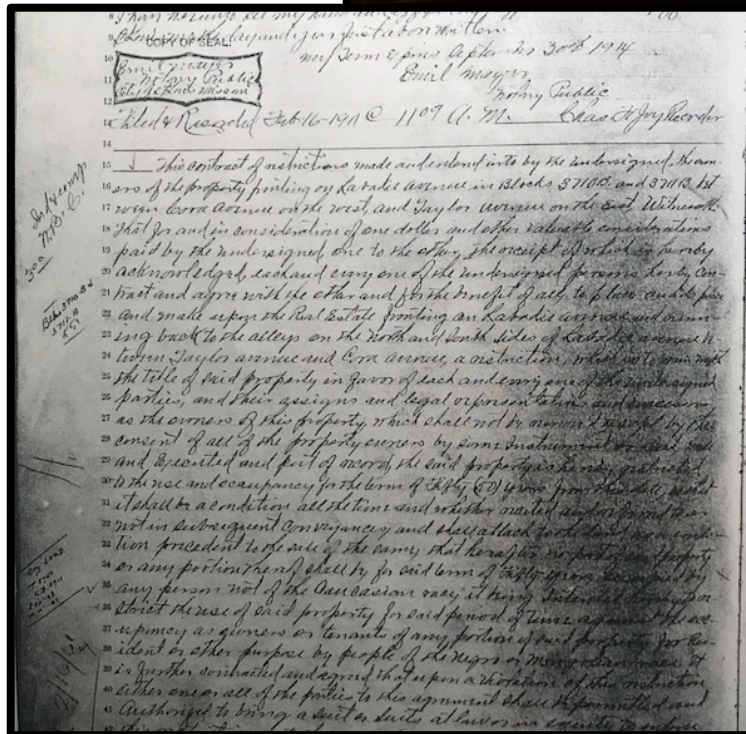


FIG. 17
THE RACE RESTRICTIVE COVENANT IN THE SHELLEY CASE (LEFT) IS BURIED DEEP IN RECORD BOOK #2400 (ABOVE) AT ST. LOUIS CITY HALL.

It is a private agreement between nearly 40 homeowners on Labadie Avenue, backed by the law of the time, to conspire never to sell to “negroes.” It boldly claims to be in force for any seller of the properties through 1961.



SOURCE: CLARA GERMANI/ST. LOUIS CITY RECORDER

FIG. 18

My search for the document is an important digression here because it highlights the confusing nature of the document records. And that's key to the uncertain lore, that I will discuss later, that has grown up around the case about how much the Shelleys, their real estate agents, and lawyers knew about the covenant – whether there was a “conspiracy” to foil the covenant or a genuine ignorance of it, or a willingness to let it remain fuzzy.

The document found in book #2400, a copy of the original race restrictive covenant apparently lost to history, is hard to find; it was recorded with the city by a group of owners who belonged to the Marcus Avenue Improvement Association, and it listed no addresses for which Labadie properties it was to cover – but it certainly did not cover them all. In its bold but imprecise declaration it was effectively a bluff to portray neighborhood white solidarity with racial restrictions. It also seemed to float into the ether of memory after signed and filed at City Hall.

Copies were never recorded with the several deeds of sale of 4600 Labadie before the Shelleys purchased it; nor could the existence of the covenant be known to a buyer like the Shelleys unless the owner told them about it, or if a buyer suspected it and made the difficult search to find it.¹³⁵

The fine print in buyer-beware disclaimers in title insurance policies today attest to the fact that covenants of all kinds – among other legal agreements on real estate – can be undetected land mines.¹³⁶

Property records are crammed into record books in chronological order – but that is no aid to a search without knowing an exact date of a record or a city block number (not to be confused with an address) and even in possession of those key details, a search

must be done through thousands of pages of documents per year, in script illegible to a modern reader's eyes. Further, a document may be filed on a different date than it is signed. And human errors – of which there were many in 4600 Labadie records – can throw off a search: For example, the first Shelley court case transposed the numbers of the Kraemer address; and the signature of the seller (Josephine Fitz Gearld) copied in the deed of sale to the Shelleys is different than in the seller name above it (Josephine Fitzgearld) in the typed document itself – which, in turn, caused a gap in the indexing and difficulty finding it. In court documents the seller's name is listed as Josephine Fitzgerald.

Suffice to say: The foundational documents of the Shelley case – the covenant itself and the deeds accruing after it – are a confusing paper swamp that invited trespass.

The Shelleys arrive

Insignificant as it looks, a tiny entry in a volume of tens of thousands of residential listings was a clear indication the Shelleys had “arrived.” As artifacts of social recognition, Gould's St. Louis Directories were a social record of existence. And in 1947, two years after the Shelleys bought their home, J.D. appeared for the first time in these annual directories. He was not listed as a “Negro” as had been common in the directories up until that time, but as the owner of 4600 Labadie Ave.; and a tiny icon of a bell indicated he had a telephone.¹³⁷

The privately published directories were full of advertising and ostensibly listed the head of household of every residence in the city – renters as well as homeowners. But the Shelleys, who'd lived in the slums of downtown for five years, had been invisible to

these precursors of the modern phone book. With his 1947 entry, Shelley gained *visible* record of presence, listed just a few entries away from his white neighbor Louis Kraemer, who had brought the lawsuit aiming to evict the Shelleys because they were black.

Visibility creates a public face – an identity for others to see, and for self-respect. Visibility, of course, was a conflicted experience for the Shelleys. In Mississippi, when J.D. put himself on the sheriffs’ radar by helping a black girl they’d beaten, visibility to white authorities triggered his fear and flight to St. Louis. Then, in St. Louis and embroiled in a racist lawsuit, the Shelleys’ public profile again was that of troublemakers in a white world.

Two years before, on Oct. 9, 1945, J.D. left for work in the morning from the family’s tenement flat. “There was an air of great expectation [because that night] instead of going to the house of a landlord, he would be going to *his* home.”¹³⁸

He’d arranged a pickup truck to deliver the family’s belongings to the 1906 two-unit brick house the family bought on Labadie Avenue. Ethel took a day off work as a seamstress at the Welsh Baby Carriage factory to direct the move, and had the delivery brought in through the alley to the back door – which, in court testimony later by their white tenant could be read as stealth in trying not to be seen by white residents.¹³⁹

For their part, the Shelleys never indicated they were fully aware at the time of just what a breach of racist rules they were committing.

But the sun had barely set that day before they knew trouble was brewing. When J.D. stepped off the bus on Cora Avenue, a black man coming home to a white neighborhood, a police officer on foot tagged him. It would be just the start of three years of uncertainty about whether they could stay in this home.

“This one police, he come up and he ask me what was my name and I told him, J.D. Shelley,” he related to Irons. “He ask me what was I doing out here, and I told him I’m going home. He say, Home? Where you live? I say, 4600 Labadie. He say, Labadie? I say, I just moved; my family just moved today. I had a fellow to move me. I didn’t take off from work; I just hired this fellow to move me. So the police, he followed me all the way to the house. He stopped on the sidewalk, and I went on up the steps and got my key out of my pocket and went on in the house. So he left.”¹⁴⁰

Within days, Ethel answered a knock at the door and was served with the lawsuit claiming their purchase of the home violated a 1911 agreement by 30-some white Labadie neighbors to restrict ownership and occupancy of their homes to white people. No addresses were listed on that covenant, but the original owners of the Shelley’s home had signed.

And within days of that, Ethel would be thrust forward as the public face of the family sitting on the witness stand in court, being grilled by figures of white power – the Kraemers’ attorney and a circuit court judge. Corresponding black power players swooped in to take the helm of financial and legal decisions for the Shelleys, a group that would become the Real Estate Brokers Association of St. Louis.

But Ethel still had to speak for herself in the courtroom. Historians analyzing the transcripts of her testimony have interpreted her as nervous – which might seem natural for a working class black woman in such a setting. But her words on paper suggest she was the steady and honest Ethel the family considered its moral “backbone.” Uncowed, she straightforwardly refused to swear to tell the truth because “swearing is against my religion.” And, aside from being confused about the language and math involved in the

financing of the house, she directly answered Judge William K. Koerner, who seemed to grow more respectful of her mix of dignity and vulnerability as he became angry with the way her real estate agent had handled the Shelley sale.

Rings of trust

The first step the Shelleys had taken to find a home was to go to the first ring

of trust in their black community: their pastor at Church of God in Christ, Elder Robert Bishop. Not only was he a connection of spiritual intimacy, but he was a real estate salesman they implicitly trusted.

Bishop showed the Shelleys several homes over the summer of 1945. It was the two-unit brick 4600 Labadie that the Shelleys liked – though the unit they would occupy had just four rooms, they liked the idea of rental income from the other unit.¹⁴¹



FIG. 19

4600 LABADIE AVE. (LEFT)

SOURCE: CLARA GERMANI

Bishop was familiar with the neatly kept Labadie neighborhood in the Greater Ville, just outside the strictly black Ville, because he knew black residents who lived on the largely white street. A black relative of his owned a home at 4606 Labadie, and a black grade-school classmate owned 4614.¹⁴²

Their presence and that of black children playing on the street not only convinced the Shelleys this house would be perfect, but those black residents also provided the agent cover for any ignorance the Shelleys or he might plead in court.

As Ethel would tell the judge: “I understand the white people don’t want me [but] I see other colored people on the street, that’s why I bought it. If I hadn’t a-seen them I never would.”¹⁴³

The judge responded to her puzzlement: “You have the sympathy of the Court; I will tell you that.” (This and his general treatment of Ethel was attacked in the Kraemers’ appeal as “over kind” judicial bias.)¹⁴⁴

Their pastor, Bishop, worked for E.M. Bowers – one of several prominent black realtors who would unite later to fund the Shelley legal case. They all were practiced in using straw purchasers – willing whites who would buy a property with the black purchasers’ down payment and then deed it over to the purchaser in order to avoid causing white sellers to balk at a sale to black buyers. Also, as Bishop would testify in court, using a white straw party “has been an advantage to me in financing” because whites could secure “larger loans, better loans” from banks or private lenders – sometimes at interest rates of up to 3 percentage points less than blacks could secure. The white borrower could turn the low-rate loan over to the black buyer.¹⁴⁵

Though the agent for the sellers of 4600 Labadie told Bishop that they would “prefer” not to sell to black buyers, Bishop testified in court that he did not see any restrictions on the title of the property about who could buy the house, nor was the existence of a covenant on the property raised by the owner.¹⁴⁶ However, in grilling

by the judge and plaintiffs' attorney, Bishop revealed that he hadn't thoroughly researched the history of the property, either. (As I explained earlier, it is not easy to document covenants and whether Bishop was willfully disregarding its potential existence or genuinely ignorant was not resolved in court.)

But historian Jeffrey Gonda asserts that the murkiness surrounding efforts to break covenants was "often an ugly affair built upon a mixture of desperation, deception, risk and greed." It put black families like the Shelleys at "the mercy of both a market that held few adequate options apart from covenanted homes and realtors whose motives were unclear at best and outright exploitative at worst.... how these families became the exemplars of covenant-breaking revealed some of the weaknesses in the barriers that enforced residential segregation but also illustrated the complexity, uncertainty and risk that the black home seekers faced."¹⁴⁷

The powerbrokers in black communities across the country allied with civil rights organizations like the NAACP and the American Civil Liberties Union to fight covenants. In St. Louis, black real estate leaders came together to fund the Shelley case and hire attorney George L. Vaughn to represent the Shelleys. But they took an independent path that put them in conflict with those civil rights groups, which had legions of legal thinkers led by future Supreme Court Justice Thurgood Marshall. In turns politely, condescendingly, and rudely, those organizations demanded the ownership of the strategy to bring a strong covenant case to the Supreme Court. And the Shelley case did not have their blessing because they felt that the covenant at

issue had not been exercised categorically (blacks lived on Labadie already) and therefore was a weak test case.¹⁴⁸

As is now obvious in Ethel's court testimony as well as in correspondence between those shepherding their case, the Shelleys put their \$610.39¹⁴⁹ nest egg and themselves in the hands of concentric rings of apparent trust that they didn't understand. Their pastor and real estate agent would profit off their ignorance of the sales process; the local black business alliance would steer command of their case toward their own goal of aggressively pushing limits on black homeownership and opening doors to sales and profits; and the national civil rights groups championing the greater good of all black citizens through precedent setting law and not saving the individual dream (and nest egg) of an individual family.

Suspended between these interests, the Shelleys had everything to lose – if they were evicted, it would taint the property in ways that might depress the value of the house for black or white buyers. Though Judge Koerner would find that Bishop “probably” knew they were breaking a covenant, he ruled that there was no evidence the Shelleys knew.¹⁵⁰

But the couple may not have had equal knowledge of the machinations of their purchase, given Ethel's discomfort for “gambling,” the notion that their purchase was a risky bet against covenants might have been something she cast a blind eye to; or that J.D. didn't want to fully divulge to her. This is speculation informed by the facts and tenor of their relationship and reinforced by great-granddaughter Monica Beckham Holmes who indicated there had always been a flavor in family lore that the Shelleys, while not totally in control of their case may

not have been as unaware of detail as it seemed. After all, they were not neophytes in the ways of tenacious racism or class divides – white doors didn’t just open to black people unbidden; and black elites didn’t invite them to dinner.

But whatever they did know, Judge Koerner seemed certain they’d been hoodwinked by their pastor in the deal.

Bishop profited hugely on the Shelley sale: the house was bought for Bishop by straw buyer Josephine Fitzgerald for \$4,700 and resold almost immediately to the Shelleys for \$5,700 – a \$1,000 or 20 percent profit. (Recall, as comparison, that the median income for a black man in 1947 was \$1279.) Not only did this sale amount to Bishop unethically acting as agent for buyer and seller, but the excessive profit along with that drew Judge Koerner’s anger. But then Bishop justified his profit as low, explaining to the judge that he had actually done the Shelleys a favor in the tight market for black housing. The pastor’s “charity” seemed oddly perverted: He told the judge that he could have easily sold 4600 Labadie to other desperate black buyers for \$6,500.

An enraged Koerner told Bishop: “Well you can tell that to the Missouri Real Estate Commission.”¹⁵¹

Meanwhile, the Shelleys’ attorney George L. Vaughn – the son of slaves, who was a charismatic orator and local politician but not widely considered a brilliant legal mind¹⁵² – was also torn between forces in the case. His unassuming clients’ interests should have been his top priority, but that was complicated by the black businessmen and activists paying his fees and the aggressive tactics of national civil

rights groups who battled to keep Vaughn from filing for certiorari with the Supreme Court and fouling their ownership of covenant strategy.

This storm of competing interests – “often an ugly affair built upon a mixture of desperation, deception, risk and greed” – raged outside the Shelleys’ obscure and prosaic domestic orbit of multiple jobs and providing for eight children.¹⁵³

A narrative of altruistic conspiracy to break covenants has grown up around the Shelley case, suggesting heroic advocacy by middle-class, educated blacks for poor black clients like the Shelleys who were desperate to break out of the American ghetto confines. The narrative justifies bending the rules. Thurgood Marshall, the NAACP special counsel who would argue the other cases consolidated into *Shelley v. Kraemer* in the high court, said “you can’t expect to break into a neighborhood at the regular rates” with “ordinary service” because, “I don’t see how we can expect to break the agreements if we don’t have these law breakers.”¹⁵⁴

The novelized version of the Shelley case, *Olivia’s Story*, which is sold as a history of the civil rights case at the Missouri History Museum, gathers and stretches the tales of heroics of the middle-class black activists helping the Shelley case. It suggests briefly but without detail that J.D. was in the room on the elaborate plan to doctor deeds and hide the covenant from bank finance officers. (Remember, again, the copies of the covenant did not get recorded with several deeds of sale previous to the Shelley’s for 4600 Labadie.)

In all of these narratives, the Shelleys are minimized or erased from the telling. Flattened by the focus on the greater good their case symbolizes, there was much in the texture and drama in their individual experience that was left to

fragmented family lore but not acknowledged in larger narratives of the case such as: the day-to-day anxiety of hanging in the legal balance; handing over control of their case to the black community of professionals several class rungs above them; suffering the fear of one of their daughters being taunted by a group of white boys and bricks thrown through their window; Ethel's stentorian prayers of petition or gratitude being reported by neighbors as a disturbance of the peace.¹⁵⁵

News stories in both the black and white press while their case wound its way through the courts – between 1945 and 1948 – featured the legal players but not the Shelleys. Ethel's 1945 court testimony – 14 pages of transcript – is the only record of her expression, coaxed sympathetically but sternly from her by a white judge. Likewise, Peter Irons' published interview with J.D., a tantalizingly short six pages, is all that is tangibly left of the Mississippi migrant's view of his own life.

Their case was argued before the U.S. Supreme Court in January 1948, and drew few headlines at the time. The Shelleys were not in the courtroom which was packed with a black audience for hours of testimony by lawyers for five other families fighting covenants in Washington, D.C. and Detroit along with the Shelleys, as well as the US Solicitor General who threw in strongly for the government against the covenants. Given the dearth of news coverage of the Shelleys' day in the Supreme Court, they may only have heard second hand how they were represented at court.

A moment's drama between Vaughn and Marshall crystalized what was at stake: The striving educated – even elitist – black activists were looking to break segregation in the nation's highest court for all blacks. The provincial lawyer – with

a skill for rousing oratory – represented individual blacks and the granularity of their vulnerability in a white world.

Vaughn’s performance was universally panned as irrelevant because he stubbornly chose to argue the Thirteenth Amendment, which ended slavery, rather than to attack the seller’s right to discriminate in private matters as the other parties did in coordination, based on the 14th Amendment. But, as was his way, Vaughn flipped a switch at the end of his dry argument and sparked the drama that strayed from legal technicality into the emotion of just what a case like this meant. And it meant different things to different players.

There are only two commentaries to be found from witnesses of that moment: one from a white attorney who would lead US government civil rights legal strategy for ensuing decades, the other, Marshall, himself.

Marshall viciously distorted the scene – even mocking black cultural vernacular – to his biographer Juan Williams, unable to forgive the lesser attorney Vaughn for defying Marshall’s strategy.

Vaughn, Marshall said, was a “blunderbuss....

“We’d all worried about this guy. So we tried to tell him what to argue and he would not listen. He wanted to argue the Thirteenth Amendment [which freed the slaves].... he didn’t get a question from any of the justices. And at the end of his argument he stood up in that damned courtroom and filled to the gills with people, and he said in a loud booming voice that you could hear out in the streets: ‘And Moses looked across the River Jordan and looked across the Mississippi River and said, let my people G-o-o-o-o-o-o.’ And we were all sitting like this,” Marshall said,

his eyes wide and mouth hanging open. “Then he got through and sat down, right in the front row, and promptly went to sleep. The guard got up and walked over toward him. I got up and said to him, ‘Are you goddamned dead?’ ”¹⁵⁶

Not having egos tied up in the case as Marshall did, but rather their own well being – which Marshall and his allies had considered a “soft hearted” concern – the Shelleys would recognize themselves and their plight more in Vaughn’s soliloquy than anything else said in court that day.

A young attorney from the Solicitor General’s office, Philip Elman, recounted the scene in his oral memoir in stark contrast to Marshall: “I’ve never forgotten this man ... who in a few sentences made the most moving plea in the Court I’ve ever heard.... He was a very old man, and he made an argument that as a professional piece of advocacy was not particularly distinguished. You might even say it was poor. He didn’t cut through all the underbrush; he got caught in it. And the justices didn’t ask many questions. It was a dull argument until he came to the very end. He concluded his argument by saying..., ‘Now I’ve finished my legal argument, but I want to say this before I sit down. In this Court, this house of the law, the Negro today stands outside, and he knocks on the door, over and over again. He knocks on the door and cries out, “Let me in, let me in, for I too have helped build this house.” ’ All of a sudden there was drama in the courtroom, a sense of what the case was really all about rather than the technical legal arguments. The Negro had helped build this house, and he wanted to be let in the door. Well, I’ve never forgotten this man ... who in a few sentences made the most moving plea in the Court I’ve ever heard.”¹⁵⁷

The court did open the door, and the Shelleys were relieved to step in – to stay at 4600 Labadie and go on with their lives. The landmark decision said that private parties wanting to discriminate could not turn to the courts (or government) to help them do it that: race restrictive covenants were dead, and their name could not be erased from that verdict.

EPILOGUE



FIG. 20

THE FEBRUARY 2019 REDEDICATION OF THE HISTORIC MARKER ON THE SHELLEY HOUSE INCLUDES THE MAYOR, A CONGRESSMAN, AN ALDERMAN AND VARIOUS REAL ESTATE AND HOUSING OFFICIALS – BUT NO SHELLEYS FAMILY MEMBERS.
SOURCE: THE ST. LOUIS AMERICAN

What’s wrong with this picture?

That’s what Monica Beckham Holmes and other descendants of the Shelleys were wondering this past February when they saw news photos of the rededication of the historic marker on the Shelley House at 4600 Labadie Ave.

The mayor, a congressman, various real estate businessmen and housing activists – and the current owner of the national historic landmark – crowded into the photo. But there were no Shelleys in the photo – or even on the invitation list. There are hundreds of descendants of the poor Mississippi couple who fled north in the Great Migration and vaulted into the American Dream – black faces on a very white cultural background, they bought a home and fought to the Supreme Court to keep it.

Holmes wondered how these people could “use the Shelley name” without involving the Shelleys. That’s what this project has been about: shining some light on the humanity of the eponymous characters of a momentous historical event that boosted U.S. civil rights as well as the careers and businesses of other key players in that moment.

The Shelleys, themselves, did not talk about the case much after that photo of Ethel so seriously contemplating their name in the newspaper headlines. The case for them, arguably, represented grinding years of worry as they went to work and raised the kids in a house they might lose – as opposed to the intellectual strategizing, public relations, career-building and business maneuvering of the coterie of professionals who supported them and were in the public spotlight. When they won, there was intense but brief attention to the Shelleys, and they went back to their routines. The law had changed, but segregation would continue through new, cynical workarounds such as racial discrimination built in to public and private financing policy. Indeed, just a year after the case was decided in the Shelleys’ favor, white mobs attacked black residents just blocks from the Shelley home in Fairground Park, which had tried to integrate a public swimming pool.

The Shelleys' descendants were almost laughably clueless about J.D. and Ethel's historical moment. Great-granddaughter Tawana Beckham said, on the Living Here podcast, that she was a teen sitting in a classroom in the 1980s when her teacher mentioned Shelley v. Kraemer. "I had no idea," Beckham recalls, explaining her surprise. "What? Wait a minute. I remember going home just shocked."¹⁵⁸

The Shelleys, themselves, seemed to have little awareness of the long-term importance and fame of their case because they had never been celebrated for it. In 1988, five years after Ethel died, the community mounted a 40th anniversary celebration of the case, and J.D. was feted in a parade that drew huge crowds and wound its way to the front of 4600 Labadie. In a suit and tie – 50 years after he'd fled Mississippi fearing the eyes of white authorities on him for doing a good deed – J.D. stood up and said a few words to the crowd.

That's when he started telling the family about the case, says Holmes.¹⁵⁹

That parade and the light of discovery it shined on her grandparents, she told Living Here, "is the best thing I can say that ever happened in our family."¹⁶⁰

¹ Shelley family interview with the author. April 7, 2019. Chatlee Shelley Williams, last surviving child of J.D. and Ethel Shelley, age 86 and suffering from Alzheimers; Monica Beckham Holmes, granddaughter of Chatlee, great-granddaughter of the Shelleys.

² Wallace, Maurice O. and Smith, Shawn Michelle. *Pictures and Progress: Early Photography and the Making of African American Identity*. Duke University Press. (2012) p. 1-17. Wexler, Laura. *Ibid.* p.18-39. Douglass, Frederick. *Pictures and Progress*. Frederick Douglass Papers at the Library of Congress. (1865)

³ Thirteenth Census of the United States – 1910. Oktibbeha County, Mississippi. Supervisor's District No. 1, Enumeration District No. 102, Sheet No. 16 A. Ethel Lampkin Shelley's father, "Eligah Lampkins," age 34, born 1876. Given that Eligah's parents would had to have been born into slavery prior to Emancipation in 1863, it can be assumed that Ethel's grandparents were slaves. Their presence in rural Oktibbeha County, Mississippi where freed slaves were rare – even in some cases, illegal – and their lower-class profession indicates they were not freed slaves before Emancipation.

⁴ Shelley family interview with the author. April 7, 2019. Monica Holmes said J.D. Shelley spoke of seeing lynching victims hanging from trees; the Equal Justice Institute has documented six lynchings in the

Shelley's home county of Oktibbeha; and the Mississippi Civil Rights Museum lynching display lists 207 lynchings in Mississippi between the Shelleys births in 1907 and 1939 when they left the state. This all supports how common lynching was in the state.

⁵ Irons, Peter. *The Courage of Their Convictions*. The Free Press (1988) pp 63-79. I use J.D. Shelley's statement of his birth date as Dec. 25, 1907; but various other sources consistently site 1905 as his birth year; and one cites 1908. An April 23, 2019 email to the author from the Mississippi Department of Archives and History says that the state did not start recording births until November 1912.

⁶ Wilkerson, Isabel. *The Long-Lasting Legacy of the Great Migration*. Smithsonian Magazine. Sept. 2016

⁷ Matthew 5:13. *King James Bible* and Laymon, Charles, *The Interpreter's One-Volume Commentary on the Bible*. Abingdon Press. (1971) p. 615.

⁸ An April 3, 1947 letter from ACLU Acting Director Clifford Forster to Eugene Buder, president of the ACLU of Eastern Missouri, urging him to discourage George Vaughn and other "well-meaning but unknowing elements" from seeking certiorari at the US Supreme Court on behalf of the Shelleys, because the case was considered a weak test case.

⁹ Rothstein, Richard. *The Color of Law: A forgotten history of how our government segregated America*. Liveright Publishing Corp. (2017) pp 60-61.

¹⁰ Kelman, Ari. *A Misplaced Massacre: Struggling Over the Memory of Sand Creek*. Harvard University Press. (2013)

¹¹ Fullilove, Mindy Thompson. *Root Shock: How tearing up city neighborhoods hurts America and what we can do about it*. Ballantine Books (2004). Delaney, Samuel R. *Times Square Red, Times Square Blue*. NYU Press (1999). Robert Green, former Pruitt-Igoe resident, interview with author on the trauma of being uprooted. (April 6, 2018)

¹² Wallace, Rodrick and Fullilove, Mindy Thompson and Wallace, Deborah N. *Community Lynching and the US Asthma Epidemic*. Cogprints.org-University of Southampton. (2003). Villarosa, Linda. *Why America's Black Mothers and Babies Are in a Life-or-Death Crisis*. April 11, 2018.

¹³ Rudwick, Elliott. *Race Riot at East S. Louis, July 2, 1917*. Southern Illinois University Press. (1964) This was the first book on the topic, published in 1964, nearly 50 years removed from the event. Rudwick, a black Southern Illinois University professor of sociology, admitted in his preface that before 1960, "I knew almost nothing about the subject ... professional literature on race relations almost completely ignored the East St. Louis riot." It would be nearly half a century more before a second book explored the topic anew. And Ghoshal, Raj Andrew. *Transforming collective memory: mnemonic opportunity structures and the outcomes of racial violence memory movements*. Theory and Society, Vol. 42, No. 4 (July 2013) p.329. And *Never Been a Time: The 1917 Race Riot That Sparked the Civil Rights Movement*. Walker & Company. (2008) "There has never been a time when the riot was not alive in the [local black] oral tradition," East St. Louis poet Eugene Redmond, 80, told historian Harper Barnes, who used these words for the title of his book about the riot.

¹⁴ Douglass, Frederick. *Pictures and Progress*. Frederick Douglass Papers at the Library of Congress. (1865)

¹⁵ Missouri Historical Society Library and Research Center, St. Louis; Mississippi Civil Rights Museum, Jackson, Miss.; Mississippi State University Libraries, Starkville, Miss; Mississippi Department of Archives and History, Jackson, Miss; National Historic Trail Interpretive Center, White Hall, Ala.; Oktibbeha County Heritage Museum, Starkville, Miss.; St. Louis Mercantile Library, UMSL; Starkville (MS) Public Library; The Legacy Museum: From Enslavement to Mass Incarceration, Montgomery, Ala.; The Peace and Justice Memorial, Montgomery, Ala.; University of Missouri, St. Louis Library; Washington University Libraries Department of Special Collections.

¹⁶ Irons. pp. 63-79

¹⁷ Ibid.

¹⁸ Irons, Peter. Email to the author Jan. 14, 2019.

¹⁹ Ibid.

²⁰ Census 1940. JD Shelley annual income: \$250 a year

²¹ Holmes, Monica Beckham interview with the author interview April 7, 2019

²² Gonda, Jeffrey D. *Unjust Deeds: The Restrictive Covenant Cases and the Making of the Civil Rights Movement*. University of North Carolina (2015)

²³ Copeland, Jeffrey S. *Olivia's Story: The Conspiracy of Heroes Behind Shelley v. Kraemer*. Paragon House (2010).

Graham, Jamie R. *Shelley vs. Kraemer: A celebration – 40th Anniversary*. Girl Friends , Inc. St. Louis Chapter (1948) Irons.

Wilson, Margaret Bush. *Twigs from the Bush* American Bar Association (2009)

²⁴ Copeland, Jeffrey S. *Olivia's Story: The Conspiracy of Heroes Behind Shelley v. Kraemer*. Paragon House (2010). And *The Story of 'Shelley v. Kraemer'* a video documentary by Laney Kraus-Taddeo, starring Jeffrey S. Copeland. (2019)

²⁵ Copeland email to the author Oct. 9, 2018.

²⁶ Moore, Gwen curator Missouri History Museum; Rudolph Clay, Washington University librarian; Stratman, Jason Missouri Historical Society librarian; Miller, Joan St. Louis Municipal Judge; Lloyd, Tim St. Louis Public Radio reporter.

²⁷ Burns, Michael, president of Northside Community Housing, Inc. phone interview with the author, April, 2019.

²⁸ Declaration of Independence: A Transcription. July 4, 1776. National Archives website. <https://www.archives.gov/founding-docs/declaration-transcript>

²⁹ Desmond, Matthew. *Evicted: Poverty and Profit in the American City*. Broadway Books (2017) p. 293

³⁰ Hale, Grace Elizabeth. *Making Whiteness: The culture of segregation in the South 1890-1940*. Random House. (1998) p.179

³¹ Transcript of Record Circuit Court, St. Louis, Missouri. Kraemer et al v. Shelley et al. Oct. 21, 1945. Washington University Archives ACLU of Eastern Mo Records.

³² Rothstein. p 60

³³ Ibid. pp 60-61

³⁴ Ibid p 43

³⁵ Coles, James S., Starkville historian, personal interview with the author, March 14, 2019.

³⁶ U.S. Census 1930

³⁷ Peace and Justice Memorial, Montgomery, Ala. Exhibit materials; talk by GeDá Jones Herbert attorney-law fellow, March 14, 2019; and Gabrielle Daniels, project manager, email with author April 11, 2019.

³⁸ Equal Justice Initiative. *Lynching in America: Confronting the Legacy of Racial Terror*. EJI (2015)

³⁹ Equal Justice Institute lynching data map <https://lynchinginamerica.eji.org/explore/mississippi> and also interview with Monica holmes and other

⁴⁰ Williams, Juan. *Thurgood Marshall: American Revolutionary*. Times Books (1998) pp110-112

⁴¹ Gonda. p. 2

⁴² Graham. p.2

⁴³ Irons. p. 74

⁴⁴ Graham. p. 2

⁴⁵ Irons p. 74

⁴⁶ Holmes, Monica Beckham and Riley, Lawrence C. Shelley family members interviewed on St. Louis Public Radio We Live Here podcast, Aug 30, 2018.

⁴⁷ Irons. p. 74

⁴⁸ Graham. p. 2

⁴⁹ Holmes interview with author.

⁵⁰ Riley.

⁵¹ Holmes and Riley.

⁵² Irons p. 74

⁵³ Holmes and Riley.

⁵⁴ Irons p. 73-79

⁵⁵ Oktibbeha County (MS) Heritage Museum and Jimmy Coles Starkville amateur historian interview with the author, March 13, 2019.

⁵⁶ Taylor, Chris, past president of Oktibbehad County (Ms.) NAACP interview with author March 11, 2019; Marszalek, John F. Mississippi State University Giles Distinguished Professor Emeritus interview with author Oct.11, 2018.

-
- ⁵⁷ Mississippi Department of Archives and History reference desk email April 23, 2019 confirming that the state did not begin recording births until November 1912.
- ⁵⁸ Gibbs, Richard E. Jr. *Starkville, Mississippi* May 3, 1963. A typewritten report in the Mitchell Memorial Library, Mississippi State University.
- ⁵⁹ Baldwin, DeeDee Assistant Professor, History Research Librarian Mississippi State University Libraries email to author March 26, 2019 suggesting J.D. Shelley may have been adopted because he does not appear under the Shelley family name in Censuses before 1920.
- ⁶⁰ Irons. p. 73
- ⁶¹ Ensley, Gerald. *Initials my stand for more than a person's given name*. Tallahassee Democrat. Feb. 26, 2006. p. 13
- ⁶² Ashton, Susanna. *Entitles: Booker T. Washington's Signs of Play*. The Southern Literary Journal, Vol. 39, No. 2 (Spring, 2007), pp. 7-10
- ⁶³ U.S. Census 1910 lists 5-year-old Ethel as a farm laborer.
- ⁶⁴ Graham. p.1
- ⁶⁵ Wilkerson, Isabel. *The Warmth of Other Suns*, Vintage Books (2010) p. 97. Attributes this data-filled passage about Mississippi cotton picking to research by historian Donald Holley Professor of History at the University of Arkansas at Monticello)
- ⁶⁶ Oktibbeha County Marriage Record Book, #347. Eligah Lampkin (21) and Elnora Davis (18), Sept. 29, 1924; #127, Eligah Lampkin (42) and Mary Davis (30), April 14, 1923. Pinkie Lampkin (18) and Skinner Henry Walker (21), April 24, 1924.
- ⁶⁷ Holmes. Phone interview with author April 21, 2019.
- ⁶⁸ Wallace, Rodrick and Fullilove, Mindy Thompson and Wallace, Deborah N. *Community Lynching and the US Asthma Epidemic*. (2003) Cogprints.org-University of Southampton
- ⁶⁹ Villarosa, Linda. *Why America's Black Mothers and Babies Are in a Life-or-Death Crisis*..New York Times Magazine, April 11, 2018.
- ⁷⁰ Ibid Wallace Fullilove, Thompson. p 2.
- ⁷¹ *Starkville Daily News*, a perusal of weekly issues between 1910 and 1940, shows frequent ads for cures of various diseases, and reports of government efforts to control malaria.
- ⁷² Ibid. Villarosa.
- ⁷³ Evans, Charles "Lala"; Smith, Chris; Yeatman, Paul. Group interview of three Starkville residents with the author March 11, 2019.
- ⁷⁴ Library of Congress. *Conversation with 86 year old black female, Oktibbeha County, Mississippi* and *Conversation with 88 year old black female, Oktibbeha County, Mississippi*. Transcripts of an interview/Center for Applied Linguistics Collection (American Folklife Center 1986/022) <https://www.loc.gov/item/afccal000032/>
<https://www.loc.gov/item/afccal000033/>

-
- ⁷⁵ Holmes, interview April 7, 2019.
- ⁷⁶ Hale. pp 176-177
- ⁷⁷ Evans, Charles “Lala.”. Personal interview with author, March 11, 2019.
- ⁷⁸ Ibid. Evans
- ⁷⁹ Ritterhouse, Jennifer. *Growing up Jim Crow*. University of North Carolina Press. (2006) p.19
- ⁸⁰ Evans interview.
- ⁸¹ Selma to Montgomery National Historic Trail, White Hall, Ala. Voting exhibit .
- ⁸² Display at the Mississippi Civil Rights , Jackson, Ms.
- ⁸³ Wood, Amy Louise. *Lynching and Spectacle: Witnessing the Racial Violence in America, 1890-1940*. University of North Carolina Press (2009) p. 38.
- ⁸⁴ Starkville Daily News *5,000 See a Double Hanging, Make it a Picnic*. Aug. 6 1915. p. 1
- ⁸⁵ Ibid. p. 38.
- ⁸⁶ Ibid. p. 38.
- ⁸⁷ Scott, Emmett J. *Negro Migration During the War 1920, Ch. 3-4*. The Making of African American Identity: Vol. III, 1917-1968 p. 13, National Humanities Center Resource Toolbox.
- ⁸⁸ Ibid.
- ⁸⁹ Irons. p. 74.
- ⁹⁰ Theising, Andrew. Interview in the documentary video *Always Remember: 1917 East St. Louis Race Riot* video (2016)
- ⁹¹ Irons. p. 74
- ⁹² Evans interview.
- ⁹³ Zoellner, Tom. *The Train that Carried the Great Migration*. flungmagazine.com excerpt of Zoellner’s book *Train: Riding the Rails That Created the Modern World—from the Trans-Siberian to the Southwest Chief* Penguin Books (2014).
- ⁹⁴ Ibid.
- ⁹⁵ Holmes interview.
- ⁹⁶ O’Neil, Tim. *Nov. 28, 1939. The day ‘Black Tuesday’ Rolled into St. Louis*. St. Louis Post Dispatch (Nov. 28, 2016)
- ⁹⁷ Coates, Ta-Nehisi. *The case for reparations*. The Atlantic (June 2104)
- ⁹⁸ Evans, Charles “Lala.”. Personal interview with author, March 11, 2019.

⁹⁹ Ibid.

¹⁰⁰ Gordon, Colin, *Mapping Decline: St. Louis and the Fate of the American City*, (University of Pennsylvania Press, 2008), p 11. Gordon's reference to the direction of the "invasion" was published as north-to-south, which appears to be a mistake and should be south-to-north.

¹⁰¹ Long, Herman H. and Johnson, Charles S., *People vs. Property: Race Restrictive Covenants in Housing*, (Fisk University Press, 1947), p. 14.

¹⁰² Gonda, Jeffrey D. *Unjust Deeds: The Restrictive Covenant Cases and the Making of the Civil Rights Movement*. The University of North Carolina Press (2015) p. 5

¹⁰³ Ibid. p. 63

¹⁰⁴ Irons. p. 75

¹⁰⁵ Green, Robert. Personal interview with author, April 6, 2018

¹⁰⁶ U.S. Department of Labor Bulletin S-3 revised 1962, *The Economic Situation of Negroes in the United States 1962*

¹⁰⁷ Gonda. p. 34

¹⁰⁸ Bouston, Leah Platt and Margo, Robert A. White Suburbanization and African-American Home Ownership, 1940-1980. Bureau of Economic Research Working Paper.

¹⁰⁹ The United States a Nation of Homeowners, a a Department of Labor study cited in the Housing and Home Finance Agency's Housing Statistics Handbook of 1948. Reported a 53.2-percent homeownership rate for 1945.

¹¹⁰ Census 1940. JD Shelley annual income: \$250 a year

¹¹¹ Williams, Chatlee Shelley and Holmes, Monica Beckham. Personal interview with author, April 7, 2019.

¹¹² Irons p. 74

¹¹³ Levitt, Aimee. *When St. Louis was the Most Racist City in Major League Baseball*. Riverfront Times. Jan. 19, 2009.

¹¹⁴ Holmes, Monica Beckham. Personal interview with author, April 7, 2019.

¹¹⁵ Ibid.

¹¹⁶ Ibid

¹¹⁷ Ibid

¹¹⁸ Riley.

¹¹⁹ Irons p. 75

¹²⁰ Ibid.

¹²¹ Ibid.

¹²² <http://www.thepeoplehistory.com/1945.html>

¹²³ Sorin, Gretchen Sullivan. *Keep Going: African Americans on the Road in the Era of Jim Crow*. A Doctor of Philosophy dissertation submitted to the University at Albany, State University of New York (2009).

¹²⁴ Irons p. 75

¹²⁵ Gregg, Kate. L. *Worker Number 74530*, *The Confluence* (Fall 2009), p 46.

¹²⁶ Irons p. 75

¹²⁷ O'Neil, Tim. *St. Louis factory loaded America's weapons during World War II*. *St. Louis Post-Dispatch* (Jun 27, 2010)

¹²⁸ Irons p. 75

¹²⁹ From the author's research at the St. Louis City Recorder's Office and Recorder's Archive. This passage on the covenant is derived from the author's larger research on finding the covenant on 4600 Labadie done for a race and real estate class in anticipation of this DRP on the Shelleys.

¹³⁰ St. Louis City Recorder of Deed Book #2400, p. 488. Contract of Restrictions for some parcels in the 4500 and 4600 blocks of Labadie Avenue.

¹³¹ Gonda. p. 5

¹³² Long and Johnson p. 13-15.

¹³³ Budhot, Richard, St. Louis Recorder of Deeds Archivist interviews with the author. Feb. 11, 12, 13, 2019.

¹³⁴ Transcript of Record Circuit Court, St. Louis, Missouri. p. 5

¹³⁵ Author's primary source research of deeds of sale for 4600 Labadie from 1906 to 1945 at the St. Louis City Recorder's Office.

¹³⁶ Budhot and Thompson, Justin X. Personal interviews with the author Feb. 12, 2019 Budhotsaid: "If you don't find the covenant you're looking for, it doesn't mean it doesn't exist. Basically, it's buyer beware." Thompson, managing partner of the California offices of the national law firm Nixon Peabody, said: "Covenants are like rings in a tree ... you can't get rid of them," on the other hand, you can't always decipher the presence of the thinnest rings with the naked eye.

¹³⁷ Gould's St. Louis City Directories for the years 1931, 1932, 1935, 1940, 1941, 1942, 1947-48.

¹³⁸ Graham. p.6

¹³⁹ Edelen, Mrs. George, testimony of the tenant at 4600 Labadie. Transcript of Record, *Kraemer v. Shelley* p. 68-70.

¹⁴⁰ Irons p. 76

-
- ¹⁴¹ Transcript of Record Circuit Court, St. Louis, Missouri. p. 122
- ¹⁴² Ibid p. 86-87
- ¹⁴³ Ibid p. 129
- ¹⁴⁴ Ibid. p. 153
- ¹⁴⁵ Ibid.
- ¹⁴⁶ Ibid. p 116
- ¹⁴⁷ Ibid. p33
- ¹⁴⁸ Forster, Clifford (ACLU).
- ¹⁴⁹ Transcript of Record Circuit Court, St. Louis, Missouri p. 120
- ¹⁵⁰ Ibid. p. 151
- ¹⁵¹ Ibid p. 117
- ¹⁵² Silber, Norman Isaac. *With all deliberate speed: the life of Philip Elman*. The University of Michigan Press (2004).
- ¹⁵³ Gonda p. 33
- ¹⁵⁴ Ibid. p 66
- ¹⁵⁵ Graham. p. 19
- ¹⁵⁶ Williams. p 150-151.
- ¹⁵⁷ Silber. p. 193-94, 228
- ¹⁵⁸ Holmes and Riley Living Here Podcast.
- ¹⁵⁹ Holmes interview with author.
- ¹⁶⁰ Holmes Living Here Podcast

Bibliography

BOOKS AND ARTICLES

- Ashton, Susanna. *Entitles: Booker T. Washington's Signs of Play*. The Southern Literary Journal, Vol. 39, No. 2 (Spring, 2007)
- Barnes, Harper. *Never Been a Time: The 1917 Race Riot That Sparked the Civil Rights Movement*. Walker & Company. (2008)

-
- Bishop, Robert. Transcript of Record Circuit Court, St. Louis, Missouri. Kraemer et al v. Shelley et al. Oct. 21, 1945. Washington University Archives ACLU of Eastern Mo Records.
- Bouston, Leah Platt and Margo, Robert A. White Suburbanization and African-American Home Ownership, 1940-1980. Bureau of Economic Research Working Paper.
- Budhot, Richard, St. Louis Recorder of Deeds Archivist interviews with the author. Feb. 11, 12, 13, 2019
- Coates, Ta-Nehisi. *The case for reparations*. The Atlantic (June 2104)
- Copeland, Jeffrey S. *Olivia's Story: The Conspiracy of Heroes Behind Shelley v. Kraemer*. Paragon House (2010).
- Daniels, Gabrielle., project manager Equal Justice Institute, email with author April 11, 2019.
- Declaration of Independence: A Transcription. July 4, 1776. National Archives website. <https://www.archives.gov/founding-docs/declaration-transcript>
- Delaney, Samuel R. *Times Square Red, Times Square Blue*. NYU Press (1999).
- Desmond, Matthew. *Evicted: Poverty and Profit in the American City*. Broadway Books (2017)
- Douglass, Frederick. *Pictures and Progress*. Frederick Douglass Papers at the Library of Congress. (1865)
- Edelen, Mrs. George, testimony of the tenant at 4600 Labadie. Transcript of Record, Kraemer v. Shelley
- Ensley, Gerald. *Initials my stand for more than a person's given name*. Tallahassee Democrat. Feb. 26, 2006.
- Equal Justice Institute lynching data map <https://lynchinginamerica.eji.org/explore/mississippi>
- Equal Justice Initiative. *Lynching in America: Confronting the Legacy of Racial Terror*. EJI (2015)
- Forster, Clifford. ACLU Acting Director April 3, 1947 letter to Eugene Buder, president of the ACLU of Eastern Missouri.
- Fullilove, Mindy Thompson. *Root Shock: How tearing up city neighborhoods hurts America and what we can do about it*. Ballantine Books (2004).
- Ghoshal, Raj Andrew. *Transforming collective memory: mnemonic opportunity structures and the outcomes of racial violence memory movements*. Theory and Society, Vol. 42, No. 4 (July 2013)
- Gibbs, Richard E. Jr. *Starkville, Mississippi* May 3, 1963. A typewritten report in the Mitchell Memorial Library, Mississippi State University.
- Gonda, Jeffrey D. *Unjust Deeds: The Restrictive Covenant Cases and the Making of the Civil Rights Movement*. University of North Carolina (2015)
- Gordon, Colin, *Mapping Decline: St. Louis and the Fate of the American City*, (University of Pennsylvania Press, 2008)
- Gould's St. Louis City Directories for the years 1931, 1932, 1935, 1940, 1941, 1942, 1947-48.

-
- Graham, Jamie R. *Shelley vs. Kraemer: A celebration – 40th Anniversary*. Girl Friends , Inc. St. Louis Chapter (1948)
- Gregg, Kate. L. *Worker Number 74530*, The Confluence (Fall 2009)
- Hale, Grace Elizabeth. *Making Whiteness: The culture of segregation in the South 1890-1940*. Random House. (1998)
- Irons, Peter. *The Courage of Their Convictions*. The Free Press (1988)
- Kelman, Ari. *A Misplaced Massacre: Struggling Over the Memory of Sand Creek*. Harvard University Press. (2013)
- Koerner, William. Circuit Court Judge. Transcript of Record Circuit Court, St. Louis, Missouri.
- Kraemer et al v. Shelley et al. Oct. 21, 1945. Washington University Archives ACLU of Eastern Mo Records.
- Laymon, Charles, *The Interpreter's One-Volume Commentary on the Bible*. Abingdon Press. (1971)
- Levitt, Aimee. *When St. Louis was the Most Racist City in Major League Baseball*. Riverfront Times. Jan. 19, 2009.
- Library of Congress. *Conversation with 86 year old black female, Oktibbeha County, Mississippi and Conversation with 88 year old black female, Oktibbeha County, Mississippi*. Transcripts of an interview/Center for Applied Linguistics Collection (American Folklife Center 1986/022)
<https://www.loc.gov/item/afccal000032/>
<https://www.loc.gov/item/afccal000033/>
- Matthew 5:13. *King James Bible*
- Oktibbeha County Marriage Record Books 1923 and 1924
- O'Neil, Tim. Nov. 28, 1939. *The day 'Black Tuesday' Rolled into St. Louis*. St. Louis Post Dispatch (Nov. 28, 2016); *St. Louis factory loaded America's weapons during World War II*. St. Louis Post-Dispatch (Jun 27, 2010)
- Riley, Lawrence C. Shelley interviewed on St. Louis Public Radio We Live Here podcast, Aug 30, 2018.
- Ritterhouse, Jennifer. *Growing up Jim Crow*. University of North Carolina Press. (2006)
- Rothstein, Richard. *The Color of Law: A forgotten history of how our government segregated America*. Liveright Publishing Corp. (2017)
- Rudwick, Elliott. *Race Riot at East S. Louis, July 2, 1917*. Southern Illinois University Press. (1964)
- Scott, Emmett J. *Negro Migration During the War 1920, Ch. 3-4*. The Making of African American Identity: Vol. III, 1917-1968 p. 13, National Humanities Center Resource Toolbox.
- Shelley, Ethel. Transcript of Record Circuit Court, St. Louis, Missouri. Kraemer et al v. Shelley et al. Oct. 21, 1945. Washington University Archives ACLU of Eastern Mo Records.

-
- Silber, Norman Isaac. *With all deliberate speed: the life of Philip Elman*. The University of Michigan Press (2004).
- Sorin, Gretchen Sullivan. *Keep Going: African Americans on the Road in the Era of Jim Crow*. A Doctor of Philosophy dissertation^[1] submitted to the University at Albany, State University of New York (2009).
- St. Louis City Recorder's Office and Recorder's Archive. Author's research of deeds of sale fro 4600 Labadie and 4532 Labadie and the covenant on file. This research was done in anticipation of needing to understand these materials for this DRP; and some of it was used tin a paper for a race and real estate class. It is not a duplication of writing.
- St. Louis City Recorder of Deed Book #2400, p. 488. Contract of Restrictions for some parcels in the 4500 and 4600 blocks of Labadie Avenue.
- Starkville Daily News*, a perusal of weekly issues between 1910 and 1940
- Starkville Daily News*, 5,000 *See a Double Hanging, Make it a Picnic*. Aug. 6 1915.
- Theising, Andrew. Interview in the documentary video *Always Remember: 1917 East St. Louis Race Riot* (2016)
- The People History. <http://www.thepeoplehistory.com/1945.html>
- Thompson, Justin X. managing partner of the California offices of the national law firm Nixon Peabody, personal interviews with the author Feb. 12, 2019
- Transcript of Record Circuit Court, St. Louis, Missouri. Kraemer et al v. Shelley et al. Oct. 21, 1945. Washington University Archives ACLU of Eastern Mo Records.
- U.S. Census – Oktibbeha County, Mississippi. 1910, 1920, 1930, 1940.
- U.S. Department of Labor Bulletin S-3 revised 1962, *The Economic Situation of Negroes in the United States 1962*
- U.S. Department of Labor. *The United States a Nation of Homeowners* cited in the Housing and Home Finance Agency's Housing Statistics Handbook of 1948.
- Villarosa, Linda. *Why America's Black Mothers and Babies Are in a Life-or-Death Crisis*. April 11, 2018.
- Wallace, Maurice O. and Smith, Shawn Michelle. *Pictures and Progress: Early Photography and the Making of African American Identity* Introduction. Duke University Press. (2012)
- Wallace, Rodrick and Fullilove, Mindy Thompson and Wallace, Deborah N. *Community Lynching and the US Asthma Epidemic*. Cogprints.org-University of Southampton. (2003).
- Wexler, Laura *Pictures and Progress: Early Photography and the Making of African American Identity*. Chapter 2. Duke University Press. (2012)
- Wilkerson, Isabel. *The Long-Lasting Legacy of the Great Migration*. Smithsonian Magazine. Sept. 2016
- Wilkerson, Isabel. *The Warmth of Other Suns*, Vintage Books (2010)

Williams, Juan. *Thurgood Marshall: American Revolutionary*. Times Books (1998)

Wilson, Margaret Bush. *Twigs from the Bush* American Bar Association (2009)

Wood, Amy Louise. *Lynching and Spectacle: Witnessing the Racial Violence in America, 1890-1940*. University of North Carolina Press (2009)

Zoellner, Tom. *The Train that Carried the Great Migration*. flungmagazine.com excerpt of Zoellner's book *Train: Riding the Rails That Created the Modern World—from the Trans-Siberian to the Southwest Chief* Penguin Books (2014).

INTERVIEWS

Baldwin, DeeDee Assistant Professor, History Research Librarian Mississippi State University Libraries email to author March 26, 2019

Burns, Michael, president of Northside Community Housing, Inc. phone interview with the author, April, 12, 2019.

Coles, James S., Starkville historian, personal interview with the author, March 13, 2019.

Copeland, Jeffrey. Email to the author Oct. 9, 2018, and phone interview with the author Feb. 20, 2019.

Evans, Charles "Lala" personal interview with the author Oct. 11, 2018 and March 11, 2019; group interview March 11, 2009

Robert Green, former Pruitt-Igoe resident, interview with author on the trauma of being uprooted. (April 6, 2018)

Herbert, GeDá Jones attorney-law fellow Peace and Justice Memorial, Montgomery, Ala. Exhibit talk., March 14, 2019.

Holmes, Monica Beckham personal interviews with author April 7 and April 21, 2019; interview with St. Louis Public Radio We Live Here podcast, Aug 30, 2018.

Irons, Peter. Email to the author Jan. 14, 2019.

Marszalek, John F. Mississippi State University Giles Distinguished Professor Emeritus interview with author Oct. 11, 2018.

Mississippi Department of Archives and History reference desk email April 23, 2019

Williams, Chatlee Shelley personal interview with the author April 7, 2019.

Taylor, Chris, past president of Oktibbeha County (Ms.) NAACP interview with author March 11, 2019

Yeatman, Paul personal interview with the author an tour March 11, 2019.

INSTITUTIONS

Missouri Historical Society Library and Research Center, St. Louis

Mississippi Civil Rights Museum, Jackson, Miss.

Mississippi State University Libraries, Starkville, Miss

Mississippi Department of Archives and History, Jackson, Miss

Oktibbeha County Heritage Museum, Starkville, Miss.

Selma to Montgomery National Historic Trail Interpretive Center, White Hall, Ala.

St. Louis Mercantile Library, UMSL

Starkville (MS) Public Library

The Legacy Museum: From Enslavement to Mass Incarceration, Montgomery, Ala.

The Peace and Justice Memorial, Montgomery, Ala.

University of Missouri, St. Louis Library

Washington University Libraries Department of Special Collections

VIDEO

The Story of 'Shelley v. Kraemer' a video documentary by Laney Kraus-Taddeo, starring Jeffrey S. Copeland. (2019)

Appendix

Figure 1. Ethel Shelley. Source: St. Louis Post-Dispatch. May 4 1948.

Figure 2. 'At the Time of the Louisville Flood' by Margaret Bourke-White. Source: Life Magazine 1937.

Figure 3. Lynching clipping frm the Lincoln County Times in Mississippi. 1906 Source: Mississippi archives and history department

Figure 4. Lynching timeline section 1907-1950. Source: Smithsonian.com/Monroe Work Today/Auut Studio

Figure 5. Postcard of Main Street in Starkville, Miss. 1910. Source: Mississippi Archives and History Department.

Figure 6. Bell Schoolhouse, Starkville, Miss. Source: Clara Germani

Figure 7. Shelley address on extension of Poorhouse Road outside Starkville, Miss. as described by 1930 Census. Source : Clara Germani

-
- Figure 8. Paul Yeatman (left) and Charles “Lala” Evans. Source: Clara Germani
- Figure 9. Starkville Daily News coverage of the hanging of two black men. Aug. 6, 2015. p.1
- Figure 10. Death certificate for a lynching victim in Collins Miss. Nov. 1938. Source: Mississippi Archives and History Department.
- Figure 11. Thick smog at midday in St. Louis, Nov. 29, 1939. Source: St. Louis Post-Dispatch.
- Figure 12. Charles “Lala” Evans, Starkville resident and contemporary of Shelley family. Source: Today Show
- Figure 13. Map showing stark lines of the black ghetto in St. Louis in 1934. Source: City of St. Louis/Mapping Decline by Colin Gordon
- Figure 14. The Shelleys’ unit on North 9th in downtown St. Louis 1945. Source: Screen grab of a Shelley family photo in the collection of Jeffrey Copeland used in the video documentary ‘The Story of Shelley v. Kraemer’
- Figure 15. Chatlee Shelley Williams, 87, last surviving child of J.D. and Ethel Shelley and her granddaughter Monica Beckham Holmes. Source: Sara Banourra for Clara Germani.
- Figure 16. Graphic illustration of the tandem rise of covenants and the black population in St. Louis. Source: Data from *People vs. Property: Race Restrictive Covenants in Housing* by Herman H. Long and Charles S. Johnson, illustration by Gina Germani.
- Figure 17. A copy of the race restrictive covenant in the Shelley case. Source: St. Louis Recorder of Deeds, Book #2400/photo Clara Germani
- Figure 18. Record Book #2400. Source: St. Louis Recorder of Deeds /photo Clara Germani
- Figure 19. 4600 Labadie Ave. Source: Clara Germani
- Figure 20. The February 2019 rededication of the historic marker on the Shelley House with the mayor, a congressman, an alderman and real estate and housing officials. Source: The St. Louis American