

# A NEGRO AWARDED \$50,000 FROM A MOB.

SIX members of a Kentucky mob must pay George Dinning, a negro, \$50,000 for shooting him, burning his house and driving him and his family from the State.

This decision was reached by a jury of 12 white men in the United States Circuit Court at Louisville, May 12. Judge Walter Evans presiding. After considering the matter only a few minutes the jury awarded Dinning \$50,000, the full amount asked for, assessing the following men \$333.33 each: Doc Moore, Ab Freeman, Joseph Flowers, John Flowers, John Phelps and P. H. Conn, administrator of Jodie Conn.

Jodie Conn was killed by Dinning on the night his house was attacked.

Such a case was never before heard of in Kentucky. Dinning had lived all his life in Simpson County, Ky., near the town of Franklin, close to the northern boundary of Tennessee. He was quiet and industrious and had come into possession of a farm of 125 acres. Stealing had been going on in the neighborhood and Dinning, without any particular reason, was accused. Jan. 27, 1897, a mob, composed of men from Simpson and Logan Counties and a few from Tennessee, visited his house at 1 o'clock in the morning. They demanded that he come to the door, after having failed to induce him to show himself by false representations. Dinning refused. He seized a gun to fire on the mob. As he was passing a window he was shot in the arm and again in the head. He fired into the crowd, killing Jodie Conn. The next day he surrendered to the Sheriff.

While he was in jail his wife and children, including a young daughter desperately ill of typhoid pneumonia, were driven from home and the house burned to the ground.

Dinning was tried, and although men went before the grand jury and admitted that they had gone to the colored man's house armed to run him away, the man was convicted of manslaughter. So great was the outcry throughout the whole State of Kentucky over the unjust verdict that the Governor promptly pardoned Dinning. He then, with his family, went to live in Clark County, Indiana, where he now resides. He is afraid to go back to Simpson County and his farm there is lying idle.

In addition to the suit just decided in Louisville, action has been brought in Tennessee against members of the mob who lived across the State line.

The Kentucky members of the mob were defended by Gerald Finn of Franklin and ex-District Attorney William H. Smith.

Col. Bennett H. Young of Louisville appeared for the defendants, and he made a speech rarely equaled for passionate earnestness. At the opening he said:

"There was great rejoicing in hell this morning. When men of the intelligence, the high standing and brilliant talents of

the two lawyers who have spoken for the defendants in this case stand in a court of justice and condone assassination and argue that practically a man may be murdered or driven from his home and his family by any self-constituted mob that may elect to take his life and destroy his property, all the demons smiled and applauded. Well may we, in view of the brutality towards this man and his wife and children, as detailed from the witnesses, cry out, 'Is God dead?'"

Col. Young then went into history to prove that the counties from which the mob came were named in honor of noble Kentuckians who became famous for bravery in the early history of the country. John Simpson was one of these. In a fight against overwhelming numbers near Detroit Jan. 22, 1793, Capt. Simpson lost his life fighting a force of British and Indians. Another brave Kentucky pioneer was Benjamin Logan, who came from Virginia and settled in Lincoln County and distinguished himself time and again in fights with hostile Indians.

"From these two counties," said Col. Young, "named for these distinguished and heroic Kentuckians, came the men who are guilty of the cowardly and brutal conduct which was exhibited toward this poor, helpless black man and his innocent family. If they be fair representations of the present type of man Kentucky is producing we must confess that we are degenerate sons of noble sires.

"Far down in Simpson County, on the edge of Logan and close to the Tennessee line, lived the humble, untutored, black man who appears as the plaintiff in this case. By dint of industry and hard, unceasing toil he had secured for himself 125 acres of land. It was poor, unproductive, but it met all his wants, and there in a rude, uncomfortable log cabin he had lived with his wife and fought the hard battle of toil and 12 children had come to cheer and bless their home.

"There is not in this case a single statement from any witness who has ever said that George Dinning, this black man, had wronged a living being. Two horses, a few plows, some farming implements, seven hogs, two dozen chickens and four turkeys were all that the pressing demands for food and clothing for his large family had allowed this black man to accumulate, excepting his farm. There had been no suspicion of crime, he had not interfered with his white neighbors, he had not disturbed their slumbers; but on the 20th of January, 1897, as he slept in his humble home with his eight children about him—the youngest 4 months old and the eldest 17 years of age—unsuspicious of any wrong or any injury from any man, with one child sick and partially delirious from typhoid fever, at half past 1 o'clock at

night, he hears a rude, hard knock at his door.

"He calls to know who is there. The cowardly hypocrite responds, 'It is a friend.' This friend was a white man, backed by a gang of whitecaps and kuklux, armed with pistols and guns, who had come to serve notice upon this humble black man, backed by a gang of whitecaps and kuklux, desert his fireside, filled with so many happy and pleasant associations to him and to those he loved, and depart at once from the neighborhood and put a distance of not less than 20 miles between him and those marauders who in the darkness of the night had come and served this warning upon their black neighbor."

Then followed a vivid description of the tragedy and the injustice done Dinning by the mob and people of that vicinity.

Mr. Smith's speech was of the deprecating order. He admitted that his clients had done wrong before the law, but declared that they had not sought Dinning's house as midnight assassins. He took the ground that his clients were not men who would fire into any man's house needlessly and advanced the theory that Doc Moore's order to squat and fire indicated the battle had already been commenced by Dinning, that death was belching from the upper window and his clients had fired only in self-defense.

But more than that was necessary to convince the jury that the men were not guilty. The names of the 12 Kentuckians who found a verdict for a black man are: Robert Redmond, John W. Fair, Jas. E. Breed, J. P. Waddell, Irwin Dugan, Jewett Dickerson, H. W. Barclay, John Stelr, H. H. Beach, Wm. P. Jasper, Frank G. Galt, M. J. Winn.

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