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THE PLANET

SATURDAY, - - Nov. 16 1889

SIMON WALKER SAVED!

PLEADING FOR A LIFE.

Governor Lee Commutes the Sentence.

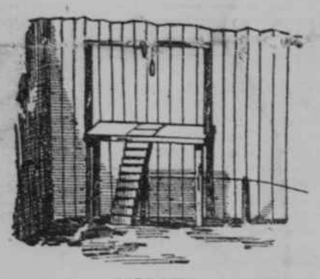
EDITOR MITCHELL'S MIDNIGHT —DRIVE.—

A THRILLING NARRATIVE:

TRUTH STRANGER THAN FICTION

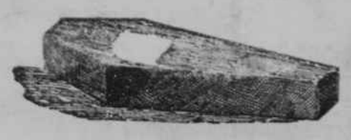
A HAPPY BOY.

SIMON S. WALKER, the 15 year old Colored boy did not hang. General Fitzhugh Lee, Chief Executive of Old Virginia stood between him and death, and saved him. It is a long story. It will be remembered that Editor John Mitchell, Jr., upon seeing in the daily papers a statement that a 15 year old colored boy charged with criminal assault upon a white girl was to be hanged at Chesterfield C. H., Va., August 30, 1889, thought it would be a shame upon the State, a disgrace to the commonwealth to allow a child of that age to hang. With no knowledge save that furnished by the newspapers, never having seen the boy or his parents; he had the papers made out and August 23d left by the R. & A. R. R. for Dagger's Springs, Va., which is near the West Virginia line, found Governor Fitzhugh Lee, secured an order from him giving a reprieve of 30 days and on the day before the execution was to take place, Mr. Mitchell delivered the reprieve to the Deputy Sheriff at Chesterfield C. H.



GALLOWS.

The Editor had traveled over 500 miles in this trip for a life. As the Governor was away from Richmond, Walker's last chance seemed to lay in a personal visit to the chief executive. The account of this trip was published in the PLANET of August 31st.



*SIMON'S COFFIN.

Editor Mitchell examined the gallows, which had been built, and saw the coffin which Mr. B. H. Frith was just completing. Only a white spot remained.

The day before the condemned boy had been measured for his shroud. Walker claimed then and has always asserted his innocence. He did not testify in his [illegible]lf.

[illegible] days expired September [illegible] September 19th Editor Mitchell called at the Governor's Office, and requested another 30 days respite. He had had an informal talk with the Governor who said that if certain facts could be established he would not consider the case against the boy. Editor Mitchell left for Petersburg, secured the names of five witnesses and returned to Richmond.

Calling at the Governor's Office, he learned that the Governor had left the city, the whereabouts his private secretary Mr. McLeod refused to divulge. In conversation with him he formed the opinion that further action on his part might prejudice the case, so he decided to apparently drop out and furnish the "sinews of war" even though he bankrupted himself in so doing. He so announced it to the private secretary. He had written to Mr. E. S. Robinson, the white lawyer who had originally been appointed to defend Walker. Going over to Petersburg the Editor walked six miles into Chesterfield County with mud a shoe deep, trying to find Mr. Robinson. He learned there that he had gone to Petersburg, and so Mr. Mitchell had to return to Petersburg where he found the object of his search awaiting his arrival.

Mr. Robinson stated that he had spent his time and means on the boy. He had known him from childhood and took an active interest in the case. "I have a boy," said he "about the same age and I do not know when misfortune may befall him." He had observed that a reprieve had been secured for him, and he thought some other lawyer had been engaged in the case. Mr. Mitchell assured him to the contrary explaining how it was. He told him he desired him to take up the case. Mr. Robinson replied that it was almost too late; he did not see what could well be done, as it was then Wednesday afternoon and the boy was to be hanged the following Friday.

Mr. Mitchell told him he would engage him and stand personally responsible for the expense. He desired him to write a letter to Governor Lee whom Mr. Mitchell had learned from the newspapers was at Natural Bridge, Va. Mr. Robinson wrote the letter asking for a reprieve upon the grounds of newly discovered evidence and Editor Mitchell took it to the Western Union Office and telegraphed it to Governor Lee. Coming over to Richmond he secured the services of James H. Hayes, Esq., and got him to also telegraph Gov. Lee from Richmond. Gov. Lee telegraphed to Messrs. Robinson and Hayes, "Will be in Richmond Thursday at 6:15 p. m. Meet me." The boy was to hang the next day [Friday] between the hours of sunrise and sunset.

Mr. Robinson came over from Petersburg at 6 o'clock Thursday evening and the two called on Gov. Lee at his Mansion at 8 p. m. They remained there until nearly 10 o'clock when they came over to the PLANET office bearing a reprieve for two weeks. The instructions were that as it was

A MATTER OF LIFE AND DEATH

it was to be delivered by a trustworthy messenger at Chesterfield C. H., by the next morning. Mr. Mitchell took the reprieve and told the gentlemen that it would be placed there in the hands of the Sheriff.

Chesterfield C. H. is 16 miles from Richmond by the road-way. Every train had left and there was no way to get there save to walk or drive. After one other ineffectual attempt, he proceeded to the residence of Dr. R. E. Jones, 500 W. Leigh St. "Doctor, I want your horse. I have to reach Chesterfield C. H., before tomorrow morning, and have no time to delay" was his greeting. The Doctor had just gotten out of bed to answer the call. Mr. Mitchell threw the reprieve on the desk. He looked [illegible] said he would rather pay for a horse from a livery stable than to let my horse go out on such a night as this but in such a case as this I suppose I'll let you have him." He went out to the stable, (his driver being away) and put the harness on his horse.

"I haven't any buggy light enough for you to drive, said he. "That's all right," was the reply. "Hr. Henry Cook has one and I know he'll let me have it." Editor Mitchell got astride of the horse and rode down to Mr. Cook's place of business. After much hammering on the door he aroused Mr. Cook, and all of the family. He made his mission known. "Certainly you can get it," said he. "I don't know who wouldn't let you have anything for such a purpose as that. Tell John to come here!" Soon the buggy was run out, the horse hitched up and Mr. Cook's son, John volunteered to accompany Mr. Mftchell on that midnight journey. It was dark, cloudy and was raining slightly. At fifteen minutes to twelve o'clock, they drove across Mayo's Bridge leading into Manchester.

Mr. Mitchell had never been over the road before. The trees on the road made the darkness denser. On account of the heavy rains the road was bad and muddy They drove on for miles, until it was thought advisable to enquire the way. The baying of the hounds made it almost impossible to awaken any one. One man aroused enough to say that they should drive two miles and a half down the road and take the fork to the right. In the darkness they missed it. At about 3:30 a. m. Friday morning, Mr. Mitchell aroused a white family. A gentleman came to the door. Upon enquiring the way to Chesterfield C. H., he said "Why you are 2½ miles from Petersburg and 12 miles from Chesterfield C. H." Turning the horses head in the direction from whence they had come he made one more enquiry. Driving five miles, as the first streaks of dawn was showing itself, jumping over bushes the Editor enquired at a shanty from which he saw curls of smoke issuing. A colored man appeared.

"Take that road at the top of the hill sir, and you can't miss it if you try. It is seven miles from here to the Court House." They drove into that road and did not check rein until dripping with foam the fleet-limbed horse stopped in the yard of the jail at Chesterfield C. H.

THE DEATH-WATCH

had been set over the boy. Three white men armed with double barreled shot guns marched to and fro before the jail, while a string was extended to keep any one from approaching the cell in which the condemned Walker was confined.

The kind hearted but christian jailer, Mr. S. P. Cheatham later read the reprieve. "It's alright," was his laconic remark. Later a body of men, six white and six colored filed up to the jail. They had been assigned to guard Simon Walker to the gallows which had been built in an open field nearly a quarter of a mile distant. Both the Editor and John Cook were cold. Jumping from the buggy to make enquiries, making their way through the wet grass had wet them to their knees. Later Sheriff Gill arrived. "Is that Mitchell?" he was heard to enquire of one of his deputies. Later Mr. Mitchell laughingly went up to him shook hands at the same time informing him that he learned that he was one of the best men in the county. The Editor talked also to jailer and acting deputy sheriff S. P. Cheatham who said, "I have talked to Simon about praying. He seemed more concerned than he has ever before. He seems now to becoming to realize his condition." He spoke mournfully. Mr. Mitchell laid before him the grounds for his action. It was not done to condone crime. If Simon was guilty, he should be punished. He simply desired another method of administering it. The boy was too young to realize the enormity of the offence with which he stood charged.

†THE JAIL.

Later, accompanied by Sheriff Gill, acting Deputy Sheriff Cheatham, Editor Mitchell entered Walker's cell. On the wall was a row of pictures of men and women which Simon had drawn with soot from the stove. Standing leaning against the wall, feet bare, chubby head, one ankle chained to the stone floor, nappy head, attired in blue jean pants with a bluish shirt stood Simon S. Walker, his dark brown skin face the picture of sadness, apparently almost scared to death. He must have thought that they had come to take him out to hang him. Mr. Mitchell told him that his time had been extended two weeks. He told him what a hard time they had to get this extension. He advised him to look to the Saviour, who would be a mother to the motherless and a father to the fatherless. He would need friends in this cold world and he advised him to so conduct himself as to merit the respect of those around him.

"I'll go to Richmond," said he and fight for you until the last moment. If I win you will see me again. If I lose, you will see me no more." These words were delivered in a tremulous voice. When Editor Mitchell looked up Jailer Cheatham was wiping the tears from his eyes while the noble-hearted Sheriff was trying to conceal his emotions. It was a touching scene, After remaining on the ground a while longer. Editor Mitchell prepared for his return journey. He had already travelled 34½ miles. As he grasped Sheriff Gill's hand in a parting good-bye the Sheriff said "Mr. Mitchell, you need not have hurried with that reprieve as you did this morning. I assure you that on October 11th, I will not hang that boy until the last moment in order to allow you all the time to get here with a reprieve. "Editor Mitchell thanked him. As he was about leaving several white men gathered around the buggy.

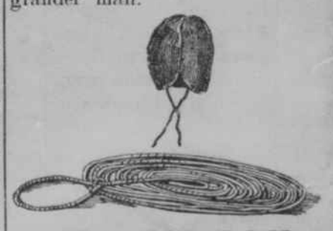
One of them said, "Will you tell me one thing? What is the meaning of this continued reprieving of Simon Walker? I thought, in fact I know the last 30 days were given him in order to allow him time to prepare for death."

"You are mistaken, sir," was the editor's reply. "We are trying to save him. We believe that though he be guilty on account of his extreme youthfulness, confinement in the penitentiary would subserve the ends of justice. This opinion is shared by numbers of liberal minded white men. I trust I'll see you again, sir. Good day."

They arrived in Richmond about 3 P. M., having driven 50½ miles. Lawyer E. S. Robinson then went actively to work. He traveled over Chesterfield, Co., securing the signatures of some of the leading white citizens. He also secured 8 out of the 12 jurors, not having time to see the other four. Editor Mitchell had already secured many signatures for commutation of the sentence. Mr. Hayes went over to Petersburg and secured the signatures of the faculty of the Va. Normal Collegiate Institute.

Mr. Robinson also secured the signitures of the grand-father, the grand-mother and the mother of the girl. They urged the Governor to commute the sentence. Later the uncle and the aunt of the girl wrote from Baltimore, urging the Governor to commute the sentence. The former was at first in favor of hanging the boy but changed his mind. Friday, October 4th, Mr. Mitchel secured carriages in which a delegation of ministers, consisting of Revs. James H. Holmes, A. Binga, Jr., J. E. Jones, D.D., D. N. Vassar, A. M., A. P. Dunbar, J. D. Jimmerson, E. Watts, Z. D. Lewis, J. Anderson Taylor called on Judge Clopton, the judge before whom the case was tried and then called on Gov. Lee. They were well received. Rev. Binga acted as spokesman before the Judge and and Rev. Holmes before the Governor. Later Gov. Lee sent word that he desired the names of the four other jurors. Mr. Mitchell immediately telegraphed Mr. Robinson at Petersburg. Wednesday morning October 9th, he started out to secure them. He found two and obtained their signatures. He now had ten, out of the twelve jurors. Wednesday night in company with Editor Mitchell, Mr. Robinson called on Governor Lee at his Mansion. There seated in his luxurious private office, they listened to the Governor as he related the fact of his having visited the Chesterfield jail, and interviewed the condemned boy stating at the same that he desired to see for himself. This act on his part has possibly never been done before in the history of the state.

It was a grand act on the part of a grander man.



THE BLACK CAP AND ROPE.

Walker has always claimed that he was innocent of the crime as charged and his statement of the case had a marked effect on the Governor. He handed over to Lawyer Robinson a reprieve for 30 days more, remarking that he desired more time in which to consider and Thursday morning, the day before the execution, Editor Mitchell delivered it at the Court House, thus for the third time

PREVENTING THE EXECUTION.

The cost of the case had become a big item, and Mr. Mitchell devoted his energies to raising the means to defray the expense of the same. Churches and individuals responded. On September 26th, the following appeared in the Richmond "Dispatch."

"The Petersburg *Index-Appeal* of yesterday says:

Simon S. Walker (colored) who is to be hanged at Chesterfield Courthouse on next Friday for a heinous crime, has given up all hopes of any further reprieve. It is rumored in the county that on the day of execution some of Walker's friends will make an attempt to take him from the Sheriff, and therefore the guard is to be increased.

The Manchester *Leader* of yesterday, in speaking of the execution, says:

"The father of the condemned man was at the jail Monday, and said that he would be there again Friday, and would ask to have charge of the body. In regard to this Mr. Cheatham, who has charge of the Chesterfield jail, and who was in the city to day, says that the law requires the Sheriff to notify the Medical College whenever an execution is to take place, and if the college desires the body it must be turned over to the college authorities. It is understood that the college has made preparations to obtain the body of Walker immediately after the execution. There will be a guard of about twenty five on duty the day of the execution and probably the day before."

It is not at all probable that the Governor will grant any further reprieve and it is expected that Walker will hang between 1 and 2 o'clock to morrow.

No rescue had been contemplated. It was stated for effect. In conversation with Lawyer Robinson who up to this time had taken such a deep interest in the boy, he said, "Yes, I knew Simon from his childhood. When he was three years old, he and his little brother would be alone in an old shanty in the county and they would have to huddle together to keep warm. The neighbors would often give them meal and other eatables to keep them from starving and they would bake ash cakes in the ashes. I have felt a deep interest in the boy all along. He never had [illegible] of him he had no money."

The 30 days additional granted by the Governor was about to expire. Lawyer Robinson had not been idle. Three judges had been found who expressed the opinion that Walker ought not hang. This too was laid before the Governor. Public sentiment was setting steadily in the boy's favor. Editor Mitchell visited Danville, Va., in the interest of the case. The execution was to take place Friday, the 8th inst. Thursday, 7th inst. had arrived and no news had been received from the Gov. The Editor sought Mr. Hayes and got him to go and find out the result. He came back with the announcement that the sentence had been commuted to 20 years in the penitentiary, that the Governor had been in communication with Mr. Robinson, and that the latter had telegraphed that he would be in Richmond at 6 P. M. He would have the papers ready and would give them to him when he came. Shortly after 6 o'clock Mr. Robinson entered the office of the PLANET. "The Governor had sent me word that he had decided to commute the sentence," said he.

Mr. Robinson and Mr. Mitchell proceeded to the Governor's Mansion. "The Governor is not in," said the attendant. "Are you Mr. Robinson? He left this for you, papers on the Simon Walker case." Proceeding again to the PLANET office, they read the commutation which was as follows:

THE COMMONWEALTH OF VIRGINIA.

Whereas at a County Court held in and for the County of Chesterfield in the month of May, in the year 1889 SIMON WALKER was convicted of Rape and was thereupon sentenced to be hanged and whereas it appears to the Executive that he is a fit subject for clemency.

Therefore, I, FITZHUGH LEE, Governor of the Commonwealth by virtue of authority vested in me have commuted and do hereby commute the said sentence to imprisonment in the penitentiary for the term of Twenty years, and do order that he, the said prisoner be discharged from imprisonment at the expiration of such commuted term.

Given under my hand and the Lesser Seal of the Commonwealth at Richmond, this 7th day of November in the year of our Lord, One Thousand Eight Hundred and eighty nine and in the 114th year of the Commonwealth.

By the Governor.

FITZHUGH LEE.

C. POINDEXTER. Governor.
Secretary of the Commonwealth and Keeper of the Seals.

It was then nearly 7 o'clock P. M. Editor Mitchell was again entrusted with the delivery of this important document at Chesterfield, C. H., before sunrise the next morning. "Tell Sheriff Gill," said Mr. Robinson, to bring the boy to Richmond to-night. You can come back with him. While public sentiment among the best white people in the county is with the boy some irresponsible person might attempt to lynch him. I don't think that such a thing would be done but this will preclude the

[Continued on fourth page.]

The coffin was made of ordinary plank and excepting its shape looked more like a box than a receptacle for a body.

†The cell to the left was the one in which Walker was chained. In the one to the right is Jones, white charged with killing a white man and sentenced to two years in the penitentiary.]

SIMON WALKER,

THE 15 YEAR OLD BOY TO HAVE BEEN HANGED NOVEMBER 8, 1889 AT CHESTERFIELD C. H., VA.

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