L. Black's own signature, concluded: "We call upon the good citizens of the County to aid in the suppression of these crimes."

For independent, Primitive Baptist farmers who paid Black and other local merchants a "criminal" interest rate on crop loans and for Baptist preachers like M. M. Driver who represented the insurgent political movement, this official report was an audacious, double-faced outrage. Fayette Black had been paid about $15 of their tax money—more cash than many saw in half a year's time—through a rigged jury selection to lecture good, sober citizens on the "deplorable" problems of whiskey which Black enjoyed and abetted with his own excessive habits. In effect, therefore, the democratic process of the Baptist church punished Fayette Black, in keeping with the spirit of his own public words, since the democratic process at the courthouse had been corrupted by Black's own deeds.[12]

No, the narrow Democrats' victories in 1888 were not a cause for celebration for W. L. Black. Instead, they signaled sure defeat. There was no future for Black in the business of politics in Harlan. It was time to take his family to the county's center of commerce, politics, and faithful Democrats. It was time for W. L. Black to move up in the world—to Ashland.

A little more than a year after the trip to Alex City, on a cold, inhospitable day in December, W. L. Black and his boys hitched their bulging wagon and began a slow, noisy journey to Ashland. Fayette was ready to leave Harlan as far behind as possible, although Della had good reason to be half-hearted.

Ashland was attractive to Della because it promised her children a better education, a prime concern that began in her house with reading the Bible and *Pilgrim's Progress.* Della's oldest two already had completed high school, and now Robert Lee and Ora wanted to attend college courses at the new Ashland Academy. Most of the other children also needed to attend higher grades not available at the Harlan school. And, there was Hugo. Soon he would be of school age, and his mother wanted only the very best education for him.

Yet, leaving the community where she had lived all her life was difficult for a woman whose strength was sustained in the memory of her mother's faith and the love of her extended family. Estranged from her husband, Della relied upon the Streets and Tolands living around Harlan and Bluff Springs for daily support and interaction and frequently visited Mount Ararat cemetery, where her mother and her baby daughter were buried. In 1889, sixteen miles to

Ashland was a world away for Della. She would dearly miss her uncles, aunts, and siblings—including her brother "Brack" Toland.

John Breckenridge Toland was Della's half-brother who at thirty-six possessed blazing red hair and almost as sweet a disposition as a man could possess. He loved children, reading, storytelling, women, and whiskey—in no particular order. Della's children often had sat listening to Uncle Brack tell stories of the ancestral Tolands' battles alongside the Irish rebel Robert Emmet at the start of the nineteenth century. After the British disbanded the Irish Parliament, Emmet led an incipient rebellion of tradesmen and laborers who, after months of clandestine planning, attempted to storm Dublin Castle, the English seat of government in Ireland. Emmet's followers piked to death the country's chief justice, who happened along in his carriage at the wrong moment, but the rebellion fizzled. The British Parliament considered suspending civil liberties for all Irish citizens, and, according to Uncle Brack, the Tolands narrowly escaped execution as they fled to American shores.

Robert Emmet was captured as he bid farewell to the woman he loved. He was tried for treason by a jury that did not deliberate in order to reach a guilty verdict. Within twenty-four hours, Emmet was hanged and beheaded within sight of Dublin Castle. The executioner lifted Emmet's severed head by its hair before a large crowd and chanted: "This is the head of a traitor, Robert Emmet." Afterwards, women stealthily dipped their handkerchiefs in the dark pools of Emmet's blood under the gaol planking. He was buried in an unmarked pauper's grave.

At trial, Emmet had spoken words repeated for generations by Irish Protestants, poets, and their descendents fighting for independence. His speech survives in a dozen variations. Uncle Brack probably rehearsed one of the American-oriented versions: "My lord, you are impatient for my sacrifice . . . Be yet patient! I have parted with everything that was dear to me in this life for my country's cause . . . I wished to procure for my country the guarantee which Washington procured for America. Let no man write my epitaph; let me repose in obscurity and peace, and my tomb remain uninscribed, until other times and other men can do justice to my character. When my country takes her place among the nations of the earth, then, and not until then, let my epitaph be written."

Emmet's "magnificent" words stirred the Black children and may have touched their mother who had memories of her youthful love for another rebel whose body was reposed in an unmarked grave, without epitaph, at a place where he fought for his community's independence.

There were some memories and situations Della would be glad to leave. True to her faith, Della had accompanied her children to every Sunday service at her Baptist church, but it was a painful experience after Fayette's expulsion. He refused to enter a Baptist church for the rest of his life, and his children never were comfortable in a congregation that banned their father.

Also, Della herself had become something of a heretic—at least on one contentious point of church dogma. Primitive Baptists did not countenance Sunday school, which they considered an interference with the holy words of God as conveyed directly by the Bible and Hardshell ministers, men called by the Divine to preach. This sect of the Baptist church believed that lay people had no business instructing other Baptists on what the Scriptures mean, but "moderates" believed Sunday schools were a valuable aid to religious worship in a county where churches couldn't afford a full-time minister to preach every week. Valuing education in all things, Della supported Sunday schools in opposition to the majority views of her old congregation.[13]

All things considered, Della was probably ready to follow Fayette to Ashland. Yet, in all likelihood, a third person had to agree to the family's move. As in the past, Uncle Merit Street was the only person with both the means and interest to help Fayette Black and his family advance.

According to county documents, Fayette did not have the necessary resources to move to Ashland, where he was purchasing half interest in the H. A. Manning store. In 1889, Black had approximately $500 of value in both the merchandise at his Harlan store and his improved farm. Fayette's new Ashland house, however, cost almost as much as his entire Harlan farm, and he was buying a business interest worth more than twice the value of his country store. To make up the difference, only one man in the county had the cash or credit to bankroll Fayette's new purchases. Only one man held a silent, financial interest in the Manning store. Only one man of wealth cared enough about Della and her family to invest in Fayette's new venture.

There is no surviving record to show if Merit Street extended a private loan or sought as collateral a pledge from Fayette Black to pursue a new devotion to sobriety, but Black certainly did not forsake the value of politics for enlarging his fortunes. He simply was changing roles and venues. As ample proof, W. L. Black was selected conveniently one last time to serve on a jury from the

Wickers precinct in 1889. He was paid a dollar and a half a day and five cents per mile for his travel to and from the county seat, during a time he needed to be back and forth to Ashland arranging details for his move. It was his last civic duty as a citizen of Harlan and a fitting transition for a man who had progressed in life through the business of local politics.[14]

As the Blacks settled into their house on Church Street, Ashland seemed an exciting place for a family whose members had seen nothing else of the world. Ten years before a new century, new technologies—railroad locomotives, steam boats, telegraphs, and a device called the "telephone"—were binding together much of America's northeastern coast as an emerging marketplace for the worldwide exchange of ideas, goods, and capital. But those wonders had not yet reached Ashland, Clay County's seat of government, population 635. The town sat slightly beyond the slopes and hillsides that extended towards Talladega from the Appalachian Mountains that gave the county claim to the state's highest elevation. Not far from total isolation or desolation, the community connected to life beyond only through the dirt ruts leading into town and the people who came along them with goods, services, troubles, and news.

Ashland was built on three sides facing at its center a planked courthouse, now with a new bricked jail beyond the town square. A few hundred feet away from the square was a gully that served as community privy, maintained and cleaned only by nature. The stores were crude barnlike structures where merchandise from local farms and distant manufacturers were stacked, kept in large kegs, or displayed on rough shelves. The stores' uneven facades had awnings of protruding planks to shade pine benches where Confederate veterans idled until their next state government check arrived by pony riders at the probate judge's office. Beyond the square, houses were built on large lots, primarily in the two directions leading out of town, north and south. No one had more than oil lamps that blackened the ceilings for light and fireplaces and pot-bellied stoves for heat. Almost no windows had glass or screens, and only a few held wooden shutters.

Without a railroad or rich ores in the nearby hills, Ashland was a destination only for folk who had nowhere better to go. As the site of government in a county of fifteen thousand people (90 percent white), the town drew citizens to pay taxes, do business with the law, visit relatives in town or jail, serve on a jury, or purchase supplies. Farmers and their families also came to the courthouse's criminal trials, one of their few sources of public entertainment, or to hear news beyond their neck of the woods from friends and neighbors who gathered on Saturdays, if weather and crops permitted. Since its incorporation, the town had been "dry" (without legal alcohol), a condition of law not entirely observed. Yet, without the law and order of the courthouse, the six hundred people who lived within sight of town square, including its newest residents on Church Street, would have had little business or livelihood.

Every Black child except Hugo started school in the first week of January 1890, and their father took to his new business with rediscovered purpose and enthusiasm. "Manning & Black" was one of a half-dozen stores on the square competing for the patronage of farmers who soon would seek loans for planting next year's crops and merchandise for next month's needs. The new firm advertised straw hats and perfumes for women, but Fayette and other merchants attracted business largely because they functioned as the county's bankers/money lenders. Most customers were bound to them by credit, not consumer choice, through a "crop lien" system.

Farmers approached W. L. Black and H. A. Manning, as they did Merit Street, seeking a line of credit to purchase store supplies and goods they would need over the next year in exchange for a promise that, after the harvest in October or November, they would repay merchants from the sale of cash crops. To assure full payment, merchants took liens on prospective crops and the farmers' valuables. A lien gave a merchant the legal right to take possession and sell everything except a farmer's house if he failed to repay the loan on time. Under this system, backed by the force of the local sheriff, farmers did business with the merchants who offered the best supplies with the best credit terms, and the storekeepers loaned to farmers they trusted to produce a good crop of cotton or corn which could repay the loan with interest in full. Without local banks, merchants were the farmers' only sources of capital.

From the beginning of this system of finance, established after the Civil War, small black and white farmers in the South had struggled with high interest rates, low prices for cotton (the only crop that annually sold on the market for cash), poor land, and long spells of disagreeable weather. As a result, over two decades following the War, the value of Alabama farms stagnated, and by 1890 the number of small family farms in both Clay and the state was declining. The number of Clay County farms in debt was twice the state's rate, and Clay's farmers were paying one of the state's highest rates for mercantile interest, on average 11.4 percent in contrast to a state average of 8.7 percent. A national depression arising in 1890 worsened prospects of improvement and accelerated local farmers' collective search for fundamental change.

Nationally, the Farmers Alliance, a chapter of which Wilburn Whatley had organized in Clay, was looking to the federal government to change economic conditions. Like others who found self-help an ineffective cure for the harshness of a national economic system, the Alliance had begun to support federal policies to bolster the price of cotton and to make money easily available. With other groups, they called for a silver standard for U.S. currency instead the gold standard. This change, they argued, would pump more money into the economy and would, in effect, lower farmers' existing debt by increasing inflation. The proposal sparked a decade of national debate between "Gold Bugs" and "Silverites," and it reflected an economic division that was as real as farmers' growing indebtedness to merchants like W. L. Black.

Locally in this mutually dependent, often parasitic economy, farmers attacked the "professional men" and the "Ashland Ring" because they believed merchants and lawyers were profiting at their expense by controlling local government and the local economy. While the courthouse could not mint silver dollars nor set the price of cotton, public officials in Ashland made critical decisions about who received tax monies, jobs, and education; how citizens' land and personal property were valued and taxed; and when or how to foreclose on liened property and crops. At the statehouse, Clay's representatives alone could decide which officials would be elected locally by the people, rather than appointed by Montgomery's state officials; what were the rules, terms, and limits of lien laws and "stock" laws for grazing cattle; and how the state department of agriculture would assist farmers. Even before moving to Ashland, Black understood that the national debate about gold and silver and local issues of government power and privilege came home every time a farmer entered his store with the burden of negotiating another season's lien.[15]

With children to educate and a business to grow, W. L. Black sharply reduced his direct political involvement. Upon leaving Harlan, he gave up his seat on the county Democratic Executive Committee and did not seek another visible, political role. His friendship with Democratic chief Asbury Stockdale grew, but as an Ashland merchant Black operated exclusively behind the scenes in Clay's politics.

As party boss, Stockdale continued to try to project democratic change while maintaining his clique's control. In 1890, he led Democrats to experiment with the politics of inclusion in a year when only three elective posts were at stake. Conservatives gave the independent party two-fifths of the delegates at the local Democratic convention that nominated a state senator and held a primary election for state representative and school superintendent, which by state law had become an elective office. These concessions, Stockdale hoped, would quiet growing discontent.

His plan succeeded with all the wrong results. Wilburn Whatley lost his bid to be state senator at the "2/5 convention." Independents and Alliance men supporting Whatley charged that the convention was rigged when it nominated conservative attorney Martin Lackey, although Whatley's own brother accused him of buying votes. Republicans nominated their own county candidates for the first time since Reconstruction and tried unsuccessfully to attract independents in the general election. With their opponents split, conservative Democrats prevailed, and Stockdale retained his post as head of the local schools.

It was at best an accidental triumph. At worst, it galvanized the opposition. Many farmers believed in 1890 that their man, Wilburn Whatley, had been cheated of victory. As a result, Democrats won the election but lost the future loyalty of many farmers and of the Alliance leader who had helped them prevail in 1888. Also, Reuben Kolb (pronounced "Cobb"), Alabama's secretary of agriculture and a state Alliance leader, was defeated for governor in what many Clay farmers considered another rigged state Democratic convention; the chief lawyer for the Louisville & Nashville railroad, Thomas Goode Jones, became governor at a brokered convention.

In 1892, four months after Della sent Hugo to Ashland Academy's first form, Clay's sweltering political revolution erupted. In April, independents held a mass meeting at the courthouse to form the People's Party of Clay, "to labor and vote for *equal rights for all and special privileges for none*." Wilburn Whatley and Henry Clay Simmons were elected to attend a statewide People's Party convention, and, blessed by the Rev. M. M. Driver's prayers, the new People's Party set a primary election for late May.

Freed of the necessity to please independent farmers, local conservative Democrats did not seem to know how to act. Hiram Evans abruptly gave up his post as probate judge and moved to Texas, but two prominent conservatives clashed bitterly for the nomination to succeed him. Stockdale entered the probate judge's race late, only to be reminded that elections cannot be brokered.

Stockdale's opponents got a combined total of more than eight hundred votes, while he received only eighty-nine. In every other Democratic race, at least four candidates bid for the nomination. Sheriff Allen White stepped down, but one of his deputies trying to succeed him received barely a hundred votes. The deputy proclaimed angrily that nine out of ten Democrats were liars since exactly 950 men had promised to vote for him.

The campaign in the general election began before crops were harvested, and the People's Party leaders commenced a whirlwind of activity and speeches. They echoed the platform of the national People's Party or "Populists" who had met earlier in Omaha, Nebraska. Declaring that "wealth belongs to him who created it," Populists supported a graduated income tax, government ownership of railroads and telegraphs, and the issuance of more money for the economy. They also accused "Bourbon Democrats" of chicanery at the polls.

Joseph Manning, son of Fayette's business partner, returned to Clay to tend to an ailing father and to assist the new political movement. Young, articulate, and energetic, Manning joined independent leaders whose forensic talents drew envious protests from Democrats. "If you'll give me Simmons to speak, Driver to pray," complained a local Democrat, "I can hold an enthusiastic meeting at the North Pole on any subject."

Conservative Democrats—"agonized Democrats," Simmons liked to call them—mounted a credible counterattack. The party of Jefferson and Jackson proclaimed support for government regulation, not public ownership of railroads; more freedom for private banks to lend money; "more efficient public schools"; the end of government subsidies to private companies; and lower tariffs on exporting farm goods. Democrats reminded voters that Alabama's Populists were the first party since Reconstruction to accept a Negro as a convention delegate and that it had a "Negro plank" designed to "arouse the Negro against white supremacy." The *Advance* editor summed it up: "The People's Party shows a Republican fatherhood and Independent motherhood and degeneration is evident throughout the offspring."

In 1892 Grover Cleveland attempted to return to the White House as only the second Democratic president since the Civil War, and Thomas Goode Jones, former L&N railroad lawyer, sought reelection as Democratic governor against Reuben Kolb's redoubled Populist campaign. The incumbent Democratic congressman was also fighting a challenge against Wilburn Whatley, now a boundless Populist. Across the South and the West, Populism had become a national, agrarian movement of poor whites, in alliance occasionally with blacks, to gain political power in order to redistribute economic opportunities and resources.

W. L. Black was an avid, boisterous partisan for Grover Cleveland, and his every word of praise was echoed during the campaign by his youngest son who, like his father, talked for Cleveland, argued for Cleveland, and shouted for Cleveland. At the age of six, Hugo Black also wanted to vote for Cleveland, although Clay's election practices were not quite that generous to Democratic causes. Whenever one of Fayette's conservative friends wanted a laugh, he would remind Hugo that his relatives in Millersville were Populists and, therefore, "You are a Populist, a third party-ite."

"I am *not*," the tiny boy protested in a pitched, shrill voice. "I am not a tird (sic) party—I a Democrat."

Asbury Stockdale was confidant that others of voting age would declare the same loyalty on election day. "As the campaign comes to a close, we see light," Stockdale wrote Governor Jones. "The great fight in Clay has been Jones vs. Kolb. In June it looked as if Kolb would have beaten you in Clay 700-800, but now the prospects are good for you to carry the County. I *think you will*." After recounting his own, personal sacrifices on Jones's behalf, Stockdale was ebullient about Democratic prospects across the state: "Looking for,—hoping for 40,000 majority in the state."

The election proved another of Stockdale's vain hopes. Kolb won Clay. Had it not been for fraudulent voting in Black Belt counties, where Democrats manipulated the votes of former slaves, Governor Jones would not have been reelected. Grover Cleveland also was not the clear choice of Clay's voters, although the nation did return him to the White House. One of the newest Populists, Wilburn Whatley, won a majority in Clay but lost the Congressional race in the district's two Black Belt counties because of questionable polling practices. Despite razor-thin margins, the People's Party candidates won all of Clay's county races. For the first time, Clay's entire courthouse belonged to farmers and the Populists.[16]

Beginning in late 1892, the Black household focused much more on Ashland's schoolhouse than its courthouse. Della's youngest child started in Miss Lizzie Patterson's first form class. Inheriting his mother's small, almost fragile features, Hugo was well-groomed and closely inspected each day by Della before he left home. His clothes were both handsomely homemade and store-bought, in comparison with the worn, patched apparel of country kids. Hugo already knew how to read and write, due to the help of his sisters and mother, and, with a new piano in the house, he had just begun to play a few simple tunes by ear. With this head start, Della's boy moved rapidly through the beginner's reader and on to more challenging books.

Hugo was one of the best students in his section, but he shone no brighter than the rest of Della's children who were Ashland Academy's honor roll students and acknowledged speakers. Attending the college division, Ora was in the women's literary society, ambitiously named Sappho after the lyrical female poet of ancient Greece. She lectured on suitable topics such as "Heaven from all creatures hides the book of fate." Robert Lee also attended college classes and acted as his father's son. In a school debate, for instance, Lee opposed electing the president by popular vote. Merit Vernon was eight years older than Hugo and considered the smartest, most talented of all the high-achieving Black children. In a community with deep oral traditions, Vernon's speaking ability was remarkable. Perhaps his most memorable speech at the Academy was a dramatic rendition of "The Little Martyr," the story of a boy whose life is ruined by the effects of whiskey.

At home, each of Della's children was treated with the same high expectations. She rigidly enforced rules against rowdiness and foul language, although she endured her husband's occasional profane behavior and words. When Hugo came home from school with signs of a scuffle, it didn't matter that he was Della's precious little boy. She whipped him—a sore punishment for a boy who lost most schoolyard fights. During the week, Della required her children to read the Bible at home, although they could read other respectable literature. On weekends, her children went to Ashland's First Baptist Church for Sunday school and for worship services on the third Sunday of every month when the circuit-riding minister came to town. To please his mother and to entertain himself, Hugo attended the Baptist Sunday school on Sunday mornings and Methodist Sunday school in the afternoon.

Ashland's Sunday schools were the primary places outside the home where the town's women could create and project their own vision and values for society. Segregated from business, politics, the pulpit, and the law, Clay's women prevailed for a couple of hours each week to speak about matters of the Christian heart. On the seventh day, Della and other women retold New

Testament stories, such as that of the Good Samaritan, as lessons of good will, good deeds, and human goodness, so that the town's children might find love, hope, and charity more often than had the last generation. Men like Hiram Evans always headed the county's Sunday school association, but Clay's women shaped the moral content of the children's sessions.

Freed of farming's many daily, mundane chores, the wives of Ashland's professional men (virtually all conservative Democrats) organized and ran the town's Sunday schools and related church societies. Della and other members of the Ashland's Ladies Aid Society, for instance, tried to bring to life, in small portions, their own moral vision by caring for the county's sick and afflicted and by maintaining the church buildings and grounds. These works did not challenge the governing terms of the community their husbands tried to rule, but they represented a more contemplative, at times transcendent, perspective of humanity.

When Della gathered with other women to sweep gravesites, their work was filled with tears and shared memories of passed loved ones and unrealized possibilities. They did not mourn the loss of any grand sectional past—increasingly the animating force in the South's Confederate memorials—but instead the sacrifices of the living, the constant demands of a time and place where joy and sorrow, life and death were never far apart. When women prepared the sanctuary at Ashland's First Baptist Church, with its pyramid-shaped doors, sharply pitched, angular roof line, and its tall, pointed bell tower—each tier successively directing all eyes towards the heavens—Ashland's white women joined in a unique communion where the modest rituals of service to others symbolically brought to earth religious postulates of kindness and human interdependence. These deeds did not, could not, reshape the direction of Southern white society, but they were habits of survival and symbols of personal meaning that differed from the self-centered morality in play among the broader society of men.

The moral life that Della worked to instill in her own children was reinforced at the schoolhouse. Small, delicate, and strict like Della, Lizzie Patterson was one of only a few women holding teaching jobs in the county. "Miss Lizzie" had a facility for making students avoid doing anything which she might disapprove of, and her one simple commandment, enforced with a disappointing glance or in rare instances with a wooden ruler, seemed clear and unmistakable to Hugo and his classmates. In an elegant handwriting, Miss Lizzie wrote two words on the blackboard at the beginning of each day: "Do Right." That was enough instruction.

The whole school day explicated Miss Lizzie's injunction. The day usually began with a Christian prayer and Scripture reading. Lessons were taken from the Webster speller and *McGuffey Reader*, both conveying messages of righteous living as much as correct English. In one of Hugo's early lessons, the *Reader* admonished: "As for boys and girls that mind not their books, and love not the church and school, but . . . tell lies, curse, swear, and steal, they will come to some bad end and must be whipt till they mend their ways." *McGuffey* also stressed: "if you are not diligent in the improvement of your time, it is one of the surest evidences that your heart is not right with God. You are placed in this world to improve your time."[17]

Despite the Academy's ethos of righteous self-improvement, Robert H. Fisher, Clay's newly elected Populist superintendent, considered Ashland's newest school incorrigible. In 1893, Fisher announced a new *public* school in Ashland for the education of *all* children. The public funds which supported the Academy's elementary and secondary sections under Stockdale's term were to be redistributed to a new "Ashland Preparatory School," constructed by local Populist leaders on land less than half a mile from the Academy.

As stockholders and officers of the private, profit-making Academy, the town's leading conservatives were outraged. In late 1893, Stockdale, W. L. Black, and Allen White unsuccessfully asked local citizens to overturn Fisher's plans and, afterwards, petitioned the Democratic state superintendent to remove Fisher from office.

Black and company claimed that the new school was unnecessary and would create "discord and strife and . . . animosity between pupils of the respective schools." Two schools in so small a town "will have the inevitable tendency and effect to tear down, instead of to build up, permanent schools in the County." The Academy's patrons also charged Fisher with "making up a school for his own benefit" since Fisher planned to become the new school's salaried principal.

Robert Fisher's self-dealing was a conspicuous misuse of office which reflected a larger pattern in which he was dismantling Stockdale's old system of patronage to build his own. Yet, the movement for a new "common school" had broader support and more honorable motives. "I have seen the necessity for another school for years," observed a Populist school trustee, "that all the children in the community might have an equal showing . . . Our lands are poor, our people hard pressed and in debt and getting worse every year. We need a reformation," proclaimed the trustee. "Shall we hold up the college [Ashland Academy] at her own fixed prices and . . . let one-half of the children go uneducated?" he asked. "I am not looking so much to the education of the classes as I am to the education of the masses."

The central issue was how to use public dollars for education, and it reverberated with Henry Clay Simmons's earlier slogan of "more schools, more teachers, more money." According to Populist Joe Manning, only a third of the white children were attending schools and most in Clay were enrolled for only three summer months. Yet, Alabama's Democratic leaders begrudged even this minimal public schooling for white children. In Montgomery, Democratic Governor Thomas Jones withheld revenues from county superintendents in the fall of 1893 due to Alabama's sagging tax receipts. His lawful authority appears dubious, although he was strongly supported by the *Montgomery Advertiser,* Alabama's voice of Democratic conservatism, which dismissed public education as a dubious state function. For weeks, Jones left the state's public school teachers without pay because he diverted school funds to pay the interest on state debts which should have been covered by other revenues, including overdue taxes from the L&N railroad, Jones's old employer. One of Clay's new teachers sarcastically asked: "I wonder if the railroad is needing its money worse than us poor teachers who have paid our taxes twice and the railroad not at all?"

While they could do nothing about the governor's mischief, Ashland's Populists now had the political power to take public monies away from an independent school under the control of conservative Democrats and to create a common, publicly controlled school with a lower tuition and a mission to educate all children, including those who "have to plow and hoe for a living." Populists claimed the new school would stop using tax dollars to assure that "the apt and highest pupils succeed, but the dull and indifferent are sure to suffer."

Ashland Academy became a major political issue in Clay's 1894 campaign when Robert Fisher sought reelection. Once it opened, the new common school competed with the Academy for enrollment, after Fisher reluctantly appointed another Populist as the public school principal. In a telling moment, the conservative Democratic Executive Committee met for the first time outside the courthouse, at the Academy, to map the party's rules and campaign strategies.

Like rivaling candidates, the schools advertised their own competitive virtues in large ads in the *People's Party Advocate,* the new, local Populist newspaper. Now boasting itself as "A School For All," Ashland's Academy claimed: "Expenses as LOW as can be had in any first grade school in the State." The Academy also stressed its teachers' experience and competence, qualities it inferred were missing a half-mile away. The private school assured all parents that "Only Moral . . . Literature allowed." It published a new catalog promising no child would be barred due to a lack of money.

In response, the new Populist-created school advertised itself as one of the state's most desirable with "a new and commodious building" and "good stoves and heating apparatus" for winter sessions. "NO SCHOOL IN ALABAMA," it boldly bragged, "offers better inducements to those seeking a practical education. . . One-half the price usually charged."

In an excessively hot summer campaign, the Academy held graduation exercises which included Ora and Robert Lee Black, one of Uncle Merit Street's grandsons (who had been boarding with the Blacks). In an obvious political maneuver, the college gave honorary degrees to four local men, including John R. Graves Toland, Della's half brother. As a former, dedicated teacher, Uncle Graves may have been a deserving recipient. (The family boasted later that Toland taught Admiral Chester M. Nimitz, the commander who developed America's first nuclear-powered naval submarine, in grammar school.) But, in honoring a prominent Populist, Black and the other Democrats who owned the Academy were trying to recast their private school as an inclusive institution. And, of course, if an honorary degree helped one member of the Academy's board of directors improve his own domestic relations, all the better.[18]

In the broader, political campaign, Democrats handpicked candidates at a county convention. They also put their own professional and educational advantages to use. After the last election, the Democratic state legislature enacted a law introduced by Montgomery's Anthony D. Sayre that required all Alabama voters to reregister within a period of two and a half weeks in May 1894, a time of active farming. Touted as a reform for good government, the Sayre Law required ballots to list candidates alphabetically for each position and eliminated political party columns. Leaving almost nothing to chance, the Sayre Act annulled the vote of any person who stayed longer than five minutes in the voting booth and permitted the voter to seek assistance only from appointed polling officials.

In effect, unless he was coached before entering the voting booth, a Clay County farmer in 1894 had to be able to read in order to find and vote for a Populist candidate on the ballot. And he had only five minutes to figure it out. If confused, he could seek assistance solely from local Democratic party officials who in Clay were appointed by Asbury Stockdale. Through these methods, Democratic leaders hoped to use white farmers' illiteracy, perpetuated by Democratic education policies, and their own control of the voting apparatus, to discourage, disfranchise, disable, or steal Populist votes.

One Populist newspaper retitled the Sayre Act as "an Act to Perpetuate . . . Frauds," and Clay's Populist leaders protested loudly. At an earlier rally in Ashland during January's fallow days in 1894, Rueben Kolb and Joe Manning had delighted farmers with the apocryphal words of Governor Jones. "Give me the Sayre election law and let me sign it quick, lest my arm be paralyzed, for it forever wipes out Kolbism, Third partyism, and Negroism," they mocked. Afterwards, while it was still too wet and cold to work in the fields, Manning and Wilburn Whatley held a series of public speeches attacking "Black Belt Bourbonism," and demanding a free vote and a fair count. "It is liberty vs. slavery," shouted the Populists.

W. L. Black's beloved Grover Cleveland was also a prime political target among Clay's Populists. In a flash of doggerel, a third party-ite proclaimed: "Grover . . . called aloud, 'If yet my task be done? Free silver have we busted up, Gold basis for Shylock won.'" John T. Hudson, known as a "mongrel" among Democratic opponents, tried to preempt accusations about Populists' black support by accusing Cleveland of appointing an African American, "black enough to make ink," to a government post in the District of Columbia: "you can't fool the people any longer with your 'nigger racket'—It's all rot," Hudson told conservatives, "too rotten for anyone except an agonized democrat to fool with . . . I leave the subject to the people . . . who are the ones that stink of negro?"

The campaign was as vitriolic as it was racist with a melee of words, flags, guns, eggs, and fists. Clay's Democratic newspaper attacked its Populist counterpart with a breath-taking string of vituperative adjectives: "The . . . false, obnoxious, spiteful, repulsive, offensive, invectious, abominable and malicious thrust at the *Advance* in the sappy, scurrilous slime slinger of last week is characteristic of the little, dirty, scabby, sneaking, groveling, perfidious, unscrupulous, double-tongued, time-serving sheet in which it was published . . . what magniloquent prevaricators are these vainglorious braggarts."

The Democrats wrapped themselves with the Confederate flag since William Oates, the one-armed Confederate officer who assisted General Lee at Gettysburg, was their nominee for governor. Henry Clay Simmons, the county's "most eloquent political speaker" according to W. L. Black's youngest son, returned to the "agonized" party since apparently he could not abide the national alliance of Populists with blacks and Republicans. In an about-face, Simmons took to the stump now praising the party of the old Confederacy, which he had served.

A Populist nominee for the state legislature, Joe Manning, showed little respect for the South's sacred past. Concerning one opponent, he said: ". . . you have spoken about your forefathers fighting and dying for Democracy. It is a pity all of your sort didn't die when they did." At a speech outside of Clay, Manning was pelted with eggs until he gave up the platform. He quickly boarded an outbound train when his supporters feared he would be "egged, stoned, or shot to death." In Clay, Wilburn Whatley kept a pistol in his pocket as he campaigned for the Populist ticket, and, after cutting a man with a knife, Whatley warned that anyone trying to interfere with his speeches would prematurely meet his Maker.

On election day, in Black's old Wickers precinct, young farmers paraded a mule bedecked with a crown of colorful corncobs, signifying the heady victory which they expected for their gubernatorial candidate Reuben Kolb. The animal also had a tail of "Oates" swishing across its backside, placing the Democratic candidate just about where they thought his character was best defined. At several polling places, including Merit Street's store, men broke into a brawl after sharing illegal whiskey. In a couple of locations, Populists set up a procedure whereby one of the county's few black men was introduced to a Democrat as he came out of the voting place. The white Populists mocked that the Negro was going into the polls to cast a Populist ballot—"to kill" the Democrat's vote. White Populists thought it was riotous, revengeful fun, a fitting insult to Democrats for their party's fraudulent use of black voters in Alabama's Black Belt, but an angry white Baptist preacher fetched his rifle and tried the old-fashioned way of killing Populist votes.

When the tallies were done, Democrats failed to regain the county's political control, although the People's Party won most races by less than one hundred votes. Joe Manning became the new state legislator. Superintendent Robert Fisher was the only Populist defeated in the county. He lost by thirteen votes, a thin margin tipped by his own greed. The eight-year-old Hugo Black was at the courthouse watching the count until the last votes were tallied.

Democratic fraud in the Black Belt was so evident in the narrow victory of William Oates as governor that Joe Manning helped to organize a rally in Montgomery where a few hundred Populists, marching on the state capitol, demanded Reuben Kolb ascend to the governor's chair. After Oates took his oath of office on the spot where Jeff Davis became Confederate president, outgoing Governor Jones defied the Populist crowd by sending out an armed state militia whose guns and bayonets had left several dead and wounded in a recent Birmingham miners' strike. When Kolb hesitated in the face of loaded guns, Manning shouted: "Go ahead, Captain, they may kill you, but you will go down in history as a martyr to the Populist cause." Kolb declined immortality. In absence of a state law for challenging a fraudulent election, Alabama's Populists settled for one-third of Alabama's legislators, elected mostly from north Alabama counties.[19]

With a local Democratic school superintendent, W. L. Black and other conservative leaders took Ashland Academy out of politics by agreeing to share the Academy's control. Populist Probate Judge E. A. Phillips became secretary of the private school's board, which hired a new principal acceptable to both political camps, and both Democrats and Populists were hired later as teachers. In turn, public funds supported the private Academy, where Hugo now began his third grade. No other school for white children operated in the town. (As in the past, black children went to school in Ashland's local black church with hardly any public funds.)

Like other rare moments of political harmony in Clay, this settlement may have been perfected with the wealth of Merit Street, although this time through an ironic, dishonest twist of his last earthly wish. During a long, slow period of disability, Street had informed local citizens that he was leaving $15,000 in his will for a common school in Bluff Springs. At that time, this amount was a fabulous sum that could have endowed a state's university, much less a local school in the heart of Clay's most Populist section.

Uncle Merit had died in May 1891, only three months after A. S. Stockdale, Allen White, and W. L. Black arranged for public funds to support the private academy they owned for educating conservative Democrats' sons and daughters. The original of Street's will was lost, but it was redrawn from the memory and notes of Street's lawyer, a longtime Democrat from nearby Lineville. "In the name of Almighty God, Amen," the document began in characteristic style, "I, Merit Street . . . will and bequeath my soul to God who gave it, and that my body be interred in the old family grave yard [on Mount Ararat] near where I now live, and that a neat, substantial enclosure and tomb be placed over the same, not an extravagant, costly one . . ." After assuring that his wife would have all she needed to live comfortably, Street ordained four hundred acres of land and $15,000 for the establishment of "an Industrial School for Girls and Boys" within sight of his grave. The will described how to construct adequate buildings, including a "chapel of good size" for use by "all Christian denominations," and how to invest funds so that earnings could pay teachers in perpetuity.

"I direct that all children who may attend said school," continued Street's will, and "who live close enough to come from home should be charged no tuition." Street provided that "male scholars" work the school's farm as a part of their education and that "female pupils . . . be taught and required to do . . . such things as will be beneficial to them in after life." All products of student work were to generate funds for the school's ongoing operation. Street named his oldest son, Jay, Judge Hiram Evans, and J. L. M. Curry, a nationally known educator who began his career in Talladega, as school trustees. Most of Street's remaining wealth was divided equally between his two sons—with one condition. Street named his first son, a good, sober Democrat, as sole executor of his estate and required his youngest son, Robert, to quit drinking liquor for three consecutive years before he could receive the bulk of his legacy.

In June 1891, Hiram Evans had appointed a special judge to probate Street's will, ostensibly since Evans was a named party in the document. He appointed Asbury Stockdale, Clay's superintendent of schools and the major stockholder in the Ashland Academy. After a hearing with Street's family and lawyer at the Ashland courthouse on June 13, Stockdale approved terms of the reconstructed will, which was laid out in probate records. By the end of the month, Evans issued a decree approving Stockdale's order and judgment.

No school was ever built in Bluff Springs.

Merit Street's son apparently never assembled the school's trustees nor did he as executor of his father's will set aside any money or land for the school.

There was evidently no contact with the proposed school's most distinguished trustee, Dr. Curry, who had recently returned to America after serving as U.S. Ambassador to Spain. Another trustee of the proposed school, Hiram Evans, unexpectedly decided in early 1892 not seek reelection. Before a new probate judge took office, Evans moved to Texas, a common place of refuge at that time for Alabama men fleeing the law or a pregnant girl's irate father. Street's lawyer who had reconstructed the will moved to Birmingham and afterwards to parts unknown. Stockdale attempted in 1892 to succeed Evans as probate judge where he could control access to probate records—rather than remain as public school superintendent. Merit Street's wife and two sons, who also knew the terms of the will, remained silent throughout their lives, as did every professional man who participated in probating the will of their righteous friend.

When the conspiracy of silence developed and how it was sustained over time are mysteries whose solutions are long buried. It is curious that the endowment for a school in the original, misplaced will was included in the reconstructed document that Stockdale approved and recorded in probate journals. It would have been much easier to collude against Merit Street's last wishes had those terms simply been left out of the recomposed document. In fact, many years later, after Street's youngest son committed suicide and his oldest son mismanaged the family fortune, the original will was discovered by children exploring Street's old rolltop desk. The provisions for the school were there for all to read, but the money had been wastefully spent.

Street's descendants and his neighbors had assumed that the community had been cheated because Street's lawyer left the school out of the will when he rewrote it for probate. In fact, the treachery was more complicated and more profound, and its discovery could have been much simpler. Because the recorded will included the school endowment, the complicity probably began after the document was probated, during a time when a rich family's shock and grief can wane and selfish greed betrays old loyalties and truth. Yet, as the entanglements, inactions, and silence grew, Merit Street's true intentions were available to anyone with access to the handwritten, public journals in the probate judge's office.

During this time, the shadows of unusual private transactions prompted Populist leaders Wilburn Whatley and Robert Fisher to accuse Evans and Stockdale of personally receiving large sums of money from the county treasury through a series of devious, illegal, but undefined means. In addition, Populists charged that Judge Evans attempted to stage a theft of public records from his own office to cover up an unspecified crime. There were, however, no missing public monies or records, and allegations of misconduct were never seriously pursued. No one suspected that officials might be paid for a coverup with Street's own money. The old man's personal integrity apparently shielded his own family from any suspicion of wrongdoing. Ironically, Street's lifelong example of hard work, correctness, and parsimony as worshipful deeds to honor his Almighty was handed down to his sons and surviving wife as nothing more than a love of money which, in the end, proved more puissant than a stern father's last will, the needs of a poor white community's children, or standing law.

Whatever were the particular, private inducements for omissions and convenient departures, Asbury Stockdale and Ashland Academy's other primary stockholders had a clear self-interest for colluding with Street's family. They had invested substantial sums of their own monies in developing Ashland's private school that now depended on both public monies and student fees in the higher sections. As county superintendent, Stockdale had assured government support, but Street's new school, innovative and inexpensive, would have pulled away students and fees from across Clay County. In a few years, such a remarkable free educational institution also could have shifted the center of learning from Ashland to Bluff Springs. That development would have created real political pressure to invest more public monies in schools outside of Ashland. At stake for Stockdale, Black, and White were their own money and the best local education for their own children.

Stockdale's belated decision to give up his post as school superintendent to seek the post of probate judge in 1892 underscores the men's probable motives. Stockdale risked losing control of public monies supporting the Academy, but something more ominous loomed on the horizon. A new probate judge might easily discover Street's will in reviewing past records and raise the question of why the executor had not established the school endowment or why Stockdale as the special probate judge had not required observance of the will. The new probate judge could reopen the case and order the executor to create the endowed school or remove Street's son as executor of the entire estate. As it turned out, Stockdale embarrassed himself by receiving fewer than one hundred votes in his race for probate judge.

No record or memory survives to tell how much W. L. Black knew or participated in the conspiracy. He was in a position to know everything and to be paid for keeping his own counsel. In fact, according to tax records, Black's own wealth rose sharply after Street's death. Equally mysterious is why the new Populist probate judge, E. A. Phillips, did not discover Street's last will soon after he took office in 1893 and decree the formation of the free school for the county's Populist stronghold. A few years earlier, as court clerk, Phillips had accused Evans and White of rigging juror selection to protect Democratic interests. He and Evans were bitter political enemies, not a relationship of forgiveness. Perhaps Judge Phillips simply did not notice the exact terms of Street's will—at least for a few years.

This much is public record. After the 1894 election, the county's Populist probate judge joined conservative Democrats as an officer and primary stockholder of the Ashland Academy, and, in a terribly divided county, the school became the only semi-public institution where Populists and Democrats worked together. After 1894, Merit Street's rural grandchildren boarded in Ashland with the W. L. Black family while attending the Academy. By 1895, Judge E. A. Phillips had a taxable wealth rivaling that of W. L. Black, although Phillips's office afforded him an annual salary of only $500. Phillips did not seek reelection in 1898 but opened a large mercantile business in Ashland where he prospered.[20]

By whatever mix of private, public, and political motives, by whatever acts of betrayal, inducements and perfidy, both Democratic and Populist leaders left Bluff Springs and Clay County without a new, free, and well-endowed school for its poor white children. Ironically, Ashland Academy survived as the defilement of a rich man's last wish, and it became Merit Street's most enduring, if unintended, legacy.

After the 1894 election, W. L. Black began to establish his own living legacy. His oldest son, Robert Lee, was now twenty-five and a mirror of his father's physical traits—a large man whose long, handsome head was defined by wavy brown hair, a trimmed mustache grown slightly beyond the ends of his upper lip, and a right ear lobe tilting forward as if eager to hear a conversation. Yet, Lee had none of his father's character: no driving ambition, no strong animosities, no opinionated stubbornness, and no consuming taste for whiskey. Lee took life in its own good, sweet time. He much preferred lounging with a book instead of pushing Democratic dogma or negotiating a store lien. Lee reincarnated his father's body without his soul. Dutifully, however, as eldest son, Lee became

W. L. Black's heir in business and politics. He was, in effect, manager of the store, now owned solely by Fayette Black. Lee had joined Ashland's young men's Democratic Club and now, like his father before him, was elected to the local Democratic Executive Committee. Soon he became its secretary.

After six years in Ashland, W. L. Black had attained a long-sought prosperity. By 1896, he owned two houses and two "business houses" in town. His store supplies were valued at $1,200, according to the tax assessor. The crop liens that Fayette registered in courthouse records added up to more than $3,000 in loans. While promoting Lee as a local Democratic leader, W. L. joined the Ashland city council, an honorary post shared among the town's Democratic men.

Black wore his success with style and relish. His conservative friends praised him as a "leading merchant and enterprising citizen." Increasingly, he left Lee to mind the store while he went to Talladega, Goodwater, Montgomery, Alex City, and other centers of commerce in nineteenth-century Alabama. The local Democratic editor delighted in ribbing Black about his penchant for a foppy appearance: "With a comely form and faultless apparel, he will be the Beau Brummel of Clay."

Black's family was now a part of Ashland "society," modest as it was in comparison to New York, St. Louis, or Montgomery. Lee's courtship and marriage to a local girl was newsworthy for both conservative and Populist weekly papers. Since competition for printer's ink was slim in the backwoods, especially when politics wasn't stirring, a business trip by W. L. Black or the movement of the older Black children around the county was never too insignificant for a sociable comment by the local weeklies.

Black's children also were provided enviable opportunities in a place where most children were illiterate and bound for life to a profitless farm. Orlando secured a teaching job in north Alabama, where Fayette's father and other kin had moved. Pelham was grooming to be a lawyer. With a new Democrat as school superintendent, Ora received a teaching job in the Spring Hill community, despite the fact that it was a stronghold for Populists like Wilburn Whatley. Described as "one of Clay's most accomplished daughters," Ora married another schoolteacher at the Black home in the "social event of the season."

Like their father, the Black boys went about the county almost as dandies, clothed often in rare, store-bought apparel. When Hugo proudly wore a store-bought cap on a visit to Ora's classroom in Spring Hill, he was the envy and taunt of local boys who had bare heads and bare feet most of the year.

Age and comfort made W. L. more indulgent of his own vices and more intolerant of others. His alcoholism deepened into a subject of public ridicule and private torment. Without Uncle Merit to please and with Lee behind his store counter, Fayette's binges with whiskey apparently became more frequent, longer, and more public, in a town too small to hide foibles. When Robert Lee married, the local Democratic newspaper seemed obliged to assure readers that W. L. Black's son was "a honest, *sober*, intelligent young man." The Populist paper was not so circumspect. "W. L. Black, " reported the *People's Party Advocate* after New Years Day in 1894, "is suffering from la grippe . . . Did you 'swear off' last Monday morning?" it asked Black and others who were victims of holiday libations in a dry county.

The only lawful exceptions to prohibition in Clay were for use in "family circles," the one place Della could prevent her husband's drinking, and for "sacramental purposes," a use that hardly applied to a man expelled from his church for public drunkenness. Under the circumstances, dry Primitive Baptists and Populists had good reason to wonder how one of Ashland's city fathers could "get religion" every time he needed a sacramental drink in order to keep from breaking the law, which as a city council member he was sworn to uphold.

Unable to relinquish liquor and blind to most of his own shortcomings, Black concocted his own moments of mischief and embarrassment for Baptist teetotalers and preachers, whose piety he considered as counterfeit as the Populist position on silver. When the Shiloh Baptist Church at Hatchet Creek held a drive to build a new structure, for example, W. L. Black was among a list of prominent Populists and teetotalers as a financial supporter, acknowledged publicly as one of the "brethren and friends" of the church. For thirty cents, the lowest contribution on the list, Black bedeviled the dry Baptists who considered him as an unfit, sinning outcast in one church but as one of the Baptist "brethren" in another, if they needed a little of his cash for a building fund.

Della regularly invited the Baptist minister to dinner after his Sunday sermons, in keeping with her rotating duty as a churchwoman, but W. L. Black usually stayed on the porch, away from the preacher until food was served. On at least one occasion, while waiting alone, Black espied another "outsider" whose sinful ways had banished him from the church. The man was a well-known "sinner" and may have been slightly drunk. With exaggerated gestures of friendship, the elder Black prevailed upon the drunkard to join the family and the Baptist minister for Sunday dinner. Black relished demonstrating his version of the Good Samaritan to wife and guest.

Black stubbornly kept up his war with the Baptist church regardless of its emotional cost to his family. For example, Ora's wedding in November 1894, might have been the "social event" of Ashland's fall season, as the *Advance* wrote, but it did not include a Baptist ceremony. Despite the natural wishes of a devout mother and faithful daughter, Fayette would not attend a Baptist church nor did a Baptist minister get the opportunity to officiate a ceremony in his house. Ora and Della had to settle for a civil ceremony by a Justice of the Peace and a lavish "social event." By design or luck, Lee married a Methodist woman in her church.

Fayette's acts of mischief and spite were a continuing embarrassment to his wife, leaving emotional wounds that Della salved with her devotion to God, family, and church. These episodes, however, paled when compared with the pain that Fayette inflicted at another moment of death in the family.

In the fall of '95, Hugo's youngest sister Daisy took ill with a severe fever. It may have been the real "la grippe"—deathly influenza. While she was nursed to recovery, Merit Vernon became sick with the same symptoms. The boy was feverish for weeks, but by early November the danger seemed to have passed. With his father's blessing, Lee went to the Cotton States Exposition in Atlanta to see Grover Cleveland, and Orlando returned to north Alabama to teach. Yet, Merit Vernon's recovery proved false. At seventeen, "one of the brightest boys in Ashland College," the brother Hugo most emulated, died on Friday afternoon, November 15.

It was the third weekend of the month, and the Rev. J. D. Upshaw was in Ashland, as scheduled, to preach on Sunday at the First Baptist Church where he always saw Della, Merit Vernon, Hugo, and the other Black children. Upshaw was a moderate Baptist who believed in the virtues of Sunday school and ministerial training, but he was a Baptist minister who held worship services in a Baptist church, a place W. L. Black refused to enter.

In keeping with local customs, Vernon's body was laid out in the parlor of Black's home, where men and boys sat with it around the clock until the day of the funeral. Amid condolences and piteous reminders that "it is not all of life to have nor all of death to die," Della endured immeasurable grief from the loss of another child and from her husband's refusal ever again to step inside a Baptist church. Not even the disposition of his son's immortal soul changed Fayette Black. By Sunday morning, after untold negotiations, trauma, and recriminations, Merit Vernon Black's funeral was held with the only preacher in town, the Baptist Reverend Upshaw, presiding in the only religious building W. L. Black would enter, the Methodist church. Luckily for Della and her surviving children, Ashland's cemetery was considered nondenominational.

Within three weeks of his son's death, W. L. Black traveled to Atlanta's Cotton States Exposition to forget his misery. Whiskey was plentiful, and the attractions included the Hall of Confederate States, a giant Ferris wheel, Middle Eastern camels, and the first silent movies or "living pictures." Black returned to Atlanta after Christmas to bring in the new year, without local Populists' taunts about drinking himself sick. W. L. apparently intended on having the time of his life. As Black left town, Clay's *Advance* newspaper jokingly warned: "Atlanta and all of China will shake from one side of the earth to the other."

And Atlanta did. With Black among the gigantic crowds, the Gate City celebrated as if entering a new millennium in a wild, citywide party that closed the World Exposition and launched Atlanta anew as the brave city of Henry Grady's born-again New South. Downtown trains on New Year's Eve were overloaded with passengers who quickly joined strangers dancing in the streets, as peddlers sold cups of whiskey punch for a dime. In smoke-filled theaters, men stared hungrily as women revealed as much flesh and hip movement as public morals would brook. At Piedmont Park, massive crowds assembled in the last hours of the Exposition, while men, like boys fighting over a treasured copy of *National Geographic*, pushed for a glimpse of the exotic, foreign belly dancers. In the wake of his second child's death, W. L. Black finally was somewhere he wanted to be. It was as much of the wide world as he would ever see.

Back in Ashland, where W. L. did not want to be, Hugo Black was nearing the age of ten, a time when children begin to see cause and effect, to assign right and wrong to what they once witnessed simply as unrelated or inevitable events in a world of magic, fun, sorrow, and danger. As a boy exploring and watching the world around him, beginning to find his own identity and place, Hugo attached himself to individuals whom he respected. And, increasingly, Hugo was looking for guidance and role models away from the man whose seed gave him birth. The boy was beginning to develop a cold indifference towards his father, an emotional detachment shaped between the competing polarities of hate and love, something he probably first recognized as the terms of truce in his parents' own relations. These were early moments in the rites of passage from childhood and represented an unmarked, gradual shift in perspective and attitude that can be even more significant in a boy than the awakening of puberty, although a great deal less noticeable.

From a very early age, Hugo had understood the dangers of whiskey as he watched what it did to his father and how it contributed to his mother's deepest pain. Ashland's doctor had diagnosed Hugo at the age of five with catarrhal fever and prescribed medicinal whiskey to help save the boy's life. Because he came into the world so little and frail under death's wings, Della always considered Hugo a sickly child and feared that, like Little Della, he would die young. Of course, Hugo considered himself vulnerable. But, his reaction to whiskey was so strong even at the age of five that, entirely on his own, Hugo refused to take one drop of the evil liquid that he blamed for ruining his father's goodness. At five, Black couldn't spell the word "whiskey," but he knew by smell and observation that it was a ruinous substance that no human lips should ever touch. Della feared for her son's life, but she also feared what whiskey did to one's life. Together, mother and child prayed and disobeyed the doctor's orders.

W. L. Black's worsening alcoholism may have been one of the reasons Ora took Hugo with her to Spring Hill during the summers when she taught school. The boy enjoyed meeting and playing with new friends like Wilburn Whatley's youngest son, Barney, but an absence from home also spared Hugo from sad, inevitable moments when Della worked to sober or calm her drunken husband. Hugo's frequent trips to Millersville to visit the Tolands provided the same sort of shield. Except for the gentle waywardness of Uncle Brack, who also was expelled from the church for drinking, the Tolands were prohibitionists. Little wonder that Hugo spent many summers of his early youth fishing for catfish and eel in Hatchet Creek and playing with cousins miles away from Ashland.

Merit Vernon's death, however, marked a specific, turning point, a vague but certain period when a perceptive boy like Hugo sees over the shields that adults use to protect him and remembers not only death's sorrow but also man's misdeeds. It was a time when Hugo could no longer see the dangers and destruction of alcohol without also seeing the failures of his father. If at five a boy could face death and muster the free will to forego whiskey, against the advice of a doctor, at the age of ten he could wonder seriously why his father could not gather the same will to stop drinking and to end the tragic misery he unleashed on his family with every binge and every act of revenge against his old church. Self-discipline so painfully lacking in the father's habits was becoming the cardinal virtue so eagerly sought by his youngest son.

In the weeks following the new year, after W. L. Black had returned soberly from Atlanta, life continued in Ashland without Merit Vernon and without any other visible change in the Black household. The most disciplined of the older Black boys, Orlando decided to abandon teaching in north Alabama for medical school. He wanted to become a healer and an opponent of death. [21] At ten, Hugo could not make so dramatic a statement about his future. Yet, while he never forgot that W. L. Black was his father who provided well for his family, never again was Lafayette Hugo deliberately the echo of William Lafayette, as was that little boy of six who campaigned for Grover Cleveland simply because he was his father's son.

Following his older brother Pelham's interest in the law, Hugo began to discover inside Clay's courthouse a world of excitement and entertainment that was the province of men who were lawyers, judges, and politicians. During each circuit court session, attorneys from Ashland and surrounding counties commanded the courtroom on the second floor as they stood before a jury of twelve men—and often one small boy in the audience—to address questions of guilt and innocence. Civil cases were usually arid and uninteresting, but criminal trials could possess high drama and conflict, when attorneys with limited formal education could appear larger than life.

Martin Lackey, Esquire, literally fit the bill. He weighed 350 pounds and had the movements of a beached whale, as he made his slow, arduous journey up creaking steps to the courthouse's second floor. Except when the lawyer was leaning back in his special, oversized cane-bottom chair whittling wood as witnesses spoke, Hugo was never sure Lackey was awake, or even alive, during a trial. The lawyer sat immovably in the courtroom. In most cases, he associated a younger attorney to examine witnesses, as if the act of asking questions was simply more exercise than Lackey could possibly muster. Lackey's closing statements, however, could be volcanic, often providing a summation that molded the jury's understanding of the facts into an unstoppable, local logic that overcame his opponent's case.