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# Edmund Favor Noel (1908-1912) and the Rise of James K. Vardaman and Theodore G. Bilbo

by *Jere Nash*

By the time Edmund Noel campaigned successfully for governor in 1907, Mississippi was a white supremacist state. The black vote had been virtually eliminated from elections, and Jim Crow was the law of the land, both by statute and custom.<sup>1</sup> No serious candidate in the fifty years between the adoption of the state Constitution in 1890 and World War II argued otherwise.

The racial question for each election, then, was how vituperative

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AUTHOR'S NOTE: There is disagreement in the historical record of the spelling of Noel's first name. While it appears he was named for his paternal grandfather, Edmund Favor Noel, there were no birth certificates issued in 1854. When the 1860 Census workers came through Holmes County, they recorded the four-year-old Noel as Edmund. However, ten years later, Noel was recorded as Edmond. The 1910 Census, taken when Noel was governor, had him recorded as Edmund as did the 1920 Census when he was back home practicing law. Early in his legislative career, the legislative journal rosters identified him as either Edward or Edmond. When Noel returned to the Senate later in his career, the 1924 and 1926 journals listed him as "Noel, Senator Edmund F. (Ex-Governor of Mississippi)." Nevertheless, throughout Noel's tenure in public life, newspaper reporters and editors referred to him as E. F., Edmund, Ed., Edward, and Edmond. The front page article in the July 31, 1927, *Jackson Daily News* announcing Noel's death spelled his first name Edmund. On the other hand, Noel's death certificate spelled his typewritten name "Edmond" but it also gave Noel's date of birth as "4/4/1856" which was off by a month. When Noel recorded his will in the Holmes County Chancery Clerk's office, he signed it E.F. Noel. While Noel's first name is spelled "Edmond" on the nameplate of his official portrait that hangs in the hallway of the State Capitol, if you visit Noel's home in Holmes County, which is on the National Register of Historic Places, the property is listed as the Gov. Edmund F. Noel House. Finally, Noel and his wife are buried in the Odd Fellows Cemetery in Lexington. On Noel's tombstone his first name is spelled Edmund while on his wife's tombstone, his first name is used three different times and is spelled Edmond all three times. For purposes of this article, we favor the paternal grandfather and the tombstones.

<sup>1</sup> The most damning description of this era of Mississippi history is found in Neil R. McMillen, *Dark Journey: Black Mississippians in the Age of Jim Crow* (Chicago: University of Illinois Press, 1989), especially 3-32.

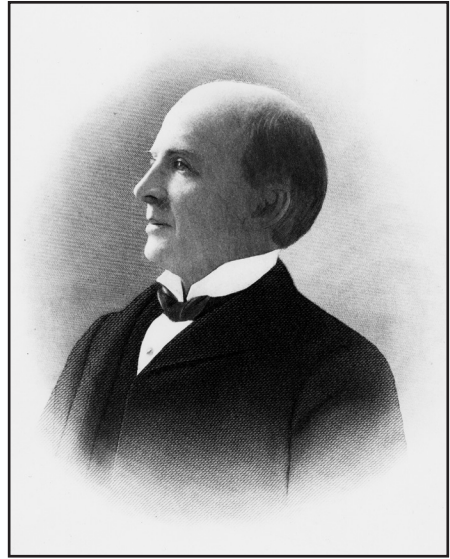
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white candidates would be in their denunciation of black Mississippians. Candidates either followed in the footsteps of James K. Vardaman and Theodore G. Bilbo, or they took a more restrained approach favored by John Sharp Williams, Pat Harrison, and Earl Brewer.

Though firmly in the restrained camp, Noel ironically had more to do with advancing the careers of Vardaman and Bilbo—and their brand of race baiting that came to define Mississippi for much of the country—than perhaps any other single politician of their time.

Born March 4, 1856, on the family farm in Holmes County, Edmund Noel lived through the Civil War in Mississippi as a young child. His father fought for the Confederacy and ended up in federal prison. During Reconstruction, Noel was sent to Louisville, Kentucky, to live with David Sanders, his mother's brother, to attend high school, and ultimately to study with Sanders, an attorney in private practice, to learn the law. Noel returned to Mississippi in 1877, was admitted to the bar, and opened a law office in Lexington. Four years later, he was elected to the post of state representative and then, was successful in a campaign for district attorney in 1887. In 1895, he advanced to the state senate and was re-elected in 1899. Noel's first wife died one year after their 1890 marriage, and in 1905, he married Alice Josephine Tye Neilson, who would later serve as Mississippi's First Lady. Neilson's father, John Tye Neilson, was also a Confederate army veteran, and her great-grandfather on her mother's side, Abraham Clark, was one of the signers of the Declaration of Independence. Neilson had two sons from a previous marriage, one of



*E. F. Noel, Courtesy, Mississippi Department of Archives and History*

whom, Edwin Neilson, became a law partner of Noel's in Lexington.<sup>2</sup>

Noel's writings and speeches give the impression that he was intelligent, direct, and sure of himself. While he rarely engaged in the bombastic and hyperbolic speeches that characterized Vardaman and Bilbo, he nevertheless felt free to speak his mind. In reply to one quarrelsome constituent, Governor Noel wrote: "Your letter of 10<sup>th</sup> inst. was received. It is altogether needless for two persons to talk or write of matters about which they so widely disagree as you and I do." Yet, Noel took three pages to explain himself before ending with, "This letter is needless I suppose and no reply is expected."<sup>3</sup>

Noel was apparently neither unashamed to mix his religion with his politics, nor reluctant to embarrass fellow politicians who did not meet his standards, leaving one historian to observe that Noel had a tendency to "lecture legislators like schoolboys." For these reasons his opponents nicknamed him "Granny Noel," and his habits led Delta aristocrat LeRoy Percy to once call him a "canting, narrow, small board Baptist." In her 1965 thesis on Noel, Sue Lucas interviewed two people who apparently had known the former governor. One of them described Noel as a "well-read man with a logical mind," while the other remembered Noel as a "serious, matter-of-fact sort of person who was never known to tell a joke or carry on any foolishness."<sup>4</sup> Examining Noel through a larger lens, another writer summed him up as "never a demagogue, but safe, prudent, conservative, and stubborn."<sup>5</sup>

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<sup>2</sup> Charles Granville Hamilton, "The Turning Point: The Legislative Session of 1908," *Journal of Mississippi History*, 25 (April 1963): 95-96; Lawrence Edward Kight, "The State is on Trial: Governor Edmund F. Noel and the Defense of Mississippi's Legal Institutions Against Mob Violence," *Journal of Mississippi History*, 60 (Fall 1988): 196-197; Cecil L. Summers, *The Governors of Mississippi* (Gretna, LA: Pelican Publishing Company, 1980), 90-91; David G. Sansing, *Mississippi's Governors: Soldiers, Statesmen, Scholars, Scoundrels* (Oxford, MS: Nautilus Publishing Company, 2017), 141-143; "Ex-Governor Noel Dies Saturday at Home in Lexington," *Jackson Daily News*, July 31, 1927; Dunbar Rowland, *Mississippi Official and Statistical Register*, 1912, State of Mississippi, 82-83. There is disagreement among these and other sources as to the date of the death of Noel's first wife, with the length of their marriage varying from one to three years. For purposes of this article, the date of her death was taken from Noel's obituary and from her tombstone in the Lexington cemetery.

<sup>3</sup> Noel to Mr. R. L. Jones, February 15, 1909, Series 861, Box 1211, Folder 220, Noel Files, Mississippi Department of Archives and History (MDAH).

<sup>4</sup> Sue T. Lucas, "Edmond F. Noel: Progressive," (Master's thesis, Mississippi College, 1965), 8-9. Notice the spelling of Noel's first name.

<sup>5</sup> Hamilton, 95-96; Lewis Baker, *The Percys of Mississippi: Politics and Literature in the New South* (Baton Rouge: Louisiana State University Press, 1983), 33; A. Wigfall Green, *The Man Bilbo* (Westport, CT: Greenwood Press, 1976), 27; Dennis J. Mitchell, *Mississippi: A New History* (Jackson: University Press of Mississippi, 2014), 269.

While those qualities did not serve him well at the end of 1909, seven years earlier, in his second term as a state senator, they were the impetus behind his move to fundamentally alter Mississippi's political landscape.

### Noel and Party Primary Elections

By the turn of the century, Mississippi had become a one-party state, with the Democratic Party in complete control of the state's political infrastructure. Hence, the election of consequence was the party primary. Except, there were no primary elections. Nominations for candidates to represent the Democratic Party in the general election took place at conventions, which were typically small gatherings dominated by a few power brokers who supervised the county or state executive committees. "Political power was more restricted than ever," observed one historian, "and under the convention system for making nominations, the real power lay in the hands of small cliques of politically active men. Planters, merchants, and bankers dominated party conventions."<sup>6</sup>

In his classic book about this period of Mississippi history, Albert Kirwan captured in one paragraph the state's dismal economic conditions, the reasons for the backlash against the convention brokers, and the emotional tie to the Democratic Party:

In the period 1880-1890 conditions were generally bad, but after the latter date, they grew worse. Banks were reluctant to lend money on even good lands and interest rates were high. The farmer became convinced that he was the "forgotten man." To him it seemed the enemy class—Wall Street speculators who gambled on his crop futures; the railroad owners who evaded taxes, bought legislatures, and over charged him with discriminate rates; the manufacturers, who taxed him with a high tariff; the trusts, that fleeced him with high prices; the middleman, who stole his profit—had got control of the Democratic Party—the party which had redeemed him from Negro-Republican rule. To seek salvation in the Republican Party

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<sup>6</sup> Stephen Cresswell, *Rednecks, Redeemers, and Race: Mississippi After Reconstruction, 1877-1917* (Jackson: University Press of Mississippi, 2006), 191; Albert D. Kirwan, *Revolt of the Rednecks: Mississippi Politics, 1876-1925* (New York: Harper & Row, Harper Torchbooks, 1951), 122.

was as useless materially as it was unthinkable morally.<sup>7</sup>

Primary elections were the answer, and ever since joining the state senate, Noel had advocated for a law requiring elections for party nominations in lieu of conventions. Primaries were a central tenet of the progressive agenda at the turn of the century and, as one historian characterized Noel, he “regarded himself as the original progressive leader of the state.”<sup>8</sup>

Noel complained conventions tended to defeat “candidates whom the people would have chosen and naming those having the least popular support.” Moreover, he wrote, “Arbitrary and unjust apportionments of delegates, trades, and chicanery opened opportunities and temptations.” A number of newspapers joined Noel in denouncing conventions and agreed with a *Jackson Clarion-Ledger* editorial that portrayed the law establishing conventions as “conceived in sin and born into iniquity.” Noel picked up a key supporter when Andrew Longino was elected governor in 1899. Longino urged adoption of the primary law in his message to the legislature in January 1900, and even though the reform failed in the 1900 session, it overcame one hurdle by passing the senate.<sup>9</sup>

Noel’s primary election legislation, the first senate bill introduced in the 1902 regular session, required elections for party nominations, complete with a runoff if a candidate was unable to secure a first ballot majority. Even today, our primary law retains the runoff feature and provides for an August election, the date set by Noel. It was signed into law by Governor Longino on March 4, 1902.<sup>10</sup> In his history of the forty-year period after Reconstruction in Mississippi, Stephen Cresswell called it one of “two events” that “marked the coming of a new era in state politics.”<sup>11</sup>

Not only did Noel’s bill force candidates to meet directly with voters and solicit their support in person, but Section 9 paved the way

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<sup>7</sup> Kirwan, 93-94.

<sup>8</sup> Hamilton, 96; Lucas, 13-29.

<sup>9</sup> E. F. Noel, “Mississippi’s Primary Election Law,” *Publications of The Mississippi Historical Society*, 8 (1904): 241; Kirwan, 123-128.

<sup>10</sup> Senate Bill 1, introduced on January 8, 1902, *Journal of the Mississippi Senate*, 1902 Session, 45; *Journal of the Mississippi Senate*, 1902 Session, 445; Chapter 66, *Laws of 1902*. A comprehensive argument in favor of primary elections can be found in the report submitted by its supporters in the *Journal of the House of Representatives*, 1902 Session, 292-294.

<sup>11</sup> Cresswell, 191-192. The other “event” noted by Cresswell was the opening of the New Capitol Building in 1903.

for what became known in the South as the “white primary.” That provision restricted a political party’s primary to voters who were “not excluded by regulations of the party State Executive Committee.” Right on cue, the Mississippi Democratic Party’s Executive Committee met in Jackson on June 22, 1903, and adopted a resolution providing “that every white Democrat who will be entitled to vote at the general election in November 1903 be permitted to vote at the primary election to be held by order of this committee.” Pursuant to Noel’s bill, party leaders hung a “whites only” sign over their ballot boxes.<sup>12</sup>

This action appears consistent with what motivated Noel to push for the bill’s passage. In addition to his view that “the people” participating in elections should be limited to “white people,” Noel elaborated on another impetus in a revealing article he wrote in 1904 for the Mississippi Historical Society, in which he expressed concern that conventions were beginning to undermine the cohesiveness needed to buttress white supremacy. First, Noel set forth his position on black voting:

The Mississippi Constitutional Convention of 1890 contained some of the ablest statesmen in the United States, who knew that white supremacy could be legally established only by indirection, as anything aimed directly at the negro, as a race, would be self-destructive . . . Illiterates, tax delinquents, criminals and certain other classes, embracing all the negroes and comparatively few of the whites, were disfranchised.

And then Noel described what was needed to ensure white supremacy:

White supremacy could be maintained only by the members of that race remaining together, politically; otherwise, comparatively few Negroes who were qualified to vote might wield the balance of power. No political organization can long be kept from fractional contests, without confidence in the fairness of its methods of ascertaining and carrying into effect the will of the majority.

And it was the troubles associated with the convention system that

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<sup>12</sup> Kirwan, 131; “State Ex. Committee,” *Jackson Clarion-Ledger*, June 22, 1903.



were becoming “more flagrant and far-reaching, causing constantly increasing danger to white supremacy.”<sup>13</sup> Consequently, for forty-one years, or until the United States Supreme Court prohibited the use of white primaries in 1944, Democratic primaries, which decided every major election in Mississippi during that time, were closed to black voters.<sup>14</sup>

In the meantime, when it came to the campaigns of white candidates, Kirwan concluded, the “primary law was to work some profound changes in Mississippi politics.” “The technique of campaigning was revolutionized,” he argued, because candidates would be appealing to tens of thousands of average voters instead of a small number of convention delegates.<sup>15</sup>

Cresswell was blunter: “Under the old convention system, a candidate needed to be skilled at diplomacy and negotiation. Under the primary system, the candidate must be skilled at moving and motivating great crowds of people. Thus the new system could encourage the rise of demagogues and the use of dangerous techniques such as fanning the flames of race hatred to arouse and motivate voters.” Another historian agreed: “With racial antipathy perhaps more intense than at any other time since the days of Reconstruction, and with the poor whites having the first genuine opportunity to vote under a new state primaries law, the rise of the anti-racial agitator in Mississippi politics was a simple matter.” Cresswell’s conclusion: “Passage of the Noel Primary Election Act in time for the 1903 election was a godsend for Vardaman.”<sup>16</sup>

### Noel and the 1903 and 1907 Campaigns

Noel left the Mississippi Senate in 1903 to mount a campaign for governor, though it was his misfortune to join a field that included one of the last Civil War veterans to run for office, F. A. Critz of Clay

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<sup>13</sup> Noel, *Publications of the Mississippi Historical Society*, 241-242.

<sup>14</sup> *Smith v. Allwright*, 321 US 649 (1944), was the Supreme Court decision that invalidated white primaries. See also Michael J. Klarman, “The White Primary Rulings: A Case Study in the Consequences of Supreme Court Decisionmaking,” *Florida State University Law Review*, 29 (Fall 2001): 55-107; and O. Douglass Weeks, “The White Primary,” *Mississippi Law Journal*, 8 (December 1935): 135-153.

<sup>15</sup> Kirwan, 132; Chester M. Morgan, *Redneck Liberal: Theodore G. Bilbo and the New Deal* (Baton Rouge: Louisiana State University Press, 1985), 12-13.

<sup>16</sup> Cresswell, 193-194; Eugene E. White, “Anti-Racial Agitation in Politics: James Kimble Vardaman in the Mississippi Gubernatorial Campaign of 1903,” *Journal of Mississippi History*, 7 (April 1945): 91; Jesse L. White Jr., “Mississippi Electoral Politics, 1903-1976: The Emerging Modernization Consensus,” (Ph.D. diss. Massachusetts Institute of Technology, 1979), 123-124.

County, and James K. Vardaman, a newspaper editor and wordsmith turned fiery stump speaker. A newspaper owner in Winona and Greenwood, Vardaman had tried for statewide office in 1895 and again in 1899 but had been passed over by the state conventions. The new election law was his ticket to the governor's office.<sup>17</sup>

In seeking to understand Noel, one good way is to compare his campaign speeches with those of his chief opponent and polar opposite: Vardaman. What follows are two speeches where the candidates took different approaches to education, the role of blacks, and campaign rhetoric.<sup>18</sup>

### Vardaman

When I speak of educating the people, I mean the white people. The Negro is necessary in the economy of the world, but he was designed for a burden-bearer. Six thousand years ago the Negro was the same in his native jungles that he is today. Where a government has been given to him he has relapsed into barbarism. His civilization veneer lasts just as long as he remains in contact with the white man. Then why squander money on his education.

### Noel

I am not seeking an office where oratory has any place. It is an office of work, not words. Now as to the school question. Vardaman talks a lot about it, but doesn't understand a thing about it . . . . As for Vardaman's plan to take the Negro schools away from the race, I want to tell you that you can't establish a public school for Negroes without establishing one for whites. Under our constitution the entire control of the public schools is absolutely in the hands of the white people.

Throughout the 1903 election, Noel stuck to the issues

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<sup>17</sup> Nannie Pitts McLemore, "The Progressive Era," *A History of Mississippi*, 2 Vols. (Hattiesburg: University & College Press of Mississippi, 1973), 2: 33-36; William F. Holmes, *The White Chief: James Kimble Vardaman* (Baton Rouge: Louisiana State University Press, 1970), 59-80; Kirwan, 144-146.

<sup>18</sup> Heber Ladner, "James Kimble Vardaman, Governor of Mississippi, 1904-1908," *Journal of Mississippi History*, 2 (October 1940): 176-178.

and refused to make black Mississippians the crutch of his campaign. Given that, Vardaman and Critz led the primary, with Vardaman winning the runoff handily. In a move that portended his fallout with Vardaman, Noel supported Critz.<sup>19</sup>

Four years later, however, Noel caught a break. Incumbent U. S. Senator Hernando DeSoto Money announced his retirement in advance of the 1907 elections, so the primary ballot would not only feature the governor's election, but also a very competitive Senate campaign that included Vardaman as the outgoing governor, vying against John Sharp Williams, a popular congressman from Yazoo County.

The difference between the two Senate candidates—and the difference between the two sides of the campaign equation at that time in Mississippi—became apparent at the Williams-Vardaman debate in Meridian on July 4. Since his inaugural address as governor, Vardaman had come out in favor of modifying or repealing the Fourteenth and Fifteenth Amendments. Williams took him on, arguing that a race baiter like Vardaman could never persuade Congress to make those changes. The turnout was the largest in any election at the time, with Williams edging Vardaman by a sliver of 648 votes.<sup>20</sup>

Meanwhile, six candidates signed up for the governor's race, all from the west side of the state, and all, for lack of a better description, restrained on the issue of race. The field included Charles Scott, a wealthy planter of Bolivar County; Thomas Sisson, a lawyer from Montgomery County; Emmet Thomas, speaker of the house from Washington County; Jeff Truly from Jefferson County; Earl Brewer from Coahoma County; and Noel.<sup>21</sup>

With the campaign season dominated by the Vardaman-Williams fireworks, the election for governor was an afterthought for many voters and focused on minor public policy differences among the candidates, all of whom adopted the "progressive" label.<sup>22</sup> Thanks to the publicity he had acquired from earlier campaigns, Noel led the first primary, with Brewer a close second. Scott came in third. Vardaman subsequently sent "messengers" to Noel and Brewer to determine if either would be a candidate for the 1911 U.S. Senate race, on which Vardaman had designs. When Brewer refused to commit and

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<sup>19</sup> McLemore, 36; Holmes, 111; Kirwan, 146-161.

<sup>20</sup> Kirwan, 189; Cresswell, 200-201; McLemore, 44.

<sup>21</sup> McLemore, 41-42.

<sup>22</sup> Hamilton, 95; White Jr., 138-141; Kirwan, 185-190.

Noel promised he would not be a candidate, Vardaman announced his support for Noel. Out of 114,812 votes cast in the Democratic runoff, Noel's margin over Brewer was a scant 2,002 votes.<sup>23</sup>

### Noel and the Senate Appointment

While Noel's accomplishments as governor were substantial, it was a decision he made during the Christmas holidays in 1909 that set the stage for the next four decades of Mississippi politics.

It all started soon after the 1907 elections when Vardaman moved his base of operations from the Delta to Jackson and launched *The Issue*, a newspaper that would act as his mouthpiece for the upcoming campaign he was planning for 1911. With Williams in place for six years, Vardaman eyed the other Senate post, this one held by Anselm McLaurin, whose term would be up that year. In explaining Vardaman's motivation for seeking public office so soon after his defeat, William Alexander Percy observed, "He craved public office because the spot-light was his passion."<sup>24</sup>

Suddenly, three days before Christmas, 1909, McLaurin died at his home in Brandon.<sup>25</sup> Even though senators were still chosen by the state legislature, it had become custom in Mississippi for legislators to ratify the primary winner. The problem as 1909 was coming to an end was twofold: there was an immediate vacancy that needed filling and a primary was not scheduled for another two years. Governor Noel had a choice: he could fill the vacancy until the legislature met to choose a replacement for the remainder of the term or bypass the legislature and appoint someone to complete the term. Noel's fateful choice of the first option extended the career of Vardaman and introduced Mississippi to a freshman state senator from Pearl River County—Theodore G. Bilbo.

Even though Noel was under pressure to appoint Vardaman, he snubbed the former governor, and on December 27, named James Gordon, a Monroe County native, to serve as senator until the legislature could choose a successor. Gordon, who

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<sup>23</sup> Holmes, 192; McLemore, 44; Hamilton, 94.

<sup>24</sup> Cresswell, 202; Kirwan, 191-192; Charles Granville Hamilton, "Mississippi Politics in the Progressive Era," (Ph.D. diss., Vanderbilt University, 1958), 142-143; William Alexander Percy, *Lanterns on the Levee* (New York: Alfred A. Knopf, 1941), 143.

<sup>25</sup> Baker, 39; Kirwan, 191.

achieved the rank of colonel in the Confederate Army and later served as a member of the legislature, was seventy-six when he became Mississippi's newest United States senator.<sup>26</sup>

While Noel's choice was arguably the conservative and prudent one—recognizing the legislature as the appropriate appointing authority—his decision turned the legislature into a mini-convention. For reasons lost to history, Noel opted against giving an ally one of the most important political posts in the state and, instead, converted the legislature into the kind of nominating vehicle he had spent his life opposing. Consequently, ten men announced their candidacies for the appointment when the 1910 legislature convened a few days later. It soon became clear the contest was between Vardaman and everyone else. The ensuing “political spectacle” became “the talk of the state” and took more than forty contentious days to produce a nominee.<sup>27</sup>

Not until the fifty-eighth ballot did legislators choose LeRoy Percy, the wealthy planter from Washington County, to represent Mississippi in the United States Senate. In doing so, they made the unfortunate decision to utilize a secret ballot to cast their votes. “The Secret Caucus,” as it became known, evolved into the “rallying cry” for the pro-Vardaman leaders who promised revenge in 1911. As Cresswell noted, “for several years in Mississippi ‘secret caucus’ was a powerful and emotional phrase. The term led voters to believe that secret meetings had elected a Delta aristocrat to the U.S. Senate.”<sup>28</sup>

Moreover, the clandestine nature of the balloting gave Bilbo an opening to allege that Percy's followers had attempted to bribe him, echoing Vardaman's complaint “that whiskey and lumber interests used bribery” to secure Percy's appointment. Grand jury and legislative investigations led to charges and counter-charges,

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<sup>26</sup> Holmes, 201-202; Cresswell, 202; Frank Smith, “Mississippi Planter, Legislator Doubled as Outdoor Writer,” *Jackson Clarion-Ledger*, May 7, 1989; MDAH Subject File on James Gordon. In addition to differences in styles between the two men, Vardaman and Noel became embroiled in a bitter controversy during 1908 over the collection and settlement of funds that were to be used to purchase, of all things, a silver service for the newly constructed battleship, the *USS Mississippi*. Moreover, as ungrateful as it may sound, Noel once pointed out to a constituent that Vardaman's endorsement had little to do with his 1907 gubernatorial runoff victory, writing “I do not owe my election to Gov. Vardaman nor to his friends.” See Noel to Mr. R. L. Jones, February 15, 1909, Series 861, Box 1211, Folder 220, Noel Files, MDAH.

<sup>27</sup> See Noel's December 26, 1909, letter to Mr. B.T. Hobbs in Willie D. Halsell, ed., “J.K. Vardaman's Christmas-Tide, 1909,” *Journal of Mississippi History*, 34 (February 1972): 54-55; Morgan, 31-35; Kirwan, 191-192.

<sup>28</sup> Cresswell, 203; Baker, 40-45; Percy, 143-147; Holmes, 212-215; Kirwan, 193-197.

which led to a criminal trial in Yazoo County and an attempt by the Mississippi Senate to oust Bilbo (a move that failed by a single vote). As one newspaper editorialized, "The fair name of the grand ole state is being dragged through the slime and mire." The upshot of the selection process was that Vardaman had garnered all the publicity he needed to mount a campaign against Percy. In the meantime, Bilbo refused to resign and issued a statement calling the investigation a "whitewash."<sup>29</sup>

Noel soon resurfaced as a player when Percy, in response to the controversy, proposed that everyone agree to advance the election to later in 1910. The deal fell through when Noel refused to agree to appoint Vardaman, even had he prevailed in the early election, leaving Vardaman to claim that Percy and Noel were in collusion.<sup>30</sup>

Thus began a campaign that lasted from the spring of 1910 to August of 1911. Much like the 1907 primary, not only would the hotly contested Senate race be on the ballot, but so would all the state and legislative offices. Bilbo saw his opening, aligned himself with Vardaman, and announced his campaign for lieutenant governor. One newspaper writer captured the spirit of the election: "Bilbo is Vardaman property, his by right of discovery, by virtue of the celebrated frame-up, the purpose of which was to destroy an honorable senator, ruin a private citizen, and bring disgrace on the state."<sup>31</sup>

Issues took a back seat to candidate personalities, class, and race. Percy's followers were, according to one historian, "hopelessly outnumbered. Farmers with their rudimentary education and callused hands resented the polished and articulate Percy." To the delight of Vardaman, Percy inadvertently highlighted the class differences when he lost his temper before an unruly crowd and called them cattle and rednecks. Vardaman's followers soon appropriated the labels for their campaign literature.<sup>32</sup>

The 1911 primary election turnout was the largest the state had ever seen. Vardaman and Bilbo won in stunning landslides, while Earl Brewer, whom Noel had defeated four years earlier, became governor. As one historian concluded, "Theodore G. Bilbo owed his

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<sup>29</sup> Morgan, 31-35; Kirwan, 197-210; Cresswell, 203-205.

<sup>30</sup> Baker, 46-47; Holmes 232-233; *The Issue*, April 21, 1910; Kirwan, 211.

<sup>31</sup> Cresswell, 203-209; Kirwan, 208-219.

<sup>32</sup> Baker, 49-51; Cresswell, 205-206; Percy, 146-148; Kirwan, 212-231.

rise in state politics to the 1903 primary law and to Vardaman.”<sup>33</sup>

Following the election, Noel’s antipathy for Vardaman resurfaced when the governor took advantage of a legislative investigation that found Vardaman had failed to account for \$2,721.27 in expenses when he was governor. Noel sued the newly elected senator, though Vardaman persuaded a judge to issue an injunction preventing the litigation from going forward.<sup>34</sup>

Vardaman would finally represent Mississippi in the U.S. Senate, while Bilbo would go on to win two campaigns for governor, follow Vardaman to Washington as a senator, and become the public face of Mississippi politics for a generation. The Vardaman senate campaigns of 1907 and 1911 bracketed Noel’s tenure as governor and have largely overshadowed the public policy changes he helped create, many of which remain with us today.

### **Noel and the Governor’s Office**<sup>35</sup>

Those of us who have worked for a governor and have managed the affairs of the office are tempted to wonder how different it must have been more than a century ago when Noel assumed the duties and responsibilities of the position. We know from his farewell message to the 1912 legislature that his office staff consisted of a secretary and a stenographer.<sup>36</sup> Gubernatorial staffs now number between thirty and forty. We also know Noel communicated regularly with the legislature in written messages. In the 1908 session alone he sent close to a dozen messages that were reprinted in the journals and that covered a wide variety of public policy issues, something not done today.<sup>37</sup> That kind of communication is left

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<sup>33</sup> Morgan, 35; Cresswell, 205; White Jr., 106; Vincent A. Giroux Jr., “The Rise of Theodore Bilbo,” *Journal of Mississippi History*, 43 (August 1981): 192.

<sup>34</sup> Holmes, 259-260; Kirwan, 232.

<sup>35</sup> In choosing Noel for this volume, your author got lucky in that Hamilton’s Ph.D. dissertation, referenced earlier, contained a lengthy chapter describing the legislature’s work during Noel’s administration, as did Lucas’s thesis. See also Hamilton, “The Turning Point,” 93-112, and McLemore, 45-49.

<sup>36</sup> “Message of the Governor,” January 4, 1910, *Journal of the Senate*, 1912 Regular Session.

<sup>37</sup> Noel sent so many messages during the 1910 session that one Jackson editor remarked, “To count the day lost whose low descending sun viewed no special message; it is a cold day when [Noel] fails to advocate ten to twenty widely scattering messages.” See Hamilton, “Mississippi Politics in the Progressive Era,” 175.

mostly to private conversations between legislators and a governor.

At that time, apparently anyone could walk up to the Governor's Mansion on Capitol Street and transact business with the governor. In an indication of how the governor interacted with people of his day, Noel once wrote, "The [Mansion] is on the direct line of travel from the city and depot to the Capitol, making the Governor, whose signature and suggestions are in constant demand, easy of access."<sup>38</sup> Today, of course, a fence encircles the Mansion and security officers are everywhere.

And Noel thought the position drastically underpaid. When asked by a constituent for a donation to his church, Noel replied, "The salary of the office of Governor is not sufficient to meet the expenses entailed by the position and my means are limited. I am paid less as Governor than I made as a practicing lawyer and my expenses are nearly double."<sup>39</sup>

Given the absence of oral histories and memoirs from the period, it is unlikely we will ever know the full extent of Noel's influence on the passage of legislation in the 1908 and 1910 sessions, as opposed to the efforts of individual legislators, the press, or outside interest groups. One suspects it was a combination of many factors, though, as is still true today, the governor tends to get public credit for any legislative successes.

In an observation that would surely rankle Noel, one historian, writing fifty-six years later, speculated that Vardaman's presence in Jackson may have helped pass Noel's legislative package, which mirrored Vardaman's: "Since more of the legislators gave political allegiance to Vardaman than to Noel, his recommendations may have been more influential than Noel's. His 1907 race, his political orientation toward the next senatorial election in 1911, and his weekly advice to legislators through the columns of *The Issue* helped his leaders in the legislature."<sup>40</sup>

What we know from Noel's speeches and other written materials is that he rarely was the racial demagogue that Vardaman and Bilbo were. The progressive measures he advocated—primary elections, elective judiciary, restrictions on large corporations, income tax—came from sincere beliefs. That being said, those sincere beliefs were directed at helping the white citizens of his state. He made that point clear in his inaugural address, when he observed: "In his distribution

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<sup>38</sup> Gene Holcomb, "The Mississippi Governor's Mansion," *Journal of Mississippi History*, 2 (January 1940), 14.

<sup>39</sup> Noel to Miss Eunice Callahan, September 8, 1909, Series 861, Box 1216, Folder 316, Noel Files, MDAH.

<sup>40</sup> Hamilton, "The Turning Point," 95.



of blessings the Giver of all Good was, to Mississippi, exceedingly generous. Our climate, soil and forests, if property utilized, [are] the elements of marvelous prosperity. In the purity and excellence of the lineage of our white citizenship our State is unsurpassed.”<sup>41</sup>

At the top of Noel’s list as governor was alcohol. Even before he was inaugurated, Noel gave the keynote speech at a large rally in Jackson on January 9, 1908: “If I were called upon to name one thing that has wrought the most harm in the world, caused more poverty, heartaches, blighted lives, frustrated ambitions, than all other agencies for evil combined, I should say the intemperate use of intoxicating liquors . . . . It is an evil without mitigating incident . . . the saloon is an enemy to the Christian religion. It is the destroyer of the happy home.”<sup>42</sup>

Eleven years before the Eighteenth Amendment to the United States Constitution that prohibited the “manufacture, sale, or transportation of intoxicating liquors” was ratified, the 1908 session of the Mississippi legislature, at Noel’s urging, approved a similar measure.<sup>43</sup> Since the law failed to prohibit the importation of liquor into the state or the consumption of alcoholic beverages, one historian described the measure as a “dry” law, just not a “bone dry” law.<sup>44</sup> The 1908 law is still on the books and remains the reason Mississippi has “dry” counties and “wet” counties.<sup>45</sup> Even after the Eighteenth Amendment was repealed in 1933, Mississippi’s prohibition remained intact until 1966.

Mississippi has elective judges today largely because Noel fought for them much of his career, arguing that:

Election of judges . . . requires neither more nor different virtue and sense from that involved in choosing district attorneys and other officers. If our carefully culled, high-grade electors are unfit to name judges, their unfitness is equally applicable to other officers and would prove them unworthy of self-government. The people wish to settle this question

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<sup>41</sup> Edmond Favor Noel, “Inaugural Address,” January 21, 1908, in *Inaugural Addresses of the Governors of Mississippi, 1890-1980* (University, Miss.: The University, 1980).

<sup>42</sup> Noel’s address is quoted in Rev. T. J. Bailey, *Prohibition in Mississippi* (Jackson: Hederman Bros. Printing, 1917), 124-125.

<sup>43</sup> Chapter 113, *Laws of 1908*, 112.

<sup>44</sup> Hamilton, “The Turning Point,” 103.

<sup>45</sup> Hamilton, “Mississippi Politics in the Progressive Era,” 155.

for themselves and should be trusted with its settlement.<sup>46</sup>

While the sentiment was surely worthy, there is nothing in Noel's history that would suggest he was thinking about anyone other than white voters.<sup>47</sup> Nevertheless, after years of work, and at Noel's urging, the 1910 legislature approved a constitutional amendment that was ratified by the voters in an election later that year, to make chancery and circuit judges elective.<sup>48</sup>

The reason Mississippi still has a handful of agricultural high schools can be traced back to the 1908 legislature and the law passed at Noel's suggestion to authorize county boards of supervisors to establish one agricultural high school "for the purpose of instructing the white youth of the county in high school branches, theoretical and practical agriculture." Two years later, after litigation forced the legislature's hand on the whites-only policy, the lawmakers amended the law to authorize the boards of supervisors to establish not more than two agricultural high schools, "one for white youths exclusively and the other for colored youths exclusively."<sup>49</sup>

The single board of trustees that governs all of Mississippi's universities dates back to the 1910 law passed by the legislature, at Noel's request, that gave one board "sole supervision and control."<sup>50</sup> In that same session, the legislature created the Mississippi Normal College, to train "quality teachers for the public schools,"

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<sup>46</sup> Noel Inaugural Address, January 21, 1908. See also Noel's February 17, 1908, message to the legislature in the *Journal of the Senate*, 1908 Session, 329-330.

<sup>47</sup> In one case Noel refused to reappoint a black notary public in Greenville, telling a constituent, "I believe it to be best that Negroes should not be appointed to office in this state." In another letter to a constituent, Noel demonstrated racial paternalism at its best when he wrote, "It is cowardly and vicious for a superior race to deal unjustly with an inferior race." Letters from Noel's papers as governor in Hamilton, "Mississippi Politics in the Progressive Era," 183.

<sup>48</sup> Chapter 358, *Laws of 1910*, approved by Governor Noel on March 30, 1910, amended Section 153 of the 1890 Constitution (added to the constitution, following the 1910 election, by Chapter 415, *Laws of 1912*). Supreme Court judges were not made elective until 1914, when the legislature approved, and the voters ratified, the change to Section 145 of the 1890 Constitution. See Chapter 514, *Laws of 1914* (added to the Constitution by Chapter 156, *Laws of 1916*).

<sup>49</sup> Chapter 102, *Laws of 1908*, 92; see also Hamilton, "Mississippi Politics in the Progressive Era," 178-180, and Lucas, 49-55. In her discussion of the 1908 law Lucas wrote, "These schools were, of course, to be attended by the white children in the counties and no provision was made for the Negroes to have a similar school . . . Like most Southern progressives, Noel saw no paradox in the combination of progressivism and support of the principle of white supremacy."

<sup>50</sup> Chapter 114, *Laws of 1910*, 98; see also Hamilton, "Mississippi Politics in the Progressive Era," 186.

which ultimately became the University of Southern Mississippi.<sup>51</sup>

The 1908 and 1910 sessions of the legislature passed a number of measures in keeping with the progressive spirit of the time, including more rigorous regulation of corporations,<sup>52</sup> protections for workers injured at sawmills and for telegraph operators who were affiliated with unions,<sup>53</sup> restrictions on child labor,<sup>54</sup> and what today we would call consumer protections. One 1910 law made it unlawful for a firm to “manufacture, produce or sell any article of food which is adulterated, misbranded, or insufficiently labeled,”<sup>55</sup> while another measure adopted that session required “every hotel and inn keeper to furnish clean and fresh bed linens, unused by any other person or guest since the last laundering of such bed linens, on all beds.”<sup>56</sup>

In 1910, Noel spoke out firmly in favor of ratifying the Sixteenth Amendment to the U.S. Constitution, which authorized Congress to impose the income tax. In a special message to legislators, he wrote: “The most equitable of all taxes are those upon net incomes in excess of the few thousands of dollars, exempted to meet expenses of living or unexpected business reversals . . . The adoption of this amendment . . . empowers the Federal Government, in its discretion, to call for a share of the net incomes of those who are most able to contribute to the expense of government.”<sup>57</sup>

Finally, to Noel’s great credit, and that of his wife Alice, the Governor’s Mansion was expanded, restored and preserved during his term. In an early message to the 1908 legislature, Noel proposed four options for the future of the crumbling building:

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<sup>51</sup> Chapter 119, *Laws of 1910*, 105.

<sup>52</sup> Chapter 118, *Laws of 1908*, 120; Chapter 119, *Laws of 1908*, 124.

<sup>53</sup> Chapter 131, *Laws of 1908*; Chapter 93, *Laws of 1908*, 75, prohibited companies in the state from “blacklisting” and refusing to employ telegraph operators who were affiliated with labor unions.

<sup>54</sup> Chapter 99, *Laws of 1908*, 88, provided that no child who was under the age of twelve would be allowed to work or be employed in any mill or factory and that no child under the age of sixteen would be allowed to work more than ten hours in a day or fifty-eight hours in any one week.

<sup>55</sup> Chapter 132, *Laws of 1910*, 119.

<sup>56</sup> Chapter 163, *Laws of 1910*. All these reforms were supported by Noel at one time or another through his messages to the legislature. For example, he addressed the need for child labor and food safety regulations in his message on page 832 of the *Journal of the Senate*, 1908 Session.

<sup>57</sup> The formal ratification recorded in Chapter 361, *Laws of 1910*, 308; Noel’s legislative message is in the *Journal of the House of Representatives*, 1910 Special Session, 21. See also Noel’s message to the 1912 Legislature, *Journal of the Senate*, 137. The Sixteenth Amendment was proposed by Congress in 1909 and approved by the required number of states in 1913.

Shall the lot be disposed of and provision made for the Governor to live in a place and manner of his own selection? Or,

Shall the Mansion be allowed to remain in its present dilapidated, unhealthful and decaying condition? Or,

Shall the lot and building be sold and a Mansion erected elsewhere? Or,

Shall the grounds and building be modernized and beautified and be made a credit and source of public pride?

Noel then went through a long list of reasons to support option #4, proclaiming that “the patriotic citizenship of this State are ashamed of the present condition of the Executive Mansion. The appearance of the building and grounds bring mortification to all who are proud of their State.”<sup>58</sup>

Noel and his wife organized a number of groups to support the renovation, and on March 7, 1908, they hosted a reception at the Mansion for legislators and other state officials to expose its “decrepit” conditions. Two weeks later, the legislature appropriated \$30,000 for “repair and improvement of the Governor’s Mansion, the erection of an annex thereto, and the grading, paving, and ornamentation of the grounds and walks.” After the work was completed, Noel happily moved his family out of the Edwards Hotel and into the Mansion in April 1909.<sup>59</sup>

Two other legacies of the Noel Administration continue to this day. Mississippi’s state holiday to honor Robert E. Lee—“our beloved Confederate Chieftain and Southern Hero”—was approved by the governor on March 30, 1910. A few weeks earlier, Noel signed legislation authorizing a monument to the Mississippi Women of the Confederacy, “in order that all future generations shall learn the lessons of the magnificent heroism of Mississippi’s Daughters during the Confederate War and that the state may forever show that she values their patriotic devotion in that time of her deepest distress.”

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<sup>58</sup> “Message to the Legislature,” February 26, 1908, *Journal of the Senate*, 1908 Session, 436-438.

<sup>59</sup> Holcomb, 14-17; Chapter 30 and Chapter 138, *Laws of 1908*. Chapter 30 appropriated the \$30,000 while Chapter 138 authorized the expenditure. See also David G. Sansing and Carroll Waller, *A History of the Mississippi Governor’s Mansion* (Jackson: University Press of Mississippi, 1977), 101-107.

That monument now stands on the south side of the Capitol.<sup>60</sup>

Noel was enough of a progressive that he called for reforms that were decades ahead of their time—equalization of property taxes, reapportionment of legislative districts based on population, campaign finance disclosure, and regulation of lobbyists. That being said, when Noel declared in a legislative message that “there can be no self-government unless the will of the majority is ascertained and crystallized into law. It can only be ascertained at elections, and the result of such elections should be reflected in legislation,” he was surely referring to the will of the white minority of Mississippi’s population.<sup>61</sup>

After leaving the governor’s office, Noel turned down appeals in 1916 to run for the state Supreme Court but opted instead to oppose Vardaman in his 1918 Senate re-election campaign. Mississippi Congressman Pat Harrison was also a candidate in that race, and it was Harrison who took the Senate seat away from Vardaman. Noel finished a distant third. The next year, he was urged to run for his old state senate seat in Holmes County, which he did successfully, and then was re-elected in 1923. He died at his home on July 30, 1927, at the age of seventy-one. His wife Alice died six years later, and they are buried next to each other at the Lexington Cemetery.<sup>62</sup>

In the first half of the twentieth century, twenty-one white men served Mississippi as governor or United States senator. Of that number, the only two names most Mississippians recognize today are James K. Vardaman and Theodore G. Bilbo. Noel gave them the platform they needed in 1902 and the cause they needed at the end of 1909. I doubt he regretted either decision though he probably was not happy with the outcome.

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<sup>60</sup> Chapter 171, *Laws of 1910*, 164, enacted the holiday, while Chapter 153, *Laws of 1910*, 147, authorized the erection of the monument.

<sup>61</sup> “Message to the Legislature,” March 6, 1908, *Journal of the Senate*, 1908 Session, 543.

<sup>62</sup> “Noel Not a Candidate,” *Memphis Commercial Appeal*, March 31, 1916; Sansing, 142-143; *Lexington Advertiser*, April 4, 1919, and August 8, 1919. Tombstones in the Lexington Odd Fellows Cemetery.

