

# Behind the Guardsman's Rifle

The Cincinnati Riot of 1884

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Self-published, Covington, KY

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Thirty-five years ago the deepest, darkest, saddest page in the history of Cincinnati was written, for that page was written in blood. As history is constantly repeating itself, and as we have no better way of judging of the future than by the past, it may be well to refresh our memories concerning even the sad events of the past, if by so doing we may be prevented from falling into similar errors, or still worse, into crimes. For the errors and crimes committed in the Queen City of the West she has paid, is paying, and will pay dearly. The lives that went out during those fateful three days in March, 1884, valued as they were, will in time perhaps be forgotten, for their names for the most part are not inscribed on history's roll, and the spheres in which they moved and the businesses and labors which they carried on are filled with other forms and transferred to other hands and other brains, but for generations upon generations to come the loss sustained by the

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burning of the courthouse with its valuable treasures will be continually in evidence. Scarcely a day passes when there is not some request or search made for papers valuable to their citizens, such as deeds of property, records of births, marriages, or deaths; titles to citizenship, decrees, orders, and judgments, to all of which the same monotonous and sad reply must be given, "papers burned in the courthouse fire."

No history of the riot is complete or comprehensive without giving in some detail the causes which led up to the bloody tragedy.

The burning of the courthouse was a result of the riot; the riot was the outgrowth of the indignation meeting at Music Hall; the indignation meeting was the deep, emphatic protest of an outraged and long-suffering community against what?—not against crime in general; not against the crime of murder in particular, although it had become alarmingly frequent, but it was against corruption carried on under the forms of the law, within the very temple of justice. It was not a protest against the acts of low, beastly, ignorant men, but it was against the acts of intelligent people who held themselves up in the community and posed as respectable citizens. The protest was made, not because there was no law for the punishment of crime, but because the law was not enforced, because the law was no longer a terror to evil-doers.

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That this is true is evident from the doings of the mob itself on the first night when the jail was invaded. Although Berner was not in the jail—a fact which the mob speedily ascertains—there was a jail full of other prisoners whose crimes called for punishment to high heaven quite as loudly. But the mob did not appear to know why they were there or for what purpose they had come.

The brains of the movement were not at the jail with the mob because the real criminals were not there and were not in custody anywhere.

Had the real intent of the promoters of the Music Hall meeting been carried out to its legitimate conclusion, and the remedy applied to the real seat of the disease, there would have been, there must have been blood letting, but it would have been that of criminal jurors and criminal lawyers who made criminal jurors possible.

Probably no fact is pressed home more frequently or with more power the students of human nature than this one, that evil communications corrupt not alone good manners, but good lives. In the opinions often expressed of eminent attorneys, it is utterly impossible for a man to become the habitual defender of criminals without partaking of their character, and in ninety-nine cases out of a hundred, from being a lawyer for criminals he becomes a criminal lawyer, with all that the word implies.

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The more intelligent and the more successful he may be, the more dangerous as a criminal he becomes. And this arises from the fact that while he is in reality tearing away and destroying the very pillars on which our temple of liberty and good government rested he is using the tools and wearing the livery of a sworn defender of the State whose business it is to explain, strengthen, and enforce the law which makes the State possible. There is no enemy like the one in your own ranks, disguised in your own uniform.

It may seem a strange and perhaps a startling statement to some that a well-versed criminal lawyer can use the law to defeat the law, and yet this is so common a practice that we may forget to condemn, if we do not indeed condone, the offense.

Let us see how it was done in Cincinnati prior to March 28, 1884. A man is arrested for a heinous crime. If he has or can procure money, immediately the services of one or more criminal lawyers, as they are called, are secured. The greater the crime, the greater the necessity for a lawyer of ability, and especially for one who has a reputation for succeeding in his particular line. Straightway a web is begun in which to entangle, trip up, delay, and defeat the ends of justice. Every technicality of the law, and the ability to handle these is one of the prime requirements of a criminal lawyer, is used to accomplish their purpose, which is not simply to

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secure a fair trial for the accused, but to free the criminal from that fate which the law justly prescribes. The first thing to be done is to seal up the lips of the prisoner that the guilty secret, which is trying its best to come forth, may be repressed. Sometimes the wretch finds it utterly impossible to keep back the confession which conscience, reason, and justice alike force from his guilty, sin-laden heart, but even then the criminal lawyer does not despair, for he frequently succeeds in persuading a jury to give the lie to the prisoner and declare that he is not guilty of that of which he has already adjudged himself guilty.

Important witnesses are frequently spirited away and cannot be found when wanted. When a venire of jurors is summoned the cunning of the criminal lawyer is again plainly manifest. Every intelligent, well-read citizen is objected to because forsooth he has read of the case and, so reading, has formed some opinion, and, for fear he might not have read of the crime, a marked copy of the newspaper giving an account of the crime is mailed to the intelligent juror after he is summoned, so as to make sure. As the State has only two peremptory challenges to the defense's twenty-four, out of a venire of two hundred names sometimes only one juror would be

found sufficiently stupid or sufficiently venal to suit the purpose of the criminal lawyer defending the case, and at the last the panel may be

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filled from the ranks of the professional jurymen, who are standing around waiting for a chance, and upon whom the criminal lawyer can safely rely. When the case is tried, the attorney for the defense exhausts his ingenuity in trying to compel truthful witnesses to contradict themselves, and with sly, soft, deceitful blandishments, or by fierce and dictatorial manner, to persuade or overawe them in order to break down their testimony. Not one witness in ten who is conscientiously trying to tell the truth can stand the cross-questioning of a keen, unscrupulous criminal lawyer without becoming confused and contradicting himself—a fact always taken advantage of before the jury by counsel for the accused.

The criminal lawyer also succeeds in having continuance after continuance granted by the court for the professed reason that he wishes to procure evidence, when in many cases he wishes to manufacture evidence or to gain time, in order that the memory of the offense and the offender may die out. Non-bailable offenses are made bailable through the influence of the practiced and politically prominent criminal lawyer, and the criminal is turned loose to escape and the straw bond is never paid.

In consequence of the methods above described, it so happened that on the dockets of the Criminal Court in Hamilton County in March, 1884, there were no less than 212 indictments for killing or

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attempted killing which were pending and untried, and which covered a period of nine years. One half of these persons charged in these indictments were out on bail, and there were forty-two murderers confined in the jail who possibly had not had the time or the ability to get the necessary money for the criminal lawyer.

The last straw, however, which broke the back of the long-suffering and patient community was the trial of William Berner, who, together with an accomplice, named Palmer, had murdered their employer a man named William Kirk, in his own stable on the day before Christmas, 1883, in order to get the money which they knew he had on his person.

This case had been dragged out to a nauseating length. Five hundred persons had been summoned in order to get a jury of twelve men who would be satisfactory to the murderer's counsel. The case had cost the State \$5,000, and the father of the prisoner had paid to the eminent attorneys defending his son the sum of \$4,500 more. In the face of seven separate confessions of guilt made at different times to different persons by the murderer, in all of which he had plainly shown how coolly and deliberately the murder had been planned and how fiendishly it had been carried out, the jury brought in a verdict of simple manslaughter.

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When the jury left the courthouse they were in imminent danger of being mobbed.

The verdict itself was the universal topic of conversation at the clubs, on change, in barber shops and saloons in fact, wherever men were congregated, and many citizens expressed freely the opinion that lynch law ought to be resorted to, and that not only the prisoner who had been on trial, but the jury, who had practically acquitted him, should be hung with scant ceremony, and the criminal lawyer came in

for his share of the public execration. As the hours passed the excitement increased until the whole city was in a ferment.

Col. C. B. Hunt then commanded the First Regiment, Ohio National Guard, which consisted of seven companies of infantry and numbered four hundred men, and, deeming it wise to protect the Armory and its contents, Col. Hunt issued an order detailing a portion of each company to stay on guard during the excitement continually at their Armory, which was on Court Street, one half block from the courthouse. On Friday evening, March 28, a mass meeting of citizens was called, to be held in Music Hall, in order to give expression to the feelings of the people on the subject of the Berner verdict. This meeting was called under the auspices of the leading and most conservative and influential citizens, who were justly indignant at the course of affairs, but after the meeting had been called, seeing

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what a storm of indignation was rising, and fearing they might not be able to control it, some of these citizens began to counsel calmer measures and exhorted the speakers of the evening not to excite unduly the passions of the crowd. Music Hall was filled to overflowing with a serious and determined but orderly crowd. The speeches were not unduly inflammable, and the resolutions that were passed, while they condemned in plain and unmistakable terms the unrighteous verdict, gave no encouragement to the supporters of Judge Lynch. The meeting adjourned quietly at about nine o'clock.

As the portion of the crowd passing south reached the corner of Court and Elm Streets, a young man shouted "To the jail!" and the crowd obediently turned east in the direction of the courthouse and jail, gathering strength as it proceeded, like a mountain avalanche. The crowd proceeded to the jail, on Sycamore Street, on reaching which they at once began to force an entrance. Col. M. L. Hawkins, sheriff, fearing trouble, had, during the day, sent the murderer Berner away with two deputies with orders to take him to Columbus, and having sworn in a number of special deputies, waited quietly for the onset that he felt sure would come. The entrance to the jail proper was from a narrow area below the level of the sidewalk, where it was difficult for many men to act in concert, but the private entrance to the jailor's living-rooms was above the

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street level and offered the most convenient means of ingress. This door, was, of course, locked and barred but a few blows from a large timber used as a battering ram forced the door in, and the mob, excited at their first success, poured in a volume through the rooms. The door leading into the jail proper was in like manner forced in, and the crowd, unawed by the presence of the sheriff's deputies, poured into the corridors of the jail and peered into all the cell rooms in search of Berner.

The sheriff, counseling calm measures on the part of his deputies, assured the mob that Berner was not there and tried to persuade them to leave the jail. His words proved by examination to be true, and the physical efforts of the deputies, who wisely refrained from shooting, were after half an hour or so successful in forcing the crowd to retire from the jail apartments. The door was again closed and barricaded. The temper and disposition of the mob now manifested itself plainly as they began to break up and wantonly destroy the furniture in the jailor's private apartments. Chairs, tables, mirrors, vases and pictures were destroyed as if by madmen. The crowd was continually augmenting and the vilest elements of the community now took a hand eager to wreak their vengeance upon the officers of the law. Seeing that another attack would be made and feeling assured that the hour for clemency had passed, the sheriff hastily sent a

messenger to the National Guard Armory, asking for help, and the riot alarm was rung on the fire bells at ten o'clock. From the guards present at the Armory Col. Hunt took some thirty-five men and, under the lead of a deputy, the detachment entered the courthouse on Main Street, passed down into the tunnel used for conducting prisoners to and from the courtroom and entered the jail just as the mob had forced another entrance from Sycamore Street. This time the rioters received a different sort of a reception. The crack of the deputies revolvers mingled with the deep-toned booming of the Springfield rifles, and the mob was speedily driven out of the jail building and into the street. The crowd had now grown into thousands, attracted by the ringing of the riot alarm, and finding themselves balked in their purposes, they grew furious and several attempts were made to burn the jail down and to enter, as the militia had done, through the tunnel. The fires were put out, however, and the efforts of the rioters to again enter the jail were fruitless. Meanwhile one section of the mob had gone to the National Guard Armory to possess themselves of the arms and ammunition known to be stored there. They entered the front door, purposely left open, and dashed up the stairs four abreast.

At the first landing, however, they were confronted by Captain Desmond, of Company B. with

his little guard, crouched behind a barricade made of regimental tents, with the muzzles of their rifles pointed dangerously over the top of the barricade at the rioters. Captain Desmond then ordered them to clear the place at once or the command to fire would be given.

The rioters retired at once and the Armory and its contents were saved. Saturday morning dawned and with it a cessation of hostilities, but it was only the calm that precedes the storm.

The morning papers with flaring headlines announced the events of the night and, trembling with fear lest the mob should visit them, condemned the militia for the valiant part they had played in round terms. This was a fatal mistake.

For now that dangerous beast, known in all large and crowded centers of population as the criminal class, began to unfold its slimy length and stretch its limbs and lick its lips, for it seemed its hour of vengeance had come. From the lanes and alleys from the wharves and tenement houses, from the shanty boats and the haunts of vice, men-blear-eyed, uncombed, and dirty men-whose principal aim in life had been hitherto to keep under cover now came out into the broad daylight. The burglar, the incendiary, the midnight assassin, the forger, the confidence man, the crook, now boldly walked the streets unmolested by the police, or gathered in saloons to talk over their plans.

In the early morning hours messengers were sent from the jail to notify the members of the First Regiment to assemble at once, and the order was published in the morning papers, but so great was the excitement and so bitter were the denunciations of the militia by men who ought to have known better, that it was feared they would not come. That this fear was well founded was soon and abundantly proven. With a few exceptions the officers, both field, staff, and line, responded nobly, but the rank and file were so terrorized by the attitude of the press and the people that, to their everlasting disgrace, they proved recreant to their oaths.

Every hour the roll was called by each captain, but only the walls re-echoed the names. The men did not come.

After a council of war, held by the officers of the a guard with the sheriff, it was agreed that a telegram should be sent to the governor at Columbus, requesting him to send one or two regiments from some other part of the State and that they should arrive before nightfall. It was thought that, the day being Saturday and pay day, evil disposed men would have more money to spend for drink and more leisure time before darkness came on in which to spend it, and from the expressions of the crowds who stood idly gazing hour after hour at the jail building, there was not the shadow of a doubt that a more determined effort would be made to force the jail during the coming night.

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The language of the crowds had altogether changed and instead of "down with the murderers" it was "down with the militia," until a stranger would have thought that the guilty culprits who so richly deserved hanging were the handful of brave men who had so nobly done their duty the night before. There was not a word said about hanging the murderers in the jail, but the common talk was, "Wait until night; we'll burn 'em out" meaning the militia, and the fiercest and vilest maledictions were heaped upon the heads of the members of the First Regiment, many of them by name.

As the officers and men passed and repassed through the crowds during the day with their loaded revolvers or guns in their hands, the sardonic smile, the sneering taunt, and the vile oath met them on every hand, always accompanied by the invitation to wait until darkness, for the mob realized that their hour had not yet come. The dispatch alluded to was sent to this governor between 10 and 11 o'clock in the morning, written by Captain Desmond of Company B, who had formerly been regimental adjutant, signed by Colonel Hunt or and Sheriff Hawkins, and then, never doubted a moment that the aid asked for would be sent, the militia set about preparing for the encounter that knew was coming.

Owing to the peculiar nature of the entrance to the jail and the probability that another attempt

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would be made to burn the jail, it was deemed best to mass the militia on the outside of the building, where their force could be best utilized and where they would have freedom of movement to go to any threatened point. It was next suggested to have some barricades built on the street, both to protect the men and at the same time to mask their weakness, for upon counting it was found that only 93 officers and men out of a total of 400 had reported for duty, and one quarter of these were officers. These officers, however, stood at their posts and did nobly and cheerfully every duty that was required of them. One company of the regiment only reported five men, three of whom were the commissioned officers. In striking contrast to this, however, Captain Desmond's Company "B" reported every man present except three, and some of these came quite a distance, one of them being nearly a hundred miles away when the news reached him.

The men were divided into three squads and each put in charge of an officer, to whom was explained the nature and uses of the barricade add how and where they should be built. One was built at South Court Street and Sycamore, stretched diagonally, so as to cover both streets, and with masked opening in the center through which the troops could pass out; one at North Court and Sycamore, built in the same way, and one at East

Court and Cheapside. The western approach to the jail was from the courthouse through the tunnel, and this was fortified with mattresses and defended by one company. The first barricade was started with a broken dray and an old express wagon, found on the canal bank, but afterwards the men grew more particular and the barricade at North Court and Sycamore was built of new poplar joists and heavy timbers that were to be used in the construction of a building nearby. The barricades afterwards built on brain and Canal and Main and Ninth Street: were composed, the one of grind- stones, and the other of barrels of salt. While the barricades were being built, crowds of vicious looking men stood and watched the proceedings, cursing, laughing, and sneering. One large, sandy-haired German made himself particularly offensive by remarking several times, "What do we care for your barricades; we'll go over them quick enough to- night." His remark was a prophecy, for that same sandy-haired German led the charge on the barricades and was brought over the barricade into the jail mortally wounded.

During the day the excitement in the city grew hourly, especially in that part of the city over the canal. A prominent citizen standing in front of the jail urged an officer to leave the jail and the regiment to its fate, for, said he, "an effort will be made to-night to force the jail, to which the attack of last

night was child's play, as the excitement prevailing in the city is tremendous, and the jail and its inmates and the militia will all be sacrificed together." Notes were also received stating that conferences had been held and the officers of the militia were to be especial objects of the rioters' vengeance.

During the afternoon Captain Frank Joyce of the Second Battery of Light Artillery, with 24 men, reported at the jail. They stated that they had no horses to draw their guns, and no ammunition, so they had spiked their guns and left them at the Armory, and were willing to act as infantry if arms could be furnished them. They were at one supplied and the militia now numbered 117, all told.

During the day the telephone wires were cut, so that communication with the jail by this means was cut off. At 3 o'clock in the afternoon a conference was held in the jail office. There were present M. L. Hawkins, sheriff; Col. Hunt, Lt.-Col. Johnson, and Major Morgan, of the First Regiment, and H. C. Urner, A. Hickenlooper, and M. Ryan, citizens.

Messrs. Urner and Hickenlooper stated that Governor Hoadley, having received the dispatch sent by the sheriff in the morning, had wired them to know what they thought of sending troops to Cincinnati, and they, without coming to the jail to consult the sheriff and the officers of the guard, had answered back that they anticipated no trouble

and would not advise sending any troops, as it would only excite the mob spirit still more. To say that this announcement astounded the little group of officers in the jail would be drawing it mildly indeed. The color came and went in the bronzed cheek of the veteran colonel, and as one of the citizens asked him coolly what he thought of the situation, he replied with much emotion: "Think! My God, you have ruined us, that's all! Don't you think so, Colonel?" turning to his lieutenant-colonel, who responded in the affirmative. After some little further discussion the citizens retired, stating that they had not changed their minds but they would telegraph Governor Hoadley again and ask him to send the troops immediately, but the unanimous opinion of the officers at the jail was that the golden moment had passed and the reinforcements would arrive too late an opinion which was fully

proven correct by the events of the evening.

During the afternoon it was thought advisable not to attempt to hold the regimental armory longer, but to remove from it all the arms and ammunition and leave it to its fate. The building was old and saturated with grease, having once been used for a pork house, and if a torch had been applied to it, would leave burned like so much tinder. Officers and men accordingly set to work and before dark had transferred to the jail all the arms and ammunition and were ready for the night and its

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strange events. During the day men in groups of twos and threes kept arriving and took their stand in front of the jail. Having been ordered to move on, they shifted their positions very reluctantly across the street, where they remained until the barricades were completed, when they were driven outside and all of the space then included took on the appearance of a fortified camp. At noontime and again at suppertime those who felt in the humor of eating were told to go into the call kitchen. Here a couple of large tubs were kept standing, filled with pieces of boiled pork, each about the size of a man's fist, but as these had been handled by one hundred men, who picked them over, selected what suited them, and had thrown the rest back, the prospect was not very inviting. In addition to this there were loaves of bread, a pile of raw onions, and some black coffee.

The police of the city, numbering between two and three hundred men, the sheriff and his posse of deputies, the hundred and seventeen militiamen, and a jail full of criminals, sorely taxed the capacity of the jail commissariat. During the day the police stayed in the jail, where they lounged and slept, and it was a hard matter to get any of them to go outside occasionally to clear the pavement in front of the jail, which it was thought best for them to do instead of using the militia. A few police were stationed at the corner of the courthouse on Main

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Street until dark, when, at the time they were most needed, they were withdrawn, and the crowd collected there without hindrance to the number of probably ten thousand, filling Main and West Court Streets and the large market space facing the courthouse. There was a peculiar state of affairs existing at the jail in regard to the authority, or rather authorities, in command. The sheriff controlled all matters about the jail building; the county commissioners present claimed jurisdiction over the courthouse building; the chief of police, who was present, gave orders to his men, and Col. Hunt commanded the militia. The person who doubtless felt to responsibility of the occasion, and who was legally the highest authority present, was the sheriff, but he seemed to be utterly unable to control the actions of the police, who outnumbered the militia three to one, and who could have been supplied with guns and ammunition from the militia stores if thought necessary. They were allowed to stand or lie idly around in the jail during the long hours of that terrible night without raising a hand to help. The militia, having been called into action by the sheriff awaited orders from him and executed promptly whatever was required, and would have done far more if the control of matters had been placed in their hands. All company distinctions were merged and the fragments of the six companies were distributed equally at the north and south barricades, under the commands of Captains Becht and Car-

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roll. The tunnel was guarded by Company "B." under Captain Desmond, which also was ordered to act as a reserve. The east barricade was entrusted to Captain Joyce and the men of the 2d Battery. The night of Saturday, March 29th, was clear and cold, and as a group of officers stood on the corner opposite the jail, someone looked up



in the western sky and remarked, "New moon to-night." After a moment's pause the voice of Col. Hunt added, "And I've seen it over my left shoulder; that's bad luck." The conversation turned for the most part on the prospect of reinforcements coming, and the probable time when the mob would commence operations. The crowd on the northwest side of the courthouse at last began to be boisterous and stones were thrown at the windows. The angry cries of the crowd and the crashing of the glass could be plainly heard, and the guardsmen at the north barricade fully expected to be sent at once to drive the mob away before further damage was done, but the order was not issued. The next move of the rioters, as they saw they were not molested, was to light a bonfire in the street, in front of the county treasurer's office. Then the sound of sledge-hammers was heard battering in the doors and they at once proceeded to transfer the fire from the street to the interior, and the building was soon in flames. As the courthouse was entirely separate from the jail, with a large yard between, no sane person would have thought of setting fire to the

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one in order to burn the other, so that the fire the courthouse was started from pure wantonness, without the shadow of an excuse. Restive under their enforced idleness, the militia officers besought the sheriff for permission to fire or to charge the mob. It was suggested that the entire militia force should be sent to disperse the rioters, leaving the police to guard the jail, or that the police be sent against the mob, leaving the militia to guard fire jail, but no action was taken. The fire alarm was turned in; but the engines were halted by the mob and turned back again into their stables. Had the militia been sent to the nearest engine house, two squares away, to protect the firemen, it was thought the flames at the outset might have been extinguished, but this was not attempted, and the police, sheriff's deputies, militia, and fire department alike stood still while the flames leaped higher and higher, enveloping the grand old building which contained so much that was valuable to the city and its citizens, while the mob, growing bolder and bolder, howled in a perfect frenzy of delight over their success.

Between nine and ten o'clock the report was circulated among the men that reinforcements had arrived at last. The Fourth Regiment of National Guards, from Dayton, was close at hand. The report was brought by a deputy sheriff, who had escorted them from the depot to the corner of

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Ninth and Main Streets, and had left them there for a few moments to confer with the sheriff as to the best way to bring them into the jail or to use them in dispersing the mob. After receiving his instructions from the sheriff, the deputy went back to Ninth and Main and found, to his utter amazement, that the regiment was gone. Intimidated by the threats of the mob and the sight of the burning courthouse, the regiment had marched back to the depot. Curses both loud and deep followed them from the little band stationed at the jail, who saw themselves thus basely deserted by their comrades in the hour of the need.

One of the county commissioners then present suggested that an attempt be made to put out the fire by attaching a line of hose to a fire hydrant in the courthouse building, using the reservoir pressure. A number of deputies at once ran the hose through the tunnel and up into the courthouse, and Company B was ordered by the sheriff to accompany and protect them.

At the head of the tunnel stairs was a circular room with an iron ceiling, immediately under the criminal courtroom. This room had an opening to the west, leading out to the Main Street entrance; one opening to the northwest, through a

floor window and an open triangle leading to the treasurer's and county commissioners' rooms; one in the south-west leading to the sheriff's and coroner's offices;

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one to the south, leading out on South Court Street, besides the one to the east, leading into the tunnel.

Lighted up by the fire, this circular room was as bright as day, but beyond the walls the militia, who occupied it, could see nothing, as the fire completely blinded them, so that they were in a veritable death-trap, the mob being able to see them while they were unable to see the mob.

Made still more furious by their success in driving the Fourth Regiment from the scene of action, the rioters broke in the windows and doors on both the first and second floors and entered the building in a half dozen places, filling the rooms, plundering books and papers, and spreading the fire in all directions like so many fiends of hell. They had already possessed themselves of rifles from the German Turner Hall and the Veteran Guards Armory, and had plundered Kittridge's gun store of ammunition, and the guardsmen had hardly formed a line across the circular room before they received a volley that seemed to come from every direction. The militia returned the fire, although a number of them had been wounded, and in a few moments had driven the rioters from the first floor. Just at this juncture Captain Desmond, who was standing off to the left of his command, in the shadow of a wall, was shot through the brain and fell dead. Several of his men carried him back through the tunnel into the jail, and as the volunteer firemen had left their

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posts and the fire was becoming too hot to be borne, Company B retired into the tunnel again. Meanwhile the flames had crept in the southwest corner of the courthouse, around which the rioters now poured like a flood, filling the narrow South Court Street from side to side. They were led by a large, powerful man brandishing a sledgehammer, and the shouts of the drunken, frenzied men, mingled with the cries of children, rose high above the roaring of the flames and the falling of timbers and walls.

Onward they came on a run like a curling, crested wave, sweeping with seemingly irresistible force." Go back! Back for your lives! Keep away!" That was the only riot act read that night. The words rang out sharply on the night air from a dozen voices behind the dark barricade, before so still. Too late now. They were determined to crush the sheriff's last hope and complete their bloody work. "Keep back!" The wave only surged nearer, those in front pushed forward by the ones behind. The patter of the balls on the barricade seemed like so much hail.

"Fire!" It was the sheriff's own voice. A sheet of flame burst forth from the top of the barricade, a deep, hollow sound echoed and re-echoed in the narrow street. Then a rattling fire by file succeeded as some of the rioters plunged forward, still only to die at the foot of the barricade. The wave had spent itself, but as it retired, all dotted over the

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surface of the street it left the bodies scattered like stranded shells to show where it had been. Some ventured back to pick up and drag away their dead or wounded comrades. Others, hiding in the mouths of the alleys still poured their revolver fire spitefully at the barricade. One man, after had spent itself and

recoiled—one man who had passed through that furnace of fire seemingly untouched—was seen only a few feet from the barricade stick advancing but slowly and unsteadily, as if dazed. Then, as if he had determined the conceit, he staggered slowly to the sidewalk where there was a high gate leading into a yard, but the gate was locked. He stood there fumbling as if to find the latch but only for a few moments. "Cease firing! Bring that man in. Don't shoot any more! Steady now, men," rang out the orders in rapid succession from the officers. One more sharp rifle crack sounded and the man sank own into a small round heap on the sidewalk, so near to safety and yet so far away. Three or four men went out and brought the body into the jail, and he died in a few moments, calling pitifully for his wife.

South Court Street was now quiet and deserted, but the men were anxiously watching in all directions when they saw a large body of men moving up Sycamore Street. Every nerve was strained to the utmost tension; every gun was at the shoulder.

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Were they friends or foes? No one knew. "Halt! Who comes there?" The dark mass halted instantly. Back from the darkness came the reply: Fourteenth Regiment. Colonel Freeman commanding."

"Advance, Colonel Freeman."

A small man with heavy gray mustache advanced and, stepping through the opening in the barricade, was at once recognized.

"Col. Hawkins, what do you want me to do?" was the businesslike question. A few words explained the situation, and then, dividing his regiment into two battalions, Col. Freeman took command of one and led it to Main and Ninth Streets, and Lt.-Col. Liggett, with the other battalion, leaped over the low barricade of North Court and advanced to Main Street by that route. On nearing Main Street each battalion executed the same movement, leaving a portion of the battalion faced to the south, the other wheeled to the north, and attempted to drive the mob before them at the point of the bayonet. Col. Liggett succeeded in driving his crowd as far as the canal bridge, when he halted his men and immediately began to throw up a barricade. The other battalion could not move the crowd in their front and, after repeated warnings, the first platoon fired, opening a way for their advance. After forcing the mob down West Court Street to the market space, this battalion also built a barricade in their front.

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The mob however, charged them again, wounding ten of the guardsmen, when another volley poured into them, clearing the streets for some distance. The mob now took shelter in the market house one square from the barricade, and in houses and doorways, from the shelter of which they fired occasional shots at the barricade or when every any of the men or officers exposed themselves.

During the remaining hours of the night the men stool shivering at the barricades, without over-coats or huddled together on the cold sidewalks to keep warm, talking and wondering what the move would be. About 2 o'clock the news came that the mob had broken into Music Hall, taken the brass howitzers belonging to the Second Battery unspiked them, and were on their way to the courthouse. Two companies of the guards and one company of police were ordered out to intercept them which they did, and as the mob had not yet supplied themselves with ammunition, the guns were easily taken from them and dragged by hand to the jail. Ammunition was then made for the guns and they were taken in charge by the Second Battery men. Before morning, the men who been on duty for two nights and a day were so exhausted that they laid down on the cold stones of the street and slept. And so the morning

dawned, Sabbath morning. No one there thought his fight was over but as there was a cessation of hostilities,

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some of the men of the First Regiment were permitted to go home for a few hours. The arrival of a company of the Thirteenth Regiment, bringing fresh ammunition, was hailed with great satisfaction, as the supply was almost exhausted. The company bringing it, however, had a difficult task. It was not until sixteen had been wounded, and the ammunition wagon had once been wrested from them, that they were able to reach the jail with their precious burden.

During Sunday, the sixth barricade was built at the corner of Ninth and Main Streets, and the others were strengthened, as it was confidently expected that with the return of darkness another attack would be made. In the afternoon an attack was made at Main and Canal, but it lacked force and was easily repelled. About 11 o'clock an attack was made on the West Court Street barricade, but the Gatling gun was brought into requisition and a number of casualties on the part of the mob was the result. During the night three companies were detailed to go to Clifton Heights and guard the powder magazines at that point. They arrived none too soon and thus prevented what might have been a terrible destruction of property. About 1 o'clock Sunday night the mob made their last charge, which was repelled by several volleys from the barricade, and the fight was practically over, for with Monday's sun the bluecoats were pouring in

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from all parts of the State and the citizens for the first time breathed freely. The reign of terror was past, the smoke of battle cleared away, the honest people took up their burden of daily business, and the criminal classes slunk back into their holes, away from the sight of men, furious at their failure, which had been brought about by the courage, endurance, and fidelity of the National Guard.

The total cost of the riot to the city of Cincinnati will never be known. Of the defenders of the law there were two killed and thirty-eight wounded but if it had not been for the protection of the barricades the death roll would have told a far different story. Of the law breakers and those who were associated with them there were fifty killed and two hundred wounded. A new courthouse now takes the place of the old one, a new library has been purchased, but the precious records of a hundred years are gone, never to be replaced. The recreant jurors and one criminal lawyer at least fled to more congenial cities. Upon the statute books at Columbus were placed more wholesome laws regulating criminal trials, and the management of such cases has been of a far different type, the moral atmosphere of the city has been greatly purified, and, disgusted at the criminal neglect of the police authorities, a new police force, non-partisan in its nature, has been organized, to which the city points with pride. The reproach of 1884,

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that the law had ceased to be a protector of society and had become a protector of crime, is no longer true, and from the green turf of one of the city's parks there looks down upon the passersby the likeness in stone of the brave Desmond, who stands as an embodiment to-day of the noblest civic hero, the citizen soldier, who died to save.

\* This essay comes from a book entitled On the Roof of Europe written by John A.

Johnson. The first essay "On the Roof of Europe" is a recount of a trip taken by the author to the summit of Mount Blanc.

The second essay, "Behind the Guardsman's Rifle" is the one transcribed here. Mr. Johnson makes no reference to having been guardsman's involved in the 1884 riot, however, the experience seems to have been a very personal one, and I am assuming the Lt. Col. Johnson so mentioned in this book is the author or a relative of the author.

For newspaper accounts of the riot please see the link on this page.  
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