

# Execution In A Small Town - The Lena Baker Story

By Lela Bond Phillips

In 1996 while doing some research about 1940s Cuthbert, Georgia, I ran across some information about Lena Baker. At that time, the ordeal and execution of Lena Baker was one of the best kept secrets in town. After reading the Superior Court Minutes of her trial, I knew that Lena needed a voice. Almost sixty years after her tragic death, I knew her story cried out to be told and I was going to tell it.

Lena Baker had at least four strikes against her when she was born at the turn of the century in Randolph County, Georgia. She was from a small, rural southern town; she was a woman; she was poor; and she was black. Lena was born in a former slave cabin, about five miles southwest of Cuthbert. At the age of forty-four in 1944, Lena had never known anything except hard work and the pangs of poverty and despair. She chopped cotton, cleaned houses, and took in laundry to help support her mother and her three children.

When Ernest B. Knight, a local gristmill owner, hired her to care for him while he recovered from a broken leg, it must have, at first, seemed like a windfall. Knight, a white man, was twenty-three years Baker's senior. It was well known in Cuthbert that Knight was heavy drinker and that he often carried a pistol strapped to his shoulder. It wasn't long before a sexual relationship developed between Knight and Baker. When she attempted to extricate herself from this relationship, Knight locked her in his gristmill for several days at a time, and as a nearby newspaper reported after her execution, kept her there as his "slave woman."

At her trial, Lena explained how Knight approached her house and forced her to go with him on that Saturday evening of April 29. Baker had been warned by the county sheriff to stay away from Knight or that she was going to be thrown in jail; too, she was afraid of physical abuse by Knight (and once even Knight's son had given her a terrible beating with a warning to stay away from his father). Therefore, as soon as she could, Baker gave Knight the slip and spent the night sleeping in the woods near the convict camp. On her way back into Cuthbert the next morning, Knight cornered her again and this time took her to the mill house and locked her in while he went to a "singing" (a form of religious celebration in the South) with his son. Lena soon became fed up with spending the sweltering day lying on an old bed in the gristmill. When Knight returned, she informed him that she was leaving. They, in



Lena Baker's Georgia DOC mug shot. This is the only known photo of her.

Lena's words "tussled over the pistol."

At her trial when asked who pulled the trigger, she replied, "I don't know." She also explained the Knight was brandishing an iron bar that was used to secure the door to the gristmill and that she was afraid for her life.

Under the jurisdiction of Judge Charles William "Two Gun" Worrill, who presided at court with two pistols on the bench, the trial didn't last even a full court day, taking a little over four hours. [The trial transcript is 10 pages long.] A former "lawman" out West, Worrill boasted of gunfights with twelve men, seven of whom died. Later he was appointed to the Georgia State Supreme Court by Governor Herman Talmadge, who later became a vehemently segregationist senator. The jury consisted of twelve white men (not unusual for 1944), but many of the jurors were good friends who attended the same small churches, socialized with each other's families at card parties, and shared morning coffee at a local cafe.

In less than one-half hour the jury came back with a guilty verdict and Worrill sentenced Baker to death in Georgia's electric chair, nicknamed "Old Sparky." Her lawyer immediately asked for a new trial to be scheduled because "the verdict was contrary to the evidence and without evidence to support it ... and the verdict was contrary to law and the principles of justice and equity." He then just as immediately resigned as her lawyer. Later Lena was granted a sixty-day reprieve by then Governor Arnall, but the Board of Pardons and Parole denied clemency when they heard the case. Lena's execution date was scheduled for March 5, 1945. On February 23 she was signed into one of the worst prisons in the United States, Reidsville State Prison, where she was housed in the men's section until just a few days before her execution when she was moved to a solitary cell just a few feet from the execution chamber itself.

Lena went to her death calmly. Her last words were, "What I done, I did in self-defense, or I would have been killed myself ... I am ready to meet my God." Witnesses stated that it took six minutes and several shocks before the prison doctor pronounced her dead. Although Ernest B. Knight's death had not made the headlines in the *Cuthbert Times*, Lena's did. The paper crassly reported, "Baker Burns."

In 1998, the congregation of the church Lena

## Baker Posthumously Pardoned on August 30, 2005

Lena Baker was posthumously pardoned by the Georgia Board of Pardons and Paroles on August 30, 2005.

Instrumental in the pardon was John Cole Vodicka, director of the Prison & Jail Project — an Americus, Georgia based prisoner rights group. During a 1998 visit to Randolph County's courthouse, the Court Clerk asked Vodicka if he wanted to look into Lena Baker's case. The clerk gave him the court file, which included the 10-page trial transcript.

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## Baker Is Georgia's Fourth Posthumous Pardon

Lena Baker's posthumous pardon is the fourth granted by the Georgia Board of Pardons and Paroles in its 62-year history.

Missionaries Samuel Austin Worcestor and Elihu Butler were pardoned in 1992. The men were imprisoned for four years after their 1831 conviction for protesting the removal of Cherokees from North Georgia.

Leo Frank was pardoned in 1986. He was the manager of an Atlanta pencil factory convicted in 1913 of murdering a 13-year-old employee. Two years later, after Frank's death sentence was commuted to life in prison, he was lynched by a mob that stormed the state prison and kidnapped him. There is considerable evidence that Frank was innocent. He is listed in, *In Spite of Innocence: Erroneous Convictions in Capital Cases* (Northeastern Press 1994) by Hugo Adam Bedau, Michael Radelet, and C. Putnam, as having been wrongly convicted.

attended as a young woman raised \$250 for a slab and marker for her grave. Her relatives, now scattered from New Jersey to Florida, met on March 5, 2003, the 58th anniversary of her death, to place a wreath on her grave.

Reprinted with permission. Published in *The Black Commentator*, Issue 40, May 1, 2003.

Lela Bond Phillips is an English professor at Andrew College in Cuthbert, Georgia. She is author of, *The Lena Baker Story* (Wings Publishers 2001). Available from *Justice: Denied's* Innocents Bookshop, <http://justicedenied.org/books.htm>.



# Confession By Assaults' Perpetrator Doesn't Stop Wrongful Conviction

By JD Staff

Eighteen year-old Liverpool, England, soccer fan Michael Shields traveled to Bulgaria in May 2005 to watch his team play in the final of the European Champions League. He stayed at the Golden Sands Resort in the port city of Varna, and the match was played across the border in neighboring Turkey.

Liverpool won the May 30 game on a penalty kick. Shields phoned his dad and told him it was the best day of his life. After returning to the Golden Sands, Shields celebrated with other Liverpool fan until he went to bed at 2:30 a.m. He was woken the next morning by police who took him to the police station. There was a shortage of cells, so he was handcuffed to a radiator.

Shield's soon learned that sometime after he went to bed, a local man, Martin Georgief, had been hit in the head with a paving brick thrown by a person believed to be one of the visitors from Liverpool. Shields participated in an "identity parade" in front of the victim, a twenty-five year-old bartender, who selected Shield's as his attacker.

Since Georgief suffered a fractured skull, and possible brain damage. Shields was charged with attempted murder.

Protesting his innocence and claiming he was mistaken for the attacker, Shields was transferred to a detention center to await his trial. He later told reporters that while there he was kicked and slapped by police and bullied by other prisoners.

About a week before Shields' July 24, 2005, trial, an English paper, *The Echo*, ran a story linking 20-year-old Graham Sankey to the assault. Sankey had not only been in Varna to attend the soccer match, but he had also been arrested. However he was released without participating in an "identity parade" after the victim selected Shields. Sankey and Shields are not only about the same age, but they are similar in appearance - both very large young men. It would be possible for the two to be confused by a person who experienced the trauma of a physical assault at night on a poorly lit street.

Shortly after the news report of his involvement, Sankey publicly confessed to the attack in a statement released through his lawyer. However he refused to sign a confession or travel to Bulgaria to testify in Shields' defense.

Shields was tried, convicted primarily on Georgief's eyewitness testimony, and sentenced to 15 years in prison. Afterwards, at a meeting with newspaper reporters, Shields' said, "They got completely, 100 percent, the wrong person."<sup>1</sup>

Four days after Shield's trial, Sankey signed a written confession that his lawyer faxed to Bulgarian judicial authorities.

In his confession Sankey explained that he had been drinking beer the day of the soccer match, and after also drinking vodka that night, he was "very, very drunk." He said that after seeing three men running toward him with bottles and bricks, "I panicked and stupidly picked up a brick and threw it in the direction of the men running towards me. I saw the brick hit one of them. I panicked and I turned and ran away and returned to the hotel. I did not know at that time that Mr. Martin Georgief had been injured."<sup>2</sup> Sankey also said that he denied being involved when he was arrested in Bulgaria, because he was "utterly terrified."<sup>3</sup> Sankey added, "I accept that I must have caused the serious injury to Mr. Georgief. My conscience has been tormenting me ever since I read in the papers about Michael Shields' trial, and I felt that I could not let an innocent man take the blame for what I had done. So I instructed my Solicitor, Mr. David Kirwan to make public my acceptance of responsibility and my willingness to accept fully the consequences of my actions. I expected that the Bulgarian Court would accept my admission and free Mr. Shields. I was horrified that the Court has refused to do this, so I am making this signed confession in the hope that an innocent man will no longer have to take responsibility for what I admit I did."<sup>4</sup>

Shields is hoping that the Varna Court of Appeals will consider the new evidence of Sankey's confession.

As of early September 2005, Sankey has refused to voluntarily return to Bulgaria. That leaves the option for Bulgarian authorities to seek his extradition, based on his written confession.

Shields' family has been waging a very public campaign in England to drum up public and media support for his release. The Bulgarian judiciary has responded very defensively. In a letter to Bulgaria's British Counsel, the Bulgarian Union of Judges claimed the international publicity about the case was "an interference in a court's work," and "an insult to the dignity of the Bulgarian nation." A Union spokesman said, "It must be absolutely clear that the court can never be told how to decide a case. Convicted Shields was given a fast and just trial before

an independent and unbiased court, in conformity with all international standards of human rights protection."<sup>5</sup>

The Shields family has refused to back down in their support of Michael. His uncle, Joey Graney said, "A judge is there to decide and make sure a case is fair, not to moan when people make justified complaints. ... People make mistakes, even judges make mistakes and in this case the judge got it wrong."<sup>6</sup>

Although several members of Parliament have expressed support for rectifying Shields' wrongful conviction, the British government is officially neutral in the case. A Foreign Office spokesperson said, "We are unable to interfere in the judicial process of another country."<sup>7</sup> It is possible however, that behind the scenes political maneuvering is going on to resolve the situation.

As of September 2005 Shields remains in a Bulgarian jail awaiting the outcome of his appeal.

Endnotes and sources:

1 Briton jailed in Bulgaria tells of ordeal, Daily Mail (London), July 30, 2005.

2 Family Visit 'Innocent' Liverpool Fan, Daily Mail (London), July 29, 2005

3 *Id.*

4 *Id.*

5 Criticism Angers Bulgarian Judges, Daily Mail (London UK), August 2, 2005.

6 *Id.*

7 *Id.*



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Vodicka came into contact with Baker's great-nephew Roosevelt Curry, and in 2003 helped in the filing of a pardon application with the Georgia Board of Pardons and Paroles.

Vodicka doesn't take a tentative view toward Baker's case, "I'm confident almost any lawyer could have pled Lena Baker not guilty by reason of self-defense."<sup>1</sup>

However he was pleased with the Board's decision, "It's not often in our work we get to see something bear fruit. If you step forward and speak up and challenge the system for fairness, it can work. Maybe it will give hope to others that wrongs can be righted."<sup>2</sup> He also said, "Although in some ways it's 60 years too late, it's gratifying to see that this blatant instance of injustice has finally been recognized for what it was - a legal lynching."<sup>3</sup>

Endnotes and sources:

1 Executed Woman to be honored on anniversary of her death, AP, *The Daily Mississippian*, March 4, 2005.

2 Georgia Pardon's Woman 60 years After Execution, *Atlanta Journal-Constitution*, August 16, 2005.

3 Pardon Set For Black Woman Executed in '45, Elliott Minor (AP), *King County Journal*,

