

## **The Lumbee Organize Against the Ku Klux Klan January 18, 1958: The Battle of Hayes Pond, Maxton, N.C.** <sup>[1]</sup>

### **The Fight to Resist Racialized Intimidation and Violence and Gain Recognition**

By Mike Coffey, N.C. Highway Historical Marker Program, 2017; adapted for ANCHOR by Kelly Agan, Government & Heritage Library, 2020.

On the night of January 18, 1958, a group of Ku Klux Klan members and supporters gathered near Hayes Mill Pond, in Maxton, North Carolina. They were led by James “Catfish” Cole, the Grand Dragon of the KKK in South Carolina. The rally was part of an ongoing attempt to intimidate and scare the Lumbee people of Robeson County. A larger group made up of Native Americans from the county and the surrounding area descended on the gathering and confronted the Klan. Outnumbered, the Klan members fled from the field. After that night, the Klan never held another public gathering in Robeson County. Surprisingly, no one on either side was killed. The event was labeled by the press as “the Battle of Hayes Pond.” It triggered national media coverage of white supremacist activity in North Carolina. And it brought national coverage of the Lumbee and their long struggle for justice, recognition, and respect.

### **Robeson County in the 1950s and Backdrop to January 18, 1958**

Members of the Lumbee have historically lived along the Lumber River. The State of North Carolina officially recognized the tribe in 1885. Although the largest tribe in North Carolina and east of the Mississippi River, the federal government failed to grant any measure of recognition until 1956. That year Congress passed the Lumbee Act, designating the Lumbee as an “Indian People” but stopping short of full tribal recognition. James Cole’s motivation against the Lumbee appears to have been related to the tribe’s efforts to acquire legal tribal status along with his views against mixing of races.

The demographics of Robeson County in the mid-twentieth century played an important role in the events that unfolded at Hayes Pond. Both Robeson County and Maxton were growing in population. And they had a tri-racial makeup that led to a unique form of segregation. The county was composed of approximately 40,000 white people, 30,000 American Indian people, and 25,000 Black people. Each racial community had their own school systems. American Indian people in the county were considered “colored” and so were classified by white people with Black people.

Klan membership and operations in North Carolina had also increased after the 1954 Supreme Court decision in *Brown v. Board of Education* that desegregated public schools. The Klan initiated a campaign of terror, seeking to reinforce Jim Crow laws that oppressed people of color. And this campaign included American Indian people in North and South Carolina. As part of this campaign, Cole organized a Klan rally and armed attack of local Black physician Dr. Albert Perry in Monroe, North Carolina. The attack was disrupted by Union County’s NAACP chapter and armed members of the Black community in Monroe.

This unexpected violent resistance prompted Cole to focus his attention on Robeson County. The Klan seized on rumors of a relationship between a white man and a Native woman in the town of St. Paul’s. And Cole escalated the Klan’s campaign to end mixing of the races by targeting the Lumbee. On January 13, 1958, the Klan burned a cross in front of the targeted woman’s house. The same night they burned another cross in Lumberton in front of the home of a Lumbee family that had moved into a white neighborhood. The Klan then prepared for the rally at Hayes Pond, gathering supporters and posting flyers around the area.

### **The Confrontation at Hayes Pond**

On January 18, 1958, the Klan arrived in Maxton to stage a rally. They gathered with a public address system and a large banner. And they had a single light bulb suspended for light. With darkness surrounding, they failed to notice that they were circled by a large contingent of Lumbee and other Native supporters, organized by Simeon Oxendine and Sanford Locklear. Both were members of the Lumbee Tribe, and Oxendine was a World War II veteran.

The action started when one of the Lumbee shot out the light bulb suspended from a pole over the Klan’s public address system. Some fire was returned by Klansmen, but they offered little resistance realizing they were outnumbered. Numbers differ as to how many were involved. However, it is generally agreed that the Klansmen and their supporters were probably no more than fifty. The Lumbee numbered in the hundreds, and perhaps as many as a thousand. The affair was over in minutes. Many of the Klansmen fled the scene outright, leaving their families behind. And the remainder took refuge in their vehicles and had to be escorted out by law enforcement. Four Klansmen received minor gunshot injuries, but there were no fatalities. And several of the Klansmen’s vehicles were damaged. Cole was later arrested and convicted on the charge of attempting to incite a riot. Reporters who were on the scene captured the event and news spread across the country.

### **Response to the confrontation**

Governor Luther Hodges responded immediately to the incident. He denounced the Klan for inciting violence. Klan activities against the Native people of Robeson County ceased, however. And several years later at least one judge used the event in Maxton to justify the prevention of a Klan rally planned for March 1966.

The Battle of Hayes Pond represents a significant change in the fight for American Indian people and tribal identity in North Carolina. It also resulted in improved race relations in the area. Interactions between white, Black, and Native people in Robeson County shifted as community members reevaluated long-held positions regarding their neighbors.

Historical interest in the events of January 1958 continued in the years that followed. Folk singer Malvina Reynolds memorialized the confrontation in her song "The Ballad of Maxton Field." The *Daily Tar Heel* published several articles on the subject in the 1960s. And the *Duplin Times Progress Sentinel* used the incident to criticize the Klan in 1964. In 2015, the *Kinston Free Press* included Hayes Pond and Cole in an article on the lingering effects of white supremacy in North Carolina. In 2016, an article in the *Robesonian* highlighted the long-term significance of Hayes Pond in the development of Lumbee identity.

The event demonstrated community identity among the state's American Indian tribes. It is a striking and important example of resistance by a minority ethnic group against organized efforts of harassment, intimidation, and violence.

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## References:

"Armed Indians Break Up Klan's Rally," Rocky Mount Telegram, January 19, 1958.

"Bad Medicine for the Klan," Life, January 27, 1958

Barksdale, Marcellus C., "Robert F. Williams and the Indigenous Civil Rights Movement in Monroe, North Carolina, 1961," *Journal of Negro History*, 69, no. 2 (Spring 1984): 73-89

Blu, Karen I., *The Lumbee Problem: The Making of an American Indian People* (New York: Cambridge University Press, 1980)

Cunningham, David, *Klansville, U.S.A.* (New York: Oxford University Press, 2013)

Cunningham, David, and Benjamin T. Phillips, "Contexts for Mobilization: Spatial Settings and Klan Presence in North Carolina, 1964-1966," *American Journal of Sociology*, 113, no. 3 (November 2007): 781-814

Dane, J. K., and B. Eugene Griessman, "The Collective Identity of Marginal Peoples: The North Carolina Experience," *American Anthropologist*, 74, o. 3 (June 1972): 694-704

Denny, *State of North Carolina v. James Cole, James Garland Martin and others to the State*, 107 S.E.2d732(1959) Justia US Law (Supreme Court of North Carolina, 1959)

Gray, Penn, "Klan Flees Indian Fire," *The Robesonian* (Lumberton), January 20, 1958

"'The Law' Treads Lightly to Avert Maxton Violence," *The Robesonian* (Lumberton), January 20, 1958

Hodges, Luther H., "Governor's Statement," January 30, 1958 (accessed September 25, 2017)  
<https://digital.ncdcr.gov/Documents/Detail/statement-by-governor-luther-...> [2]

"Indians Back at Peace and the Klan at Bay," Life, February 3, 1958

"Ku Klux Klan Keep Their Hair – But Only," *The Pilot* (Southern Pines), January 23, 1958

Lowery, Malinda Maynor, "Indians, Southerners, and Americans: Race, Tribe, and Nation During 'Jim Crow,'" *Native South*, 2, no. 1 (2009), 1-22

Lumbee Indians in the Jim Crow South: Race, Identity, & The Making of Nation (Chapel Hill: University of North Carolina Press, 2010)

"Telling Our Own Stories: Lumbee History and the Federal Acknowledgment Process," *American Indian Quarterly*, 33, no. 4 (2009), 499-522

"The Natives Are Restless," Time, January 27, 1958

Neal, Jim, "KKK: A False Prophet," *Duplin Times Progress Sentinel*, August 13, 1964

Oakley, Christopher Arris, "When Carolina Indians Went on the War Path," *Southern Cultures*, 14, No. 4 (2008): 55-84

"Raid by 500 Indians Balks North Carolina Klan Rally," *New York Times*, January 19, 1958

Rothman, David, "The Klan and the 'Reds': The Joke Was on 'Catfish,'" *Daily Tar Heel*, April 21, 1965

Sider, Gerald M., *Lumbee Indian Histories: Race, Ethnicity, and Indian Identity in the Southern United States* (New York:

Cambridge University Press, 1993)

State of North Carolina ex rel. John B. Regan, etc. v. Invisible Empire, United Klans, Knights Ku Klux Klan, etc., et al, Robeson County, North Carolina, Superior Court, March 17 and April 22, 1966, Race Relations Law Reporter, 11 (Autumn 1966): 1162-65

Tyson, Timothy B., Blood Done Sign My Name (New York: Three Rivers Press, 2004)

Radio Free Dixie: Robert F. Williams and the Roots of Black Power (Chapel Hill: University of North Carolina Press, 1999)

U.S. Bureau of the Census, 1950 Census of Population: Preliminary Counts, August 14, 1950

Vander Zaden, James W., "The Klan Revival," American Journal of Sociology, 65, no. 5 (1960): 456-462

"Who You Callin' Savage, Savage," Daily Tar Hell, October 6, 1963

Williams, Robert F., Negroes With Guns (New York: Marzani & Munsell, 1962)

Wolfe, Wes, "History of Hate Pervades ENC," Kinston Free Press, June 20, 2015

Wolfley, Jeanette, "Jim Crow Indian Style," American Indian Law Review, 16, no. 1 (1991): 167-202

Women from the Maxton Community, "Letter to Mr. Regan," January 1958 (original in possession of Museum of Southeast American Indian, UNC Pembroke)

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[5]

On June 26, 2018, the State of North Carolina erected and dedicated a highway historical marker to commemorate the Lumbee fight for justice and tribal identity at Hayes Pond in 1958. The dedication event was held as part of the annual Lumbee homecoming celebration. The highway marker is located at the intersection of NC Highway 130 and Maxton Pond Road near Maxton, N.C.

#### Watch and Listen:

In 1958, folk singer-songwriter and social activist Malvina Reynolds memorialized the event at Hayes Pond and satirized the KKK and white supremacy in her ballad "The Battle of Maxton Field." Reynolds had her own history of being targeted by the KKK -- her family's home in Long Beach, CA was raided by Klansmen in 1932. Her parents were outspoken opponents of U.S. involvement in military conflict and leftist social activists.

#### For Teachers:



North Carolina's Lumbee Fight for Justice: The Battle at Hayes Pond in Maxton, N.C.<sup>[6]</sup>

Lesson Plan for Grade 8

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