

Moore et al. v. Dempsey, 261 U.S. 86 (1923)

Visual Exhibits – The Story of the Case



The Defendants

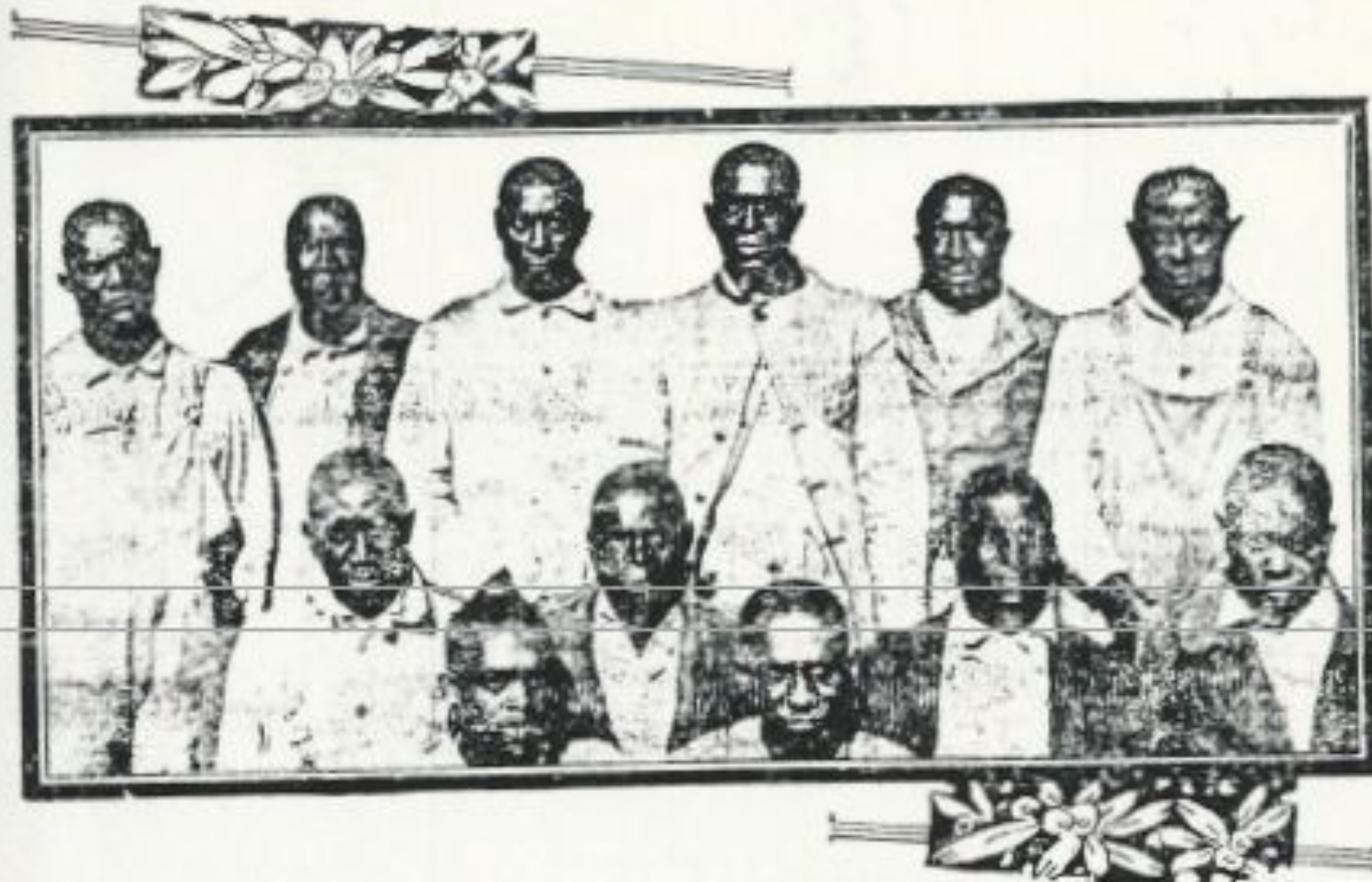
Moore v. Dempsey

- ? Frank Moore
- ? E.D. Hicks
- ? J.E. Knox
- ? Ed Coleman
- ? Paul Hall

Additional Cases

- ? Albert Giles
- ? Joseph Fox
- ? Alfred Banks, Jr.
- ? Will Wordlow
- ? Frank Hicks
- ? Ed Ware
- ? John Martin

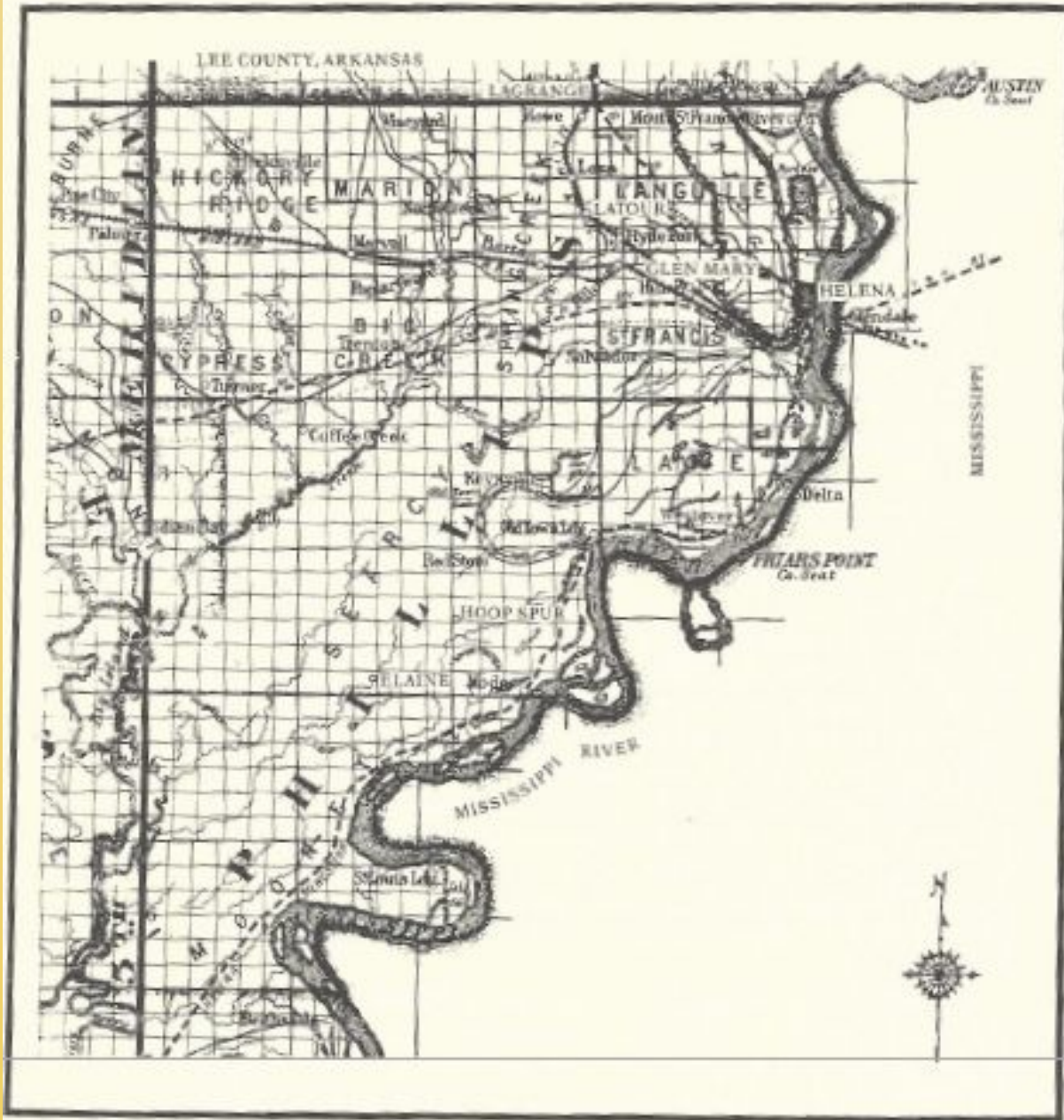
SUBJECTS OF PROF. KERLIN'S APPEAL



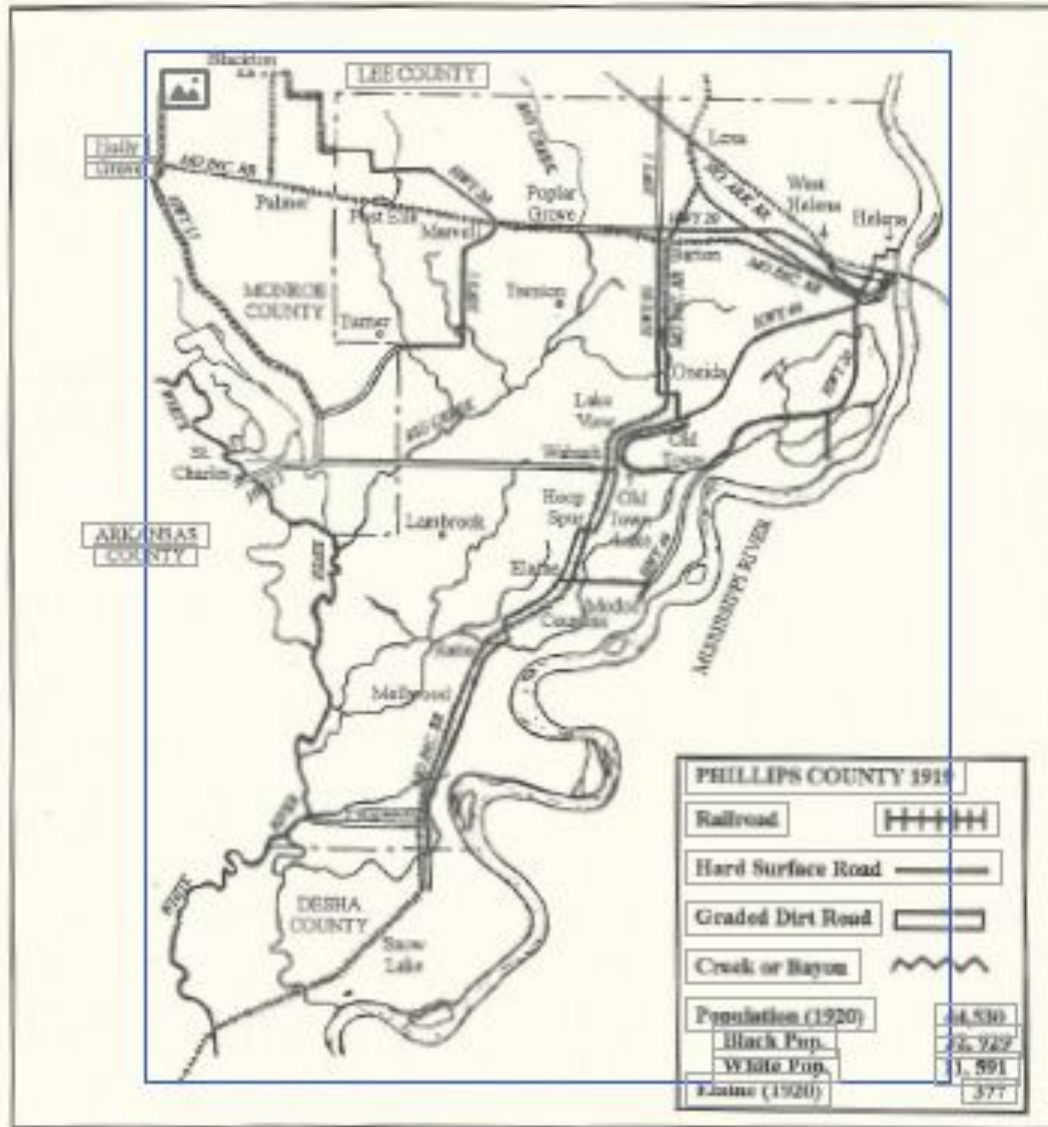
The twelve blacks sentenced to death in the riot cases. *The Chicago Defender*, February 4, 1922. Courtesy of the Library of Congress



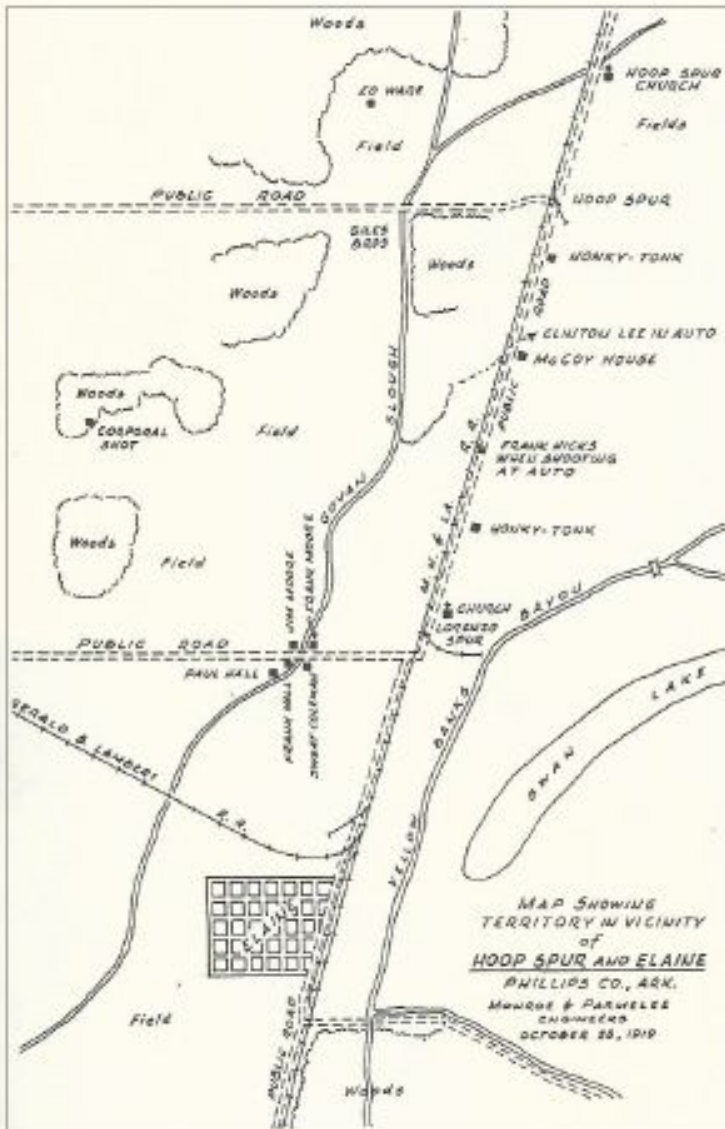
TWELVE MEN CONDEMNED BY THE COURT.



Phillips County, Arkansas. Courtesy of the Library of Congress



Map of Phillips County at the time of the massacres. *Courtesy of Butler Center for Arkansas Studies, Central Arkansas Library System.*



The map that was introduced into evidence at the first trial (of Frank Hicks) of the Elaine 12 by the prosecution in November 1919. Courtesy of Butler Center for Arkansas Studies, Central Arkansas Library System.

The
Church
at Hoop
Spur







MRS. IDA B. WELLS-BARNETT
Entered according to the Act of Congress, etc.
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May 15, 1920.

The Arkansas Race Riot

—at—

Elaine and Hoop Spur, Arkansas

September 30th. Oct. 1, 2, & 3, 1919

The Result of Which

Scores of Negroes killed by white Rioters, 5 white men alleged to have been killed by Negroes; a half million dollars worth of Negroes' cotton stolen, 75 Negroes in Penetentiary for 21 years, **12 Negroes Sentenced to death—not a single white man arrested!**

This book shows the riot was a conspiracy by the white men to take the Negroes' cotton and not a conspiracy by Negroes to kill white people.


MRS. IDA B. WELLS-BARNETT

3624 Grand Boulevard, Chicago, Ill.

TERMS TO AGENTS: IN AD- VANCE \$4.50 Per Dozen

Summary

Ed Ware, 100 acres cotton; 100 bales at \$225 per bale..	\$22,500
Frank Hicks and Ed Hicks, 100 acres cotton; 100 bales at \$225 per bale.....	22,500
Albert Giles, 20 acres cotton; 20 bales at \$225 per bale	4,500
Joseph Fox, 20 acres cotton; 20 bales at \$225 per bale	4,500
Alfred Banks, 32 acres cotton; 32 bales at \$225 per bale	7,200
John Martin, 22 acres cotton; 22 bales at \$225 per bale	4,950
William Wordlaw, 16 acres cotton; 16 bales at \$225 per bale	3,600
Frank Moore, 14 acres cotton; 15 bales at \$225 per bale	3,150
Ed Coleman, 12 acres cotton; 12 bales at \$225 per bale	2,700
Will Knox, 10 acres cotton; 10 bales at \$225 per bale..	2,250
Paul Hall, 40 acres cotton; 40 bales at \$225 per bale..	9,000
Total	\$86,050



The record for the seventy-five who are serving terms of imprisonment is not complete but a glance at the list secured shows:

Walter Guley, 23 acres of cotton and corn, farmed for B. B. Stanley, Elaine, Ark.

B. Earl, 30 acres cotton and corn, worked for Dick Howard, Wabash, Ark.

John and E. F. Foster, 40 acres cotton and corn, worked for Dr. Cruse, Elaine, Ark.

Will Hampton, 35 acres cotton and corn, worked for R. P. Alman, Elaine, Ark.

I. W. Swats, 20 acres cotton and corn, worked for George E. Blackburn, Melwood, Ark.

Andrew Goff, 20 acres cotton and corn, worked for Dr. Cruse, Elaine, Ark.

Gilmore Jenkins, 15 acres cotton and corn, worked for Billy Archdale, Elaine, Ark.

Ed Mitchell, 40 acres cotton and 5 in corn, worked for Dr. Cox, Elaine, Ark.

Dave Haas, 15 acres cotton and corn, worked for Longecker & Jackson, Elaine, Ark.

Sykes Fox, 18 acres cotton and 7 in corn, worked for Deck Howard Wabash, Ark.

Will Curry, 70 acres cotton and corn, worked for Wilford White, Hoop Spur, Ark.

Ed Baker, 25 acres cotton and corn, worked for C. L. Ballard, Elaine, Ark.

Joe Leggens, 20 acres cotton and corn, worked for Deck Howard, Wabash, Ark.

Joe Meshane, 30 acres cotton and corn, worked for Deck Howard, Wabash, Ark.

S. J. Jackson, 58 acres cotton and corn, worked for J. L. Jones, Elaine, Ark.

Dan Rollins, 20 acres cotton and corn worked for R. P. Alman, Elaine, Ark.

D. Paine, 22 acres cotton and corn, worked for S. S. Stokes, Elaine, Ark.

Charley Jones, 26 acres cotton and corn, worked for Dr. Richardson, Elaine, Ark.

C. C. Hubert, 20 acres cotton and corn, worked for Lambrook & Co., Elaine, Ark.

T. Dixon, 20 acres cotton and corn, worked for Lambrook & Co., Elaine, Ark.

James Moore, 35 acres cotton and corn, worked for Billy Archdale, Elaine, Ark.

Will Mack, 18 acres cotton and corn, worked for Key Plntation, Wabash, Ark.

Sam Barber, 22 acres cotton and corn, worked for S. S. Stokes, Elaine, Ark.

Abe Brown, 20 acres cotton and corn, worked for Dr. Cruse, Elaine, Ark.


Dave Reed, 20 acres cotton and corn, worked for Lambraak, Elaine, Ark.

Henry Avant, 58 acres cotton and corn, worked for Lambrook, Elaine, Ark.

Charley Hubbard, 58 acres cotton and corn, worked for Lambrook, Elaine, Ark.

John Thomas, 35 acres cotton and corn, worked for S. S. Stokes, Elaine, Ark.

John Jefferson, 35 acres cotton and corn, worked for R. P. Alman, Elaine, Ark.

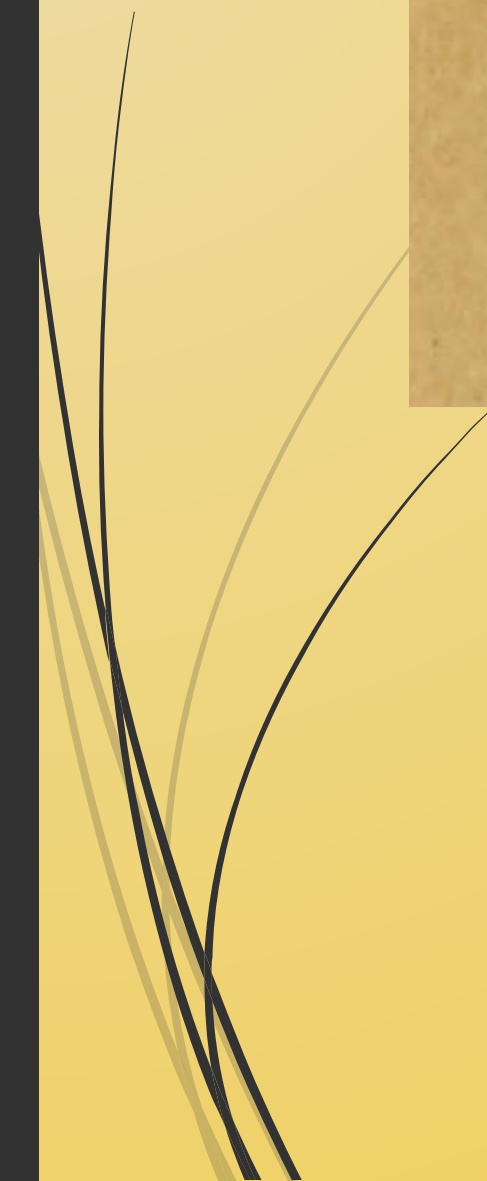



Bob Jackson, 23 acres cotton and corn worked for S. S. Stokes, Elaine, Ark.

Walter Ward, 20 acres cotton and corn, worked for Dr. Cruse, Elaine, Ark.

Will Steward, 50 acres cotton and corn, worked for R. P. Alman, Elaine, Ark.

Jim Smith, 48 acres cotton and corn, worked for Will Crege, Elaine, Ark.





Hēre are thirty-four of the seventy-five who are serving sentences ranging from five to twenty-one years. Less than half the whole number but this thirty-four had cultivated over a thousand acres of cotton and corn during the year of grace 1919!. If the remaining forty-one did as well, those seventy-five Negroes are serving terms in the penitentiary for having nearly 2,000 acres of cotton and corn that the white men of Phillips County, Ark., could get away from them in no other way than by driving them away from their crops and preferring charges against them! It means that the white lynchers of Phillips County made a cool million dollars last year off the cotton crop of the twelve men who are sentenced to death, the seventy-five who are in the Arkansas penitentiary and the one hundred whom they lynched outright on that awful October 1, 1919! And that not one of them has ever been arrested for this wholesale conspiracy of murder, robbery and false imprisonment of these black men, nor for driving their wives and children out to suffer in rags and hunger and want!



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- ? A grand jury of white men was organized on October 27 with one of the Committee of Seven and, it is alleged, with many of a posse organized to fight the blacks upon it, and, on the morning of the 29th, the indictment was returned.
- ? On November 3, the petitioners were brought into Court, informed that a certain lawyer was appointed their counsel, and were placed on trial before a white jury -- blacks being systematically excluded from both grand and petit juries.



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- ? The Court and neighborhood were thronged with an adverse crowd that threatened the most dangerous consequences to anyone interfering with the desired result.
- ? The counsel did not
 - ? venture to demand delay or a change of venue,
 - ? to challenge a jurymen or to ask for separate trials.
 - ? He had had no preliminary consultation with the accused,
 - ? called no witnesses for the defence, although they could have been produced, and
 - ? did not put the defendants on the stand.



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- ? The trial lasted about three-quarters of an hour, and in less than five minutes, the jury brought in a verdict of guilty of murder in the first degree.
- ? According to the allegations and affidavits,
 - ? there never was a chance for the petitioners to be acquitted; no juryman could have voted for an acquittal and continued to live in Phillips County, and
 - ? if any prisoner by any chance had been acquitted by a jury, he could not have escaped the mob.



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- ? The averments as to the prejudice by which the trial was environed have some corroboration in appeals to the Governor, about a year later, earnestly urging him not to interfere with the execution of the petitioners.
- ? One came from five members of the Committee of Seven, and stated, in addition to what has been quoted heretofore, that
 - ? "all our citizens are of the opinion that the law should take its course."
- ? Another, from a part of the American Legion, protests against a contemplated commutation of the sentence of four of the petitioners and repeats that a
 - ? "solemn promise was given by the leading citizens of the community that, if the guilty parties were not lynched, and let the law take its course, that justice would be done and the majesty of the law upheld."