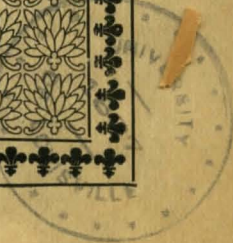


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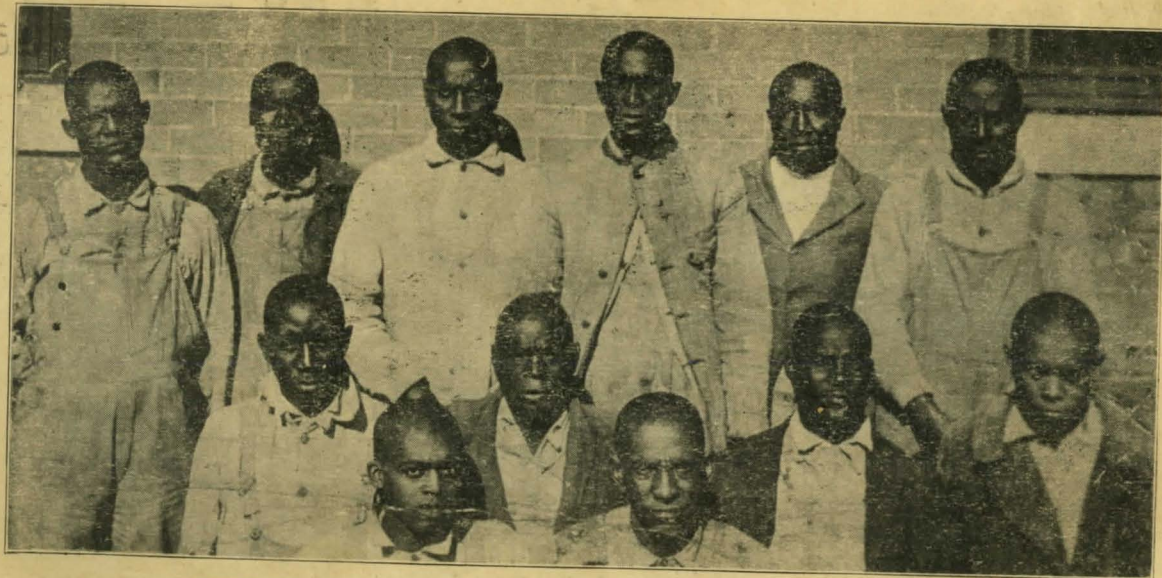
# The Arkansas Race Riot.

BY  
**Mrs. Ida B. Wells-Barnett**  
CHICAGO, ILL.  
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TWELVE MEN CONDEMNED BY THE COURT.

# The Elaine Riot.

## THE ELAINE (ARK.) RIOT

The press dispatches of October 1, 1919, heralded the news that another race riot had taken place the night before in Elaine, Ark., and that it was started by Negroes who had killed some white officers in an altercation.

Later on the country was told that the white people of Phillips County had risen against the Negroes who started this riot and had killed many of them, and that this orgy of bloodshed was not stopped until United States soldiers from Camp Pike had been sent to the scene of the trouble.

Columns were printed telling of an organization among Negro farmers in this little burg who were banded together for the purpose of killing all the white people, the organization being known as the Farmers' Household Union. As a result of these charges over one hundred Negro farmers and laborers, men and women, were arrested and jailed in Helena, Ark., the county seat of Phillips County. One month later they were indicted and tried for murder in the first degree and the jury found them guilty after six minutes of deliberation. Twelve were sentenced to die in the electric chair—six on December 27th. and six on January 2nd, and seventy-five of them were sent to the penitentiary on sentences ranging from five to twenty-one years!

Several national bodies among colored people, notably the Equal Rights League, sent letters of protest to Governor Brough, but press dispatches reported that the governor refused to interfere, because he believed the men had received justice. Thereupon, the Chicago branch of the Equal Rights League sent telegrams to Senators Medill McCormick and Curtis, chairman on committee on race riots and Congressman Martin B. Madden asking the federal government to take some action to protect these men and see that they got justice.

## THE ARKANSAS RIOTERS.

The People's Movement, Chicago, Ill., on December 7th unanimously passed the following resolution offered by the writer and sent it to Governor Brough:

Whereas, The press dispatches bring the news that twelve Negroes have been condemned in Helena, Ark., to die in the electric chair for the alleged killing of five white men after a deliberation of eight minutes by the jury which found them guilty, and

Whereas, It would appear that this riot arose over a determination of those Negroes to form a union for the protection of their cotton crop; therefore, be it

Resolved, That we demand of Governor Brough that he exert his influence to see that those men are given a new trial or chance to present their cases to the Supreme Court. Hundreds of Negroes have left Arkansas because of unjust treatment, and we pledge ourselves to use our influence to bring thousands away if those twelve men die in the electric chair. Arkansas needs our labor but we will never rest till every Negro leaves the state unless those men are given justice.

Very soon thereafter the governor of Arkansas called a conference of white and colored citizens in Little Rock, Ark. He learned from them that his own colored people were dissatisfied and wanted these men to have a chance in the Supreme Court. He promised to exert his influence to secure this and appointed an inter-racial committee to adjudicate matters between the races.

The Chicago Defender of that same week, December 13th, contained a letter of appeal by the writer to colored people throughout the country to raise funds to help these condemned men carry their cases to the Arkansas Supreme Court, also to the United States Supreme Court if necessary. Almost immediately following its appearance, donations were received by the writer from our people, and the tone of the letters was splendid in the expressed determination to help these poor men get justice. Other organizations to help were formed, lawyers were engaged, a stay of execution granted and proceedings begun for an appeal to the Supreme Court of Arkansas. Six of the men had been sentenced to be electrocuted December 27th and six on January 2nd.

During this time the following letter was received by the author of this pamphlet:

Little Rock, Ark., Dec. 30, 1919.

Dear Mrs. Wells-Barnett:

This is one of the 12 men which is sentenced to death speaking to you on this day and thanking you for your great speech you made throughout the country in the Chicago Defender paper. So I am thanking you to the very highest and

hope you will do all you can for your collord race. Because we are innercent men, we was not handle with justice at all in Phillips County Court. It is prejidice that the white people had agence we Negroes. So I thank God that thro you, our Negroes are looking into this truble, and thank the city of Chicago for what it did to start things and hopen to hear from you all soon. Now Mrs. Wells if you have any mail for us send it to \_\_\_\_\_ if there be enny secret in it. So I will close with much love from all to Chicago, Ill. Please pray for us, I am a Christian man. Please Chicago let us hear from you at enny time.

In response to this cry from Macedonia, the writer took the train for Little Rock, Ark., went to the address given in the letter and talked with some of the wives of the twelve, then went to the penitentiary and spent the day interviewing those men. I wish every one whose contribution enabled me to make this investigation could have seen the light which came on the faces of these men when I told them who I was! Again they sent thanks to every one who had responded to my Defender letter of December 13, 1919. They had been in prison in Helena, Ark., since the first week in October; they had been beaten many times and left for dead while there, given electric shocks, suffocated with drugs, and suffered every cruelty and torment at the hands of their jailers to make them confess to a conspiracy to kill white people. Besides this a mob from the outside tried to lynch them. During all that two months of terrible treatment and farcical trial, no word of help had come from their own people until a copy of the Chicago Defender, December 13th, fell into their hands!

No wonder that during this time of terror they composed and sung in heart-breaking tones this song:

**I Stand and Wring My Hands and Cry**  
By Ed Ware.

I used to have some loving friends to walk and talk with me,  
But now I am in trouble, they have turned their backs on me;  
They just laugh me to scorn and will not come nigh,  
**And I just stand and wring my hands and cry.**

**Chorus.**

**And I just stand and wring my hands and cry,**  
And I just stand and wring my hands and cry, Oh Lord!  
Sometimes I feel like I ain't got no friends at all,  
And I just stand and wring my hands and cry.

Sometimes I like to be in company and again I want to be  
alone,  
With my enemies all crushing me and confusion in my home;  
I then fold my arms and look to the skies,  
And I just stand and wring my hands and cry.—Chorus.

My heart is overwhelmed with sorrow,  
My eyes are melted down in tears;  
But I have called to the God of Heaven,  
And I know He always hears.—Chorus.

This they sang in the most mournful tones ever heard. Their wives and mothers and children were there spending Sunday with them, and talking through the bars, trying to encourage them. They sang and prayed together and were so grateful to the warden for his kind treatment of them. They exhorted each other to be faithful to the end, expressed their innocence of wrong-doing and readiness to die if it was God's will they should do so. I told them to pray to live and have faith to believe their God would open their prison doors as were those of Paul and Silas and to pray and believe that they would go free; that He would work on the hearts of those who held the scales of justice and to believe those prayers would be answered. Thousands of persons on the outside were praying for them and doing what they could to help, and for them to have faith to believe that the great state of Arkansas would undo the wrong that had been done to them. I said they should pray daily that God would give the authorities the wisdom to realize the wrong that had been done, and the courage to right that wrong. I earnestly believe such prayers will strengthen the hands of the white people of the state who want to do the right thing.

## CHAPTER II.

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### THEIR CRIME

The terrible crime these men had committed was to organize their members into a union for the purpose of getting the market price for their cotton, to buy land of their own and to employ a lawyer to get settlements of their accounts with their white landlords. Cotton was selling for more than ever before in their lives. These Negroes believed their chance had come to make some money for themselves and get out from under the white landlord's thumb.

Phillips County got plenty Negro labor to till the land and they toiled with a will to raise the cotton crops of 1919, which would make them independent at last. Most of these men and their families had worked for years "on shares" and had come out every year in debt or just barely out. The price of cotton had been low, and the landlord who furnished the land and supplies saw to it that the Negro laborer remained in his clutches from years to year. Always the owner or agent who rents the land owns a general store or opens an account for the tenant where he must trade and pay the prices charged or get no food and supplies for himself family or hired hands. The season begins in March and lasts till the cotton is picked and ginned in October and November. So that for the period of nine months the cropper is dependent on the landlord for supplies. He receives no money until cotton is sold and settlements are made.

When cotton is ready to be marketed, the landlord simply tells the cropper what his bill for the year is and what he will allow him for his crop. As a rule the bill for supplies is almost always greater than the amount due the hardworking Negro and his family, and he has not been able to help himself. He must stay on the farm another year or be turned adrift to go to work on another farm under the same conditions. If he leaves in debt the laws of the state make it a penal offense. Thousands of Negro farmers have worked under this economic slavery for years.

The colored men who went to war for this democracy returned home determined to emancipate themselves from the slavery which took all a man and his family could earn, left

him in debt, gave him no freedom of action, no protection for his life or property, no education for his children, but did give him Jim Crow cars, lynching and disfranchisement. If they could get all the farmers in that neighborhood to join an organization they could employ a lawyer to look after settlements at the end of the year; they could create a treasury and buy a tract of land for themselves; they could get all the farmers to hold their cotton for higher prices.

Is it any wonder the idea spread like wild-fire? The Progressive Farmers and Household Union of America had been revived the year before, and when Robert L. Hill came among them with the plan the meetings were crowded with men and women bringing their money to join. There is not a word in the constitution and by-laws of this order about conspiracy to murder white people, as will be seen by the reader of this book.

It is most interesting to note that this union was first organized under Act of Congress in 1865, fifty-five years ago; was revised and reorganized in 1897; and revised and applied by Robert L. Hill and others in 1918. It was ratified and incorporated under orders of the Supreme Court of Arkansas in 1918 at Little Rock, Ark. The men who are now awaiting the verdict of the Supreme Court on their sentence of electrocution were working under a charter permitting them to organize granted by that same Supreme Court!

Robert Hill had organized under this constitution a lodge at Hoop Spur and one at Elaine, Ark. The white farmers, land owners and cotton brokers heard about those meetings and when the following circular was sent out by the union naturally they became uneasy and decided to take some action:

#### **Don't Get Excited**

Hold your cotton until the World's Cotton Conference is over October 13, 14, 15, 16.

Let us see what Uncle Sam means. Uncle Sam can help you when nobody else can.

#### **World's Cotton Conference**

There will be more than 1,800 delegates to the World's Cotton Conference in New Orleans, October 13-16. Not only will there be delegates there from all parts of the south, but all parts of the world. Hundreds of delegates from twenty countries abroad are now on the way. There was a time that ginneries begged the farmers to haul away cotton seed and get them out the way, but today the cotton seed industry has reached to more than \$4,000,000,000 annually. This will enter largely into this conference showing the growing needs for



cotton seed products. For the foreign delegates it is agreed that landing on American soil be made in New York and then trains made up to convey them to New Orleans from New York City.

That was all, but it was a Declaration of Economic Independence, and the first united blow for economic liberty struck by the Negroes of the South! That was their crime and it had to be avenged.

But why was this movement a crime? Because "cotton is king" of the agricultural products of the South. With cotton selling for 45 to 50 cents per pound—the highest price since the Civil War—it meant that Negroes were in a fair way to become independent and it was not to the interest of the white landowners to let them do so. Ed Ware, one of the most prosperous men there, had already offered two bales of cotton for sale. Ware was secretary of the Hoop Spur lodge, and he had already refused to sell for 24 cents per pound, or 33 cents. He was then refused a settlement of his account at the store. He had gone to Helena to give a lawyer his case. On his return home rumors were flying that the white people were going to lynch him for doing this. This was Saturday, three days before the riot.

The United States is the greatest cotton producing country in the world. Of the 17,410,000 bales of cotton produced in 1918 in the whole world 11,818,000 bales came from the United States. With the exception of the little grown in California, these twelve million bales—more than two-thirds of all the cotton raised in the world—were produced by the Negro labor of the South! Without the Negro there would be no cotton. The South wants the Negro to produce this cotton but not to share in its benefits.

With cotton selling at 45 and 50 cents a pound, a bale of cotton averaging 500 pounds would bring \$250. Five bales of cotton would bring \$1,250. No padding of accounts nor inflation of prices could use all that money for supplies and leave the Negro in debt and subjection. Another way must be found to do this, and keep the Negro's wealth from him.

## CHAPTER III.

### THE RIOT

Tuesday, September 30th, the people gathered in their church at Hoop Spur to hold a meeting of the lodge. The place was crowded with men, women and children. Those who hadn't paid dues and become members were anxious to do so. A peaceful law-abiding hard-working group in their own church, attending strictly to their own business, about two hundred of them. Suddenly at 11 o'clock at night without warning a volley of shots are fired into this free assembly. The lights go out and those who are not killed or wounded get away as quickly as possible. One white man, W. A. Adkins, is killed out in front of this church, whether by the men he is with or the guards out in front will probably never be known.

No one knows how many of these peaceable unoffending Negroes were killed by this volley as the persons who did this dastardly deed burned the church down the next day so no bullet holes in walls, broken windows or dead bodies of Negroes would show the conspiracy of whites to kill black people. Had this been a conspiracy of Negroes to kill whites, they would not have started in by killing their own members, break up their own meeting, nor burn their own church. They would have been in or near some white assembly hall or home working mischief. There would be more evidence of the conspiracy to kill whites than the single body of W. A. Adkins found dead beside the automobile which brought him to the Negro church to disturb a Negro meeting and commit murder. Some excuse was necessary for their action, and the persons capable of planning and executing such a terrible deed were not above furnishing that excuse for their action. Or Will Adkins may have been killed accidentally by the men he was with. One of the Negro guards at the church declares he heard one of the white men say, "We are killing our own men."

It is because that **one** white man was killed in front of the Negro church at 11 o'clock that night that Frank Moore and eleven other Negroes are in the Arkansas penitentiary condemned to die. Nothing in the record shows he had any busi-

ness there; he was clearly a trespasser, for every Negro in that church agrees that without warning—while they were all in the church—a volley of bullets was fired in among them. Of those white men who were firing into the church without cause Will Adkins was one. If it had been clearly proven that he was killed by a bullet fired by the Negro guards on the outside, it was because of and in response to an attack made on the church they were there to guard. Nowhere in this land would an unprejudiced jury sentence a man to death for guarding and protecting his property and loved ones from unprovoked attack!

The other white man mentioned in the record, Clinton Lee, met his death next day while he and hundreds of other white men were chasing and murdering every Negro they could find, driving them from their homes and stalking them in the woods and fields as men hunt wild beasts. They were finishing up the job they began the night before. As a group of Negroes ran before the mob two shots were fired from a rifle one of them carried, and Clinton Lee fell dead. For his death five of the twelve men sentenced are awaiting death by electrocution. Yet no man in all this "land of the free and home of the brave" will say that a man is not justified in firing back on other men who are after him armed with shot-guns to take his life!

Both these white men for whose death there men were found guilty of murder in the first degree and sentenced to death were in the attacking parties with crowds of other white men. If there was any conspiracy, it would seem to be among white men to kill and drive away Negroes.

Why? The Negroes had made their crop. Every one of the two hundred Negroes condemned and killed had picked or was gathering in his year's crop of cotton and corn! The labor needed to plow the ground, plant the seed chop the cotton and "lay it by" had been furnished by their toil. Some of the landlords drove the Negroes off the land after this had been done by refusing to feed them longer and forcing them to leave their crop before the cotton was ready to pick. But cotton was now ready to pick and some of it had been picked by October 1st. It had been ginned and was ready for market and the Negro due to get the reward of his toil and white men determined to reap the value of it. What they could not do lawfully they did unlawfully with the aid of public sentiment and the mob. They are now enjoying the result of these Negroes' labor, while the Negroes are condemned to die or stay in prison twenty-one years. The wives and children of the white men who committed this crime and robbed these Negroes are riding in automobiles, living in comfortable homes,

enjoying good food and fine clothes. The wives and children of these Negroes are wandering from place to place, homeless, penniless, ragged and starving, depending on public charity.

## CHAPTER IV.

### THEIR CASE STATED

In this chapter is given the statements of these earnest, hard-working God-fearing men whose only ambition was to be good citizens and get on in the world. Ed Ware, who was secretary of the Progressive Farmers' Household Union, had 120 acres in cultivation. He owned a Ford car and while the crops were laid by, drove his car daily to Helena, thirty miles away, and made money carrying passengers. He says:

#### Ed Ware's Statement.

"On September 26, 1919, my merchants, Jackson & Longnecker, came to buy some cotton I had just ginned and offered me 24 cents and then 33 cents for it. I refused to take it, and they said they were going to take the cotton at that price. I rejected their offer and said I'd take my cotton to Helena to sell. They then said they were going to mob me, but I was warned about it. So when they tried to fool me into their store so they could get me I refused to go in and kept out of their way. On the 29th I went to Helena and gave my business over to an attorney so I would not have to deal with them. At the same time I went to see what cotton was selling at and found that Woolen & Davidson were paying 44½ cents for short cotton."

About the trouble which happened the next night Ed Ware says:

"On the 30th of September, 1919, we met in a regular meeting and while sitting attending to our business about 11 o'clock that night, some automobiles were heard to stop north of the church and in just a few minutes they began shooting in the church and did kill some people in the church (which they set afire and burned them up, in it the next morning). Then about 150 armed men came over to my place and before they got over there the news reached us stating that they were coming over there to kill me and all of the other Negroes that belonged to that union and then I began to look out for myself. I went out in my field about 200 yards from my house, sitting there talking to two other men about the threats that I had just received. I happened to look up and I saw a Negro by the name of Kid Collins running down the road in front of my house and followed by a crowd of white men. The

Negro and all of the white men were armed with guns and they had almost surrounded my house when the old man, Charley Robinson, and Isaac Bird and myself began to run. The old man was crippled and could not run and they shot him down and took him up from there and carried him and put him in my wife's bed and let him stay there four days. Then they took the country broadcast and began to shoot down everything they saw like a Negro. I lost all of my household goods and 121 acres of cotton and corn, two mules, one horse, one Jersey cow and one farm wagon and all farming tools and harness and eight head of hogs, 135 chickens and one Ford car. This is a true report."

**E. D. Hicks' Statement.**

"On October 1, 1919, after the trouble the night before in the church, they were after all the colored people to kill them, so we ran into the swamp. I had 100 acres of land, rented from Stanley and Moore Bros. I had a good crop of cotton and corn on the whole place. My brother, Frank Hicks, worked about thirty acres of it in cotton and corn and I worked the rest. I bought four mules and wagon and farming tools and all of my wife's clothes and they took all that from me in that trouble. Now this is a true report from Frank and E. D. Hicks."

**Joseph Fox's and Albert Giles' Statement.**

"On October 1st we saw about 150 armed white men coming to our house and we left the house and ran on down into the woods and carried our sister down in the woods with us and they came and hunted us out and they shot at the women and killed three men and wounded Albert Giles and Alfred Banks and Joe Fox. They were so thick around us, they killed one white man, and we heard them say, "We are killing our own men," and they went to our house and took everything that was there. We do not know how the shooting started that night, because we were not there. We got the news the next day that they were going to kill every Negro they saw."

**John Martin's Statement.**

"I was at Hoop Spur Church that night to lodge meeting. I do know that four or five automobiles full of white men came about fifty yards from the church and put the lights out, then started shooting in the church with about 200 head of men, women and children. I was on the outside of the church and saw this for myself. Then I ran after they started firing in on the church. I don't know if anybody got killed at all. I went home and stayed home that night, then the white

people was sending word that they was going to kill all the black people, then I run back in the woods and hid two days then the soldiers came then, I made it to them. I was carried to Elaine and put in the school house and I was there eight days. Then I was brought to Helena and put in jail and whipped near to death and was put in an electric chair to make me lie on other Negroes. It was not the union that brought this trouble; **it was our crops.** They took everything I had, twenty-two acres of cotton, three acres of corn. All that was taken from me and my people. Also all my household goods. Clothes and all. All my hogs, chickens and everything my people had. I was whipped twice in jail. These white people know that they started this trouble. This union was only for a blind. We were threatened before this union was there to make us leave our crops."

#### Alfred Banks' Statement.

"I was at Hoop Spur church on that night to union meeting and do know that the white people came about fifty yards of that church and got out of the cars and started to shoot in the church on the Negroes. It was four or five cars of white men. I was on the outside of the church when these white men stopped and put the car lights out, then started to shoot into the church. Then I ran with some of the rest of the people. I went home and stayed in the bushes until the soldiers came. Then I was taken to Elaine and put in the schoolhouse and I was there about six days. I was brought to Helena jail and whipped near to death to make me lie on myself and the others. I was whipped three times in jail, also was put in an electric chair in Helena jail and shocked. I have the scars on my body to show now. Now I am sentenced to death. I did not kill anybody. The white people started the trouble themselves. We all were driven from our crops before this trouble started. Nine families had been driven from the place, I was on before this trouble started and several more were driven off other places. It was not the union made this trouble; **it was for our crops.** I was working thirty-two acres of cotton and eight acres of corn. All that was taken from me. Also one acre truck patch. All my hogs and all my household goods from us. All my clothes were taken and burned up. All I did in the time of this trouble was run to save my life and others. I saw when these white men came and started their dirt in that church."

#### William Wardlow's Statement.

"I do know that it was four or five automobile loads of white men did come, about forty-five or fifty yards from Hoop Spur church on the night of September 30, 1919, where

we were in union service that night and did shoot and kill some of the Negroes. I was out in front of the church in the road when these men came up in these cars and started shooting in the church on the other people both women, men and children. When the white men started that work I broke and ran away. I saw them when they made the first shot. I went in the woods and stayed all night. I stayed until the soldiers came, then I came to them. I had eight women and children with me to hide, keep them from getting killed. The white people sent word all through the county that they were coming to kill all the Negroes they could find. The soldiers took me to Elaine and I was put in the school-house and they kept me there seven days. Then they brought me on to Helena jail and we was whipped like dogs to make stories on each other. I did not kill no one. I did not have a gun. Then after my trial was over in six minutes, some of the white men came from Elaine to the jail and told me if I would put something on some more Negroes they would turn me free, if I would call just two or three men's names that they did call to me. I would not do so, because it would be a story and I will not lie on no one. I was whipped twice in jail. Near to death. While they were whipping me they put some kind of dope in my nose; also I was put in an electric chair and shocked to make me tell a story on other men.

"This is my crop. I was working sixteen acres of land, fifteen in cotton, one in corn. I was charged up for four months' groceries, \$226,25, but I did not owe that much. So all that was taken from my wife and she was driven off the place. There was only three in the family. These white people of Phillips County want to say the union caused all this trouble. It's not so. The white people was threatened before this lodge organized in this county. They only put this to hold up their side. Just as fast as the Negroes lay their crops by they are driven from their homes and farms. When we were under arrest, the white people went and burned the church down to keep from showing up what they had done. We was not taught to kill no one. It was only for us to come into union to farm and to buy government land. Robert L. Hill did not tell us in no meeting whatever to harm the white man. They took it upon themselves to make this trouble. There was over eighty men, women and children killed and burned up by fire."

#### Frank Moore's Statement.

"On the night of September 30th we Negroes was at Hoop Spur church at union meeting. Over 120 men, women and children were there in the lodge meeting and there was more than four or five automobiles of white people within about



forty or fifty yards from the church and stopped and started shooting into the church on the Negroes and killed some of them. So I ran home that night and the next morning the whites sent us word that they was coming down there and 'kill every nigger they found.' So just as many of us could get together we did so. About 11:30 that day there was about 300 or 400 white men armed with guns walking and in automobiles at the railroad coming from Elaine to kill us. So we all ran back of the field and just as we got back of the field there was a big crowd of white men shooting and killing Jim Miller and his children and brother and setting them on fire. So when we saw them shooting and burning them we turned running and went to the railroad east from there, and the white people tried to cut us off. They were shooting at us all the time, so just as we crossed the railroad and the public road, it was only two shots was made from the colored people. It wasn't my rifle that was taken from the man who made the two shots. We all was running, I having made not a shot in the whole trouble. Then I slipped back through the field to save my mother and little children. About 5 o'clock that evening, there was near 300 more white people coming on with guns, shooting and killing men, women and children. So I took the children and women and went to the woods and stayed until the next morning when the soldiers' train came. I took the children and women and made it to the soldier men; then they took us and carried us to Elaine village and put us in the white school-house and I was there five days. Was carried to Helena County jail and whipped nearly to death to make me tell stories on the others, to say we killed the white people and colored people when at the church that night I did not have a gun whatever.

"The white people want to say that union was the cause of the trouble. It's not so; the white people were threatening to run us away from our crops before this trouble started. The Phillips County people know they started this trouble and they only got the army there to cover what they had done.

"I was working fourteen acres of cotton, five acres of corn and it was the best crop on that place where I was farming. Now after that they taken my old father and put him in jail after he had got his crops and taken everything from him. He was working thirty-eight acres of land, twenty-eight in cotton, ten acres in corn. Did not give him any of it, so he is still in Helena jail and I am sentenced to death. And all I made was taken from my wife and she was driven off the farm. Also took \$678 worth of household goods from her. They did not give us a fair trial whatever and would not let us talk in court. Sentenced twelve men to death and put seventy-five

other Negroes on the farm from one year to twenty-one years. Also they put my wife in jail and a great many other women. Also they was whipped as well as the men. Also while whipping us men, they put something in our nose to strangle us. Also we was put in an electric chair and shocked to make us lie on each other."

**Old Man Ed Colman, 79 Years Old.**

"When this trouble started at Hoop Spur church, I was at home in bed asleep. I was living two and one-half miles from that trouble. By the Negroes running, I was awakened from my sleep and they told me about the white people shooting into the church on them. Then I was afraid to death near. When the morning had come, I saw about 200 white men in cars shooting down the Negroes and sent us word that they were going to "kill every nigger" they could find in the county. And at 11:30 that day we saw near 300 white armed white men coming and we all ran back of the field and when we got back of the field there was a big crowd of white men shooting and killing Jim Miller's family. We turned and went to the railroad. The white men tried to cut us off. When we got to the railroad, some of them was there shooting after us. It was only two shots made from we colored men. There was not any life taken whatever. We was still running and made it to the woods, where we were hid all night and all the next day. Then I came home to get my wife. She was about dead herself. When I got there, the white men had went and shot and killed some of the women and children. The next day I found her, then I taken her and went in the bushes and hid for all night and all the next day and part of the next night. The white people know they started this trouble. They did this to take our crops from us and run us away.

I was working eighteen acres of land, twelve in cotton, six in corn. All that was taken from me. All my hogs and everything was taken from me, then I am sentenced to die. Fifteen head of hogs was taken from me. Also my cotton and corn. The white people taken all that, then run my wife from home."

## CHAPTER V.

### WHAT WHITE FOLKS GOT FROM RIOT.

Billy Archdale, manager of Mrs. Jackson's farm at Elaine, Ark., was a leader in this movement against colored people. He had rented this farm for three years and then hired colored people to work it on shares. Last year he started with thirteen Negro families on the place. By the time the crops were "laid by" he had driven all but four of them off. This place is a mile and a half from Elaine. The way he did this was to refuse to feed the families longer, insist they were in his debt for supplies they got while planting, working and laying by the crop, and taking furniture, chickens, hogs and driving them away.

Four of these families determined not to be run away and made arrangements to get supplies without depending on Billy Archdale. They were Gilbert Jenkins, James and Frank Moore and Daisy Frazier. These worked and stood together, determined to stay and gather their crops, ignored the insults and threats of Archdale and were careful to give no offense. In May, 1919, Frank Moore, who was ill, asked Archdale for \$10 to go to the hospital. Archdale refused, cursing and threatening to kill him. Moore got help from a friend and went to the hospital. While he was gone his wife hired help and laid by the crop first of all on the farm. Moore was one of the prime movers in organizing the union and was at the meeting the night of the riot. His wife wanted him to leave but he refused, saying he had "done nothing to leave for; that if he ran they would say he was guilty of something, he wasn't going to leave his crops." But when the mob came next day he took his mother and her children and all the women on the place down in the swamp and stayed with them till the soldiers came. His wife got away and was gone till she saw in the papers four weeks later that all was quiet and people could go back and gather their crops. When she went back to her house, everything was gone! She went to the landlord's house and told his wife she had come to gather her crops and pay what she owed. She also asked Mrs. Archdale what had become of her furniture and clothes and where her husband was. Mrs. Archdale told her she would get nothing even though Mrs. Moore saw some of her furniture and clothes in

Mrs. Archdale's house. She also told her her husband was in jail in Helena and they were going to have him put in the electric chair. Mrs. Moore asked why. "Did he kill any body?" "No," she said, "but he had just come from the army and he was too bigoted."

Archdale himself demanded to know what she came back for. When she said she came back for her crop, her furniture and clothes, he told her if she didn't get out and stay out he would kill her, burn her up and no one would know where she was. So she had to leave with only the clothes she stood in, her whole year's work gone and her husband in jail. John Nelson, another landlord, arrested and took her to Helena to jail although she had gone back because the newspapers invited those who had gone away to return. She was kept in jail eight days and made to work from 3 o'clock in the morning to 9 or 10 o'clock at night; she and fifteen other colored women. This John Nelson who ran the farm of Wilford & White was recognized by some of the colored people as one of the leaders of the mob. A Dr. Parker was another of the leaders, also a Mr. Curtis who is a renter in the neighborhood.

Ed Ware told about the mob killing an old cripple named Charley Robinson and put him in his wife's bed. The two women were put in jail. Before doing this, however, they searched the house for Ed Ware. He was secretary of the hated union. They broke open trunks and drawers, took all of Ware's books, files, accounts with work people, secretary's minutes and Masonic lodge books away with them. They shot into the mirrors of the house and took fiendish delight in destroying things. They left the old man's body in the house for four days before they buried it. Longnecker and Jackson gave the Ware's three rooms of furniture to poor whites whom they afterwards moved on the place.

After keeping Mrs. Ware and the girl who was arrested with her in jail at hard labor for four weeks, sleeping sometimes on the concrete floor, they were discharged with seventeen others told to go back home and go to work as they had always done, "and never join nothing more unless they got their lawyer's or landlord's consent." Mrs. Ware went back to get what she had left and found nothing. She saw her safe in a Mrs. Forsyth's house and a Mr. George had her chairs.

A woman named Lula Black, who with her four children were working on a farm, was dragged out of her home by the mob and asked if she belonged to the union. She answered "Yes." They asked her why. She said, "Because it would better the condition of the colored people; when they worked it would help them to get what they worked for." When she

said that they knocked her down, beat her over the head with their pistols, kicked her all over the body, almost killed her, then took her to jail.

The same mob went to Frank Hall's house and killed Frances Hall, a crazy old woman housekeeper, tied her clothes over her head, threw her body in the public road where it lay thus exposed till the soldiers came Thursday evening and took it up. Frank had gone to the gin with a load of cotton. He left horse, wagon and cotton to get away from the mob. His brother Paul had joined the union. He was shot in the foot, taken to jail and is now awaiting electrocution. He and his brother owned their forty acres which was in cultivation. His wife and aged father are still the same.

James Moore, father of Frank Moore, although sixty-five years old, was farming twenty-five acres of land, he and his wife and four younger children. He also belonged to this union and got away when the mob came. He, too, went back on the assurance that trouble was over. They told him to go ahead and gather his crops which he did. Then he, too, was arrested and thrown in jail in Helena, where he is today. No charge against him and no trial. They have taken everything he had, every bit of the crops he gathered, and drove his wife and four small children off the place. They are now in Little Rock in want, while the father and husband is in prison.

Will Knox, his wife and three little children were working ten acres of land for two-thirds of the crop. They made six bales of cotton, the smallest bale weighing 550 pounds. When Knox was taken way Longnecker and Jackson said he owed them \$606 for the year's supplies up to October 1st. Two bales were sold to them at their price, which left the balance due of \$360. This meant that Mrs. Knox was allowed \$246 for the two bales of cotton sold to Longnecker and Jackson when at the market price she should have received that for one bale. She had four bales left in the field and stayed to gather it. This too was turned over to the firm, and she was told nothing was coming to her because she was still \$25 in debt! In other words six bales of cotton, the smallest one weighing 550 pounds at 45 cents per pound, should have paid the debt of \$606 and left Mrs. Knox over \$800 besides. They too are penniless and homeless.

Ed Hicks, president of the Elaine lodge, had 100 acres of land rented. His wife was the only woman to get any of her household goods when she went back after the trouble, also some of her hogs and chickens and a horse which she sold and realized a little money on. For the twenty-five acres of cotton and four in corn she received not a cent. All was taken from her.

After taking everything these people had, when these women went to Helena after the trial of their husbands they were permitted to see them only once and they had to pay a dollar each to the jailer for the privilege of doing that!

#### 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
<b>Total .....</b>	<b>\$86,050</b>

This roughly estimates the yield of cotton at a bale to the acre, the average bale to weigh 500 pounds and the average price at 45 cents per pound. As a matter of fact the average was nearer 50 cents per pound. This does not include the cotton seed which has as high market value comparatively as cotton, nor does it include the 100 acres of corn raised by them, nor the stock, hogs and chickens raised by these men, all of which were stolen. It seems not too high as an estimate to say that these twelve men alone had \$100,000 worth of cotton, corn and cattle stolen from them by the mob which stole their liberty and are in a fair way to steal their lives unless the nation intervenes!

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 Plantation, 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 Lambrook, 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.

Hère 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!



## CHAPTER VI.

### The Johnston Boys

The mob which killed Jim Miller, president of the Hoop Spur lodge of the Farmers' Union, and his family, then burned their bodies, also arrested and jailed other officers and members of this union and thus stamped it out of existence had no such excuse in the murder of the four Johnston brothers of Helena, Ark. Yet they too paid with their lives the penalty of being prosperous negroes in the neighborhood of the riot.

Dr. D. A. E. Johnston, a native of Pine Bluff, Ark., was married to the daughter of Mrs. E. A. Miller, one of Helena's most prosperous citizens, and owned a splendid practice there.

In the ten years of his practice as dentist he had built up wealth for himself and family. He owned a building in which he also had a drug store on one of the main streets of the city and was doing well. His two younger brothers had been in the army. One of them, Leroy Johnston, was wounded in the trenches in France, and unable to come back with his regiment, the Fifteenth New York Infantry, because he was suffering from his wounds in a hospital when they left for home. Nor had he entirely recovered from these wounds when he was murdered. The two younger brothers were running an automobile business and lived with Dr. D. A. E. Johnston. An older brother, Dr. L. H. Johnston, a physician living in Oklahoma, had come to visit the three brothers and a hunting trip to celebrate the reunion was planned. On October 2nd when on their way back to Helena with an auto loaded down with game, they were told of the riot and advised not to drive through Elaine. They went back to their starting point, left their auto, game and guns and boarded the train for Helena. Somebody was on the lookout for them for when the train came through Elaine members of the mob boarded it and took the Johnston boys off, handcuffed them with ropes and placed them in an auto driven by O. A. Lilly, a real estate dealer of Helena. As he started to drive the auto away, members of the mob blazed away at it, and killed the Johnston brothers, also the white driver, and filled the auto full of holes.

The bodies of these four brothers lay in the roadside where they fell from Thursday morning till Saturday afternoon in the hot sun just as if they had been so many dead dogs. At last permission was given the mother-in-law to move them and they were given burial. These prominent citizens, educated, cultured gentlemen, had committed no crime, nor were they even charged with belonging to the Farmers' Union or knowing anything about it. They were killed by Amos Jarman, county treasurer of Phillips County, who is also postmaster of Helena.

The Helena World of October 2, 1919, says in a bulletin: "The building on Walnut Street owned by Dr. D. A. E. Johnston, Negro dentist, killed by County Treasurer Amos Jarman today, after Johnston had shot and killed Alderman O. R. Lilly, was surrounded and searched this afternoon. More than a dozen high-power rifles and several cases of ammunition were found."

Another column in the same issue is headed:

#### "Important Correction

"In the excitement and uncertainty created by the events of yesterday it was stated that Clinton Lee was shot and killed accidentally. The statement was made in absolute good faith, but investigation develops that young Lee was shot by a Negro with a high-power rifle. **Other Helena boys who were with him bear witness to this fact.** The sympathy of the entire city goes out to the bereaved family and that of James A. Tappen, who died from his injuries yesterday afternoon. They died in the line of duty and their memories will live forever in the hearts of the people of Phillips County."

What duty? That of leaving their home in Helena to go thirty miles away to hunt and shoot down Negroes who were peaceably minding their own business and exercising the rights of American citizens to organize to better their condition. The leading citizens of the towns nearby joined in the man hunt to kill Negroes as another article in this same paper states. It says:

"Parties of armed men who came to Helena from Clarendon, Marianna, Marvell and other points near Helena on the Arkansas side, and other parties from Lula, Tunica, Friars Point and Clarksdale, Miss. aided in patrolling the streets of Helena last night and assisted in preserving order in the trouble zone. Some of these visitors left for their homes this morning."

Another item states that:

"O. S. Bratton white, held on a charge of murder in connection with the killing of Special Officer Adkins Tuesday

night, is said by the authorities to have been one of the instigators of the trouble at Elaine and Hoop Spur, was brought to Helena in chains last night. He is said to be a cousin of U. S. Bratton, attorney of Little Rock, and former postmaster of that city, and also a member of the law firm of Casey & Bratton with offices in Helena. Feeling against him is bitter, but there have been so far no indications of summary action. Bratton and nineteen Negroes, some of them women, arrested in connection with the race war, are held under strong guard in the county jail, and it is understood that they will be tried at the next term of the Phillips County Circuit Court which convenes two weeks hence."

The mayor of the city issues a proclamation which is also printed in black type and a two-column announcement reads:

**"PROCLAMATION!**

The funeral services of

**JAMES TAPPAN**

Will be held at 4 p. m. today and

The services of

**CLINTON LEE**

At 10:30 a. m., Friday, October 3rd.

Therefore, I, J. G. Knight, Mayor of the City of Helena, call on the citizens of Helena to close their places of business during the hour of the respective services in order that the respect due our citizens who sacrificed their lives at our call, can be shown.

J. G. KNIGHT, Mayor."

Neither of those men were officers of the law, yet "they sacrificed their lives at our call" says the mayor. The whole city did honor to the men who left their business, armed themselves and went out to murder black men like the Johnston brothers and others who had broken no law nor done them harm. The Johnston brothers were in chains and could do no harm; they were high-class citizens and successful professional men; yet their lives were taken and their bodies lay beside the roadside in the blistering heat of the summer sun until they putrified, while the city of Helena did honor to their murderers and those of their brothers in black.

## CHAPTER VII.

### THE TRIAL

When the Phillips County Circuit Court convened in Helena, Ark., the following indictment by the Grand Jury was made:

State of Arkansas	} Indictment.
vs.	
Johns Martin	
Alf Banks, Jr. Will Wordlow	

The Grand Jury of Phillips County in the name of and by the authority of the State of Arkansas, accuse John Martin, Alf Banks and Will Wardlow of the crime of murder in the first degree committed as follows, to-wit.: The said John Martin, Alf Bank and Will Wordlow in the county and state aforesaid on the first day of October, A. D. 1919, did unlawfully, wilfully, feloniously and with malice aforethought and after deliberation and premeditation kill and murder one W. A. Adkins by shooting him, the said W. A. Adkins with a certain gun which the said John Martin, Alf Banks, Jr., and Will Wordlow then and there held in their hands, the said gun being then and there loaded with gunpowder and leaden balls, against the peace and dignity of the State of Arkansas.

JOHN E. MILLER,  
Prosecuting Attorney.

No. 4482.

Indictment for murder in the first degree, 10-28-1919.

#### State's Testimony in Case of Ed Ware

Charley Pratt, having first been duly sworn, was called as a witness by the State and testified as follows:

My name is Charley Pratt and I am a deputy sheriff. I was sent down by the sheriff's office to the Hoop Spur church on October 1st, for the purpose of making an arrest at Elaine. I was with W. A. Adkins and the other Negro trusty, Kit Collins. We went in a car and stopped pretty near the Hoop Spur church, about fifty yards, I presume. A ridge or culvert was right in front of our car when we stopped.

While standing on the outside of my car with Mr. Adkins we were fired at by a crowd of Negroes, who came over from the church. I did not know the Negroes, but we were fired

on by them and Mr. Adkins was killed. I knew Mr. Adkins. This occurred in Phillips County, State of Arkansas.

#### Cross Examination

I do not know who killed Mr. Adkins. I did not know any of these defendants. I can't identify any of the defendants. I don't know where they came from. This was the last night of September, between 12:30 and 1:00 o'clock, nearly in the a. m. of October 1st.

#### Redirect Examination

I saw Mr. Adkins after he was shot. I presume seventy-five to one hundred and fifty shots were fired on the first occasion. We did not begin the shooting, because we did not have our guns out of the scabbards. The Negroes came from towards the church and began shooting. About ten or fifteen minutes elapsed between the first and second shooting. There were about one hundred and fifty shots fired in the second shooting. They came from all directions.

Witness excused.

Jones, having first been duly sworn, was called as witness by the State and testified as follows:

I am a special agent for the Iron Mountain Railroad. W. A. Adkins worked under me. I was called down to a Hoop Spur on the morning of October 1st, following some trouble that happened there and I got there about 4:30 or 5:00 a. m. The body of W. A. Adkins was lying on the west side of the road near the rear of the automobile, about seventy feet from the Hoop Spur church where Mr. Adkins was dead.

Will Wordlow, having first been duly sworn, was called as a witness by the State and testified as follows:

My name is Will Wordlow and I belong to the Hoop Spur Lodge. I know Ed Ware; he was secretary of the Lodge. I was down there the last night in September, the night the shooting occurred. I went there about 7 or 8 o'clock. When I got there Ed Ware was on the outside talking. When we all got in church, he told me to go out there and help guard. I was a guard. He said if anybody came up to defend them on the inside. I presume that meant shooting. I had my gun with me, and he said if anybody came up there bothering us to shoot. I had a single barrel shot gun. There were about seven or eight of us out there on guard around the church.

I was under the trestle with John Martin and two other fellows. The balance of the crowd was on the right hand side of the church. The last time I saw Ed Ware was when he told me to go out with my gun and do guard duty. After the shooting that night, I went across the field. I went down in

the woods and got lost back of the church; they caught me in the woods and I came on up to Dave Hay's house. Ed Ware passed Dave Hay's house; I says, Mr. Ed, what about the shooting. I says you think it is over and he says I don't know. I don't believe it is, and I says, who got killed and who won the fight and he says a white fellow got killed. He asked me about his wife, had I seen anything of his wife, he says she got away from him that night and he went out to defend her. He said he made three shots; he said he was shooting toward the car. That was the last time I saw Ed Ware. He told me he didn't think it was over yet and that he thought and said Albert Banks killed him. He said he fired three shots.

I have been found guilty by a jury of killing Mr. Adkins. The conversation I speak of the next morning, was in front of Dave Hays' house. Ed Ware had a gun, a long rifle, old gun, made sorter like soldiers' guns. I was between 7 or 8 or 9, or 8 or 9 o'clock in the morning. The first time I saw him was between 8 and 9 o'clock. At the time I saw him, we both had our guns. This conversation took place out in front of the church, telling me what to do, and I didn't want to go out there, and he says, this is Uncle Sam's law and we have to be ruled and governed under it. He says, you will have to go out, we can make you go out. He says, you are called a slacker now you ain't made a noise for two or three nights. He says he was going to put a fine on me and that is the reason I came out there that night. He says, if anybody came up there running over you to shoot.

#### Redirect Examination

Ed Ware had this rifle or gun, that I described to the jury over there at the church, that night and he had the same gun the next morning, the one he had with him over at Dave Hays the next morning. Witness excused.

Joe Mitchon testified to seeing Ed Ware with a gun and hearing him give orders to shoot white people. John Ratliff testified to seeing him behind a log with a gun on his shoulder and told him he had made three shots.

Frank Kitchens, having been first duly sworn, was called as witness by the State and testified as follows:

I am sheriff of this county. I know the defendant, he was apprehended in New Orleans and brought back to Phillips County. I had a conversation with him about the charge now pending against him. He said he was at Hoop Spur on the 30th of September, 1919, the night Mr. Adkins was killed. He made these statements voluntarily. He said he was present at lodge that night as secretary, the night Mr. Adkins

was killed. He said the next morning when the shooting began, that he had his gun in his grip, but that he lost both his gun and his grip getting away. And he remained out of the State until brought back.

#### Cross Examination

Ed Ware said he did not have his gun at the church on the night of the shooting. I asked him did he have the authority in the lodge to give orders, he said he didn't know. He said Mr. McCullough told him a week before that happened, something was going on wrong there, and he intended to resign that night.

#### Defendant's Testimony

Will McFarland, having first been duly sworn, was called as a witness and testified as follows:

My name is Will McFarland. I was a member of the Farmers' Progressive Union and belonged to the Hoop Spur Lodge. Ed Ware was secretary of the Hoop Spur Lodge. I was at church, on September 30th, the night Mr. Adkins was killed, I got there between 9 and 10 o'clock. Ed Ware and myself went together and his wife, my wife and some little ones. I was in the church at the time this shooting began. I didn't do anything when the shooting began, but get down on the floor and try to keep the bullets from hitting me. Just as soon as the first shooting was over and as quick as I could get a chance to get out of the church, I was gone. I didn't hear Ed Ware give any orders to any guards to do any shooting. I saw him next day about 9 o'clock.

#### Cross Examination

I am thirty-seven years old. I came from Daniles, Miss., Hurds County. I stayed at 507 York Street. I am working for Mr. Lafe Solomon. When I was not working for him I was working for the Chicago Lumber Company. I am a Baptist preacher. I have been preaching a year and six months. I don't know what Ed Ware carried in a little grip. It had secretary's books and papers in it. The lights went out when the shooting started. I couldn't see anything for a while. After the shooting, I went back in the woods with my wife and his and four other women. I did not see him until the next morning about 9 o'clock. When the lights went out and the shooting started, I got out and ran. He had a 41 Swiss gun. I left the place the next morning when I saw the white men coming up the road. I went in the woods back of his house, thence to Brickey, Arkansas. I stayed there three weeks with a fellow named Fred Scott. He and I went on

train to Orleans, where I stayed until I was captured and brought back. I left the country because I didn't want to get killed and Ed told me they were killing anybody that belonged to the union. I had planned to come back here Tuesday, but they captured me Sunday. I ran away because I was scared.

#### Redirect Examination

Ed Ware, having first been duly sworn, was called as a witness and in his own behalf and testified as follows:

My name is Ed Ware and I am the defendant in this case. I was a member of the Progressive Farmers' Union of America. I was secretary to the Hoop Spur Lodge prior to October 1st. This was my third meeting. I had belonged to the Union not quite a month. I was present September 30th, when Mr. Adkins was killed. I left home about 9:30 or 10 o'clock with my wife, McFarland and his wife and Lonzo Riley. I was sick. I went home and laid down and started not to go to the meeting and my wife insisted on me going because I had those books and papers. It is about a mile from my house over there. Neither my wife nor myself carried a gun or pistol. I had no orders to guard there that night. When I got to church that night, they was already in session, and the house was lit up and the light gleamed right out in the yard and I walked up in the light. I was sitting down at the secretary's table when the first shot was fired, filling out those blanks. I did not make the statement that if the guards couldn't handle it I would go out and handle it. When I got through, I was going to resign and turn the books over to them. I had told McFarland prior to this meeting, that I was going to resign. I had had a conversation with a white man about it prior to this time. I got in my car and went to the Elaine postoffice. Mr. McCollough came into the office and got his mail and he turned and says to me, "Ed, come here." We went out around the side of the office and he says, "Do you belong to the union?" and I says, "Yes, sir, I am secretary of it at Hoop Spur." "Well, tell me what is that thing?" I says, "You know as much about it as I do. It is called the Progressive Farmers' Household Union of America, as I understood it. It is to make better conditions among the farmers and that is why I belong to it. It is supposed to be a government agency, this fellow is, and they have affidavits to fill out to buy government blanks, homestead government lands; in other words he has questionnaire blanks. This little fellow Hill, that set up the institution that is what he presented to us. He said give him \$10 a man and we would get 160 acres of land; he is supposed to have 1,600 acres located down at or below Mell-



wood and he wanted us to get him \$200. Some people put in a dollar and some \$1.25. I put in \$10 myself and he written up an affidavit for me for 160 acres of land; that is why I belong to it to try to get some of that land. I never would have joined in the world if it hadn't been for that. I had no gun the night Mr. Adkins was shot. I went out when the shooting took place. I tried to get out the door and fellows was rushing in the door so fast I couldn't get out, so finally when I did get a chance to get outside, I went through an alfalfa patch to Henry Mason's house. It must have been somebody else Dave Hays testified to lying up behind a log about thirty rods from the point where this shooting occurred with a gun. I got home the next morning a little before the train run; I left Henry Mason's house that morning after the sun was up.

#### Cross Examination

I joined the lodge in September at Hoop Spur. Joe Michon and an old fellow by the name of Charley Robinson, these two and Will Curry was the first man that brought them to me. They induced me to join the Hoop Spur lodge. I hadn't been to but two meetings when the trouble arose. Jim Miller was the president of the Hoop Spur Lodge, then I joined it and I got to be secretary. I had charge of the blanks and membership applications and the medical examination blanks and the books and all that, and the list of members. The last time I saw the books was Wednesday a. m., October 1st. It was in my hand, but when I broke and run, I don't know what became of it.

I know Robert L. Hill when I see him. I never have seen him but once or twice at Hoop Spur and at Elaine. The only speech he made was concerning government land. He made that speech at Elaine. I was at Elaine Thursday night prior to this killing the following Tuesday night, acting as secretary. I know Ed Hicks and Frank Moore, said to be the bravest man on the board. I knew all of the fellows that belonged to the board. I was not at Elaine lodge Thursday night prior to the killing Tuesday night. I was transferring people in my auto trying to make money.

I deny that I took charge of the secretary's office and posted those guards around there; that I sat at the table with Ed Hicks, Shelton Baker, Frank Moore and four or five others, and Knox the secretary at what you call this board meeting, and picked out certain men in the community that we were going to kill. I deny that prior to this killing Tuesday night, that Hicks Moore and Mr. Knox and myself and the officers of that lodge did select the names of Mr. Knox the postmaster

to be killed, Charley Bernam, Jim Countias and Will Craig head, Mr. Crow, or pick these gentlemen out and consult about killing them provided the proper settlements were made and that these parties did submit that list to me for my approval. I deny that after discussing it openly for a few minutes among the officers of the lodge, that we said we had better stop this conversation, that there are some white mouths here in the room that are liable to give us away, and that I did write the names down, one at a time, each one of us looked at it and voted that they were to be killed. I deny what old man Ratliff says is the truth and Wordlow. I deny I went over there with a gun and that I had a pistol in my grip and I deny everything that anyone has testified to in the case here against me. I didn't have but one gun, a little single barre breech, and it wouldn't shoot and I got a new one that would shoot, a 41 Swiss A. P. Price, at Arkansas City. I had three or four shells at my home to fit this gun. This is not the gun I fired in the direction of Mr. Adkins. I didn't have narry a gun with me that night. I went home the next morning and got it. I didn't have any talk with Will Wordlow in regard to the trouble. I ran away and went out in the woods and ran into this Negro preacher McFarland. We stayed with Fred Scott, a colored fellow that stayed on Hugh Piper's place. I met him on the 5th day of October on Crowley's Ridge. I stayed there two or three weeks. I didn't shoot anybody. I ran away to New Orleans because I was afraid, they was shooting everybody they said. After I got to Brickey's I got a letter from a man named Murray, he told me everything had quieted down and that the soldiers had gone. I had been at Brickey's about a week when I got that letter. I wrote Joe Murray a letter from Brickley, that is why he knew where I was. I was coming back as I got a pay day. I was at Algiers when I answered. I talked to the officers that arrested me about this charge against me and to the judge of the court also and I told them that I didn't want to come back here, that I would be lynched. I changed my name when I got to New Orleans and went under the name of Charley Hubbard. I did so because it was just foolish ignorance I went by the name of Will Brown in Louisiana.

Suggas Bondman, having first been duly sworn, was called in the rebuttal by the State, etc.

I live at Elaine on M. K. Alderman's place. I having been living down there going on two years. I know Ed Ware. I belonged to the Elaine lodge down there. I went to it every time but once. I was down there at the meeting they had Thursday night before the trouble occurred next Tuesday. I heard a conversation between Ed Ware there that night and

Ed Hicks, Baker and Knowles and Frank Moore and the other board members and officers that were running the lodge about killing people around there and who they were going to kill. Ed Ware when he come, he kinder took the meeting in charge, he thought he could handle it better than Ed Hicks and when he taken in it charge, he says, I will show you how I handle your people at Hoop Spur, and he goes to work then and sends out the guards outside and so on. They took out shot gun and Winchesters. Ed Ware took charge of the lodge in place of Ed Hicks. He advised them like this, he first says: There's Mr. Bernard and he specified Mr. Crow and Mr. Stokes and Mr. Moore and Mr. Counties and the postoffice man. He says that Mr. Moore gave him a lot of trouble about their mail; they sure wanted to get him, too; he wanted the hooking cow, he said they sure wanted him and then E. W. told Ed Hicks he says, we will hold up this conversation right here, he says there is some white mouths and some niggers in here, and they gets close around the table and all the b.g men they just writes a name and asks how about this one and about the other one, and they would say he goes and some of the rest of them wrote and passed it round and says what about him and they said yes, we sure want to get him. Ed Ware and the others made those statements. Ed Ware was the one that told them to hold up this conversation, and they wrote to one another then around the table, he called the holding it up out of the snitchers' mouths, he said there was some white mouths and snitchers' mouths, he said for them to set clear of the windows and keep their eyes open, that some of the members may get shot and he said that every member in the house that has a gun if any white face poked his face in the window or door, everybody shoot right at it, and told the guards on the outside to go to every fork of the road, dog path and all not let nothing white pass. He said he wanted to show them how he handled his people up at Hoop Spur.

#### Cross Examination

I was at the meeting last night. I got there about 6 or 7 o'clock. It was kinder getting dusk. Ed Ware was not there when I got theré. It was an hour after dark or something like that when Ed Ware came. When he came in, they announced this Hill fellow, he goes to Robert Hill and shakes hands with him and had a new pump gun, looked like it might have been new, in his hands and they shook hands and Robert Hill asked him what was that he had and he says something to put in the racks. And he says it has not been shot more than just to try it, and he says when I do kill something it will be Ringard.

I was not a member of the board and held no official office but was just a bench member. The board did all this voting on this people. They planned to kill Mr. Bernard, Mr. Stokes, Mr. Moore, the postoffice man, and Mr. Countiss and Mr. Crow and Mr. Kreggs, and then they held up and just wrote one to another and might have pointed more than that but they done it themselves. I never knew Ed Ware, but I have seen him lots of times; I never knew him until he came to the meeting at Elaine. I knew him by being an active member then.

There were about three hundred present at the meeting. Ed Hicks, Frank Moore, Frank Hicks were there. Ed Ware had control of the meeting. He was a Hoop Spur man and he knew Ed Hicks, and I reckon he just took charge and I heard him tell them he wanted to show them how he handled his members at Hoop Spur. Ed Hicks was president of the Hoop Spur lodge and Ed Baker secretary.

This was all the testimony in the case.

### THE STATE VS. FRANK HICKS—ABSTRACT OF RECORD

#### State's Testimony

R. L. Brooks, having first been duly sworn, was called as a witness by the State and testified as follows:

#### (Direct Examination by P. R. Andrews)

My name is R. L. Brooks. I have lived at Helena for the past three years, excepting a couple of years in the army. I was in Helena on the 1st day of October, 1919, up until 9:15 that morning.

The first place I went that morning was Hoop Spur, with a posse of officers that went down to see about arresting some Negroes that were said to have killed a man. I was accompanied by Messrs. Nosby, J. D. Carlson, Meyers, Leo Markus.

I knew Clinton Lee. I saw him in the neighborhood of Hoop Spur and I was present on the morning of October 1st, when he was killed down there. He was seated in the rear seat, and I was standing on the running board holding to the left door. I didn't hear the report of the gun, I only heard the whistle of the bullets. I heard two bullets. They came in the back end of the car. Clinton Lee was struck by one bullet. The first thing he did, he got up from the seat and managed to get to the door; whether or not he opened the door I don't know, but he got to the running board and fell to the ground. He says, I am hit, take me in the house. We laid our guns on the ground and took him up and took him in Mr. McCoy's

house. I stayed with him until he died which couldn't have been more than five minutes. This occurred in Phillips County, Arkansas, on the 1st day of October, 1919.

### Cross Examination

I heard only two bullets hissing near the car. There were six men in the car and I was on the running board. At the time the bullets came the car was in the process of turning around; the car pulled in from the road facing Mr. McCoy's house, and we had pulled it out; in other words, the car had just gotten in motion, when the bullets came. Mr. Lee was sitting on the left side, rear seat, rear end. There were no curtains up; we were riding in a "Moon." Lee was exposed to the bullets from the direction the bullets came, I would say about half of his body. The bullet that hit him came through the car, his body wasn't exposed where the bullet hit him.

I had heard shots discharged thirty minutes before that time. They were in the woods, it was kinder hard for me to pick out any direction. I was summoned to go down there by a member of the American Legion. I was sworn in as a member of the posse by some officer; Mr. Straub, I think it was; he was acting as sheriff.

This shooting occurred, as well as I can remember, between 12 and 12:30.

Witness excused.

L. R. Parmalee, having first been duly sworn, was called as a witness by the State and testified as follows:

I am a civil engineer. I assisted in the making of this plat, with W. K. Monroe. It is approximately a correct plat or diagram of the territory surrounding the town of Elaine, the Hoop Spur Church and Lorenzo Spur and other points down in that community. The names written in it are descriptive of the houses and the various people shown on this plat, and the points; Hoop Spur Church and the town of Elaine, and the railroad tracks, the public road and these bayous in the immediate neighborhood. I have been over this territory myself. I worked on this map in the office with Mr. Monroe. He didn't give me any data; from my knowledge and his knowledge of that territory down there he constructed the map; there was no accurate survey made of it; it is a general map showing the general location of those different points.

I did not go down there especially for the purpose of getting data to make this map. I was down there immediately after this trouble or during this trouble, and of course I worked there considerable, and from my general knowledge and from

Mr. Monroe's particular knowledge this map was constructed by Mr. Monroe. I am not trying to testify as to the accuracy of this map, from the knowledge that Mr. Monroe has of it, but I do know from general knowledge and his particular knowledge, I do know those points are approximately correct. The supposed mark on the map where Frank Hicks was standing is accurate generally speaking; we do not know the spot but we do know the general position. This map is built according to scale. I didn't see Hicks standing there, but I would swear to the accuracy of this map. All of those points, those houses, etc., are correct, generally speaking. There has been no survey for the map so far as I know; I didn't see Mr. Monroe make the survey; it is what we call a sketch map. The scale on the map is 1,000 feet to the inch. I know it is accurate as the time has now come when all people it is accurate as mechanical skill—you can scale only to a certain degree of accuracy. If you are trying to make me say that we made an accurate survey, why I can't do it, but I say as a general layout that map is correct. I won't swear to the exact measurement, because I haven't taken them.

#### Redirect Examination

I made that from a map of the country, which shows the various subdivisions of land with respect to the land lines and the places where the houses and town of Elaine, which is shown on the country map—it is copied from the county map to this map. I got it from the county map. I say it is substantially correct.

Witness excused.

Dr. O. Parker, having been first duly sworn, was called as a witness by the State and testified as follows:

My name is Dr. O. Parker. I was present down at Mr. McCoy's house on the morning of October 1st last when Clinton Lee was killed. I was in the house when he was shot. He was about forty feet from the automobile where he was killed. They brought him in the house at once. He was dying at the time. I had Mr. Tappan there; I was taking care of Mr. Tappan; I saw the boy was dying and I didn't make an examination. He died in my presence. The shot that entered his body just a short while before was the cause of his death.

George Green, having first been duly sworn, was called as a witness by the State, and testified as follows:

My name is George Green. I live on Mr. Stanley's place, down at Elaine. I was down at Elaine the first of October. I just came here three weeks before this happened. I joined

the Farmers' Progressive Union immediately before this happened on Thursday night. I know Frank Hicks, the defendant. He was a member of the Lodge. He was at the meeting on Thursday night before this trouble came up on the following Tuesday. He had a gun on that night and everybody else in the church I seen.

I didn't hear about the shooting until Walter Ward came to my house and got me, a little before day, about 4 o'clock. I got up and put on my clothes and waited till he come back by there, and we went over to Frank Moore's. I carried with me a shot gun, and got to his house a little before day. Paul Hall's house is right close to Frank Moore's and Sweatman. When I got there, I found about thirty. They were sitting around Frank Moore's. All had guns. It was about 10 or 11 o'clock before we left that place. There were about seventy-five Negroes gathered at Paul Hall's and Sweatman's houses before we left there and Frank Hicks was there that morning. He got there about 8 o'clock. He had his gun; I never saw anyone with him. He was talking about first one thing and then another.

Frank Moore was in command of the army, when we all lined up and marched away about 11 o'clock.

They said they heard shooting over there. I didn't hear it, I was lying down on the gallery and they all said we hear some shooting over there. And they commenced hollering and whirling; and Frank Moore called them and says get in line two by two, Frank Moore and Ed Hicks and Joe Knox. I got in line about the middle. Frank Hicks kinder cut across the field. When he was in line, he was kinder in front.

Frank Moore was in command and he told us to march up and we marched in the direction of the shooting. And finally we came to the big road. When we got to the railroad all of them broke across the railroad, and before I got up on the railroad I heard a shot made. I was about twenty feet from the man that was doing the shooting.

Frank Hicks was doing the shooting. He did it with one of these here 70's, when he throwed up to shoot I throwed up my hands and said, Boys don't shoot; he says God damn it, I will shoot you. I never heard but one shot. I saw the shot he made and when he throwed up his gun, I throwed up my hand, and I says, Boys don't shoot.

Frank Hicks made that shot, he shot his gun right straight up the road. He shot toward Helena. It was a little after 12 o'clock I guess. Well, directly after that we seen a train coming and all of them hid, and after he shot, he came back up the railroad where I was; they seen the train coming and all

of them hid, and when the train got by, I says I am going home and he says, I am too and the three of us went home. I couldn't see nothing but cars up the road in the direction in which he shot.

#### Cross Examination

I heard two shots fired. Wasn't but just about the time he could shoot and unload and get his gun loaded. Frank Hicks had one of these here 70's. Rifle shoots these here long balls, it has one charge in it at a time. There were several people around there where Frank was. He did not hold an office in the lodge; he was just a common ordinary member. I joined the Thursday before and it was my first attendance at that meeting. I don't know what it organized for, the night I was there. Well, this fellow Hill, he was up talking and he spoke some big words about the white folks, he says I know you will tell them and I want them to know it; he says, we are liable to have trouble some time, but you all stand your ground. His order was to bring your gun. All of them went across the road together. When I saw Frank he was up in the road and the shot was made before I got up on the railroad.

Witness excused.

John Jefferson, having first been duly sworn, was called as a witness by the State and testified as follows:

I have been a member of that Order. I joined Friday night and the trouble started at Hoop Spur Tuesday. I got the orders to carry my gun the night I joined, because they was looking for trouble, looking for them to come down there and break the meeting up. This fellow Hill told me that he was there that night. I understood our union was for the good, to help us out; that is what they told me in the meeting. They were going to give us legal rights and everything. He says, we all was going to have our rights, we was going to be better; we was going to get along better in this world but it might cause trouble.

#### Redirect Examination

He said we was going to have trouble. They came after us to go and help fight whoever was in trouble over at Paul Hall's house. The place where Mr. Lee's body was, that was in Phillips County, Arkansas.

Witness excused.

Tom Faulkner testified as follows:

My name is Tom Faulkner. I was down at Hoop Spur on the 1st day of last October. We left about 8 o'clock in the morning. I knew Clinton Lee in this life. I saw him down



there that day. He got down there about the same time I did.

I know where Mr. McCoy's house is on the public way down there. That is the correct location of his house on this map. The shot was from the south, on this map. I was present near Mr. McCoy's house about 12 or 1 o'clock, when Clinton Lee was shot. I was probably fifty or one hundred feet from him, when he was shot. He was in the car out there in front of the house. I heard the shots fired at the time Mr. Lee was shot. The shot was from the south. There were two shots fired at that time. The man who fired the shots was in a crouching position, on his knees. He was just off the public road. I had seen this man before the gun was fired. I saw three up there and I saw one of them fire. The other two seemed to be in the rear of the one who fired. The men that fired the shot was south of the car. This happened about noon time or afternoon.

Witness excused.

S. S. Stokes, having first been duly sworn, was called as a witness by the State and testified as follows:

My name is S. S. Stokes. I live at Elaine. I was at home on October 1st last when this trouble occurred at Hoop Spur and around Elaine. I know the defendant, Frank Hicks. I did, in the presence of other men, down at Elaine, some two or three days, after this trouble have a conversation with the defendant in which I asked him to state the facts to us about the fighting that occurred there and especially with reference to the killing of young Lee.

#### Cross Examination

Those present were J. O. Crow, K. P. Alderman, Mr. Nelson, C. W. L. Armour and J. M. Countiss.

I asked him one or two questions and Mr. Crow. We were not armed. We asked him for a statement without putting him under duress or fear. He didn't answer the questions, he made a statement; when he got started he just told us the story right there, straight through; we didn't have to question him very much.

Frank Hicks said they had come and woke him up early that morning and had told him that they wanted him up at Paul Hall's house near Frank Moore's house, and he went up there. He told who it was that came after him; I don't remember who that was; and they went to Paul Hall's house where there was a big bunch of Negroes in the crowd there, and they stayed there until pretty nearly noon and Ed didn't come up until late, and after he got there long before they heard the shots at Hoop Spur the firing up there, and he said that Frank Moore told them that there was Ed Ware up there at the time had come that they all had to go and fight, and

they went toward Hoop Spur, towards the firing and he said they got pretty near to Hoop Spur and they stopped behind a bunch of bushes, and saw them firing on the house at Hoop Spur—it was Jim Miller's house, and they stopped and looked through the bushes a while; then Hicks and Moore, Frank Moore, told them that they would surround the bunch there and have the battle right there, that it didn't look like there was very many and they turned to the right and crossed the railroad track, went toward the railroad track, and when they got over there he said that Ed Hicks said that the white folks had better guns than they had and they better not go up there, and they crossed the tracks, and he said that he knelt in the road—Frank Hicks—and he said when he got to the road he thought he would just take a shot into the crowd and maybe get some of them; and he said he borrowed Sweat Coleman's rifle to make the shot, and he shot once, I am not positive whether he shot once or twice, he said he shot into the road and the crowd scattered, and Mr. Crow asked him what he said then and he says, I don't remember what I said, but after that we got up and went in the cornfield.

Witness excused.

It was on this testimony that Frank Hicks, Ed Ware and the other ten men were sentenced to die in the electric chair. After agitation by lovers of justice against this unjust finding, able counsel in Little Rock was engaged to make motion for a new trial and the following is the exact wording of that motion:

## CHAPTER VIII.

### MOTION FOR A NEW TRIAL

It was on this testimony that Frank Hicks, Ed Ware and the other ten men were sentenced to die in the electric chair. After agitation by lovers of justice against this unjust finding, able counsel in Little Rock was engaged to make motion for a new trial and the following is the exact wording of that motion:

Defendant, Frank Hicks, moves and prays the Court to set aside the verdict of the jury therein, and grant and give him a new trial herein, for the following reasons:

He is a Negro of the African race, and was at the time of the trial, and for a long time previous thereto a citizen of the United States and the State of Arkansas, and a resident of Phillips County;

That the deceased Clinton Lee, whom defendant is charged by the indictment with murdering, was killed on the 1st of October, 1919, by some person unknown to defendant, in a deadly conflict following a disturbance between the white and black races of said county, on the night previous; for which he was in no way responsible;

That the excitement of the white residents and citizens of said county was intense, and their feelings against the blacks including the defendant, bitter, active and persistent;

That in the course of it, some four or five white men and a large number of Negroes were killed, from 50 to 100.

That on or about the said first day of October, 1919, defendant was, along with many other Negroes, 200 or more, taken into custody by said whites, carried to the county jail and there kept in close custody and confinement until he was indicted and put upon trial;

That at the time of the returning of said indictment and trial, said excitement and bitterness of feeling among the whites of said county, against the Negroes, especially against the defendant, was unabated and still at the height of intensity;

That this feeling among the whites was coextensive with the county;

That during his confinement he was frequently subjected to torture for the purpose of extracting from him admission of guilt—as were others then also in custody, to force them to testify against the defendant;

That he was given no opportunity to consult with friends, or to seek assistance for defense or relief, nor was he even informed of the charges against him until after his indictment;

That while he was thus confined, several hundred white men of said county, assembled at or near the court house and jail for the purpose of mobbing him, and were only prevented from doing so, as defendant is informed and believes, by the presence of United States soldiers;

That the indictment was returned on the 20th of October, 1919, by the grand jury composed wholly of white men;

That on the 30th of the same month subpoenas for the State's witnesses were issued, to appear and testify in his case on the 3rd of November following;

That on the said 3rd day of November, without ever having been permitted to see or talk with any attorney, or any person in reference to his defense, he was carried from the jail to the court room and put upon trial—the court appointed an attorney for him, before a jury composed of white men;

That the excitement and feeling against the defendant among the whites of the said county was such that it was impossible to obtain an unprejudiced jury of white men to try him—and that no white jury, being fairly disposed, would have had the courage to acquit him regardless of the testimony;

That the trial proceeded without consultation on his part, with any attorney, without witnesses in his behalf, and without an opportunity on his part to obtain witnesses or prepare for defense;

That no evidence was offered in his behalf;

That he had no knowledge or familiarity with Court procedure, had never been at a trial in Court before, and had no definite idea of his rights therein, and had no conception of what steps should be taken for his protection;

That the whole course of trial, from beginning to end, occupied about three-fourths of an hour;

That the jury after hearing the State's evidence and the Court's charge retired and returned immediately; that is, within about from three to six minutes with a verdict of guilty against the defendant.

Defendant, Frank Hicks, further says that no copy of the indictment was ever served upon him nor upon him nor upon any attorney for him, and he says that he never consented to waive such service, nor requested nor consented to the trial without same. Defendant, therefore, says that he was con-

victed and sentenced to death without due process of law.

That under the law as it has existed for many years, the Circuit Courts of the state at each term appoint jury commissioners to select grand and petit jurors to serve at the succeeding term; and for more than thirty years it has been the unbroken practice of said courts to appoint only white men on such commissions, and of such commissions to select only white men for grand and petit jurors for the succeeding terms—constituting a discrimination in the administration of the law against the Negroes, on account of their color and of their being members of the African race; and that if in the course of the Court's proceedings it became or becomes necessary to issue a venire for talesmen, to the sheriff, the invariable course is, and has been, to summon only white men; this practice, with reference to the selection of grand and petit jurors, and the summoning of talesmen, prevails and has prevailed in the Circuit Court of Phillips County, with unbroken uniformity, to the extent that no Negro has been appointed on a jury commission, or selected to serve as a juror, either grand or petit, for more than thirty years, and that no Negro has been appointed to or has sat upon any jury in said Court at any time during such period; that the Negro population of said county exceeds the whites at least five to one and that among them are a great many men, possessed of the intellectual, moral and legal qualification for jury commissioner, and for grand and petit jurors; and that they are excluded therefrom solely on account of their race and color.

That defendant has thus been, by said discriminating practices, and by said trial, deprived of his rights under the Constitution of the United States, and especially the Fourteenth Amendment thereto; and was in and by said trial and proceedings and still is, denied equal protection of the law.

Defendant further says, that while it is true, as he is now advised, that the proper and regular place and time to have objected to the grand jury, and to the indictment returned by it, would have been before the trial yet as before stated, he knew nothing about such proceeding or the proper order thereof; and was given no opportunity to object to the grand jury, or any member thereof, and knew nothing of his rights to raise any objections to either grand or petit jury; and nothing about how to challenge or object to either of them, and was not advised in that regard.

That the verdict is contrary to the law and the evidence, and is not supported by sufficient evidence.

#### Fourth

That the Court erred in rendering judgment and sentence against defendant.

Defendant says that for the purpose of proving the statements in the first and second grounds of the motion, he has ascertained the names of the jury commissioners, at the various terms of this Court, from 1905 to 1919, inclusive, beginning with . . . ; and he now prays that they be summoned to testify on the hearing of this motion, and that he be permitted to prove said statements.

Defendant further prays that the verdict and judgment herein against him be set aside and that he be granted a fair and impartial hearing.

MURPHY & McHANEY,  
SCIPIO JONES,

Attorneys for Defendant.

Alf Banks, Jr., being first duly sworn, on his oath, says:

I am a Negro. I was living in Phillips County, Arkansas, up to the 1st of October, 1919, when I was arrested and thereafter kept in custody until after I was sentenced to death, on a charge of murdering W. A. Adkins. I was then sent to the State penitentiary for execution and am now in the custody of the keeper of the penitentiary. I was never told of the charge against me, until I was indicted. I was put in the county jail at Helena and kept there in close confinement, with no opportunity to see or confer with anyone about my defense. A large number of Negroes, a hundred or more, were held in custody there with me during all that time. I was frequently whipped with great severity, and was also into an electric chair and shocked, and strangling drugs would be put to my nose to make me tell things against others that they had killed or shot at some of the white people and to force me to testify against them. I had not seen anything of the kind, and so told them, at first, but they kept on, and tortured me so that I finally told them falsely that what they wanted me to say was true and that I would testify it. They would have me blindfolded when torturing me. Once, they took me upstairs, put a rope around my neck, having me blindfolded, pulled on the rope, and one of them said, "Don't knock the trick out yet, we can make him tell," or words to that effect. That feeling that they would kill him, he agreed to tell what they wanted him to. That they would go over it and tell him that he knew that was so, and that he had to tell it. During the trials at one or two of them, they took me from the jail to the court room to testify against them. I think it was the trial of Joe Fox and Albert Giles, and I think also against one or two others. As they were taking me to the court room, they told me if I changed my testimony or did not testify as I had said, when

they took me back they would skin me alive. I testified as I had told them, in the same way they had made me tell as near as I could. It was not true; it was false. This whipping and torturing was known generally among the Negroes there in custody, and it was known what it was for, to make them testify. I know that they so whipped and tortured a great many of them. But cannot say that they whipped them quite all. They used Negroes they had in or about the jail to do most of the whipping, but some white men would be present. One of the Negroes who saw part of the torture was Kid Collins, who seemed to be a trusty about the jail. Many of the scars from this torturing are still upon my body. I would never have testified falsely as I did if I had not been made to do it.

His  
ALF X. BANKS.  
Mark

Witness to mark:

J. R. Booker.

Subscribed and sworn to before me this the 18th day of  
December, 1919.

(SEAL)

J. R. BOOKER, Notary Public.

My commission expires Jan. 31 1923.

Endorsed:

Filed December 20, 1919.

A. G. Burke, Clerk.

## CHAPTER IX.

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### The Progressive Farmers and Household Union of America.

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So much has been charged against this Union which those Negro farmers had organized among themselves, that a reprint of its constitution and bylaws ought to satisfy the most skeptical that the members were not organizing to kill white people. Every word and letter in this little volume is here given just as it appears in a copy which was given to each member. Special attention is called to the object of the organization.

"The object of this organization shall be to advance the interests of the Negro morally and intellectually and to **make him a better citizen and a better farmer.**"

Nothing could more clearly refute the slander of those who were interested in breaking up this organization among Negroes than that paragraph.

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### UNITED STATES CONSTITUTION AND BY-LAWS OF THE PROGRESSIVE FARMERS AND HOUSEHOLD UNION OF AMERICA.

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#### The Negro Business League

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#### IN UNION IS STRENGTH

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First organized under the act of Congress of 1865 Revised and organized by Robert L. Hill, Councillor. V. E. Powell, M. D., Knox Degraphenreed and Lewis Lagroon in 1918, for the benefit of the Negro Race.

Organized at Winchester. Ratified and incorporated at Little Rock, Ark., under orders of the Supreme Court of Arkansas.

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#### CONSTITUTION.

This organization shall be known as THE PROGRESS-



...IVE FARMERS AND HOUSEHOLD UNION OF A-  
MERICA.

OBJECT

The object of this organization shall be to advance the interests of the Negro, morally and intellectually, and to make him a better citizen and a better farmer.

ARTICLE I.

**Officers.**

Section 1.—This organization shall have five (5) table officers; viz—President, Vice-President, Secretary, Treasurer and Chaplain.

ARTICLE II.

**Executive Board.**

There shall be an Executive Board consisting of nine members.

ARTICLE III.

**Election.**

The officers shall be elected to serve three months or until their successors shall be chosen and qualified.

A two-third vote of the membership of this order is necessary to elect any and all officers.

ARTICLE IV.

This order shall have the power to enact any law for the protection and government of its members.

ARTICLE V.

This order shall have a pass word, door words, grips and signs for its members. The same sign shall be changed every three months. Ritual shall be gotten out by the President, Secretary, and Chairman of the Executive Board. The President shall extend these pass words, signs, and grips to the members every three months. And if any of the signs or pass words should become exposed the President shall call the body together at once for the purpose of issuing new ones. Absence of the Secretary and Chairman of the Executive Board gives the President power to issue signs, pass words, etc., which shall remain in force until the next quarterly meeting.

ARTICLE VI.

Any member known to expose any of the secrets of this order shall be tried by the order and upon conviction shall be fined and excluded.

ARTICLE VII.

Any member excluded from this order as provided in Article VI shall not be allowed to rejoin within ninety-

nine years. Members are forbidden to associate with such excluded members, and for violation of this provision they shall themselves be excluded.

#### ARTICLE VIII.

This Union shall organize among its members a joint Stock Company with a Capital Stock of One Thousand Dollars (\$1000.00).

Section 1.—Each member shall purchase at least one share at five dollars (\$5.00). Members may purchase as many shares as they can at five dollars (\$5.00) each.

Section 2.—When the Union shall have accumulated Two Thousand Dollars (\$2000) they may invest the same in real estate for the Order.

Sec. 3—All money paid in the Union shall be deposited in the Bank of Winchester, Ark.

Sec. 4—No check shall be given on the Order, unless the bill be first presented to both the Supreme Commander and President. All checks must be signed by Supreme Commander, President and Secretary.

#### ARTICLE IX.

A Grand Order meeting of this Union shall assemble semi-annually at the Court Houses of respective counties. The Order shall be composed of delegates from subordinate Lodges.

Sec. 1—Each subordinate Lodge shall elect at a regular meeting three delegates to represent them at the County seat twice a year.

#### ARTICLE X.

The Grand Lodge shall have six officers: Grand President, Grand Vice-President, Grand Secretary, Grand Treasurer, Grand Chaplain and an Executive Board of 9 members. These Grand officers shall hold office for one year.

#### ARTICLE XI.

The business of this Grand Lodge shall be to further advance the cause, uniting the race into a perfect Union in various counties. And to levy special taxes on subordinate Lodges for the purpose of purchasing land. Deeds and Titles to lands bought must be made in the name of the Order.

#### ARTICLE X

Any member who shall fail to pay his dues after his arrears shall reach two months shall be suspended until same is paid.

#### ARTICLE XIII

Sec. 1—This Order shall elect a Deputy who shall hold office six months. He shall be a salaried officer and it shall be his duty to organize clubs in the county. He shall charge two two dollars (\$2.00) per club organized, and the same shall be applied to his salary. He shall report monthly to the Order.

Sec. 2—If any Deputy be found guilty of collecting more than two dollars (\$2.00) from any Lodge, he shall be removed by the Executive Board and his vacancy filled by appointment of the President, and the appointee shall serve for six months from the day of appointment.

#### ARTICLE XIV

Each Lodge shall have a door keeper, and each member must give to him the pass word before being allowed to enter the Lodge. Any member forgetting the pass word must remain outside until ordered admitted by the President.

#### BY LAWS

1. The Union shall be opened and closed with prayer by the Chaplain.
2. Reading of minutes.
3. Reports of Committees.
4. Appointment of Committees.
5. Report of Treasurer.
6. Consideration of applications.
7. Receiving members
8. The president shall preside at all meetings of this order and in his absence the Vice-President shall preside.
9. The President shall rule on all points of order and shall appoint all committees not otherwise provided for.
10. No member shall speak more than twice on any question without consent of the body.

## WE BATTLE FOR THE RIGHTS OF OUR RACE

“IN UNION IS STRENGTH”

**We Champion the Moral, Material, Political  
and Intellectual Interests of Our Race.**

## CHAPTER X

### SUMMARY AND CONTRAST.

Economic justice reached its awful climax in 1919 in the final answer to two appeals made by working men, both groups seeking through peaceful appeal to win better wage and working conditions; both presenting their grievances through chosen representatives, one to be rewarded by the President of the United States with patient hearing and final success, the other to suffer massacre at the hands of the mob and the death penalty by courts of law.

The first group of working men was composed of the coal miners whose appeal merged into a strike, the second group was composed of colored farmers, whose appeal was forestalled by a conspiracy against them, which, formed among white land owners, to perpetuate the peonage complained against, put to death by lynch law scores of colored farmers and then prostituted the process of courts to their purpose, sent seventy-five working men to the penitentiary for long terms of imprisonment, and doomed twelve to die in the electric chair.

The bare statement of these facts is so shocking to the sense of justice that it almost defies belief, but the statement finds its complete corroboration in the burnt and pillaged homes of the helpless colored farmers exiled or murdered and the ninety victims who in hopeless despair look through the penitentiary bars, twelve of them sentenced to death because they dared, in this democracy of ours, to ask relief from economic slavery.

The circumstances attending the two appeals were almost as remarkable as were the final and widely differing results. The miners made their appeals for higher wages accompanying them with the implied threat of a strike. That appeal was made to the Federal Government and was accorded a full and patient hearing. Representative labor leaders were heard by chosen representatives of the Government, who granted relief in some cases and denied it in others. The miners, dissatisfied, retired from the conference to determine further action.

Quick action by miners unions followed the report of the miner leaders. A strike vote was called, and in overwhelming numbers the miners decided to strike. The disastrous result

of the proposed strike caused the government to counsel against the militant methods threatened by the miners and even the President of the United States from his sick bed sent his appeal to the strikers in the interest of peace.

But the miners turned deaf ears to that appeal, closed their eyes to the disastrous results of the impending strife, and boasting of their power to throttle the nation into submission, went on a nation-wide strike and for a period of ten days crippled transportation, deprived the public of food, shut off lights, banked fires, thus threatening to freeze the helpless public, and spread misery over every part of American soil. Court injunctions were ignored and the Government, helpless, yielded, and the President capitulated to the strikers. The strike leaders, triumphant, called off the strike and the miners' appeal was rewarded with success.

Shortly preceding these eventful days, another group of laborers decided to make their appeal for better wages and working conditions. They had suffered conditions which denied them freedom to make fair contracts, forced them to buy at exorbitant prices and sell their produce at rates amounting almost to confiscation. Land tilled on shares barely brought the farmers money enough to pay their "findings," supplied by the white land owner, leaving the toiler a pittance of his year's work, often leaving him in debt.

The Negro farmer hoped to share in the increased price of cotton and the general prosperity of the Nation, and all during 1919 looked forward to a bountiful reward at harvest time. Cotton, which in former years had sold for twelve and fourteen cents a pound, had gone to forty-five cents and higher. The sunshine of "Great Expectations" brightened the cabin homes. But when harvest time came, the farmers' dream failed, for profiteering land owners combined and no forty-five-cent prices were to be had. Farmers who would sell their cotton for twenty-five cents were paid the price. Those who demanded the market price were unable to sell. Naturally widespread unrest followed. The farmers resented the imposition of the cotton buyers, and the buyers denounced the "darkies" who dared to demand a square deal.

Meanwhile, the Negro farmers decided to combine their forces and employ a white lawyer to represent them in their plea for better systems of contract, better wages, and better working conditions. The result was an organization which was of the nature of a secret fraternal order.

The farmers joined the lodge rapidly and the section in and around Elaine was represented by nearly two hundred farmers. The meeting places were the colored churches at

Elaine and Hoop Spur. Only three meetings had been held—two of them before the day of the "slaughter of innocents," which was the 30th day of September, 1919. The lodge employed Mr. Bratton, a white lawyer, to represent the members in their effort to secure the market price for their cotton, to arrange for better contracts, to adjust their accounts with the landowners and generally to safeguard their interests.

This labor movement among colored farmers did not please the white landowners and the proposal of the farmers to act through a white lawyer constituted a menace to the profiteering practices of the white people of the neighborhood. The dissatisfaction of the white people found expression at first in gentle hints that the Negroes were making a mistake; these were followed by warnings to colored people to let that lodge business alone. Colored men knew of the success of white men in labor movements, and, believing they would be protected by law, continued their plans for presenting their claims.

Then came the tragedy such as no labor movement in this country has ever witnessed. On the night of September 30th, while the lodge was in session at the church in Elaine, about 150 men, women and children being present, five automobile loads of white men stopped in front of the church and immediately fired a volley of shots into the building. The people rushed out only to meet volley after volley from the white mob. Several persons were killed, the others ran to the woods or made their way home. One white man was shot, but whether he was killed accidentally by one of his fellow lynchers or was shot by some Negro during the fight is not known.

Next day white men from all over Phillips County and even from Mississippi set the church on fire, burning up several persons who were killed the night before, and then began a systematic man-hunt, killing colored men indiscriminately driving others from their homes, and then taking from these abandoned homes the produce saved by the farmers for their winter use. Thousands of dollars worth of property was destroyed and stolen and cotton by the bale which the farmers had refused to sell was boldly carted away by members of the mob.

Next followed an even more deplorable act of this Arkansas tragedy. Upon pretense that the white man who was killed on the night of the riot, and also the two next day were the victims of a conspiracy formed by colored people to kill all the white people, over one hundred colored men were arrested and thrown into jail. While they were thus con-

When their homes were robbed of every bit of property, so that when those who were set at liberty, upon their promise not to join the lodge again returned, they were without food, shelter or clothes!

To contrast the result of the plea of the miners for better wages, with the results of the plea of the Arkansas colored farmers for identically the same thing, is to disclose to thinking people a phase of democracy not safe for the world or any part of it. The miners combined in unions, counseled together and chose representatives to present their pleas which carried the threat of a strike. Their demands were not granted and ignoring the President's appeal, they struck. Their strike menaced the lives, health, comfort and welfare of the entire nation. They defied the courts and brought the President to his knees. He yielded, the strike was won and the miners came into their own.

The colored farmers combined, counseled together, employed counsel to present their plea. They did not threaten to strike, did not strike, menaced nothing, injured nobody, and yet:

Hundreds of them today are penniless, "Refugees from pillaged homes";

More than a hundred were killed by white mobs, for which **not one white man has been arrested;**

Seventy-five men are serving life sentences in the penitentiary, and

Twelve men are sentenced to die.

If this is democracy, what is bolshevism?

## CHAPTER XI

### THE ARKANSAS SUPREME COURT ACTS

Since the foregoing was written, the Supreme Court of the State of Arkansas has acted on the appeal of the twelve men awaiting electrocution in the penitentiary at Little Rock. The decision against six of these men was reversed and their cases were remanded to Phillips County for trial. This decision was rendered on the indictments and not on the merits of the cases.

The cases of the six who were found guilty of murder in the first degree as charged in the indictment, were affirmed and they were thus left to be electrocuted according to the sentence of the lower court. The entire country awaits the result of the decision.

The six men who were sent back to Phillips County by the Supreme Court's decision have been tried again by the Circuit Court and again sentenced to death—the faulty wording of the indictment this time having been corrected. In sending out the report of the same the Associated Press dispatch made again the charge that those Negroes were organized to kill white people and *seize their property*.

The dispatch reads as follows:

#### TRY SIX COLORED MEN

Second Trial of Accused Rioters in Arkansas.

Helena Ark., May 3.—Six Negroes sentenced to death for alleged participation in the Phillips County race disturbance last October, faced retrial here today. Benjamin Helm, Negro recently arrested, also will be tried on a first degree murder charge. The retrial was ordered because of faulty wording of the verdict.

Seventy five Negroes have been convicted of participation in the disorder, which resulted in the death of five white persons and unknown number of Negroes, and which were not controlled until Federal troops were sent into the district.

Of those convicted, 12 received sentence of death and 53 prison terms ranging from one to 21 years.

The disturbance according to evidence adduced at the



original trials, was the premature outbreak of an insurrection followed by the Progressive Farmers and Household Union of America, a Negro organization, the purpose of which it is said was the annihilation of all whites and the seizure of their property."

The American thinking public cannot bring back the dead but it can open the prison doors and let these poor defenseless men go free. There must be enough justice in Arkansas to never rest until this great wrong is righted. Not until this is done and the peonage system ended can Arkansas take her place among the brave and the free.

Governor Brough has started the movement. Let the Christian, moral and legal forces "carry on" until these black men are given their lives and their freedom and Arkansas clears her skirts of this awful disgrace. When black men can receive protection to life and liberty and property, they will gladly give their labor for the prosperity of the South. As long as this dastardly crime is condoned, shielded and encouraged by white men, black men whose labor is needed for its development will avoid the state and leave the South to ruin and desolation as they are doing every day.

Meanwhile this booklet goes into the greatest court in the world and before the bar of public opinion pleads the cases of these helpless men. Every reader a member of that bar and the white people of Arkansas—the honest, law-abiding christian men and women of that state—are the judges and jury to whom this appeal is made. They are urged for the honor of the state and its material welfare to investigate the facts given in this book in an unprejudiced and impartial manner and if they are found to be true—these people will know what steps to take to right the great wrong done to these innocent hardworking men. If they are given freedom and opportunity, protection of the law for life and liberty—they will prove the greatest economic asset of the state. If not and this outrage is approved by the great Court of white public opinion in Arkansas, it will mean the lost of millions of dollars to the state, because Negroes will not remain in the state unless this great wrong is righted.

This is the answer to those who are honestly seeking a plan to stop Negro emigration from the farms of Arkansas. Put a stop to the plan of taking the fruit of the Negro's labor as was done at Elaine and Hoop Spur last

October and is being done all over Arkansas where Negroes work the farms of white men.

Believing that under normal conditions with the black man's rights guaranteed him and the protection of law for his life, liberty, and property, the South is the best section of our country for the Negro, the priter (a native of the South) will be only too glad to cooperate with the progressive element of the white South in bringing about such a desideratum.



Drs. D. A. E. and L. H. Johnston  
Two of the four Johnston Brothers Killed by the Helena,  
Ark. Rioters.



CORPORAL LEROY JOHNSTON



**MRS. IDA B. WELLS-BARNETT**

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May 15, 1920.

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# The Arkansas Race Riot



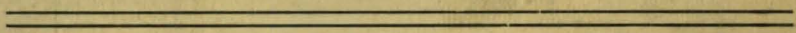
—at—

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

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