

National Association for the ... Advancement of Colored People.

"WE HAVE JUST BEGUN TO FIGHT"

OUR Spring Membership Drive is now on. Every Negro who believes in the full manhood rights, and every white person who believes in full democracy, should work to gain members in this campaign.

Our big city branches must increase their memberships until they number thousands, closely and efficiently organized. Only thus can they cope with the forces gathered against them. In every hamlet and village where fifty Negroes live, there should be an active and alert branch of the N. A. A. C. P.

If one observes the almost general fight being waged to introduce separate schools in the North, and the persistent propaganda and segregation which is growing and spreading, he cannot but realize that there are strong and insidious forces massed against the progress of the Negro in the North, as well as in the South. But one thing can stay their evil work—the organization of strong counter-forces, such as well-organized branches of the N. A. A. C. P. Unless our people work to build up such strong branches of the Association, we shall have growing tension between the races and increased prejudice that will make the North but little different from the South. Here you have the reason why we urge every red-blooded colored man and woman to join the ranks, and work with might and main to make the membership drive of 1923 the biggest in the history of the Association.

That the N. A. A. C. P. is the efficient organization to hold the line against the encroachments of our enemies, and to make progress for fuller rights and opportunities, has been manifested by the splendid record of the work accomplished by it. The last notable victory is that one in the United States Supreme Court on February 19, when the Supreme Court decided in favor of the Arkansas peons, as the result of the work of the N. A. A. C. P.

There is no organization before the public which more economically administers its funds. Its work is for all our people, re-

gardless of position or cultural status. The famous Arkansas cases, to which we have just referred, were fought for poor, ignorant and obscure Negroes, most of whom had never heard of our Association. It draws no color line, for it realizes that the race problem is really a problem of races, and that both white and colored people must work together in seeking to remedy the evils of race prejudice.

Moorfield Storey, the president, who is ex-president of the American Bar Association, and a lawyer of international reputation plead the Arkansas cases before the United States Supreme Court without fee just as he had done in the segregation cases.

The N. A. A. C. P. is the one organization working for democracy in America. It urges your assistance and help. Join the branch of the N. A. A. C. P. in your community. If a nominal member, become a worker in the Spring Drive. Bring in as many members as possible. If your branch is inactive, join forces with your fellowmen to arouse it to activity. If no branch exists in your community, write to the National Office for directions for organizing a branch, and determine to build up a unit of the Association in your community. Do all you can to arouse others, that the 1923 Membership Drive may manifest to America that we are not "quitters"—that we have just begun to fight. Our four hundred and thirty-nine branches must every one be made efficient and thoroughly alive, and many more added.

Yours is the task. Yours is the challenge. Meet it!

ANNUAL CONFERENCE

In previous years it has been impossible for many loyal N. A. A. C. P. workers who are school teachers or who cannot arrange their vacations so early to attend the annual conferences held, hitherto, in June. For that reason the conference this year will be held in August. The place is Kansas City, Kansas. The exact date will be given in the next issue of the CRISIS and the Branch Bulletin.

THE DEFEAT OF ARKANSAS MOB LAW



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WALTER F. WHITE

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ON Monday, February 19, the Supreme Court of the United States handed down its decision in the now famous Arkansas Cases, reversing the convictions of the five men in whose behalf appeal was being made, and ordered the *Federal District Court* to inquire into and ascertain if the men received a fair trial in the state courts of Arkansas. This great decision marks the beginning of the end of the cases which have constituted one of the most notable and most difficult struggles ever undertaken by the N. A. A. C. P. in its twelve years of existence.

For three and a half years, at a cost of more than \$14,000, and in the face of relentless and bitter opposition on the part of the Arkansas authorities and the whites of the state, the N. A. A. C. P. has fought to save the lives of the twelve men who were condemned to death, and to release from prison the sixty-seven others who were sentenced to long prison terms for alleged connection with the so-called Phillips County, Arkansas, "massacre" of October, 1919. Never has there been a more determined effort to slaughter innocent men than that shown by the whites of Phillips County and of that entire state. Every effort, fair and foul, was used to intimidate the courts that the men should be killed, and the courts themselves seemed peculiarly sensitive to the mob spirit that has dominated these cases from their inception. Only by the carrying of these cases to the highest tribunal in the land could justice or, rather, the prevention of gross injustice, be secured.

The importance of the decision just gained is so immense that it will be interesting to the reader to trace these cases from their inception.

As told in the March *CRISIS*, following the rioting in Phillips County, Ark., twelve men were sentenced by the Phillips County Circuit Court to die in December, 1919. Lawyers employed by the N. A. A. C. P. appealed to the Arkansas State Supreme Court in their behalf and that court reversed the conviction of seven of the men and remanded them for retrial in the Phil-

lips County Circuit Court. In the cases of the other five men the convictions were approved. It is this group of cases on which the United States Supreme Court has just rendered its verdict and of which the story is told below.

After the Arkansas State Supreme Court had refused to reverse the verdict of the lower court, Charles H. Brough, then governor of Arkansas, set a new date for their execution. To avoid their execution, the lawyers defending the men applied to the Pulaski Chancery Court for a writ restraining the State of Arkansas from executing the men. Pursuing its vindictive course, the State of Arkansas filed a demurrer to the writ, which demurrer, in effect, said, "Suppose all that you say about these men being unfairly convicted be true, you have no remedy at law." The demurrer was sustained by the court, thus dissolving the writ which was preventing the execution of the men.

Again a new date of execution was set. But the defenders of the men were not beaten. An appeal to the United States Supreme Court on a writ of error was made. The Supreme Court ruled that it could not legally inquire into the cases nor take any action of any sort upon them by means of such a writ. Then a petition was filed in the Federal Court of the Eastern District of Arkansas, setting forth that the men had been deprived of their liberty without due process of law, and stated fully the grounds on which this claim was made. The State demurred to their petition, which demurrer was sustained by Judge Cotteral who presides over that branch of the Federal Court in Arkansas. Judge Cotteral declined to hear the facts but ruled that, since there was probable cause for an appeal, such an appeal be allowed to the United States Supreme Court.

It was on this appeal that Moorfield Storey so ably and so successfully argued in the Supreme Court on January 9 and brought about the favorable decision on February 19.

The majority opinion of the court was delivered by Mr. Justice Oliver Wendell