

Faulkton S. D. April 15 1893

Comrad Touque

Dear Sir

You have the ear of the people through your Bastard's Notes. I do not think your notes of March 14, treated the Peis burning from a judicial standpoint.

A Negro was charged with a crime, unnatural, impossible. No one but, an idiot, or an insane man would attempt it. An adult Negro commit rape upon a child 3 $\frac{1}{2}$ years old. Impossible!

Judges tell Jurors that they must not regard charges in the indictment as evidence of guilt.

If we sit in judgment upon this crime charged against the Negro Smith we should look for testimony that would prove the fact.

From the mobs own showing. What testimony do they produce, to prove, the charge of rape?

It is not claimed that any one saw Smith commit the crime. When the body was found

it was torn nearly in two, and so mangled that it could not be identified. What medical expert would say that a body so mangled could bear evidence of rape? It looks more like the work of some wild beast. A bull running in the pasture might have gored the child to death. A cowman inquest, and a post-mortem examination might have thrown light upon how the child came to its death. It seems that the people of Paris were so frenzied that they could think of nothing but to capture the Negro who was charged with rape. Who started this charge of rape without evidence of the fact? (If the citizens of Paris had evidence of the fact, for their own defence, they should have produced it.) Is it not possible that someone who had seen the burning of Gay, and was so charmed with the sight that he wanted to see another Negro burn. The fact remains that 10,000 people came together to see a Negro burn at the stake, who was charged with rape. Did they need

evidence of guilt-before commencing their
savage work? It seems not.

It is said that a number of people saw
Smith with the child. This evidence will not
bear investigation. If it had been true there
would have been little chance of his getting
away the next day.

Smith was found at Louis a hundred miles,
or more, away. He got there on a freight-train.
It is not claimed that this freight-train stopped
at this flag station. He was fully identified.
The evidence does not say that he was identified
by the persons, naming them, who saw Smith
with the child.

He was brought to Paris purposely
kept in ignorance of the charge against
him, and his doom

Ten thousand people had collected to see a
Negro burn, charged with the crime of rape.
What could they for a confession he was doomed

on the charge. The confession was an after-
thought, bogus. To satisfy Gov. Hoagy and
the people of the North.

I will quote from the Kansas City Star of
Feb. 3 "Not until just before his arrival in Paris
did he know of the awful doom in store for him.
He then pleaded and ~~pleaded~~ ^{prayed} Marshal Shaniklan
of Paris to shoot him. He was carried outside of
the town. Through intense fear he was chalky
& white"

Is there living within 200 miles of Texacoma
the scene of the burning of Coy, a Negro who
does not know that for one of their number
to be charged with rape of a white woman or
for one of them to confess the crime of rape
upon a white child would doom him to
be burnt at the stake

Did Smith act as though he had confessed
the crime? At Texacoma he was told to put
his head out of the window. So he did so,

someone attempted to murder him. He saved his life by jerking his head back. He had confessed, had he? And wanted to live so that he could be burnt at the stake at Paris. An other reason why I believe his confession to be bogus, is that the Kansas City Star of July 2 giving the account of his capture and identification said nothing about his confession. If he had confessed that was the time to make it public. The Star of July, 3 headed a whole column, giving an account of his arrival at Paris and his awful doom with - Fire for a black Fiend. Not one word was said about a confession.

I do not know if this bogus confession satisfied Governor Hoagg or not. It did satisfy the Northern people and the press. They voted Smith guilty, and concluded that a finnish crime had been barbarously avenged. Have not the people of the North in sustaining this verdict of a mob made themselves parties participating after

the crime, and will give to the next mob that charges a Negro with rape, the acquiescence of the North to burn him at the stake.

This ready acceptance of the verdict of a mob where a Negro is implicated shows that race prejudice is more wide spread and deep seated in the North than in the South. In the South if a Negro is a docile beast of burden, not given to insolence, and knows his place - there is no race prejudice against him. They want him for the work he can do and they want him bad.

What is the remedy against this growing mob-rule in the United States? Our Republican Government was formed to protect the lives, liberties and happiness of the people. Is it possible that there were no means adopted to secure these? If a mob hang or maltreat a person, it is a crime first against the subject of the Nation, or the sojourners therein.

and by right - the Federal Courts have original jurisdiction. If a U.S. Marshal should arrest a band of white coppers, take them in the Federal Court - have them sentenced to prison, it would be the last of white coppers.

If a mob should hang a man for stealing a horse, and they were arrested and tried in the Federal Court for murder, convicted and hung - all horse thieves arrested would be turned over to the courts to be dealt with according to law. When we had washed our dirty linen in the North, we could turn our attention to the mobs in the South that burn, hang and maltreat Negroes.

What we need is a President, ^{who} when the life liberty or happiness ^{of a person} is in jeopardy. Will act the Autocrat, to the extent, that by some means he will see that the person is protected even if he has too invent

some legal fiction.

I did think from his noble words before election, that Benjamin Harrison would find means to protect the citizen. He wanted to be re-elected, it made him a coward. It is a sad, but just ending of a noble political career. Is it any wonder that there was a million stay-at-homes last fall. We must have a party devoted to the rights of the people to life liberty and the pursuit of happiness. That party whether large or small is my party.

Yours Truly
Wm D. Ellinger