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## THE PAST IS NEVER DEAD

The Trial of James Ford Seale and Mississippi's Struggle for Redemption

By Harry N. MacLean  
Bestselling author of *In Broad Daylight*

"MacLean recounts the story with momentum, clear legal explanations and stirring empathy for each character."  
—*Publishers Weekly*

"Even decades after the Civil Rights Movement wrought real change throughout the United States, Mississippi remains ground zero for what can be called the ongoing drama of racial inequality. This is the ground Harry Maclean walks in this fierce, moving, and tremendously engaging book."  
—Henry Louis Gates, Jr.

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Mississippi seems a place set apart from the rest of the country. The home of William Faulkner, Eudora Welty, and Tennessee Williams is also the state that bred men like Byron De La Beckwith (convicted in the murder of Medgar Evers), Edward Ray Killen (convicted in the murders of Michael Schwerner, Andrew Goodman, and James Chaney), and countless other race-related offenders. Mississippi's legacy has been defined by racial hatred and violence, rather than by its cultural riches, and this is at least in part due to the long-delayed prosecution of many such criminals. The past fifteen years have seen the resolution of seven cold cases from the civil rights era, and James Ford Seale's makes number eight.

Rural Franklin County sets the scene for this latest chapter in Mississippi's effort to overcome its violent past. In **THE PAST IS NEVER DEAD: The Trial of James Ford Seale and Mississippi's Struggle for Redemption** (Basic Civitas; October 5, 2009), Edgar Award-winning author Harry N. MacLean guides us through the gruesome events of May 2, 1964, a day that saw two young black men die at the hands of Seale and his fellow Klansmen. Yet more than just an account of two terrible murders, MacLean's is a story about the prosecution of Seale and the overarching quest for redemption in the American South.

On May 2, 1964 Henry Dee and Charles Moore stood alongside Route 84 in Meadville, Mississippi waiting to hitch a ride back to the neighboring town of Roxie. Had they arrived at their destination, it is likely that Moore may have visited his ailing mother at her home and that Dee, a sawmill worker, may have stopped by the mill to pick up his paycheck. Instead, they were abducted by six members of the Ku Klux Klan and transported to the isolated Homochitto National Forest. There, they were brutally beaten, interrogated about activities within the black community, and finally tied to engine blocks and drowned in the Mississippi River.

James Ford Seale and fellow Klansman Charles Marcus Edwards were arrested for these murders on November 6, 1964. Out on bond the next day, they awaited a hearing before the grand jury. But the case stalled, as the district attorney declared a lack of “sufficient evidence,” and the affidavits were dismissed. The reality of the situation had dawned on the D.A. This was Mississippi and there was no way that an all-white jury would ever convict powerful white men for such a crime. Seale and Edwards walked free on January 11, 1965 and it was not until May 2007 that the events of that fateful spring morning caught up with them.

While both men were re-arrested in 2007, only one was brought to trial. Seale was charged with four counts of conspiracy and kidnapping in the deaths of Moore and Dee. The prosecution’s case rested almost entirely on the testimony of Edwards, who had been immunized by the prosecution and forced to testify. The defense made Edwards out to be a liar – his story changed every time he told it – but in the end the prosecution’s story of Klan violence and the terrible deaths of these two young men was too powerful. The jury convicted Seale on all charges and the judge sentenced him to three life sentences.

A gripping true crime narrative, **THE PAST IS NEVER DEAD** seamlessly interweaves the events of decades past with those in the modern courtroom. Already a complex case because of difficulties in selecting an impartial jury and issues regarding jurisdiction, the trial of James Ford Seale was complicated further by the sheer span of time. As MacLean writes, “[i]t’s hard to dispute facts forty-three years old; it is hard to disprove hearsay without the alleged sayer getting on the stand to deny it.”

When William Faulkner wrote, “The past is never dead. It’s not even past,” he could easily have been describing the past fifty years in Mississippi, and the state’s ongoing struggle to put the sins of Jim Crow and the 1960s to rest. Yet the passage of time has seen great changes in the texture of Mississippi society—and as inescapable as the past may be, the prosecution of criminals like Seale shows that the past need not dictate the future. What MacLean discovers in the trial of James Ford Seale is nothing less than the possibility of Mississippi’s redemption.

\*\*As the book describes, a panel of the Fifth Circuit of Appeals reversed Seale’s conviction in September 2008. However, in June 2009 the full Court voted 9-9 to reverse the panel, which reinstated the conviction. The Fifth Circuit has since asked the Supreme Court to review the case. This decision could come down any day.

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#### **ABOUT THE AUTHOR:**

**Harry N. MacLean** is a writer and lawyer living in Denver, Colorado. His first book, *In Broad Daylight*, won an Edgar Awards for Best True Crime and was also a *New York Times* bestseller. His second book, *Once Upon A Time: A True Story of Memory, Murder and the Law*, was a *New York Times* Notable Book of the Year. MacLean has worked as an adjunct professor of law, juvenile court magistrate, First Assistant Attorney General of Colorado, General Counsel of the Peace Corp, and an arbitrator and mediator in labor disputes.

[www.HarryMacLean.com](http://www.HarryMacLean.com)

#### **ABOUT THE BOOK:**

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**By Harry N. MacLean**

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*For additional information about **THE PAST IS NEVER DEAD** and other Basic Civitas Books, visit us online at [www.basicbooks.com](http://www.basicbooks.com)*

### **MORE ADVANCE PRAISE FOR *THE PAST IS NEVER DEAD***

“Harry MacLean proves it yet again: Take a simmering controversy, a tense courtroom, and a pressing need for social context, and America has no better literary guide than MacLean. In *The Past is Never Dead*, he focuses his considerable storytelling talent on Mississippi’s attempt to resurrect itself from the horrors of its segregationist past as James Ford Seale is brought to trial for his role in the deaths of Henry Dee and Charles Moore. MacLean brings the epic trial to life while he translates modern Mississippi’s struggles for transformation. A powerful, timely book about the misunderstood, modern South.”

—Stephen White, *New York Times* bestselling author of *The Siege*

“Fast-paced and tough-minded, *The Past is Never Dead* combines a taut and vivid courtroom drama with a passionate and cogent meditation on race, justice, and the awful burden of history.”

—Laurence Shames, author of *Boss of Bosses* and *Not Fade Away*

### **PRAISE FOR HARRY MACLEAN’S *IN BROAD DAYLIGHT***

“Gripping...excellent and disturbing...a fine and richly rewarding book.”

—*The Washington Post Book World*

“First-class...Read and you may find yourself haunted.”

—*Houston Chronicle*

“A guaranteed page-turner. A truly compelling...piece of reporting.”

—*Rocky Mountain News Sunday Magazine*

“An engrossing, credible examination of the way vigilante action can take over when the law appears to be powerless.”

—*Publishers Weekly*

### **PRAISE FOR HARRY MACLEAN’S *ONCE UPON A TIME***

“Mr. MacLean’s book is bound to touch a raw nerve...it is an absorbing story of a particularly tragic murder and a recountal of the trial of the man convicted of committing it. But throughout his meticulously researched and engaging book, Mr. MacLean manages to raise serious questions regarding the use of such testimony.”

—*Washington Times*

“A well-paced, exciting narrative, grippingly told.”

—*Library Journal*

“[A] superb analysis...”

—*Publishers Weekly*