

March 7, 1956.

The Attorney General

Warren Olney III, Assistant Attorney General
Criminal Division

Summaries of the Till, Smith, Lee,
and Courts cases in Mississippi.

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Following are brief summaries of the kidnaping and killing of Emmett Louis Till; the killing of Lamar Smith and Reverend George W. Lee, and the shooting of Gus Courts - all of which occurred in the State of Mississippi within the last year. I understand you desire these summaries for use in connection with your possible appearance before certain Congressional committees.

1. THE KIDNAPING AND KILLING OF
EMMETT LOUIS TILL.

Emmett Louis Till, a Negro teen-age boy and a resident of Chicago, was taken from the home of a relative near Money (LeFlore County), Mississippi, on August 28, 1955, by two white men, Roy Bryant and J. W. Milam. Till's body was found three days later (August 31) in the Tallahatchie River and in a county of the same name which adjoins LeFlore County. According to reports, he was seized and killed because he had a short time earlier "wolf-whistled" at Bryant's wife.

Although the Department followed developments in the case closely, no formal federal investigation was made for the reason that no violation of any federal statute was involved. The Civil Rights Statute was inapplicable because neither Bryant nor Milam enjoyed any official status or acted under color of any law. Their acts were those of private individuals and hence were offenses against the laws of Mississippi only.

As to the kidnaping aspect, it was suggested that an investigation might have been made by the FBI under that portion of the Kidnaping Statute (par. (b) 18 U.S.C. 1201), which raises a rebuttable presumption of interstate transportation where the kidnaped person is not released within seven days. This presumption was, however, rebutted in this instance since Till's body was found in an adjoining county, a comparatively short distance from the scene of the kidnaping, within three days and there was no indication that he had ever been taken across a state line.

CC: Deputy Attorney General

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Bryant and Milam were charged with and tried for murder in Tallahatchie County during the latter part of September. Subsequently a LeFlore County grand jury refused to indict them for kidnaping.

In September 1955 rumors reached the Department that two witnesses to the killing, Leroy Collins and Henry Logan, were spirited away and locked up in a Charleston, Mississippi jail in order to prevent them from testifying during the trial of Milam and Bryant. The Department ordered preliminary investigation of these rumors since, if such were true, the unlawful jailing of these two individuals would have constituted a deprivation of their own civil rights, i.e., the right not to be deprived of their liberty without due process. The Bureau's investigation indicated, however, that these rumors were false, and no further investigation of this collateral aspect of the Till case was conducted.

2. THE KILLING OF LAMAR SMITH.

Lamar Smith, a Negro resident of Lincoln County, Mississippi, was killed on the courthouse lawn at Brookhaven, Mississippi, on August 13, 1955.

Local developments in this case were followed closely and information as to the circumstances of the killing was obtained by the Department although no formal investigation was conducted. Smith was killed, according to reports, in a fight with three private individuals, all white men, which arose out of a controversy involving a local election and the use of absentee ballots in connection therewith. Smith reportedly was active in behalf of a certain candidate and was accused of manipulating in his behalf absentee ballots cast by Negro voters. Apparently there was no objection to voting by Negroes, and the racial identity of Smith was not a factor in his death.

There was no federal jurisdiction in this case since the alleged killers were private individuals and the election involved was strictly local in character. The matter was presented to a state grand jury in September. No indictment was returned, although about 50 witnesses were reportedly heard.

3. THE KILLING OF THE REVEREND GEORGE W. LEE,
OF BELZONI, MISSISSIPPI.

The Reverend George W. Lee, of Belzoni (Humphreys County), Mississippi, had been active in advocating and urging Negro citizens of that area to register and to vote. He had also taken an active part in the local NAACP chapter. Reverend Lee was shot and killed shortly after midnight, May 8, 1955, as he drove his automobile along a Belzoni street, the shots coming from another automobile which apparently trailed him for some distance. In complaints reaching the Department it was alleged that Reverend Lee was killed because he had refused demands to remove his name from a list of registered voters and had urged other Negroes to resist similar pressures. A full investigation by the FBI failed to establish any connection between the killing of Reverend Lee and his voting activities. The investigation did yield some circumstantial evidence tending to implicate certain individuals in the killing. However, since no connection was established between the killing of Reverend Lee and the alleged attempts to deprive him of the right to vote, no violation of the federal civil rights statutes could be shown. Consequently, the information which was developed by the FBI, insofar as it tended to implicate others, has been turned over to the state's district attorney at Belzoni, Mississippi.

4. THE SHOOTING OF GUS COURTS AT BELZONI, MISSISSIPPI.

Mr. Gus Courts, President of the local NAACP branch, Belzoni, was shot and wounded, but not critically, on November 25, 1955. Courts operated a store in Belzoni. The shots were fired through a window from a slowly moving automobile as Courts was standing inside, near his cash register. Investigation thus far conducted discloses neither the identity of the gunman nor any evidence as to the reason for the shooting. Investigation of the activities of the Citizens Council in that area indicates that Courts, prior to the time he was shot, was subjected to considerable economic pressure and threats. For instance, the lease on the premises where he formerly operated a store was abruptly terminated early in 1955. He was refused credit at the bank and by wholesalers with whom he had dealt for some time. At times he was unable to replenish his stock even though able to pay cash. Such pressures, together with threats of bodily harm, all represented efforts to force Courts to terminate his connection with the NAACP and to cease his advocacy of the right of Negro citizens to vote. Investigation by the FBI is continuing.