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R. L.

RECORDED
August 26, 1940



MEMORANDUM FOR J. EDGAR HOOVER, DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION.

Transmitted herewith is a photostatic copy of a statement of facts received from Thurgood Marshall, Special Counsel, National Association for the Advancement of Colored People, concerning an alleged lynching at Luverne, Crenshaw County, Alabama. It is noted in Mr. Marshall's letter that the statement of facts was presented by Dr. Charles A. J. McPherson, Secretary of the Birmingham, Alabama branch of the National Association for the Advancement of Colored People.

From the allegations of the writer it appears that a Negro, Jesse Thornton was killed by a mob in which local peace officers apparently took part and at least gave sanction to such activities. The participation of the local police officials in any manner which tended to aid or provoke the mob to continue in its purpose should be thoroughly investigated. Such participation by the officials in the opinion of this Division indicates a possible violation of Section 52, Title 18, United States Code.

It is requested, therefore, that the particular phase of the investigation dealing with the participation of the officials be discreetly investigated. It is suggested that the special agents assigned to the case first interview all persons possessing relevant information and follow any leads therefrom, without contacting the police officials, or other possible defendants who may be involved. It is further requested that reports of this portion of the investigation be first submitted to this Division for consideration prior to any interviews with possible subjects or defendants. Such procedure may reveal information as to the Department's position in the matter and obviate the necessity of proceeding further with the investigation.

Respectfully,

(Signed) O. John Rogge

O. JOHN ROGGE,
Assistant Attorney General.

Enclosure #34574