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## Lynching—Crime

*Negro Year Book: A Review of Events Affecting Negro Life, 1944-1946*  
1947

### SECTION ONE: LYNCHING

#### LYNCHINGS DECLINE

Since 1882 the trend in lynchings has been steadily downward. Several agencies have been responsible for this decline. No little credit should be given to the press, both white and Negro. It has taken a strong stand through editorial and news columns against this evil. State Patrols, where they have operated, have been influential in reducing lynchings and attempted lynchings by providing police protection to would-be victims. Tuskegee Institute, through its Department of Records and Research, has carried on an educational program against lynching since 1913, by issuing annual and semi-annual reports and by furnishing other statistical data to the public. The National Association for the Advancement of Colored People not only has made investigations of lynchings, but since 1921 has also sponsored Federal anti-lynching legislation. The Commission on Inter-racial Cooperation, by research and publications, provided additional facts on lynchings, and the Association of Southern Women for the Prevention of Lynchings directed its activities toward exposing the falsity of the claim that lynching is necessary for the protection of southern white womanhood. Nor should the work of the Federal Council of Churches of Christ in America or of the more recently organized Southern Regional Council be overlooked.

An analysis of editorial opinion on the lynching of four Negroes in Georgia of July 25, 1946<sup>1</sup> shows how the press reflects as well as influences public opinion. This analysis includes

217 editorials from daily newspapers published in twenty-six States and the District of Columbia, as follows: Alabama, California, Connecticut, Delaware, Georgia, Idaho, Kentucky, Illinois, Maine, Maryland, Massachusetts, Michigan, Mississippi, Nevada, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Virginia, Washington, West Virginia.

Of these editorials, 139 were from Northern and 78 from Southern States. The editorial opinions are summarized as follows:

- (1) All editors from both Southern and Northern States condemned the lynchings.
- (2) All editorials attributed the outbreak to some reasonable circumstance, but the circumstances given emphasis varied considerably.
- (3) The majority opinion attributed the mass lynching to the recent election and pre-election activities of Mr. Talmadge in Georgia and Senator Bilbo in Mississippi, and to renewed activities of the Ku Klux Klan.
- (4) Other causes ranged from race hatred, to the natural results of a capitalistic economy.

“Most of the editors pointed out that the lynching was obviously a premeditated, ‘rehearsed’ affair. All of them urged harsh punishment for the mobsters; the majority felt that no penalty other than death would be sufficient. Several believed that it would be impossible either to catch or convict the offenders.”

National Humanities Center, 2007: [nationalhumanitiescenter.org/pds/](http://nationalhumanitiescenter.org/pds/). In *Negro Year Book: A Review of Events Affecting Negro Life, 1945-1946* (Tuskegee, Alabama: Negro Year Book Publ. Co., 1947), pp. 302-311. May be in the public domain; permission pending from Tuskegee Institute.

<sup>1</sup> Source: A Monthly Summary of Events and Trends in Race Relations, August-September 1946, pp. 59-61.

**Table 1**  
**Causes Attributed and Remedies Proposed by Editors of 217 Northern and Southern Newspapers in Discussing the Lynching of Four Negroes in Georgia, July 25, 1946**

<b>Causes</b>	<b>Southern Papers</b>	<b>Northern Papers</b>	<b>Total</b>
Election of Talmadge, Activities of KKK .....	23	63	86
Race hatred .....	9	15	24
Southern living standards .....	2	5	7
Sadistic tendencies of lynch-minded persons .....	3	2	5
Postwar reaction .....	2	2	4
Outside agitators .....	3	1	4
Governor Arnall's liberalism .....	1	..	1
Results of capitalism .....	..	1	1
Total .....	43	89	132
<b>Remedies</b>			
Federal anti-lynch law .....	6	20	26
State anti-lynch law .....	2	4	6
Education, Religion .....	2	4	6
Harsh penalties for lynchings .....	2	..	2
Better local law enforcement officers .....	1	..	1
More all-Negro, all-white communities .....	1	..	1
Unity of liberal forces .....	..	1	1
Total .....	14	29	43

**DEFINITION OF LYNCHING DIFFICULT**

The term “lynching” is becoming more and more difficult to define. At the present time, as in the past, agencies concerned about the lynching problem have not been able to come to a conclusive agreement even when using the same criteria in classifying cases of lynching.

For the past twenty-five years and more, writers of Federal anti-lynching bills have generally accepted the following definition of lynching:

“Any assemblage of three or more persons which shall exercise or attempt to exercise by physical violence and without authority of law any power of correction or punishing over any citizen or citizens or other person or persons in the custody of any peace officer or suspected of, charged with, or convicted of the commission of any offense, with the purpose or consequence of preventing the apprehension or trial or punishment by law of such citizen or citizens, person or persons, shall constitute a ‘mob’ within the meaning of this Act. Any such violence by a mob which results in the death or maiming of the victim or victims thereof shall constitute ‘lynching’ within the meaning of this Act:

Provided, however, That ‘lynching’ shall not be deemed to include violence occurring between members of groups of law-breakers such as are commonly designated as gangsters or racketeers, nor violence occurring during the course of picketing or boycotting or any incident in connection with any ‘labor dispute’ as that term is defined and used in the Act of March 23, 1932 (Sec. 2, 47 Stat. 70, H. R. 1507—Van Nuys).”

But there are persons who are put to death by mobs under circumstances not entirely covered in what was the generally accepted definition. The difficulty here is apparent. This problem was squarely faced at a conference arranged by President Frederick D. Patterson on December 11, 1940 at Tuskegee Institute when representatives of the press, the Association of Southern Women for the Prevention of Lynching, the National Association for the Advancement of Colored People and other interested persons met to discuss it. This conference set up criteria that would cover cases not included by specification or implication in Federal definitions. These criteria are:

- 1 There must be legal evidence that a person was killed.
- 2 The person must have met death illegally.
- 3 A group must have participated in the killing.
- 4 The group must have acted under the pretext of service to justice, race or tradition.

In addition to the fact that accepted definitions do not cover all lynchings, there are borderline cases that cannot without some shadow of doubt be called lynchings, neither can they be eliminated without reservation. The ordinary lynching can be readily recognized, but it is the marginal cases that cause concern.

Seldom now are there spectacular man hunts, with large groups participating. Mobs are more likely to be orderly and secretive and to commit few lynchings within the accepted definitions. An examination of the cases of lynchings occurring during the past ten years shows that in only a few cases are mobs composed of many persons. This change is elaborated upon in *The Changing Character of Lynching* by Mrs. Jessie Daniel Ames, published by the Commission on Interracial Cooperation in 1942. Cases of the quiet, unobtrusive, but very effective operation of the small group are cited:

“A man is out fishing. He discovers a body on the bank of a creek. It is clearly evident that the man was murdered. Maybe his body is riddled with bullets — his feet wired together, his hands tied behind him, his head bashed in. There have been no reports of any trouble in the county. Was he lynched or was he murdered?”

“Another man has an altercation with his employer over a lost tool, or the amount of wages due him, or failure to carry out orders. His body is found one day. It is evident from its condition that the man was put to death. Did he meet his death at the hands of three or more persons? Was he suspected or accused of a crime? Were the officers of the law forewarned of his danger and did they act in collusion with the killers?”

### **DETAILED LYNCHING RECORD 1937-1946**

Between the years 1937 and 1946, 44 persons were lynched; 2 whites and 42 Negroes. The crimes summarized are: rape or attempted rape, 9; murder, 11; insulting woman, 2; stabbing, 3; “crime against nature,” 1; owing debt, 1; killing boy in auto accident, 1; quarrelling over wages, 1; wife beating, 1; altercation, 2; attempting to qualify to vote, 1; failure to call white man,

“Mr.,” 1; replacing white men on job, 1; stealing or suspected stealing, 4; “molesting” people, 1; safeguarding property, 1; no charge, 3. A detailed listing of these cases of lynching is as follows:

1937:

February 2 — At Headland, Henry County, Alabama. Wes Johnson, Negro. Charge, rape. Taken from jail, hanged and shot.

April 13 — Winona, Montgomery County, Mississippi. Roosevelt Townes and “Bootjack” McDaniels, Negroes. Charge, murder. Taken from officers of the law. Shot and burned to death.

May 25 — At Bainbridge, Decatur County, Georgia. William Reed, Negro. Charge, murder. Was captured at Dothan, Alabama and was being taken to jail at Albany, Georgia. The officers reported he attempted to escape and was shot to death. His body was placed in a Negro undertaker’s parlor at Bainbridge. A mob composed of men and women took the body from the undertaker’s parlor, dragged it around the public square behind a procession of automobiles. The mob then moved into the Negro district and to a Negro baseball park where, on a pyre made of boards knocked off the fence, the body was burned.

July 20 — At Tallahassee, Leon County, Florida. Richard Hawkins and Ernest Ponder, Negroes. Charge, stabbing a policeman and “breaking into a restaurant.” Taken from jail, and shot to death.

August 17 — At Covington, Tipton County, Tennessee. Albert Gooden, Negro. Charge, murder. Taken from officer of the law, hanged and shot to death.

October 4 — At Milton, Santa Rosa County, Florida. J. C. Evans, Negro. Charge, was charged with a “crime against nature,” involving an attack on a 12 year old white boy, and with the robbing of a filling station. Taken from officer of the law, shot to death.

1938:

June 10 — At Columbia, Lowndes County, Mississippi. Washington Adams, Negro. Charge, owed debt of \$10.00 on a funeral bill of his deceased wife which he had been unable to pay. Beaten to death by three men.

July 6 — At Rolling Fork, Sharkley County, Mississippi. Tom Green, Negro. Charge, murder and resisting arrest. Shot and body burned.

July 9 — At Arabi, Crisp County, Georgia, near Cordele. John Dukes, Negro. Charge, drunkenness and murder. Shot and body burned.

August 9 — Near Perry, Taylor County, Florida. Otis Price, Negro. Charge, making insulting remark to a white woman. Body found beside a road, shot two or three times.

October 13 — At Ruston, Lincoln Parish, Louisiana. R. C. Williams, 19 years old, Negro. Charge, killing a white man and beating his woman companion. Hanged, body ridden with bullets.

November 21 — At Wiggins, Stone County, Mississippi. Wilder McGowan, Negro. Charge, rape. Hanged.

1939:

April 1 — At Panama City, Bay County, Florida. Miles W. Brown, white. Charge, murder. Taken from jail, shot to death. (There was dissatisfaction because he failed to receive the death penalty in a murder trial.)

April 20 — At Daytona Beach, Volusia County, Florida. Lee Snell, Negro. Charge, fatal injury to a white boy, age 12, struck by the taxi while riding a bicycle. Taken from officer of the law while being taken to jail. Shot to death.

May 8 — At Canton, Madison County, Mississippi. Joe Rodgers, Negro. Charge, "He refused to accept a weekly deduction of \$5.50 from his wages in payment for renting a company-owned cabin which he did not occupy." Shot, tortured by hot irons, brutally cut, and his body thrown into the Pearl River.

1940:

March 7 — At East Point, Fulton County, Georgia. Ike Gaston, white. Charge, wife beating and drunkenness. Flogged unmercifully by a band of men.

May 9 — At Fairfield, Jefferson County, Alabama. O'Dee Henderson, Negro. Charge, altercation with white man. Beaten and shot to death by 3 officers of the law and one civilian.

June 22 — At Brownsville, Haywood County, Tennessee. Elbert Williams, Negro. Charge, attempting to quality to vote — "Interest in Negro affairs." Murdered and body thrown into the Hatchie River.

June 22 — At Crenshaw County, Alabama, near Luverne. Jesse Thornton, Negro. Charge, failure to refer to a white man as "Mr." Shot to death and body thrown into the Pataylogga River.

September 8 — At LaGrange, Troup County, Georgia. Austin Callaway, Negro. Charge, attempted attack on a white woman. Taken from jail and shot to death by band of masked men.

1941:

February 15 — At Andrews, Georgetown County, South Carolina. Bruce Tisdale, Negro. Charge, working on a job from which whites had been discharged. Died of head wounds. Five men held responsible for death.

April 18 — Near Cherryville, at Gaston County, North Carolina. Robert Melker, Negro. Charge, altercation with white man. Shot to death in his home by four men.

May 6 — At Blakeley, Early County, Georgia. Robert Sapp, Negro. Charge, suspected of stealing from his employer. Flogged with a club and a piece of machine belting.

May 13 — At Quincy, Gadsden County, Florida. A. C. Williams, Negro. Charge, attempted rape. Beaten and body riddled with bullets. Williams was first taken from jail by a group of armed men. His body riddled with bullets, he was left for dead. He was later discovered at a Negro residence severely wounded, and was placed in an ambulance for transfer to a hospital in Tallahassee 25 miles away. Five miles out of Quincy, a masked band stopped the unguarded ambulance and removed the wounded Negro. His bullet riddled body was found the next day on a creek bridge north of Quincy.

1942:

January 25 — At Sikeston, Scott County, Missouri. Cleo Wright, Negro. Charge, attempted criminal assault. Dragged through the streets behind an automobile and body burned.

July 13 — At Texarkana, Bowie County, Texas. Willie Vinson, Negro. Charge, suspected of attempted rape. Body dragged through streets behind a speeding automobile to the edge of town and hanged from a cotton gin winch.

October 12 — near Paris, Edgar County, Illinois. James Edward Person, Negro. Charge, he was charged with having "molested" people in the community. His body was riddled with bullets.

October 12 — At Quitman, Clarke County, Mississippi. Charlie Land and Ernest Green, 14 year old Negro boys. Charge, attempted rape. Bodies found hanging from river bridge.

October 17 — At Laurel, Jones County, Mississippi. Howard Wash, Negro. Charge, received an automatic life sentence when jury failed to agree upon the punishment on a murder charge. Taken from jail and hanged.

1943:

January 30 — At Newton, Baker County, Georgia. Robert Hall, Negro. Charge, resisting arrest on charge of theft of truck tire. Severely beaten on January 29 by Sheriff M. Claude Screws, a deputy sheriff and a county policeman. Died early on January 30.

June 16 — Near Marianna, Jackson County, Florida. Cellos Harrison, Negro. Charge, killing John Mayo, white filling station operator, in robbery attempt in 1940. Taken from jail by four masked men and clubbed to death.

November 7 — Near Camp Ellis, Fulton County, Illinois. Private Holley Willis, Negro soldier. Charge, insulting white women over telephone. Shot to death as he tried to escape from a farm house.

1944:

March 26 — At Liberty, Amite County, Mississippi. Rev. Isaac Simmons, Negro. Charge, he was hiring a lawyer to safeguard his title to a debt free farm through which was possibility that an oil vein ran. Taken from his home and shot to death by a mob.

November 23 — At Pikeville, Bledsoe County, Tennessee. James Scales, Negro. Charge, murdering wife and daughter of the superintendent of the reformatory in which he was confined. Taken from jail and shot to death by a mob.

1945:

October 12 — At Madison, Madison County, Florida. Jesse James Payne, Negro. Charge, assault with intent to rape. He had been wounded when captured by a posse near Monticello, Florida. Two weeks after he had been accused, he was taken to Raiford State Prison by the police guard for safekeeping. Indicted, he was brought from Raiford and locked in the Madison County jail for arraignment. He was removed from the jail and shot to death by a mob which apparently entered with a key.

1946:

July 22 — Lexington, Holmes County, Mississippi. Leon McTatie, Negro. Charge, stealing a saddle. He was flogged to death.

July 25 — At Monroe, Walton County, Georgia. Roger Malcolm and his wife, Dorothy Malcolm; George Dorsey and his wife, Mae H. Dorsey, Negroes. Charge, Roger Malcolm was charged with stabbing his former employer. The three other persons were innocent of any charge, except the fact that one of the women recognized a member of the mob who came to lynch Roger Malcolm. Their bodies were riddled with bullets.

August 8 — Near Minden, Webster Parish, Louisiana. John C. Jones, Negro. Charge, attempting to break into the house of a white woman. He was tortured and beaten to death.

## LYNCHING BY LOCATION, BY RACE, BY CAUSES, 1882-1946

### Lynching By States and Race, 1882-1946

Table 2 gives the number of lynchings that have occurred in the United States, 1882-1946, by States, for whites and Negroes. During this period more than two and one-half times as many Negroes as whites were lynched. The State of Mississippi has the highest number of lynchings for the South, 574, as well as the highest for the United States. [All figures relating to lynching revised as of December 31, 1946.]

**Table 2: Lynchings by States and Race 1882-1946**

State	Whites	Negroes	Total
Alabama .....	47	299	346
Arizona .....	29	0	29
Arkansas .....	59	226	285
California .....	41	2	43
Colorado .....	66	2	68
Delaware .....	0	1	1
Florida .....	25	256	281
Georgia .....	38	487	525
Idaho .....	20	0	20
Illinois .....	14	19	33
Indiana .....	33	14	47
Iowa .....	17	2	19
Kansas .....	35	19	54
Kentucky .....	64	141	205
Louisiana .....	56	335	391
Maryland .....	2	27	29
Michigan .....	7	1	8
Minnesota .....	5	4	9
Mississippi .....	41	533	574
Missouri .....	51	71	122
Montana .....	82	2	84
Nebraska .....	52	5	57
Nevada .....	6	0	6
New Jersey .....	0	1	1
New Mexico .....	33	3	36
New York .....	1	1	2
North Carolina .....	15	84	99
North Dakota .....	13	3	16
Ohio .....	10	16	26
Oklahoma .....	82	41	123
Oregon .....	20	1	21
Pennsylvania .....	2	6	8
South Carolina .....	4	155	159
South Dakota .....	27	0	27
Tennessee .....	47	203	250
Texas .....	143	346	480
Utah .....	6	2	8
Virginia .....	16	83	99
Washington .....	25	1	26
West Virginia .....	21	28	49
Wisconsin .....	6	0	6
Wyoming .....	30	5	35
Totals .....	1,291	3,425	4,716

### Lynching, Whites and Negroes, 1882-1946

Table 3 gives the number of whites and Negroes lynched yearly from 1882 through 1946. The greatest number of lynchings occurred in 1892. Of the 231 persons lynched during that year, 162 were Negroes and 69 were whites. But during the year 1884, which has the

next highest number of lynchings, a total of 211, 160 whites were lynched and only 51 Negroes.

There have been 13 years out of 65 years in which no lynchings for whites were reported. Only once during this same period has the number of lynchings of Negroes been as low as 1. In other words, every year from 1882 through 1946 lynchings of Negroes have been reported.

**Table 3: Lynching, Whites and Negroes, 1882-1946**

Year	Whites	Negroes	Total		Year	Whites	Negroes	Total
1882	64	49	113		1915	13	54	67
1883	77	53	130		1916	4	50	54
1884	160	51	211		1917	3	35	38
1885	110	74	184		1918	4	60	64
1886	64	74	138		1919	7	76	83
1887	50	70	120		1920	8	53	61
1888	68	69	137		1921	5	59	64
1889	76	94	170		1922	6	51	57
1890	11	85	96		1923	4	29	33
1891	71	113	184		1924	0	16	16
1892	69	162	231		1925	0	17	17
1893	34	117	151		1926	7	23	30
1894	58	134	192		1927	0	16	16
1895	66	113	179		1928	1	10	11
1896	45	78	123		1929	3	7	10
1897	35	123	158		1930	1	20	21
1898	19	101	120		1931	1	12	13
1899	21	85	106		1932	2	6	8
1900	9	106	115		1933	4	24	28
1901	25	105	130		1934	0	15	15
1902	7	85	92		1935	2	18	20
1903	15	84	99		1936	0	8	8
1904	7	76	83		1937	0	8	8
1905	5	57	62		1938	0	6	6
1906	3	62	65		1939	1	2	3
1907	2	58	60		1940	1	4	5
1908	8	89	97		1941	0	4	4
1909	13	36	82		1942	0	5	5
1910	9	67	76		1943	0	3	3
1911	7	60	67		1944	0	2	2
1912	2	61	63		1945	0	1	1
1913	1	51	52		1946	0	6	6
1914	3	49	52		Totals	1,291	3,425	4,716

### Causes of Lynchings Classified 1882-1940

In table 4 lynchings are classified according to causes. Being charged with a crime does not necessarily mean that the person lynched was guilty of the crime. Some mob victims have been known to be innocent. Lynchings that have

occurred for trivial reasons, such as, “peeping in a window,” “disputing with a white man,” or “attempting to qualify to vote” are included under “All Other Causes.” Homicides lead all causes of lynchings with both the highest number and the highest percentage.

Causes	Number	Per Cent
Homicides .....	1,934	41.0
Felonious Assault .....	202	4.3
Rape .....	910	19.2
Attempted Rape .....	288	6.1
Robbery and Theft .....	231	5.0
Insult to White Persons .....	84	1.8
All Other Causes .....	1,067	22.6
Totals .....	4,716	100.0

### Lynchings, Whites and Negroes By Periods

There has been a remarkable decrease in the total number of persons lynched during each decade, 1887-1946. The greatest decrease was in

the number of white persons lynched. From a total of 548 white persons lynched, 1887-1896, the number dropped to a low of 2 during the decade 1937-1946.

Period	Whites	Negroes	Total
1937-1946	2	42	44
1927-1936	14	136	150
1917-1926	44	419	463
1907-1916	62	608	670
1897-1906	146	884	1,030
1887-1896	548	1,035	1,583
1882-1886*	475	301	776

\*Indicates a five-year period. The other intervals are ten-year periods.

### Lynchings By Regions 1882-1946

The South has the highest number and percentage of lynchings. This region had a total of 3,905 during the 65 year period, 1882-1946 and 82.8 per cent of all lynchings occurred in that part of the country. Next to the South are the North Central States, with a total of 424 lynchings and 9.0 per cent of the total number of lynchings. The Western States are third, with a

total of 376 lynchings and 8.0 per cent of all lynchings. In the North Eastern States, the total is 11 and a percentage of 0.2. No lynchings have occurred in the 6 of the North Eastern States; namely, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut. Neither have any been recorded for the District of Columbia.

	<b>Whites</b>	<b>Negroes</b>	<b>Total</b>	<b>Per Cent of U.S. Total</b>
North Eastern States	3	8	11	0.2
North Central States	270	254	424	9.0
Southern States	660	3,245	3,905	82.8
Western States	358	18	376	8.0
Totals All Regions	1,291	3,425	4,716	100.0

### **LYNCHINGS PREVENTED**

The wide publicity given to lynchings has created sentiment against it to the extent that communities do not desire the adverse criticism they receive when a lynching occurs within their borders. In its issue of October 5, 1946, the *Saturday Evening Post* corrected an error appearing previously, which stated the lynching of four Negroes on July 25, 1946 had taken place in Monroe County, Georgia instead of Walton County, Georgia. So many Georgia people had taken the trouble to ask the *Post* to make it clear that the savage murder did not occur in their part of the State. Governors of Southern States have protested crediting certain lynchings to their States on the grounds that they were ordinary murders and not lynchings.

Officers of the law are condemned when they are suspected of making no attempt to prevent lynchings, when they are a party to a lynching or when they connive with those bent on lynching. However, throughout the history of lynching in the United States, some officers have “out-

thought and outmaneuvered mobs.” As the number of lynchings in the United States has grown fewer, so has the number of those unsuccessfully attempted. The vigilance of law enforcement officials and the intelligent action of numbers of private citizens have kept many intended victims from being put to death. Were precautions not taken to save accused persons from mob law, such as augmenting guards, removing the prisoner to a place of safe-keeping, using force to disperse the mob or some other necessary strategy, the annually lynching record would contain more names than are now listed.

While Table 7 indicates that the number of lynchings prevented is large, it is not intended to show all of the lynchings which have been prevented. Numerous cases of lynchings prevented, like many cases of lynchings, are not publicized. Persons preventing lynchings often do so without a thought that an exceptional act has been performed. In the case of some lynchings, their secretive nature prevents their becoming known.

<b>Year</b>	<b>Number of Persons Lynched</b>	<b>Number of Persons Prevented From Being Lynched</b>
1937	8	77
1938	6	53
1939	3	25
1940	5	28
1941	4	21
1942	5	17
1943	3	11
1944	2	8
1945	1	5
1946	6	28



## THE PUNISHMENT OF LYNCHERS

There have been indictments of persons participating in lynchings and some convictions, but it is not usual for participants in a lynching to receive punishment even when brought to trial. The reason most frequently given is that the evidence submitted to the court is not of sufficient weight to bring action against the accused. In connection with such cases, it is almost impossible to secure witnesses who are willing to give adverse testimony.

In 1943, four men brought to trial for the lynchings of Private Holley Willis stationed at Camp Ellis, Illinois, received a verdict of "justifiable homicide."

In Hattiesburg, Mississippi, in 1943, five men were freed after being indicted for the 1942 lynching of Howard Wash, two of them on a motion that the Government had "failed to produce any evidence connecting them with the crime." The other three men were acquitted. These five men had been indicted upon evidence presented by the Federal Bureau of Investigation and were found not guilty by a Federal Court Jury.

In a more recent case of lynching, that of two men and their wives at Monroe, Walton County, Georgia on July 25, 1946, by a mob of from 20 to 30 men, the Federal Grand Jury, meeting at Athens, Ga., on December 26, 1946, after investigating the case for three weeks, reported that it was not even able to bring an indictment because of its inability to establish the identity of any person guilty of participating in this mass murder. Judge T. Hoyt Davis refused to discharge the jury, but ruled that it would be recessed "subject to recall."

On October 18, 1946, a Federal Grand Jury at Monroe, La., under the Civil Rights Statutes indicted 6 men in connection with the lynching of John C. Jones, age 28 and the beating of Albert Harris, Jr., age 17, at Minden, Webster Parish. Brought to trial, they were later freed.

However, in 1941, four men involved in the lynching of a Negro in Gaston County, N. C., received sentences from 14 to 25 years in prison for their crime and in May, 1942, at Roxboro, N.

C., a jury convicted five men for attempting to lynch a Negro youth held in jail on charges of attempted rape. Two of the men were sentenced to 18 months on the road; the other three drew terms of 12 months each. The State Bureau of Investigation is credited with bringing the men to justice.

On October 7, 1943, in the United States Middle District Court at Albany, Ga., Sheriff M. Claude Screws, Deputy Sheriff Jim Bob Kelly, and Frank Edward Jones, former Newton, Ga., policeman, were sentenced to three years in Federal prison and fined \$1,000 each for violating Civil Liberties statutes in the abducting and lynching of Robert Hall, a Negro.

In December, 1946, in Illinois, 9 white farmers were fined \$200 each in Federal Court for conspiracy to violate the Federal Civil Rights Acts by lynching James E. Person on October 12, 1942 near Paris, Illinois.

Federal Courts and officers are handicapped in bringing lynchings to justice. They must show that a State or a State agent has been responsible for the infringement of an individual's civil rights by proving (1) that a law officer participated in a criminal act; and (2) that he intended to deprive a prisoner of his Constitutional rights. A lynching by 20 private persons is simply murder as far as Federal civil rights laws are concerned and the State is supposed to act to bring the criminals to justice. If an officer maims or kills a person in his custody, the Federal Government must prove that he intended to deprive the prisoner of his rights under the Constitution. Such officers usually contend that the prisoner was resisting arrest, or was violent. These are handicaps difficult to overcome in order to secure a conviction. The committee on Civil Rights appointed by President Truman is expected to remedy the weaknesses of present Federal civil rights laws.

## EFFORTS FOR ANTI-LYNCHING LEGISLATION

Agencies working for a Federal anti-lynching law continue their efforts to have lynching outlawed by Congress. Foremost in this fight is

the National Association for the Advancement of Colored People. Other national organizations have given their support. However, at no time have these agencies been strong enough to secure passage of a bill by both houses of Congress. In the 79th Congress, 1st Session, at least 8 anti-lynching bills were introduced. So strong is the sentiment of the southern bloc in the Senate against a Federal anti-lynching law, that it goes almost without question that any anti-lynching legislation brought before that body will be opposed by use of the filibuster. The main argument used against the bill is that it interferes with States Rights; and local governmental agencies can best cope with the situation.

### AMERICAN CRUSADE TO END LYNCHING

In September, 1946, a group of citizens known as "The American Crusade to End Lynching" banded themselves together for this purpose. Their platform called for: (1) the apprehension and punishment of every lyncher; (2) passage of a Federal anti-lynching bill; (3) keeping the Klan out of Congress — no Senate seat for Bilbo. The Chairman of the group was Paul Robeson. Leaders from all races and groups were sponsors of the movement.

At a national conference on September 23, 1946 in Washington, D. C., attended by more than 1500 citizens, church groups, labor unions,

veterans' groups and civic and fraternal bodies, a program aimed at curbing mob violence was adopted. The conference marked the beginning of a 100-day crusade lasting from September 22, 1946 to January 1, 1947, during which time comparable conferences were organized throughout the country. A delegation from the conference, including Paul Robeson, as Chairman, Dr. Charlotte Hawkins Brown, Rev. W. A. Jernagin, Dr. Joseph Johnson, Rabbi Irving Miller, Dr. M. T. P. Lochard, Mrs. Harper Sibley, Aubrey Williams, Max Yergan and Howard Murphy, requested President Truman to issue "a former public statement expressing . . . [ellipsis in original] views on lynching and recommending a definite legislative and educational program to end the disgrace of mob violence"; that he commit himself to recommend in his next message to Congress the passage of Federal anti-lynching legislation and use his "full resources for an educational program to assist in ending the most brutal kind of crime — lynching and mob violence."

The President told the group that the moment was not propitious for such a statement; that the whole question of violence was one to be dealt with in political terms and strategy to be worked out by responsible political leaders, and that patience must attend the final solution of the problem (See *Chicago Defender* 9-28-46.)\*

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\* The U. S. House of Representatives passed anti-lynching bills in 1922, 1937, and 1940; all three failed in the Senate. In 2005 the Senate officially apologized for its failure to enact federal anti-lynching legislation. [NHC note]