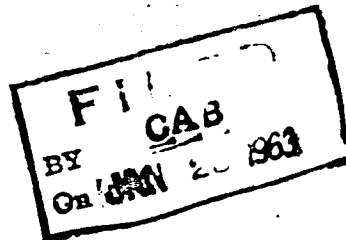


T. 1/14/63

BM:SHR:sab 5810
144-70-199 **F.T.F.S.**

JAN 22 1963

Honorable John H. Reddy
United States Attorney
Chattanooga, Tennessee



Re: George Carl Sartin;
John Raymond Sartin;
William Thomas Ferguson, Jr. - Victim
Civil Rights

Dear Mr. Reddy:

In view of the conviction and sentencing of the
subjects herein we are marking the file closed.

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

cc: Records
Chron
Reis

By: JOHN L. MURPHY, Chief
General Litigation Section

INSPD AND MAILED
COMMUNICATIONS SEC.
JAN 22 1963 **UH**

CIVIL RIGHTS DIVISION

Notice to Close File

File No. 144-70-199

Date January 11, 1963

Deputy

To: Chief, General Litigation Section

BM:SHR:sab 5810

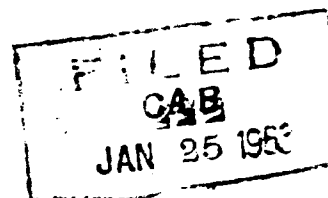
Re:

George Carl Sartin;
John Raymond Sartin;
William Thomas Ferguson, Jr. - Victim
Civil Rights

It is recommended that the above case be closed for the following reasons:

Both subjects found guilty on all 3 counts of indictment. On December 4, 1962, George Sartin was placed on 3 years probation and John Sartin was sentenced to six months custody of Attorney General on each count of indictment. Sentences of both subjects to run concurrently. In view thereof, I recommend closing the file.

144-70-199	
11	JAN 22 1963
RECEIVED	DEPT. OF JUSTICE



Samuel H. Reis
Samuel H. Reis
Attorney

To: RECORDS ADMINISTRATION OFFICE

The above numbered file has been closed as of this date

1/22/63

Date

W. Hubbard
Deputy Chief, Gen. Lit Section

Typed: 6/30/61

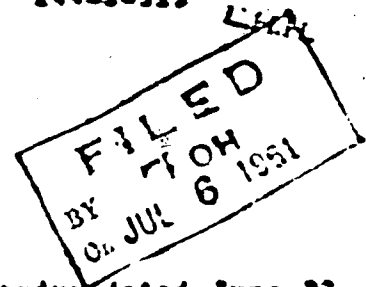
Director
Federal Bureau of Investigation

JUL 5 1961
BMS:SHR:ht 5199

Burke Marshall
Assistant Attorney General
Civil Rights Division

144-3-113

R. D. Smith
Jailer, Lee County Jail
Opelika, Alabama;
Mary Louise McCray - Victim
Civil Rights



Reference is made to your memorandum dated June 22, 1961.

Please conduct a preliminary investigation including but not limited to, interviews with all of the prisoners and employees present at the Lee County Jail during the evenings of June 10, 1961, and June 11, 1961, and particularly "George" and "Blue" mentioned in the report of Special Agent [redacted] dated June 19, 1961, at Mobile. Also ascertain the identities of the Alabama Highway Patrolmen and the white man who accompanied him, who were present in the jail the evenings of June 10, 1961, and June 11, 1961, and interview them.

cc: Records ✓
Chrono
Reis
Murphy
USA in Montgomery, Ala.

SENT BY MESSENGER
COMMUNICATIONS SEC.
JUL 15 1961 C

Typed: 6/30/61

BM:SNR:kst 8199
144-2-313

L.H.H.

JUL 5 1961

Honorable Hartwell Davis
United States Attorney
Montgomery, Alabama

Re: R. D. Smith
Jailer, Lee County Jail
Opelika, Alabama
Mary Louise McCray - Victim
Civil Rights

Dear Mr. Davis:

Reference is made to your letter dated June 23, 1961.

Enclosed is a copy of our memorandum of even date to the Federal Bureau of Investigation which is self-explanatory.

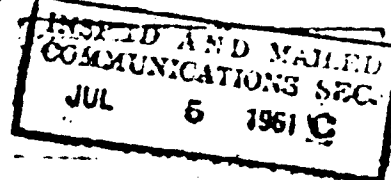
We believe that we should hold in abeyance divulging any information of the Federal Bureau of Investigation reports in this matter to Sheriff Lowe, until we have reviewed all of the reports and have determined what action the Department deems appropriate.

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

By: JOHN L. MURPHY, Chief
General Litigation Section

cc: Records ✓
Chrono
Reis



UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. L. Murphy, Chief
General Litigation Section
Civil Rights Division

DATE: August 2, 1961

FROM : John Doar
First Assistant

JD:lw 8199
144-2-313

SUBJECT: R. D. Smith;
Mary Louise McCray - Victim
Civil Rights

At Mr. Marshall's and Mr. Hubbard's request I have reviewed this file.

My conclusion was that we should immediately make arrangements to present this matter to a grand jury in the Middle District of Alabama. I felt that the FBI should be requested to make a diagram of the jail; to interview Smith's wife; and that an attorney should be assigned to the case to present it inasmuch as Hartwell Davis is not in any position to present it because of the fact that he is alone in the Montgomery office.

I could see no reason for waiting to take this step while the FBI was performing the tasks assigned in our latest request.

I also concluded that there was no need to wait for state action because the facts of this case must have been called to the attention of the sheriff already; and as far as we know no action has been taken.

After I had reviewed the file I discussed it with Mr. Marshall. He feels that the state must be advised and he wants you to take the necessary steps to permit him to advise the state formally. If this is done by letter, then please prepare the letter for his signature. If it is done otherwise, let us know how it is done.

cc: Mr. Hubbard
Mr. Marshall

File yld

144-2-313	
DEPARTMENT OF JUSTICE	
7	AUG 7 1961
RECORDS BRANCH	
CIV. RIGHTS DIV.	
Gen. Lit. Sec.	

We also discussed Maceo's point that we should proceed by information in this case. I do not agree with this for this reason: Judge Johnson has told me that he has a good grand jury in the Middle District and I believe that if the case is presented properly to them that they will indict. Since the psychological impact will be far better in Montgomery if the grand jury indicts, I favor that method.

Maceo has indicated that he has some doubts about advising the state and so I suggest that all of us talk to Burke on Thursday, if possible, so that this matter can be resolved.

Retyped 1-7-63
BM:SHR:rb 8199
144-2-313 F.F.B.

Honorable Ben Hardeman
United States Attorney
216 U.S. Post Office and
Courthouse Building
Montgomery 4, Alabama

JAN 8 1963

Attention: J. O. Sentell, Assistant
United States Attorney

Re: R. D. (IO) Smith, Jailer,
Lee County Jail, Opelika,
Alabama;
Mary Louise McCray - Victim
Civil Rights

Dear Mr. Hardeman:

This will acknowledge your letter dated December 13,
1962.

It appears from the Federal Bureau of Investigation
reports herein the subject, R. D. Smith, while acting
under color of the laws of Alabama, did wilfully assault
Mary Louise McCray while she was a prisoner incarcerated
in the Lee County Jail, Opelika, Alabama, and that he
coerced two other prisoners to try to force their atten-
tions upon her. In view of the fact Smith has left this
country to reside in England, I believe that in order to
make sure he will be prosecuted for a violation of the
provisions of Title 18, Section 242, United States Code,
should he return to this country, this matter should be
presented to a grand jury. You are authorized to make
such a presentation. I am enclosing herewith a proposed
form of indictment for your guidance and use in the matter.

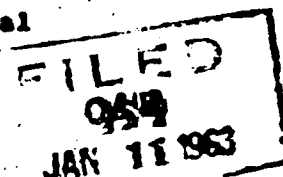
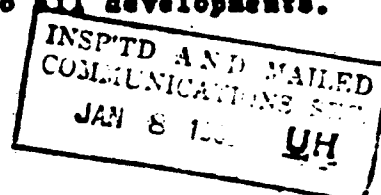
Please keep me advised as to all developments.

Sincerely,

Enclosure

cc: Records
Chrono
Reis

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division



T. 3-11-63

Director, Federal Bureau of
Investigation

MAR 13 1963

Burke Marshall
Assistant Attorney General
Civil Rights Division

BM:SHR:rb 8199

144-2-313 [F. B. I.

R. B. (IO) Smith, Jailer,
Lee County Jail, Opelika, Alabama;
Mary Louise McCray - Victim
Civil Rights

The subject herein was indicted on February 8, 1963, by a Federal Grand Jury, Middle District of Alabama, Montgomery, Alabama, for a violation of Title 18, U.S.C. 242, and is now a fugitive, having fled to England. Please arrange for the Immigration and Naturalization Service and the Department of State to be notified of the fact the subject is a fugitive so that those agencies may take appropriate action should the subject seek re-entry into the United States.

cc: Records ✓
Chrono
Reis
Murphy
USA, Montgomery, Alabama

SENT BY MESSENGER
COMMUNICATIONS SEC.
MAR 13 1963 R.R.R.

FILED
CAB
MAR 18 1963

3/11/63

3/12

3/14
3/13

T. 11/27/61

BM:DLS:sab
144-1-389 T. M.

NOV 28 1961

Reverend C. Herbert Oliver
Inter-Citizens Committee
Box 1443
Birmingham, Alabama

Dear Reverend Oliver:

I have your letter dated November 14, 1961,
concerning the matters involving the Phillip Travis
family.

This matter is being investigated by this Department
and should it develop that we can establish the
violation of a federal criminal statute, appropriate
action will be taken.

Thank you for your letter indicating your interest
in this matter.

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

cc: Records
Chron
Stephens

INSPTD AND MAILED
COMMUNICATIONS SEC.
NOV 28 1961 Q

T. 3/14/62

RM:ILS:INT:asb
~~144-1-609-196187~~

144-1-589 (9116)

MAR 16 1962

Honorable Philip A. Hart
United States Senate
Washington, D. C.

Dear Senator Hart:

I have your memorandum of March 8, 1962, with which you enclosed documented statements, one involving the Travis case and one of the James Moore incident, of Birmingham, Alabama.

Both of these incidents are being investigated by this Department and should it develop that a violation of a federal criminal statute is involved appropriate action will be taken.

Thank you for calling these incidents to my attention. I am returning your enclosures as requested.

Sincerely,

JURGEN MARSHALL
Assistant Attorney General
Civil Rights Division

cc: Records
Chrono
Stephens
Tranen
Attorney General
Deputy Attorney General
Barrett

INSPTD AND MAILED
COMMUNICATIONS SEC.
MAR 16 1962 J.R.R.

John L. Murphy, Chief
General Litigation Section

March 20, 1962

Theodore R. Newman, Jr.
Constitutional Rights Unit

BMFTH, Jr:ceb 9116

144-1-539

Donald P. Jones, et al,
Phillip Travis, Sr., et al - Victims
Civil Rights

During my stay in Birmingham from March 22, 1962, to March 26, 1962, I interrogated various witnesses and talked to several persons concerning this matter. I am of the view that there is substantial evidence available to support the filing of an information in this matter. I am convinced that the witnesses are truthful and, for the most part, will make a credible showing on the witness stand. There are some discrepancies in the testimony of the several witnesses. However, I feel that this is, in most part, merely the normal variance one finds in the testimony of several persons about any event.

The local situation in Birmingham is ripe for action in this matter. There is a strong feeling of frustration on the Negro community, based on a feeling of being forsaken by the Federal Government, specifically the Department of Justice. I am of the view that this feeling can be somewhat abated by prosecution in this case. Even if we do not obtain a conviction, salutary effects are probable. Among these is the possibility of administrative action against the subjects by the Police Personnel Board. I do not feel that prosecution of this matter by information, even if unsuccessful, will have any adverse effect on the local situation, nor is it likely to be a factor in the gubernatorial primary.

Burke Marshall
Assistant Attorney General
Civil Rights Division

March 26, 1962

St. John Barrett, Second Assistant

SJB:arg 9116

Donald P. Jones, et al.
Phillip Travis, Sr., et al., Victims
Civil Rights

144-1-589 C. Q.

I have again discussed this case with Messrs. Murphy and Newman. Attached are Mr. Newman's memorandum summarizing the facts, and the file. After our further discussion Mr. Murphy, Mr. Newman and I were agreed that the counts relating to the shooting of the victim Travis, Sr., and the striking of Phillip Travis, Jr. by Officer King should be dropped from any information that we file. They are of a view that an information should be filed with respect to the unlawful entry of the Travis home and Jones' striking Kennon Travis on the head with a pistol.

The three of us agreed that before any information was filed we should determine, by obtaining a transcript of the state court proceedings or otherwise, exactly what position the officers took with respect to their right to arrest Kennon. We understand that in the state court prosecution the officers relied on a local ordinance permitting officers to make misdemeanor arrests upon "probable cause." If the officers are definitely committed to reliance upon the ordinance we would then take the position that the ordinance having been declared unconstitutional some thirty years ago and the officers undoubtedly knowing of its unconstitutionality, they had the specific intent to enter the house and arrest Kennon knowing that they had no lawful authority to do so. If, on the other hand, the officers are not committed to reliance on the ordinance we might be hard pressed to show they lacked probable cause to believe he had committed some felony - particularly in view of the fact that he had been involved in a disturbance earlier in the evening in which weapons were used by at least some persons.

Although we were not of a mind that it was necessary, in order to reach a decision on whether to file an information, we also decided that the following facts might as well be

cc Records

Chron. Mr. Murphy Mr. Newman Mr. Hubbard

checked out at this time: (1) physical damage to the wooden and screen doors of the Travis home and steps taken to repair them; (2) locate and interview the police informer "Poopie", and (3) determine the facts of Officer Jones' alleged beating of Kennon last July.

Unless you desire otherwise, we will hold up further recommendation until we find out what the officers testified to in state court regarding their justification for seeking to arrest Kennon.

Memorandum

TO : Mr. Burke Marshall
Assistant Attorney General
Civil Rights Division

FROM : Theodore R. Newman
Attorney
Civil Rights Division

SUBJECT: Donald P. Jones, et al
Phillip Travis, Sr., et al - Victims
Civil Rights

DATE: March 26, 1962

144-1-589	
DEPARTMENT OF JUSTICE	
15	MAR 29 1962
RECORDS BRANCH	

During the evening of October 28, 1961, Kennon Travis and a number of other persons were at a "joint" called Smith's Place in Ensley, Alabama, a suburb of Birmingham. A disturbance or fight started and Smith's Place emptied. When Kennon Travis arrived outside, a man named Billy was making a speech condemning the police and their "stool pigeons." After Billy finished the speech, Kennon took him to a car and told him to leave since the police would probably arrive shortly. When Kennon returned to the front of the joint, a person named Poopie, thought by Kennon and his friends to be a "stool pigeon", began an argument with Kennon and chased Kennon with a hatchet. Kennon and his friends stopped, picked up bricks, and threw them at the "joint" for several minutes. Kennon then went home in the company of at least three other people, arriving home at approximately 1:00 A.M.

Sometime after Kennon had arrived home, Officers Jones and King arrived at the "joint" in response to a telephone call. They arrested two persons, McDaniels and Thomas, and, shortly thereafter, proceeded to the Travis home which is approximately one block from Smith's Place.

Officer Jones knocked on the door of the Travis home at approximately 2:00 A.M. and said he wanted Kennon. Mr. Travis refused to admit Jones since he had no warrant. (Mr. Travis states that Jones had arrested Kennon in July in their home without a warrant and beat Kennon when he arrived at the station. He desired to avoid a repetition of this.) Jones forced the door and entered. Kennon entered the room and identified himself to Jones. Jones said, "Nigger you make a damn good speech" and struck Kennon with his pistol in the forehead. Mr. Travis told Jones not to hit Kennon, whereupon Jones pointed his gun at Mr. Travis. Mr. Travis grabbed the gun and began scuffling with Jones. They wrestled from the living room into the dining room. Jones called for King to "come hit this nigger". King entered and started for the dining room. He fired one shot into the dining room floor and then hit Phillip Travis, Jr., Kennon's brother, in the head with his pistol. Phillip was not involved in the scuffle at this time and had said nothing to either officer. Mr. Travis said he was then hit in the head several times by King and knocked to the floor semi-conscious. He was then shot in the buttocks by King while on

File

the floor semi-conscious. Roderick Travis, a 15 year old son, says that Jones, and not King, hit his father in the head with the pistol, knocking him down. His father continued to scuffle with Jones for possession of the pistol and was scuffling for its possession when he was shot by King.

Kennon Travis grabbed a rifle, loaded it and started into the room where his father had been shot. He was stopped by his mother, sister and brother and they took the gun from him. Jones, who had gone to the car to radio the station, returned to the house and told Mr. Travis he "should have blown his damn brains out". Mr. Travis was taken to a hospital. Kennon was taken outside and placed in the police car with McDaniel and Thomas. He got into a scuffle with McDaniel and was transferred to another police car by Jones. Jones beat him with his night stick in the second car.

All the remaining Travises, save Rod, were then taken to the police station and questioned. Phillip was charged with interfering with an officer as was Mr. Travis. Kennon was charged with disorderly conduct, resisting arrest, and presenting a firearm at another.

The police officers, Jones and King, refused to make a statement to the Bureau. However, when the Travis trial was held (no judgment had been rendered as yet), the officers testified and, according to the Travises, stated that they only used the force necessary to make an arrest since all the family was fighting trying to prevent the arrest of Kennon. The entry was apparently justified by the police on the basis of a Birmingham ordinance which purports to authorize arrests on probable cause to suspect a misdemeanor. This, or a similar Birmingham ordinance, has been held void by the Alabama Court of Appeals. ✓

UNITED STATES GOVERNMENT

Memorandum

TO : Burke Marshall
Assistant Attorney General
Civil Rights Division

DATE: March 26, 1962

FROM : *[Signature]*
St. John Barrett, Second Assistant

SJB:arg 9116

SUBJECT: Donald P. Jones, et al.
Phillip Travis, Sr., et al., Victims
Civil Rights

144-1-589

I have again discussed this case with Messrs. Murphy and Newman. Attached are Mr. Newman's memorandum summarizing the facts, and the file. After our further discussion Mr. Murphy, Mr. Newman and I were agreed that the counts relating to the shooting of the victim Travis, Sr., and the striking of Phillip Travis, Jr. by Officer King should be dropped from any information that we file. They are of a view that an information should be filed with respect to the unlawful entry of the Travis home and Jones' striking Kennon Travis on the head with a pistol.

The three of us agreed that before any information was filed we should determine, by obtaining a transcript of the state court proceedings or otherwise, exactly what position the officers took with respect to their right to arrest Kennon. We understand that in the state court prosecution the officers relied on a local ordinance permitting officers to make misdemeanor arrests upon "probable cause." If the officers are definitely committed to reliance upon the ordinance we would then take the position that the ordinance having been declared unconstitutional some thirty years ago and the officers undoubtedly knowing of its unconstitutionality, they had the specific intent to enter the house and arrest Kennon knowing that they had no lawful authority to do so. If, on the other hand, the officers are not committed to reliance on the ordinance we might be hard pressed to show they lacked probable cause to believe he had committed some felony - particularly in view of the fact that he had been involved in a disturbance earlier in the evening in which weapons were used by at least some persons.

Although we were not of a mind that it was necessary in order to reach a decision on whether to file an information we also decided that the following facts might be of interest:

Return to H. A. Barrett.
SK 84

144-1-589
DEPARTMENT OF JUSTICE
MAR 29 1962
CORDS BRANCH

[Signature]

checked out at this time: (1) physical damage to the wooden and screen doors of the Travis home and steps taken to repair them; (2) locate and interview the police informer "Poopie", and (3) determine the facts of Officer Jones' alleged beating of Kennon last July.

Unless you desire otherwise, we will hold up further recommendation until we find out what the officers testified to in state court regarding their justification for seeking to arrest Kennon.

T. 3/27/62

Director
Federal Bureau of Investigation

Wichita, Kansas 9116

Burke Marshall
Assistant Attorney General
Civil Rights Division

44-1-589 C. Q.

RECORDED

MAR 29 1962

Donald P. Jones, et al.
Phillip Travis, Sr. et al., - Victims
Civil Rights

Reference is made to your memorandum dated March 1, 1962, with the report dated February 27, 1962, at Birmingham attached.

I am advised that, although no findings and sentence has been entered in the local court trial of the Travises, the testimony of certain witnesses, including subjects, was recorded. Please attempt to obtain a transcript of these proceedings.

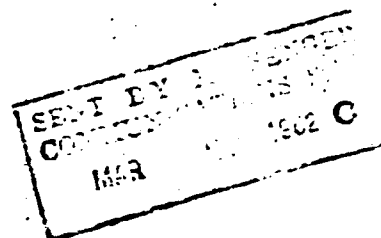
If you cannot obtain a transcript of the proceedings, please interview Mr. Earl Hall and any other lawyer assisting in the defense of the Travises who was present at the above proceedings with particular reference to the content of subjects' testimony in these proceedings.

Please seek to identify the person named Jones (LNU), aka, "Peopie," and interview him.

Please ascertain the exact nature of the damage caused to both the screen and panel doors of the Travis' home by Jones.

Please interview Kennon Travis with reference to the July battery by Jones and/or other police officers. Interview any witnesses who Kennon Travis states witnessed this battery.

cc: Records
Chrono
Newman
Murphy
USA, Birmingham, Ala.



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA

UNITED STATES OF AMERICA,)

v.)

INDICTMENT NO. _____

(18 U.S.C. 242)

DONALD P. JONES and
WILLIAM DOYLE KING,

Defendants.

The Grand Jury charges:

COUNT I

That, on or about October 28, 1961, in 1961, in Birmingham, Jefferson County, Alabama, in the Northern District of Alabama, Donald P. Jones, an officer of the Birmingham Police Department, acting under color of the laws of the State of Alabama, did wilfully enter the home of Phillip Travis, Sr., an inhabitant of the State of Alabama, knowing he had no search warrant or other legal justification, and did thereby wilfully deprive Phillip Travis, Sr., of a right secured and protected by the Constitution and laws of the United States, to wit, the right not to be deprived of his liberty without due process of law.

In violation of Section 242 of Title 18, United States Code.

COUNT II

That, on or about October 28, 1961, in Birmingham, Jefferson County, Alabama, in the Northern District of Alabama, Donald P. Jones and William Doyle King, officers of the Birmingham Police Department,

acting under color of the laws of the State of Alabama, did wilfully assault, shoot and wound Phillip Travis, Sr., an inhabitant of the State of Alabama, with the intent and purpose of inflicting summary punishment upon him, and did thereby wilfully deprive Phillip Travis, Sr., of a right secured and protected by the Constitution and laws of the United States, to wit, the right not to be deprived of his liberty without due process of law.

In violation of Section 242 of Title 18, United States Code.

COUNT III

That, on or about October 28, 1961, in Jefferson County, in Birmingham, Alabama, in the Northern District of Alabama, Donald P. Jones, an officer of the Birmingham Police Department, acting under color of the laws of the State of Alabama, did wilfully strike and assault Kenon Travis, an inhabitant of the State of Alabama, with the intent and purpose of inflicting summary punishment upon him, and did thereby wilfully deprive Kenon Travis of a right secured and protected by the Constitution and laws of the United States, to wit, the right not to be deprived of his liberty without due process of law.

In violation of Section 242 of Title 18, United States Code.

A TRUE BILL

Foreman

United States Attorney

T.6/11/62

BM:DLB:eg 9116
144-1-589

O.H.

JUN 19 1962

Honorable Macon L. Weaver
United States Attorney
354 Federal Building
Birmingham 3, Alabama

Re: Donald P. Jones, et al.;
Phillip Travis, Sr., et al. - Victims
Civil Rights

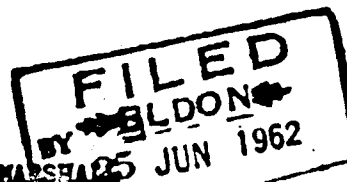
Dear Mr. Weaver:

Reference is made to the investigative reports in the above matter.

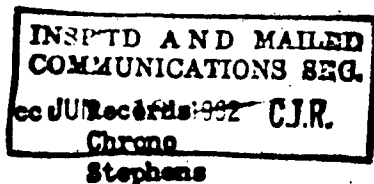
I have reviewed carefully the facts contained in the reports and have concluded that they constitute a violation of 18 U.S.C. 242. Accordingly, I have prepared and am enclosing a suggested draft of an indictment. I suggest that you present this matter to a grand jury at your earliest convenience.

Please advise me when this matter is to be presented. This Department will be happy to assist you in any way possible.

Sincerely,



BURKE MARSHALL
Assistant Attorney General
Civil Rights Division



T. 3/29/63

BM:SHR:saK/9116
144-1-589 ✓

MAR 29 1963

Honorable Macon L. Weaver
United States Attorney
Birmingham, Alabama

Re: Donald P. Jones, et al.
Officers of the Police Department,
Birmingham, Alabama,
Phillip Travis, Sr., et al. - Victims
Civil Rights

Dear Mr. Weaver:

We would appreciate your informing us when the
above matter will be tried.

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

cc: Records ✓
Chron
Reis

By: JOHN L. MURPHY, Chief
General Litigation Section

BY CAB
OZ APR 5 1963

INSPD AND MAILED
COMMUNICATIONS SEC.
MAR 29 1963 R.R.R.

T. 11/13/63

BM:SHR:sab 9116
144-1-589

NOV 14 1963

Honorable Macon L. Weaver
United States Attorney
Birmingham, Alabama

Attention: R. Macey Taylor, Assistant
United States Attorney

Re: Donald P. Jones, et al.;
Phillip Travis, Sr., et al. - Victims
Civil Rights

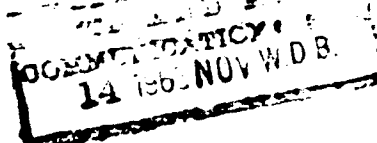
Dear Mr. Weaver:

We are enclosing herewith copies of some proposed jury instructions for your use in the above matter.

Section 154 of Title 15 of the Code of Alabama provides as follows:

(3263) (6269) (5211)(4262) (4664) (3994) (445)
Arrest by officer without warrant; when and for what allowed. - An officer may also arrest any person, without warrant, on any day and at any time, for any public offense committed, or a breach of the peace threatened in his presence; or when a felony has been committed, though not in his presence, by the person arrested, or when a felony has been committed, and he has reasonable cause to believe that the person arrested committed it; or when he has reasonable cause to believe that the person arrested has committed a felony, although it may afterwards appear that a felony had not in fact been committed; or on a charge made, upon reasonable cause, that the person arrested has committed a felony.

cc: Records
Chron
Reis



Section 133 of Title 13 of the Code of Alabama provides as follows:

(3264) (4270) (5212) (4263) (4665) (3995) (446)
Duty and authority of officer in making arrest without warrant. - When arresting a person without a warrant, the officer must inform of his authority and the cause of arrest, except when he is arrested in the actual commission of a public offense, or on pursuit; and has authority to break open an outer or inner door or window of a dwelling house, if, after notice of his office and purpose, he is refused admittance.

Section 209 of the General City Code of Birmingham provides as follows:

Arrest without warrant.

It is the duty of the chief of police and of every policeman, to arrest without warrant any person when he has probable cause to believe guilty of the violation of any law or ordinance of the city. Said officers have authority to enter any house, enclosure or other place in which they have probable cause to believe that any person is committing, or about to commit, a violation of the city laws. (1930, §4902.)

Section 89 of the Constitution of the State of Alabama provides as follows:

The legislature shall not have power to authorize any municipal corporation to pass any laws inconsistent with the general laws of this state.

It is evident that the last sentence of Section 209 of the General City Code of Birmingham is a power extended by that City in violation of the provisions of Section 89 of the Constitution of the State of Alabama and is a greater power to enter a house etc., than granted to police officers under the provisions of Section 133 (supra).

In Rhodes v. McWilson 16 Ala. App. 313 the court held that Municipal Corporations cannot grant to their officers powers to arrest without a warrant greater than provided in Section 134 (supra), the power to arrest

without warrant being strictly guarded.

The power of municipal corporations to make bylaws is limited by the federal and state constitutions, and the bylaws must be in harmony with the general laws of the state and with the charters of the respective corporations. If they conflict with either, they are void. Bylaws of municipal corporations must also be reasonable and they must be certain; not left to the discretion of the officers or court which impose penalty for violating it after conviction and it should be in harmony with the general principals of common-law and of the state. Huntsville v. Phelps, 27 Ala. 55.

In this matter there is no evidence that at the time the subjects entered the victims' home they had any evidence or cause to believe that the victims were committing or about to commit, a violation of the City laws and in view thereof the subjects committed an illegal entry and search of the victims' premises. Furthermore there is no evidence that the subjects had any right to arrest the victim Kennon Travis without a warrant as there was no basis for his arrest as provided for in Section 154 of Title 15 Alabama Code (supra).

We trust that our observations in this matter will be of assistance to you in the trial herein.

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

By:
JOHN L. MURPHY, Chief
General Litigation Section

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA

UNITED STATES OF AMERICA)
)
)
 v.)
)
)
 DONALD P. JONES and)
 WILLIAM DOYLE KING,)
)
 Defendants.)
)

GOVERNMENT'S REQUESTED INSTRUCTION NO.

Evidence has been introduced in this trial on behalf of the defendants showing the existence of certain ordinances contained in the General City Code of Birmingham. Evidence has also been introduced that the defendant Jones, who alone is charged in the first count of the indictment, relied upon the authority conferred by one or more of these ordinances in forcefully entering the dwelling occupied by the Travis family. These ordinances are as follows:

Sec. 209. Arrest without warrant.

It is the duty of the chief of police and of every policeman, to arrest without warrant any person whom he has probable cause to believe guilty of the violation of any law or ordinance of the city. Said officers have authority to enter any house, enclosure or other place in which they have probable cause to believe that any person is committing, or about to commit, a violation of the city laws. (1930, §4902.)

Sec. 210. Duty and authority of officer in making arrest.

When arresting a person without a warrant, an officer must inform of his authority and the cause of arrest, except when such person is arrested in the actual commission of a public offense, or on pursuit; and an officer has authority to break upon an outer or inner door or window of a dwelling house, if, after

after notice of his office and purpose, he is refused admittance.

Under the court's duty to interpret the law for you ladies and gentlemen, I now instruct you that, inasmuch as no evidence has been introduced in this trial tending to show that a violation of any ordinance or law of the City of Birmingham was being committed or about to be committed in the Travis house, Officer Jones had no lawful authority, without a warrant, to enter the Travis dwelling to make an arrest therein.

That being so, the question which you ladies and gentlemen are called upon to decide is, did Officer Jones honestly, though perhaps mistakenly, entertain a belief that he had lawful authority under any of the ordinances I have mentioned to enter the Travis home to make an arrest for an offense not then being committed or about to be committed. In considering whether Officer Jones may have been honestly mistaken about his authority to enter the Travis house you may consider such evidence as has been introduced, if any, of the instructions given Officer Jones by his superiors regarding his authority to make arrests without warrants. You may also consider in this connection whether the language of the ordinance or ordinances is such as to permit reasonably, an interpretation by Officer Jones that he had such authority as he assumed to exercise in this instance. You may take into consideration in this regard the experience of Officer Jones as a police officer, his length and type of training, any evidence of general practice by officers of the City of Birmingham in similar circumstances and any other evidence which has been introduced which tends to show that Officer Jones had a reasonable basis, or a

Travis dwelling without a warrant for the purpose of making an arrest therein.

If you find that there was not a reasonable basis upon which Officer Jones, as an experienced police officer, could have concluded that he had lawful authority to enter the Travis house to make an arrest therein, you may consider this fact as bearing upon whether Officer Jones did in fact honestly entertain the belief that he had such authority. If you find, further, that Officer Jones did not in fact believe that he had lawful authority to enter the Travis house but nevertheless did so, well aware that he lacked such lawful authority, then you should find Officer Jones guilty of the offense charged in count one. On the otherhand, if you find that Officer Jones did honestly believe, though mistakenly, that he had lawful authority to enter the Travis house to make the arrest therein, then you should acquit him of the charge under count one of the indictment.

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA

UNITED STATES OF AMERICA)

v.)

DONALD P. JONES and)
WILLIAM DOYLE KING,)

Defendants.)
_____)

GOVERNMENT'S REQUESTED INSTRUCTION NO.

No police officer, at his whim, in the name of
law enforcement, can suspend or revoke the right of
a person to be secure against rude invasions, privacy
or the enjoyment thereof.

Swapp v. Ohio, 367 U.S. 643, 660.

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA

UNITED STATES OF AMERICA)
)
)
 v.)
)
)
 DONALD P. JONES and)
 WILLIAM DOYLE KING,)
)
 Defendants.)
)
 _____)

GOVERNMENT'S REQUESTED INSTRUCTION NO.

The indictment in this case charges the defendants with having violated a statute, or law of the United States, namely, Section 242 of Title 18, United States Code. This law makes it a criminal offense for anyone acting under color of the laws of any state to wilfully subject the inhabitant of any state to a deprivation of any rights secured and protected by the Constitution and laws of the United States.

This law was passed by Congress many years ago in order to carry into effect the provisions of the 14th Amendment of the Constitution of the United States. This amendment provides that "no state shall deprive any person of life, liberty or property without due process of law." This is not the whole of the amendment, but it is only that portion which relates specifically to this case.

This constitutional provision assures every person in the United States the right not to be deprived of his liberty without due process of law, by officers acting under color of any law, statute, ordinance, regulation or custom of any state. It is a guarantee against encroachment by the state, and its authorized officers and agents, upon the rights of any person under the Constitution of the United States. In other words, Congress intended to provide that no agency of a state, no officer or agent by whom its powers are asserted and carried into execution, should deprive any person of rights guaranteed by the Constitution.

See: United States v. Cruikshank, 92 U.S. 542

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA

UNITED STATES OF AMERICA,)
)
)
 v.)
)
)
 DONALD P. JONES and)
 WILLIAM DOYLE KING,)
)
 Defendants.)

GOVERNMENT'S REQUESTED INSTRUCTION NO.

The law prohibits anyone, acting under color of law, from denying to an inhabitant of any state his right to liberty without due process of law by inflicting on such person such punishment as he thinks should be given, or from coercing or compelling a confession, statement, or admission of crime by fear of hurt, torture, exhaustion or physical mistreatment, or by any other involuntary means. If you find from the evidence beyond a reasonable doubt that the defendants did beat, torture or otherwise mistreat the victim wilfully intending to deprive the victim of his liberty without due process of law, then your verdict should be guilty. In determining the intent of the defendants in so acting and whether they acted wilfully, you may consider the duration of the investigation, if any; the character and duration of the assault, and threats, if any; the time and manner in which it was carried out. All of these facts and circumstances may be taken into consideration by you from the evidence that has been

submitted for the purpose of determining whether the acts of the defendants were willful and for the purpose of depriving this victim of his constitutional right to be tried by a jury just like everyone else, and not to be summarily punished and tried by ordeal.

See: Williams v. United States, 341 U.S. 97, 102.

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA

UNITED STATES OF AMERICA)
)
)
 v.)
)
)
 DONALD P. JONES and)
 WILLIAM DOYLE KING,)
)
 Defendants.)
)

GOVERNMENT'S REQUESTED INSTRUCTION NO.

The word "willful" as used in Section 242 means more than intentional rather than accidental, it means an act done with a bad purpose, that is, a purpose to deprive a person of a specific constitutional right. One who does an act with such specific intent is aware that what he does is precisely that which the statute forbids. He is under no necessity of guessing whether the statute applies to him for he either knows or acts in reckless disregard of its prohibition of the deprivation of a defined constitutional or other federal right.

It is not necessary that such purpose be expressed; it may be reasonably inferred from all the circumstances attendant on the act.

In determining whether the requisite bad purpose was present you are entitled to consider all the attendant circumstances, the malice of the defendants, the weapons used in the assault, if any, its character and duration, provocation, if any, and the like.

See: Screws v. United States, 325 U.S. 91, 101.

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA

UNITED STATES OF AMERICA)

v.)

DONALD P. JONES and)
WILLIAM DOYLE KING,)

Defendants.)
_____)

GOVERNMENT'S REQUESTED INSTRUCTION NO.

You are instructed that an officer of the law undoubtedly knows that a person arrested by him for an offense has the constitutional right to a trial under the law, and if you believe from the evidence beyond a reasonable doubt that the defendants wilfully failed to accord to victim the opportunity for such a trial but substituted instead their own trial by ordeal, you will be justified in finding that such a denial of such constitutional right was consciously and wilfully made. One is generally presumed to have intended the normal and reasonable consequences of his acts.

See: Craws v. United States, 160 F. 2d 746, 750.

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA

UNITED STATES OF AMERICA)

v.)

DONALD P. JONES and)
WILLIAM DOYLE KING,)

Defendants.)
_____)

GOVERNMENT'S REQUESTED INSTRUCTION NO.

The Fourteenth Amendment of the Constitution of the United States applies to the several states of the Union and is directed towards each state within each state. This amendment reads in part as follows: "Nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." Therefore, it guarantees to every person under state arrest the right not to be deprived of his personal security, except in accord with due process of law. The right of personal security is a right which is embraced within the word "liberty." Accordingly, a person under state arrest and detention is not only entitled to be tried and punished in the same manner as others accused of crime are tried and punished, but he is entitled to and has the right to protection from injury from the officers having him in charge.

See: Lynch v. United States, 189 F. 2d 476, 479.

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA

UNITED STATES OF AMERICA)

v.)

DONALD P. JONES and)
WILLIAM DOYLE KING,)

Defendants.)
_____)

GOVERNMENT'S REQUESTED INSTRUCTION NO.

The term "color of law" means simply a misuse of power, possessed by an officer by virtue of state law, which invests the officer with authority to act. So a misuse of this power, possessed by virtue of the state law, and made possible only because the wrongdoer is clothed with the authority of the state law, is action taken under color of state law.

See: United States v. Classic, 313 U.S. 299. 326
Williams v. United States, 341 U.S. 97

Typed 12-16-63

20330

EM:SMR:bab 9116
144-1-389

Honorable Mason L. Weaver
United States Attorney
334 Federal Building
Birmingham, Alabama 35202

Re: Donald P. Jones, et al.;
Phillip Travis, Sr., et al. - Victims;
Civil Rights.

Dear Mr. Weaver:

In view of the acquittal of the subjects
herein by a jury on November 21, 1963, we are
marking the file closed.

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

DEC 16 1963

By:
JOHN L. MURPHY, Chief
General Litigation Section

INSPTD AND MAILED
COMMUNICATIONS SEC.
DEC 16 1963 UH

Records
Chrono
Mr. Reis

CIVIL RIGHTS DIVISION

Notice to Close File

9116
110


File No. 144-1-589 Date December 16, 1963

Deputy
To: / Chief, General Litigation Section

RE: Donald P. Jones, et al.;
Phillip Travis, Sr., et al. - Victims;
Civil Rights.

It is recommended that the above case be closed for the following reasons:

Subjects acquitted of charges by a jury
on November 21, 1963. In view thereof file is
marked closed.


Samuel H. Reis
Attorney

TO: RECORDS ADMINISTRATION OFFICE

The above numbered file has been closed as of this date

12/16/63
Date


Deputy Chief, Gen. Lit. Section

#9273

DETECTIVE BUREAU
JEFFERSON PARISH SHERIFF'S OFFICE
3300 METAIRIE ROAD
METAIRIE, LOUISIANA

November 21st, 1961 6:30 PM

The following is the question and answer statement of one Paul D. SKILER, W/M/50, residing at 4210 Holygrove St., New Orleans, Louisiana, with reference to his being with Sgt Jos Wm McKinney, Jr., and Deputy Ray A. Young, of the Jefferson Parish Sheriff's Office, conducting an investigation, at approximately 1:30 PM, this date:

Q: By whom are you employed?

A: By the Chief Special Agent, Illinois Central Railroad.

DOCKETED

Q: In what capacity?

JUN 6 1962

A: As a Special Officer -

Q: Were you working today, November 21st, 1961, at about 1:00 or 1:30 PM?

A: Yes, I was.

Q: At this time, this date, what case were you working?

A: The rocking of IC train #6, which occurred south of the Kenner Depot, back of the Bunch Village Jr High School, which happened on November 16th, 1961. Diner #4126 was rocked on the east side - the Airline side, by colored persons. The conductor of the train, Jones, gave us this information.

Q: Was this believed to be juvenile colored males?

A: Yes, it was.

Q: On today's date, did you have occasion to ask the Jefferson Parish Sheriff's Office for assistance?

A: Yes sir, I did.

Q: What deputy?

A: Sgt Wm. McKinney.

Q: Did you meet with Sgt McKinney at about 1:00 PM this date?

A: Yes, I did.

Q: Were you in your company automobile?

A: I was.

Q: Where did you meet McKinney?

JUN 6 1962

Page 1 of Pages

144-32-548

11	JUN 6 1962	2
CIV. RIGHTS DIV.		RD

STATEMENT OF PAUL D. SEILER, W/M/50, dtd 11/21/61, Cont'd --

A: By prearrangement, we met at the Krystal on the Airline Highway, in the 6000 block, I believe it is.

Q: At this point, you decided to go and question one colored male, Edward Little?

A: No, first we went to see Harry Boudreaux, 13 years of age, who lives at 7913 Monette Street in order for McKinney to interview this boy to see if the statement he had given us on the 16th of the month was correct. In that statement, he named five (5) boys as being on the side of the railroad track at the time of the rocking.

Q: What were those boys' names?

A: Edward "Rickey" Little, Leon, Lee and Ed Williams (brothers), and Dwight Earle Browder. This was on the 16th of the month they were on the track -

Q: You all left then and went over to this boy's house?

A: Yes, to Harry's house. I was in my company car, and McKinney and a Deputy Young were in their squad car.

Q: You interviewed this boy Harry at his house?

A: Yes, in front of his mother - after McKinney identified himself as being an officer of the Juvenile Division, Jefferson Parish Sheriff's Office. He questioned Harry again and Harry confirmed his earlier statement that five boys, the ones he had named, were back on the track on Thursday, November 16th.

Q: At any time, did this boy admit that he or any of these boys threw rocks at the train?

A: No, he stated he was on the opposite side of the track with another boy, a Lester Dunnis, but these five boys, including "Rickey" were throwing rocks at the pecan trees, trying to knock down pecans.

Q: After you all interviewed this boy, you were satisfied that he was telling the truth?

A: Yes.

Q: You left there and went where?

A: To Edward "Rickey" Little's house, 6017 Monette Street.

Q: You went in there, identified yourselves again, interviewed this boy?

A: Yes, when we got him in the car --

Q: What was your reason for picking him up?

STATEMENT OF PAUL D. SEILER, W/M/50, dtd 11/21/61, Cont'd -

A: To get him away from his parents and bring him to the East Bank where he might tell us the truth?

Q: McKinney placed this boy in the police car?

A: Yes.

Q: Where did you go from there?

A: To Dwight E. Browder's house on Mason Street.

Q: Who went into this house?

A: MC Kinney and myself.

Q: Did Deputy Young go in?

A: No, he stayed in the car outside with Risky.

Q: You interviewed this boy, Dwight?

A: We talked to his uncle, Benny Browder. The uncle got in touch with his mother by telephone and McKinney talked to her.

Q: Were you satisfied with this interview?

A: Well, we took the little boy out on the porch and he gave us some cock and bull story about hunting cocklebars.

Q: At any time during these interviews, did you hear McKinney threaten these children?

A: No, there were no threats at all.

Q: In your opinion, officer McKinney conducted himself as an officer and gentleman at all times?

A: Yes sir, he did.

Q: After this interview, you left McKinney and Young with the colored boy Little in their squad car.

A: Yes sir, I then left in my car. I asked McKinney if he wanted me to go along and he said no, there would be no use for me to go along, he would notify my office of the results of his investigation.

Q: What time was this that you left McKinney?

A: This was, I'd say, just about 2:30 PM - I went directly back to my office - and got there about 2:45 PM.

STATEMENT OF PAUL D. SEILER, W/M/50, dtd 11/21/61, Cons'd -

Q: At any time, did you hear officer McKinney threaten any of these children in any way?

A: No, there were no threats made in my presence.

Q: You have not seen officer McKinney since then until just now in this office?

A: That's correct.

Q: ~~To the best of your knowledge and ability, this foregoing statement consisting of four (4) pages is the truth.~~

A: Yes sir.

PAUL D. SEILER

WITNESSED

ROY L. JACOB, Detective, JPSO

D.F. HARDIN, Detective, JPSO

#92430

DETECTIVE BUREAU
JEFFERSON PARISH SHERIFF'S OFFICE
3300 METAIRIE ROAD
METAIRIE, LOUISIANA

November 21st, 1961 4:20 PM

The following is the question and answer statement of one Joseph Wm. McKINNEY, JR., W/M/24, residing at 32104 Metairie Road, Metairie, La., with reference to the accidental fatal shooting of one Edward "Rickey" LITTLE, C/M/12, of 8017 Monette Street, Metairie, La., which shooting occurred on the Mississippi River Levee at Florida Avenue, in Jefferson Parish, at approximately 2:00 PM, November 21st, 1961:

Q: Are you employed by the Jefferson Parish Sheriff's Office?

A: I am.

Q: In what capacity?

A: Juvenile Officer, East District.

Q: On the 21st of November 1961, at approximately 1:30 PM or 1:45 PM, did you pick up one colored male, Edward Little, 12 years old?

A: I did.

Q: Where?

A: At his residence, 8017 Monette Street in Bunch Village.

Q: Who was present when you picked up this boy?

A: Myself, Deputy Ray Young, and Patrolman Seilers, an employee of the railroad, and also the boy's mother.

Q: What was your reason for picking him up?

A: In order to question him in connection with the rocking of an Illinois Central passenger train.

Q: Were you bringing this colored male in for questioning?

A: I was

Q: Who was present in the police car when you were bringing this colored male in?

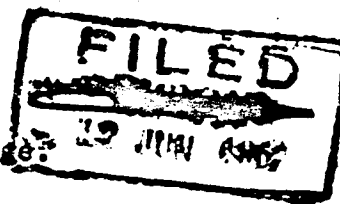
A: Deputy Ray Young.

Q: What unit were you using at the time of this arrest?

A: JP-9.

Q: When you left Little's house, where did you drive?

A: To 2008 Macon Street.



144-32-548

DEPARTMENT OF JUSTICE		RECORDED
15	JUN 4 1962	
RECORDS BRANCH		
CIV. RIGHTS DIV.		

See Lit. Sec.

STATEMENT OF JOS WM. KINNEY, JR., W/M/24, dtd 7/21/61, Cont'd -

Q: What was your reason for driving there?

A: To question another subject in connection with this train rocking - Dwight Browner, 7 years old.

Q: What was the outcome of that investigation there?

A: The boy was questioned by myself and Patrolman Sellers, who had met me at the boy's house. The investigation didn't determine if the subject was lying or not, and due to his age, he wasn't taken into custody. Patrolman Sellers then left, in his own car, to report back to his own headquarters. Myself, Deputy Young, and the colored boy, Little, then left in JP-9. I drove out Little Farms Avenue to the Jefferson Highway and drove north on Jefferson Highway looking for a crossing to the levee. We then drove down Florida Avenue and over the levee. I parked the unit and walked to a point near the water's edge.

Q: What was your purpose in going to the river's edge?

A: I thought I could frighten the boy into telling me the truth by telling him I was going to throw him in the river.

Q: When did you take your service revolver out of your holster?

A: I questioned subject for about fifteen (15) minutes and he wouldn't change his story. I picked up a piece of wood and tossed it into the river. I then drew my service revolver and fired at the piece of wood.

Q: How many times?

A: Three (3) times.

Q: Each time, did you cock the hammer back?

A: I did.

Q: The fourth time you cocked the hammer back, what happened?

A: I asked the boy why didn't he tell the truth and he said it would get him into trouble. I turned to ask the boy why, the gun fired and the boy fell.

Q: Where was Young standing at the time this took place?

A: Slightly to the right of me, about three feet (3') away from me.

Q: How far was this colored male from you?

A: Approximately the same distance, in front of Young.

Q: After your gun discharged, striking this colored male, what was your first reaction?

A: I looked at the boy and thought the bullet had just grazed him/ Then, I saw the hole in his side. I reached down, picked him up and ran to the car. I got in the car, drove to the highway, turned my siren on, and rushed the boy to the Foundation Hospital.

Q: Did you do anything else while in the car, on the way to the hospital?

A: As we got into the car Deputy Young jumped into the back seat with the boy and I told him to try to stop the flow of blood. We didn't know how badly the boy was injured.

Q: You immediately called for another unit?

A: I radioed headquarters and advised them to have someone stand by at the emergency entrance to the hospital, that I had a subject with a gunshot wound and I also requested JP-13 to meet me there.

Q: Did you intentionally shoot this boy?

A: No, I did not.

Q: Did you threaten him with the gun in any way?

A: I don't think so.

Q: When you turned towards the boy with the gun in your hand, did you at any time tell the boy to put his hands up?

A: No, I did not.

Q: When you swung towards him with the gun, did he have his arms up?

A: No - I don't know, at one time I remember he had his arms folded, but I don't think he had his arms crossed just then. When I picked him up, I could see the bullet had gone through his left side, kinda' to the center.

Q: To the best of your knowledge, this is exactly what took place?

A: Yes.

Q: You were met at the Foundation Hospital by myself and Detective Hardin and we placed you under arrest?

A: That is correct.

Q: Mac, was there any conversation between you and Deputy Young at the scene?

A: No, I don't think so.

Q: Did Deputy Young have his gun out?

A: No, it was in his pocket, strapped down.

Q: You know your Civil Rights, give this statement free and voluntarily and there has been no force or duress, nor coercion, used in obtaining this statement from you - it is the truth to the best of your knowledge and ability?

A: That is correct.

JOSEPH WM. MC KINNEY, JR

WITNESSED:

ROY L. JACOB, Detective, JPSO

D.F. HARDIN, Detective, JPSO

typed 12-6-61

Director
Federal Bureau of Investigation

DEGLS:lm 9243

Burke Marshall
Assistant Attorney General
Civil Rights Division

144-32-518 M. E. W.

DEPUTY SHERIFF JOSEPH W. MCKINNEY;
RAY A YOUNG;
EDWARD LITTLE - VICTIM
Civil Rights

DEC 6 1961

Enclosed are copies of a letter from Arthur J. Chapital, Sr.,
President of the New Orleans Branch, W. A. A. C. P., and a
newspaper clipping from the Pittsburg Courier concerning the
fatal shooting of twelve year old Edward Little by Jefferson
Parish Deputy Joseph W. McKinney.

Please conduct a preliminary investigation.

cc: Records ✓
Chron. "
Stephens
Murphy
USA, New Orleans, La.

FILED
BY ESB
O-DEC 11 1961

SENT BY MESSENGER
COMMUNICATIONS SEC.
DEC 6 1961 A.R.R.

12/8/61
DS.

12/6

12/6

12/6