

B. Segregation and Precipitating Events:

1. Segregation and the Mississippi Delta: In 1955 the state of Mississippi was a segregated society, as was most of the South. After the Civil War many states had enacted laws, termed "Jim Crow" or "Black Code", to maintain a separation of blacks and whites in the use of certain public facilities. By 1907 the list of public places where segregation was mandatory included theaters, water fountains, street cars, boarding houses and other public institutions.^{14, 15} By 1955

¹⁴ Hugh Steven Whitaker, "A Case Study in Southern Justice - The Emmett Till Case", (Master's Thesis, Florida State University, 1963), 29 to 30

¹⁵ United States Commission on Civil Rights, *Freedom to Free, Century of Emancipation 1863-1963, A Report of the United States Commission on Civil Right*, 1963, 60

LAW ENFORCEMENT SENSITIVE

segregation of the races was a core concept that permeated almost every aspect of Mississippi Delta society.

In the Mississippi Delta, separate black and white public bathroom facilities, drinking fountains, restaurants and other means of keeping the races apart were the norm. It was common for black persons to refer to white persons as "Mr.," "Mrs.," "Miss," "Sir," or "Ma'am;" however, it was out of the norm for a white person to refer to a black person in kind. Blacks avoided contradicting whites, did not offer to shake the hand of a white person first, commonly talked with their eyes turned down to the ground when speaking to whites, did not speak unless spoken to first by whites, and commonly used the back door when entering white homes. When purchasing items from a white store owner, blacks did not normally place the money directly into the white person's hand; instead, they would place the money on the counter. This exchange avoided skin contact between blacks and whites. Change would be returned to blacks without making skin contact as well.^{16, 17, 18,}

¹⁹ [redacted] who was interviewed during the course of this investigation, recalled dealing with [redacted] at her store in Money, Mississippi, "...when you'd buy somethin', you know, she'd drop the money in your hand and she never would touch your hand or nothin', you know..." "...She never would allow you to touch her hand."²⁰

b6
b7c

2. Negro Law: In the Mississippi Delta, a de facto institution of separate justice was in place for whites and blacks. The white population could rely on the normal vestments of government and call on the local sheriff's department for assistance in criminal matters. This was not the case for blacks. The black population was dealt with in a manner which some historians

[redacted]
¹⁷ Hugh Steven Whitaker, "A Case Study in Southern Justice - The Emmett Till Case", (Master's Thesis, Florida State University, 1963), 2 to 15

¹⁸ Personal experiences of members of the investigation team and anecdotal evidence related to investigators by persons interviewed and/or interacted with during the investigation

¹⁹ *Local People, the Struggle for Civil Rights in Mississippi*, 1994, John Dittmer, 20

LAW ENFORCEMENT SENSITIVE

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Misc o/s

LAW ENFORCEMENT SENSITIVE

have called "Negro Law," a system where the gravity of the crime was determined in large part by its impact on whites.²¹

Many of the older white and black persons interviewed and/or interacted with during this investigation related the manner in which whites were to interact with blacks when problems arose. If a white person had a problem with a black person, the issue would be taken up with the black person's "land owner", the person who owned the farm where the black person, or that person's family, sharecropped. The "land owner" would then take care of the problem by a number of means. These means included the paying off of debts and other non-violent solutions, but also included beatings, whippings and other uses of force. Much the same was done in the case of black on black crime/problems. The victim's "land owner" would take up the issue with the subject's "land owner" and the issue would be resolved. The black community had almost no recourse when dealing in problems with whites, especially crimes committed against blacks by whites. Only in the most extreme circumstances did law enforcement become involved.

In addition to separating the races in public, Jim Crow laws were in place to enforce many other forms of segregation, including laws forbidding intermarriage of the races, cohabitation of the races, sexual conduct between persons of different races, and a system of separate schools for black and white children. The black school system and the white school system were drastically different. Funding and facilities were drastically disproportionate, with the black schools receiving far less than white schools and the black schools operating in substandard facilities.²²

Not all events and/or practices were segregated. White and black children played together while white and black adults hunted, fished and attended sporting events together. Movie theaters

²¹ *Let the People Decide, Black Freedom and White Resistance Movements in Sunflower County, Mississippi, 1945 - 1986*, J. Todd Moya, 2004, 5 to 7

²² Hugh Steven Whitaker, "A Case Study in Southern Justice - The Emmett Till Case", (Master's Thesis, Florida State University, 1963), 2 to 15

were segregated, with sections for both races. In Tallahatchie County during the early 1950s, the local black high school played its "big football game of the year" at the white high school because the seating and lighting were better.²³

3. *Brown v. The Board of Education*: On May 17, 1954, the United States Supreme Court, in its decision on *Brown v. The Board of Education*, decreed schools be desegregated, that "separate but equal" education was unlawful. In Mississippi there was a strong reaction to the ruling. The editor of the *Jackson Daily News*, Frederick Sullens, wrote:

"Human blood may stain southern soil in many places because of this decision, but the dark red stains of that blood will be on the marble steps of the United States Supreme Court building. White and Negro children in the same schools will lead to miscegenation. It means racial strife of the bitterest sort. Mississippi cannot and will not try to abide by the decision."²⁴

Citizens, lawmakers and community leaders also reacted to the ruling. Mississippi Senator James O. Eastland, Governor Hugh L. White, judges and many other officials spoke out publicly, voicing their opposition to the Court's ruling. Previously, private organizations had been formed in seventeen Mississippi counties to promote segregation. Following the ruling the movement to organize these groups gained speed.²⁵

4. *The Citizens' Councils*: On July 11, 1954, the Indianola Citizens' Council was formed to promote segregation. The Indianola Citizens' Council's plan for organization served as a model and soon other similar segregationist groups were formed throughout Mississippi.²⁶

On October 12, 1954, the Association of Citizens' Councils of Mississippi (ACCM) was formed. ACCM headquarters were initially located in Winona, Mississippi, then in 1955 moved to Greenwood, Mississippi. The ACCM *Annual Report: August 1955* states the organization had

²³ *Ibid.*, 42

²⁴ *Ibid.*, 64 to 65

²⁵ *The Citizens' Council, Organized Resistance to the Second Reconstruction, 1954-64*, Neil R. McMillen, 1994, 15 to 18

²⁶ *Ibid.*, 16 to 20

LAW ENFORCEMENT SENSITIVE

60,000 members in 253 Councils throughout Mississippi.²⁷ The Councils openly promoted the cause of segregation through legal means and did not officially advocate violence.²⁸ However, at least one Council flyer of the time reflects the organization's use of intimidation and the fact the threat of violence was sanctioned.²⁹

The Councils attempted to have an effect on the Till matter. During Hugh Steven Whitaker's research in 1963, he interviewed the jurors who rendered the acquittal of Bryant and Milam in Till's death and learned that every juror had been visited by members of the Council to make sure they (the jurors) voted "the right way".³⁰

5. Other Significant Events in 1955: On May 7, 1955, Willie George Washington Lee, a black minister in the town of Belzoni, Mississippi (located approximately twenty-three miles south of Indianola, Sunflower County, in neighboring Humphreys County), and the first black person to register to vote in the Humphreys County, was murdered. Lee had been killed with a shotgun. No one was arrested or charged for the crime. Humphreys County Sheriff I.J. Shelton made public statements that the metal fragments in Lee's jaw were probably fillings from his teeth. A coroner's jury ruled that Lee had died of bleeding from a wound caused by No. 3 buckshot.^{31, 32}

On May 31, 1955, the United States Supreme Court issued an implementation decree calling on the states to desegregate the schools with "all deliberate speed". Within sixty days black parents had petitioned school boards in Clarksdale, Jackson, Natchez, Vicksburg and Yazoo City to gain

²⁷ *Ibid.*, 25 to 26

²⁸ *Ibid.*, 360

²⁹ *Ibid.*, 191

³⁰ Hugh Steven Whitaker, "A Case Study in Southern Justice - The Emmett Till Case", (Master's Thesis, Florida State University, 1963), 154

³¹ *Let the People Decide, Black Freedom and White Resistance Movements in Sunflower County, Mississippi, 1945 - 1986*, J. Todd Moya, 2004, 80

³² Hugh Steven Whitaker, "A Case Study in Southern Justice - The Emmett Till Case", (Master's Thesis, Florida State University, 1963), 82 to 84

LAW ENFORCEMENT SENSITIVE

entry to the all white schools for their children. Senator Eastland responded to the ruling, stating the decree:

"...calls for an immediate start for the mixing of the races in the schools...To resist is the only answer. We must resist them in the courts, in our legislative halls, and by the ballots of our people. I know Southern people will not surrender their dual school system and their racial heritage at the command of this crowd of racial politicians in judicial robes."³³

On August 13, 1955, Lamar Smith, a sixty-three year old farmer, World War II veteran, and black voting advocate, was murdered in Brookhaven, Mississippi, on the courthouse lawn, in front of the sheriff. Three white men were arrested for the murder however; a grand jury did not return any indictments in the case.^{34, 35}

6. **The Scene of Events:** The societal issues and realities noted above set the stage for the kidnaping of Till which occurred on August 28, 1955. The white citizens of Mississippi were bombarded daily with news surrounding the end of segregated schools, efforts by blacks to register to vote and the heated calls for the defense of their segregated way of life. Senators, Congressmen, the State Assembly, the Governor and most public officials were calling on the population to defend the status quo, to defy the Supreme Court implementation ruling, oppose federal efforts to enforce segregated schools and to continue poll practices which disenfranchised blacks. The fear that they would lose control of their way of life permeated the lower socioeconomic segments of the white community. This segment of the community, in particular, believed they had the most to lose if the black community truly became equal.³⁶

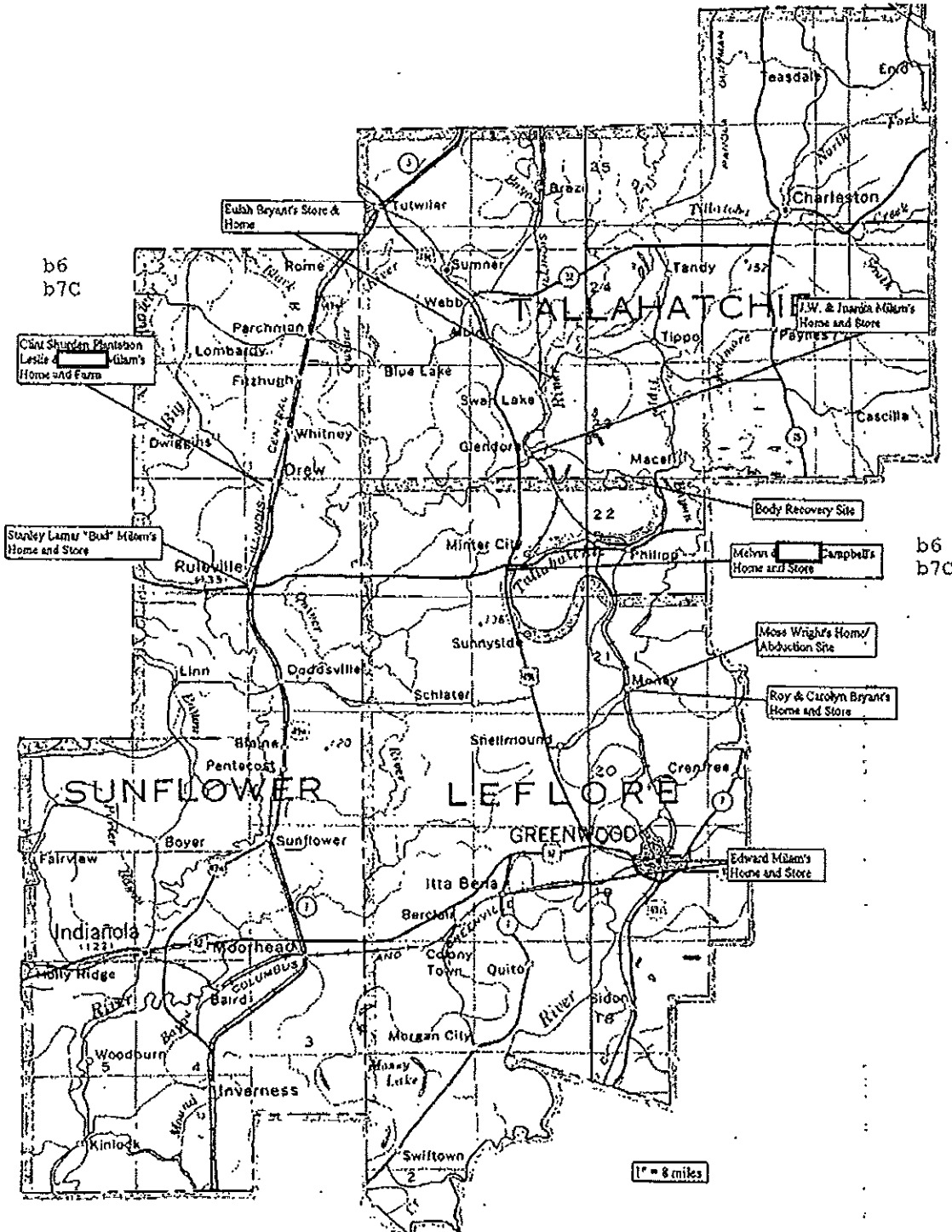
³³ *Ibid.*, 86 to 87

³⁴ *Ibid.*, 96 to 97

³⁵ *The Citizens' Council, Organized Resistance to the Second Reconstruction, 1954-64*, Neil R. McMillen, 1994, 217

³⁶ Hugh Steven Whitaker, "A Case Study in Southern Justice -- The Emmett Till Case", (Master's Thesis, Florida State University, 1963), 82 to 100

LAW ENFORCEMENT SENSITIVE



b6
b7C

b6
b7C

MAP 2 - AREAS OF INTEREST