

UNITED STATES GOVERNMENT

Memorandum

IB/15
DEPARTMENT OF JUSTICE

TO : Files

DATE:

November 13, 1965

JT:swb

FROM : James Turner

SUBJECT: Prior Conspiratorial Activities

1. Blue Flame (or Flame Club) Case (Sept. 27-30, 1964)

This information is taken from the report of SA Allen J. Gilson, Jr., April 22, 1965, captioned "Eugene Thomas; Racial Matters." There are also other accounts in various reports but this is most complete.

On September 27, 1964, several members left a Klan rally at Warrior, Alabama and went to the Bessemer Klavern Hall to discuss plans for handling race mixing at the Flame Club, a Negro night club in Fairfield. There were 30-35 klansmen present at the hall, including E. C. Gene Thomas and Tommy Rowe. Rowe, Thomas and Curtis Gwinn went to the Flame Club and went in. There they saw about 250 Negroes and 75 whites sitting and dancing together and displaying affection. After about 1 1/2 hours they left to go back to the hall. They stopped at a phone booth on the super highway and Gene Thomas called a Lt. Barnes of the Bessemer Police and asked him to meet them at a Shell station in Bessemer. He was waiting there in P.D. car #5. Thomas explained the situation and told him they would need dynamite, machine guns and hand grenades. Barnes left and returned about 25 minutes later and gave Thomas 8 sticks of dynamite, a 45 cal. Thompson submachine gun and 5 or 6 hand grenades. The three took this material and returned to the Klavern.

There they laid the following plan: Dynamite would be exploded at the back of the club and the front and side exits would be covered by automatic weapons fire. The 35 at the hall joined them and they returned to the club to carry out the plan. All but Thomas' car parked a couple

blocks away. Thomas, Rowe and Gwinn drove up to the club but found 2 or 3 Fairfield Police cars parked there. They radioed the others on walkie talkies and the plan was cancelled.

The next day Eugene Thomas, Rowe, Gwinn and Cecil Henson met at Robert Thomas' house and laid plans to attack the Flame Club on October 13, 1964. On October 1, 1964 they received word from Robert Shelton that the plan should be called off because it would not be politically appropriate for violence to occur in Birmingham at this time.

The Bureau's report is based on informer information, presumably Rowe who was present throughout. I have talked briefly with Rowe and SA Shanahan about this incident and they say that the reason the police cars were there was because Rowe notified his contact who called local police. If this can be verified I think we should consider putting this incident on to show prior opportunity to conspire (assuming Wilkins or Eaton was present) and the violent character of their organization and associates.

To put this on we need additional investigation to show the following:

1. Were Eaton and Wilkins present and did they take part?
2. What agent did Rowe call and what did the Bureau do with the information?
3. Who was called at Fairfield Police Department?
4. Do Fairfield Police logs show this call and the dispatching of officers to the Club?
5. Background information on Lt. Barnes and records showing whether he was driving car #5 on the night in question.
6. Was Blue Flame Club subsequently closed and, if so, what were the circumstances?

2. Planned Assault on John H. Price and James L. Claiburn

On March 18, 1965 Rowe went with Robert Thomas to Robert Shelton's office in Tuscaloosa. They then accompanied Shelton to the Colonial Press Company in Northport where they met Matt Murphy. Shelton told Thomas that the Klan wanted to take action against two racial agitators, John H. Price, 22, 1737 North 32nd Place, Birmingham and James L. Claiburn (ph) N/M, 39, Springhaven Circle, Birmingham. He suggested a physical beating severe enough to hospitalize them.

We have no information on whether this plan was carried out. If it was, it may be useable if Klan activities and conspiracies are admissible. We should at least find out if the scheme was carried out and who participated in it. (Memo dated 4-1-65; captioned "Informant Information Relative to Activities of Members and Officials of UKA, KKKK immediately prior to 3/26/65," page 3)

3. Department Store Tear Gassing

During a meeting on March 18, 1965 at Eastview Klavern 13, Robert Shelton discussed a recent incident in Anniston where a tear gas grenade was exploded inside a department store.

(Memo dated 4-1-65; captioned, "Informant Information Relative to Activities of Members and Officials of UKA, KKKK immediately prior to 3/26/65, page 5)

4. Klanade and Transportation of Firearms to Selma

Rowe, Leroy Rutherford, Robert Thomas and Jack Crawford drove to Montgomery to participate in the Klan organized motorcade. They were in Rutherford's car, a late model blue pontiac. We have pictures of the rally showing this car as well as pictures of the other 3 defendants. On the way to Montgomery they stopped at the Triple J Ranch House for breakfast. Thomas met some man unseen by Rowe who transferred 2 BAR's 12 magazines of ammunition, a box of 25 hand grenades and a box of 6 land mines to the Rutherford car from a blue pick-up parked next to it. After the parade they proceeded to

Selma where these items were delivered to an unidentified man in the second door from the extreme right of a motel--possibly the Shamrock, or one located very near by.

Since this incident is part of the trip to the Klancade, it can probably be used and we should ask for the following additional investigation:

1. Establish the motel in Selma where the arms were delivered and ascertain from the records who occupied the room in question.
2. Ascertain if Eaton, Eugene Thomas or Wilkins had knowledge of the contents of the car.
3. If possible, ascertain from the pictures of Rutherford's car taken at the Klan rally if it is carrying a perceptibly heavy load in the trunk. (There is a good close-up of this car and the back seems to be sitting low as if a heavy load is in the trunk.)

5. Laboratory Examination of Items Seized from Thomas' House

Pursuant to search warrant, agents obtained the following items from the home of Eugene Thomas: (Report of ASAC Jansen, 3-30-65, page 33)

one bullwhip
one rusty chain, 30" in length
one rubber hose, metal lined, approximately 15" in length

According to the report of SA Gilson, 4-22-65 (Eugene Thomas; Racial Matters), page 6, informant BH T-2 stated that at the Bessemer carnival in 1963 Eugene Thomas gave the signal to attack by striking a Negro with his Mack-jack. Thereafter, several Negroes were beaten with chains. It is also noteworthy that Thomas is Klokain Chief of Bessemer Klavern #20, and has been observed to have numerous weapons.

The above listed items should be subjected to laboratory testing for traces of blood or other identifiable matter.

T. 11-13-65

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IB/11

Director
Federal Bureau of Investigation

John Doar
Assistant Attorney General
Civil Rights Division

JD:JPT:swb #1-085-3
A. E. M. DJ 144-2-470

RECORD

NOV 13 1965

Eugene Thomas, et al., Subjects;
Viola Liuzzo, et al., Victims.
CIVIL RIGHTS; ELECTION LAWS

The following additional investigation is requested in connection with the pending prosecution of the above subjects for conspiracy to deny constitutional rights (18 U.S.C. 241). It should be noted that because of its nature the scope of this conspiracy case may be much broader than that presented by the State in its murder prosecutions, and therefore the requested investigation deals with some events not directly connected with the shooting.

1. Reference is made to the report of S.A. Allen J. Gilson, Jr., April 22, 1965, captioned "Eugene Thomas; Racial Matters." The referenced report described an incident where Klansmen, including subject Eugene Thomas, planned to dynamite and shoot into the Flame Club in Fairfield, Alabama on September 27, 1964, but were prevented from doing so because of the presence of two or three Fairfield Police cars. Please ascertain if subjects Wilkins and Eaton were involved in this incident. Also, determine whether Gary Thomas Rowe notified your Bureau of these plans, if so, the name of the agent he called and what action he took on this information. If this information was furnished to local authorities, please determine if your records show where and to whom it was furnished and, if possible, whether the Fairfield Police radio and telephone logs record the receipt and action taken on this information. Also, if possible, ascertain whether a Lt. Barnes of the Bessemer Police Department, mentioned in the referenced report, was in fact driving car #5 on September 27, 1964 and, if so, provide the names of witnesses or description of records by which this fact may be proved.

cc: United States Attorney
Montgomery, Alabama

Records
Chrono
Doar
Owen
Trial File (Rm. 1132)

2. Reference is made to the memo of the Birmingham Office of your Bureau dated April 1, 1965 captioned "Informant Information Relative to Activities of Members and Officials of United Klans of America, Inc., Knights of the Ku Klux Klan, Immediately Prior to 3-26-65." On pages 2 and 3 of this memorandum, the informant (presumably Tommy Rowe) reported an incident where Robert Shelton requested that Robert Thomas administer a beating of two racial agitators, John M. Price, 1737 North 32nd Place, Birmingham, and James L. Claiburn (phonetic), Springhaven Circle, Birmingham. Please ascertain whether this plan was ever acted upon and, if so, provide the details of such action.

3. Reference is made to page 5 of the report described in paragraph 2 above, wherein Robert Shelton was said to have discussed an incident in Anniston where tear gas was set off inside a department store. If Gary Thomas Rowe was the source of this information, please ascertain whether such an incident occurred and provide us with the details including the names of witnesses who might be called to verify that the incident took place.

4. Reference is made to the memorandum dated April 1, 1965 from the Birmingham Office of your Bureau, captioned "Informant Information Relative to Activities of Members and Officials of United Klans of America, Inc., Knights of the Ku Klux Klan, Immediately Prior to 3-26-65." At pages 7-8 of this memo a trip to Montgomery and Selma in which Gary Thomas Rowe participated is described. After the Klancade Rowe and the others in Rutherford's car proceeded to Selma where they delivered 2 Browning Automatic Rifles, 12 magazines of ammunition, 25 hand grenades and a box of 4 land mines to the second door from the extreme right of a motel near the Shamrock Motel. In connection with this incident please ascertain, if possible, whether there is any indication that Eaton, Thomas and/or Wilkins knew of the contents of this car. Also, determine the motel in Selma to which this material was delivered and ascertain from their records the name of the party occupying the room described in the report on March 21, 1965, and any relevant background information with respect to this individual.

5. Reference is made to the report of ASAC Jensen, dated 3-30-65, Field Office No. 44-1236 at page 33. It was there reported that pursuant to search warrant agents of your Bureau recovered the following items from the home of subject Eugene Thomas:

- one bullwhip
- one rusty chain, 30" in length
- one rubber hose, metal lined, approximately 15" in length.

Please conduct a laboratory examination of these items for traces of blood or other identifiable material.

Please expedite this investigation. If the investigation is not completed by November 19, 1965, a copy of your report should be furnished to departmental attorney James Turner in care of the United States Attorney, Montgomery, Alabama.

T, L

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NOV 17 1965

Director
Federal Bureau of Investigation

T. 11-16-65
Nov 16, 1965
JD:JRT:dh #144-2-470
BJ 1-085-2

John Dear
Assistant Attorney General
Civil Rights Division

RECORDED

Thomas, Eaton, Rowe, et al.,
Subjects;
Viola Linzzo, Victim.
Conspiracy Against Rights

Please conduct the following additional investigation in connection with the prosecution of the named subjects for violation of 18 U.S.C. Sec. 241:

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1. Identify the army major seen at the American Service Station on Dexter Avenue, Montgomery, Alabama on 3-23-65. In an interview with Departmental attorney, St. John Barrett, Gary Thomas Rowe described this major as being about 6'2" with red hair. (See also Report of SA Joseph R. Connors, 3-30-65, p. 95, 117). The latter report indicated the major's name may have been Gibson. The report of SA Joseph R. Connors, 4-1-65, p. 17a, indicated that a prior contact was made with respect to this major with negative results. The report does not indicate, however, whether the above description and possible name was given the military authorities.
2. Reference is made to the report of SA Joseph R. Connors, 3-30-65, p. 95, 123. Ascertain if Richard Castleberry, part time employee of the American Service Station is the individual referred to as "Cone" whom Rowe saw working at the station that day.

Records; Chrono; Doar; Owen; Trial file (rm. 1132)

USA, Ala.

3. In an interview with Departmental Attorney, St. John Barrett, witness Rowe stated that at the above referenced service station, a man in a business suit called either "Sellers" or "Sullivan" came to the station after an employee requested the army major to clear off the crowd of demonstrators. The major purportedly called the police and "Sullivan" or "Sellers" appeared to be in charge of the police detail which answered the call. Please determine if this individual was Montgomery Police Commissioner Sullivan. If so, ascertain whether there are any police records of this call and whether Commissioner Sullivan recalls the incident, the name of the major or the name of the employee of the station who made the complaint.
4. Provide a complete background investigation on C. W. Norman, owner of Jack's Grill, Route 31, Montgomery. According to Mr. Barrett's interview and the report of SA Joseph R. Connors, 3-30-65, p. 95, the individual was known to subject Eugene Thomas and was told by Thomas to notify the "Montgomery people" that Thomas was in town so that bonding arrangements could be made.
5. At the previous state trials Rowe testified there was a Volkswagen bus-type vehicle stopped at the radar facility as they passed it on their way to the scene of the shooting. Alabama State Trooper Hagood confirmed this at the trial and a copy of a citation issued to Ronald M. Dabner at 7:50 p.m. for a V-W bus was introduced in evidence. Please obtain a copy of this citation. (Attorney General Flowers' office may have to obtain this from the Clerk's office in Hayneville.) Please interview the driver of this car and its occupants to determine if they remember seeing either the Luzzo or Thomas cars pass this point.

6. Reference is made to the report of SA Joseph R. Connors, 4-1-65, pp. 22-26. Two Pakistani air cadets were there reported as having observed a tall thin Negro male trying to wave down their car travelling from Montgomery toward Selma. They reported the incident to a trooper who identified himself as Atwell. Please locate and interview trooper Atwell, verify this story and determine if he made a record or report of it.
7. Rowe testified that on the way from Birmingham to Montgomery on 3-25-65 they saw a wreck and some Negroes standing nearby, some of whom appeared to be hurt. Please ascertain if this accident was reported to the Highway Patrol and, if so, obtain a copy of the accident report.
8. Ascertain from the personnel in charge of the army detachments in Selma on 3-25-65, if a 6x6 truck was parked near the 1st Baptist Church (near Lawrence Street) as stated by witness Rowe.
9. Reference is made to the report of SA Jensen, March 30, 1965, p. 30. At the time of the seizure of the Eugene Thomas gun the above report lists the following three witnesses, all of Ecassener, Alabama, present:

1. Mrs. J. W. Blantenship
Rt. 2, Box 607
2. Mrs. James L. Garrett
1109 Farrow
3. Mrs. Tom J. Tyler

Please interview each of the named witnesses and obtain their account of the seizure of the gun and any other relevant activities they observed.

10. Reference is made to a memorandum dated March 30, 1965, enclosing copies of the FBI identification record of the subjects. Eugene Thomas' record reflects an arrest on June 8, 1963 (#2269) by the Sheriff's office of Tuscaloosa, Alabama, for carrying a concealed weapon and highway intoxication. Please furnish the details surrounding this arrest and the disposition of the charges. The record of Collie Leroy Wilkins contains an entry of an arrest by the Sheriff's office of Birmingham, Alabama, on December 3, 1964 (#100930) for "A.M. (Beas)" Please obtain details and disposition of these charges.
11. Reference is made to the Report of ASAC Jensen, 3-30-65, pp. 21, 37. This report states that Eugene Thomas served in the U. S. Navy, serial no. 837-3461 and that W. O. Eaton served in the U. S. Army, serial no. 20417902, January 22, 1940 to January 1, 1946, and received an honorable discharge. Please obtain and review the service records of these subjects and provide a summary of pertinent information including promotions, disciplinary actions, attained rank, etc.

I.L. T:11/20/65

12/7
I.B./10

Director
Federal Bureau of Investigation

JD:JPT:bs #1-085-2
DJ 144-2-470

John Doar
Assistant Attorney General
Civil Rights Division

NOV 20 1965

RECORD

Eugene Thomas, et al., Subjects;
Viola Luizzo, et al., Victims
CIVIL RIGHTS; ELECTION LAWS

for
2D

The following investigation is requested in connection with the prosecution of the above named subjects for violation of 18 U.S.C. 241.

1. Arrest of Collie Leroy Wilkins on March 11, 1964 in Hueytown, Ala.

Reference is made to your memorandum dated March 30, 1963 setting forth pertinent information from your files on the above named subjects. At page 3 of this memorandum, it is indicated that agents of your Bureau interviewed Wilkins on March 11, 1964 and at that time he denied membership in the Klan. Please furnish this office with copies of these interviews.

Reference is made to your memorandum dated April 2, 1963 giving the personal background of Johnnie Lee Burnett. At page 5 of this memo, it is indicated that among the things confiscated from Wilkins at his arrest by Hueytown police in February, 1964 (presumably the same arrest as that described above) was a "notebook containing a breakdown of Klan Province #5 which included Bessemer Klavern #20." If this notebook is in your custody please furnish it to departmental attorneys in Montgomery for possible use at the trial of the above named subjects. If it is not in your possession, please furnish a copy of it together with information as to who has custody of it at this time.

cc: United States Attorney
Montgomery, Alabama

Records
Chrono
Doar
Owen

Trial File (Rm. 1132)

NOT INSPECTED FOR
MAILING BY R.A.O.

According to information furnished this office by the Alcohol and Tobacco Tax Unit, the arresting officer in this matter was Cleveland B. Jones, of the Maytown police department. Please interview officer Jones and determine whether that department has custody of the items confiscated from Wilkins, who the custodian of these items is, and what disposition was made of all state charges arising out of the arrest, including violation of the state firearms act.

2. Gary Thomas Rowe. Rowe has testified that after his return to Birmingham on 3-23-65 he contacted Agent Shanahan, met him and turned over his pistol to him. He also testified that he obtained cartridges to simulate reloading after the shooting from a box of .38 shells which Eugene Thomas had in the car. However, neither his interview nor his testimony show whether he delivered these cartridges to S. A. Shanahan or other agents. Please ascertain if these cartridges were turned over, and if so, to whom. If they are in custody of your Bureau please deliver them to S. A. Marion Williams, who has the other physical evidence relating to the firearms in this case.

Also, please furnish the name of the agent who would have answered Rowe's call at the switchboard in your Birmingham office, together with a copy of his log or other notation recording the time and other information with respect to this call.

3. Mrs. Viola Luizzo, Victim. Reference is made to the Report of S/A Joseph R. Connors, dated 4-1-65. At page 4A of this report it is indicated that a certification of the birth of the victim had been obtained and was being forwarded to the Mobile office of your Bureau. Please provide this office with this certification for use in evidence.

4. William Orville Eaton, Subject. Reference is made to the report of ASAC Jensen dated March 30, 1965. At page 40 of this report it is stated that among other things found in a search of Eaton's house, was a

copy of dismissal of bankruptcy petition. Please obtain a copy of the petition in bankruptcy filed by this subject. This can probably be obtained either from the office of the Federal District Court in Birmingham or from the office of the Referees in Bankruptcy.

Please furnish a copy of your report together with the documents requested to departmental attorneys in care of United States Attorney, Montgomery, Alabama no later than November 27, 1965.

13
B/11

Mr. Harold F. Reis
Executive Assistant to the
Attorney General

October 6, 1966

John Doar
Assistant Attorney General
Civil Rights Division

Mrs. Gary Thomas Rowe

We received the following information from Mrs. Rowe regarding her qualifications as a nurse. She is a Licensed Practical Nurse, licensed under the state of Alabama. She received her first license in 1958 and her latest in 1967. She attended the Warren A. Candler School of Nursing in Savannah, Georgia, from 1950-1952, and the University Hospital School for LPN's for six weeks in Birmingham, Alabama. She was employed from May 1965 to September 1966 as an office nurse for Richard E. Perry, M.D., 4144-5th Avenue North, St. Petersburg, Florida. Her duties included filing, bookkeeping, typing, x-ray work and receptionist. She was employed from 1962 to 1965 as a Licensed Practical Nurse at the Carraway Methodist Hospital in Birmingham, Alabama, under the direct supervision of Jean Byrd, 1905-33rd Avenue North, Birmingham, Alabama. Her duties included medications, charting, and nurse in charge of floor.

In response to your question regarding the location of Sylvania, Georgia, it is situated in Screven County in the Southern District of Georgia, approximately 50 miles north of Savannah and 70 miles south of Augusta, on the borderline of South Carolina.

N

11B/10

Exhibits

Rowe: none

Thomas: Warning Citation issued 25 Mar 65
Pistol License # 3287 for S&W .38
? Pictures of car C418827
? Police badge + commission
Consent to search signed by
Mrs. Thomas
1 S&W .38 revolver # C418827
6 rounds R-P .38 Special Ammunition

Wilkins: none

Laton: ? Klan materials

Warrant No 113463

EXECUTED BY OFFICER

LT. KNIGHT

Date 3-11-65

City of Selma

vs

ELMER L. COOK

Charged with

MURDER

OF

JAMES REEB, JR.

Pin Not Guilty
Judgment Guilty
Sentence Life
Fines and Costs in addition to sentence
Days hard labor on the streets or in default of
payment thereof None
hard labor on the streets
Date 3-11-65
Appeal Bond None

WMA Selma

Signature for City

SELMA, ALABAMA
POLICE DEPARTMENT

MAR 11 9 17 AM '65

RELEASED

RECEIVED

MAR 11 8 22 PM '65

SELMA, ALABAMA
POLICE DEPARTMENT

16A/16

AFFIDAVIT

Nº 113444

The State of Alabama
CITY OF SELMA

Personally appeared before me

Sgt. H. H. [Signature]
Selma Police Department

LT. D. P. Knight who being duly sworn, deposes and says that [Signature]
has probable cause for believing, and does believe that within twelve months before the making of this affidavit
within the limits of the City of Selma, or within the Police jurisdiction thereof, and in the County of Dallas and
the State aforesaid, the offense of MURDER

OF
JAMES REEB, (W)

in violation of City Ordinance has been committed and that R. B. KEIN

is guilty of the offense

Sworn to and subscribed before me, this the 11th

Day of March 1965
Sgt. H. H. [Signature]
Selma Police Department

D. P. Knight

WARRANT

The State of Alabama
COUNTY OF DALLAS
CITY OF SELMA

To Any Lawful Officer of the State, Greetings:

Complaint on oath having been made before me, that the offense of

MURDER
OF
JAMES REEB, (W)

in violation of City Ordinance has been committed in the City of Selma, or within the police jurisdiction thereof
and accusing said R. B. KEIN

thereof; you are therefore commanded to arrest said R. B. KEIN

and bring him before the recorder for the City of Selma.

Dated 11th day of March 1965

Sgt. H. H. [Signature]
Selma Police Department

Bellevue City

Warrant No 118444

EXECUTED BY OFFICER

L.T. P. Wright

3-11-65

City of Belma

A.B. Kelly

MURDER

OF
JOHN PETERSON

Subscribed by Defendant

CHARL. STONE, JR.

Billy Davis Thomas
RT4 Box 94, Albany

SEALMA, ALABAMA
POLICE DEPARTMENT
MAY 11 8 55 PM '65

SEALMA, ALABAMA
POLICE DEPARTMENT
MAY 11 8 22 PM '65

RECEIVED

True *ALL* Guilty
Judgment _____ Guilty
Sentence _____ Dollars
True and Oath in following words:
Days hard labor on the streets or in default of
penalment thereof _____ days
hard labor on the streets.
Date _____ day of _____ 1965
Approved _____
Special Agent _____

W.H.

16A/17

AFFIDAVIT

No 113445

The State of Alabama
CITY OF SELMA

Personally appeared before me

Sgt. H. H. Watson
Selma Police Department

LT. D. P. Knight who being duly sworn, deposes and says that *HE* has probable cause for believing, and does believe that within twelve months before the making of this affidavit, within the limits of the City of Selma, or within the Police jurisdiction thereof, and in the County of Dallas and the State aforesaid, the offense of *MURDER*

in violation of City Ordinance has been committed and that *WILLIAM STANLEY HOGGIE* is guilty of the offense

Sworn to and subscribed before me, this the *11th*

Day of *MARCH* 19*65*
Sgt. H. H. Watson
Selma Police Department

D. P. Knight

WARRANT

The State of Alabama
COUNTY OF DALLAS
CITY OF SELMA

To Any Lawful Officer of the State, Greetings:

Complaint on oath having been made before me, that the offense of

MURDER

in violation of City Ordinance has been committed in the City of Selma, or within the police jurisdiction thereof and accusing said *WILLIAM STANLEY HOGGIE*

thereof; you are therefore commanded to arrest said *WILLIAM STANLEY HOGGIE*

and bring *him* before the recorder for the City of Selma.

Dated *11th* day of *MARCH* 19*65*

Sgt. H. H. Watson
Selma Police Department

RECEIVED

MAR 11 8 43 PM '53
SELMA, ALABAMA
POLICE DEPARTMENT
POLICE DEPARTMENT
SELMA, ALABAMA
MAR 11 8 37 PM '53

MAR 11 8 43 PM '53
SELMA, ALABAMA
POLICE DEPARTMENT
POLICE DEPARTMENT
SELMA, ALABAMA
MAR 11 8 44 PM '53

RECEIVED

RECEIVED

RECEIVED BY CITY

RECEIVED BY CITY
MAR 11 1953

EXECUTED BY OFFICER

W. P. Knight

3-11-53

CITY OF SELMA

William Strayer Hoyle

W. P. Knight

James H. H. H.

Full Name _____
Address _____
Room and Office in Building _____
Days and Hours in the service or in subject of
employment _____ days
Date _____ day of _____
Signed _____
Witness _____

51/16

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA)
V.)
WILLIAM ORVILLE EATON,)
COLLIE LEROY WILKINS, JR.,)
EUGENE THOMAS)

CR. NO. _____
(18 USC 241)

The Grand Jury charges:

COUNT ONE

Commencing on or about March 1, 1965 and continuing to on or about March 26, 1965, WILLIAM ORVILLE EATON, COLLIE LEROY WILKINS, JR., and EUGENE THOMAS, within the Middle District of Alabama, conspired together, with each other and with other persons to the Grand Jury unknown, to injure, oppress, threaten and intimidate citizens of the United States in the vicinity of Selma and Montgomery, Alabama in the free exercise and enjoyment of certain rights and privileges secured to them by the Constitution and laws of the United States, and because of their having exercised such rights as follows:

- (1) The right to publicly protest unlawful deprivation of the right of Negro citizens of Alabama to register to vote and to vote for candidates for federal office.
- (2) The right to encourage and assist Negro citizens of Alabama in the exercise of their right to register to vote and to vote for candidates for federal office.
- (3) The right to peaceably assemble, publicly protest, and petition the Governor of the State of Alabama for redress of grievances

on behalf of Negro citizens of Alabama, free from arbitrary interference by the State of Alabama.

- Some of the words
State or
Alabama by
the*
- (4) The right to participate in a protest march from Selma to Montgomery, Alabama, to present a petition to the Governor of Alabama in Montgomery, and to participate in the carrying out of a proposed plan for such march pursuant to an order entered on March 17, 1965, by the United States District Court for the Middle District of Alabama, in the case of Williams v. Wallace, Civil Action Number 2181-W.
- (5) The right to travel to and from the State of Alabama and to use interstate highways and other instrumentalities of interstate commerce in and through Alabama.

It was a part of the plan and purpose of the conspiracy that the defendants would harass, threaten, pursue and assault citizens of the United States in the area of Selma and Montgomery, Alabama who were participating or had participated in, or who were lending or had lent their support to a demonstration march from Selma to Montgomery, Alabama, pursuant to the plan, referred to above, that was approved by the order of the United States District Court for the Middle District of Alabama on March 17, 1965.

In violation of Section 241 of Title 18, United States Code.

A True Bill:

Foreman

BEN HARDEMAN
UNITED STATES ATTORNEY