



FEDERAL BUREAU OF INVESTIGATION

# **VIOLA LIUZZO MURDER**

## **PART 8 OF 14**

**FILE NUMBER : 44-28601**

# Memorandum

TO : Mr. Belmont *W*

DATE 5-3-65

FROM : A. Rosen *R*

SUBJECT: EUGENE THOMAS, ET AL.  
VIOLA LIEUZO, AKA (DECEASED)  
LEROY JEROME MATSON - VICTIMS  
CIVIL RIGHTS,  
ELECTION LAWS

1- Mr. Mohr  
1- Mr. DeLoach  
1- Mr. Belmont  
1- Mr. Rosen  
1- Mr. Malley  
1- Mr. McGowan  
1- Mr. Hines

Tolson  
Belmont  
Mohr  
DeLoach  
Casper  
Callahan  
Conrad  
Felt  
Gale  
Rosen  
Sullivan  
Tavel  
Trotter  
Tele. Room  
Holmes  
Gandy

On 4-29-65, Inspector Joe Sullivan at Selma, Alabama, advised that Matt Murphy, Defense Attorney in this case, had obtained a subpoena for FBI Director, J. Edgar Hoover. This is to advise that the subpoena has been received today, (5-3-65). The subpoena is directed to "J. Edgar Hoover, Director FBI, Washington, D. C." and commands the Director's appearance in the Lowndes County Circuit Court in Alabama in the case of the "State of Alabama versus Collie Leroy Wilkins." The subpoena is issued for appearance on May 3, 1965. Subpoena dated 4-28-65 and issued by M. E. Harlette, Clerk.

As you have been previously advised, the Department has stated that such a subpoena would have no force and effect outside the boundaries of the State of Alabama.

## ACTION:

This subpoena <sup>has been</sup> referred to the Civil Rights Division of the Department for appropriate handling.

JJB:mmb  
(8)

REC-16

MAY 6 1965

EX-111

DU MAY 12 1965

May 4, 1965

GENERAL INVESTIGATIVE DIVISION

This case relates the murder of civil rights worker, Mrs. Viola Liuzzo, between Selma and Montgomery, Alabama, on 3-25-65.

Matt H. Murphy, Jr., is the defense attorney for the three subjects charged with the murder.

Trial of subject Collie Leroy Wilkins began 5-3-65, at Hayneville, Alabama. Motion by defense attorney Murphy for interview of Rowe, our informant and key witness, granted by court.

Information was previously received that Murphy planned to have Rowe arrested when he appeared to testify on 5-3-65.

RJD:hw

RECEIVED  
MAY 3 1965  
TELETYPE

Mr. Tolson	
Mr. Belmont	
Mr. Mohr	
Mr. DeLoach	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

FBI MOBILE

516 PM CST URGENT

5/3/65

VFP

TO DIRECTOR

FROM MOBILE /44-1245/

EUGENE THOMAS; ET AL; VIOLA LIUZZO, ET AL- VICTIMS. CR.

Civil Rights

AT APPROXIMATELY TWO OCLOCK PM THIS DATE MATT H.

MURPHY JR. ACCOMPANIED BY RALPH ROTEN, DESCRIBED AS A  
PUBLICITY MAN FOR UNITED KLANS OF AMERICAN, INC., KNIGHTS OF  
THE KU KLUX KLAN, ENTERED OFFICE OF COUNTY SOLICITOR IN  
COURTHOUSE AT HAYNEVILLE, ALA., WHERE [REDACTED] b7D

AND SA [REDACTED] WERE AWAITING MURPHY. ROTEN PROCEEDED b7c  
TO SET UP A DICTAPHONE AND A TAPE RECORDER, BOTH OF WHICH WERE  
PLACED IN FRONT OF [REDACTED] MURPHY THEN REC-56 47-1701-298 b7

ASKED INFORMANT THE DATE HE TESTIFIED BEFORE THE STATE GRAND MAY 6 1965  
JURY. INFORMANT STATED HE HAD NOTHING TO SAY AT THIS TIME.

MURPHY THEN ASKED IF INFORMANT HAD WAIVED IMMUNITY BEFORE THE  
STATE GRAND JURY AND INFORMANT ANSWERED THAT HE HAD NOT  
WAIVED IMMUNITY. MURPHY THEN ASKED INFORMANT IF HE HAD  
END PAGE ONE .....

MR. DELIAONT FOR THE DIRECTOR

PAGE TWO ....

Federal Grand Jury

WAIVED IMMUNITY BEFORE THE ~~FBI~~ AND INFORMANT AGAIN STATED HE HAD NOTHING TO SAY AT THIS TIME AND WOULD ANSWER NO QUESTIONS. MURPHY ASKED INFORMANT UNDER WHAT CIRCUMSTANCES HE WOULD ANSWER HIS QUESTIONS AND INFORMANT STATED HE WOULD ANSWER QUESTIONS FROM THE WITNESS STAND. MURPHY THEN TOLD ROTEN TO TURN OFF THE MACHINES AND STATED HE WOULD ASK NO FURTHER QUESTIONS AT THIS TIME. AT THE BEGINNING OF THE INTERVIEW BEFORE THE RECORDING MACHINES WERE TURNED ON, MURPHY TOLD INFORMANT THAT HE HAD SEEN IN THE PAPER THAT HE WORE A GUN AT THE GRAND JURY AND ASKED INFORMANT IF HE WERE ARMED AT THIS TIME. INFORMANT STATED HE WAS NOT ARMED AT THIS TIME AND HAD NOT BEEN ARMED IN GRAND JURY.

MOMENTS BEFORE THE ARRIVAL OF MURPHY AND ROTEN IN THE SOLICITORS OFFICE, LOWNDES COUNTY SHERIFF FRANK RYALS, SERVED THE FOLLOWING SUMMONS ON [REDACTED] b7D

"QUOTE THE STATE OF ALABAMA, LOWNDES COUNTY CIRCUIT COURT, SECOND JUDICIAL CIRCUIT OF ALABAMA, TO ANY SHERIFF OF THE STATE OF ALBAMA, GREETINGS; YOU ARE HEREBY COMMANDED TO  
END PAGE TWO .....

PAGE THREE .....

SUMMONS GARY THOMAS ROWE TO APPEAR BEFORE THE CIRCUIT COURT TO BE HELD FOR SAID COUNTY, AT THE PLACE OF HOLDING THE SAME WITHIN THIRTY /THREE ZERO/ DAYS FROM SERVICE OF THIS PROCESS, THEN AND THERETO ANSWER THE COMPALAIN<sup>T</sup>T OF MATT H. MURPHY, JR., WITNESS MY HAND THIS THIR<sup>D</sup>D DAY OF MAY, SIXTYFIVE, SIGNED S. N. CHAMPION, DEPUTY CLERK, UNQUOTE."

COMPLAINT;

QUOTE<sup>"</sup> MATT H. MURPHY, JR., PLAINTIFF VERSUS GARY THOMAS ROWE, DEFENDENT, COUNT ONE, PLAINTIFF CLAIMS OF THE DEFENDENT THE SUM OF SIX, ZERO ZERO ZERO AND NO SLASH HUNDRED DOLLARS /SIX/ ZERO ZERO ZERO DOLLARS/ FOR PROFESSIONAL SERVICES RENDERED BY THE PLAINTIFF FOR THE DEFENDENT AT HIS REQUEST, ON THE, TO WIT, SECOND DAY OF APRIL, SIXTYFIVE WHICH SUM OF MONEY, WITH INTEREST THEREON, IS DUE AND UNPAID AND IS THE PROPERTY OF THE PLAINTIFF, SIGNED MATT H. MURPHY, JR., PRO SE, UNQUOTE."

INFORMANT STATED HE DOES NOT OWE MURPHY ANY MONEY AND IF MURPHY IS MAKING THIS CHARGE FOR LEGAL SERVICES FOR MAKING HIS BOND HE IS INCORRECT<sup>S</sup> AS HE DID NOT REQUEST EIGH<sup>T</sup>HER  
END PAGE THREE .....

PAGE FOUR ...

OF THESE SERVICE OF MURPHY.

ABOVE SUMMONS BEING CALLED TO THE ATTENTION OF  
DEPARTMENTAL ATTORNEY JAMES TURNER IN MONTGOMERY.

END

WA SML

FBI WASH DC

P

CC-MR. ROSEN

# Memorandum

TO : Mr. Belmont

DATE: May 4, 1965

FROM : A. Rosen

SUBJECT: EUGENE THOMAS, ET AL.  
VIOLA LIUZZO, ET AL. - VICTIMS  
CIVIL RIGHTS

1 - Mr. Mohr  
1 - Mr. Callahan  
1 - Mr. Sullivan  
1 - Mr. Belmont  
1 - Mr. Rosen  
1 - Mr. Malley  
1 - Mr. McGowan  
1 - Mr. Hines

Circuit Solicitor Arthur Gamble, who is handling the state's prosecution of subject Collie LeRoy Wilkins on charges of murdering Mrs. Viola Liuzzo, has requested a verification or documentation of payments which have been made to the informant (Gary Thomas Rowe, Jr.) over the period since 1960 when he became a Bureau informant.

The request of Solicitor Gamble has been taken up with the Department, and the Department requests that we furnish the documentation of payments as requested by Solicitor Gamble. They state that they are making an effort through Departmental Attorney James Turner in Selma to determine if a summary of such payments would be admissible under Alabama law. However, in any event, it is necessary that complete documentation be available to Solicitor Gamble in the event such a summary will not suffice.

Department indicated that the documentation material, which will consist of the original receipts for payments signed by Rowe, should be taken from the Bureau where they are kept to Hayneville, Alabama, by a person from the Voucher Section of the Bureau who is familiar with the records and their custody in order that the chain of evidence will not be broken.

The Department's request was brought to the attention of the Voucher Section of the Bureau, and they have instituted preparation of the documentation material on an expedite basis.

JWH/cac  
(9)

CONTINUED - OVER

COPY SENT TO MR. TOLSON

79 MAY 11 1965

Tolson  
Belmont  
Mohr  
DeLoach  
Casper  
Callahan  
Conrad  
Felt  
Gale  
Rosen  
Sullivan  
Tavel  
Trotter  
Tele. Room  
Holmes  
Gandy

30/





3:11 PM

May 7, 1965

MEMORANDUM FOR MR. TOLSON  
MR. BELMONT  
MR. DE LOACH  
MR. ROSEN  
MR. SULLIVAN

*Victim*  
I called the Attorney General's office and advised his secretary that I knew the Attorney General was out of town but I wanted to get word to him when he comes in regarding the case in Alabama, the murder of Mrs. <sup>6-1</sup> Liuzzo. I stated the jury has asked two questions: First, as to the difference between the various degrees of murder and manslaughter; and second, how much weight can be given to the testimony of an accomplice under Alabama law. I stated it looks as if certain members of the jury are inclined to convict and the Attorney General and I both felt that if we only got disagreement, it would be a victory, but this indicates a possibility of conviction.

Very truly yours,  
J E H

John Edgar Hoover  
Director

1 - Miss Holmes

JEH:edm (9)

EX-105

SENT FROM D. O.	
TIME	4:41 PM
DATE	5/7/65
BY	

44-1-302  
18 MAY 10 1965

52 MAY 11 1965

MAIL ROOM ☐ TELETYPE UNIT ☐

FBI

Date: APR 27 1965

Transmit the following in \_\_\_\_\_  
(Type in plain text or code)Via AIRTEL AIR MAIL  
(Priority or Method of Mailing)

TO : DIRECTOR, FBI

FROM : SAC, SAVANNAH (174-7)

SUBJECT: EUGENE THOMAS;  
ET AL; )  
VIOLE LIUZZO;  
ET AL - VICTIMS  
(R; EL

Re Savannah teletype to Bureau, Birmingham,  
Tampa, and Miami, 4/26/65.

Enclosed herewith for the Bureau are original and  
six copies of letterhead memorandum suitable for dissemination  
concerning information received on [REDACTED] from [REDACTED]  
regarding RONE and attempts by Klan to locate him. b7D

One copy each of letterhead memorandum is being  
furnished to Atlanta, Charlotte, Birmingham, Mobile, Jackson,  
Jacksonville, Tampa, Miami, Memphis, Knoxville, and New Orleans.

- ENCLOSURE
- (3) Bureau (Encs. 7) (RM)
  - 1- Atlanta (Enc. 1) (RM)
  - 1- Birmingham (174-6) (Enc. 1) (RM)
  - 1- Charlotte (Enc. 1) (RM)
  - 1- Jackson (Enc. 1) (RM)
  - 1- Jacksonville (Enc. 1) (RM)
  - 1- Knoxville (Enc. 1) (RM)
  - 1- Memphis (Enc. 1) (RM)
  - 1- Miami (Enc. 1) (RM)
  - 1- Mobile (Enc. 1) (RM)
  - 1- New Orleans (Enc. 1) (RM)
  - 1- Tampa (Enc. 1) (RM)
  - 1- Savannah

NLP:elh  
(15)

5- F...  
CRB P...  
4-29-65- J...  
6-94B  
JWH- L...  
4-29-65- L...  
304

EX-112 REC-39

3 APR 28 1965

Approved: BO MA Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to  
File No.

Savannah, Georgia  
April 27, 1965

EUGENE THOMAS; ET AL  
VIOLA LIUZZO; ET AL - VICTIMS

[REDACTED] a source advised that [REDACTED] b7D  
[REDACTED] Grand Dragon Bob  
Scoggins exhibited the photograph of Gary Thomas Rowe, Jr.,  
FBI informant in the Selma, Alabama murder, and instructed  
all grand officers, Exalted Cyclops, Titans and investigators  
of the Klan to be on the lookout for him. If this individual  
is located, the Grand Dragon is to be immediately notified  
of his whereabouts.

The source advised that this meant that "The gun  
is out for him" as an "FBI fink" and that he will be taken  
care of for "lying". The source also advised that the Klan  
is trying to locate the family of Rowe, however, the source  
did not know why they wanted his family but they probably  
wanted to harass them to find out where Rowe is located.

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.

ENCLOSURE 44-2884-3-1



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to  
File No. —

Savannah, Georgia  
April 27, 1965

Title	EUGENE THOMAS; ET AL; VIOLA LIUZZO; ET AL - VICTIMS
Character	CIVIL RIGHTS; ELECTION LAWS
Reference	Savannah memorandum dated April 27, 1965, captioned as above

All sources (except any listed below) whose identities are concealed in referenced communication have furnished reliable information in the past.

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.

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. DeLoach	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

URGENT 5/5/65 P1 FBW

TO: DIRECTOR

ATT: N. P. CALLAHAN, ADMINISTRATIVE DIVISION

FROM: MOBILE /44-1245/

EUGENE THOMAS, ET AL; VIOLA GREGG LIUZZO, IT AL -  
VICTIMS. CR - EL.

TESTIMONY M. S. ROW NOT REQUIRED HAYNEVILLE, ALA. WILL  
ARRIVE AT DULLES AIRPORT, FLIGHT ONE ONE SIX SIX FORTYTHREE  
P.M., EDT.

END

WA RPP

FBI WASH DC

TU DIS

56 MAY 12 1965

REC 44

44-38861-306

6 MAY 6 1965

CALLED:

By 60 Time 9:10

Noted in  
Comm. Sect  
By SEA

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Belmont

DATE: April 29, 1965

FROM : A. Rosen

1 - Mr. Belmont  
1 - Mr. Rosen  
1 - Mr. Malley  
1 - Mr. McGowan  
1 - Mr. Hines

SUBJECT: EUGENE THOMAS, ET AL.  
VIOLA LIUZZO, ET AL. - VICTIMS  
CIVIL RIGHTS - ELECTION LAWS

Belmont ☒  
DeLoach ☒  
Mohr ☒  
McLoy ☒  
Casper ☒  
Callahan ☒  
Conrad ☒  
Felt ☒  
Gale ☒  
Rosen ☒  
Sullivan ☒  
Tavel ☒  
Trotter ☒  
Tele. Room ☒  
Holmes ☒  
Gandy ☒

In connection with the trial of subject Collie Leroy Wilkins for the murder of Mrs. Viola Liuzzo now set for 5-3-65, at Hayneville, Alabama, we have received information from a confidential source that Matt Murphy, the Klan attorney representing Wilkins, planned to have Gary Thomas Rowe, our informant and key witness, arrested when he appeared to testify. Arthur E. Gamble, Circuit Solicitor Lowndes County, Alabama, who is handling the state's prosecution of Wilkins, was furnished this information on 4-28-65. Gamble said that he had checked with the Sheriff's Office, Lowndes County, and there was no indication that any action against Rowe of any sort was scheduled. He said he would be alert in connection with any such attempt to arrest Rowe and would prepare to take necessary action to offset any attempts by the defense to create difficulties for Rowe.

The possibility of the defense having Rowe arrested was also discussed with United States Attorney (USA) Ben Hardeman, Montgomery, Alabama, on 4-28-65. Hardeman stated that if a warrant was served on Rowe in Hayneville, during his appearance there as a witness, there is a strong possibility that he may be able to get the case removed to Federal Court, if such action became necessary. Hardeman said if bond is required of Rowe, some preparation should be made either on the part of the Department or the FBI to provide this bond immediately, as he was unable to find any authority whereupon he, as USA, could authorize appearance bond in a matter of this type.

The above information was furnished to Mr. James Turner of the Civil Rights Division 4-29-65, and Mr. Turner advised that the Department would take the matter of providing bond for Rowe, if such became necessary, under consideration. Mr. Turner stated that he was going to Alabama on the night of 4-29-65, at which time he would take the matter up directly with USA Hardeman. He stated he would also discuss the matter of the possible arrest of Rowe with Solicitor Gamble.

JWR:tut  
(6)

MAY 7 1965

Enclosure - sub 4-29-65

*made*  
*no*  
*4/29/65*  
*ESP*

*d*

EX 109 REC 20 44-28601 307

*6-27*

Memorandum to Mr. Belmont  
RE: EUGENE THOMAS, ET AL.

Solicitor Gamble advised that the defense had requested subpoenas for Robert Creel, Grand Dragon, United Klans of America (UKA), Robert Thomas, Exalted Cyclops, Bessemer Klavern UKA, Lt. Robert Larry or Long, and Capt. Tom Cook of the Birmingham Police Department, Herbert Page former Klan official in Alabama, Robert Carrol and Lorene Fredrick. All of these persons are from the Birmingham area and Carrol and Fredrick are believed to be alibi witnesses for the defendant Wilkins. In addition to these persons from the Birmingham area Gamble advised that Sheriff James G. Clark of Dallas County, Alabama, had also been subpoenaed as a defense witness.

Mobile has suggested that Birmingham review their files and prepare a memorandum suitable for dissemination to state authorities on each of the individuals subpoenaed by the defense so that this information could be used by the prosecution in the cross-examination of defense witnesses. Mobile also stated that they would review their files concerning Sheriff James G. Clark and furnish any admissible derogatory information to state authorities for the same purpose.

ACTION:

1. By teletype attached Birmingham is being instructed to review their files concerning witnesses in their division subpoenaed by the defense and furnish results to Mobile to be furnished to the state.
2. In view of possible warrant being obtained for Rowe in an area other than Lowndes County, Birmingham is being instructed to make discreet inquiries of reliable sources in the Birmingham, Bessemer, area to determine if any action taken to obtain a warrant against Rowe.
3. Mobile is being instructed to furnish in detail any derogatory information in their files concerning Sheriff James G. Clark to the Bureau for consideration and approval prior to furnishing any such information to state authorities.

- 2/1/68 [Handwritten initials and signatures] 2 - [Handwritten checkmark]



UNITED STATES

AGENT

# Memorandum

TO : Mr. Belmont

FROM : A. Rosen

SUBJECT: EUGENE THOMAS, ET AL.  
VIOLA LIUZZO, AKA (DECEASED)  
LEROY JEROME MATSON - VICTIMS  
CIVIL RIGHTS,  
ELECTION LAWS

1 - Mr. Mohr  
1 - Mr. DeLoach  
1 - Mr. Belmont  
DATE: April 29, 1965

1 - Mr. Rosen  
1 - Mr. Malley  
1 - Mr. McGowan  
1 - Mr. Hines

Tolson  
DeLoach  
Mohr  
Bishop  
Casper  
Callahan  
Conrad  
Felt  
Gale  
Rosen  
Sullivan  
Tavel  
Trotter  
Tele. Room  
Holmes  
Gandy

Inspector Joe Sullivan, Selma, Alabama, has advised that the defense attorney, Matt Murphy, had today obtained a subpoena for FBI Director J. Edgar Hoover. The defense has also obtained subpoenas for additional individuals, including Mrs. Dorothy Rowe (the informant's wife) in care of Carraway Methodist Hospital, Birmingham, Alabama (the institution where Mrs. Rowe was formerly employed), and for Colonel Al Lingo of the Alabama Highway Safety Patrol.

With regard to the subpoena for the Director, this question was discussed with the Department on 4/22/65 and Departmental Attorney John Murphy of the Civil Rights Division advised that such a subpoena would absolutely have no force and effect outside of the boundaries of the State of Alabama.

EX 109

## ACTION:

REC 20

Sullivan is advising the Birmingham Office of the identities of the other individuals who have been subpoenaed and obtaining background information regarding these individuals. The identities of the individuals who have been subpoenaed for the defense are also being brought to the attention of the Miami Office so that they may be discussed with the informant and any information of value he has concerning these individuals obtained.

1 MAY 7 1965

The matter of the subpoena for the Director, as well as the subpoena for Mrs. Rowe, was brought to the attention of the Department today (4/29/65). Attorney D. R. Owen of the Civil Rights Division advised that the subpoenas would have no effect outside of the State of Alabama.

CLM:ige

306 MAY 11 1965

V. Q.

6-11

May 4 1965

GENERAL INVESTIGATIVE DIVISION

This concerns the trial of Collie LeRoy Wilkins in state court, Lowndes County, Ala., for the murder of Mrs. Liuzzo which is currently in progress. Wilkins' attorney, Matt Murphy, before the trial began had a subpoena issued for SAC Ingram to appear to testify on the opening day of trial 5/3/65. Ingram appeared with a Department attorney present to protect Government's interest on 5/3/65 and was told his testimony would not be needed until today. Since defense has rested its case, it does not appear Ingram will be called. Any such letter from Murphy as described in attached will be promptly brought to your attention and appropriately handled. We certainly will not afford Murphy or Rowe any polygraph tests regarding a matter that has been testified to in court under oath.

JWH/cac

RECEIVED  
U. S. DEPARTMENT OF JUSTICE  
COMMUNICATIONS SECTION  
MAY 6 1965  
TELETYPE

Mr. Tolson	
Mr. Belmont	
Mr. Mohr	
Mr. DeLoach	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

FBI WASH-DC

FBI BIRMGHAM

3-03 PM CST URGENT 5-6-65 GR

TO DIRECTOR

FROM BIRMINGHAM (44-1236)(P)

EUGENE THOMAS, ET AL. VIOLA LIUZZO, AKA - VICTIM, LEROY JEROME  
MOTON - VICTIM. CR EL.

SAC INGRAM, BIRMINGHAM, AGAIN APPEARED IN CIRCUIT COURT  
HAYNEVILLE, ALABAMA TODAY IN RESPONSE TO SUBPOENA. DEFENSE ATTORNEY  
MATT MRPHY COMPLETED PRESENTATION OF EVIDENCE FOR THE DEFENSE WITHOUT  
CALLING SAC. AS DEFENSE RESTED CASE AND COURT ADJOURNED FOR LUNCH,  
MURPHY APPROACHED SAC AND STATED HE INTENDED TO WRITE A LETTER TO  
DIRECTOR HOOPER DEMANDING THAT GARY THOMAS ROWE AND HE, MRPHY, BE  
GIVEN "LIE DETECTOR" TESTS IN ORDER TO PROVE THAT ROWE WAS LYING WHEN  
ROWE CLAIMED IN COURT YESTERDAY THAT MURPHY HAD INSTRUCTED HIM TO  
SAY THAT THE FBI HAD OFFERED HIM A FARM IN MINNESOTA AND A CONSIDER-  
ABLE SUM OF MONEY TO FURNISH INFORMATION TO THE GOVERNMENT. NO COMMENT  
WAS MADE TO MURPHY BY SAC INGRAM REGARDING MURPHY'S INTENTIONS.

ABOVE FOR BUREAU'S INFORMATION.

END

79 MAY 12 1965

WA BMS

FBI WASH DC MR. ROSEN

MR. BELMONT FOR THE DIRECTOR

*We will ignore  
any demands  
of Murphy*

FBI WASH DC

FBI MOBILE

2-15 PM CST URGENT

5/4/65

TEB

TO: DIRECTOR

FROM: MOBILE (44-1245)

2P

EUGENE THOMAS, ET AL; MRS. VIOLA GREGG LIUZZO, AKA ET  
CIVIL RIGHTS - ELECTION LAWS  
AL DASH VICTIMS. CR DASH EL.

AS OF NOON RECESS TODAY FIVE WITNESSES FOR PROSECUTION  
ALABAMA STATE TROOPERS  
HAVE BEEN CALLED TO STAND. TWO ASIS, BURGESS AND MC GEE  
TESTIFIED RELATIVE TO FINDING BODY OF VICTIM LIUZZO IN  
AUTOMOBILE OFF HIGHWAY EIGHTY EAST IN LOWNDES COUNTY. SHERIFF  
FRANK RYALS, LOWNDES COUNTY, ALA., TESTIFIED AS TO CRIME BEING  
WITHIN JURISDICTION OF LOWNDES COUNTY.

STATE INVESTIGATORS, WILLIE B. PAINTER AND E. J. DIXON,  
TESTIFIED AS TO PRESERVATION OF CRIME SCENE AND VEHICLE  
BELONGING TO LIUZZO PLUS FINDING VARIOUS ARTICLES IN AUTOMOBILE  
INCLUDING A BULLET THAT WAS FOUND ON THE RIGHT REAR FLOOR MAT.

VICTIM LEROY JEROME MOTON, DR. PAUL SHOFFETT, AND GARY  
THOMAS ROWE EXPECTED TO TESTIFY THIS AFTERNOON DEPENDING UPON

END PAGE ONE

30 MAY 12 1965

AIR DELMONT FOR THE DIRECTOR

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

MAY 7 1965

PAGE TWO

MO 44-1245

TIME IT TAKES TO EXAMINE WITNESSES ON DIRECT AND CROSS.

DEPARTMENTAL ATTORNEY JAMES TURNER ON SCENE AND COGNIZANT.

END

WA.....SXC

FBI WASH DC

TU DISC

CC-MR. ROSEN

# FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>MOBILE</b>	OFFICE OF ORIGIN <b>MOBILE</b>	DATE <b>5/3/65</b>	INVESTIGATIVE PERIOD <b>4/5 - 4/29/65</b>
TITLE OF CASE  <b>EUGENE THOMAS; ET AL; VIOLA GREGG LIUZZO, aka.; LEROY JEROME MOTON - VICTIMS</b>		REPORT MADE BY  <b>SA [REDACTED] b7c</b>	TYPED  <b>71</b>
		CHARACTER OF CASE  <b>CR - EL</b>	

## REFERENCE

Report of SA [REDACTED] Mobile, 4/3/65.

Summary memorandum of Mobile to Bureau, 4/12/65.

P -

## ADMINISTRATIVE

No dissemination will be made of this report to the U. S. Attorney, Mobile, Ala., or Departmental Attorney until such time as the Bureau furnishes approval for the dissemination of this report.

[REDACTED] advised that recently he had been on a business trip to Port Arthur, Texas. He stated that he happened to be in either the courthouse or the City Hall when he overheard a conversation between two policemen. He said one of the policemen had a number of documents in his

APPROVED  <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE:  (3) - Bureau (44-28601) 1 - USA, Mobile, Ala. 1 - Departmental Attorney Selma, Ala. 1 - Birmingham (Info.) (44-1236) 1 - Atlanta (Info.) 2 - Mobile (44-1245)		44-28601-211	REC
		MAY 6 1965	
DISSEMINATION RECORD OF ATTACHED REPORT		NOTATIONS	
AGENCY	112-601	<i>[Handwritten notes and signatures]</i> loc of [unclear] [unclear]	
REQUEST RECD.			
DATE FWD.	5/3/65		
HOW FWD.	5-58-1		
BY	[Signature]		

58 MAY 13 1965

hand and he asked the other policeman if the name on them looked familiar. From the rest of the conversation, informant advises, it appears that documents concerned the arrest of a man named LIUZZO at Port Arthur, Texas, in 1949. LIUZZO, it seems, was distributing communist literature with about 15 other whites and Negroes at the time of his arrest in the Negro section of Port Arthur. VIOLA GREGG LIUZZO is the Detroit, Michigan, housewife shot and killed in Lowndes County, Ala., on 3/25/65.

Informant advised that the conversation between the two policemen was not for his ears, but that on the other hand, they seemed unconcerned as to who heard them. He stated that one of them said that this should be reported to the FBI and the other one said something like, "We'd better think that over."

The Albuquerque Division set forth a lead for Houston at Port Arthur, Texas, to search the files of the Police Department and the Sheriff's Office for any record which would substantiate the above information and advise interested offices of the results.

#### LEADS

#### ATLANTA AND BIRMINGHAM DIVISIONS (INFORMATION)

One copy each of this report is being designated for the Birmingham and Atlanta Divisions due to the close proximity of these offices to the Mobile Division and they may desire to be apprised of the status of instant case.

#### MOBILE DIVISION

AT HAYNEVILLE, ALABAMA Will follow and report results of State prosecution regarding subjects THOMAS, WILKINS and EATON.

AT SELMA, ALABAMA Will report results of the Houston Office check of the Police Department and Sheriff's Office records at Port Arthur, Texas.

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to:

- 1 - U. S. Attorney, Mobile, Ala.
- 1 - Departmental Attorney, Selma, Ala.

Report of:

SA [REDACTED] b7c

Office: MOBILE

Date:

5/3/65

Field Office File No.:

44-1245

Bureau File No. 44-28501

Title:

EUGENE THOMAS; ET AL;  
VIOLA GREGG LIUZZO;  
LEROY JEROME MOTON - VICTIMS

Character:

CIVIL RIGHTS - ELECTION LAWS

Synopsis:

Federal charges against subjects THOMAS, WILKINS and EATON presented to the Federal Grand Jury, MDA, on 4/5/65. A true bill returned against the above 3 subjects 4/6/65, for violation T18, S241, USC.

Summary memorandum prepared regarding captioned case at Selma, Ala., 4/12/65, for the purpose of dissemination of the results of investigation in this case to State authorities so that they might present murder charges against the above three subjects to the Grand Jury, 4/19/65. Subjects THOMAS, WILKINS and EATON indicted for First Degree Murder in the death of victim LIUZZO, by Lowndes County Grand Jury, 4/22/65.

Subjects THOMAS, WILKINS and EATON arraigned 4/26/65, Lowndes County, pled not guilty to the charges in the indictment. granted severance to be tried separately. and subject WILKINS scheduled for trial 5/3/65. Supplemental FBI Laboratory report regarding ammunition examination and supplemental toxicology report from Alabama State Department of Toxicology set forth herein.



NO 44-1245

DETAILS:

AT SELMA, ALABAMA

On April 8, 1965, the U. S. Attorney's Office, Middle District of Alabama, furnished a copy of a true bill of indictment against subjects THOMAS, WILKINS and EATON which indictment was returned against these subjects by a Federal Grand Jury on April 6, 1965, for violation Title 18, Section 241, U. S. Code. The contents of the Federal Grand Jury indictment are as follows:

"COPY OF INDICTMENT. which was returned on April 6, 1965, by Federal Grand Jury in Montgomery, Alabama.

"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

"(18 USC 241)

"The Grand Jury charges:

COUNT 1

"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.
- "(4) The right to participate in a 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 #2181-N.
- "(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"

On April 12, 1965, pursuant to instructions received from the U. S. Department of Justice, a summary memorandum containing pertinent details in reference to the shooting of victim LUEZO in Lowndes County, Alabama was prepared and was to be furnished to local authorities after review by the Department.

Subsequently, the Department requested deletions in the summary memorandum which deletions were made and thereafter the summary memorandum was delivered to Circuit Solicitor ARTHUR GAMBLE, JR. at Greenville, Alabama.

On April 19, 1965, the State murder case involving subjects THOMAS, WILKINS and EATON was presented to a State Grand Jury which convened at Hayneville, Alabama, and on April 22, 1965, the State Grand Jury returned a First Degree Murder indictment against COLLIE LEROY WILKINS, age 21, EUGENE THOMAS and WILLIAM ORVILLE EATON, according to Circuit Solicitor ARTHUR GAMBLE, JR. who furnished the above information on April 22, 1965.

Solicitor GAMBLE advised on April 23, 1965, that he and Sheriff FRANK RYALS of Lowndes County, Alabama, had traveled to Birmingham, Alabama; on the evening of April 22, 1965, and all three subjects, WILKINS, THOMAS and EATON, were surrendered to their custody by their attorney, MATT MURPHY. They were arraigned and admitted to bond on same date at Birmingham.

On April 26, 1965, ARTHUR GAMBLE, Circuit Solicitor, advised that on instant date WILKINS, THOMAS and EATON had been afforded a formal hearing before Circuit Judge T. WERTH THAGARD at Hayneville, Alabama and all of the subjects pled not guilty to the first degree murder charges in the indictment. Their attorney, MURPHY, requested separate trials in reference to the three above individuals and they trial of COLLIE LEROY WILKINS was set for the week of May 3, 1965.

On April 9, 1965, the following laboratory examination was conducted by the FBI Laboratory in reference to a comparison of various cartridge cases obtained from the subjects of this case at Birmingham, Alabama:

UNITED STATES GOVERNMENT

## Memorandum

TO : DIRECTOR, FBI (44-23601)

FROM : SAC, MOBILE (44-1245) (P)

SUBJECT: EUGENE THOMAS; ET AL;  
VIOLA GREGG LIUZZO, aka;  
LEROY JAMES MOTON - VICTIMS  
CR - EL  
(OO: MOBILE)

DATE: 5/3/65

Attached hereto is report of SA [REDACTED] b7c  
Mobile. 5/3/65. As indicated on the administrative page,  
dissemination of this report is being withheld until such  
time as Bureau furnishes approval. The Bureau is requested  
to promptly advise.

2 - Bureau (Enc 1)  
1 - Mobile  
JRC:leh  
(3)

ENCLOSURE

REC-1 44-23601-5/2

EX 10

MAY 6 1965

FBI MOBILE  
RECEIVED

5/7/65

1 - Mr. Hines

Airtel

EX 109

To: SAC, Mobile (44-1245)

From: Director, FBI (44-28601) - 312

EUGENE THOMAS, ET AL;  
VIOLA GREGG LIUZZO, AKA;  
LEROY JAMES MOTON - VICTIMS  
CIVIL RIGHTS; ELECTION LAWS

Reurlet 5/3/65 enclosing the report of SA [REDACTED] at Mobile dated 5/3/65.

Bureau approval is granted for immediate dissemination of this report to Departmental Attorney in Selma and appropriate U. S. Attorney.

JWH/ral  
(4)

NOTE: The report of SA [REDACTED] at Mobile dated 5/3/65 has been reviewed by appropriate Bureau supervisor. The report sets forth Federal and state prosecutive action against the subjects in this case and also includes the supplemental toxicology report from the Alabama State Department of Toxicology re autopsy performed on the body of Mrs. Liuzzo.

b7A

Tolson \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Callahan \_\_\_\_\_  
Conrad \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Tavel \_\_\_\_\_  
Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

50 MAY 10 1965

MAIL ROOM

TELETYPE UNIT

MAILED 5  
MAY 10 1965  
COMM-FBI

RECEIVED BUREAU OF  
U. S. DEPARTMENT OF JUSTICE  
COMMUNICATIONS SECTION

MAILED  
TELETYPE

9

Mr. Tolson  
Mr. Belmont  
Mr. Mohr  
Mr. DeLoach  
Mr. Casper  
Mr. Callahan  
Mr. Conrad  
Mr. Felt  
Mr. Gale  
Mr. Rosen  
Mr. Sullivan  
Mr. Tavel  
Mr. Trotter  
Tele. Room  
Miss Holmes  
Miss Gandy

FBI MOBILE

12-45 PM CST URGENT 5/7/65 LLO

TO DIRECTOR AND BIRMINGHAM

FROM MOBILE (44-1245) 2P

CIVIL RIGHTS - ELECTION L

EUGENE THOMAS, ETAL; VIOLA GREGG LIUZZO, ETAL - VICTIMS, CR - FL.

REMOTEL MAY SIX, SIXTYFIVE, CONCERNING THE PROGRESS OF THE TRIAL IN CAPTIONED MATTER IN STATE CIRCUIT COURT AT HAYNEVILLE, ALA.

DURING THE MORNING OF MAY SEVEN, SIXTYFIVE, THE JURY CONTINUED ITS DELIBERATIONS RETURNING TO THE COURTROOM ONCE WITH SEVERAL INQUIRIES WHICH THE JUDGE HEARD. ONE INQUIRY AGAIN CONCERNED THE DISTINCTION BETWEEN THE DEGREES OF MURDER AND MANSLAUGHTER. THE OTHER INQUIRY RELATED TO THE AMOUNT OF WEIGHT THAT SHOULD BE GIVEN TO THE TESTIMONY OF AN ACCOMPLICE.

THE JUDGE ANSWERED JURY'S QUESTIONS AND INSTRUCTED THEM TO CONTINUE THEIR DELIBERATIONS. THEY INDICATED THAT THEY WERE NOT IN AGREEMENT AT THIS TIME. AT NOON, JURY WAS PERMITTED.

END PAGE ONE

EX 110

REC 64

MAY 10 1965

MR. BELMONT FOR THE DIRECTOR

64

PAGE TWO

TO RECESS FOR LUNCH AND IT WILL RESUME DELIBERATIONS IN THE  
AFTERNOON OF MAY SEVEN, SIXTYFIVE.

THE JUDGE HAS INDICATED THAT HE HAS A FISHING COMMITMENT  
FOR THIS WEEKEND AND HE THINKS AT THIS TIME THAT IF THE JURY  
DOES NOT ARRIVE AT ITS DECISION AT THE CLOSE OF BUSINESS TODAY,  
HE MAY LOCK THEM UP FOR THE WEEKEND.

END AND ACK PLS

WA RPP

FBI WASH DC

BH WCR

FBI BIRMGHAM

TUDISC

CC-MR. ROSEN

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Belmont

FROM : A. Rosen

SUBJECT: EUGENE THOMAS, ET AL;  
VIOLA LIUZZO, ET AL - VICTIMS  
CIVIL RIGHTS - ELECTION LAWS

DATE: May 7, 1965

1 - Mr. Mohr  
1 - Mr. DeLoach  
1 - Mr. Belmont  
1 - Mr. Rosen  
1 - Mr. Malley  
1 - Mr. McGowan  
1 - Mr. Hines

Tolson \_\_\_\_\_  
Belmont \_\_\_\_\_  
Mohr \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Casper \_\_\_\_\_  
Callahan \_\_\_\_\_  
Conrad \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Tavel \_\_\_\_\_  
Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

SA [REDACTED] of the Mobile Office advised at 6:07 p. m., Washington time, that the jury had returned and stated that they had been unable to reach any agreement. The jury returned at 6:05 p. m., Washington time. A mistrial was declared by the Judge.

Information was received that the jurors stood 10 for conviction and 2 for acquittal. This reportedly was the vote of the jurors from the beginning of their deliberations up until the end.

## ACTION:

The Mobile Office has been instructed to discreetly check the names of the jurors through the office files and to furnish any information concerning the jurors particularly with reference to the individual jurors who may have questioned the witnesses. Mobile was also instructed to furnish any further details or plans of the prosecution for a new trial.

EX-103  
REC-2

44-38861-1311  
3 MAY 10 1965

CLM:hw  
(8)

70 MAY 17 1965



TRUE COPY

Wed 5-5-65

Dear Mr. Hoover;

At 8:55 this A. M. I heard a news broadcast on station WJMI) (FM).

Referring to the Luizzo slaying, the announcer mentioned the F. B. I. "informer" in the case.

It seems to me that a man who risks his life for his country is deserving of a better reference than this, so, I called the F. B. I. to inquire. Was nicely turned away. It didn't surprise me as I realize your bureau rarely discusses the status of it's personnel.

It seems that every group or individual interested in America and freedom, receives a "title" always negative, by the press and news casters. One thinks of the term "rebels" applied to the Communists in the Congo who murdered our people and the other term "mercenaries" for their opponents. Surely all the defenders were not "mercenaries."

Keep up your wonderful efforts to maintain our freedom.

God bless you.

[REDACTED]

b7c

110 1/2 1/2 1/2  
110 1/2 1/2 1/2  
KLS: ego

[Handwritten signature]

Dear Mr. Hoover,

At 8:55 this A.M. I

heard a news broadcast on  
station WJMD (FM).

Referring to the Luzzo  
slaying, the announcer mentioned  
the F.B.I. "informant" in the case.

It seems to me that a  
man who risks his life for  
his country is deserving of a  
better reference than this, so,  
I called the F.B.I. To inquire  
was nicely turned away. It  
didn't surprise me as I realize  
your bureau rarely discusses  
the status of its personnel.

(cont'd)

It seems that every group  
or individual interested in America  
and freedom, receives a "title"  
always negative, by the press  
and newscasters. One thinks  
of the term "rabbits" applied  
to the communists in the  
 Congo who murdered our  
people and the other term  
"mercenaries" for their opponents.  
Surely all the defenders were  
not "mercenaries".

Keep up your wonderful  
efforts to maintain our freedom.  
God bless you.

b7c

May 7, 1965

REC-40

116

[REDACTED]

b7c

Dear [REDACTED]

Your letter of May 5th has been received, and I want to thank you for your kind sentiments and generous comments concerning my administration of the FBI. It is hoped that our future endeavors continue to meet with your approval.

It was good of you to write and give me your observations. In view of your interest, I am enclosing some material which I trust will be helpful.

Sincerely yours,

FBI  
READING ROOM  
MAY 7 12 53 PM '65

Enclosures (3)  
U. S. News & World Report 12/21/64  
"Our Heritage of Greatness"  
The FBI's Role in the Field of Civil Rights

NOTE: Correspondent cannot be identified in Bufiles.

KLS:ejc  
(3)

- Tolson
- Belmont
- Mohr
- DeLoach
- Casper
- Callahan
- Conrad
- Felt
- Gale
- Rosen
- Sullivan
- Tavel
- Trotter
- Tele. Room
- Holmes
- Gandy

MAILED 7  
MAY - 1965  
COMM-FBI

MAY 17 1965

MAIL ROOM ☐ TELETYPE UNIT ☐

*[Handwritten signatures and initials]*

12  
7/2/65  
FBI WASH DC

Mr. Tolson  
Mr. Belmont  
Mr. Mohr  
Mr. DeLoach  
Mr. Casper  
Mr. Callahan  
Mr. Conrad  
Mr. Felt  
Mr. Gale  
Mr. Rosen  
Mr. Sullivan  
Mr. Tavel  
Mr. Trotter  
Tele. Room  
Miss Holmes  
Miss Gandy

FBI MOBILE

955 PM CST URGENT

5/6/65

VFP

TO DIRECTOR

FROM MOBILE /44-1245/

EUGENE THOMAS ET AL; VIOLA LIUZZO DASH VIC CR.

REMOTEL TODAY.

JURY IN INSTANT CASE DELIBERATED UNTIL EIGHT PM CST WHEN FOREMAN ADVISED COURT THAT A DECISION DID NOT APPEAR POSSIBLE WITH THE SHORT PERIOD OF TIME. JUDGE ORDERED THE JURY BE TAKEN TO MONTGOMERY ALA AND FED AND MAINTAINED THERE UNTIL TOMMORROW MORNING NINE AM., AT WHICH TIME HE BELIEVED THE FOOD AND REST WOULD HELP THEM REACH A DECISION EARLY TOMMORROW.

END

WA HFL

FBI WASH DC

P

EX 105

REC-34

2 MAY 10 1965

64 MAY 10 1965

included  
in  
not  
am

cc 7/line

WESTERN UNION

BIAOCS 943A EDT MAY 5 65 (39)SYB013

SY RNB010 PD 4 EXTRA AR ROCHESTER NY 5 918A EDT

J EDGAR HOOVER

DIRECTOR FBI THE JUSTICE DEPT WASHDC

PLEASE ADVISE UNDER WHAT LAW UNDER COVER MEN LIKE ROWE IN SELMA  
CASE ARE HIRED BY YOUR DEPARTMENT. HOW LONG HAVE YOU HAD SUCH  
TYPE AGENTS OPERATING AND HOW MANY ARE THERE. IN WHAT AREAS  
OF THE COUNTRY ARE THEY OPERATING AND IN WHAT TYPES OF ACTIVITY  
IN ADDITION TO KLAN WORK

5 MAY 11 1965

A VERNON CROOP MANAGING EDITOR TIMES UNION ROCHESTER NY

(38).

*5-6-65; ELB:cal*  
*5-6-65; ELB:cal*

MR. HOOVER FOR THE DIRECTOR

*kind and find what  
kind of paper the  
Times Union is  
being prepared  
for.*

114228601-  
MAY 11 1965

May 6, 1965

44-28601-

Honorable A. Vernon Croop  
Managing Editor  
Rochester Times-Union  
Rochester 14, New York

Dear Mr. Croop:

Your telegram of May 5, 1965, has been received.

With regard to your inquiries, the development of good informants is an important function of the FBI in handling its responsibilities in the criminal and subversive fields. As in the case of Mr. Gary T. Rowe, informants have made tremendous contributions to our work, not only providing valuable assistance in the solution of cases, but often furnishing tips which allow us to take preventive action.

While many informants voluntarily help through a sense of public duty, we do pay them for their efforts on occasion. Under no circumstances, however, are they considered employees of the FBI.

I regret that I am unable to furnish you data concerning the numbers of informants who are assisting the FBI or the areas of the country in which they are operating. There is enclosed a copy of the FBI Annual Report for the 1964 fiscal year which contains, on page 5, information relating to informants which I trust will be of assistance to you.

Sincerely yours,

NOTE: See M. A. Jones to DeLoach Memo, dated 5-6-65, captioned, "A. Vernon Croop, Managing Editor, Rochester Times-Union, Rochester, New York." Address obtained from files.

Enclosure

- 1 - Buffalo - Enclosure
- 1 - Mr. Sullivan (sent with cover memo)
- 1 - Mr. DeLoach (sent with cover memo)
- 1 - Mr. Jones (sent with cover memo)

79 MAY 19 1965

ELR:jol (9)

ORIGINAL FILED IN 44-28601-40

UNITED STATES GOVERNMENT

## Memorandum

TO : Mr. Conrad

FROM : R. H. Jevons

SUBJECT: EUGENE THOMAS, ET AL.; VIOLA GREGG  
LIUZZO, AKA.; LEROY JEROME MOTON,  
VICTIMS; CR - EL1 - Mr. Conrad  
1 - Office, Room 7133  
DATE: 5/7/65

1 - Mr. Williams

Tolson	✓
Belmont	✓
Mohr	
DeLoach	
Casper	
Callahan	
Conrad	✓
Felt	✓
Gale	✓
Rosen	✓
Sullivan	
Tavel	
Trotter	
Tele. Room	
Holmes	
Gandy	

The purpose of this memorandum is to advise that SA Marion E. Williams testified in Hayneville, Alabama, on May 5, and May 6, 1965, as to his examinations of evidence in this case and to identify the items of evidence introduced during his testimony which remained in the custody of the court.

- Q1 Bullet fragment from under right front seat ✓
- Q4 Mutilated bullet from inside top of car over right door
- Q14 Piece of metal removed from body of car below left rear window
- Q15 Piece of metal removed from left door of car
- Q16 Bullet from victim's body
- Q17 Bullet from rear floor mat, passenger side ✓
- Q25 - Q30 Six cartridges from K3
- Q52 One .22 caliber cartridge
- Q53 - Q57 Five .38 Special cartridge cases found approximately .55 mile east of victim's car
- ✓ K3 .38 Special Smith and Wesson revolver, Serial No. C-418827

The prosecutive action in this case will be reported by the Mobile Office.

## ACTION:

For information:

44-28601

- 1 - Mr. Belmont
- 1 - Mr. Rosen
- 1 - Mr. McGowan
- 1 - Mr. M. A. Jones, Room 4264

MEW:ham

MAY 10 1965

REC-34

EX-105

25 MAY 11 1965

44-28601-319



# Memorandum

TO : Mr. Rosen

DATE: May 8, 1965

FROM : C. McGowan

1 - Mr. Rosen  
1 - Mr. Malley  
1 - Mr. McGowan  
1 - Mr. McGrath  
1 - Mr. Hines  
1 - Mr. Dobbs

SUBJECT: EUGENE THOMAS, ET AL.  
VIOLA LIUZZO, ET AL. - VICTIMS  
CIVIL RIGHTS; ELECTION LAW

Tolson \_\_\_\_\_  
Belmont \_\_\_\_\_  
Mohr \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Casper \_\_\_\_\_  
Callahan \_\_\_\_\_  
Conrad \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Tavel \_\_\_\_\_  
Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

Assistant Director Belmont requested SA O. L. Dobbs to determine if it was known as to which juror asked if the Bureau had examined the gun and cartridge cases used in the killing of Mrs. Viola Liuzzo for fingerprints as the Director would probably be interested in knowing if this juror was one of the two jurors who voted for acquittal.

After reviewing available ticklers and newspaper articles, Inspector Joseph A. Sullivan was contacted at Selma, Alabama, who advised this information had not been obtained to date. Inspector Sullivan mentioned that it probably would not be possible to obtain information except through direct contact of one of the jurors.

Mr. Belmont was advised of the above information. Mr. Belmont advised that the juror should not be contacted to obtain this information.

Inspector Sullivan was advised of Mr. Belmont's comments, but was requested to immediately furnish this information to the Bureau should it come to his attention through other sources.

## ACTION

For information.

OLD:imt

(7)

EX-105

REC 68

44-28601-011

MAY 10 1965

GENERAL INVESTIGATIVE DIVISION

This matter relates to murder  
of civil rights worker, Mrs. Viola Liuzzo,  
between Selma and Montgomery, Alabama,  
on 3-25-65.

Murder trial of subject Collie  
Leroy Wilkins began in State Court on  
5-3-65.

Gary Thomas Rowe is our  
informant and key prosecution witness.

*[Handwritten signature]*  
UD:hw

FBI MOBILE

COMMUNICATIONS SECTION  
MAY 5 1965  
TELETYPE

635 PM CST URGENT

5/5/65

VFP

TO DIRECTOR AND BIRMINGHAM  
FROM MOBILE /44-1245/

Mr. Tolson	
Mr. Belmont	
Mr. Mohr	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

EUGENE THOMAS, ET AL. VIOLA GREGG LIUZZO. ET AL - VICTIMS  
CIVIL RIGHTS - ELTON LOMUS  
GR-EL.

REMOTEL THIS DATE, SUMMARIZING MORNING PROCEEDINGS IN TRIAL  
IN CAPTIONED MATTER AT HAYNEVILLE, ALA.

DURING THE AFTERNOON SESSION OF THE TRIAL, THE STATE COMPLETED  
THE PRESENTATION OF ITS CASE, ALTHOUGH IT DID NOT REST. ALABAMA  
HIGHWAY PATROLMAN HAGOOD, BIRMINGHAM AGENTS GETTINGS, LAHEY, SHANAHAN,  
MOBILE AGENT ARCHIBALD L. RILEY, AND LABORATORY EXAMINER MARIAN  
WILLIAMS ALL TESTIFIED.

FOLLOWING DIRECT EXAMINATION OF LABORATORY EXAMINER WILLIAMS,  
DEFENSE COUNSEL MURPHY SPENT CONSIDERABLE TIME ON CROSS-EXAMINATION.  
FOLLOWING RECESSING OF THE PROCEEDINGS FOR THE DAY, THE PRESS  
ASKED MURPHY WHY HE SPENT SO MUCH TIME CROSS - EXAMINING WILLIAMS.  
MURPHY STATED THAT THE PRESS HAD NOTED THAT WILLIAMS COULD NOT  
MAKE THE SAME EXAMINATION ON THE WITNESS STAND THAT HE MADE IN THE  
END PAGE ONE .....EX-110 REC-99

56 MAY 19 1965

MR. BELMONT FOR THE DIRECTOR

MAY 11 1965

28601-324  
64TV

PAGE TWO .....

LABORATORY IN WASHINGTON. HE INDICATED THAT HE REGARDED THIS AS A CRITICAL ISSUE. HE STAD THAT CONSIDERABLE PRESSURE WAS PLACED ON THIS CASE IN SEEKING A CONVICTION, BY LYNDON BAINES JOHNSON, AND THIS MIGHT BE THE REASON WHY THE SAME EXAMINATION COULD NOT BE DONE ON THE WITNESS STAND AS WAS DONE IN THE LABORATORY.

MURPHY WAS ASKED WHAT TYPE OF DEFENSE HE PROPOSED TO MAKE. HE INFERRED THAT HE WOULD ASK FOR DISMISSAL UPON COMPLETION OF STATES CASE, AND DID NOT SPECIFY BEYOND THIS AS TO THE DEFENSE PLANS.

ROBERT SHELTON, IMPERIAL WIZARD OF THE <sup>United Klans of America</sup> UKA, WAS ASKED WHAT TYPE OF DEFENSE WOULD BE MADE AND HE INFORMED THE PRESS THAT THE DEFENSE WOULD SHOW WHAT TYPE OF PERSON ROWE WAS, AND THAT HE HAD AN ARREST RECORD FOR CARRYING AUTOMATIC WEAPONS.

THE FOLLOWING IS A LIST OF <sup>KKK KLAN</sup> KKK MEMBERS WHO WERE OBSERVED IN ATTENDANCE DURING THE PROCEEDINGS ON THIS DATE; ROBERT SHELTON, ROBERT M. CREEL, MELVIN SEXTON, CHARLES C. KELLEY, CURTHIS DOLES, RALPH ROTON, ALL BELIEVED TO BE FROM BIRMINGHAM AREA, AND LORENZO BENDER OF DOTHAN, ALA., WHO WAS FORMERLY A KLANSMAN IN LOWNDES CO., ALA.

END PAGEE TWO.....

PAGE THREE .....

NATIONAL STATES Rights Party

THE FOLLOWING MEMBERS OF THE NSRP WERE OBSERVED IN ATTENDANCE  
ON THIS DATE; DR. EDWARD R. FIELDS, <sup>FIRST NAME UNKNOWN</sup> FNU GENTRY, ROBERT J. VICKERSON,  
RALPH D. SIXTON, ALL FROM BIRMINGHAM AREA.

THE DATA CONCERNING THE AUTOMATIC WEAPON REFERRED TO BY  
SHELTON CONCERNS AN ARREST OF ROWE WITH OTHER KLANSMEN IN CONNECTION  
WITH A CR DEMONSTRATION IN MONTGOMERY, ALA. BIRMINGHAM IS  
BEING REQUESTED TO CHECK THIS MATTER TO ASCERTAIN WHETHER THERE  
IS ANY PERTINENT REBUTTAL DATA WHICH MAY BE CALLED TO THE ATTENTION  
OF THE CIRCUIT SOLICITOR. -P. <sup>Pending</sup>

END.

WA ...SML

FBI WASH DC

BH GR

FBI BIRMSHAM

CC-MR. ROSEN

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Belmont

DATE: 5/6/65

FROM : A. Rosen

1 - Mr. DeLoach  
1 - Mr. Belmont  
1 - Mr. Rosen  
1 - Mr. Malley  
1 - Mr. McGowan  
1 - Mr. Hines

SUBJECT: EUGENE THOMAS, ET AL.  
VIOLA LIUZZO, ET AL - VICTIMS  
CIVIL RIGHTS

Tolson  
Belmont  
Mohr  
DeLoach  
Casper  
Callahan  
Conrad  
Felt  
Gale  
Rosen  
Sullivan  
Tavel  
Trotter  
Tele. Room  
Holmes  
Gandy

Inspector Joseph Sullivan has advised that the defense rested its case at 11:30 a. m. Alabama time (1:30 p. m. Washington time) today. The defense called only six witnesses. Closing arguments and the charge to the jury are scheduled to be given this afternoon.

Robert Shelton, Robert Thomas and Eugene Reeves and Mildred Thomas were called as witnesses by the defense. These four all testified that they were present with Attorney Matt Murphy when the Bureau's informant, Gary Thomas Rowe, Jr., made the statement to Murphy that he had been offered a farm in Minnesota by FBI Agents. It should be noted that Rowe had stated yesterday on the stand that the idea of the farm was concocted by Attorney Murphy.

Mildred Thomas was also asked if Rowe had not made the statement to her that he was a card-carrying member of the Communist Party. The prosecutor objected and the objection was upheld.

Lorene Frederick testified for the defense that the defendant, Collie LeRoy Wilkins, as well as Rowe, Thomas and Eaton, were in her restaurant before 10:00 p. m. on the night of March 25, 1965, the night of the killing. On cross examination she admitted that she had not clocked the individuals into the restaurant and that it could have been after 10:00 p. m. when she saw them in her place.

Another witness called by the defense was a Mr. Powell. He was asked if Rowe, the Bureau informant, had assaulted him. The prosecutor objected to this and the objection was upheld. MAY 11 1965

ACTION: This is being closely followed and Inspector Sullivan will advise us of further developments in the trial.

CLM:mpd (7)

MAY 12 1965

FBI

Date: 5/6/65

Transmit the following in \_\_\_\_\_

(Type in plaintext or code)

Via AIRTEL

AIRMAIL

(Priority)

TO: DIRECTOR, FBI  
FROM: SAC, MOBILE (44-1245)(P)  
SUBJECT: EUGENE THOMAS, ET AL;  
NRS. VIOLA GREGG LIUZZO, aka,  
ET AL - VICTIMS  
CR - EL

Enclosed herewith for the Bureau are two copies of an article appearing in the Choctaw Advocate, Butler, Ala., in the edition dated 5/6/65, entitled, "Liuzzo Defendants Appearing at Bladon Springs Klan Rally, One on Trial Now."

Also enclosed for the Bureau is one copy each of two photographs taken at the Klan rally at State Park, Bladon Springs Ala., 5/1/65. Enclosed for the Birmingham Office is one copy each of the two photographs.

Picture number one appears from left to right, MATT H. MURPHY, JR., who is defending the three subjects in the Liuzzo case, WILLIAM EATON, LEROY WILKINS, EUGENE THOMAS, and Klan Grand Dragon ROBERT CREEL. Picture number two is a photograph of MATT H. MURPHY and ROBERT CREEL who are standing

- ③ - Bureau (Enc. 4)  
2 - Birmingham (Enc. 2)  
4 - Mobile  
(2 - 44-1245)  
(1 - 157-190)  
(1 - 157-190, SF7)

RGR:GJL  
(9)

MAY 25 44-1245-3

MAY 10 1965

Approved: \_\_\_\_\_

Special Agent in Charge

Sent \_\_\_\_\_

M

Per \_\_\_\_\_

MO 44-1254

in the foreground in the picture. The Mobile Office is forwarding to the Bureau and Birmingham Poloroid copies of these photographs and at a later date will forward to the Bureau and Birmingham 8" x 10" copies of these photographs which will be the exact dimensions of the photographs furnished to the Mobile Office by [REDACTED] b7D

The Birmingham Office is requested to examine photograph number two which is a picture of MURPHY and CREEL in their Klan robes and attempt to identify the individual wearing glasses and a dark suit appearing directly behind MURPHY.



(Mount Clipping in Space Below)

# Liuzzo defendants appear at Bladen Springs Klan rally; one on trial now

For most of the estimated 200 who attended last Saturday night's rally of the Ku Klux Klan the appearance of the three defendants in the Liuzzo slaying case came as quite a surprise. The three, Leroy Wilkins, Jr., 21, William Eaton, 41, and Eugene Thomas, 42, appeared at the rally in the company of Alabama Grand Dragon Robert Creel and Klan attorney Matt H. Murphy, Jr.

Wilkins, youngest of the trio, is on trial today at Hayneville, Alabama. He is charged with the murder of Mrs. Viola Liuzzo, a white civil rights worker who was slain on the night of March 25 near Lowndesboro as she drove with a young Negro between Selma and Montgomery. His trial, presently in its fourth day, is expected to end by tomorrow. Eaton and Thomas are expected to be tried in the fall.

Klan Grand Dragon Creel contacted the group at the rally at Bladen Springs and asked those attending, "do these men look like murderers?" Their appearance at the rally followed a talk by their attorney, Matt Murphy. Murphy, attired in a brilliant red robe, was the first speaker of the evening. His talk dealt primarily with the Klan's opposition to the Federal Reserve System, international finance and

the "Zionist Jew." Murphy lashed out at the government's practice of pumping financial aid into countries that are hostile to this nation. Several times he mentioned an unbelievable sum of 84 billion dollars that he said was given to a small European country hardly larger than Choctaw County. He also remarked at the wealth this country, or any other in this country, would enjoy if a similar amount were spent here.

While Murphy's talk was interesting, it was left up to Grand Dragon Creel to comment on what most of those in attendance had apparently come to hear. Creel, wearing an emerald-green robe which he later removed, talked primarily on the civil rights question and the Klan's opposition to the integration of the races. He commented on the recent trouble at Selma and claimed that the Rev. Reeb's body was cremated because it was "rotten with cancer and syphilis." Reeb died at a Birmingham hospital after he was beaten during racial incidents at Selma.

Creel also attacked the proposed free textbook program backed by Gov. George Wallace. He said that this was one thing he and the Klan differ with Gov. Wallace on. Creel, who said that he didn't want his three children going to school with a bunch of "runny nosed niggers," said that he would buy his children's books and urged that others be allowed to do the same.

(Indicate page, name of newspaper, city and state.)

Page 1A  
Choctaw Advocate  
Butler, Alabama

Date: 5/6/65  
Edition:  
Author:  
Editor:  
Title: Eugene Thomas; Et Al; Viola Gregg Liuzzo, Et Al - Vics.  
Character: CR  
or MO 44-1245  
Classification:  
Submitting Office: Mobile  
☒ Being Investigated

44-28651-326  
ENCLOSURE

The Grand Dragon went on to say that it was the aim of the Klan to place men in every phase of government in an effort to restore constitutional government. He urged that everyone make an effort to support only those men who adhered to these principles. He charged that all of our present politicians are courting the black vote and don't really care about the working white man. He also charged that most businessmen are complying with the provisions of the Civil Rights Act too readily. He said that businessmen are not concerned with the man in the street as long as they keep on making money. "They have got theirs," he said, "and all they care about is getting richer." He

said that the Klan would not stand for this. "If they want nigger business," he said, "that's what we'll give them."

Following talks by Creel and Murphy those attending the rally were invited to join the Klan. Creel urged that both men and women who were willing to stand up for the Klan's beliefs were welcome to join. Many of those in attendance did fill out membership applications. In asking for members, Creel stressed that those looking for an opportunity to night-ride on a white horse were at the wrong place. He said that violence was not the aim of the Klan.

An estimated 200 persons were on hand at the Bladon Springs State Park when the rally began at 8:00 p.m. Considering the fact that it was a Saturday night, and fairly cold too, Klansmen were pleased with the turnout. Most of those attending were residents of the southern portion of Choctaw County. Some, including the organizers of the rally, were from Clarke County. Few, other than the editor of The Advocate, made the trip from Butler to Bladon Springs.



DO THESE MEN LOOK LIKE MURDERERS? That was the question Ilim Eaton, Leroy Wilkins and Eugene Thomas. Wilkins, center, is posed by Klan Grand Dragon Robert Creel, right, as he and Klan presently on trial at Hayneville, Alabama. He is charged with the attorney Matt H. Murphy, Jr., left, presented the three defendants slaying of Mrs. Viola Liuzzo, civil rights working wife of a Detroit in the Liuzzo slaying case. The three, shown in the middle, are Wil- Teamster official.

ENCLOSURE 44-28501-316





May 5, 1968  
GENERAL INVESTIGATIVE DIVISION

This matter concerns the murder of civil rights worker, Mrs. Viola Liuzzo, between Selma and Montgomery, Alabama, on 3-25-65. Trial of subject Collie Leroy Wilkins on murder charge began in State court on 5-3-65.

Rowe is our informant and key witness.

Moton is Negro male who was riding with Mrs. Liuzzo at time of murder.

RJD:hw *[Signature]*

FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE  
COMMUNICATIONS SECTION  
MAY 4 1965  
TELETYPE

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

FBI MOBILE

628 PM CST URGENT 5/4/65 VFP

TO DIRECTOR AND BIRMINGHAM  
FROM MOBILE /44-1245/

EUGENE THOMAS, ET AL. VIOLA GREGG LIUZZO-VICTIM ET AL.

Civil Rights  
CR EL.  
Section Laws

REMOTEL THIS DATE, SUMMARIZING TRIAL IN THE CAPTIONED  
MATTER AT HAYNEVILLE, ALA.

DURING THE AFTERNOON OF MAY FOUR, INSTANT, LEROY JEROME  
MOTON TESTIFIED AS TO THE LIUZZO KILLING, DR. PAUL SHOFFEITT  
TESTIFIED CONCERNING THE AUTOPSY HE PERFORMED, AND THE DIRECT  
EXAMINATION OF GARY THOMAS ROWE WAS COMPLETED. CROSS EXAMINATION  
OF ROWE SCHEDULED FOR OPENING OF COURT, NINE AM, MAY FIVE,  
NEXT.

REC 61  
EX-116

NO INCIDENTS WERE OBSERVED IN THE TRIAL OR ELSEWHERE. THE  
DEFENSE SERVED A SUBPOENA ON COL. AL LINGO, AHP, TO PRODUCE THE  
LIUZZO CAR AND ITS CONTENTS. THESE ITEMS HAVE BEEN BROUGHT TO  
HAYNEVILLE AND LOCKED UP AS EVIDENCE.

THE THEME OF DEFENSE COUNSEL MATT MURPHY-S CROSS EXAMINATION

END PAGE ONE

MAY 17 1965

MR. BELMONT FOR THE DIRECTOR

PAGE TWO ....

OF WITNESSES CONCENTRATED ON AN INQUIRY AS TO WHY THE FBI DID  
SO MUCH INVESTIGATION IN A STATE CASE. PENDING

END

VA OMS

FBI WASH DC

BH ADVISED P

CC-MR. ROSEN



May 1, 1965  
GENERAL INVESTIGATIVE DIVISION

This matter relates to murder of  
civil rights worker, Mrs. Viola Liuzzo,  
between Selma and Montgomery, Alabama,  
on 3-25-65.

Trial of subject Collie Leroy  
Wilkins on murder charge began in State  
Court at Hayneville, Alabama, on 5-3-65.

Gary Thomas Rowe is our informant  
and key prosecution witness.

*Handwritten initials: RJD:hw*  
RJD:hw

*Handwritten signature: [illegible]*  
COPY SENT TO MR. TOLSON

MAY 7 1965

FBI WASH DC

FBI MOBILE

736 PM CST 5/7/65 URGENT CCM

TO DIRECTOR

FROM MOBILE (44-1245)

Mr. Tolson  
Mr. DeLoach  
Mr. Mohr  
Mr. Bishop  
Mr. Casper  
Mr. Callahan  
Mr. Conrad  
Mr. Felt  
Mr. Gale  
Mr. Rosen  
Mr. Sullivan  
Mr. Tavel  
Mr. Trotter  
Tele. Room  
Miss Holmes  
Miss Gandy

EUGENE THOMAS, ET AL. MRS. VIOLA LIUZZO, ET AL - VICTIMS.

Civil Rights

GR, Et.

Section 1983

REMYTELS INSTANT CONCERNING TRIAL IN CAPTIONED MATTER AT  
HAYNEVILLE, ALA.

AT FOUR ZERO FIVE P.M., TODAY, JUDGE T. WERTH THAGGARD  
DECLARED A MISTRIAL IN INSTANT MATTER. HE HAD CALLED THE JURY  
IN FROM ITS DELIBERATIONS AT FOUR P.M., AND QUESTIONED THE JURY  
FOREMAN AS TO THE POSSIBILITY OF REACHING A DECISION. THE  
FOREMAN STATED IT STOOD THE SAME AS IT HAD RIGHT AFTER THEY  
STARTED DELIBERATIONS AT THREE FORTY P.M, MAY FIVE, LAST.  
THE JUDGE OBTAINED PERMISSION FROM ALL ATTORNEYS INVOLVED TO  
QUESTION THE FOREMAN AS TO THE STATUS. THE CONSENT WAS GIVEN  
AND THE FOREMAN STATED THE VOTE WAS TEN TO TWO IN FAVOR OF  
CONVICTION. HE SAID IT WAS HIS OPINION THAT NONE OF THOSE  
ON EITHER SIDE WOULD CHANGE. THE JUDGE ASKED JURY COLLECTIVELY  
IF IT WAS THEIR OPINION AND ALL NODDED AT THEIR HEADS. HE  
THEN THANKED THEM FOR THEIR SERVICE AND DECLARED A MISTRIAL.

EX 109

MAY 12 1965

END PAGE ONE

MR. BELMONT FOR THE DIRECTOR

PAGE TWO

COUNTY SOLICITOR CARLTON PERDUE AND CIRCUIT SOLICITOR ARTHUR GAMBLE, JR., BOTH ADVISED THEY WERE HEARTENED BY TEN TO TWO IN FAVOR OF CONVICTION AND IN VIEW OF GRAND JURY SEEING FIT TO INDICT SUBJECT AND PRESENT TRIAL ENDING IN TEN TO TWO MISTRIAL, THEY SAID THEY HAD EVERY INTENTION OF PRESENTING THE CASE FOR TRIAL, BUT NO DATE COULD BE SET AT THIS TIME.

JUDGE T. WERTH THAGGARD RECESSED WITHOUT SETTING ANY DATE FOR CONTINUANCE OR NEW TRIALS.

OUTSIDE THE COURTROOM DEFENSE ATTORNEY MATT MURPHY HELD AN IMPROMPTU CONFERENCE FOR NEWSMEN AND TV CAMERAS AND ADVISED HE WELCOMED OPPORTUNITY TO RETURN TO FIGHT THIS CASE AND HE HAD BUILT HIS CASE THIS TIME ON CROSS EXAMINATION AND HAD DONE A GOOD JOB, BUT WOULD RETURN NEXT TIME AND BLOW STATE'S CASE OUT OF THE WATER. HE UNLOOSED A TIRADE AGAINST FEDERAL INTERVENTION AND THE QUOTE NIGGERS UNQUOTE AND JEWS AND LIBERAL LEFT WING GROUPS.

JOE ZELLNER, ASSOCIATED PRESS, MONTGOMERY, ALA., INTERVIEWED JURORS DAN LEE AND BILLY R. CHEATHAM FOLLOWING TRIAL. THESE MEN ADVISED THEY HAD VOTED AGAINST CONVICTION. CHEATHAM STATED

END PAGE TWO

PAGE THREE

QUOTE "I DID NOT ACCEPT ROWE'S TESTIMONY, NOT WHEN HE SWORE BEFORE GOD AND BROKE HIS OATH" UNQUOTE. CHEATHAM'S COMMENT IN THIS REGARD REFERS TO ROWE'S OATH AS A KLANSMAN.

LEE STATED QUOTE "ME AND HIM (REFERRING TO CHEATHAM) ARE PRETTY WELL ON THE SAME SIDE" UNQUOTE.

BOTH OF THESE MEN DENIED THEY WERE MEMBERS OF THE KU KLUX KLAN. LEE STATED HE WAS MEMBER OF WHITE CITIZENS COUNCIL AND CHEATHAM STATED HE WAS FORMER MEMBER.

WHEN ASKED WHETHER HE WOULD LIKE TO HAVE SEEN ROWE AS DEFENDANT WITH WILKINS, CHEATHAM STATED QUOTE "VERY MUCH SO" UNQUOTE, AND LEE STATED QUOTE "I AGREE" UNQUOTE.

THE FOLLOWING ARE THE NAMES OF THE TWELVE JURORS: GEORGE SPIVEY, HUGH M. TUBERVILLE, DAN LEE, ROY O. LOFTIN, CLIFFORD MC MURPHEE, E. L. HOLLINGSHEAD, T. R. HOLLINGSHEAD, W. F. AUTREY, EDMUND SALLEE, BILLY R. CHEATHAM, C. H. ROGERS, ROBERT B. SMITH.

ABOVE NAMES WERE CHECKED THROUGH MOBILE INDICES, AND NO SECURITY REFERENCES WERE LOCATED. THIS INCLUDES THE <sup>K. K. K. Klan</sup> KKK, AND NSRP. IT IS NOTED THE JURY PANEL LIST FROM WHICH THESE TWELVE WERE CHOSEN INCLUDED ONE W. C. AUTREY, JR., A COUNTY EMPLOYEE.

END PAGE THREE

PAGE FOUR

FROM BRAGGS, ALA., SAME TOWN FROM WHICH W. F. AUTREY, WHO DID  
SERVE ON THE JURY, IS FROM. MOBILE HAS NO REFERENCE TO A W. C.  
AUTREY, JR., BUT DOES HAVE A REFERENCE TO W. COLVIN AUTREY,  
WHO WAS A MEMBER OF KLAVERN THIRTY-TWO, U. S. KLANS, FT. DEPOSIT,  
ALA., AS OF MAY TWENTY-SEVEN, NINETEEN FIFTY-SEVEN. THE FILES  
REFLECT THAT AUTREY IS DECEASED. MOBILE FILES DO NOT REFLECT  
WHETHER OR NOT W. COLVIN AUTREY IS ANY RELATION TO W. F. AUTREY,  
WHO SERVED ON JURY. P.

END CORR -- PAGE 4, LINE 1, WORD 5 SHOULD BE "TOWN"

END

WA OMS

FBI WASH DC

TU - DISC

*The name of the juror who  
asked questions re fingerprints  
on the gun is not known. The  
foreman acted as spokesman.*

CC-MR ROSK

FBI

Date: 5-5-65

Transmit the following in \_\_\_\_\_

(Type in plain text or code)

Via AIRTEL

AIR MAIL - REGISTERED

(Priority)

TO: DIRECTOR, FBI (44-28601)

FROM: SAC, BIRMINGHAM (44-1236)

EUGENE THOMAS; ET AL;  
VIOLA LIUZZO, aka; ET AL - VICTIMS  
CR - EL

On 5-5-65 Mr. WILLIAM BRADFORD HUIE, well-known author who resides at Hartselle, Alabama, contacted me and made known his desire to contact GARY THOMAS ROWE, Bureau informant in the above captioned matter, in order to write articles covering ROWE's activities, possibly for Readers Digest and Look Magazine. Mr. HUIE also stated he would be interested in writing a book regarding ROWE's activities and might even possibly be interested in discussing with ROWE the possibility of a movie version of his activities.

Mr. HUIE pointed out that he has just completed work on a book entitled "Three Lives for Mississippi," which deals with the three Civil Rights workers murdered in Mississippi last summer. He stated this book is due for early release. He explained that he has always been "proFBI" and that he could assure us that anything he wrote pertaining to ROWE's activities would be favorable to the FBI. HUIE also stated that in his opinion the public has an improper and distasteful image regarding informants used by law enforcement agencies and that he would welcome the opportunity of using ROWE's activities to try to change the public's attitude generally regarding informants used in law enforcement. He indicated that he would be willing to pay ROWE

3-Bureau - RM  
1-Mobile (info.) - RM  
2-Birmingham  
EJI:rlg  
(6)

44-28601-320

REC-32

3 MAY 13 1965

Approved: \_\_\_\_\_  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

BH 44-1236

well for his collaboration in connection with articles or a book and would be willing to pay ROWE's expenses to meet him in order to discuss the matter.

Mr. HUIE stated that he will be leaving Alabama on 5-7-65 and will be in New York for 3 or 4 days at the New Western Hotel. He will then be in Chicago for 3 or 4 days at the Ambassador East Hotel. He then plans to spend approximately one week in Los Angeles at the Belair Hotel. He stated following his visit to Los Angeles he will return to Hartselle, Alabama, and remain there for the summer.

I advised Mr. HUIE that his interest in collaborating with ROWE in the preparation of articles and possibly a book would be made known to the Bureau and if there is any interest in his proposition that we would be in contact with him at a later date.

This matter has not been mentioned to GARY THOMAS ROWE, and no further action is being taken by the Birmingham Office regarding HUIE's request pending advice from the Bureau.

5-12-65

airtel

To: SAC, San Francisco REC-32

From: Director, FBI (44-28601) — 307

EUGENE THOMAS; ET AL;  
VIOLA LUCIZZO, ET AL - VICTIMS  
CR - EL  
RESEARCH (CRIME RECORDS)  
BUDED 5-24-65

REC'D-READING ROOM

FBI

MAY 12 6 16 PM '65

Enclosed are two copies of a self-explanatory airtel, dated 5-6-65, from our Birmingham Office. For your information, Hule is a freelance writer on controversial subjects who covered the Milburn case and indulged in highly speculative writing about the fate of the three victims and those persons responsible for their deaths. On 10-20-64, he contacted the Jackson Office, stated he was preparing a book on the Milburn case and unsuccessfully attempted to obtain information. Hule visited the Jackson Office on 1-21-65 and offered several chapters of his book, "Three Lives for Mississippi," for review. He was advised the Bureau had no desire to review this book.

He has been described as an "unscrupulous individual" and the Bureau does not plan to cooperate with him in any manner whatsoever in connection with his recent request regarding Rowe.

However, to avoid the possibility of any future unwarranted criticism, this matter should be brought to Mr. Rowe's attention.

MAILED 10  
MAY 1 3 1965  
COMM-FBI

Enclosures (3)

2 - Birmingham (44-123)  
1 - Atlanta (44-1987) (Attention)  
1 - Mr. DeLoach (Sent with cover memo)  
NOTE: See M. A. Jones to DeLoach Memo dated 5-11-65, captioned "William Bradford Huie, Author, Request to Do Articles on Gary Thomas Rowe"  
JCF:smg (9)  
FID

Follow-up made for 5-24-65.

1 - Mr. Rosen (Sent with cover memo)

MAIL ROOM ☐ TELETYPE UNIT ☐



Airtel to SAC, San Francisco

[REDACTED] b7D

[REDACTED] b7A

[REDACTED] b7A

Birmingham, upon receiving information concerning contact with Rowe will then contact Hule and orally advise him that this matter has been brought to Mr. Rowe's attention. Birmingham, after contacting Hule, will immediately advise the Bureau under above caption.

- 2 -

SAC, Mobile (44-1245)

5/10/65

Director, FBI (44-28601)

EUGENE THOMAS, ET AL.; VIOLA GREGG  
LIUZZO, AKA.; LEROY JEROME MOTON,  
VICTIMS; CR - KL

Reurairtel 4/28/65, forwarding four rolls of 35 mm black and white film with contact sheets and four color prints and a roll of 35 mm color negatives.

The four rolls of black and white film with contact sheets marked HFC-1, HFC-2, JMA-41 and JMA-42 and the color negatives and four prints marked JMA-C7 are being returned herewith.

For your information, the following specimens identified by Laboratory number were introduced as evidence during the course of the trial in Hayneville, Alabama, between May 3 and May 6, 1965, and are presently in the custody of that court:

- Q1 Bullet fragment from under right front seat
- Q4 Mutilated bullet from inside top of car over right door
- Q14 Piece of metal removed from body of car below left rear window
- Q15 Piece of metal removed from left door of car
- Q16 Bullet from victim's body
- Q17 Bullet from rear floor mat, passenger side
- Q25 - Q30 Six cartridges from K3
- Q52 One .22 caliber cartridge
- Q53 - Q57 Five .38 Special cartridge cases found approximately .55 mile east of victim's car
- K3 .38 Special Smith and Wesson revolver, Serial No. C-418327

MAILED 30

MAY 11 1965

COMM-FBI

In the event of subsequent trials, these specimens will be essential to the successful prosecution of the case.

Tolson \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Mohr \_\_\_\_\_  
Casper \_\_\_\_\_  
Callahan \_\_\_\_\_  
Conrad \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Tavel \_\_\_\_\_  
Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

Enclosures (5)

NEW: DSM (5)

TELETYPE UNIT ☐

56 MAY 21 1965

19 MAY 13 1965

UNITED STATES GOVERNMENT

# Memorandum

TO : DIRECTOR, FBI (44-28601) DATE: 5/11/65  
ATTENTION: GENERAL INVESTIGATIVE DIVISION

FROM : SAC, TAMPA (44-313)

SUBJECT: EUGENE THOMAS, ET AL;  
VIOLA LIUZZO, ET AL - VICTIMS  
CR - EL

Enclosed for the information of the Bureau are newspaper clippings concerning captioned matter, which are described as follows:

"Klan Seeks to Disprove FBI Testimony," 5/5/65 issue, Clearwater Sun, Clearwater, Florida;

"Attorneys Link KKK Member's Gun to Fatal Shooting," 5/6/65 issue, Clearwater Sun, Clearwater, Florida;

"Alabama Jury Weighs Fate of Klansman," 5/7/65 issue, St. Petersburg Times, St. Petersburg, Florida;

"Jury Deadlocked in Rights Murder; Mistrial Declared," 5/8/65, St. Petersburg Times, St. Petersburg, Florida;

"Shadow on the South," editorial, Tampa Tribune, 5/11/65.

2 - Bureau (Encs. 5)  
1 - Tampa  
ACL:jn  
(3)

ENCLOSURE

REC 5

EX 105

114-3101-331  
12 MAY 12 1965



56 MAY 19 1965

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

## Editorials

# Shadow on the South

IT WAS bound to come. After the failure of an Alabama jury to convict a young Ku Kluxer of the civil rights murder of Mrs. Viola Liuzzo of Detroit, Dr. Martin Luther King asserted a new Federal law is needed. It should provide that in civil rights cases in the South the government could obtain a change of venue to some place where a fairer trial could be had—"such as Washington, D.C."

Any such law would conflict both with American tradition and the Sixth Amendment, which assures the accused the right to trial "by an impartial jury of the State and District wherein the crime shall have been committed. . . ."

But the pressure for some procedure to move civil rights trials out of the South will increase if Southern juries seem incapable of viewing evidence except through the distorted lenses of racial bigotry.

The mistrial in the case of Col. Willie Wilkins, Jr., 21, caused by the refusal of two jurors to vote for conviction, was appalling. The jury had eyewitness testimony, from an FBI informant who was present in the car with Wilkins and two other Klansmen when the shots were fired at Mrs. Liuzzo on the Selma-Montgomery highway. Bullets recovered from the murder scene were shown to have come from a pistol found in the home of one of those riding with Wilkins. The accused killer did not testify in denial of the prosecution's evidence. All in all, it was as strong a case as the law could hope to obtain.

But the two jurors, both former members of the White Citizens Council, chose to disregard this

evidence. One explained that he couldn't believe the FBI informant, Gary Rowe, because Rowe admittedly had violated his Klan oath not to divulge its secrets to any outsider.

To this juror, loyalty to the violent, lawless Klan was more important than respect for the laws of the state and nation — even where wanton murder was involved.

The sacredness of the Klan oath was heavily emphasized by the defense lawyer, himself a Kluxer, in a disgraceful argument deriding as "white niggers" anyone involved in integration movements.

The state of mind typified by the two holdout jurors and the defense attorney is diminishing in the South. It represents a small area of darkness. Unhappily, when it frustrates justice, as it has done too often in Alabama, Georgia and Mississippi, it is so magnified as to cast a shadow upon an entire region.

Many Southerners are angered and embarrassed by the actions of the ignorant and vicious in their midst. Last Sunday, after some 900 Kluxers paraded at Anniston, Alabama, with Wilkins and two others indicted in the Liuzzo murder marching as honored members, community voices at Anniston were raised in protest. Spokesmen for ministers, business and civic groups deplored the Klan demonstration; the Anniston Star editorially criticized it.

It behooves other Southerners who place justice above race, and law above tradition, to proceed by word and deed to help lift the shadow on the South.

(Indicate page, name of newspaper, city and state.)

4b The Tampa Tribune  
Tampa, Florida

Date: 5/11/65

Edition:

Author:

Editor: James A. Cline

Title:

Character:

or

Classification:

Submitting Office: Tampa

☐ Being Investigated

ENCLOSURE

44-28601-351

(Mount Clipping in Space Below)

## KLANSMAN SET FREE

# Jury Deadlocked In Rights Murder; Mistrial Declared

Special To The Times  
From The Washington Post

HAYNEVILLE — Twelve white Alabama jurors were unable to reach a verdict yesterday in the murder trial of Ku Klux Klansman Colife Leroy Wilkins and Judge T. Werth Thagard declared a mistrial.



The jury was deadlocked with ten favoring conviction and two wanting an acquittal.

Both hold-out jurors said their votes were partly affected by the fact that the state's key witness broke a Klan oath when he informed on Wilkins to the FBI.

WILKINS could be tried again for the murder of Viola Liuzzo, a civil rights worker from Detroit, but Circuit Solicitor Arthur E. Gamble said he had not decided whether to seek another trial in this tiny Deep South town.

Jury foreman Clifford McMurphy, after ten hours of deliberation Thursday and yesterday, told the judge that the jurors were hopelessly deadlocked.

Later, jurors explained that the ten-to-two ballot was to convict Wilkins of manslaughter, which carries a maximum penalty of ten years imprisonment. The jury early ruled out a conviction of first-degree murder, which calls for a possible death sentence.

—UPI Telephoto

Defendant Wilkins: Another Trial Possible

(Indicate page, name of newspaper, city and state.)

La St. Petersburg Times  
St. Petersburg, Fla.

Date: 5/8/65

Edition:

Author:

Editor: Courtland Anderson

Title:

Character:

or

Classification:

Submitting Office: Tampa

☐ Being Investigated

44-2861-321  
MAY 10 1965

**AT ONE POINT**, McMurphy said the jury was split eight-to-four for a conviction on manslaughter.

Wilkins, the 21-year-old Klansman from Fairfield, Ala., would say nothing but "no comment" to reporters after the verdict.

The two jurors favoring acquittal later were identified as Billy R. Cheatham, a bookkeeper and White Citizens Council member, and Dan Lee, a mechanic who formerly belonged to that segregationist organization.

**ASKED WHY** he opposed a guilty verdict, Cheatham referred to the testimony of Gary Thomas Rowe, the FBI informer who infiltrated the Klan and who was in the alleged murder car on March 25.

"I didn't accept his testimony — not when he swore before God and broke his (Klan) oath," Cheatham said. Lee was asked if the oath-breaking affected his opinion of the evidence. "I would say it had some bearing on the case," he replied.

McMurphy said that there was no sectional or racial reason for the decision. "It was just different set of eyes looking at the same evidence," the pipe-smoking, slow-talking farmer said.

**SEVERAL** jurors expressed the opinion that if Rowe had been under indictment along with the three bona fide Klansmen, the verdict would have been for conviction.

One of the jurors, U. M. Turberville, a farmer, said "This is the worst-hell I have ever been through. I think every juror looked into his conscience and to his God and did the very best he could. You couldn't pin the decision on one thing."

**SEVERAL JURORS** said that the racist speech with which Murphy concluded his defense Thursday did not appeal to them.

"I don't believe he did his

case any good with that speech," McMurphy told newsmen. "Personally, he didn't enrich himself with me."

In his fiery, shouted final argument to the jury, Murphy said:

"I'm proud to be a white man and I stand for white supremacy, not for black supremacy. When white people join up with them (Negroes), they become white niggers . . . God didn't intend us to mix with the black race. I don't care what Lyndon Baines Johnson says."

**CIRCUIT** Solicitor Gamble, a prosecutor as tall as Murphy but trimmer, spoke of the integrationist motive that brought Mrs. Liuzzo south and declared in his summation:

"I don't agree with it. It's repugnant to me. But she had a

right to be here without being shot down in the middle of the night. This was a cold-blooded middle-of-the-night killing."

**AFTER THE** judge declared the mistrial, Murphy held a press conference at the foot of a Confederate statue outside the courthouse.

"I'll say this to you, I did a good job," said Murphy, the bombastic defense attorney who is the imperial klonsel of the United Klans of America, Inc., Knights of the Ku Klux Klan.

"I tried the case on my art of cross-examination, but next time a full-scale hearing will be laid on the line. I'll blow that government case out of the water."

**IF THE** state seeks another trial, it would be held in September, when the next term of court begins. The prosecution also must decide whether to try Eugene Thomas and W. O. Eaton, two Bessemer, Ala., Klansmen who were indicted with Wilkins.

The case against Wilkins was the strongest of the three because Rowe, the FBI informer, testified he saw him lean from the car and fire two shots directly at Mrs. Liuzzo as she drove with a young Negro along the Selma-Montgomery Highway.

Assistant State Attorney General Joe Gantt said he was confident of a conviction at the next trial.

"I think maybe this vote will wake up a few people and show them that there is a slight case of murder involved here," Gantt said.

**GANTT SAID** the state attorney general's office in Montgomery headed by Richmond Flowers would continue its investigation of the Klan.

"We are going to try to put the Klan out of business," Gantt said. "And we have some pretty startling facts already."

Robert Shelton, imperial wizard of the Klan, was asked if the Klan would try to seek revenge on Rowe.

"I wouldn't think we'd have to," Shelton replied. "A man like that will destroy himself."

(Mount Clipping in Space Below)

# Alabama Jury Weighs Fate Of Klansman

HAYNEVILLE, Ala. (UPI) — The jury hearing the first-degree murder trial of Collie Leroy Wilkins Jr., charged with the slaying of Detroit civil rights worker Mrs. Viola Liuzzo, retired last night at 9 EST without reaching a verdict. The jury had been deliberating for more than four hours.

The case of 21-year-old Collie Leroy Wilkins Jr. went to the jury at 3:40 p.m. CST (4:40 p.m. EST) after four days of dramatic testimony.

**THE JURY CAUSED** a flurry of excitement when it returned to the courtroom one hour and 15 minutes later to ask whether it was limited to any special sentence under a first-degree murder charge.

Second Circuit Judge T. Werth Thagard explained the two penalties for first-degree murder were death and life imprisonment.

The jury then returned to the jury room to continue deliberations.

**DEFENSE ATTY.** Matt H. Murphy spent one hour and seven minutes in final arguments before the jury pleading for the freedom of Wilkins.

Murphy spent much of his time denouncing Gary Thomas Rowe, the FBI informant who testified he saw Wilkins lean from a speeding car and fire the shots that killed Mrs. Liuzzo, 38-year-old mother of five. Rowe allegedly infiltrated the



**T. WERTH THAGARD**  
... death or life.

Klan. He said he was with Wilkins and two other Klansmen the night Mrs. Liuzzo was shot as she and a Negro, Leroy Moton, 21, drove along a dark stretch of Alabama highway the night of March 25, a few hours after the Selma-to-Montgomery civil rights march ended.

**REFERRING TO** Rowe, Murphy asked the jury:

"What kind of man is he? Is he a white man or is he a white nigger?"

**PROSECUTOR** Arthur Gamble Jr. handled the main prosecution argument.

Speaking in a calm voice, Gamble said:

"The Bible says 'Thou shalt not kill.' It doesn't say who, what, where or when."

Gamble did not ask for the death penalty.

(Indicate page, name of newspaper, city and state.)

la St. Petersburg Times  
St. Petersburg, Fla.

Date: 5/7/65

Edition:

Author:

Editor: Courtland Anders

Title:

Character:

or

Classification:

Submitting Office: Tampa

☐ Being Investigated



—AP Wirephoto

Wilkins (Left) With Attorney Matt Murphy



(Mount Clipping in Space Below)

## WEAPON TRACED IN CIVIL RIGHTS SLAYING

# Attorneys Link KKK Member's Gun To Fatal Shooting

HAYNEVILLE, Ala. (AP) — State attorneys have linked Ku Klux Klan member Collie Leroy Wilkins Jr. with the weapon an expert says was used in the slaying of a Michigan mother taking part in civil rights demonstrations.

An earlier witness had traced a .38-caliber revolver to Wilkins, and Marion Williams, an FBI weapons expert, identified it Wednesday as the gun which killed Viola Liuzzo, 39, mother of five.

The chief prosecutor, Circuit Solicitor Arthur E. Gamble Jr., said he had "a few more questions" to ask Williams today before the state rested its case.

Matt H. Murphy Jr., the Klan's attorney, already had indicated through cross examination of prosecution witnesses the course his defense may take. He also has shown a revolver which he said he took from

Rowe and ferrying some of the marchers back to Selma.

Indicted with Wilkins — and awaiting trial — were Eugene Thomas, 42, an employee of U.S. Steel at Bessemer, Ala., and William Orville Eaton, also of Bessemer, who at 41 is a retired steel worker with heart trouble.

### Tells Of Shooting

Rowe, who said he joined the Klan at the FBI's request to get information, told the 12-man jury that he was in the car with Wilkins, Thomas and Eaton when Mrs. Liuzzo was killed.

He said Wilkins used Thomas' revolver to fire two shots at almost point blank range as their car pulled alongside her automobile in a high speed chase and emptied his gun at the car as they pulled away.

Williams, who works at the FBI laboratory at Washington, testified that a bullet found lodged at the base of the Detroit

When the lawyer pursued the challenge, Williams told him: "Mr. Murphy, I have made thousands of tests and I have never seen two guns make the same marking."

That brought this exchange: Q. You never make a mistake?

A. That question has no answer.

In cross examining Rowe, the defense attorney asked repeatedly whether the witness himself had threatened to "kill some niggers."

That line of questioning went this way:

Q. Before going to Tuscaloosa (shortly before the University of Alabama integration in June, 1963) you made the statement that you were going to kill some niggers. Is that true?

A. No sir. That is untrue. Then, on to the civil rights

FBI informer Gary Thomas Rowe Jr.

Murphy has not said how he will connect the pistol to the case. His only comment was, "I took it away from Rowe before he killed someone and blamed it on us."

The Klan attorney has sought to portray Rowe, the state's star witness, as a troublemaker hoping to collect "a rich reward from the federal government if he could 'help break the back of the Klan.'"

### Three Face Trial

Wilkins, 21, a self-employed automobile mechanic at Fairfield, Ala., near Birmingham, is the first of three KKK members brought to trial for the slaying of the Detroit housewife.

Mrs. Liuzzo, the wife of a Teamsters Union official, was shot to death near Lowndesboro the night of March 25 after taking part in the civil rights march from Selma to Montgomer-

woman's brain was fired from Thomas' gun.

### Pistol Traced

Another agent told the jury that the gun used in the laboratory test came from Thomas' home, and still another said a gun permit found on Thomas was issued for the same pistol.

Williams first testified that three bullets found in the car were determined by laboratory tests to have come from the gun which Rowe had said Thomas handed to young Wilkins just before the shooting.

Gamble, the prosecutor, wanted to pin it down still closer. So the questioning of the FBI agent went like this:

Q. Based on your experience, is it your opinion that the bullet found in the head of Mrs. Liuzzo was fired from that pistol?

A. Yes sir.

The defense attorney refused to accept ballistics tests as valid but the FBI witness insisted

March this year:

Q. Did you make the statement in Montgomery to a man at a filling station that you didn't drive that far for nothing?

### Question Unanswered

That question went unanswered because the state's objection was upheld by the court. Murphy protested. "This shows his (Rowe's) tendency toward violence and trouble making."

Then in another part of the cross examination:

Q. On the way to Selma, didn't you say continually that you hadn't come all that way for nothing, that you were going to cause some niggers some trouble?

A. No sir. Very definitely not. It was Wilkins who said that.

Murphy became so enraged that the court took a five-minute recess when Rowe accused the attorney of telling him to put out a story that the FBI had offered him land in Minnesota to cooperate with them after the

(Indicate page, name of newspaper, city and state.)

2a Clearwater Sun  
Clearwater, Fla.

Date: 5/6/65  
Edition:  
Author: Rex Thomas  
Editor: James L. Beards  
Title:

Character:  
or  
Classification:  
Submitting Office: Tampa

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ENCLOSURE

Lynch killing.

Q. I'll ask you if you didn't tell me that the FBI offered to give you 500 acres of land, a farm in Minnesota and pay you a sufficient amount to run the farm the rest of your natural life if you would cooperate and help break the back of the klan?

A. No sir. You told me to put that story out. That's how it got out.

After Murphy had regained his composure following the recess he asked the question again.

**Denies Payoff**

The witness, a one time client for the klan attorney, replied:

"You asked me if they offered me large sums of money and I told you no. I told you the agent told me I could say anything I wanted to. They couldn't care less. The agent told me I could say I was offered 500 acres of land or apple trees; he couldn't care less. You came back and said, 'Well, good.' You said make it 550 acres and \$160,000, I believe."

(Mount Clipping in Space Below)

## ATTORNEY CALLS UNDERCOVER AGENT A 'LIAR'

# Klan Seeks To Disprove FBI Testimony

**HAYNEVILLE, Ala. (AP)** — A Ku Klux Klan attorney promised today to disprove an FBI undercover agent's story which named a young Klansman as

the killer of a white civil rights worker.

The heavily guarded FBI informer, Gary Thomas Rowe, a Klan member, was called back to the witness stand to face intensive cross-examination by defense attorney Matt H. Murphy Jr. who had called him a liar.

Rowe, escorted to and from the courtroom by federal agents, testified in state court Tuesday that Collie Leroy Wil-

kins Jr., 31, fired two pistol shots at close range into the car in which Viola Liuzzo was slain the night of March 25.

Wilkins, a heavy-set, crew-cut auto mechanic from Fairfield, Ala., near Birmingham, is the first of three Klansmen brought to trial on first-degree murder indictments.

### Attorney Makes Promise

After Rowe left the stand, Murphy, the Klan attorney representing Wilkins, commented

ingrily to newsmen that Rowe had "told a G-d—lie and I'll prove it tomorrow."

Mrs. Liuzzo, 33, the mother of five and the wife of a teamsters union official, was shot to death while shuttling other marchers sick to Selma following the civil rights march to Montgomery in which she, too, had taken part. A young Negro riding in the front seat with her escaped injury.

Rowe, a husky former Birm-

ingham barroom operator, now unemployed, told the 12-man jury he saw young Wilkins, on the back seat of a car beside him, fire two shots into Mrs. Liuzzo's car on a lonely stretch of U.S. 90 near Lowndesboro.

### Two Others Indicted

Driving the Klansmen's car as it pulled alongside the Liuzzo automobile, the witness said, was Eugene Thomas, 42, of Bessemer. Seated next to Thomas was William Orville Eaton, 41, also of Bessemer. Thomas and Eaton also are under murder indictment and awaiting trial.

Eaton also opened fire with a .22-caliber pistol, Rowe said. But a state toxicologist, Dr. Paul Shoffeitt, who removed the death bullet from the victim's brain, had testified it was a .38-caliber slug which killed her.

Rowe said he had been a paid undercover agent for the FBI for five years. He and his colleagues first noticed Mrs. Liuzzo and her Negro companion, he said, while waiting at a traffic light in Selma and followed their car for some 25 miles before finally overtaking it.

At the traffic light, the witness said, Wilkins looked at the automobile parked alongside and remarked, "Look there, baby brother. I'll be damned." Then, Rowe continued, "Gene Thomas spoke up and said, 'Let's get 'em'."

### Wouldn't Turn Back

They tried several times to pull alongside Mrs. Liuzzo's car, Rowe went on, but each time something intervened. Once they spotted a highway patrol car. Another time it was a crowd of Negroes standing near the highway. Later, it was oncoming traffic.

The witness said he tried several times to get his companions to turn back to Selma but that Thomas insisted, "We're going to take 'em. We're not going to give up."

When the time came, Rowe continued, "Gene Thomas got out his pistol and handed it to Wilkins. As we got directly even with the car, Wilkins said, 'Give it some gas'. We speeded up a little bit."

### Two Shots Fired

Wilkins held his arm out the window, elbow length. Just as he got even with the front window of the other car, the lady turned and looked directly at us. As she looked, Wilkins fired two shots.

"Thomas" said, "Men, shoot the hell out of them."

Rowe said he also had a pistol but did not fire it.

As they pulled ahead, Rowe said he noticed Mrs. Liuzzo's car still traveling in a straight line and told his colleagues it seemed the shots may have missed. But, he added, "Wilkins spoke up and said, 'Baby brother, I don't miss. That so-and-so is deader than hell'."

After returning to Bessemer later in the night, Rowe said they went to a place known as Lorene's and, after talking with a woman inside, Thomas assured the other men, "I've got us an alibi."

(Indicate page, name of newspaper, city and state.)

8a Clearwater Sun  
Clearwater, Fl

Date: 5/5/65

Edition:

Author:

Editor: James L. Bear

Title:

Character:

or

Classification:

Submitting Office: Tampa

☐ Being Investigated

CLOSURE

44-2861-



(AP Wirephoto)

**INFORMER UNDER HEAVY GUARD — TESTIFIES —**  
Gary Thomas Rowe Jr. (foreground), walks between two FBI agents on his way to court room in Hayneville, Ala., yesterday where he testified he saw Klansman Collie Wilkins Jr. shoot white civil rights worker Mrs. Viola Luizzo as she transported Negroes during Selma to Montgomery march. Wilkins is on trial for the murder of Mrs. Luizzo.