

Apr 12 2024

Date 6/2/17

RECORDS ADMINISTRATION BRANCH

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WITHOUT APPROVAL OF THE RECORDS ADMINISTRATION BRANCH

By order of the Attorney General

THIS FILE HAS BEEN CHARGED AS INDICATED BELOW

TO TRANSFER—Notify the Service Unit, Br. 500

Requested by

Division

Date _____

Returned by

[illegible]

144-1-115

JMH:MMH:efr

144-1-115

December 4, 1951

Mr. Clarence Mitchell
Washington Bureau
National Association for the
Advancement of Colored People
100 Massachusetts Avenue, N. W.
Washington, D. C.

Dear Mr. Mitchell:

Reference is made to our letter of June 20, 1951, in which you were informed that the complaint submitted by you concerning the shooting of Willie Ruth Williams of Gadsden, Alabama, by a police officer of that City, was receiving the Department's attention.

You are advised that the Department has caused a thorough investigation to be made of the matter. The investigation does not indicate, in our opinion, that the incident involved a violation of Federal civil rights statutes. There is, therefore, no further action which we may take.

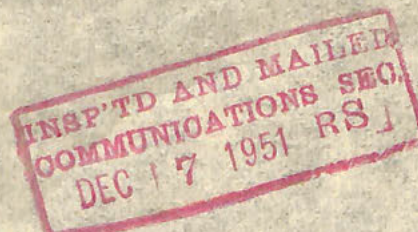
Respectfully,

For the Attorney General

JAMES M. McINERNEY
Assistant Attorney General



cc: Records ✓
Chron.
Sec. Files
Hubbard



JMH:MCH:efr

144-1-115

December 4, 1951

Best Possible Image

John D. Hill, Esquire
United States Attorney
Birmingham 1, Alabama

Attention: George Huddleston, Jr., Esquire
Assistant United States Attorney

Re: Floyd Vinyard; Willie Ruth Williams -
Victim; Civil Rights and Domestic Violence

Dear Mr. Hill:

We have examined the reports of the investigation made in the above matter. As a result, it is our opinion that the evidence set forth therein does not warrant the conclusion that a violation of the Federal civil rights statutes is involved.

Accordingly, we concur in your recommendation that prosecution should be declined and are, therefore, closing the case without further action.

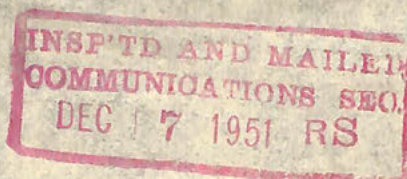
Respectfully,

For the Attorney General

JAMES M. McINERNEY
Assistant Attorney General



cc: Records ✓
Chron.
Sec. Files
Hubbard



ADDRESS REPLY TO
UNITED STATES ATTORNEY
AND REFER TO
INITIALS AND FILE NUMBER

GHjr:rl

Unc. V

United States Department of Justice

UNITED STATES ATTORNEY

NORTHERN DISTRICT OF ALABAMA

BIRMINGHAM 1, ALABAMA

P. O. BOX 195

RECEIVED

SEP 6 1951

CRIMINAL DIVISION

September 4, 1951

The Attorney General
Department of Justice
Washington 25, D. C.

Attention: Honorable James M. McInerney
Assistant Attorney General

In re: Floyd Vinyard; Willie Ruth Williams - Victim
Civil Rights and Domestic Violence
Your File: JMM:MMH:efr 144-1-115

Sir:

This office is in receipt of Federal Bureau of Investigation report regarding the above violation, submitted August 29, 1951, by Henry A. Donahoo, Special Agent attached to the Birmingham office.

In view of the matters set forth therein, it is our recommendation that prosecution should be declined in this case and that no further investigation be instituted.

Respectfully,

UNITED STATES ATTORNEY

BY:

George Huddleston, Jr.

GEORGE HUDDLESTON, JR.
Assistant United States Attorney

*File
MMH*

AEC

144-1-115	
DEPARTMENT OF JUSTICE	
SEP 6 1951 A.M.	
DIVISION OF RECORDS	
CRIM. - CIVIL RIGHTS SEC.	

CHjr:rl

Uno. V

September 4, 1951

The Attorney General
Department of Justice
Washington 25, D. C.

Attention: Honorable James H. McDiarmey
Assistant Attorney General

In re: Floyd Vinard; Willie Ruth Williams - Victim
Civil Rights and Domestic Violence
Your File: JHM:MMH:off 114-1-115

Sir:

This office is in receipt of Federal Bureau of Investigation report regarding the above violation, submitted August 29, 1951, by Henry A. Donahoe, Special Agent attached to the Birmingham office.

In view of the matters set forth therein, it is our recommendation that prosecution should be declined in this case and that no further investigation be instituted.

Respectfully,

UNITED STATES ATTORNEY

BY:

GEORGE HUBBLESTON, JR.
Assistant United States Attorney

Office Memorandum • UNITED STATES GOVERNMENT

TO : James M. McInerney
Assistant Attorney General, Criminal Division

FROM : Director, FBI

DATE: September 11, 1951

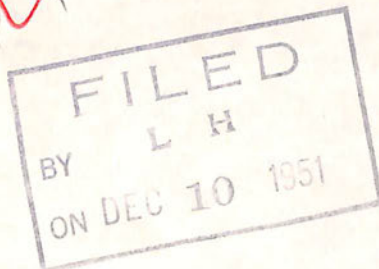
SEP 12 1951

SUBJECT: FLOYD H. VINYARD;
WILLIE RUTH MOSELY, nee Willie Ruth Williams - VICTIM
CIVIL RIGHTS AND DOMESTIC VIOLENCE
YOUR REFERENCE 144-1-115, MWH

Reference is made to my memorandum dated September 8, 1951.

There is enclosed one copy of the report of Special Agent Henry A. Donahoo dated 8-29-51 at Birmingham. The investigation which has been requested by you has now been completed and no further investigation is contemplated unless requested by you.

Enclosure



*File
MWH*

RECORD

AEC



RECEIVED

SEP 12 1951

Criminal Division

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **BIRMINGHAM**FILE NO. **44-223 :hmv**

REPORT MADE AT BIRMINGHAM	DATE WHEN MADE 8/29/51	PERIOD FOR WHICH MADE 8,22,23,28/51.	REPORT MADE BY HENRY A. DONAHOO
TITLE CHANGED: FLOYD H. VINYARD; WILLIE RUTH MOSELEY, nee Willie Ruth Williams - VICTIM.			CHARACTER OF CASE CIVIL RIGHTS AND DOMESTIC VIOLENCE.

SYNOPSIS OF FACTS:

Additional investigation, Gadsden, Ala. reflects subject tried before Civil Service Commission for instant shooting and was found not guilty. Coroner, Etowah County, Ala. rendered verdict of justifiable homicide. JEWEL HOLLIS, Gadsden, states victim came to her home 4/28/51 drinking and cursing and started fight and she called police; did not see shooting but heard victim state, "I won't drop a G.D. thing" and heard officer tell her, "Don't come up on me." Victim's aunt states victim visiting her night of 4/27/51 and morning of 4/28/51 and was drinking. The aunt took a straight razor away from victim before victim went to HOLLIS' home 4/28/51 where she got in fight. The aunt forcibly took victim from HOLLIS' home but victim grabbed ice pick and ran out door toward HOLLIS' home stating, "I'll kill that bitch if it's the last thing I do" and then aunt heard shots but did not see shooting. Subject and accompanying officer state shots fired in self defense.

- C -

DETAILS:

The title of this case is being marked changed to reflect subject's full name as **FLOYD H. VINYARD.**

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
COPIES OF THIS REPORT ③ - Bureau (AMSD) 1 - USA, Birmingham 2 - Birmingham		<div style="border: 2px solid red; padding: 5px; text-align: center;"> 144-1-115 DEPARTMENT OF JUSTICE SEP 12 1951 A.M. DIVISION OF RECORDS CRIM - CIVIL RIGHTS SEC </div>

PROPERTY OF FBI—THIS CONFIDENTIAL REPORT AND ITS CONTENTS ARE LOANED TO YOU BY THE FBI AND ARE NOT TO BE DISTRIBUTED OUTSIDE OF AGENCY TO WHICH LOANED.

BH 44-223

By letter dated August 9, 1951 the Bureau enclosed a memorandum from Mr. JAMES McINERNEY, Assistant Attorney General, who stated that a review of the preliminary investigation conducted by Special Agent CHARLES W. PERRY indicated that the statements of those close by clearly showed that although victim did not comply with subject's command to drop the ice pick she nevertheless made no attempt to strike officer with the pick or to threaten him before he fired the shots resulting in her death. The Attorney General's memorandum requested further investigation.

AT GADSDEN, ALABAMA:

The following investigation was conducted by the writer and Special Agent CHARLES W. PERRY:

The following persons who live in the immediate vicinity where instant shooting took place advised that they knew nothing concerning the shooting:

WILLIE N. BAKER, 313 South 16th Street,
BETTY JEAN JONES, 505 South 16th Street,
HOLLIS WHETSTONE, JR., 1528 Cansler Avenue,
QUINN TOWNSEND, 1530 Cansler Avenue.

ROSA DELL DISMUKES, 406 South 16th Street, which is immediately behind the house where victim was shot, stated that she heard instant shots but did not see or hear anything preceding the shooting and she did not go out of her house to see what had happened.

MARY ROBINSON, 1528 Cansler Avenue, stated that she was home at the time of the shooting. She stated that she did not see the shooting although she heard the shots. She further stated that shortly before the shooting she heard the victim out in the back yard cursing but she does not know whether she was cursing any individual or not. She stated she had no further information concerning the shooting.

JEWEL HOLLIS, 1532 Cansler Avenue, declined to execute a signed statement but she stated orally that about 8:00 or 8:30 a.m. June 28, 1951 WILLIE RUTH MOSELEY came to her house at which time her fourteen-year-old son, IRVIN HOLLIS, was on the porch holding JEWEL HOLLIS' small baby. She stated that victim was drinking very heavily and cursing and that she tried to take the baby from IRVIN HOLLIS. JEWEL HOLLIS stated that she told the victim to let the baby alone and to leave the house but that

BH 44-223

victim opened the screen door and walked on in the house. She asked the victim three or four times to leave but the victim continued to curse her and refused to leave. The HOLLIS woman then threatened to call the police and victim replied, "Call the damn police." She then tried to push the victim out of the door and victim started fighting her.

About that time victim's aunt, DOROTHY BROOKS, with whom JEWEL HOLLIS had had a fight the day before, appeared on the scene with an open razor and broke the fight up.

She stated that victim and DOROTHY BROOKS then left the house and JEWEL HOLLIS called the police. JEWEL HOLLIS stated that she then walked back into the house and several minutes later she heard voices out in her yard and she heard a male voice say, "Drop that ice pick" and she heard victim reply, "I'm not dropping a G.D. thing." She then heard the male voice say, "Don't come up on me," and she then heard three shots. She stated that she did not go to the door to see what had happened but she saw police officers helping victim around the house and that she was later put in an ambulance. She stated that her husband, TOM HOLLIS, was not at home at this time.

JEWEL HOLLIS stated that her fourteen-year-old son, IRVIN HOLLIS, is now visiting the home of JAMES LAMPKING, 2547 East 55th Street, Cleveland, Ohio, telephone Utah 16756. The Cleveland Division was requested by teletype of August 23, 1951 to interview IRVIN HOLLIS.

The following investigation was conducted by the writer and Special Agent ROBERT B. DEEM:

DOROTHY BROOKS, 408 South 16th Street, which is located directly behind the house where victim was shot declined to execute a signed statement. She stated orally that victim was her niece and that she spent the night with her on the night of April 27, 1951. She stated that she and her niece drank rather heavily during the night of April 27, 1951 and that they got up next morning about 8:00 a.m. and victim started drinking again. She stated that she did not think victim was drunk but that she was drinking rather heavily. According to DOROTHY BROOKS, around 8:30 a.m. victim stated that she was going to the home of JEWEL HOLLIS to see the HOLLIS' BABY. At this time the BROOKS woman observed a straight razor in victim's hand and she took this razor

away from her, stating that she figured the victim was going to the HOLLIS' home to start trouble. She explained that she told victim that she had had a fight with JEWEL HOLLIS the day before. She was unable to explain further why she thought victim was going to the HOLLIS' home to start trouble but she took the straight razor away from her for that reason.

DOROTHY BROOKS stated that after victim had been gone from the house for about ten minutes she heard cursing and fighting in the HOLLIS' home and she ran over to see what was the matter and found victim on the floor with JEWEL HOLLIS and fourteen-year-old IRVIN HOLLIS beating victim. She stated that she leaned over to pull the two HOLLISES off of victim and when she did so the straight razor which she had taken from victim fell out of her dress. She stated that she separated the victim and the two HOLLISES and she then dragged victim back to the house with victim fighting her all the way to get away. She stated that as soon as she released victim the victim grabbed up an ice pick and ran out of the house back in the direction of the HOLLIS' house and as she ran out of the door she stated, "I'm going to kill that bitch if it's the last thing I do."

DOROTHY BROOKS stated that she started to chase victim but that before she could get in sight of her she heard three shots. She stated she figured that victim had been shot and she "couldn't bear to see it," so she did not go to the place where victim had been shot. She stated she could not say whether victim had tried to attack the officer with the ice pick or not. She stated that the only eye witnesses she knew of were GILES ISHAM and BERNICE TRIMBLE.

The BROOKS woman stated that victim was three months pregnant but that her condition was not obvious.

The following investigation was conducted by Special Agents CHARLES W. PERRY and the writer:

Mr. W. W. MORRIS, Coroner, Etowah County, Gadsden, exhibited records reflecting that WILLIE RUTH MOSELEY, a black female, was shot and killed by police sergeant FLOYD VINYARD about 10:00 a.m. April 28, 1951. The record reflects that based on the testimony of JEWEL HOLLIS, IRVIN HOLLIS, and police officer D. M. SMITH, coupled with examination of the body of victim, the coroner rendered a verdict of justifiable homicide with a probable motive of self defense.

BH 44-223

Mr. MORRIS stated that immediately after victim died on April 29, 1951 he went to the neighborhood of the shooting and he talked to ANNIE RUTH BAILEY at her home and she told him that she was not at home at the time of the shooting, did not see it, and knew nothing about it. He stated that this same woman testified before the Civil Service Board Hearing that she was in the middle of the street and saw the whole thing.

The following information was obtained from the Civil Service Board at Gadsden, Alabama.

The following petition is quoted:

"

Gadsden, Alabama,
May 11, 1951

TO THE CIVIL SERVICE BOARD
GADSDEN, ALABAMA.

PETITION

THE UNDERSIGNED CITIZENS OF Gadsden, Etowah County, Alabama, separately and severally as citizens and residents of Gadsden, Alabama file this their petition under the provisions of Title 62, Section 391 to 414 both inclusive, including Section 402 thereof, Code of Alabama 1940, and make the following charges against FLOYD VINYARD, a policeman or a detective in the Police Department of the city of Gadsden, Alabama, and show to the Board that a copy of these charges is submitted herewith for service upon the said FLOYD VINYARD as provided by the foregoing sections of the 1940 Code of Alabama above referred to.

Your petitioners respectfully request that within five days after the filing of these charges a copy thereof be served upon the said FLOYD VINYARD, and that the said Civil Service Board will set a date after these charges have been served upon said VINYARD for a public hearing of such charges.

Your petitioners allege and say that the said FLOYD VINYARD should be discharged or removed from his office or position as policeman or detective in the Police Department of the City of Gadsden, Alabama and as grounds therefor, petitioners separately and severally assign the following separate and several grounds and causes:

1. Said FLOYD VINYARD has been guilty of mifeasance in office.
2. Said FLOYD VINYARD has beenguilt of malfeasance in office.
3. Said FLOYD VINYARD has been guilty of misconduct in office.
4. Said FLOYD VINYARD while a member of the Police Department of the city of Gadsden, Alabama and while acting as such did unlawfully shoot and kill one WILLIE RUTH MOSLEY in Gadsden, Alabama on to-wit, April 28, 1951.
5. Said FLOYD VINYARD did unlawfully and feloniously shoot and kill one WILLIE RUTH MOSLEY in Gadsden, Alabama on to-wit April 28, 1951.
6. Said FLOYD VINYARD has violated Section 314 of Title 14 of the Code of Alabama in that said FLOYD VINYARD did unlawfully and maliciously under color of official authority shoot and kill one WILLIE RUTH MOSLEY in the City of Gadsden, Alabama on to-wit the 28th day of April, 1951.
7. Said FLOYD VINYARD has violated Section 320 of Title 14, of the 1940 Code of Alabama in that the said FLOYD VINYARD did unlawfully and maliciously under color of official authority shoot and kill one WILLIE RUTH MOSLEY in the city of Gadsden, Alabama on to-wit, the 28th day of April, 1951.
8. Said FLOYD VINYARD did unlawfully and maliciously under color of official authority shoot and kill in the city of Gadsden, Alabama one WILLIE RUTH MOSLEY, a seventeen year old negro girl on to-wit, the 28th day of April 1951.

BILL OF PARTICULARS

- A. Said FLOYD VINYARD while a member of the police Department of the city of Gadsden, while acting as a policeman or detective in

BH 44-223

said department of the city of Gadsden, Alabama did on to-wit, the 28th day of April, 1951 kill WILLIE RUTH MOSLEY, a seventeen year old negro girl by discharging three shots into her body without legal justification or excuse.

Archie Foster.

Bernice Trammell

Jiles Ison, Jr.

Kingman Shelburne
Attorney For Petitioners

Ben King Jr.

W. D. Bailey

Sam Robbins

Annie Ruth Bailey

State of Alabama
Etowah County

Subscribed and sworn to before me this the 5th day of
June 1951.

Thomas E. Callan
Notary Public

Minutes of the Civil Service Board at Gadsden reflected that the Board met on Friday, July 6, 1951 at which time C. Q. ALLEN, Chairman and JULIUS T. GRAY, Associate, were present. The written charges filed against Sergeant FLOYD VINYARD were taken up at which time a hearing was held which was recessed and continued until July 9, 1951.

Minutes of July 9, 1951 reflected that the purpose of that meeting was to complete the hearing of the charges preferred against police officer FLOYD VINYARD. The minutes stated that the witnesses, having been sworn and examined at the meeting of July 6th, the Board proceeded to hear testimonies and arguments of the attorneys representing the respective parties and after due consideration of the evidence offered and the arguments of attorneys the Board reached the conclusion that the plaintiffs failed to make out a case against the defendant and therefore rendered judgment in writing finding the defendant not guilty of the charges against him.

Mr. TOM CALLEN, Court Reporter, stated that he was employed by Attorney KINGMAN SHELburne of Birmingham to take a transcript of the testimony given before the Civil Service Board in the trial of police officer FLOYD VINYARD in the shooting of WILLIE RUTH MOSELEY. He stated that he has never transcribed his notes and that he would be unable to do so unless instructed by someone who would pay for it. He estimated that one copy of the transcript of testimony would cost about \$280.

Mr. CALLEN did review his notes and stated that the following witnesses testified for the plaintiff.

ARCHIE FOSTER,
GILES ISHAM, JR.
BERNICE TRIMBLE
SAMMY ROBBINS
BEN KING, JR.
ANNIE RUTH BAILEY.

The following people testified for the defendant.

Miss IRENE NOBLE, Nurse, Baptist Hospital
D. M. SMITH, Gadsden Police Department
JEWELL HOLLIS
W. W. MORRIS, coroner.

BEN KING, JR., 1602 Cansler Avenue, who is employed at the Republic Steel Corporation, declined to execute a signed statement but stated orally that about 9:00 a.m. on a Saturday, date unrecalled, he was in the street in front of his home and he saw a girl whom he later learned was WILLIE RUTH MOSELEY, running down the street from the direction of the house where DOROTHY BROOKS lived. He stated that she ran in back of the house where JEWELL HOLLIS lived. He believed that she had something in her right hand but he did not know what it was although he later learned from an unrecalled source that it was an ice pick.

He explained that the HOLLIS house is off the ground, resting on corner posts, and that a person can see under the house from one side to the other. He stated that when she went back of the house all he could see was her legs from about the knees down. He stated before he saw the victim a police car had driven up in front of the HOLLIS' home and two men, one in plain clothes and the other in uniform, got out of the car. He stated that the plain clothes officer went around in the side yard of the HOLLIS' home on the east side of the house. He stated that when victim ran around the back of the house he could see the legs of the plain clothes officer and he could see that the officer and victim met on the other side of the house in the yard.

KING stated that he was about fifty feet from the officer and the victim and that he could not hear anything that was said but he observed that a few minutes after the officer and victim met on the side of the house the officer took three or four steps backward but the girl did not move at all. He stated that after the officer stepped back three or four steps he heard three shots in rapid succession. He stated he did not see the girl fall. KING stated that he remained where he was in the street for a minute or two and then he saw the plain clothes officer come around the house with the victim, holding her arm and they were also accompanied by the uniformed officer. He stated that he knew of no other eye witnesses to the shooting.

Records of the Baptist Memorial Hospital reflected that the victim, a colored female, of 1410 Short Vine Street, Gadsden, was admitted to the hospital April 28, 1951 at 9:30 a.m., Dr. A. W. GRAVES, attending. The diagnosis on entry was "pistol shots in the left breast and both thighs. All bullets passed through the body." Under the heading "physical" a notation signed by Dr. GRAVES stated "patient was intoxicated when she was admitted to the hospital."

According to the hospital records patient died at 12:25 p.m. August 29, 1951 and the final diagnosis was "alcoholic intoxication; injury of chest wall perforating."

Nothing appeared in the hospital records reflecting that victim was pregnant.

BH 44-223

Miss IRENE NOBLE, licensed practical nurse, Baptist Memorial Hospital, stated that she took care of victim from the time of her admission to the hospital until she died. She stated that she was in a semi-conscious condition the entire time and talked incoherently. She did not discuss the events leading up to her shooting. Miss NOBLE stated that she detected a very strong odor of alcohol on victim's breath but could not state the degree of intoxication of victim. She stated that no examination for pregnancy was made but that she was not visibly pregnant.

Dr. A. W. GRAVES, 523 Walnut Street, reviewed his report concerning victim and stated that he could add nothing to the report. He stated that he detected a very strong odor of alcohol on victim's breath and he was inclined to believe that the odor was that of bay rum although he could not be sure about this. He stated that he was unable to say exactly how intoxicated victim was.

Dr. GRAVES stated that victim could have been pregnant but that she was not visibly so.

Sgt. FLOYD H. VINYARD of the Gadsden Police Department was interviewed and stated that it is the policy of the Department that officers cannot make statements concerning alleged improper conduct on the part of officers unless the Chief of Police was contacted.

Sgt. VINYARD contacted Chief BOMAN personally in Agent's presence at which time Chief BOMAN advised the Sergeant not to give a signed statement, however, he stated that he had a statement made by Sgt. VINYARD that he would be glad to allow Agents to review this signed statement, if Sgt. VINYARD had no objection. The Sgt. stated he had no objection whatsoever to Agents viewing the statement made by him but that he would not make an additional statement.

Agents reviewed the statement made by Sgt. VINYARD and it is being quoted verbatim as follows:

"

Gadsden, Ala.
April 28, 1951

My name is FLOYD VINYARD. I make the following statement of my own free will and accord without threats or promise of reward:

BH 44-223

On the above date at 9:25 a.m., Car 6 received a call to 1532 Cansler Avenue to investigate a fight. When we arrived at this address, the negro woman on the front porch said, "Willie Ruth is in the back." Officer SMITH went through the house and I went around the side of the house. I met Willie Ruth coming around from the back of the house. She had an icepick in her hand and had her arm drawn back. I told her to drop the icepick and she said, "I ain't dropping a damn thing," and kept walking toward me. I told her three or four times to drop the icepick and I stepped backward as far as I could. Then I stumbled and as I did I pulled my gun and shot her in the leg to stop her. She did not stop and just kept coming toward me and I shot her one more time.

WILLIE RUTH then dropped the icepick but didn't fall down. Officer SMITH and I got to her and led her police car and laid her down on the sidewalk. We went in the house after a pillow and laid her head on it. I then called Rhines for an ambulance and called the Chief of Police. She was taken to the Baptist Memorial Hospital.

I have read the above statement and found it to be true and correct to the best of my knowledge.

F. H. VINYARD

Witnesses:

D. M. SMITH

Chief BOMAN volunteered the information that Sergeant VINYARD has been on the Police Department since March 1941 and he stated that his behavior and judgment have always been above reproach and that it has never been necessary to reprimand him in any way. He stated that as a matter of fact the sergeant has made only three arrests in ten years where the prisoner resisted arrest at all.

BH 44-223

Chief BOMAN stated that his officers had interviewed IRVIN HOLLIS, a fourteen-year-old negro boy of Gadsden, who stated that victim came to his home on the morning of April 28, 1951 and had caused trouble and although he did not witness the shooting he heard the officer tell victim to drop the ice-pick and heard the victim refuse to do so.

Police Officer DEWEY M. SMITH, who accompanied subject during instant case, was interviewed and he stated the policy of the Department with reference to such interviews and Chief BOMAN allowed Agents to make an exact copy of a statement of Officer SMITH made immediately after the shooting which is quoted as follows:

"

Gadsden, Alabama
April 28, 1951

My name is D. M. SMITH. I make the following statement of my own free will and accord without threats or promise of reward:

On the above date at 9:25 a.m., Car 6 received a call to 1532 Cansler Avenue to investigate a fight. When we arrived at this address, the negro woman on the front porch said, "Willie Ruth is in the back." I went through the house and Sgt. Vinyard went around the house. As I went through the kitchen, I saw Willie Ruth dart past the window and I ran on out the back door and around the side of the house. As I went around the corner of the house, I saw WILLIE RUTH with an Icepick in her hand and her arm drawn back and I heard Sgt. VINYARD tell her to drop the icepick. Sgt. VINYARD was backing up and he told her two or three more times to drop the icepick and she said, "I ain't dropping a damn thing." She said that several times and when Sgt. VINYARD had backed as far as he could, he pulled his gun and shot, at her. She just kept going toward him and he shot again. She kept going toward him and he shot the third time and then she stopped, and dropped the icepick.

When she dropped the icepick, Sgt. VINYARD and I took hold of her and took her to the police car and laid her on the sidewalk. We had someone get a pillow and Sgt. VINYARD called Rhines ambulance and the Chief of Police.

Witnesses:

(Signed) D. M. SMITH

(Signed) F. H. VINYARD

BH 44-223

Officer SMITH stated that he did not care to make any additional statement under the circumstances.

The records of the Gadsden Police Department reflect the following arrests for victim:

Docket #E-3732, September 17, 1948, violation prohibition laws, fined \$55.00.

Docket #F-7470, August 18, 1950, violation prohibition laws, fined \$65.00.

The following description of subject was obtained by observation and questioning:

Born	Asheville, Alabama, December 6, 1896.
Height	5' 8"
Weight	190 pounds
Build	Medium
Hair	Gray and balding
Eyes	Blue, wears tinted rimless glasses.
Complexion	Medium
Marital status	Married, two children.
Education	Eighth grade.
Residence	1107 Christopher Avenue, Gadsden, Alabama.
Occupation	Sergeant, Gadsden Police Department.

- C L O S E D -

Office Memorandum • UNITED STATES GOVERNMENT

TO : James M. McInerney
Assistant Attorney General, Criminal Division

DATE: September 8, 1951

FROM : Director, FBI

SUBJECT: FLOYD VINYARD;
WILLIE RUTH MOSELEY nee WILLIAMS - VICTIM
CIVIL RIGHTS AND DOMESTIC VIOLENCE
YOUR REFERENCE 144-1-115, (MWH)

RECEIVED

SEP 12 1951

Criminal Division

Reference is made to your memorandum dated August 6, 1951.

Attached hereto is the report of Special Agent Horace R. Duffey, at Cleveland dated 8-27-51. The investigation is continuing and you will be furnished copies of reports as they are received.

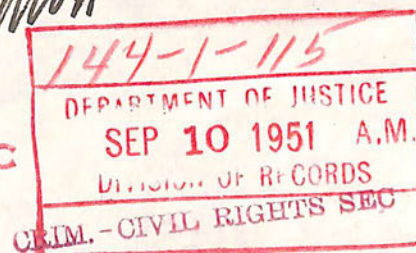
Enclosure



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RECORDED

AEC



Office Memorandum • UNITED STATES GOVERNMENT

TO : James M. McInerney
; Assistant Attorney General, Criminal Division DATE: September 8, 1951

FROM : Director, FBI

SUBJECT: FLOYD VINYARD;
WILLIE RUTH MOSELEY nee WILLIAMS - VICTIM
CIVIL RIGHTS AND DOMESTIC VIOLENCE
YOUR REFERENCE 144-1-115, MWH

Reference is made to your memorandum dated August 6, 1951.

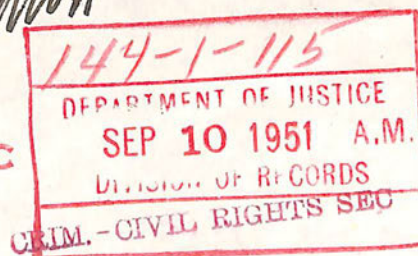
Attached hereto is the report of Special Agent Horace R. Duffey, at Cleveland dated 8-27-51. The investigation is continuing and you will be furnished copies of reports as they are received.

Enclosure



File
MWH
RECORDED

AEC



RECEIVED

SEP 12 1951

Criminal Division

FEDERAL BUREAU OF INVESTIGATION

RECEIVED

SEP 12 1951

Criminal Division

Form No. 1

THIS CASE ORIGINATED AT

BIRMINGHAM

CV. FILE NO. **44-54**

REPORT MADE AT CLEVELAND	DATE WHEN MADE 8-27-51	PERIOD FOR WHICH MADE 8-27-51	REPORT MADE BY HORACE R. DUFFEY dht
TITLE FLOYD VINYARD; WILLIE RUTH MOSELEY nee WILLIAMS - VICTIM			CHARACTER OF CASE CIVIL RIGHTS AND DOMESTIC VIOLENCE

SYNOPSIS OF FACTS:

In signed statement ERVIN RUSSELL HOLLIS stated victim shot by subject VINYARD after attempts had been made by Officer VINYARD to have victim drop an ice pick with which she was advancing upon the officer in a threatening manner.

- R U C -

Details:

At Cleveland, Ohio

On August 27, 1951, ERVIN RUSSELL HOLLIS, 2547 East 55th Street, Cleveland 4, Ohio, was interviewed in the presence of his grandmother, Mrs. GENNIE LAMPKIN of the same address. HOLLIS submitted a signed statement which is set out as follows:

"I, Ervin Russell Hollis, make the following voluntary statement to H.R. Duffey whom I know to be a Special Agent of the Federal Bureau of Investigation, U.S. Dept. of Justice.

"On April 28, 1951 Willie Ruth Moseley came to the home of my mother Jewell Hollis located at 1532 Cansler Ave. Gadsden, Ala. at about 9:30 or 10:00 a.m. Willie Ruth had been drinking

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT 3 - Bureau 3 - Birmingham (Enc. RM, RRR) (1 - USA) 2 - Cleveland		<div style="border: 2px solid red; padding: 5px; display: inline-block;"> 144-1-115 DEPARTMENT OF JUSTICE SEP 10 1951 A.M. DIVISION OF RECORDS CRIM. CIVIL RIGHTS SEC. </div>	

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CV, F. O.
44-54

as I could smell liquor on her breath. She started an argument with my mother and threw her down on the floor. I got Willie Ruth off my mother and carried her outside. Shortly after that a police car arrived and 2 officers, one in uniform and one in plain clothes arrived. The uniformed officer whose name I do not know, went into the house and the plain clothes officer, whom I know to be Floyd Vinyard, started around the outside of my house and met Willie Ruth Moseley who was coming toward him with an ice pick in her hand. Officer Vinyard told her two or three times to drop the ice pick and Willie Ruth said 'I won't drop a damn thing' and continued coming toward the officer who was backing up. When Willie Ruth did not obey his command, Officer Vinyard shot her two or three times. Both officers then laid her beside the police car. Shortly thereafter an ambulance arrived and Willie Ruth was taken to the hospital.

"I have read this statement consisting of two and one half pages and it is the truth.

/s/ Ervin Hollis

"Witness:

H.R. Duffey
Special Agent
Federal Bureau of Investigation
U.S. Dept. of Justice

Gennie Lampkin 2547 E. 55
Cleveland 4 Ohio"

* * * *

ENCLOSURE TO BIRMINGHAM:

Signed statement of ERVIN HOLLIS

- REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN -

The Director, Federal Bureau of Investigation

August 6, 1951

James M. McInerney, Assistant Attorney General,
Criminal Division

JMM:MMH:cfr

Floyd Vinyard;

44-1-115

Willie Ruth Moseley nee Willie Ruth Williams - Victim;
Civil Rights and Domestic Violence;
Your File 44-223 Birmingham

This will acknowledge receipt of the report of the preliminary investigation conducted in the above matter by Special Agent Charles W. Perry.

It appears from the report that, on April 28, 1951, at Gadsden, Alabama, police officers were called to the home of one Jim Holley as a result of difficulties between the victim and others. The report reflects that, when the officers arrived, the victim was observed to run out of another house with an ice pick in her hand. The subject, according to the report, called to the victim to drop the ice pick and shot her before she did so. Statements of those close by indicate clearly that, although the victim did not comply with the subject's command, she, nevertheless, made no attempt to strike the officer with the pick or to threaten him therewith before he fired the shot resulting in her death.

Under the circumstances, it is believed that a full investigation should be conducted, for, if there was clearly no necessity for the shooting, and if the personal defense of the subject was not involved, the shooting and killing may represent a violation of 18 U. S. C. 242.

Reports on the basis of the investigation should be sent to the Department and to the United States Attorney for the Northern District of Alabama.

cc: Records
Chron.
Sec. Files
Hubbard
USA, Birmingham

SENT BY MESSENGER
COMMUNICATIONS SECTION
AUG 7 1951 BR

FILED
BY RCD
ON AUG 9 1951

gm
12

Office Memorandum • UNITED STATES GOVERNMENT

TO : Assistant Attorney General, Criminal Division

DATE: July 9, 1951
RECEIVED

FROM : Director, FBI

JUL 11 1951

SUBJECT: FLOYD VINYARD;

WILLIE RUTH MOSELEY nee WILLIE RUTH

WILLIAMS - VICTIM

CIVIL RIGHTS AND DOMESTIC VIOLENCE (Your file 144-1-115)

Reference is made to your memorandum dated June 20, 1951.

Criminal Division

There is enclosed one copy of the report of Special Agent CHARLES W. PERRY dated 7-3-51 at BIRMINGHAM. The investigation which has been requested by you has now been completed and no further investigation is contemplated unless requested by you.

Enclosure

RECORDED

144-1-115
DEPARTMENT OF JUSTICE
JUL 11 1951
DIVISION OF RECORDS
CRIM. - CIVIL RIGHTS SEC

P.L.

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **BIRMINGHAM**

FILE NO. **44-223 njh**

REPORT MADE AT BIRMINGHAM	DATE WHEN MADE 7-3-51	PERIOD FOR WHICH MADE 7-2-51	REPORT MADE BY CHARLES W. PERRY
TITLE FLOYD VINYARD; WILLIE RUTH MOSELEY nee WILLIE RUTH WILLIAMS - VICTIM			CHARACTER OF CASE CIVIL RIGHTS AND DOMESTIC VIOLENCE
<p>SYNOPSIS OF FACTS:</p> <p style="margin-left: 150px;">Witnesses advise that victim and relatives Gadsden, Alabama in family fight April 28, 1951 at which time victim appeared to be drinking. Gadsden Police Department Officer VINYARD who answered call to place of fight shot and killed victim after calling on her three times to drop ice pick which she held in her hand. Witnesses state victim had ice pick in hand at time of death but advise they do not believe she intended attacking Officer VINYARD.</p> <p style="text-align: center;">-C-</p> <p>DETAILS: <u>AT GADSDEN, ALABAMA</u></p> <p style="margin-left: 40px;">This investigation is predicated upon letter received from Bureau dated June 27, 1951 to which were attached two copies of a memo dated June 20, 1951 from Attorney General, Criminal Division. These memos set out letter from Mr. W. C. PATTON, President of the Alabama State Conference of NAACP Branches, and requested that the Department of Justice investigate the shooting of Mrs. WILLIE RUTH WILLIAMS, a 17 year old expectant mother at Gadsden, Alabama. This letter advised that Mrs. WILLIAMS was shot on April 28, 1951 by a Police Officer, FLOYD VINYARD, when he arrived at her home to quell a family disturbance. This memo requested that a preliminary investigation be conducted to determine whether a violation of 18 USC 242 is involved.</p>			
APPROVED AND FORWARDED:		SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
COPIES OF THIS REPORT 3 Bureau 1 USA, Birmingham 2 Birmingham			<div style="border: 2px solid red; padding: 5px; margin: 0 auto; width: 150px;"> <div style="text-align: center; font-size: 1.2em; font-weight: bold;">144-1-115</div> <div style="text-align: center; font-weight: bold;">DEPARTMENT OF JUSTICE</div> <div style="text-align: center; font-weight: bold;">JUL 11 1951</div> <div style="text-align: center; font-weight: bold;">DIVISION</div> <div style="text-align: center; font-weight: bold;">CRIM. - CIVIL RIGHTS SEC</div> </div>

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Mr. JILES ISOM, JR., Gadsden, Alabama, a witness to the shooting was interviewed and he executed the following signed statement:

"Gadsden, Ala.
July 2, 1951

"I, Jiles Isom Jr, make this free and voluntary statement to Charles W. Perry and Robert K Lewis, whom I know to be Special Agents of the Federal Bureau of Investigation. No threats or promises have been made to me to secure this statement and I know it can and may be used in a court of law.

"On April 28, 1951, between the hours of 9am and 10am, I was in the vicinity of 1533 Cansler ave in Gadsden, Ala. I heard some words and saw some scuffling at 1532 Cansler ave, which is the home of Jim Holley. This scuffling was between a girl named Willie Ruth Mosely, nee Willie Ruth Williams. Mrs. Holley's son, Erwin, pushed Willie Ruth off of the porch of the house. I can not say for sure whether Willie Ruth was drinking, but she appeared to have been drinking. Willie Ruth then left this house and went to a house which is located behind 1532 Cansler ave, where another one of her Aunt's lives. About 5 or ten minutes after she left the Holley home, a Gadsden Police car drove up and parked in front of the Holley home. I do not know who called the police, but I believe that Mrs. HOLLEY called them. I recognized one of the police officers as being Mr. Floyd Vinyard. The other officer in the car I did not know. Mr. Floyd Vinyard went to the back of the Holley home and the other officer went to the front door. About this time, Willie Ruth came running out of the house behind the Holley home where she had gone, and ran behind the Holley house. Mr. Vinyard made a grab at her, and she pulled away from him. Mr. Vinyard then told her to drop that ice pick. Willie Ruth was standing about four or five feet from Mr. Vinyard at this time. She had an ice pick in her hand, but did not look as though she was going to attack Mr. Vinyard with it, as she was just standing there with it in her hand. Mr. Vinyard told her about three times to drop that ice pick, then he pulled out his pistol and shot her three times. The other officer who had gone to the front of the house came to the back where the shooting took place and helped get Willie Ruth around front to the police car. Willie Ruth slumped down on the grass near the police car and lay there groaning. Mr. Vinyard then called on the police radio in the car and said "I've killed a negro women, send Rhines ambulance. In about 25 minutes the ambulance arrived and carried

Willie Ruth away. I understand that Willie Ruth died the next day from these wounds received from the police pistol shots.

"I have read this statement which consists of approximately one typewritten page and all is true and correct to the best of my knowledge. I have signed my name to the bottom of the page.

"Signed

"Jiles Isom Jr

"Witnesses:

Charles W. Perry, FBI, Birmingham, Ala
Robert K. Lewis, FBI, Birmingham, Ala.

Mr. ARCHIE FOSTER, Gadsden, Alabama, who was a witness to the shooting of victim by Officer VINYARD was interviewed and the following signed statement executed:

"Gadsden, Ala.
July 2, 1951

"I, Archie Foster, make this free and voluntary statement to Charles W. Perry and Robert K Lewis, whom I know to be Special Agents of the Federal Bureau of Investigation. No threats or promises have been made to me to secure this statement and I know it can and may be used in a court of law.

"My name is Archie Foster. I reside at 1605 Malone Street, Gadsden, Ala, and work at Republic Steel Co. On the morning of April 28, 1951, between the hours of 9 am and 10am, I was on Canaler ave at about 1532. I heard some loud cursing and talk coming out of the house at number 1532, but I did not pay much attention to it as I was walking across the street on my way to Giles store. I did see Edwin Polley who lives at 1532 Canaler ave push a colored girl, whom I know now as being Willie Ruth Moseley, off of the porch of the house. The girl appeared to have been drinking but I could not swear that she had as I did not see her with any whiskey. I went on up to Giles store, and I did see a police car drive up and stop in from of 1532 Canaler

ave, where Erwin Holley had pushed the girl off of the porch, but I did not pay too much attention to it. About that time, Bernice Trammell, who works at Giles store yelled to me and said "he's going to shoot her". I looked around and saw police officer Floyd Vinyard shoot Willie Ruth three times. I was about 125 feet away from the shooting and did not hear what was said. I could see that Willie Ruth had something in her hand, but I could not say what it was as I was too far away. I left soon after the shooting and know nothing else about the matter.

"I have read this statement which consists of approximately one half typewritten pages and all is true and correct to the best of my recollection. I have signed my name to the bottom of this statement.

"Signed

"Archie Foster

"Witnesses:

Charles W. Perry, FBI, Birmingham, Ala
Robert K. Lewis, FBI, Birmingham, Ala.

"

Mr. SAMMIE LEE ROBBINS, Gadsden, Alabama, who was a witness to the shooting of victim of Officer VINYARD was interviewed and the following signed statement executed:

"Gadsden, Alabama
July 2, 1951.

"I Sammie Lee Robbins, make this free and voluntary statement to Charles W. Perry and Robert K Lewis, whom I know to be Special Agents of the Federal Bureau of Investigation. No threats or promises have been made to me to secure this statement and I know that it can be used in a court of law.

"My name is Sammie Lee Robbins. I reside at 1518 Cansler Ave, Gadsden, Ala and am employed by Republic Steel Co. On April 28, 1951, I was on Cansler ave in the vicinity of 1533. I was talking to Giles Isom Jr, who was working on a car. I heard a lots of loud talk and cursing coming from 1532, and saw Erwin Holley who resides at this address pushing a colored girl off of the porch. I did not know this girl's name at the time, but now know her to be Willie Ruth Moseley. This girl went to the house behind 1532 Cansler ave, which is the home of Jim Holley. Two police officers got out of the car. One dressed in a uniform went to the front

door and the other dressed in a white shirt and light pants went around to the back of the house. I did not know these officers at this time, but since have learned that the officer who was not in uniform was Mr. Floyd Vinyard. About this time, I saw the colored girl, whom I now know to have been Willie Ruth Moseley run out across the back yard of the Holley home. Mr. Vinyard made a pass to catch her, but she dodged him. She stopped about four feet from Mr. Vinyard, and I could see that she had an ice pick in her hand, but she did not appear to have in her mind to stab Mr. Vinyard as her hands were down at her side and not raised as to strike. Mr. Vinyard yelled three times to her to drop that ice pick and that he up and shot this girl three times. The other officer came out of the front of the house and helped get Willie Ruth to the Police car. She slumped down in the grass near the police car. Then Mr. Vinyard called on the police car radio and said, "I've killed a negro women, send Rhines ambulance. In about twenty five minutes the ambulance arrived and took Willie Ruth away. I have been told that she died the next day.

"I have read this statement consisting of approximately one typewritten page and all is true and correct to the best of my knowledge. I have signed my name to the bottom of the page.

"Sammie Lee Robbins

"Witness:

Robert K. Lewis, FBI, Birmingham, Ala.
Charles W. Perry, FBI, Birmingham, Ala.

Mrs. BERNICE TRAMMELL, Gadsden, Alabama, who was a witness to the shooting of victim by Officer VINYARD was interviewed and the following signed statement executed:

"Gadsden, Ala.
July 2, 1951.

"I Bernice Trammell, make this free and voluntary statement to Charles W. Perry and Robert K. Lewis, whom I know to be Special Agents of the Federal Bureau of Investigation. No threats or promises have been made to me to secure this statement and I know that it can and may be used in a court of law.

"My name is Bernice Trammell. I reside at 313 S 16th. street, Gadsden, Ala. On April 28, 1951, I was working at Giles store which is amost across the street from 1532 Cansler ave. On this day, I heard a lot of louds talking an cursing at 1532 Cansler ave. It was between 9am and 10am. I saw Erwin Holley, age 14, who resides at 1532 Cansler ave, push a colored girl off of the porch at that address. They were arguing and cursing. I believe that the girl had been drinking, but I could not say for sure and I did not see her take a drink. This girl whom I now know was Willie Ruth Moseley, went to the house behind 1532 Cansler ave, where an aunt of her's lives. In about five minutes a police car drove up and parked in front of 1532 Cansler. One of the officers was dressed in uniform and the other in a white shirt and light pants. The uniformed officer went to the front door and the other man, whom I now know to have been Mr. Floyd Vinyard went to the back door. About that time, Willie Ruth came running across the back yard of 1532 Cansler. Mr. Vinyard tried to catch her, but she pulled away from him. I was too far to see if she had anything in her hand or could I hear what was said at this time. I only saw Mr. Vinyard shoot this girl. The ambulance came in about twenty five minutes and took this girl away. I understand that she died the next day.

"I have read this statekent which consists of approximately one half pages and all is true and correct to the best of my knowledge. I have eigned my name to the bottom of the page.

"Signed

"Bernice Trammell

"Witnesses:

Charles W. Perry, FBI, Birmingham, Ala.

Robert K. Lewis, FBI, Birmingham, Ala.

Mrs. Annie Ruth Bailey, Gadsden, Alabama, who was a witness to the shooting of victim by Officer VINYARD was interviewed and the following statement executed:

"Gadsden, Ala.

July 2, 1951.

"I, Annie Ruth Bailey, make this free and voluntary statement to Charles W. Perry and Robert K Lewis, whom I know to be Special

Agents of the Federal Bureau of Investigation. No threats or promises have been made to me to secure this statement and I know that it can be used in a court of law.

"I live at 1534 Cansler Ave, Gadsden, Ala. This is a duplex, and Jim Holley and family live at 1532. On April 28, 1951, I heard some loud talking and cursing at 1532 side, but I did not pay any attention to it as I was minding my own business. It was some time around 9 am or 10 am. I went over to cross the street to go to Giles store to get some snuff, when I noticed a police car in front of the house. I did not see it drive up. About that time I looked around and heard a police officer, whom I now know to be Mr. Floyd Vinyard say, "drop that ice pick". I saw a colored girl standing right close to Mr. Vinyard with an ice pick in her hand. She did not appear to be going to stab him with the ice pick. Then Mr. Vinyard shot the girl. I did not know the girl at the time, but have been told it was Willie Ruth Mosley. I left home right then, and did not see or hear anything else/

"I have read this statement which consists of approximately one half page and all is true and correct to the best of my recollection. I have signed my name to the bottom of the page.

"Annie Ruth Bailey

"Witnesses:

Charles W. Perry, FBI, Birmingham, Ala.
Robert K. Lewis, FBI, Birmingham, Ala.

"

Original copies of these statements of the above witnesses are being retained in the files of the Birmingham Office.

- C L O S E D -

ADDRESS REPLY TO
UNITED STATES ATTORNEY
AND REFER TO
INITIALS AND FILE NUMBER

GHjr:rl

Unc. V

United States Department of Justice

UNITED STATES ATTORNEY

NORTHERN DISTRICT OF ALABAMA

BIRMINGHAM 1, ALABAMA

P. O. BOX 195

RECEIVED

JUL 11 1951

Criminal Division

July 9, 1951

The Attorney General
Department of Justice
Washington 25, D. C.

Attention: Honorable James M. McInerney
Assistant Attorney General

In re: Floyd Vinyard - Subject;
Willie Ruth Williams - Victim
Civil Rights and Domestic Violence
Your File: JMM:MMH:efr 144-1-115

Sir:

This office is in receipt of report of preliminary investigation in the above styled case, dated July 3, 1951, by Mr. Charles W. Perry, Special Agent of the Birmingham Office of the Federal Bureau of Investigation. In view of the testimony of witnesses as to the circumstances surrounding the alleged violation, and in further view of the conduct of the victim prior to the time subject shot her, it is the opinion of this office that prosecution be declined in this case and that no further investigation be instituted.

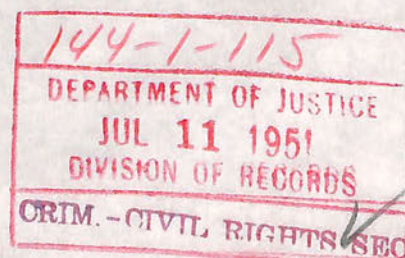
Respectfully,

UNITED STATES ATTORNEY

BY:

George Huddleston, Jr.

GEORGE HUDDLESTON, JR.
Assistant United States Attorney



JMM:MMH:efr

44-1-115

Best Possible Image

August 6, 1951

John D. Hill, Esquire
United States Attorney
Birmingham 1, Alabama

Attention: George Huddleston, Jr., Esquire
Assistant United States Attorney

Re: Floyd Vinyard; Willie Ruth Williams -
Victim; Civil Rights and Domestic Violence

Dear Mr. Hill:

This will acknowledge receipt of your letter of July 9, 1951, in the above matter. We note that it is your recommendation that no further investigation be conducted.

As pointed out in the enclosed copy of a memorandum to the Federal Bureau of Investigation, the report of the preliminary investigation indicates that the victim did not threaten and had not threatened the officer prior to the shooting. It would seem, therefore, that the subject was not justified in killing the victim in his own defense.

Under such circumstances, it is believed that the matter should not be disposed of one way or another until further investigation discloses all of the facts and circumstances.

Respectfully,

For the Attorney General

JAMES M. McINERNEY
Assistant Attorney General

FILED
BY RCD
On AUG 9 1951

Enclosure No. 51290

cc: Records
Chron.
Sec. Files
Hubbard

REPTD AND MAILED
COMMUNICATIONS SEC
AUG 7 1951 B R

GHJ:arl

Enc. V

July 9, 1951

The Attorney General
Department of Justice
Washington 25, D. C.

Attention: Honorable James M. McInerney
Assistant Attorney General

In re: Floyd Vinyard - Subject;
Willie Ruth Williams - Victim
Civil Rights and Domestic Violence
Your File: JRM:MWH:efr 100-3-115

Sir:

This office is in receipt of report of preliminary investigation in the above styled case, dated July 3, 1951, by Mr. Charles W. Perry, Special Agent of the Birmingham Office of the Federal Bureau of Investigation. In view of the testimony of witnesses as to the circumstances surrounding the alleged violation, and in further view of the conduct of the victim prior to the time subject shot her, it is the opinion of this office that prosecution be declined in this case and that no further investigation be instituted.

Respectfully,

UNITED STATES ATTORNEY

BY:

GEORGE HIDDLESTON, JR.
Assistant United States Attorney

P14

The Director, Federal Bureau of Investigation

June 20, 1951

James E. McInerney, Assistant Attorney General,

JMM:MWH:efr

144-1-115

Floyd Vinyard;
Willie Ruth Williams - Victim;
Civil Rights and Domestic Violence

RECORDED
W-1-115

Enclosed herewith is a copy of a letter from Mr. Clarence Mitchell, Director, Washington Bureau, National Association for the Advancement of Colored People. It will be noted that the letter requests an investigation of the shooting of the victim by the subject, a police officer. According to the letter, the victim was shot at her home on April 28, 1951, by the subject, who was there for the purpose of quelling a family disturbance.

It is requested that a preliminary investigation be conducted to enable us to determine whether a violation of 18 U. S. C. 242 is probably involved. The investigation may be limited to interviews with the victim, if alive, and with witnesses referred to in the enclosed letter.

Reports on the basis of the investigation should be sent to the Department and to the United States Attorney for the Northern District of Alabama.

Enclosure No. 51259

cc: Records
Chron.
Sec. Files
Hubbard
USA, Birmingham

gmm

gmm
837



JMM:MWH:efr

144-1-115

P.L.A.

June 20, 1951

Best Possible Image

John D. Hill, Esquire
United States Attorney
Birmingham, Alabama

Re: Floyd Vinyard - Subject;
Willie Ruth Williams - Victim;
Civil Rights and Domestic Violence

Dear Mr. Hill:

There is enclosed for your information a copy of a
self-explanatory memorandum sent today to the Federal Bureau
of Investigation.

Respectfully,

For the Attorney General

JAMES M. McINERNEY
Assistant Attorney General

Enclosure No. 51260

cc: Records
Chron.
Sec. Files
Hubbard

INSPTD AND MAILED
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JUN 20 1951 CN

JMM:MMH:efr

144-1-115

June 20, 1951

P. 14

Mr. Clarence Mitchell
Director
Washington Bureau
National Association for the
Advancement of Colored People
100 Massachusetts Avenue, N. W.
Washington, D. C.

Dear Mr. Mitchell:

This will acknowledge the receipt of your letter of May 31, 1951, requesting an investigation of the alleged shooting of Mrs. Willie Ruth Williams by a police officer of Gadsden, Alabama, on or about April 28, 1951.

This matter is receiving the attention of the Department, and appropriate action will be undertaken should it develop that a violation of Federal law is involved.

Respectfully,

For the Attorney General

JAMES M. McINERNEY
Assistant Attorney General

cc: Records ✓
Chron.
Sec. Files
Hubbard



MMH

JMM
7/28

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

20 WEST 40TH STREET NEW YORK 18, N. Y.

Please direct reply to:

WASHINGTON BUREAU NAACP
100 Massachusetts Ave., N. W.
Washington, D. C.
Telephone National 5794

May 31, 1951

Mr. George Friedman
Chief of Civil Rights Section
and Criminal Division
Department of Justice
Washington, D. C.

Dear Mr. Friedman:

We have received from Mr. W. C. Patton, President of the Alabama State Conference of NAACP Branches, an urgent request that the Department of Justice investigate the shooting of Mrs. Willie Ruth Williams, a 17 year old expectant mother at Gadsden, Alabama. Mrs. Williams is colored.

According to Mr. Patton, Mrs. Williams was shot on April 28 by a white police officer, Floyd Vinyard, when he arrived at her home to quell a family disturbance. The shooting took place at 1532 Cansler Avenue, Gadsden, Alabama, the residence of Mr. Jim Holley, an uncle of Mrs. Williams.

Mr. Patton's letter does not indicate whether the victim of the shooting is still alive. However, he states that the following persons are witnesses:

Mr. Jiles Isom, 405 So. 16th Street, Gadsden, Ala.
Mr. Archie Foster, 1315 4th Avenue, Gadsden, Ala.

Mr. Patton indicates that it is the belief of the witnesses that the officer willfully shot Mrs. Williams.

Sincerely yours,

Clarence Mitchell

Clarence Mitchell
Director
Washington Bureau

CMM:mbh



Official Organ: The Crisis

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