

Tilly, Dorothy
1947-52

Campobello Island
New Brunswick, Canada
July 31, 1947

Dear Mrs. Tilly:

I was very glad to get your letter but horrified by the material which you enclosed. It seems to me dreadful that in our country we should have any people going through such experiences. We can not look down too much on the Nazis or the Communists, when somewhere in our land things like these can happen.

That 13th Chapter of Corinthians you noticed was my husband's favorite Chapter as well as my own.

I am glad that Doris Fleeson was a success. I am very fond of her but I do not always agree with what she says or even believes. I should be glad to know, if you have the time, what it was with which you disagreed.

With every good wish, I am,

Very cordially yours,

Tilly

Woman's Society of Christian Service

Southeastern Jurisdiction
The Methodist Church

CHRISTIAN SOCIAL RELATIONS AND LOCAL CHURCH ACTIVITIES
MRS. M. E. TILLY, Secretary

1011 HIGHLAND VIEW, N. E.
ATLANTA, GA.

Lake Junaluska, N. C.
July 14, 1947

Dear Mrs. Roosevelt;-

Thank you so much for a great experience- an experience that will always be with me. All the while I was at Hyde Park, I knew that I was seeing more Christianity in action than I could hope to see at the five summer conferences ahead of me -- North Georgia Conference, Lake Junaluska, New Castle Ind., Lincoln Nebr., and Lakeland, Fla.

It was such a privilege to go through the library and the home and to stand near the grave, to be with you and the lovely, lovely children, to have the hours with you and Miss Thompson and get an insight into your mail and your answers.

I am sure that I found the secret of "The Amazing Roosevelts", when I saw the old Dutch Bible open at the 13th chapter of Corinthians, and realized that upon it - faith, hope and charity, a great family had helped a nation in its crisis.

Thank you for all of it.

The North Georgia Conference of The Methodist Church met last week. The Stewardship speaker was Dr. Stidger of Boston University. He told us of his connection with the Roosevelt family and said to us that we of the South needed no one to give us stewardship lessons for we had them. We had them in the Warm Springs Foundation. His story of the Warm Springs Foundation made Westbrook Pegler more and more contemptible. While he did not mention Pegler's name, he certainly answered him.

Dr. Stidger called the TVA, the "greatest political stewardship way of life" of all times, now spreading or that would spread to the Jordan River and to the flood areas of China and Russia. He paid tribute to both Mr. Norris and to President Roosevelt as men who knew how to take God's gifts and give them to men.

After the speech, I told Dr. Stidger I was just back from Hyde Park and he asked about you and the "lovely" grandchildren. He does not know David and Scoopy and I think he has missed something. He spoke of the other children.

Our Conference, made up of ministers and laymen, made some very strong pronouncements against race as an issue in political campaigns and we pledged not to vote for an candidate that dared make it an issue. This is apart of the religious campaign or crusade, I told you we were launching, in which all denominations of the state have promised to promote. It may not be necessary now since the decision on the S. C. white primary.

ORIGINAL RETIRED FOR PRESERVATION

ings are far more serious now in Georgia now. I am accustomed to being called most any time day or night, but the calls are tragically frequent now, due both to the seriousness of the hour and to the fact that I am on the Civil Rights Committee.

In the South, when trouble comes involving Negroes, it immediately takes on a political tinge and we are hopelessly frustrated.

We had a prevented lynching at Carrollton, Ga. some days ago. The would-be lynchers were promised a speedy trial of the Negro who had killed the white man. So far, the judge has paid no attention to the case, the Negro is in Atlanta jail, the grand jury has not drawn an indictment. Some of citizens of the county, frightened by the growing threat of lynching just any Negro, called us and asked us to lay the situation before the governor (they living in the community felt they could not do it themselves). The governor gave an evasive reply. Can you see in this, what Talmadge politics has done to the state. Our Governor is afraid to face issues.

There has been a killing of five Negroes in a convict camp at Brunswick. I am enclosing a clipping. Unless the Federal Government steps in, the investigation will mean nothing.

I talked to you about the situation in Harris County (the county of Warm Springs). In that county the Negroes are living in such fear and in such danger, the leading Negroes of the State requested an interview with Gov. Thompson. He refused the request. The Negroes, frustrated, have appealed to Drew Pearson and asked him to give the story over the radio. Anyone would regret this, yet when the FBI and the governor both fail, you cannot blame the Negroes for trying other methods.

I am enclosing the Harris County stories. All of this has been in the hands of the Atty. General. The FBI has made some investigation as ineffectual as it always is in the South.

I am at Junaluska and I began this letter on Monday - it is Saturday now. The days and nights have been too full to have time to finish the letter. Miss Fleeson has been with us. She took us by storm. I did not agree with all she said. I told her, though, that I was afraid she carried the women with her.

I think I told you, we were having two Negro women and 4 Indian women, living in Mission Inn with us and participating in our school. This, as you know is a great forward step for us. It has worked well and has been so natural that we feel it is the beginning of real fellowship and cooperation in the churches.

I am deeply grateful to you for many things and will be more indebted to you, if you will give us some guidance and help as we try to find our way through these serious situations.

With kindest regards to Miss Thompson and thanks to you, I remain

Yours sincerely,

Dorothy Tilly

NEGRO CHILDREN IN JAIL IN GEORGIA * - HARRIS COUNTY - COUNTY SEAT - HAMILTON

In Troup County, Georgia, on Sunday night, May 4th, a Negro named Davidson ran over a cow of a white farmer by the name of Sands, Mr. Sands finding his cow dead on the highway, went in search of the car that was responsible,

He found the Davidson Negro in a truck at a Negro church where a meeting was in progress. There were words passed and the Negro killed Mr. Sands, The Negro has disappeared.

A mob was formed that night but failed to find him,

A day or so later (am not sure just when) Davidson's father, mother and brother and sisters were arrested by the Harris county officers and taken to Muscogee County jail.

Someone in the community told our investigator that this was done because Muscogee County officers knew how to make Negroes talk,

The mother (ill with high blood pressure) and older son have been released, but the father and younger children are now in jail in Hamilton, Harris County.

Mr Sturdivant on whose place the Davidson Negroes live, says he saw one of the boys slapped to the ground several times by an officer when the child could not tell the whereabouts of his brother who killed Mr. Sands,

We have been told that the children have been whipped repeatedly before their father to make him tell where his son is in hiding. The elder Davidson Negro has finally implicated a Negro family named Gilbert helped his son get away. The Gilbert Negroes have been arrested and the subsequent killing of peg Gilbert in the jail is in the story attached.

The FBI has not proven to be of any help.

The Negroes of Troup and Harris Counties are living in a state of terror. In their behalf, some of the leading Negroes of the state appealed to the governor to send state patrol into the section to protect them. These Negro leaders also asked for an interview. The Governor has refused both requests, stating that race relations were good in the State, citing the fact that the rape case in Scriven County brought on no lynching.

We must get these children - little girls ages 11-17 out of jail

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PHOTO BY GREENE

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Facts leading up to the
Henry Gilbert's wife, Mrs.

On the first day,
a negro boy by the name
of Sands, in a dispute
with the church, was holding
its door one mile from the
place.

The Sands was holding its door
was told.

Facts leading up to the homicide of Henry Gilbert, and the arrest of Henry Gilbert's wife, May Gilbert, on a charge of 'harboring a criminal'.

On the first Sunday in May 1947, sometime after dark on said day, a negro boy by the name of Davidson, killed a white farmer by the name of Sands, in a dispute over a calf. On this Sunday, a negro Baptist church, was holding its monthly services. This church was located over one mile from the place where Sands was killed. Both the location of the church and the place where Sands was killed are in Troup County, Georgia.

*the Sands
was killed
in church
ground*

Henry Gilbert, was the chairman of the Board of Deacons and Treasurer of the Baptist Church. He was also worshipful Master of the Negro Masonic Lodge of the community. Gilbert was married, and had a wife and four daughters. One of his daughters is married and lives in Detroit, Michigan. Three of the daughters were in high school in La Grange, Georgia, the county seat of Troup County. Since it was several miles from where Gilbert and his family lived to La Grange, the three girls boarded in LaGrange and returned to their home only on the weekends. One of the daughters graduated from the negro high school in La Grange in June of this year. All in all Henry Gilbert and his family were far above the average negro family. Henry was a leader of his people, was looked upon by them as an example and was respected by the more enlightened white people of the community.

After the murder of Sands, Davidson escaped. Bands of white men assembled in the roads of this section of Troup County. A posse was formed to look for Davidson.

The negroes were frightened and went to their homes.

Sheriff Hillyer and Chief of County Police, Robinson, together with a State Patrolman immediately went to the scene of the homicide and

RECEIVED FROM THE BUREAU OF INVESTIGATION

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and began an investigation. Sheriff Hillyer and Chief Robinson are of the opinion that Davidson escaped that night and left the community.

Just across the line from Troup County, in Harris County, Davidson's father, mother, one grown brother and other brothers and sisters lived in a shanty house, owned by one Luke Sturdivant, who owns and operates a country store in addition to his farming interests.

Three or four days passed and Davidson was not captured. Small bands of men roamed the roads at night. Ugly talk was audible and they spoke of "killing a few niggers". There were frequent meetings at Sturdivant's store. Among those who attended these meetings was County Chief of Police Buchanan of Harris County. There was a rumor floating around in the neighborhood that Henry Gilbert was concealing Davidson in his home. Sheriff Hillyer of Troup County heard the rumor and immediately went into the neighborhood and made an investigation. He went to the home of Davidson's father and talked with him. He went to other places, but he was convinced that Davidson was not in that section of Georgia. He finally found a drunken boy who started the rumor. This boy later admitted to Sheriff Hillyer that he had no facts upon which to base the rumor, that he had not even seen Davidson or Gilbert.

This was enough, however, to turn all eyes to Henry Gilbert. Gilbert was not suspected of participating in the homicide. Everyone knew that at the time of the homicide Gilbert was presiding at the meeting of the Baptist Church, of which he was a member and a leader. Gilbert was not suspected of being an accessory to the homicide for Gilbert hardly knew the Davidson boy who had engaged in a dispute with Sands over the killing of a calf. Gilbert was a landowner and approximately 30 years older than Davidson, and there had been trouble between Gilbert and Davidson's brother some years before.

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Feeling mounted, however, and the men who wanted to capture Davidson, being unable to do so, decided some two weeks after the homicide to arrest Henry Gilbert. At approximately 9 a.m. Tuesday morning, May 20th, Luke Sturdivant called Sheriff Hillyer at his home in La Grange and told the Sheriff that the Chief of Police of Harris County was at his store and had a warrant for Henry Gilbert, issued by a Justice of the Peace of Harris County, Georgia, accusing Gilbert of harboring a criminal, and that he wanted him to come and serve the warrant (please note that the crime was committed in Troup County, Georgia, that Henry Gilbert lived in Troup County, Georgia, and that he would have had to harbor Davidson in Troup County, Georgia, that the Superior Court of Troup County, Georgia had jurisdiction over the offense and the offenders). Sheriff Hillyer immediately went to Luke Sturdivant's store, got the warrant and went to Henry Gilbert's home, aroused him out of bed, and delivered him to the Chief of Police, Harris County, Georgia. There is no record that Henry Gilbert was ever carried before a Committing Magistrate to determine whether probable cause existed for the warrant. Gilbert was first lodged in the Harris County jail at Hamilton, Georgia. He was then carried to Muskogee County, Georgia and confined in the jail at Columbus and was later returned to the Harris County jail. Four or five days after Gilbert's arrest, Gilbert's family were notified that he had been killed while he was incarcerated as a result of an alleged assault Gilbert made upon Chief of Police Buchanan. The pictures of Gilbert's body disclose that he had been severely beaten in the head and that the left side of his chest had been crushed and he had been shot five times. His left leg was broken and he had been otherwise beaten.

Two days prior to the arrest of Henry Gilbert Lovett Davidson, the father of the Davidson boy who killed Sands, was arrested and placed in the Harris County jail. He was arrested by Harris County officers. Immediately after his arrest, his wife and two small children were arrested and placed in the Harris County jail. An older son was arrested by the Harris County officers and placed in the Muskogee County jail. It is stated on good authority that this grown son of Davidson's, not the one who is alleged to have murdered Sands, has been severely beaten and mal-treated. Lovett Davidson and all members of his family except his wife are still incarcerated. Lovett Davidson was in the Harris County jail on the night that Henry Gilbert was killed, unless he had been carried from the confines of the jail by officers. It is known that he was in jail on the morning after the killing of Gilbert and was in jail on the afternoon before the killing of Gilbert. Lovett Davidson, in any event, knew that Gilbert had been killed by Chief of Police Buchanan while he was being held, in Harris County jail. Three weeks after the murder of Henry Gilbert, a person by the name of Hayman, a white man, who resides in Muskogee County, Georgia and who is the brother of the wife of Sands, swore out a warrant in Troup County, Georgia, against May Gilbert, the wife of Henry Gilbert, in which it was alleged that she participated in the harboring of Gus Davidson, the alleged murderer of Sands. Sheriff Hillyer reluctantly, but in pursuance of his duties, made the arrest and permitted her to make a bond and assigned the warrant for a hearing before a Committing Magistrate for June 27, 1947 in the Troup County Courthouse at La Grange, Georgia. May Gilbert was represented by Counsel at this hearing.

The only evidence produced against her at this hearing was Lovett Davidson, the father of Gus Davidson, who testified that some four or five days prior to the time that Henry Gilbert was arrested, he had gone to Henry Gilbert's home and had talked with Gus Davidson, his son,

in the presence of Henry Gilbert and his wife, May Gilbert. At the time Lovett Davidson testified to these facts, he was then in custody of the Harris County officers, whom he knew had killed Henry Gilbert, in fact, they were standing within 10 feet of him while he was testifying. He knew that the other members of his family were in jail, ~~Here~~ and in Muskogee County. He was unable to state whether he had been committed for any offense and when asked why he had been arrested, he stated 'day told me day was going to look mein my family up and keep us dere until day realuded de boy'. Lovett Davidson was visibly upset during the time he was testifying and undoubtedly had been coached as to what he should say.

Luke Sturdivant, the person for whom Gus Davidson worked and on whose place he lived, testified that he had told Sheriff Hillyer that Gus Davidson was hiding in the home of Henry Gilbert. Sheriff Hillyer testified positively and unambiguously that Luke Sturdivant never intimated to him that Gus Davidson was hiding in Henry Gilbert's home and that during his investigation, he had been unable to disclose any evidence that Henry Gilbert had harbored Gus Davidson. It was established that during the ten-day period that Gus Davidson was supposed to have taken refuge in Gilbert's home that he worked upon his farm of 110 acres each day. That he left his home and transported ^{carried} a sick person to a hospital in La Grange. That the three daughters who were at their home from Friday night to Monday morning, May 23rd until May 26th, are positive that Gus Davidson was no where about their place. May Gilbert ^{SWORE} positively that she had not seen Gus Davidson for some six weeks prior to the killing of Sands, nor had she seen him since that date. She stated that Lovett Davidson did come to their home one night prior to the arrest of her husband, but that he did not come inside of the house but that he stood at the door and talked to her husband for only a few minutes and left.

It is very apparent that after Gilbert was killed by Chief Buchanan it became necessary to produce some evidence to show that there were some grounds for incarcerating Gilbert.

The Committing Magistrate who heard the evidence to determine whether probable cause existed for the warrant of May Gilbert, had no alternative but to bind her over to the grand jury of Troup County since there was positive evidence given by Lovett Davidson that she had knowledge of and was present in the house while Gus Davidson was there on a date subsequent to the killing of Sands. May Gilbert was bound over under \$1000 bond to the Grand Jury of Troup County.

QUESTION OF FEDERAL JURISDICTION

Federal authorities have in the past successfully prosecuted police brutality. The right of the Federal authorities to prosecute has been upheld by the Federal Courts. The Supreme Court of the United States recently stated in a case 'There are village tyrants as well as village Hampdens-but none who acts under color of law is beyond the reach of the Constitution'. These rights which are protected by the Constitution flow from the Fourteenth Amendment. A prisoner being held under legal process has the right under the Federal Constitution to 'equal protection of the law'. The jurisdiction of the Federal Authorities to prosecute such violations as were practiced upon Henry Gilbert and such violations as are now being practiced upon Lovett Davidson, his family and May Gilbert may be found in Section 51, Title 18 and Section 52, Title 18, which are as follows:

'If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same, they shall be fined not more

than \$5,000 and imprisoned not more than ten years, and shall, moreover, be thereafter ineligible to any office, or place of honor, profit, or trust created by the Constitution or laws of the United States."

"Whoever, under color of any law, statute, ordinance, regulation, or custom, wilfully subjects, or causes to be subjected, any inhabitant of any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution and laws of the United States, ... shall be fined not more than \$1,000, or imprisoned not more than one year, or both."

Then there is section 88 of the U. S. Code language which I believe gives Federal Officials authority to prosecute for the violation of Civil Rights. This Section is in part as follows; "any two or more persons who conspire to commit any offense against the United States or to defraud the United States in any manner or for any purpose" It can be successfully established, I believe, that after the killing of Henry Gilbert that the persons who were responsible for his arrest and for his death, conspired to force Lovett Davidson to testify falsely against May Gilbert. This certainly was a deprivation of the rights of Lovett Davidson and resulted in a deprivation of the rights of May Gilbert. Since both Lovett Davidson and May Gilbert are entitled to protection under the Fourteenth Amendment and under the above stated Sections of the U. S. Code Item, such conspiracy to deprive them of their rights was certainly a violation of Section 88 and a crime against the United States.

This case and all of its ramifications is a glaring example of how local law is ^{not} important to protecting the rights of the negro population in the face of rising public feeling. The laws on the Statute books of Georgia are only paper rights that never come to life when there is a need for them to be available in behalf of a member of the negro race. Public officials are timid to enforce the rights of a negro whose rights are being

violated. It must be remembered that the officials who are charged with Public duties in this respect are accountable to the electorate in that geographical area where they serve. They can be depended upon not to act if it puts their political position in jeopardy. Once a crime is committed against one innocent negro it becomes necessary in many instances to commit several other crimes against negroes in order to put the whole negro community in fear of reprisals if they demand action in bringing the guilty parties before the bar of justice. A complete reign of terror exists in Troup and Harris Counties at this hour. The negroes are afraid to talk or to lend any assistance to members of their race, when they know to be innocent. The respectable white people who are inwardly incensed over the lawlessness are afraid of placing their business interests and political interests in jeopardy if they demand justice or speak out.

Sheriff Millyer and Chief Robinson of Troup County are highly incensed over the fact that Harris County officers and citizens have come into Troup County, made arrests and incarcerated citizens of Troup County when the crime happened within their jurisdiction and would have to be prosecuted within their jurisdiction under Georgia law. Sheriff Millyer is positive that had he not had interference from the Harris County Officers and the posse of Harris County citizens which formed and came into his county that he would have been able to have arrested Ous Davidson.