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144-2-12

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ADVANCEMENT OF COLORED PEOPLE

69 FIFTH AVENUE, NEW YORK

Official Organ: The Crisis

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 EMORY O. JACKSON

TREASURER
 S. J. BENNETT

RECEIVED
 MAR 31 1945
 CRIMINAL DIVISION

OFFICE OF THE
 RECORDED
 MAR 31 1945
 Tom Clark
 ATTORNEY GENERAL

March 30, 1945

Mr. Francis Biddle, Attorney General
 Department of Justice
 Washington, D.C.

Dear Mr. Biddle:

We herewith submit a sworn statement relative to the alleged slaying of Mrs. Mattie Dehardleben, age 45, Route 3 Box 103, Selma, Alabama, by Deputy Clyde White of Autauga County, Alabama and three Federal Officers of Montgomery, Alabama, Friday, March 23, 1945.

The Birmingham Branch of the NAACP urges action by the Department of Justice, that will bring to trial and eventual punishment those guilty of the unlawful killing of this woman.

The evidence developed in this slaying fits every definition, description and detail of a foul, shameful and intolerable lynching. The Department of Justice should take swift and strong action now.

A wave of police brutality, lynching and terror is sweeping through the South. There is no protection in this section except the hope for Federal action.

Yours truly,
 Emory O. Jackson, Executive Secretary,

BIRMINGHAM BRANCH, NAACP

MJ C W 7

144-2-12
 DEPARTMENT OF JUSTICE
 APR 4 1945
 DIVISION OF RECORDS
 CRIM. - GEN. CRIME SEC.

NEW

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 INDEXED
 C

AFFIDAVIT

Friday, March 23, 1945

Mrs. Hattie Debardleben, 46
Route 3, Box 103
Selma, Alabama

Three Federal Officers from Montgomery, Alabama and the County Officer from Prattville (Autauga County), Alabama, found whiskey still on Mr. W. J. Underwood's plantation. Arrested one of his men. After this, they went about three and half miles to Mrs. Hattie Debardleben's home, found her washing in the backyard, asked her if she had any chickens to sell! She said, "No, I do not have any chickens to sell!" They replied, "we see a good many of them on the yard!" She said, "Well, I don't have any to sell!"

They then asked, "do you have any whiskey for sale!" She said, "No, I don't have any whiskey for sale!" They said, "We are going to search your place!" She said, "Go on and search". You are at liberty to do so! One told the boy (about 16) who had just come in from school, "Go sit down!" The boy seemed not to have heard him. The officers jumped on the boy. Mrs. Debardleben said, "You don't know what you are doing. That's my sister's child!"

Two of the men jumped on her. Hit her with their fist three times about the face and side of the neck. They knocked her down every time she tried to get up. Her son who is about 15 years old began to try to defend his mother. They hit him several times and left bruises in his face. The bruised boy called for his other two brothers (grown men) from the field. The two who attempted to rescue Mrs. Debardleben were met at the lot and pasture by the two Federal officers while the two other officers put the victim into car. They arrested the 15-year old boy (Edward L. Underwood) and put him in the Prattville Jail on charges of interfering with an arrest. The two sons, men who had been held (Benny James Debardleben and Johnnie Debardleben) of with guns after the officers had taken their mother to jail along with the baby (Edward L.), got F.G. *Greaver* (white farmer) to go and get Edward (the baby brother out of jail.

The mother died in the custody of the law after the officer carried her in their automobile about seven miles from her home.

After the officer got to Prattville with the dead mother and her son (Edward), they put Edward in jail, and called for the High Sheriff, Mr Dan Albright (Colored undertaker) to come and get the dead body out of the back of the officers' car. Some told the white men to bring this boy (Edward) back to the Post Office in Montgomery, Alabama, Monday morning, March 26, 1945 so that he could make bond for him. Between this time and Monday morning this boy (Edward) sent his father H. W. Underwood, 1906 Washington St. Chattanooga, Tenn. a telegram to come at once. TELEGRAM READ: "Dear Daddy, Mother dead I am in trouble, come at once, Your son".

Edward L. Underwood

I accompanied my son to Montgomery. I went to the Post Office three on the third floor, and went into one of the offices on this floor.

We found a stout white man in this office, who told us to sit down and wait awhile, and that the other fellow would be there later. After a length of time he told us to go down to the Judge's (He told us his name was Judge Kenball) Office and wait. After an elapse of time this fellow (my boy said that he was one of the Federal Officers who participated in the beating and killing of his mother), came in and threw some papers on the judge's desk. The judge took them and looked at them, and called Edward Lewis Underwood, told him to hold up his right hand, and swore him in. The judge then said, "You are charged with having untaxed paid whiskey bottles in your possession. Are you guilty, or not?" They (Edward) said, "I am not guilty," Just as the judge attempted to say something else, the man who put the papers on the table, jumped to his feet and said, "Judge I recommedn this case be dropped right here" The judge told the boy to go on there is nothing against you.

We left Montgomery and went back to Selma to prepare the body for burial. We went around to Dr. Chisolm's Office (white doctor) to get him to fill out some insurance papers, and found that two of these men who participated in the death beating had been to the office of Dr. Chisolm and showed him papers where these children signed showing that they (the law officers) did not strike their dead mother.

Here are the names of possible witnesses:

Dr. Chisolm, in care of Swift Drug Co.
Selma, Alabama

Charney Nelson, age 10, grandson of dead woman
Route 3, Box 103
Selma, Alabama

James Callier, about 17, son of the dead woman's sister
Route 3, Box 93
Selma, Alabama

Edward L. Underwood
Route 3 Box 103
Selma, Alabama

F. G. Grouber
Route 3
Selma, Alabama

Mr. Dan Allbright (undertaker)
Route 1 Box 302
Prattville, Alabama

Deputy Clyde White of Autauga County accompanied the three Federal Officers.

Signed H. N. Underwood
Sworn and subscribed before me this 29 day of March 1945

Sallie Mae Wilkins
Notary Public



TCC:EB:JBT

April 4, 1945.

144-2-12

W 7

Mr. Emory O. Jackson,
Executive Secretary,
Birmingham Branch, N.A.A.C.P.,
1630 Fourth Avenue, North,
Birmingham, Alabama.

Dear Mr. Jackson:

This will acknowledge receipt of your letter of March 30, 1945, enclosing an affidavit concerning the alleged slaying of Mrs. Mattie Debardleben by Deputy Clyde White of Autauga County, Alabama, and three Federal officers of Montgomery, Alabama. This matter is receiving the attention of the Department.

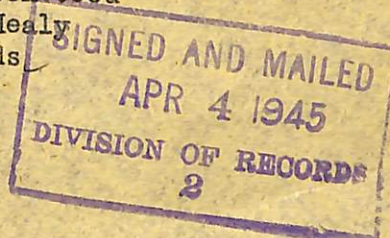
L.B.
P
The Civil Rights Section discussed with Mr. Thurgood Marshall the affidavits recently submitted by you concerning the denial to Negroes of the right to register in Jefferson County. Mr. Marshall agreed that it would be more appropriate to bring civil suit in these cases and you will undoubtedly hear from him in the near future.

Respectfully,

For the Attorney General,

TOM C. CLARK,
Assistant Attorney General.

CC: Miss Bontecou
Miss Healy
Records



TCC:EB:BC

144-2-12

April 11, 1945.

P.P.

Edward Burns Parker, Esquire
United States Attorney
Montgomery, Alabama.

Dear Mr. Parker:

Re: Mrs. Mattie Debardleben, Victim;
Civil Rights and Domestic Violence.

Enclosed is a copy of an investigative request sent
today to the Federal Bureau of Investigation, which is self-
explanatory.

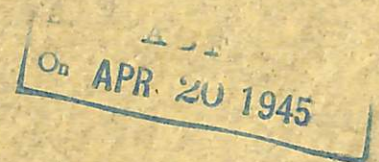
Respectfully,

For the Attorney General

TOM C. CLARK
Assistant Attorney General

Enclosure
No. 264519 ✓

CC Miss Bontecou
Miss Healy
Records ✓



The Director, Federal Bureau of Investigation

April 11, 1945.

Tom C. Clark, Assistant Attorney General

TCC:EB:BC
144-2-12

Mrs. Mattie Debardleben, Victim;
Civil Rights and Domestic Violence.

214
RECORD

B. P.

The Department has received a complaint to the effect that three Federal officers who are unnamed, accompanied by Deputy Clyde White of Autauga County, Alabama, went to the home of Mrs. Mattie Debardleben to search for illegal whiskey and that in the course of this search they assaulted Mrs. Debardleben and beat her so severely that she died in their custody. It is further alleged that they assaulted and also arrested her fifteen-year-old son, Edward L. Underwood.

22
R
Please make a preliminary investigation of this case, interviewing Mr. Dan Allbright, Route 1, Box 302, Prattville, Alabama, who took charge of the body of the dead woman; Edward L. Underwood, Route 3, Box 103, Selma, Alabama, the boy who was present and attempted to protect his mother; and Deputy Clyde White of Autauga County who is said to have accompanied the Federal officers. Please obtain from Mr. White the names of the Federal officers involved.

CC Miss Bontecou
Miss Healy
Records ✓



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MARY WHITE OVINGTON

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ADVANCEMENT OF COLORED PEOPLE**

69 FIFTH AVENUE, NEW YORK, 3, N. Y.

TELEPHONE: ALGONQUIN 4-3550

Official Organ: *The Crisis*



WASHINGTON BUREAU
100 Massachusetts Avenue, N. W.
Washington, D. C.

Walter White, Director
Administrative Assistant
Leslie S. Perry

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LESLIE S. PERRY	ADMINISTRATIVE ASSISTANT.
	WASHINGTON BUREAU

July 7, 1945

Dear Mr. Rotnem:

In accordance with our telephone conversation this morning I am sending you affidavits executed by Bennie James Debardleban, Johnnie Debardleban and Edward Lewis Underwood, on April 7, 1945 concerning the death of Mrs. Hattie Debardeleben. This material was just brought to us by a member of our Montgomery, Alabama Branch.

I hope that it will throw further light upon the incident in question.

Sincerely yours,

Leslie S. Perry
Administrative Assistant

Mr. Victor Rotnem
Chief, Civil Rights Section
Department of Justice
Washington, D. C.

Enclosure

LP:mt

MJ-C
MJC
144-2-72
DEPARTMENT OF JUSTICE
JUL 19 1945
DIVISION OF RECORDS
CRIM.-CIVIL RIGHTS SEC.

JMM:TLB:esw

July 13, 1945

144-2-12

Mr. Leslie S. Perry
100 Massachusetts Avenue, N.W.
Washington 1, D. C.

HOLLIE

Dear Mr. Perry:

We have for acknowledgment two affidavits executed by Bennie James Debardleban, Johnnie Debardleban, and Edward Lewis Underwood, in reference to the death of Mrs. Hattie Debardelaban on March 23, 1945.

This matter is now receiving the attention of the Department. An effort will be made to determine if there is a violation of any Federal Criminal Statute.

Respectfully,

For the Attorney General

JAMES M. McINERNEY
Acting Head, Criminal Division

CC: Records ✓
Miss Healy
Mr. Turner Smith



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WASHINGTON BUREAU
 100 Massachusetts Avenue, N. W.
 Washington 1, D. C.

Walter White, Director
 Administrative Assistant
 Leslie S. Perry

March 8, 1946

Mr. James M. McInerney
 Acting Head, Criminal Division
 Department of Justice
 Washington 25, D. C.

Dear Mr. McInerney:

On July 13, 1945 you wrote me that the Department was making an effort to determine if there was a violation of any Federal Criminal Statute involved in the death of Mrs. Hattie Debardleban on March 23, 1945. This letter was in response to certain affidavits executed by the sons of Mrs. Debardleban, which I had submitted to the Department. Will you please advise me if any finding has been made in this matter.

Very truly yours,

Leslie S. Perry
 Leslie S. Perry

LSP:mt

J.E.P.

144-2-12
 MAR 14 1946
 Mr. McInerney

CRIM. - CIVIL RIGHTS SEC.

EXECUTIVE OFFICERS

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 LESLIE S. PERRY ADMINISTRATIVE ASSISTANT, WASHINGTON BUREAU

144-2-12

REPORT

TLC:TLS:esw

144-2-12

March 14, 1946

J.E.F.

Mr. Leslie S. Perry
N.A.A.C.P., Washington Bureau
100 Massachusetts Avenue, N.W.
Washington 1, D. C.

Dear Mr. Perry:

This acknowledges your letter of March 8, 1946, inquiring as to the disposition by the Department of the matter involving the death of Mrs. Hattie Debardleban.

I am checking on this matter in the field and will advise you further as soon as I have received any pertinent information.

Respectfully,

For the Attorney General

SIGNED AND MAILED
MAR 14 1946
DIVISION OF

THERON L. CAUDLE
Assistant Attorney General

8
CC: Records ✓
Chron.

The Director, Federal Bureau of Investigation

March 14, 1946

Theron L. Caudle, Assistant Attorney General

TLC:TLS:esw
144-2-12

Mrs. Hattie Debardleban, victim
Civil Rights and Domestic Violence

LEF

~~Handwritten mark~~

The Criminal Division is receiving inquiries in regard to the above captioned matter, and I will appreciate your reference to my memorandum of April 11, 1945, requesting a preliminary investigation.

HOLLIE

RECEIVED AND SENT
MUSSENER
MAR 14 1946
DIVISION OF RECORDS
6

CC: Records ✓

Chron.

To Whom it May Concern:

On Friday March 23, 1945, about 4:30 that afternoon two Federal Officers and two ABC Officers came to our mother's house, Mulberry Community in Autauga County came to our mother's house and arrest her. We were told by my brother Edward the officers beat her over her head and knocked her to the ground three (3) times, and they made her sit down in a chair while one of the officers stood close by her.

Our brother Edward called us from down in the field where we were planting corn and told us to come there quick both of us left the field at once (Johnnie) and Bennie James Debardelaban) as soon as both of us got near 50 feet from the house two officers met us, and after we got across the wire fences near the house, the officers pulled out their pistols and searched us, then they ordered both of us to sit down on the ground and after a few minutes we were ordered close to the house, where our sick mother was sitting in a chair, we sat on a lumber pile until the officers finished searching the house they didn't even find any sign of a bottle. After they came out of the house one of them asked our brother (Edward) where did he go to school? He told them he went to Autauga County Training School. One of them said "I thought you did because you tried to be so smart."

They then took our mother Hattie Debardelaban and my brother Edward and put them in the back seat of their car one of us offered to take her place to go to jail for her, but the officers refused and droved off toward Prattville.

We then went to Mr. F. G. Grouber, and asked him to go over to Prattville and get Edward and our mother out of jail, when we got to the jail we were informed by a (white) man and he told us our mother was dead and been turned over to Dan Albright which is in Prattville.

Edward told us that our mother died from the two officers beating her. And on the way to Prattville one of them got out and got some water and told him to bath his mother face, and tried to forced her to drink some of it, at that time she was dieing and didn't notice the bottle. He told the officers, mother was dieing and they said she wasn't and continued to drive.

We are asking that a fair Jury trial will be made of this case and that we are willing that any organization of Law Firm to do all they can to prosecute these four officers of the law, who willfully murdered our mother.

(WITNESS) by
F. J. Thorington

SIGNED Bennie James Debardleban,

Johnnie Debarleban

SWORN AND SUBSCRIBED Before me this 7 day of April 1945

E. G. Jackson

NOTARY PUBLIC

I accompanied my son to Montgomery. I went to the Post Office there on the third floor, and went into one of the Office of this floor. We found a stout white man in this office, who told us to sit down and wait a while, and that the other fellow would be there later. After a length of time he told us to go down to the judge's (He told us his name was Judge Kenball) office and wait. After an elapse of time this fellow (my boy said that he was one of the Federal Officers who participated in the beating and killing of his mother), came in and threw some papers on the judge's desk. The judge took them and looked at the, and called Edward Lewis Underwood, told him to hold up his right hand, and swore him in. The judge then said, "You are charged with having untaxed paid whiskey bottles in your possession. Are you guilty, or not? Then Edward said, "I am not guilty." Just as the judge attempted to say something else, the man who put the papers on the table, jumped to his feet and said, "Judge I recommend this case be dropped right here." The judge told the boy to go on there is nothing against you.

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Here are the names of possible witnessess:

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Selma, Alabama

Charney Nelson, age 10 grandson of dead woman.
Route 3 Box 103
Selma, Alabama

James Callier, about 17, son of the dead woman's sister
Route 3 Box 103
Selma, Alabama

Edward L. Underwood
Route 3 Box 103
Selma, Alabama

F. G. Grouber
Route 3
Selma, Alabama

Mr. Dan Allbright (undertaker)
Route 1 Box 302
Prattville, Alabama

Deputy Clyde White of Autauga County accompanied the three Federal Officers.
(Witness by F.J.Thorington)

SIGNED Edward Lewis Underwood

SWORN AND SUBSCRIBED BEFORE ME THIS 7 Day of April 1945

E.G. Jackson.
NOTARY PUBLIC