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By order of the Attorney General

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Assistant Special Counsel

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

LONGACRE 3-6890

RECEIVED
JUL 14 1947

Ornnal Division

July 11, 1947

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Hon. Theron L. Caudle
Assistant Attorney General
U. S. Department of Justice
Washington 25, D. C.

Attention: Mr. Turner L. Smith

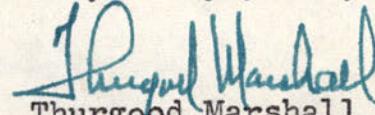
Dear Mr. Smith:

Attorney Charles W. Williamson, of Henderson, N. C., who is counsel for our North Carolina State Conference of Branches, has made a preliminary investigation concerning the killing of one Henry Andrews, a Negro who on June 8, 1947, was arrested by policeman, W. N. Carter, of Norlina, N. C. He was killed by the policeman en route to jail. Present in the car with them was another Negro, Isaac Mayo.

Because of several factors concerning the case, the interested parties would appreciate an opportunity to confer with you in Washington concerning the case and they have requested me to ask for an appointment for this purpose.

I would certainly appreciate your making the appointment for them, and if so, please let Mr. Williamson, located in the Cotton Building, Henderson, N. C., know the date and time of this appointment.

Very truly yours,


Thurgood Marshall
Special Counsel

TM:GS
uopwa-19-CIO

P. J. W.



P. J. W.
Thurgood Marshall

TLC:FGF:LAK

144-54-9

July 17, 1947

Mr. Thurgood Marshall
Special Counsel
N.A.A.C.P.
20 West 40th Street
New York 18, New York

Dear Mr. Marshall:

This acknowledges your letter of July 11, 1947, concerning the request of Attorney Charles W. Williamson of Henderson, North Carolina, for a conference with me here in Washington in connection with the killing of one Henry Andrews following his arrest on June 8, 1947, at Norlina, North Carolina.

I do not believe it will be necessary for Mr. Williamson to have a formal appointment. If he desires a personal conference in the Department, he should arrange to be in Washington on any week day and if he will call my office on his arrival, I will either arrange to see him personally, or will arrange an appointment for him with the head of the Civil Rights Section of this Division. I am writing Mr. Williamson to that effect today.

Respectfully,

For the Attorney General

757.
THERON L. CAUDLE
Assistant Attorney General

cc - Records ✓
Chrono.



TLC:FGF:LAK

144-54-9

July 17, 1947

Mr. Charles W. Williamson
Attorney-at-Law
Henderson, North Carolina

Dear Mr. Williamson:

By letter of July 11, 1947, Mr. Thurgood Marshall, Special Counsel, National Association for the Advancement of Colored People, has requested that I arrange an appointment for you for a conference here in Washington in connection with the killing of one Henry Andrews on June 8, 1947, at Norlina, North Carolina.

As I have advised Mr. Marshall, it will not be necessary for you to have a set appointment with me. If you desire a personal conference in the Department, you should arrange to be in Washington on a week day and if you will call my office on your arrival, I will either see you personally or will make an appointment for you with the head of the Civil Rights Section of the Criminal Division.

The Department will be happy to be of service to you and any matter you wish to present will be given the most careful consideration.

Respectfully,

For the Attorney General

787
THERON L. GAUDLE
Assistant Attorney General

cc - Records ✓
Chrono.

INSP'TD AND MAILED
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JUL 18 1947 EC

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
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WASHINGTON, D.C.

TVQ:EGF:LAK
144-54-9

July 28, 1947

W.E.

David E. Henderson, Esquire
United States Attorney
Charlotte, North Carolina

Dear Mr. Henderson:

Re: W. N. Carter, Chief of Police, Norlina, North Carolina;
Bottom, Policemen, Warrenton, North Carolina - subjects;
Henry G. Andrews - victim;
Civil Rights and Domestic Violence

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

Respectfully,

For the Attorney General

144-1
THERON L. CAUDLE
Assistant Attorney General

Enclosure No. 399846

cc - Records
Chrono.



The Director, Federal Bureau of Investigation

July 28, 1947

T. Vincent Quinn, Assistant Attorney General

TVQ:PGF:LAK

W. N. Carter, Chief of Police,
Norlina, North Carolina;
Bottom, Policeman,
Warrenton, North Carolina - subjects;
Henry G. Andrews - victim;
Civil Rights and Domestic Violence

RECORDED

B. P.

Charles Williamson, Negro attorney of Henderson, North Carolina and a Reverend Burchett, Ridgeway, North Carolina, today conferred with attorneys in the Criminal Division concerning the death of Henry G. Andrews, 24 year-old Negro, on June 7, 1947, near Norlina, North Carolina. They submitted the following story:

Sometime between 3 and 4 P. M. June 7, 1947, at a store run by McDonald Scott at Ridgeway, North Carolina, Henry G. Andrews appeared in a semi-drunken condition and created a disturbance. Scott told Andrews to quiet down or he, Scott, would call the police. Andrews, however, continued his boisterous behavior and Scott notified W. N. Carter, Chief of Police, Norlina, North Carolina, who thereafter, together with Officer Bottom of Warrenton, North Carolina, came to the Ridgeway store and arrested Andrews at approximately 4 P. M. Carter searched Andrews in the store in the presence of Scott and two Negroes, T. P. Plummer and John Nuckles, removing a pocket knife from Andrews. Carter then placed Andrews in the back seat of a police car driven by Bottom. A second Negro, Isaac Mayo, who had been previously arrested for drunkenness, was already in the back seat of the police car. Andrews, according to Mayo, was handcuffed to Mayo at this point.

Mayo is said to have stated that Carter and Bottom proceeded from Ridgeway through Norlina in the direction of Warrenton. At some point after the police car had left Norlina, Andrews sought to placate the officers and persuade them to release him. He apparently put his hand on Carter's shoulder. Carter told Andrews to keep his hands off of him whereupon Andrews sat back in the rear seat protesting loudly that he had meant no offense. Then, according to Mayo's reported statement, Carter drew his police pistol and shot Andrews fatally three times in the neck. The police car stopped and Mayo tried to jump out of the car to avoid being shot himself but was subdued and put back in the police car. It is understood that Mayo alleges that Carter and Bottom then drove up and down the road for a time waiting for Andrews to die. They then drove on to Warrenton where they left Andrews' body.

Police Chief Carter returned to Scott's Ridgeway store after the killing and reported to Scott that he had killed the Negro. Whatever was related to Scott at this point by Carter was also said in the presence of T. P. Plummer and John Nuckles.

An inquest was held by Coronex Petar of Ridgeway exonerating Carter and Bottom.

cc - Records
Chrono.

SENT BY MESSENGER
COMMUNICATIONS SEC
JUL 28 1947 AJ

It would appear from the allegations submitted to the Department that Officer Carter shot and killed the victim, Andrews, under circumstances indicating that his action was without justification. The killing of Andrews, therefore, may involve a violation of Section 52, Title 18, U. S. Code, on the theory that Carter subjected Andrews to a deprivation of life, imposing summary fatal punishment without due process of law. Accordingly, a discreet investigation of this matter is requested.

The investigation should include a thorough interrogation of Isaac Mayo, Scott, Plummer and Nuckles. Coroner Petar should be carefully interviewed to determine, among other things, if it is admitted by the police officers involved that the victim was handcuffed to Mayo at the time of the shooting. The scene of the shooting should be checked to determine if there are any persons living in the area who may have been witnesses to the shooting. The subjects themselves should not be interrogated until all of the material leads have been exhausted.

Copies of the reports on the basis of this investigation should be submitted to the Department and to the United States Attorney for the Western District of North Carolina.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Assistant Attorney General T. Vincent Quinn
Criminal Division

DATE: October 7, 1947

FROM : Director, FBI

SUBJECT: W. N. CARTER, Chief of Police
Norlina, North Carolina, et al,
HENRY G. ANDREWS - VICTIM
CIVIL RIGHTS AND DOMESTIC VIOLENCE
(Your file 144-54-9)

RECEIVED

OCT 9 1947

CRIMINAL DIVISION

Reference is made to your memorandum dated July 28, 1947, in the above-captioned matter. In this connection, I am transmitting herewith a copy of the report of Special Agent David M. Harris, dated September 25, 1947, at Charlotte, North Carolina.

In reviewing this report it is noted that the information given by the original complainants in this case to the Criminal Division, concerning statements Isaac Mayo had made, does not agree with the information Mayo furnished in the signed statement set out in the report.

I am therefore instructing the Charlotte Office to reinterview the complainants, calling their attention to these discrepancies and attempting to ascertain whether the information which they originally furnished has sound basis in fact. When this additional information is received it will be promptly furnished to you.

It is also noted that on page 18 of this report information is set out reflecting that John H. Knuckles, whom you requested be interviewed, is now residing in New York, New York. Knuckles will be located and interviewed in accordance with your request.

Your memorandum instructed that copies of the reports in this investigation be furnished to the United States Attorney from the Western District of North Carolina. It is noted that Warrenton, North Carolina, is in the Eastern District, and a copy of this report has therefore been furnished to the United States Attorney, Raleigh, North Carolina, on the assumption that this is what you desire.

Enclosure

file called
10/15/47

RECORD

144-54-9

DEPARTMENT OF JUSTICE
OCT 9 1947
DIVISION OF RECORDS
B. P. CRIM.-CIVIL RIGHTS SEC.

Assistant Attorney General T. Vincent Quinn
Criminal Division
Director, FBI

October 7, 1947

W. N. CARTER, Chief of Police
Norlina, North Carolina, et al,
HENRY G. ANDREWS - VICTIM
CIVIL RIGHTS AND DOMESTIC VIOLENCE
(Your file 144-54-9)

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Enclosure

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT CHARLOTTE

FILE NO. 44-80

MWC

REPORT MADE AT CHARLOTTE	DATE WHEN MADE 9-25-47	PERIOD FOR WHICH MADE 8-18-20-47	REPORT MADE BY DAVID M. HARRIS	RD
TITLE WILLIE N. CARTER, Chief of Police, Norlina, N. C.; MARK P. BOTTOMS, Deputy Sheriff, Warren Co., N. C.; HENRY G. ANDREWS - Victim			CHARACTER OF CASE CIVIL RIGHTS AND DOMESTIC VIOLENCE	

SYNOPSIS OF FACTS:

Victim, a negro, arrested June 7, 1947, in semi-intoxicated condition at Scott's store, Ridgeway, N. C., by subject BOTTOMS. Victim placed in rear seat of BOTTOMS' car with another negro prisoner, ISAAC MAYO, for transportation to jail in Warrenton, N. C. Subject CARTER in front seat with BOTTOMS. Neither MAYO nor victim handcuffed or otherwise restrained at any time. En route to Warrenton, victim without warning suddenly attacked both CARTER and BOTTOMS, causing latter to lose control of car and drive over an embankment into a yard. Victim struck CARTER several dazing blows about the head which later required medical attention. One shot only fired, this being fatal and entering victim's body through his mouth. Victim was shot just as car came to halt and while BOTTOMS and MAYO were struggling with each other. Subjects drove victim to Warrenton immediately in search of medical aid. Victim died before medical aid could be obtained. Statements of MAYO, both subjects, and all witnesses coincide.

- C -

REFERENCE:

Bureau letter dated August 1, 1947.

DETAILS:

This investigation is predicated upon reference letter which transmitted copies of a memorandum from the United States

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT (5) - Bureau 1 - USA Raleigh 2 - Charlotte		<div style="text-align: center;"> <div style="border: 1px solid black; padding: 5px; display: inline-block;"> 144-54-9 DEPARTMENT OF JUSTICE OCT 9 1947 DIVISION OF B. P. CRIM-CIVIL RIGHTS SEC. </div> </div>	

Department of Justice, Criminal Division, requesting an investigation in this matter. The memorandum set forth information to the effect that CHARLES WILLIAMSON, negro attorney of Henderson, North Carolina, and a Reverend JAMES BURCHETT, Ridgeway, North Carolina, conferred with attorneys in the Criminal Division on July 28, 1947, concerning the death of HENRY G. ANDREWS, 24 year old negro, on June 7, 1947, near Norlina, North Carolina. According to the memorandum, WILLIAMSON and BURCHETT submitted the following story:

"Sometime between 3 and 4 p. m., June 7, 1947, at a store run by McDonald Scott at Ridgeway, North Carolina, Henry G. Andrews appeared in a semi-drunken condition and created a disturbance. Scott told Andrews to quiet down or he, Scott, would call the police. Andrews, however, continued his boisterous behavior and Scott notified W. N. Carter, Chief of Police, Norlina, North Carolina, who thereafter, together with Officer Bottom of Warrenton, North Carolina, came to the Ridgeway store and arrested Andrews at approximately 4 p. m. Carter searched Andrews in the store in the presence of Scott and two Negroes, T. P. Plummer and John Nuckles, removing a pocket knife from Andrews. Carter then placed Andrews in the back seat of a police car driving by Bottom. A second negro, Isaac Mayo, who had been previously arrested for drunkenness, was already in the back seat of the police car. Andrews, according to Mayo, was handcuffed to Mayo at this point.

"Mayo is said to have stated that Carter and Bottom proceeded from Ridgeway through Norlina in the direction of Warrenton. At some point after the police car had left Norlina, Andrews sought to placate the officers and persuade them to release him. He apparently put his hand on Carter's shoulder. Carter told Andrews to keep his hands off him whereupon Andrews sat back in the rear seat protesting loudly that he had meant no offense. Then, according to Mayo's reported statement, Carter drew his police pistol and shot Andrews fatally three times in the neck. The police car stopped and Mayo tried to jump out of the car to avoid being shot himself but was subdued and put back in the police car. It is understood that Mayo alleges that Carter and Bottom then drove up and down the road for a time waiting for Andrews to die. They then drove on to Warrenton where they left Andrews' body.

"Police Chief Carter returned to Scott's Ridgeway store after the killing and reported to Scott that he had killed the negro. Whatever was related to Scott at this point by Carter was also said in the presence of T.P. Plummer and John Nuckles.

The following is a joint investigation by Special Agent KERMIT F. JOHNSON and the writer.

At Warrenton, North Carolina

Mr. J. H. ELLIS, Clerk of the Warren County Superior Court, produced from his records the report of the Coroner's Inquest held in this matter. It was shown that the report was filed by EDWARD PETAR, Coroner of Warren County, and that the Inquest was held June 7, 1947, at Warrenton, N. C. The report was signed by the following men who constituted the Coroner's Jury, all of whom reside in Warrenton, N. C.:

W. F. ALSTON
R. G. MOSLEY
JOHN E. BOOKER
W. P. HOLMELL, Sr.
S. L. CRINKLEY
J. C. MOORE.

The report was worded as follows:

"Henry Andrews came to his death from pistol shot in hands of officer W. W. Carter in line of duty. We further find that the officer shot in self-defense".

Coroner EDWARD PETAR, Ridgeway, N. C., advised that he held an inquest in Warrenton the night that ANDREWS died. He stated that he realized the delicate nature of the situation and, therefore, made a special effort to secure the most prominent and reliable men of Warrenton to sit on the jury, so that their findings would not be questioned. He stated that all men sitting on the jury were men of excellent character, judgment, and intelligence. He advised, however, that MAYO was not a witness at the Inquest. He stated that subjects testified that ANDREWS was not handcuffed and no evidence was brought out to contradict their testimony. Coroner PETAR stated that he is personally well acquainted with both subjects, and that they are steady, reliable men.

ROY V. SHEARIN, Sheriff of Warren County, stated that he was out of town when ANDREWS died and did not learn of the incident until a couple of hours later. However, he stated that he questioned both subjects and also ISAAC MAYO immediately. He stated that the story told by MAYO at the time coincided with the story told by both subjects. He stated that this story exonerated both officers inasmuch as it disclosed that CARTER shot in self defense. Sheriff SHEARIN stated that his investigation disclosed that P. C. SCOTT called Deputy BOTTOMS and asked him to arrest victim. He stated that Deputy BOTTOMS was then at his home in Wise, N. C. He advised that BOTTOMS drove through Norlina, N. C., and stopped to pick up Chief CARTER. He stated that he had instructed BOTTOMS to call on Chief CARTER when he needed assistance. He advised that CARTER had a negro prisoner under arrest at the time named ISAAC MAYO and put MAYO in the rear seat of BOTTOMS' car. They then drove to Ridgeway where BOTTOMS arrested victim and placed him in the rear seat of the car with MAYO. He stated that his investigation disclosed neither was handcuffed at any time. He advised that about a mile before reaching Warrenton, victim attacked both

officers, causing the car to run off the road. He stated that he learned the victim was shot by CARTER after hitting CARTER several vicious and stunning blows over the head and while grappling with CARTER for possession of his revolver. He stated that CARTER is 65 years of age and weighs only 135 pounds whereas victim was only 24 years of age, weighed around 175 pounds, and was six feet tall.

He stated that physically victim was probably capable of overcoming both CARTER and BOTTOMS. He stated that since he was desperate enough to attack both officers, victim would also have probably been desperate enough to kill them had he been able to obtain their revolvers. He advised that victim came very close to overcoming CARTER before he was shot, and he is, therefore, of the opinion that CARTER shot victim in self defense and was justified in doing so.

Sheriff SHEARIN stated that both officers made every effort to get victim to a doctor before he died but were unable to do so. He stated that there was some question as to whether or not MAYO was attacking BOTTOMS during the melee. However, he stated that MAYO claimed he was only trying to get out of the car to avoid injury and since there was some doubt about it MAYO was not charged with attacking BOTTOMS. He advised that he has known both subjects for many years and that they are both capable officers, as well as being men of the highest character and integrity. He stated that he is satisfied that neither would have shot ANDREWS had there been any other recourse.

When asked why ANDREWS was not handcuffed or otherwise restrained, Sheriff SHEARIN pointed out that Warren County is a rural section with a population of only 24,000 in the county. Warrenton, the county seat, has a population of about 1,100. Norlina, which is four miles northeast of Warrenton, has a population of about 600 or 700. Ridgeway, which is two miles south of Norlina, has a population of only about 200. He stated that almost every inhabitant in the county is acquainted with almost all the others and that law enforcement cannot be handled the same as in a large city. He stated that in this rural section it is handled on a more personal basis. He advised that many times when he has a warrant for someone, if the matter is not urgent, he sees the person in town and tells him to appear in court on a specified date. He advised that the local populace cooperates well with the law enforcement officers and if they commit an offense do not resent being arrested. However, he advised, they do and would resent it very much if an officer put handcuffs on them. He stated that such is considered as something of a personal affront. Therefore, he stated that while in this instance subjects did err in failing to use handcuffs, their judgment was not as bad as most people might think in view of the existing customs and the fact that they had no reason to anticipate trouble.

Sheriff SHEARIN accompanied agents to the scene of the shooting. This

spot is located 1.2 miles northwest of Warrenton on the highway leading to Norlina. It was shown that the car ran off the left side of the highway, down an embankment of about three feet, and into the yard of LULA ALLEN, a negro woman. The car ran off at an angle and the embankment sloped enough to prevent the car from overturning.

Sheriff SHEARIN stated that there has been no noticeable unrest in the vicinity between the races concerning this incident. He stated that he has since learned that many of the negroes in and around Ridgeway, N. C., considered victim a trouble-making individual, and since his return from the Army in the fall of 1946 many of the negro people had prophesied that he would get into serious trouble before a long time had elapsed.

At Ridgeway, North Carolina

It was learned that T. P. PLUMMER is one of the most prominent and respected negroes in the vicinity of Ridgeway. He is a property owner, living in the house in which he was born on the farm his father purchased one year after the Civil War. PLUMMER is 78 years of age but gave the impression of being unusually mentally alert and straightforward in manner. Upon interview, he executed the following signed statement, the original of which is being retained in the files of the Charlotte Division:

"Ridgeway, N. C.
August 18, 1947

"I, T. P. Plummer, make the following statement freely and voluntarily to Kermit F. Johnson and David M. Harris whom I know to be Special Agents of the FBI. No threats or promises have been made to me and I know I do not have to make any statement.

"I was at the store of D. C. Scott in Ridgeway, N. C. the Saturday afternoon June 7, 1947, that Chief Carter and Deputy Bottom arrested Henry G. Andrews. I was sitting on a bench in front of the store when they drove up. Deputy Bottom was driving. They had a negro man in the back seat. They went into the store and came out with Henry G. Andrews and put him in the back seat with the other colored man. They search Andrews when they put him in the car. They may have taken a knife from him but I did not see it. They did not handcuff Andrews. As soon as they searched him they drove off toward Warrenton. Andrews was definitely not handcuffed when they left Ridgeway. Andrews and the other colored man were in the back seat. Deputy Bottom was driving and Chief Carter was in the front seat.

"About an hour later Deputy Bottom and Chief Carter came back to Scott's store. One of them went into the store but I did not hear what he said. He must have reported the death of Andrews, however because soon

Ca 44-80

after he went into the store Andrews' father came out crying and walked up the highway.

"I have known Henry G. Andrews since he was a child. He came back from the Army in the fall of 1946 and has a local reputation of being boisterous and loud mouthed. He was inclined to make irritating and troubleshooting comments and generally did not behave like a gentleman.

"I have had the above statement read to me and certify it is true.

/s/ T. P. Plummer

Witnesses:

David M. Harris
Special Agent FBI
Charlotte, N. C.

Kermit F. Johnson, Special Agent, FBI, Charlotte, NC"

In addition to the above statement, PLUMMER stated that there have been several stories circulating among the negroes in the community but they all seem to be based on hearsay. He stated that some say victim was shot several times and others say he was shot only once. He stated that some say victim was shot deliberately while others say that he was shot while attacking the officers. He advised that most of the stories seemed to originate from victim's family, especially his brother, known as "Boo" Andrews. At any rate, he stated, the negroes in the community feel that it was not necessary for the officers to kill ANDREWS in order to take him to jail.

D. C. SCOTT, proprietor of the store in which victim was arrested, is a young, white World War II veteran who was born and reared in Ridgeway. Upon interview he executed the following signed statement, the original of which is being retained in the files of the Charlotte Division:

"Ridgeway, N. C.
August 19, 1947

"I, D. C. Scott, make the following statement freely and voluntarily to David M. Harris whom I know to be a Special Agent of the FBI. No threats or promises have ever been made to me and I know I do not have to make a statement.

"I operate a general merchandise store at Ridgeway, N. C., a farming community of about 200 people. Most of my customers are negroes and on Saturday afternoons they do their shopping for the week and the store is

usually crowded. I have lived in Ridgeway all my life.

"On Saturday afternoon, June 7, 1947, Henry Andrews came into the store in a very intoxicated condition and started putting his arms around various customers and talking in a loud manner and generally making a nuisance out of himself. I asked him to leave as he was bothering my customers and interfering with business. He did not leave so I asked his father to get him out of the store. His father talked to him but he still did not leave. I then told him if he did not leave I would call the Sheriff to come after him. He still remained and continued his obnoxious manner so I called the Sheriff's office at Warrenton but got no answer. I then called Deputy Sheriff Bottom at Wise, N. C. and explained the situation to him and asked him to come for Andrews. I told him Andrews was drunk and creating a disturbance. After I made this call Andrews left the store but returned again before the officers arrived and continued creating a similar disturbance. The Deputy Sheriff later drove up with Chief Carter. To the best of my recollection both officers entered the store but I am not sure of this point. At any rate Deputy Bottom made the arrest. Andrews submitted peacefully to the arrest and calmed down. He was placed in the rear seat of the officers' car along with another negro who was already in the car. The officers searched Andrews after he was put in the car but I did not see them remove a weapon from his person. The two officers then drove off towards Warrenton. Deputy Bottom was driving and Chief Carter was in the front seat. The two negroes were in the rear seat. I watched the entire proceeding and I did not see any handcuffs. Andrews was waving his hand to the negroes in front of the store as the car drove off.

"About an hour later Deputy Bottom and Chief Carter returned to my store and informed me that Andrews was dead. Andrews' father was at my store at the time and I think they also told him.

"I have read the above statement and certify that it is a complete and true account of this incident as seen by me.

/s/ Donald C. Scott

Witness:

David M. Harris
Special Agent FBI
Charlotte, N. C."

In addition to the above statement, SCOTT stated that he is personally acquainted with almost every negro in the community but has seen no signs of unrest or resentment among them concerning victim's death. He stated that most

of the negroes he has heard comment about the matter seemed to feel that victim was a trouble maker and caused his own death. He stated that victim has been troublesome ever since his return from the Army in the fall of 1946, and that some of the negroes previously had prophesied that they would give him six months to live.

At Warrenton, North Carolina

The scene of the shooting was in the yard of LULA ALLEN. This house is located beside the highway leading from Norlina to Warrenton, N. C. No houses are located across the highway, this area instead being planted with farm crops. LULA ALLEN's house is the center of a group of three houses, these being the only houses in sight.

LULA ALLEN, a negro woman who lives alone, executed a signed statement in which she stated that she was not a witness to instant shooting. She stated that she was at home alone at the time and was on her back porch, when she heard a noise which she took to be a backfire from an automobile. She stated that she did not get up and did not learn of the shooting until several hours later. The signed statement which she executed is being retained in the files of the Charlotte Division, but in view of its negative character is not being set forth in this report.

On one side of the house occupied by LULA ALLEN is the house of ROSA WILLIAMS, a negro woman. She executed the following signed statement, the original of which is being retained in the files of the Charlotte Division:

"Warrenton, N. C.
August 19, 1947

"I, Rosa Williams, make the following statement freely and voluntarily to David M. Harris whom I know to be a Special Agent of the FBI. No threats or promises have been made to me and I know I do not have to make a statement.

"I reside about 100 yards from Lula Allen. On Saturday afternoon, June 7, 1947, I was washing clothes in my back yard when my grandchildren came running up and said a car had run off the road and some men were fighting. I had heard something fire but I paid no attention to it. When the children insisted that something was wrong I looked up and saw a car leaving Lula Allen's yard and drive back on the road and off towards Warrenton. I did not see any of the men in the car. I could not see the car from where I was washing and had to walk away from my house to see the car pull off. There are

bushes and trees between my house and Lula Allen's which obstruct the view.

"The only people at my house at the time was my mother-in-law, Bettie Williams, and my grandchildren, the eldest one being eight years old. We did not know until several hours later that a man was killed in this car.

"I have read the above statement and certify it is true.

/s/ Rosa Williams

Witnesses:

David M. Harris
Special Agent FBI
Charlotte, N. C."

BETTIE WILLIAMS, mother-in-law of ROSA WILLIAMS, also executed a signed statement in which she stated that she was not a witness to instant shooting. As this statement is completely negative in character it is not being set forth in this report but is being retained in the files of the Charlotte Division.

DAVID LEE WILLIAMS, age 8, grandson of ROSA WILLIAMS, was questioned and stated that he saw instant car run off the road into LULA ALLEN's yard. He stated that he saw the driver jump out and heard a shot fired. He stated that the driver immediately got back into the car and drove off towards Warrenton, N. C. He stated the car was in LULA ALLEN's yard only two or three minutes. He stated that he observed all this from the yard of his home. It is to be noted that this is a distance in excess of one hundred yards and the vision is somewhat obscured by trees and bushes.

On the other side of LULA ALLEN's house is the residence of WADDELL and TEMPIE ALSTON, a negro couple. Upon interview they executed the following signed statement, the original of which is being retained in the files of the Charlotte Division:

"Warrenton, N. C.
August 18, 1947

"We, Waddell and Tempie Alston, make the following statement freely and voluntarily to David M. Harris and Kermit F. Johnson, whom we know to be Special Agents of the FBI. No threats or promises have been made to us and we know we do not have to make a statement.

"We are husband and wife and are colored. We reside next door to Lula Allen but we were not at home when a colored man was shot by an officer in Lula Allen's front yard on June 7, 1947. None of our family was at home. We were all in Warrenton, N. C. We were sitting in front of Boyce's drug store when Deputy Bottom drove up with Chief Carter. Chief Carter went into the drug store. We could see a man sitting in the back seat with a bleeding nose. We could see his hands and he was not wearing handcuffs. The chief came out of the drug store and drove around town about ten minutes as if he was looking for someone or something. After about ten minutes he drove up to jail house. They took the colored man with the bleeding nose to jail and laid a dead man out on the lawn with a sheet over him. No disturbance took place in Warrenton nor did there appear to be any trouble between the races. We stayed in Warrenton at least two hours after this incident happened. We have read the above statement and certify it is true.

/s/ Tempie Alston
/s/ Waddell Alston

Witnesses:

- Kermit F. Johnson, Special Agent, FBI, Charlotte, N. C.
- David M. Harris, Special Agent FBI, Charlotte, N. C."

In addition to the above signed statement, WADDELL ALSTON stated that the only comment of note that he heard in Warrenton the night of victim's death was a statement by "BOO" ANDREWS, the victim's brother, that he was going to Washington and see that something was done about victim's death.

At Littleton, North Carolina

Although he resides between Norlina and Ridgeway, N. C., ISAAC MAYO was located at a sawmill situated four miles south of Littleton, N. C. He works at the saw mill and goes home on weekends. Upon interview he executed the following signed statement, the original of which is being retained in the files of the Charlotte Division:

"Littleton, N. C.
August 18, 1947

"I, Isaac Mayo, make the following statement freely and voluntarily to David M. Harris and Kermit F. Johnson whom I know to be Special Agents of the FBI. No threats or promises have been made to me and I know I do not have to make any statement.

"I reside at Norlina, N. C. On Saturday June 7, 1947, I had been drinking some beer and liquor and it made me sleepy. I went to sleep in the bus station and Chief Carter of Norlina arrested me while there. They put me in the back seat of a car in which they drove me to Ridgeway, N. C. Deputy Sheriff Bottom was driving the car. They stopped at Scott's store and arrested Henry Andrews, another colored boy. They put him in the back seat with me and drove towards Warrenton, N. C. I was still drowsy and dozed a bit and did not pay too much attention to what was said. I do recall that Andrews complained about being arrested and wanted to argue with the officers. I did not pay too much attention to what was said and dozed off. I came to suddenly when the car gave a lurch. Then I noticed Andrews reaching over the front seat and grabbed at both officers as if trying to push their heads together. Bottom ducked and the car got out of control and ran off the left side of the highway into the ditch. When Bottom ducked out of the way Andrews grabbed Chief Carter with both hands. He put his left hand in Carter's face to hold him and then hit Carter several times with his right fist around his head and the base of his skull. These were short, hard punches. By this time the Chief had turned his left side towards the back seat and I saw his gun in his hand. By this time the car had stopped and being scared I jumped out of the left door. Deputy Bottom had stepped out just ahead of me and when I stepped out he hit me over the head. Just as I turned my back and started out of the door I heard a shot. The last thing I saw before I turned my back was the pistol come up in the Chief's hand and I saw Andrews grab for it. My back was turned when the shot was actually fired. The blow I received bled a little temporarily but did not cause me much pain.

"When the shot was fired Andrews fell back across the rear seat apparently unconscious. He did not speak or move again. We all got back in the car immediately and Chief Carter said he wanted to find a doctor. We drove rapidly into Warrenton directly and upon reaching the town they stopped a couple of places looking for a doctor but did not find one. Therefore they drove to the jail and locked me up. Andrews was still in the car when they locked me up.

"Neither Andrews nor I was handcuffed at any time. Andrews was actually fighting the officers when he was shot and the officers took him to Warrenton in an effort to reach a doctor with as much haste as possible. They did not ride up and down the highway waiting for Andrews to die. Only one shot was fired.

"I have read the above four and a fraction page statement. I certify that this is a true and complete account of this incident.

/s/ Isaac Mayo

Witnesses:

David M. Harris, Special Agent FBI, Charlotte, N. C.
Kermit F. Johnson, Special Agent FBI, Charlotte, N. C."

In addition to the above statement, MAYO advised that he was personally acquainted with victim and also with victim's family. He stated that victim's brother, known as "BOO" ANDREWS, is the only person who has come to see him about this incident. He stated that a minister came to his home looking for him but he was not at home and never did get to see the minister. He stated that he has not told any story other than the one set forth in the signed statement. He stated that victim's brother wanted to know if victim was handcuffed and he told him he was not.

The remaining investigation was conducted by the writer.

At Warrenton, North Carolina

Deputy Sheriff MARK P. BOTTOMS, upon interview, executed the following signed statement, the original of which is being retained in the files of the Charlotte Division:

"Warrenton, N. C.
August 19, 1947

"I, Mark P. Bottoms, make the following statement freely and voluntarily to David M. Harris whom I know to be a Special Agent of the FBI. No threats or promises have been made to me and I know I do not have to make a statement.

"I am a deputy sheriff of Warren County, N. C. On Saturday afternoon June 7, 1947, I received a telephone call from D. C. Scott in Ridgeway, N. C. He operates a store there and said he was having trouble with a negro in his store who was drinking and causing a disturbance and would not leave on request. He asked me to come down and get him. This was about 2:30 p. m. I drove to Norlina where I saw Chief W. H. Carter of Norlina in front of the bus station. I asked him to go with me. He agreed but said to wait until he could attend to a couple of drunks in the bus station. I went into the bus station with him and Chief Carter arrested a negro named Mayo who was a

sleepy drunk condition. The Chief put him in the back of my car and we drove the 2 miles to Ridgeway. We stopped in front of Scott's store. Chief Carter stayed in the car to watch his prisoner and I went inside the store and Scott pointed out the negro that was causing the disturbance. This negro was arguing with Mr. Scott when I walked in. I could smell intoxicants on his breath but he did not appear to be very drunk. I told him I was a deputy sheriff and that he was under arrest. He protested momentarily that he had not done anything. I told him he would have a chance to prove it. He then came peaceably out of the store with me and I put him in the back seat with the other negro prisoner. I asked him if he had a pocket knife, or other weapon and he said he had a pocket knife. He gave this to me upon request and I then gave him a quick search in the car. He was seated on the right hand side behind Chief Carter. I then drove towards Warrenton. Neither prisoner made any noticeable comment until we had gone about a mile beyond Norlina which is only 4 miles from Warrenton. At this point Andrews asked me to stop in order that he might urinate. I told him I could not stop on the heavily traveled public highway for him to do this and asked him if he could not wait two or three minutes until we arrived in Warrenton, N. C. He said he could wait. We drove about a mile and a half further without further comment or incident.

"Suddenly I heard a noise and looked around and saw Andrews had hit Chief Carter and knocked him up against the dash board. Andrews was standing up leaning over the seat. When I looked up he said "Damn your soul" and struck at me. I threw my arm up and ducked and the blow glanced off my arm and hit me on the jaw. This caused me to lose control of the car temporarily and before I could regain control the car had run off the left side of the highway down a slight embankment and into a yard. I regained control of the car and stopped it in the yard. As the car stopped I saw Andrews hit Chief Carter at least three times about the head and face and then grab for Chief Carter's gun which was still in the holster. Chief Carter wears his pistol on the left side with the butt forward. As soon as I stopped the car and saw what was happening I opened the door to get out and assist Chief Carter. Just as I got out of the door, the other prisoner, Mayo, jumped out of the left door of the car also. As my car has only two doors Mayo jumped all over me as he got out and, thinking he was attacking me, I hit him several times over the head with my black jack. While I was scuffling with Mayo and hitting him over the head I heard the pistol go off. I did not see the pistol go off. As soon as it went off I saw Andrews fall over on the back seat. He never spoke again and apparently became immediately unconscious.

"Mayo was bleeding and I put him in the back seat. I told Chief

Carter it looked like they were hurt pretty bad and we had better hurry up and get them to a doctor. We were not in the yard over three or four minutes. We drove rapidly into town directly. I could hear Mayo breathing hard until we hit the edge of Warrenton. I did not hear him breaths any more. There is no hospital in Warrenton. We drove directly to the office of Dr. G. H. Macon, the first doctor's office we came to, then on to Boyce's Drug Store to see if a doctor was there, from there to the office of Dr. W. D. Rodgers but none of these doctors could be found. When Chief Carter came out of Dr. Rodgers office he yelled to me that the Doctor was not in. Chief Carter went off somewhere else looking for a doctor and I drove around the corner where I saw Chief of Police J. B. Pittard. I asked Chief Pittard if he knew where I could find a doctor. He told me to go to Dr. C. H. Peete's office. I went the five blocks there but he was gone. I returned to the police station and Chief Pittard told me to rush the prisoners on down to the county jail as he had contacted Dr. Macon who would meet me there. I then drove the two blocks to the county jail. Chief Pittard and Chief Carter came to the jail right behind me. We took Andrews out and laid him on the lawn. He seemed to be dead. Three or four minutes later Dr. Macon came up and examined Andrews. In the meantime some of the police had taken Mayo to jail. Dr. Macon also attended to Mayo.

"From the time we stopped at the office of Dr. Macon until we reached Chief Pittard at the police station we traveled only two blocks.

"We did not handcuff either Mayo or Andrews at any time.

"It was approximately 3:00 p. m. when I arrested Andrews. It was about 3:15 p. m. when he was shot. It was about 3:30 p. m. when Dr. Macon got to Andrews.

/s/ Mark P. Bottoms

Witness:

David M. Harris
Special Agent FBI
Charlotte, N. C."

At Morelina, North Carolina

Chief of Police WILLIE N. CARTER upon interview executed the following signed statement, the original of which is being retained in the files of the Charlotte Division:

"Warrenton, N. C.
August 19, 1937

"I, Willie N. Carter, make the following statement freely and voluntarily to David M. Harris whom I know to be a Special Agent of the Federal Bureau of Investigation. No threats or promises have been made to me and I know that I do not have to make a statement.

"I am Chief of Police at Norlina, N. C. having held this position since August 11, 1922. On Saturday afternoon, June 7, 1947, Deputy Sheriff Mark Bottoms came up to me in front of the bus station in Norlina and asked me to go with him to Ridgeway to make an arrest. I agreed to go but told him to wait until I could attend to a couple of drunks in the bus station. I went in the bus station and picked up Sim Alston and Isaac Mayo who were drunk. As I knew Alston we took him home and told him to straighten up and told him when to appear in court. As I did not know Mayo and he did not know anyone to post bond for him I decided to take him to jail in Warrenton.

"We put Mayo in the back seat of Deputy Bottoms car and drove two miles to Ridgeway where we stopped at Scott's store. There I remained in the car and Bottoms went inside and came out with a negro whom I later learned was Henry Andrews. When he put Andrews in the car he took a knife off of him. We put both negroes in the back seat. I sat in the front seat with Bottoms who was driving. Andrews sat on the right hand side behind me. I had my black jack in my right hand as a precaution in the event either negro started any trouble. I tried to keep my eye on both of them. We did not handcuff either negro.

"Andrews asked me about making bond and I told him I had nothing to do with it and that he would have to talk to Bottoms as he was Bottoms prisoner. He asked Bottoms about bond and Bottoms told him he would have to wait until he arrived in Warrenton. About a mile beyond Norlina, which is only four miles from Warrenton, Andrews asked Bottoms to stop and let him urinate. Bottoms told him there was no place for him to do so and asked him to wait a few minutes until they arrived in Warrenton. Andrews then settled back and was quiet. I had been watching both negroes rather close but as they did not appear to want to give any trouble I relaxed my watch.

"Suddenly I was hit from behind, the blow being on my head. The blow knocked me up against the dash board and dazed me so I did not know what had happened. The next thing I saw was Andrews striking Bottoms. Bottoms threw up his arm and ducked causing him to lose control of the car and run off the left side of the road down a slight embankment and

into a yard before he could stop. As soon as Andrews hit Bottoms one time he turned around and started hitting me about the head again. He hit me several times with vicious, stunning blows. I evidently dropped the black jack with the first blow. I do not remember taking my pistol from the holster but I remember that while Andrews was still pounding me I had the pistol in my hand. I had the pistol in my right hand and he grabbed the barrel. As best I can recall I shot Andrews while he had his hand on the gun barrel. Events were happening so fast at the moment that it is difficult to recall the exact sequence of events.

"I only shot one time. As soon as the shot was fired Andrews fell back across the rear seat of the car. At about the same time the shot was fired, Bottoms had opened the left door and was getting out of the car and before he could get out Mayo was jumping out on top of him. Bottoms hit Mayo with his black jack and subdued him. We put Mayo back in the car and as both negroes appeared to be injured we jumped back into the car and drove off immediately to Warrenton in search of a doctor. It was between a mile and a mile and a half from that point to the town of Warrenton. Andrews never spoke after he was shot but I heard him breathing while on the way to Warrenton.

"We drove directly to the office of Dr. Mason and I got out and went in but Dr. Mason was not in the office. I went into Boyce's Drug Store but could not locate a doctor there. We then drove into the next block where I again got out and told Bottoms that we would separate and look for a doctor and meet at the jail later on. I went into the office of Dr. W. D. Rodgers but he was tied up and could not leave. I was unable to locate a doctor right away and went to the jail where Chief Pittard came up. Pittard then took me around to Dr. Peete's office but Bottoms had been there and gone so we returned to the jail and drove up just as Bottoms was getting out of his car. We took Andrews out and laid him on the lawn and took Mayo into the jail. As soon as we did this I left and went to the office of Dr. Rodgers who bandaged up my wounds. I had a place cut on my hand and one cut on my ear and a cut on my nose. I had several scratches and several bruised places about the head.

"It was about 3:30 p. m. when we arrested Andrews. It was about 3:45 p. m. when he was shot and not more than fifteen minutes later when we had him at the jail in Warrenton. We did not handcuff either Mayo or Andrews at any time.

"Andrews was a powerful negro and I consider that I shot him in self defense. After he was shot I made every effort to get him to a doctor before he died. I certify that I have read this statement and it is true.

/s/ Willie N. Carter

"Witness:

David M. Harris
Special Agent FBI
Charlotte, N. C."

MAYO, BOTTOMS, and CARTER all stated that no car was following them when they ran off the road and no cars stopped while they were in the yard of LULA ALLEN.

At Warrenton, North Carolina

Chief of Police J. B. PITTARD stated that he was standing on a street corner when subjects drove into town with victim. He stated that subjects were rushing around trying to find a doctor. He stated that he immediately joined in the search and was able to contact Dr. G. H. MACON, the county doctor, who advised that he would rush down immediately and meet subjects at the county jail. He stated that he conveyed this information to subjects and they went immediately down to the jail. He stated that he also went there and assisted in taking victim out of the car and laying him on the lawn. He stated that victim was dead by the time they got him out of the car. He stated that Dr. MACON arrived on the scene two or three minutes later, examined victim, and announced he was dead.

Dr. G. H. MACON, county physician, stated that when Chief PITTARD contacted him he rushed down to the County Jail and that they had just laid victim out on the lawn. He stated that he examined him immediately and found him dead. He stated that there was not a mark on the outside of victim's body, and some difficulty was experienced in locating the bullet hole. He stated, however, that further examination revealed that the bullet entered victim's mouth and did not come out of his body. He stated that he is of the opinion that the bullet coursed downward and lodged itself somewhere along the spinal column. Dr. MACON stated that in his opinion death was almost instantaneous.

Dr. W. D. RODGERS stated that he treated subject W. N. CARTER immediately following victim's death. He stated that CARTER had been beaten rather severely about the head. He advised that there was a cut on CARTER's ear and another on his nose which required dressing. He stated that there was also a cut on CARTER's finger. He advised there were numerous scratches and bruises about CARTER's head and face which did not require dressing. He stated that it appeared that CARTER had received several vicious and dazing punches on the head. He advised that it was necessary for CARTER to return to his office twice more in connection with these wounds.

At Henderson, North Carolina

Corporal A. L. TAYLOR, N. C. Highway Patrol, stated that immediately following victim's death a broadcast was put out for him to report to Warrenton. He stated that he went immediately there and remained there to see that no riot broke out. He pointed out that Warren County lies almost adjacent to Northampton County where an attempted lynching which caused international publicity had taken place only a short time previously. He stated that this was the reason that so much care was exercised by the officers in that vicinity. He stated that when he arrived at Warrenton it was Saturday afternoon which is the day that all the negroes in the countryside come to town to do their weekly shopping. He stated that since so many were in town groups began to form on street corners and discuss victim's death inasmuch as it was such a fresh topic of conversation. He stated that they did not create any disturbance, however, and he had no difficulty in breaking up the street corner groups. He stated that some misleading publicity was given to the incident by newspapers of surrounding towns, but this, he felt, was due to the fact that the Northampton case was fresh in every one's mind. Corporal TAYLOR stated that he is personally acquainted with both subjects and considers them capable officers and men of excellent character and reputation. He stated that he feels they were justified in the action they took and that they would not have shot victim if it could have been avoided.

Inquiry at the post office in Ridgeway, N. C., revealed that JOHN H. KNUCKLES is now residing at 173 West 151st Street, New York 30, New York. In view of the fact that the allegations received in the original complaint have been refuted by all other witnesses, including MAYO, no lead is being set forth to have him interviewed.

Sheriff ROY V. SHEARIN and Dr. G. H. MACON, Warrenton, N. C., described victim in the following manner:

Name	HENRY G. ANDREWS
Race	Negro
Sex	Male
Age	24 years
Height	6'
Weight	175 pounds
Build	Athletic
Hair	Black
Complexion	Black
Eyes	Maroon.

The following description of subjects were obtained through interview and observation:

Name	WILLIE N. CARTER
Race	White

Sex	Male
Age	65 years
Date of birth	December 9, 1891
Place of birth	Warren County, N. C.
Height	5' 7"
Weight	135 pounds
Hair	Graying, receding hair line
Complexion	Medium
Build	Slender
Eyes	Blind in left eye
Residence	Borlina, N. C.
Occupation	Chief of Police

Name	MARK P. BOTTOMS
Race	White
Sex	Male
Age	41 years
Date of birth	April 18, 1906
Place of birth	Warren County, N. C.
Height	5' 10"
Weight	170 pounds
Build	Medium
Hair	Brown, receding
Complexion	Medium
Eyes	Brown
Residence	Wise, N. C.
Occupation	Deputy Sheriff, Warren County, N. C.

TVQ:FGF:BC

144-54-9

October 16, 1947

RP
HOLLIE

John H. Manning, Esquire
United States Attorney
Raleigh, North Carolina.

Dear Mr. Manning:

Re: W. N. Carter, Chief of Police, Norlina,
North Carolina et al; Henry G. Andrews,
Victim; Civil Rights and Domestic Violence

Enclosed is a copy of a self-explanatory memorandum to the Federal Bureau of Investigation, dated today, concerning the above entitled matter.

For your information an investigation of this case was requested by the Department on July 28, 1947. Notification of the investigation was erroneously sent to the United States Attorney for the Western District of North Carolina. A copy of the Federal Bureau of Investigation report referred to in the enclosure has been sent to you. This letter is by way of explanation of the mix-up and of the Department's conclusions regarding the results of the investigation.

Respectfully,

For the Attorney General

*151
JDS
GJZ
LW
JW*
T. VINCENT QUINN
Assistant Attorney General

Enclosure No. 267332

CC Records
Chron.



The Director, Federal Bureau of Investigation

October 16, 1947

T. Vincent Quinn, Assistant Attorney General

TVQ:FGF:BC

144-54-9

W. N. Carter, Chief of Police, Norlina, North
Carolina et al; Henry G. Andrews - Victim;
Civil Rights and Domestic Violence

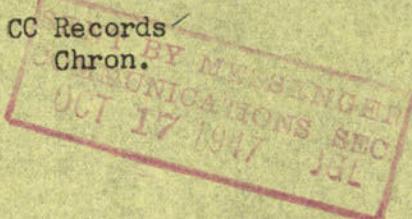
HOLLIE

RECV.M.P.

Reference is made to your memorandum of October 7, 1947, transmitting a copy of the report of Special Agent David M. Harris, dated September 25, 1947, at Charlotte, North Carolina, in connection with the above entitled matter.

The review of the report of Special Agent Harris rather conclusively indicates that the allegations made to the Department by the complainants, Charles Williamson, Henderson, North Carolina, and Reverend James Burchett, Ridgeway, North Carolina, cannot be substantiated. It appears that the supposed victim, Andrews, attacked Willie N. Carter and was fatally shot in self-defense. As you point out, Andrews was not handcuffed to the witness Mayo, as originally reported, and Mayo's statement to your agents clearly establishes that Andrews did attack officer Carter who was later given medical attention. Accordingly, there is no basis for prosecution and no further investigation is desired. The proposed interview of John H. Knuckles need not be conducted if the Bureau has not already accomplished it. The United States Attorney, Raleigh, North Carolina, is being advised of the Department's decision.

HOLLIE



Office Memorandum • UNITED STATES GOVERNMENT

TO : Assistant Attorney General T. Vincent Quinn
 Criminal Division

FROM : DIRECTOR, FBI

DATE: November 5, 1947

RECEIVED

SUBJECT: W. N. CARTER
 Chief of Police, Norlina, N. C., et al;
 HENRY G. ANDREWS - Victim;
CIVIL RIGHTS AND DOMESTIC VIOLENCE

NOV 7 1947

Criminal Division

HOLLIE

Reference is made to your memorandum of October 16, 1947, in the above-captioned matter, wherein you advised "There is no basis for prosecution and no further investigation is desired."

Prior to the transmittal to the Charlotte Office of the information contained in your memorandum, a report was submitted by the Charlotte Office by Special Agent David M. Harris, dated October 27, 1947. A copy of this report is enclosed herewith.

In accordance with your memorandum of October 16, no further investigation will be conducted unless instructions are received from you.

Enclosure ✓

HOLLIE

P. W. RECORD

noted
file
F.B.I.

144-54-9

DEPARTMENT OF JUSTICE
NOV 7 1947
DIVISION OF CIVIL RIGHTS
CRIM.-CIVIL RIGHTS SEC.

R. P.

Assistant Attorney General T. Vincent Quinn
Criminal Division
DIRECTOR, FBI

November 5, 1947

W. N. CARTER
Chief of Police, Norlina, N. C., et al;
HENRY G. ANDREWS - Victim;
CIVIL RIGHTS AND DOMESTIC VIOLENCE

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In accordance with your memorandum of October 16, no further investigation will be conducted unless instructions are received from you.

Enclosure

RECEIVED

NOV 7 1947

Original Division

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT

CHARLOTTE

FILE NO.

44-50

HSC (rd)

REPORT MADE AT CHARLOTTE	DATE WHEN MADE 10-27-47	PERIOD FOR WHICH MADE 10/14-10/47	REPORT MADE BY DAVID M. HARRIS
TITLE P. N. CARTER, Chief of Police, Norlina, N. C., et al HENRY C. ANDREWS - VICTIM		CHARACTER OF CASE Civil Rights and Domestic Violence	

SYNOPSIS OF FACTS:

Original complainants advise they did not interview any actual witnesses prior to making complaint. Complaint based on rumor in vicinity which reached NAACP chapter in Warrenton, N. C. NAACP Committee selected Reverend J. M. MURCHETTE to make complaint. Reverend MURCHETTE asked Attorney C. P. WILLIAMS to accompany him to Washington, D. C. to make complaint. ISAAC MAYO'S mangled body found on railroad tracks, Norlina, N. C. August 24, 1947.

- P -

REFERENCE: Report of Special Agent DAVID M. HARRIS dated September 25, 1947 at Charlotte, North Carolina
Bureau letter dated October 7, 1947

DETAILS: Reference Bureau letter instructed that the original complainants in this case be interviewed in order to ascertain the source of their information.

The following is a joint investigation by Special Agent JAMES F. MAGILL and the writer:

AT WILMINGTON, NORTH CAROLINA

C. W. WILLIAMS, Attorney at Law, Cotton Building, upon interview, stated that he did not interview any of the witnesses in this case. He stated that he learned of the case from Reverend J. M. MURCHETTE who came to him and retained him to accompany him to Washington, D. C. and assist in

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
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presenting this matter to the United States Department of Justice. He stated that his knowledge of the affair originated and ended with Reverend BURCHETTE. He stated, however, that since the original investigation was conducted, ISAAC MAYO, the principal witness, was found dead on the railroad tracks near Norlina. He stated that the Coroner's jury returned a verdict of death by accidental means, meaning that he met death accidentally when run over by a passing train. However, he stated that the railroad is conducting an investigation into the matter as there seems to be some doubt as to whether or not it was accidental. He stated that if it is determined that he met death accidentally, he will represent the family of MAYO in bringing a suit against the railroad.

AT KILDENWAY, NORTH CAROLINA

Reverend J. W. BURCHETTE, advised that he did not interview any of the actual witnesses in this case. He stated that after the death of ANDREWS there were a lot of rumors floating around in the community and that the stories varied. He stated that there is a chapter of the National Association for the Advancement of Colored People at Warrenton, North Carolina of which he is a member. He stated that these rumors were taken up in discussion by the legal committee of this Association at a meeting held in Warrenton, at which he was present. He stated the committee selected him to represent the Association and go to Washington, D. C. and present the matter to the United States Department of Justice, requesting that an investigation be conducted. He stated that he, accordingly, retained Attorney C. W. WILLIAMSON of Henderson, North Carolina to accompany and assist him. He advised that prior to going to Washington, he visited the home of ISAAC MAYO but did not interview MAYO as he was not then at home. He stated that he has never interviewed ISAAC MAYO.

Both Attorney WILLIAMSON and Reverend BURCHETTE were advised of the discrepancies between the information they furnished the Department and the information obtained by the investigating agents from MAYO. Both stated that they were satisfied in the matter as their desire in the matter was to have a complete investigation conducted in order to clear up the rumors that existed. Prior to learning the true facts, Reverend BURCHETTE stated that in his opinion "It was not necessary for two great big officers, armed with revolvers and black jacks, to kill ANDREWS, who was unarmed, in order to subdue him and take him to jail." He stated that this was the opinion of most of the colored people in the community and was the primary reason behind the original complaint.

Reverend BURCHETTE stated that the body of ISAAC MAYO was found on the railroad tracks in Norlina, North Carolina on August 24, 1947. He stated that the body had been mangled by a train and the coroner's jury had reached the verdict that he met death by accidental means. However, he stated, that there were rumors among the colored people in the vicinity to the effect that the officers responsible for ANDREWS' death may also have disposed of MAYO in view of the fact that he was a potential witness against them. It was pointed

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out to Reverend BURCHETTE that the investigation had determined that MAYO was a witness for instead of against these officers. In this connection it should be noted that MAYO was interviewed on August 16, 1947.

AT RALEIGH, NORTH CAROLINA

Mr. W. E. DAVIS, Assistant Supervisor of Property Protection, Seaboard Airline Railroad, 16 West Jones Street, stated that he is familiar with the circumstances surrounding the death of ISAAC MAYO as the railroad has been following the case closely due to its possible liability. He stated that MAYO was found dead at 2:20 a.m. on August 24, 1947. He stated that his mangled body was found on a pass track, rather than the main line, at a point about two blocks north of the town limits of Norlina, North Carolina. He stated that the investigation conducted by the railroad indicates the possibility of murder, although it rather clearly reflects that it was not a grudge affair. He stated that there is no indication that any officer or any member of the family of HENRY C. ANDREWS was involved in the matter. He stated that the local coroner's jury returned a verdict of death by accidental means and that no investigation into the matter is being made by the law enforcement officers in the county.

Mr. DAVIS related the following circumstances surrounding the death of MAYO, which the railroad investigators have been able to trace and determine. He stated that MAYO left the bus station at Norlina about 9:00 p.m. on August 23, 1947 in company with several other negroes, these being GEORGE GREEN, J. R. DAVIS, MATTHEW BALL and CLARENCE ALGOOD. He stated that they were all drinking and were in a 1935 Chevrolet Coach, the property of GEORGE GREEN. He advised that they drove out into the country to the home of a negro bootlegger named RAYMOND RUSSELL where they all pooled their money and purchased a half gallon of wine. They remained there for some time gambling and drinking. After drinking the half gallon of wine, MAYO then purchased another half gallon and they all left in the car and returned to Norlina. They went to the home of J. R. DAVIS and ate some chicken and beans. After leaving the home of DAVIS, they drove to a sandlot on the edge of Norlina, North Carolina. The sandlot is bounded on one side by the home of J. R. DAVIS. On an adjacent side it is bounded by a negro barber shop operated by JASPER CROSSEN who lives in the shop. On the far side of the sandlot from DAVIS'S home there is a church, and a few yards beyond the church is the main line of the railroad. The pass track is adjacent to the main line. Mr. DAVIS pointed out that these various points constitute something of a triangle with the sandlot in the center and all being within earshot of one another.

He advised that upon reaching the sandlot after leaving DAVIS'S home, DAVIS asked to be let out of the car. Accordingly they stopped the car on the far side of the lot from the barber shop and DAVIS got out taking the half gallon of wine purchased by MAYO with him. To this MAYO objected and in the

ensuing argument, MAYO finally asked that he be let out too. Accordingly, the remaining occupants put MAYO out and left him with DAVIS and the wine at this point. Mr. DAVIS stated that all the other occupants of the car testify to this fact and this is the last time MAYO was seen alive. He stated that MAYO and DAVIS got out of the car about midnight. He stated that around midnight DAVIS appeared at the barber shop of JASPER CROSSEN with the half gallon of wine. This shop is only about seventy-five yards from the point where DAVIS and MAYO got out of the car. CROSSEN and DAVIS drank the wine and then DAVIS went home and CROSSEN went to bed.

Mr. DAVIS stated that at 2:20 a.m. on August 24, 1947 MAYO was found on the pass track about forty yards from the point where he and DAVIS got out of the car at midnight. He stated that MAYO'S body was first seen by an engineer passing on the main line. He stated that it has since been determined that only one train had used the pass track between midnight and 2:20 a.m., this being extra 4001 which used the pass track at 1:30 a.m. He stated that this extra definitely ran over MAYO'S body for both feet were cut off at the ankles and one arm was cut off at the shoulder. In addition he stated that there was a hole the size of a silver dollar in the back of MAYO'S head. He stated that this hole was the puzzle for it is unlikely that it would have been caused by the train. He stated that another unusual thing is that there was no blood found at the scene, nor was MAYO'S body bloody.

Mr. DAVIS stated that the chief suspects in this case are DAVIS and CROSSEN. He stated that DAVIS claimed that he did not see MAYO get out of the car even though all the other occupants related the fact that he did in the presence of DAVIS.

Mr. DAVIS advised that there was no formal examination made of the body by a doctor. He stated that no autopsy has as yet been performed and none will be performed unless the family presents a claim against the railroad.

- PENDING -