

Standards Focus: Historical Context*Based on True Stories***The Scottsboro Trials**

In 1931, when Harper Lee was only five years old, nine black men were accused of raping two white women. The alleged incident occurred after a fight between black and white men while they were “riding the rails” looking for work. Most of the white men were thrown off the train, and when the train arrived in Paint Rock, Alabama, everyone who was left was arrested for vagrancy. The two women who were on board (one of whom was a known prostitute, the other, a minor), were also accused of violating the Mann Act, which forbade the transportation of minors across state lines for a criminal act, including prostitution. After exiting the train, the women immediately accused all nine black men of rape.

The trial of the nine black men (one of whom was only twelve years old) began twelve days after their arrest, on April 6, 1931, and lasted three days. Eight of the nine men were given death sentences, despite the fact that the defense attorney pointed out that one of the men was blind, the other too elderly and crippled to commit the crime, another underage, and that they were not even in the same rail car. Appeals would continue for nearly two years.

In November of 1932, the United States Supreme Court ordered new trials for the men, stating inadequate counsel and poor representation. In March of 1933, new trials began, and included the testimony of two doctors who refuted the likelihood that a rape occurred, Ruby Bates’s (one of the accusers) retraction of the accusation, and a harsh scrutiny of the life of Victoria Price, the other accuser. Despite the evidence, defendants Charley Weems and Hayward Patterson were again found guilty and given the death penalty. In a surprising and unfavorable turn of events, however, Judge James Horton overturned the conviction and ordered a new trial. Despite the judge’s decision, defendant Clarence Norris was also convicted and given the death sentence in a subsequent trial. In 1935, the U.S. Supreme Court overturned the convictions stating that the defendants were not given a jury of their peers, in this case, African-Americans.

The “Scottsboro Boys” as they came to be called, were tried and convicted—for a crime that never happened. *To Kill a Mockingbird* is loosely based on this trial and the discrimination and racism against blacks who were convicted without evidence or a fair trial.

The Trial of Walter Lett

Another event that may have influenced Lee’s novel is the trial and conviction of Walter Lett. In 1933, in Monroeville, Alabama, Walter Lett was accused by Naomi Lowery of rape. With the threat of a lynching, since Lett was African-American and Lowery, white, Lett remained in protective custody. After an extremely brief trial in which Lett pled “not guilty,” he was scheduled for execution May 11, 1934. Later, his sentence of death was repealed and he was given life in prison. He died in prison in 1937 of tuberculosis.

The Murder of Emmett Till

Another incident that may have inspired Lee in her novel was the murder of 14-year-old Emmett Till in 1955. Till, who was from Chicago, Illinois, whistled at a white woman at a grocery store in Mississippi. Unaware that he had broken a time-honored Jim Crow law, Till was dragged out of his bed, beaten, and shot to death. His killers were acquitted by the all-white Southern jury. A few months later, the killers give detailed descriptions of how and why they killed Till. On the next page is a shortened version of the article from *Look* magazine, January 1956, which is the first time anyone (even the defendants’ lawyer) heard the killers’ gruesome and cold-hearted confessions. (Note: the ***** indicates that part of the article was omitted for the purpose of content and space in this Guide.)

Excerpt from: *The Shocking Story of Approved Killing in Mississippi***By William Bradford Huie****January 24, 1956**

Editors Note: In the long history of man's inhumanity to man, racial conflict has produced some of the most horrible examples of brutality. The recent slaying of Emmett Till in Mississippi is a case in point. The editors of Look are convinced that they are presenting here, for the first time, the real story of that killing — the story no jury heard and no newspaper reader saw.

Disclosed here is the true account of the slaying in Mississippi of a Negro youth named Emmett Till. Last September in Sumner, Miss., a petit jury found the youth's admitted abductors not guilty of murder. In November, in Greenwood, a grand jury declined to indict them for kidnapping.

Of the murder trial, the Memphis *Commercial Appeal* said: "Evidence necessary for convicting on a murder charge was lacking." But with truth absent, hypocrisy and myth have flourished. Now, hypocrisy can be exposed; myth dispelled. Here are the facts.

Carolyn Holloway Bryant is 21, five feet tall, weighs 103 pounds. An Irish girl, with black hair and black eyes, she is a small farmer's daughter who, at 17, quit high school at Indianola, Miss., to marry a soldier, Roy Bryant, then 20, now 24. The couple have two boys, three and two; and they operate a store at a dusty crossroads called Money: post office, filling station and three stores clustered around a school and a gin, and set in the vast, lonely cotton patch that is the Mississippi Delta.

Carolyn and Roy Bryant are poor: no car, no TV. They live in the back of the store which Roy's brothers helped set up when he got out of the 82nd Airborne in 1953. They sell "snuff-and-fatback" to Negro field hands on credit; and they earn little because, for one reason, the government has been giving the Negroes food they formerly bought.

On Wednesday evening, August 24, 1955, Roy was in Texas, on a brother's truck. He had carted shrimp from New Orleans to San Antonio, proceeded to Brownsville. Carolyn was alone in the store. But back in the living quarters was her sister-in-law Juanita Milam, 27, with her two small sons and Carolyn's two. The store was kept open till 9 on week nights, 11 on Saturday.

When her husband was away, Carolyn Bryant never slept in the store, never stayed there alone after dark. Moreover, in the Delta, no white woman ever travels country roads after dark unattended by a man. This meant that during Roy's absences — particularly since he had no car — there was family inconvenience. Each afternoon, a sister-in-law arrived to stay with Carolyn until closing time. Then, the two women, with their children, waited for a brother-in-law to convoy them to his home. Next morning, the sister-in-law drove Carolyn back.

Juanita Milam had driven from her home in Glendora. She had parked in front of the store to the left; and under the front seat of this car was Roy Bryant's pistol, a .38 Colt automatic. Carolyn knew it was there. After 9, Juanita's husband, J. W. Milam, would arrive in his pickup to shepherd them to his home for the night.

About 7:30 pm, eight young Negroes — seven boys and a girl — in a '46 Ford had stopped outside. They included sons, grandsons and a nephew of Moses (Preacher) Wright, 64, a 'cropper. They were between 13 and 19 years old. Four were natives of the Delta and others, including the nephew, Emmett (Bobo) Till, were visiting from the Chicago area.

Bobo Till was 14 years old: born on July 25, 1941. He was stocky, muscular, weighing about 160, five feet four or five. Preacher later testified: "He looked like a man." Bobo's party joined a dozen other young Negroes, including two other girls, in front of the store. Bryant had built checkerboards there. Some were playing checkers, others were wrestling and "kiddin' about girls."

Bobo bragged about his white girl [back in Chicago]. He showed the boys a picture of a white girl in his wallet; and to their jeers of disbelief, he boasted of success with her.

"There's a pretty little white woman in the store. Since you know how to handle white girls, let's see you go in and get a date with her?"

"You ain't chicken, are yuh, Bo?" another youth taunted him.

Bobo had to fire or fall back. He entered the store, alone, stopped at the candy case. Carolyn was behind the counter; Bobo in front. He asked for two cents' worth of bubble gum. She handed it to him. He squeezed her hand and said: "How about a date, baby?"

She jerked away and started for Juanita Milam. At the break between counters, Bobo jumped in front of her, perhaps caught her at the waist, and said: "You needn't be afraid o' me, Baby. I been with white girls before." At this point, a cousin ran in, grabbed Bobo and began pulling him out of the store. Carolyn now ran, not for Juanita, but out the front, and got the pistol from the Milam car.

Outside, with Bobo being ushered off by his cousins, and with Carolyn getting the gun, Bobo executed the "wolf whistle" which gave the case its name:

THE WOLF-WHISTLE MURDER: A NEGRO "CHILD" OR
"BOY" WHISTLED AT HER AND THEY KILLED HIM.

That was the sum of the facts on which most newspaper readers based an opinion.

The Negroes drove away; and Carolyn, shaken, told Juanita. The two women determined to keep the incident from their "Men-folks." They didn't tell J. W. Milam when he came to escort them home.

By Thursday afternoon, Carolyn Bryant could see the story was getting around. She spent Thursday night at the Milams, where at 4 a.m. (Friday) Roy got back from Texas. Since he had slept little for five nights, he went to bed at the Milams' while Carolyn returned to the store.

During Friday afternoon, Roy reached the store, and shortly thereafter a Negro told him what "the talk" was, and told him that the "Chicago boy" was "visitin' Preacher." Carolyn then told Roy what had happened. Once Roy Bryant knew, in his environment, in the opinion of most white people around him, for him to have done nothing would have marked him for a coward and a fool.

J. W. "Big Milam" is 36: six feet two, 235 pounds; an extrovert. Short boots accentuate his height; khaki trousers; red sports shirt; sun helmet. Dark-visaged; his lower lip curls when he chuckles; and though bald, his remaining hair is jet-black.

Two hours after Big Milam got the word — the instant minute he could close the store — he was looking for the Chicago Negro.

Preacher's house stands 50 feet right of the gravel road, with cedar and persimmon trees in the yard. Big Milam drove the pickup in under the trees. He was bareheaded, carrying a five-cell flashlight in his left hand, the .45 in the right.

Roy Bryant pounded on the door.

The visit was not a complete surprise. Preacher testified that he had heard of the "trouble," that he "sho' had" talked to his nephew about it. Bobo himself had been afraid; he had wanted to go home the day after the incident. The Negro girl in the party urged that he leave. "They'll kill him," she had warned. But Preacher's wife, Elizabeth Wright, had decided that the danger was being magnified; she had urged Bobo to "finish yo' visit."

They marched [Bobo] into the yard, told him to get in the back of the pickup and lie down. He obeyed. They drove toward Money, [intending to whip and scare the boy].

At some point when the truck slowed down, why hadn't Bobo jumped and run? He wasn't tied; nobody was holding him. A partial answer is that those Chevrolet pickups have a wraparound rear window the size of a windshield. Bryant could watch him. But the real answer is the remarkable part of the story.

Bobo wasn't afraid of them! He was tough as they were. He didn't think they had the guts to kill him. Milam: "We were never able to scare him. They had just filled him so full of that poison that he was hopeless."

Back of Milam's home is a tool house, with two rooms each about 12 feet square. They took him in there and began "whipping" him, first Milam then Bryant smashing him across the head with those .45's. Pistol-whipping: a court-martial offense in the Army... but MP's have been known to do it.... And Milam got information out of German prisoners this way.

But under these blows Bobo never hollered — and he kept making the perfect speeches to insure martyrdom.

Bobo: "You bastards, I'm not afraid of you. I'm as good as you are. I've 'had' white women. My grandmother was a white woman."

Milam: "Well, what else could we do? He was hopeless. I'm no bully; I never hurt a nigger in my life. I like niggers — in their place — I know how to work 'em. But I just decided it was time a few people got put on notice. As long as I live and can do anything about it, niggers are gonna stay in their place. Niggers ain't gonna vote where I live. If they did, they'd control the government. They ain't gonna go to school with my kids. And when a nigger gets close to mentioning sex with a white woman, he's tired o' livin'. I'm likely to kill him. Me and my folks fought for this country, and we got some rights. I stood there in that shed and listened to that nigger throw that poison at me, and I just made up my mind. 'Chicago boy,' I said, 'I'm tired of 'em sending your kind down here to stir up trouble. Goddam you, I'm going to make an example of you — just so everybody can know how me and my folks stand.'" So Big Milam decided to act. He needed a weight. He tried to think of where he could get an anvil. Then he remembered a gin which had installed new equipment.

Milam: "When we got to that gin, it was daylight, and I was worried for the first time. Somebody might see us and accuse us of stealing the fan." Bryant and Big Milam stood aside while Bobo loaded the fan. Weight: 74 pounds. The youth still thought they were bluffing.

Big Milam ordered Bobo to pick up the fan. He staggered under its weight... carried it to the river bank. They stood silently... just hating one another.

Milam: "Take off your clothes."

Slowly, Bobo pulled off his shoes, his socks. He stood up, unbuttoned his shirt, dropped his pants, his shorts. He stood there naked.

That big .45 jumped in Big Milam's hand. The youth turned to catch that big, expanding bullet at his right ear. He dropped. They barb-wired the gin fan to his neck, rolled him into 20 feet of water.

For three hours that morning, there was a fire in Big Milam's back yard: Bobo's crepe soled shoes were hard to burn. Seventy-two hours later — eight miles downstream — boys were fishing. They saw feet sticking out of the water. Bobo.

The majority—by no means all, but the majority—of the white people in Mississippi 1) either approve Big Milam's action or else 2) they don't disapprove enough to risk giving their "enemies" the satisfaction of a conviction.

Comprehension Check

Directions: Based upon the article, answer the following questions on a separate piece of paper.

1. Why do you think the article is entitled "The Shocking Story of Approved Killing in Mississippi"? What is your reaction to this title? Is it appropriate? How does the title immediately reveal bias? Explain.
2. What do you think the article's author meant by "That was the sum of the facts on which most newspaper readers based an opinion" on page 18? Explain.
3. What is your reaction to Bobo's courage? Was he acting foolishly? Why or why not?
4. Explain what the author was saying by "The majority—by no means all, but the majority—of the white people in Mississippi 1) either approve Big Milam's action or else 2) they don't disapprove enough to risk giving their "enemies" the satisfaction of a conviction."
5. This incident is said to have sparked the Civil Rights movement. How might an incident involving just one boy have been a "spark"? Do you agree or disagree that this is possible? Explain.
6. Do you think this incident could occur today? Why or why not? Do you know of any incidents like this case? Explain.