

EE 46-749

acquired property to individual owners so that specified businesses such as hotels, cafeterias, service stations, or tourist courts, could be erected in order to complete a Medical Center for the City of Birmingham.

[REDACTED] furnished some information concerning the development of the Medical Center and the eradication of a slum area in that vicinity. This project has been given wide publicity in local newspapers inasmuch as there was a faction of property and other individuals who were opposed to certain portions of the plan as submitted. Since 1946, five city blocks have been obtained and developed as the beginning of the Medical Center in Birmingham and the new hospital facilities in this area already erected include a Dental College, Veterans Administration Hospital, Public Health Department and Crippled Children's Clinic. Plans for the continued development of this area include the acquisition of additional property to expand the Center to cover sixteen city blocks. Specific plans for this development were, according to regulations set out by the Home Finance Authority in Washington, D. C., prepared by an engineering firm from St. Louis, Missouri and included additional hospital facilities as well as the building of certain type business establishments in order to have the facilities necessary for persons interested in the hospital operation to be able to obtain those necessary facilities in the immediate area. The commercial buildings included a hotel, motor court, service stations and shopping center. (B7D)

The erection of these buildings on the plan site would necessitate closing of 7th Avenue South between 15th and 20th Streets. Most of the opposition given to this plan was by the property owners of the slum area in the proposed section to be acquired by the city and among them [REDACTED] admitted this particular interest. He indicated, however, that the opposition was not to the acquisition of the property for the hospital buildings themselves but to the condemning of private property to be resold to private individuals for the erection of business establishments. Others (B7D)

BH 46-749

notably, GEORGE HUDDLESTON, SR., former well-known Congressman from this District, objected to the closing of 7th Avenue South, and were at the above mentioned meeting at which meeting Mr. HUDDLESTON voiced his objections strictly along those lines.

A meeting was held at the City Auditorium shortly after the submission of these plans to the Birmingham Housing Authority headed by subject COLONEL HAROLD HARPER where the citizenry were given an opportunity to voice any opposition. Subsequent to that meeting and on June 2, 1953, a City Commission meeting was held open to the public and at this meeting the opposition again expressed their views. During the expression of their views and particularly after Mr. HUDDLESTON, above referred to, expressed his objections to the plan, Commissioner CONNOR stated that they could not close 7th Avenue South. This was agreed to by President of the City Commission and Mayor JAMES MORGAN. According to ██████████ the Commissioners, MORGAN and CONNOR, expressed themselves in such a way as to satisfy Mr. HUDDLESTON that 7th Avenue would not be closed before they started considering the adoption of the resolution. (b7c)

██████████ stated Commissioner MORGAN remarked at the meeting on June 2, 1953 the time was fast running out for the appropriation and that the City was going to approve the resolution in its entirety but after monies were received by the Housing Authority in Birmingham, they would then change that portion of the resolution that dealt with the closing of Avenue G. He commented very specifically at that time that "we will certainly never allow closing of Avenue G".

Following are the more pertinent sections of this resolution: Sections 1 and 5.

██████████ furnished several names of individuals in attendance at the above mentioned meeting of the (b7c)

BH 46-749

City Commission as follows:

MRS. BURNETT, Attorney
Judge J. L. BRENNEN, Attorney
BOB GARRISON, Attorney
Col. HAROLD HARPER, Head
Housing Authority
Birmingham District
SAM GIBBONS, Housing Consultant
GEORGE HUDDLESTON, SP.
GEORGE E. BRADFORD, real estate bar.
OSCAR W. ADAMS, Attorney (colored)
Rev. H. W. SCHUGGS, Pastor of church
involved (colored)
GUY V. ACTON, Acton Plumbing and Heating
GEORGE BYRUM, City Engineer
EUNICE HUGHES, City Clerk
DANIEL BOONE, President, B & W Cleaners
GEORGE SULZBY, real estate

[REDACTED] advised he was quite sure he could obtain the minutes of the City Commission meeting and would furnish same to the reporting agent, as well as a copy of the plans as drawn up by the engineers. (b7D)

On June 17, 1953, [REDACTED] attorney for [REDACTED] telephonically contacted the reporting agent and stated he had been told by [REDACTED] he had been to the FBI and asked if the minutes of the meeting and the plans were necessary at that time. [REDACTED] advised in the event an investigation was instituted that he would be glad to obtain the records as promised by [REDACTED]. He stated, however, he did not feel that a violation of Federal statute had been committed by the Commissioners and Colonel HARPER.

The facts as outlined above were presented to Assistant U. S. Attorney E. LEWIS GWALTNEY and he was requested to advise as to whether or not he felt a violation of the type that would warrant prosecution existed if the facts

BF 46-749

as stated could be definitely proven. Mr. GWALTNEY stated he did not feel that a violation had occurred inasmuch as the Commission made it clear not only to those present but in the resolution itself that they did not intend to and reserved the right not to close 7th Avenue South. He stated he felt the Home and Finance Authority at Washington was properly advised of the intentions of the Commission and any action they took thereafter was with this knowledge.

- C -

46-19981-

2

5

BH 46-749

ADMINISTRATIVE PAGE

As subjects in instant case were not interviewed it was not deemed advisable to make inquiries in order to secure a description of them due to their prominence in Birmingham.

REFERENCE:

Birmingham airtel to Bureau, 6-16-53.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

FROM : SAC, Birmingham (46-199)

SUBJECT: *9/11*
 JAMES C. MORGAN;
 EUGENE "BULL" CONNER;
 COLONEL HAROLD HARPER
FRAUD AGAINST THE GOVERNMENT

DATE: 7-13-53

(Origin - Birmingham)

AIR MAIL

Re Form 0-17 dated July 6, 1953 and
 report of SA [redacted] dated July 2, 1953 (B7C)
 captioned as above.

Enclosed you will find five copies
 of this report, indicated for the Bureau, which
 have been corrected as instructed by the referenced
 form. It is requested that these copies be substituted
 for the copies now in your file.

The U.S. Attorney at Birmingham has been
 furnished with a corrected copy of this report and
 the Birmingham Office file contains a corrected copy.

ATP:mct

Enc. 5

46-199-34

JUL 14 1953

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46-19981-

W 11 11 00

FEDERAL BUREAU OF INVESTIGATION

FORM NO. 1
THIS CASE ORIGINATED AT **BIRMINGHAM**

REPORT MADE AT

BIRMINGHAM

DATE WHEN MADE

7-2-53 6/16, 1953

REPORT MADE BY

CHARACTER OF CASE

FRAUD AGAINST THE GOVERNMENT

**JAMES C. MORGAN;
EUGENE "BULL" CONNOR;
COLONEL HAROLD HARPER**

(374) ENC 1

SYNOPSIS OF FACTS

[REDACTED] property owner, advised City Commissioners MORGAN and CONNOR had passed a resolution at an open meeting endorsing in its entirety a plan to expand the medical center of Birmingham which included acquisition of private property and closing 7th Avenue South between 15th and 20th Streets. He informed city officials' endorsement necessary to obtain \$4,000,000 federal government grant. According to [REDACTED] both CONNOR and MORGAN stated before and after passing resolution 7th Avenue South would not be closed. Copy of resolution reflects City Commissioners reserve right to alter plans including not closing 7th Avenue South. AUSA, Birmingham, advises allegation if proven would not constitute a violation.

(374)

- C -

7-16-53
DETAILS:
E. F. H. / b.p.

COPIES APPROVED

328 MAY 26 1970

AT BIRMINGHAM, ALABAMA

This investigation was predicated upon information furnished by [REDACTED] Birmingham, to the effect that Commissioners MORGAN and CONNOR, City of Birmingham, had committed fraud against the government when they passed a resolution endorsing in its entirety a plan to acquire private property and close 7th Avenue South between 15th and 20th Streets, erect hospital buildings, and resell the

(374)

ENCLOSURE

APPROVED AND FORWARDED

SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

RECORDED

COPIES OF THIS REPORT

- 5 - Bureau (AIR MAIL)
- 1 - USA - Birmingham
- 1 - Birmingham (46-749)

12 JUL 14 1953

26-149

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BM 44-749

acquired property to individual owners so that specified businesses such as hotels, cafeterias, service stations, or tourist courts, could be erected in order to complete a Medical Center for the City of Birmingham.

[redacted] furnished some information (370) concerning the development of the Medical Center and the eradication of a slum area in that vicinity. This project has been given wide publicity in local newspapers inasmuch as there was a faction of property owners and other individuals who were opposed to certain portions of the plan as submitted. Since 1946, five city blocks have been obtained and developed as the beginning of the Medical Center in Birmingham and the new hospital facilities in this area already erected include a Dental College, Veterans Administration Hospital, Public Health Department and Crippled Children's Clinic. Plans for the continued development of this area include the acquisition of additional property to expand the Center to cover sixteen city blocks. Specific plans for this development were, according to regulations set out by the Home Finance Authority in Washington, D. C., prepared by an engineering firm from St. Louis, Missouri and included additional hospital facilities as well as the building of certain type business establishments in order to have the facilities necessary for persons interested in the hospital operation to be able to obtain these necessary facilities in the immediate area. The commercial buildings included a hotel, motor court, service stations and shopping center.

The erection of these buildings on the plan site would necessitate closing of 7th Avenue South between 15th and 20th Streets. Most of the opposition given to this plan was by the property owners of the slum area in the proposed section to be acquired by the city and among them [redacted] admitted this particular interest. He indicated (371) however, that the opposition was not to the acquisition of the property for the hospital buildings themselves but to the condemning of private property to be resold to private individuals for the erection of business establishments. Others

44-214

noted, THOMAS HUNTLINGTON, Sr., former well-known Congressman, from this District, objected to the closing of 7th Avenue South, and was at the above mentioned meeting at which meeting Mr. HUNTLINGTON voiced his objections strictly along these lines.

A meeting was held at the City Auditorium shortly after the submission of these plans to the Birmingham Housing Authority headed by subject COLONEL HAROLD HARPER where the citizenry were given an opportunity to voice any opposition. Subsequent to that meeting and on June 2, 1953, a City Commission meeting was held open to the public and at this meeting the opposition again expressed their views. During the expression of their views and particularly after Mr. HUNTLINGTON, above referred to, expressed his objections to the plan, Commissioner COMMON stated that they could not close 7th Avenue South. This was agreed to by President of the City Commission and Mayor JAMES MORGAN. According to [REDACTED] the Commissioners, MORGAN and COMMON, expressed themselves in such a way as to satisfy Mr. HUNTLINGTON that 7th Avenue would not be closed before they started considering the adopting of the resolution. (B7C)

[REDACTED] stated Commissioner MORGAN remarked at the meeting on June 2, 1953 the time was fast running out for the appropriation and that the City was going to approve the resolution in its entirety but after monies were received by the Housing Authority in Birmingham, they would then change that portion of the resolution that dealt with the closing of Avenue G, former name of 7th Avenue South and identical with that street. He commented very specifically at that time that "we will certainly never allow closing of Avenue G".

It will be noted that the approval of the plan and agreement of the City Commission to cooperate in the completion of the plan was necessary before the Federal Government would appropriate the 4,000,000 that was being requested.

Following are the more pertinent sections of this resolution, Sections 1 and 5:

BH 46-749

"Section 1. That the City Commission of the City of Birmingham hereby finds and determines that the area in the City of Birmingham known as Medical Center, Site A, described and founded in the foregoing is a blighted area as defined by said Act No. 491, of the 1949 Session of the Legislature, and that the slum conditions existing therein are detrimental to the safety, health, morals and welfare of this community and said Redevelopment Area should be acquired by the Housing Authority of the Birmingham District, and such conditions eliminated and the Redevelopment Plan carried out in the public interest, which said Redevelopment Plan, now before the Commission dated May 14, 1953, and annexed hereto, is approved, subject, nevertheless, to power upon the part of this Commission to modify any part of said plan, including power to eliminate that part of the plan which contemplates the closing or vacation of existing streets, which said power is hereby expressly reserved to this Commission."

"Section 5. That the City of Birmingham will in due time and manner provide the necessary local grants-in-aid required pursuant to said Redevelopment Plan and will otherwise cooperate and aid said Housing Authority and hereby: in order to implement and facilitate the effectuation of said Redevelopment Plan, it is found and determined that certain official actions must be taken by this body with reference, among other things, to changes in zoning, the location of public ways, the location and relocation of sewer and water mains and other public facilities; and accordingly this body hereby (a) pledges its cooperation in helping to carry out such Redevelopment Plan, (b) requests the various official departments and boards and agencies of the locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with said Redevelopment Plan, and (c) stands ready to consider and take appropriate actions upon proposals and measures designed to effectuate said Redevelopment Plan, it being understood that the Commission of the City of Birmingham may on its own

BH 46-749

initiative, or upon the recommendation of the Housing Authority of the Birmingham District, modify any part of said Redevelopment Plan including that part of the Plan which contemplates closing or vacating existing streets."

[REDACTED] furnished several names of individuals in attendance at the above mentioned meeting of the City Commission as follows: (379)

JOE BYRNEM, Attorney
Judge J. L. BRENNEN, Attorney
BOE GARRISON, Attorney
Col. HAROLD HARPER, Head,
Housing Authority
Birmingham District
SAM HIBBONS, Housing Consultant
GEORGE HUDDLESTON, SR.
GEORGE E. BRADFORD, real estate man
OSCAR W. ADAMS, Attorney (colored)
Rev. H. W. SCRUGGS, Pastor of church
involved (colored)
GUY V. ACTON, Acton Plumbing and Heating
GEORGE BYRUM, City Engineer
EUNICE HUGHES, City Clerk
DANIEL BOONE, President, B & W Cleaners
GEORGE SULZBY, real estate

[REDACTED] advised he was quite sure he could obtain the minutes of the City Commission meeting and would furnish same to the reporting agent, as well as a copy of the plans as drawn up by the engineers. (379)

On June 17, 1953, [REDACTED] attorney for [REDACTED] telephonically contacted the reporting agent and stated he had been told by [REDACTED] he had been to the FBI and asked if the minutes of the meeting and the plans were necessary at that time. [REDACTED] advised in the event an investigation was instituted that he would be glad to obtain the records as promised by [REDACTED]. He stated, however, he did not feel that a violation of Federal statute had been committed by the Commissioners and Colonel HARPER.

BH 46-749

The facts as outlined above were presented to Assistant U. S. Attorney E. LEWIS GWALTNEY and he was requested to advise as to whether or not he felt a violation of the type that would warrant prosecution existed if the facts as stated could be definitely proven. Mr. GWALTNEY stated he did not feel that a violation had occurred inasmuch as the Commission made it clear not only to those present but in the resolution itself that they did not intend to and reserved the right not to close 7th Avenue South. He stated he felt the Home and Finance Authority at Washington was properly advised of the intentions of the Commission and any action they took thereafter was with this knowledge.

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16-1018-E

BH 46-749

ADMINISTRATIVE PAGE

As subjects in instant case were not interviewed it was not deemed advisable to make inquiries in order to secure a description of them due to their prominence in Birmingham.

REFERENCE:

Birmingham airtel to Bureau, 6-16-53.

46-19981-3

FEDERAL BUREAU OF INVESTIGATION
FREEDOM OF INFORMATION/PRIVACY ACTS SECTION
COVER SHEET

SUBJECT: THEOPHILUS "BULL" EUGENE CONNOR

FILE # 44-HQ-13501

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: 8-14-58

FROM : SAC, Birmingham (44-550)

SUBJECT: EUGENE "BULL" CONNOR,
 Birmingham Police Commissioner;
 Assistant Chief of Police J. C. LANCE, and
 UNIDENTIFIED OFFICERS of the
 Birmingham Police Department.
 Reverend F. L. SHUTTLESWORTH;
 JAMES REVIS; LEVI KEMP;
 CHARLIE BROOKS - VICTIMS.
 CR
 (BH Origin)

g-1

(B)

(B7C)

Enclosed are two copies of report of SA [redacted] dated August 14, 1958, at Birmingham, Alabama.

REFERENCE

Birmingham Airtel to Bureau, August 12, 1958.

37

REC-59

EX-140

44-13501-14

11 AUG 18 1958

REC-59

EX-140

2 - Bureau (Encs-2)
1 - Birmingham (44-550)

CBS:MFL
(3)

ENCLOSURE

*Enci. to AAG
White
8/20/58*

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etc

6 AUG 26 1958

FEDERAL BUREAU OF INVESTIGATION

Reporting Office BIRMINGHAM	Office of Origin BIRMINGHAM	Date 8/14/58	Investigative Period 8/13/58
TITLE OF CASE EUGENE "BULL" CONNOR, Birmingham Police Commissioner; Assistant Chief of Police J. C. LANCE and Unidentified Officers of Birmingham Police Department. Reverend F. L. SHUTTLESWORTH; JAMES REVIS; LEVI KEMP; CHARLIE BROOKS - VICTIMS.		Report made by [REDACTED] (379)	Type MF
		CHARACTER OF CASE <p style="text-align: center;">CIVIL RIGHTS</p>	

Synopsis:

On 8-12-58, Birmingham Office received special delivery registered letter dated 8-12-58 from Rev. F. L. SHUTTLESWORTH, pastor of Bethel Baptist Church, 3191 - 29th Avenue North, Birmingham. SHUTTLESWORTH encloses copies of letters sent to public officials concerning alleged lack of proper police protection and other acts which are violative of civil rights to be secure in their persons, houses and possessions." SHUTTLESWORTH requests that "you at least look into this problem of improper protection and other problems mentioned in the letter. We urge you to conduct a speedy investigation." SHUTTLESWORTH furnished copy of his letter to Police Commissioner EUGENE CONNOR, Birmingham, in which he complained of specific acts of the Birmingham Police Department, such as the removing of guns from the Bethel Baptist Church which were being used to guard the property.

- C -

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Approved <i>[Signature]</i>	Special Agent In Charge	Do not write in spaces below	
Copies made: (2) - Bureau 1 - USA, Birmingham 1 - Birmingham (44-550)		44-13501-3 AUG 21 1958	REC-59 EX-140

cc: AAG Civil Rights Division
Form 6-94 *[Handwritten]*

AUG 26 1958

[Handwritten]
STAT. SECT.

BH 44-550

DETAILS:

On August 12, 1958, the Birmingham Office received a special delivery registered letter (return receipt requested) from Reverend F. L. SHUTTLESWORTH, pastor of the Bethel Baptist Church, 3191 - 29th Avenue North, Birmingham, Alabama. This letter was postmarked Birmingham, Alabama, August 12, 1958, addressed to the "F.B.I. Local Agency, American Life Building, Birmingham, Alabama." Reverend SHUTTLESWORTH's letter is as follows:

"Enclosed are copies of letters sent to the Commissioner of Public Safety and [REDACTED] concerning the lack of proper Police Protection and certain other acts which are violative of our rights to be secure in our persons, houses and possessions. Some of the persons mentioned in the statement have been arrested, some even twice, and held on trumped up charges. As I write these things continue. (37c)

"We are asking that you at least look into this problem of improper protection and other problems mentioned in the letter. We urge you to conduct a speedy investigation.

"Sincerely yours,
"/s/ Rev. F L. SHUTTLESWORTH
"/t/ Rev. F. L. Shuttlesworth, Pastor
Bethel Baptist Church
President, Alabama Christian Movement for Human Rights

(37c)

[REDACTED]

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) b7c with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

- For your information: _____
- The following number is to be used for reference regarding these pages: _____

XXXXXX
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XXXXXXXXXXXXXXXXXXXXX
X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXXXX

BH 44-550

(37C)

The following is Reverend SHUTTLESWORTH's
letter to Police Commissioner EUGENE CONNOR:

BH 44-550

"Circumstances dictate that I write you and protest as strenuously as possible the repeated actions of the Police Department under your direction, in continuing to needlessly harrass us and interfere as we try to prevent our Church and Parsonage from being bombed for a third time. It is common knowledge that the threats and bombings have continued in this spot since 1956. Being refused police protection by the Police Department, we have had to voluntarily guard this property ourselves. And since the building of the New Parsonage July, 1957, the Department knows that we have had to watch all night each night.

"We believe, that it is the duty of the Police Department to offer 24 hours around the clock protection and non interference with our lawful efforts to keep safe. Since November of 1957 the Police Department has not only offered very little or no protection, but also, through some of its officers, interfered with and molested the men on duty without provocation. Three times since November 2, Officers of the Department have taken weapons from the Church and our homes without warrants and provocation thus laying this property open at the mercy of the Marauders of the night. They have now begun arresting men on private property to keep them from voluntarily watching at this place.

"Sir, personal feelings have no place in this; this is life or death. This involves our constitutional right to be protected in our houses and possessions.

"Without rancor I lay before you specific acts of intimidation of your Department which leaves their motives highly suspect in view of the threats and dangers of this time:

"(1) In July, 1957 officers came in the church and molested our Deacon Chairman as he stood guard over our property. They told others to stay away.

BH 44-550

"(2) Early in last November Police Officers came into the Church at approximately 5:a.m. one morning and took 2 guns to the department. Acknowledging our right to guard our property, they released them to us the next day up on our affidavits proving ownership.

"(3) On June 29 (date of Latest bombing) Officers took about 4 more guns out of the Church, leaving it open to attack. They were returned to us in like manner the next day with assurances that they would not remove our weapons again. On this as any occasion we offered our fullest cooperation to the Police Department. Upon my advise and personal persuasion the men on duty at the time of the bombing, the young lady who spotted the bomb, and the man for whom she worked all agreed and subsequently took lie detector tests in order to demonstrate to the Department our sincerity, honesty, and loyalty. We have been thanked for our cooperation and assured that the tests left no doubt in the officers' minds that we were victims only--not plotters or conspirators.

"(4) Last Wednesday, August 6th at approximately 4:a.m. Police Car #39 with 3 officers inside did either an unwise or otherwise provocative thing with conditions being as dangerous as they are here. The car cruised down 33rd Street very slowly with lights out, turned around at the front of the Church and moved slowly to the side of the Church to the exact spot of the June 29th blast and stopped there. They then opened the door and lighted cigarettes. In black darkness and under circumstances this certainly appeared another attempt to bomb the Church. We are threatened almost daily with calls about bombing the Church & Parsonage. This episode has also been reported to your office.

"(5) Last Friday night at about 10:p.m., Officers led by Assistant Chief Lance came out.

BH 44-550

Several men were sitting on the low brick fence of James Revis, a Trustee of the Church and a watchman. With his permission men have sat in his yard and on his porch to look out for bombing attempts. Two (2) rifles were inside Revis's yard leaning against the fence. Police searched James Revis, the owner, all the men, and several young boys who had been in the yard buying cold drinks in support of a Church Baby Contest. Chief Lance ordered the arrest of Mack Daniel sitting on the fence charged him with violating the State Firearms Act. Actually the pistol was also inside the yard. Chief Lance then proceeded to search the Church, taking 1 rifle out of the Pastor's Study. In all they took 3 rifles and a 32 pistol. One of the rifles still had the Department release tag on it made out to me. We urged Chief Lance to leave an officer on duty until the weapons were returned. This was refused even as he also refused to give us the number off the pistol. They took names of all the people around and finally left. We argued that we had molested none, and never have the weapons in the streets, we have never interfered with persons passing the street.

"(6) On Saturday 8:15 p.m. Officers returned to search the home (without warrant) of a Church member, Levi Kemp; they searched another volunteer watchman at James Revis's fence. They have visited the home of Charlie Brooks who was present Friday night, and also called at Revis'. Even as I write a '53 Pontiac, Mississippi Plate #392666 with a white man in it is continually circling the block. Up to 9:20 he has circled about 20 times.

"These acts and others, Sir, amount to naked intimidation and molestation. We who have lived under the shadow of death and shaken by the eerie blasts of explosives are not inclined to voluntarily permit such to happen again.

"The taking of weapons and intimidating of guards are serving to deny us protection and to leave us

BH 44-550

utterly helpless and at the mercy of bombers. To deliberately or inadvertently allow the property to be bombed again would be a most dastardly act. And the fact that high officials are leading these excursions lead us to believe them the acts of high policy.

"We ask only that protection due us as American Citizens and law abiding residents of Birmingham, Alabama. In the light of the extreme dangers and officials provocation we have no recourse but to seek aid of other and higher enforcement agencies of the State and Nation. We seek to be law abiding and orderly. We appeal to your position of public trust for immediate relief.

"Please let us hear from you at once, and please return our weapons speedily.

"Sincerely yours,

"/t/ Rev. F. L. Shuttlesworth, Pastor
Bethel Baptist Church

"REVFLS/lh

"p.s. In regards to Item #6 above episode '53 Pontiac. We believe this was deliberate provocation, as in several other instances which we could recite. We called the Police at once; but Police Department never came out to investigate."

- C -

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

Ch AUG 12 1958

TELETYPE

Mr. Tolson	✓
Mr. Belmont	✓
Mr. Mohr	✓
Mr. Nease	✓
Mr. Parsons	✓
Mr. Rosen	✓
Mr. Tamm	✓
Mr. Trotter	✓
Mr. W.C. Sullivan	✓
Tele. Room	✓
Mr. Holloman	✓
Miss Gandy	✓

W. J. ...

W. J. ...
6 *Lee* {
6-
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URGENT 8-12-58 5-40 PM CST AH

TO DIRECTOR, FBI

FROM SAC, BIRMINGHAM 2P

EUGENE -BULL- CONNOR, BIRMINGHAM POLICE COMMISSIONER- ASSISTANT
CHIEF OF POLICE J. C. LANCE AND UNIDENTIFIED OFFICERS OF BIRMINGHAM
PD. REVEREND F. L. SHUTTLESWORTH, JAMES REVIS, LEVI KEMP, CHARLIE
BROOKS, VICTIMS, CR, RACIAL CONDITIONS, BIRMINGHAM, ALA.

BIRMINGHAM OFFICE RECEIVED THIS DATE LETTER FROM REV. F. L.
SHUTTLESWORTH, PASTOR, BETHEL BAPTIST CHURCH, BIRMINGHAM, AND
PRESIDENT ALABAMA CHRISTIAN MOVEMENT FOR HUMAN RIGHTS, REQUESTING
INVESTIGATION BE MADE CONCERNING CERTAIN ACTS OF BIRMINGHAM PD, WHICH
ACCORDING TO SHUTTLESWORTH ARE VIOLATIVE OF QUOTE OUR RIGHTS TO BE
SECURE IN OUR PERSONS, HOUSES AND POSSESSIONS UNQUOTE. LETTER EN-
CLOSES COPIES OF LETTERS TO [REDACTED]

(B7c)

[REDACTED] MAKING SIMILAR REQUESTS, AND COPY OF SHUTTLESWORTH-S LETTER TO
POLICE COMMISSIONER EUGENE -BULL- CONNOR DETAILING SPECIFIC ACTS OF
INTIMIDATION ON PART OF BIRMINGHAM PD. SHUTTLESWORTH SPECIFICALLY
COMPLAINS IN LETTER TO CONNOR THAT OFFICERS

2 AUG 19 1958
END PAGE ONE 1958

AUG 12 1958

PAGE TWO

OF BIRMINGHAM PD HAVE REMOVED GUNS WITHOUT AUTHORITY FROM BETHEL BAPTIST CHURCH, OF WHICH HE IS PASTOR. THESE GUNS, ACCORDING TO SHUTTLESWORTH, HAVE BEEN USED TO GUARD THE CHURCH INASMUCH AS POLICE PROTECTION HAS BEEN THUS FAR DENIED. SHUTTLESWORTH REQUESTS TWENTY-FOUR HOUR PROTECTION OF CHURCH BY BIRMINGHAM PD AND REQUESTS THAT WEAPONS SEIZED BE RETURNED TO HIM AND THE MEMBERS OF THIS CHURCH TO WHOM SAME BELONG. SEE BIRMINGHAM AIRTEL CAPTIONED RACON DATED AUGUST EIGHTH INSTANT, WHICH SETS FORTH DETAILS OF ARRESTS OF NEGRO CHURCH GUARDS. DETAILED AIRTEL FOLLOWS ENCLOSING COPIES ABOVE MENTIONED LETTERS. NO INVESTIGATION BEING CONDUCTED. CLOSING REPORT FOLLOWS.

END ACK PLS

WA 7-44 PM OK FBI WA DI

TU DISC M

CC: MR. ROSEN
~~ASST. SUPERVISOR~~
INVESTIGATIVE DIVISION

CC: MR. BELMONT
~~ASST. SUPERVISOR~~
DOM. INTEL. DIVISION

FBI

Date: 8-12-58

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL AMSD - REGISTERED
(Priority or Method of Mailing)

TO : Director, FBI

FROM: SAC, Birmingham (44-new)

RE : EUGENE "BULL" CONNOR, Birmingham
 Police Commissioner;
 Assistant Chief of Police J. C. LANCE and
 UNIDENTIFIED OFFICERS OF BIRMINGHAM
 POLICE DEPARTMENT.
 REVEREND F. L. SHUTTLESWORTH;
 JAMES REVIS; LEVI KEMP,
 CHARLIE BROOKS - VICTIMS.
 CR; RACIAL CONDITIONS,
 BIRMINGHAM, ALABAMA

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9-1
P.O.

this date
 BH Office received/special delivery registered letter dated 8-12-58 from Rev. F. L. SHUTTLESWORTH, 3191 - 29th Ave., North, BH. Letter stated, "Enclosed are copies of letters sent to the Commissioner of Public Safety and _____ concerning the lack of proper Police Protection and certain other acts which are violative of our rights to be secure in our persons, houses and possessions. Some of the persons mention in the statement have been arrested, some even twice, and held on trumped up charges. As I write these things continue.

"We are asking that you at least look into this problem of improper protection and other problems mentioned in the letter. We urge you to conduct a speedy investigation. (signed) Rev. F L. SHUTTLESWORTH, ^{Pastor} Bethel Baptist Church, President, Alabama Christian Movement for Human Rights."

SHUTTLESWORTH enclosed copies of letters to _____ and a Mimeograph copy of a letter to Commissioner EUGENE CONNOR from SHUTTLESWORTH. SHUTTLESWORTH told _____

3 - Bureau (AMSD-REGISTERED) (Encls-12) REC-35 MGT-5 ENCL-5
 2 - Birmingham (44-new) (100-3080) REC-35
 CBS:MFL
 (5) ENCLOSURE ATTACHED
 Form 6-94
 AUG 13 1958

BH 44-new

[REDACTED] (37)

[REDACTED]

[REDACTED]

SHUTTLESWORTH's letter to Commissioner CONNOR sets forth certain alleged specific acts of intimidation by the BH PD. SHUTTLESWORTH points out that his church, the Bethel Baptist Church, has been bombed periodically since 1956; that inasmuch as his church has been refused protection by the PD, he and his members have had to voluntarily guard the property. SHUTTLESWORTH requests 24-hour around-the-clock police protection for his church and non-interference with his lawful efforts to keep it safe. SHUTTLESWORTH states, "Sir, personal feelings have no place in this. This is life or death. This involves our constitutional right to be protected in our houses and possessions." SHUTTLESWORTH specifically complains of the BH PD removing guns from the Bethel Baptist Church which were being used to guard the property. He said two guns were removed in Nov. 1957, and on 6-29-58, four more guns were taken from the church by officers of the BH PD.

SHUTTLESWORTH states that he and his men have cooperated with the BH PD by taking lie-detector tests and that they have been vindicated of any conspiracy. SHUTTLESWORTH complains of the homes of some of his church members being searched without warrants. "These acts and others, sir, amount to naked intimidation and molestation. We who have lived under the shadow of death and shaken by the eerie blasts of explosives are not inclined to voluntarily permit such to happen again."

SHUTTLESWORTH alleges in this letter that inasmuch as high officials of the BH PD are leading the "excursions" into his church and onto his property, it would appear that the acts are the result of "high policy." He concludes, "We ask only that protection due us as American Citizens and law abiding residents of Birmingham, Alabama. In the light of the extreme dangers and

NY 44-new

officials provocation we have no recourse but to seek aid of other and higher enforcement agencies of the State and Nation. We seek to be law abiding and orderly. We appeal to your position of public trust for immediate relief."

A [redacted] postal clerk employed at the Post Office [redacted] in BH, voluntarily advised SA [redacted] (B7C) that Rev. SHUTTLESWORTH mailed some special delivery letters to the FBI, BH, Commissioner CONNOR, and to [redacted]. [redacted] also volunteered the information that at that time SHUTTLESWORTH remarked, "BULL CONNOR finally made the mistake we have been waiting for. We've got him where we want him now."

Rev. SHUTTLESWORTH's letter will be acknowledged, stating that the matter has been referred to the Dept. of Justice, UACB.

The afternoon edition of "The Birmingham Post," local newspaper, for 8-12-58, carries front-page story "Shuttlesworth Says He may Seek Help." This article stated that Birmingham Police today were questioning several Negroes reported to be among a group of guards at the Bethel Baptist Church of Rev. F. L. SHUTTLESWORTH, also that SHUTTLESWORTH had disclosed contents of a letter he sent to Commissioner EUGENE CONNOR. According to this article, SHUTTLESWORTH said he might "seek help from the State Attorney General, the Governor, the FBI, and the Justice Department."

In the event press inquiries are received, they will be answered by acknowledging the receipt of SHUTTLESWORTH's letter and that the matter has been referred to the Dept. of Justice, UACB.

Enclosed for the information of the Bureau are two Photostats each of the above mentioned letters, and of envelope addressed to F.B.I. Local Agency.

Closing report being submitted.

3191-29th Avenue, North
Birmingham, Alabama
August 11, 1958

F. B. I., Local Agency
American Life Building
Birmingham, Alabama

Attention: Mr. Kelley

Gentlemen:

Enclosed are copies of letters sent to the Commissioner of Public Safety and the City Commission concerning the lack of proper Police Protection and certain other acts which are violative of our rights to be secure in our persons, houses and possessions. Some of the persons mention in the statement have been arrested, some even twice, and held on trumped up charges. As I write these things continue.

We are asking that you at least look into this problem of improper protection and other problems mentioned in the letter. We urge you to conduct a speedy investigation.

Sincerely yours,

Rev. F. L. Shuttlesworth

Rev. F. L. Shuttlesworth, Pastor
Bethel Baptist Church
President, Alabama Christian Movement for Human Rights

REVFLS/lh

Enclosures

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
AUG 12 1958	
FBI - BIRMINGHAM	

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XXXXXX

**FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET**

3

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) B7C with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

For your information: _____

The following number is to be used for reference regarding these pages:

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
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Commissioner Eugene Connor
August 9, 1958

violating the State Firearms Act. Actually the pistol was also inside the yard. Chief Lance then proceeded to search the Church, taking 2 rifles out of the Pastor's Study. In all they took 3 rifles and a .32 pistol. One of the rifles still had the Department release tag on it made out to me. We urged Chief Lance to leave an officer on duty until the weapons were returned. This was refused even as he also refused to give us the number off the pistol. They took names of all the people around and finally left. We argued that we had molested none, and never have the weapons in the streets, we have never interfered with persons passing the street.

(6) On Saturday 8:15 p.m. Officers returned to search the home (without warrant) of a Church member, Levi Kemp; they searched another volunteer watchman at James Revis's fence. They have visited the home of Charlie Brooks who was present Friday night, and also called at Revis'. Even as I write a '53 Pontiac, Mississippi Plate #392666 with a white man in it is continually circling the block. Up to 9:20 he has circled about 20 times.

These acts and others, Sir, amount to naked intimidation and molestation. We who have lived under the shadow of death and shaken by the eerie blasts of explosives are not inclined to voluntarily permit such to happen again.

The taking of weapons and intimidating of guards are serving to deny us protection and to leave us utterly helpless and at the mercy of bombers. To deliberately or inadvertently allow the property to be bombed again would be a most dastardly act. And the fact that high officials are leading these excursions lead us to believe them the acts of high policy.

We ask only that protection due us as American Citizens and law abiding residents of Birmingham, Alabama. In the light of the extreme dangers and officials provocation we have no recourse but to seek aid of other and higher enforcement agencies of the State and Nation. We seek to be law abiding and orderly. We appeal to your position of public trust for immediate relief.

Please let us hear from you at once, ^{and} please return our weapons speedily.

Sincerely yours,

Rev. F. L. Shuttlesworth, Pastor
Bethel Baptist Church

REVELS/lh

P.S. In regards to Item #6 above episode '53 Pontiac. We believe this was deliberate provocation, as in several other instances which we could recite. We called the Police at once; but Police Department never came out to investigate.

1101 20th Avenue, North
Birmingham, Alabama
August 9, 1958

Commissioner Eugene Connor
City Hall
710 North 20th Street
Birmingham, Alabama

Dear Sir:

Circumstances dictate that I write you and protest as strenuously as possible the repeated actions of the Police Department under your direction, in continuing to needlessly harass us and interfere as we try to prevent our Church and Parsonage from being bombed for a third time. It is common knowledge that the threats and bombings have continued in this spot since 1956. Being refused police protection by the Police Department, we have had to voluntarily guard this property ourselves. And since the building of the New Parsonage July, 1957, the Department knows that we have had to watch all night each night.

We believe that it is the duty of the Police Department to offer 24 hours around the clock protection and non interference with our lawful efforts to keep safe. Since November of 1957 the Police Department has not only offered very little or no protection, but also, through some of its officers, interfered with and solusted the men on duty without provocation. Three times since November 2, Officers of the Department have taken weapons from the Church and our homes without warrants and provocation thus laying this property open at the mercy of the Marauders of the night. They have now begun arresting men on private property to keep them from voluntarily watching at this place.

Sir, personal feelings have no place in this; this is life or death. This involves our constitutional right to be protected in our homes and possessions.

Without rancor I lay before you specific acts of intimidation of your Department which leaves their motives highly suspect in view of the threats and dangers of this time;

(1) In July, 1957 officers came in the church and selected our Deacon Chairman as he stood guard over our property. They told others to stay away.

(2) Early in last November Police Officers came into the Church at approximately 5:30 a.m. one morning and took 2 guns from the department. Acknowledging our right to guard our property, they released them to us the next day up on our affidavit proxying ownership.

(3) On June 29 (date of latest bombing) Officers took about 4 more guns out of the Church, leaving it upon to attack. They were returned to us in like manner the next day with assurances that they would not remove our weapons again. On this day we offered our fullest cooperation to the Police Department. Upon my advice and personal persuasion the men on duty at the time of the bombing, the young lady who spotted the bomb, and the man for whom she worked all agreed and subsequently took lie detector tests in order to demonstrate to the Department our sincerity, honesty, and loyalty. We have been thanked for our cooperation and assured that the tests left no doubt in the officers' minds that we were victims only-not plotters or bomb makers.

(4) Last Wednesday, August 6th at approximately 1:30 a.m. Police Car #37 with 3 officers inside did with an undue or hostile provocative thing with conditions being as dangerous as they are here. The car cruised down 33rd Street very slowly with lights out, turned around at the front of the Church and moved slowly to the side of the Church to the exact spot of the June 29th blast and stayed there. They then opened the door and lighted cigarettes. A black dog came and under circumstances that certainly appeared another attempt to bomb the Church. We are threatened almost daily with calls about inside the Church. This incident has also been reported to your office.

(5) Last Friday night at about 10:30 p.m. Officers led by Assistant Chief James Sims etc. Several men were sitting on the low brick fence at James Sims, a trustee at the Church and a policeman. With his permission men have set in his yard and he his porch to look out for possible attacks. Two(2) rifles were inside Sims' yard running against the fence. Police searched James Sims, the fence, all the trees and several young boys who had been in the yard having cold drinks in a cup at the Church. Sims' office.

August 9, 1958

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Bothel Baptist Church

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