

Interview with **J.W. Kellum** and **Amzie Moore**
August 29, 1979
Charleston, Mississippi
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Interview gathered as part of *America, They Loved You Madly*, a precursor to *Eyes on the Prize: America's Civil Rights Years (1954-1965)*. Produced by Blackside, Inc. Housed at the Washington University Film and Media Archive, Henry Hampton Collection.

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Note: These transcripts contain material that did not appear in the final program. Only text appearing in *bold italics* was used in the final version of *Eyes on the Prize*.

00:00:02:00

[camera roll 11]

[sound roll 9]

[wild audio]

Amzie Moore: Did they tear it down—

00:00:08:00

[cut]

[sync tone]

Moore: —inside?

J.W. Kellum: Yes sir. They tore it down inside and renovated it and left the outside just to keep the architectural design, you might say. It's something that had been here since, well, this county was divided into two counties in—by active legislature in 1902 and they built the Courthouse here in 1903 then all the records over here in the Delta district were kept here, but the Courthouse burned in 1909, six years later. And then when it was rebuilt we have held the same architectural design since the fire that we had back in 1909.

00:01:09:00

INTERVIEWER: THE TILL TRIAL.

Kellum: The Till, the Till trial was held—held here in this Courthouse in the fall. The month of September and 1955. That was a case where a young black boy, I don't recall the exact age, but he was a teenager. I do recall that. Was a resident of, I believe, the state of Illinois and he was visiting some of his relatives here in this particular county or vicinity of this county. And then there were two whites charged with his murder when he was found in a body of water here that we call the Tallahatchie River. Those parties were indicted by the Grand Jury that was in session in September of 1955 and they were tried jointly. They were half-brothers. One of 'em was named Leslie Bryant [sic] the other one was named J.W. Milam. There were five lawyers, including me, that defended those two whites for that crime. After the state had put on all of its proof as to the *corpus delicti* of the crime, we took the position, as lawyers, that the criminal agency was not established by the proof and we made a motion before the judge for a directed verdict requesting him to declare the defendants not guilty and he refused to grant that request. Thus the issue was presented to twelve jurors and they brought in a verdict of not guilty as to both of the defendants.

00:04:09:00

INTERVIEWER: LET ME ASK MR. MOORE IF HE WAS AROUND HERE AT THAT TIME TOO?

Moore: Yes. I was president of the State Council of the NAACP branches during that particular time and I was also vice president of the, the NAACP state—

INTERVIEWER: WERE YOU IN THE COURTHOUSE?

Moore: No, let you [sic] occupiers. We couldn't get into the—I told 'em them's [sic] outta [sic] the question—and always I was late getting in cause I had to drive from Cleveland and I never did get the opportunity to get inside because you had to be seated. You couldn't stand up and the hallway leading into the Courtroom was always clear.

00:05:14:00

INTERVIEWER: WHAT, WHAT WAS THE FEELING HERE?

Moore: Well, it was quite a bit of tension. There were quite a number of people here from all around. I think there had been quite a number of lynchings in Mississippi, but I had never seen one that had created so much attention before the Till case. We had WWL from New Orleans. We had, had to add new telephone lines and a lot of new things were done in order to, to get the information out to the, to the world.

00:06:12:00

INTERVIEWER: NOW, LET ME ASK LARRY SOMETHING. THE, THE WITNESSES

FOR THE PROSECUTION WERE THEY BLACK?

Kellum: The witnesses for the prosecution, I do not recall if they were all white or not. We are discussing a matter here that happened almost twenty-five years ago, because this incident occurred in the month of August of 1955 and as far as the witnesses are concerned, I do know that some of 'em were white. The jury consisted of twelve whites and yet the defendants were white and the victim was a black.

00:07:17:00

INTERVIEWER: WHAT WOULD IT TAKE FOR, FOR A BLACK WITNESS TO TESTIFY IN 1955?

Kellum: A black witness would testify in cases and did testify in a lot of cases, but in '55 I know of no black that had been a member of a jury in this county.

INTERVIEWER: THIS TRIAL WAS REALLY ALL OVER THE COUNTRY IN TERMS OF NOTORIETY?

Kellum: Yes sir. During—as is spoken by the gentleman here to my right, [pause] there were so much coverage of this by the press that in the hall of the Courthouse there were many telephones there, placed there by the news media.

00:08:22:00

INTERVIEWER: DO YOU THINK IT WAS A FAIR TRIAL?

Kellum: As far as a fair trial is concerned, the lack of proof showing that the defendants were the criminal agent, I think, that the—if there had been a conviction, I'm of the opinion that the Supreme Court of this state would have never let the conviction stand.

INTERVIEWER: BUT MILAM AND BRYANT LATER CONFESSED TO LOOK MAGAZINE THAT THEY HAD IN FACT COMMITTED THE CRIME.

Kellum: I am of the impression that you are correct about that.

00:09:08:00

[cut]

[wild audio]

Kellum: I understand that they one or either both of 'em confessed that they did do it. Now if, if they, if they did do that they could not, on account on the double jeopardy clause in the state of Mississippi, they could not have been convicted. I mean tried again.

INTERVIEWER: WE'RE GONNA JUST CHANGE OUR MAGAZINE.

00:09:37:00

[cut]

[slate]

[change to camera roll 14]

[sync tone]

INTERVIEWER: DO—DOES THIS CASE EVER COME UP IN CONVERSATION? THE TILL CASE.

Kellum: Yes sir. It is mentioned a lots [sic]. There have—we've read a lots about it and at the same time there was no official record of the case, but I am sure that a transcript of the notes were made by the Court reporter at that particular time because, I, at one time had in my possession a copy of the notes which consisted of all the testimony that was given during the trial.

00:10:33:00

INTERVIEWER: JUST HUMOR ME, HUMOR ME FOR A SECOND NOW. I KNOW YOU BELIEVE IN THE LAW, YOU'VE SPENT YOUR LIFE PRACTICING IT. ONE OF THE QUESTIONS AND, AND POINTS WE'RE TRYING TO MAKE WITH THIS SHOW IS THE COURAGE IT TOOK FOR SOME OF THE PEOPLE WHO TESTIFY COME FORTH DURING THE TILL TRIAL. NO LEGAL SYSTEM WORKS WITHOUT PEOPLE'S WILLINGNESS TO COMMIT TO IT. DURING THAT TIME WHAT—YOU HAD TO BE AWARE, THAT'S CERTAIN, THAT EVEN THOUGH YOU WERE ON THE OTHER SIDE, THE COURAGE IT TOOK FOR SOME PEOPLE TO, TO STEP FORTH.

Kellum: For anyone to step forth that way and testify the way that the conditions were, at that time, it would take a lot of courage for a man to come up and testify in Court, that's true.

INTERVIEWER: MR. MOORE?

Moore: Yes.

INTERVIEWER: YOU WERE A, A NATIVE OF MISSISSIPPI THEN AND HAVE BEEN MOST OF YOUR LIFE.

Moore: Yeah, correct.

INTERVIEWER: WHAT, WHAT KIND OF COURAGE WOULD IT TAKE? DID IT

TAKE?

Moore: Well, let me point out one thing. [coughs] In 1955 we didn't have the decision of voting that we had in '56 [pause] because in 1955 my vote was challenged at my voting booth and put in an envelope and was not—I didn't cast a vote. I called the—Washington and talked to somebody there and, finally, we got that part straightened out. I think that we have, at this point, come a good ways, but we still got a long ways to go.

00:12:37:00

INTERVIEWER: DO YOU REMEMBER THE DAY OF THE DECISION? THE TRIAL?

Moore: I was here yes, I recall.

INTERVIEWER: WHERE? WHERE WERE YOU?

Moore: Here at Sumner. There were a lot of people here. There wasn't room enough to get into the Courthouse to hear the trial because there just wasn't space to sit down. You couldn't stand up.

INTERVIEWER: COULD SOMEONE BLACK GO IN THE COURTHOUSE IF THEY WANTED TO DURING THE TRIAL?

Moore: If you were there on, on time you could get in. The whole thing is coming from twenty, twenty-five miles away just threw you late always. And—but, I think, in all of the lynchings that have taken place in Mississippi across the years, this was the most publicized lynching that I've ever seen. Because, I think what really surprised me was the television, the news media, and the people who came in here by helicopter by running additional lines to get the news out.

00:14:05:00

INTERVIEWER: J.W. KELLUM, WHY DO YOU THINK THAT WAS THE CASE? WHY WAS THERE SO MUCH ATTENTION PAID TO SOMETHING THAT HAPPENED HERE?

Kellum: That case came up so near to the Supreme Court decision that separate, but equal was not constitutional. By being separate that made it unequal, you might say, in a laymen's terms that the U.S. Supreme Court rendered and that was rendered just a matter of months before this incident that resulted in this trial occurred.

00:15:02:00

INTERVIEWER: I UNDERSTAND THAT ROY BRYANT IS LIVING NOT TOO FAR AWAY FROM HERE?

Kellum: Roy Bryant—was it Roy Bryant? I'm, I am confused there were two brothers there, Roy Bryant and Leslie Bryant and—

INTERVIEWER: MILAM.

Kellum: J.W. Milam. I understand that J.W. Milam lives in Washington County which would be less than seventy-five miles from here, now. As far as Bryant is concerned, if it was Leslie Bryant, Leslie Bryant is—was a, a resident of Cleveland, Mississippi which is only about thirty-five miles from here. He is dead. Died in the last two years.

00:16:02:00

INTERVIEWER: FROM WHAT I'VE READ ABOUT WHAT HAPPENED AFTER THE CASE, IT WOULD SEEM THAT THE WHITE COMMUNITY SORT OF TURNED ON THE, ON THE TWO MEN AFTER THIS. THAT THEY ACTED AS IF, IF THEY COULD DO THAT TO A BLACK BOY THEY COULD DO THAT TO ALMOST ANYONE.

Kellum: You're information is correct. In other words instead of being in the category of a hero, the people, by majority, felt like that if the ones that had been tried were guilty that it certainly was a dastardly, cowardly act for any individual, one human to inflict upon another human.

INTERVIEWER: WE'RE GOOD.

[sync tone]

00:16:53:00

[cut]

[wild audio]

Kellum: —almost, well, the United States Senator, Jim Eastland, had his office in Ruleville and that was many miles from the Courthouse and one of our most prominent law offices that we have now would be located over here at Drew and that's in Sunflower County, but at the same time wouldn't that be more than forty miles from the Courthouse?

INTERVIEWER: RIGHT. I GUESS WHAT I REALLY WANT TO ASK YOU BOTH ABOUT, NOW, IS—

[sync tone]

00:17:36:00

[cut]

INTERVIEWER: I WANT TO ASK YOU ABOUT THE TILL, THE TILL CASE SOMETHING IN MISSISSIPPI IN TERMS OF FEELING ABOUT JUSTICE, YOUR FEELING ABOUT EQUALITY. YOU CAN WALK RIGHT BEHIND ME.

Kellum: I would think there are a lot of reactions that the case had. Today, this gentlemen at my right would have the right to serve on the jury and we have many blacks serve on the jury, as a matter of fact, we have many blacks both male and female who are practicing law in the state of Mississippi at this time. In other words, I would say that Mississippi now is part of the New South. Is—

INTERVIEWER: I THINK WE CAN COME—EASE OFF TO THE SIDE.

CAMERA CREW MEMBER: CUT

[cut]

00:18:56:00

[sync tone]

INTERVIEWER: WHY DON'T YOU JUST TRY AGAIN. DO, DO YOU THINK THE TILL CASE WAS AN IMPORTANT MOMENT FOR MISSISSIPPI?

Kellum: Yes—

CAMERA CREW MEMBER: THE TRUCK.

00:19:09:00

[cut]

[wild audio]

INTERVIEWER: IS THERE SOMETHING YOU MIGHT LIKE TO ADD?

[sync tone]

00:19:13:00

[cut]

Moore: No, I, I don't think—I think I can say as it relates to the Till case that the death of Emmett Till, although it was pretty rough, but I think it changed quite a number of people in Mississippi.

INTERVIEWER: WHAT WAS THAT? SAY—

Moore: Changed a lot of people. I think now you, you, you would have an entirely different situation. Like you'd have people on jury of all groups and—

[chimes]

INTERVIEWER: IS JUSTICE BETTER, J.W. KELLUM, IN, IN MISSISSIPPI NOW?

Kellum: Beg your pardon?

INTERVIEWER: IS JUSTICE BETTER?

Kellum: Yes sir. Justice is much better because if a person of the—we'd take the black race for illustration. If there was shown any systematic exclusion of a black our local Supreme Court would not let a conviction stand under those circumstances.

INTERVIEWER: DO YOU THINK THE EMMETT TILL CASE HAD SOMETHING TO DO WITH THAT?

Kellum: I, I think the Emmett case had a great impact on it. Because it, it advertised to a large extent not only in the United States, but the publicity of that trial reached beyond the United States.

INTERVIEWER: VERY GOOD.

[cut]

[end of interview]

00:21:04:00

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