Await Mallard Trial, Jan. 11

U. S. Hints Action In Ga. Lynch Case

By JAMES EDMUND BOYACK
(Exclusive to The Pittsburgh Courier)

WASHINGTON—A Department of Justice spokesman told The Courier here Monday that “we have not yet decided whether we have jurisdiction in the Robert Mallard case.”

He said that the case was still under investigation by the FBI and that while this continued, no further statement could be made in accordance with established department policy.

Robert Mallard, 37, was shot to death by robed but unmasked men whose automobiles blocked the road outside the Providence Baptist Church (white) near Lyons, Ga., last Nov. 20 as he was (Continued on Page 4, Col. 1.)
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The case was officially listed as a lynching by Tuskegee Institute.

The lynching victim was a successful salesman and owned a thirty-two-acre farm which his forebears had tilled for four generations.

SEES CLARK WAITING

The reporter believes that Attorney General Tom C. Clark is awaiting the outcome of the trial of two Toombs County, Ga., farmers for the crime, at the County Court House on Jan. 11.

They are William L. (Spud) Howell, 32, and Roderick Clifton, 26. Both positively were identified by Mrs. Amy Mallard as being members of the mob at the grand jury hearing held at the Court House last Dec. 10.

Mrs. Mallard, her niece and her nephew will be the star witnesses at the trial.

U. S. CAN ACT

In the event of an acquittal, Attorney General Clark may take jurisdiction under Section 51, Title 18 of the U. S. Code. This automatically would transfer the case to the Federal grand jury at Dublin, Ga.

Under Georgia laws, the death sentence is mandatory on conviction. The defendants would be electrocuted in Reidsville State Prison.

CITE U. S. LAW

The Federal law states:

"If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same, or if two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured, they shall be fined not more than $5,000 and imprisoned not more than ten years, and shall, moreover, be thereafter ineligible to any office, or place of honor, profit, or trust created by the Constitution or laws of the United States."

During his coverage of the grand jury hearings at Lyons, some responsible interested parties voiced to the reporter the opinion that the Attorney General "had clear jurisdiction" in this case. They included Aaron Kravitch, prominent Savannah attorney and counsel to Mrs. Mallard, and Ralph McGill, editor of the Atlanta Constitution, a witness at the hearing, who apparently had consulted counsel.