

Bennie Thompson:

The Voluntary Confession that Resulted in an Acquittal



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I. Introduction

On October 9, 1933, Bennie Thompson was found severely beaten, bruised, and dead off the side of a new highway at 8am in Ninety-Six, South Carolina.¹ He had been jailed the day before for getting into a fight with four white men outside of a café, and allegedly pulling a knife and later, a gun, on the individuals.² According to Thompson's death certificate, he was about 38 years old and worked as a farmer.³ His murder was well-reported in two nearby newspapers, *The Index-Journal* in Greenwood and *The Greenville News* in Greenville, along with many newspapers across the United States.

The case received national attention—partly because one of the four white men, Burley Leppard, gave an outright confession at the outset of the investigation, implicating the three other white men and the Ninety-Six police chief for leaving the jail door open.⁴ It was described as a “brutal scene:” blood splattered the floor of the back door of the jail and evidence showed Thompson had been dragged from the jail through weeds nearby.⁵ South Carolina Governor Blackwell applauded local officials for responding to the incident with an investigation and praised Solicitor Blackwell, a multi-county prosecutor, for prosecuting the case.⁶ Governor Blackwell was later reported to have dispatched Constable Fred Newman to assist in the

1 *Jury Orders Four Held for Death of Negro*, *The Baltimore Sun*, Oct. 10, 1933, at 4; *Four Held for Lynching of a Ninety Six Negro*, *The Greenville News*, Oct. 10, 1933, at 6. The news article reported that an unnamed boy had found Thompson's body.

2 *The Bennie Thompson Killing*, *The Index-Journal*, Oct. 12, 1933, at 3.

3 Death Certificate, Greenwood, File No. 14473, Bennie Thompson.

4 *The Crime at Ninety-Six*, *The Courier Journal*, Oct. 11, 1933, at 6. *The Courier-Journal*, a Louisville, Kentucky newspaper, reported Leppard's statement “reads more like a boast than an admission of guilt.”

5 *The Bennie Thompson Killing*, *The Index-Journal*, Oct. 12, 1933, at 3.

6 *Four Being Held for Lynching of Ninety Six Negro*, *The Greenville News*, Oct. 10, 1933, at 6. “Governor Blackwood expressed gratification today at the prompt action taken by Sheriff White, of Greenwood County, in connection with the lynching of Bennie Thompson. The governor said he had not received a report of the episode, and assumed that Sheriff White had not found it necessary to call upon state officials for assistance. Blackwood said he was ‘bitterly opposed’ to lynchings, and wished to see authorities fix the blame for the Ninety Six affair.”

investigation and prosecution of the lynchers.⁷ Additionally, the NAACP urged Governor Blackwell to punish the individuals accused of Thompson's lynching.⁸

The lynching took place during a decade in which "Southern justice was under fire on many fronts" and civil rights groups were advocating for black representation "on juries and there [were] demands that the federal government assume jurisdiction," and establish a federal anti-lynching law.⁹ Thompson's case was seen as unusual because the three individuals were charged, indicted, and taken to trial, which was an infrequent occurrence in the criminal justice system at the time.¹⁰ Another "extraordinary feature" pointed out by *The Courier Journal* in Kentucky was that the victim was not accused of assaulting a white woman, a very common situation, or any crime other than a dispute with four white men (and allegedly drawing a pistol on them.)¹¹ However, as further explored in this essay, the facts surrounding the provocation of the fight between the men is disputed, and the family's version of events is inconsistent with the story told at the criminal trial.

Bennie Thompson's family consisted of his wife, Ada Thompson, and their three children.¹² The lynching took place in Ninety-Six, a very small town in Greenwood County, South Carolina. According to the International Labor Defense, Thompson's lynching marked a total thirty-one lynchings for the year as of October 1933, which was the largest number in the five years prior.¹³ In January 1934, the International Labor Defense reported that during the year

⁷ *South Carolina Police Chief in Hot Water*, *The Baltimore Afro-American* (1893-1988), Oct. 21, 1933, at 10.

⁸ *Punish Lynchers, NAACP Asks S.C. Governor*, *The Baltimore Afro-American* (1893-1988), Oct. 21, 1933, at 12.

⁹ *The Bennie Thompson Killing*, *The Index-Journal*, Oct. 12, 1933, at 3.

¹⁰ *The Bennie Thompson Killing*, *The Index-Journal*, Oct. 12, 1933, at 3.

¹¹ *The Crime at Ninety-Six*, *The Courier Journal*, Oct. 11, 1933, at 6.

¹² United States Census, 1930, Bennie Thompson; *Burley Leopard Still in Prison*, *The Index-Journal*, Oct. 12, 1933, at 8.

¹³ *Lynching Oct. 8 Raises Total: Number Jumps to 31 as Six are Murdered in Two Months*, *The Baltimore Afro-American* (1893-1988), Oct. 14, 1933, at 1.

of 1933, a total of forty-seven persons were lynched, five of which were in South Carolina, where Thompson's lynching occurred.¹⁴

Thompson's story is told through newspaper accounts of Leppard's statement confessing to the crime, witness testimonies leading up to and during the criminal trial, and through the Thompson family account of the story today. The story told by witnesses vary, and the Thompson family's story differs drastically from the record of the trial. The inconsistencies in the witness's accounts and the family's divergent account of the defendants' motive suggest the acquittal was the result of a cover-up.

II. The Arrest

It all started with a fight outside of a café in Ninety-Six, South Carolina, the cause of which is still unclear. The morning following the lynching of Thompson, *The Index-Journal* reported that on October 9, 1933, Sheriff E. M. White started the investigation of the killing, and learned that Burley Leppard was one of the individuals that had gotten into a quarrel with Thompson the night before.¹⁵ According to the newspaper account, White discovered that the tread of the automobile tire leading from the jail to the scene of the beating corresponded with that of Leppard's car.¹⁶ Recognizing that other cars probably had the same tread, Sheriff White said he asked Leppard for permission to inspect his car, and Leppard agreed.¹⁷ The Sheriff reported that he found blood on the rumble seat of the car (an upholstered exterior seat in early automobiles that folds into the rear of the car).¹⁸ White said he informed Leppard that he had to

14 *I.L.D. Lists 46 Lynch Deaths During 1933*, *The Baltimore Afro-American* (1893-1988), Jan. 6, 1934, at 9.

15 *Story of Beating Told at Hearing Here Yesterday*, *The Index-Journal*, Oct. 10, 1933, at 5.

16 *Story of Beating Told at Hearing Here Yesterday*, *The Index-Journal*, Oct. 10, 1933, at 5.

17 *Story of Beating Told at Hearing Here Yesterday*, *The Index-Journal*, Oct. 10, 1933, at 5.

18 *Story of Beating Told at Hearing Here Yesterday*, *The Index-Journal*, Oct. 10, 1933, at 5.

be held in jail until the coroner's jury investigated the matter.¹⁹ The newspaper reported that Leppard stated he did not wish to make a statement when he was first brought to the jail, but later he changed his mind and made a voluntary confession soon after the arrival of Solicitor Blackwell.²⁰

A. The Confession

Burley Leppard confessed in the presence of Sheriff White, Solicitor Blackwell, Jailer Tom Clem and Deputy John Beasley while he was in jail. He repeated the confession at the coroner's inquest after the testimony of Sheriff White.²¹ A coroner's inquest is a fact finding inquiry held to determine the cause of someone's death.²² As reported by the newspaper, Leppard said he, K.F. Morris, "Left" Mayes, and Howard "Toody" Webb, all cotton textile workers, got into a fight with Thompson about 5:30 or 6 o'clock in the evening as they came out of Woods' café.²³ At this point, the cause of the fight was unreported. Leppard said that Thompson drew a knife and "made a pass at Morris who dodged the blow."²⁴ Thompson then ran and the men followed, but momentarily lost him.²⁵ Leppard said that when they caught up with Thompson, he pulled a gun on them.²⁶ The four men then saw Policeman Summers and another individual, George Webb (Howard Webb's father), and informed them that Thompson had threatened them with a gun.²⁷ The officer and the men followed Thompson to a house and they found him lying in

19 *Story of Beating Told at Hearing Here Yesterday*, The Index-Journal, Oct. 10, 1933, at 5.

20 *Story of Beating Told at Hearing Here Yesterday*, The Index-Journal, Oct. 10, 1933, at 5.

21 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1.

22 *Inquest*, Black's Law Dictionary (2nd ed.), <http://thelawdictionary.org/inquest/>

23 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1; *Morris and Webb, Named by Leppard, Surrender to Sheriff E.M. White*, The Greenville News, Oct. 11, 1933, at 7 (reporting that four textile workers were in jail as of October 10 in relation to Thompson's lynching).

24 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1.

25 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1.

26 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1.

27 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1.

a bed.²⁸ The gun was found in the bottom of a truck, and Thompson was arrested by Officer Summers.²⁹

Leppard continued to recall the events of the prior night in his confession. After the arrest, he said the men went to the jail and asked Officer Summers to “let us have him”, and Officer Summers refused and told them to wait for Chief Calvin Rush.³⁰ Upon Chief Rush’s arrival, Leppard repeated the demand, “let us have him.”³¹ Leppard stated the Chief declined, but told them to wait until dark and come back, and they would find the jail unlocked.³² After some time, Leppard stated that they returned once the sun set, and drove behind the jail.³³ He said that the jail door was wide open and the lock was “hanging in the door cell, pushed together as if it had been locked.”³⁴ They opened the cell, beat Thompson, took him out of the cell, put him in the automobile and drove him a mile and half down the road.³⁵ Leppard said, “all of us whipped him with an automobile pump tube.”³⁶ According to Leppard, Thompson was still alive when they left him.³⁷

B. The Coroner’s Inquest

Leppard repeated his confession at the coroner’s inquest the very same day, but the other witnesses had slightly different accounts.³⁸ Policeman Summers, who arrested and jailed

28 *Four Being Held for Lynching Ninety Six Negro*, The Greenville News, Oct. 10, 1933, at 6.

29 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1.

30 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1.

31 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1.

32 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1.

33 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1.

34 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1.

35 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1.

36 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1.

37 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1.

38 *Four Being Held for Lynching Ninety Six Negro*, The Greenville News, Oct. 10, 1933, at 6.

Thompson, testified at the coroner's inquest that the four men were chasing Thompson and told him that Thompson had drawn a pistol on Leppard.³⁹ He recalled that upon entering the home in which Thompson was hiding, he searched him and found the pocketknife.⁴⁰ Summers said the boys did ask for Thompson, but that he turned them down.⁴¹ Afterward, he said he went to the station to meet the train and found Chief Rush there, and the Chief said that he was sick and told Summers to work the night shift instead.⁴² Summers said that when he returned to the city hall around 8:30pm, he found that Thompson was gone.⁴³

While he never testified at the coroner's inquest, Chief Calvin Rush gave statements to the newspaper denying that he ever let the door unlocked.⁴⁴ In fact, he said that the back door to the jail had no lock on it and instead was fastened with a latch.⁴⁵ He said he found out the morning after Thompson's murder that this latch had been lifted.⁴⁶ He testified that the lock to the cell had been secured by Policeman Summers when Thompson was put in jail.⁴⁷ Contrary to Summers' testimony, Chief Rush stated he was working that night and that Thompson had asked him to see if he could find an individual named Dr. Tom Kinard.⁴⁸ Chief Rush said he went over to the depot and was not able to locate Dr. Kinard.⁴⁹ When he returned to the jail, he found the prisoner was gone.⁵⁰ He admitted that he had let the four men talk to Thompson after he had

39 *Story of Beating Told at Hearing Here Yesterday*, The Index-Journal, Oct. 10, 1933, at 5.

40 *Story of Beating Told at Hearing Here Yesterday*, The Index-Journal, Oct. 10, 1933, at 5.

41 *Four Being Held for Lynching Ninety Six Negro*, The Greenville News, Oct. 10, 1933, at 6.

42 *Four Being Held for Lynching Ninety Six Negro*, The Greenville News, Oct. 10, 1933, at 6.

43 *Four Being Held for Lynching Ninety Six Negro*, The Greenville News, Oct. 10, 1933, at 6.

44 *Four Held for Late Lynching At Ninety Six*, The Greenville News, Oct. 10, 1933, at 1.

45 *Four Held for Late Lynching At Ninety Six*, The Greenville News, Oct. 10, 1933, at 1.

46 *Four Held for Late Lynching At Ninety Six*, The Greenville News, Oct. 10, 1933, at 1.

47 *Four Held for Late Lynching At Ninety Six*, The Greenville News, Oct. 10, 1933, at 1.

48 *Four Held for Late Lynching At Ninety Six*, The Greenville News, Oct. 10, 1933, at 1.

49 *Story of Beating Told at Hearing Here Yesterday*, The Index-Journal, Oct. 10, 1933, at 5.

50 *Story of Beating Told at Hearing Here Yesterday*, The Index-Journal, Oct. 10, 1933, at 5.

been locked up.⁵¹ He also admitted during this statement that Leppard asked him to give over Thompson, but that he refused to let the men have him and said nothing about leaving the jail unlocked for them.⁵²

Following the coroner's inquest on October 9, which concluded that "Bennie Thompson came to his death at the hands of R.B. Leppard, K.G. Morris, Tootie Webb and Lefty Mayes," the Coroner swore out warrants for the arrest of the three other men implicated by Leppard, charging all four with murder.⁵³ Solicitor Blackwell said after the hearing that he would include Chief Rush's name in the indictment for the grand jury charging him with being an accessory.⁵⁴ However, there was never a warrant of arrest made for the police chief.⁵⁵ J. Calvin Rush resigned as police chief of Ninety-Six after the killing.⁵⁶

III. The Grand Jury

On October 10th, *The Greenville News* reported that all four men were in jail held on charges of murder following the coroner's inquest and verdict.⁵⁷ Webb, Morris, and Mayes denied involvement and so did Chief Rush.⁵⁸ All three men, in applying for bail, submitted affidavits in

51 *Four Held for Late Lynching At Ninety Six*, *The Greenville News*, Oct. 10, at 1.

52 *Four Held for Late Lynching At Ninety Six*, *The Greenville News*, Oct. 10, at 1.

53 Coroner's Inquest, Bennie Thompson, Oct. 9, 1933; *Four Held for Late Lynching At Ninety Six*, *The Greenville News*, Oct. 10, at 1.

54 *South Carolina Police Chief Under in Hot Water*, *The Baltimore Afro-American*, Oct. 21, 1933, at 10; *Bills of Indictment Expected to be Handed Out In Ninety Six Case*, *The Index Journal*, Dec. 29, 1933, at 6.

55 *Carolina Indicts Four for Lynching: Murder Charges are Brought for the Beating of Negro Taken from Jail*, *The New York Times* (1923 – Current file), Jan. 2, 1934, at 8; *Bills of Indictment Expected to be Handed Out In Ninety Six Case*, *The Index-Journal*, Dec. 29, 1933, at 6.

56 *Bills of Indictment Expected to be Handed Out In Ninety Six Case*, *The Index Journal*, Dec. 29, 1933, at 6; *R.R. Sanders is Elected Chief, Succeeds J. Calvin Rush as Head Officer at Ninety Six*, *The Index-Journal*, Nov. 7, 1933, at 5.

57 *Morris and Webb, Named by Leppard, Surrender to Sheriff E. M. White*, *The Greenville News*, Oct. 11, 1933, at 7.

58 *Ninety Six Cases are Before the Jury*: *The Index-Journal*, Jan. 1, 1934, at 5.

which they denied having any part in the crime and declared that they were not present when Thompson was taken from jail.⁵⁹ In particular, Howard Webb's affidavit was reported in *The Index Journal* on October 17.⁶⁰ Webb, 22-year old textile worker, stated that his father, George Webb, was present with Officer Summers when Thompson was arrested.⁶¹ He said that the rest of them remained at the house for a few minutes while his father looked for the pistol, which Summers asked him to search for in the home where Thompson was arrested.⁶² After Mr. Webb found the pistol in the bottom of the trunk, they walked over to the city jail, and delivered the pistol to Mr. Summers.⁶³ In the affidavit, Webb admitted that Leppard asked Officer Summers to let them have Thompson, to which Summers replied that he could not.⁶⁴ He stated that when Chief Rush arrived, Leppard repeated the command.⁶⁵ Webb's story is that Rush told Leppard that Thompson was securely locked up and told them to go home and return for trial the next day.⁶⁶ Webb said they disbanded and he walked directly home.⁶⁷ He said, "[I] did not know

⁵⁹ *Bills of Indictment Expected to Be Handed Out in Ninety Six Cases*, *The Index-Journal*, Dec. 29, 1933, at 6.

⁶⁰ *G Howard Webb is Released from Jail Yesterday Under \$2,500 Bond*, *The Index-Journal*, Oct. 17, 1933, at 8 (Howard declares in an affidavit he was not present when Bennie Thompson was taken from prison and knew nothing about the killing until the next morning).

⁶¹ *G Howard Webb is Released from Jail Yesterday Under \$2,500 Bond*, *The Index-Journal*, Oct. 17, 1933, at 8.

⁶² *G Howard Webb is Released from Jail Yesterday Under \$2,500 Bond*, *The Index-Journal*, Oct. 17, 1933, at 8.

⁶³ *G Howard Webb is Released from Jail Yesterday Under \$2,500 Bond*, *The Index-Journal*, Oct. 17, 1933, at 8.

⁶⁴ *G Howard Webb is Released from Jail Yesterday Under \$2,500 Bond*, *The Index-Journal*, Oct. 17, 1933, at 8.

⁶⁵ *G Howard Webb is Released from Jail Yesterday Under \$2,500 Bond*, *The Index-Journal*, Oct. 17, 1933, at 8.

⁶⁶ *G Howard Webb is Released from Jail Yesterday Under \$2,500 Bond*, *The Index-Journal*, Oct. 17, 1933, at 8.

⁶⁷ *G Howard Webb is Released from Jail Yesterday Under \$2,500 Bond*, *The Index-Journal*, Oct. 17, 1933, at 8.

anything about the trouble until the following morning.”⁶⁸ All four individuals were released on bond soon after their arrest.⁶⁹

On January 1, 1934, *The Index-Journal* reported that Solicitor Blackwell handed out bills of indictment against Leppard, Morris, Mayes, and Webb charging murder. He also charged Chief Calvin Rush, former chief of police of Ninety-Six, as accessory in connection with the killing of Thompson.⁷⁰ On January 2, *The Greenville News* reported that Solicitor Blackwell announced he had withdrawn from the grand jury a bill of indictment charging Rush with being an accessory to the crime.⁷¹ The Grand Jury returned a True Bill against the four white men – Leppard, Mayes, Morris, and Webb on January 1, 1934.⁷²

IV. The Criminal Trial

The criminal trial against the four white men charged with murder of Bennie Thompson did not take place until the following year, January 3, 1935, having been pushed back due to conditions on the farms.⁷³ The entire trial took a little more than three hours.⁷⁴ Burley Leppard was not called as a witness.⁷⁵ The State’s witnesses included Dr. J.M Symmes, Policeman

Summers, former Police Chief J.C. Rush, Sheriff E. M. White, W. M. Griffin, and Deputy J. T.

⁶⁸ *G Howard Webb is Released from Jail Yesterday Under \$2,500 Bond*, *The Index-Journal*, Oct. 17, 1933, at 8.

⁶⁹ *G Howard Webb is Released from Jail Yesterday Under \$2,500 Bond*, *The Index-Journal*, Oct. 17, 1933, at 8.

⁷⁰ *Ninety-Six Cases Are Before the Jury – Bills of Indictment are Handed Out by Solicitor Blackwell*, *The Index-Journal*, Jan. 1, 1934, at 5.

⁷¹ *Withdraws Bill in Case of Rush*, *The Greenville News*, Jan. 3, 1934, at 6.

⁷² *Grand Jury Docket List, Greenwood County, Jan. 1, 1934; Withdraws Bill in Case of Rush*, *The Greenville News*, Jan. 3, 1934, at 6; *Four Indicted in Ninety Six Case*, *The Index-Journal*, Jan. 2, 1934, at 6.

⁷³ *Criminal Docket List, Greenwood County, Jan. 3, 1935; Farmers Busy, Only Jail Cases Docketed*, *The Greenville News*, June 23, 1934, at 2; *Thompson Case on Court Roster*, *The Greenville News*, Dec. 31, 1934, at 2.

⁷⁴ *Ninety Six Men Held Blameless Thompson Death*, *The Greenville News*, Jan. 4, 1935, at 5.

⁷⁵ *Criminal Docket List, Greenwood County, Jan. 3, 1935.*

Clem.⁷⁶ The defense witnesses included defendant Morris (the only one of the four defendants who testified), Mr. and Mrs. Willie Leppard, and Homer Leppard.⁷⁷

A. The Prosecution's Case

Solicitor Blackwell, as the state's attorney, first called Dr. J. M. Symmes to the stand, the county physician who had also testified at the coroner's inquest.⁷⁸ The physician testified that he had seen Thompson's body in the morning following the killing, and he estimated that Thompson had been dead about four hours.⁷⁹ On cross-examination, the defense attorney asked Dr. Symmes to give his opinion as to whether someone could be killed by an automobile pump tube, which Leppard stated was the weapon used in his confession.⁸⁰ The defense attorney's line of questioning was aimed at casting doubt about whether an automobile pump tube could actually cause a concussion.⁸¹ Dr. Symmes agreed with the attorney that a heavy instrument would be necessary to cause the damage done to Thompson. However, the physician stated that he did not see the instrument that was allegedly used by the defendants.⁸²

The State's second witness, Police Officer Summers, testified that on the evening of October 8, 1933, he saw the four young men searching for Thompson, and he and George Webb followed them.⁸³ He said he went into the house, arrested Thompson, and Mr. Webb found the

76 Criminal Docket List, Greenwood County, Jan. 3, 1935.

77 Criminal Docket List, Greenwood County, Jan. 3, 1935.

78 Criminal Docket List, Greenwood County, Jan. 3, 1935; *Story of Beating Told At Hearing Here Yesterday*, The Index Journal, Oct. 10, 1933, at 5. At the coroner's inquest, Dr. J.M. Symmes testified that Thompson had been given a terrible beating and that in his struggle with his assailants his clothes had been torn off. "Welts on the face, head, shoulders and back were described by the physician and death...was caused by concussion of the brain. Rigor Mortis had not set in," indicating that Thompson might have lived several hours after he was left near the roadside and led to death until the early morning.

79 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

80 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1; *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

81 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

82 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

83 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

pistol in the trunk.⁸⁴ As he previously testified at the coroner's inquest, he said that Leppard came by and asked him to let him see Thompson, but Summers told him he could not allow it.⁸⁵ He said Leppard was alone and he did not see the others. This testimony was inconsistent with his prior statement at the coroner's inquest, in which he stated all four men were present.⁸⁶ He said he did not go back to the guardhouse that night but found the door open the next morning.⁸⁷ This testimony is also inconsistent with Summers' statements at the coroner's inquest, when the newspaper quoted him saying that Chief Rush asked him to work that night, and when he agreed to do so, he found Thompson missing upon returning to the city jail that same evening.⁸⁸ On cross-examination by defense counsel, Summers said Thompson was in a drunken condition.⁸⁹ He stated that he did not know how Thompson got out of the jail.⁹⁰ Defense counsel asked Officer Summers about Thompson's "reputation for peace and order", and the officer stated he didn't know but he had heard that he knocked a "baby in the head," but this statement was not admitted into evidence, presumably due to evidentiary rules restricting hearsay testimony.⁹¹

J.C. Rush, former chief of police at Ninety-Six, testified that he was called to go to the jail following Thompson's arrest.⁹² Rush stated that the defendants were present when he arrived, but they did not say anything to him.⁹³ This testimony contradicts Rush's statement to the

84 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

85 *Story of Beating Told At Hearing Here Yesterday*, The Index-Journal, Oct. 10, 1933, at 5; *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

86 *Story of Beating Told At Hearing Here Yesterday*, The Index-Journal, Oct. 10, 1933, at 5; *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

87 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

88 *Story of Beating Told At Hearing Here Yesterday*, The Index-Journal, Oct. 10, 1933, at 5; *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

89 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

90 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

91 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

92 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

93 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

newspaper following the murder on October 9th, in which he admitted Leppard was allowed to speak with Thompson, but that Rush turned down Leppard's demand to take Thompson.⁹⁴ The former chief said he stayed on duty all night, although he had been sick, and was around the jail most of the night. (This testimony is also inconsistent with Officer Summer's initial story described above).⁹⁵ He declared he did not see Thompson taken out of the jail, and he did not see the defendants again that night.⁹⁶ Rush stated that Thompson asked him to telephone Dr. Tom Kinard to come and have him released, and that when he returned from the telephone, Thompson was out of prison.⁹⁷ Rush said he believed Thompson had picked the lock and escaped as others had done.⁹⁸ Lastly, Rush testified as to Thompson's reputation for peace and order, which he stated was not good.⁹⁹

After the former chief's testimony, the prosecution called on Deputy J.F. Beasley, who was present during Leppard's confession, but he did not answer.¹⁰⁰ Next, Sheriff E. M. White and Deputy J.T. Clem testified as to Leppard's sworn confession, both saying it was made voluntarily in the jail in the presence of the Sheriff, the deputy, Deputy Beasley, and Solicitor Blackwell.¹⁰¹ Leppard's sworn statement was admitted into evidence, but Judge Stoll, presiding over the case, instructed the jury that the sworn statement could only be used against the party making it and not against the co-defendants.¹⁰² Sheriff White said that on the morning following Thompson's death, he saw blood on the door at the guard house and on some grass, which had "apparently

94 *Story of Beating Told At Hearing Here Yesterday*, The Index-Journal, Oct. 10, 1933, at 5.

95 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

96 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

97 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

98 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

99 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

100 *4 Charged with Murder in Death of Ninety Six Negro*, The Index-Journal, Oct. 10, 1933, at 1; *None Are Guilty Court And Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

101 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

102 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

been trampled down near the door, leading to the automobile tracks.”¹⁰³ On cross-examination, White acknowledged that Leppard had not engaged a lawyer when he made the statement. In response to this testimony the defense attorney stated, “the flimsy statement was made to get out of prison.”¹⁰⁴

The last witness, W.M. Griffin, city electrician of Ninety-Six, also testified that he saw blood under the door, but he didn’t know whether it was human or animal blood.¹⁰⁵ Deputy J.F. Beasley was called another time after Griffin’s testimony and when he did not answer Solicitor Blackwell announced, “That’s the state’s case.”¹⁰⁶

B. The Defendant’s Case

The defendant’s case was focused on discrediting Leppard’s voluntary confession made at the coroner’s inquest. Morris, the only defendant who testified on the stand, established an alibi for Leppard.¹⁰⁷ He stated that he was put in jail “on account of a fool statement made by Leppard,” and denied having anything to do with the murder.¹⁰⁸ He said he went home with Leppard after Thompson was arrested, stayed awhile and then left for his own home.¹⁰⁹ He said he did not know about Thompson’s murder until early the next morning.¹¹⁰

103 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

104 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

105 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5; *Story of Beating Told At Hearing Here Yesterday*, The Index-Journal, Oct. 10, 1933, at 5 (At the coroner’s inquest, W.M. Griffin testified that he went to the City Hall about 7:15 the morning of the 9th and found a bloody piece of card board on the ground. He said there was blood also on the door facing).

106 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

107 Criminal Docket List, Greenwood County, Jan. 3, 1935; *None Are Guilty Court And Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

108 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 1.

109 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 1.

110 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 1.

Morris described the events that took place on the night of Thompson's death, and gave the first reported explanation for the fight between Thompson and the men.¹¹¹ He stated the four men saw Thompson on the street soon after they came out of a restaurant and Thompson was "making an indecent exposure of his person."¹¹² He explained that Thompson dropped a cigar and asked one of them to pick it up.¹¹³ Thompson himself got the cigar from the ground with his left hand and at the same time used his right hand to draw on Leppard.¹¹⁴ According to Morris's version of events, Morris and Leppard slapped Thompson and Thompson cut at Leppard.¹¹⁵ Morris himself then struck Thompson and Thompson cut at him as well.¹¹⁶ After some further scuffling, Thompson ran from the scene, and the four men followed him.¹¹⁷ Morris reiterated the events already known – the men told Officer Summers that Thompson had drawn a gun on them and had gone into a house, Summers arrested Thompson, and George Webb, father of Howard Webb, found the gun in a trunk.¹¹⁸

The next part of Morris's story differs from Leppard's confession and provides an alibi for Leppard.¹¹⁹ Morris stated that when they went by the guard house after Thompson had been locked up, they did not go in or ask anyone to let them have the prisoner.¹²⁰ Instead, they all went home, and Morris accompanied Leppard to his home around 7 o'clock.¹²¹ He stated that Leppard's wife, parents, and seven children were also present.¹²² He claimed he left Leppard's

111 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

112 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

113 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

114 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

115 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

116 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

117 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

118 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

119 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

120 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

121 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

122 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

home around 8:30 and did not hear about Thompson until the next morning.¹²³ On cross examination, Solicitor Blackwell asked if any reference was made at home regarding the fight with Thompson, to which Morris replied that there was not.¹²⁴ The defense attorney said this was probably because Mrs. Leppard suffered from bad health and nervousness, and they probably did not want to worry her.¹²⁵ Other witnesses put forth by the defense, Mr. and Mrs. Willie Leppard and Homer Leppard, corroborated Morris's alibi for Leppard.¹²⁶ Additionally, the defense attorney painted the confession by Leppard as "a flimsy statement in order to get out of jail."¹²⁷

The defense attorney made a motion for a directed verdict in the cases against Morris, Mayes, and Webb, on the grounds that the state had failed to introduce sufficient evidence to connect the three individuals with the death of Thompson.¹²⁸ Solicitor Blackwell contended that the testimony showed the four men were involved because they had been seen with Thompson on the night of his murder, they went to the jail after his arrest, and blood was found under the jail door.¹²⁹ The judge granted the directed verdict, stating that these were merely circumstances and such circumstantial evidence did not justify holding the three guilty.¹³⁰ After the judge granted the directed verdict for the three defendants, the all-white jury deliberated for around ten minutes in regards to Leppard's case, and came back with a verdict of acquittal.¹³¹

123 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

124 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

125 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

126 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

127 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 1.

128 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 1.

129 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 1.

130 Criminal Docket List, Greenwood County, Jan. 3, 1935; *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 1.

131 Criminal Docket List, Greenwood County, Jan. 3, 1935; *Ninety Six Men Held Blameless Thompson Death*, The Greenville News, Jan. 4, 1935, at 5.

Despite his confession, Burley Leppard was acquitted. Officer Summers and Chief Rush changed their stories, and Morris provided an alibi for Leppard. Additionally, the defense counsel painted Leppard's confession as an unreliable and flimsy statement. Defense counsel also attacked Thompson's reputation for peace and order – a common tactic used to undervalue the life of an individual who had been lynched. A case that began with a swift investigation by the coroner's jury came to a quick, unsurprising end nearly two years later.

V. Thompson's Widow Sues the County

Thompson's case did not end with the criminal trial. Ada Thompson, the widow of Bennie Thompson, retained attorneys and filed papers in probate court to be appointed as Thompson's administratrix.¹³² On October 11, three days after Thompson's lynching, *The Index-Journal* reported that Mrs. Thompson employed Hicks and Johnston, a Greenville legal firm, to represent her individually and as administratrix against the County of Greenwood to pursue a civil claim under South Carolina's anti-lynching statute.¹³³ The statute reads as follows:

In all cases of lynching when death ensues the county in which such lynching takes place shall, without regard to the conduct of the officers, be liable in exemplary damages of not less than two thousand dollars, to be recovered by action instituted in any court of competent jurisdiction by the legal representatives of the person lynched, and they are hereby authorized to institute such action for the recovery of such exemplary damages. A county against which a judgment has been obtained for damages in any case of lynching shall have the right to recover in any court of competent jurisdiction the amount of such judgment from the parties engaged in such lynching and is hereby authorized to institute such action.¹³⁴

132 Letter Re: Estate of Thompson from Hicks & Johnston to Mr. R. J. Cartledge, Judge of Probate Greenville County, Oct. 11, 1933.

133 *Widow of Bennie Thompson Plans Suit Against County*, *The Index-Journal*, Oct. 11, 1933, at 1; *Lynched Man's Widow to Sue*, *The Pittsburgh Courier*, Oct. 21, 1933, at 4.

134 South Carolina Code 1976 § 15-51-210.

The county's attorney told the newspaper the suit would revolve around a question of fact as to whether Thompson's death was caused by "lynching" or by "murder".¹³⁵ The newspaper article discussed the definition of the word "lynch", which was not defined in the anti-lynching statute. The *Index Journal* defined lynching as: "to inflict punishment upon, especially death, without the form of law, as when a mob catches and hangs a suspected person."¹³⁶ "Lynch law" was defined in the same article as: "Act or practice by private persons of inflicting punishment for crimes or offenses, without due process of law."¹³⁷ At the outset of Thompson's killing, his death was heralded as a "lynching" because Thompson was taken from the jail by the defendants, one of whom admitted they killed him as a result of a fight in which Thompson allegedly pulled a knife and gun on them. One newspaper reported, "the crime was committed by a small group of men; there was no evidence of any "mob" spirit ... [Thompson] had according to all accounts committed no offense calculated to arouse mob indignation in sufficient degree to justify the term lynching."¹³⁸ Although not much more is known about the County's case, much of the debate seems to be around whether Thompson was "lynched."

On October 14, 1933, the newspaper reported that the complaint was filed by Hicks and Johnston and forwarded to the Greenwood County Sheriff.¹³⁹ The suit was the first of its kind ever brought in Greenwood County, according to *The Index Journal*, but there had been several such claims elsewhere in the state after the state anti-lynching law was enacted.¹⁴⁰ The complaint

135 *Widow of Bennie Thompson Plans Suit Against County*, *The Index-Journal*, Oct. 11, 1933, at 1; *Lynched Man's Widow to Sue*, *The Pittsburgh Courier*, Oct. 21, 1933, at 4.

136 *Widow of Bennie Thompson Plans Suit Against County*, *The Index-Journal*, Oct. 11, 1933, at 1.

137 *Widow of Bennie Thompson Plans Suit Against County*, *The Index-Journal*, Oct. 11, 1933, at 1.

138 *The Bennie Thompson Killing*, *The Index-Journal*, Oct. 12, 1933, at 3.

139 *Complaint Sent to Sheriff Here by Law Concern*, *The Index-Journal*, Oct 14, 1933, at 1.

140 *Widow of Bennie Thompson Plans Suit Against County*, *The Index-Journal*, Oct. 11, 1933, at 1. The last suit against a county in South Carolina, according to the newspaper, was in Oconee County in which judgment was obtained against the County, but damages were never collected.

charged that unnamed individuals in Ninety-Six on October 8 “did without just cause carry Thompson a distance of several miles from town, where he was put to death in a most cruel, unlawful and inhumane manner.”¹⁴¹ Ada Thompson was issued temporary letters of administration by Judge of Probate R.J. Cartledge.¹⁴²

On November 17, 1933, *The Index-Journal* reported that the defendant, Greenwood County, filed a demurrer to the complaint of Ada Thompson as administratrix of the estate of Ben Thompson – who entered a suit in civil court for \$2,000.¹⁴³ The demurrer read as follows according to the newspaper: “the Complaint does not state facts sufficient to constitute a cause of action against the defendant; in that the action is in effect, one for the wrongful death of plaintiff’s estate and the complaint does not state who are beneficiaries of said action, nor that they bear the relationship provided for by Statute conferring the right of such action.”¹⁴⁴ This demurrer was presumably not granted. However, on March 3, 1937, four years after the complaint was filed, the newspaper reported that the \$2,000 damage suit against Greenwood County was dismissed in civil court by Judge G. Dewey Oxner because plaintiff’s attorneys were not present.¹⁴⁵ The article mentioned that the defendants charged for the murder were acquitted at the January 1935 term of the criminal court.¹⁴⁶ The County Attorney moved to dismiss the suit since it had been on the civil court docket for more than three years.¹⁴⁷

141 *Complaint Sent to Sheriff Here by Law Concern*, *The Index-Journal*, Oct. 14, 1933, at 1.

142 *Temporary Letter of Administration*, Judge R.J. Cartledge, Oct. 10th, 1933; *Citation for Letters of Administration*, *The Index-Journal* Oct. 27, 1933, at 7.

143 *County Demurs to Complaint – States Grounds in Case of Ada Thompson for Ben Thompson*, *The Index-Journal*, Nov. 17, 1933, at 8.

144 *County Demurs to Complaint – States Grounds in Case of Ada Thompson for Ben Thompson*, *The Index-Journal*, Nov. 17, 1933, at 8.

145 *Suit in Lynching Negro Dropped*, *The Greenville News*, Mar. 4, 1937, at 6.

146 *Suit in Lynching Negro Dropped*, *The Greenville News*, Mar. 4, 1937, at 6.

147 *Suit in Lynching Negro Dropped*, *The Greenville News*, Mar. 4, 1937, at 6.

The reason for the dismissal of the suit is unknown, other than the fact that the plaintiff's attorneys were not present the day it was on the docket. The case could have lost momentum because the criminal trial resulted in an acquittal, or Ada Thompson may have been unable to pay her attorneys. Whatever the reason, Ada Thompson and her children were never given any damages for the harm caused to the family even though there was a state legal remedy under the South Carolina anti-lynching statute.

VI. The Thompson Family's Story

The living descendants of Thompson are aware of the lynching, but their story differs from the newspaper reports on at least two accounts—the defendants' motive for the lynching and the manner in which Thompson was lynched. Of Bennie Thompson's living descendants, Queen Elizabeth Thompson (the widow of Bennie's son Leroy Thompson) and Sonya Thompson Talbert (Bennie Thompson's granddaughter), were willing to speak about Thompson's case. According to Queen Thompson and Sonya Talbot, the story has been passed down in the family by word of mouth.¹⁴⁸ Queen Thompson was told of the story through her husband Leroy and her mother-in-law Ada Thompson, Bennie Thompson's widow.¹⁴⁹

The family's story is that Bennie Thompson was accused of dating or looking at a white woman and he was locked up after a fight with some men.¹⁵⁰ They were unaware that the police

148 Interview with Sonya Thomson, July 24, 2017; Interview with Queen Elizabeth Thompson, July 28, 2017. Sonya Thompson Talbert is Bennie Thompson's granddaughter and the daughter of his son Leroy, who died in 1976, Queen Elizabeth Thompson, Bennie Thompson's daughter-in-law and the widow of his son Leroy Thompson, was 92 years old at the time of the interview.

149 Interview with Queen Elizabeth Thompson, July 28, 2017. Queen was very young at the time of Thompson's death. Her future husband Leroy Thompson was around ten to thirteen years old at the time of his father's death. Leroy and Queen married in 1946, at which time Bennie Thompson's mother Ada was no longer alive.

150 Interview with Sonya Thomson, July 24, 2017; Interview with Queen Elizabeth Thompson, July 28, 2017.

chief may have been involved, but knew that the jail door had been left open.¹⁵¹ Bennie Thompson's granddaughter, Sonya Thompson Talbot, stated that the woman Thompson was accused of dating was related to one of the men involved.¹⁵² The men took Thompson out of jail, hung him, and tied him to a tree off a highway near Ninety-Six, where he bled to death.¹⁵³ While the cause of the fight was never reported until Morris's testimony at the criminal trial, the family's version of the events was never reflected in the trial testimony.¹⁵⁴ Additionally, the county physician's testimony that Thompson bled to death is consistent with the family's story, but it was never reported that Thompson was hung or tied to a tree.¹⁵⁵

While the family's story has no bearing on the legal outcome of the case, it is important because it reflects a common theme of competing narratives in the cases covered by the Civil Rights and Restorative Justice Clinic. The family's version of the events did not make it into the criminal trial, nor was anyone reporting the black narrative in the community.

Bennie Thompson was survived by his wife and children as well as many other relatives and their descendants. Thompson and his wife Ada Thompson had three children at the time of his lynching: Mimie (approximately nineteen years old), Lee/Leroy Thompson (approximately ten), and L C Thompson (approximately eighteen).¹⁵⁶ One of Bennie Thompson's siblings, Susan Bunton, survived him and died in May 1978.¹⁵⁷ Leroy Thompson, the youngest of Thompson's three children, was reported as dying in September of 1976.¹⁵⁸ At that time, Leroy's surviving

151 Interview with Sonya Thomson, July 24, 2017; Interview with Queen Elizabeth Thompson, July 28, 2017.

152 Interview with Sonya Thomson, July 24, 2017.

153 Interview with Sonya Thomson, July 24, 2017; Interview with Queen Elizabeth Thompson, July 28, 2017.

154 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

155 *None Are Guilty Court and Jury Declare Today*, The Index-Journal, Jan. 3, 1935, at 5.

156 United States Census, 1930, Bennie Thompson.

157 *Susan Bunton*, The Index-Journal, May 17, 1978, at 5

158 *Leroy Thompson*, The Index-Journal, Sep. 17, 1976, at 5; *Mr. Leroy Thompson*, The Index-Journal, Sep. 21, 1976, at 5.

family members were: his wife, Queen Elizabeth Thompson (Bennie Thompson's daughter-in-law); two daughters, Mae and Sonya Thompson (Bennie's granddaughters) of Ninety Six; two sons, Bobby and Terry Thompson (who were Bennie's grandsons). Leroy's branch of the family stayed in Greenwood County, and most of them now live in Greenwood, not too far from the town of Ninety-Six.¹⁵⁹ In addition L.C. Thompson, who survived his brother Leroy and his father Bennie Thompson, was living in Raleigh, N.C. in 1976.¹⁶⁰ Presumably, Bennie Thompson's sister Mimie Thompson and his wife Ada Thompson were no longer alive at this point.

One of Leroy's sons, Tommy Thompson died before him in 1973 at the age of 27.¹⁶¹ His wife's name was Marie Thompson.¹⁶² He was listed as having two sisters, one of whom was Sonya Thompson, and three brothers, Bobby, Terry, and Willie Earl Thompson of Greenwood, Georgia.¹⁶³ Another of Leroy's children (and Bennie Thompson's grandchildren), Bobby Thompson, died in 1999 according to an obituary.¹⁶⁴ He was listed as having the following surviving family members: his mother Queen Elizabeth Thompson, (Bennie Thompson's daughter-in-law); a son named Spencer Thompson of Rock Hill; two brothers, Terry Edward Thompson and Willie Earl Thompson; a half-brother Al Clark of Greenwood; and two sisters, Sonya Ochaye Talbert of Greenwood and Mae Wright of San Diego.¹⁶⁵ Sonya Thompson

159 Interview with Sonya Thomson Talbert, July 24, 2017; Interview with Queen Elizabeth Thompson, July 28, 2017. Sonya Thompson Talbert is Bennie Thompson's granddaughter and the daughter of his son Leroy, who died in 1976, Queen Elizabeth Thompson, Bennie Thompson's daughter-in-law and the widow of his son Leroy Thompson, was 92 years old at the time of the interview.

160 *Leroy Thompson*, The Index-Journal, Sep. 17, 1976, at 5; *Mr. Leroy Thompson*, The Index-Journal, Sep. 21, 1976, at 5.

161 *Tommy L. Thompson*, The Index-Journal, Sep. 10, 1973, at 5.

162 *Tommy L. Thompson*, The Index-Journal, Sep. 10, 1973, at 5.

163 *Tommy L. Thompson*, The Index-Journal, Sep. 10, 1973, at 5.

164 *Bobby R. 'Bob' Thompson*, The Index-Journal, Nov. 1, 1999, at 4.

165 *Bobby R. 'Bob' Thompson*, The Index-Journal, Nov. 1, 1999, at 4.

married Michael L. Talbert in July 1992.¹⁶⁶ Willie Earl Thompson married Annie Ellen Harrison of Greenwood (later divorced), and one of their children, Terrinna, was born in 1969.¹⁶⁷ Terrinna Thompson married Melvin Dunlap in September 1994.¹⁶⁸

L.C. Thompson, eldest son of Bennie Thompson, died at age 93 on November 3, 2008 in Raleigh, NC.¹⁶⁹ He moved to Raleigh, North Carolina as a member of the armed forces.¹⁷⁰ He served the country during World War II in the U.S. Air Force.¹⁷¹ His wife, May Evans Thompson, is still alive, according to the family.¹⁷²

VII. Conclusion

Leppard's detailed sworn statement at the coroner's inquest, which matched up with the evidence, was undeniably a brutal and honest confession. Additionally, while there is evidence to suggest the police chief may have been involved, no action was taken against him. The changed version of events extracted from Officer Summers and Chief Rush at the criminal trial, along with Morris's testimony, indicates this was a cover-up. While the story of the fight – and the defendants' motive to kill Thompson – was unclear both through Leppard's confession and Morris's story suggesting Thompson was "making an indecent exposure of his person", the family's story suggests Thompson was accused of being involved with one of the defendants' relatives. Despite the motive, evidence, and confession implicating the defendants, the acquittal represents the undeniable reality that the criminal justice was stacked against black victims of such heinous crimes.

¹⁶⁶ *Thompson-Talbert*, The Index-Journal, July 12, 1992, at 27.

¹⁶⁷ *Thompson*, The Index-Journal, Dec. 19, 1969, at 14.

¹⁶⁸ *Thompson-Dunlap*, The Index-Journal, Sep. 25, 1994, at 26.

¹⁶⁹ *L.C. Thompson*, The News & Observer, Nov. 6, 2008.

¹⁷⁰ Military Registration Card, 1939, L.C. Thompson.

¹⁷¹ *L.C. Thompson*, The News & Observer, Nov. 6, 2008.

¹⁷² Interview with Queen Elizabeth Thompson, July 28, 2017.

Bennie Thompson's case is rare because there was a prompt coroner's investigation, a grand jury indictment, a criminal trial, and a civil suit under South Carolina's anti-lynching statute. However, it ended like most cases involving white men directing violence against black men— no one was held accountable for the lynching, despite an outright confession by one of the perpetrators detailing the event and evidence that connected him to the crime.