

Mississippian Cleared by All-White Jury In the Slaying of Negro at Service Station

SUMNER, Miss., March 13 (AP) —A twelve-man all-white jury acquitted Elmore Otis Kimbell, a white cotton gin operator, today of murder in the shotgun slaying of a Negro service station attendant.

Mr. Kimbell testified that he had shot Clinton Melton, 33 years old, in self-defense at a Glendora service station last December. State witnesses, one a white man, contended that Mr. Melton had been unarmed when Mr. Kimbell returned with a shotgun after an argument.

The jury deliberated three hours and twenty minutes.

The jury was out forty-five minutes before Special Judge James McClure formally gave final instructions and presented the jurors the exhibits used in the two-day trial.

Mr. Kimbell testified today that three shots had been fired at him, one wounding him in the

shoulder, before he opened fire on Mr. Melton on Dec. 3 in front of a Glendora service station following an argument.

Three witnesses testified yesterday that Mr. Kimbell had threatened Mr. Melton. They said he had driven away and had returned after about fifteen minutes, got out of the car with his shotgun and killed the Negro. All said they heard only three shots, not five as Mr. Kimbell contended. Mr. Kimbell denied making the threat.

The trial took place in the courthouse where Roy Bryant and J. W. Milam, half brothers, were found innocent six months ago of the murder of Emmett Till, 14-year-old Chicago Negro.

Only once has Mississippi executed a white man in the death of a Negro. M. J. Cheatham of Tennessee was hanged at Grenada, forty miles southeast of Sumner, March 19, 1890.

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