

REPORTERS

Claude Sitton	New York Times
Tom Buckley	New York Times
George Gordon Yorder (in car broken up with wife)	Telenews
Fred Powledge (roughed up by crowd)	Atlanta Journal
Chuck Miller	Life Photographer
Dick Billingsley (inside Lyceum until 10:30 or 11)	Life - Miami
Bob Bird	New York Herald Tribune
Chas. Whiteford	Baltimore Sun

James Silver (History Professor) saw Bruce giving out rifles.

OXFORD RIOT -- MISCELLANEOUS

FBI Letterhead Memo 10/8/62, originating in Memphis
10/1/62, describes:

1. Governor Barnett's position and esteem in Oxford;
2. Activities of ADMIRAL CROMMELIN, and
3. The names of individuals against whom federal complaints were filed.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Katzenbach

DATE: October 9, 1962

FROM : Dean Markham 

SUBJECT: Jim Bradley, Border Patrol

I know that it is difficult to single out individuals who did more than the other men on Sunday night. However, I would like to call your attention to the work done by Jim Bradley of the Border Patrol who worked the radio at the Lyceum for eighteen (18) hours without relief. I spoke to him a couple of times about trying to find some one to relieve him, if only for a few minutes, but was always unsuccessful. He did an outstanding job, and was still at his job for several hours after the other men had a chance to eat and take a few minutes break.

Mr. Norv Schlei

October 9, 1962

Dean Markham

Marshal's Helmet in Attorney General's Office

Confirming conversation with you from Oxford, I asked Jayne Lahey to see if the FBI maybe could make a quick check of the helmet in the Attorney General's office to ascertain if the dent had been the result of a bullet, brick, or pipe. You might follow up to see if this was done.

Note the name inside the helmet is "Brankley", in the event that you wish to get his statement regarding this matter if he was wearing it at the time.

cc-Mr. Katzenbach 

Miss Jayne Lahey

Mr. Harold Reis

October 9, 1962

Dean Markham

In our conversation on October 3rd, you referred to the Cleveland TV Photographer, Reggie Smith, of Station KYW, who had witnessed and photographed the roughing-up of Reporter Yoeder and his wife on Sunday night, when their car was damaged and they were manhandled as the State Highway Patrol stood by.

I don't know if any one has contacted Reggie Smith for the film that he has, and also to get a statement. This is merely a reminder.

cc-Mr. Katzenbach ←
Mr. Guttman
Mr. Horv Schlei
Mr. Courtney Evans

Mr. Katzenbach

October 9, 1962

Dean Markham

Paul Kerstetter, 18 years old, 99 Manor Lane, Levittown,
New Jersey, Home Phone: TR 7-1167.

As you will recall, we had a request from a Freshman student that he was in fear of personal bodily harm and wished to get safe escort from the campus so he could return to his home in New Jersey.

Roughly, his story was that he had differed in opinion with some of his fraternity brothers and had subsequently been threatened. As a result, we had Border Patrolman Hession go with another Marshal and a member of the Faculty to the Sigma Pi House to get the boy out. He was then taken in a Border Patrol car with Hession and an Army jeep escort to the airport. I never got a final report on how he got home, and you may wish to get a statement from him.

cc-Mr. Guthman
Mr. Morv Schlei

UNITED STATES GOVERNMENT

Memorandum

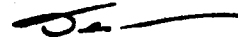
TO : Mr. Katzenbach

DATE: October 9, 1962

FROM : Dean Markham

SUBJECT:

As you mentioned on Saturday, you wanted Jim McShane to start figuring out the overtime for the United States Marshals. You thought it best to arrive at some formula whereby it could be worked out on a flat basis. This is merely a reminder.



cc-Mr. James McShane

VISITS WITH MINISTERS - OXFORD, MISSISSIPPI

M. KATZENBACH
FYI

Juno

October 10, 1962

Cliff McKay - Student adviser, Presbyterian, young man from Georgia.

Said there are two kinds of laws in Mississippi, those which are observed and those which are not. Law against lynching Negroes one of the latter. Very worried should troops pull out.

In working with students he had difficulty getting across on this issue. Students would be unable to articulate their race philosophy or defend their position on Meredith etc., but would say, "my preacher could explain it to you...", or "my daddy".

There is no campus ethic, no university spirit as distinct from their homegrown bias. Most commute - returning home at least on weekends and have their prejudices refreshed. McKay doesn't look for change among them. I asked if some sort of evangelical approach feasible - say Billy Graham. He said right track; that since couldn't reason with emotion, must rechannel emotions or substitute other emotions -- nevertheless, must be a Mississippian. He, a Georgian, felt like an alien at times.

Murphey C. Wilds - Minister, First Presbyterian Church, originally from South Carolina, 40's.

Pretty much same as McKay--asked if I knew Tom Ethridge, former USDA. Said Ethridge reported having been told by L. S. Zehnder, local manager of S.W. Bell Telephone, that linemen had observed hillbillies camping in woods waiting for troops to leave so they could come in for Meredith. (I checked this out with Zehnder, and advised Sheets of FBI to investigate.) Wilds said there was not much hope of early acceptance of Meredith, and he must not ever be unprotected. I asked if he had no more faith in his flock than that. On this issue, "no", said he, and gave me angry letters from citizens following ministers' Sunday sermons.

Roy A. Grisham - Senior pastor, Oxford University Methodist Church, 60's.

Same general impression. Very willing to help in any way. Considers Barnett an opportunist. A soft spoken man, cautious, no evident hopeful outlook at present.

E. V. May - North Oxford Baptist Church, early 40's.

May, cont.

A real, bright eyed, smiling segregationist. Preached anti-Federal intervention sermon the preceding Sunday-which was published in Oxford paper. Gave me copy (attached). Discouraged on historical and Biblical justification for opposing "tyranny". Veered from point when I asked what kind of a government Mississippi had, and what was a "state" except an association of people, in this case, half of which had no voice. He said it was better to have lots of little tyrannies - indigenous to the locale, than one big one. I asked if right of rebellion existed as he said, "how about Negroes in Mississippi?" And what was the Federal Government's responsibility should they ever -- an admittedly unlikely hypothetical -- rebel? Restore the imbalance? Perhaps not exactly he said, but certainly wrong to come in at this stage to change. Nevertheless - against violence, and counseling his flock accordingly. Although little danger there, he said, primarily outsiders at fault. He indicated at the end he would like to be helpful. Claimed to be a WW2 pilot who had been doing very well in business until he "got the call". Sententiously he said, "I did not decide to preach and merely respond to that decision."

Arthur H. Leslie - Reverend.

Sat in on the May meeting. Very quietly. Man in 40's, kindly looking, no traces of rabidity as in May. Wondered why so many troops. Is a roving pastor - among some 41 Baptist churches. Against violence, but not apparently a man of forceful convictions.

Others

October 11, 1962
Tupelo, Mississippi

Lawyer
Sam Lumpkin - Disgusted with Barnett. Never thought much of him in college or since. Political opportunist. Once asked Lumpkin, "What can I promise 'em here so they'll vote for me?" Totally irresponsible.

Had a letter draft - very flowery and damning of Barnett. He said he planned to send it to the Mississippian. Said he was the only citizen lawyer to come out openly against Barnett. Wanted to cooperate in every possible way. Gave the following alumni names-which he said might be helpful: O.R. "Hack" Smith, President Ole Miss Alumni Association, Corinth, Phone ATwood 6-8464. (called Smith, but he was to be out of Corinth until Saturday the 13th.)

Lumpkin, cont.

Fred Smith - Ripley

Glen Fant, attorney, Holly Springs (Harvard)

Chester Curtis, Clarksdale

Ed Bogan, Greenville. Also Hodding Carter of Delta Times
Lumpkin had run once against Barnett for governor. Barnett
came in 4th and Lumpkin 3rd. Has no use for him. Thinks he
may be crazy. Will help any way possible.

Judge Claude Clayton - City County Building.

Had twelve businessmen lined up to help - three quit
after Attorney General's statement. Others still presumably
working at it. Very complimentary about Nick. Wondered if
any appropriate approach could be made to Federal employees
in Mississippi regarding improving climate of understanding,
etc. Realizes problem of letting it out, but said there was
"great potential there". Agreed O.W.R. Smith a good contact,
also past President of Alumni Association, David Cottrell of
Gulfport, and past President of State Bar. Said of Barnett--
was hit by a propeller and doped up quickly. May have been
"hooked". May be an addict.

George McLean - Tupelo Daily Journal, Publisher.

The paper is objective. He said it would be even more
so, but he would be considered a Communist. He said he was
so worried about Meredith should troops be withdrawn. Said
Tupelo area only area in Mississippi where people opposed
Barnett, but today he would get 85% of them -- felt Barnett
should not be martyred by imprisonment, but must be dis-
credited somehow; must not be considered as having purged
himself. Said Barnett's order should be postponed so that
it was hanging over his head, and that only positive steps
by him such as revoking past obstructive orders, and pledging
active commitment of all necessary law enforcement of state
to maintaining law and order and carrying out courts' orders
regarding Meredith. Was a little pessimistic about success-
fully downgrading of Barnett, and quite pessimistic about
protecting Meredith from people in state--still inflamed
and uninformed. The only pressure they understand is eco-
nomic. Economic boycotts, and cut offs of Federal help
would hit where it hurts--the pocket book.

Harry Rutherford - Tupelo Daily Journal, Editor.

Rutherford, cont.

Very pessimistic on Meredith's chances. Somewhat more overtly states rights than McLean - mentioned areas where Negro mentality 4th grade or lower, and "can't see letting them vote, etc." "They don't understand Constitution." Friend who was present questioned the validity of the 14th amendment (the David Lawrence argument). Rutherford conceded this was an unlikely development. However, McLean had attributed progressiveness of paper to Rutherford's work.

On way back stopped in at Southwestern Bell, Oxford, talked with local am manager, L. S. Zehnder regarding report his lineman had reported killers camping in woods. Not his lineman he said - but Ross Brown, farmer and cotton gin owner, and Guy Turnbow - both in phone book - as having the information. I reported same to Sheets who said FBI will inquire.

October 12, 1962
Oxford Mississippi

Wayne Coleman - Minister, First Baptist Church, Oxford.

A mild mannered, (30's) young Mississippi born, minister. Doesn't want to be a "martyr, or a hero, or a fool". Difficult flock to deal with on race question. He personally for recognition of supremacy of Federal law and Supreme Court interpretation.

Said press irresponsible, both for and against, and that prying methods aggravated situation. Said he believed in freedom of press, but it should be re-defined.

Meredith was beginning to gain reluctant respect and some admiration on part of moderates at least, and even some extremists. All this wiped out "destroyed" by his statement to the press on withdrawal of colored troops.

Was reading threatening and abusive letters when I arrived. He made light of them, but was evidently shaken. Handshake moist. A quite articulate, sensitive fellow, much troubled.

Memorandum

TO : Joe Dolan

DATE: 10/11/62

FROM : *MS* Norb Schlei

SUBJECT:

Earlier today you asked me to obtain information on a student who is believed to be a potential trouble-maker. You told me that he habitually hangs around where Meredith is and glowers. His automobile license number was reported to be C 27676, Mississippi.

The FBI reports that the name of this student is Cecil M. Whitaker, a sophomore. He lives in room 18, Sam Hall. His home address is RFD 3, Corinth, Mississippi. His car is a 1960 Lavender Ford Convertible.

OXFORD RIOT -- MISCELLANEOUS

Marshal Wilbur C. Gardner stated at p. 76 of the FBI Report of 10/12/62 that a Mississippi State Highway Patrol Car had tried to force off the road the truck on which he and other Marshals were riding. A similar story is told by Marshal Philip L. German at p. 80.

Attorney General

UNITED STATES GOVERNMENT

Memorandum

TO : Attorney General

DATE: October 19, 1962

FROM : Joseph F. Dolan
Assistant Deputy Attorney General

SUBJECT: Desegregation University of Mississippi;
James Meredith

Jus

Hank Wilson, of the White House, telephoned me this morning with the following information. Robert Oswald, an attorney from Pascagoula, Mississippi, attempted to reach you by telephone this morning and later telephoned Wilson to inform him that Sheriff Grimsley of Pascagoula has organized a "Citizens Emergency Committee" consisting of about 300 individuals. A meeting was held on the night of Thursday, October 18, and another meeting is scheduled for Saturday night, October 20th in the courtroom of the court house at Pascagoula. Regular meetings are to be held on Monday hereafter. At one of the previous meetings it had been stated that the main purpose of the organization is to kill Meredith. Oswald has an informant who has attended meetings and says that plans have been made at meetings to acquire weapons, including weapons capable of automatic fire.

Oswald said he was working with a former FBI man, Robert A. Wilson, Ocean Springs, Mississippi, TR - 5-4135, and that both would be willing to cooperate with federal officials in trying to do something about what they regard as a very dangerous group of men.

The group is alleged to have engaged in violence already in the form of shooting out the door of the local newspaper.)

The current edition of Martindale-Hubbell indicates that Robert Oswald is City Attorney for Pascagoula. He was born in 1928.

Hank Wilson did not know Oswald and suggested that I check with Congressman Frank Smith concerning him. Congressman Smith says that Oswald is an honest, capable individual whose word can be relied upon.

I hear the FBI already has me info on this group

FBI advised of this by me.

3
RESOLUTION OF GLENN'S
CHAPTER OF A.A.U.P.

RESOLVED, that we, the members of the University of Mississippi chapter of the American Association of University Professors, deploring the tragic events centered about this campus during the past few weeks, do declare our belief that:

1. While it is obvious that errors of judgment were made by those in authority on the University campus on Sunday, September 30, we have evidence that the attempt of men in prominent positions to place all the blame for the riot on the United States marshals is not only unfair and reprehensible, but is almost completely false. We encourage an investigation by the proper authorities.
2. Some news media in Mississippi have entertained irresponsible and secondhand stories in distortion of the facts, and have thereby helped to provoke a general state of confusion, alarm, and misdirected wrath. We join with those fellow Mississippians who resolved in Jackson, on October 1, their hopes that all news media would "cooperate with sane, sensible, public utterances and... refrain from the publication of inflammatory statements.
3. While all citizens of Mississippi and of the United States of America have the right to disagree in every peaceable and legal way with the law of the land as interpreted by the Supreme Court, it is the duty of every patriotic citizen to obey the law and to encourage others to obey it. We believe in the use of courts and ballot-boxes to state our convictions; we oppose and deplore the useless employment of clubs and missiles against fellow citizens on behalf of any conviction whatsoever.
4. Riots, weapons, and agitators have no place at a university. This university can better carry on its important part in the march toward progress and prosperity in Mississippi without any of these. With the cooperation of the overwhelming majority of law-abiding Mississippi citizens, the University of

Mississippi can return in the near future to the normally peaceful conditions essential to education, to Mississippi, to the nation, and to constructive work for the future.

MEMORANDUM FOR THE FILES

Oxford Riot -- Miscellaneous Intelligence

FBI Letterhead Memo dated October 19, 1962, originating in Memphis, Tennessee contains information supplied by Mrs. Daisy Sibley of Oxford, Mississippi. Mrs. Sibley says a Negro resembling James Meredith served at Keesler Air Force Base with her son, John Johnson Sibley. Mrs. Sibley says her son told her this man was a Communist and dope peddler. John Johnson Sibley was dishonorably discharged from the United States Air Force.

The Volunteer Citizens of America who face you in Mississippi are not your ENEMY. ., They are 100% true blue Americans just like you. Most of them are Combat Veterans of WW^{II} and Korea. They do not want to fight you or any of their other fellow Americans, but they will die to preserve and uphold the CONSTITUTION OF THE UNITED STATES OF AMERICA, which belongs to both YOU and Them. If it is not preserved, AMERICA will die. If you attack them, many brave AMERICAN lives will be wasted, and the COMMUNIST POLITICIANS_ CASTRO, KENNEDY & KRUSCHEV, INC., will be the winners. KENNEDY is out to destroy AMERICA, because he is a sick, sick, COMMUNIST. Do not be tricked into fighting your fellow Americans: Remember the boys who were betrayed in Korea. Remember how MAC ARTHUR was forbidden by the Communists in Washington, to bomb the YALU BRIDGES, over which thousands of CHINESE poured, to kill AMERICAN SOLDIERS. Remember the BAY of PIGS. RED JACK KENNEDY intends soon to commit you to CUBA and Betray you there, just as TRUMAN Betrayed the boys in KOREA. You are under orders to obey the orders of the Commander in Chief, but your oath also requires that you "DEFEND THE U.S. AGAINST ALL OF ITS ENEMIES, BOTH FOREIGN AND DOMESTIC". Red Jack Kennedy is the most DANGEROUS ENEMY AMERICA has ever had. He has repeatedly given "AID AND COMFORT TO THE ENEMY", and he has consistently worked to DESTROY the CONSTITUTION OF THE UNITED STATES OF AMERICA. If you obey him in attacking Mississippi, you will DESTROY AMERICA. The Federal Court Order was issued by HUGO BLACK, who has decided 102 cases out of 102 cases that he has sat on IN FAVOR OF THE COMMUNIST PARTY. Do not be afraid of Court Martial or disgrace. If you will join with your fellow Americans here in Mississippi, no force on earth can conquer us. Together with all other GOOD AMERICANS, we will remove RED JACK KENNEDY and all the other communist PARTY politicians from office, and go on from there to wipe the HELL-SPAWNED FILTH of COMMUNISM from the face of the earth. THINK, AMERICAN SOLDIERS, THIS IS YOUR LAST CHANCE TO SAVE AMERICA. Let us stand shoulder to shoulder against our

Typed: October 24, 1962

General Intelligence
Oxford Riots - Miscellaneous

Report of S/A William H. Lawrence, October 6, 1962.

File number MB 157-147

P. 659 Neal B. Biggers, a senior at the University of Mississippi, on the evening of September 30, 1962 observed an individual inciting the mobs. This man said his name was "Rex" and he is a Deputy Sheriff from Coahoma County, Mississippi. Rex was encouraging the rioters and telling them tens of thousands were coming to help.

The Directory of Mississippi Elective Officials 1960-1964 lists a Rex P. Armistead as a Constable from Coahoma County.

Offnd File - Naval Intell

CO 1052.3-P
October 24, 1962

SUMMARY OF OPERATION FREEWAY - OXFORD, MISSISSIPPI

There was a total of 316 officers detailed to the operation, including pilots and two radio technicians.

After gathering at the Naval Air Station, Millington, Tennessee, for training and indoctrination, officers were moved to Oxford, Mississippi, as follows: (In addition to the patrol inspectors assigned to the operation, there were 130 U.S. Marshals and 98 prison guards.)

At approximately 1 a.m. on September 30, 1962, Patrol Inspector Irwin Ewing departed Oxford with an Army officer for "Tent City", for liaison purposes. At 2 p.m. that day, five Border Patrol aircraft departed the Naval Air Station for Oxford with 170 officers (121 U.S. Marshals and 49 patrol inspectors - this included Mr. McShane), and arrived at Oxford at 2:35 p.m. At 3:30 p.m., Carl E. Endress and an FAA official departed for "Tent City" to set up radio communications so they could monitor the Mississippi Highway Patrol. At 3:45 p.m., after return of the five Border Patrol airplanes, they again departed the Naval Air Station for Oxford, arriving there at 4:20 p.m. with 171 Border Patrol officers (including Mr. Louis T. Oberdorfer and myself). The C-46 and C-54 returned to Millington, and departed there at 7:35 p.m. with 89 Bureau of Prisons guards.

At 2 p.m. that date, 61 patrol inspectors in 30 cars departed Millington and arrived at Oxford at approximately 4:45 p.m.. The supply truck, with tear gas, etc., arrived at the airport, Oxford, at 4:30 p.m. At 4 p.m., a convoy of six cars with 11 patrol inspectors departed Millington for Oxford airport, and three buses, with baggage, and one patrol inspector in a Border Patrol car departed Millington for "Tent City".

At 5:25 p.m., Pilot Donald C. Harrison, with James H. Meredith, departed Millington and arrived Oxford at 5:50 p.m. At 6 p.m., Eugene A. Chaput, Joseph L. Coleman, and Ronald L. Smith, with radio base station, departed the Naval Air Station in three Border Patrol cars, destined to "Tent City". At 7 p.m., eight cars and buses left Millington for "Tent City".

At 4:20 p. m., 170 officers in seven trucks arrived on the campus at Oxford. About 40 minutes later, an additional 120 officers arrived at the campus in five trucks. Mr. Oberdorfer and myself arrived in Oxford at approximately 4:20 p. m., and left the airport immediately in a Border Patrol car, and arrived at the Post Office Building, downtown Oxford, at approximately 4:35 p. m.

Upon arrival at the Post Office, I was instructed by Mr. Oberdorfer to man the base station radio located there. We had scan-line communications with the Attorney General's Office, and radio communications with "Tent City", the campus, airport, and all Border Patrol cars, and handie-talkies were carried by the group leaders.

The observation aircraft, N9111T, reported at 5:20 p. m. that all roads to Oxford were open and, at this time, 30 patrol inspectors in 15 cars were directed to proceed to the campus. Two Border Patrol cars, 0939 and 0006, were assigned to patrol the area for intelligence purposes. At 5:35 p. m., scout car 0006 entered the campus and reported that there were 200 or 300 people gathered in the vicinity of the Lyceum Building. At 6:15 p. m., the convoy, led by an official state car, consisting of two trucks with 30 officers, four Border Patrol vehicles with 12 officers, and Meredith, departed the airport for the campus. At 7:25 p. m., we heard a report from monitor that the Mississippi Highway Patrol had been ordered to pull out of the area. The highway patrol had been stationed at the gates, but they were not stopping people or obstructing their movements at the time. At 7:32 p. m., it was reported that the crowd was becoming larger and uglier, and U. S. Marshal Whitman was reported hit with a Coke bottle, requiring hospitalization. It was shortly after this, at 7:45 p. m., that I received a radio message at the base station, Post Office Building, that the U. S. Marshals had used tear gas in an attempt to disperse the crowd that had become larger, uglier, and more unmanageable. Subsequently, an additional 102 officers were ordered to the campus from the airport, and they were to come in as conspicuously as possible. The students had knocked out all the street lights in the area, and officers at the Lyceum Building requested emergency lighting for the area. However, this could not be obtained from the military.

The outline of the sequence of events subsequent to this time is contained in the radio log, which can be found in file CO 1052.3-P, dated September 30, 1962, and the work folder "FREEWAY - Oxford, Mississippi".

Upon entering the Post Office Building at approximately 4:35 p. m. on Sunday, September 30, I remained at that location (except for a period of approximately 30 minutes when I made a trip to the campus on the evening of October 1) until approximately midnight on Monday, October 1. Present at the base station radio facility during parts of this time were Assistant Attorney General Louis T. Oberdorfer, U.S. Attorney Ray, Rupert J. Groh, Jr., Civil Rights Division, Department of Justice, Radio Technician Walter Bell, two FBI agents (names unknown), FCC official, Mr. Cline, Patrol Inspectors Bobby L. Christesson and Charles V. Williams, Tampa, Colonel Wine, Army Liaison, and myself.

On Thursday evening, October 4, Mr. Katzenbach instructed me to return all officers to their official stations, except five who would be needed for a few days. I was to furnish four unmarked, radio-equipped cars and one airplane. The other officers departed the area on Friday, October 5, except Pilot Harrison, Mr. Chaput, and Radio Technician Bell, who departed Saturday morning in Border Patrol aircraft, Cessna 310D, with the base station equipment.

The following officers, who were injured, departed by commercial aircraft as indicated:

Patrol Inspector James E. Seabourn, Kingsville, Texas
Departed October 4 - 11:15 a.m.
Patrol Inspector Charles R. Rose, Fort Myers, Florida
Departed October 4 - 5:20 p.m.
Patrol Inspector George E. Branch, Malone, New York
Departed October 5.

In accordance with Mr. Katzenbach's request, the following officers and equipment remained at Oxford:

Assistant Chief Patrol Inspector Charles B. Chamblee
New Orleans, Louisiana
Patrol Inspector Billy J. Ray
Miami, Florida
Patrol Inspector John L. Firley
Miami, Florida

Patrol Inspector (Pilot) David H. Kelley
Miami, Florida

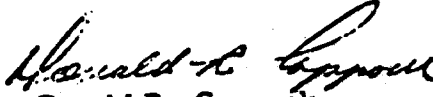
Miami Vehicles: 0111, 0904, 0907, 0930

In addition, Cessna 180 aircraft from New Orleans, with Pilot William C. Sebourn, remained at Oxford.

On Tuesday, October 9, Mr. Chamblee called and stated that Mr. Katzenbach had released the officers and they were returning to their official stations that day. At the present time, we have only eight handie-talkies assigned to the operation (six from the Miami Sector and two from the New Orleans Sector). No other equipment and no officers.

There was a total of 77 officers injured, 11 by firearms.

After all officers and equipment, except the five who were directed to remain, had departed Oxford, I returned to Washington, arriving here Saturday, October 6, at 5:05 p.m.


Donald R. Coppock
Assistant Commissioner
Enforcement

CC: WF - FREEWAY; Oxford, Mississippi

DRC:lrb

UNITED STATES GOVERNMENT

Memorandum

*Joe Goldin:
What can we do
about this? JG*

TO : Burke Marshall
Assistant Attorney General
Civil Rights Division

FROM : *JG* Joseph F. Dolan
Assistant Deputy Attorney General

SUBJECT: Civil Rights, Mississippi
Jackson County Citizens Emergency Unit

DATE: October 30, 1962

Robert Oswald, Pascagoula, Mississippi attorney, telephoned me yesterday to inform me that advertisers in the Pascagoula Chronicle have been threatened in an attempt to have them stop advertising in the newspaper. Members of the Jackson County Citizens Emergency Unit have contacted four merchants and told them that if they did not cease advertising in the Chronicle they would be the subject of a boycott and further that the Emergency Unit "can't be responsible for what happens to them". Oswald interpreted the latter remark as a veiled threat of physical violence. He said that a .38 caliber bullet was fired through the front door of the newspaper recently.

The four merchants are:

Gerry Lee, Grocer, Ingalls Avenue
Mrs. A. Delcomyn
Gerry Mize, Texaco Station operator
Sears Roebuck Manager, name unknown all Pascagoula

Oswald thought that it would be helpful if the merchants who had been threatened could be interviewed by an FBI or other federal investigative agent for morale purposes.

Oswald stated further that Harold Jones, former Deputy Sheriff in Jackson County, now serving with the U. S. Army at Ft. Monmouth, New Jersey, as a Captain, has told Chronicle editor, Ira Harkey, that he possesses information concerning criminal activity on the part of the local sheriff, who is one of the leading organizers of the Citizens Emergency Unit. The editor interviewed Jones at Ft. Monmouth on October 23, and I am to be furnished with a memorandum of the interview. It is said to include information concerning a comprehensive payoff system on bootleg liquor, the return by the sheriff of slot machines which had been seized in gambling raids, and the transportation of illegal liquor in the sheriff's car.

- 2 -

Oswald feels that the Internal Revenue Service may be interested in investigating the personal income tax returns of the sheriff, and that the Alcohol Tax Unit would be interested in the transportation of illegal liquor by the sheriff.

I will furnish you copies of the memorandum of interview as soon as I receive it.

IN THE HONORABLE CIRCUIT COURT OF LAFAYETTE COUNTY MISSISSIPPI
~~MISSISSIPPI~~
SPECIAL NOVEMBER, 1962 TERM ✓

FINAL REPORT OF GRAND JURY

TO HONORABLE WALTER M. O'BARR, JR, CIRCUIT JUDGE:

We, your Grand Jury, duly elected, empanelled, sworn and charged at and for the Special November, 1962 Term of the Circuit Court of Lafayette County, Mississippi beg leave to submit this our final report of the acts and proceedings had and done by and before said body at the term of Circuit Court aforesaid.

We have been in session for 5 days and during said time have made the various inspections which your honor and the Law directed us to do. From and during our deliberations we have examined 61 witnesses and have found 16 true bills of indictment and 5 no true bills of indictment.

We have by committee examined the County home and found that the inmates were being properly fed, clothed and housed. The commode in the county home is in desperate need of repair and the lights in the hall need repairing. We request that these repairs be done as soon as possible.

We have by committee examined the Courthouse and the County records and have found everything in good order. The books appear to be well kept and the monies properly accounted for. The janitor is to be commended for the excellent job he is doing in keeping the Courthouse clean and in good shapt.

We further submit this our report of our investigation of incidents occurring at the University of Mississippi on September 30-October 1, 1962:

The Grand Jury has investigated incidents at the University when Negro James H. Meredith attempted to register as a student on September 30, 1962, in great length and detail.

We have heard the testimony of nineteen witnesses and have studied reports of state investigators and of investigations made by the Federal Government which have been made available to us. These reports include statements made to the investigators and certain documentary evidence.

At the outset, the Grand Jury reports that it has been objective in arriving at the following findings and our purpose has been to seek the truth. After much consideration and consultation, it is our opinion that the following findings are based upon credible evidence and represents the true situation:

When the Federal Government attempted to register Meredith, University officials were not given proper notice of the time the registration would take place. When Federal Marshals entered the campus along with Federal attorneys and the Mississippi Highway Patrol, Federal authorities were told that registration could not take place on Sunday and that any registration would have to be accomplished the following day. Despite this, Federal marshals were placed around the Lyceum Building for no apparent ~~reason~~ and this action, without a doubt, served no useful purpose.

Meredith was housed in a University Dormitory in direct opposition to the University's orders. This action was done in an arbitrary manner and without any consultation on procedure. Federal marshals and attorneys took over the Lyceum building and its facilities over the objections of the University and with no

definitely contributed to the events which followed since the Lyceum Building is symbolic of the University and is its most hallowed building. The encircling of the Lyceum by the marshals when it was definitely known that registration could not occur on Sunday did nothing but inflame the situation. Such action was apparently done for the sole purpose of agitating and provoking violence.

At eight o'clock p.m. when the order to fire tear gas was given by Chief Marshal James P. McShane, the situation did not warrant such drastic action. The order was given without notice and at a time when the Mississippi Highway Patrol was successfully moving the crowd back at the request of the Federal Government. Specifically, a request was made by United States Deputy Attorney General Nicholas Katzenbach to Colonel T. B. Birdsong to move the crowd back and the Highway Patrol was in the process of carrying out this request when the tear gas was fired.

Until the gas was fired, the actions of the crowd consisted primarily of shouting, name calling, taunts, the flicking of cigarettes, and the throwing of eggs and small rocks. It is true that a coke bottle was thrown and there was some evidence of a brick being thrown. Despite this, the Highway Patrol had control of the situation until the gas was fired, with no warning, into the backs of the patrolmen and University Police. This, we conclude, was done for the purpose of inciting a riot.

We find that this illegal action on the part of Chief Marshal James P. McShane set off the tragic violence which followed.

Much has been said about the Mississippi State Highway Patrol leaving the campus and allegedly refusing to assist in keeping order after the riot commenced. In this regard, we find: (1)

At 8 p.m. and prior thereto the Patrol was guarding all entrances to the University and keeping out all unauthorized personnel and doing all in its power to maintain law and order at the specific order of Governor Ross R. Barnett. (2) When the gas was fired without just cause and without warning directly into the backs of the Patrolmen; about 35 of whom were in the area of the Lyceum, several were injured and one, almost fatally. Several students were also injured by the firing of the tear gas. (3) Such action on the part of the marshals caused great commotion among members of the Patrol and especially so, since they were in the process of assisting the Marshals. (4) In order to restore order and efficiency to the Highway Patrol, Colonel Birdsong ordered a general assembly ~~in~~ to reorganize. The Patrolmen assembled at one of the entrances to the campus and were advised to return to their respective posts and to do all things possible to restore order and to prevent all unauthorized persons from entering the University campus. The Patrolmen performed this mission until relieved at the point of bayonets by the U. S. Army in the early morning of October 1. (5) All during the night the patrolmen kept their posts without relief and turned back hundreds of outsiders whose apparent desire was to contribute to the violence. Without the valiant efforts of the Mississippi Highway Patrol, hundreds of lives could have been lost. We commend the Mississippi State Highway Patrolmen for their dedicated action. We find that they discharged their duties in a highly commendable manner in the face of most trying circumstances.

IN RE: DEATH OF WALTER RAY GUNTER:

Mr. Walter Ray Gunter, age 23, was shot to death at about 11 p.m. on September 30th. He was standing on some drainage tile, 18 to 20 inches in height, at the Southwest Corner of

200 yards Southeast of the Lyceum building. Mr. Gunter was there as an observer and was facing the Lyceum building. His position placed him higher than the people in front of him. At the time the marshals were firing tear gas into the crowd immediately in front of Mr. Guner. The Marshals were facing the position taken by Mr. Gunter and were armed with .38 caliber pistols as well as night sticks and tear gas guns. That just prior to the time that Mr. Gunter was shot the crowd had rushed the marshals and the marshals were countercharging into the crowd. Mr. Gunter was hit in the forehead by a copper coated lead bullet used in Western and Winchester ammunition which was fired from .38 caliber Special Smith and Wesson revolver which caused a wound measuring 0.8cm in horizontal diameter and 0.9cm in vertical diameter which caused his death. We find that the shot was fired by party unknown and that the bullet was a stray. D

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IN RE: DEATH OF PAUL GUIHARD

We find that Mr. Paul Guihard's body was discovered at about 9 p.m. on September 30th. He was lying face up near Ward Hall, a girls dormitory, at a point about 200 yards North-east of the Lyceum Building and at this point the Lyceum is not visible due to the Fir Arts building located between the position of the body and the Lyceum. He was shot by a .38 Special Smith and Wesson revolver which fired a lead bullet of a type used in Remington and Peters ammunition. The bullet entered the body in the right lower back with the bullet ranging upward and penetrating the heart. Laboratory examinations indicated that the pattern of gun powder residue found on Mr. Guihard's brown coat was similar to one that would be produced at a muzzle-to-garment distance of less than one foot.

We have been informed by the U.S. Attorney General's office that ballistic tests of all .38 caliber Smith and Wesson revolvers in the possession of Federal Officers at Oxford on September 30 and October 1 is being conducted and to date we are told about 360 such weapons have been tested and the bullets compared with those which killed Mr. Guhard and Mr. Gurr. In addition, the Federal Bureau of Investigation has tested about 83 weapons of all types taken from private individuals during the pertinent period and all tests have proved negative.

Much evidence was presented the Grand Jury concerning the treatment of students and other people arrested by the Federal Marshals on the dates in question. We find that many cruel and inhuman acts of violence were inflicted by the marshals on these people. There is evidence that these prisoners were refused adequate medical treatment and food and confined in extreme discomfort. One specific instance of brutality was when a young man badly wounded and in need of immediate medical treatment was kicked down the stairs in the Lyceum building by a Marshal whose name is unknown to the Grand Jury. There were many instances of innocent people being detained for long periods of time without proper food and without charges being placed against them. We feel that such conduct on the part of the Federal Marshals was the direct and proximate result of the fact that the Marshals were inexperienced and had received very little, if any, proper training. That they consisted of border patrol and prison guards and other federal employees ill equipped to handle such an assignment.

In general, we find that the Federal people exercised the poorest judgment possible in remaining around the Lyceum and keeping Meredith on the Campus after they had discovered

Reviewing all the evidence and testimony before this Grand Jury concerning the aforementioned events we find that the University Officials, especially Mr. Hugh Clegg, Dean L.L. Love and Chief Burns Tatum conducted themselves in a most commendable manner and we express our appreciation to these gentlemen for their conduct during this regrettable affair.

We also commend Sheriff Joe Ford and the members of his office for their conduct in the face of the most trying circumstances. The Highway Patrol we have previously commended for their conduct but we would especially like to commend Colonel T.S. Birdsang for his conduct in the handling of the situation.

It is our recommendation that the investigations into the deaths of Mr. Walter Ray Gunter and Mr. Paul Guhard be continued.

In spite of the fact that we find that the leadership of the Federal Marshals was of the poorest sort and the hasty action of Marshal James P. McShane actually precipitated the riot we feel that the Marshals are to be commended for not firing their pistols ^{skill} into the crowds and thereby causing many more deaths. Our own National Guard is to be commended for its conduct.

It has also been brought to the attention of the Grand Jury and evidence has been heard before this body that certain instructors at the University are not helping the current situation by the making of certain statements which might be construed to inflame the situation further and there has been evidence of conduct on the part of some instructors, very few in number, which would tend to inflame the present situation at the University. It is the feeling of the Grand Jury that all

involved including students, instructors and officials should be very guarded in their conduct so that a more normal situation might exist at our University at the present time. We are advised that the State Investigating Committee is in the process of investigating certain statements made by one of the instructors to his class which would tend to further promote unrest and we certain recommend that this investigation be continued. It being the desire and wishes of the Grand Jury that the ~~University~~ University be permitted to function as efficiently as possible and afford our children the best education possible.

And now having concluded our labors we beg leave to be discharged as by law required subject to recall by this Honorable Court as the law directs.

This the 15th day of November, A.D. 1962.

Wm H. Mess
FOREMAN

ATTEST:

R. L. Young Jr.
CLERK

Offical Pic - General Intelligence

CHANCELLOR'S STATEMENT TO STUDENTS

2:00 and 2:30 p.m., Thursday, November 1, 1962

I have asked for this opportunity to meet with you for the purpose of discussing what is today the University's most serious problem. That problem is the maintenance of peaceful and orderly conditions on the campus.

Late last night I returned to my home on the campus and heard a very pleasant sound--the sound of a fraternity serenading in the area of the sorority houses. I felt encouraged to hear again one of the sounds of our normal campus life. Yet, as the cheers came and died away after the singing, my ears automatically strained to detect any echo of the violent and unpleasant events of the past month. Happily, I heard none in the area of the singing. Yet in the distance, I could hear an occasional burst of fireworks which caused me some anxiety.

Over the past month, we have heard various sounds that are not part of a normal campus life--exploding tear-gas shells, gunfire, jeering and shouted obscenities, shattering of glass, and "cherry-bomb" barrages. These sounds do not have a place on a university campus.

As students here, your first purpose is to obtain an education. You are here also to mature both physically and mentally, to learn about the responsibilities of being adults, to make life-long friends, to come to know yourselves. Your years at the University are probably the most important in your lives. Your time here is too precious, too valuable, to you to be wasted. But your time will be wasted if we cannot maintain peaceful and orderly conditions on the campus.

I mean no criticism of other institutions in the State, but I say with the deepest conviction that the University of Mississippi is the best institution of higher learning in the State. It is the best for two reasons: it has the best faculty,

and it has the best students. I wish to commend that vast majority of our student body which has not participated in acts of violence and behavior disruptive of normal campus life. The University has a solemn obligation to you. That obligation is to see that your education is not further disrupted by that small minority of the student body which has persisted in creating disorder on the campus. The University cannot tolerate acts that impair its standing, acts of a minority that damage your reputation and jeopardize your future.

The University of Mississippi is an accredited institution through its memberships in the Southern Association of Colleges and Secondary Schools. In fact, the University was one of the six charter members of this organization which is the accrediting agency for all universities, colleges, and secondary schools in the South.

The principles and standards of the Southern Association make it quite clear that an institution can retain its accreditation only so long as it maintains on its campus a climate that is conducive to study and learning, an atmosphere favorable to intellectual pursuits. I do not wish to alarm any of you unduly, but the University could lose its accreditation if there are further breakdowns in student behavior similar to last Monday night.

There has been much discussion of the accreditation problem. Ten days ago the Board of Trustees provided the Southern Association with assurances which I felt would maintain our accredited status. But the disturbances on the campus last Monday raised a whole new set of questions about accreditation. I am still confident that we will maintain our accredited status. However, this confidence is based upon a belief that disturbances on the campus have come to an end.

The threat posed by the recent disturbances is not just to our accreditation but also to the very survival of the University.

My responsibility is clear. It is to preserve the University, to maintain its accreditation, and to see that it continues to serve you as the best institution in the State. I am prepared to take whatever steps are necessary to fulfill this responsibility.

Let me be as explicit as possible about our present situation. The shooting of fireworks, the possession of fireworks, the throwing of bottles or other missiles, the possession of firearms and ammunition, the use of obscene and profane language, the committing of any act of violence or any act tending to disorder will be regarded as serious violations of University regulations. Swift and drastic disciplinary action, including expulsion from the University, can be expected. The State Highway Patrol through the Sheriff of Lafayette County has been requested to assist in keeping order on all campus thoroughfares.

Let me be more explicit. Evidence has been obtained against 8 or 10 students for serious infractions within the last few days. These cases will be processed through regular channels as speedily as possible. Further evidence is being collected, and others can expect the same treatment. Let there be no misunderstanding about this.

I have great confidence that each of you will do your best to help maintain orderly conditions on the campus. We have an important opportunity this evening. A pep rally is one of those pleasant sounds of normal campus life. Let's have our pep rally this evening in the best campus tradition. But let's not be led into any acts of disorder.

The University of Mississippi is more than the buildings, faculty, staff, and students on this campus and in Jackson. It is more than our 15,000 alumni. The University of Mississippi is a great part of the life of Mississippi. The University is 114 years of Mississippi history. It is hundreds of years of Mississippi's future. All of this can be destroyed by those who are creating disorder on our campus.

The University's watch-words have been "Quality, Integrity, and Progress." These three words sum up rather well some of the principles for which any university must stand. Also, a basic principle of any university is that differences of opinion and belief are expressed through free and open discussion but not through the throwing of such things as rocks, bottles, and cherry bombs. Intimidation of persons holding opposite views has no place in a university. Disorder has no place on a university campus.

I feel that almost all, I hope all, of you agree that peaceful and orderly conditions on the campus must be established and maintained. We must fulfill the high principles and standards of a university community. I ask that all of you lend your support to this most important effort. But if there are any who cannot support the establishment of peaceful and orderly conditions, be advised that I am prepared to see us part company.

November 1, 1962

Mr. Denis Dillon

Oxford Riot - General Intelligence

Mr. Joseph Elmore, instructor in
Naval Science at the University of Miss-
issippi in a statement taken by Mr. Stephen
Anderson 10/7/62 states he saw and heard
a Mississippi State Highway Patrolman
instructing students in the manufacture
and use of "Molotov Cocktails".

General Intelligence
Offad Get - ~~Secret Document~~

**Mississippi Student Files
Suit Against U.S. Officials**

BILOXI, Miss., Nov. 2—A University of Mississippi student filed a \$40,000 damage suit today against Federal officials who directed the admission of James H. Meredith to the university.

The student, Cyril Faneca Jr. of near-by Hattiesburg, charged that he was deprived of his constitutional rights of freedom of speech and freedom of assembly.

Among those named as defendants were James J. P. McShane, chief United States marshal, who was in charge of Federal marshals during the rioting a month ago; and Nicholas Katzenbach, assistant United States Attorney General, who directed Justice Department activities at the campus. No date was set for a hearing.

New York Times
New York, New York
Date: 11/3/62

Offical Pic - General Intelligence

STUDENTS OF MISSISSIPPI!

TODAY, THE "OUTSIDE AGITATOR" WHO
IS TRYING TO DISTURB THE PEACE OF OUR CAM-
PUS IS ROSS BARNETT, NOT JAMES MEREDITH.

The fine constitutional theory of interposition will not work, as any lawyer, and certainly the Governor, knows. All of his recent talk, then, has amounted to little less than open incitement to mob action when Meredith comes. We must not let the political ambitions of a few men drag the good name of the University of Mississippi through the mud. Ross Barnett must not be allowed to climb to the Senate over the rubble of the University's reputation and independence. **DON'T WAIT FOR ADVICE FROM THE GOVERNOR; FOLLOW THE ORDERS OF THE CHANCELLOR AND DO WHAT IS RIGHT!**