

October 16, 1962

Dean Leston L. Love
University of Mississippi
University, Mississippi

Dear Dean Love.

I am writing to confirm our discussion of this afternoon regarding the disciplinary proceedings which are pending against certain students who were involved in the riot of September 30--October 1, 1962.

You have advised us that, based upon your own investigation of the facts, you have formally warned, and have placed on disciplinary probation, all of the students whose names are mentioned hereafter, pending the holding of hearings by the Student Judicial Council to determine whether additional disciplinary measures should be imposed. You have advised us further that the probationary status of these students will continue for substantial periods, in no case less than the balance of the current semester.

In light of your advice as to the disciplinary measures which have already been taken, we have reviewed the charges and evidence presently available with respect to each of the pending cases to determine whether further efforts on our part should be made. We have concluded that in the cases of John William Seale, Clyde Wilkerson Owen, Jr., Ronnie Spencer Roberts, Edward J. Scrivath, James F. DeFibaugh and John B. Walker, further efforts on our part, looking toward the imposition of more severe disciplinary action, are not warranted. In these cases, we believe, the individuals concerned cannot be shown, on the basis of evidence now available, to be guilty beyond a reasonable doubt of personal involvement in acts of violence or of a leading role in the disturbance. Accordingly, bearing in mind the measures which the University has already imposed, we do not plan to appear and present evidence at the hearings which have been scheduled in these cases.

October 16, 1962

Disciplinary matters are, of course, the exclusive province of the University, and we do not presume to recommend any particular disposition of these cases either to you or to the Student Judicial Council. The University will, we assume, proceed as to these cases in accordance with its customary procedures and will impose such additional disciplinary measures, if any, as the proper authorities deem appropriate in light of all available information.

In accordance with our discussion of this afternoon, we are proceeding to verify, as to one of the above individuals, our tentative conclusion that the more serious of the charges originally made against him are not warranted. Further, we will advise the University promptly if further evidence is obtained that seems to warrant reconsideration of any of the cases now under discussion.

We do, of course, plan to appear and present witnesses in the cases of John Thomas Jenkins, James Franklin Stuart, Tommy Wayne Scott, and James Shelton, Jr. It is our understanding that Charlie Luper Clark, who in our judgment presented one of the more serious cases, has withdrawn from the University and that, accordingly, no proceedings against him will be had.

If there is any way that I can be of service to you, please do not hesitate to let us know.

Sincerely,

Herbert A. Schlei
Assistant Attorney General

RAS:AS

October 18, 1962

TO WHOM IT MAY CONCERN:

This is to certify that Guy R. Spencer was requested by me to travel to Oxford, Mississippi, in time to be present here throughout the business day today, in order to accomplish official business of the United States Government.

Herbert A. Schlei
Assistant Attorney General



UNIVERSITY OF MISSISSIPPI

October 18, 1962

Mr. Tony Wayne Scott
Box 2639
University, Mississippi

Dear Mr. Scott:

You have been referred to the Student Judicial Council on the charge of participating in the demonstration which occurred Sunday evening - Monday morning, September 30 - October 1.

The allegations made by the United States Department of Justice are quoted below:

Tony Wayne Scott

Admits throwing rocks at U. S. Marshals at approximately 8:30 p.m., September 30, 1962.

The hearing on this matter will be held on Thursday, October 25, 1962, at 2:00 PM in the Board Room at the Lyceum Building. Your presence will be expected at this hearing. If you have any questions, call me at 234-1779 or come by Barr B-6 or the Judicial Council office in the Student Union Building.

Sincerely yours,

Jack Lynch
Chairman

JL:ch



UNIVERSITY OF MISSISSIPPI

October 18, 1962

Mr. Anson H. Sheldon, Jr.
Box
University, Mississippi

Dear Mr. Sheldon:

You have been referred to the Student Judicial Council on the charge of participating in the demonstration which occurred Sunday evening - Monday morning, September 30 - October 1, and for your participation in a demonstration which occurred at the Heidelberg Hotel in Jackson, Miss., on September 29, 1962.

The allegations made by the United States Department of Justice are quoted below:

Anson H. Sheldon, Jr.

On September 29, 1962, at the Heidelberg Hotel in Jackson, Mississippi, this individual was one of the leaders in a group of young men who, by force and threats of force, took from Charles Moore, a photographer for Life magazine, a roll of film containing photographs of a student demonstration which had occurred in front of the hotel.

During the riot which occurred on September 30, 1962, this individual approached Dan McCoy, a freelance photographer then representing Newsweek magazine, at 1:45 p.m., on University Avenue approximately thirty yards from the Confederate monument. Sheldon demanded that McCoy surrender his camera but McCoy refused. Sheldon then forced the camera from McCoy's possession. He held the straps of the camera in his hand, slammed the face of the camera against the surface of the road several times, then handed the smashed camera back to McCoy. At this time a convoy of



UNIVERSITY OF MISSISSIPPI

UNIVERSITY, MISSISSIPPI

Border Patrol automobiles carrying United States Marshals began passing the location en route to the Lyceum building. Sheldon again took possession of the camera and in doing so struck McCoy several times with his fists. He again held the camera by the attached shoulder strap and smashed it repeatedly against the automobiles passing in the street.

The above incident was witnessed in its entirety by, among others, Donald J. Underwood, a reporter for Life magazine, and Special Agent Robert W. Pickard of the Federal Bureau of Investigation.

The hearing on this matter will be held on Friday, October 26, 1962, at 2:00 PM in the Board Room at the Lyceum Building. Your presence will be expected at this hearing. If you have any questions, call me at 234-1779 or come by Barr 8-8 or the Judicial Council office in the Student Union Building.

Sincerely yours,

Jack Lynch
Chairman

JL:ch

Student Judicial Council



October 20, 1962

Representative
Department of Justice
Washington, D. C.

Dear Sir:

The hearings for Tommy Wayne Scott and Anson H. Sheldon, Jr., have been set for Thursday, October 25 and Friday, October 26, respectively. Both cases will be heard at 2:00 PM in the Board Room of the Lyceum Building.

The Student Judicial Council asks that any evidence and/or witnesses concerned with these cases be presented at the time and place so indicated.

If we can be of service in any way, please do not hesitate to call on us.

Sincerely yours,

A handwritten signature in cursive script that reads "Jack Lynch".

Jack Lynch
Chairman

JL:eh
Inclosures



UNIVERSITY OF MISSISSIPPI

October 20, 1962

Mr. Herbert A. Schlei
Assistant Attorney General
United States Department of Justice
Washington, D. C.

Dear Mr. Schlei:

As Chairman of the Student Judicial Council, I would like to express our appreciation for the fine manner in which your dealings have been carried on with us. We hope that we have done likewise.

We would also like to commend the fine gentlemanly manner that has been displayed by the witnesses for the Justice Department in the persons of Mr. Lewis Galloppe, Sp 4 Spencer, Mr. Maurice I. Cruickshank, and Mr. Ronald Swan.

On the basis of being fair and just to all parties involved, the Council is hearing the cases concerned with the demonstration. We will strive to see that these aims are accomplished.

If we can be of service to you in any manner, please do not hesitate to call on us.

Sincerely yours,

Jack Lynch
Chairman

JL:ch

file
ac

October 24, 1952

Dean Lester L. Love
Dean of Student Activities
University of Mississippi

Dear Dean Love:

In line with our conversation of last night, I am informing you in writing of the position of the Department of Justice in the case of James C. Duffinagh. We believe now that we originally proceeded in this matter on the basis of a false identification by the individual who was involved in the incidents which were reported to you. As far as we are concerned, Mr. Duffinagh was merely among the curious at the dates and places mentioned in the original report and is not a fit subject for disciplinary action.

Thank you for your consideration in this matter.

Sincerely yours,

John Andrew Martin
Legal Assistant

STATEMENT

(AR 170-4)

Explain the nature of the investigation. If deponent is accused or suspected of an offense he must be so informed and this fact affirmatively shown.

PLACE Headquarters US Army Oxford	DATE 25 Oct 62	FILE NO. 1
DEPONENT (Last Name - First Name - Middle Initial) NECESSARY, John W.	SERVICE NO. US 52 545 019	GRADE Pfc (E-3)
ORGANIZATION (If deponent is a civilian, give address) Co B 716th MP Bn, Oxford, Mississippi		

I HAVE BEEN INFORMED BY **Maj. John W. Chism** WHO STATED HE IS (an) **OFFICER** OF THE UNITED STATES (Army) (~~XXX~~ ~~XXXXXX~~) THAT HE IS CONDUCTING AN INVESTIGATION OF **Illegal Solicitation, Government material** WHICH I AM (~~XXXXXX~~ (suspected)) (Strike out words between brackets if inapplicable)

THE UNIFORM CODE OF MILITARY JUSTICE, ARTICLE 21, (and the Fifth Amendment to the Constitution of the United States) (Strike out only if person making statement is a member of the Armed Forces) (has) (have) BEEN READ TO ME BY **Major John W. Chism** I UNDERSTAND THAT I DO NOT HAVE TO MAKE ANY STATEMENT WHATSOEVER AND ANY STATEMENT I MAKE MAY BE USED AGAINST ME.

He was sent to library by Lt. Hardman to purchase a book. John Wagner was with Necessary in library. They went to desk and Weeks approached Wagner. Weeks volunteered to show them where bookstore was. On patio of library Weeks asked if the two could get him some gas grenades (intent). Urged them several times. No subsequent rendezvous was made. Necessary didn't think of consequences at this time. Hasn't seen Weeks since.

EXHIBIT	DEPONENT'S INITIALS	PAGE 1 OF 1 PAGES
Additional pages must contain the heading "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED" The bottom of each additional page must bear the initials of the person making the statement and be identified as "PAGE ___ OF ___ PAGES."		

DA FORM 19-24
1 JUN 59

PREVIOUS EDITION OF THIS FORM IS OBSOLETE.

AFFIDAVIT BY DEPONENT

I, **John W. McCreary**, have read to me **ALSO** THIS STATEMENT WHICH BEGINS ON PAGE ONE (1) AND ENDS ON PAGE 1 FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE WHICH CONTAINS STATEMENT MATTER THIS STATEMENT WAS MADE BY ME FREELY WITHOUT HOPE OF BENEFIT OR REWARD WITHOUT THREAT OF PUNISHMENT AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT

(SIGNATURE OF DEPONENT)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 26 DAY OF **October 19 62** at **Headquarters US Army Oxford**
WITNESSED BY

Joseph E. DeLaune, Capt 01936536

(AUTHORITY TO SIGNIFY OR TAKE)

RIGHTS UNDER UCMJ, ARTICLE 31, AND THE FIFTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

No person subject to this code shall compel any person to incriminate himself or to answer any question the answer to which may tend to incriminate him. No person subject to this code shall interrogate, or request any statement from, an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected and that any statement made by him may be used as evidence against him in a trial by court martial. No person subject to this code shall compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. No statement obtained from any person in violation of this article or through the use of coercion, unlawful influence, or unlawful inducement shall be received as evidence against him in a trial by court martial.

The fifth amendment to the Constitution of the United States provides that no person shall be compelled in any criminal case to be a witness against himself.

DEPONENT'S INITIALS

STATEMENT

Explain the nature of the investigation. If dependent is accused or suspected of an offense he must be so informed and then test affirmatively thereon.

NAME: Head quarters, US Army, Oxford, Miss. DATE: 25 Oct 62 FILE NO.: 2
RAGNER, John R. Ex 11 304 165 Pvt (S-2)

Go B 716th MP Bn, Oxford, Mississippi

Officer: Major John W. Chiss

Illegal Solicitation, Government Material

I have read this statement and the Fifth Amendment to the Constitution of the United States. I state that only I person making statement is a member of the Armed Forces. (Name) Major John W. Chiss

John Wagner, a general handyman of B-716th states he went to stadium gym to take a shower. In the jeep were the Unit First Sergeant, a SP-4 Palanycki and Pfc Necessary. After the shower, at approximately 1130 hours Wednesday or Thursday two weeks prior, Pfc Necessary was accompanied to the library by Wagner. While Pfc Necessary was making inquiries of the librarian, an unknown person (see description below) approached Wagner and volunteered to show them location of book desired. The librarian thanked the unknown person as all three left the desk.

Enroute through a foyer patio area, the unknown person struck up conversation with Wagner suggesting a willingness to purchase gas bombs if they were available. The statement was apparently not made in jest, but was repeated several times. On entering room where book was located, the unknown party "took-off".

DESCRIPTION: About 19 years, 130-150 lbs, wearing octagonal glasses with dark rims; dark trousers, brown hair, carrying a book. Nothing else noticed as to shirt, sweater, bandages, etc.

DEPARTMENT'S INITIALS: PAGE 1 OF 1 PAGES

Additional pages must contain the heading "STATEMENT OF TAKEN AT DATED CONTINUED" The bottom of each additional page must bear the initials of the person making the statement and be identified as "PAGE OF PAGES"

CONFIDENTIAL
PROPERTY OF THE ARMY
DO NOT WRITE IN THESE SPACES

AFFIDAVIT BY DEPONENT

I, **John Wagner** HAVE READ TO ME (HAVE READ) THIS STATEMENT WHICH BEGINS ON PAGE ONE (1) AND ENDS ON PAGE 2 I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE WHICH CONTAINS STATEMENT MATTER. THIS STATEMENT WAS MADE BY ME FREELY WITHOUT HOPE OF BENEFIT OR REWARD WITHOUT THREAT OF PUNISHMENT AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

(SIGNATURE OF DEPONENT)

SWORN TO AND SUBSCRIBED BEFORE ME THIS **26** DAY OF **UGS** **19 62** AT **headquarters US Army, Oxford**
WITNESSED BY

(AUTHORITY TO ADMINISTER OATHS)

RIGHTS UNDER BCMI, ARTICLE 31, AND THE FIFTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

No person subject to this code shall compel any person to incriminate himself or to answer any question the answer to which may tend to incriminate him. No person subject to this code shall interrogate, or request any statement from, an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected and that any statement made by him may be used as evidence against him in a trial by court-martial. No person subject to this code shall compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement shall be received in evidence against him in a trial by court-martial.

The fifth amendment to the Constitution of the United States provides that no person shall be compelled in any criminal case to be a witness against himself."

DEPONENT'S INITIALS

THE UNIVERSITY OF MISSISSIPPI
DIVISION OF STUDENT PERSONNEL
UNIVERSITY, MISSISSIPPI

Office of the Dean


October 25, 1962

Mr. John Andrew Martin
Legal Assistant
Department of Justice

Dear Mr. Martin:

A very careful search makes it clear that we have no student
by the name of L. Taylor Robinson.

Sincerely yours,



L. L. Love
Dean

LLL:lb

October 26, 1962

Dean Lester L. Love
Dean of Students
University of Mississippi

Dear Dean Love:

In accordance with instructions from Mr. Schlei and in line with our conversation of last Thursday, I am forwarding you the following information:

A freshman student named Dozier was involved in the riot of Sunday evening, September 30, and Monday morning, October 1. The conduct he engaged in is quite similar to that of James Franklin Stuart, a student who has been before the Student Judicial Council. The witnesses who observed Stuart also observed Dozier. The positive identification of Dozier was made from observation of photograph.

Thank you for your consideration of this matter.

Sincerely yours,

JOHN ANDREW MARTIN
Legal Assistant

JAM/mbt

October 26, 1962

Dean Leston L. Love
Dean of Students
University of Mississippi

Dear Dean Love:

In accordance with instructions from Mr. Schlei and in line with our conversation of last Thursday, I am forwarding you the following information:

On October 12, a student approached P.F.C. Joan W. Necessary and Private Joan Wagner in the University Library and attempted to purchase tear gas ammunition from them. The absurdity of the request made the soldiers feel that he was kidding at first but his persistent and repeated requests convinced them otherwise.

The name of the student as given by the person on duty in the Library was Jerry Weeks. When interviewed by the Federal Bureau of Investigation, Weeks stated that he did approach a soldier at a drive-in to buy a gas-mask which he wanted as a souvenir.

Thank you for your consideration of this matter.

Sincerely yours,

JOHN ANDREW MARTIN
Legal Assistant

JAM/mbt

October 26, 1962

Dean Lester L. Love
Dean of Students
University of Mississippi

Dear Dean Love:

In accordance with instructions from Mr. Schlei and in line with our conversation of last Thursday, I am forwarding you the following information:

On one night last week, a number of firecrackers were thrown to the middle level of Barker Hall from the top level down the center wall of stairs. Frank Vandegrift, a Deputy Marshal rushed up the back stairs and caught a glimpse of someone ducking into Room 46, which is occupied by Benjamin G. Jalls and Leroy T. Robertson. On either Wednesday the 17th or Thursday the 18th, a person believed to be Leroy T. Robertson hollered at Deputy Marshal Gurland, "Fuck you, Marshal. Of all the fucked-up son-of-a-bitches you are the most fucked up." Deputy Marshal Brinkman observed this. On Tuesday, October 23, the same person yelled from the same window at James Meredith, "Nigger, fuck you, you black son-of-a-bitch." Then, seeing that Deputy Gurland was watching him, he called out to Gurland "Hi, how are you doing?" Gurland went up to Room 46 but the person inside would not open the door. On Wednesday, October 24, Deputies Gurland and Brinkman approached the student who they had observed participating in the incidents described above, and asked if they could see his I.D. card. This request was refused. This person is believed to be Leroy T. Robertson although a positive identification has not been made because of the refusals to show an I.D. Card.

Lucius T. Robertson is the same individual I spoke with you about on October 24 and identified as L. Taylor Robinson. His actions are annoying to the Deputy Marshals in that they consider him somewhat as a sneak.

Thank you for your consideration of this matter.

Sincerely yours,

JOHN ANDREW MARTIN
Legal Assistant

jam/mst

October 26, 1967

Dean Lester L. Love
Dean of Students
University of Mississippi

Dear Dean Love:

In accordance with instructions from Mr. Schlei and in line with our conversation of last Thursday, I am forwarding you the following information:

Around 6:30 P. M. on October 25, James Meredith went down corridor he was on to get a drink of water from the fountain there. There were a number of boys in the hall who upon seeing him lined up and starting taking turns at the water fountain. There were between eight and ten students lined up at the time I arrived some minutes later. A student named John L. Moss, who lives in room 16 of Barker Hall was holding the fountain on for the other boys. He was told both by me and the officer on duty, Lieut. Hirsch, to move to the back of the line out of Meredith's way. Upon his refusal, he was requested to produce an I. D. card. He said that the card was in his room. He was taken to his room where he did not produce his card. After being requested to furnish his name, Moss replied that it was John Jones. When information as to his real name was obtained, he then admitted his identity. The Deputy Marshals who witnessed this incident were William Brinkman and Roy Wallis.

Thank you for your consideration of this matter.

Sincerely yours,

JOHN ANDREW MARTIN
Legal Assistant

JAM/mbt

October 26, 1962

Dean Leston L. Love
Dean of Students
University of Mississippi

Dear Dean Love:

In accordance with instructions from Mr. Schlei and in line with our conversation of last Thursday, I am forwarding you the following information:

On the night of October 25, shortly following the incident at the water cooler in Baxter Hall, a student named Milna C. Campbell, Jr., who resides in Room 40 of Baxter Hall, approached P.F.C. Stroder who was on duty at the north entrance to the middle floor of Baxter Hall. He asked P.F.C. Stroder, "what is with that Lieutenant in there?" referring to Lieut. Hirsch. Campbell then referred to the Lieut. Hirsch as "Booby Bad-ass" and said "I wanted to hit him so bad in there that I was amazing." Lieut. Hirsch came outside to speak with one of his other men and as he passed Campbell, Campbell said "he is probably a ninety-day wonder and was inside trying to play Bobby Bad-ass." On other occasions he has referred to the soldiers as "chickenshit" and "Mickey Mouse." His remarks and the manner in which he goes about making his protests are irritating to soldiers on duty in Baxter.

One student in Baxter told Lieut. Hirsch on another occasion that students in Baxter had talked to Campbell about his activities but he was apparently unconcerned.

Thank you for your consideration of this matter.

Sincerely yours,

JOHN ANDREW MARTIN
Legal Assistant

JAM/mt

MAS:AS

cc: Price
Mr. Schlei
Mr. Core and

October 29, 1962

Mr. Jack Lynch
Chairman, Student Judicial Council
University of Mississippi
University, Mississippi

Dear Mr. Lynch:

Thank you for your letter and kind remarks of October 20, 1962. I have conveyed your compliments about our witnesses both to them and to their superiors in the Department.

From the beginning, I have felt that you, as Chairman, and the Council as a whole, comported yourselves with exemplary dignity, courtesy and integrity. I am confident that the matters now pending before the Council will be resolved in a manner that is fair and just to all concerned. I already know from the account of our witnesses that your hearings have been conducted fairly and impartially and with a manifest intention on your part to elicit the truth.

If there is any way in which the Department or I can be of service to you or the Council, please do not hesitate to let me know.

Sincerely,

Horbert A. Schlei
Assistant Attorney General
Office of Legal Counsel

Handwritten initials/signature

Joseph Vic Laurent, Jr.

Arrested at 9:00 a.m. on October 1, 1962 for making uncomplimentary remarks to a Marshal.

Beck Randall.

Told Rev. Wofford Smith during the riot that he and his friends were there to 'get' Meredith.

Jimmy Cecil Reed, Jr.

Arrested on October 1, 1962 for making an uncomplimentary remark to a Marshal; was present at riot.

John Peter Robilio.

Was in crowd near YMCA Building; arrested on October 1, 1962.

Stallings or Stoddard.

Arrested early in the morning of the riot.

Dexter MacArthur Thompson, Jr.

Arrested on October 1, 1962, for making an obscene remark to a Marshal.

Edward R. Wilson, Jr.

Was in crowd around the Lyceum during riot; arrested by National Guard on October 1, 1962.

Charles Andrew Worsham.

In crowd near Lyceum; made an uncomplimentary remark to a Marshal and was arrested.

William C. Ballard.

Was in the crowd in front of the Lyceum during the riot.

Robert Bennett Boswell.

Arrested on morning of October 1, 1962, for making an uncomplimentary remark to a Marshal.

Ralph Wesley Brockman, Jr.

Arrested on October 1, 1962, for remarks and actions at a roadblock maintained by Army personnel.

Mike Cassidy.

Arrested on October 1, 1962, by a Marshal who recognized him as having been in the crowd during the riot.

Andrew Chanin.

Arrested at 3:45 a.m., October 1, near the Lyceum as he was trying to run away.

Ronald McK. Davidson.

With Hanson when latter was observed holding a brick and threatening violence.

Thomas M. Farley.

With Hanson when latter was observed holding a brick and threatening violence.

Charles G. Hanson.

Had a brick during the riot and remarked, "I'm going to get them."

William Cornelius Kormier.

In crowd in front of Lyceum Building during the riot arrested on September 30, 1962.

OCT 30 1962

Dean Leston L. Love
University of Mississippi
University, Mississippi

Handwritten:
1-7-62
H.A. B. K.

Dear Dean Love:

I am sending you herewith a list of the names of seventeen additional students who participated in the riot of September 30-October 1, 1962, or whose activities are otherwise of interest.

In our view, the misconduct of these individuals is not sufficiently aggravated to justify the expense to the government of summoning witnesses to Oxford to participate in disciplinary proceedings. We can and will, however, supply evidence in the form of sworn statements at your request.

If there is any way in which the Department or I can be of further service to you, please do not hesitate to let me know.

Sincerely,

Robert A. Schlei
Assistant Attorney General

Enclosure

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Norbert H. Schlei
Assistant Attorney General
Office of Legal Counsel

DATE: October 31, 1962
JAM:sb
144-40-254
#11801

JAM FROM : Mr. John A. Martin
Legal Assistant

SUBJECT: University of Mississippi Situation.

Enclosed please find the following items:

(1) Copies of five letters delivered to Dean Love by me last Friday informing him of incidents in which disciplinary action by the Dean or the Student Judicial Council was thought advisable.

(2) The copy of a letter to Dean Love asking him not to proceed any further with any action against James G. Defibaugh.

(3) Copy of the substance of the testimony of two soldiers in regard to the attempted purchase of tear gas ammunition by student Jerry Weeks.

(4) The letter from the Student Judicial Council relating to the trial of Tommy Wayne Scott and Anson H. Shelton, Jr.

(5) A letter sent by Dean Love to me in regard to the Robertson student. This letter is indicative of the attitude that Dean Love has toward student discipline. It seems to me that a "very careful search" would have made it clear that "L. Taylor Robinson" was the same person as Lucius T. Robertson.

Last Thursday I met with Professor Willis and the Defibaugh boy. I am of the opinion that a letter from either yourself or the Attorney General to Defibaugh is in order. He seemed like a very fine person and, so his professors say, he is quite a good student.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : Nicholas deB. Katzenbach
Deputy Attorney General
Burke Marshall, Assistant Attorney General
Civil Rights Division

DATE: NOV 5 1962

FROM : *NAS* Norbert A. Schlei, Assistant Attorney General
Office of Legal Counsel

SUBJECT: Mississippi Disciplinary Proceedings

Attached hereto, for your information, is a file of the correspondence you and John Martin and I have had with the Administration of the University of Mississippi regarding disciplinary matters. Please return these materials when you are through with them if you wish me to continue to maintain the file as to disciplinary proceedings.

FROM
OFFICE OF LEGAL COUNSEL
TO
OFFICIAL INDICATED BELOW BY CHECK

		Memorandum
The Attorney General		
Executive Assistant		
Public Information		
The Solicitor General		
Deputy Attorney General	X	(1) Mr. Kaplan ^{Wagman} Room 4111
Administrative Assistant Attorney General		
Assistant Attorney General, Antitrust		
Assistant Attorney General, Civil		
Assistant Attorney General, Civil Rights	X	(2) Mr. Marshall Room 1145
Assistant Attorney General, Criminal		
Assistant Attorney General, Internal Security		
Assistant Attorney General, Lands		
Assistant Attorney General, Tax		
Director, Federal Bureau of Investigation		
Commissioner, Immigration and Naturalization Service		
Board of Immigration Appeals		
Director, Bureau of Prisons		
Board of Parole		
Pardon Attorney		

*Mr. Dow -
Please refer
to Ad. in
no. 1145
MI*

J. H. (JAMES HOWARD) MEREDITH
1237 Franklin Street N. E.
Washington, D. C.
September 5, 1963

The Attorney General
Washington, D. C.

Dear Mr. Attorney General:

Early in 1961, a few days after I submitted an application for admission to the University of Mississippi, I wrote a long letter in response to a request from the Justice Department expressing my ideals and aspirations. One of my aspirations was to exercise my inherent right to attend the school of my choice in my own home state of Mississippi. From that day forward your Department of Justice has been involved in some way or the other in making this aspiration a reality.

I say regardless of all other considerations, I am a graduate of the University of Mississippi. For this I am proud of my Country - the United States of America. The question always arises - was it worth the cost? Were the United States Marshals and other security forces needed or necessary? I believe that I echo the feeling of most Americans when I say that "no price is too high to pay for freedom of person, equality of opportunity, and human dignity. Secondly, were the Marshals necessary? I say to you that the cold-blooded murder of one of my best and most beloved friends and associates - Mr. Medgar Evers, NAACP Field Secretary for the state of Mississippi - is documentary proof of the wisdom of your office to provide adequate protection for my life, property and family during my entire stay at the University of Mississippi, especially since it was generally acknowledged that my name was number one on the murder list of the Mississippi assassins. The greatest need of the Mississippi Negro in his struggle for a place in society is for the protection of his life and property.

I would like to give special recognition to the assistance rendered by the Civil Rights Division under Mr. Burke Marshall. Especially to Mr. John Scar and his assistants without whose help and personal encouragement my success appears doubtful. Certainly, no one is closer to the Mississippi Crisis than Chief United States Marshal James P. McShane and his Deputy United States Marshals. If I had no other measure by which to evaluate the trend of the American mind that the United States Marshals with which I came in contact during my stay at the University of Mississippi, I would be very much encouraged. The Marshals,

many of whom were southerners themselves, in addition to their security duties were a constant reminder to me that white Americans could and would respect the rights of other Americans.

Besides Chief McShane, I would like to particularly mention Deputy U. S. Marshal Frank Vantegrift of the D. C. office who spent six months in Mississippi as a supervisory marshal and Deputy U. S. Marshal Chester Smith of Chattanooga, Tennessee, who spent many months as a supervisory deputy. Whereas all of the marshals were superb, these two individuals stand out clearly in my mind as deserving special recognition for their work on the campus of the University of Mississippi.

For the role of security of my person and safety for my family during the most crucial period while off-campus, I want to express my appreciation to Mr. Luke Moore, Chief United States Marshall for the District of Columbia and to the other Negro Marshals who spent much time in Mississippi.

In conclusion, I should like to say that we are very conscious of the pains of human progress. Whereas the Department of Justice has not succeeded in making America free for all, I think it has been hampered more by the lack of clear authority than by the determination on the part of Department officials. Consequently, it is now my hope that proper legislation with teeth will be passed empowering the Department of Justice to effectively insure the rights of all Citizens of the United States of America, and that the present determination will persist in the Department of Justice.

Sincerely yours,

J E MEREDITH

Mr. Marshall

wanted you to

see this you - 18

make me copy of
1961 letter

THE UNIVERSITY OF MISSISSIPPI
SCHOOL OF BUSINESS AND GOVERNMENT
UNIVERSITY, MISSISSIPPI

Department of Economics
and
Business Administration

November 27, 1963

Mr. John Dear
U. S. Department of Justice
Washington 25, D. C.

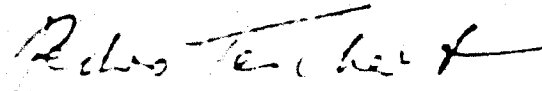
Dear Mr. Dear:

Professor Fissell H. Barrett, a colleague of mine here at the University, suggested I write to you in connection with an item you might be able to check out for me.

Some time ago, a film was shown here in Oxford called "Oxford--U.S.A." prepared by some group in Texas. Copies of this film were sold to the Mississsippi Sovereignty Commission for \$7,000, I believe. Since I have seen the slayer of President Kennedy on TV, I have the feeling that I have seen Oswald somewhere and all that I can think of is this film.

Perhaps you have checked it out already, but if not, could you do so?

Sincerely yours,


Pedro C. M. Teichert, Ph.D.
Professor of Economics

PCMT:EF

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~~Att. M. F. H.~~
noted
~ / y
/

29 November 1963

Dr. Pedro C. M. Teichert
Professor of Economics
School of Business and Government
The University of Mississippi
University, Mississippi

Dear Dr. Teichert:

Thank you for your letter of November
27. I have forwarded it to Herbert J. Miller, Jr.,
Assistant Attorney General, Criminal Division, and
you can be sure that this matter will be looked into
thoroughly.

Thank you for writing me.

Sincerely,

JOHN DOAR
First Assistant
Civil Rights Division

DEPARTMENT OF JUSTICE

CIVIL RIGHTS DIVISION

Enforcement of Court Desegregation Orders

UNIVERSITY OF MISSISSIPPI
Meridian -- Via Air

McDowell v. Fair -- John Dear

Form No. 00717
(Ed. 6-22-62) Civil Rights Division

- ASSISTANT ATTORNEY GENERAL
- ~~SECOND ASSISTANT~~
- ~~THIRD ASSISTANT~~
- CHIEF, TRIAL STAFF
 - Mr. _____
- CHIEF, GENERAL LITIGATION SECTION
- DEPUTY CHIEF, GEN. LITIGATION SEC.
 - Head, Const. Rights Unit
 - Mr. _____
 - Head, Federal Custody Unit
 - Mr. _____
- CHIEF, APPEALS & RESEARCH SECTION
 - _____
- CHIEF, VOTING & ELECTION SECTION
 - Mr. _____
- Not Indexed - For Information

INDEX TITLE: By Schools (C. Gale)

Cross Ref: aka, Huntsville, Ind

RETURN TO EDITORIAL CLERK - ROOM 1616

Two Negroes Seek To Enter Center

BIRMINGHAM (AP) — A suit filed in U.S. District Court seeks to force the University of Alabama extension center at Huntsville, Ala., to admit two Negroes as students.

The Negroes are employed at Redstone Arsenal in the federal government's missile program.

The action was filed Wednesday by Marvin P. Carroll and Dave McGlathery. They seek admittance to the all-white extension center for the summer session beginning June 18.

McGlathery is a graduate of Alabama A&M at Huntsville and Carroll holds a degree from Howard University in Washington.

The complaint said the two applied for admittance for the spring quarter March 25, but were refused. It further charges that the University of Alabama had contracted with the United States under which federal employees were entitled to take training and graduate work at the Huntsville center.

The Negroes charge that they were denied admittance solely because of their race. But the registrars office at Huntsville said it received no completed applications.

McGlathery works as a mathematician for the George C. Marshall Space Flight Center and Carroll is employed by the U.S. Army Missile Command in analysis of missile homing systems.

Selma Times Journal
Selma, Dallas, Ala.
Date 5/9/63

Three Negroes To Ask High Court To Order Admittance To Capstone

BIRMINGHAM UPI—Three Negroes Tuesday are to ask a federal court to order their admission to the all-white University of Alabama, which has had only one Negro student in its 112-year history.

Federal District Judge H. H. Griggs will hear arguments on a motion to consolidate the case with his 1955 ruling that permitted the only Negro to attend the Tuscaloosa school.

A MOTION for contempt against Hubert Mate, university dean of admissions, also was to be argued.

The Negroes claim Mate violated Griggs' 1955 order under which Autherine Lucy attended the university for three riotous days in February of 1956. Attorneys for Mate contend that order did not apply to him.

Vivian J. Malone, 20, of Mobile, a junior at Alabama A&M, Saddy English, 21, of Birming-

ham, freshman at Stillman College, and Jimmy A. Hood, 20, East Gadsden, a sophomore at Atlanta's Clark College, seek to attend the university. Hood wants to enroll for the summer term beginning June 10 while the others seek admission in September.

THE THREE had applications pending last winter for the spring term when University President Dr. Frank Rose ordered processing halted because of "pressure of enrollment." Applications of an undetermined number of white students were also stopped by the order.

In their suit filed April 15, attorneys for the three claimed they were denied admission "solely because of their race."

The Negroes asked for a court order to stop Mate from refusing to consider the applications of Negro residents of

Alabama to the university upon the same terms and conditions applicable to white applicants.

THE NEGROES also said the university "set tests for Negroes not required of white applicants and refused to act on applications from Negroes."

The Montgomery Advertiser
Montgomery, Alabama

Date: 5/5/63

Reason And Sense Will Prevail

The Tuscaloosa Graphic

IN SOME press circles dire forecast is made that we better get ready for federal occupation because of coming efforts to integrate the campus of the University of Alabama. We do not take this weak-hearted, pessimistic view.

Graphic, a states rights newspaper which believes that a policy of separation is best for both races, still has faith in its community and its state. We don't give up so easily. We don't throw in the towel now. Reason and common sense will rule out disorder. We believe reason and common sense yet survive.

At the outset we have confidence in the University's Board of Trustees. This is a level-headed board of Alabama leaders who cherish this state's social principles. It acted wisely several years ago when another effort was made to disrupt the University. We recall how the board was criticized by some who now say the federals are as good as here.

We have faith in the Board of Trustees and President Frank Rose. They are attuned to the thinking of the majority in this state. They are men who want to see Alabama prosper and progress. We believe they enjoy the confidence of Alabamians and thus are in position to lead in the best interests of Alabama.

AS FOR the political protagonists, we have a feeling they desire to avoid an Alabama Oxford. They met in Montgomery last week. On the one side was Gov. George C. Wallace who has vowed "never." On the other was the President's brother, Young Bobby Kennedy, and the Attorney General who has vowed "yes."

We doubt anything was settled by their meeting last week. Both are still of the same viewpoint, as opposite as before. They are politicians and both enjoyed the fact that nothing was changed by their confrontation. Each in his own way and viewpoint benefitted from the state-mate.

But mark this, both gentlemen are politicians. George Wallace is a master. He lives it and breathes it. As for the Kennedys, politics is their life.

Wallace on his side and Kennedy on the other are politically ambitious in the extreme. Every act of the protagonists is governed by political thinking. In brief, they are political opportunists.

WE MAY be accused of being cynical, but we believe that Bobby and George are just enough politician to want to prevent the occupation forecast by the faint-hearted. Next year, 1964, is a big year for the Kennedys. The President is up for re-nomination and reelection. His nomination by the Democrats is in the bag. His election is freely predicted. However, there is one big cloud. That is the South. Oxford and like assaults have removed at least some of the Southern states from the Kennedy fold.

We do not believe the Kennedys want another Oxford so close to election time. The Kennedys have the ear of the professional agitators who would integrate our campus. The Kennedys can prevent disorder by passing the right word to the right people. We believe next year's election and doubtfulness of the Southern electoral vote are just enough to persuade them they better keep their friends from staging a demonstration here this year.

For all his bombast, Gov. Wallace is not one to want to mar his political career with an Oxford. He has said he is the man who can talk to the mob. He has said he knows mob thinking and can tell it what to do. It is in Mr. Wallace's political best interests to prevent an Oxford, and we believe he understands this.

We do not believe the outlook is as dark as has been painted.

The Montgomery Advertiser
Montgomery, Alabama

Date: 5/4/63

Negro Applicant For Alabama University Remembers Last Try

By AL KUETTNER

ATLANTA (UPI) — Jimmy Alexander Hood recalled today that when he was 13-years-old his elementary school current events class discussed the violent reception of Austerine Lucy, a Negro girl, at the University of Alabama.

Today at the age of 28, Hood is calmly laying plans to become the first Negro since Miss Lucy to make the effort to break through the segregation barrier at the state university in Tuscaloosa, Ala.

"I DIDN'T understand what was totally involved with Austerine Lucy and I just thought it was persecution," Hood told a reporter on the campus of Clark College for Negroes here where he is a sophomore. "It didn't make much of an impression on me at the time.

"Now I feel these barriers are broken out of convictions and for personal enrichment. And action that seeks to prevent the breakthrough tend to obstruct the individual's convictions."

Hood, whose home is in Gadsden, Ala., and two other Negroes have filed a federal court suit in Birmingham asking that the University of Alabama be required to admit them and other qualified Negroes. Their suit said they were turned down solely because of race. A hearing will be held in Birmingham next Wednesday.

THE university contended that Hood's application and those of Vivian Malone of Mobile and Sandy English of Birmingham were incomplete. Enrollment for the February 1963 term was closed last Dec. 4. The university said the papers could be processed for a later term to be designated by the applicants.

Hood, who winds up his studies at Clark May 31 with a B average, said he has asked to be accepted for the Alabama summer session starting in June. The two other Negroes plan September entry.

Hood is the oldest of seven children in the home of Octavie Hood, a tractor operator in Gadsden for Goodyear Tire and Rubber Co.

"I feel there should be no need for a student, regardless of race, to leave Alabama to get a top education," Hood said. "I had to leave because the Negro institutions were not up to par.

"I wanted to get into an institution where I can better my chances of success. That is the reason I want to go to Alabama."

Hood said he is fully aware of the problems he would encounter as a Negro student at the all-white university. He said he feels the challenge would cause him to excel in his grades rather than have the opposite effect.

"As long as trouble doesn't interfere with academic activities, I can cope with it," he said.

The Delta Democrat-Times
Greenville, Washington, Miss.

5/2/63

Form No. CVR-17
(Ed. 6-22-61) Civil Rights Division

- (/) Assistant Attorney General
- (2) First Assistant
- (3) Second Assistant
- () Chief, Trial Staff
 - () Mr. _____
- () Chief, General Litigation Section
- () Deputy Chief, Gen. Litigation Sec.
 - () Head, Const. Rights Unit
 - () Mr. _____
 - () Head, Federal Custody Unit
 - () Mr. _____
- () Chief, Appeals & Research Section
 - (4) Miss Blair
- () Chief, Voting & Election Section
 - () Mr. _____
- () Not Indexed - For Information

INDEX TITLE: By Schools

Ata, Trustees

Cross Ref: Legislation - ata

Wallace, W. C.

RETURN TO EDITORIAL CLERK - ROOM 1616

Legislature Backs Stand By Wallace

Resolution Supports Law and Order in Desegregation Fight

MONTGOMERY, Ala. May 23 (AP) — The State Senate endorsed segregationist Gov. George Wallace's "stand in the schoolhouse door" promise today, but coupled it with an urgent appeal for law and order.

Passage of a bitterly contested resolution abruptly ended one filibuster, but another broke out immediately over unrelated issues.

The immediate target was an administration bill to give the Governor more authority in hiring special attorneys, some of them to resist desegregation.

As it went back to the House for concurrence in an amendment the resolution commended Wallace for his announced intent to disobey a Federal court order for the admittance of two Negroes to the University of Alabama.

But it put the Legislature

see ALABAMA, A7, Col 3

on record against mob violence, and urged residents of Alabama to stay away from the University campus and let the Governor handle matters his way.

The resolution was approved after warring factions agreed on the wording of the law and order amendments. It endorsed the Governor's decision to challenge the desegregation order in the higher courts as well as his pledge to physically bar the two Negroes when they seek to enroll June 10.

And it expressly spelled out a vote of confidence in the Governor.

With the compromise amendment came a prepared statement re-emphasizing Wallace's previously expressed determination to prevent violence.

The statement, read to his colleagues by Sen. Walter Givhan of Dallas County, sponsor of the law and order amendment, said the Governor "has pledged time and time again that he is going to maintain peace and harmony."

"His pledge to maintain law and order is sincere," Givhan continued. "He and his staff are taking all the necessary precautions to insure that lives and property on the University campus are fully protected."

The statement said Wallace himself will physically bar the Negroes from the University door and that law enforcement officers, presumably state troopers, will be used to keep order.

Givhan told the Senate that the Governor decided on his defiant stand "because he feels that it is high time the people of this Nation be awakened to the onslaught of Federal force."

nor, because of his pledges and because of the confidence the people of Alabama have in him, can maintain law and order . . . and at the same time fulfill his covenant with the people.

That was a reference to his campaign promise last year to defy any Federal court desegregation order.

Givhan is the 60-year-old legislator who said he "knocked the stuffings" out of two Negro women at a Montgomery bus terminal last Friday after he said they shoved into line ahead of two white women. No charges were filed.

The support Wallace resolution itself said the Legislature "abhors" mob rule, and expressed belief that a majority of the people in Alabama want law and order.

But despite those assurances, freshman Sen. James E. Horton Jr. of Limestone County renewed his warning of a potential "holocaust" if the Governor makes his promised campus appearance. Horton said Wallace's very presence in an announced attempt to turn the Negro students back would invite mobs to form.

"We cannot disobey a Federal court order," he said. "However much we might like to, the end result is fore-ordained."

The people of Alabama and the rest of the South must shoulder part of the blame for Federal court integration orders, Horton continued.

"We brought a lot of this on ourselves," he declared. "If we had done more for the Negro people in the past, we wouldn't now be reaping the whirlwind."

Washington Post
Washington, D. C.
Date: 5/23/60

ALABAMA SENATE BACKS WALLACE

Plea Against Mob Violence Is Added to Resolution

MONTGOMERY Ala. May 9 (AP) — A resolution endorsing Gov. George C. Wallace's proposed defiance of a court order to integrate the University of Alabama passed the state Senate today with an appeal to the people to prevent mob violence.

A compromise agreement broke up a Senate filibuster on the issue.

Adoption of a law-and-order amendment sent the resolution back to the House, where it originated. It cannot be acted on there until the House reconvenes Friday.

An earlier amendment that sought to accomplish the same thing by putting the Legislature on record against violence was withdrawn for another that reportedly had the approval of Mr. Wallace.

The only difference was in the wording and the fact that the substitute amendment gave the Governor a vote of confidence.

In passing the resolution, the Senate urged state officials to continue to challenge in court the constitutional questions involved in the Federal court order directing the university to admit two Negroes. But it said that the Legislature "abhorres mob rule and it expressed the belief that the majority of the people of Alabama wanted law and order."

In prolonged debate last night, some Senators warned that violence could result from Mr. Wallace's non-integration stand.

In an impassioned appeal Senator James K. Horton Jr. questioned the wisdom of Mr. Wallace's announced intent to appear in person at the university on June 10 and turn back any Negro attempts to enroll for the summer term.

The Governor's presence, Mr. Horton said, "will by implication attract a mob which by suspension will make (Hoford) ... a Sunday school ... It will create an atmosphere so potentially dangerous that the slightest spark would create a holocaust," he added.

Senator George Hawkins agreed that Mr. Wallace was committed to carry out his "stand-in-the-bunkhouse door" pledge to the voters. However, he said that it would be dangerous for the Legislature to condemn the Governor for his stand.

New York Times
New York, New York
Date: 5/30/63

Tuscaloosa Group Calls on Wallace Not to Bar Negro

TUSCALOOSA, Ala., May 30 (AP).—More than 200 Tuscaloosa residents have signed a petition asking Gov. George C. Wallace not to interfere with registration of a Negro for the summer session at the University of Alabama.

Vivian J. Malone, 20, of Mobile, plans to enroll for the session beginning June 10. Gov. Wallace has pledged to bar physically her admission to the white institution. The Ku Klux Klan has promised to back the Governor in his stand.

The petition came out of a meeting Tuesday night during which a labor union leader and Klansman Robert Shelton exchanged sharp words.

Mr. Shelton said after the meeting that anyone who signed the petition was an integrationist.

Aaron Waldrop, union leader at the B. F. Goodrich plant, answered: "I signed it because I want law and order, but I'm no integrationist. You're talking like a rabble-rouser."

Mr. Shelton answered: "If people would keep quiet and stop passing resolutions, there would be no trouble."

*Eveing Star
Washington, D. C.
Date: 5/30/63*

Aides Say Wallace Ready To Defy Ban

By REX THOMAS

MONTGOMERY (AP) — Gov. George Wallace seems bent on trying his promised no-integration blockade at the University of Alabama even if a federal judge tells him to stay away.

Aides say the defiant segregationist governor is not likely to be dissuaded by a court order to stop him from interfering with the scheduled enrollment of two Negro students next month.

Wallace's announcement last Tuesday that he would personally bar the Negroes at the university drew came only hours after U.S. Dist. Judge H. Howard Craven ordered the two students admitted.

The governor's self-styled legal defiance and legal resistance involving his sovereign powers brought the Justice Department into court asking a hands-off injunction against Wallace. A hearing

An Analysis Of The News

ing is scheduled in Birmingham June 3 before another federal judge, Seybourn H. Lynne.

If the court issues the injunction and the governor disregards it, he will invite prosecution for contempt. But he may be facing a contempt citation anyway without any further court orders.

As governor, Wallace is ex officio president of the university board and is already under one injunction — dating back to 1956 — which prohibits racial discrimination.

His promised stand in the schoolhouse door appearance on June 10 could well put him in contempt for violation of the existing injunction even without a direct keep-away order from Lynne.

So, if he were willing to risk punishment by defying one injunction, it does not seem likely that another court order would scare him off.

Actually, the Justice Department suit may give the governor precisely what he says he is looking for — a direct test of his authority as chief executive.

He almost certainly will argue that he has a constitutional right as the head of a sovereign state to keep the two Negroes out of the university and that the courts cannot legally keep him from interfering.

He probably will have a strong force of poorly trained state troopers on the campus to prevent violence. But there is no indication that the state officers themselves will be used to turn back the Negro students or any U.S. marshals who may accompany them. Wallace wants to do that.

The governor has been unwavering in his promise that law and order will be maintained on the campus where seven years ago another Negro student, Autherine Lucy, was driven away by a rampaging white mob. She later was expelled for accusing school officials of conspiring with the mob.

State and local police probably will seal off the main campus at Tuscaloosa where Vivian Malone is scheduled to enroll and the university center at Huntsville where David M. McIlathery was admitted.

If a tight security ring is drawn around the university, only students and school employees will be admitted as long as danger of violence exists.

Wallace Eludes U. S. Marshals

MONTGOMERY (AP) — U.S. marshals tried in vain today to serve legal papers on a heavily guarded Gov. George Wallace. Later, it reportedly was agreed that a member of Wallace's staff would accept them.

An aide said the staff member would accept the papers formally notifying the governor's office of a newly filed school integration suit.

Heavily armed state troopers who guarded the governor's mansion and then accompanied Wallace to a downtown conference kept the federal officers from delivering the papers to the governor himself.

The suit, filed by the Justice Department last Friday, seeks a court order to prohibit Wallace from carrying out his promised intervention when two Negroes try to enroll at the University of Alabama.

Two deputy marshals waited for several hours at the governor's office Friday afternoon but left without getting to the governor.

Teletype from Memphis dated 5-31-63

**DESEGREGATION OF UNIVERSITY OF MISSISSIPPI
RACIAL MATTERS**

Conference called by Chancellor, University of Mississippi, today attended by commanding officer, Army Forces, Oxford, Mississippi, University officials, campus Chief of Police, and FBI. University plans for registration of James Meredith and Cleve McDowell revealed.

In separate meeting attended by commanding officer, U.S. Army, Chancellor, FBI representatives, and H. E. Clegg, Director of Development, University of Mississippi, Clegg revealed that he had received information to effect Governor Ross Barnett of Mississippi has made statements in past few days which indicate he will block entrance of McDowell to University of Mississippi. According to Clegg in comments Barnett indicated would personally appear at University of Mississippi to block McDowell's entrance. Clegg pointed out Barnett has made similar threats in past which he did not follow through. Clegg stated that in statements, Barnett has also threatened to close University rather than admit second Negro.

Clegg stated he feels that if U.S. Attorney General would call conference of individuals who have served as advisors to Governor, a situation such as developed in September could be

avoided. Clegg indicated Governor has individuals whom he listens to both extreme segregationists and persons who have taken a conservative approach to integration situation in Mississippi. Persons mentioned by Clegg were John Satterfield, Yazoo City, Mississippi, Judge Montgomery, and Tom Watkins of Pontotoc, Mississippi.

Commanding officer of Army remarked that John Doar, U.S. District Judge, may contact Clegg. Clegg advised would be willing to talk to Doar and furnish information set forth above and that he would encourage Doar to request U.S. Attorney General to call persons close to Barnett for conference. Clegg indicated anxiety to keep above information as confidential as possible; however, did desire that information be furnished to U.S. ~~District Judge~~ either by himself or by FBI.

Mr. Clegg telephonically advised subsequent to above conference that Governor Barnett has contacted a person in Oxford today requesting that he contact engineers employed by University and get a report indicating that the Law School Building was badly in need of repair and should be closed. Mr. Clegg indicated that a report was returned to Mr. Barnett indicating that the Law School Building was in excellent condition and there was no need to close for repairs. Mr. Clegg stated this information furnished as a further trend in ~~Governor Barnett's~~ thinking.



Associated Press

The University of Mississippi was ordered by a United States District Court judge Tuesday to admit Cleve McDowell, a 21-year-old Negro, to its law school for the term starting June 1.

Ole Miss Ordered To Admit Negro To Law School

BILOXI, Miss., May 29 (AP)—The University of Mississippi was under Federal orders today to admit a second Negro student, honor graduate Cleve McDowell.

In a quickly moving desegregation suit, United States District Judge Sidney Mize yesterday ordered the school to admit Mr. McDowell to its law school for the summer term starting next Wednesday. Mr. McDowell is 21 years old.

The suit was filed about 2:15 p.m. Shortly before 4 p.m. Judge Mize announced the issuance of a temporary order restraining the school and the State college board from denying Mr. McDowell's admission.

A hearing on the next step, an injunction, was set for Monday.

James H. Meredith, the first Negro knowingly enrolled at Ole Miss, plans to attend summer school and be graduated in August.

Mr. McDowell was graduated

with honors from high school in Drew, a Northwestern Mississippi community, and then went to Jackson State College for Negroes. He finished four years of work in three years and was graduated with honors last Monday night.

"In every respect he has shown to be qualified," Judge Mize said.