

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA,)
)
) Plaintiff,) CIVIL ACTION NO.
)
 v.)
)
) ROSS R. BARNETT, Governor of the)
) State of Mississippi and PAUL B.) TEMPORARY RESTRAINING
) JOHNSON, JR., Lieutenant Governor) ORDER
) of the state of Mississippi,)
)
) Defendants.)
)
 _____)

This Court having entered its order in the case of Cleve McDowell v. Charles Dickson Fair, et al. on June 3, 1963 requiring the officials of the University of Mississippi and the members of the Board of Trustees of the Institutions of Higher Learning of the State of Mississippi to enroll Cleve McDowell as a student in the University of Mississippi, and it appearing from the verified petition of the United States that Ross R. Barnett, Governor of the State of Mississippi and Paul B. Johnson, Jr., Lieutenant Governor of the State of Mississippi have been enjoined by the Court of Appeals for the Fifth Circuit from interfering with or obstructing by any means or in any manner the enjoyment of rights or the performance of obligations under the Court of Appeals order of July 23, 1962 and an order of this Court entered September 13, 1962, both of which orders required the enrollment of James

H. Meredith at the University of Mississippi and it further appearing that neither Ross R. Barnett nor Paul B. Johnson, Jr. have ever publicly stated that they would recognize, respect and obey orders of the federal courts for the State of Mississippi or orders of any federal courts of the United States and it further appearing that any attempt by Ross R. Barnett or Paul B. Johnson, Jr. to interfere with the entrance of Cleve McDowell to the University of Mississippi on June 3, 1963 pursuant to the order of this Court will cause immediate and irreparable injury to the United States, consisting of the impairment of the integrity of its judicial process, the obstruction of the due administration of justice, and the deprivation of rights under the Constitution and laws of the United States or before notice and hearing had, it is ordered that Ross R. Barnett and Paul B. Johnson, their agents, employees, officers, successors and all persons in active concert or participation with them be temporarily restraining from:

(a) preventing or seeking to prevent, or interfering in any way with, the enrollment and attendance of Cleve McDowell at the University of Mississippi;

(b) obstructing or interfering with, by any means or in any manner, the implementation of this Court's order of June 3, 1963 in the case of Cleve McDowell v. Charles Dickson Fair, et al., No. , and

(c) otherwise obstructing or interfering with the due administration of justice by the courts of the United States within the State of Mississippi.

It is further ordered that a hearing on plaintiff's application for Temporary Restraining Order will be held on the
day of at o'clock
in Courtroom of the Federal Office Building, in
Mississippi.

UNITED STATES DISTRICT JUDGE

[The attorneys for the defendants in the case of McDowell v. Fair attempted to introduce this affidavit but the objections to the introduction of the affidavit made by plaintiff's counsel were sustained by the Court. The judge also did not permit the defendant counsel to read this affidavit publicly but inspected it personally and made its ruling.]

MISSISSIPPI EXECUTIVE DEPARTMENT
Jackson

COUNTY OF)
) IS:
STATE OF)

Personally appeared before me, the undersigned Secretary of State of the State of Mississippi, the Honorable Ross R. Barnett, the duly elected and acting Governor of the sovereign state of Mississippi, who being by me first duly sworn, states:

The records in the office of the Clerk of the United States District Court for the Southern District of Mississippi reveal that James H. Meredith has moved this Court for a preliminary injunction to force the officials of the University of Mississippi to provide public housing facilities for his Negro wife and child at the 1963 summer term of the University; and further reveal that another Negro, promoted and financed by professional race agitators, has secured from the Court a temporary restraining order and now simultaneously seeks a preliminary injunction forcing his admission to the School of Law of the University for the same summer term.

A tense and abnormal atmosphere has prevailed at the University and, indeed, throughout the State of Mississippi since September 30, 1963, when our University campus was occupied by Marshals and the United States Army.

Continuously since September 30, 1962 the property of the people of this great and indestructible State has been under military occupation by the armed forces of the United States in order to intimidate and oppress the people of this State.

While the State government is physically powerless to overcome this suspension and derogation of its constitutional rights by the superior might of the federal armed forces, it is more than certain that the free spirit and stout hearts of the citizens of Mississippi remain undaunted in their determination to preserve the Tenth Amendment to the Constitution of the United States which gives unto the States the right to control and operate their own internal affairs and especially their educational institutions.

The tempers of loyal Mississippians of every race have been aroused and provoked to fever pitch, the like of which I have never seen equaled before, by these efforts and by the lawless, senseless demonstrations which have been and are being promoted and sponsored in the municipalities of Greenwood and Jackson by alien agitators, provocateurs and mercenaries who have come into our midst as modern-day carpetbaggers to dupe the foolish and trick the irresponsible into aiding them in the creation of racial unrest and to assist them in the destruction of the personal and property rights of citizens by creating and provoking breaches of the peace and by fomenting violence and disorder. If it had not been for the splendid leadership and the unselfish devotion to duty shown by the officials and peace officers of

these fine cities these racial scallwags would already have achieved their infamous purposes. Had they been successful, the splendid relations which have existed between the races in this State for decades would have been obliterated and men of good will of all races would be caused to develop these antagonisms and discord which inevitably results in turmoil, strife and bloodshed when passion replaces reason.

As Governor, my oath of office obligates me to see that the laws of this State are faithfully executed and that peace and good order prevail.

I have attempted to persuade the law school applicant through his friends and advisors to consider these matters and I have urged that if his interests be in obtaining an education that he attend some other law school where his presence would not be accompanied by the pressures of increased racial tension, unrest and disturbances which will probably accompany his forced entrance at the University of Mississippi; and I continue to insist that if education is his motive, wise counsel demands that this should be his course, and he has been so advised.

For all of the foregoing reasons, I am convinced that it is my duty to file this affidavit so that this Court may be fully apprised.

With great deference and respect I urge this honorable Court to deny each and both of these motions forthwith and respectfully suggest that the granting of each of them, would be, in my sincere opinion and the considered exercise of my best judgment,

unwise in the extreme and improvident because I am convinced that they may well lead to discord, disorder, strife and bloodshed against the peace and dignity of the State of Mississippi.

/s/ Ross R. Barnett
ROSS R. BARNETT
Gov. of the State of Mississippi

Sworn to and subscribed before me
this 3rd day of June A.D. 1963

Huber Linder
Secretary of State

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

SOUTHERN DISTRICT OF MISSISSIPPI
FILED
JUN 1 1963
Loyce E. Wharton, Clerk
By _____

CLEVE McDOWELL, Etc., et al.,
Plaintiff,
V.
THOMAS JEFFERSON TUBB, et al.,
Defendant.

CIVIL ACTION No. 3425

O R D E R

This cause came on to be heard before this Court on the 3rd day of June 1963, on plaintiff's motion for a preliminary injunction pursuant to the order of this Court of May 29, 1963, granting a temporary restraining order and setting plaintiff's motion for a preliminary injunction and defendants' motion to dissolve the temporary restraining order for this date. Plaintiff's motion seeks a preliminary injunction enjoining the defendants from deferring and denying Cleve McDowell's application and from refusing to admit Cleve McDowell to the Law School of the University of Mississippi for the first summer session beginning on or about June 5, 1963;

And it appearing to the court that immediate and irreparable injury, loss or damage will result to the applicant before a final hearing can be had on plaintiff's motion for permanent injunction;

And it appearing that defendants' counsel, the Attorney General of Mississippi, has had notice of this application, and was present;

And it appearing that the applicant will lose forever the opportunity to begin his Law School education in the first summer session at the University of Mississippi beginning June 5, 1963, unless this relief is granted immediately;

And it appearing that only one day remains before the commencement of the first summer session of the Law School at the University of Mississippi on June 5, 1963, and, consequently, that time is of the essence of the relief sought by the plaintiff;

And it further appearing without dispute that plaintiff is qualified for admission and has been recommended for admission by the Dean of Admissions of the School of Law of the University of Mississippi;

It is now ORDERED that the defendants, Thomas Jefferson Tubb, Chairman, Board of Trustees of State Institutions of Higher Learning of the State of Mississippi, West Point, Mississippi, and Lucid Ray Jobe, Executive Secretary of The Board of Trustees of State Institutions of Higher Learning of the State of Mississippi, Jackson, Mississippi, and Edgar Ray Izard, Esauhurst, Mississippi; Leon Lowrey, Clive Branch, Mississippi; Ira Lamar Morgan, Oxford, Mississippi; Malcolm Matte Roberts, Hattiesburg, Mississippi; William Orlando Stone, Jackson, Mississippi; S. R. Evans, Greenwood, Mississippi; Vernon Smith Haines, McComb, Mississippi; James Napoleon Lipscomb, Macon, Mississippi; Talley D. Riddell, Quitman, Mississippi; Harry Gordon Carpenter, Walling Fork, Mississippi; Robert Bruce Smith, II, Ripley, Mississippi; and Charles Dickerson Fair, Louisville, Mississippi, Members of the Board of Trustees of State Institutions of Higher Learning, and James Davis Williams, Chancellor of the University of Mississippi, Oxford, Mississippi, and Robert Byron Ellis, Registrar of the University of Mississippi, Oxford, Mississippi, and The Board of Trustees of State Institutions of Higher Learning of the State of Mississippi, and each of them, their agents, employees, successors, and all persons in active concert and participation with them be, and they hereby are, enjoined: 1) from denying or postponing the admission of Love McDowell to the Law School of the University of Mississippi; 2) from refusing to admit him to the Law School of the

of the University of Mississippi for the first summer session commencing on or about June 5, 1963. 3) from refusing to permit him to attend classes; 4) from refusing to give him housing on the campus of the University of Mississippi; 5) from refusing to give him any other right, privilege or immunity accorded any other student in the Law School to which he may be entitled; and 6) from discriminating in any way against him because of his race or color.

It is further ORDERED that the applicant deposit the sum of \$250.00 as security for costs which may be incurred by the defendants in this action if it should appear that they have been wrongfully enjoined or restrained.

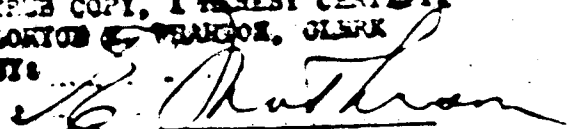
It is further ORDERED that a copy of this temporary injunction be served by the United States Marshal on each defendant in this action.

Entered at Biloxi, Mississippi this 4th day of June, 1963, at 6
O'clock P.M.

S. C. King
United States District Judge

- 3 -

A TRUE COPY, I HEREBY CERTIFY,
LONDON W. WEAVER, CLERK
BY:


Deputy Clerk

Jackson, Mississippi
June 5, 1963

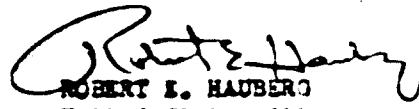
Honorable John Dear
Attorney at Law
Department of Justice
Civil Rights Division
Washington 25, D. C.

Dear Mr. Dear:

Re: Cleve McDowell, et al v. Thomas
Jefferson Tabb, et al.
Civil Action No. 3425

Enclosed is copy of an order signed by Judge
S. C. Wise on June 4, 1963 with reference to the admission
of the plaintiff to the Law School of the University of
Mississippi.

Respectfully,


ROBERT E. HAUBERG
United States Attorney

Enclosure
cc: Mr. Dear
c/o U. S. Attorney
Oxford, Miss.



M'DOWELL ENROLLED — Cleve McDowell, second Negro to be enrolled at the University of Mississippi strolled across the campus yesterday afternoon shortly after being admitted to the law school. There were no incidents.

By (a Page One)

— (a Page One)

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- 4 -

unwise in the extreme and improvident because I am convinced that they may well lead to discord, disorder, strife and bloodshed against the peace and dignity of the State of Mississippi.

As/ Ross E. Barnett
Ross E. Barnett
Gov. of the State of Mississippi

Sworn to and subscribed before me
this 3rd day of June A.D. 1963

Huber Ladner
Secretary of State

ASSIGNMENT - BAXTER HALL

A. Tour of Duty

Tours of duty will be for eight days, commencing on Sunday and terminating on the second following Monday night. The attorney assigned to the duty will leave Washington Sunday night at 6:00 on American Airlines connecting with a 7:20 flight from Memphis to Oxford on Souther Airlines. On the second Monday following the attorney will return to Washington on the 3:30 American Airlines flight.

B. Objective

The purpose of this assignment is to direct the ~~de-~~ ~~tail~~ of Marshals who are assigned to protect Meredith with respect to the overall security pattern at any particular place and time; to anticipate and avoid, if possible, all emergency situations; to maintain good relations with the faculty and administration of the University of Mississippi to the end that all unnecessary resentment of Meredith is avoided; to properly coordinate Meredith's weekend activities; and to report to the Department of Justice on a daily basis as to the situation at Oxford.

I. The long range objective of this program is as follows:

- A. To keep Meredith from being incapacitated while attending the University of Mississippi;
- B. To afford Meredith the opportunity of obtaining a diploma at the University of Mississippi;
- C. To expose Meredith to the students of the University of Mississippi as frequently and as normally as is practicable;
- D. In striving for our long-range objective you should not:
 1. Keep Meredith under unnecessary security which will be disruptive of the normal atmosphere of the University and which will also give a continuing impression that Meredith is at the University as a ward of the

United States Government and not as as a citizen of Mississippi seeking to gain an education.

2. Interfere with Meredith's decisions or desires as to his life on the campus except through friendly advice or suggestion and to make security measures as inconspicuous and unobtrusive as possible so that Meredith will not be distracted from his studies and can enjoy a normal life on the University campus.

II. Remember we should never permit the students to make Meredith take a backward step. For example, once he started eating at the cafeteria he must not stop eating there or skip particular meals because of pressure from the students. In the future, once Meredith starts using any facilities on the campus he should not stop because of the attitude of the students. We should counsel Meredith not to proceed too fast because if we proceed slowly there is less likelihood of a reversal.

C. Checklist of Duties Performed by Attorney

1. Maintain personal contact with Meredith so as to coordinate his actions with those of security unit:
 - A. Continually evaluate Meredith's feelings regarding methods being used in providing him security, and either make or recommend changes in these methods to lessen any of his dissatisfactions in a manner consistent with his security.
 - B. Obtain the necessary information from Meredith regarding his movements on campus so that adequate protection may be provided for him during those movements.
 - C. Obtain from Meredith his weekend plans well in advance and contact superiors in Department of Justice so that inadvisable parts of the plan can be changed.

Once weekend plans have been completed, inform the Marshals, FBI and, if necessary the Army personnel; do not contact any local law enforcement officials without directions from Washington.

2. Coordinate the security units activities with the movements by Meredith on the campus.

A. Army

1. Notify appropriate M.P. unit of Meredith's movements in sufficient time to enable them to cover his movements under the procedures previously arranged with the Army.

B. Marshals

1. After the attorney has determined the method to be used in providing the security for each of Meredith's movements he then briefs the Marshals in detail as to how it will be carried out. As determined by the circumstances, the attorney may brief all of the Marshals together, each individually, or only the Senior Marshal. In all cases it is the attorney's responsibility that each Marshal is aware of his assignment.

C. Other Persons

1. Cafeteria - Notify Mr. Bounds or Mr. Odum when Meredith will eat. They should be given as early notice as possible so they can notify the campus police to be present. Be sure they recognize and accept this responsibility of notifying Chief Tatum of the campus police to have a campus policeman inside the cafeteria during every meal.

3. Coordinate the security units with the movements of Meredith when he is off-campus on the weekends.

1. Set up a headquarters near where Meredith spends the weekend. This will usually require coordination of the CIC, FBI, Army and Marshals; and maintaining contact with Washington.

4. Do not do things in a predictable or established manner. For example, do not attempt to have Meredith eat at the same hour each day. nor sit at the same table in the cafeteria; nor follow the same path to classes or to the dormitory; or always use the same exit or entrance in the buildings.

5. Brief Marshals on the procedures for protecting Meredith:

A. Positions of Marshals and methods of protecting him while walking, riding and when in class.

1. Emphasize the problems in the various buildings on campus - e.g. Conner Hall, and Post Office.

B. Discuss use of firearms;

C. Discuss use of M.P.'s - when and how signaled.

D. Continual surveillance for suspicious individuals. (Particularly information relating to know individuals who have made threatening statements.)

6. Brief Marshals on the relationship of Marshals with other students, faculty, and the university administration.

A. Friendly and courteous, don't discuss principles of right and wrong of integration (stay with talk on other subjects). Advise them to SMILE and always say "Good Morning" first.

B. Don't show irritation with names and phrases used by students.

7. Relationship with Newsmen.

A. Enforce the University rule against the taking of photographs in buildings. Approach every individual who has a camera in the building and explain the rule to them. When necessary to enforce the rule, the individual with the camera

should be taken to the attorney or Chief Marshal on duty. They will contact the proper university authority. (Generally the Provost - Mr. Hayword.)

- B. Don't discuss Meredith's movements or schedule or matters relating to his personal life.

8. Intelligence

Meredith's security will depend in large part on the efficiency of our intelligence network. This is made up of:

- A. The FBI which has been instructed to communicate on an expedited basis all intelligence information to lawyer in charge at Baxter Hall and to the Civil Rights Division in Washington.
- B. The Army. It is the responsibility of the attorney in charge to advise the Army that he should be told of all intelligence information that the Army acquires.
- C. The Department of Justice Personnel. It is the responsibility of the attorney in charge to check with Marshals and his other sources of information on campus.

9. Review of Procedures

Constantly review our procedures to see how and when they can be improved. Check with reliable persons on faculty or in school administration to determine if we are doing anything we should not be doing or if we are not doing something we should be doing.

B. Emergencies

Each attorney should carefully review the various emergency situations that might arise. Here are examples:

- A. Meredith is walking alone to or from class and a student clobbers him and knocks him to the ground. He is unconscious. In such situation whatever

Marshal is closest to Meredith should go to him immediately and shield him from any surrounding crowd. If there are any further attempts to strike, kick or trample Meredith, the Marshal must take firm action, including the drawing of his gun, and advise the crowd that the security of Meredith is his responsibility and he means to protect him by any means that are necessary. Other Marshals in the vicinity should immediately assemble around Meredith and the Marshal who is in contact with the Army MP squad should signal them to leave their jeeps and come to the scene.

- B. Attempt made to spill coffee on Meredith at the cafeteria.
- C. Fire in the dormitory.
- D. Riot in the dormitory.
- E. Missile thrown through dormitory window.

H. Contacts

A. Meredith's Teachers

- 1. Fortenberry - This man is a good man, reliable and sound.
- 2. Morgan - Young instructor from Kosciusko, anxious to help Meredith.
- 3. Marquette - A slight older professor from Wisconsin, mild and thoughtful. Probably is representative of the typical faculty member.

B. Other Faculty Members

- 1. Mrs. Al Moreton: Wife of Assistant U.S.A. A real jewel, young, has close contacts with student body. Has good sense. Moreton's younger brother is a student employee in cafeteria.

2. Dr. Silver: Very liberal History Professor. Probably not respected by average Mississippian. Appears to be good man. Wants to help.
3. Russell Barrett: Good source of information on faculty activities.
4. Dr. Webb: Head of English Department. Conscientious. Concerned about Meredith's welfare. Determined English Department will be run normally.

C. Students

1. Cleary (FNU) This boy is from Kosciusko. He was first student who talked to Meredith in cafeteria. Has real courage. If he can be contacted and his opinion obtained on attitude of commerce school male students it would be helpful. Father is a lawyer.

D. Administration

1. Mr. Davison: Treasurer and Comptroller. Head of cafeteria. Good man. Willing to discuss problems. Go to him about cafeteria problems and for discussion as to cafeteria problems from his point of view.
2. Mr. Hayward: Provost. Good man. Alert. Conscientious.
3. Dean Love: I do not know Dean Love.
4. Mr. Clegg: Influential, strongminded. Has strong views on newspaper people.

B. Others

1. Al Moreton: Assistant U.S.A.
2. Les Pritchard: Assistant U.S.A.

FOR: Mr. John Doe

144-46254

From: Mendel

Need list

Apartment

1. Shower curtain
2. Chair to desk, sitting
3. Toilet paper
4. Waste basket, broom + mop

1. Get post office Box number
2. Telephone - unlisted

1. Change Spanish class (would like to see the Dean or advisor)
2. Have transcript sent to the Registrar from Jackson State College

1. Get acquainted with and use the library
2. locate and use of the cafeteria

1. Call my wife at Jackson State College
2. Call my lawyer in New Orleans

Note: the French class, 301, with Mr. Pomerantz, is taught at the same class hour (J) as the Spanish course that I need to drop.

Robert Massie - 8 PM.
Sent Ev Post

UNIVERSITY OF MISSISSIPPI
UNIVERSITY MISSISSIPPI

144-45-254

INTERDEPARTMENTAL COMMUNICATION

TO: • Mr. John Doar
FROM • H. W. Bounds, Director of Food Services
SUBJECT •

DATE Oct. 3, 1962

Will you please come by the cafeteria after lunch, as I would like to talk with you.

Thank you.

Respectfully,



H.W.B.

COMMUNICATIONS

Mr. White - University Custodian

University - Dean's Office - 234 - 1211
Chancellor's Office - ext. 212
Assistant Chancellor Hugh Cleeg - ext. 225

U. S. Attorney's Office - Oxford - (E.M. Ray and Mr. Morton) - 234-3351

Chief Tatum (Chief, University Police) - Daytime: University switchboard
Night: 234-4111 or Home: 234-5517

~~Detention Section - 234-1211~~
U.S. Marshal - *PHILLIPS 234-6661*
Commissioner Craig (Building Next to Post Office) - 115 1/2 S. Lamar - 234-2711
Base (Federal Bldg.) - ~~Marsale, Border Patrol HQ - radio telephone from~~
Faculty House or 234-6626

Col. Wine - U. S. Army Liaison - same as Base

Patrol Vehicles - radio telephone from Faculty House.

Command Post 23rd Infantry - 234-6371

FBI - 234-5364 or Mansell Hotel - 234-3411

Groh - Liaison with Corps General Howze - field phone in Justice Communications Ofc.

~~Marshal's Office in Faculty House - 234-1994 or 234-3719~~

Dep. Atty. Gen's Office in Faculty House - 234-~~1313~~ *5864*
5719
1313
2964

For any difficulties with students or faculty in connection with Meredith's class attendance:

Mr. Charles Haywood - Provost - University inside ext. 215

Local Phones at Army: 234-1811

Major Gunn (Communications Officer) - 234-2252 - General Howze
Operations Center - 234-6181
Operations Center - 234-1364
Public Information - 234-3281
101st Airborne (Camp Phone) - 234-6371

Scal Line - 231-1679 - Faculty House
231-1525 - Base Federal Building
231-1466 - A. G. Washington

OSFORD PERSONNEL

TENTATIVE 10/5

WASHINGTON DEPARTMENT OF JUSTICE:

BRIDGEMAN	GOLDEN	CAYEN
DOAK	ALDENSON	STEIN
FRITZMAN	HEAY	WING LINDBERGH
ROTHMAN	DORRAN	WISS O'NEILL
COON	DUNBAR	W.D. DEANE

MARSHALS: MARTIN HERRICK (MARSHAL IN CHARGE)

BECK	TEW	DEANE
EMERSON	COCKE	BARKWOOD
MOFFET	CARTER	WICK
JOHNSON	CART	

BORDER MARSHALS: CHARLES CHAMBER (MARSHAL IN CHARGE)

RAY	FELLEY
DELANE	HERRICK

FBI: CARL DUNLEY (MARSHAL IN CHARGE)

SEELY	CARTY	COOPER
-------	-------	--------

LOCAL FEDERAL PERSONNEL:

U. S. ATTORNEY: RAY HERRICK HERRICK

U. S. MARSHALS: PHILLIPS FORD JURY

FBI: COOPER

DEPARTMENT JUDGE CLAYTON

COMMISSIONER CRAIG

MILITARY LEADER: COL. WEE.

Bottles and Firecrackers

NEWS

10/30/62

Students Harrass Meredith's Guards

OXFORD, Miss., Oct. 30 (UPI) — University of Mississippi students, shouting "Yankees, Go Home," last night threw bottles, eggs and firecrackers at the soldier guards of Negro student James H. Meredith.

No one was hurt and there were no arrests in the demonstration which began at the university cafeteria while Mr. Meredith was eating dinner and later spread to the Negro's dormitory where it continued well into the night.

It was the worst demonstration on the campus since the bloody rioting touched off by Mr. Meredith's admission Sept. 30, that killed two persons and injured several hundred others.

There was no apparent attempt to harm Mr. Meredith. He emerged during the melee in front of the cafeteria and went virtually unnoticed back to his dormitory, Baxter Hall. The later demonstration outside Baxter Hall occurred at the opposite end of the dormitory from Mr. Meredith's apartment.

PRESENT

Several soldiers and U. S. marshals chased a few of the students who hurled eggs, bottles and firecrackers at a jeep-load of soldiers outside the cafeteria. They were unable to catch the youths, however, and the crowd of about 200 students broke up after campus police chief Burns Tatum jokingly told them to "let them go on now. I've run that jeep off."

But students later began harassing soldiers standing guard outside Baxter Hall by tossing firecrackers and "cherry bombs" down from dormitory windows. Several hundred students gathered in front of a dormitory across the street from Baxter Hall.

Dean of Students L. L. Love was talking with students inside Baxter while the disturbance went on outside. There have been reports of consistent harassment of Mr. Meredith, such as slamming doors, shouting and fireworks, by students in Baxter.

Student sources quoted Mr. Love as saying he had advised against housing Mr. Meredith on the campus but that he had been overruled by Justice Department officials.

UNDERGROUND?

Mr. Love later walked over and urged the students to return to their dormitories and the group began dispersing.

There was no immediate indication whether last night's action was connected with the "rebel underground," a secret group dedicated to fight Mr. Meredith's presence with every means available.

DEPARTMENT OF JUSTICE

CIVIL RIGHTS DIVISION

Enforcement of Court Desegregation Orders

UNIVERSITY OF MISSISSIPPI

~~Memphis~~ -- ~~St. Louis~~

Baxter Hall Detail John Dear

ASSIGNMENT - BAXTER HALL

A. Tour of Duty

Tours of duty will be for eight days, commencing on Sunday and terminating on the second following Monday night. The attorney assigned to the duty will leave Washington Sunday night at 6:00 on American Airlines connecting with a 7:20 flight from Memphis to Oxford on Souther Airlines. On the second Monday following the attorney will return to Washington on the 3:30 American Airlines flight.

B. Objective

The purpose of this assignment is to direct the detail of Marshals who are assigned to protect Meredith with respect to the overall security pattern at any particular place and time; to anticipate and avoid, if possible, all emergency situations; to maintain good relations with the faculty and administration of the University of Mississippi to the end that all unnecessary resentment of Meredith is avoided; to properly coordinate Meredith's weekend activities; and to report to the Department of Justice on a daily basis as to the situation at Oxford.

I. The long range objective of this program is as follows:

- A. To keep Meredith from being incapacitated while attending the University of Mississippi;
- B. To afford Meredith the opportunity of obtaining a diploma at the University of Mississippi;
- C. To expose Meredith to the students of the University of Mississippi as frequently and as normally as is practicable;
- D. In striving for our long-range objective you should not:

1. Keep Meredith under unnecessary security which will be disruptive of the normal atmosphere of the University and which will also give a continuing impression that Meredith is at the University as a ward of the

United States Government and not as
as a citizen of Mississippi seeking
to gain an education.

2. Interfere with Meredith's deci-
sions or desires as to his life on
the campus except through friendly
advice or suggestion and to make
security measures as inconspicuous
and unobtrusive as possible so that
Meredith will not be distracted from
his studies and can enjoy a normal
life on the University campus.

II. Remember we should never permit the students to
make Meredith take a backward step. For example, once
he started eating at the cafeteria he must not stop eating
there or skip particular meals because of pressure from the
students. In the future, once Meredith starts using any
facilities on the campus he should not stop because of the
attitude of the students. We should counsel Meredith not
to proceed too fast because if we proceed slowly there is
less likelihood of a reversal.

C. Checklist of Duties Performed by Attorney

1. Maintain personal contact with Meredith so as to
coordinate his actions with those of security units:

- A. Continually evaluate Meredith's feel-
ings regarding methods being used in
providing him security, and either
make or recommend changes in these
methods to lessen any of his dissatis-
factions in a manner consistent with
his security.
- B. Obtain the necessary information from
Meredith regarding his movements on
campus so that adequate protection may
be provided for him during these move-
ments.
- C. Obtain from Meredith his weekend plans
well in advance and contact superiors
in Department of Justice so that inadvis-
able parts of the plan can be changed.

4. Do not do things in a predictable or established manner. For example, do not attempt to have Meredith eat at the same hour each day, nor sit at the same table in the cafeteria; nor follow the same path to classes or to the dormitory; or always use the same exit or entrance in the buildings.

5. Brief Marshals on the procedures for protecting Meredith:

A. Positions of Marshals and methods of protecting him while walking, riding and when in class.

1. Emphasize the problems in the various buildings on campus - e.g. Conner Hall, and Post Office.

B. Discuss use of firearms:

C. Discuss use of M.P.'s - when and how signaled.

D. Continual surveillance for suspicious individuals. (Particularly information relating to known individuals who have made threatening statements.)

6. Brief Marshals on the relationship of Marshals with other students, faculty, and the university administration.

A. Friendly and courteous, don't discuss principles of right and wrong of integration (stay with talk on other subjects). Advise them to SMILE and always say "Good Morning" first.

B. Don't show irritation with names and phrases used by students.

7. Relationship with Newsman.

A. Enforce the University rule against the taking of photographs in buildings. Approach every individual who has a camera in the building and explain the rule to them. When necessary to enforce the rule, the individual with the camera

should be taken to the attorney or Chief Marshal on duty. They will contact the proper university authority. (Generally the Provost - Mr. Hayward.)

- B. Don't discuss Meredith's movements or schedule or matters relating to his personal life.

8. Intelligence

Meredith's security will depend in large part on the efficiency of our intelligence network. This is made up of:

- A. The FBI which has been instructed to communicate on an expedited basis all intelligence information to lawyer in charge at Baxter Hall and to the Civil Rights Division in Washington.
- B. The Army. It is the responsibility of the attorney in charge to advise the Army that he should be told of all intelligence information that the Army acquires.
- C. The Department of Justice Personnel. It is the responsibility of the attorney in charge to check with Marshals and his other sources of information on campus.

9. Review of Procedures

Constantly review our procedures to see how and when they can be improved. Check with reliable persons on faculty or in school administration to determine if we are doing anything we should not be doing or if we are not doing something we should be doing.

D. Emergencies

Each attorney should carefully review the various emergency situations that might arise. Here are examples:

- A. Meredith is walking alone to or from class and a student clebbers him and knocks him to the ground. He is unconscious. In such situation whatever

Marshal is closest to Meredith should go to him immediately and shield him from any surrounding crowd. If there are any further attempts to strike, kick or trample Meredith, the Marshal must take firm action, including the drawing of his gun, and advise the crowd that the security of Meredith is his responsibility and he means to protect him by any means that are necessary. Other Marshals in the vicinity should immediately assemble around Meredith and the Marshal who is in contact with the Army MP squad should signal them to leave their jeeps and come to the scene.

- B. Attempt made to spill coffee on Meredith at the cafeteria.
- C. Fire in the dormitory.
- D. Riot in the dormitory.
- E. Missile thrown through dormitory window.

B. Contacts

A. Meredith's Teachers

- 1. Portenberry - This man is a good man, reliable and sound.
- 2. Morgan - Young instructor from Kosciuszko, anxious to help Meredith.
- 3. Marquette - A slight older professor from Wisconsin, mild and thoughtful. Probably is representative of the typical faculty member.

B. Other Faculty Members

- 1. Mrs. Al Morcton: Wife of Assistant U.S.A. A real jewel, young, has close contacts with student body. Has good sense. Morcton's younger brother is a student employee in cafeteria.

2. Dr. Silver: Very liberal History Professor. Probably not respected by average Mississippian. Appears to be good man. Wants to help.
3. Russell Barrett: Good source of information on faculty activities.
4. Dr. Webb: Head of English Department. Conscientious. Concerned about Meredith's welfare. Determined English Department will be run normally.

C. Students

1. Cleary (FNU) This boy is from Kosciusko. He was first student who talked to Meredith in cafeteria. Has real courage. If he can be contacted and his opinion obtained on attitude of commerce school male students it would be helpful. Father is a lawyer.

D. Administration

1. Mr. Davison: Treasurer and Comptroller. Head of cafeteria. Good man. Willing to discuss problems. Go to him about cafeteria problems and for discussion as to cafeteria problems from his point of view.
2. Mr. Hayward: Provost. Good man. Alert. Conscientious.
3. Dean Lovel: I do not know Dean Lovel.
4. Mr. Clegg: Influential, strongminded. Has strong views on newspaper people.

E. Others

1. Al Norceton: Assistant U.S.A.
2. Les Pritchard: Assistant U.S.A.

Meredith Security Detail

A. Crew

One marshal in command. ~~Two~~ crews of five marshals each with a twenty-four hour tour of duty from 7:00 a.m. to 7:00 a.m. Each crew has a radioman stationed at headquarters and one car with radio communication. Automobile carries two marshals, including the driver, and a radio. All four marshals on crew have lapel radios.

B. Headquarters

Headquarters will be located in the Post Office if room available. Alternate site -- U. S. Attorney's office. Headquarters contains base radio, phone, typewriter and filing cabinet. All personnel and cars to be at headquarters rather than at Baxter Hall during any periods of waiting.

C. Campus Daylight Routine (to supper)

While Meredith away from Baxter:

1. Car and two marshals cruise campus. The purpose of the car is to be aware of the general situation on the campus at all times and to know where Meredith is on the campus at all times. The purpose is not to transport Meredith nor to follow from class to class. Meredith's location will affect the position of the car. Thus, when Meredith is in Connor Hall, car should be within a block of that building. When Meredith returns to Baxter or car returns there, marshals go to corner room and wait until Meredith leaves again.

2. One marshal dressed in suit stations himself on the campus where he can observe Meredith going to and leaving classrooms. The walking marshals will be advised when Meredith leaves Baxter by radio communication from the marshal in the car. This marshal should always try to anticipate Meredith's direction as he leaves the classroom so that his position will be such that Meredith will approach and pass him rather than walk away from him. While this marshal is waiting on campus he should try to act as inconspicuous as possible.

3. This marshal is on foot dressed as a student. He knows Meredith's class schedule and checks the buildings where Meredith's classes are located ahead of him and leaves classroom building behind him.

D. Meals--Breakfast and Lunch

1. Car with two marshals stationed near front of cafeteria after Meredith enters. Marshals to remain in car until Meredith leaves and starts back for Baxter. Car should then proceed back to Baxter at a reasonable distance behind Meredith or by an alternate route, depending upon the number of students in the vicinity. The other two marshals should eat at the same time as Meredith does, but not necessarily with him.

Evening Meal

Same plan for the marshals as the other two marshals, but marshal in charge should be very certain that the military is organized and understands the necessity for support in the event of an emergency.

After Supper

After Meredith goes back to his room and two men in the car go to Baxter, the other two men go to headquarters and remain until Midnight on a stand-by basis. In the event of an emergency, marshal in command will direct them as the situation requires.

Stark - ~~Private~~
CASA
7 November 62

MEMO FOR RECORD:

1. At approximately 1300 hrs 4 Nov, Col Stuart, Army SMO at 22d AFB, discussed with Col Keller certain aspects of local attitudes. In the course of the general discussion on the subject of recent school disciplinary actions was discussed and it was pointed out to Col Stuart that the local federal agencies were once again having considerable difficulty in obtaining information on those students who had appeared before the Student Judicial Council. It was also brought out that the school authorities probably didn't realize that they had a common interest with the federal agencies represented locally, in that both were seeking a means of getting at the external pressure and culpability of fermenting student misbehavior. The thought was advanced that the school disciplinary files would reveal considerable useful information in this connection.

2. On this day, Col Stuart went to Mr. Heywood during the afternoon hours. He was apparently persuaded the latter to make the pertinent school disciplinary records available to the FBI. Heywood discussed the matter with Mr. Wood, Post Chancellor, and Mr. Wood directed Jean Love to make the requested records available to the FBI, effective 11 November. Though it is not clear, it appears that a condition was made by Mr. Heywood to the effect that the FBI would be the federal agency to receive the records concerned. Further, it was understood that the records would be removed from the school, but a portion of interest would be retained.

3. At 1330 hrs 4 November, Col Stuart arrived at Col Keller's office where the latter was in a conference with Mr. Cotton, the resident FBI agent. Col Stuart announced that he wanted to talk to both parties and then outlined the above related facts concerning the school's willingness to release information on school records to the FBI. He also made the stipulation that the school's attitude must be held in strictest confidence and that his (Stuart's) name would be kept out of the affair. Mr. Cotton pointed out that he did not feel that he personally should be the one to carry the records; his reluctance was based upon the fact that he had twice failed to obtain Jean Love's permission to see the subject records and felt that Love would probably think that he (Cotton) had gone over Love's head to obtain permission to see the records. Cotton feared this would end his good relationship with Love. Accordingly, it was agreed that Cotton would call the FBI Memphis office for assistance in the case at hand, and that he would notify the local Justice Dept representative of the fact that the records would be made available to his agency.

4. At approximately 1340 hrs 4 November, Cotton informed Col Keller, by phone, that the Memphis office had refused to furnish anyone to go to the school and had suggested that the Army be the agency to collect the necessary information from the school records. Cotton said that the Memphis office voiced its own objections in the matter and felt that presence of an FBI agent in this instance would give Jean Love cause to believe that Cotton had gone over his head. Col Keller rejected the suggestion that the Army enter into the matter and informed Cotton that the Army's interest was mainly confined to two of the expelled students, Wood and possibly Toeplitz. Col Keller queried as to whether he had contacted the Justice Dept representative on the matter; the reply was negative.

5. The above information was made known to the Justice Dept representative at approximately 0230 hrs 5 November.

Officer
ES
Mississippi

Department of the Army War Room
Pentagon
Washington 25, D.C.
ATTN: Maj Gen Abrams

DRAFT

HEADQUARTERS
US ARMY FORCES
OXFORD, MISS

25 October 1962

SUBJECT: Security Plan for 10 November 1962

TO: Department of Army War Room
ATTN: Maj Gen Abrams
Washington, DC

1. Reference: RRG7 S2-4-4

2. The purpose of this letter is to recommend a plan to provide adequate but unobtrusive on-campus and town security for 10 November 1962. Recommendations herein are concurred in by local senior Dept of Justice representatives. The plan provides for security of the local area whether or not Mr Meredith absents himself from the Oxford area on the date in question.

3. Concept of Operations

a. In event Mr Meredith is absent from Oxford:

(1) All elements of Security Forces presently bivouaced in the university stadium will clear that area by 0600 hours on 10 November 1962.

(2) One mobile platoon-sized security force will move into woods North of Intramural Field (incl 1). A four-man force will patrol South edge of woods using maximum concealment, and keeping Dormitory area under surveillance.

(3) One platoon will move to the Armory to provide local security of personnel, property and munitions in that area.

(h) Following changes in guard details will be effective 0600 hours 10 November 1962:

a Guards on doors at Baxter and Gerard Hall will be posted inside the buildings and outside lighting sets and other visible outside equipment will be removed from campus.

b Officer of the Guard and Sergeant of the Guard will post themselves in Meredith's Suite, and will maintain radio and telephone communication with security force in woods Northwest of Gerard Hall.

c An additional two-man guard will be posted in Baxter Hall supply room.

d Exterior walking guards will be removed.

e Guard relief details will be located in woods Northwest of Gerard Hall with the alert platoon.

f Motorized patrols in town and on campus will be replaced by CIC patrols. The latter will consist of three (3) patrols of two (2) men each dressed in civilian attire and driving radio-equipped unmarked cars. These patrols will operate from 0600 to 1830 hours on 10 November 1962.

g The normal military patrols in town will resume operation at 1830 hours 10 November 1962, and on-campus patrols will resume as the situation warrants.

(5) All troops will be restricted to bivouac areas on 10 November 1962. Only exceptions will be for emergency medical reasons and necessary feeding detail for alert force. Officers in charge of individual bivouac areas will personally clear each vehicular and/or personnel departure from their respective areas to insure such are militarily necessary.

b. In event Mr Meredith is present on campus on the date in question:

(1) Provisions of paragraph 3a (1) through (5) above will apply.

(2) In addition the "Peanut" patrol will be located in a concealed position in woods Northwest of Gerard Hall (incl 1).

(3) In event Mr Meredith should leave his residence, the "Peanut" patrol will go into immediate operation.

k. Local Department of Justice officials have requested coordination of this plan with Mr Katzenbach and/or Mr Doar, additionally, Dept of Justice representatives will request additional deputy marshals to be employed as follows:

a. One deputy would be located in the press-box and be in constant radio and telephone communication with this headquarters and the local Department of Justice headquarters in Baxter Hall.

b. The additional deputy or deputies would be utilized to circulate among the spectators keeping alert for any indications of hostility and to keep this headquarters advised of the attitude of the crowd in general.

5. Normal operations will be resumed on the evening of 10 November and all elements will return to their original locations on 11 November 1962.

FOR THE COMMANDER

back.

Nicholas deB. Katzenbach
Deputy Attorney General

November 23, 1962

John Dear
First Assistant
Civil Rights Division

JB:lvw 11,801
144-40-254

University of Mississippi

General Abrams called me Friday, November 23. He wants our general acceptance of a further phase-down to be effective on December 18. The plan is as follows:

Between now and the eighteenth of December the following will take place in steps:

1. There are four walking guards around Baxter and Girard Halls. In gradual steps these will be reduced to one walking guard between Girard and Baxter.
2. The stationary guards at the doorways of Baxter and Girard Halls will move inside. This will be done first at Girard and then at Baxter.
3. All of the guards will be removed from Girard Hall.
4. The number of guards in Baxter Hall will increase from five to seven; two on the first floor, 3 on the second floor, and two on the third floor.

By the time that this is put into effect it will be the eleventh of December. If during the rest of that week and up to December 18 everything is quiet then one of the military police companies will withdraw. This will leave one full strength company, with four additional MP officers, adequate to handle the situation in an emergency.

cc: Mr. Marshall
Mr. McShane
Records
Chrono
File

Thus, after December 13 you will have the following:

- (1) Baxter Hall - 8 men
- (2) Peanut Patrol - 4 jeeps during day and at mealtime
- (3) One Motor Patrol on campus from 6:00 a.m. to midnight
- (4) One Motor Patrol in town. The purpose of this patrol is primarily to check up on the soldiers' behavior. From midnight to 6:00 a.m. this patrol will also patrol the campus.

The strength of the unit will be as follows:

1 M.P. Co.	200
1 Sq. Co.	40
Support Troops	77
Total	<u>317</u>

(a) The Headquarters Company includes the legal adviser and the staff which would continue at slightly reduced strength. I believe from 38 men to 40 men. The Support Troops are reduced from 87 to 77.

Thereafter one platoon would be in immediate reserve up by the water tower by Baxter; one platoon on alert at the camp site at the air strip, prepared to respond immediately to any emergency; and the third platoon would be off. (The whole force could respond within an hour.)

General Abrams wants to clear this with us on Monday. The Chief of Staff has approved it and once we approve, he intends to send it over to the White House for final approval.

My impression is as follows:

1. The guard inside Baxter could be reduced from seven to four; one on the first floor, two on the second floor, and one on

the third floor. All of these men should patrol the west end of Baxter so that there would be no guards on the east half of Baxter. Three hundred and seventeen men are sufficient to handle any emergency.

I gathered from talking to you on Saturday that this phase-down is alright and I have so advised General Abrams.

Shirley - [unclear]
[unclear]

John Dear, First Assistant
Civil Rights Division

January 3, 1963

John A. Martin, Legal Assistant
Civil Rights Division

JAM:bab 9782

Report on the Situation at the
University of Mississippi from
November 25 to December 5, 1962.

144-100-40-1

Introduction - What follows is a somewhat detailed report of the situation as I found it during the time that I was recently assigned to cover the situation existing at the University of Mississippi. I have begun the report by commenting on the way that different groups of people are behaving and their attitudes, etc. The last half of the report is devoted to a discussion of several important incidents as they happened during the period that I was down in Oxford.

1. Mr. Meredith -

a. In General - In his less lucid and more angered moments, Meredith exhibits a large degree of irrationality and unreality. He has an exaggerated notion of his own knowledge of the situation existing at the University and Mississippi in general and tends to depreciate contrary notions by anyone else. The only other persons that I have consistently heard him speak of with high regard to their knowledge of the situation in Mississippi are the publishers and editors of the Jackson Daily News and Clarion Ledger. On several occasions during his more heated discussions with me he insisted that neither I nor the people in Washington nor the people connected with the administration of the University nor the faculty of the University of Mississippi knew anything about the situation as it actually existed in Mississippi or on the campus at the University. As another example he refuses to contemplate the effect that a possible failure to pass his class work would have on the situation in Mississippi, and refuses to take any instructions or any encouragement from anyone whatsoever on this score. But for the most part his attitudes in this regard are correct. The only place he was not right after the riot was in both the [unclear] and then stayed and not long [unclear].

Records
Chrono
Trial Staff
Mr. Dear
Mr. Martin

Follow

William Helleran
Executive Assistant
Civil Rights Division
John Dear
First Assistant

Feb. 16, 1963

Attached Telephone bills from University of
Mississippi, Oxford

Meredith's check for his charges and calls is
attached hereto. The balance of the calls are
chargeable to the marshals. Please advise me
this is paid or of any problems that arise con-
cerning it.