

Stanford TE E

STATEMENT ON THE MISSISSIPPI SITUATION

Toward the middle of last September I became increasingly concerned about newspaper reports of developments in the State of Mississippi that seemed to indicate that actions of the Governor and of the Board of Trustees of State Institutions of Higher Learning, to which all state-supported colleges and universities report, were in violation of the standards governing collegiate membership in the Southern Association of Colleges and Schools. After conferring with several of my colleagues on the Executive Council, I telephoned our Executive Secretary, Mr. Gordon Sweet, on September 23 and asked him to convene a special meeting of the Executive Council on the morning of September 23, 1962, in Atlanta. Also I asked Mr. Sweet to go to Mississippi to confer with the officials of the University of Mississippi and members of the Board of Trustees of State Institutions of Higher Learning about developments there and to report his findings to the Executive Council on September 28.

At the meeting on September 23, the Executive Council after long and careful deliberations concluded that the integrity of the Board of Trustees of State Institutions of Higher Learning and the University of Mississippi had been compromised by two actions: (1) the surrender of authority by the Board of Trustees to the Governor; and (2) the action by the Governor to prevent the Board of Trustees from discharging a policy it had agreed upon. Telegrams warning that the Executive Council would recommend, at the forthcoming annual session of the Commission on Colleges and the College Delegate Assembly, scheduled to be held in Dallas, November 26-29, 1962, that all state-supported colleges and universities be dropped from membership in the Association, unless assurances were given that such unwarranted procedures would not be continued, were dispatched to Governor Ross R. Barnett, members of the Board of Trustees of State Institutions of Higher Learning, to the Executive Secretary of the Board of Trustees of State Institutions of Higher Learning, and to the head of each college and university reporting to the Board of Trustees. The Council decided to send the telegram to heads of institutions other than the Chancellor of the University of Mississippi because the actions of the single, central Board had placed in jeopardy the accreditation of all institutions reporting to it. A copy of the telegram is attached hereto as Exhibit A.

The telegrams were sent at approximately 7:00 p.m., Eastern Standard Time, September 28. At about 1:40 a.m., Eastern Standard Time, September 29, the same night during which time the telegrams were dispatched, Governor Ross R. Barnett telephoned me at my home in Miami and talked for about fifty minutes concerning the telegram he had received earlier in the evening. He emphasized that it was not his intention to interfere with the University of Mississippi or the Board of Trustees of Institutions of Higher Learning which, in his words, was "ultra vires;" that he had exercised the police power of the State to preserve law and order and to uphold the 10th Amendment to the Constitution of the United States.

In a letter to me dated October 25, 1962, Governor Barnett advised the Executive Council that it was not his wish or purpose to accept or assume any of the prerogatives of the Board of Trustees of State Institutions of Higher Learning. His letter is attached hereto as Exhibit B.

Statement on the Mississippi Situation -- Page 2

Since the telegrams were sent, I have received two communications from the Board of Trustees of State Institutions of Higher Learning. One was a letter from E. R. Jobe, Executive Secretary, dated October 2, 1962, which is attached hereto as Exhibit C. The second communication received from the Board of Trustees of State Institutions of Higher Learning was also a letter from E. R. Jobe, Executive Secretary, dated October 22, 1962. To the second letter was attached an excerpt of the minutes of the Board of Trustees of State Institutions of Higher Learning dated October 18, 1962. This second communication from Executive Secretary Jobe is attached hereto as Exhibit D. Both of these communications contained reassurances to the Executive Council that it would observe the Constitution and Standards of the Southern Association of Colleges and Schools and would continue to be assiduous in its efforts to secure the integrity of the institutions under its control.

Events taking place on the campus of the University of Mississippi on the evening of September 30 and in succeeding weeks prompted the Executive Council to expand its area of initial interest in the integrity of the Board of Trustees and the University of Mississippi to include a concern for the atmosphere on the campus and the stability of the educational program. A second set of circumstances arose in the disturbances on the University of Mississippi campus in late September, in October, and in November. These disturbances manifestly raise serious questions concerning the stability of the institution and its power to maintain its intellectual climate. I asked the Executive Secretary to return to the campus to gather information on efforts being made by the administration to control student behavior. Mr. Sweet visited the campus on November 7 and 8 and has reported his findings to the Executive Council here in Dallas.

On Sunday, November 25, 1962, the Executive Council invited the head of each institution reporting to the Board of Trustees of State Institutions of Higher Learning, the Executive Secretary of the Board, and members of the Board, to confer with the Council about developments in Mississippi during September and later during the fall.

At 4:00 p.m. on Sunday, November 25, the Commission on Colleges met to hear a briefing on these matters and to give the Chancellor of the University of Mississippi an opportunity to speak to the Commission.

The Council and the Commission on Colleges have given careful deliberation to the events which I have described and now present for your approval the following statement and recommendation:

It is obvious that external pressures have affected and may continue to affect institutional integrity and conditions essential to sound education in Mississippi. The occurrence or recurrence of such circumstances in any member institution at any time would be in violation of the principles of the Commission on Colleges of the Southern Association of Colleges and Schools.

In its most literal sense, accreditation in the Association depends upon an institution's meeting minimum standards for membership.

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In its most significant sense, membership in the Association demands of each member and of all members jointly that they support--and assist one another in defending--those ideals, purposes, and conditions essential to higher education.

Under these conditions of voluntary association, the Commission recommends that

- (1) the state institutions of higher learning in Mississippi be placed under continued and careful observation
- (2) that these institutions be considered to hold extraordinary status in the Association, to be so indicated in the membership listing, with the understanding that a re-evaluation of this status will be made by the Commission at the next regular meeting and as otherwise may be required.

The Commission recognizes that

- (1) the specific conditions prevailing at the time of the Council's telegram of September 23 have been rectified
- (2) a constructive statement of principles of employment and tenure has been adopted by the governing board
- (3) the Board has publicly declared its intention to preserve and defend the integrity of the institutions and
- (4) the administrative officers and faculties of the institutions have worked hard and ably to encourage constructive attitudes toward the goals and conditions of sound education.

The Commission commends these actions and attitudes of the Board, the faculty, and the college officials.

The Commission advises the officers of state government, the governing board, and the institutions concerned that

- (1) any weakening of the constitutional board
- (2) any encroachment by pressure groups, investigating committees or other agencies as judged by normal standards upon the freedom of the faculty, the administration, or the students to learn and teach
- (3) any manipulation of appropriation bills as a punitive measure or as undue influence upon internal operations of the institutions or any of them
- (4) failure of the administration and faculty to maintain through normal student discipline a climate conducive to intellectual pursuit will be considered by the Association cause for immediate and rigorous re-examination of the accredited status of the institutions.

Commission

Statement on the Mississippi Situation -- Page 4

If it appears at any time that the accreditation of all or any one of these institutions is in jeopardy, the Council of the Commission expects

- (1) to send committees of investigation to Mississippi, and
- (2) if necessary, to call the Commission into special session to act upon the accreditation of the institutions.

Henry King Stanford
For the Executive Council

November 27, 1962

SOUTHERN ASSOCIATION OF COLLEGES AND SCHOOLS

COMMISSION ON COLLEGES

Suite 592 - 795 Peachtree Street, N. E.

Atlanta 8, Georgia

September 28, 1962

Telegram to Governor Ross Barnett, State of Mississippi, the Board of Trustees of State Institutions of Higher Learning and to Chief Executive Officer of Each Institution under the control of this Board.

Recent press releases and other news coverage of the crisis at the University of Mississippi have, of course, come to our attention. The Executive Secretary of the Commission on Colleges of the Southern Association of Colleges and Schools visited Oxford and Jackson to ascertain the facts of this complex and difficult affair as nearly as he could. His report was received by the Council at a called meeting in Atlanta, Georgia, on September 28. This telegram is to apprise you of the thinking of the Council after the report and after as careful and sympathetic a review as it could make.

We believe that the Southern Association of Colleges and Schools must be concerned in this matter because of, first, the objective of Article II, Section 1 (e) of its constitution: "To preserve the integrity of member schools and colleges and serve as a voice for the profession stimulating desirable developments and speaking against intolerable or threatening conditions."

We are further concerned because of a portion of the Statement of Principles which introduces and is a part of the Standards for collegiate membership in the Southern Association of Colleges and Schools as follows: "In the first place the Southern Association of Colleges and Schools is a voluntary organization, the instrument of the institutions that belong to it, through which they express their collective judgment and purposes. It seeks continuously to keep education close to the realistic needs of changing conditions and to protect its members from the handicap of temporary forces which might impede their progress and endanger their services. It welcomes to its membership, institutions that exemplify this spirit and that meet its standards; it declines to accept as members those institutions that do not; and from time to time it has dropped from its roll those that have flagrantly violated its principles. These principles are simple, self-evident truths that require no elaboration, and are obviously basic to sound education and effective democracy. They derive from the philosophy distinctive of America that to keep education free from political manipulation is fundamental to the preservation of liberty."

September 28, 1962

Still further, there is involved the Constitution of the State of Mississippi which establishes a Board of Trustees and defines its responsibilities in the following language: "Article VIII, Section 213-A that such Board shall perform the high and honorable duties thereof to the greatest advantage of the people of the State of such educational institutions, uninfluenced by any political considerations."

The Council has reached the conclusion that the integrity of the state institutions of higher learning in Mississippi is threatened by this crisis, despite earnest efforts by the administration of the University of Mississippi to protect the institution as far as possible. We do not find fault with the action of the administration. We do, however, believe that the Board and the Governor have been in error in the steps taken in this situation. In fact, we find the actions of the Board in surrendering its authority and of the Governor in preventing the administration from following the directives of the Board in violation of the Constitution and Standards of the Southern Association of Colleges and Schools.

We must inform you, therefore, that we shall expect correction of these unwarranted procedures governing the state institutions of higher learning in Mississippi, and assurance from the Board and the Governor that such unwarranted procedures will not be continued at the University of Mississippi or employed at any of the other institutions.

The annual meeting of the Commission on Colleges and the College Delegate Assembly is scheduled for Dallas, Texas, November 26-29. Unless such assurances have been received prior to the annual meeting, the Council will regretfully recommend that the state institutions of higher learning in Mississippi be removed from the list of accredited colleges and universities of the Southern Association of Colleges and Schools at its next printing in the spring of 1963.

It should be emphasized that the admission or non-admission of any student cannot be considered as correction or failure to correct. The admission or non-admission of students is not the issue for this Association. Our interest is in the integrity of these institutions, in their ability to achieve their purposes, without undue political interference, and in the preservation of their standing in the educational world.

Henry King Stanford
For the Executive Council
Commission on Colleges

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EXHIBIT B

STATE OF MISSISSIPPI

Executive Department

Jackson

Ross R. Barnett
Governor

October 25, 1962

President Henry King Stanford
Executive Council of the
Commission on Colleges of the
Southern Association of
Colleges and Schools
University of Miami
Coral Gables 16, Florida

Dear President Stanford:

This is to advise the Executive Council of the Commission on Colleges of the Southern Association of Colleges and Schools that all statutory and constitutional authority for operating the state institutions of higher learning in Mississippi is in the hands of the duly appointed members of the Board of Trustees of State Institutions of Higher Learning. It is not my wish or purpose to accept or assume any of these prerogatives.

I trust that this assurance will safeguard the accreditation by your Association of these splendid institutions which have served with distinction not only the state of Mississippi but the southern region and parts of the nation as well.

Very truly yours,
/s/ Ross R. Barnett

Ross R. Barnett
Governor

EXHIBIT C

Board of Trustees

INSTITUTIONS OF HIGHER LEARNING

1007 Norfolk Building

JACKSON, MISSISSIPPI

Office of the Executive Secretary

October 2, 1962

Dr. Jerry King Stanford, President
University of Miami
Coral Gables, Florida

Dear Dr. Stanford:

This letter is to acknowledge, on behalf of the members of the Board of Trustees of State Institutions of Higher Learning, the receipt of your telegram of September 28 regarding the accreditation of Mississippi institutions of higher learning which are under the jurisdiction of the Board.

I am happy to advise that at this time all of the powers and authority of the Board of Trustees and of the administrative officials of the University of Mississippi are being exercised according to the statutes and constitution of the State of Mississippi and in accordance with the standards of the Southern Association of Colleges and Secondary Schools.

I trust that at the proper time we can supply you and the Council with such information as would be required for the protection of the accreditation of the University of Mississippi and the other institutions of higher learning.

Very truly yours,

/s/ E. R. Jobe

E. R. Jobe
Executive Secretary

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cc: Chancellor J. D. Williams

Board of Trustees
INSTITUTIONS OF HIGHER LEARNING

1007 Woolfolk Building

JACKSON, MISSISSIPPI

Office of the Executive Secretary

October 22, 1962

President Henry King Stanford
Executive Council of the
Commission on Colleges of the
Southern Association of
Colleges and Schools
University of Miami
Coral Gables 16, Florida

Dear President Stanford:

On October 18 the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in regular session and after hearing reports from the several Presidents of the Mississippi institutions of higher learning and after giving due consideration to the telegram from the Executive Council of the Commission on Colleges of the Southern Association of Colleges and Schools, unanimously voted to adopt a statement to provide the assurances mentioned in the telegram.

It is the sincere hope of each member of the Board that the assurances contained herein will prove satisfactory to the Executive Council. The Board wishes me to invite Mr. Sweet and any others from the Southern Association which you may designate to visit the institutions and the Board prior to the Convention to be held in Dallas.

Very truly yours,

/s/ E. R. Jobe

E. R. Jobe
Executive Secretary

ERJ:ns

Enclosure

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MINUTE D

EXCERPT OF MINUTES OF BOARD OF TRUSTEES
OF STATE INSTITUTIONS OF HIGHER LEARNING

October 13, 1962

Southern Association of Colleges and Schools

"It was reported to the Board of Trustees that a telegram had been received from President Henry King Stanford of the Southern Association of Colleges and Schools in which the Executive Council of the Commission on Colleges warned the Board of Trustees and Presidents of all member institutions in Mississippi that all state institutions of higher learning of the State of Mississippi would be removed from the list of member schools at the next meeting of the Commission unless assurances were given that unwarranted procedures and political interferences of the State of Mississippi would be discontinued and assurances given that such procedures would not continue at the University of Mississippi or employed in the other institutions. A report was made to the Board by President J. N. Dwing on behalf of the Presidents' Council after which the following statement was unanimously adopted:

Statement to the Southern Association of Colleges and Schools

The purpose of this statement is to provide certain assurances requested by the Executive Council of the Commission on Colleges and Universities of the Southern Association of Colleges and Schools in its telegram of September 23, 1962.

Prior to the receipt of the Executive Council's telegram, the Board of Trustees had already rescinded its actions complained of in the above mentioned telegram. Since

receipt of the Executive Council's telegram the Board of Trustees has not taken any action that would in any way compromise the integrity of the University of Mississippi or the other institutions under the Board's control. The Board of Trustees assures the Executive Council in the strongest possible terms that it will observe the constitution and standards of the Southern Association of Colleges and Schools and will continue to be assiduous in its efforts to secure the integrity of the institutions under its control, to safeguard their ability to achieve their purposes without political interference, and to preserve and advance their standing in the educational world."

I, the undersigned, E. R. Jobe, Executive Secretary of the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi do hereby certify that the above and foregoing is a true and correct copy of the minutes of said Board in meeting on October 18, 1962, and the same appears of official record.

Witness my official signature this 22nd day of October, 1962.

/s/ E. R. Jobe

E. R. JOBE, Executive Secretary
BOARD OF TRUSTEES OF STATE
INSTITUTIONS OF HIGHER LEARNING
STATE OF MISSISSIPPI

Scal:

To: Dr. William H. Willis, Chairman, Committee of Nine

From: L. L. Love

December 4, 1962

Subject:

I would like to ask some questions of the Committee of Nine as a basis for at least increasing mutual understandings between the Committee and me.

1. The major emphasis of the Division of Student Personnel officers primarily responsible for discipline has been on prevention of disturbances. Does the Committee agree or disagree with this approach?
2. Has there been a steady improvement in student behavior?
3. The Committee has asked several individuals and at least one student to meet with it. The Committee has been critical of Mr. Burnes Tatum. Has it asked Mr. Tatum to meet with it?
4. The Committee has been critical of Mr. B. T. Nash. Has it asked Mr. Nash to meet with it?
5. Does the Committee believe that attitudes toward customs that have existed for at least a hundred years can and should be radically changed in a few weeks?
6. Has the Committee considered whether or not the behavior of a small number of persons has increased rather than decreased tensions on the campus?
7. Has the Committee decided whether or not the behavior referred to in the preceding question is desirable?
8. One contrast that can be drawn is acceptance as opposed to tolerance with no misconduct. Are both acceptable?
9. Has the Committee taken steps to clarify the national image of the genesis of the Committee?

It appears that these questions can be answered simply and briefly. I hope for an early reply.

LIL:lb

cc: Members of the Committee
Chancellor J. D. Williams
Division Heads

Dean L. L. Love, Director, Division of Student Personnel

12/10/62

William J. Hill, Chairman, Committee of Five

Your memorandum of 1 December, 1962, posed several questions to the special committee of mine to which you requested an early reply, reached me promptly the same day. I sought to convene a meeting of the committee at the earliest opportunity, on the afternoon of the 5th, but found that three of our members could not attend. We met, therefore, as soon as all of us could assemble, on Friday afternoon, 7 December. At that time the committee discussed your questions at length, and has instructed me to convey to you the following answers.

1. The committee concurs that the major emphasis of your division is properly placed on the prevention of disturbances, by constructive action designed to create an academic atmosphere appropriate to a university. But when prevention has broken down, we believe that at least equal emphasis must be devoted to effective investigation and correction of disorder. Quite apart from the current disorders directed against Meredith and those who would accept his presence, we are concerned at the prevailing level of noise in the dormitories, which militates against effective study. Student reports suggest that our system of dormitory managers is less than effective.

2. We honestly do not know whether there has been a steady improvement in student behavior. Recent absence of disorder may perhaps be attributed to the effectiveness of the intimidation brought to bear by rowdy groups upon students of moderate or liberal views. So far as we have been informed, no one has been apprehended or punished for the disgraceful disturbance of the night of 15 November. Under these circumstances, the effect is naturally "quieting."

3 and 4. The committee has not invited Dr. James Latus and Mr. C. T. Wash to meet with it. The committee does not regard itself as an agency of enforcement, but as a faculty group meaning to offer constructive and helpful advice. It intended only to call to our attention, as the appropriate and responsible division head, matters apparently in need of correction. The committee considers that its criticism of Mr. Latus and Dr. Wash was met by your assurance that the occasions of which we had complained would not arise again.

5. The committee considers that your fifth question has been answered unequivocally by the injunctions issued by the U. S. District Court and the Fifth Circuit Court of Appeals. The committee confines its concern to the respect for law and order, and to the enforcement of university regulations.

6 and 7. The meaning of your sixth question is not clear to the committee. We do not know to which behavior or to what persons it refers. We cannot, therefore, answer your seventh question. Do you wish to clarify these questions?

8. The committee is not concerned with these definitions. It is concerned only that discipline be vigorously maintained and that university regulations be observed.

9. The committee has sought no publicity, and has thus far refrained from making statements to press or public. It is not responsible for "the national image of its genesis", whatever that may be (if any).

The committee, and I personally, regret the dissatisfaction which seems to be suggested by your memorandum. We stand ready to discuss these and other questions with you informally at any time, and shall be glad to have you visit us again. Meantime, since we normally communicate directly with the Provost, sending copies to you and to the Chancellor as a courtesy, we refrain from sending copies of this reply to the other division heads to whom you sent copies of your questions. You have our consent, however, if you wish to show them our reply.

For the Committee of Five,



William H. Willis, Chairman

HECTOR CURRIE Comm. No. 79

Jan 7th 1963
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Brow was by this resolution

Resolutions Adopted by the Faculty of The University of Mississippi in its General Meeting on December 6, 1962

COMMENDATION OF MISS SIDNA BROWER

The Faculty of The University of Mississippi commends Miss Sidna Brower, editor of The Mississippian, for her unwavering determination to follow a constructive editorial policy of her own choosing during the extended crisis at the University by holding to the American ideal of a responsible free press. She has significantly contributed to the preservation of the University's integrity.

COMMENDATION OF DISCIPLINARY ACTION

Whereas Leroy Taylor Robertson, a student at the University of Mississippi was given a fair and impartial hearing before the Student Judicial Council on November 2, 1962, and found guilty of violations of University regulations and general misconduct disruptive of orderly and peaceful conditions on the campus, and

Whereas the Student Judicial Council recommended the expulsion of Leroy Taylor Robertson and this recommendation was approved by the Chancellor and division heads of the University on November 3, 1962, and

Whereas Leroy Taylor Robertson was in fact expelled from the University of Mississippi on November 3, 1962, and

Whereas an appeal from this action was heard by the Chancellor and the division heads on November 21, 1962, with Leroy Taylor Robertson represented by counsel and stipulating that this hearing afforded him due process, and

Whereas, the Chancellor and the division heads after fair and impartial review of the evidence and testimony reaffirmed the order of expulsion, and,

Whereas the Chancery Court of Hinds County ordered the reinstatement of Leroy Taylor Robertson on November 29, 1962, and the Board of Trustees, Institutions of Higher Learning instructed University officials to comply with this order on November 30, 1962;

Then let it be resolved by the Faculty of the University of Mississippi that the Chancellor be requested to make to the Board of Trustees the strongest possible representations urging that prompt and appropriate action be taken to secure the setting aside of the order of the Chancery Court of Hinds County, and,

Let it be further resolved that the Faculty of the University of Mississippi endorse and commend the action of the Student Judicial Council and University officials in the expulsion of Leroy Taylor Robertson

Doty - Not going to fight case in court. Staff out of court against the end.

General Council & Board
1)
2)
3)

IN THE CHANCERY COURT OF THE FIRST JUDICIAL DISTRICT
OF HINDS COUNTY, MISSISSIPPI

TAYLOR ROBERTSON, A MINOR
BY JACK W. ROBERTSON, JR., NEXT FRIEND

FILED COMPLAINT
NOV 29 1962

VS.

#62.366

FRANK J. SCOTT
CHANCERY CLERK
[Signature]

BOARD OF TRUSTEES OF THE INSTITUTIONS OF
HIGHER LEARNING OF THE STATE OF MISSISSIPPI

DEFENDANT

BILL OF COMPLAINT

Comes now Taylor Robertson, by and through his next friend, Jack W. Robertson, Jr., and files this his Bill of Complaint, against the Board of Trustees of the Institutions of Higher Learning of the State of Mississippi, and would respectfully show unto the Court the following, to-wit:

That Jack W. Robertson, Jr., is an adult resident of the First Judicial District of Hinds County, the natural brother of the minor plaintiff standing in loco parentis to said nineteen year old minor, who is also a resident of said county and judicial district.

That the defendant, the Board of Trustees of the Institutions of Higher Learning of the State of Mississippi is a governmental board created and existing pursuant to Article 8, Section 231 of the Constitution of the State of Mississippi and Section 6722 et seq. Mississippi Code Annotated, 1942, Recompiled, as a supreme governing body of the Institutions of Higher Learning of the State of Mississippi and is composed of the Honorable H. G. Carpenter, who resides at Rolling Fork, Mississippi; the Honorable Charles Fair, who resides at Louisville, Mississippi; the Honorable S. R. Evans, who resides at Greenwood, Mississippi; the Honorable Ray Izard, who resides at Hazlehurst, Mississippi; the Honorable J. M. Lipscomb, who resides at Macon, Mississippi; the Honorable Leon Lowry, who resides at Olive Branch, Mississippi; the Honorable Ira Morgan, who resides at Oxford, Mississippi; the Honorable Tally Riddell, who resides

and employees at the University of Mississippi, in compliance with the orders of said Court duly enrolled said James H. Meredith.

The said James H. Meredith was directed by Dr. J. D. Williams, Chancellor of the University of Mississippi, L. L. Love, Dean of Students at the University of Mississippi, and other agents and employees of the defendant Board to be quartered in the men's residence hall designated as Baxter Hall, wherein your minor complainant had been previously assigned as aforesaid and was at the time domiciled.

This Honorable Court is apprised of the riots and havoc which followed immediately upon the placing of said James H. Meredith on the campus of the University of Mississippi. During this riot, your complainant remained quietly domiciled in said Baxter Hall engaged in no activities which reflect upon him as a student at the University of Mississippi. That subsequent to said riot, your complainant is informed and verily believes that seventeen students, allegedly participants in the riot, were committed to the custody of the administration officials at the University of Mississippi by a representative of the United States Department of Justice and that thereafter said alleged participants were allowed to remain at the University and to pursue their course of education there.

During the weeks and days following the placing of James H. Meredith on the campus of the University of Mississippi, tensions and emotions were aroused which unquestionably affected the conduct of your complainant as well as the conduct of a great number of other students on said campus and that the acts of your complainant were on a limited number of occasions below that of a well behaved University student.

On or about October 29, 1962, a disturbance and demonstration occurred on the campus of the University of Mississippi because of the continued presence of said James H. Meredith, the occupation of the campus

at Quitman, Mississippi; the honorable M. M. Roberts, who resides at Hattiesburg, Mississippi; the Honorable R. B. Smith, who resides at Ripley, Mississippi; the Honorable W. C. Stone, who resides at Jackson, Mississippi; the Honorable T. J. Tubb, who resides at West Point, Mississippi, and serves as President of the Board; and the Honorable Vernon Holmes, who resides at McComb, Mississippi, and serves as Vice President of the Board.

That the Executive Secretary of said Board of Trustees of the Institutions of Higher Learning is Dr. E. R. Jobe, a resident of Jackson, Mississippi, the agent of said Board for the purpose of service of process and who may, therefore, be served with process for the purposes of this cause at the office of said Board at Suite 1007, Woolfolk Building, Jackson, Mississippi.

On or about September 15, 1961, the minor complainant enrolled as a Freshman student at the University of Mississippi, an institution governed by this Board.

During the academic year commencing on or about September 15, 1961, and terminating on or about May 20, 1962, your minor complainant was a student in good standing at said University, maintaining an overall grade point average of 3.00, and that your petitioner during this academic year maintained the highest standards of conduct.

That on or about September 17, 1962, your petitioner enrolled for the initial semester of the academic year, 1962-1963, and was assigned to a men's residence hall designated as Baxter Hall on the campus of the University of Mississippi, at Oxford, Mississippi.

That on or about September 29, 1962, pursuant to order of the United States Court of Appeals for the Fifth Judicial Circuit, one James H. Meredith, a member of the Negro race, was placed on the campus of the University of Mississippi for the purpose of enrollment in pursuing his education at said institution and that the defendant, its agents, servants,

by representatives of the United States Department of Justice and soldiers of the United States Army. Your complainant did not participate in this demonstration, although a great number of other students at the University of Mississippi, particularly those quartered in dormitories adjacent to Baxter Hall, did participate therein.

On or about October 30, 1962, upon being informed of the aforementioned disturbance and demonstration by students domiciled in those men's residence halls located in close proximity to Baxter Hall, Nicholas Katzenbach, Deputy Attorney General of the United States, returned to the campus of the University of Mississippi and publicly threatened, intimidated, and coerced the administrative officials of said University and the students duly enrolled and pursuing their education, with criminal contempt proceedings to be initiated by the Department of Justice unless stern disciplinary action including expulsion was enforced against those students at the University who had in the past been involved in demonstrations against the presence of the said James H. Meredith and those students who in the future might be inclined to demonstrate against the presence of James H. Meredith. The threats thus communicated to the administrative officials of the University of Mississippi and the students duly enrolled in said University being at all times contrary to the provisions of the Fourth and Fifth Amendment of the Constitution of the United States, and Article 3, Section 12 and 13 of the Constitution of the State of Mississippi, all of which provisions of both the Federal and State Constitution sanction right of peaceful demonstration, freedom of speech and assembly.

That on or about October 31, 1962, in contravention of the rights secured to your complainant and other students at the University by the Fourth and Fifth Amendment to the Constitution of the United States and Article 3, Sections 6 and 23 of the Constitution of the State of Mississippi, the aforementioned Baxter Hall was ordered to be unlawfully searched by the

Commandant of the United States Army on the campus of the University of Mississippi and by certain representatives of the Attorney General of the United States and this unlawful search was acquiesced in by agents of the defendant, the Chancellor of the University of Mississippi, Dr. J. D. Williams, the Dean of Students of the University, L. L. Love, and other administrative personnel and agents of the defendant not known to your complainant.

Your complainant would show unto the Court that his locked suitcase was unlawfully removed from a locked storage area where it had been placed, broken into by the aforesaid agents of the United States Department of Justice who by such illegal search discovered and illegally seized material, which they later alleged suggested conduct contrary to the regulations of the University of Mississippi. Thereafter, the suitcase was again closed, locked, and taken from the place whence it was stored to your complainant's quarters in said Baxter Hall and there your complainant was compelled by Chisolm, a Major in the United States Army, in the presence of several armed troops and one or more United States Marshals, to unlock the suitcase and thereupon was confronted with the aforementioned material seized as aforesaid contrary to the Constitution of the United States and the Constitution and laws of the State of Mississippi.

The materials unlawfully obtained by the aforementioned search consisted of a number of discarded student identification cards and a small quantity of fireworks. A two gallon gas can containing a small quantity of water was confiscated by the occupation forces after illegally searching complainant's room. Complainant had built a car of sorts out of old parts and the radiator leaked and the water pump was defective. He carried water for the car in this two gallon can.

Subsequently on the date aforementioned, at approximately 6:00 P. M., two agents of the Federal Bureau of Investigation, an agent of the United States Department of Justice, entered the room in which your com-

plainant was domiciled without permission of the occupants thereof who were, at the time, not present. That as the complainant returned to the room which he was obliged to occupy as long as he remained a student at the University of Mississippi, the agents of the Federal Bureau of Investigation informed him of their intention to interrogate him. That under the circumstances then and there existing, your petitioner felt that it was his right and that it was appropriate that he should have advice of counsel, the statements of the agents of the Federal Bureau of Investigation fully conveying to him the intentions of the United States Department of Justice to prosecute him for contempt of the orders of the United States Court of Appeals for the Fifth Judicial Circuit. However, upon making this request, he was compelled in contravention of the rights secured to him by the Fifth Amendment to the Constitution of the United States by veiled threats of said agents to submit to unlawful interrogation.

That at approximately the hour of 10:30 P.M. on the evening of Thursday, November 1, 1962, your complainant was notified in vague and general language that certain charges were to be brought against him at the next meeting of the Student Judicial Council on Friday, November 2, 1962, at 1:30 P.M.

That on Friday, November 2, 1962, at approximately the hour of 1:30 P.M., your complainant appeared as directed at the meeting of the Student Judicial Council, composed of five undergraduate students, an organ and functionary of the administration of the University of Mississippi, and the members thereof, therefore agents of the defendant Board of Trustees, where not being apprised of the exact charges lodged against him, was compelled to listen to testimony against him by one Private of the United States Army, whose name your complainant does not know, the aforementioned Major Chisolm of the United States Army, and a United States Marshall whose name your complainant does not know, and one of the

two agents of the Federal Bureau of Investigation who had interrogated him on the above referred to occasion; all in violation of his rights to due process under the Constitution of the United States and the Constitution of the State of Mississippi.

That during all of said so-called testimony, based to a large degree on the unlawfully obtained evidence and consisting further of vague charges, presumptions, inferences and innuendos that your complainant did, could have or was about to engage in other activities detrimental to the safety of said James H. Meredith, the reputation of the University of Mississippi, and the welfare of his fellow students, your complainant was never apprised specifically of the charges against him.

That your complainant was denied the right to cross-examine or interrogate witnesses as they appeared and was also denied any right whatsoever to participate in his defense, except only that at the conclusion of the so-called hearing, he was thereafter asked if he cared to try to disprove the charges, presumptions, inferences, and innuendos lodged against him, all in deprivation of his rights to due process under the Constitution of the State of Mississippi and the Constitution of the United States of America.

That on Sunday night, November 4, 1962, your complainant was informed by letter from L. L. Love, Dean of Students of the University of Mississippi, that he had been expelled by the Student Judicial Council and that said action was concurred in by the Heads of Divisions, the Dean of Students and the Chancellor of the University of Mississippi, and your complainant was further informed by said letter that unless he removed himself from the campus of the University of Mississippi within six hours he would be treated as a trespasser.

That your complainant, in accordance with the aforementioned notice, immediately left the campus of the University of Mississippi and

two agents of the Federal Bureau of Investigation who had interrogated him on the above referred to occasion, all in violation of his rights to due process under the Constitution of the United States and the Constitution of the State of Mississippi.

That during all of said so-called testimony, based to a large degree on the unlawfully obtained evidence and consisting further of vague charges, presumptions, inferences and innuendos that your complainant did, could have or was about to engage in other activities detrimental to the safety of said James H. Meredith, the reputation of the University of Mississippi, and the welfare of his fellow students, your complainant was never apprised specifically of the charges against him.

That your complainant was denied the right to cross-examine or interrogate witnesses as they appeared and was also denied any right whatsoever to participate in his defense, except only that at the conclusion of the so-called hearing, he was thereafter asked if he cared to try to disprove the charges, presumptions, inferences, and innuendos lodged against him, all in deprivation of his rights to due process under the Constitution of the State of Mississippi and the Constitution of the United States of America.

That on Sunday night, November 4, 1962, your complainant was informed by letter from L. L. Love, Dean of Students of the University of Mississippi, that he had been expelled by the Student Judicial Council and that said action was concurred in by the Heads of Divisions, the Dean of Students and the Chancellor of the University of Mississippi, and your complainant was further informed by said letter that unless he removed himself from the campus of the University of Mississippi within six hours he would be treated as a trespasser.

That your complainant, in accordance with the aforementioned notice, immediately left the campus of the University of Mississippi and

returned to his home in Jackson, Mississippi, where, through his next friends, he immediately secured counsel who thereupon endeavored to determine what avenues of relief were then open to him.

Your complainant would show unto the Court that a number of telephone conversations and personal conferences were had by your complainant's attorney with certain members of the defendant Board of Trustees, Chancellor J. O. Williams of the University of Mississippi, Vice Chancellor of the University of Mississippi, Mr. Alton Bryant, the Dean of Students of the University of Mississippi, L. L. Love, who were all agents, employees, or servants of the said defendant Board of Trustees, in an effort to obtain an appellate hearing and subsequent reinstatement of the complainant in the University of Mississippi.

That at the regular November meeting of the defendant board, a petition for review of the above described discriminatory action on the part of the officials of the University of Mississippi was on file in the office of E. L. Love, Executive Secretary of the defendant Board but your complainant was dissuaded from placing the matter before the entire Board by certain members thereof because of their suggestion that a fair and impartial hearing might be obtained before the Heads of Divisions and the Chancellor at the University of Mississippi.

The hearing was subsequently obtained before the said Heads of Divisions and the Chancellor of the University of Mississippi, and the same held on November 21, 1962.

That the hearing thus held was not and could not have been fair and impartial inasmuch as those originally acting in acquiescence to the threats and intimidation of the United States Department of Justice were and are the administrators of the University and others who might have been designated for a trial de novo could not have been but apprised of the public threats of agents of United States Department of Justice and subject

...to those same pressures, indignity caused to be brought upon the
affluent... of divisions and the Chancellor of the University of
Mississippi.

In his endeavors, described in the four paragraphs last above,
counsel for the complainant was informed and your complainant verily believes
that the Southern Association of Colleges and Secondary Schools, the
accrediting body of educational institutions in the southern United States
threatened certain officials of the University of Mississippi, and the
defendant Board of Trustees, with withdrawal of the University's accredited
standing unless indications of strong University sanctions against any student
participating in any demonstration were evidenced to that association and
your complainant, therefore, charges and avers that his expulsion was a
further attempt on behalf of the University officials as agents and employ-
ees of the defendant Board of Trustees to placate said Association as well
as the United States Department of Justice by discriminatory depriving your
complainant of his right to education at the University of Mississippi.

Your complainant would further show that time is of the essence,
and that he has been deprived of his right to attend said University since
November 1, 1962, and has and may thereafter suffer real, substantial and
irreparable injury and will continue to suffer irreparable injury each day
hereafter that he is deprived of this right. Your complainant therefore
can ill afford further dilatory administrative proceedings. Your complain-
ant charges that he does not have a plain, adequate and complete remedy
at law.

WHEREFORE, your complainant prays that this court, upon the
filing of the proper bond, will without notice, issue forthwith, its
mandatory injunction directing the defendant Board of Trustees, its
agents, Chancellor J. D. Williams, and Registrar Robert Ellis to immedi-
ately reinstate the complainant and pending a final hearing hereon, will
enjoin and restrain Chancellor J. D. Williams, Registrar Robert Ellis,
Dean of Students, L. L. Love, Assistant, Chancellor, Hugh Clegg, University

Invest, Dr. Charles Haywood, and all other agents and employees whomsoever of said defendant Board of Trustees from impeding, interfering with or coercing your complainant in his right to pursue his education in said University of Mississippi and may process issue according to law to the aforementioned Dr. E. R. Jobe, Executive Secretary of the defendant Board of Trustees requiring that appearance be made before this Honorable Court at the next term hereof by the defendant Board of Trustees to then and there plead, answer or demur to the allegations of this Bill of Complaint and on a final hearing may it please this Honorable Court to set aside and vote fornaught the order expelling the complainant from the University of Mississippi, to order his permanent reinstatement, to order his student record be expunged of all charges and investigative reports made by agents of the United States government and tendered to Chancellor J. D. Williams, or the Dean of Students, L. L. Love, and that this Court will further permanently enjoin the defendant Board of Trustees and its agents, aforesaid, from interfering with or impeding your complainant in the pursuit of his education at the University of Mississippi, and if your complainant has prayed for wrong, improper or insufficient relief, pray grant him such other, further, general relief as in equity and good conscience he is entitled to have and receive in the premises.

Respectfully submitted,

TAYLOR ROBERTSON, A MINOR

BY:

Jack W. Robertson, Jr.
Jack W. Robertson, Jr.,
Next Friend

STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the state and county aforesaid, the within named Jack W. Robertson, Jr., next friend of the complainant who individually and as brother and next friend of the minor complainant, on oath states that the matters and facts set out in the foregoing Bill of Complaint are true and correct as therein stated and those averments on information and belief he verily believes to be true.

Jack W. Robertson, Jr.
Affiant

Sworn to and subscribed before me, this the 29th day of November, 1962.

Notary Public

My Commission Expires Dec 5, 1963

HINDS COUNTY

I, FRANK T. SCOTT, Clerk of the Court in and for the County of Hinds, State of Mississippi, do hereby certify that the foregoing Bill of Complaint is a true and correct copy of the original as the same is on file in my office in Jackson, Miss.

Given under my hand and official seal on this 29th day of Dec 1962.

FRANK T. SCOTT, CHANCERY CLERK

Frank May

IN THE CHANCERY COURT OF THE FIRST JUDICIAL DISTRICT OF

HINDS COUNTY, MISSISSIPPI

WILLIAM H. HARRIS, A FIDELITY AND SURETY COMPANY, INC., Plaintiff

vs.

13.

BOARD OF TRUSTEES OF THE INSTITUTIONS OF HIGHER LEARNING OF THE STATE OF MISSISSIPPI

Defendant

VERIFICATION

WE, THE BOARD OF TRUSTEES OF THE INSTITUTIONS OF HIGHER LEARNING OF THE STATE OF MISSISSIPPI, AN AGENCY OF THE STATE OF MISSISSIPPI

VERIFICATION:

WILLIAM H. HARRIS, the complainant in the above entitled action filed his verified complaint praying for an injunction against the Board of Trustees of Institutions of Higher Learning of the State of Mississippi, as defendant, requiring that the members of said Board of Trustees and its agents, servants, employees and attorneys be compelled to do certain acts and to refrain from certain other acts, all of which are hereinafter more particularly mentioned, and a fiat having issued hereto, and, it appearing to the above entitled Court that an interlocutory injunction should issue in the premises, and the proper bond having been given and approved,

Now, therefore, the said defendant, its agents, servants, employees, and attorneys during the pendency of the above entitled action and until its final determination, or until the Court shall otherwise order, are directed, enjoined and restrained in the following particulars:

1. To direct and effectuate the immediate reinstatement of the above complainant, Taylor Robertson, as a student at the University of Mississippi, Oxford, Lafayette County, Mississippi.

2. Injuncted and restrained from interfering with, impeding or obstructing in any manner, the said plaintiff in his educational activities at the University of Mississippi.

3. Injuncted and restrained from permitting, either on the campus of the University of Mississippi, the interference or obstruction of the said plaintiff's educational activities by any persons or entities upon the campus of the University of Mississippi.

_____ the hand and seal of the Clerk of the Circuit Court of Hinds County, State of Mississippi, attested by my hand and seal of this office, this 19th day of November, 1962.

Frank T. Scott
Frank T. Scott
Chancery Clerk
By: *Ruth May D.C.*

STATE OF MISSISSIPPI, HINDS COUNTY

TO THE SHERIFF OR HIS LAWFUL OFFICER OF HINDS COUNTY:

You will execute the above writ of Injunction on Dr. E. E. Jobe, Executive Secretary of the above named defendant, at Suite 1007, Woolfolk Building, Jackson, Mississippi, and execute a return thereof to the next regular term of the Chancery Court of Hinds County, Mississippi.

Frank T. Scott
Chancery Clerk

By: *Ruth May*
Chancery Clerk

STATE OF MISSISSIPPI HINDS COUNTY	FIRST DISTRICT
I, FRANK T. SCOTT, Clerk of the Chancery Court in and for the mentioned County and State do hereby certify that the foregoing <i>Writ</i> is a true and correct copy as up, out of my office in <i>Canton, Miss</i>	
Given by my hand and official seal of office this the <u>3rd</u> day of <u>December</u> , 19 <u>62</u>	
FRANK T. SCOTT, CHANCERY CLERK	

Period Covered 12/3/62 to 12/14/62

Student observed with shotgun -

On or about December 10 a student was observed entering a dormitory (unknown) carrying a shotgun by an Army patrol. This incident was reported immediately to Dean Love, who instructed Chief Tatum to investigate. The investigation uncovered the offender and the weapon. Dean Love advised on 12/11/62 that the incident was being turned over to the Student judiciary for disciplinary action.

Baxter Hall Doors -

On Wednesday, December 5, about 3 p.m., Dean Love called to advise that three doors which had been locked in Baxter Hall for security reasons since October 1 were a violation of the Fire Code. The Dean made a formal protest and demanded they be opened immediately. Mr. Doar was advised immediately and approved the opening of said doors. Doors were unlocked at approximately 7:30 p.m. the same day by Mr. Nash.

Army phase down in security measures was effected according to pre-arranged plan on December 4, 7, and 9, respectively.

Automobile -

Meredith's automobile was on campus from December 3 through December 14 with no incidents of damage. Army agreed to visually observe the auto from time to time via Sentries inside of Baxter Hall but would take no further action than to notify the Marshals of suspicious activity around the car.

Campus police -

Appeared to have one or two officers in the vicinity most of the time that Meredith was moving about on campus.

Dr. Maatman -

On Tuesday evening, December 4, Meredith and Mr. Martin attended a dinner in the Maatman home. They left about 7 p.m. At 7:30 p.m. telephone calls began and continued periodically through Thursday afternoon when Dr. Maatman contacted me and requested security. The calls were of a harassing nature rather than threats or abusive language. Since Dr. Maatman did not live on campus, or within the city limits of Oxford, he was advised to contact the county sheriff in the event of trouble. I asked to be notified if the sheriff refused to respond. Dr. Maatman left his telephone off of the receiver and this provided temporary relief. No further incidents reported.

"Orbit" girl -

A girl, 18-22 years old, driving a '62 Chevrolet Impala was observed repeatedly in the area whenever Meredith was on the campus. Marshals kept this girl under close surveillance and notified both CIC and the FBI.

Cemetery incident -

On the evening of December 13, an Army jeep was given the "finger" sign by someone in the back seat of a car believed to be the "Orbit" car. Attempting to get the license number of the car, the jeep followed it into a cemetery and upon leaving the cemetery the jeep was stopped by Oxford police. A formal complaint was made shortly thereafter by the Oxford police to Col. Keller protesting federal jeeps in the local cemetery.

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

Memorandum

TO : Mr. Doar

DATE:

FROM : MKH

SUBJECT:

Chancellor Williams called at 4:50 and asked that someone find you and ask you to call him. He was still at his office, but was leaving for home in about fifteen minutes where he could be reached.

I called Baxter Hall and asked the MP to look for you. I called the Motel and gave the message to the desk. I could not find a Deputy Marshal to help locate you.

His home No. is 234-1968
His office No. is 234-4361

*I reported to Chancellor Williams.
that I had not been able to locate you,
but had left word for you to call him.
He'll be at home.*