

**INTERVIEWS WITH MEMBERS OF BOARD OF TRUSTEES  
INSTITUTIONS OF HIGHER LEARNING, STATE OF MISSISSIPPI**

Typed: 11/19/62

Investigation Files

11/19/62

Rupert J. Grah, Jr.  
Attorney  
Civil Rights Division

RJC:seh  
44-40-254  
011,801

Oxford Riot - Presence of Mississippi Highway Patrol  
on University of Mississippi Campus  
on October 31, 1962.

At approximately 8:30 p.m. on Wednesday, October 31, 1962 the presence of cars from the Mississippi Highway Patrol were first observed on the University of Mississippi Campus. The reports on the number of cars present varied from six to ten. They were patrolling the campus itself and several of the cars were parked in a small roadside park across Highway 6 from the Sorority Row entrance to the campus. Their presence caused some consternation as we did not know for what purpose they were there, although we had heard rumors that student demonstrations would be taking place on that night which was also Halloween. At approximately 10:00 p.m.

Mr. Dear decided to make contact with the Highway Patrol. Mr. Dear halted a car driven by Officer Stennis in front of Baxter Hall. Stennis radioed to his superior, Inspector Griffin, who was in charge of the contingent. Griffin said that he would meet with us, and Officer Stennis drove us to the roadside park where Inspector Griffin, Mr. Crockett, a plain clothesman, were parked. Sheriff Joe Ford and Mr. Scarborough were also present, but they did not talk to us. The latter were in a car bearing Mississippi tag number 360, Lafayette County. From subsequent inquiry I learned that there is a Mr. Scarborough on the Mississippi State Sovereignty Commission.

Mr. Dear spoke to Mr. Griffin and Mr. Crockett in a friendly manner, offering our cooperation in keeping the peace on the campus. Officer Griffin who did most of the talking was very belligerent. He said that Col. Birdsong, the head of the Mississippi Highway Patrol, had called him and told him to come to the campus, and that if anything developed during the night, Col. Birdsong would send as much additional help as was needed. Both

cc: Records

Dear

Futzel

Mr. Crockett and Mr. Griffin were outspoken in their remarks about the abuse and mistreatment they received at the hands of the marshals and troops during the rioting on the night of September 30, 1962, but they said that they were present to give us assistance if anything developed. In response to Mr. Dear's question they said that they had no word that anything in particular was going to happen on this night. Much of the conversation was repetitive, particularly with respect to the activities of the marshals on the night of the riot. At one point Mr. Griffin said something to the effect, "If we wanted to cause trouble we could get something started in a minute, but that's not what we're here for, we are here to help you."

Mr. Dear asked whether a meeting with Col. Keller, the local army commander, could not be arranged at the armory. This request was vehemently refused at first, but later Mr. Griffin and Mr. Crockett came around to the position that they would meet with Col. Keller but not at the armory as they wouldn't "run after him". This point was also discussed, and Mr. Dear was finally able to get them to agree, tentatively, to meet at a different place. The courthouse was suggested as a meeting place, but no definite time was set inasmuch as Col. Keller had not yet been consulted. We didn't know when he would be available.

As we were leaving, Mr. Griffin commented that they would be leaving town very shortly, but no explanation was given for this. When Mr. Dear and I left, it was our understanding that a meeting for later that night would be arranged, but this meeting never took place.

It was as we were leaving that I learned the name of Mr. Scarborough. He had been talking to Officer Stennis, who spoke Mr. Scarborough's name as they parted.

We returned to Baxter Hall and contacted Col. Keller about the proposed meeting. Col. Keller subsequently told me that he spent sometime that night trying to locate the officer in charge of the Highway Patrol without success. At about midnight Col. Keller asked a Highway Patrolman to contact Officer Griffin but the patrolman was unable to do so. This patrolman was sarcastic and uncooperative

in dealing with Col. Keller. At approximately this time Dr. Haywood, the Provost of the University and Lt. Col. Stuart, the army ROTC commander, happened to be on campus. Dr. Haywood told Col. Keller (and Dr. Haywood subsequently told me the same thing) that he was as surprised as anyone to see the Highway Patrol on campus. Earlier in the week Dr. Haywood had expressed the fear that the summoning of the Highway Patrol might be used as a pretext for closing the University by the extremists. Dr. Haywood related the following with respect to the presence of the Highway Patrol. It appears that the Chancellor had been out of town on Tuesday and Wednesday of that week. While in Jackson, he had tried to see the Governor about the use of the Highway Patrol in the event that help was needed. The Chancellor's position was that the Highway Patrol would be under his control on campus. The Chancellor was unable to talk to Governor Barnett and the Governor's aide was non-committal. Between 5 and 7 p.m. on October 31, the Chancellor had Hugh Clegg, the Director of Development, call Governor Barnett and inquire about the Highway Patrol. Governor Barnett told Clegg to call Col. Birdsong with his request. This was done but Col. Birdsong said he couldn't comply unless the sheriff of the county (Joe Ford) asked for the Highway Patrol. Accordingly some university official, possibly Clegg or Chief Tatum, made this request of Ford who in turn called Col. Birdsong. The army later received a copy of a letter from the Chancellor to Sheriff Ford containing a formal, continuing request to him. We have a copy in our file in Oxford.

Dr. Haywood said that the Chancellor's reasons for calling the Highway Patrol were threefold: (1) the Chancellor wants the Highway Patrol to help, if needed, and he wants them under his control. By requesting their presence when there was no real danger of violence, the Chancellor had an opportunity to see how they would conduct themselves and cooperate in the future. Dr. Haywood said that if they were uncooperative the Chancellor would withdraw his request to have them present on the campus; (2) the presence of the Highway Patrol in addition to the troops may serve to "spite the guns" of the pressure groups. I understand him to mean by this that the pressure groups are less likely to continue to cause trouble when the Highway Patrol is present, and less likely to attack the authority

of the Highway Patrol to be on the campus to keep peace. In addition, their presence will tend to identify the State with the situation on campus; (3) the Highway Patrol will look bad and be discredited if it does not help in the event of violence and disorder.

At approximately 4 o'clock on the following day, November 1, 1962, the Chancellor asked Col. Keller to come to a meeting with the local law enforcement people. I did not attend this meeting and was not aware of it. I understand that the Chancellor, Dean Love, Chief Tatum of the campus police, and Sheriff Joe Ford were present. Although invited, the Highway Patrol had not sent a representative to the meeting. The purpose of this meeting was apparently to establish contact between the army at the University and the local law enforcement officials. Sheriff Ford did not have much to say, except that he was not under an injunction to protect Mr. Meredith. He did say however that upon Chief Tatum's request he would ask the Highway Patrol to come to the campus to help maintain the order. I gather that very little was actually resolved at the meeting, but Col. Keller assured all present that the army would be happy to cooperate with anyone interested in keeping the peace.

Since that time the Highway Patrol has not been in evidence on the campus, except on the day of the Chattanooga football game, November 10.

The university's intention with respect to the use of the Highway Patrol in the future is very vague. Faculty members and some university officials express grave concern about the reliability of the Highway Patrol.

My notes indicate that on the day after Halloween Agent Bruce Hodge of the FBI told me that the FBI monitor had heard Chief Tatum request Sheriff Ford to have additional assistance available. Hodge said that this intercept was made at approximately 5 p.m. on October 31, but we were not advised of it.

*Chap - Marshall  
old memo*

*J*

Burke Marshall  
Assistant Attorney General  
Civil Rights Division

November 5, 1962

Henry Putzel, Jr., Chief  
Voting & Elections Section

HP:bab

Possible applicability of 18 U.S.C.  
392 (Troops at Polls) to military  
personnel at Oxford, Mississippi,  
on election day, November 6, 1962.

72-012  
144-100-40-1

This refers to your request of November 2, 1962, that on November 5, 1962, I call to the attention of James Greh at Oxford, Mississippi, the above statute in order to avoid any possible incident whereby military personnel stationed at Oxford could be charged with any infringement of its terms.

Shortly after noon, EST, on November 5, I spoke with Mr. Greh and read to him the text of 18 U.S.C. 392 and called to his attention Army Regulation 300.30, "Emergency Employment of Army Resources," dated 19 July 1962, paragraph 7b, entitled "Elections," implementing that statute.

I asked Mr. Greh to contact Army authorities immediately to make sure that they were familiar with the statute and would avoid any situation in which it could be claimed that military personnel had acted inconsistently with its requirements.

I asked Mr. Greh if any troops were stationed at or near the polls. He answered in the negative but said that there were roving details in Oxford who should be cautioned about the statute.

He said that Major Chisholm of the Army was in his office at the time of my call and that he would immediately discuss the matter with him. Mr. Greh said that he would call me back later during the day to advise me that all precautions had been taken to avoid any incident in which it could be claimed that the statute had not been observed.

I also mentioned 18 U.S.C. 393, which deals with interference by armed forces with the right to vote and called his attention to the Army Regulation, 600.30, in implementation thereof (Army Command Policies and Procedure), entitled

Records "Political Activities," dated 3 July 1962, paragraph 42.  
Chrono  
Mr. Dear  
cc A'Hess

St. John Barrett  
Second Assistant  
Civil Rights Division

Harrison J. Goldin  
Attorney

October 30, 1962.

HJG:wa

~~144-40-25~~  
9,782

Answer to Inquiry.

With respect to the inquiries in the attached letter forwarded from Senator Javits' office, calls to the White House and Mr. Guthman's office elicited the following:

1. On Saturday, September 29, 1962, the White House announced that the National Guard in Mississippi was being federalized immediately; telegrams were dispatched to that effect.
2. On September 29, 1962, the White House announced that the President had that day talked on three separate occasions with Governor Barnett; the times of those conversations were not made public.

Attachments

cc: Rec.  
Chrono.  
Mr. Dear ✓  
Mr. Patsel  
Trial File (Pa. 1110)

Typed 10/12/62

10/12/62

BM:KJG:ms  
144-100-40-1  
9782

**AIR MAIL - SPECIAL DELIVERY**

**Honorable Herbert A. Schlei  
c/o The United States Attorney  
Oxford, Mississippi**

**Dear Mr. Schlei:**

I enclose the outline of the P.B.I. report that I made while I was in Oxford earlier this week. If there is anything further that I can do to be of help, please let me know.

**Best regards, Sir.**

**Sincerely yours,**

**HARRISON J. GOLDIN  
Attorney**

**Enc.**

**cc:  
Rec.  
Chrono.  
Mr. Dear ✓  
Mr. Futsel  
Trial File**



OCT 26 1962

T. 10/25/62

EM:SJB:arg 9782

~~144-100-40-2~~  
144-40-254

**MEMORANDUM TO LAWRENCE P. O'BRIEN, SPECIAL  
ASSISTANT TO THE PRESIDENT**

In accordance with your request of October 10, 1962 to Mr. Andrew Oehmann, of this Department, I am enclosing a suggested draft reply, for your signature, to the letter of Congressman John Dowdy dated October 8, 1962, and addressed to the President.

**BURKE MARSHALL**  
Assistant Attorney General  
Civil Rights Division

CC: Records  
Chron.  
Mr. Barrett  
Mr. Marshall  
Miss Blair  
Trial File (Rm. 1140)  
Mr. Andrew P. Oehmann,  
Executive Assistant to the  
Attorney General

SECRET

Honorable John Bowdy  
House of Representatives  
Washington 25, D. C.

Dear Congressman Bowdy:

The President has asked that I reply, for him, to your letter of October 8 regarding events surrounding the admission of James H. Meredith to the University of Mississippi.

You inquire, first, whether General Edwin A. Walker has been accorded his rights under the Constitution. General Walker has been fully accorded all of his rights. Within an hour of his arrest he was taken before United States Commissioner Omar Craig, in Oxford, for a preliminary hearing. The commissioner advised him of his rights. General Walker waived counsel. After consulting with a companion, he also waived preliminary hearing. Commissioner Craig then ordered him held for the United States District Court in \$100,000 bond. In view of the fact that General Walker was charged with four separate violations of the criminal code, including rebellion and insurrection (18 U.S.C. 2383), and seditious conspiracy (18 U.S.C. 2384), carrying a maximum aggregate penalty of 30 years' imprisonment, the amount of the bond was entirely reasonable. In any event, it has since been reduced to \$50,000 by stipulation between the Government and General Walker's counsel.

and he has been released on posting a bond in that amount.

With respect to the presence of Negro troops among those sent to Oxford pursuant to the President's Proclamation, these troops were regular members of their units. Racial segregation in the armed forces was abolished by executive order over a decade ago. The racial composition of the units sent to Oxford played no part in designating them for such duty.

You say some believe that the conduct of the United States Marshals touched off the rioting in Oxford. There is no basis for so believing. Crowds had collected and disorder commenced long before the marshals were forced to use tear gas to control the situation. The gas was used only after a number of marshals had been injured and it was clear that no other means could prevent the crowd from forcibly storming the lyceum building at the University.

You also refer to reports that a University co-ed had been shot and was in serious condition. While it is true that such reports were published in the press, they were later retracted when it was found that the co-ed in question had not been harmed in any way.

The President joins with you and your constituents in your concern over the effect of the events in Oxford. It is

his hope that responsible citizens will join with him in urging state and local officials to resume the discharge of their responsibility for the maintenance of law and order, to the end that the orders of the federal courts may be effective without unlawful and violent interference.

Sincerely yours,

**LAWRENCE F. O'BRIEN**  
Special Assistant to the President

*The Oxford Riot*

Messrs. Barrett, Flannery, Goldin,  
Schwartz, Wilson, Becheto Leon and  
Trial Staff and all other concerned  
Secretaries

Oct. 20, 1962

John Dear  
First Assistant  
Civil Rights Division

JD:stj  
144-100-40-1  
144-40-254  
144-40-255

The James H. Meredith files

With respect to the James Meredith files, there are two sets of files involving James Meredith. The first includes all matters pertaining to the case of Meredith v. Fair and has file No. 144-100-40-1. In this file should go all matters involving contempt of Governor Barnett and Lt. Governor Johnson or all future matters which arise in the Court of Appeals or the United States District Court for the Southern District of Mississippi.

The second file (to be entitled the Oxford riot) should contain all matters pertaining to Meredith at the University of Mississippi and is to include files on the students, White Citizens Council, General Walker, the other twelve defendants and all investigation growing out of the riot. 144-40-254 is the number assigned to this file.

It should be noted that even though material in connection with the White Citizens Council of Mississippi is to be included in the second set of files entitled the Oxford riot, a separate D.J. file No. (144-40-255) has been set up for all such material. Therefore, it is important that all matters pertaining to the White Citizens Council of Mississippi bear this D.J. number in order that the people in Records can keep the files straight.

Please be on the alert that there is no cross filing.

Typed: 10/24/62

BM:PHS:ech

~~144-100-40-1~~

9782

144-40-254

Thomas L. Robinson, Esq.  
United States Attorney  
Western District of Tenn.  
Memphis, Tennessee

Attention: Mr. William McTighe, Jr.

Re: Meredith v. Fair

Dear Sir:

Thank you for your letter of October 15, 1962, advising that you had taken the statements of William S. Whitman, et al. Please forward these statements to the undersigned.

Sincerely yours,

BURKE MARSHALL  
Assistant Attorney General  
Civil Rights Division

By:

FRANK E. SCHWELB  
Attorney

cc: Records  
Chong  
Boar  
Putzel  
Trial File (1140)

12:30 p.m.  
10/24/62

Mr. Groh talked to John Martin who asked that he give you the following message:

The Department of the Army would like to have the two demolition people at Ole Miss back on an expedited basis because of the Cuban crises. The Army has prepared a 15-page pamphlet which they apparently plan to send out to local law enforcement officers. Martin expects to receive a copy of this publication in the mail tomorrow. Thinks with it he will be able to handle the situation without the experts. He has the phone numbers a Fort McKlellan, McPherson and Campbell where if there was any need for a demolition expert he could get one quickly. One of the experts at Ole Miss is a Major Sever (Phonetic). He will call you later in the afternoon to see if it will be all right to release these two people.

*I told Verne about it*

Verne

*File Meredith note*

*Book - Shirley <sup>AKA</sup>*

*Please put date on minutes*

Typed: 10/22/62

BM:FRS:seh  
~~144-100-40-1~~  
~~4783~~

14440-254

Laurence W. Rabb, Esq.  
Attorney At Law  
411 Dixie Towers  
Meridian, Mississippi

Re: Oxford, Mississippi Riot

Dear Mr. Rabb:

Thank you for your letter of October 3, 1962, enclosing Mr. Bearman's article in the October 1, 1962 issue of the Meridian Star. We are investigating the entire matter of the Oxford riot to determine what further legal action, if any, is warranted. If you have any more information which would be helpful to our investigation, I would greatly appreciate your letting me have it.

Very truly yours,

BURKE MARSHALL  
Assistant Attorney General  
Civil Rights Division

cc: Records  
Chrono  
Bear  
Futzel  
Trial File (1140)



Director  
Federal Bureau of Investigation

Burke Marshall  
Assistant Attorney General  
Civil Rights Division

SH:JD:lvw 9782

~~144-100-40-1~~

144-46-254

With respect to intelligence information which you receive with respect to any activities which might affect James H. Meredith's personal security, this is to request that you furnish the information on an expedited basis to the Justice Department attorney in charge at Baxter Hall, University of Mississippi as well as to myself, Mr. Dear or Mr. Barrett of this Division.

The Department of Justice attorney in charge at this time is John A. Martin of the Civil Rights Division. The Department of Justice telephone number in Baxter Hall in Oxford, Mississippi, 234-4025. I intend to rotate attorneys on a seven day basis at Oxford. Next week the attorney in charge will be Mr. Rupert Grah. I will advise you again as to subsequent assignments.

cc: Records  
Chrono  
Barrett (Trial File)  
Dear ✓

Director  
Federal Bureau of Investigation

October 19, 1962

Duane Marshall  
Assistant Attorney General  
Civil Rights Division

BM:JD:otj

~~144-1-12-4422~~ - JHR

44-70-255

White Citizens Council of  
Mississippi

*Mr. Tolson*  
This will confirm my conversation with Mr. Tolson on October 18, 1962 in which I requested the Bureau to conduct a full background investigation on Mr. V. J. Simmons whose office address is 813 Plaza Building, Jackson, Mississippi. We believe Mr. Simmons to be the Administrator of the Association of Citizens Council of Mississippi.

This is the same Mr. Simmons who is referred to in the memorandum from Mr. Miller to you dated October 16, 1962, their file 144-1-12-4422.

cc: Records  
Chromo  
Dear  
Putzel  
Trial File (1140)

St. John Berrett  
Second Assistant  
Civil Rights Division

Morrison J. Goldin  
Attorney

October 17, 1962

RJG:ma  
144-100-40-1  
0782

Meredith v. Fair, et al

This is a summary response to some of the points raised in the letter sent to the White House by Congressman Dowdy and forwarded to you. I have not had an opportunity to consider the points raised in great detail, but I offer an outline of my views below.

The letter states that integrated units were deliberately sent to Mississippi, and implies an intent to provoke the local population needlessly. It should be pointed out that the armed forces have been integrated since President Truman's desegregation of the military establishment over a decade ago. Units were selected for Oxford duty, and deployed in that area, according to their utility, accessibility, and combat effectiveness. Indeed, Mr. Meredith's own publicly stated disappointment that after two days of duty in the Oxford area and on the Ole Miss campus Negro troops were temporarily withdrawn, itself shows the administration's sensitivity to local custom, rather than any callous intent to provoke violence. Should you care to belabor this point in your reply, the unit numbers and home bases of the troops used in the Ole Miss crisis are readily available. I would be happy to supply them for you.

With respect to the allegation that inexperienced United States Marshals were responsible for the violence on the Ole Miss campus, the facts clearly establish the contrary. An elaborate and exhaustive inquiry by the Department of Justice, involving interviews of many hundreds of witnesses by a large number of attorneys, has established conclusively that the marshals suffered

cc: Rec.  
Chrono.  
Mr. Dear ✓  
Mr. Putzel  
Trial File (Rm. 1140)

thoroughly unwarranted provocation, and were exposed to physical danger of a very serious nature, before they used tear gas in an effort to disburse the mob. As the Government has previously announced, a substantial number of marshals suffered injury, many of them between 3:30 and 8:00 p.m., the period of the riot during which the marshals simply stood in front of the Lyceum hoping that the mob would peacefully disburse. It is incorrect, in addition, to charge that the marshals deliberately shot Mississippi policemen in the back with tear gas shells while those policemen were attempting to hold back the crowd. The truth is that prior to the time the tear gas shells were fired at 8:00 p.m. there had been a mass exodus of Mississippi State Policemen (highway patrolmen) from the campus. This abandonment of their responsibility to maintain law and order by local law officials is an inexcusable component of the violence that then became inevitable. It should be pointed out that on the floor of the Mississippi State Senate, during debate on a proposed Senate investigation of the incidence on the Ole Miss campus on Sunday, September 30, a Senator and member of the National Guard who was present in Oxford, stated from the floor that in his judgment as an eye-witness the marshals withstood more provocation than could reasonably have been expected. In sum, there is no substance to the charges that the marshals behaved irresponsibly or precipitously. Further, there is no credible evidence that anyone was deliberately shot in the back with tear gas shells. Since the highway patrolmen were not at the scene when tear gas was exploded, they certainly could not have been the objects of such an attack.

I have searched through Charlie Charuss' file for the newspaper clipping, widely disseminated this past week in the South, exposing as a lie the charge that a coed was shot by federal marshals during the riot. Charlie Charuss himself recalls seeing a number of such accounts, and if you deem it worthwhile, I am sure that he will be able to locate such a clipping for you.

U of Miss:

10/15 anonym call to campus  
hall — no bomb

12:00 a.m. on 15th

— bomb in Baxter  
Hall

Alumni Hall phone at  
So-Belt Tel Co. (Sandura)

Mr. <sup>Wm</sup> Griffin, mgt. of  
Alumni House

Midnight 9/27/6  
available at Oxford.

11/8 In Jackson until

**Memorandum**

TO : Burke Marshall  
Assistant Attorney General  
Civil Rights Division

DATE: October 15, 1962

JD:lww

FROM *BM* John Doar  
First Assistant

SUBJECT: Report on James Meredith's visit to Jackson, Mississippi  
for weekend beginning Friday, October 12, 1962

I have conferred at length with Deputy Marshals Joseph N. Robertson and Howard E. Riley with respect to the experiences last weekend with James H. Meredith. They report as follows:

1. The arrangements on the whole were satisfactory. Meredith seemed apprehensive at first with respect to the plans for the weekend but he cooperated fully during the weekend.

2. The marshals left Washington by plane on Friday noon, arriving at Memphis at 2:15 CST. They immediately called Mr. Clark at Oxford and were directed to stand by at the airport. They waited there an hour and a half and then met a Border Patrol plane at a pre-designated location at the airport. James Symington and Deputy Marshal Bob Hayslip were with Mr. Meredith. Symington rented a Hertz car and Meredith then went to a phone and contacted his lawyer. They then went to Attorney Willis' office at 599 Vance. On the way they made one stop at the home of Meredith's cousin where he had his car. At his cousin's house he dropped some letters off with her and talked with her for a little while by himself.

After a conference at Willis' office they returned to the airport and the pilot, Meredith, Robinson and Riley went to Jackson.

They arrived at Jackson at 8:00 p.m., Friday and went to the northwest corner of the airport. The Border Patrol had made radio contact with our cars on the ground about five minutes out. When they got on the ground six men, including Mr. Sather, were there. No one else was

cc: Mr. Katzenbach

there and no one observed them. The Border Patrol plane took off immediately for New Orleans. Meredith and the two deputy marshals took a car and went to 1060 Biloxi which is the home of Mr. Robert Smith. Smith's father ran for Congress. The home is nice and the three of them stayed there that weekend.

It had been generally agreed between Meredith and the deputies that they would be introduced as friends and Meredith never disclosed their identity to anyone. While in the presence of the deputies, however, the deputies were sure that the people suspected who they were. They report that several people asked Meredith where were his bodyguards and Meredith would ramble and give an answer which was indefinite but the person who had asked the question would look knowingly at the deputies.

After they got to Smith's house they went to the office of Medgar Evers then they went to have dinner at a public place across from the Masonic Hall in the Negro section of Jackson. There were many persons present, all of whom seemed to be friends of Meredith and all of whom recognized him and said hello to him. The marshals report that Meredith conducted himself very well. After dinner they went to pick up Mrs. Meredith. They report that Mrs. Meredith was very friendly, with an outgoing personality. She was casual to the possibility of danger to Meredith or herself. One of the marshals remarked to me that neither of them seemed to grasp the seriousness of the possibility of Meredith getting hurt. Then they went back back to Smith's home and spent the evening there. Meredith made some telephone calls and they all went to bed about 2:00 a.m.

They had a system worked out by which they could get in touch with Sather. On Saturday Meredith kept the marshals quite busy visiting friends. They visited Smith's Supermarket and met the man who ran for Congress. They also met the editor of the Jackson Free Press, Charles Butts.

Then they visited throughout the day with other friends, eating in public restaurants both at the noon and evening meals where Meredith was recognized and talked to by many of his friends.

On Saturday morning, by pre-arrangement apparently, Bill Shroet, a representative of the Saturday Evening Post, came to Smith's house and wanted to take pictures of Meredith. This he did in Mr. Smith's home, as well as a few of Meredith and his wife walking on the campus at Jackson College. The marshals explained that they did not want a lot of attention attracted to Meredith and the cameraman cooperated.

On Saturday afternoon when the school buses of Jackson State College were ready to go to Alcorn for a football game, Meredith wanted to go. The marshals reported this to Mr. Clark and he instructed the deputies to talk Meredith out of it. This they did and they report that Meredith accepted it graciously.

Sometime on Saturday afternoon Mrs. Meredith wanted to go to a shopping center and they went to a large shopping center which I think is west of Jackson State College. This is a shopping center used by both white and Negro trade. While they were sitting in the car there, several teen-agers observed them and apparently recognized Meredith for when they left the shopping center the car followed them for about three miles to the campus of Jackson State.

On Saturday evening they went to see Dr. Britton. They also spent some time with Mr. Barley, President of the NAACP in Jackson.

There were no newspaper articles about Meredith's presence and he received no phone calls except from friends. The marshals do not have any additional recommendations for future weekends, but better arrangements will have to be worked out for getting them back to Washington as they had to fly all night, arriving here at 7:00 a.m.

With respect to future weekends they pointed out to Meredith that he ought to begin hitting the books, but he did say that he had to see his lawyer in Memphis this coming weekend. He did say he did not think he would be coming back to Jackson soon. They asked him if he was planning a trip to Kosciusko and he said he had nothing definite planned.

I questioned the marshals about the possibility of assassination by a member of the Negro race and they did not feel it was much of a possibility because of the high regard that Jackson Negroes have for Meredith. They also indicated that a white person in the area where they were would stand out, except for the time that they were shopping at the shopping center.



# Memorandum

TO : Meredith ~~Conner~~ *Smith*

DATE: Oct. 13, 1962

FROM : *JD* John Dear  
First Assistant  
Civil Rights Division

SUBJECT: The situation in Oxford,  
Mississippi

The United States Attorney from Houston, Texas, told me that some attempt should be made to get the Methodist minister of Mississippi to speak out on the race problem. His name is Marvin Franklin.

T. 10/9/62  
EM:SJB:arg 9782  
144-100-40-1

*Shirley D. Howell*  
File - 65-11-522  
*regular immigration*  
*Meredithe. Fair*

Honorable Joseph Campbell  
Comptroller General of the United States  
General Accounting Office  
Washington 25, D. C.

Dear Mr. Campbell:

The Attorney General has asked me to reply to your letter of October 1, 1962, concerning the transportation of Mr. James N. Meredith in a plane operated by the Immigration and Naturalization Service, and other instances of his transportation by the Government.

On every occasion when Mr. Meredith has been moved from one place to another by Government transportation, he has been accompanied by officers of the Department of Justice in the conduct of their official business. This has not been for his convenience. All Government transportation involved has been a necessary part of the United States Government's actions in assuring compliance and preventing interference with orders of the Court of Appeals for the Fifth Circuit and of the District Court for the Southern District of Mississippi which established his right to enroll in and attend the University. Difficulties in enforcing these orders have given rise to additional orders by the same Circuit Court which impose additional obligations of enforcement upon the Government.

The Federal Government's obligations are not terminated and this Department will continue to carry out its responsibility in every appropriate manner, including the furnishing of necessary transportation for Mr. Meredith and accompanying federal officers.

As to the necessary plane transportation involved, Immigration and Naturalization advises that the following instances were involved:

CC:  
Records  
Chren.  
Mr. Andretta  
Mr. Oshmann  
✓ Mr. Marshall  
Mr. Barrett  
Mr. Holleran

September 25th

Departed New Orleans, La. 2:30 pm  
Landed Jackson, Miss. 3:25 pm  
(On board - Meredith, McShane and Dear)  
Departed Jackson, Miss. 5:10 pm  
Landed New Orleans, La. 6 pm  
(On board - Meredith, McShane and Dear) 2 hours

September 26th

Departed New Orleans, La. 7:40 am  
Landed Oxford, Miss. 9:20 am  
(On board - Meredith, McShane and Dear)  
Departed Oxford, Miss. 10:15 am  
Arrived Memphis, Tenn. 11 am  
(On board - Meredith, McShane and Dear) 2 hours 25 min.

September 27th

Departed Memphis, Tenn. 8:15 pm  
Landed New Orleans, La. 10 pm  
(On board - Meredith, McShane and Dear) 1 hour 45 min.

September 30th

Departed New Orleans, La. 8:55 am  
Landed Memphis, Tenn. 11 am  
(On board - Meredith, Dear and  
U. S. Marshal Cecil Miller)  
Departed Memphis, Tenn. 3:25 pm  
Landed Oxford, Miss. 6 pm  
(On board - Meredith, Dear and Miller) 2 hours 40 min.

---

TOTAL 8 hours 30 min.

As to the necessary automobile transportation involved, Immigration and Naturalization advises that the following instances were involved:

September 20, 1962

Memphis to Oxford and return;  
Chamblee, McShane, St. John Barrett  
and Meredith. 148 miles

September 21, 1962

Jackson City Airport, into Jackson  
and return to airport;  
McShane, Bear and Meredith. 18 miles

September 29, 1962

Oxford Airport to campus, and return  
to Naval Air Station, Memphis;  
Chamblee, Bear, McShane and Meredith 103 miles

September 27, 1962

Naval Air Station to Sardis, Tenn.,  
and return to Naval Air Station;  
Chamblee, McShane, Bear and Meredith 128 miles

September 30, 1962

Oxford City Airport to Baxter Hall,  
University of Mississippi;  
Meredith, Bear and Patrol Inspector 1 mile

TOTAL 398 miles

There is no way in which a breakdown can be made of the costs involved in the transportation of Mr. Meredith and the officers assigned to accompany him. Such costs as may be allocated to Immigration and Naturalization are charged to appropriation title and symbol 153-1217, "Salaries and Expenses, Immigration and Naturalization Service."

On a number of occasions in addition to those listed on page 3, Mr. Meredith has been moved from one place to another in automobiles, again accompanied in every instance by federal officers on official business. In the fast moving events of the past weeks it has been impossible to keep track of the ownership of the automobiles involved. At various times he was transported by cars operated by personnel of the Border Patrol and the United States Army, among others. Again, it would be impossible to attempt to break down costs which might be ascribed to Mr. Meredith's transportation in the over-all operation of these vehicles.

The expenditure of funds appropriated to the Department of Justice in this matter falls within the authority granted to the Attorney General under the provisions of section 1920, Title 28, United States Code.

Sincerely yours,

BURKE MARSHALL  
Assistant Attorney General  
Civil Rights Division

Director,  
Federal Bureau of Investigation

Typed: 10/3/62

Burke Marshall, Assistant Attorney General  
Civil Rights Division

BH: JKH: jvm  
144-100-40-1  
#9782

Trip to Mississippi by members of Quaker faith.

The following is sent to you for information purposes only and confirms a telephone report made by attorney Jerome K. Heilbron of this Division to SA Trainer of your office on October 3, 1962.

At approximately 10:00 a.m., EDT, Mr. Heilbron received a telephone call from Mr. Harold Fleming, Potomac Institute, Washington, D. C., conveying the following information.

The following five, white, male persons, all members of the Quaker faith, plan on going to Mississippi on October 4, 1962, on a "mission of conscience":

Frank Leecher  
Lewis Hostine  
Tartt Bell  
Mike Yarrow  
Burns Chalmers

At the present time these persons are in Atlanta, Georgia, and can be reached at this phone number: SA. 3-7986.

The above named persons do not plan on engaging in any type of overt demonstration but do plan on contacting various persons of authority in Mississippi with reference to the current difficulties arising out of the admission of James Meredith to Mississippi University. At this time their itinerary is not known.

cc: Records  
Chrono  
Mr. Marshall  
Mr. Murphy  
Mr. Heilbron  
Mr. Barrett  
Trial File (Rm. 1140) ✓  
USA, Oxford, Mississippi

Mr Katzenbach

Sat Oct 6

Mr. Rea, the local U.S. Atty called at 8:30 P.M. He has a request from Mr. John M. Poag, Gen. Mgr. of Chromcraft Mfg. Co. in Levittown, Miss. (Phon. 562-8454 or 562-8203) to obtain the release from duty with the Natl. Guard of SP 5 Milton S. Johnson, K troop 3d Squadron, 108<sup>th</sup> Armored Cavalry. Johnson is the Chief Mechanical and Production engineer at Chromcraft and Chromcraft is about to begin production on a large Govt. contract and is in dire need of Johnson's services.

Mr. Rea would appreciate your exploring the possibility of getting Johnson emergency leave. By way of statistics, Mr. Poag states that 42 of Chromcrafts 400 employees are on duty here with the Guard.

Mr. Rea can be reached at home.  
(234-5907)

John M. Bray  
Tax Division

Mr. Thornton Caine

Booneville, Route 4

Arrived here 11:30 A.M.

Left Booneville abt 9:30 A.M.

Came to see Bobby Niles

Known abt 4 yrs.

Age 28. Studying to be Doctor

Father Bill

Staying in back cottage where Meredith  
is.

Saw Bill Niles this AM

Told him he was coming to see Bobby

On grounds 7/11 10:45

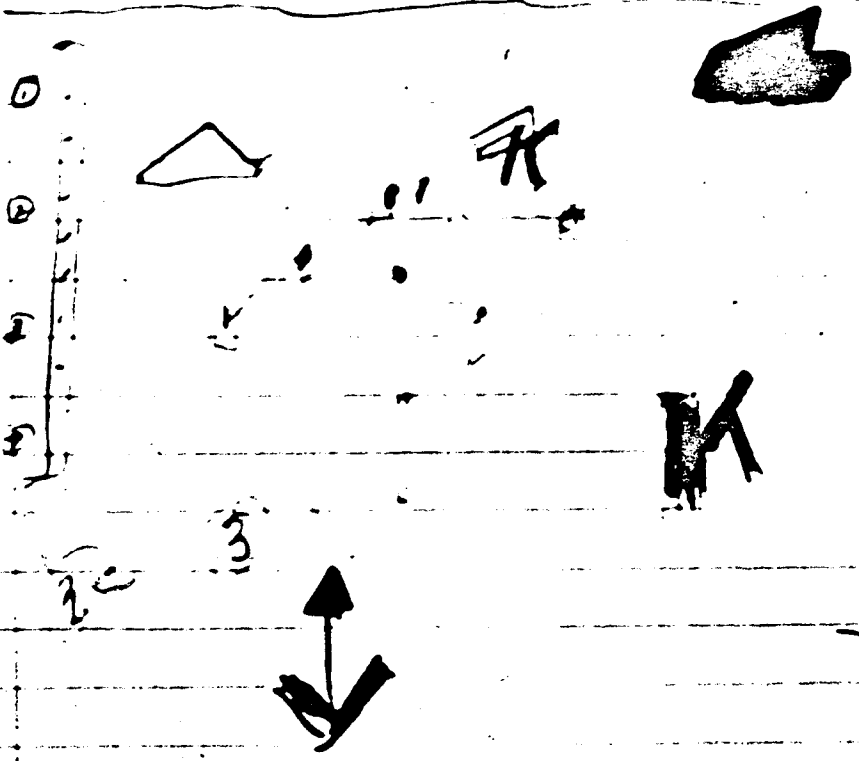


CC

10/3/62 33

PHONE CALLS BY INTERED DEPT. TEL  
CREDIT CARD NO 150 1535 N 32

- 1. Thomas O. Deane - ...
- 2. Stephen J. Donnelly, Jr - ...
- 3. PAUL H. Thibodeau - DC Marshal's office -
- 4. Clark A. Ryan - Solidity Insurance -
- 5. L. T. Turner - MASS -
- 6. George E. Allin - MASS -
- 7. Jesse Dale Gordon - list of Indiana



9/30

Message from Brenda

Sunday 1:03 PM approx

- ① Take on cage
- ② Prepare to leave by helicopter on my schedule  
leave goal - 15 minutes
- ③ we don't want models to get any way in with all  
then equipment

all the plans - as my so on next one

- ④ Some of the can load on cage
- \* right to be coast at an angle

Sept 9-30-62

SEP 21 1962

DEPARTMENT OF JUSTICE

CIVIL RIGHTS DIVISION

11,191  
10,856

EP 100  
72-154-104  
72-154-91  
111-100-40-1

JOHN A. MARSHALL  
ASSISTANT TO THE EXECUTIVE SECRETARY, NAACP  
20 WEST 40TH STREET  
NEW YORK, NEW YORK

RECORD TO PRESIDENT SEPTEMBER 14. JUSTICE DEPARTMENT TAKING APPROPRIATE  
ACTION RE: MURKIN CASE AND OTHER MATTERS REFERRED TO YOUR TELEGRAM.

WILL MARSHALL  
ASSISTANT ATTORNEY GENERAL  
CIVIL RIGHTS DIVISION

cc: Records  
Chromo  
Mr. Marshall  
V & E Sec.

U of Mississippi  
September 13, 1962

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: University of Mississippi

Today I called Dr. Duncan Gray, the Rector of the Episcopal Church in Oxford, at the suggestion of Professor Fortenberry. Dr. Gray had made the unsuccessful efforts to get students to come to see you. As I told you, the position of the students was that they could not do it without University approval, and that they could not get University approval.

I discussed the situation with Dr. Gray. I told him that we have an obligation to see that the University order was complied with and was effective. I asked him what he knew about the University's attitude.

After the discussion he agreed that he would tell Chancellor Williams that I had called and that I was anxious for it to be known that we wanted to discuss the problems facing the University with any University officials who were interested in discussing it with us.

Dr. Gray called back and said that he had talked to the Chancellor. The Chancellor did not want to talk to anyone here directly. However, he was willing for Dr. Gray to relay the following information.

The University has no plans for dealing with the situation. The Chancellor expects to open the University and, as far as the University management is concerned, to conduct classes in the regular manner with as little disturbances as possible.

On the other hand, the Chancellor recognizes that the University is not going to be permitted to accept Meredith as a regular student. He told Dr. Gray that this had been completely taken out of the hands of the University administration by the Board of Trustees, the Governor and the attorney general of the state. He told Dr. Gray that he did not know what this group planned.

As far as police matters are concerned, the Chancellor said that it was obvious that the campus police and local police were inadequate to deal with any situation that might arise. At the same time, the Chancellor said that he had been assured by the state that highway patrolmen would be on hand. Dr. Gray said that he did not know what the instructions given the state officers would be. The Chancellor has discussed the Meredith case with some student leaders. He has pointed out to them that their self-interest in their education and in the University would be best served by an absence of trouble. The Chancellor told Dr. Gray that the response to this kind of talk to the students was encouraging.

We have learned from Professor Fort<sup>berry</sup> the following time schedule:

Orientation will start the 15th and continue through the 19th. This is not compulsory. Most new students, but not all transfer students, attend.

Registration for former students is on the 19th.

Registration for new students and transfer students is on the 20th. This is the day that Meredith would normally be expected to register.

The lawyers for Meredith have asked the University when he should report and have received no reply.

Burke Marshall  
Assistant Attorney General  
Civil Rights Division

*File*

11/26/62

John Dear  
First Assistant  
Civil Rights Division

FES:ach  
144-40-254  
11,801

Frank P. Schwab  
Attorney

**Conduct of State Troopers during Oxford Crisis**

You have requested me to investigate the conduct of the State Highway Patrol and other state officers during the Oxford riot. My reading of the various accounts of the Oxford riot - and particularly those of the Marshals, Border Patrolmen, and Bureau of Prisons personnel - indicates that the Mississippi law enforcement officers on the scene did not arrest a single rioter and, except for some slight effort for a very brief time when the crowd first built up, never really tried to control the crowd. It is evident from the Yarbrough-Katzenbach conference and from the monitoring of the State Police radio that the police was withdrawn intentionally and that the plan to withdraw the police in the middle of the rioting was formed at a high level before the violence even began. In view of the apparent complicity of Mississippi deputy sheriffs in the arrival and activities of General Walker and his supporters (see particularly the statement of Reporter Rogers of the Denver Post) and in the light of the telephone calls made by Judge Moore and by William J. Simmons to outsiders, it seems reasonable to postulate that the State Government was party to a plan to create a riot and to do nothing to control it.

The degree to which we will be able to substantiate such complicity may become more evident upon the completion of the FBI investigation of the Citizens' Council's role in the Oxford riot. Even prior to the completion of that investigation, however, we can establish, on the basis of statements already in our files, not only lack of helpfulness on the part of State officers, but also numerous hostile acts on their part. Set forth below is a synopsis of these acts, together with the names of witnesses able to testify with respect to such acts.

- cc Records
- Chrono
- Mr. Marshall ✓
- Mr. Putzel
- Trial File

1. Prior to the firing of the tear gas, when the mob was engaged in hurling missiles at the marshals, a number of the Highway Patrolmen shone their lights at the marshals, which not only gave the mob lighted targets at which to fire, but also had the effect of impairing the marshals' vision. In the words of Marshal Delmer E. Anglin, who is from Louisiana ("I am a souther boy myself and I don't blame them for some things, for the way they felt about it."), the conduct of the State Police was as follows:

The State Police shined their lights on me there so the kids could see. We told the State Police to turn the lights out, to take the lights off me. They had the lights right straight on me so the kids could throw at me.

Anglin was wounded during the riot. Marshal Herschel Garner, of Little Rock, Arkansas, stated that

the state patrolmen, who were off at an angle of about 45 degrees on our right, would shine their flashlights in our eyes which would blind us and hamper us in our efforts to dodge the rocks and bricks being thrown at us.

The statements of Mr. Dolan of the Department of Justice, of Marshal James T. French of Pensacola, Florida (who was Garner's squad leader) and of Inspector Welch of Laredo, Texas are to the same general effect.

2. According to Border Patrolman Donald W. Albert of Del Rio, Texas, the State Police not only failed to arrest the trouble-makers in the crowd but, in one case took a rioter from the marshals and returned him to the student lines, remarking that they would not let the marshals arrest or harm him. This incident was also witnessed by Miss Sidna Brewer, editor of the student newspaper, and by Marshal Nelson Douglas of Texas. Marshal Edward T. Bartholomew also relates an incident which may be the same one, but does not describe it in so much detail.

3. When the Highway Patrolmen made their mass exit from the scene of the riot, they evidently made a serious attempt to run some of the marshals down with their cars. The apparent victim of one such incident, Senior Patrol Inspector Henry of Key West, Florida, said of the Highway Patrol that

They made a mass exodus at about, I would say at 9:45 to 10:00 p.m. There appeared to be 12 to 15 cars loaded with five men in each vehicle and as I was attempting to move them out of the traffic circle one of them floor-boarded the accelerator and tried to run me down. However, I was able to jump out of the way.

This incident is confirmed by Marshals Garner, Welch, and Lowe.

4. Another example of conduct on the part of the State Police which went beyond mere inaction in the face of violence was the furnishing of instructions on how to inflict the most serious damage to Government property. In the words of Patrol Inspector Brewer,

I overheard one highway patrolman tell a youth who was standing in front of the line in front of me, that if he cut the stem of the tire close to the rim of those Army trucks that it would be difficult to repair. The youth did this and flattened the tires on the Army trucks.

Carroll J. Sigmon of Charlotte, North Carolina, one of the seriously wounded marshals, saw three troopers stand around as a student let the air out of the tires of an Army truck.

In addition, Marshal Garner saw a slap jack (or sapper handle) sticking out of the pocket of a student and confiscated it. The student told him this weapon was given to him by a Highway Patrolman. Patrol Inspector French is aware of this, and in his statement of October 7, 1962 advised that Garner still has the instrument. There is obviously a hearsay problem here, but the weapon could be important if it bears any State Police markings.

5. Almost every Marshall present during the riot will testify that the State Police did little or nothing to control the violence and, in fact, laughed and joked with the rioters. To illustrate the attitude displayed I have selected a few colorful examples:



(a) Chief Patrol Inspector Clark states that a man came to him and asked him to help a man who was being beaten up by the mob in his car (probably Garden Yoder - F.K.S.). A state trooper asked the man what he wanted and on being told, said: "Let them kill the nigger!" and demanded where the man was from.

(b) Patrol Inspector French went to the State police and asked them to move because tear gas would be fired. The troopers responded with curses, expressions of hatred, and threats to kill the Marshals. Marshal Bartholomew quotes one trooper as saying: "If y'all hurt one of those students I am going to take this mags - I have and kill every god damn one of you."

(c) During the rioting, after seeing a man with his face bloody, Jennifer Harmon, an 19-year old Ole Miss. student, ran to the State police and said that someone would be killed if they didn't do something about it. A policeman invited her to tell her "federal buddies" about it and someone told her to go on the stage. In a similar incident, one Highway Patrolman said, according to Marshal Felix Aycock, "Let 'em do it" when told the rioters were setting an Army truck on fire.

In view of all the above, it is not surprising the Marshal Russell Jordan of Louisiana heard the crowd yell of the troopers that "they're on our side." I believe that the evidence summarized above, and further evidence along the same lines which is certain to turn up as our investigation proceeds, contains the makings of a strong case for the proposition that even before the Highway Patrol's indefensible departure from the scene of the riot, the trooper engaged in active, albeit often minor, harassment of the Marshals in their attempts to control the crowd.



JAN 8 1963

January 8, 1963

HJC:ash  
144-40-254  
11801

AIR MAIL - SPECIAL DELIVERY

Honorable M. M. Ray  
United States Attorney  
Oxford, Mississippi

Re: Desegregation of the University  
of Mississippi

Dear Mr. Ray:

Enclosed are the enlarged photographs of those defendants whose pictures we have. The Bureau will make available to you directly from the Memphis office an enlargement of Charles Luper Clark's picture. The FBI does not have any pictures of the remaining two defendants.

It was nice seeing you in Washington on Saturday, however briefly. Every good wish to you and Mrs. Ray for the New Year. Best regards to Al, Les, Tom and the ladies at the office.

I guess that you know by now that I will be leaving the Government very shortly. I do hope however that I get to see you soon, perhaps in New York. All the best!

Sincerely,

HARRISON J. GOLDBIN  
Attorney  
Civil Rights Division

Enclosures

CC: Records  
Chrono  
Dear ✓  
Trial File(Rm. 1140)

Mr. John Dear  
First Assistant  
Civil Rights Division

Jan. 18, 1961

DED:sw

Mr. Denis I. Dillon  
Attorney

Desegregation, University of Mississippi.

I have read all the available material in our files dealing with the Oxford riot and have been able to identify only four new potential defendants. These are Abraham Anthony Joseph, Sherman Higginbotham, Billy Hines Hanson, and George Howard Jetton. The only really strong case on the available evidence is the one against George Howard Jetton.

I believe the FBI should question Billy Hines Hanson again to determine which of his companions he can identify as participating with him in throwing rocks at the Army troops.

The following pages contain a summary of the available information on these people.

cc: Rec.  
Chrono.  
Mr. Dear ✓  
Mr. Putzel  
Trial File (Rm. 1140)

DEC 21 1962

T. 12/19/62

Director  
Federal Bureau of Investigation  
Furk Marshall  
Assistant Attorney General  
Civil Rights Division

BM:DED:ash  
144-40-254  
11801

**Desegregation of the University of Mississippi**

I am enclosing with this request two rolls of Westinghouse film depicting events which took place in connection with the desegregation of the University of Mississippi. Film No. 1 includes a sequence showing what appears to be a caravan of Mississippi Highway Patrol cars leaving the University of Mississippi campus during the rioting on September 30, 1962. I would like you to determine if these are, in fact, Mississippi Highway Patrol cars, if the picture was taken before gas was fired, and whether the picture was taken after dark.

Film No. 1 also shows part of the assault on Gordon Yoder, a reporter for Hearst Metrotone News. The Yoder car is shown backing out from the mob. I would like to request still pictures of the frames depicting this incident. I would like these stills to be enlarged, but not to a degree which would sacrifice detail.

Film No. 2 shows Governor Barnett refusing James Meredith's request for admission to the University of Mississippi. The locale is the State House in Jackson, Mississippi. One of the people shown in this sequence is Colonel Birdsong, head of the Mississippi Highway Patrol. I would like you to determine the name of the man standing next to Colonel Birdson.

This memorandum confirms the previous telephone discussion of this matter on Tuesday, December 18, 1962 between Mr. Dillen of this Division and Mr. Woodcock of your Bureau.

**Enclosures**

cc: Records USA, Oxford, Miss.  
Chrono  
Dear  
Trial File(Rm. 1140)

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

# Memorandum

TO : John Doar  
First Assistant  
Civil Rights Division

DATE: Feb. 26, 1963

JAM  
FROM : John A. Martin  
Attorney

JAM:lvw

File - Martin

SUBJECT: University of Mississippi

The following sets forth the substance of a telephone conversation which I had with Chester Smith, Deputy Marshal in Charge in Oxford on Monday morning, February 25.

He and Mr. Meredith had just arrived back in Oxford about 8:30 a.m. that morning. They had left for Memphis on Saturday for the week-end. Mr. Meredith rode up and back with some of the deputies. Smith said that Mr. Meredith seemed to be in a very good mood as he has been recently.

Mr. Meredith has apparently been studying a good deal, at least Smith reports that he has been staying in his room most of the time. He has had a few visitors but evidently not many. His mail is also pretty light lately, his fellow-students firmly believe that when his mail falls off, Mr. Meredith calls a press conference. Smith reports that he has no conference scheduled as far as he knows.

Smith reported that campus life is pretty quiet. Mr. Meredith went to a ballet one night last week and no incidents occurred. One firecracker did go off one night last week in the vicinity of Mr. Meredith and occasionally he gets some comments from individual students. A table of four or five left the cafeteria Thursday night when Meredith came and sat near them at his accustomed place.

Smith said that the only official of the University he has dealt with is Chief Tatum and Tatum seems quite cooperative. The Campus Police appear to be doing their job and are on the scene at crucial times like the evening meal.

- 2 -

Mr. Meredith did say to Smith that he planned now to go to Summer School this summer. Smith said he did not pursue the conversation. Mr. Meredith plans to see his wife this week-end and that will probably be in Memphis, although he has stated that he might go to Jackson.

Smith had not been able to talk to the Army as yet about their moving since he had only been back in Oxford a short while.