

MAR 25 1968

John Dear  
First Assistant  
Civil Rights Division

Denis J. Dillon  
Attorney  
Civil Rights Division

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JED:mhs  
51-40-17 12,232  
~~144-40-314~~ 11,801

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The Fire Truck and Bulldozer Incidents

At about 9:30 P.M., a man wearing a black jacket with an emblem on the back which looked like a white bird stole one of the two fire trucks from the University of Mississippi power plant. The truck was followed as far as the YNCA building by Eric Maurice Tubbs, Superintendent of the Power Plant and Captain of Fire Trucks of the University of Mississippi. Mr. Tubbs was prevented by the tear gas fumes from following any further. The fire truck entered the grove from the direction of the girls' Dormitory Building, which is located on the right side of the grove as you face the Lyceum. The hose on the truck was attached to a hydrant near the side of the YNCA building. The rioters were attempting to spray the marshals with water. The marshals ran out and fired tear gas at the men directing the hose. They dropped the hose and ran. A few marshals, one of whom was Clarence Feeley, U.S. Border Patrol, disabled the fire truck by breaking off the ignition wires. After the marshals returned to their line, the rioters moved up on the truck and proceeded to rock it back and forth. It appeared to the marshals as though they were trying to tip it over. word filtered down through the line of marshals that the rioters were preparing to block the road leading to the Lyceum and prevent new supplies of gas from reaching them. The marshals had used up nearly all of their gas. A line of marshals moved out toward the fire truck and dispersed the mob. At the same time some marshals shot holes in the fire hose with their revolvers. Albert J. Taylor, a Border Patrolman, fired six shots into the hose from his .357 Magnum pistol. The marshals held the mob away until the gas supply truck got through. Then, about 9:45, when the truck had gotten through, the marshals returned to the Lyceum.

About this time the bulldozer was cracked up by the students in the area near the new Science Building. They gathered around yelling, "Come on, we've got a

cc: Records (2) Barrett  
Chrono (2) Trial File (Rm. 1140) (2)

bulldozer." It was driven out onto the grove and was first seen by the marshals approaching the Lyceum from the east, the direction of the flagpole. Two men were in the cab of the bulldozer. A number of marshals ran out and fired a heavy volume of gas at the bulldozer. Marshal Edward Bartholomew and Albert S. Taylor of the Border Patrol attempted to climb onto the rear of the bulldozer. Marshal Marvin C. Morrisett, when the bulldozer was about 20 feet from the marshals, fired a 1.5 gas projectile directly at the driver. Both occupants jumped off on the right hand side. Morrisett grappled with the driver. He resisted vigorously. Bartholomew and Taylor jumped off the bulldozer, ran up and helped subdue him. They took the driver to custody. He had a scalp wound on his forehead 1 1/2" to 2" long. He was given medical treatment at the Lyceum. This man was later identified as Charles Laverne Reeves, 1340 Noble Avenue, Memphis, Tennessee. Reeves claims he climbed on the bulldozer and drove it after the original driver jumped off. (Statement of Charles Laverne Reeves.) It was now about 7:55 P.M.

Twenty minutes later the rioters managed to get the bulldozer started again. They directed it toward the Lyceum building and the line of marshals. It had two occupants, the driver and another hanging on behind the driver. These two jumped off and the bulldozer proceeded in the direction of the Lyceum being followed by a mob throwing rocks, bricks and bottles. Marshal Marvin C. Morrisett jumped on the bulldozer and stopped it about 30 feet in front of the Lyceum. It was stopped near the sidewalk running through the grove northeast of the Lyceum center.

Deputy U.S. Marshal Carl Ryan got into the bulldozer and started back toward the Lyceum. It was now about 10:25 P.M. The rioters put an old Chevrolet in gear and started it unoccupied toward the line of marshals. Marshal Ryan turned the blade of the bulldozer toward the car and stopped it. The bulldozer was then brought alongside the Lyceum and turned toward the crowd. The lights were turned on the mob. It was used for protection by the marshals.

About ten minutes later, (10:35 P.M.) the fire truck was started again by the rioters. It moved on the grass along the curb in front of the Lyceum. It

was traveling at about twenty to twenty-five miles per hour. There was at least one and possibly two men in the cab of the truck. It approached the line of marshals from their left and passed within ten feet of them. Some of the marshals had to jump back to get out of its way. U.S. marshal Donald Forsht took his men down into the grove on the southeast corner of the Lyceum to get the fire engine. The fire truck made two or three circles around the grove. The driver would race the motor and the noise seemed to thrill the crowd. A group of rioters formed behind the fire truck using it as a shield and threw bricks, bottles and other objects at the marshals. Several rioters were clinging to the sides and throwing objects. The fire truck would make a complete loop of the grove and return to the area of the girls' Dormitory before starting out again. On his next to last approach the driver changed direction several times in an attempt to run down marshal Bartholomew. He was forced to jump behind a tree. The driver then circled around the grove and came back toward the marshal. Richard Dick, a Border Patrolman, fired three rounds from his .38 caliber revolver at the right front tire of the fire engine but it did not stop. The fire engine continued on for a short distance. Marshal Siebert Lockman fired two shots at the fire engine from six feet away. Marshal Bartholomew shot a tear gas shell through the windshield of the truck. Thomas W. Pritchard, Jr., a Border Patrolman threw a tear gas grenade into the cab. The fire truck turned sharply to the left and hit a tree. Twenty-five or thirty marshals rushed the truck. Its position now was in the center of the grove as from the Lyceum. The rioters broke and ran. Ray Langfield and Dwight Anstwt., Correction Officers, pulled the driver from the truck. He was a sailor stationed at Millington Naval Air Station, Tennessee, named George Howard Jetton. He was taken into the Lyceum building. Ray Langfield has identified Jimmy Lee Jones as a person removed from the fire truck at that time. Clarence Feeley, a Border Patrolman, drove the fire truck over to the Lyceum and parked it in front of the entrance. One of the marshals broke the distributor on the truck. The fire truck was captured at about 10:30 P.M.

James Larry Pykes, a student at the University of Mississippi, told Edwin A. Green, 1471 Stacey, Memphis, Tennessee that he had been driving the fire truck. He said it stalled, and when he jumped from the truck someone shot him in the leg. He was treated at Oxford Hospital at 11:30 P.M. for gun shot wound in the right leg.

- 4 -

Marshal Bartholomew has identified a picture of Dyles as that of a person taken off the fire truck George Howard Jetton was driving.

APPENDIX

Persons with useful descriptions of the  
bulldozer and firetruck incidents.

Bulldozer Incidents

Marvin C. Morrisett	U.S. Marshal
Richard B. Dick	Border Patrol
Clarence Peeley	Border Patrol
Lloyd Spivey	Law Student, Univ. of Miss.
Donald R. Forsht	U.S. Marshal
William H. Dunn	Border Patrol
Donald Cameron	U.S. Marshal
Charles Lawrence Reeves -	

Fire Truck

Eric Maurice Tubbs	Superintendent of Fire Trucks Univ. of Miss. Correction Officer
Charles A. Mathis	
George Jetton	
Edward T. Bartholomew	U.S. Marshal
Sterling Slappey	Reporter, U.S. News and World Report
Bill Fischer	United Press International
Stewart Manley	Student, Univ. of Miss.
Lloyd Spivey	
Thomas Pritchard, Jr.	Border Patrol
Richard E. Dick	" "
Albert S. Taylor	" "
Seibert W. Lockman	U.S. Marshal
Clarence Peeley	Border Patrol
Donald R. Forsht	U.S. Marshal

Director  
Federal Bureau of Investigation

Burke Marshall  
Assistant Attorney General  
Civil Rights Division

T. 3/26/63

BM;DSD:ash  
51-40-17  
12,232

LHM  
MAR 27 1963

Ross A. Barnett; Paul B. Johnson, Jr.,  
Contempt of Court

An FBI letterhead memorandum dated March 12, 1963, from your New Orleans office, states that Roy Sims, Post Office Box 792, Dallas, Texas possesses a forty-five minute sound motion picture film taken at Oxford, Mississippi during the riot accompanying the desegregation of the University of Mississippi. Please secure a copy of this film, or determine under what conditions a copy of this film can be secured.

SEA

- WSM  
3/26

cc: Recorder  
Chrono  
Doar  
Barrett  
Trial File (RM. 1140)  
USA, Oxford, Miss.

Burke Marshall, Assistant Attorney  
General, Civil Rights Division

RECORDED

Herbert J. Miller, Jr., Assistant Attorney  
General, Criminal Division

51-40-17  
~~95-490~~

Letter from Felix E. Danne, M.D., 19th  
Street at 36th Avenue, Gulfport, Mississippi;  
Letter from Linda Richardson, Box 341,  
Westhampton College, University of Richmond,  
Virginia

The above two captioned items appear to pertain to  
matters within the jurisdiction of your Division. I am there-  
fore sending them to you for disposition.

Attachments

CC:  
Records ✓  
Chrono  
Mr. Golding

*Handwritten notes:*  
WJ  
3/24/63  
DFT  
3/25/63  
WJ  
3/24/63  
WJ  
3/24/63

*Stamp:*  
SEARCHED  
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INDEXED  
FILED  
MAR 25 1963  
FBI - MEMPHIS

474-6 100

T. 4-5-63

John Dorr

V

JD:DED:svh

~~81-40-17~~ 12,232

51-40-17

Denis Dillon

528

Ross R. Barnett; Paul B. Johnson, Jr., Contempt of Court

Nearly all the pictures sent to the Memphis and New Orleans Offices of the FBI for identification have been returned. The New Orleans Office has retained six for further investigation.

The pictures, which are all included in the United States v. Barnett Pictorial Chronology were given numbers based on the date taken. The following table is a guide to the numbering system used in the FBI request and the Chronology.

- 100 series - October 20, 1962
- 200 series - October 25, 1962
- 300 series - October 26, 1962
- 400 series - October 27, 1962
- 500 series - October 30, November 1, 1962

I have assembled two lists. List "A" contains the names of the photographers who took the pictures used in the Chronology and who can authenticate them for introduction into evidence at the trial. The name of the photographer is followed by the numbers of the pictures he took. List "B" contains all the names known to us of persons in the pictures and the numbers of the pictures in which these persons appear. List "B" is divided into six categories numbered I - VI in Roman numerals. The particular significance of each category is explained by the head note which accompanies it.

The FBI has not yet supplied the home addresses of all the persons identified. Mr. Woodcock told me this information will probably be included in a later report. Where the address is known to us, I have included it in the list.

cc: Records Barrett  
Chrono Trial File (Rm. 1140)



A. List of Photographers who have Pictures in  
United States v. Barnett Chronology

Marion Trikoako, U. S. News and World Report, Residence:  
2147 "O" Street, N. W., Apt. 301, Washington, D. C.  
CO 5-9207  
#544.

Mike Smith, Free Lance, Residence: 6851 Yunuri Street,  
Coral Gables, Florida  
#113, #121.

Fred W. Lyon, U.P.I., Residence: 3904 West Hilda Circle,  
Decatur, Georgia  
#100, #101, #102, #104, #105, #106, #107, #109, #114,  
#115, #118.

Fred Ward, Residence: Apartment 729, Dominion Towers  
Building, 1201 South Court House Road, Arlington 4, Virginia  
#500, #510, #515, #520, #523, #530, #539, #547, #549,  
#561.

James Bourdier, Associated Press, Residence:  
#103, #110, #303, #304.

Jerry Huff, U.P.I., Residence: 2309 Cabin Hill Road,  
Donelson, Tennessee  
#112, #305, #306, #308, #310, #311, #314, #316, #317,  
#318, #422, #424, #426, #503, #504, #505, #506, #507,  
#508, #554, #555.

Judith Gardner, New Hall, Room 152, University of Mississippi,  
Oxford, Mississippi, Residence: 5524 Concord Drive, Jackson,  
Mississippi  
#517, #518, #519, #524, #525, #526, #527, #528, #529,  
#531, #532, #533, #534, #535, #536, #537, #538.

Fred Powledge, Atlanta Journal, Residence: 99 Peachtree  
Circle, N. E., Atlanta, Georgia  
#541, #542, #543, #545, #546.

Jerry McNeil, U.P.I., Residence: 10408 Vistadale Drive,  
Dallas, Texas  
#560.

William Leaptrott, Memphis Press Scimitar, Residence:  
1058 North Highland, Memphis, Tennessee  
We are expecting 67 pictures shortly which were taken  
by Mr. Leaptrott.

Francis Miller, Life Magazine, Residence: 1432 West  
Juneway Terrace, Chicago, Illinois  
#548, #550.

Bob Williams, Memphis Commercial Appeal, Residence: 1068  
Stonewall, Memphis, Tennessee  
#501, #502, #551, #557.

Jack Thornell, Jackson Daily News, Residence: 4647 Estelle  
Drive, Jackson, Mississippi  
#108, #111, #116, #117, #119, #120, #205, #206, #207,  
#208, #209, #210, #211, #212, #402, #403, #428, #429.

Charles L. Moore, Residence: 3901 Northwest 64th Avenue,  
Miami Springs, Florida (Temporary)  
#319, #320, #321, #322, #323, #324, #406.

Phelps Schulke, Free Lance, Residence: 6025 S. W. 106th  
Street, Miami, Florida  
#405, #412a, #413, #414, #415, #417, #418, #420a,  
#509, #511, #512, #513, #514, #540, #552, #556.

Lynn Pelham, Residence: 2325 Northwest 195th Street,  
Opa Locks, Florida  
#516, #553.

Richard Pipes, Amarillo Globe News, Residence: 1407 West  
Alabama, Apartment 8, Houston, Texas - JA 8-7507  
#535a, #538, #559.

Frederick O. Waters, Residence: 510 Yeatman Avenue, Webster  
Groves, Missouri  
#401a, #402a, #403a, #428a, #530a.

Donald Proehl, Residence: Campus, University of Mississippi,  
Building 140, Apartment 3  
#521, #522

Gary Haynes, U.P.I., Residence: 2841 Cravenridge Drive, N.W.,  
Atlanta, Georgia  
#200, #201, #202, #203, #204, #427, #562.

Fred J. Griffith, Memphis Commercial Appeal, Residence:

#300, #301, #302, #307, #309, #312, #313, #315, #325,  
#400, #401, #404, #407, #408, #409, #410, #411, #412,  
#416, #419, #420, #421, #423, #425.

The following list contains the names of those people identified by the FBI from the pictures we have included in the United States v. Barnett Pictorial Chronology and the numbers of the pictures in which they appear.

B. I. List of Mississippi Sheriffs and Deputy Sheriffs  
who have been identified in the  
United States v. Barnett Chronology

William T. Ferrell, Sheriff, Adams County  
#119, #325, #406, #408, #420.

Millie Coleman (deceased), Sheriff, Alcorn County  
#212.

W. T. Hesson, Sheriff, Attala County  
#408.

John Henry Spencer, Sheriff, Calhoun County  
#303, #406, #407.

Harold Fisher Sanders, Sheriff, Carroll County  
#317, #318.

J. S. Middleton, Sheriff, Claiborne County  
#301, #303, #325, #406.

Robert Waller, Sheriff, Hattiesburg, Mississippi  
#406.

S. L. Davis, Sheriff, Grenada County  
#117 (tentative)

J. R. "Bob" Gilfoy, Sheriff, Hinds County  
#119.

Kenneth Fairley, Deputy Sheriff, Hinds County  
#114, #118, #412.

Frank Jones, Deputy Sheriff (deceased), Hinds County  
#113, #118, #421, #423.

John Byrd, Deputy Sheriff, Hinds County  
#211.

Bill Shuttleworth, Deputy Sheriff, Hinds County  
#318, #412, #421, #423.

James Ira Grimsley, Sheriff, Jackson County  
#406.

D. E. Grubbs, Sheriff, Jefferson Davis County  
#118.

W. J. (Joe) Ford, Sheriff, Lafayette County  
#301

James Garrison, Deputy Sheriff, Lafayette County  
#406, #407, #420

John Ed Cothran, Sheriff, Le Flore County  
#406, #407, #408.

Sol Cox, Sheriff, Marshall County  
#301, #303.

Earl Wayne Patridge, Sheriff, Montgomery County  
#317.

Ray Elder, Sheriff, Prentiss County  
#301, #303, #408.

Woodley Carr, Sheriff, Sunflower County  
#325.

Eliott R. Degan, Sheriff, Tallahatchie County  
#303, #410.

Harold Koff, Deputy Sheriff, Tate County  
#303.

Robert Chapman, Deputy Sheriff, Yalobusha County  
#408.

II. List of Highway Patrolmen Identified in the  
United States v. Barnett Chronology whose  
Patrol District is Known

a. Jackson

1. Dave Gayden  
#302, #517
2. B. S. Harper (Governor Barnett's Chauffer)  
#421, #422, #423, #426, #428
3. R. L. Morgan  
#517
4. Charlie Snodgrass  
#542

b. Batesville

1. L. Y. Griffin, Inspector and Commanding Officer  
#555a
2. K. B. Magness  
#500, #501

c. New Albany

1. Zeke Clark  
#316

d. Starkville

1. (FNU) Nichols  
#528, #529, #530

e. Meridian

1. J. H. Stennis  
#321

f. Hattiesburg

1. W. G. "Bud" Gray, Inspector and Commanding Officer,  
Residence: 307 Park Avenue, Hattiesburg  
#116, #117, #300, #302, #304, #305, #306, #308, #309,  
#311, #315, #400

2. M. T. Richardson, 303 Kimball, Mattiesburg  
#300, #309, #311, #400
3. J. B. Dickerson, 207 Oliver Avenue, Mattiesburg  
#300, #400, #412a, #413
4. J. T. Bond, 1203 Cherry Street, Mattiesburg  
#304
5. C. M. Tyrene, 509 South 19th Street, Mattiesburg  
#304
6. Steve L. Henderson, 716 North Hill Drive, Mattiesburg  
#314, #315, #400, #545

g. Gulfport

1. J. A. Pol (tentative) 810 - 43rd Street, Gulfport,  
Mississippi  
#211
2. W. D. King, Orange Grove, Gulfport  
#400
3. Joe Price  
#400

We haven't determined whether any of the Highway Patrolmen identified are stationed at the Greenwood or Brookhaven Patrol Districts.

III. List of Highway Patrolmen whose Patrol Districts are not known, or who are not Assigned to a Patrol District

Lynwood Vinson, Auto Theft Bureau  
#114, #212

Leonard Thomas, Auto Theft Bureau  
#114

W. B. Hughes, M.H.S.P., Quitman, Mississippi  
#114

Jack Smith, Cattle Theft Bureau  
#116 (tentative)

Sam Ivey, Director, Bureau of Identification  
#118 (tentative)

Owin Cole, Assistant Director, Bureau of Identification  
#206, #212

J. S. Puckett, M.H.S.P., Prentiss, Mississippi  
#300, #304

W. E. Everett, M.H.S.P., Taylorsville  
#304, #309, #312

Bob Tillman, Cattle Theft Bureau  
#309

Ford O'Neal, Identification Bureau, Wiggins, Mississippi  
#313

Malen C. Fairley, M.H.S.P., 500 Vaughn, Picayune, Mississippi  
#427

E. I. Green, M.H.S.P., Pineview Drive, Laurel, Mississippi  
#401

Jimmy Warren, M.H.S.P., Holly Springs, Mississippi  
#402, #402a

Jack De Peyster, M.H.S.P., Laurel, Mississippi  
#421, #424, #428, #428a

Wayne Valentine, M.H.S.P., 615 North 15th Avenue, Laurel,  
Mississippi  
#544

D. B. Crockett, Bureau of Identification, Tupelo, Mississippi  
#307

E. C. Clark, M.H.S.P., Belmont, Mississippi  
#316

Julian Davis, M.H.S.P., Fulton, Mississippi  
#316, #320, #328

Creekmore Wright, M.H.S.P., Fulton, Mississippi  
#320

Wood Stringer, M.H.S.P., Pontotoc, Mississippi  
#321, #425

Webb Brunt, M.H.S.P., Ackerman, Mississippi  
#543

George Metz, Reporter, Birmingham News (Formerly with  
M.H.S.P. as a photographer)  
#301

O. H. Hampton, M.H.S.P., Tupelo, Mississippi  
#416

Johnny Price, M.H.S.P., Tupelo, Mississippi  
#416, #425

R. J. Johnson, M.H.S.P., Pontotac, Mississippi  
#425

IV. List of other Mississippi Peace Officers identified  
in the United States v. Barnett Chronology

G. A. "Jiggs" Martin, Constable, Hinds County  
#118, #428, #428a

Allen Moore, Constable, Hinds County  
#118

J. W. Richardson, Hinds County Patrolman, Jackson, Mississippi  
#317, #318, #323

W. R. Sullivan, Hinds County Constable, Jackson, Mississippi  
#318, #323

Lucien Davis, Hinds County Patrolman  
#412

Burns Tatum, Chief of Campus Police, University of Mississippi  
#117, #420a

V. Mississippi State Legislators Identified in the  
United States v. Barnett Chronology

Representative Joseph Robert Meadows, Clarke County,  
Quitman, Mississippi  
#202

Representative Jesse M. Ash, Potts Camp, Mississippi  
#203, #204

Representative David Holmes Bennett, Lamar, Mississippi  
#203, #204



State Senator George Malone Yarbrough, Red Banks, Mississippi  
#203, #207 (tentative)

State Senator Tommy Norman Brooks, Carthage, Mississippi  
#203, #205, #207

State Senator Hugh Bailey, Winona, Mississippi  
#203

Representative Roy N. Thames, Brookhaven  
#203, #204

State Senator Dennis M. Baker, Batesville, Mississippi  
#203, #204

Representative Edward Sidney Jolly, Collinsville, Mississippi  
#203, #204

Representative George Ben Holmes, Brookhaven, Mississippi  
#203

Representative George Simmons Carruth, Summit, Mississippi  
#203, #204

Representative Bradford Johnson Dye, Jr., Grenada, Mississippi  
#204

Representative Jesse Edward Chaffin, Booneville, Mississippi  
#204

Representative Clarence Benton Newman, Valley Park, Mississippi  
#205, #207

Representative Joseph Gibson Moss, Raymond, Mississippi  
#209

Representative Edward Wilbur Hocker, Sr., Holmes County,  
Lexington, Mississippi  
#209

Representative Charles Odie Trener, Houston, Mississippi  
#211

State Senator John Campbell McLaurin, Brandon, Mississippi  
#302

Representative Hervey Owens Nicks, Benton, Mississippi  
#210-4

Former Representative Paul Messell, Newton, Mississippi  
#210

VI. All Others Identified in the United States v. Barnett  
Chronology

T. B. Birdsong, Commissioner of Public Safety, Jackson,  
Mississippi  
#117, #206

Richard O. Gregerson, Special Agent Federal Bureau of  
Investigation, Memphis, Tennessee  
#305, #313

Phillip Scheffer, CBS News, N.Y.C.  
#309, #313

Clark Porteous, Memphis Press Scimitar  
#113, #304

James Hester, Attorney, Laurel, Mississippi  
#116 (tentative), #117 (tentative)

Pat Smith, Director of News Bureau, University of  
Mississippi, Oxford, Mississippi  
#118

R. L. Moss, County Supervisor, Leake County, Lena,  
Mississippi  
#203

James Ard Barnett, Attorney, Clinton, Mississippi, (Cousin  
of Governor Barnett)  
#209

Jules Sharp, Student, Millsaps College, Jackson, Mississippi  
#209

Robert D. McGregor, WRBC, Jackson, Mississippi  
#211

Russell Moore, Judge, Hinds County, Jackson, Mississippi  
#301, #304, #309

Carl Fleming, Newsweek Magazine  
#305, #309

Lee Daniels, U.P.I., Atlanta, Georgia  
#309

William J. Simmons, Administrator, Citizens Council,  
Jackson, Mississippi  
#309

Cliff Bingham, WLBT, Jackson, Mississippi  
#309, #408, #561

Bill Miles, Tupelo Journal, Tupelo, Mississippi  
#309

William Leaptrott, Memphis Press Scimitar  
#107, #109, #309

Tom Prendergast, Associated Press, St. Louis  
#414, #415

Professor John Fox, University of Mississippi Law School  
#414

Ed Noel, Reporter, Jackson Clarion Ledger  
#415

Leo Moore, Photographer, Jackson, Mississippi  
#420

James H. Tolhurst, 1908 Cameo Lane, Gretna, Louisiana,  
Photographer for WDSU-TV, New Orleans, Louisiana

Bern Rotman, Reporter, WDSU-TV, New Orleans, Louisiana

Forrest Cox, Station WLBT, Jackson, Mississippi  
#502

(FNU) Meek, Photographer, University of Mississippi,  
Oxford, Mississippi  
#504

Jack Thornell, Jackson Daily News  
#107, #109

Elmore Greaves, Madison, Mississippi (Active in the Citizens  
Council; well-to-do landowner)  
#120

Donald Moffett, Reporter, Wall Street Journal, Dallas, Texas  
#113

Ross R. Barnett, Governor of Mississippi, Jackson, Mississippi  
#112, #120, #203, #204, #205, #207, #212, #412, #421,  
#422, #423, #424, #426, #428, #428a, #429

St. John Barrett, Attorney, U. S. Department of Justice,  
Washington, D. C.  
#116, #117, #118, #119

John Dear, Attorney, U. S. Department of Justice, Washington,  
D. C.  
#200, #201, #202, #203, #204, #207, #304, #305, #306,  
#307, #308, #309, #310, #311, #312, #313, #557

James McShane, Chief U. S. Marshal, Washington, D. C.  
#116, #117, #119, #200, #201, #202, #304, #305, #306,  
#307, #308, #309, #310, #311, #312, #313, #314, #315,  
#557

James Meredith, Student, University of Mississippi, Residence:  
Baxter Hall, University Campus  
#116, #117, #118, #119, #200, #201, #202, #206, #304,  
#305, #306, #307, #308, #309, #310, #312, #313, #315,  
#557

Lt. Governor Johnson, State Capitol, Jackson, Mississippi  
#112, #304, #305, #306, #307, #308, #309, #310, #311,  
#312, #313, #314, #315, #412, #421, #422, #423, #424,  
#428, #428a

Dr. John D. Williams, Chancellor, University of Mississippi  
#509, #522

William Peart, Reporter, Jackson Daily News, Jackson,  
Mississippi  
#212-2

Donald Forsht, U. S. Marshal  
#304, #305, #307, #309, #311, #312, #313, #315

Clyde Miller, U. S. Marshal  
#304, #306, #309, #312, #313, #315

Claude Sitten, Reporter, New York Times  
#304

Rufus Jones, Director of Personnel, University of Mississippi,  
Residence: Box 581, Philip Road, Oxford, Mississippi  
#112

April 11, 1963

Dear Mr. Attorney General: I urge  
you to desist in your efforts to  
prosecute Miss. Gov. Ross Barnett!  
The people oppose this action of  
the Justice Department in this  
matter. We feel this the federal  
government's intervention into the  
affairs of the University of Mississippi  
is a blatant disregard of the U.S.  
Constitution and of common sense.

Yours Sincerely,  
William C. Cole

51-40-17	
DEPARTMENT OF JUSTICE	RECORDED
7	APR 16 1963
FEDERAL BUREAU OF INVESTIGATION	
CIV. RIGHTS DIV.	
Gen. Lit. Sec.	

T-6/24/63  
BM:ILB;mep  
51-40-17

Honorable Maurine B. Neuberger  
United States Senate  
Washington 25, D.C.

JUL 22 1963

Dear Senator Neuberger:

This is in reply to your referral of a letter from Mr. William R. Fye.

In response to Mr. Fye's first question regarding the civil rights of Negroes we are enclosing a copy of the President's recent television address which we believe will be of interest and assistance.

The criminal contempt action which was brought by the United States against Governor Barnett of Mississippi is now pending before the Supreme Court on the question of whether or not the Governor is entitled to a jury trial. Governor Barnett has previously been found guilty of civil contempt but the court has imposed no penalty.

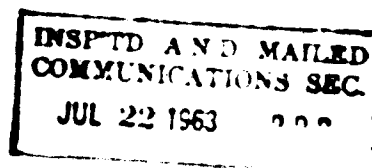
As you requested, Mr. Fye's letter is herewith returned.

Sincerely,

BURKE MARSHALL  
Assistant Attorney General  
Civil Rights Division

cc: Records  
Chrono  
Greene (2)  
Blair

*E. ...*



**United States Senate**

DOCKETED

#12,232

APR 30 1963

Respectfully referred to

Congressional Liaison  
Department of Justice  
Washington 25, D. C.

for such consideration as the communication  
herewith submitted may warrant, and for a report  
thereon, in duplicate to accompany return of  
inclosure.

By direction of

*Maurine B. Feuberger*  
Maurine B. Feuberger

(April 4 letter from William B. Fye, Bend, Oregon) M. B.

5 - 11

DEPARTMENT OF JUSTICE

APR 30 1963

RECORDS DIVISION

CIV. RIGHTS DIV.

C11

5-40-17 S.

30 April 1963

Honorable Maurine B. Neuberger  
United States Senator  
Washington 25, D. C.

Dear Senator Neuberger:

Our Congressional Liaison Office has forwarded us your referral to them of a letter from your constituent, William R. Fye, of Bend, Oregon, dated April 4, 1963.

You may be sure that Mr. Fye's letter will receive our prompt attention, and that you will be informed accordingly.

Very truly yours,

Linda K. Stores  
Secretary to Burke Marshall  
Civil Rights Division

31-40-17  
#12,232  
BM:SJB:JD:JHP:MHG:ILB



5 1963

2  
186  
Band

Honorable Thomas Vandegrift  
Senior Senator from Oregon  
Washington, D. C.

Dear Mr. Vandegrift:

I have two questions which I would like to get your views on. If you would send the answers to me I would greatly appreciate your efforts.

They are questions which young, old, well educated and more uneducated people would undoubtedly like answered. Besides asking them I would like you to know that these two questions mean very much to me and I have been trying to find the answers a long time.

51-46-17

JUL 21 1963

My first question is a big one  
is the civil right of a negro in  
America a great a great impediment  
to the United States and in the  
world today. The other question  
is that we became of the charge  
against Senator Sumner of  
Missouri that was made by  
the Federal Government.

Thank you very much for  
your time

Very truly yours  
William B. Egle

typed 6-26-63

AM:ILR:dg  
51-43-17

Mr. Fred W. Zuercher  
11617 Norham Avenue, #29  
Los Angeles 49, California

Dear Mr. Zuercher:

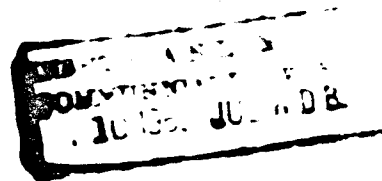
In response to your request of April 25, 1963, we are enclosing a copy of the Application for an order requiring Ross K. Barnett and Paul A. Johnson, Jr. to show cause why they should not be held in criminal contempt. We regret that we have no copies of briefs for distribution.

Sincerely,

BURKE MARSHALL  
Assistant Attorney General  
Civil Rights Division

By:  
HAROLD H. GREENE  
Chief, Appeals and  
Research Section

Enclosure  
cc: Records  
Chrono  
Mr. Greene (2)  
Blair



— — — C —

197

100-1030

RECEIVED  
U.S. DEPARTMENT OF JUSTICE  
WASHINGTON, D.C.

11617 Gotham Ave., Apt. 23  
Los Angeles 40, Calif.  
April 29, 1963

Attorney General Robert F. Kennedy  
Department of Justice  
Washington, D.C.

Dear Mr. Kennedy:

I am writing to you regarding the case of  
Richard James Earl Ray, Jr. In this case, the  
trial of the defendant, Ray, was held in the  
District of Columbia. The case is entitled  
"United States v. Earl Ray, Jr." The  
defendant, Ray, was charged with the  
murder of Dr. Martin Luther King, Jr.  
The case was heard in the District Court of  
Washington, D.C. The defendant, Ray, was  
found guilty of the murder of Dr. King, Jr.  
and was sentenced to a term of imprisonment  
for life. The defendant, Ray, has appealed  
his conviction to the United States Court of  
Appeals for the District of Columbia Circuit.  
The defendant, Ray, has also applied for  
a writ of habeas corpus from the District  
Court of Washington, D.C.

Yours very truly,

Frederic M. Cook  
Deputy Assistant  
Attorney General  
Department of Justice  
Washington, D.C.

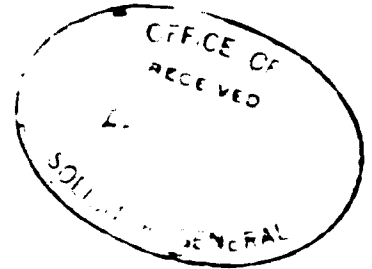
H. D. G.

Stamp area with handwritten numbers and text, including "APR 30 1963" and "APPL & REC. 100".

OFFICE OF THE CLERK  
SUPREME COURT OF THE UNITED STATES  
WASHINGTON 25 D C

FILED 7-3

April 29, 1963



The Honorable Archibald Cox,  
Solicitor General of the United States,  
Department of Justice,  
Washington 25, D. C.

RE: UNITED STATES V. BARNETT, ET AL.,  
NO. 1011, October Term, 1962


My dear Mr. Cox:

The above-entitled case will be reached for oral argument during the two-week session of Court beginning October 14, 1963. The brief of the United States, therefore, is due on August 26, 1963, and the brief of Barnett, et al. is due on September 25, 1963.

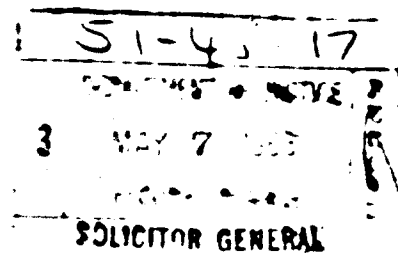
Very truly yours,

JOHN F. DAVIS, Clerk

By

  
E. P. Cullinan,  
Chief Deputy Clerk.

EPC:tw



# Memorandum

TO : MR. HAROLD H. GIFFER  
CHIEF, AFFILIATE SECTION  
CIVIL RIGHTS DIVISION

DATE:  
April 30, 1963

FROM : Office of Solicitor General

SUBJECT: No. 0011 United States v. ~~...~~ et al.

On certificate from Fifth Circuit.  
Docketed in Supreme Court: April 11, 1963

Attached hereto is copy of letter, received today, from the  
Clerk of the U.S. Supreme Court, dated April 29, 1963,  
reading as follows:

The above-entitled case will be reached for oral  
argument during the two-week session of Court  
beginning October 14, 1963. The brief of the  
United States, therefore, is due on August 26, 1963,  
and the brief of Barnett, et al. is due on  
September 23, 1963.

Viola A. Barts

The only counsel I have at this time in this case  
is Attorney General of Mississippi.  
Will you please have some one, in the near future,  
send me a list of counsel representing Barnett, et al.  
and their addresses, as well as the names and addresses  
of other parties to whom copies of our brief, etc.  
should be sent.

Viola Barts

44-1117-12
SEARCHED
INDEXED
MAY 7 1963
FBI - MEMPHIS

typed 6-10-63

BM:ILB:ew 12,232  
51-40-17

Mr. Ned C. Bell  
P. O. Box 1725  
San Antonio 6, Texas

Dear Mr. Bell:

Thank you for your letter to the Attorney General concerning Governor Barnett.

As you know, the Department instituted civil contempt proceedings against Governor Barnett shortly after his attempts to obstruct federal court orders. The Court found him to be in civil contempt but has not yet imposed a penalty. Moreover, the Court ordered the Government to institute criminal contempt proceedings against the Governor and the Lt. Governor. A hearing has been held and the case has been certified to the Supreme Court on the issue of whether a jury trial would be appropriate.

Sincerely,

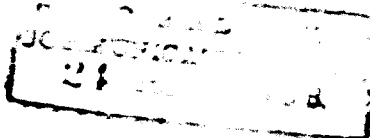
BURKE MARSHALL  
Assistant Attorney General  
Civil Rights Division

Records  
Chrono  
Mr. Greene - 21  
Miss Blair

By:  
HAROLD H. GREENE  
Chief, Appeals and  
Research Section

Same letter sent to  
Mr. Milton F. Elliott  
Suffolk, Virginia

Mr. Charles E. Taylor, Jr.  
829 E Street, Apt. A  
Sacramento California



#13,232

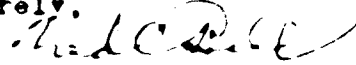
San Antonio, Texas,  
April 1, 1963.

Office of the Attorney General,  
Washington, D. C.

Gentlemen:-

I will appreciate it if you will advise me  
the present status of the Government's case  
against Ross Barnett. Has he ever been properly  
penalized for all his contemptuous actions?  
Many thanks in anticipation.

Sincerely,



Ned C. Bell  
P. O. Box 1722,  
San Antonio 6, Texas.

51-4-17

E.N.





# 13

March 5, 1965

857-E-57-APT-A

Sacramento Calif.

Subject: Case of Governor Barnett of Mississippi

Dear Mr. Attorney General  
(Robert Kennedy)

I am extremely pleased with your appointment as attorney general and the way in which you rapidly move in getting things done. I have always believed in enforcing law and order, regardless to person or persons.

Could you please bring me up to date on the proceedings without offending your office in the slightest.

I have read newspapers and have watched television news, but was unable to receive any information on this matter.

I am a Democrat and a backer of the Great Government Administration men to serve the American People.

The above request would be highly appreciated and the return letter treasured.

5-11-1

Ralph S. Spritzer  
First Assistant  
Office of the Solicitor General

May 2, 1963

Harold H. Greene, Chief  
Appeals and Research Section  
Civil Rights Division

HM:eco

Briefing schedule for Supreme Court briefs

This is to confirm that we expect to submit drafts of Supreme Court briefs on the merits assigned to this Division as follows:

1. No. 1011 - United States v. Ross R. Barnett, et al. - June 1, 1963
2. No. 366 - Fields v. City of Fairfield - July 1, 1963

cc: Records  
Chron.  
Greene-2

51-40-17

FILED

CHH

May 7, 1963

*[Handwritten scribbles]*

Leon Jaworski, Esq.  
Fulbright, Crooker, Freeman, Bates & Jaworski  
Bank of the Southwest Building  
Houston 2, Texas

Re: United States v. Barrett

Dear Mr. Jaworski: No. 1011

Thank you for your letter of May 6.

We are filing a very short response to the Motion to Advance in the above proceeding. As you will see, we fully agree with your suggestion that the case is one against individual defendants and will be wholly unaffected by the expiration of their terms of office.

We thought it sufficient to meet the the ground upon which the motion is made without undertaking to urge a position with respect to the schedule for oral argument. I feel quite sure that the Court will deny the motion but set the case at the head of the calendar next October.

*Az*

I look forward to seeing you on the occasion of the State Bar meeting.

With personal regards,

Sincerely,

Archibald Cox  
Solicitor General

51-40-17

FULBRIGHT, CROOKER, FREEMAN, BATES & JAWORSKI  
ATTORNEYS AT LAW  
BANK OF THE SOUTHWEST BUILDING  
HOUSTON 2 TEXAS

WASHINGTON OFFICE  
FULBRIGHT, CROOKER, FREEMAN, BATES & JAWORSKI  
510 RAY TRANSCORPATION BLDG.  
WASHINGTON 25

May 6, 1953

APPLICABLE IN MEXICO  
MORINER & PEREZ  
EDIFICIO DE PAZ  
AVENIDA CANTON DE SAIZ 12  
MEXICO D.F.

Honorable Archibald Cox  
Solicitor General of the United States  
Department of Justice  
Washington 25, D. C.

Dear General Cox:

I am in receipt of a copy of the motion recently filed in the United States Supreme Court by Charles Clark on behalf of Ross R. Barnett and Paul B. Johnson in the criminal contempt proceeding question certified by the Fifth Circuit Court of Appeals. I assume that a copy of this motion to advance has reached your desk.

Among the various pleas and motions urged in the Fifth Circuit by the attorneys for the respondents was a motion on behalf of the State of Mississippi to intervene. In this motion the attorneys for the respondents were making substantially the same contention as now advanced, namely, that the defendants were acting for the "Sovereign State of Mississippi," etc. We filed a motion to strike this attempted intervention and the Court granted it. Clearly, the defendants stand charged as individuals.

As I understand it, the only question certified by the Fifth Circuit Court of Appeals relates to the right of trial by jury. If this is the case, the arguments advanced in the pending motion do not relate to the question certified.

As I mentioned to you on the telephone in our recent conversation, please feel free to call on us for whatever assistance you desire in this matter.

With kindest regards and best wishes, I am

Sincerely yours,

*Leon Jaworski*  
Leon Jaworski

LJ:bhm

51-48-17

DEPARTMENT OF JUSTICE	RECORD
MAY 9 1953	
REGISTRATION	
SOLICITOR GENERAL	

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1962

---

No. 1011

UNITED STATES OF AMERICA, PLAINTIFF

v.

ROSS R. BARNETT, GOVERNOR OF THE STATE OF MISSISSIPPI,  
AND PAUL B. JOHNSON, JR., LIEUTENANT GOVERNOR OF THE  
STATE OF MISSISSIPPI

---

ON CERTIFICATE FROM THE UNITED STATES  
COURT OF APPEALS FOR THE FIFTH CIRCUIT

---

RESPONSE TO MOTION TO ADVANCE

---

Since the motion to advance this cause for oral argument prior to the October Term 1963 affects principally the Court's own schedule for the orderly dispatch of its business, we find no occasion to express an opinion upon the motion.

We should point out, however, that the expiration of defendants' terms of office in January 1964 will not abate the proceeding, nor excuse them from liability for contumacious conduct. The charge is one of criminal contempt; it relates to defendants' personal responsibility for acts already committed which are alleged to be in violation of court orders. Defendants' answerability would not be affected in any way by their ceasing to hold their present offices prior to the final disposition of the proceedings.

One holding an office or position of trust--whether he be a public official such as these defendants, an officer in a private corporation or a fiduciary--is responsible for any crime or for any criminal contempt committed during his tenure in precisely the same way as any other individual who violates a criminal statute or a lawful order of a court. Obviously,

his accountability for past acts cannot be erased and the law frustrated by a termination of his tenure, whether by expiration of his term or resignation.

We recognize that defendants' alleged contempts were committed while holding the highest executive offices in their State. This circumstance makes the charge and the offense, if they are guilty as charged, extraordinarily grave. Expedition can be accomplished, if a Special Term is not held, by scheduling the case for argument at the beginning of the next Term.

Respectfully submitted.

ARCHIBALD COX,  
Solicitor General.

MAY 8, 1963.

11-7-63  
LHM  
Ralph S. Spritzer  
First Assistant  
Office of Solicitor General

REC-4

May 6, 1963

Harold H. Greene, Chief  
Appeals and Research Section  
Civil Rights Division

HHG:bco

Response to Motion To Advance in Barnett v. United States

1. We have been unable to find cases directly in point for the proposition that the answerability of the defendants for their actions would not be affected should they cease to hold their present offices. However, you may wish to consider citing Ex parte Young, 209 U.S. 123, 156-160, which holds that an official accused of crime under Federal law is stripped of his representative character; and Talbot v. United States ex rel. Toth, 315 F. 2d 101, 15-16 (D.C.), reversed on other grounds, Toth v. Quarles, 350 F. 2d 11, which holds that a change in circumstances does not normally change liability for the offense. 1/

2. Insofar as the substance of the pleading is concerned, I suggest emphasizing that the defendants' alleged reason for the expedited treatment is not well taken since they would continue to be amenable for their actions even though their terms of office might expire before the case is finally disposed of. This would seem relegating to a more subordinate place in the pleading what is now paragraph one while emphasizing what is now paragraph two. The point of that would be that we would show a little reluctance as possible to having the case heard on an expedited basis, and would be relying simply on the impossibility of having this done under the usual practice of the Court.

3. If Mr. Marshall returns before the response is filed, I shall ask him whether he has any additional comments.

1/ The Supreme Court, of course, held in Toth that for constitutional reasons the particular change in circumstances there involved did cause a change in liability.

cc: Records; chron.; Greene-3



May 22, 1963

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL MARSHALL

Re: Supreme Court Briefs

I am sending this memorandum to confirm the schedule of summer briefs to be filed in the Supreme Court about August 24. The schedule tentatively worked out between your Appellate Section and my Office is entirely satisfactory. I do feel obliged to emphasize, however, that it is of great importance that the schedule be maintained.

<u>No.</u>	<u>Case</u>	<u>Date Due This Office</u>
1011	Ross B. Barrett	June 1
566	Edward B. Fields v. Fairfield (a/c)	July 1

Az

Archibald Cox  
Solicitor General

51-40-17
DEPARTMENT OF JUSTICE
1
M. B.



Office of the Solicitor General  
Washington, D. C.

*Hand  
over*

May 22, 1963

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL MARSHALL

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<u>No.</u>	<u>Name</u>	<u>Date Due This Office</u>
1011	Ross R. Barnett	June 1
566	Edward R. Fields v. Fairfield (a/c)	July 1

*AC*  
Archibald Cox  
Solicitor General

*filed*  
MAY 24 1963  
APPEALS AND RESEARCH SECTION

51-40-17

7

RECORDS BRANCH

T. 7-2-63

EM:HAC:swj 12,232  
51-40-17

JUL 21 50

Dr. William D. Broxon  
909 East Columbia Street  
Seattle 22, Washington

Dear Doctor Broxon:

The Attorney General has asked me to thank you for your recent expression of views regarding the contempt proceeding against Governor Ross Barnett, and your recommendations dealing with this matter.

Sincerely,

BURKE MARSHALL  
Assistant Attorney General  
Civil Rights Division

By:  
HAROLD M. GREENE  
Chief, Appeals and  
Research Section

cc: Records  
Chrono  
Greene (2)  
Glickstein

