

UNITED STATES GOVERNMENT

Ala. file  
DEPARTMENT OF JUSTICE

*Memorandum*

TO : Burke Marshall  
Assistant Attorney  
General  
Civil Rights Division

FROM : John Doar  
First Assistant

DATE: May 4, 1963

JD:lvw

SUBJECT: Alabama - Telephone call from Reverend John Morris

Reverend John Morris called wanting to urge the Federal Government to station marshals along the roads in Alabama. I explained the difficulties of commencing a suit and further told him that we had never considered marshals except to enforce court orders or where law and order had broken down.

He wanted to know if there was anything he could do to help the Government. I think he was thinking of additional pressure and I told him I did not think so.

He also said his case was coming up in Jackson on May 13 when he is suing local police officials for false arrest.

Birmingham

8 March 1963

Mr. A. L. Feldman  
President  
Puritan Chemical Company  
916-932 Ashby Street, N.W.  
Atlanta 18, Georgia

Dear Mr. Feldman:

It is a matter of regret that I have been so slow in responding to your inquiry. One reason was to see how the city election came out in Birmingham.

I think on the whole that any names I would suggest for your committee would duplicate those that might be suggested by Dr. Pitts. Douglas Arant and Jim Head would be good starting places. You should talk to Sidney Smyer and Mervin Stern. I think that you said that you knew Bill Engel.

Except in the case of Mr. Arant, I doubt that you will be helped by the use of my name.

I hope you are successful. If Mr. Boutwell is elected in Birmingham, the city will have taken a very long step.

Very truly yours,

Burke Marshall  
Assistant Attorney General  
Civil Rights Division



**PURITAN CHEMICAL COMPANY**

916-932 ASHBY STREET, N.W., ATLANTA 18, GEORGIA · TRINITY 2-0721

February 28, 1963

Mr. Burk Marshall  
Assistant Attorney General for Civil Rights  
Justice Department  
10th & Pennsylvania Avenue  
Washington, D. C

Dear Mr. Marshall:

As you can well imagine, I felt pretty ill when I decided to return to Atlanta before my appointment with you, to which I attached so much importance. I am just now recovering from my bout with the flu - and the thing I regretted most about it was that I had to leave the night of our appointment. My doctor put me to bed immediately and confirmed my judgement that I should have returned home when I did.

As I told you over the phone, our objective is to form an Advisory Council for Miles College, comprised of outstanding lay leaders of Birmingham and Alabama, for the purpose of public recognition of the fact that important citizens of Alabama consider good schooling an essential, and give it their backing and blessing.

You will recall that I asked you for a suggested list of names whom we could invite to the formation of such a council and you agreed to send it. I assume that pressure of time has prevented you from doing so up to now, but if you can provide me with this list, Mr. Marshall, I will appreciate it very much. I have a feeling that it will go a long way to remedy the conditions that presently exist in that area and thus be additionally worthwhile. I will appreciate hearing from you at your earliest convenience.

Sincerely,

A. L. Feldman  
President

ALF/erm

cc: Dr. L. H. Pitts, President, Miles College, Birmingham, Alabama

Blum

19 August 1963

Ira C. Kepford, President  
Liggett Drug Company  
300 Stillwater Avenue  
Stamford, Connecticut

Dear Mr. Kepford:

Thank you for your letter. With the exception of one incident, which was serious, there was no problem. Birmingham has come a long way, in large part because of business leadership.

I would like to take this opportunity to thank you for your own responsible work.

Very truly yours,

Burke Marshall  
Assistant Attorney General  
Civil Rights Division

Incoming ltr. to LFO

*Birmingham  
file*

October 29, 1962

Reverend Powers McLeod  
Box 1290  
Auburn, Alabama

Dear Reverend McLeod:

It was very kind of you to come in to see me and talk over the problems which inescapably lie ahead for your state, at some point, as an inevitable result of now pending private suits in Alabama.

I think that it is important that the people of Alabama, who respect the law as do other citizens of the United States, fully understand what was involved in the Meredith case, and why it was our duty to do what was done, and is still being done, by the federal government.

The federal government was not involved in the case, except for filing one memorandum at the request of the Court, until after the Supreme Court had ruled that Meredith's admission to the University of Mississippi could no longer be delayed. The rulings of the courts were based on precedents which long preceded the 1954 school cases. The only defense ever offered in the case was that the University did not discriminate on applications on the basis of race.

Once the court had ruled, the duty of every American citizen to see that the court's orders were followed became unquestionable. The Department of Justice entered the case only because Mississippi officials, and the Governor, stated publicly that they would interfere with the court's orders. The United States has a deep interest in seeing that the orders of the federal courts are obeyed and that the integrity of the courts is upheld.

Respect for the law and obedience to the law are the basis of our free society. In some countries there is no law at all. In others, law has become the instrument of despotism. Wherever the law is perverted or destroyed, tyranny takes over and society is demoralized. Yet, in the United States we often take the rule of law for granted and forget what a precious and hard won condition it is.

The law is the line which divides savagery from civilization. It enables men to live together, submitting their private desires, whims and prejudices to a larger conception of social progress and order.

In any legal case there are two points of view. Decisions, therefore, are not acceptable to both sides. But our whole system of law would be undermined if decisions unacceptable to one side should not, in fact, be accepted. If decisions of the highest court are disobeyed because they are unacceptable to one side, no right, no contract, no insurance policy, no pension, no will would be safe. Organized society would become impossible and the people would have to rely on private force to settle their disputes. Furthermore, if one man's legal rights are denied, the rights of all Americans are in danger.

That is what is at issue and has been at issue in the Meredith case. It does not mean that criticism is forbidden or disagreement barred. For these are the lifeblood of our free society. Laws must constantly be revised and court decisions reviewed. But, in the meantime, judicial decisions constitute the law of the land.

It is very troublesome to read in the press that Governor Wallace now is making the same kind of statements that Governor Barnett made in Mississippi. It is not a sign of responsible leadership to tell the people of the State of Alabama that their future governor is going to defy the law of the United States. I hope that the people, under the moral leadership of the churches, and with the help and public support

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of all responsible citizens, will be able to prevent the State of Alabama from having to undergo the kind of upheaval which has in the past done so much damage to the University of Mississippi and such cities as Little Rock and New Orleans. It is hard to see how that kind of experience has ever, in any state or at any time, been beneficial for the schools or anyone.

Very truly yours,

Durke Marshall