

T. 9/11/63

Director
Federal Bureau of Investigation

Burke Marshall
Assistant Attorney General
Civil Rights Division

Arrests of Negroes at Voter Registration Meeting in Selma,
Alabama on July 29, 1963 - 42 U.S.C. 1971(b)

U.S. Court
1971(6)
SEP 12 1963
Dallas Co

BH:AW:mhs
72-3-45
#13,728

Please conduct the following investigation as a supplement to the investigation requested on July 31, 1963 by me on this same subject. Because the hearing on the Department's motion for a preliminary injunction will be resumed October 3, 1963, please expedite the investigation.

1. Identify and interview all of the persons who received summons on the evening of July 29, 1963 and who have not yet been identified and interviewed. Ascertain all of the information requested in the earlier investigation request.
2. Determine from all 35 persons where the summons was made returnable.
3. Determine from all 35 persons whether they were orally instructed by the arresting officer concerning the manner and place for returning the summons.
4. If any of the 35 persons contacted the Sheriff's Office rather than the office of the Clerk of the Dallas County Court, determine why they did so.
5. Interview Mr. Clarence McGan, Clerk of the Dallas County Court, and determine:
 - (a) Upon whose instructions he referred people to the Sheriff's office,
 - (b) why [REDACTED], and any other persons who were fined rather than being referred to the Sheriff's Office, were not so referred,
 - (c) In what other kinds of cases, if any, Mr. McGan refers people who have received summons to the Sheriff's Office.
 - (d) Whether the offense of which [REDACTED] was convicted, i.e., "tag lights", is ever reported in Dallas County Court Consolidated Docket Book under other names.
6. Conduct any further investigation needed to give a clear picture of the incidents of July 29 and their resolution, and follow up any leads necessary thereto.

cc: Records
Chrono
Doar

Putzel
Trial File

Preparation Required for Continuation of Dallas Co.
1971(b) Suit

I. To be done in Washington:

A. Prepare request for supplemental F.B.I. investigation relating to ticketing of 35 Negroes on the evening of July 29, 1963 for improper license plate lights. (Request prepared September 11, 1963.)

B. Study affidavits of defense witnesses and own interviews of them, and decide which ones, if any, ought to be cross-examined.

C. Study reports of mass meetings furnished by Chief of Selma Police to see if anything useful is contained in them.

D. Consider whether Plaintiff can reopen case in chief to introduce evidence relating to events which occurred after July 25, 1963.

E. Consider whether, in light of affidavits submitted by defense, plaintiff ought to attempt again to introduce registration statistics and records into evidence.

F. Review trial notes and consider whether plaintiff ought to offer rebuttal testimony as to (among other things):

(1) McLeod's testimony concerning Lafayette's trial. Chestnut, apparently, disputes McLeod's testimony.

(2) Clark's professed ignorance as to identity of people active in voter registration. His deputies' reports of the meetings, etc.

(3) Why Kenneth Lawrence, apparently a special state deputy, was in Sheriff Clark's car the night [REDACTED] was arrested.

Richard Wasserstrom
Attorney
Civil Rights Division

David L. Norman
Attorney

September 11, 1963

DLN:jma
72-3-43
13,728

U.S. v. Dallas County, Alabama. 1971(b)

The Dallas County 1971(b) trial was continued and now has been set for October 3, 1963. Please review the files and undertake the preparation for the October 3 hearing.

cc: Records
Chreno
Dear ✓
Putzel
Trial File

David L. Norman
Attorney
Civil Rights Division

Arvid A. Sather
Attorney

Selma demonstration
1971(6)

US v (Cham)
197K(2)
Dallas

October 7, 1963
AAS:jma
72-3-41
A-317

Intimidation of Negroes involved in voter registration drive in Dallas County, Alabama.

On Sunday morning, October 6, 1963, I received a call from Mr. Gildersleeve of Selma, Alabama. He is greatly concerned with the action of the police and sheriff's office relating to the voter registration meetings which have recently been held and which will be held in the near future in Selma.

Gildersleeve stated that during the last several voter registration meetings he has requested representatives of the sheriff's office to leave the church building where the meetings were being held. On these occasions, one of the law enforcement officers told Gildersleeve that they were instructed to stay in the meeting and they refused to leave. Gildersleeve stated that one of these officers had mentioned to him that they had looked up some decision regarding Birmingham and that in this decision they had been given authority to remain in the meeting even though people attending the meeting requested them to leave.

Gildersleeve stated that Mr. Gregory spoke to the meeting on Friday night. Gildersleeve requested the law enforcement officers to leave at this meeting but they refused to do so. Gildersleeve stated that the sentiment among the Negroes attending the meeting was to throw out the law enforcement officers.

Gildersleeve stated the same situation occurred on Sunday night and that also on this night the sheriff's posse surrounded the church on the outside of the building. Gildersleeve stated that on the voter registration meeting to be held tonight, Monday, October 7, he intends to re-

cc: Records
Chrono
Dear ✓
Marlin
Trial Files

quest from the podium that the law enforcement officers leave their meeting. He states that the sentiment among the Negroes at the meetings is to throw the officers out and he fears that if the officers continue to remain in the meetings that some of the Negroes may attempt to do this even though they are requested not to by the leaders.

The basic purpose for Gildersleeve's call was to receive some assistance in getting the law enforcement officers to stay out of the meeting in order to avoid any serious incidents in the future, and particularly with respect to the meeting on October 7.

Gildersleeve also stated that he had heard that some of the United States Marshals had on October 3, 1963, when the postponed hearings had been set by Judge Thomas, ordered Negroes who were picketing around the federal building with signs relating to voter registration to leave that area and cease their picketing; and that these marshals had torn up the signs carried by the pickets. Gildersleeve stated he did not know personally of any facts relating to this incident but had merely heard them from other people.

Since you are not available to consider this matter today and because of the immediacy of the meeting scheduled for tonight in Selma, I am delivering a copy of this memo to Mr. Doar for his consideration.

Dave Rubin

John Doar

U.S. v. Dallas County, Ala.
(Selma)

file
US v Clark

Oct. 7, 1963

Dallas
1971(2)

I called Mr. O'Brien, the Clerk of the District Court for the Southern District of Alabama, to find out whether or not any order had been entered in the Dallas (b) case. He said that an order had been entered and read it to me:

"Good cause appearing to the Court, it is ordered and adjudged that the hearing set in the above-entitled matter on October 3, 1963 be and the same is hereby continued to be reset by the Court at a later date.

Dated September 30, 1963."

O'Brien told me that this was the date that the Court ordered the hearings continued, although the typewritten order was not prepared and entered until after the meeting in Selma.

I asked him if any order was entered after the conference in Selma and he said, "No." He said, "You recall that there was no hearing in open court but just a conference of attorneys."

I asked him if anything further would be entered by way of orders and he said that he couldn't say.

cc: Mr. Marshall

Harold Greene

October 7, 1963

Honorable Daniel Holcombe Thomas
Judge, United States District Court
for the Southern District of Alabama
Mobile, Alabama

Re: United States v. Dallas County
Civil Action No. 3064-63 (Mobile)

Dear Judge Thomas:

After careful consideration the Government has concluded to apply to the Court of Appeals for a writ of mandamus, seeking to require you as the district judge to promptly reconvene the hearing on the Government's motion for preliminary injunction in the above case.

The basis of this application is that the incidents in Selma cannot constitute a legal basis for the continuance of the hearing which had theretofore been set for October 3, 1963.

Accordingly, we will not file our motion for a preliminary injunction in the records heretofore made.

Respectfully,

JOHN D. AAZ
First Assistant
Civil Rights Division

cc: Gordon Madison
United States Attorney
Mr. Pitts

cc: Records
Chrono
Doar
Putzel
Trial File (44 1345)

DOCKETED

OCT 18 1963

October 16, 1963

#13728

Honorable Daniel H. Thomas
United States District Judge
Mobile, Alabama

Re: United States v. Dallas County, Alabama,
et al - Civil Action No. 3064-63

Dear Judge Thomas:

In accordance with the permission which you granted to me yesterday at Selma, I am writing to set forth specifically the documents which we desire that the chairman of the board of registrars of Dallas County produce so that the documents may be marked for identification and offered into evidence as part of the government's case on its application for a preliminary injunction.

1. All applications for registration, accepted, rejected or pending, filed with or acted upon by the Dallas County board of registrars since April 2, 1962, including any notes or memoranda of the board explaining the basis of acceptance or rejection of the applicant.
2. If the application forms do not contain a notation of the race of the applicant, then such pages of the registration books or such pages of the list of registered and qualified voters which contain the names of persons who have been registered to vote in Dallas County, Alabama since April 2, 1962.

In the event these records do not contain the race of the applicants during this period (such records have contained this information in the past), then it would be necessary to ask leave of the Court to reopen the evidence to obtain such of the records maintained by the Probate Judge which contain a designation of race of all applicants.

72-3-45

OCT 17 1963

U.S. DIST. CT.
MOBILE, ALA.

Honorable Daniel M. Thomas
U. S. District Judge

2.

October 16, 1963

The purpose of this evidence is to establish the statistical record of the board of registrars of Dallas County since April, 1962 with respect to registration, including rejections by race. It is our view that such evidence is material on the issue of whether or not there has been a violation of 42 U. S. C., 1971(b) by Sheriff Clark. For example, if the records show that registration attempts by Negroes increased after Bernard Lafayette began to work in Dallas County, this would be a relevant fact in determining Sheriff Clark's purpose for making the arrests. Furthermore, the statistical record gives to the Court a complete picture of the situation in Dallas County in connection with voter registration so that the Court will have all of the facts in connection with his consideration of the issue of whether or not the arrests constituted an intimidation for the purpose of interfering with the right of Negro citizens in Dallas County to register and vote.

Finally, it is our view that if the Court feels this evidence is not admissible, that these records should still be marked for identification, photographed and substituted as part of the record in order that there will be a complete record of all evidence offered by the government.

If the Court rules that this evidence should be made a part of the record, we would be able to arrange to photograph these documents on Saturday or in the evening so as not to interfere with the registration activities of the board.

Respectfully,

John Doar

CC: McLean Pitts, Esq.
Attorney at Law
Selma, Alabama

Blanchard McLeod, Esq.
Solicitor
Camden, Alabama

Honorable Daniel H. Thomas
U. S. District Judge

3.

October 16, 1963

CC: Thomas C. Cayle, Esq.
Attorney at Law
Selma, Alabama

Gordon Madison, Esq.
Assistant Attorney General
State of Alabama
Montgomery, Alabama

William J. O'Connor, Esq.
Clerk, U. S. District Court
Mobile, Alabama

Vernon R. Jansen, Jr., Esq.
United States Attorney
Mobile, Alabama

10/16/63

October 2, 1963

Honorable Daniel H. Thomas
Judge, United States District Court
Southern District of Alabama
Mobile, Alabama

Re: United States v. Dallas County,
Alabama, et al. (Selma 1971(b))
Civil Action No. 3064-63

Dear Judge Thomas:

At the conference on the above case on October 3, 1963 at Selma I mentioned to the Court that during the oral argument of the case of United States v. Lynd before the Court of Appeals on April 6, 1962 at Houston Judge Hutcheson made certain statements with respect to obligation of the Court to promptly decide either favorably or unfavorably on an application for a preliminary injunction. There is attached herewith a copy of that part of the transcript for your examination.

By way of explanation, I should like to tell the Court that this was a case involving alleged racial discrimination by the registrar of voters of Forrest County, Mississippi. Our motion for preliminary injunction was heard by the District Court on the 5th, 6th and 7th of March 1962 and, at the close of the hearing, the district judge declined either to grant or deny the plaintiff's motion for a preliminary injunction on the theory that the hearing had not been concluded.

- 2 -

The Government appealed and moved for an injunction pending appeal. It was at the oral argument of this motion that this discussion took place.

I am citing this to the Court for the proposition that on a motion for a preliminary injunction, if the district judge declines to act he in effect has denied the injunction.

Respectfully yours,

JOHN ROAR
First Assistant
Civil Rights Division

Attachments

cc: Hon. Blanchard McLeod
Circuit Solicitor
Camden, Alabama

McLean Pitts, Esq.
Pitts & Pitts
Selma, Alabama

Hon. Gordon Madison
Asst. Attorney General
Montgomery, Alabama

Dallas (6)
WJ
10/30/61
207-47

October 30, 1961

Mr. Gilbert Harrison, Editor
The New Republic
1244 Nineteenth Street, N.W.
Washington, D.C.

Sir:

There is a serious omission in both your lead editorial of October 28, 1961, "Enforcing Civil Rights" and the report from Selma, Alabama, by Howard Zinn on which the editorial was based. The omission distorts your discussion of the federal government's power and efforts to protect constitutional rights and it deserves to be brought to the attention of your readers.

Mr. Zinn related that Negroes seeking to register to vote in Selma on October 7 were harassed and intimidated by the Dallas County sheriff and his deputies, while federal representatives stood by and did nothing. Your editorial likewise concluded that the Department of Justice and the FBI were impotent except that "perhaps at some distant date . . . the Attorney General will bring a case against one or more of the officials who violated the law."

There is no "perhaps" about the situation.

We believe there has indeed been unlawful harassment of Negro registration applicants in Dallas County

(Selma). As your editorial acknowledges, the remedy for such conduct is to bring suit in Federal court. The fact overlooked altogether by Mr. Vinn, is that the Department has two voting rights suits pending in Selma, both of which were filed well before the events Mr. Vinn described:

1. On June 17, 1963, the Department sued the Dallas County sheriff and other county officials. In this action, we asked for federal court orders forbidding continued intimidation of Negro voters, including abuse of the state criminal process. We have pressed for prompt action in this suit and continue to do so. At a hearing on October 15, all of the events cited by Mr. Vinn were presented to the court as additional evidence of the need for such court orders.

Plainly, the purpose of this suit is to do everything we can to prevent such occurrences. They are fully of as much concern to us, and I am sure, to most citizens, as they are to Mr. Vinn.

2. Your editorial questions whether such suits are effective. We have found that for the most part they are. For example, the first voting suit filed by this Administration was brought against Dallas County on April 17, 1963. It sought an injunction against systematic discrimination against Negro registration applicants. We were denied the injunction by the District Court, but after our appeal, the Court of Appeals for the Fifth Circuit has ordered that such an injunction be issued. While this order has not yet been executed, there can be little question that accelerated Negro registration application dates from the filing of the Department suit and we expect Negro registration to accelerate further once the injunction is issued. If it should not be, this would be a matter for further concern (as expressed in Government actions in counties where Negroes

are being expedited, but with unreasonable delay).

3. There is the related question of whether police conduct in Selma on October 7 violated the federal police brutality statute, as well as the voting laws. Mr. Zinn's suggestions notwithstanding, there can be no summary action under this statute and due process must be followed whatever one's sympathies. Prosecution requires facts concerning the alleged improper conduct, identification of who committed it, and a showing that such conduct was willful. The Department has been investigating these facts since the incident occurred.

In short, the implication that the federal government was and is unable, unwilling or slow to take action in such instances as Selma is inaccurate. To discuss a national police force or some other such extreme alternative compounds the inaccuracy. No one pretends that the course of litigation under existing statutes is easy. It is not, and we have asked Congress for additional authority to expedite voting cases. But litigation can be effective and the Department of Justice continues to work as hard as it can to make it so, in Selma and throughout the South.

Sincerely,

MURVE MARSHALL
Assistant Attorney General
Civil Rights Division

Gallego (H)

[REDACTED]
[REDACTED]

Selma, Alabama

November 1, 1963

Mr. John Doar
Department of Justice
Room 1145
Washington, D.C.

Dear Mr. Doar,

Since our talk of a couple of evenings ago, I have thought quite often about the question of the incident that occurred here in Selma at the Dunn Rest Home. I mentioned at the time that I believed that if no action were taken in this case it would have an adverse effect on the hopes of the people here in Selma.

The more I think of it the more I am convinced of that fact. For the first time so many people here in the city believe that there is someone to whom they can have recourse in matters such as this. They have always accepted such matters as inevitable and have always been convinced that no one would ever protect them because they were Negro. Now they feel that someone does care and is willing to do something about such incidents.

While I realize that possibly this would be of no appreciative value to you insofar as it does not involve any city officials, nevertheless it does seem to me that if your department wants the continued good will of the people, if you want them to feel that they can trust you and if you want their cooperation in the future, it would be necessary to show them that you are concerned over their welfare.

page 2. Mr. Doar

If this matter were dropped I think they would once more retreat into themselves and feel that your department falls into the same category as all other groups who speak about doing good but who do nothing when the chips are down. I myself know that this is not true in this case but it would not appear so to the people of this city. Therefore, I make it a point to mention in writing that this is my conviction and I do hope that you will do what you can in this matter.

I think that eventually your stand in this case would do much for establishing confidence in what you will attempt to do in the future. Far be it from me to tell you what you must or must not do, but I thought I would pass this information on to you for whatever it is worth.

At the moment, we hope to pursue a case of police brutality that has occurred here recently in the city. Mr. Peter Hall, our attorney from Birmingham, feels that he has a clear cut case and that we could serve notice to the city officials that we no longer will tolerate such action by the law enforcement officers. I feel that it is very important that we pursue this course so as to give the people some hope for the future. We must somehow serve notice that our people can no longer be treated as Mr. Dunn and the city police would like. While we may not win we would at least show them that we are fed up with this type of thing.

It was good speaking to you once again, and I appreciate your taking time from a very busy schedule to stop in and talk to me. I hope that some time we will both find ourselves in a position where we are not too busy and we can just sit in friendly conversation.

With every good wish, I am

Sincerely,



Hall (b)

[REDACTED]

Selma, Alabama
November 5, 1963

Mr. John Dorr
Dept. of Justice, Room 1145
Washington, D. C.

Dear Mr. Dorr:

I meant to ask you something else in my letter of yesterday and forgot to do so. During the past couple of nights I have gotten some threatening phone calls and the pastor of the white church has also been accosted and threatened near his church. Subsequently he found out that the men who were near his church were from the Klan. While I have no intentions of going out at night unless it is necessary, there are occasions when I am obliged to go out on a sick call or some other errand. Further more, I never know whether these calls are legitimate or not. In view of this, I have thought of trying to get a Federal Gun Permit. Possibly you think this unwise and if in your judgment it is I wish you would tell me so. If not, I would like to have such a permit. I am experienced with fire-arms and have had guns since I was a boy. While I hate the thought of using one on anyone else I don't particularly like the idea of being jumped on at night by a group of men without having anyway to defend myself. I am afraid that I am just not non-violent at heart. If you could get me such a permit I would appreciate it or if you cannot can you tell me how I might get one. I already hold such a permit from the State of New York. The number on my New York State permit is [REDACTED] issued 10-6-59.

Sincerely,

[REDACTED]

UNITED STATES GOVERNMENT

Memorandum

TO : Burke Marshall
Assistant Attorney General
Civil Rights Division

FROM : ^{SO} John Doar
First Assistant

SUBJECT: [REDACTED] SNCC worker in
Selma, Alabama

Dallas (4)
DEPARTMENT OF JUSTICE

files
DATE: November 7, 1964

JD:stj

The young white girl who is working in Selma is named [REDACTED] [REDACTED] comments about her are as follows:

*By us - he means
at a conversation between*
[REDACTED]

With us was an attractive white SNCC girl who arrived in Selma yesterday to stay several months. Her name is [REDACTED]. Her job is to set up a pilot project on how to deal with basic Negro illiteracy in Black Belt counties and Dallas has been selected as the prototype.

[REDACTED] indicated to me that she was working on an education survey and training project similar to the one Moses is working on in Mississippi. [REDACTED] does not know her. She is not working with [REDACTED].

[REDACTED] has helped her find a place to live and says that so far the local authorities do not know she is in town. He is worried that he will get involved with a morals charge but has decided to help her anyway.

Doar

November 7, 1963

AIR MAIL

[REDACTED]
Selma, Alabama

Dear [REDACTED]

This will acknowledge your letters of November 1 and 5, 1963. I am almost positive that there is no such thing as a federal gun permit. I am going to inquire further about this but I feel certain that any permit would have to be obtained from the state or local authorities.

In this connection, I want to suggest that you not carry a gun without a permit.

With respect to the matter of the incident at the Dunn Rest Home, I wish to advise you that this is still under investigation. No decision has been finally reached as to what should be done.

Sincerely,

JOHN DOAR
First Assistant
Civil Rights Division

JD:stj

1/6 Telled Murphy.

He is on top of case -
will call Jansen today.

U.S. v. Clark

December 31, 1963

Honorable Varnol K. Jansen
United States Attorney
Mobile, Alabama

In re: William Thomas Marvel, et al.
D.J. Ref. 144-3-322

Lt. Thomas L. Pyron, Selma
Police Department, et al.
D.J. Ref. 144-3-334

Willie Frank King
D.J. Ref. 144-3-342

Dear Mr. Jansen:

I called your office today about the above cases but found you were in New Orleans, so I spoke to Mr. Alabough.

Although we initially had favored filing informations in these cases, we have concluded, based in part upon your recommendation, that they should be presented to a grand jury.

Accordingly, will you please make arrangements to present these cases at the January 13, 1964 session of your grand jury in Mobile.

You will have to prepare an indictment in the case against Sheriff Clark and Solicitor McLeod. If you need any assistance in preparing this indictment, please contact Mr. John Murphy (extension 2145). A copy of an information against Sheriff Clark is enclosed for your assistance.

cc: Records
Chrono
Loar
Murphy
~~Trini Pitts (1345)~~

- 2 -

With respect to the case against Blanchard McLeod, I am enclosing a copy of an interoffice memorandum from Mr. Murphy to Mr. Marshall, setting forth the facts of that case and the theory of the case. You will recall that Mr. McLeod testified on December 3 and 14, 1933 at Selma in the case of United States v. Clark, and I am sure you will want that testimony recorded for possible use before the grand jury.

We would like to have a member of this Division come to Mobile to assist you in presenting these cases to the grand jury. Mr. Murphy will be in touch with you about that.

Sincerely,

JONES COAK
First Assistant
Civil Rights Division

John Dear
First Assistant
Civil Rights Division

July 11, 1963

PH:eha
72-1-43
13,728

David H. Marlin
Attorney

Trial Preparation for 42 U.S.C. 1971(b) case in
Dallas County, Alabama

The following are the persons who should be subpoenaed as witnesses for the injunction hearing in this case. Not all of the information, such as addresses, is available at this moment but I will obtain that information and forward it to Washington.

[REDACTED]
Selma, Alabama

[REDACTED]
Selma, Alabama

[REDACTED]
Selma, Alabama

[REDACTED]
Birmingham, Alabama

[REDACTED]
address unknown
Selma, Alabama

[REDACTED]
address unknown
Selma, Alabama

[REDACTED]
(Chairman of Board
of Registrars)

[REDACTED]
address unknown
Selma, Alabama

Sheriff [REDACTED]

[REDACTED]
address unknown
Selma, Alabama

Deputy [REDACTED]

FBI Agents:
[REDACTED]
[REDACTED]

both of whom are stationed
at the resident office in
Selma, Alabama

cc: Records
Chrono
Mr. Dear
Mr. Putzel
Mr. Norman
Mr. Owen (Trial File)
Mr. Gabel, Mr. Sather, Mr. Marlin

1. [REDACTED] - he can testify that he was asked by the Dallas County Voters League in February, 1963 to come to Dallas County to assist the Voters League in voting registration drive. He can testify that he is a paid field secretary of the SNCC. He can testify that he did come to Dallas County on February 10, 1963 and can describe in detail the activities that he has carried on while in Dallas County; namely, recruitment of young persons to assist in voting registration, the organization of mass meetings whose purpose is to encourage Negroes to attempt to register to vote, organization of clinics or classes to teach Negroes wishing to become registered about the Alabama application form, and other things they may need to know in order to become registered. He can testify about the publicity that was given him and these activities by the newspapers in Selma, Montgomery, and Birmingham. He can also testify to the success of his activities as he has attended practically

every clinic that has been held in Dallas County since February, 1963. They are held twice a week on Tuesday and Thursday nights. He can also testify as to the mass meetings, what transpired at the mass meetings that he spoke at. He can testify that he was beaten up following his speaking at the mass meeting of May 14th at the Tabernacle Baptist Church in Selma. He has photographs showing his injuries which required six stitches in his scalp. He can testify as to the discussions and instructions he gave [redacted] and [redacted] about observing registration in the Dallas County courthouse and finally he can testify about his arrest for vagrancy and the circumstances thereof. In short, he can testify to all the information contained in his affidavit that has been submitted to the Court.

2. [redacted] - can testify to his arrest on June 17, in the Dallas County courthouse and the circumstances thereof. He can also testify as to the incident on June 1, 1963 with respect to his passing out leaflets. Both of these incidents are detailed in the affidavit submitted to the Court.

3. [redacted] - can testify as to his knowledge of the circumstances surrounding the arrest of [redacted]. This information is also detailed in his affidavit which has been submitted to the Court.

4. [redacted] - [redacted] the [redacted] can testify as to the history of the league prior to its invitation to [redacted] to come to Dallas County to assist the league. He can also testify to the success of [redacted] activities and to the increased interest and participation on the part of Dallas County Negroes in the registration campaign. He is an instructor of the voting clinics and can testify as to the number of persons that

he knows of who have attended the clinics.

I do not recommend [redacted] as a witness, however, as he tends to be garrulous and abstract. I believe that we can obtain a better witness to testify to the background of the events in Dallas County prior to Bernard La Fayette's arrival and to the success of [redacted] activities after February, 1963. In this connection, I believe that the following lady will be more than satisfactory.

5. [redacted] - He is an instructor of the Voters Clinics and has been entrusted with the job of keeping the records of the number of persons who have attended these clinics. She can bring her records and testify as to the number of persons (I believe 90 since February, 1963) who have attended the voters clinics. She is a very personable lady and I think will be an excellent witness.

When I am in Dallas, I will be seeking other witnesses to the background of the Dallas County activities.

6. [redacted] - is [redacted]. I believe he should be subpoenaed and the records of the Board should be subpoenaed with him, i.e., the records pertaining to the number of persons of both races who have applied for registration to the Board for the last 12 months, approximately. The purpose of this testimony would be to show that prior to the arrival of [redacted] in Dallas County very few, if any, Negroes were applying to register and that since [redacted] arrival a considerable number of Negroes have attempted to register to vote.

7. [redacted] - this is, of course, a key witness as to the events in Dallas County. [redacted]

is, of course, a defendant in this suit. I believe that the questioning of him must be extremely limited. I don't believe we should ask him any questions - the answers of which we do not know but he can be questioned as to his stationing officers inside the church and his handling in general of the mass rallies of Negroes. He also can be questioned concerning the arrest of [redacted] for vagrancy and the transcript we possess of the trial will make it possible to impeach him as a witness. In this connection we, of course, may decide not to ask him questions about this on direct examination and we may decide that it is better to get into the matters of the arrest of [redacted] and of [redacted] on cross-examination. He certainly would be a key witness for the State and on second thought, I believe that he would be better on cross-examination all the way. The same would be true of Deputy [redacted] who actually made the arrest of [redacted] and who also testified at the trial of [redacted] in the Dallas County Court. The cross-examination of both [redacted] and [redacted] needs a great deal of work and I will work on this on my trip.

I believe that we should write down the questions that we want to ask and have a sound conference on this so that whoever is going to do the cross-examination has a very good conception of what to expect from Sheriff Sizemore and what the Government should ask him.

[redacted] of the FBI should be on the scene and subpoenaed to testify if needed as to their observations of the Negro mass rallies.

I believe one of the defenses the State will make relating the activities of [redacted] and his men and the Sheriff's posse is that there was great danger in Dallas County of violence; therefore, [redacted] properly acting under his police function, stationed men at the rallies, not with

the motive of intimidating Negroes desiring to vote but in order to preserve the public peace. This is on the Sheriff's part ~~another~~ a spurious claim as the rallies were conducted in Negro neighborhoods, at Negro churches, and attended solely by Negroes. There was no indication from anything that there would be violence although apparently some white men did show up at the church. I think the significance of the Sheriff's activities is not so much stationing people outside but what is significant is copying down the license plate number of all Negroes who attended or who arrived by car at the respective churches where the mass meetings were held and of stationing men inside the church. ~~Another~~ was stationed inside the church for the first two mass meetings with a walkie-talkie and he relayed what happened inside the church to those on the outside. Although the walkie-talkie did not apparently create a nuisance because of its noise it undoubtedly can well be argued that it has an intimidating effect on Negroes to have all their activities spied upon so openly by Dallas County officials.

I know that ~~and~~ did make some observations at the mass meetings but I don't know what detail as yet but when I am in Dallas on this trip I will speak to both Buckley and Frye and determine whether or not their testimony in this respect will be helpful. I think it could be necessary for the Government to show that there was a preponderance of force, and to establish that license plate numbers were being copied down and that there was no need to station officers inside the church taking notes and speaking over a walkie-talkie. Both agents, of course, have participated to some extent in all of the 1971(b) investigations we have conducted in this case and may be able to supply other testimony of value to the Government although I have not analyzed that at this time.

9. ~~is~~ - is a lady who was waiting in the Dallas County courthouse to register to vote at the time of Rosie Reese's arrest. She

apparently arrived at the courthouse between 2:30 and 3:00 p.m. and left at approximately 3:30 p.m. In her statement to the Bureau, although she does not say so specifically as she was not so asked by the interviewer, she can testify that there was no disturbance in the hallway. She is a white lady.

10. [redacted] - this is a Negro lady who was waiting in the courthouse in line with [redacted] to register to vote and who saw both [redacted] and [redacted] in the courthouse. She also can testify that there was no disturbance in the courthouse or threat of any breach of the peace.
11. [redacted] - he is a Negro man who was waiting in line to register to vote along with [redacted] and [redacted]. He also saw both [redacted] and [redacted] in the courthouse and can testify that there was no disturbance or threat of one in the courthouse. The purpose of having [redacted] and [redacted] as witnesses is to dispute the State's charge of the present that "case was engaged in 'conduct calculated to provoke a breach of the peace'". The persons I referred to earlier in the FBI report, which I do not have before me now, who also were in line will add corroboration to that of these three people that there was no disturbance and that the charge is unsubstantiated. Also one white man whose name is in the report (unavailable at this time) stated to the FBI that he saw [redacted] grab [redacted] by the back of the neck and propel him into the Sheriff's office and I believe his testimony will be valuable with respect not only to the breach of the peace charge but conceivably to the charge of resisting arrest.

I have not had time to give complete attention to all the details in the preparation of this case but as I see it now these are the witnesses that the Government would require to prove its claim. Additional investigation is needed in this case and I will get started in that at once.

[redacted]
Selma,
Alabama

[redacted]
Lives in the Country don't have
the route number

[redacted]
Sardis, Alabama (Dallas County)

He has know phone but can be reached through his neighbor whos name is [redacted]. He doesn't know the phone number.

[redacted] was born in Sardis on March 13, 1933 and has lived in Dallas County all his life. He has never been in the military service. He finished the 9th grade of school and is now attending night classes at Hudson High School two nights a week to get his high school diploma. He was married in 1956 and now has 3 children and is still presently married. He was arrested in 1961 for speeding and paid a \$28.00 fine. He was arrested in December 1962 for having improper brakes on his car and paid a fine of \$9.00. He owns his home but his father pays the taxes on this home and on a piece of property that his father owes and he does not know the amount of taxes assessed on his home. He has attended all four of the mass meetings. I believe that there are five mass meetings but at the time I interviewed him he said that he had attended all the mass meetings and conceivably he has attended all five instead of just four. He remembers that on the first mass meeting, which was in May, he drove his car to within about two blocks of the Tabernacle Baptist Church, where the meeting was being held, and parked his car there and walked to the church. He said that he walked to the second and third mass meetings and the fourth mass meeting, which was held after he was fired from the Table Company he drove his car directly to the church parking lot and parked. He said he has never attempted to register to vote but he has attended two of the Voter's Clinics.

He began work with the Table Company in March 1963 and he worked steadily in the shipping department until December of 1961, when he was laid off after he attempted to steal a table and was caught. No charges were pressed against him and he was called back to work in August of 1962. His job at the Table Company is loading box cars and trucks. He said that there are ten persons who work in the shipping department under the same foreman that he has. This foreman's name is [redacted]. He said he and one other Negro actually did the loading onto the box cars and trucks. He said four of the ten persons are white. He said the shipping department often works during plant wide vacation and that he had planned to work the first week of July, 1963, but on Sunday, June 30th, his foreman came to his house and told him not to come to work the next week. He did not tell him, however, that he was going to be laid off. The foreman told him that it was [redacted] idea that he not report the following week. He said the rest of the shipping department worked during the first week of July, with the exception of his brother, who also works in the shipping department. His brother's name is [redacted]. He said that his brother was told by [redacted] to come to work that week but when he arrived there there was no time card for him and therefore he did not work that week. On July 8th he went to the Table Company to pick up his pay check and when he was there he got a notice. He did not

I

have the notice with him and believes that ~~xxx~~ it is somewhere at home but he told me to the best of his recollection what the notice said. It began with his name and his number which ~~X~~ is 316, and the notice then said roughly that "We regret this, that in all departments that we must dismiss you from your duties at the Cleveland Table Company. Signed The Management." He said that there was no reason given in the notice and he does not know why he was laid off. He never asked anyone at the plant why he was laid off, nobody told him anything, and he still has no information as to that. He did say that two or three days after the first mass meeting, which was on May 14th, that he saw ~~xxxxxx~~ and some ~~Sixty~~ City police out in the parking lot ~~xxxxxx~~ of the Table Company, and they were there during working hours. He said that they had a pad or book of paper with them and he believes they were looking at the ~~xxxxxx~~ backs of cars where the Alabama license plate is located. He thinks ~~they~~ they were checking ~~xxxx~~ the tags and perhaps copying down numbers.

This is so far the only one of the few tie-ins between possible White Citizen's Council efforts to get Negroes fired at the Table Company. ~~xxxxxx~~ allegedly is a member of the Citizen's ~~Council~~ Council and a member of the Dallas County Sheriff's posse, and reportedly has great influence at the plant. Conceivably, if license plate numbers were taken at the mass ~~xxxxxx~~ meetings then the Citizen's Council might have tried to, with those numbers, locate the owners of the cars and if they could determine that they had attended the mass meeting have them fired from their jobs. ~~X~~ ~~xxxxxx~~ makes a reasonably good appearance and could be a good witness.

~~~~~

[REDACTED]  
Selma,  
Alabama

[REDACTED]  
Selma address - Dormitories at  
Selma University  
Phone No. [REDACTED]

Home address - [REDACTED]  
[REDACTED] West Point, Ga.

[REDACTED] was born in Chambers County, Alabama on April 28, 1940 and then moved to West Point, Georgia where he has lived for the past 16 years. He went to Lanier High School, which is in Chambers County. Chambers County is just a few miles from West Point Georgia, right across the State Line. He graduated from Lanier High School in 1959, then worked for a year in West Point, delivering appliances and he began his studies at Selma University on September 4, 1960. He ~~xxxx~~ stayed at the University for two years, until August of 1962, and then he went to Birmingham where he stayed from August '62 until January 1963. He worked ~~at~~ as a bus boy in Birmingham. He then returned to Selma University in January 1963, where he is now a Junior and studying for a Bachelor's Degree in ~~THEOLOGY~~ Theology. Selma University is a Baptist school and he plans to become a Baptist ~~xxxx~~ minister. He is not a veteran of any military service. He was arrested for speeding in approximately 1958 or 1959 and fined \$9.00. He also was arrested in December of 1962 on two occasions for speeding. This happened in Birmingham and the total fine was \$50.00. He has attended all of the mass meetings. He does not own a car and has walked to the meetings. He calls himself a field worker for the student non-violent coordinating committee since he works for [REDACTED]. On one of the mass meetings, I believe the mass meeting of June 24th, [REDACTED] announced his name and other names as new people who are / working in the voting registration campaign. The following day an article appeared in the newspaper about the mass meeting which mentioned his name. This was the third mass meeting that was held.

On July 6, 1963, at about 11:00 A.M. [REDACTED] began ~~handing~~ handing out leaflets announcing the mass meeting of July 8th. He was helped by three young boys, whose names are [REDACTED], [REDACTED], and a boy whose first name is [REDACTED] and whose last name ~~is~~ he does not know. They passed out leaflets in various places in Selma and at approximately 3:30 P.M. pulled up in front of the Police Station, where they parked their car. The Police Station is directly across the street from [REDACTED] insurance office. They then passed out leaflets at various places in that locale, such as the Negro Community Center on Franklin Street, next to the Police Station; the Booker T. Washington Insurance Company on Franklin ~~///~~ Street, which is next to [REDACTED] office; they also left some leaflets at [REDACTED] office, and they distributed the leaflets at various cafes in that general area, including Bob's Cafe on ~~xxxx~~ Washington Street. Then at approximately 4:00 O'clock, ~~they~~ the four boys got back into their car which was ~~xxxx~~ still parked on Franklin Street, and [REDACTED] was the driver. He backed the car out onto Franklin Street and started off down Franklin Street going east. He drove past the first green light and into the next block on Franklin Street, and about midway down that block a motorcycle with a sidecar and one white police driver told him to pull over. He did so and the policeman then came over to him and asked him for his name. He told the policeman his name, then the policeman asked him his



age. He told him that and the policeman then asked to see his ~~driver's~~ driver's license. He showed the policeman his driver's license and the policeman took it, and then the policeman said to him -- You know what yellow lines in the street are for - - . He said that he didn't see any yellow lines and there are no yellow lines on Franklin Street, in the block immediately in front of [redacted] office. The policeman then told [redacted] to follow him and he drove around back to the [redacted] Police Station on Franklin Street, directly across from [redacted] office. The other three boys remained in the car and [redacted] and the policeman went up to the second floor. They were in a large room with an inner room and the policeman told [redacted] to wait ~~xxxx~~ in the outer room and he went ~~xxxxxxx~~ into the inner office where approximately ten men were, some of whom were in uniform. He overheard the conversation and the officer who had taken him to the Police Station said to one of the fellows in the inner office -- This is the fellow whose name was in the paper. He was driving [redacted] car and handing out those mass meeting leaflets. - What are we going to do with him? ~~xxxxxxx~~ The other officer asked him -- Did you ~~gb~~ get the tag? (meaning the license plate number). The officer said -- We have the tag. The other officer then said -- Well there is no charge so let him go. The policeman ~~g~~ then came out and said -- They are not going to do anything to you this time and you can go. He then left and that's the last he's heard of this ~~incident~~ incident.

[REDACTED]  
FBI Agent  
Selma, Alabama

[REDACTED] and FBI Special Agent [REDACTED] were directed to observe the mass meeting of June 17, 1963 at the First Baptist Church in Selma.

[REDACTED] drove and [REDACTED] was riding with him to the First Baptist Church at about 7 to 7:15 PM. They drove all around the church for about a 2 mile radius and saw nothing out of the ordinary. Then they drove steadily for about 2 1/2 hours until approximately 10 PM. During this time they passed the church on the Jeff Davis and Sylvan Streets about 3 times. [REDACTED] said they probably traveled 80 miles that evening. During that time they saw no incidents of any type or any crowds gathered around the church.

[REDACTED] saw at least 2 Sheriff's cars at least 2 city police patrolling the area around the First Baptist Church. He saw ~~xxxxxx~~ no cars parked by the church.

[REDACTED] said that about 10:15 P.M. while proceeding east on Jeff Davis Avenue, he saw about 7 cars, unmarked cars, and one pickup truck going west on Jeff Davis. He said that there were 2 men riding on the back of the pickup truck and there were men inside the 7 cars. He said that to the best he could see they were armed with guns and night sticks wearing kakis and blue helmet liners. He said they stopped about 1 block away from the church and unloaded and walked toward the church. He said that he and [REDACTED] parked about 3 blocks south of the church on Minter Avenue and stayed there and observed the church and vicinity. He said they couldn't see any posse near the church. He did see police cars patrol the area.

He said the meeting broke up about 10:30 and negroes left the church quickly and quickly left the scene. He said the vicinity of the church was completely clear about 10:40 p.m. ~~XXXXXXXXXXXXXXXXXXXX~~

JUL 17 1963

Typed: 7/17/63

Director  
Federal Bureau of Investigation

BM:DLN:cks  
72-3-45  
13,723

Burke Marshall  
Assistant Attorney General  
Civil Rights Division

Re: U. S. v. Dallas County, Alabama

One of the defendants in this case is [REDACTED] of Dallas County. Previous information supplied by you indicates that the Sheriff of Dallas County has organized a posse presumably in preparation to suppress racial disturbances. Since this and similar information has often, and properly come to us under such captions as "Racial Situation", "State of Alabama", we have not classified or organized as such the details of the activities of the office of the Sheriff of Dallas County.

The hearing on the Government's motion for a preliminary injunction is scheduled for July 23, 1963, at 9:30 a.m. at the Federal Court in Mobile, Alabama. In preparation for that hearing please provide us with the following information to be obtained from your files and from what ever investigation may be needed. Since Dallas County, itself, is a defendant this investigation necessarily goes beyond the activities of the Sheriff's office.

1. Are all the members and employees of the Sheriff's office and of Sheriff's posse? What connection, if any, do any of these persons have with the Ku Klux Klan or the Citizens Council or other such organizations? What activities have any of these persons been involved in connection with these organizations? What business interests, if any, do these persons have beyond their official positions in the Sheriff's office? Are the members of any of their immediate relatives involved in or connected with any such organizations? If so, in what capacities and what have been their activities?

cc: USA (Mobile, Ala.)  
Records  
Chrono  
Mr. Doer  
Mr. Putzel  
Trial File (Rm. 1140)

2. Please furnish an alphabetical list of any members of the Influx Klan or the Citizens Council or other such organizations who either reside or have business interest or employment in Dallas County. Indicate the connection each has or has had in any such organization and his activities connected with any such organization.

3. [REDACTED], being a defendant in this case, will probably be a witness at the hearing.

Please make available all information you have regarding his activities in racial matters whether or not connected with any organization. The same information should be provided regarding his contacts and members of the Sheriff's posse acting in their official or private capacities. If some or all of this information has already been supplied to us please give us appropriate references to the reports. The information which we receive from you is ordinary classified by us according to subject matter and not according to individuals.

4. How long has the posse been organized and what is its purpose, what has been its function and activities in Dallas County and elsewhere, where there have been recent racial disturbances, such as Birmingham, Tuscaloosa, Oxford, and Jackson. Have any members of the posse been active in connection with the Negro Voter Registration Mass Meetings held in the past several months in Selma, Alabama.

Please make one copy of this report available to Mr. [REDACTED] of our office who will be in contact with your agents in Selma, Alabama during the next week.

JUL 18 1963

Director  
Federal Bureau of Investigation

July 17, 1963  
72-3-45  
13728  
DLN:jma

Burke Marshall  
Assistant Attorney General  
Civil Rights Division

United States v. Dallas County (Alabama)

1471(6)

A hearing on the Government's Motion for a Preliminary Injunction will be held in the above case on July 25, 1963 at Mobile. Mr. Sather of this office will be directing the preparation for this hearing and he and other members of this staff will be in the Montgomery-Selma area beginning Thursday, July 18, 1963.

Please conduct whatever investigation Mr. Sather may direct.

cc: Records  
Chrono  
Doar  
Putzel  
Trial File  
USA