

August 23, 1963

**Harrison Tread, Esquire  
Kilbuck, Tread, Hickey & McCloy  
1 Chase Manhattan Plaza  
New York City 1, New York**

**Edward G. Segal, Esquire  
Schneider, Harrison, Segal & Lewis  
1719 Parkwest Building  
Philadelphia 2, Pennsylvania**

**Lloyd H. Cutler, Esquire  
Wilmer, Cutler & Pickering  
930 Farnsworth Building  
Washington 6, D. C.**

**Gentlemen:**

Enclosed herewith are lists of the members of school boards in seven cities which will undergo some degree of desegregation of public schools in September. These lists also indicate which members of the board are attorneys and list attorneys for plaintiffs and defendants in the desegregation suits.

Sincerely yours,

/s/ Louis F. Oberdorfer

**Louis F. Oberdorfer  
Assistant Attorney General**

East Baton Rouge, Louisiana

Superintendent of Schools: Lloyd L. Lindsey  
East Baton Rouge Parish

Members of the Board:

Ben H. Peabody, President  
Mrs. John E. Cox  
Naylor Cragin  
W. Larry Perkins  
Lloyd J. Rockhold  
Wendell Wally Wells  
\*John S. White, Jr., 210 Court House Office Bldg.  
233 St. Ferdinand St., Baton Rouge 2, Louisiana  
Irving R. Boudreaux  
Albert Troy Furr, Jr.  
James Randall Goodwin  
Thomas A. Montgomery

Attorney for Plaintiff:

John A. Jones  
530 South 13th Street  
Baton Rouge, Louisiana  
A. P. Tureaud  
1821 Orleans Ave.  
New Orleans, Louisiana

Attorney for Defendant:

Jack Gremlion  
Attorney General of Louisiana  
Sargent Pitcher, Jr.  
District Attorney  
E. Baton Rouge Parish

Source: Office of United States Attorney, New Orleans - 8/27/63

\* Lawyer

Charleston, South Carolina

Chairman of School District #20: Lawrence O'Hear Stoney\*  
Stoney & Stoney  
51 Broad St.  
Charleston 3, South Carolina

Members of the Board:

Dr. John C. Hawk, Jr.  
No. 1 Meeting St.

Leonard A. Mackey  
33 Pendleton Street

Hubert Stender, Jr.  
64 Church Street

Mrs. Virginia Hamilton  
117 St. Margaret St.

Attorney for Plaintiff:

Matthew J. Perry  
1107 1/2 Washington St.  
Columbia, South Carolina

Lincoln C. Jenkins, Jr.  
1107 1/2 Washington St.  
Columbia, South Carolina

F. Henderson Moore  
39 Spring St.  
Charleston, South Carolina

Benjamin Cooke  
39 Spring St.  
Charleston, South Carolina

Attorney for Defendant:

Huger Sinkler  
Sinkler, Gibbs & Simons  
23 Broad St.  
Charleston, South Carolina

Charles E. Gibbs  
Sinkler, Gibbs & Simons  
23 Broad St.  
Charleston, South Carolina

Source: Office of United States Attorney - 8/27/63

\* Lawyer

Attorneys For Intervenor

R. Carter Pittman  
Dalton, Georgia

J. Walter Curt  
Savannah, Georgia

Charles J. Block  
Attorney at Law  
Macon, Georgia

George S. Leonard  
Washington, D. C.

Attorneys For Plaintiff

B. Clarence Mayfield  
Savannah, Georgia — 910 W. Broad St. Y

Mrs. Constance Motley  
Atlanta, Georgia 10 Columbus Circle, New York 17 N.Y.

C. Donald Hollowell  
Atlanta, Georgia — 859 1/2 Hunter St. N.W.

Source of Information:

Dr. Thord Marshall  
Superintendent  
Chatham Co. Schools  
Savannah, Georgia  
8/27/63



Savannah, Georgia

Superintendent: Dr. Thord Marshall  
Chatham Co. Schools  
Savannah, Georgia

Members of School Board:

*L. Brown*  
Dr. Barnell, President  
2512 Habersham Street  
AD 6-8221

S. Lee Brewin  
Morel Bldg.  
AD 2-0370

Julian C. Halligan, V. Pres.  
P. O. Box 1  
AD 3-4792

H. L. Jordan, Jr.  
P. O. Box 1006  
AD 2-0106

William S. Wilson  
814 E. 31st Street  
AD 2-7043

B. U. Douglas  
138 Barnard St.  
AD 2-2923

Gene F. Dyar\*  
Industrial Bldg.  
AD 4-4455

Robert M. Sieg  
P. O. Box 715  
AD 2-0121

W. Franklin Prazier  
P. O. Box 429  
AD 4-5101

Sidney L. Raslin  
114 E. Oglethorpe  
AD 6-0241

Mrs. Gertrude W. Javetz  
505 Washington Avenue  
AD 2-1217

Ewell M. Alexander  
P. O. Box 949  
AD 2-7171

Attorneys for Defendants

E. Freeman Leverett  
Deputy Asst. Attorney General  
Elberton, Ga.

Eugene Cook, Attorney General  
of Georgia  
40 Capitol Square  
Atlanta, Ga.

Easil Morris  
Savannah Bank Bldg.  
AD 3-4539

Mrs. Louise Schroeder  
School Board Secretary  
AD 4-3794 or 233-1593

\* Lawyer

Huntsville, Alabama

Superintendent of Education: Raymond Christian  
City of Huntsville

Chairman of the Board of Education: Arnold V. Sneed

Members of the Board:

L. A. Davis  
Milton Frank  
Jammon McKinney, Jr.  
Marvin Drake

Superintendent of Education of Madison County: Nathaniel Almon

Chairman, Madison County Board of Education: L. E. Hereford

Members of the Board:

Herman B. Sanders  
William L. Vaughan  
Donald Spencer  
Atlas Carriger

Attorney for Plaintiff:

Orzell Billingsley, Jr.  
1630 Fourth Ave., North  
Birmingham, Ala.

Peter Hall  
1630 Fourth Ave., North  
Birmingham, Ala.

Attorney for Defendant:

Joe Payne  
Ford, Caldwell, Ford & Payne  
First Federal Building  
Huntsville, Ala.

Ralph L. Ford  
Ford, Caldwell, Ford & Payne  
First Federal Building  
Huntsville, Ala.

R. L. Almon  
Moulton, Alabama

Reid B. Barnes  
Exchange Security Bank Building  
Birmingham 3, Ala.

Source: Complaint filed - 1/18/63

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

# Memorandum

TO : Burke Marshall  
Assistant Attorney General  
Civil Rights Division

DATE: August 22, 1963

JD:lvw

FROM : <sup>JD</sup> John Doar  
First Assistant

SUBJECT:

Last week when Mr. Luney was in here he said that the restaurant across the street from the courthouse in Wilmington, North Carolina was the key to peaceful desegregation and the local police chief had told him confidentially that he felt the New Hanover Bar Association could use its influence to help on the problem.

*Lon J. Doar:*  
*Is there anything*  
*we can do on this?*  
*J*

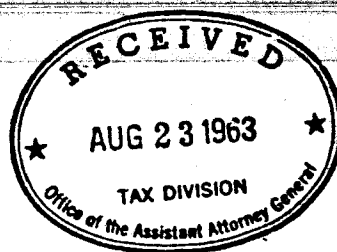


23 August 1963

**MEMORANDUM FOR ASSISTANT ATTORNEY  
GENERAL OBERDORFER**

Is there anything we can do on this?

BM



*I need  
Segal is  
working  
on this.  
J.D.*

*815  
63*

Tax Division  
Assistant  
Attorney General



August 23, 1963

Mr. Marshall

Tweed-Segal is working on this.

LFO

AUG 20 1963

William L. Wilson, Esquire  
President  
Kentucky State Bar Association  
Innocent Building  
Cincinnati, Kentucky

Dear Mr. Wilson:

Thank you for your letter of August 9, 1963, containing a report of the July 26 meeting of the Kentucky State Bar Association. I am forwarding a copy of your letter to Messrs. Harrison Ford and Edward G. Segal, Chairmen of the Lawyers' Committee for Civil Rights under Law.

The record of the Kentucky State Bar Association is a fine one which should be brought to the attention of bar associations in other states.

Sincerely,

  
Attorney General

# KENTUCKY STATE BAR ASSOCIATION

## COMMISSION

ADRIAN H. TERRELL  
CITIZENS SAVINGS BANK  
PADUCAH

MAX S. MARLIN, JR.  
STATE AT TENNY  
DOWLING GREEN

T. C. CARROLL  
SHEPHERDVILLE

ANTHONY R. HELLMAN  
1903 KENTUCKY HOME LIFE BUILDING  
LOUISVILLE

E. BAINES DAVIS, JR.  
P. O. BOX 404  
FRANKFORT

ANDREW W. CLARK  
EDVINSTON TRUST BLDG.  
EDVINSTON

HAROLD E. KELLEY  
16TH AT CENTRAL  
ASHLAND

## OFFICERS

PRESIDENT, WILLIAM L. WILSON  
MASONIC BUILDING  
OWENSBORO

PRESIDENT-ELECT, RAYMOND C. STEPHENSON  
500 COLUMBIA BUILDING  
LOUISVILLE

VICE-PRESIDENT, HERBERT D. BLEDD  
601 SECURITY TRUST  
LEXINGTON

SECRETARY-TREASURER, HENRY H. HARNED  
FRANKFORT

## COMMISSION

MAUBERT R. MILLS  
153 EAST CENTER  
NASHVILLE

WILLIAM E. HUMMAGE  
320 FREDERICKA  
OWENSBORO

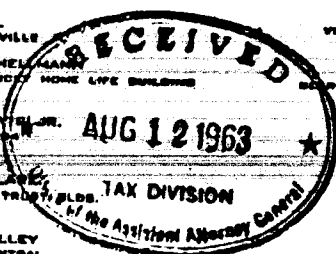
ELIJAH J. BOWEN  
LAWRENCEBURG

MARSHALL P. ELWOOD  
180 NORTH THIRD STREET  
LOUISVILLE

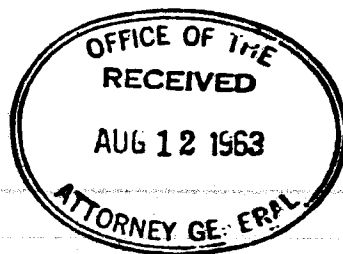
CARL EDEY  
LAWYERS BLDG.  
NEWPORT

AMOS H. EBLEY  
311 CITIZENS BANK BLDG.  
LEXINGTON

GRANT F. KNUCKLES  
ASHER BUILDING  
PINEVILLE



August 9, 1963.



Honorable Robert F. Kennedy  
Office of the Attorney General  
U. S. Department of Justice  
Washington, D. C.

Dear General Kennedy:

I hope you will excuse the delay in my answering your letter of June 28, 1963, however, the matters discussed at the White House on June 21, 1963, in regard to the civil rights program were presented to the Board of Governors of Kentucky State Bar Association at its meeting on July 26, 1963. After that date I was engaged in traveling throughout Kentucky at District Bar Meetings and have just now returned to my office. The meeting at the White House was most impressive and one which I feel will do much good toward securing the aid of the lawyers in the civil rights program. My official action as to the appointment of committees, etc. in the Kentucky State Bar Association is controlled largely by our Board of Governors and partially because of this the matter was discussed with the Board at its above mentioned meeting.

Since 1934 the Kentucky State Bar Association has been an Integrated Bar by act of the legislature. Every lawyer in the State of Kentucky, regardless of race, is a member of the Kentucky State Bar Association and so far as I know or have been able to learn there is not now and has not been for many years any discrimination among the lawyers. No person has been denied legal services because of his race or religion.

The feeling of the Board of Governors is expressed by the following entry in the minutes of the July 26 meeting of the Board of Governors of the Kentucky Bar.

rdg

"President Wilson advised with the Board concerning a communication and request from the President and Attorney General of the United States. Generally, the nature of the subject matter deals with serious problems present in many states and localities with respect to integration, segregation, discrimination and legal aid to the indigent and those unable to obtain representation because of race, creed or color.

After an extended discussion and consideration the Board authorized the entries as follows:

That the Kentucky State Bar Association was integrated by Chapter 30 of the 1934 Act of the General Assembly and Rules of the Court of Appeals. That pursuant to this act and the Rules of Court no discrimination, preferential treatment or other problem exists within the Association.

Further, that the Board will take prompt, definite action in the event such matters come into existence.

With respect to legal aid it was pointed out that, in the history of Kentucky's Judicial System, no individual has ever been denied representation by reason of race, creed or color in civil or criminal cases.

With respect to the foregoing matters the Board of Governors recommends that each individual lawyer, in their respective communities, aid and assist to the fullest extent of their influence and ability, to insure that discrimination be eliminated, violence be prevented; that the laws of our land and the decisions of our Courts may be observed and executed with promptness, fairness and impartiality."

It is my feeling, based upon the observations made throughout a recent tour of Kentucky, that lawyers throughout the state will assume a responsible role in their respective communities in regard to the civil rights program.

Yours truly,



William L. Wilson

WLW:jkg



# New York State Association of Trial Lawyers

INCORPORATED WITH NACCA  
225 BROADWAY  
SUITE 6700  
NEW YORK 7, N.Y.  
WO 6-9674

THE WHITE HOUSE  
JUL 5 9 52 AM '63

RECEIVED

PRESIDENT  
**HERMAN B. GLASER**  
FIRST VICE PRESIDENT  
**AARON J. PROPER**  
SECOND VICE PRESIDENT  
**LOUIS R. HAROLDS**  
THIRD VICE PRESIDENT  
**ABRAHAM MARKHOFF**  
SECRETARY  
**MARIE M. LAMBERT**  
TREASURER  
**STANLEY P. DANZIG**

July 2, 1963

PUBLICATION  
THE PLAINTIFFS ADVOCATE  
**AARON J. BRODER**  
EDITOR-IN-CHIEF

BOOKS AND SEMINAR PUBLICATIONS  
**MELVIN BLOCK**  
EDITOR

NATIONAL PUBLICATION  
NACCA LAW JOURNAL

**ROSCOE POUND**  
EDITOR-IN-CHIEF EMERITUS, DEAN  
EMERITUS, HARVARD LAW SCHOOL

**THOMAS F. LAMBERT, JR.**  
EDITOR-IN-CHIEF

The Honorable John F. Kennedy  
The President of the United States  
The White House  
Washington 25, D.C.

Honorable President Kennedy:

This is a bar association with a membership of approximately 3,000 actively practicing attorneys throughout the State of New York. The members of this association are daily before the various courts and Appellate Courts of the State of New York, the District Courts of the United States and its Appellate Courts, on behalf of their clients who are people from all walks of life, in every kind of civil matter.

It has come to our attention that you have appointed a committee of bar associations in order to study the problems of integration. Being one of the largest bar associations in the State of New York, we were surprised to read that meetings were being held in Washington and our association was not asked to be represented.

We are most interested in the problems of integration and would be honored and pleased to serve on this committee. We feel certain that, with the knowledge and understanding of people gained from the composite years of trial experience which our membership represents, appointment to this committee of a representative of this association would bring to the committee helpful suggestions regarding the many problems of integration.

May we then have the honor of sending a representative to join your other bar association appointees to study the problems of integration.

Most respectfully yours,

  
**HERMAN B. GLASER**  
President

DIRECTORS  
**MELVILLE E. ASHANS**  
**DAVID B. AMPEL**  
**ALBERT AVERBACH**  
**SAMUEL T. BARTER**  
**FRANK R. BAYOGH**  
**MELVIN BLOCK**  
**AARON J. PROPER**  
**M. BERNARD BROWNSTEIN**  
**SEYMOUR L. COLIN**  
**STANLEY P. DANZIG**  
**JAMES DEMFSEY**  
**HERBERT J. DE VANCE**  
**PHILIP F. DICOSTANZO**  
**LOUIS DUBOW**  
**JEROME EDELMAN**  
**GEORGE J. ENGELMAN**  
**WILLIAM J. FLYNN, JR.**  
**HARRY FRACTENBERG**  
**ABRAHAM FUCHSBERG**  
**JACOB D. FUCHSBERG**  
**HARRY A. GAIR**  
**HEINMAN B. GERRINGER**  
**HEINMAN B. GLASER**  
**SAMUEL F. GOLD**  
**LOUIS R. HAROLDS**  
**JEANNETTE H. HARRIS**  
**WILLIAM W. HEISBERGER**  
**HENDENT H. HIRSCHORN**  
**IRVING D. JOSEFSSBERG**  
**ALFRED S. JULIEN**  
**JOSEPH KELLNER**  
**ROBERT KLONSKY**  
**CHARLES KRAMER**  
**MARIE M. LAMBERT**  
**MOE LAVINE**  
**HARRY M. LIPSIG**  
**KENNETH J. LYMAN**  
**PHILIP M. MAGNER**  
**JAMES J. MCMAHON**  
**ABRAHAM MARKHOFF**  
**PAUL O'DWYER**  
**JACOB M. OLSHANSKY**  
**FRANK REISS**  
**JOSEPH L. RUDELL**  
**HARRY R. SCHWARTZ**  
**HAROLD J. SHANNON**  
**MILD THOMAS**  
**CIDNEY TOLMAGE**  
**PAUL N. WELTMAN**  
**EDWARD B. WILLING**  
**LEONARD E. YOSWEIN**  
**HARRY ZEITLAN**

EXECUTIVE SECRETARY  
**SELMA B. LOKITZ**

HBG/edh

AUG 20 1963

**Harmon B. Glaser, Esquire  
President  
New York State Association  
of Trial Lawyers  
225 Broadway, Suite 9701  
New York 7, New York**

**Dear Mr. Glaser:**

This will acknowledge your letter of July 2, 1963, addressed to the President, which he has asked me to answer.

The meeting to which you refer was the White House conference of representative attorneys from all over the country, at which the President, the Vice President and I spoke on the present crisis in civil rights and the necessity for action and leadership in this area among the bar.

At the President's request, Messrs. Harrison Tweed of New York and Bernard G. Segal of Philadelphia have organized a nation-wide Lawyers' Committee for Civil Rights under Law. Although many of the lawyers who have volunteered for service on this committee were present at the White House conference, many others were not.

I am sure that Messrs. Tweed and Segal would welcome your offer of services to the committee and I am forwarding to them a copy of your letter.

Sincerely,

15/

Attorney General

I think there are some States at the present time which will not take this action and I don't think it can be brought about by the local people—for instance, the Negro population, because many of them have been denied the right to register and vote and participate in elections and many of them have been denied an adequate education. Therefore, it is difficult, if not impossible, for them to bring this about in their own locality.

Senator THURMOND. Do you contemplate under this bill that a judge could use contempt powers?

Mr. KENNEDY. Well now, there can be contempt powers, as in any violation of Federal court orders, if there is a violation of a Federal court order there will be contempt procedures.

Senator THURMOND. And that is the way you can punish, can't you?

Mr. KENNEDY. Wouldn't you agree, Senator, that if you have a court order the court order should be obeyed?

Senator THURMOND. I didn't say it shouldn't be obeyed. You said there is no punishment. I said if they are found guilty of contempt, they could be punished.

Mr. KENNEDY. Now what that is, that is not a violation of this law but a violation of a court order, and that is quite different. If they violate a court order, they are in difficulty.

Senator THURMOND. It is all part of the bill and they could be punished and put in prison.

Mr. KENNEDY. But, Senator, it is fundamental, any time anybody disobeys a court order they are in difficulty.

Senator THURMOND. I wonder if you are going to increase the staff of your Civil Rights Division and obtain larger appropriations from the Congress if this bill passes?

Mr. KENNEDY. I am hopeful we will. If this provision and the education provision is passed, I would think that we would probably add about—that we might add approximately 50 lawyers to our staff of the Civil Rights Division.

Senator THURMOND. How many employees do you have now in your Civil Rights Division, and how many of these are attorneys?

Mr. KENNEDY. We have 40 attorneys at the present time.

Senator THURMOND. In the Civil Rights Division?

Mr. KENNEDY. That is right. I imagine there are perhaps 50 non-lawyers.

Senator THURMOND. How large is the staff of the Internal Security Division of the Department of Justice?

Mr. KENNEDY. Approximately the same number, perhaps a little larger.

Senator THURMOND. So you will have as many in your Civil Rights Division as you have in your Internal Security Division?

Mr. KENNEDY. Yes.

Senator THURMOND. Would the local district attorneys be required to handle these matters as a part of their other duties or would they all be handled from Washington?

Mr. KENNEDY. They would be handled in the same fashion we are handling these matters at the present time.

Senator THURMOND. How is that?

Mr. KENNEDY. They will be handled in the same fashion as we are handling them at the present time.

Senator THURMOND. By your district attorneys?

Mr. KENNEDY. In conjunction with the district attorneys.

Senator THURMOND. Would there be a right to a trial by jury if a question as to the facts of any particular case arose?

Mr. KENNEDY. In that connection, Senator, on the jury trial matter—which is a controversial matter, and which was debated to some great extent in 1957—we would be willing to accept and have written into this law the same provision that you have in the 1957 law, which does grant a trial by jury under certain circumstances. If the sentence is more than a 45-day jail sentence and a \$500 fine, the individual would be entitled to a trial by jury.

Senator THURMOND. I am just wondering about your statement on page 8 here. You say white people of whatever kind—even prostitutes, narcotics pushers, Communists, bank robbers, are welcome at establishments which will not admit certain of our Federal judges, Attorneys, and members of our Armed Forces. Now, if this bill passes,

August 21, 1943

Harrison Tread, Esquire  
Hilbert, Tread, Bailey & McCloy  
1 Cross Manhattan Plaza  
New York 1, New York

Bernard C. Segal, Esquire  
Schwimer, Harrison, Segal & Lewis  
1719 Fackard Building  
Philadelphia 2, Pennsylvania

Lloyd H. Cutler, Esquire  
Wilmer, Cutler & Pickering  
900 Farragut Building  
Washington 6, D. C.

Gentlemen:

Per my previous communication, I am enclosing copies of the Attorney General's testimony before the Senate Commerce Committee on July 1, 1943, with reference to the possibility of amending S. 1732 to provide trial by jury.

Sincerely yours,

Louis F. Chandler  
Assistant Attorney General

BIRMINGHAM NEWS  
August 17, 1963

VOICE OF THE PEOPLE—

## Sovereignty Commission Bill Hit

This communication registers a dissent from the views expressed by James A. Simpson and eight other well-known Alabama lawyers in their recent letters plugging for enactment of the bill pending in the Legislature creating a "State Sovereignty Commission."

It has been rumored that the bill's sponsors will attach it to a critical appropriations measure thus minimizing or eliminating debate on the merits of the bill. This bill is patently unwise. It should be exposed to the closest scrutiny through traditional procedures of full committee hearings and debate on the floor of the House and Senate.

Text of the bill was published in The Birmingham News Aug. 9. The "State Sovereignty Commission," provided with an operating budget of \$50,000 per annum and composed of the governor and seven members selected and appointed by him, would have this mission:

"... To do and perform any and all acts and things necessary and proper to protect the sovereignty of the State of Alabama from encroachment thereon by the federal government or by any branch, department or agency thereof and to resist by all legal means, the usurpation by any agency of the federal government or by any organization of rights and powers reserved to the states by the Constitution of the United States. . . ."

If enacted, this bill would spawn a subsidized agency for the exploitation of its sponsors' political philosophy and ambitions. The manner in which the commission's funds are spent to implement its purposes is removed from the scrutiny of an inquiring reporter or curious taxpayer by encapsulating its minutes and records in gestapo-like bindings of secrecy, contrary to uniform statutory policy in the case of proceedings and expenditures of all other state agencies. Hence, the specific destination of the public funds pro-

vided this agency may forever be concealed.

Section 8 of the bill disingenuously provides that "The creation of this commission fixes a policy of the people of the State of Alabama" and thereupon directs full cooperation (meaning, of course, subservience) on the part of all state, county and municipal agencies and educational institutions. The commission would be subject to the complete domination of Gov. Wallace whose views concerning "legal" resistance to valid orders of the federal courts are considerably at variance with those of the attorney general of Alabama. This perhaps explains the current attempt to sabotage the attorney general's historic responsibility to represent Alabama's position in the courts vis a vis the federal government or any other litigant. In any event if this bill is approved we can anticipate repetition of threadbare little minuets in schoolhouses such as the one recently staged by the governor at the door of the University of Alabama.

That the Constitution is not a compact of separate sovereign states but an act of the people—an indissoluble union of people, not of states—is a basic principle of our American political heritage. Yet implicit in the legislation creating the Alabama Sovereignty Commission and in the governor's defiance of the Supreme Court's decision in the Schempp case (Bible readings in public school) is the theory that the Constitution is a treaty among sovereign states, and therefore that the states or their Legislatures are to be the final judges of their own powers and those of the national government. Such echoes of nullification and interposition are denied by the massive weight of our history and experience as a united people, including the verdict at Appomattox, and fortunately such resurrection of the voice of John C. Calhoun is less often heard with each passing day.

In a timely article in The New York Times Magazine of Aug. 4, the historian Henry Steele Commager attributes the South's loss of the Civil War to three fundamental causes, viz: (1) Its lack of a sense of nationalism, (2) the issue of states' rights (permitting, for example, the states of Georgia and North Carolina to retain in their warehouses, a large surplus of blankets, shoes and uniforms at a time when "Lee's Miserables" were going barefoot and freezing in the trenches of Petersburg) and (3) slavery. Commager concludes as follows:

"The Confederacy, which was founded on state sovereignty, was destroyed by state sovereignty. The Confederacy, which was founded on slavery, was destroyed by the state of mind which slavery imposed on its other victims—the white people. The failure of the Confederacy was ultimately a monument not to a failure of resolution or courage or will, but of intelligence and morality."

There is a moral here, even for our own time, the author points out.

PAUL JOHNSTON,

First National Building.

(Editor's Note: Section 8 has since been amended in the Senate bill to delete certain requirements as to cooperation with the commission and policy-making for the state. Also deleted, an earlier phrase regarding "other powers." The remainder of the bill remains the same. The House sovereignty commission bill already had been passed including those sections.)

August 19, 1963

Harriett Tread, Esquire  
Millmont, Tread, Bailey & McCloy  
1 Chase Manhattan Plaza  
New York City 1, New York

Edward G. Segal, Esquire  
Schneider, Eisenman, Segal & Lewis  
1719 Rittenberg Building  
Philadelphia 2, Pennsylvania

Lloyd M. Collier, Esquire  
Wilmer, Collier & Pickering  
900 Farragut Building  
Washington 6, D. C.

Continued:

557  
Enclosed is Paul Johnston's letter in answer  
to the letter which appeared in the Birmingham News  
showing the signature of James A. Simpson, et al. This  
is a copy of the clipping from the Birmingham News of  
August 17, 1963.

Sincerely yours,

Signed Louis F. Oberdorfer by  
Louis F. Oberdorfer  
Assistant Attorney General



**DESEGREGATION OF PRIVATELY OWNED PUBLIC  
FACILITIES BY CITIES AS OF SEPTEMBER 6, 1963**

	Prior to May 22	Since May 22 Reported as of		Total to date
		July 26	Sept. 6	
Theaters desegregated	103	118	142	245 cities
Restaurants desegregated	142	101	126	268 cities
Hotels desegregated	153	36	56	209 cities
Lunch counters desegregated	205	80	98	303 cities

The breakdown into categories today compared with June is as follows:

<u>Category</u>	<u>June 4</u>	<u>July 26</u>	<u>Sept. 6</u>
Category 1 - cities in which changes have been made or could be made immediately	90	248	292
Category 2 - cities in which changes could be made through coordination among business groups and local leadership	49	113	134
Category 3 - cities in which changes will be more difficult	34	85	119
Total	<u>173</u>	<u>436</u>	<u>545</u>

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

# Memorandum

TO : Mr. Robert F. Kennedy  
Attorney General

DATE: September 6, 1963

1. F. O.  
by CCI  
FROM : Louis F. Oberdorfer  
Assistant Attorney General

SUBJECT: Report of Desegregation Activity

1. Latest Statistical Analysis.

We have surveyed 566 cities in the Southern and Border states, with primary attention given to the 476 cities in this area with a population of over 10,000.

Our survey shows substantial gains have been made in this area in the desegregation of restaurants, hotels-motels, theaters, and lunch counters. In 356 cities, or 63% of the total surveyed there has been substantial desegregation of at least one type of such facility, and a significant amount of this progress has occurred since the President and yourself began your meetings with the business community last May. Our latest tabulation of results is shown on the attached statistical summary.



215 Constitution Ave, NE  
Washington D.C.  
August 10, 1963

Hon. Robert Kennedy  
Attorney General of the United States  
Justice Department  
Washington D.C.

OFFICE OF  
RECEIVED

AUG 13 1963

Dear Sir:

I understand that more than 160 lawyers have volunteered to step in as attorneys and mediators in time of crisis as part of the Lawyers' Committee on Civil Rights recently formed pursuant to President Kennedy's request.

As an attorney and professional engineer, I would very much like to volunteer my services to this Committee. However, since I am employed on the legal staff of the United States Securities and Exchange Commission, there may be some problems. Do you know of any reason why government attorneys would be prohibited from joining this worthy cause?

I would very much appreciate hearing from you in this regard.

Sincerely,

*Stephen F. Owen Jr.*  
Stephen F. Owen Jr.

*ola*

Mr. John E. Nolan, Jr.  
Executive Assistant to the Attorney General

August 19, 1963

EBS:mno

Edward S. Smith  
Assistant for Civil Trials, Tax Division

**Lawyers Civil Rights Correspondence**

For your information there is attached a copy of our main memo for handling the Lawyers Correspondence.

Unless you indicate otherwise, during Mr. Overlander's absence the staff will be instructed to substitute you for him in this chain.

A reply to the attached letter from Mr. Stephen F. Oum, Jr., appears to require attention of Legal Council. I think Fured and Segal would not as a practical matter encourage membership by government employees.

AUG 15 1963

John H. Pratt, Esquire  
President  
District of Columbia Bar Association  
Washington Building  
Washington 5, D. C.

Dear Mr. Pratt:

Your comment on the opening page of the  
August District of Columbia Bar Association Journal  
has been brought to my attention.

You stated very well, I thought, the  
particular responsibility and ability that lawyers  
have in matters of public concern, such as the  
present crisis in civil rights.

Sincerely,

15

Attorney General

Mr. Smith

## The President's Page

The past several weeks have largely been concerned with the appointment of committee chairmen and the organization of the committees which will function during the coming year. I am happy to say that all appointments of chairmen have been completed and am grateful for the genuine spirit of cooperation which has been helpful and encouraging. To mention only two appointments, Jim Stoner, past Junior Bar Chairman and present Chairman of the Junior Bar Conference of the ABA, will be in charge of Programs and Bob Barker has again agreed to head the Committee on Pending Legislation, which, as we all know, has its hands full in working for the adoption by this Congress of numerous important bills sponsored by the Association. The committee assignments are well along and will be published in the September Journal.

In late June, I attended the meeting of some 244 lawyers called by the President of the United States to discuss the matter of civil rights for Negroes and to ask the assistance of the organized bar in helping to solve these problems at the community level. Substantial progress has been made toward the elimination of racial discrimination in the District of Columbia, but much remains to be done. We as professional people, dedicated to the improvement of justice for all people, can and should continue our efforts to improve these conditions in this area. We are lawyers and, more than most persons, subscribe to the tenet that ours is a government of laws and not of men. The recent actions of the 5th Circuit Court of Appeals, for me, are a good example.

Oliver Gasch, Vice President of our Association, and I will attend the ABA meeting next month. While Chicago in August, even for a few days, is not the ideal summer resort, both of us expect to put in a full appearance and, hopefully, to learn something which will be to the benefit of our Association. I hope all of you have an opportunity to have pleasant vacations.

JOHN H. PRATT

AUG 15 1963

Robert D. Gott, Executive  
Executive Secretary  
Utah Citizens Organization for Civil Rights  
1699 Brynmore Lane  
Salt Lake City 27, Utah

Dear Mr. Gott:

Thank you for your letter of June 13,  
1963.

As a result of the President's conference  
on June 21, 1963, with leading lawyers from all  
points of the United States, a Lawyers' Committee  
for Civil Rights under Law has been formed, at the  
President's request. The prominent lawyers of the  
bar, including David of New York and Bernard G.  
Sokol of Philadelphia, as chairman, are rapidly  
organizing this committee.

One of the functions of the committee is  
to initiate voluntary committees through lawyers  
in situations such as that described by you.

I am forwarding a copy of your letter to  
Messrs. Tolson and DeLoach. Be sure you will hear  
from them or a number of their committee in the  
near future.

Sincerely,

151

Attorney General

The purpose of the organization is to achieve, by education and legal action, equality of opportunity and treatment for all persons in Utah regardless of race or creed.

#### OFFICERS

RICHARD F. SHERWOOD  
President

MRS. C. H. H. BRANCH  
Vice President

HENRY Y. KASAI  
Treasurer

LEE WACKER  
Secretary

Past Presidents

MILTON WEILENMANN  
RAYMOND S. UNO

## Utah Citizens Organization for Civil Rights

ROBERT D. GOFF  
Executive Secretary  
1899 Sycamore Lane  
Salt Lake City 17, Utah

#### DIRECTORS

BEN M. ROE

MRS. J. F. BREWSTER

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MRS. T. W. RICHMOND

DR. H. L. MARSHALL

DR. F. D. WORMUTH

MRS. GRACE BYWATER

REV. S. A. KATSARIS

June 13, 1963

Honorable Robert Kennedy  
U. S. Attorney General  
Department of Justice  
Washington 25, D. C.

Dear Mr. Attorney General:

CONGRATULATIONS to you and the President for your current efforts in behalf of civil rights! Do continue them.

In support of the President's speech to the Mayors in Honolulu on June 9, we submitted to our Mayor and City Commissioners on Monday, June 10, a model civil rights ordinance, which we had secured from the Anti-Defamation League. The Mayor referred the ordinance to the city attorney, who promptly ruled that any civil rights proposal was beyond the legal power of the city commission to enact. He based his ruling on the so-called "Dillon's Rule", a very narrow legalistic interpretation of a city's legislative authority.

As I understand, (not being a lawyer,) the usually applied Dillon's rule insists that cities have only the narrowest of powers. This interpretation has been applied in our case by our city attorney. However, I have been told that segregation ordinances, such as have been passed by many southern cities, are based upon a much broader interpretation of city legislative authority, such as the police power.

It would seem only logical that the integration ordinances called for by the President should similarly be based upon the police power -- a broad interpretation of city legislative authority, rather than the narrow interpretation imposed by Dillon's rule.

You could help us tremendously, perhaps decisively, to implement the President's request for enactment of basic civil rights legislation on the city level by furnishing us an adequately documented brief, supporting the legality of civil rights legislation on the city level. This should cite specific ordinances, especially those that have survived court tests. With such a brief, we believe we could persuade our city commission to enact this badly needed legislation; without such a brief, we are stymied. *Our situation may be typical.*

JUN 28 1963

144-77-0

JUN 17 1963

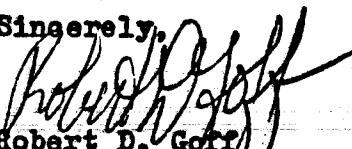
CIVIL RIGHTS

Gen. Lt. Sec.



We in Salt Lake City and Utah are lost in the wilderness of prejudice. Our President has issued the call; we sorely need your compass to give us direction.

Sincerely,

  
Robert D. Goff  
Executive Secretary

I like to patronize businesses that  
employ and serve all races and  
creeds in all capacities.

AUG 5 1963

Mr. Fred B. Gray  
34 North Perry Street  
Montgomery 4, Alabama

Dear Mr. Gray:

Thank you for your letter of July 22, with its report on the situation in Montgomery.

We are glad to learn of your willingness to work for the establishment of a bi-racial committee in your community. We agree with you that the formation of such a committee would be a valuable first step toward the solution of the difficult racial problems which exist there.

We are getting in touch with Messrs. Harrison Tued and Bernard Segal of the Lawyers' Committee on Civil Rights Under Law to let them know about the existence of racial barriers in Alabama bar associations and about your availability for work on a local committee of lawyers. You should be hearing from them shortly.

We are very grateful to you for your useful assistance in this matter.

Sincerely,

15/  
Attorney General



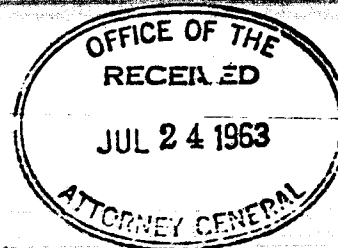
LAW OFFICES  
**FRED D. GRAY**

263-0360

34 NORTH PERRY STREET  
MONTGOMERY 4, ALABAMA

July 22, 1963

Honorable Robert Kennedy  
Attorney General  
Washington, D. C.



Dear Sir:

This is to thank you for your letter of June 28 and to express my appreciation for having been invited to attend the meeting at the White House on June 21.

With reference to my comments on certain conditions which exist in my community, in Montgomery we have race-relations problems of every kind and description. Segregation is found in all public accommodations except transportation. There is segregation in employment in all City, County and State facilities. The public parks of this City were closed some years ago in order to prevent integration of them.

In the absence of some direct action, I see no changes to be made in these conditions in the near future.. I do feel, however, that there is a possibility that some change may be brought about by coordination among community groups and the local government. Representatives from the local Negro community has on several occasions, one committee as recent as last week, petitioned the City Government to establish a bi-racial committee to work on solving these problems. ✓

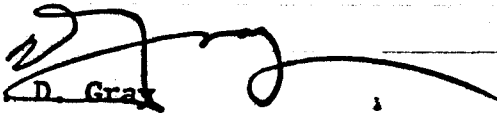
There is no local lawyers' committee working on these problems. Speaking for the Negro attorneys practicing in Montgomery, I can state that we would be most happy to work on such a committee in connection with these problems. Incidentally, by constitution of the Montgomery Bar Association, its membership is restricted to persons of the White race. This is true of the local Bars in most of the cities throughout the State. ✓

TJS

I would consider it an honor to work with you and any agency of the Government in connection with bringing to an end segregation in the various accommodations, and to do so in the traditional American way.

If I can be of any assistance, please feel free to call on me.

Yours very truly,

  
F. D. Gray

FDG/bg

AUG 5 1963

Louis Hoffman, Esq.  
Dudley, Hoffman, Price & Grewert  
P. O. Box 717  
St. Thomas  
Virgin Islands

Dear Mr. Hoffman:

Thank you for your letter of July 19, and the enclosed copy of the Civil Rights Act of the Virgin Islands. Your report on the status of race relations in your area is very encouraging. We are happy to have it.

We are glad to hear that you will be able to work with the committee which Bernard Segal and Harrison Tweed have formed. We are convinced that this group will make very significant and valuable contributions to the solution of the grave racial relations problem which confronts us all.

Many thanks for your assistance.

Sincerely,



Attorney General

**DUDLEY, HOFFMAN, PRICE & GRUNERT**

**COUNSELLORS AT LAW**

**P. O. BOX 717, ST. THOMAS, VIRGIN ISLANDS**

**CABLE ADDRESS "DUMAN"**

**TELEPHONE: 774-1220  
774-1221**

**GEORGE M. T. DUDLEY  
LOUIS HOFFMAN  
DONALD E. PRICE  
RICHARD E. GRUNERT**

**OFFICES  
GRAND HOTEL BUILDING  
CHARLOTTE BRADY, ST. THOMAS, V.I.  
26A COMPANY STREET  
CHRISTIANSTED, ST. JOHN, V.I.**

**July 19, 1963**

The Honorable Robert F. Kennedy,  
Attorney General of the United States  
Washington, D. C.

Re: Lawyers Committee for Civil Rights Under Law: 22 1963  
White House Meeting, June 21, 1963

Dear Mr. Kennedy:

Thank you for your letter dated June 28, 1963.

I had already volunteered my services to the Committee,  
and today received a letter from Messrs. Tweed and Segal,  
dated July 1, in reference to the Committee's plans.

You requested comment on various phases of race-relations  
in this area. I am fortunate to be able to report that this  
problem does not exist in any substantial degree in the Virgin  
Islands. Of course minor problems do arise from time to time,  
but they are aired, and disposed of in a friendly and co-  
operative manner. I would vouchsafe to say that the Virgin  
Islands is one of the few places under the American flag where  
integration is a reality and accepted by all. We do have a  
strong Civil Rights Act, copy of which is enclosed, i.e. Act  
710, approved June 9, 1961.

For your further information, I am pleased to advise  
that the President of the Virgin Islands Bar (Integrated)  
has designated me to act for the Bar in full co-operation  
with the President's Committee. I of course will keep the  
Bar informed, and as the necessity arises, call upon its  
members to assist in this worthwhile effort.

Sincerely yours,

*Louis Hoffman*  
Louis Hoffman

LH:gl  
Enc.

The Honorable Robert F. Kennedy - 2 -

July 19, 1963

cc: Harrison Tweed, Esquire  
Chase Manhattan Plaza  
New York 5, New York

Bernard G. Segal, Esq.  
Packard Building  
Philadelphia 2, Pa.

Russell B. Johnson, Esq.  
President, Virgin Islands Bar (Integrated)  
26 Company Street, Christinstd  
St. Croix, Virgin Islands

Hon. Ralph M. Paiewonsky  
Governor of the Virgin Islands  
Government House  
St. Thomas, Virgin Islands

Enclose a news clipping  
~~from the New York Journal~~  
really infuriated me. Is there  
any way to "set the record  
straight" on this lawyers' meet-  
ing - as far as our local press  
is concerned? Was any nearby  
S. D. lawyer there who could  
write a "Letter to the Editor" and  
clear up some of the very false  
and slurring remarks made  
by Brennan?

Since both the National  
Council of Churches and Catholic  
leaders have urged support of  
the Aug. 28 March, the last  
statement is utterly false -

Thank you for all you and  
the President are doing! But  
please do all you can! There is  
a terrible urgency about this -  
I agree with James Baldwin about this -  
Most sincerely, Mary <sup>Zimmerman</sup> Mrs. G.A.





#### CLUB OFFICERS

President ..... Walt Matson  
Secretary-Treasurer ..... Don Varcoe  
Sergeant-at-Arms ..... Fred Hunter  
Chaplain ..... Rev. Otto H. Lehner  
Song Leader ..... Scoop Lervag

#### BOARD OF MANAGERS

Chris Hoeeth ..... 3 years  
Duane Walrafen ..... 3 years  
Bruce Lien ..... 3 years  
Dick Berry ..... 2 years  
Richard Kahier ..... 2 years  
Bob Larson ..... 2 years  
Don Shultz ..... 1 year  
Richard Erdmann ..... 1 year  
James Keck ..... 1 year

FOR: Monday, July 15, 1963

PROGRAM: Walt Matson and Chuck Laws will report on the Interantional Cosmopolitan Convention which they attended at Saskatoon, Canada. This should be interesting... Several members are wondering if there might have been any Christine Keelers' in attendance, if so what results and all the gory details connected therewith. Mrs. Matson being present, I would imagine Walt behaved... as to Laws, there is absolutely no evidence we can find to clear or convict, so until we can dig up some further evidence, I suggest we put him on probation.

LAST WEEK:

James Brennan was guest speaker. He was one of a group called to Washington to discuss pending Legislation on segregation. In his opinion some law will be passed along this line, but that the Private Accomodation section may run into trouble.

I don't think there are 5% of the American people who would wish to deprive any minority group of any of the privileges to which they are entitled as Americans, but I also think that a group of "do-gooders" have blown up a lot of little mole-hills into oversize mountains on this segregation issue and as a consequence we are confronted with riots throughout the land...

GUESTS:

Lowell Holmgren - Robert Tomishima  
C.O.D. Bill Kilroy - James Brennan  
C. W. Laws - Mr. Gus Utke and his son Bob from Milwaukee.  
Mr. Utke is a past President of Cosmo International and his son is the present Chaplain of same.  
Bill Noordermer - Cliff Anderson  
Dick Erdman - Dale Yeoman and Tom McKiernan

MR. X :

Cy Pettigrew

MR. LUCKY: Martin Westberg

NOTES:

Theron is in Hawaii cavorting around with short grass skirts... I should add, as short as Mary will permit, so substitute Hunter was asked to fill in on a quickie.

Signed: Hunter

This man Hunter "got in his kicks while we were in Hawaii on vacation. My husband is normally the editor of this little rag!"

Albers, Harry J.	Electrical Contractor	2-4438	Box 1625
Appleton, Vernon	Grocery Manager	2-1141	411 2nd St.
Armstrong, Wayne K.	Chief of Police	2-2215	429 4th St.
Armstrong, Donald	House Painter	2-1524	Box 470
Bakken, Frank C.	Architect	2-1126	200 1st St.
Bakken, John	Architect	3-8140	4118 Minnesota St.
Barber, G. E. (Puck)	Stationery Supplies Retail	2-8310	Box 1990
Behrens, Harry C.	Barberian	3-0145	Box 1055
Berry, Richard J.	Banking	2-3802	623 W. Blvd.
Blumenthal, Abe	Ladies Apparel	2-0247	902 Fallon
Brown, Eldon A.	Shoe Retail	2-7637	903 St. Francis St.
Brinkman, Ray L.	Wholesale Paper	2-9220	145 Indiana St.
Brown, Charles Dr. (Chuck)	Optometrist	2-3245	316 6th St.
Clapp, James W.	Attorney	2-0502	Box 827
Colerick, Lloyd S.	Toys, Hobbies, Crafts	2-6770	522 St. Joe St.
Crowley, Jack L.	Radio Broadcasting	2-3501	3714 W. St. Louis St.
Davis, David L., Jr.	Contractor Consultant	2-6567	Box 1369
Davies, John L.	Appraiser	2-8143	2701 Grandview Dr.
Ditty, Robert L.	Construction Commercial	2-1501	Box 1290
Ditty, Robert L. (Ed)	Sporting Goods	3-9345	2941 W. St. Anne St.
Dunham, George F.	Mechanical Engineer	2-4174	502 West Blvd.
Dunham, Richard C., Dr.	Entrepreneur	2-3908	419 Robbins Drive
Dyer, Charles W.	Job Printing	2-1907	31 East Omaha St.
<hr/>			
Gall, Raphael	Bowling Alley	3-5985	3608 Brookside Drive
Gore, Glen	Retired	2-5128	1210 East St. Anne St.
Gill, Fred	County Auditor	3-2343	3305 West Main
Glickman, Ralph W.	Men's Clothing	2-4432	Box 1414
Glickman, Ralph W. (Sam)	School Bus. Manager	2-0474	2127 4th Ave.
Goward, William A.	Auto Supplies	2-9100	462 E. College
Haggen, Rodney W.	Counselor	2-2990	812 St. Anne St.
Hart, Chester	Automotive Sales (Omaha)	393-1700	14 Montana
Hight, Robert L.	Barber	2-9659	814 N. Maple St.
Holmberg, Lowell	Photo Offset Printing	2-3979	Box 871
Hoseth, Chris D.	Auto Electric Supplies Wholesale	2-8421	727 Franklin St.
Hunter, Fred	Retired Rancher	2-1096	513 East Ohio
Johnson, LeRoy D.	Seed Milling	2-6172	Box 431
Kahler, Ernest J.	Retired	3-4252	Rt #1 Box 530
Kahler, Richard	Real Estate	2-3423	Box 1531
Kick, James V.	Life Insurance	2-5793	Box 1468
Kiel, Leslie H.	Florist Retail	2-7500	Box 143
Kilroy, William J.	Trust Officer	2-5600	219 Cleveland
Kramer, Robert J.	Lumber Retail	2-4340	1616 Palo Verde
Larson, Robert P.	Plumbing & Heating Wholesale	2-2343	421 Maple St.
Laws, J. W.	Savings & Loan	2-1524	815 St. Joe
Lee, Rudolph	Construction Engineer	2-4617	912 Franklin
Levine, Otto H.	Minister	3-6029	324 E. College St.
Lewand, A. W. (Scoop)	Wholesale & Retail Meats	2-5390	618 Omaha St.
Lien, Bruce H.	Warrior	2-7224	Box 1072
Maher, Clarence	Portraits	3-6140	632 St. Joe St.
Magnuson, Bill	Investments	2-6700	Box 412
Mattson, Walter A.	Sheet Metal Contractor	2-0532	Box 329
Mayer, Frank M.	Radio Technician	2-5580	511 St. Joe St.
McFall, Ernest E.	Lumber Wholesale	2-7000	Box 695
McKinstry, Delmar	Hotel Operator	2-1210	Sheraton-Johnson
McKinnon, Lawrence	Soft Drink Bottling	2-2592	337 E. St. Patrick St.
Moore, Robert W.	Manager Telephone Co.	3-2964	Box 411
Molson, Ralph C.	Gas and Oil Wholesale	3-1463	Box 847
Moran, Fred E.	Sporting Goods, Retail	3-4330	Box 62
Neidermeyer, Bill	Park Superintendent	2-3776	136 E. Van Buren
Owen, Larry	Chamber of Commerce Manager	3-1744	428 1/2 St. Joe St.
Pattison, Cyrus A.	Floor Covering Retail	2-5943	2102 4th Ave.
Phillips, James	Gas Utilities	2-0160	Box 349
Plummer, Lester B.	Dry Cleaner	3-2725	Box 989
Pohl, Sherman	Heavy Construction Equipment	2-5694	Box 1689
Prunty, Earl R.	Counselor, High School	2-4752	312 42nd St.
Ray, Charles J., Dr.	Dentist D.D.S.	3-2543	Box 446
Reaves, David E.	Candies & Tobacco Wholesale	2-5590	Box 1808
Rivkin, Myron A.	Military & Surplus Goods	2-7750	Box 1406
Rochester, Lowell	Wholesale Paint	2-3093	1908 W. St. Joe
Rosenbaum, Walter F.	Signs	2-0481	Box 987
Ross, Robert F.	Real Estate	2-9112	Box 1208
Ryerson, Lloyd	Tires Retail	2-5700	Box 1107
Schall, George	Bonds & Casualty Insurance	3-0411	808 St. Joe St.
Schmidt, Warren L.	Loans	2-2731	Box 1512
Schneider, Alex F.	Music Store Retail	3-2901	Box 870
Scholl, Ted G.	Home Development	2-1604	Box 324
Schubert, Wilfred E.	Banking	2-5000	5020 Pierre St.
Short, Frank E.	Certified Public Accountant	2-9345	Box 968
Shoun, Ralph V.	Hardware Retail	2-0769	Box 812
Shulic, Donald B.	Attorney	3-0133	613 St. Andrew
Simpson, Jack	Newspaper Reporting	2-0280	10 Neptune Drive
Smith, Gerald W.	Variety Store	2-1313	619 Main
Stechler, Lloyd	Auto-Retail	3-2450	Box 2066
Stoltz, Raymond	Hardware	2-1564	625 6th St.
Stout, John	General Merchandise Retail	2-2161	916 Franklin
Thompson, John E.	Photography	3-5937	614 St. Joe St.
Thompson, Charles T.	Park Credit	2-3900	3320 Cottonwood St.
Thompson, Donald M.	High School Principal	2-4777	118 Franklin St.
Thompson, L. Duane	Electric Power and Light	2-3200	1209 St. Andrew
Wade, Raymond L.	Chemicals	2-7644	1733 W. Rapid St.
Wagner, Carl G.	Retired	2-2329	3239 Dover St.
Watt, John	Life Insurance	3-2544	Box 704
Wendert, Martin J.	Electric Power & Light	2-3200	222 Franklin St.
Wendert, Martin J.	Men's Clothing	2-0127	Box 1672

# 1. ACTIVITIES COMMITTEES

## A. Cosmo Follies Committee

### Promotion Chairman - George Schmid

Walt Rosenbaum  
Don Larson

### Target Sales Chairman - Frank Aukerman

John Wessinger  
Warren Schmidt  
Curt Espe  
Chairman - Harry Behrens  
Walt White  
Randy Lee  
Ralph Nelson  
Box 1000 Chairman - Clarence Mahon  
Bruce Len  
Del McKinstry

### B. Youth Project Committee

Chairman - Rodney Haight  
Sam Glaim  
Don Varcoe

### C. Cosmo Treats

Chairman - Lowell Rochester  
Ray Brinkman  
George Dunham

### D. Boy Scout Troup Committee

John Olfert

## 2. PROGRAM COMMITTEE

Chairman - Gerry Ashmore  
Assistant Chairman - Dick Berry  
February - March  
Ed Dull  
Chas. Undlin  
April - May  
Ralph Nelson  
Ernie Kahler  
June - July  
Bill Kilroy  
George Schmid  
August - September  
Bob Moats  
Chris Moats  
October - November  
Dick Erdman  
Jim Keck  
December - January  
Dick Kahler  
Rodney Haight

## 3. PUBLICITY COMMITTEES

### A. Local Publicity

Chairman - Clarence Mahon  
Jack Erdmann  
Bill Kilroy  
Jack Simson

### B. International Publicity

Chairman - Fred Hunter  
Jack Tschurmer  
Les Kiel

### C. Cosmo Rays

Chairman - Theron Zimmerman  
Otto Lohner

## GROUP III - CLUB ACTIVITIES COMMITTEES

### Bob Duly - Co-ordinating Chairman

## 1. CLASSIFICATION COMMITTEE

Chairman - Duane Walrafen  
Don Varcoe  
Alex Schneider  
Eldon Bowen

## 2. INTERCLUB EXTENSION COMMITTEE

Chairman - Ralph Williams  
Charles Ray  
Webb Veir  
Abe Blumenthal

## 3. MEMBERSHIP COMMITTEE

Chairman - Jim Keck  
Martin Yestberg  
Dick Berry  
Abe Blumenthal  
Henry Baker  
Chris Moats  
Duane Walrafen  
Don Shultz

## 4. ATTENDANCE COMMITTEE

Chairman - Don Shultz  
Ralph Shoun  
Ray Stoltz  
Maynard Warner  
Milt Magnuson  
Scoop Lewyag  
Lloyd Strickberg  
Ralph Gaudin

## 5. SOCIAL COMMITTEE

Chairman - Bob Rossum  
Bob Moats  
Charles Undlin  
Jack Crowley  
Buck Barber

## GROUP III - CLUB OPERATIONS COMMITTEES

Don Varcoe - Co-ordinating Chairman

## 1. AUDIT AND FINANCE COMMITTEE

Chairman - Frank Short  
Walter Shoberg  
LeRoy Johnson

## 2. YOUTH WELFARE COMMITTEE

Chairman - Webb Veir  
Myron Rivkin  
Earl Prunty  
Wayne Armstrong  
Ted Scholl

## 3. POINT RATING COMMITTEE

Chairman - Ralph Swenson  
John Davies  
Fred Gibbs

## 4. WELCOME COMMITTEE

Chairman - Dave Reaves  
Les Florman  
Ernie Kahler  
Bill Goerndt  
Thos. Gall  
Dave Davies  
Chet Harris

## 5. CLUB WELFARE COMMITTEE

(Flower Fund, Etc.)  
Chairman - Dick Erdmann  
Les Kiel  
Ted Scholl

## 6. SALVATION ARMY BELL RINGING COMMITTEE

Chairman - Dick Kahler



(BILL 1433)

No. 710

(Approved June 9, 1961)

FOURTH LEGISLATURE OF THE VIRGIN ISLANDS  
OF THE UNITED STATES

*Regular Session*

AN ACT

To Amend and Revise Title 10 of the Virgin Islands Code Relating  
to Civil Rights.

*Be it enacted by the Legislature of the Virgin Islands:*

Section 1. Title 10 of the Virgin Islands Code, relating to Civil  
Rights is hereby amended and revised to read as follows:

Title 10 — CIVIL RIGHTS ACT

Chapter 1. *Equal Rights of All Persons  
Against Discrimination*

SECTION ANALYSIS

1. Statement of public policy.
2. Definitions.
3. Rights of persons; prohibition against discrimination.
4. Filing information as to club facilities, licenses, charges,  
etc.; determination and registration.
5. Tuition charges by parochial or denominational schools;  
admission to religious bodies maintaining schools.
6. Enforcement by Commissioner of Public Safety.
7. Penalties for violations.
8. Revocation of license by District Court; procedure.
9. Revocation of license and tax exemption by Governor.
10. Construction of Act.

§ 1. Statement of public policy

Whereas this Title 10 is enacted under the police power of the  
Territory of the Virgin Islands, for the protection of the public  
welfare, order, health, safety, and peace of all of the people there-  
in; and

Whereas the Legislature finds and hereby declares that practices

of racial discrimination against any of the inhabitants of the Virgin Islands because of race, creed, color, or national origin not only threatens the rights and proper privileges of its inhabitants but menaces and threatens the foundations of a free and democratic territory and menaces and threatens the peace, order, health, safety, and general welfare of its inhabitants; and

Whereas it is the cultural and democratic heritage of the people of the Virgin Islands to respect the human and civil rights of all people and to judge all persons according to their individual merit without reference to race, creed, color, or national origin; and to cherish the racial equality, harmony, and good will that exists in the Virgin Islands; and

Whereas racial discrimination, segregation, and other forms of bias and bigotry are not part of the way of life of the people of the Virgin Islands:

Now, therefore, It is declared to be the public policy of the Virgin Islands that all natural persons within its jurisdiction shall be entitled to the full and equal accommodations, advantages, facilities, and privileges of any place of public accommodations, resort, or amusement, and to the equal opportunity and treatment in employment in any and all businesses and industrial establishments, and to membership in all labor organizations, and to equal privileges in the purchase, lease, or rental of real estate, and in the purchase of any commodity or service offered for sale; subject only to conditions or limitations imposed by law and applicable in like manner to all persons.

In order to implement this public policy, it is the intent of this Act to prevent and prohibit discrimination in any form based upon race, creed, color, or national origin, whether practiced directly or indirectly, or by subterfuge in any and all places of public accommodations, resort, or amusement, and in all sales of real estate, goods, articles, accommodations, commodities, or services, and in the employment of persons, or their working conditions, or obtaining union membership, and to prohibit clubs from establishing a private clientele of either members or guests, which they have selected, and with which persons alone will they transact their business and commerce.

## § 2. Definitions

As used in this Act —

"discrimination" includes refusal of sale or service, employment,

or of setting up different standards in any of these, or segregation, based on race, creed, color, or national origin.

"place of public accommodation, resort, or amusement" means any place where food or drink is sold, or rooms rented, or charge is made for admission or service, or occupancy or use of any property or facilities, including but not limited to inns, hotels (whether conducted for the entertainment of transient guests or for the accommodation of those seeking health, recreation, or rest), taverns, road houses, rooming houses, restaurants, eating houses, or any places where food is sold for consumption on the premises, buffets, saloons, barrooms, parks or enclosures where food, spirituous or malt liquors, wines, soft drinks or beer are sold; bathing houses, beaches, swimming pools, barber shops, beauty parlors, soda fountains, drink parlors of all kinds, shops, stores, gardens, amusement and recreation parks, theaters, golf courses, public and private schools, clubs (if food, drink or other commodities are sold there), public conveyances operated on land or water or in the air as well as the stations or terminals thereof, or any hospital, sanitarium, dispensary, or clinic.

"club" means any association of individuals banded together by their free accord for any lawful purpose. The provisions of this Act shall not bar any club organized and operated exclusively for pleasure, recreation or other noncommercial purposes, which is supported by or derives its funds entirely from dues and contributions from its membership. This Act does not prohibit such lawful private clubs; it does not regulate their free selection of club membership; and does not restrict their freedoms of choice or association. This Act does, however, prohibit such clubs, along with all other persons, from selling, leasing, or renting real estate, and from entering the field of business and commerce by selling food or drink or any other commodity or charging for the use of any beach or other club facility or service, or from using the license issued to them to do so, on any discriminatory basis whatsoever.

Whenever or wherever a club sells any of the commodities or services mentioned in this Act either to its membership or its guests selected by itself, it is hereby declared to have entered the field of business and commerce, and, therefore to be a place of public accommodation under the meaning of this Act.

### § 3. Rights of persons; prohibition against discrimination

(a) All natural persons within the jurisdiction of the Virgin Is-

lands, without regard to race, creed, color, or national origin, and subject only to the conditions and limitations established by law and applicable in like manner to all persons, are entitled to —

(1) equal treatment with respect to employment, pay and working conditions in any and all businesses and industry, and with respect to union membership.

(2) the full and equal accommodations, advantages, facilities, and privileges of any place of public accommodation, resort, or amusement.

(3) the full and equal privilege to purchase or rent any item of real estate, goods, commodities, service or any other thing offered for charge to others.

(b) No person, being the owner, proprietor, superintendent, manager, agent, or employee of any publicly licensed business or any other business or industrial establishment, shall directly, indirectly or by subterfuge, deny employment in or at such business to any applicant therefor, or engage in or permit any discrimination or differential in pay or working conditions for workers doing the same work, on account of race, creed, color, or national origin, subject only to the conditions and limitations established by law and applicable in like manner to all persons.

(c) No person being an officer, agent or employee of a labor organization shall directly, indirectly or by subterfuge deny membership in such organization to any applicant therefor, on account of race, creed, or color, or national origin, subject only to the conditions and limitations established by law and applicable in like manner to all persons.

(d) No person, being the owner, proprietor, lessee, superintendent, agent, or employee of any place of public accommodation, resort or amusement, shall directly or indirectly or by subterfuge —

(1) withhold from or deny to any other person any of the accommodations, advantages, facilities, or privileges thereof; or

(2) adopt or pursue any custom, policy, practice, requirement or secret understanding, or any custom or policy of nonmembership discrimination or guest-card requirement with respect to the operation or management of such place which is intended, calculated or designed to, or which shall have the effect of discriminating against any other persons on account of race, creed, color, or national origin, or by reason of nonmembership in a club.

(e) No person, being an officer, owner, proprietor, manager, superintendent, lessee, agent or employee of any business or club,

engaged in selling, leasing or renting any plots of land, building sites, lots, estates, houses, apartments, or any other item of real estate shall, directly, indirectly or by subterfuge, deny to any other person the right to purchase, lease or rent any such item of real estate, on account of race, creed, color, or national origin, subject only to the conditions and limitations established by law, and applicable in like manner to all persons.

(f) Any restrictive covenant or condition or other provision in a deed, contract or writing of whatsoever nature relating to the conveyance, sale, lease or rental, of real estate, or any interest therein, which in any manner prohibits or restricts the reconveyance or resale, ownership, use or enjoyment of such real estate or interest therein on account of race, creed, color, or national origin, is contrary to public policy and hereby declared null and void and of no effect whatsoever. Likewise any covenant, condition, or provision in such deed, contract or writing requiring resale back to the seller or to some other particular person, corporation or group or any other special option on the part of the seller, except in family relationship and government homestead deeds, is hereby declared to be subterfuge and also void and of no force whatsoever.

(g) The use of any roadway or street into, within or through any subdivision of residential development of ten or more dwellings, which roadway or street is open to the use of any other persons as guests, visitors or permittees, other than the actual inhabitants thereof, shall not be denied or restricted directly, indirectly or by subterfuge, to any person on account of race, creed, color, or national origin, subject only to the conditions and limitations established by law and applicable in like manner to all persons.

**§ 4. Filing information as to club facilities, license, charges, etc.; determination and registration**

(a) No later than January 15 of each year, any person maintaining, owning, leasing, possessing, or operating any club facilities consisting of physical property such as land, beaches, or buildings shall file with the Government Secretary —

(1) a statement of the licenses he holds to sell liquor, food or drink, or to rent rooms, or to charge for any other use or occupancy of property, facility, service or beach, together with a statement of what articles, if any, are sold, what rooms, if any, are rented, and what other facilities or services are maintained for charge; and



(2) if an incorporated or unincorporated association of individuals, a copy of its constitution and bylaws, together with a list of all duly elected officers and directors and a list of all members of the association —  
all of which must be certified upon oath.

(b) If any charges, as described in subsection (a) of this section, are made either to members or nonmembers of clubs, the statement required by such subsection shall also include an affidavit by the president and manager of the club in each such case, certifying that there is no discrimination in such sales, renting, or use based upon race, creed, color, national origin or nonmembership in the club.

(c) Any place at or on which charges are made in any manner for any article, or for the use or occupancy of any property, facility or service located or operated thereon is expressly declared to be a place of public accommodation, resort or amusement within the spirit and meaning of this Act, and shall, upon determination as such by the Government Secretary or the District Court of the Virgin Islands, be so registered in the office of the Government Secretary.

**§ 5. Tuition charges by parochial or denominational schools; admission to religious bodies maintaining schools**

This Act shall not be construed as preventing a reasonable difference in charges by parochial or denominational schools for tuition of members and nonmembers or preference in admission to members of the religious body maintaining the school.

**§ 6. Enforcement by Commissioner of Public Safety**

The Commissioner of Public Safety shall name a panel of police officers, selected for their tact and intelligence, who shall be authorized to make periodical inspections, at reasonable times of all places holding any licenses whatsoever, or other business establishments selling any article whatsoever as covered in this Act, or upon reasonable cause to investigate any club in order to see that the provisions of this Act are complied with. The Commissioner shall be responsible for making said inspections either personally or by members of the panel which he has set up. Such inspections shall be made at intervals of not less than 60 days. The inspecting officer or officers shall file with the Commissioner a written report on the findings of each inspection. These reports shall form a permanent record in the office of the Commissioner of Public Safety. Any violations revealed by



said reports shall be immediately referred to the office of the Attorney General.

#### § 7. Penalties for violations

Whoever, whether as owner, officer, manager, agent, or employee of any business or industrial establishment, labor organization, place of public accommodation, resort or amusement, or club, violates any of the provisions of this Act shall, for each and every such violation, be —

(1) liable in actual damages, and in addition, thereto, to punitive damages not to exceed \$5,000 to be recovered in a civil action by the person aggrieved thereby or by any resident of the Virgin Islands to whom the person aggrieved may assign his cause of action; and

(2) fined not more than \$2,000 or imprisonment [imprisoned] not more than six months, or both.

(3) the owner or owners of any business where an offense mentioned herein has been committed by his or its officer, manager, agent, or employee, such owner or owners shall be severally and/or jointly liable with the offender for the actual and punitive damages provided for herein.

(4) each day of violation shall constitute a separate offense.

(5) neither penalty nor action listed above, in subsections (1) and (2) of this section, shall be a bar to the other, and recovery or action in one shall not preclude action or recovery in the other or in any other lawful remedy otherwise possessed by an aggrieved person.

(6) any person who conspires with another person to violate any of the provisions of this Act shall be liable as a principal violator and subject to all of the penalties above.

#### § 8. Revocation of license by District Court; procedure

Whenever the Attorney General of the Virgin Islands has information that any person engages in any act, or adopts or pursues any custom, policy, practice, or requirement amounting in effect to violation or evasion of this Act, he shall procure a rule to show cause to issue out of the District Court of the Virgin Islands requiring such person to show cause before such Court why his license to do business should not be revoked because of an act or acts committed against public policy.

If the Court finds that such person has violated or is violating any

of the provisions of this Act, it shall order his license revoked or suspended because of an act or acts committed against public policy.

**§ 9. Revocation of license or tax exemption by Governor**

~~In addition to any other penalties provided for in this Act, the license to conduct a business, or to sell any articles or facilities or services, or any tax or fee exemption or subsidy granted under the provisions of Title 83, V.I.C., Subtitle 4, of any person who violates any of the provisions of this Act in connection with such business sale of articles or facilities or services may, in the discretion of the Governor, after adequate notice and hearing, be revoked, suspended or its renewal denied.~~

**§ 10. Construction of Act**

The courts shall construe this Act liberally in furtherance of its intent as stated in section 1 of this title.

Section 2. This Act shall become effective immediately upon approval.

*Approved June 9, 1961.*

(BILL 1471)

No. 720

(Approved June 9, 1961)

FOURTH LEGISLATURE OF THE VIRGIN ISLANDS  
OF THE UNITED STATES

*Regular Session*

AN ACT

To Require the Licensees of Business Places to State That Their  
Businesses Are Operated in Compliance with the Civil Rights Act,  
and for Other Purposes.

*Be it enacted by the Legislature of the Virgin Islands:*

Section 1. Every holder of a license issued after the effective date of this Act shall be required to sign a statement: (1) that he will comply with any and all provisions of the Civil Rights Act of the Virgin Islands applicable to his or its business, and (2) that he will post as a condition of its continuing validity his license, and/or any other display which the Government Secretary may require, in a prominent place in his business place or office.

Section 2. The Government Secretary shall require licensees to display a sign in their business places bearing the inscription: "This business complies with the Civil Rights Act of the Virgin Islands". In lieu of such sign and inscription, the Government Secretary may create or authorize the creation of a monogram which, when posted, shall signify that the business where displayed does comply with the Civil Rights Act.

Section 3. The Government Secretary shall mail a printed copy of the Civil Rights Act to each current licensee of record and shall issue a copy of the same with any license hereafter issued by him.

Section 4. Whoever, being the holder of any license to do business in the Virgin Islands, fails to display same prominently in his business place during business hours or a government-issued monogram in lieu thereof as provided in section 2 of this Act, or fails to produce and show his license to police inspectors when demanded, shall be guilty of a misdemeanor and punishable by a fine not exceeding \$200 or by imprisonment not exceeding 30 days, or by both.

*Approved June 9, 1961.*

AUG 5 1963

Desmond J. McTigue, Esq.  
President  
Pennsylvania Bar Association  
11 East Airy Street  
Norristown, Pennsylvania

Dear Mr. McTigue:

Thank you very much for your letter of July 19,  
and the enclosed copy of the resolution adopted by the  
Pennsylvania Bar Association.

We are glad to learn that the Pennsylvania Bar  
Association has authorized a committee to deal with the  
civil rights problem, and that you have already appointed  
the members of the committee. Writing to the presidents  
of the County Bar Association, as you note that you are  
doing, appears to be an excellent way of providing impetus  
to action at the local level. Your vigorous approach and  
immediate assumption of responsibility in this matter of  
grave national concern are heartening indeed.

We are grateful to you for your cooperation.

Sincerely,

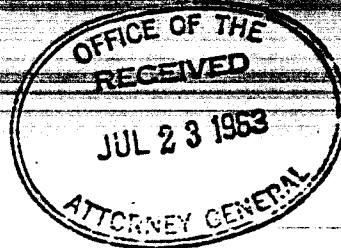
/s/  
Attorney General

PENNSYLVANIA BAR ASSOCIATION

OFFICE OF THE PRESIDENT

DESMOND J. MCTIGHE  
11 EAST ANNY STREET  
HARRISBURG, PA.

July 19, 1963



Hon. Robert F. Kennedy  
Attorney-General  
Washington, D. C.

Dear Attorney-General Kennedy:

In answer to your letter of June 28 in connection with the meeting which I attended at the White House on June 21, the Board of Governors at the summer meeting of our Association on June 28 unanimously adopted a resolution authorizing me as President of our Association to appoint an appropriate committee and to encourage the formation of similar committees throughout the various counties in our State. On June 29, at the meeting of our Assembly, the members present unanimously approved the resolution of the Board of Governors. I am enclosing herewith a copy of that resolution. I have appointed such a committee and I am also writing a letter to the Presidents of the sixty-seven County Bar Associations in Pennsylvania urging them to appoint similar committees where appropriate.

I think you will find that the lawyers in Pennsylvania are willing to assume their full responsibility in this situation.

Very sincerely yours,

*Desmond J. McTighe*  
Desmond J. McTighe

DJM/mjd

Enclosure



RESOLUTION PASSED BY THE BOARD OF GOVERNORS  
OF THE PENNSYLVANIA BAR ASSOCIATION ON  
JUNE 28, 1963, AND BY THE ASSEMBLY ON JUNE 29, 1963

WHEREAS, the President of the United States on June 21, 1963, informed the Presidents of the Bar Associations throughout the nation concerning the urgent necessity to improve responsible lines of communication between the races, in order to avert violence and to assure a peaceful and just solution of these human problems, and

WHEREAS, the President has requested that the bar associations assume leadership in the formation of committees at national, state and local levels, to accomplish such purposes,

NOW, THEREFORE, BE IT RESOLVED, that the President of this Association is hereby empowered by its Board of Governors to appoint a representative committee, the duty of which shall be to cooperate with such similar national, state and local committees working in this field, and to promote in any way consistent with the principles of this Association, a recognition of the mutual rights and obligations of all citizens under law, and

BE IT FURTHER RESOLVED, that this committee shall be empowered to appoint or to encourage the formation of similar committees throughout the various counties of this state.



AUG 5 1963

Francis J. O'Brien, Esq.  
President  
Rhode Island Bar Association  
Room 403, 17 Exchange Street  
Providence 3, Rhode Island

Dear Mr. O'Brien:

Thank you very much for your letter of July 29,  
and the enclosed copy of the Rhode Island Bar Association's  
release to the Providence Journal and the Pawtucket Times.

We are happy to hear of the vigorous approach  
which you and the other members of the Rhode Island Bar  
are making to the civil rights and race relations problem.  
Your rapid and forthright assumption of responsibility in  
this field is indeed heartening. Keep up the good work.

Many thanks for all that you have done.

Sincerely,



Attorney General