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# Lawyers' Committee for Civil Rights Under Law

FORMED AT THE REQUEST OF THE PRESIDENT OF THE UNITED STATES

HARRISON TWEED  
1 Chase Manhattan Plaza  
New York 5, N.Y.

BERNARD G. SEGAL  
Packard Building  
Philadelphia 2, Pa.

October 29, 1963

TO THE MEMBERS OF THE BOARD OF DIRECTORS

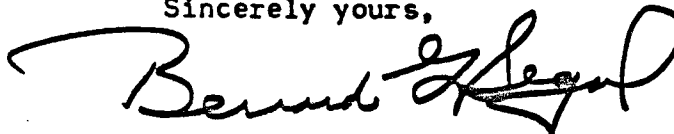
Gentlemen:

Inasmuch as we have been invited to have lunch with Attorney General Kennedy on November 14th, Harrison Tweed and I believe that it would save time to have our meeting in one of the conference rooms in the Department of Justice. We are grateful to Lloyd Cutler for making the conference room in his law office available to us, but the time consumed in going back and forth during lunch-hour traffic would be much better spent in meeting. K

Accordingly, I have arranged for the use of the conference room in the Antitrust Division of the Department, which is entered through Room 3208 on the third floor. The best access to this conference room is from the entrance to the Department of Justice at Tenth Street and Constitution Avenue. We shall convene there at 10:00 A.M. |

We have received word from most of the Directors as to whether they plan to attend. We should greatly appreciate it if those of you who have not as yet responded would let us know as soon as possible whether you plan to attend so that we may advise the Attorney General as to the number who will be coming.

Sincerely yours,



Bernard G. Segal

Tax Division  
Assistant  
Attorney General



~~Mr Hatzenbach~~

Mr Marshall

Linda -  
Note this luncheon.  
R

*Mr. Marshall*  
*100*

Mr. Robert F. Kennedy  
The Attorney General

October 28, 1963

L. F. O. Louis F. Oberdorfer  
Assistant Attorney General

LFO:mag

As you know, we have scheduled a meeting for 10:00 A.M. on Wednesday, October 30, with Messrs. Tweed and Segal and some members of their executive committee, including former Attorney General Rogers, Judge Samuel Rosenman, Robert Ming (a prominent Negro lawyer from Chicago), and William Coleman (an equally prominent Negro lawyer in Philadelphia).

This group asked for an opportunity to meet with you to get your views on the extent to which the Lawyers' Committee should take responsibility for particular civil rights situations (e.g. Selma) and cases (e.g. *Americus*). This meeting can be very important in channeling the future course of the Lawyers' Committee. I thought I would outline the problem in the event that we do not have a chance to chat before the meeting.

The issue was brought to a head at an executive committee meeting in New York on October 21 which was reviewing a draft of its proposed program. The draft program, prepared by Judge Rosenman, a copy of which is attached <sup>2/</sup>, proposed to defer to and refrain from either duplicating or supplementing the work of established civil liberties legal aid groups such as the NAACP Legal Defense and Educational Fund, Inc. Some of the members felt that the President did not contemplate or request the Committee's direct involvement in particular matters, that once it became involved in particular cases, there would be no way to draw a line and limit its efforts and, finally, that NAACP, etc. are more competent and skilful and should not have to suffer competition from "amateurs".

At this meeting I took the liberty of urging the Committee to continue and to expand its efforts in particular situations and cases. As you know, the Committee has enormous resources of prestige and legal talent, including as it does members of the major law firms in the larger Northern cities. They can

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<sup>2/</sup> A further revision is coming.

bring influence to bear on Southern judges (both state and federal), members of the bar and the business communities which would dwarf any effort by Negro attorneys or even by white attorneys employed by Negro and other existing "civil rights" organizations. In important areas, the fact is that they have potential entree and influence greater than ours. There is no reason why the Committee must take every case or become involved in every situation. It can be selective about direct assistance, just as it is about whose bail it arranges, and what public statements it makes, and there will be plenty of room for NAACP, even if the Committee expands its functions.

As you know, the Committee has already involved itself directly in particular matters in a most effective and imaginative way. For example:

1. Americus, Georgia. Representatives of the Committee have filed suit to enjoin police intimidation, arrest on non-bailable charges and prosecution under an allegedly unconstitutional insurrection statute.

2. Itta Bena and Clarksdale, Mississippi. You will recall the work of Bob Knight's associate, Robert Lunney, in advising white ministers visiting in Mississippi and in arranging bail for 70-odd Negroes who had been unfairly arrested.

3. Farmville, Virginia. The Committee arranged for a distinguished white lawyer to represent the Negro Harvard law student who has been indicted for a major felony, charged there with assaulting an officer in the court house.

4. Selma, Alabama. A Committee representative and two churchmen made the survey which led to the Air Force queries at Craig Field.

5. Southern Conference Education Fund - Louisiana. You will recall that Louisiana authorities raided the offices of two lawyers connected with this fund on account of alleged violations of Louisiana sedition laws. I understand that the Tweed-Segal Committee exerted certain pressures which resulted in the intervention of prominent Louisiana Bar officials. On October 25 the judge dismissed the charges.

I think that similar future activity by this Committee can be almost more effective in establishing and protecting the constitutional rights of minorities in the South than we would

be if the Congress passed Title III and we were given the staff to enforce it. And I believe that it would be better for the country if we could stimulate private defense of constitutional rights and refrain from direct involvement of the Federal Government in the manner contemplated by Title III. In any event, if the Committee would commit itself to this objective, I believe that many of the legitimate complaints which Title III is designed to remedy could be met. I hope that at this meeting you can persuade the Committee to undertake this, and can impress upon them what a tremendous contribution they can make and already have made in a serious national crisis.

cc: Mr. Katzenbach  
Mr. Marshall

October 8, 1963

Report by Program Committee  
on Proposed Program for the  
Lawyers' Committee for Civil Rights Under Law

To the Executive Committee

We assume that when the President requested the formation of this new and special Committee of Lawyers he had in mind that it would perform functions:

1. which would naturally fall within the special competence of lawyers as lawyers, or
2. which could be performed by lawyers as citizens better than by other kinds of citizens.

We further assume that he did not intend to assign functions to this Committee which some other agency, private or public, was already performing competently.

On these assumptions we recommend as a program:

I. That, as a general proposition, this Committee do not try to duplicate or supplement the work which other experienced groups like, for example, the NAACP Legal Defense and Educational Fund, Inc., are now doing competently.

§. This means that, except as hereinafter stated, we should not attempt to supply or supervise

counsel for individual persons whose civil rights are being violated.

A. However, many lawyers have already volunteered to this Committee to serve as counsel in such individual cases. We should encourage such volunteering, and seek, through State, City and County Bar Associations throughout the United States, to bring about more volunteering for this purpose.

- a. Most of these lawyers will be inexperienced in this type of case -- especially in the kind of atmosphere which they will find in the State courts of the South.
- b. Therefore they should be recommended for training in one of the law schools or associations which conduct classes and clinics for instruction in practice and substantive law in this highly specialized field. They should then be assigned to cases by such school or association and supervised by it.
- c. Our Committee should restrict itself in this field to recommending volunteers and to assisting in obtaining financial support for such clinics to cover the cost of its volunteers.

II. In all of the functions outlined in this memorandum we should decentralize the work as much as possible into the State and local Bar Associations which are willing or can be persuaded to undertake these responsibilities and duties in their separate localities. To this end, this Committee should induce each Bar Association to cooperate in the program here outlined, and to adopt resolutions committing themselves to perform the duties herein detailed.

Specifically, this Committee should recommend and urge that:

1. Bar Associations, local and State, should issue pronouncements advocating full compliance with final orders of a court.
2. They should conduct educational campaigns on State and local levels to persuade citizens of the need to comply promptly with such orders.
3. They should arrange for their members to talk to local lay groups about the supremacy of law and the duty of every citizen to comply with the courts' decisions.
4. They should spread the legal doctrine that the decisions of the Supreme Court of the United States

are paramount over the local State laws of segregation.

5. They should answer inaccurate statements of the law in this field made by public officials or lawyers in their communities.

6. They should file amicus briefs in important civil rights cases with the acquiescence of the attorneys involved in the case.

III. That the Committee, as lawyers, should be ready:

A. To furnish public speakers in any part of the country on civil rights subjects.

B. To promote respect for the judiciary by defending judges whose decisions and opinions in this field may be unpopular in their communities.

C. To furnish, <sup>or indirectly to</sup> through volunteers, expert assistance from law schools and leading law offices in legal research, legal scholarship and brief writing, particularly in the Supreme Court of the United States and on new constitutional theories and new approaches.

D. To arrange for the writing and publication of articles and pamphlets, where appropriate, in the field of civil rights.

E. To answer publicly any inaccurate public statements or legal commentary about the law in this field, such as the recent statements by Governor Wallace of Alabama and his legal advisers.

F. To make public statements at appropriate times, and from time to time, on the necessity of upholding the law of the land as enunciated by the Supreme Court.

G. Generally, to do as a national body, and on appropriate occasions, the specific things outlined in paragraph II, especially when the local and State Bar Associations decline to do so.

IV. That this Committee, composed as it is of lawyers of prestige in various parts of the United States, should be willing and ready, where emergencies arise, to call upon the public law enforcement agencies of the United States, the various States and their subdivisions for the physical protection of American citizens seeking to obtain civil rights guaranteed to them by law.

A. For this purpose, each State and local Bar Association should be requested to set up committees of its leading lawyers to whom our Chairmen or Executive Secretary could immediately and directly refer distress requests which may come to this Committee for emergency action. An example of this was the rioting in the suburb of

Philadelphia which was held to a minimum by the quick but protracted efforts of our Co-Chairman, Mr. Bernard Segal. Emergency committees like this should exist in every community and their names, addresses and phone numbers should be filed with our Committee for instantaneous reference.

- V. To do all it can to remove all forms of racial discrimination in all Bar Associations and Legal Societies in the United States.
- VI. That this Committee, as lawyers, should directly intervene, in any manner advisable, preferably through its local members, in any situation where there is involved some interference with a lawyer's right to practice law or to protect adequately the interests of his client in a civil rights matter. An example of this kind of obstruction arose recently in Farmville, Va., involving a Harvard Law School student.
- VII. In order to meet these duties and spread the effort numerically as well as geographically, the membership of the Committee should be greatly increased in those States where the issue is acute.
- VIII. To urge law firms to employ qualified Negro lawyers as readily as equally qualified white lawyers.

IX. Stimulate local Bar Associations or if that is impossible, other local organizations, to provide under their auspices, public discussions and forums in their own local buildings, if possible, or in other public or semi-public buildings. At these forums (non-segregated) carefully selected speakers should discuss the "pros and cons" of all phases of this issue, as, e.g.:

1. Quota systems for employing Negroes.
2. Correcting de facto segregation in public schools.
3. President's Civil Rights Bill.
4. etc., etc.

This will serve to bring all these controversial issues into the open for discussion instead of permitting them to smolder under the surface.

X. Provide one or more annual awards for lawyers in the South and elsewhere who have distinguished themselves for courage in this field at great professional and personal risk to themselves. The President should be asked to confer these awards in our name at the White House.

XI. Make periodic reports to the President, with recommendations, if any, for official action by the Executive and

Legislative Branches. Annual meetings with the President at the White House would serve to increase the prestige and effectiveness of the Committee.

XII. Constant liaison should be maintained with other national groups working in the general area of civil rights.

The foregoing program arises primarily from the fact that the members of this Committee are all lawyers; and it is a plan of action for it as lawyers.

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We believe, however, that an even more important task for this Committee arises from the fact that it is composed of citizens who by virtue of their local (and even national) prestige can, and do, exercise leadership as citizens among their fellow citizens in their respective communities.

How can they best exercise their local leadership in this field?

I. The chief objective should be to get racial strife off the streets and out of the control of mobs, into a room where both sides can sit down to air their views face to face, and come to some agreement as to a course of action. This cannot be done unless a bi-racial committee which is so constituted as to command the respect of both races takes the leadership. One of the reasons for picket lines, sit-ins, rock-throwing and other violence is that in

many communities, especially in the South, there are no other avenues of communication between the two races. If a door can be opened to free and quiet communication between them under the auspices of a respected committee composed equally of both races, a path will be provided to peace and understanding. This has been shown to be true by successful experience in such places as Cambridge, Md.

This kind of discussion, mediation and agreement will take more time, patience, effort and skill, and it will be less dramatic than some of the other parts of this program. But in the long run it will be more effective and produce more lasting results. We are sure that the President had this long-range objective in mind for this Committee -- which, by reason of its composition, is better equipped to do this than any other private or public group.

The Committee through its leading local members should immediately foster the formation of such bi-racial committees in every community possible in the South. We emphasize the South, because it will be seldom indeed in that section of the country that the local political leaders -- the Mayor or the Governor for example -- will make a conscientious effort to organize an impartial, representative bi-racial committee to obviate discrimination in education, jobs, housing and public facilities. Therefore this vacuum of leadership should be filled by our leading lawyers by organizing such groups in their communities -- and we should encourage our local members to do so.

II. The possible role of such committees in our Northern communities is not quite clear. There the political leaders, whether activated by thoughts of vote-getting or by conscientious solicitude, or by a combination of both, become very active as soon as protests come from Negroes seeking equality of job opportunities, better housing and schools. Where, as in New York, the Governor and the Mayor are both active in getting bi-racial groups to meet, it is doubtful whether we should try to compete or even supplement these efforts.

However, wherever there is conflict or the possibility of conflict in Northern communities, and no leadership has been taken by the political leaders, we should take the leadership through the formation by our members of bi-racial committees for those communities.

III. What can these bi-racial committees do? They can tackle as mediators the immediately pressing problems -- such as discrimination in public-place accommodations, equality of opportunities in labor unions and discrimination in private non-union employment.

IV. But even more importantly, they can begin on the long-range problems of better education and vocational training for Negroes to equip them more adequately for highly skilled jobs -- manual, white-collar, supervisory, academic and professional jobs. They can stimulate equality in Negro vocational training. At present, especially in the South, Negro vocational training is

still along the lines of shoemaking and similar trades, whereas vocational training for the white is in such fields as electronics, refrigeration, and so on. This is also true to some extent in the North. Negroes should be encouraged and given the opportunities for training in something other than menial tasks at one end, or the higher professions at the other. Those who are qualified should also be educated and trained in the highly skilled trades. Success in this endeavor would solve many of the other problems and grievances. A decent, well-paid job will solve many of the other points of dispute. This, too, is a long-range program, but we can accelerate it and its beneficent results by the use of these bi-racial committees whose members will understand the local problems and the local personalities better than anyone else.

V. Lawyers, as leaders, should also stimulate their local Boards of Education to include courses in civil rights in all its phases in the public and private high schools, so that the next generation will not be as ignorant of the issues involved as is this generation.

Respectfully submitted,

COMMITTEE ON PROGRAM

Bruce Bromley, Esq.

William R. Ming, Esq.

William P. Rogers, Esq.

Samuel I. Rosenman, Esq., Chairman

# Lawyers' Committee for Civil Rights Under Law

FORMED AT THE REQUEST OF THE PRESIDENT OF THE UNITED STATES

Co-Chairmen

HARRISON TWEED

1 Chase Manhattan Plaza  
New York 5, N.Y.

November 14, 1963.

Honorable Burke Marshall,  
Assistant Attorney General,  
Civil Rights Division,  
Department of Justice,  
Washington, D. C.

Dear Burke:

I thought you would be interested in the enclosed page from the London Daily Express. Jerry Shestack's secretary, Miss Margaret North, is English and recently received this newspaper.

You must have quite a file on the image of this Country which is being created abroad by virtue of our problems in the civil rights area.

With best regards,

Sincerely yours,



Bernard G. Segal

THEN the sea can  
 be declared out of  
 bounds in Savannah,  
 Ga.  
 The coloured girl  
 and the two coloured  
 boys pictured here  
 were ordered to go for a  
 swim in the sparkling  
 Atlantic Ocean.  
 But when they had been  
 only a few minutes  
 in a white life-  
 guard ordered them  
 out of the water.  
 They were jeered  
 and—called a "white  
 trash"—and arrested.

DAILY EXPRESS TUESDAY JULY 16 1963

# rest amid the waves

'WHITE BEACH' LIFEGUARD SWOOPS DOWN ON COLOURED SWIMMERS



PHOTO BY  
ALAN  
WILLIAMS  
FOR  
THE  
DAILY  
EXPRESS

DAILY EXPRESS THURSDAY JULY 16, 1964

# *Arrest amid the waves*

**'WHITE BEACH' LIFEGUARD SWOOPS DOWN ON COLOURED SWIMMERS**



*Memorandum*

TO : Burke Marshall  
Assistant Attorney General  
Civil Rights Division  
  
Joseph A. Barry, Head  
Federal Security Unit  
Appeals and Research Section

DATE:

INITIALED

SUBJECT: American Bar Association, Civil Rights Committee

The following opinions and information concerning the backgrounds and beliefs of the members of the Civil Rights Committee of the American Bar Association were obtained by telephone calls which I made to the United States Attorneys in the federal Districts of residences of the Committee members. The only exception is the information concerning Thomas G. Greaves, Mobile, Alabama, which Mr. Greene obtained through Ed Smith of the Tax Division. I could not reach the United States Attorney at Boston to inquire about the member from that city, as he is on leave till August 1st.

William P. Gray, Los Angeles, California

Mr. Gray is a lawyer of very fine reputation in his community; has held office in the State and City Bar. He was once law clerk to Judge Harold Stevens of the Court of Appeals for the District of Columbia. He is presently engaged in handling a case for Assistant Attorney General Ramsey Clark of the Lands Division concerning a matter from Long Beach, California.

On his civil rights attitude it is of some significance that he has made speeches to various groups on the thesis that the State Bar cannot take action against persons accused of being Communists unless there is evidence available of meaningful association with Communist groups. It appears that some attorneys in the local Bar had been urging action against attorneys accused of Communist leanings. United States Attorney Whelan added that there is no question of Mr. Gray's loyalty; he is a former naval officer. Mr. Whelan also added that "concerning the Supreme Court, Mr. Gray considers it a fine institution," and he thinks highly of Justice Warren.

James D. Fellers, Oklahoma City, Oklahoma

Colonel Harold J. Sullivan

Tinker Air Force Base, Oklahoma

United States Attorney B. Andrew Potter advised me that Colonel Sullivan is the Judge Advocate General at Tinker Air Force Base which is at Oklahoma City. He is an Oklahoma lawyer by education, about 50 years old and has been stationed now in Oklahoma about two years. Mr. Potter did not have information concerning Colonel Sullivan's civil rights feelings. Attached is a memorandum to Assistant Attorney General Oberdorfer, Tax Division, reporting that Colonel Sullivan has written an article on "Equal Justice for the Accused" (Geo. L.J. 49:168, Yale 1960).

United States Attorney Potter advised that Mr. Fellers is also an attorney with the highest reputation in the community; he sees him frequently but does not know him personally. Mr. Potter said that he would find out for us whether Mr. Fellers or Colonel Sullivan have any connections with organizations in civil rights work. There is one colored Assistant United States Attorney in the office who can readily obtain this type of information. Mr. Potter offered to "visit with" Colonel Sullivan and Mr. Fellers to determine their civil rights beliefs but I advised him that unless he heard further from us a discreet check of possible organizations affiliations would suffice. Since then the United States Attorney has advised me by letter that "it would appear that neither Mr. James D. Fellers nor Colonel Harold Sullivan have, in the past, engaged in any type of civil rights or race relations work."

Karl C. Williams, Rockford, Illinois

I called United States Attorney James P. O'Brien at Chicago since Rockford is in his district. Mr. O'Brien advised that Rockford is about

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90 miles from Chicago and that they had a term of court there for only a few days per year; court being held actually at Freeport, Illinois, which is within a few miles of Rockford. Mr. O'Brien had no information of acquaintanceship with Mr. Williams. He offered to have the Bureau run a name check on Mr. Williams but I advised him that we should hold up on this unless he heard from us further. (Actually a name check would only amount to the Federal Bureau of Investigation's checking their files to determine whether they had any information concerning Mr. Williams). I presume we could authorize this through the Central Office here without any stir.

Earl Morris, Columbus, Ohio

United States Attorney Joseph Kinneary advised that he is well acquainted with Mr. Morris; that he is a man of very fine reputation in the community, very active in the Ohio State Bar. Mr. Kinneary said that he is the person who handles for the State American Bar Association recommendations re federal judicial appointments.

Mr. Kinneary also said Mr. Morris is an "eager beaver" who is very community minded, that he had been educated at Williamsburg College at Springfield, Ohio; that Mr. Kinneary got the impression that he was "a big man on campus", in his college days. He studied law at Harvard and is considered a very fine trial lawyer. Mr. Kinneary said that Mr. Morris was a very fine person in every way but he was "not the sort of fellow whom one would pick as a companion on a two week canoe trip."

He did not have any information as to Mr. Morris' civil rights feelings but he observed that most American Bar Association lawyers who attain stature in the organization are very conservative in their thinking. Later in the afternoon Mr. Kinneary called me to advise that persons of whom he had inquired had told him that Mr. Morris had been very active in all sorts of civic affairs but that one informant believed that he was working more for his own aggrandizement, to achieve status

in his community. He believed that it was one of Morris' ambitions to become president of the American Bar Association. He said however that he does not believe that Morris would get on the civil rights movement. He said that while up to now Morris' views may have reflected the attitude of his conservative corporate clients on civil rights -- to ignore the problem and hope it would resolve itself in time -- that he may now be reading the signs of the times for the advancement of the Negro and he may be active in the movement.

James E. Fauer, Salt Lake City, Utah

United States Attorney William T. Thurman at Salt Lake City, Utah, advised me that Mr. Fauer is a man of very fine reputation, president of the Utah Bar Association, about 40 years old. Mr. Thurman said that he does not have knowledge of any bias or prejudice on his part. He also stated that Mr. Fauer is a very conservative person; that he is a Democrat and was recently chairman of a Democrats' dinner for Senator Moss. He is also a high official of the Mormon faith. Mr. Thurman advised that civil rights problems are rather uncommon in Utah; there are only about 1500 colored in the State which has between 750,000 and 800,000 people.

John H. Gordon, Tacoma, Washington

United States Attorney Brockman Adams advised me he knew nothing about John H. Gordon of Tacoma, Washington, but that he would inquire and call me back. I had mentioned that Mr. Schweppe was from Seattle. He volunteered that Mr. Schweppe was a "civil-rights conscious conservative"; definitely not a "fire brand liberal." Mr. Adams advised me that Schweppe had been a co-author of the famous Bricker Amendment which you will recall was designed to keep us out of "foreign entanglements" including, I believe, the United Nations. The attached copy of a Memorandum to Assistant Attorney General Oberdorfer, Tax Division, lists articles written by Mr. Schweppe on civil rights subjects.

Mr. Adams called me back to advise that he had found out that Mr. Gordon is a very conservative attorney. However, he did attend the recent press conference in the White House on civil rights. Mr. Adams explained that as far as both Mr. Gordon and Mr. Schweppe were concerned it would not be inconsistent with their "conservatism" for them to be interested in civil rights matters; "that they could very well be mavericks in this area." I believe he said it was Schweppe who had initiated several "crusading" taxpayer suits in his city.

Vincent P. McDevitt  
Philadelphia, Pennsylvania

United States Attorney Drew J. T. O'Keefe of Philadelphia advised me that Mr. McDevitt is a top flight lawyer and is a Vice President and General Counsel of the Philadelphia Electric Company. He has always been active in the American Bar, is a former Chancellor of the Philadelphia Bar, and is about 60 years old. He is a very level headed man with good judgment. Mr. O'Keefe said Mr. McDevitt is not connected in any civil rights organizations.

Mr. O'Keefe before becoming United States Attorney was retained by Mr. McDevitt to handle some complaints made to the Human Relations Committee which is a city organization handling complaints of unfair employment practices. Mr. O'Keefe advised that these few complaints had been settled well. He also stated that the Philadelphia Electric Company has a history of 50 years of employing colored people.

Rush H. Limbaugh  
Cape Girardeau, Missouri

United States Attorney Richard D. FitzGibbon, Jr., advised me that Cape Girardeau is about 125 miles south of St. Louis and that there is very little in the way of a civil rights movement there. Mr. FitzGibbon has two Negro Assistant United States Attorneys and neither will go to Cape Girardeau to try cases and Mr. FitzGibbon "agrees with them."

There are two Rush H. Limbaughs, senior and junior, and the United States Attorney believes that the committee appointment is the junior who is about 42 years old. Both Limbaughs are excellent lawyers, members of a leading firm in Cape Girardeau, in spite of their upbringing.

Sherwood Wise, Jackson, Mississippi

United States Attorney Robert E. Hauberg advised me that Wise is an ex-president of the Mississippi State Bar. He is about 50 years of age. He attended the Presidential meeting some ten days ago on civil rights. United States Attorney Hauberg said that he believed that Mr. Wise's attitude on civil rights would be that the State should be permitted to work out its problems.

Walton J. McLeod, Jr.  
Walterboro, South Carolina

United States Attorney Terrell Glenn advised me that McLeod is an administration man; conservative; a fair lawyer. He is not a civil rights champion but will support the orders of the courts. Mr. Glenn mentioned that the South Carolina Bar has just recently passed a resolution condemning any intemperate criticism of courts' decisions. Mr. Glenn stated that McLeod is a reasonable man; a better man might have been picked for the job but that he thought McLeod would be o.k. He has enough confidence in him to say that if he had a problem in Walterboro he would go to McLeod to have it handled.

Thomas G. Greaves, Mobile, Alabama

Mr. Greene spoke to Mr. Smith in the Tax Division who has known Mr. Greaves for a considerable period of time. Mr. Greaves is very active in the ABA. He holds a relatively high position in the organization. He is very intelligent and "conservative in the best sense of the word." He takes his law seriously. He probably would favor encouraging respect for the courts and the law of the land. Not radical, but a man who is reasonable.

William B. Spann, Jr., Atlanta, Georgia

United States Attorney Charles I. Goodson

~~he says that to the best of his knowledge however~~  
he is a good lawyer of good standing, and with a good firm. On civil rights matters he would expect Mr. Spann he says to be against the public accommodations bill. He, in response to my question, agreed that Spann, though definitely not a "liberal", was a reasonable man who would go along with the courts.

Charles P. Light, Jr.

Dean of Washington and Lee Law School  
Lexington, Virginia

United States Attorney Thomas B. Mason, Roanoke, Virginia, advised me that Dean Light has an excellent reputation but to his knowledge has not been outspoken in matters pertaining to civil rights. Neither the United States Attorney nor two of his assistants who attended Washington and Lee know of any organizations on civil rights matters to which Dean Light belonged. He said he is a Colonel in the JAG and is sure he is a reasonable person.

Mr. Mason mentioned the fact that the Deans of the Southern Law Schools had recently adopted a resolution "standing by the Supreme Court" and recognizing that it must of necessity be the ultimate arbiter of legal questions. In this regard he mentioned that he had read a news item to the effect that the Dean of the University of Virginia had advised the press, when questioned, that he had signed the resolution; but that Dean Light had at that time not yet signed the resolution and presumably was still considering it.

Enclosures

AMERICAN BAR ASSOCIATION -- Civil Rights Committee

Arthur B. Schwapp, Chairman, Seattle

- X ✓ William P. Gray, Los Angeles, California ✓
- ✓ Frederick G. Fisher, Jr., Boston, Massachusetts
- X ✓ Col. Harold J. Sullivan, Tinker Air Force Base, Oklahoma *He G*
- ✓ Rush H. Limbaugh, Cape Girardeau, Missouri ✓
- ✓ Walton J. McLeod, Jr., Walterboro, South Carolina ✓
- ✓ Joseph H. Gordon, Tacoma, Washington ✓
- ✓ Earl F. Morris, Columbus, Ohio ✓
- X ✓ James D. Fellers, Oklahoma City, Oklahoma ✓
- ✓ William B. Spann, Jr., Atlanta, Georgia
- ✓ Charles P. Light, Jr., Dean, School of Law, Washington and Lee University, Lexington, Virginia *USA Mason Romich*
- ✓ James R. Stoner, Washington, D.C.
- ✓ James E. Faust, Salt Lake City, Utah ✓
- ✓ Vincent P. McDevitt, Philadelphia, Pennsylvania ✓
- ✓ Thomas G. Greaves, Mobile, Alabama ✓
- ✓ Sherwood Wise, Jackson, Mississippi ✓
- ✓ Karl C. Williams, Rockford, Illinois ✓

*Did. you ever to that  
the number of  
the number of*

Mr. Louis F. Oberdorfer

RECEIVED July 5, 1963

JUL 5 1963 ESS:jdd

APPEALS & RESEARCH SECTION  
CIVIL RIGHTS DIVISION

Edward S. Smith

The following are articles on Civil Rights written during the last five years by members of the ABA Schaeppa Committee:

Alfred J. Schaeppa:

1. Book Review of:  
Bloch - States Rights - The Law of the Land  
(ABA Journal 44:1073 Nov. 1958)
2. Criticism of Supreme Court  
(Mass. Law Journal 44:31 April 1959)
3. Enforcement of Federal Court Decrees: A "Recurrence to Fundamental Principles". (ABA Journal 44:113, Feb. 1958)

Col. Harold J. Sullivan:

1. Book Review  
Equal Justice for the Accused  
(Geo. Law Journal 49:168 - Fall 1960)

Burke Marshall  
Assistant Attorney General  
Civil Rights Division

BM:JAB:lcb

Joseph A. Barry, Head  
Federal Custody Unit  
Appeals and Research Section

American Bar Association, Civil Rights Committee

The following opinions and information concerning the backgrounds and beliefs of the members of the Civil Rights Committee of the American Bar Association were obtained by telephone calls which I made to the United States Attorneys in the federal Districts of residences of the Committee members. The only exception is the information concerning Thomas G. Greaves, Mobile, Alabama, which Mr. Greene obtained through Ed Smith of the Tax Division. I could not reach the United States Attorney at Boston to inquire about the member from that city, as he is on leave till August 1st.

William F. Gray, Los Angeles, California

Mr. Gray is a lawyer of very fine reputation in his community; has held office in the State and City Bar. He was once law clerk to Judge Harold Stevens of the Court of Appeals for the District of Columbia. He is presently engaged in handling a case for Assistant Attorney General Ramsey Clark of the Lands Division concerning a matter from Long Beach, California.

On his civil rights attitude it is of some significance that he has made speeches to various groups on the thesis that the State Bar cannot take action against persons accused of being Communists unless there is evidence available of meaningful association with Communist groups. It appears that some attorneys in the local Bar had been urging action against attorneys accused of Communist leanings. United States Attorney Whelan added that there is no question of Mr. Gray's loyalty; he is a former naval officer. Mr. Whelan also added that "concerning the Supreme Court, Mr. Gray considers it a fine institution," and he thinks highly of Justice Warren.

James D. Fellers, Oklahoma City, Oklahoma  
Colonel Harold J. Sullivan  
Tinker Air Force Base, Oklahoma

United States Attorney B. Andrew Potter advised me that Colonel Sullivan is the Judge Advocate General at Tinker Air Force Base which is at Oklahoma City. He is an Oklahoma lawyer by education, about 50 years old and has been stationed now in Oklahoma about two years. Mr. Potter did not have information concerning Colonel Sullivan's civil rights feelings. Attached is a memorandum to Assistant Attorney General Oberdorfer, Tax Division, reporting that Colonel Sullivan has written an article on "Equal Justice for the Accused" (Geo. L.J. 49:168, Yale 1960).

United States Attorney Potter advised that Mr. Fellers is also an attorney with the highest reputation in the community; he sees him frequently but does not know him personally. Mr. Potter said that he would find out for us whether Mr. Fellers or Colonel Sullivan have any connections with organizations in civil rights work. There is one colored Assistant United States Attorney in the office who can readily obtain this type of information. Mr. Potter offered to "visit with" Colonel Sullivan and Mr. Fellers to determine their civil rights beliefs but I advised him that unless he heard further from us a discreet check of possible organizations affiliations would suffice. Since then the United States Attorney has advised me by letter that "it would appear that neither Mr. James D. Fellers nor Colonel Harold Sullivan have, in the past, engaged in any type of civil rights or race relations work."

Karl C. Williams, Rockford, Illinois

I called United States Attorney James P. O'Brien at Chicago since Rockford is in his district. Mr. O'Brien advised that Rockford is about

90 miles from Chicago and that they had a term of court there for only a few days per year; court being held actually at Freeport, Illinois, which is within a few miles of Rockford. Mr. Kinneary had no information or acquaintanceship with Mr. Williams. He offered to have the Bureau run a name check on Mr. Williams but I advised him that we should hold up on this unless he heard from us further. (Actually a name check would only amount to the Federal Bureau of Investigation's checking their files to determine whether they had any information concerning Mr. Williams). I presume we could authorize this through the Central Office here without any stir.

Earl Morris, Columbus, Ohio

United States Attorney Joseph Kinneary advised that he is well acquainted with Mr. Morris; that he is a man of very fine reputation in the community, very active in the Ohio State Bar. Mr. Kinneary said that he is the person who handles for the State American Bar Association recommendations re federal judicial appointments.

Mr. Kinneary also said Mr. Morris is an "eager beaver" who is very community minded, that he had been educated at Williamsburg College at Springfield, Ohio; that Mr. Kinneary got the impression that he was "a big man on campus", in his college days. He studied law at Harvard and is considered a very fine trial lawyer. Mr. Kinneary said that Mr. Morris was a very fine person in every way but he was "not the sort of fellow whom one would pick as a companion on a two week canoe trip."

He did not have any information as to Mr. Morris' civil rights feelings but he observed that most American Bar Association lawyers who attain stature in the organization are very conservative in their thinking. Later in the afternoon Mr. Kinneary called me to advise that persons of whom he had inquired had told him that Mr. Morris had been very active in all sorts of civil affairs but that one informant believed that he was working more for his own aggrandizement, to achieve status

in his community. He believed that it was one of Morris' ambitions to become president of the American Bar Association. He said however that he does not believe that Morris would get on the civil rights committee unless he intended to work and contribute. He said that while up to now Morris' views may have reflected the attitude of his conservative corporate clients on civil rights -- to ignore the problem and hope it would resolve itself in time -- that he may now be reading the signs of the times for the advancement of the Negro and he may be active in the movement.

James E. Fauer, Salt Lake City, Utah

United States Attorney William T. Thurman at Salt Lake City, Utah, advised me that Mr. Fauer is a man of very fine reputation, president of the Utah Bar Association, about 40 years old. Mr. Thurman said that he does not have knowledge of any bias or prejudice on his part. He also stated that Mr. Fauer is a very conservative person; that he is a Democrat and was recently chairman of a Democrats dinner for Senator Moss. He is also a high official of the Mormon faith. Mr. Thurman advised that civil rights problems are rather uncommon in Utah; there are only about 1500 colored in the State which has between 750,000 and 800,000 people.

John H. Gordon, Tacoma, Washington

United States Attorney Brockman Adams advised me he knew nothing about John H. Gordon of Tacoma, Washington, but that he would inquire and call me back. I had mentioned that Mr. Schweppe was from Seattle. He volunteered that Mr. Schweppe was a "civil-rights conscious conservative"; definitely not a "fire brand liberal." Mr. Adams advised me that Schweppe had been a co-author of the famous Bricker Amendment which you will recall was designed to keep us out of "foreign entanglements" including, I believe, the United Nations. The attached copy of a Memorandum to Assistant Attorney General Oberdorfer, Tax Division, lists articles written by Mr. Schweppe on civil rights subjects.

Mr. Adams called me back to advise that he had found out that Mr. Gordon is a very conservative attorney. However, he did attend the recent press conference in the White House on civil rights. Mr. Adams explained that as far as both Mr. Gordon and Mr. Schweppe were concerned it would not be inconsistent with their conservatism for them to be interested in civil rights matters; "that they could very well be mavericks in this area." I believe he said it was Schweppe who had initiated several "crusading" taxpayer suits in his city.

Vincent P. McDevitt  
Philadelphia, Pennsylvania

United States Attorney Drew J. T. O'Keefe of Philadelphia advised me that Mr. McDevitt is a top flight lawyer and is a Vice President and General Counsel of the Philadelphia Electric Company. He has always been active in the American Bar, is a former Chancellor of the Philadelphia Bar, and is about 60 years old. He is a very level headed man with good judgment. Mr. O'Keefe said Mr. McDevitt is not connected in any civil rights organizations.

Mr. O'Keefe before becoming United States Attorney was retained by Mr. McDevitt to handle some complaints made to the Human Relations Committee which is a city organization handling complaints of unfair employment practices. Mr. O'Keefe advised that these few complaints had been settled well. He also stated that the Philadelphia Electric Company has a history of 50 years of employing colored people.

Rush H. Limbaugh  
Cape Girardeau, Missouri

United States Attorney Richard D. FitzGibbon, Jr., advised me that Cape Girardeau is about 125 miles south of St. Louis and that there is very little in the way of a civil rights movement there. Mr. FitzGibbon has two Negro Assistant United States Attorneys and neither will go to Cape Girardeau to try cases and Mr. FitzGibbon "agrees with them."

There are two Rush H. Limbaughs, senior and junior, and the United States Attorney believes that the committee appointment is the junior who is about 42 years old. Both Limbaughs are excellent lawyers, members of a leading firm in Cape Girardeau. He believes they will uphold the courts' decisions in spite of their upbringing.

Sherwood Wise, Jackson, Mississippi

United States Attorney Robert E. Hauberg advised me that Wise is an ex-president of the Mississippi State Bar. He is about 50 years of age. He attended the Presidential meeting some ten days ago on civil rights. United States Attorney Hauberg said that he believed that Mr. Wise's attitude on civil rights would be that the State should be permitted to work out its problems.

Walton J. McLeod, Jr.  
Walterboro, South Carolina

United States Attorney Terrell Glenn advised me that McLeod is an administration man; conservative; a fair lawyer. He is not a civil rights champion but will support the orders of the courts. Mr. Glenn mentioned that the South Carolina Bar has just recently passed a resolution condemning any intemperate criticism of courts' decisions. Mr. Glenn stated that McLeod is a reasonable man; a better man might have been picked for the job but that he thought McLeod would be o.k. He has enough confidence in him to say that if he had a problem in Walterboro he would go to McLeod to have it handled.

Thomas G. Greaves, Mobile, Alabama

Mr. Greene spoke to Mr. Smith in the Tax Division who has known Mr. Greaves for a considerable period of time. Mr. Greaves is very active in the ABA. He holds a relatively high position in the organization. He is very intelligent and "conservative in the best sense of the word." He takes his law seriously. He probably would favor encouraging respect for the courts and the law of the land. Not radical, but a man who is reasonable.

William B. Spann, Jr., Atlanta, Georgia

United States Attorney Charles L. Goodson does not know Mr. Spann other than to know him when he sees him; to the best of his knowledge however he is a good lawyer of good standing, and with a good firm. On civil rights matters he would expect Mr. Spann he says to be against the public accommodations bill. He, in response to my question, agreed that Spann, though definitely not a "liberal", was a reasonable man who would go along with the courts.

Charles P. Light, Jr.  
Dean of Washington and Lee Law School  
Lexington, Virginia

United States Attorney Thomas B. Mason, Roanoke, Virginia, advised me that Dean Light has an excellent reputation but to his knowledge has not been outspoken in matters pertaining to civil rights. Neither the United States Attorney nor two of his assistants who attended Washington and Lee know of any organizations on civil rights matters to which Dean Light belonged. He said he is a Colonel in the JAG and is sure he is a reasonable person.

Mr. Mason mentioned the fact that the Deans of the Southern Law Schools had recently adopted a resolution "standing by the Supreme Court" and recognizing that it must of necessity be the ultimate arbiter of legal questions. In this regard he mentioned that he had read a news item to the effect that the Dean of the University of Virginia had advised the press, when questioned, that he had signed the resolution; but that Dean Light had at that time not yet signed the resolution and presumably was still considering it.

Enclosures