



From

**THE ATTORNEY GENERAL**

**MEMORANDUM**

October 16, 1961

Burke:

What did we end up doing in Pusey case?

RFK

- Deputy Attorney General .....
- Solicitor General .....
- Executive Assistant to the Attorney General ...
- Assistant Attorney General, Antitrust .....
- Assistant Attorney General, Tax .....
- Assistant Attorney General, Civil .....
- Assistant Attorney General, Lands .....
- Assistant Attorney General, Criminal .....
- Assistant Attorney General, Legal Council....
- Assistant Attorney General, Alien Property...
- Assistant Attorney General, Internal Security .
- Assistant Attorney General, Civil Rights .....
- Administrative Assistant Attorney General....
- Director, F. B. I. ....
- Director, Bureau of Prisons .....
- Commissioner, Immigration and Naturalization
- Pardon Attorney .....
- Parole Board .....
- Board of Immigration Appeals .....
- Director, Public Information .....
- Records Administration Office .....

CREE L 57

Department of Justice  
Washington

OCT 23 1961

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: Richard Allen Posey

This is in reply to your inquiry as to the action taken in the above case.

Posey was charged with bank robbery but found to be incompetent to stand trial and was committed to the Medical Center, Springfield, Missouri, where he has been for some eighteen months now. Under the law, we cannot continue to hold him there for an indefinite period unless it is found that, if released, he will probably endanger the safety of the officers, the property, or other interests of the United States. Since Springfield psychiatrists determined that Posey is not dangerous, the Criminal Division agreed to a dismissal of the indictment to pave the way for his transfer to a state mental institution.

Mr. Lloyd Buford, United States Attorney in Macon, Georgia, objected to dismissing the indictment because of strong local feeling concerning the case. After several conversations, it was agreed that Mr. Buford would discuss with Judge Bootle, the advisability of returning Posey to the sentencing court for a judicial determination of dangerousness. As of now, Judge Bootle has not yet expressed himself on that point. If the judge will make a finding that Posey is dangerous to the interests of the United States -- which he may do notwithstanding the findings of the psychiatrists -- Posey may be held indefinitely at Springfield and the indictment can remain outstanding. If not, Posey should be transferred out of federal custody by dismissal of the outstanding indictment and transferred to a suitable state institution for further care and treatment.

*[Handwritten initials]*  
BURKE MARSHALL

Assistant Attorney General  
Civil Rights Division

*Re: [unclear] with [unclear] to all [unclear] [unclear]*

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.

A. 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.

B. 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, 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 exemple 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.



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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

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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 so 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 whites is in such fields as electronics, television, dental, mechanics, etc. 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  
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6/26/63

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REPORT ON JAY VAN COVINGTON CASE  
MONROE, NORTH CAROLINA, MAY, 1962

Jay Van Covington, an 18 year old resident of Monroe, North Carolina, was indicted under the following six indictments on May 7, 1962 by the Grand Jury for Union County:

1. Conspiracy to break and enter a store with intent to commit a felony therein;
2. Breaking and entering said store with intent to commit a felony;
3. Larceny from said store of goods and money worth more than \$200.00;
4. Receiving said property, knowing it to be stolen;
5. Assault in a secret manner upon one Zeb Socrates with intent to kill by rifle shots;
6. Resisting arrest (a misdemeanor);
7. Attempt to break jail (also a misdemeanor);
8. Assault in a secret manner upon the County jailer, with intent to kill, with a piece of board.

On Monday, May 7th, defense counsel moved for a continuance of the trials until the next term of court, on the grounds that the indictments had only been returned that same day, and counsel needed time to prepare the defense to the various charges, which involved four separate transactions. The motion was denied, and trial set for Wednesday, May 9th. (This occurred immediately after the Judge had denied motions of defense counsel in the kidnapping cases, asking for trial at the current term under indictments returned last August.)

On May 9th, the conspiracy, breaking and entering, and larceny charges were consolidated for trial. Covington's two co-defendants pleaded guilty. Counsel moved to quash the indictments against Covington, on the grounds that Negroes had been intentionally excluded from the grand jury. Counsel also asked for a hearing at which to establish the facts of such discriminations, after time and opportunity to investigate and prepare for the hearing. The right to such a hearing was established by State v. Perry,

248 N. C. 324, 103 S. E. 2d 404 (1958), but the judge denied the motion.

A similar motion directed at the petit jury was also denied.

It is interesting to note that the grand jury for 1962 in Union County included one Negro, as has every Union County grand jury since 1948. Apparently, the authorities believe that placing a Negro on a jury avoids the Constitutional problem.

Testimony against Covington was that of the co-defendants, who admitted breaking into the store and stealing the above-named items. They testified, however, that the escapade had been suggested to them by Covington and that he had accompanied them to the store, stood watch while they entered, and shared the proceeds with them.

Under North Carolina law, uncorroborated accomplice testimony is sufficient to sustain a conviction. The defendant is entitled to a cautionary instruction, and one is given in this case.

Covington took the stand and denied any involvement in or knowledge of the incident, testifying that he was at home from 10:30 on the night in question. His mother testified to the same effect.

The jury was out 35 minutes, and brought in verdicts of guilty on all three felony charges.

Next to be called for trial were the attempted escape and secret assault on the jailer. Covington had admitted an attempt to escape and assault to defense counsel. They took place on March 29th, after Covington had been held for 20 days without having been permitted to see parents or a lawyer, according to him and his parents. The authorities say he was permitted visitors.

The defense tendered pleas of guilty to attempted escape and simple assault. The court accepted pleas to attempted escape and assault, both misdemeanors.

Next case called, on Thursday afternoon, was resisting arrest. This allegedly occurred on March 9th when two policemen picked Covington up on warrants for the store and shooting incidents. The defense asked that the case be put over until Friday morning in order to summon witnesses. The court acquiesced, and trial on the secret assault by rifle shots was

started. Again, both co-defendants pleaded guilty, and prepared to testify against Covington. They had admitted participation in this incident, the firing of a number of rifle shots at a service station and passing trucks from across the highway, and claimed that Covington was with them.

The jury tendered in this case consisted entirely of men who had been sitting in court during all of the prior proceedings against Covington. Counsel strenuously objected to the jury, but the court ruled the jurors acceptable in the absence of any admitted prejudice. Lengthy voir dire ensued, with all jurors denying any pre-judgment of the case, any prejudice against negroes, any membership in the Klan or Citizens Councils, any friendship with any members thereof, etc. (There were two Negroes on the jury tendered to the defense, but Covington did not feel that they offered any cause for hope.) The voir dire consumed the remainder of Thursday afternoon and early evening.

On Friday morning before court opened, the Judge called defense counsel into chambers. He indicated that his docket still had some unfinished business on it, and that he would not be able to get to it if the two remaining trials of Covington went ahead. He offered in return for a plea of guilty to resisting arrest, to postpone the secret assault trial, sine die.

The Judge indicated his recognition of the fact that the jury would surely convict on both charges (a recognition fully shared by defense counsel); he further indicated that upon conviction for the secret assault, sentence would be severe (maximum is 30 years), whereas if it were postponed, the case might possibly never come to trial. Even if it did, he indicated chances for a lighter or concurrent sentence would be better before an un-antagonized judge. Defendant and counsel agreed it would be wise to accept the continuance, and Covington pleaded guilty to resisting arrest. Covington was sentenced to a total of 62 months on the three misdemeanors and 7-10 years on the three felonies, the two sentences to run concurrently. The co-defendants received 3-5 years each.

Appeals were noted. Appeal bond of \$10,000 (plus \$500.00 for costs) was set, as well as \$5,000 on the remaining felony charge. Thus, it will take \$15,500 to get Covington out pending appeal.

It is felt that chances for reversal on appeal are excellent,

because of the failure to give the defense a hearing on the alleged jury discrimination.

However, under North Carolina law, the defendant must remain in the county jail while his appeal is pending, and his sentence does not begin to run until the appeal is decided or dropped.

Covington will be eligible for parole after 1/4 of the 7 year minimum (21 months), and it seems preferable that he serve his time if he cannot make bail pending appeal. This is a decision which should be made within the next week.

An appeal would be very important. It is the only way to break out of the arbitrary power of the local authorities and trial judge and prosecutor. The real story of a trial in the Monroe courtroom does not appear in this summary; it can only be experienced.

The working partnership between the judge and the prosecutor is complete, and their hostility overt, as is that of the jury. The local "law enforcement" authorities loiter everywhere. Mean, petty harassment is constant. The underdog is kept constantly aware of where the power lies. An act of setting a high appeal bond is a barely disguised taunt: We know there are errors on the trial, but what are you going to do about it? Let your client rot in his solitary dungeon in the county jail where we run things?

It will be difficult, but more such challenges must be taken up before things will get better for the people in Monroe. Each little victory is very significant; each little loss is a set-back. The issue is justice, and justice has small chance at the level of the court-house in Union County. Every case which can go up a little higher lifts justice a little higher out of the dust of Union County.

Summary prepared by Eal Witt, who, with Richard J. Scupi, was counsel for JayJan Covington.

1726 Columbia Road, N. W.  
Washington, D. C.  
May 15, 1962

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TELEGRAM  
SPECIAL

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DEPT. OF JUSTICE  
GENERAL RECORDS BRANCH  
TELETYPE OFFICE

NOV 23 11 10:32

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BURKE MARSHALL

ASST ATTY GENL CIVIL RIGHTS DIVN WASH DC

YOUR TELEGRAM DATE BERNARD WEATHERLY 100 GARY ST DELIVERED

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**TELEGRAM  
SPECIAL**

DEPARTMENT OF JUSTICE  
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FEDERAL BUREAU OF INVESTIGATION

NOV 23 11 10:20

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SSK374 NS SEA080 COLLECT SELMA ALA 22 1022P CST

BURKE MARSHALL

ASST ATTY GENL CIVIL RIGHTS DIVN WASH DC

YOUR TELEGRAM DATE JAMES W MORRISON MERRIFIELD DR DELIVERED

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CIV. RIGHTS DIV  
Nov. 23. 63

TELEGRAM  
SPECIAL

DEPARTMENT OF JUSTICE  
ADMIN. RECORDS BRANCH  
TELEGRAM OFFICE

1963 NOV 23 12:32

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BURKE MARSHALL

ASST ATTY GENL CIVIL RIGHTS DIVN WASH DC

YOUR TELEGRAM DATE NORMAN W LOVING ROUTE 2 BOX 331 DELIVERED

943PM

WESTERN UNION TEL CO

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RECORDS BRANCH	
CIV. RIGHTS DIV.	

Gen. Lit. Sec.

**TELEGRAM  
SPECIAL**

DEPARTMENT OF JUSTICE  
CIVIL RIGHTS DIVISION  
TELEGRAM OFFICE

NOV 23 PM 12:31

WUTC75 WUA046 RA155

WF009 WU UDA032 (NS SEA074) COLLECT SELMA ALA NOV 22 913P CST

BURKE MARSHALL

ASST ATTY GENERAL CIVIL RIGHTS DIVN WASHDC

YOUR TELEGRAM DATE LAHAR WCFERRIN 208 WATER AVE DELIVERED 915PM

WESTERN UNION TEL CO

(27).

1200P EST NOV 23 63

72-3-51

DEPARTMENT OF JUSTICE	RECORDED
NOV 23 1963	FILED
RECORDS BRANCH	D

Gen. Lit. Sec.

TELEGRAM  
SPECIAL

DEPARTMENT OF JUSTICE  
COMMUNICATIONS SECTION  
TELEGRAM OFFICE

NOV 23 PM 12:31

WUT076 WUB112 NSA624

NS SEAC79 COLLECT SELMA ALA 22 1025CST

BURKE MARSHALL

ASST ATTY GENL CIVIL RIGHTS DIVN WASH DC

YOUR TELEGRAM DATE GENE E COFFEE SUMMERFIELD RD DELIVERED

917PM

WESTERN UNION TEL CO

(29).

1201P EST NOV 23 63

72-3-51

NOV 23 1963	R R R R R
CIV. RIGHTS DIV.	
Gen. Lit. Sec.	

2002

TELEGRAM  
SPECIAL

DEPARTMENT OF JUSTICE  
RECORDS BRANCH  
TELETYPE OFFICE

NOV 23 11 12 31

WUT077 WUA045 WA147

(DJ) (NS SEA066).COLLECT SELMA ALA NOV 22 812P CST

BURKE MARSHALL

ASST ATTY GENERAL CIVIL RIGHTS DIVN WASHDC

YOUR TELEGRAM THIS DATE TO JOHN POLLEY DELIVERED TO ADDRESSEE

755PM

WESTERN UNION TELEGRAPH CO

(29).

1202P EST NOV 23 63

72-3-51

DEPARTMENT OF JUSTICE	R F
NOV 23 1963	5-3-63 C D
RECORDS BRANCH	

Gen. Lit. Sec.

TELEGRAM  
SPECIAL

0

WESTERN UNION  
TELEGRAMS  
RECEIVED OFFICE

NOV 23 11 31 AM '63

WUT078 WUB110 EB1 , '822

NS SEA077 COLLECT SELMA ALA 22 840A CST

BURKE MARSHALL

ASST ATTY GENL CIVIL RIGHTS DIVN WASH DC

YOUR TELEGRAM TODAY JOSEPH A LAPORTE 2216 ALABAMA AVE DELIVERED

942PM

WESTERN UNION TEL CO

(27).

1203P EST NOV 23 63

72-3-51

DEPARTMENT OF JUSTICE	F
NOV 23 1963	E.E. 123
RECORDS SECTION	3
CIV. RIGHTS DIV.	
Gen. Lit. Sec.	

TELEGRAM  
SPECIAL

RECEIVED  
DEPARTMENT OF JUSTICE  
TELEGRAPH CO.

NOV 23 11 3:57

WJY176 037 WA145

(DJ) (NS SEA067) COLLECT SELMA ALA NOV 22 812P

BURKE MARSHALL

ASST ATTY GENERAL CIVIL RIGHTS DIVN WASHDC

YOUR TELEGRAM THIS DATE TO MAX L TEPPER DELIVERED AT 810PM

WESTERN UNION TELEORAPH CO

(28).

354P EST NOV 23 63

72-3-51

40	DEPARTMENT OF JUSTICE	RE
	NOV 23 1963	RE
	RECORDS BRANCH	9
CIV. RIGHTS DIV.		
Gen. Lit. Sec.		

TELEGRAM  
SPECIAL

DEPARTMENT OF JUSTICE  
COMMUNICATIONS SECTION  
TELEGRAPH OFFICE

NOV 23 PM 3:50

WUT175 WUA036 WAT38

(DJ) (NS SEA072) COLLECT SELMA ALA NOV 22 837P CST

BURKE MARSHALL

ASST ATY GENL CIVIL RIGHTS IVN WASHDC

YOUR TELEGRAM H CECIL MILLER JR 517 DIXIEDR DELIVERED TO ADDESSEE

837PM

WESTERN UNION TEEGRAPH CO

(15).

353P EST NOV 23 63

72-3-51

DEPARTMENT OF JUSTICE	R
NOV 23 1963	D
REGIONAL OFFICE	
CIV. RIGHTS DIV.	
REC'D	



TELEGRAM  
SPECIAL

DEPARTMENT OF JUSTICE  
GENERAL RECORDS BRANCH  
COLLECTOR'S OFFICE

NOV 23 11 3:59

WUT174 WUA035 WA137

(DJ) (NS SEA055) COLLECT SELM ALA NOV 22 425P CST

BURKE MARSHALL

ASST ATTY GENERAL CIVIL RIGHTS IVN WASHC

YOUR LEGRAM HONORABLE BNCHARCLEOD PERSAL DELIVERY

ONLY DELI

VETERN OREDE428H CST

5).

352P EST NOV 23 63

72-3-51

DEPARTMENT OF JUSTICE
NOV 23 1963
RECORDS BRANCH
CIVIL RIGHTS DIVISION

UT173 WUA034 WA136

(DJ) (NS SEA061) COLLECT SELMA ALA NOV 22 1022A CST

BURKE MARSHALL

ASST ATTY GENERAL CIVIL RIGHTS DIVN WASHDC

YOUR TEEGRAM DATE ERSKINE POWELL OLD MARION JUNCTION RD DELIVERED  
1013PM

WESTRN UNION TEL CO

(14).

351P EST NOV 23 63

72-3-51	
DEPARTMENT OF JUSTICE	RECORDED
NOV 23 1963	INDEXED
RECORDS BRANCH	
CIV. RIGHTS DIV.	
Gen. Lit. Sec.	

DEPARTMENT OF JUSTICE  
COMMUNICATIONS SECTION  
TELEGRAM OFFICE

NOV 22 AM 7:27

WUT023 TUA022 W126

(DU) ( NS SEA071) COLLECT SELMA ALA NOV 22 957P CST

TURKE MARSHALL

ASST ATTY GENERAL CIVIL RIGHTS DIVN WASHDC

YOUR TELEGRAM DATE LOUIS E HUTCHISON 7510 NEW ORVILLE RD DELIVERED

TO ADDRESSEE 355PM

WESTERN UNION TELEGRAPH CO

(58).

723P EST NOV 23 63

72-3-51	
DEPARTMENT OF JUSTICE	
NOV 22 1963	
COMMUNICATIONS SECTION	
CIV. RIGHTS DIV.	
Gen. Lit. Sec.	

COMMUNICATIONS SECTION  
FEDERAL BUREAU OF INVESTIGATION  
U.S. DEPARTMENT OF JUSTICE

NOV 23 7:27

WUT023 TUA022 W126

(DJ) ( NS SEA071) COLLECT SELMA ALA NOV 22 837P CST

BURKE MARSHALL

ASST ATTY GENERAL CIVIL RIGHTS DIVN WASHDC

YOUR TELEGRAM DATE LOUIS E HUTCHISON 1510 NEW ORRVILLE RD DELIVERED  
TO ADDRESSEE 855PM

WESTERN UNION TELEGRAPH CO

(58).

723P EST NOV 23 63

72-3-51

NOV 24 1963
CIV. RIGHTS DIV.
Gen-Lit-See

DEPARTMENT OF JUSTICE  
TELETYPE BRANCH  
TELETYPE OFFICE

NOV 23 11 23

WJ025 WJ024 WJ127

(DU) (NO 85070) COLLECT SELMA ALA NOV 22 902P CST

DURKE MARSHALL

ASST ATTY GENERAL CIVIL RIGHTS

DIVN WASHDC

YOUR TELEGRAM DATE JOHN A LOCKETT 203 MCDONALD DELIVERED ADDRESSEE  
901PM

WESTERN UNION TELEGRAPH CO

(59).

7

726P EST NOV 23 63

72-3-51	
DEPARTMENT OF JUSTICE	1
NOV 23 1963	
CIV RIGHTS DIV.	
Gen. Inv. Sec.	

DEPARTMENT OF JUSTICE  
COMMUNICATIONS SECTION  
TELETYPE OFFICE

NOV 23 11 7:26

WJT025 WJAO24 WA127  
(DJ) (NS SEA070) COLLECT SELMA ALA NOV 22 902P CST  
BURKE MARSHALL

ASST ATTY GENERAL CIVIL RIGHTS  
DIVN WASHDC

YOUR TELEGRAM DATE JOHN A LOCKETT 208 MCDONALD DELIVERED ADDRESSEE  
901PM

WESTERN UNION TELEGRAPH CO  
(59).

726P EST NOV 23 63

72-3-51	
DEPARTMENT OF JUSTICE	RECEIVED
NOV 23 1963	B
COMMUNICATIONS SECTION	
U.S. DEPARTMENT OF JUSTICE	
WASHINGTON, D.C.	

WESTERN UNION TELEGRAPH CO  
COMMUNICATIONS SERVICE  
TELEGRAM OFFICE

NOV 23 PM 7:30

VIUT029 AG39 EA146

(DJ) (NS 06A060) COLLECT SELMA ALA NOV 22 813P

DURKE MARSHALL

ASST ATTY GENERAL CIVIL RIGHTS DIVN WAS DC  
YOUR TELEGRAM THIS DATE TO CHARLES D DRIVER NEW ORRVILLE RD  
DELIVERED TO ADDRESSEE 750PM

WESTERN UNION TELEGRAPH CO

(23).

733P EST NOV 23 65

72-3-51	
SEARCHED	INDEXED
NOV 24 1965	7
CIV. RIGHTS DIV.	
EST. 12 3-5	

TELEGRAM  
SPECIAL

DEPARTMENT OF JUSTICE  
RECORDS SECTION  
WASHINGTON, D.C.

NOV 23 7 30

WMUTO29 A039 WA146

(DJ) (NS SEA068) COLLECT SELMA ALA NOV 22 813P

DURKE MARSHALL

ASST ATTY GENERAL CIVIL RIGHTS DIVN WAS DC

YOUR TELEGRAM THIS DATE TO CHARLES B DRIVER NEW ORRVILLE RD.

DELIVERED TO ADDRESSEE 750PM

WESTERN UNION TELEGRAPH CO

(28).

733P EST NOV 23 63

72-3-51	
DEPARTMENT OF JUSTICE	RECORDED
NOV 24 1963	INDEXED
RECORDS SEARCH	
CIV. RIGHTS DIV.	
Gen. Tel. Sec.	



WUT055 WUD262 WAB30

(TL) (NS SEAC09) COLLECT SELMA ALA 25 912A CST

DURKE MARSHALL

ASST ATT GENL CIVIL RIGHTS DIVN WASHDC

YOUR TELEGRAM NOV 22ND OLIVER W RIVES OLD MONTGOMERY HIGHWAY

DELIVERED 822AM TODAY

WESTERN UNION TELEGRAPH CO

(07).

835P EST NOV 23 63

RECEIVED  
COMMUNICATIONS SECTION  
WESTERN UNION OFFICE

NOV 23 1963 8:36

72-3-51  
NOV 23 1963  
COMMUNICATIONS SECTION  
WESTERN UNION OFFICE

TELEGRAM  
SPECIAL

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WUT053 WUD262 WA330

(TL) (NO SEA009) COLLECT SELMA ALA 25 912A CST

DURKE MARSHALL

ASST ATT GENL CIVIL RIGHTS DIVN WASHDC

YOUR TELEGRAM NOV 22ND OLIVER W RIVES OLD MONTGOMERY HIGHWAY

DELIVERED 822AM TODAY

WESTERN UNION TELEGRAPH CO

(07).

835P EST NOV 23 63

OFFICE OF THE ATTORNEY GENERAL  
WASHINGTON FIELD OFFICE  
RECORDS SECTION

NOV 23 1963 8:36

72-3-51
NOV 23 1963
RECORDS SECTION
COMM. SEC. DIV.
Gen. Inv. Sec.

DEPARTMENT OF JUSTICE  
GENERAL RECORDS DIVISION  
TELEGRAPH OFFICE

NOV 23 PM 7:39

WUT050 WJAD40 WA139

(DU) (H8BEA03) COLLECT SELMA ALA NOV 22 915P CST

MURKE MARSHALL

ASST ATTY GENERAL CIVIL RIGHTS DIVN WASHDC

YOUR TELEGRAM DATE ROBERT T ELDER 306 SELMA AVENUE DELIVERED

915PM

WESTERN UNION TEL CO

(16).

734P EST NOV 23 63

72-3-51  
RECEIVED  
NOV 23 1963  
CIVIL RIGHTS DIV.  
WASH. DC

TELEGRAM  
SPECIAL

DEPARTMENT OF JUSTICE  
RECORDS BRANCH  
TELETYPE OFFICE

23 NOV 23 PM 7:39

WUTO30 WUA040 WA139

(DJ) (NSSEA03) COLLECT SELMA ALA NOV 22 913P CST

BURKE MARSHALL

ASST ATTY GENERAL CIVIL RIGHTS DIVN WASHDC

YOUR TELEGRAM DATE ROBERT T ELDER 306 SELMA AVENUE DELIVERED

915PM

WESTERN UNION TEL CO

(16).

734P EST NOV 23 63

72-3-51	
DEPARTMENT OF JUSTICE	
40	NOV 24 1963
RECORDS BRANCH	
CIVIL RIGHTS DIV.	
WASH. DC. 20530	

U.S. DEPARTMENT OF JUSTICE  
ADMINISTRATIVE SERVICES DIVISION  
TELETYPE OFFICE

NOV 23 1963

WUT157 WUA251 WSA512

SSJ527 HS SEADJG COLLECT SELMA ALA 23 150P CST

TURKE MARSHALL

ASST ATTY GENL CIVIL RIGHTS DIVN TDMR PDS WASH DC

YOUR TELEGRAM NOV 22 TO JAMES J CASSIDY 505 HERRING DRIVE

DELIVERED 140P

WESTERN UNION TEL CO

22 505 140P.(59).

1:57P EST NOV 23 63

72-3-51	
DEPARTMENT OF JUSTICE	
40	NOV 24 1963
RECORDS BRANCH	
CIV. RIGHTS DIV.	
Gen. Lit. Sec.	

WUT137 WUA231 NSA612

SSJ327 NS SEA030 COLLECT SELMA ALA 23 150P CST

DURKE MARSHALL

ASST ATTY GENL CIVIL RIGHTS DIVN TDEMI PWS WASH DC

YOUR TELEGRAM NOV 22 TO JAMES J CASSIDY 503 HERRIMAC DRIVE

DELIVERED 148P

WESTERN UNION TEL CO

22 503 148P. (50).

1:37P EST NOV 23 63

72-3-51

48	DEPARTMENT OF JUSTICE	RE
	NOV 24 1963	D
	RECORDS BRANCH	

SECRETARY  
U.S. DEPT. OF JUSTICE

12

TELEGRAM  
SPECIAL

0 *Dodato*

NOV 22 11 7 23

EEVUA102 NSA223

NS SEA035 PD SELMA ALA 22 230P CST

BURKE MARSHALL

ASSTY ATTORNEY GENERAL CIVIL RIGHTS DIVISION WASH DC  
THE GRAND JURY AND COURT OFFICIALS OF DALLAS COUNTY ALABAMA  
SINCERELY DEPLORE THE UNTIMELY DEATH OF PRESIDENT KENNEDY.  
WE PLAN TO POSTPONE OUR APPEARANCE IN WASHINGTON TO A LATER  
DATE

R D WILKINSON, FOREMAN, JAMES A HARE, CIRCUIT JUDGE, BLANCHARD  
L MCLEOD, CIRCUIT SOLICITOR, HENRY F REESE, JR, DEPUTY SOLICITOR,  
AND JAMES G CLARK, JR, SHERIFF

(40).

722P EST NOV 22 63

72-3-51	
RECORDS SECTION	R
NOV 22 1963	P.F. 123
RECORDS SECTION	123

CIV. RIGHTS DIV. ....  
Gen. Lit. Sec.

*Mr. Marshall*

3

Telegraph Office

11/22/63

Duske Marshall  
Assistant Attorney General  
Civil Rights Division

The following named persons are to each receive the attached telegram. You will please notify my office as to confirmation of delivery to each of the recipients.

11/22 ✓  
9:17pm Gene E. Coffee  
Summerfield Road  
Selma, Alabama

11/22 ✓  
9:15pm Lamar McFerrin  
209 Water Avenue  
Selma, Alabama

11/22 ✓  
9:15pm Lawson L. Miller  
200 Third Avenue  
Selma, Alabama

11/22 ✓  
9:15pm D. Bernard Weatherly  
100 Gary  
Selma, Alabama

11/22 ✓  
9:15pm James W. Morrison  
Herrifield Drive  
Selma, Alabama

11/22 ✓  
10:13pm Erskine Powell  
Old Marion Junction Road  
Selma, Alabama

11/22 ✓  
1:48pm James J. Cassidy  
503 Harrison Drive  
Selma, Alabama

11/22 ✓  
7:50pm Charles B. Driver  
New Orrville Highway  
Selma, Alabama

11/22 ✓  
8:10pm Max L. Topper  
107 Cooper Drive  
Selma, Alabama

11/22 ✓  
9:01pm John A. Lockett  
203 McDonald  
Selma, Alabama

11/22 ✓  
9:15pm Robert T. Elder  
306 Selma Avenue  
Selma, Alabama

11/22 ✓  
9:15pm John Polley  
c/o Mrs. John Polley  
Eurnsville Road  
Selma, Alabama

11/22 ✓  
8:57pm E. Cecil Miller, Jr.  
517 Dixie Drive  
Selma, Alabama

11/22 ✓  
9:42pm Joseph A. Lsports  
2216 Alabama Avenue  
Selma, Alabama

11/22 ✓  
8:55pm Louis E. Hutcheson  
1510 New Orrville Rd.  
Selma, Alabama

11/22 ✓  
8:23am Oliver W. Rives  
Old Montgomery Hwy.  
Selma, Alabama

11/22 ✓  
9:45pm Norman W. Loving  
Route 2, Box 331  
Selma, Alabama