

TELEPHONE CONVERSATION OF ATTORNEY GENERAL AND
GOVERNOR ROSS BARNETT, TUESDAY, SEPT. 18, 1962 at 12:30 p.m.

RFK: Governor, how are you?

Barnett: Fine, General, how are you?

RFK: Governor, I had a representative of the Department talk to this boy's lawyer and he in turn talked to Meredith and he feels strongly that he would like to register at Oxford and it's our judgment that it is the best judgment.

Barnett: General, I think you're making a mistake there.

RFK: Well, I think it's up to the boy --

Barnett: It's up to him, I know.

RFK: The vast majority of the students are registering in Oxford and he doesn't feel he should do anything unusual. But I think you can provide for his safety, can you not?

Barnett: Of course, we will have to do that. We'll do that all right. What day now does he want to register?

RFK: Thursday.

Barnett: He wouldn't want to wait until Monday?

RFK: Next Monday? He would rather do it Thursday.

Barnett: They're going to have a lot of folks registering there Thursday. I'm trying to figure this thing out. From a psychological standpoint the atmosphere will be better, that's what I'm thinking about. They'll register all through next Monday.

RFK: Do you want me to take this up again? I will be glad to do that. If you want him to register Monday, I'll be glad --

Barnett:

We insist that he come then. It would just save us a lot of trouble and it would be easier. I don't understand why he won't come here.

RFK:

The students are registering at Oxford and he wants to register at Oxford.

Barnett:

See if he will do this. See if -- in other words, there are going to be a lot of them registering Thursday and most of them will go home Friday morning. Even if you try to have it that it could be Monday or even Saturday.

RFK:

I'm going up to Massachusetts to vote so I can give you a ring tomorrow morning. You would rather have him register Saturday or Monday? Let me go to work on that. I will try to ~~make~~ do that later today.

Barnett:

Friday would be better than Thursday.

RFK:

Any day but Thursday?

Barnett:

They're going to have such a gang up there at Ole Miss and a lot of them might resent it. General, some men here insist that he come to the Jackson State office building on the 10th floor where the Trustees meet. The registrar is here and he'll miss the whole crowd and it would be so much better for everybody. Frankly I think if you don't agree with me there is nothing ----- he'll just have to come up there.

RFK:

I think he has considered it. Let me go over this again. First, we approached his lawyer and his lawyer said 'we want to go to Oxford.' Then I told our attorney this is not a decision for the lawyer, this should be taken up with the boy. I didn't talk to him myself.

Barnett:

You'll call me tomorrow morning?

RFK:

I will talk to you tomorrow morning and see if we can move it to another day. Thank you, Governor.

Barnett:

Thank you, General.

9/19/62
Wed 1:30 pm

SITUATION REGARDING MEREDITH

AG: If he comes to Jackson will he be registered?

Gov.: It is up to the Trustees whether or not they will permit him to register. We have a constitutional Board of Trustees. They have the right to control and direct all of the activities of the university. It may be the majority will not permit him to register. I couldn't promise they will register him. He will have the same opportunities in Jackson as up there. His whole transcript of grades are here.

AG: On the time, should we work that out?

Gov.: Yes, send another telegram saying that he may present himself at 3 o'clock tomorrow -- 2:30 or 3. The Board you see has the authority to decide those things. That is the matter conclusively. It is bound on the discretion of the Board of Trustees. That's my judgment about it.

They are going to make a mistake if they go to Oxford. The Board of Trustees has decided they want him to present himself in Jackson. If he doesn't do what the board says, it wont be our fault.

AG: If he goes to Oxford, you wont take responsibility for his safety?

Gov.: It will be in violation of the orders of the board. These people are very peaceful. This thing is serious to the people in the south, and all over the world. This thing -- it has the whole nation upset. We have telegrams from California to Maine. You would be surprised at the sentiment on this thing.

He's been notified where to come.

AG: How many students have they told to come to Jackson? Have telegrams been sent to other students?

Gov.: I couldn't answer that. I know of one.

TELEPHONE CONVERSATION OF ATTORNEY GENERAL AND
GOVERNOR ROSS BARNETT, MONDAY, SEPT. 17, 1962, at 7:00 p.m.

Governor Barnett of Mississippi opened the conversation by saying that he was simply delighted to hear from me again. He asked if I was feeling well and said it was a great pleasure to have a chance to talk once more.

During the course of the conversation he made the point that he felt that Meredith should register at Jackson at the State House at 3 o'clock on Thursday. He said that this would be a most convenient hour and place for them. He said the Board of Trustees will be meeting at Jackson at 2:30 and he will have the registrar there and everything could be handled very nicely.

I raised the point as to whether this was an unusual procedure and he said some of the students registered at Jackson although the vast majority do register at Oxford. I said I would cooperate but this was ^{solely} not my decision but that Meredith would have to be consulted and that I thought it was very possible that he would want to register at Oxford rather than Jackson.

I asked him if the Board of Trustees had determined whether they would permit him to register. He said that decision had not been made but he suspected that that would be the result.

I asked him for the name of the individual whom Mr. McShane, representing the Government and the Marshals, should be in contact. He gave me the name Dr. Jobe at the State House.

He said he was very anxious to avoid the kind of violence that they had in Alabama and felt that if he registered in Jackson there would be no "hissing" although he doubted they would have any trouble in either place.

I asked him why he preferred Jackson and he said it was to avoid the possibility of any difficulty. He indicated the Board of Trustees was meeting at that moment in another part of the building; that if I decide that Meredith should register at Oxford rather than Jackson, that he would get them back again tomorrow and tell them of our decision.

I told him I would see what the ramifications and the implications of this registering at Jackson might be and that I would consult with Meredith and would call him tomorrow and said I would try to make the call before Noon.

He thanked me for my cooperation and I thanked him for his.

The conversation was courteous throughout.

TELEPHONE CONVERSATION OF BURKE MARSHALL AND
GOVERNOR ROSS BARNETT, TUESDAY, SEPT. 18, 1962 at 6:05 p.m.

BARNETT: Mr. Marshall -

BM: Yes, Governor.

BARNETT: How are you today?

BM: Fine, thank you, how are you?

BARNETT: Everything's lovely.

BM: Sorry the Attorney General isn't here.

BARNETT: That's all right. I wish you would convey this message to him. That the Board of Trustees for the institution of higher learning in Mississippi convened yesterday afternoon and entered an order to the effect that Meredith, the Negro man, will come here to register, here in Jackson, Mississippi, at the State Office Building. Now the trustees are the ones who have the authority to control registrations in this seat and they have ordered that he come on and present himself here in Jackson on the tenth floor of the State Office Building, right across the street from the new Capitol. That's where the Board of Trustees have their offices and that's where the registrar will be. Now they have entered an order that he present himself at 3 o'clock tomorrow afternoon -- I mean Thursday afternoon.

BM: Yes. Well this is the suggestion that you gave Mr. Kennedy the other day. Meredith's position as I understand it is that he should be allowed to register in Oxford. Do I understand that Mr. Ellis will not be in Oxford?

BARNETT: I don't know where Ellis will be but the trustees control Ellis, the registrar, and I have no control over the trustees -- no one else in Mississippi. That's a constitutional board. It is a board of 13 men and they have entered this order and I don't know of any way it can be changed.

BM:

Governor, I will certainly give this message to the Attorney General. We appreciate your calling about it. Of course, there is a court order which is against some officials of the University and I don't know what action the court might want to take on this order. That would be a question for the court. But I will give this message to Mr. Kennedy and I will see that he or I call you back tomorrow morning and give you our views on it.

BARNETT:

You understand that there was a telegram sent on by Meredith several days ago asking what time and what place that he should offer himself for registration and this order yesterday was in response to that telegram.

BM:

I see.

BARNETT:

They have also tried to send him a telegram today. But this is the order.

BM:

I will see that he is informed of it Governor, and that his lawyers are informed of it.

BARNETT:

You understand Meredith wired here requesting time and place, now then, they have answered it by entering an order requesting that he register in Jackson.

BM:

Are they going to register him?

BARNETT:

They have not taken a vote on it yet.

BM:

Will it be all right if I call you or Mr. Kennedy calls you in the morning?

BARNETT:

Oh, yes, I'll be here.

BM:

I will give him this message and one of us will call you. Thank you, Governor.

BARNETT:

All right, Mr. Marshall. Thank you.

SUMMARY - Telephone Call - General Patterson & BM
September 20, 1962 - 9:50 a.m.

GenP ...over which I had nothing --I had no control. I will not be able to assure you of the things I thought I could yesterday when I spoke with you. I regret it with all my heart, and I want you to know that it is a thing over which I had no control at all. The only thing I could do was frankly to call you and let you know what the situation was.

BM Gen. Patterson, could you tell me more what that means.

GENP There is a warrant out for his arrest that I didn't know existed yesterday when I spoke with you. There may be an attempt to arrest him by local officials. I told you yesterday that he would have peaceable entry into Mississippi and to Oxford. I told you that I would be able to get him back to Memphis. I can't assure you of that this morning. I regret it with all my heart. All I can do is call you and tell that that is the situation.

BM General Patterson, I appreciate that very much.

GenP Col. Birdsong was here in my office yesterday when we spoke and he is here now. This is something I regret but it is just one of those things. In Mississippi the Attorney General doesn't have the direct control over local officers as they do in most states. Local prosecutors are autonomous. I have no control over that.

BM Could you tell me this -- do Col. Birdsong's men -- are they the people that would make such an arrest?

GenP No sir. I think it would be a sheriff or a deputy sheriff.

BM Of a county?

GenP Yes.

BM General Patterson, will I be able to get in touch with you later?

GenP I will be here in this office as far as I know. The way things are developing it may be necessary for me to go.

BM General, if possible, I would appreciate it if you would leave word where you will be -- the Attorney General or I may want to talk with you.

GenP Alright, Mr. Marshall. I just wanted to get this word to you before these people leave Memphis.

BM I appreciate that.

GenP You will have time to make that contact in Memphis?

BM Yes, I will. They may decide to come anyway.

GenP I just wanted you to know of the changed circumstances.

BM Yes sir, we will be in touch with you.

**SUMMARY - Call between General Patterson and Mr. Marshall,
September 19, 1962. 4:00 PM**

Present: Messrs. Marshall, Geoghagan, Oberdorfer, Katzenbach, McShane, and Guthman.

General Patterson and Colonel Birdsong (Mississippi)

WAG: Hello, Gen. Patterson. I am sorry we were interrupted and got cut off. I would like to introduce Burke Marshall. He would like to have a word with you.

GenP: I am glad to be meeting you.

BM: How are you?

GenP: Oh, fine.

BM: I haven't seen you for some time.

GenP: I haven't been out of the state much. You won't let me.

BM: You could say that we are keeping each other busy. That is the situation. General Patterson, I have you on this open speaker. That is necessary because I want Mr. Katzenbach, Mr. Geoghagan, and Mr. McShane to hear what you and I say. Is that alright?

GenP: Yes sir.

BM: He will go down sometime tomorrow. I want to decide with you and Colonel Birdsong now what time would be a good time.

GenP: It would be difficult for me to say right now. Frankly, I would say that anytime tomorrow afternoon, our time.

BM: Alright. How about 3:00?

GenP: Yes sir. That should be alright. 3:00 tomorrow.

BM: We will plan to have him arrive in Oxford about 3:00.

GenP: That will be fine. You are coming by way of Memphis.

BM: We will be coming from Memphis in a car. What kind of plates will it have, Jim?

McS: I don't know that.

GenP: I believe your best route would be to Batesville and then across.

BM: Which way do you suggest, General?

McS: Is that Route 55?

GenP: I think the best way would be to Batesville. No, that is 51. You drive over 51 -- you take the highway from Batesville directly across to Oxford.

BM: That is the route they will follow, General Patterson. Do you want to have people with them as they enter the state?

GenP: What?

BM: I said "do you want to have some of your people with them as they enter the state"?

GenP: We could arrange that and I think it might be better, Mr. Marshall, if some of our people could make contact with them in Batesville, or between Batesville and Oxford.

BM: Any place at all?

GenP: Well, the State Highway Patrol has an office in Batesville -- it is right on the highway. It is almost at the intersection of the highway.

BM: What if they proceed to the state highway office in Batesville?

GenP: If they will do that then Col. Birdsong and some of his men can meet them there. Some of the men could go along in their cars or however they want to do it, and then proceed to Oxford.

BM: Alright. Then it is about 20 miles from Batesville to Oxford, is that right?

GenP: No, actually it is about 28, I believe.

BM: Then they would plan to be in Batesville about 2:15, is that right - about a quarter past two?

GenP: Batesville, quarter past two, alright sir. That patrol station is right on the highway coming down from Memphis. It is not over 200 yards from the intersection of.....this highway that runs north & south, well, highway 51 runs east and west. The highway patrol station is just north of that intersection. It would be on the left coming in. I am sure that Col. Birdsong will have a patrolman in uniform outside and they can stop and ask him. I can have a patrolcar outside, and it would be easily identified.

BM: It is right on the highway?

GenP: That is right.

BM: They can find it then, General Patterson. They will come in and proceed to that office. They will meet your people there at about 2:15.

GenP: About 2:15.

BM: Yes, 2:15.

GenP: Yes sir -- alright, sir.

BM: Now, I don't know how long he will have to be at the University, Gen. Patterson. I guess you don't either.

GenP: I certainly don't.

BM: I imagine that the best thing for him to do would be to go back to Memphis.

GenP: I would think so. Of course, that is for you all to decide.

BM: Would Col. Birdsong stick with him until he gets where he wants to go?

GenP: Yes sir. He will have safe passage. Batesville is not very far from Memphis. I am sure the Colonel and his men will escort him to Hernando. That is right close to the line just below Memphis.

BM: I don't know, General Patterson, what his plans will be for Thursday night. But we will find that out and we will inform you in the morning. Will that be satisfactory?

GenP: Yes sir. Who will be accompanying him?

BM: He will be with Mr. McShane, who is the Chief of the U.S. Marshals. He is very familiar with this sort of thing. There will also be -- what are you having, Jim -- two deputies?

McS: There will be one or two -- no more than that.

BM: Plus the driver of the car, General, who will stay with the car.

GenP: Plus the driver. Alright, sir. Now, as I get it, they will arrive at Batesville at 2:15.

BM: That's right.

GenP: Col. Birdsong and his men will accompany ^{him} to Oxford and when the business has been completed there, they will accompany him where he wants to go. They will take him to the state line, probably to Hernando -- Memphis extends almost down there.

BM: Fine. I will find out what his plans are and will inform you. Will you be at your office tomorrow?

GenP: Yes, I will be in here in the morning. The time differential gets me confused. I will be in here -- I can be here whatever time you want to call me.

BM: Could I reach you when you are not at your office?

GenP: Yes, at my home. That number is EM 6-2362.

BM: That's in Jackson.

GenP: Yes sir.

BM: It may be that I will call you at home tonight.

GenP: Call any time at all.

BM: Now, I want to ask these gentlemen if there is anything more we should cover?

McS: That is Route 51 into Batesville?

NK: I don't think there is anything we need to add to that. We certainly appreciate your cooperation on this.

GenP: Thank you very much. Col. Birdsong is here hearing this conversation. He will want to meet Mr. McShane tomorrow.

BM: Yes, I expect so. Mr. McShane has had a lot of experience on this sort of thing.

= Gen. Patterson, about how many men will Col. Birdsong have?

GenP: Let's put it this way, Mr. Marshall. He will have all that are necessary.

BM: You are, as always, very cooperative and direct.

GenP: Thank you sir, thank you so much. Tonight around 7 to 7:30 I will have to be away from my home.

BM: If we call you tonight, it will be before that, General.

NK: General, Nick Katzenbach again. Would Col. Birdsong like Mr. McShane to get in touch with him before he departs from Memphis?

GenP: I think it would be a good idea. (In an aside asked Col. Birdsong where he could be reached by Mr. McShane) He will be at the Batesville office to receive that contact. (Again to Col. B) Do you know that number. Just a moment --

4706 Batesville.

NK: Alright -- Mr. McShane will call Col. Birdsong before he leaves Memphis.

McS: I will call him sometime tomorrow morning.

GenP: Col. Birdsong says that number is no longer in use. You can just call the Highway Patrol Station at Batesville.

BM: It might be helpful to know when Col. Birdsong will get there?

GenP: (Asked Col. Birdsong) He said by noon anyway. He will be there by noon or before.

BM: Alright, General Patterson, that is fine. Mr. McShane doesn't know where he is going to be in the morning.

GenP: I can see why he won't. He will be there in the morning and Mr. McShane can call him there.

BM: If he wants to get in touch with Col. Birdsong before then I will ask him to call your office and maybe they can tell him where he is.

GenP: That will be fine. The number here is EM 6-2611.

BM: Alright, General Patterson.

GenP: That will put him in contact with the radio operator and they can find him in a hurry.

NK: Nick Katzenbach, General. Mr. McShane will be

I
in touch with us here, and if you need him, if
you will contact me or Mr. Marshall, we can
put Mr. McShane in touch with you.

GenP: Thank you so very much.

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**SUMMARY TELEPHONE CALLS TO
TOM WATKINS, SEPTEMBER 20, 1962**

Following Patterson's call at 9:50 a.m., I discussed the situation with the Attorney General. Then sometime in the morning I called Tom Watkins and told him that we understood the Governor intended to have Meredith arrested. I pointed out that there was a court order forbidding his arrest.

Mr. Watkins said that he had not been consulted about the decision to arrest Meredith and that he disagreed with it. He said he believed that the Governor would change his mind about that and said that he would call me back.

Sometime in the early afternoon Mr. Watkins called back and said that he had discussed the matter with the Governor and that Meredith would not be arrested.

At about 4:15 p.m. Al Rosen of the FBI reported to me that their agent had just learned from the sheriff in Oxford that the sheriff was going to arrest Meredith. It was for that reason that the Attorney General made his additional telephone call to the Governor at about 4:50 p.m.

JM

**CONVERSATION BETWEEN ATTORNEY GENERAL JOE PATTERSON,
RFK AND BURKE MARSHALL, THURSDAY, SEPT. 20, 1962 at 12:30 p.m.**

RFK: Hello General, this is Bob Kennedy speaking.
How are you?

PATERSON: How are you Mr. Attorney General?

RFK: We are having a few problems in your state I'm afraid.

PATTERSON: Yes.

RFK: I appreciate your talking with Mr. Marshall yesterday and then again this morning and thought we would bring you up to date and perhaps counsel with you as to how it should be handled. Is there any objection if I put it on the loud speaker so that Mr. Marshall can hear what you have to say?

PATTERSON: No sir, not at all.

BM: General, thank you for calling back. Were you calling me about something?

(CALL DISCONNECTED AT THIS POINT AND THEN RECONNECTED)

RFK: General, we were disconnected. Here's Burke Marshall who wanted to say hello to you.

PATTERSON: How are you this morning?

BM: I am quite busy General.

PATTERSON: I know you are.

RFK: Should we tell you the situation at the present time?

PATTERSON: I would appreciate it if you will.

BM: Judge Mize and Judge Cox, General, have said that they would issue a temporary restraining order prohibiting the arrest of Meredith on any charges or interfering with his entering the University today.

PATTERSON: Yes sir.

BM: That is going to be signed in a very few minutes.

PATTERSON: Yes Sir.

BM: We intend to proceed in view of that order to bring Meredith on down.

PATTERSON: Yes.

BM: I suppose that one problem we should discuss, General, is the question of what would happen in the event some sheriff or someone won't obey the order and would arrest him.

PATTERSON: Am I talking to Mr. Marshall?

RFK: To both of us.

PATTERSON: Mr. Marshall, I have sitting here by me your mutual friend Tom Watkins. As you know, Mr. Watkins is a close friend of the Governor and one of his advisors. Mr. Watkins contacted the Governor's office this morning and came back to this office and that's what prompted me to call you. The Governor's office directed that there not be any arrests of Meredith up there. Of course, with these others who are going to meet in a few minutes, certainly I would advise any law officers of the state to obey those orders to refrain from arresting Meredith.

BM: That's fine.

PATTERSON: You say that they are going to meet in a few minutes?

BM: That's correct, General. In that case, and in view of the Governor's instructions not to arrest him anyway, I would think that we should proceed upon the plan we agreed to last night.

PATTERSON: Of course I want to get this other straightened out. To be frank with you, I don't want to make any commitment to you or the Attorney General of the U.S. that I can't follow through 100 percent.

**CONVERSATION BETWEEN ATTORNEY GENERAL PATTERSON
AND RFK, THURSDAY, SEPT. 20, 1962 at 3:15 p.m.**

PATTERSON: General Kennedy, Judge Myers and Judge Cox have issued their order on any arrests of any kind. I have contacted the District Attorney of that District who is in the city of Oxford and told him that it had been done and for him to direct his sheriff to respect these orders of Judge Myers and Judge Cox, and to refrain from any effort to arrest him. I have been assured from the Governor's office that the same word has been sent out to other sheriffs. Here in Mississippi the Attorney General does not have direct control over law enforcement officers and all I can do is advise them so I am not in that position otherwise I would direct. The Governor's office as I say have told the office the same thing. The chief of our highway patrol, Col. Birdsong, with whom McShane has talked is in the town of Batesville and they were going to come down from Memphis. They were going to contact the Colonel at the patrol station. Birdsong is there now so I will call him back and tell him when to expect them.

RFK: I just talked to Mr. McShane about 3 minutes ago so what we thought we'd do - - - he is going to leave now and tell him to go right through and look for Col. Birdsong. I suppose it will take --

PATTERSON: It won't take -- I'm not familiar with the highway -- but even then it won't take more than an hour. They have a new interstate highway. It is only 28 miles from Batesville to Oxford and there is a direct highway.

RFK: He will be down sometime over an hour.

PATTERSON: I will call Col. Birdsong -- he is a fine fellow and a lifelong officer -- and tell him that Mr. McShane and his deputies and Meredith will contact him at the highway.

RFK: That's fine. You will be keeping in touch with how it progresses and you will call me if there is any problem?

PATTERSON:

Yes, I will. Frankly, what I think they should do in this matter is, and I understand that is all they wanted, to do, is to present Meredith to the registrar there and of course, whatever the registrar does -- if he denies admission and denies registration, I assume they will have accomplished their mission.

RFK:

That's correct. Will you make arrangements for them to leave and for someone to take them out.

PATTERSON:

I will tell Birdsong to escort them in and out. Will they take him to Memphis?

RFK:

That I don't know. I'll find out.

PATTERSON:

I understand from Mr. McShane that they would want to go to Memphis and don't want to go to Jackson and go to the Board of Trustees there.

RFK:

No, they don't want to do that.

PATTERSON:

It seems the logical thing would be to return to Memphis.

RFK:

Maybe they could give them a ride to Batesville.

PATTERSON:

We will give them an escort not only to Batesville but back to the Mississippi line.

RFK:

I really appreciate your help. It will make a helluva difference.

PATTERSON:

General, I hope we can get together to talk about this sometime.

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**CONVERSATION BETWEEN ATTORNEY GENERAL JOE PATTERSON
AND RFK, THURSDAY, SEPT. 20, 1962 at 1:50 p.m.**

RFK: Hello, General, Bob Kennedy again. I was wondering if you have had any word as to how the situation will result?

PATTERSON: Not at the moment, General. I should have it shortly though.

RFK: This fellow should really leave Memphis within the next hour or so.

PATTERSON: Where should I call you, at this number?

RFK: Yes, and ^{you} can also get me at Re 7-5038.

PATTERSON: I certainly will, as quick as I can get something definite... . I will call you back.

RFK: Thank you. I am very appreciative of your cooperation.

PATTERSON: Maybe some day I will have an opportunity to talk to you in detail about this.

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CONVERSATION BETWEEN ATTORNEY GENERAL PATTERSON AND
RFK, THURSDAY, SEPT. 20, 1962 at 4:40 p.m.

RFK: General, how are you? We just got word from the Bureau down there that they talked to the Sheriff of Oxford and he said he had orders to arrest Meredith.

PATTERSON: Oh my gosh.

RFK: And that he was intending --

PATTERSON: My information is from the Governor's chief assistant here in his office that the Governor has directed them not to.

RFK: We checked. We got that report and you said that to me. We called back to find out when they talked to the sheriff and he said he talked to the sheriff within the last 35 minutes. The gist of the conversation was that he got an earlier one . . . but he since got a different one. He said the Governor was in Oxford. He said, 'the Governor directing us and has instructed us to arrest Meredith when he comes to, is it the Lyceum Hall?

PATTERSON: I don't know but I will call Chief Birdsong and find out if that is correct.

RFK: The best thing for both of us to recognize. . . . if the court has said he can't be arrested and then could be arrested -- arrest him in the company of a couple of Marshals -- put handcuffs on him and take him to jail -- that's a direct problem for all of us and --

PATTERSON: I thought the whole thing had been cleared.

RFK: I have had a lot of conversations with the Governor. Should I call him myself?

PATTERSON: I don't think it would hurt.

RFK:

I will call him and tell him. I wonder where I could locate him? Could I locate him through Jackson?

PATTERSON:

That would be difficult. I would say direct your call to the University of Mississippi for the Governor.

RFK:

If you hear anything further, will you give me a ring? Thanks alot.

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CONVERSATION BETWEEN GOVERNOR BARNETT AND RFK
THURSDAY, SEPT. 20, 1962 at 4:53 p.m.

RFK: Hello Governor, how are you?

Governor, we spent a good part of the day working on this problem of the possibility of the arrest of Meredith and the federal courts have issued an order signed by Judge Mize and Judge Cox prohibiting his arrest at this time. Now, I thought that that had been worked out reasonably yesterday there would not be that difficulty.

BARNETT: Well, now, here, I understand that Attorney General Patterson had agreed that if he did present himself he would not be arrested. We are going to abide by that. I understand he is coming here to the University and not to Jackson and present himself here.

RFK: That's correct.

BARNETT: I told the Sheriff here that that's the understanding not to arrest him and they agreed not to do it. They will go away without any arrest. Everything will be peaceful. There won't be any violence here.

RFK: I appreciate that. You have been very cooperative. We received word within the last 45 minutes that the sheriff was going to arrest him.

BARNETT: That's not right. We agreed that should not be done.

RFK: Thank you Governor. Nice to talk to you.

BARNETT: Thank you General.

**CONVERSATION BETWEEN ATTORNEY GENERAL PATTERSON
AND RFK, THURSDAY, SEPT. 20, 1962 at 5:10 p.m.**

RFK:

General, I just ~~met~~ talked to the Governor and said that this was a problem, that we have been working on today and felt that it had been resolved and with the court order of Mize and Cox and that I heard that this man might be arrested there and that this created an unfortunate problem in the end. His answer was that the Attorney General had given assurances he would not be arrested.

PATTERSON:

I talked to him and told him that I thought he should notify the sheriffs they should make no effort in that direction and he told me that he would. I told him if Meredith appeared at the registrar's office and was denied registration and went back to Memphis there would be no trouble.

RFK:

I thought I would give you the report.

PATTERSON:

Thanks very much.

RFK:

Fine, General.

September 20, 1962
8:28 p.m.

RFK, called Attorney General Patterson and
thanked him for his help.

7

**CONVERSATION BETWEEN RFK AND GOVERNOR ROSS BARNETT,
MONDAY, SEPTEMBER 24, 1962, AT 9:50 p.m.**

RFK: Governor?

BARNETT: General, How are you tonight?

RFK: I expect that you probably have heard the decision of the court and the agreement of the Board of Trustees to register Meredith down in New Orleans.

BARNETT: Did they agree to that?

RFK: Unanimously.

BARNETT: All of them? That's really shocking to me. I heard it a little while ago.

RFK: They agreed to do it by 2 o'clock tomorrow.

BARNETT: By 2:00?

RFK: I think they have to report back to the Court by 4 o'clock.

BARNETT: Did the trustees actually sign anything?

RFK: They all got up in Court and agreed and then they polled the one who was absent and he agreed and the President announced it and they agreed to pass a resolution --

BARNETT: They told the Court that?

RFK: That's correct.

BARNETT: I'm surprised at that really. They were so firm about it two days ago. They changed their minds mighty quick.

RFK: The Court's decision was unanimous that they should do this.

BARNETT: Did they do this under any threat that the Court would fine them?

RFK: No, they asked the Court what they wanted them to do and the court told them and they said they would do it. They met and agreed unanimously they would take this step.

BARNETT: I am surprised. I thought they were going to stand steadfast.

RFK: I think there's a great problem here. If we don't follow the order of the federal court, we don't have anything in the United States. I understand how you feel and the feeling of the people down there. You are citizens of the State of Mississippi but you are also citizens of the United States.

BARNETT: I expect we got more than 2,000 letters this morning.

RFK: That's not the problem. Whether the 1000 people think so or whether I think so or whether you think so. The court has acted and there is nothing we can do. If you are working to avoid ~~anarchy~~ anarchy and disorder and tremendous distress, there is really not much choice on it. He is coming back again now.

BARNETT: He is going to try to register tomorrow? I haven't heard from anyone down there. Not at Jackson but at the University?

RFK: I think it was left up in the air.

BARNETT: They didn't say whether — I didn't know that.

RFK: Well, it's supposed to be by 2 o'clock. Can I make some arrangements with your Governor as far as his safety there?

BARNETT: He's under two court injunctions.

RFK: The Federal court has also taken that under consideration and is going to issue an order that anyone who arrests him is violating the federal law.

BARNETT: In contempt of court. They don't pay attention to the Mississippi courts. That's getting pretty rough, Mr. Kennedy. That's pretty low down. They're not

paying no attention to what the chancery courts have to say. Without any hearing -- strike it down. General, that won't work. It won't work in any court.

RFK: The court has taken that action and I don't want to get into a major conflict down there.

BARNETT: I tell you now I won't tell you what I am going to do. I don't know yet.

RFK: I've got to see he's protected.

BARNETT: I can't tell you what I'm going to do. I am honest with you. I don't appreciate such doings you know. I got no respect for it. I don't think the American people have had as much of the federal courts. They can't strike down orders without hearings. The lawyers here are very disturbed and lawyers all over the nation. Our phone rings constantly getting calls from good lawyers all over the country. Kennedy, you ought to rescind this order. Really and truly, you ought to do something about this thing, General. I am frank.

RFK: I think what's going to happen -- he is going to arrive in the state tomorrow and make an effort to register. I think the registrar is going to register him and the trustees have made this decision. The only problem is whether he is going to be protected by the state of Mississippi or left to us. That's what I want to decide with you this evening.

BARNETT: Of course I don't know what steps we will have to take. I will have to discuss it with several people here.

RFK: Will you call me Governor?

BARNETT: General --

RFK: Would you call me?

BARNETT: I will have to find out more about this thing before I make a statement about what I am going to do.

RFK: Will you call me then?

BARNETT: Tomorrow morning?

RFK: You will meet tonight?

BARNETT: I don't know whether I ~~can~~ can call you back on this thing. I just hate to promise. I want to keep my word.

RFK: Yes, and you have.

BARNETT: I appreciate that. This is a serious matter down here and I don't know what to do. Frankly, I am just not in a position to make a statement.

RFK: I wonder how we can leave it between the two of us? It's a quarter of eight down there?

BARNETT: It's nearly 8 o'clock here. What time is it there?

RFK: It's about 10 o'clock. I wonder if I might call you in a couple of hours and see how you are coming and if it has to wait until tomorrow morning --

BARNETT: I would have to wait until tomorrow morning before I know. I will have to think about it and I might not know tomorrow.

RFK: I have the responsibility for his protection. I don't want to send in a lot of extra people with him. Do you think I should plan to do that?

BARNETT: I frankly don't know what to tell you. I am shocked. I really am. I just don't know what to tell you.

RFK: I will have to make plans to send people in to protect --

BARNETT: To send people in to protect him. I certainly haven't heard of anything --

RFK: I heard from down there. If you can guarantee his protection -- you have always kept your word -- I am certainly happy to put that in your hands. I know you are a man of your word, that's why I --

BARNETT: How can I assure you?

RFK: The same way you assured us the last time. If you can give me your word then I won't have any difficulty. That responsibility is on my shoulders.

BARNETT: Just one second. (pause). General, I can't think of any statement about anything. I don't know. I'm just not in a position -- I can't make any commitments because we haven't decided.

RFK: When would we be able to talk about that? I would rather have this done by the local authorities, not by the federal government. The arrangements you made the other day were completely satisfactory. I would much rather have it in your hands. If I can get assurances we will stay out of it but we have to have assurances from you. I can understand that you want to think about it but think about whether we can --

BARNETT: It's about 10 o'clock there?

RFK: Yes, what time could I call you?

BARNETT: Well, I think about 8 o'clock in the morning.

RFK: I'll plan to do that?

BARNETT: I don't know -- I have several engagements in the morning. I have no idea. Wait just a minute. (pause) General, I will either call you or I'll wire you before 9 o'clock in the morning.

RFK: O.K. I appreciate that.

BARNETT: I'll either wire you or call you as to whether or not I can advise you as to what --

RFK: Can I run through this situation with you briefly -- run through the legal ramifications of this? First, the court ordered ----- then we have had the dispute over the period of the last week. Now it has gone before the court of appeals and they declared unanimously with one absentee that Meredith should be registered at the University of Mississippi. They said -- the Board of Trustees and the president - - - announced that they would arrange for the registration of Mr. Meredith.

BARNETT: They said that?

RFK: The registrar got up in court and said he would register Meredith. You've got now that the federal courts have acted --

BARNETT: Ellis, the regular registrar?

RFK: I don't know. I imagine it was he. The federal courts have acted. This is a union of which Mississippi is a member as is Massachusetts. As I said before, as well as being a citizen of the State of Mississippi you are also a citizen of the United States. The federal courts now have issued a ruling and to prolong this any further, we are all on the brink of a very dangerous situation. You say you have received 1,000 telephone calls --

BARNETT: Letters.

RFK: Letters. I can understand the feeling of the people. The problem is that the federal courts have acted and our responsibility -- you as an official of Mississippi and I as Attorney General --

BARNETT: I am in a big hurry here now. I appreciate your calling. I will let you know tomorrow whether or not I can advise you of our proceedings and --

RFK: And work out his protection?

BARNETT: I will let you know what our proceedings will be.

RFK: Thank you, Governor.

BARNETT: It was nice to talk to you.

CONVERSATION BETWEEN RFK AND GOVERNOR ROSS BARNETT
TUESDAY, SEPTEMBER 25, 1962, at 12:20 P.M.

RFK: Hello.

BARNETT: Yes, General, how are you? I was fixing to call you. I sent you a telegram this morning. I told you last night I would wire you at 9 o'clock. I sent you a telegram assuring you that we were exercising every diligence to prevent violence. I stated in the telegram we would take every precaution to prevent violence. We all agreed on that. We have been in session. What about yourself?

RFK: First, I have to find out what's going to happen. He is going to arrive down there and will let you know when he is coming.

BARNETT: What time is he expected?

RFK: I thought I would work it out with you.

BARNETT: Do it about 2 o'clock.

RFK: Let me first discuss this with you. He arrives and arrangements as I understand will be made for his personal protection. He will go to campus or Jackson, whatever we arrange with you. Will there be anything done by the state officials or the city officials to interfere physically?

BARNETT: I couldn't promise you that. Not physically.

RFK: Nobody will interfere physically?

BARNETT: ~~Nobody~~ I wouldn't answer that. About going on the campus or not. We are going to do it peacefully. We are not going to have any violence here.

RFK: The problem Governor -- I appreciate that and you have kept your word. But I thought we should have complete understanding and --

BARNETT: You anticipate any violence?

RFK: No, I don't anticipate violence. If you tell me there,

won't be any, there won't be any.

BARNETT: There won't be any as far as we're concerned.

RFK: He arrives and he goes to register. Is there going to be any effort to interfere with him?

BARNETT: Well, we're going through about the same thing as before.

RFK: But I mean, no one is going to try to stop him physically?

BARNETT: Nobody is going to try to hurt him. We are not anticipating anything like that.

RFK: You have no information that anyone will attempt to arrest him?

BARNETT: No, they're not going to do that. Arrest? For what do you mean?

RFK: Arrest him for anything. You have no information or knowledge they are going to arrest Meredith.

BARNETT: There is a federal case pending against him. I don't anticipate anything like that happening.

RFK: He will arrive -- and there won't be any interference with him -- and he'll attempt to register -- and nobody's going to try to arrest him?

BARNETT: I say there won't be any physical force and I hope there won't be ~~any physical force~~ -- I say that we won't try to block him, you know.

RFK: You just say you won't try to keep him out?

BARNETT: I don't mean that -- all about not keeping him out.

RFK: You are not going to keep him out physically? He gets there and says 'I want to go in.' Will someone stop him?

BARNETT: He may be faced with that.

RFK: That's quite different now. Is someone going to try to physically stop him?

BARNETT: He'll probably be told.

RFK: Who will tell him that?

BARNETT: I am going to tell him that.

RFK: You are going down there personally?

BARNETT: Well, I don't know yet. First, I don't know where -- where will he present himself?

RFK: I will try to work that out with you. Governor, he is under --

BARNETT: The same procedures as we did the last time. Then we go to court again. There won't be any physical violence.

RFK: But Governor, he gets to the campus and wants to get in and from what I understood there would not be --

BARNETT: I said he won't be blocked.

RFK: What do you mean "blocked?" I think that's important. If there are people out there telling him not to pass and he has a U.S. Marshal with him, are they going to keep him out?

BARNETT: It depends on what action he takes.

RFK: Will they keep him out physically? That I think is terribly important.

BARNETT: I don't think so. If he breaks through the line I don't know what will happen then. If he is confronted with a line.

RFK: He is going through it.

BARNETT: I won't tell you what is going to happen. He is going to have to listen to what we have to say.

RFK: I understand he has a court order permitting him to register.

BARNETT: We have an injunction saying he can't register. Mississippi ought to be recognized like any other courts.

RFK: We recognize them.

BARNETT: I don't believe you do. He has been enjoined from entering Ole Miss.

RFK: What do you do if there is a federal court considering all these things? Do you consider you are a part of the Union?

BARNETT: I consider the Mississippi courts as high as any other court and a lot more capable -- ten times more capable -- and a lot more integrity and honesty than any ~~at~~ federal courts except maybe for the district court here in Mississippi. -- just to be frank with you.

RFK: This discussion won't get us very far. Mr. Meredith arrives and you are going to have police keep him physically from going in -- is that the plan?

BARNETT: Well, I don't -- hold the line just a minute. General, the only reason why we may have police officers there is to keep the peace. That's the reason for that.

RFK: I appreciate that.

BARNETT: We are hearing you have ordered an Army here.

RFK: Oh, no, Governor. I wouldn't do that -- I wouldn't do it without telling you about it. I will be glad to tell you when I do that. I had not planned to send any more than the last time.

BARNETT: I don't see ~~where~~ any need for sending lots of folks.

RFK: This fello, Meredith, gets out of the automobile and he walks up the steps. Is someone going to physically keep him from going in?

BARNETT: Q If it brings on a breach of the peace.

RFK: That's what is going to be the problem. It is such a major step for us.

BARNETT: Does the state have a right to say about Ole Miss or

Tuttle and that court and the federal court in New Orleans have a right to control it or the State of Mississippi? That's the issue and I won't test it out.

RFK: I think you have had the test and I think it is quite clear in the United States that the federal courts have the last say. You might not like it . . . These matters have been resolved many years ago in the course of our history. I said last night that you are not only a citizen of the state of Mississippi but also a citizen of the United States. For you to send your police out after the federal court ~~is~~.

BARNETT: Our courts have acted too and our legislature have acted too. I am going to obey the laws of Mississippi.

RFK: Are you going to obey the laws of the United States?

BARNETT: I have taken the oath of the State of Mississippi and I can't violate --

RFK: Haven't you taken the oath of the United States?

BARNETT: Yes sir, and that is what we're trying to preserve and it's being whittled away.

RFK: The courts have acted on ~~k~~ it Governor.

BARNETT: Yes, they are whittling it away piecemeal by piecemeal.

RFK: What about the Constitution?

BARNETT: The constitution is the law of the land but not what some ~~Federal~~ court says.

RFK: Governor, I think we have to try to resolve this point between us. As Mr. Meredith arrives you are going to have police ~~xxxx~~ or others who are --

BARNETT: To . . . the people, that's all.

RFK: They are going to keep him out of there?

BARNETT: I will say they're only for the purpose of --

RFK: Have they received instructions not to allow him to come on the campus?

BARNETT: Well, I think so.

RFK: I will have to reconsider how many people we send in. I suppose then I will have to send more people in to get him on the campus? As I say I thought this was resolved. Do you want to fight a pitched battle?

BARNETT: That's what it's going to boil down to.-- whether Mississippi can run its institutions or the federal government is going to run things. Why don't you bring him on and if we tell him no let him go back to court on this thing. You don't want any violence.

RFK: I don't understand, Governor. Where do you think this is going to take your own state.

BARNETT: A lot of states haven't had the guts to take a stand. We are going to fight this thing.

RFK: Are you going to fight it?

BARNETT: All the way as long as any courts will hear us. That's the trouble now.

RFK: What about Georgia?

BARNETT: They are weak-kneed.

RFK: In g Georgia, Governor?

BARNETT: A lot of them are. This is ~~ad~~ like a dictatorship. Forcing him physically into Ole Miss. General, that might bring on a lot of trouble. You don't want to do that. You don't want to ~~ph~~ physically force him in.

RFK: You don't want to physically keep him out.

BARNETT: No, we don't want to use force. We will ask him to stay out. We will ask him very quietly to stay out and not enter it.

RFK: That will be in violation of the federal ~~court~~ law.

BARNETT: If he enters it will be in violation of the Mississippi laws. I have taken an oath to uphold the laws of this state. We have a statute taken a few days ago to have anyone barred from entering the institution of higher learning who has a criminal charge against him. We believe in high-class people going to higher schools not people who commit perjury in courts. He admitted that. Do you want us who are honorable and upright who are free from committing crimes --

RFK: I think the problem is that the federal courts have acted and when there is a conflict between your state and the federal courts under arrangements made some years ago. --

BARNETT: The institution is supported by the taxpayers of this state and controlled solely by the trustees.

RFK: Governor, you are a part of the United States.

BARNETT: We have been a part of the United States but I don't know whether we are or not.

RFK: Are you getting out of the Union?

BARNETT: It looks like we're being kicked around -- like ~~is~~ we don't belong to it. General, this thing is serious.

RFK: It's serious here.

BARNETT: Must it be over one little boy -- backed by communist front -- backed by the NAACP which is a communist front?

RFK: I don't think it is --

BARNETT: We know it is down here.

RFK: Governor, can I get back in touch with you and let you --

BARNETT: I will appreciate it. I will be right here. I am going to treat you with every courtesy but I won't agree to let that boy to get to Ole Miss. I will never agree to that. I would rather spend the rest of my life in a penitentiary than do that.

RFK:

I have a responsibility to enforce the laws of the United States.

BARNETT:

I appreciate that. You have a responsibility. Why don't you let the NAACP run their own affairs and quit cooperating with that crowd. We would appreciate that a lot.

RFK:

Governor, I am only in it because there is an order of the court. I believe in the federal courts, in the Constitution of the United States, I believe in the Union. That is why I took an oath of office and I intend to fulfill it. The orders of the court are going to be upheld. As I told you you are a citizen not only of the State of Mississippi but also of the United States. Could I give you a ring?

BARNETT:

You do that. At F1 3-4939 or F1 3-1585 or if both lines are busy, just call the Governor's office. You are going to let me know when and where he is going to appear. Do that before --

RFK:

I will try to do that within the next half-hour.

BARNETT:

Good to hear from you.

**SUMMARY OF ADDITIONAL TELEPHONE
CONVERSATION ON SEPTEMBER 25, 1962**

Between the Attorney General's conversation with the Governor at 12:20 p.m., and the conversation at 3:25 p.m., I discussed this matter with the attorneys for the Board of Trustees, particularly Charles Clark. We agreed that Ellis would come to the Federal Building to register Meredith. At the time of the Attorney General's conversation at 3:25 with the Governor, that was the understanding.

Following the telephone conversation at 3:25, I was informed by Mr. Clark that Ellis was physically prevented from leaving the State House to go to the Federal Building. Mr. Clark said that Mr. Ellis was under subpoena to a legislative investigating committee, and that they would use police if necessary to prevent him from leaving the room where he was to be questioned.

I called Mr. Tubb, the President of the Board of Trustees. Mr. Tubb repeated what Mr. Clark had said. Mr. Tubb said that when they arrived at Jackson the Governor and his people had completely taken over the offices of the Board of Trustees.

Mr. Clark also told me that his clients intended to stick to the letter of the Court's order, and that if Meredith did not appear to be registered by 2:00 p.m. Jackson time, he would have to appear to be registered during regular office hours at Oxford at some time in the future.

Following these conversations, I called Judge Tuttle. By order of the Court the time during which the Registrar was required to be available to Meredith on that afternoon was extended. We then decided that Meredith should go to the State House to see what happened. The Attorney General's conversations with Governor Barnett starting at 6:00 p.m. followed.

JM

CONVERSATION BETWEEN RFK AND GOVERNOR BARNETT
TUESDAY, SEPT. 25, 1962-at 3:25 p.m.

RFK: Hello.

BARNETT: General, How are you?

RFK: Fine, Governor. Well now this Mr. Meredith will be leaving from New Orleans in another -- I suppose within the next half-hour or so.

BARNETT: All right.

RFK: What time do you have?

BARNETT: We have 1:25.

RFK: And he'll be coming to Jackson. I assume it takes about an hour.

BARNETT: That's right.

RFK: He should be there about 2:30.

BARNETT: All right.

RFK: I will have an automobile meet him there in Jackson --

BARNETT: You will have an automobile to meet him in Jackson at the airport. All right.

RFK: My present plan is that he will go to the U.S. Attorney's office and then we will make our plans from there as to how he is going to go and what action we are going to take and --

BARNETT: He's going to the Federal Building? He's going to try to register there?

RFK: He is going to go there first.

BARNETT: You don't know where he is going to register.

RFK: I am not sure. I am going to work it out.

BARNETT: The court order orders him to register here.

RFK: I will study that and I will be in touch with you afterwards.

BARNETT: All right. Thanks.

RFK: There will no interference and he will be protected there?

BARNETT: There will be no violence at all.

RFK: And no interference with him?

BARNETT: No physical violence, no. We never have had any violence here you know. We are exercising every degree of diligence to prevent violence. We don't anticipate any. We certainly don't want it.

RFK: You and I will talk about it a little later.

BARNETT: I want to know where he is going.

RFK: We will talk after he gets there to the building.

BARNETT: All right.

**CONVERSATION BETWEEN RFK AND GOVERNOR BARNETT,
TUESDAY, SEPTEMBER 25, 1962 at 6:10 p.m.**

RFK: Governor?

BARNETT: How are you, General?

RFK: Fine, Governor. Mr. Meredith is at the U.S. Attorneys' office in --

BARNETT: In Jackson --

RFK: And I understand that there is a big crowd around the State House where he is going to come and register. I wonder if you could arrange for some room for him --

BARNETT: We will have a room.

RFK: Can you clear the crowds so we don't make a big circus?

BARNETT: You would have a big space. They're not going to bother him.

RFK: It will make it difficult. We just want to make sure the way is clear.

BARNETT: Just make sure the way is clear.

RFK: What entrance is he going to come in?

BARNETT: He can come in -- I would say the north side -- well, it's the east side --

RFK: The east side?

BARNETT: Of the building.

RFK: What room number is this?

BARNETT: It's on the 10th floor.

RFK: Do you have a lot of people standing there right now?

BARNETT: Not so many.

RFK: Are you going to try to clear that -- how many people do you have there?

BARNETT: Oh, I don't know. I can see about 15 or 18 right now. They're high-class people.

RFK: You will have that under control?

BARNETT: Oh, absolutely.

RFK: What room number?

BARNETT: He comes to the front office of the Board of Trustees of the Institute of Higher Learning and he won't be bothered. They are not going to try to hurt him.

RFK: You have got the registrar there?

BARNETT: It's Room 1007. Oh, yes, he's here.

RFK: He'll come to the East Entrance.

BARNETT: Immediately across the street from the new Capitol.

RFK: Is it clear there?

BARNETT: Oh, yes.

RFK: Will you tell them he's on his way?

BARNETT: Oh, yes.

RFK: ~~Are~~ Will you have an elevator --

BARNETT: There will be an elevator -- that will be clear for him. General, that's the last thing we want is violence.

RFK: I hope this is all conducted with the dignity of the United States and the Governor of the State of Mississippi.

BARNETT: It will be.

RFK: They'll be over.

BARNETT: Thank you, General.