

SRE

August 18, 1961

The Reverend C. Herbert Oliver  
55 Eighteenth Avenue, South  
Birmingham, Alabama

Dear Mr. Oliver:

I received today a letter from the Department of Justice regarding your reports of brutality cases in Birmingham. The following paragraphs are quoted from the letter:

"I have checked our records on each of the complaints which you gave me. In all but one of the cases, we have been required to close the investigations because of an inability to produce any evidence of a violation of federal law. In most of these instances the problem was that there was no way of establishing federal jurisdiction because there was no satisfactory evidence of participation by any persons acting under color of law. In other instances there was simply insufficient evidence disclosed by the full FBI investigation of any criminal violations by the police officers who were involved.

In one case, involving the complaint by [REDACTED] b7C the matter was presented to a Federal Grand Jury and indictment was returned. Upon trial the defendant was acquitted. The trial was concluded December 13, 1960. The charge was under Section 242 of Title 18, based upon the assault and shooting of the victim by officers of the Helena Police Department. There was, of course, no further action which could be taken by the Federal Government.

"One of the complaints is still under investigation. It does not appear at present, however, that sufficient evidence will be obtained to justify presentation of that matter to a Federal Grand Jury."

With best wishes,

Sincerely yours,

LD:mbb

C  
cc: Burke Mark All

b7C



## CITY OF BIRMINGHAM ALABAMA

INDUSTRIAL CENTER OF THE SOUTH

ALBERT BOUTWELL,  
MAYOR

MEMBER  
U. S. CONFERENCE OF MAYORS  
THE ALABAMA LEAGUE OF MUNICIPALITIES

July 16, 1963

My Fellow Citizens,

For a number of years, many of the people of Birmingham had almost abandoned hope for the prospects of growth, prosperity and improvement in the community which is Greater Birmingham.

In the summer of 1962, hope came alive again. A group of citizens, united by a common belief in the goodness of this city and its possibilities for greatness, organized "The Citizens for Progress." They circulated a petition for change in the form of government. More than eleven thousand co-signers joined them. In perhaps the most significant election in Birmingham history, the mayor-council government was adopted. In two successive elections, in which all voter turn-out records were broken, the officers of your new government were chosen.

The significance of those elections was clear. The people of Birmingham had rejected the past which was symbolized by economic stagnation - stagnation which spawned unemployment and prompted the migration of thousands of our young and ambitious to seek opportunity elsewhere. The people had also rejected political indifference to the needs, hopes and hungers of great segments of the population. And, finally, the people themselves were determined to face the facts of present and future, and to plan their city's future in keeping with the vast opportunities that lie before it.

The new government was almost immediately engaged in a court action to determine its right to immediate office. There came about an almost complete vacuum of authority at a time when authority was desperately needed.

On April 3rd the "demonstrations" began. The bad publicity they generated still hangs, like a dark and ominous cloud, over the city's future.

Out of all this, the Council and Mayor have inherited a city of problems - problems largely caused or created by governmental indifference, progress and failure to face the need for taxes and services. The Council and Mayor also inherited a city still haunted by memories of racial strife and potential violence.

(2)

The avoidance of actual violence and the maintenance of law and order is a signal tribute to the citizens of Birmingham. It was accomplished, first, by the stalwart, and indeed heroic, determination of law enforcement personnel of the city's police and fire departments, Civil Defense workers, Sheriff's officers, and volunteer assistance from neighboring communities and agencies of the State. Second, there was the magnificent self-restraint, good sense and good conduct of the people of Birmingham. Third, there was the action of a group of private individuals who represented a preponderant majority of Birmingham's industrial leadership.

These men, representing, not government, but industry, saw clearly the danger of impending riot and acted promptly and with courage. The success of the Senior Citizens, deeply concerned in the problems of job opportunities and industrial development, in dealing with the problems which concern them, has proved once again that local citizens can work out local problems.

We are convinced that the problems imposed upon us by the past, and the problems the future may bring with it can all be solved by local people at the local level.

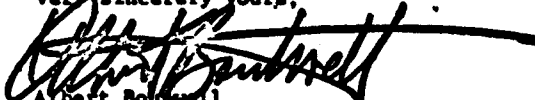
The powerful force of citizenship in action has inspired the Council's creation and my appointment of the Committee on Community Affairs. Membership on this committee is now, and will continue to be, a matter of great and deserved pride. The Committee and its members bear a stamp of approval and confidence of this government.

Present and future membership - since other members will be added to the Committee as duties and assignments are ready for them - have been, and will be drawn from every walk of life, representing all groups and all communities, all faiths and races.

With this Committee to bulwark the courageous and progressive spirit of the Council, with the ideas and actions it will generate, and with the vigorous determination of both the Committee and the City Government to move on toward harmony in all our community affairs and economic progress for all our people, Birmingham is now ready to take its rightful place of leadership in the South and Nation.

I salute the Committee and its members. We are lastingly determined to be, not only a good city, but a great city. You represent the first splendid step in that direction. I salute you for good citizenship. I promise you my wholehearted interest. I pledge my full cooperation in everything you undertake which is dedicated to the improvement and progress of your city and mine.

Very sincerely yours,

  
Albert Boutwell,  
Mayor of Birmingham

UPI-7

(RACIAL)

BIRMINGHAM--A BI-RACIAL COMMITTEE WORKED AGAINST TENSE AND DISORDERLY DAY IN AN EFFORT TO BRING A SOLUTION TO THIS STEEL CITY'S MOUNTING RACIAL CRISIS.

NEGROES AT TWO MASS MEETINGS LAST NIGHT HINTED STRONGLY AT NEW AND DIFFERENT "DIRECT ACTION" PRESSURES TO SIGNAL THE START OF THE FIFTH WEEK OF RACIAL TROUBLES THAT HAVE BROUGHT APPROXIMATELY 2,200 ARRESTS.

GOV. GEORGE WALLACE ORDERED A FORCE OF 150 RIGT-TRAINED STATE TROOPERS HERE TO AID LOCAL OFFICERS YESTERDAY AFTER MORE THAN 3,000 NEGROES STAGED DEMONSTRATIONS THAT ALMOST GOT OUT OF HAND. ROCKS AND BOTTLES WERE HURLED AT POLICEMEN AND FIREMEN WHO DISPERSED THE DEMONSTRATIONS WITH WATER HOSES.

INTEGRATION LEADER MARTIN LUTHER KING JR. TOLD REPORTERS THE DEMONSTRATIONS WOULD CONTINUE "IN SOME FORM." THE REV. JAMES BEVEL, ANOTHER NEGRO SPOKESMAN, SAID "WE WILL KEEP THE FIREMEN PUMPING WATER ALL DAY."

A SMALL GROUP OF NEGRO AND WHITE LEADERS MET AGAIN LAST NIGHT WITH ASSISTANT U.S. ATTORNEY GENERAL DUKE MARSHALL, THE JUSTICE DEPARTMENT'S ACE TROUBLE SHOOTER, SITTING IN.

IT WAS REPORTED THAT A SETTLEMENT HINGED IN LARGE PART ON DEPARTMENT STORES REACHING AN AGREEMENT ON DESEGREGATING EATING PLACES.

2/3--GE914A

UPI-8

(RACIAL)

WASHINGTON--PRESIDENT KENNEDY COUNTED TODAY ON THE PEOPLE OF BIRMINGHAM, ALA., TO SOLVE THEIR RACIAL PROBLEMS WITHOUT FEDERAL INTERVENTION.

THE PRESIDENT, WHO KEPT IN CLOSE TOUCH WITH DEVELOPMENTS IN BIRMINGHAM, WAS CERTAIN TO BE ASKED FOR HIS VIEWS AT HIS 4 P.M. NEWS CONFERENCE.

ACTING WHITE HOUSE PRESS SECRETARY ANDREW HATCHER SAID LAST NIGHT: "THE PRESIDENT CONTINUES TO HOPE THE SITUATION CAN BE RESOLVED BY THE PEOPLE OF BIRMINGHAM THEMSELVES. THIS, OF COURSE, WOULD BE THE MOST IDEAL SOLUTION."

KENNEDY WAS LISTENING REPORTS ON THE BIRMINGHAM DEMONSTRATIONS FROM HIS BROTHER, ATTY. GEN. ROBERT T. KENNEDY. THESE REPORTS WERE FIRST RELAYED FROM THE ALABAMA CITY BY DUKE MARSHALL, ASSISTANT ATTORNEY GENERAL IN CHARGE OF THE CIVIL RIGHTS DIVISION.

THE ADMINISTRATION WAS SAID TO FEEL THAT THE PRIMARY RESPONSIBILITY FOR A PEACEFUL SOLUTION RESTED WITH LEADERS OF BUSINESS, LABOR AND THE BAR, AS WELL AS CITY OFFICIALS.

WASHINGTON OFFICIALS SAID THEY QUESTIONED WHETHER THERE WAS ANY LEGAL GROUND FOR FEDERAL INTERVENTION IN THE DISPUTE AT THIS TIME. THERE APPEARED TO BE NO FEDERAL LAW VIOLATIONS, THEY SAID.

2/3--GE914A

UPI-9

(CIVIL RIGHTS)

WASHINGTON--THE HOUSE JUDICIARY COMMITTEE OF THE HERRING TODAY A WIDE VARIETY OF CIVIL RIGHTS BILLS AGAINST A BACKGROUND OF RACIAL TENSION IN PARTS OF THE SOUTH.

MORE THAN 50 CIVIL RIGHTS BILLS HAVE BEEN INTRODUCED FOR CONSIDERATION BY THE COMMITTEE. MANY OF THEM CONTAIN SIMILAR PROVISIONS.

SOME OF THE SPONSORS OF THE BILLS WERE SCHEDULED TO TESTIFY TODAY AND WEDNESDAY. HEARINGS ALSO WERE SCHEDULED FOR NEXT WEEK AND ADMINISTRATION OFFICIALS WILL APPEAR.

2/3--GE915A

BIRMINGHAM, ALA. (AP)—HEAVILY ARMED STATE TROOPERS SWARMED IN TO THIS RACIAL TROUBLE SPOT TODAY, READY TO AID BIRMINGHAM OFFICERS FACING THEIR SEVENTH DAY OF MASSIVE NEGRO DEMONSTRATIONS.

GOV. WALLACE ANNOUNCED YESTERDAY HE WAS ORDERING 200 RIOT-TRAINED HIGHWAY PATROLMEN TO BIRMINGHAM.

STATE PUBLIC SAFETY DIRECTOR AL LINGO SAID TODAY, HOWEVER, THAT THE NUMBER WAS BEING STEPPED UP TO 575 TROOPERS.

LINGO SAID THE TROOPERS WERE UNDER DIRECT ORDERS OF WALLACE. THEY WERE EQUIPPED WITH TEAR GAS GRENADES, PIOT GUNS, CARBINES AND SUB-MACHINE GUNS, HE SAID.

IN THE FACE OF THIS DEVELOPMENT, INTEGRATION LEADER DR. MARTIN LUTHER KING JR. SAID: "THIS MOVEMENT IS GETTING BIGGER AND BIGGER. THERE'LL BE NO STOPPING UNTIL WE MOVE SEGREGATION FROM THE CITY."

KING SAID MORE THAN ONE DEMONSTRATION WAS PLANNED DURING THE DAY.

SR921AED 5/8

#### FEDERAL-BIRMINGHAM

WASHINGTON (AP)—ADMINISTRATION LEADERS RESUME THEIR LONG-DRAWN OUT "TALK TODAY OVER" THE TENSE RACIAL SITUATION IN BIRMINGHAM, ALA., WITH PRESIDENT KENNEDY ON RECORD AS HOPEING FOR A LOCAL SOLUTION.

THE PRESIDENT AND ATTY. GEN. KENNEDY, WORKED ON A LATE P.M. DAY BASIS AT THE WHITE HOUSE LAST NIGHT, AWAITING REPORTS FROM JUSTICE DEPARTMENT OFFICIALS IN BIRMINGHAM.

HEADED BY BURKE MARSHALL, ASSISTANT ATTORNEY GENERAL IN CHARGE OF THE DEPARTMENT'S CIVIL RIGHTS DIVISION, THESE OFFICIALS SOUGHT TO PROMOTE A SOLUTION TO THE BIRMINGHAM PROBLEM THROUGH FACT-FINDING DISCUSSIONS BY LOCAL WHITE AND NEGRO LEADERS.

THE WHITE HOUSE REPORTED THAT MARSHALL HAD SUCCEEDED IN BRINGING LEADERS OF BOTH RACES TOGETHER FOR THEIR FIRST MEETING.

THE JUSTICE DEPARTMENT REMAINED SILENT ON WHAT PROGRESS, IF ANY, WAS MADE AT THE SESSION.

BUT ANDREW T. HATCHER, ASSISTANT WHITE HOUSE NEWS SECRETARY, TOLD REPORTERS:

"THE PRESIDENT CONTINUES TO HOPE THAT THIS SITUATION CAN BE RESOLVED BY THE PEOPLE OF BIRMINGHAM THEMSELVES AND THIS, OF COURSE, WOULD BE THE MOST IDEAL SOLUTION."

SR925AED 5/8

13

WASHINGTON (AP)—SENATORS OF THE JOINTLY SELECTED CIVIL RIGHTS COMMISSION TODAY AGREE TO A BACKGROUND OF RACIAL MATTERS IN THE HOUSE JUDICIARY COMMITTEE TAKES UP THE FIRST CIVIL RIGHTS PROGRAM OFFERED BY PRESIDENT KENNEDY.

THE ADMINISTRATION BILL HAS THREE MAIN PROPOSALS:

1. IT WOULD PROVIDE FOR THE APPOINTMENT OF TEMPORARY JUDGES TO PASS QUICKLY ON THE QUALIFICATIONS OF WOULD-BE JUDGES. PRESENT PROCEDURES CAN LEAD TO LENGTHY DELAYS.
2. IT WOULD DECLINE THAT ANYONE WITH A 6TH GRADE EDUCATION WOULD BE PRESUMED TO BE LITERATE, FOR PURPOSES OF VOTING.
3. IT WOULD EXTEND FOR FIVE YEARS THE LIFE OF THE CIVIL RIGHTS COMMISSION, WHICH IS DUE TO EXPIRE AT THE END OF THE YEAR.

CRS:APR 62

14

Dear Mr. Deane -

We, the undersigned women,  
the West Chester Committee for Justice in  
Birmingham, called on you today at  
the recommendation of Mr. William  
Kunatler, lawyer, of Port Chester, N.Y.  
We wish to urge you to exercise  
every means of seeing that the  
acts of violence by police and dogs  
in Birmingham be stopped at once.

We suggest that the U.S.  
Commission on Civil Rights be  
convened to hold hearings on the  
Birmingham situation. This  
Commission has never put any  
real effort into the cause for which  
it was appointed. This is exactly  
the situation it should deal with.

We are sorry you were unable  
to see us, and most earnestly hope  
you will heed our petition.

Russ.

Bklyn N.Y.

Pickskill N.Y.  
Darien, N.Y.  
Saratoga N.Y.  
- who the same

U.S. Army No. 4.

Continued No. 4.

U.S. Army No. 4.



*Tele* **WESTERN UNION** *Tele* ↑  
SENDING BLANK

CALL LETTERS	CHARGE	
	32	
MR. BILL SEIDMAN RON COCHRAN NEWS PROGRAM 7 WEST 66th STREET NEW YORK, N. Y.		BIRMINGHAM ALA. 11/7/63
WHY AREN'T YOU BROADCASTING OVER WORLD NEWS THE JUSTICE DEPARTMENT'S ADMISSION THAT MARTIN LUTHER KING WAS TRANSPORTED IN CAR RENTED BY JUSTICE DEPARTMENT FROM BIRMINGHAM TO MONTGOMERY, AS ACCUSED BY GOVERNOR WALLACE?		
1:15 P.M.		MRS. [REDACTED] South <i>b</i> 7 C

Send the above message, subject to the terms on back hereof, which are hereby agreed to

PLEASE TYPE OR WRITE PLAINLY WITHIN BORDER—DO NOT FOLD  
1000—(11-6-63)

[redacted] South  
Birmingham, Alabama

b 7c

November 7, 1963

Congressman George Huddleston, Jr.  
House Office Building  
Washington 25, D. C.

Dear Congressman Huddleston:

First, we wish to express our sincere appreciation for your fine efforts to expose the Justice Department for providing transportation in Alabama for a reported communist and known agitator.

Also, we are wondering if there is any way for you to determine whether Thelton Henderson remains on the Justice Department payroll even though it is reported his resignation has been accepted, since it is our belief he was used as the scapegoat in this incident but will remain on the payroll of the Justice Department.

We believe, too, that our National radio and TV news broadcasts are controlled by the FCC (who we are quite sure are dictated to by the Kennedy brothers). When there is any news detrimental to the South, and Birmingham in particular, we hear the same broadcast over and over again for at least a week. They gave full coverage to the Honorable Governor Wallace's accusation that the Justice Department furnished transportation for Martin Luther King and the denial by the Justice Department. However, last night and this morning we all listened to different broadcasts of the world news, both radio and TV, and there was no mention whatever of the admission of the Justice Department to this illegal transporting of King. Mr. Huddleston, is there anything that our representatives can do to halt this growing control of the news?

We want to thank you for your continued efforts to halt the spread of communism in this country.

We know that your time is very valuable and we will appreciate your giving us just one reply to this letter, and it can then be passed along to the other signers.

Sincerely,

[redacted]  
Mrs. [redacted] So.

b

[redacted]  
Mrs. [redacted] Drive,  
Fairfield, Ala.

7

[redacted]  
Miss [redacted] Road

[redacted]  
Miss [redacted] Road

C

Copies to: (See Page #2)

- 2 -

Copies to: Governor George C. Wallace  
Mr. Burke Marshall ✓  
Mr. Bill Seamus-Ron Cochran News Program-WY  
Mr. Mason Weaver-Monteville  
WBRC-TV, Channel 6

We are attaching to Mr. Marshall's copy of this letter a copy of his denial of Governor Wallace's charges and respectfully request that he re-read the remarks underscored in red. We don't suppose there is any explanation for such statements because if there is anything false and misleading about the whole affair, it is his remarks - and not Governor Wallace's accusations.

December 20, 1963

Honorable Lyndon B. Johnson  
The White House  
Washington, D. C.

Dear President Johnson:

Newspaper articles state that Mr. McDonald Gallion, former Attorney General of the State of Alabama under John Patterson, has been offered a position in the Interstate Commission.

People who believe in the Constitution of the United States, and who reject the theory that Alabama is a sovereign state will be most distressed if this one, McDonald Gallion, is rewarded for his efforts to circumvent United States Federal Court Orders. He is now Wallace's strongest support in trying to replace public schools with private schools in Alabama.

He has an utter disregard for the laws in the State of Alabama, as well as, federal laws. On April 11 and 26 of 1962, I went to Talladega, Alabama where students were demonstrating. I talked with merchants, white ministers, police chief, President of the Negro College, and a small committee of students urging all of them to establish a biracial committee which could negotiate an end to demonstrations. The Mayor of Talladega also urged them to negotiate. On April 28 near the end of the campaign in which McDonald Gallion was running for governor, he issued an injunction for the students. He included newspaper people who had been in town and left within 48 hours, and he included me in the injunction. The Alabama Council Council on Human Relations and other defendants went into court to prevent further injunctions. The judge, the attorney under the attorney general, and the county solicitor working with the state lawyer admitted privately that there was absolutely no case against me. It would appear that Mr. Gallion had admitted his guilt when I was finally released on the condition that I sign an affidavit that I would not bring charges against one, McDonald Gallion, and other state officials.

President Johnson

(2)

December 20, 1963

It is my constant hope that there is a limited extent to which voters will accept political rewards to people who have acted contrary to the best interest of the United States.

Sincerely,

Norman C. Johnson (Rev.)  
Executive Director

NCJ/mh

cc: Attorney General Robert Kennedy  
Assistant Attorney General Burke Marshall ✓  
Mr. Lee White, Presidential Advisor on Civil Rights  
Mr. Bill Moyer

The Birmingham News  
LIVING AND DROPPY

Page 1, 2, 3, 4

Nov. 30, 1963

Dear Ed:

I have thought of all of you these past days. For what little it may be worth, my information is that Gov. Wallace was very deeply shocked and that he is indeed doing a lot of thinking. Whether this will mean anything it is still too early to determine. It is important (in the Alabama context) to remember that he once was a liberal young Alabamian, and that he artificially, in my opinion, put himself in the position he did explicitly in order to be elected.

I am determined as subtly as possible to afford, in my writing, as much opportunity as possible for him to pick up the pieces and resume integrity. I believe it would be President Kennedy's desire that we should improve the present condition rather than return to

the past horrors of a governor's attacks on the Administration. He will be governor for three more years.

It is important, if this objective be worthwhile, that the governor not be put in any corner so that he would have to resume a fighting stance. For this reason the speech of Alabama State Democratic Executive Committee Chairman (Judge) Roy Mayhew was an error. I tried, indirectly, to try to steer him away from making the speech, but all effort failed.

I shared his motivation; but, again, it is a looking backward.

If I may suggest it, this is a time for very closely watching and keeping abreast of what may be happening in the governor's mind. It could affect many more decisions which yet are to be made.

At some future time, it will be a service for which I shall be very deeply grateful if you will let the Attorney General know that I take courage from his brother, and from him also--and did so in the hours of deepest sorrow.

I urge you not to answer this, now or later. You will all be having far too much to do as it is.

Sincerely,

**A STATEMENT ADDRESSED TO THE  
MAYOR AND COUNCIL OF THE CITY OF  
BIRMINGHAM BY THE JEFFERSON COUNTY  
PROGRESSIVE DEMOCRATIC COUNCIL**

To the Honorable Albert Boutwell  
Mayor of the City of Birmingham,  
and the members of its Council

**Statement of the Nature  
of our Organization**

The undersigned members of the Negotiation Committee of the Progressive Democratic Council respectfully submit this statement:

1. Our Council is the major political organization of the city and county representing the members of the Negro race and, for your interest and information, the record of the past elections supporting the claim, state that we represent at least ninety per cent or more of the registered Negro voters of this county.

2. The members of our organization, officers and rank and file, include practically all of the leaders of the Negro citizenry in all walks of life.

3. Though it is a political and party organization, our Council, since its organization, has been actively interested in every phase of civic community life. Six of its members are elected members of the Jefferson County Democratic Committee.

4. Though we do not assume to speak for every Negro citizen, or no more than any other organization can so assume,



we do submit that we sincerely believe that our organization is truly representative of the Negro citizens of Birmingham and its metropolitan area as any can or should be expected to be.

5. We take pride in the fact that in the recent municipal campaign for election of a mayor and council, our own Council endorsed, recommended and actively worked for the election of our Mayor and a majority of the elected members of our city's Council.

The Premises Upon Which  
This Statement is Based

1. The City of Birmingham is capable of greatness. The problems which face it are not confined to race alone, yet, a fair solution of that problem can immeasurably assist in the solution of all the others.

2. The Negro citizens of our city represent almost half of its entire population. At all times, our Council and all other civic organizations of our segment of the community have encouraged <sup>their</sup> members to share to the fullest extent in the burdens and privileges which are the responsibility of every citizen worthy of the name.

Heretofore, because of the lack of communication and the withholding of our rights as citizens, we have been greatly handicapped in the performance of those responsibilities.

3. Our entire community has welcomed with enthusiasm the recent change in the form of municipal government and your election because we have felt and continue to feel that it provides an opportunity for our city to make the economic progress of which it is so potently capable, and which it can and ought to achieve if all of its citizens have the right and opportunity to assist and participate therein.

4. We have offered, as responsible citizens, to share and assist in these efforts, and continue to do so now.

#### The Statement

Based upon these premises, we are certain that; you will recognize and agree that our people can only make their best contribution to this, our own community and the city in which we have roots as deep and firm as any other group, with the rights and privileges which are accorded to all other citizens. You are as familiar as we with the difficulties and handicaps with which the members of our community have been beset for many years.

We feel in all sincerity that these can each and all be eliminated by action on your part which is your sole prerogative and which lies wholly within your jurisdiction.

The matters which we call to your attention concerning which we feel that action on your part will make for a greater and better city of which we can all be duly proud, are stated to you neither in the form of a demand nor petition, but in

the simple manner of their statement and right, for your prompt consideration and action. They involve:

- (a) Opening of employment opportunities in the civil service and related areas, and the non-discriminatory employment of all municipal employees.
- (b) Appointment of qualified members of our community to the boards and agencies of the City of Birmingham to the end that they may share in the responsibilities thereof.
- (c) Opening of all publicly maintained and supported institutions, and the removal of all segregation signs and barriers.
- (d) The participation of the City in job-training programs.
- (e) Improve police protection. In this respect, we submit that immediate employment of Negro policeman, a practice not unknown to cities of the State of Alabama for many years, would be extremely helpful.
- (f) Prevent police brutality.
- (g) The opening of recreation parks and facilities.
- (h) Official efforts to discourage school drop-outs, which contribute to the unemployment of the unskilled and other social and economic problems.
- (i) The elimination of all open ditches and slum areas which are the breeders of disease and discontent.
- (j) The maintenance at all times of impartial enforcement of laws for the protection of lives and property as well as rights of all citizens.

Finally, in regard to all these matters, recognizing at all times our own responsibilities with respect to each in our duties as good citizens, we quote from the Constitution

of the State of Alabama its Article 1, Sections 1 and 2.

ARTICLE I

Declaration of Rights

" That the great, general and essential principles of liberty and free government may be recognized and established we declare:

" Section 1. That all men are equally free and independent; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness.

" Section 2. That all political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit; and that, therefore, they have at all times an inalienable and indefeasible right to change their form of government in such manner as they may deem expedient."

"We repeat, for emphasis, that our city is capable of greatness; that its good name and national image can be restored and its economic life quickened when, under your leadership, all of its citizens shall have the rights of which the Constitution of our state assures them, and you may be sure that when this is so, the members of our own community will not only share their responsibilities but do so with the greatest enthusiasm. We then shall all be justly proud of the new Birmingham."

Joining with the official members of this Committee  
in this statement are a number of rank and file members of  
the Council.

Respectfully submitted,

JEFFERSON COUNTY PROGRESSIVE  
DEMOCRATIC COUNCIL NEGOTIATION  
COMMITTEE

Orzell Billingsley, Jr., Chan.  
Arthur D. Shores  
Peter A. Hall  
James Johnson  
J. Mason Davis  
Wilbur H. Hollins  
Elias Hendricks  
Thom G. Jackson

# Jefferson County Civil Defense Corps

Office of The Coordinator - Director



Room 200 City Hall  
Birmingham, Alabama  
MEMO

ALBERT BOWEN  
MAYOR, BIRMINGHAM  
OFFICIAL CHAIRMAN  
THOMAS B. PINSON  
COUNTY COMMISSIONER  
CO-GENERAL CHAIRMAN

CO-ORDINATOR  
GENERAL  
ADJUTANT  
CLERK

TO ALL UNIT COMMANDERS OF CIVIL DEFENSE RESERVE POLICE, JEFFERSON COUNTY, ALABAMA...

THE FOLLOWING DIRECTIVE FROM DEPARTMENT OF DEFENSE, OFFICE OF CIVIL DEFENSE, REGION THREE, THOMASVILLE, GEORGIA, CONCERNING USE OF OFFICIAL CIVIL DEFENSE INSIGNS IS REPRODUCED FOR YOUR INFORMATION AND GUIDANCE. IT IS REQUESTED THAT THE CONTENTS OF THIS DIRECTIVE BE BROUGHT TO THE ATTENTION OF ALL MEMBERS OF YOUR UNIT AT YOUR NEXT MEETING.

FOR THE DIRECTOR:

*H. K. Harris*

H. K. HARRIS, LT. COL., U.S.A. RET.,  
CHIEF RESERVE POLICE, COUNTY

\*DEPARTMENT OF DEFENSE, OFFICE OF CIVIL DEFENSE,  
REGION III, THOMASVILLE, GEORGIA  
June 21, 1963

MEMORANDUM TO STATE DIRECTORS, REGION THREE NO. 165  
SUBJECT: Use of Official Civil Defense Insigns

*This order Recommended  
Sept 25, 1963  
by order of DCD  
through Major General  
9/1/63  
J. E. King  
(Chief)*

Use of the official civil defense insigns is limited by the terms of law and regulations (50 USC APP 2284; 32 CFR226) to members of the United States Civil Defense Corps engaged in authorized civil defense services or activities (including disaster relief activities). Isolated instances have been called to our attention of the unauthorized use of volunteer units of the U. S. Civil Defense Corps, the official insigns and equipment purchased with Federal contributions and identified with the insigns, in connection with civil rights activities. The use of civil defense personnel (including volunteers) and the official insigns for this purpose is not authorized. Such an unauthorized use under law and OCD Regulations can result in the loss of the right of the use of the official insigns, and possible criminal prosecution of individuals concerned by the Federal Government.

In addition, violation of these regulations can result, if justified, in the withholding of Federal financial assistance for civil defense to a State or political subdivision, and the recovery of the value of civil defense equipment or supplies purchased with the assistance of Federal Funds.

States and their political subdivisions are urged to take great care that the above provisions of law and regulation are strictly observed."

"Dial F. Sweeney (signed)  
Dial F. Sweeney, (typed)  
Regional Director"

## MEMBER CITIES

ADAMSVILLE  
BESSEMER  
BIRMINGHAM  
BRIGHTON  
BROOKSIDE

BROWNVILLE  
CARDIFF  
FARMFIELD  
FULTONDALE  
GARDENDALE

GRAYSVILLE  
HAWKWOOD  
HUEYTOWN  
HUNDALE  
KIMBERLY

LEXEN  
LIVWOMM  
MAYTOWN  
MTN. BROOK  
MCNIES

MUSFIELD  
MULGA  
NORTH JONES  
PLEASANT GROVE  
SYLVAN SPRINGS

TARRANT  
TAPPAN  
TRUSSVILLE  
VEATCHVILLE  
WALTON

SMITHFIELD DISTRICT  
CIVIL DEFENSE RESERVE POLICE

CAPT. JAMES E. LAY  
Commanding Officer  
Phone AL 4-3648  
508 NINTH AVENUE, NORTH  
BIRMINGHAM 4, ALABAMA

CAPT. RANSOM D. JONES  
Executive Officer  
Phone AL 2-6678  
1783 CLAYTON STREET, SOUTH  
BIRMINGHAM 5, ALABAMA

CAPT. ROBERT F. WALKER  
Advisor  
Phone AL 1-9314  
33 SPRING HAVEN CIRCLE, S.W.  
BIRMINGHAM 5, ALABAMA

3 October 63

TO WHOM IT MAY CONCERN:

Since the organization of this unit in February 1957, it has participated in the following activities:

1. Training of all male Civil Defense Reserve Police in Birmingham.
2. Storm and flood disasters.
3. Riot control following the listed events:
  - A. A.G. Gaston Motel
  - B. Both bombings of the home of Atty Shores.
  - C. Bombing of the 16th Street Baptist Church.
  - D. Bombing of South Center Street Area.
4. Provided security plans for the North Center Street and Titusville areas.
5. Presently we are providing a small force of Civil Defense personnel in five target areas for future violence. This operation is being performed exclusive of any equipment or support from the local Civil Defense Office.
6. This Unit is expected to continue to perform duties as outlined above for an indefinite period.
7. Item 1 refers to Negro males. No Negro Civil Defense Units have been formed in other parts of the city. All interested Negro males are sent to this unit rather than to the segregated units where they reside.
8. We are far under strength. Many applicants fail to continue due to the expense involved in obtaining equipment. Many members have resigned for the same reason.

JAMES E LAY  
Capt CD  
Commanding

MEETS: EVERY WEDNESDAY - 6 P.M. - SMITHFIELD BRANCH LIBRARY

SMITHFIELD DISTRICT  
CIVIL DEFENSE RESERVE POLICE

CAPT. JAMES E. LAY  
Commanding Officer  
Phone AL 4 3448  
205 NINTH AVENUE, NORTH  
BIRMINGHAM 4, ALABAMA

CAPT. RAMON D. JONES  
Executive Officer  
Phone AL 2-6678  
1723 CLAYTON STREET, SOUTH  
BIRMINGHAM 5, ALABAMA

CAPT. ROBERT F. WALKER  
Advisor  
Phone AL 1-9356  
33 SPRING HAVEN CIRCLE, S.W.  
BIRMINGHAM 5, ALABAMA

3 October 63

TO WHOM IT MAY CONCERN:

This Unit has received the following materials during its lifetime:

1. Less than one Police Manual per man.
2. Less than one copy of Rules and Regulations per man.
3. Armbands are no longer issued.
4. Helmets are issued on payment of a deposit of \$1.83 plus \$1.50 for lettering. The latter amount is not refundable.
5. Badges are issued on deposit of \$2.03.
6. Civil Defense insigna for jackets are issued at cost of \$1.00 each.
7. Bumper tags are issued at a cost of \$1.00 each.
8. Jackets and sweaters were issued on a onetime basis at a cost of \$0.25 each for handling costs.
9. Three roadblock signs have been issued.
10. No postage or stationery has been provided. These items are provided at the expense of the Unit.


*James E. Lay*  
JAMES E LAY  
Capt CD  
COMMANDING

*The above  
can be done by  
to help the people  
for*

RECEIVED  
OCT 10 1963  
CIVIL DEFENSE  
DIVISION

MEETS: EVERY WEDNESDAY - 6 P.M. - SMITHFIELD BRANCH LIBRARY



F-11  


LAW OFFICES  
OF  
**CHARLES MORGAN, JR.**  
SEVENTH FLOOR - BANK FOR SAVINGS BUILDING  
BIRMINGHAM 2, ALABAMA  
TELEPHONE FA 2-2642

September 23, 1963

Mrs. Linda Stores  
Civil Rights Division  
Department of Justice  
Washington, D. C. 20530

Dear Linda:

You'll never know how much I appreciate your note about my talk. I can only hope that it will do some good, but Birmingham is not a very encouraging place now.

All any of us can know is that we are right and come what may, we'd better act that way.

Kindest regards.

Sincerely,



Charles Morgan, Jr.

CM:jg

April 15, 1963

Mr. Sidney W. Smyer  
618 Title Building  
Birmingham, Alabama

Dear Mr. Smyer:

The following excerpt from an article in the ARKANSAS GAZETTE prompts this letter:

"Meanwhile in Birmingham, white business and civic leaders declined to endorse publicly a limited desegregation plan that ended mass Negro demonstrations. Many persons feel that without such an endorsement there can be little hope for the plan's implementation or the preservation of the current truce in this city's racial crisis."

Only men of tremendous courage and vision are willing to jeopardize their personal and business futures in the racial crises moving across the South. We are thankful that in Little Rock when the extremists temporarily ruled our city, such men allowed their names to be used publicly endorsing law and order. We are enclosing copies of two of the original lists. The one that started with 179 grew to over 500. The ARKANSAS GAZETTE was almost alone at the beginning in its stand for law and order. While it is true their circulation dropped, it is now wider than it was in 1957 and still growing.

We are also enclosing information regarding the economic effect of racial crisis on a community.

Had these men not assumed a leadership role in the democratic concept of today, our economy would have stagnated. We are well on the road to economic recovery. It is true many were subjected to intimidation and fear, but actual reprisal was almost negligible.

We hope this information may be useful in further attempts to obtain signed public statements from your leaders.

Sincerely yours,

Mrs. Byron House, Jr.  
Chairman

Blind copies to  
Hon. Robert Kennedy  
Mr. Burke Marshall

① U.S. Army for the  
Washington D.C.

Mr. Frank P. [unclear]  
Assistant U.S. Attorney  
U.S. District Court  
The [unclear] Office  
The [unclear] [unclear]

(3) Mr. J. J. [unclear], Attorney  
 [unclear] [unclear] [unclear]  
 [unclear] [unclear] [unclear]

The Ark. Gazette said this morning that white business & civic leaders declared 'frankly and publicly' limited desegregation plan that is bill names stops segregation. I am sorry person said that. I don't know. I will wait till he can be better informed. The plan is implementation to the Governor. The bill is the current House in the City Hall. I don't know.

While business & civic leaders of the  
city are in the Park 159 and are subject  
to the same threats and influence feared by  
your leaders. By landing together they have  
not been successful of business.

Entered jointly by Luther P. and Augustus C. (Cousins)  
to whom a sum of \$1000 was paid for the purchase of the land.



[REDACTED] b 7 C  
Birmingham 7, Ala.

Folks:

It has come to our attention you and your pals have been instigators in various activities among your cotton picking friends to antagonize the negro race during riots there. We as Muslims wish to warn you and your pals to desist same or you may be very sorry. Its only matter of few years the negroes will be in control over whites, we have put up with slavery long enuff so you and your friends nite as well become accustomed to same now. These letters are being written to many in Alabama, Tennessee and various other white trash states, we have millions dollars behind us to carry on the campaign, and with our boycotts could almost bring business to a stand still in any community in the South. What have you "crackers" ever amounted to on your own ability, most of you are poor as poor can be after all these generations making 50 per week at most while in North where the negro "gets a break" whites make over 100 or more per week and negroes do like wise. You may knock various religions all you want but were it not for the Jews and Catholics where would the US be today, mostly the reason for the South being so backward and lazy they have no ambition to get anywhere and unable to create jobs thats why so many of the "crackers" are hitailing it North, and appear to love eating long side negroes. We understand you folks KNOCK our President continually and praise that ignorant Wallace who is taking you poor white folks for a ride, we would like to know what you cotton pickers would do were Russia to take over?? and you folks are trying to force the Negro to take up communism, were it not for Mr. Kennedy we would turn to Communism now, he is our idol and benefactor, gives his Presidential salary as does his brother to charity. How many politicians ever did that?? Your Wallace is stealing from you instead of giving and the day is on way when you poor white trash will find it out. Well we just wanted to tell you our representatives there are wise to all you folks and know what you have in mind at all times, so pass this word along NAACP and our other organizations of course including Muslims are hep to your KKK so watch your step, as said before we have millions of dollars behind us at all times.

For liberty and How long,

The negro race

NOTE: Above postmarked May 18, 1963, Los Angeles, California

Addressed to: [REDACTED] b 7 C

Birmingham 7, Ala.

CHAIRMAN  
W. A. (BILL) MORGAN  
ALPHA 1-4000

SECRETARY  
MRS. MARY LOU HOLY

# UNITED AMERICANS FOR CONSERVATIVE GOVERNMENT

P.O. Box 3551  
BIRMINGHAM 11, ALABAMA

United Americans For Conservative Government was organized in August, 1962, by a group of twenty people, who had worked together successfully, in previous political campaigns; and, has grown to an active membership of four hundred eighty three, as of January, 9, 1963. At a second meeting held August, 1962, W.A.

(S 111) Morgan was elected chairman.

This organization is a bi-partisan, non-profit, non-dues paying group of men and women who are willing to give their time, talents, and energy for a better government, by electing better qualified public officials, who are dedicated to honest, conservative government.

We will use every legal means at our command to remove communism and Socialism from our American way of life, and solidify State's Rights.

We propose to:

Promote Americanism eternally.

Promote and help establish identical organizations throughout Alabama and other southern states, and eventually, nationwide.

We further resolve to:

Encourage vote registration through participation.

To urge each and every man and woman of Alabama and these United States to, once again, as did our forefathers, think of his right to vote, as a sacred privilege; and to exercise their God-given rights of citizenship to participate in the making and moulding of our laws.

We call on every citizen to let their law-makers know, how they feel, where they stand, and what they expect of them as their personal representatives.

We will endeavor to acquaint all citizens with the need for them to become vitally interested in government; and to study and seek enlightenment in all phases of politics and government.

This, then, is our aim:

To enjoin all loyal Americans and conservative groups in a common bond, to present a unified front toward a common goal.

We solicit the support of interested fellow conservatives.

We invite both inquiry, and scrutiny.

For further information, write us at the above address.

Yours, for a more conservative government,

*W. A. Morgan*  
W. A. (Bill) Morgan  
Chairman

WAM:lcl

May 17

MEMORANDUM

TO: Mr. Sydney Sayer  
Mr. David Vann  
Mr. W. Chalmers Hamilton  
Mr. Burke Marshall

FROM: Rev. Fred L. Shuttlesworth  
Rev. Ralph D. Abernathy  
Dr. Martin Luther King, Jr.

RE: AGREEMENT

Gentlemen:

The job that lies before us is enormous indeed. We continue to be confident that it can be accomplished however.

We admire your work and courage in attempting to help the white community accept change toward racial justice in Birmingham. You, Mr. Sayer, especially, have been a tower of strength amid the adversity of the past week. We certainly want to encourage you in this thankless work. The reward for Birmingham will certainly be forthcoming. You may count on our continued cooperation.

There is some measure of mis-understanding which we feel should be clarified. This is in regard to clerks or salesmen for the downtown stores. You will remember that it was due to Reverend Shuttlesworth's insistence that this be specified in our agreement. It is our understanding that at least one clerk in each of the major stores was the point of argument. The press has given the impression that one clerk in one store was the agreement in employment. This we do not feel is a significant indication of good faith leading toward a policy on non-discriminatory hiring.

This mis-understanding will not break our commitment to cease demonstrations, nor will this letter or its contents be made public, but we do hope that this point may be clarified.

/es

Birmingham 1-4

MILES COLLEGE  
BIRMINGHAM 8, ALABAMA

THE PRESIDENT

May 17, 1963

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

My dear President:

Please let me express my personal appreciation and that of many of my friends, Negro and white, who appreciate the stand you have taken all along, but particularly during the present crisis in Birmingham. The presence of troops in Alabama has been a helpful thing and heartening to the black people in the state. I urge you to keep them in Alabama and to keep the command in Birmingham and, please, I hope you will not reduce the number now present in the state. Regardless of what Mr. Wallace or Mr. Connor may say, I know that the presence of the Federal troops in Alabama are having a salutary effect on the conditions in Birmingham.

I have some appreciation of the political dilemma in which you find yourself as a Democratic President facing local, state and national elections. However, there are several questions in my mind regarding some of your recent actions. Your invitation to the White House extended to newspaper editors of Alabama gave them an opportunity to tell their side of this story. You have not, to my knowledge, invited Negroes of like stature and status for a personal consultation with you to tell our side of the story. I do not believe that you can have a true picture of what we feel in Birmingham or Alabama when you get that picture from editors nor even from the very fine men of the Justice Department who have been in and out of Birmingham.

I make bold to say to you, Sir, that if some of the suggestions which were made to the Justice Department had been carried out we would not have been in this dilemma. I further state to you that this dilemma will not end in a satisfactory manner until you have heard from us in person of what we suffer and how we feel. I make bold to say to you that the calmness that may be reported to you at this moment is a camouflage, a false face and is not a true picture of the present crisis. I said the same thing eight months ago, six months ago and two months ago to members of the Justice Department. I am led to believe that they did not believe me. Mr. President, I am not speaking as L. M. Pitts, President of Miles College. I am speaking as a Negro man, a citizen of Birmingham whose contact is broad enough that what I have concluded I believe can be documented.



Honorable John F. Kennedy

It is my urgent plea that you will hasten to bring the full influence of your office and the Federal Government into play in the Birmingham situation. I believe if this were done that not only Alabama but the entire south would feel the healing effects of such action.

Yours truly,

L. H. Pitts

LEP:elh

cc: Attorney General Robert Kennedy  
Atty. Burke Marshall  
Mr. Harold Fleming  
Dr. Leslie Dunbar

C  
O  
P  
Y

100 BURN AVE. N. E.  
ATA 3, GEORGIA  
PHONE 526-1378

Martin Luther King Jr., President

## Southern Christian Leadership Conference

Wyatt Tee Walker, Executive Director

April 16, 1963

Mr. Burke Marshall  
Head, Civil Rights Division  
U.S. Dept. of Justice  
Washington, D. C.

Dear Mr. Marshall:

I received a message from Dr. King in jail today and he asked me to forward the enclosed statement to you that you might understand our rationale for breaking the injunction.

Let me take this opportunity to alert you that we will be moving into the second phase of our campaign—that is, channeling the enthusiasms built up into voter registration efforts.

We trust that the department will keep a close eye on our activities.

Thank you for your interest and concern. I shall try to make my calls in the future at a more decent hour.

Sincerely yours

*Wyatt Tee Walker*

Wyatt Tee Walker  
executive assistant to  
Martin Luther King

wtw/jb

encl.

*Don Rivers & Walker:  
I want to thank  
you and Dr. King for  
sending me a copy of his  
statement with respect to  
the State and in which  
in Birmingham. It was  
good to have an opportunity  
to discuss it closely with  
Mr. Shullman.*

*It is interesting  
and difficult  
legally, so I am  
not sure our counsel  
does not see  
anything new.  
Sincerely,  
R*

*Bryan  
Wiggins  
Mrs. Hylton*

*Soutwell*

*David Vann  
Chuck Hagan*

*remains:  
Fitz  
Lodwell  
Tress  
Smith (Worberg)  
J. L. Greene*

*I took him to  
francis committee  
lunch counters*