

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF JUSTICE

*General
Intelligence*

TO : Investigation Files

DATE: 11/19/62

FROM : Rupert J. Groh, Jr.
Attorney
Civil Rights Division

RJG:seh
144-40-254
#11,801

SUBJECT: Oxford Riot - Presence of Mississippi Highway Patrol
on University of Mississippi Campus
on October 31, 1962.

At approximately 8:30 p.m. on Wednesday, October 31, 1962 the presence of cars from the Mississippi Highway Patrol were first observed on the University of Mississippi Campus. The reports on the number of cars present varied from six to ten. They were patrolling the campus itself and several of the cars were parked in a small roadside park across Highway 6 from the Sorority Row entrance to the campus. Their presence caused some consternation as we did not know for what purpose they were there, although we had heard rumors that student demonstrations would be taking place on that night which was also Halloween. At approximately 10:00 p.m. Mr. Doar decided to make contact with the Highway Patrol. Mr. Doar halted a car driven by Officer Stennis in front of Baxter Hall. Stennis radioed to his superior, Inspector Griffin, who was in charge of the contingent. Griffin said that he would meet with us, and Officer Stennis drove us to the roadside park where Inspector Griffin, Mr. Crockett, a plain clothesman, were parked. Sheriff Joe Ford and Mr. Scarborough were also present, but they did not talk to us. The latter were in a car bearing Mississippi tag number 560, Lafayette County. From subsequent inquiry I learned that there is a Mr. Scarborough on the Mississippi State Sovereignty Commission.

Mr. Doar spoke to Mr. Griffin and Mr. Crockett in a friendly manner, offering our cooperation in keeping the peace on the campus. Officer Griffin who did most of the talking was very belligerent. He said that Col. Birdsong, the head of the Mississippi Highway Patrol, had called him and told him to come to the campus, and that if anything developed during the night, Col. Birdsong would send as much additional help as was needed. Both

Mr. Crockett and Mr. Griffin were outspoken in their remarks about the abuse and mistreatment they received at the hands of the marshals and troops during the rioting on the night of September 30, 1962, but they said that they were present to give us assistance if anything developed. In response to Mr. Doar's question they said that they had no word that anything in particular was going to happen on this night. Much of the conversation was repetitive, particularly with respect to the activities of the marshals on the night of the riot. At one point Mr. Griffin said something to the effect, "If we wanted to cause trouble we could get something started in a minute, but that's not what we're here for, we are here to help you."

Mr. Doar asked whether a meeting with Col. Keller, the local army commander, could not be arranged at the armory. This request was vehemently refused at first, but later Mr. Griffin and Mr. Crockett came around to the position that they would meet with Col. Keller but not at the armory as they wouldn't "run after him". This point was also discussed, and Mr. Doar was finally able to get them to agree, tentatively, to meet at a different place. The courthouse was suggested as a meeting place, but no definite time was set inasmuch as Col. Keller had not yet been consulted. We didn't know when he would be available.

As we were leaving, Mr. Griffin commented that they would be leaving town very shortly, but no explanation was given for this. When Mr. Doar and I left, it was our understanding that a meeting for later that night would be arranged, but this meeting never took place.

It was as we were leaving that I learned the name of Mr. Scarborough. He had been talking to Officer Stennis, who spoke Mr. Scarborough's name as they parted.

We returned to Baxter Hall and contacted Col. Keller about the proposed meeting. Col. Keller subsequently told me that he spent sometime that night trying to locate the officer in charge of the Highway Patrol without success. At about midnight Col. Keller asked a Highway Patrolman to contact Officer Griffin but the patrolman was unable to do so. This patrolman was sarcastic and uncooperative

in dealing with Col. Keller. At approximately this time Dr. Haywood, the Provost of the University and Lt. Col. Stuart, the army ROTC commander, happened to be on campus. Dr. Haywood told Col. Keller (and Dr. Haywood subsequently told me the same thing) that he was as surprised as anyone to see the Highway Patrol on campus. Earlier in the week Dr. Haywood had expressed the fear that the summoning of the Highway Patrol might be used as a pretext for closing the University by the extremists. Dr. Haywood related the following with respect to the presence of the Highway Patrol. It appears that the Chancellor had been out of town on Tuesday and Wednesday of that week. While in Jackson, he had tried to see the Governor about the use of the Highway Patrol in the event that help was needed. The Chancellor's position was that the Highway Patrol would be under his control on campus. The Chancellor was unable to talk to Governor Barnett and the Governor's aide was non-committal. Between 5 and 7 p.m. on October 31, the Chancellor had Hugh Clegg, the Director of Development, call Governor Barnett and inquire about the Highway Patrol. Governor Barnett told Clegg to call Col. Birdsong with his request. This was done but Col. Birdsong said he couldn't comply unless the sheriff of the county (Joe Ford) asked for the Highway Patrol. Accordingly some university official, possibly Clegg or Chief Tatum, made this request of Ford who in turn called Col. Birdsong. The army later received a copy of a letter from the Chancellor to Sheriff Ford containing a formal, continuing request to him. We have a copy in our file in Oxford.

Dr. Haywood said that the Chancellor's reasons for calling the Highway Patrol were threefold: (1) the Chancellor wants the Highway Patrol to help, if needed, and he wants them under his control. By requesting their presence when there was no real danger of violence, the Chancellor had an opportunity to see how they would conduct themselves and cooperate in the future. Dr. Haywood said that if they were uncooperative the Chancellor would withdraw his request to have them present on the campus; (2) the presence of the Highway Patrol in addition to the troops may serve to "spike the guns" of the pressure groups. I understand him to mean by this that the pressure groups are less likely to continue to cause trouble when the Highway Patrol is present, and less likely to attack the authority

of the Highway Patrol to be on the campus to keep peace. In addition, their presence will tend to identify the State with the situation on campus; (3) the Highway Patrol will look bad and be discredited if it does not help in the event of violence and disorder.

At approximately 4 o'clock on the following day, November 1, 1962, the Chancellor asked Col. Keller to come to a meeting with the local law enforcement people. I did not attend this meeting and was not aware of it. I understand that the Chancellor, Dean Love, Chief Tatum of the campus police, and Sheriff Joe Ford were present. Although invited, the Highway Patrol had not sent a representative to the meeting. The purpose of this meeting was apparently to establish contact between the army at the University and the local law enforcement officials. Sheriff Ford did not have much to say, except that he was not under an injunction to protect Mr. Meredith. He did say however that upon Chief Tatum's request he would ask the Highway Patrol to come to the campus to help maintain the order. I gather that very little was actually resolved at the meeting, but Col. Keller assured all present that the army would be happy to cooperate with anyone interested in keeping the peace.

Since that time the Highway Patrol has not been in evidence on the campus, except on the day of the Chattanooga football game, November 10.

The university's intention with respect to the use of the Highway Patrol in the future is very vague. Faculty members and some university officials express grave concern about the reliability of the Highway Patrol.

My notes indicate that on the day after Halloween Agent Bruce Hodge of the FBI told me that the FBI monitor had heard Chief Tatum request Sheriff Ford to have additional assistance available. Hodge said that this intercept was made at approximately 5 p.m. on October 31, but we were not advised of it.

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DEPARTMENT OF JUSTICE

TO

- ATTORNEY GENERAL
 - EXECUTIVE ASSISTANT
 - OFFICE OF PUBLIC INFORMATION
- DEPUTY ATTORNEY GENERAL
 - EXECUTIVE OFFICE-U. S. ATTORNEYS
 - EXECUTIVE OFFICE-U. S. MARSHALS
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- FEDERAL PRISON INDUSTRIES, INC.
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- IMMIGRATION AND NATURALIZATION SERVICE
- PARDON ATTORNEY
- PAROLE BOARD
- BOARD OF IMMIGRATION APPEALS
- ATTENTION: _____

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REMARKS:

November 21, 1962

Mr. Doar:

You may want to inquire whether FBI had Miss. State Police permission (express or defacto) to monitor their radio set.

As attached memo suggests, this may be necessary predicate for proving FBI reports that State Police evacuated campus prior to 7:45.

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FROM ASSISTANT ATTORNEY GENERAL
Tax Division

DEPARTMENT OF JUSTICE

TO

- ATTORNEY GENERAL
 - EXECUTIVE ASSISTANT
 - OFFICE OF PUBLIC INFORMATION
- DEPUTY ATTORNEY GENERAL
 - EXECUTIVE OFFICE—U. S. ATTORNEYS
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REMARKS:

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Mr. Saar:

You may want to inquire whether FBI lead Miss State Police permission (express or defacto) to monitor their radio set.

As attached memo suggests, this may be necessary procedure for passing FBI reports that State Police evacuated, ^{computer} prior to 7:45.

L J

FROM ASSISTANT ATTORNEY GENERAL

Tax Division

Mr. Oberdorfer

November 19, 1962

Frank I. Michelman

FIM:nvw

Monitored Radio Communication

The circumstances are assumed to be as follows: It has been a practice of many years' standing for the FBI to monitor radio communications among patrol cars and headquarters of the Mississippi state police. This monitoring has been carried on in order to aid cooperative law-enforcement, with the knowledge and consent of the Mississippi state police. It is assumed that the FBI has never divulged the contents of a monitored communication except internally, and that the Mississippi state police have not consented to publication of the contents of monitored messages.

A situation has now arisen in which a Mississippi grand jury has placed responsibility for the commission of a crime in Mississippi on federal law-enforcement officers. An internal communication of the Mississippi state police, monitored by the FBI in the ordinary course of business, tends to show that the responsibility in fact rests with Mississippi, rather than federal, officials. It may be desirable to publish the contents of that communication, either through testimony in court or in a press release or official public statement. The question is whether such publication would violate Section 605 of the Federal Communications Act.

Section 605 provides, in relevant part:

" . . . no person, not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, . . . or meaning of such intercepted communication to any person; . . . and no person having received such intercepted communication or having become acquainted with the contents . . . thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, . . . or meaning . . . thereof, or use the same . . . for his own benefit or for the benefit of another not entitled thereto: Provided, That this section shall not apply to the receiving, divulging, publishing, or utilizing the contents of any radio communication broadcast . . . for the use of the general public . . . " (emphasis added)

1. It seems to be established that Section 605 applies to the monitoring of radio communications, including those which take place within one state. See United States v. Sugden, 226 F.2d 281 (C.A. 9th 1955).

2. The proviso excepting broadcasts ^(i.e. facts) for the use of the general public does not help. The Department of Justice has successfully taken the position that police broadcasts do not fall within this category. See United States v. Fuller, D.C. N.D. Cal., Feb. 7, 1962, 22 R.R. 2075 (motion to dismiss ~~implication~~ ^{implication} denied).

3. Verbal analysis of Section 605 indicates that if the monitoring itself has been consented to, divulgence of the monitored communication does not violate the statute. What the statute appears to proscribe is interception and divulgence. What may not be divulged is the contents of "such intercepted communication." Authorized listening-in does not appear to constitute "interception," Rathbun v. United States, 355 U.S. 107, and divulgence without "interception" does not appear to be a violation.

I have found no case which actually decides the question whether divulgence against the will of the sender, after permission by the sender to overhear the conversation, violates Section 605. The Supreme Court in the Rathbun case, supra, expressly left open the question whether unauthorized interception not followed by divulgence was a violation, but said nothing about unauthorized divulgence not preceded by "interception." The Court in Rathbun did hold that there had been no violation there "because" there had been no "interception" but in that case the divulgence, too, had been consented to so the question which concerns us was not really raised. In Pugach v. Klein, 193 F. Supp. 630 (S.D. N.Y. 1961), the court appeared to say that unauthorized divulgence by one not responsible for an "interception" was not a violation; but the court also stated that it was "giving the statute a strict construction in favor of the accused."

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November 27, 1962

Oxford Riot - General Intelligence

The Times Picayune, New Orleans, Louisiana dated 11-2-62 states that a special liason committee of faculty members, apparently the out-growth of demands on the part of professors for a "get tough" policy against campus disorders, has been formed in the past several days with the apparent backing of the University Administration.

The nine member committee includes three named from the faculty senate, three from the faculty at large and three from the University Chapter of the American Association of University Professors.

Dr. William Willis, Chairman of the group said it is "not an action body," but would serve as a consultive and information group between the faculty and the administration.

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University of South Carolina, November 30, 1962. Russell H. Barrett, Professor of Political Science and Secretary-Treasurer, A.A.U.P., University of Mississippi

The words which follow are an attempt to do the impossible, to describe the complicated and sometimes disputed facts concerning the enrollment and attendance of one student at the University of Mississippi. It is of course clear that the entry of this one student has produced a series of side effects which have often overshadowed the rather simple educational and legal questions raised by the case. It is probably not necessary to explain to a group such as this the reasons for these side effects.

It may seem unnecessary to begin with a defense of the University of Mississippi as an educational institution, yet the large number of incredibly misleading news reports requires such a beginning. Perhaps this should emphasize the worst of these, which would include TIME MAGAZINE, that journal of opinion which calls itself a "The Weekly Newsmagazine." I limit myself to but one example of TIME's inaccuracies, the statement on page 22 of its October 12th issue that there were virtually no faculty members on the campus during the rioting. Many faculty were there, but the riot of September 30 rapidly developed into one which could only be controlled by individuals with effective methods of controlling mobs. It is probably more instructive to examine a case of misleading reporting in one reputable publication and its further *dist*ortion in another, namely the New York TIMES and the St. Louis POST-DISPATCH. The TIMES carried a story on October 21 which reported that Ole Miss students live in "profound isolation," that the range of political and social opinion among students is "from Y to Z," that literature is not taught "in translation," that few undergraduates "have seen a foreign film with English subtitles, a play or listened to a symphony," that the student newspaper "compares unfavorably with those of other colleges of similar size," and finally that "the similarity of outlook among the students is reinforced by the fact that virtually all are from the Scotch-Irish or Celtic stock." None of these statements were supported by reference to citations of fact, because they are not facts, as could easily be demonstrated.

This story did contain some important factual criticisms of university students and of other aspects of the university which deserve criticism, but it found nothing at all to commend. When this story and another one of October 8th were compressed into an editorial in the St. Louis POST-DISPATCH, the picture became even worse. The university is "not a seat of enlightenment but a last-ditch refuge of bigotry, cut off from the streams of thought and action in the rest of the nation and the world." It stated that the Legislature "lays an oppressive hand on the selection of texts, on the content of teaching, and on the expressions of opinion by student editors of the university newspaper..." During certain years our legislatures might have wanted to do all of these, but the facts are that the legislature has had no effect whatsoever on the selection of texts, has had no effect on the content of teaching, and has not silenced the expressions of opinion by a notable succession of student editors. The author of the TIMES stories had not even said that the University failed to demand scholarship and had in fact pointed out that 90% of the lowest 1/4 of entering freshmen flunk out or leave school. Even so, the POST-DISPATCH concluded that the university does not demand scholarship. I do not know how to explain these distortions of fact by publications which are usually responsible, but I would like to state a few facts very briefly.

The three local theaters show an impressive number of foreign films each year and they are well attended by students. The University Artist Series is an excellent one. Symphonies, ballets and plays on tour usually fill our 1300-seat auditorium, although the turnout for chamber groups and the less well known soloists is about 600 to 800. This year the nine presentations on the series include Hal Holbrook in "Mark Twain Tonight", the Goldovsky production of "La Traviata," the San Francisco Ballet, the New York Pro Musica, Judith Anderson in "Medea", and the violinist Erica Morini. Our Forum Series this year is presenting Vanca Packard and Santha Rama Rau, among others, and in the past it has presented, in spite of the screening of speakers, Lord Attlee, J. K. Galbraith, Edward Weeks, Ralph Lapp, Eric Sevareid and many others of similar caliber. Our very active University Players have presented "The Crucible,"

"Waiting for Godot", "Tiger at the Gates", and "The Chalk Garden," to name but a few. I do not pretend that we have no major weaknesses in our academic program, but the criticisms to which I have just referred did not even refer to the major one, the shortage of library funds for major library acquisitions and for new staff. We are better off than some state universities in certain fields, for example, travel to professional meetings and legislative interference with the curriculum. Adequate consideration of all this would mean another speech, but I do suggest that you read some of the news stories about the university with considerable skepticism.

The story of Mr. James Meredith at the University begins with his letter of January 26, 1961, in which he requested an application form for the Spring semester, beginning February 6. He submitted the application on January 31, together with character recommendations from Negro citizens, since he did not know six University alumni from his county who would send character references as required by the Board of Trustees. On February 4 the Registrar sent a telegram to Mr. Meredith and to 13 others stating that no applications would be accepted after January 25, the date before receipt of his initial letter of inquiry. This type of procedural nonsense lead one faculty member, a segregationist southerner, to comment "They'll make it so all the niggers can get in and keep all the white folks out." After further correspondence, the Registrar advised Mr. Meredith on May 25 that his application for admission was denied. The grounds were that the Mississippi Negro school he was attending was not accredited so that his credits from there could not be transferred and that his letters of recommendation did not meet the requirements.

On May 31, 1961, James Meredith took his case to the federal District Court of Judge Mize and asked for a temporary restraining order and for subsequent permanent orders which would require the University to admit him. Judge Mize refused the temporary order on December 14, more than 6 months after the filing of the suit. The Fifth Circuit Court upheld this refusal on January 12, 1962, stating in caustic terms that Judge Mize should expedite a full hearing of the case. He ruled on February 5 that the denial of admission had not been on the basis of fact. On

June 25 a three-judge Circuit Court by a 2-1 vote reversed that decision and later ordered Judge Mize to issue the injunction against the Board of Trustees and University officials. District Judge Cameron then issued four successive stays of the order, but on September 10, 1962 Justice Black of the U. S. Supreme Court enjoined any interference with issuance of the order. On September 13 Judge Mize issued a broad order prohibiting refusal to admit Mr. Meredith or interference with his attendance at the university on the same basis as white students. At a meeting of September 4 the Board of Trustees had removed the responsibility for consideration of Meredith's admission from University officials and assumed direct responsibility. On September 13 Governor Ross Barnett issued a proclamation which interposed the "sovereignty" of Mississippi against any interference with the operation of the schools, basing his argument on his interpretation of the 10th Amendment. He called for all legal methods of resistance and also for "all other means." There were other legal actions which included an injunction by a state Chancery Court judge, an in-absentia trial of Meredith for false voter registration, and a hurriedly passed state law prohibiting anyone convicted of a criminal charge from enrolling in any state university or college. The preliminary legal procedures were concluded by a Board of Trustees decision on September 20 to make Governor Barnett the registrar in relation to one student. It was later made clear that the purpose of this was to place the responsibility for admission or non-admission on the Governor, since the Board of Trustees and University officials were ready to admit the student. The latter groups were later acquitted of contempt charges.

On the dates of September 20, 25 and 26 the Governor or the Lieutenant Governor personally refused to permit Mr. Meredith to register. On September 28 the group of Marshals who were bringing Meredith to the campus turned back some 20 miles away after hearing that there were a large number of law enforcing officers prepared to refuse admission and that an unruly mob had assembled.

Before moving to the events of September 30, it is necessary to review the state of discipline on the campus during the preceding week. At the opening faculty meeting on September 15, the Chancellor read the injunction to the faculty and copies were mailed to all faculty and staff by order of the Board of Trustees, which stated that the injunction was to be "strictly complied with." There were no specific instructions as to whether or not the injunction should be read in classes, although many faculty members did so on the first day of classes, Friday, September 21 or Monday, September 24, depending on the courses involved. However, the injunction and the Board's orders to the Chancellor to comply with the injunction were printed in prominent positions on the front page of the student newspaper on September 26. Even so a top banner headline in the same issue stated the news of the Governor's rejection of Mr. Meredith in these words, "BARNETT REJECTS MEREDITH."

The University did attempt an earlier approach to the maintenance of student discipline. Two weeks before the beginning of classes, about 25 student leaders met in a two-day off-campus workshop, the main purpose of which was to make plans for avoiding violence and keeping the University open. These students conferred with University officials and committed themselves to do everything possible to maintain law and order. They also agreed that an educational campaign should be conducted, mainly in the student newspaper.

When students came to the campus for orientation, the rush period and registration, other developments occurred which produced some success and some failure for the "educational" and mild approach to student discipline. At about 1:30 a.m. the night of November 10, the day of Justice Black's decision, a group of about 15 students and outsiders set up a large cross on fraternity row. A campus policeman persuaded the students not to light the cross and they later put it on a truck for disposal. They explained that they "merely wanted to protest the admission of Meredith." There was no disciplinary action against any of the students. On the following day the Chancellor and Dean of Students met with the fraternity presidents and that night the Dean met with dormitory

managers to ask their cooperation in maintaining order. At about midnight a cross was lighted in a vacant area back of fraternity row. Fraternity members who phoned the police and went out to extinguish the fire saw a flash and several persons running away. A Jackson paper published the picture and an incorrect story that the police had to disperse a large group at the scene. Many people believe this cross burning was staged by outsiders for the news photographer. Several other crosses were burned later, but they did not attract crowds.

The worst student behaviour before September 30 occurred on the three days when attempts were made to bring James Meredith to the campus. On one of these days several students in the midst of a large crowd attempted to take down the American flag in University Circle and replace it with a Confederate flag. Two student leaders were able to stop them.

On the two days when James Meredith was brought by Marshals to the campus and on the third when a sizeable force of Marshals turned back, the crowds or mobs of students became progressively more unruly. There was no throwing of rocks or bottles, but there were repeated obscenities and it became more difficult for highway patrolmen and other officers to keep them in any semblance of order. Many witnesses have said that the mob assembled east of the University entrance on September 28 could have become violent with relatively little hard core leadership, if Meredith had been brought to the campus. The Dean of Student Personnel has said that the behaviour of the students before 4:00 p.m., Sunday, September 30 was exemplary and it is difficult to believe that he could have been there or that he had accurate reports as a basis for such a conclusion. In any case there was a good deal of student behaviour during these days which ordinarily would have produced disciplinary action. There was not a single case of disciplinary action during the period. It should be added that there were probably no more than a fifth of the 4700 students in any of these crowds. I conclude that student discipline for the great majority was satisfactory, but for the large minority of up to 1500 who might be led into mob action it was almost nonexistent.

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It is impossible to give even a reasonably adequate account of the riot of September 30th. The best factual account appeared in Newsweek on October 15, although there were other good ones. I prefer to handle this by quoting from several eye-witness accounts. Three of these have been prepared for my particular needs and three are copies of statements made to Justice Department attorneys within three or four days after the riot.

1. Hahn - marked section on p. 1.
2. Strickland - marked sentence.
3. Barrett - marked section on p. 1.
4. Joslin - pp. 4, 5.
5. Silver - all points.
6. Stewart - PP. 4, 5, 6, 7-8-9-, 10 & 11.

My conclusions and generalizations on the riot are these:

1. Mistake to bring in w/o at least 1500 troops.
2. Governor had guaranteed that Highway Patrol would maintain order -- 400 or 500 could not possibly do so and also prevent entry of outsiders.
3. 2½ hour delay was disastrous because it meant Marshals and Meredith came in one hour before darkness began to come.
4. Mostly students started the riot and there is no doubt that they were throwing objects and committing other acts of violence before tear gas was used. The fact that so few were arrested is irrelevant.
5. Most of the worst rioting was by outsiders, and even before 4 P.M. there was no effective way of keeping them off campus.
6. There was no effective agreement between University and Federal authorities before or for several days after the riot. The blame for the

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initial bungling of Meredith's entry on campus can be blamed on Governor Barnett, although the Justice Department and President Kennedy should have ceased communicating with him after his first rejection of Meredith. University officials should have established communication with the Justice Department considerably before this, and the Justice Department should have established communications with University officials.

Now I resume the story of developments in relation to discipline.

You will notice that there had been little notice to the University of Meredith's entry to the campus on Sunday. Apparently no contingency planning had been made by the University for even a mild riot. Therefore there was no riot-controlling equipment in the Lyceum Building, the administrative headquarters. There were no public address facilities, water hoses, etc. The university had hired extra policemen, but apparently verbal persuasion was the only method of control considered to be necessary. In any case, the University authorities and policemen did not arrest or detain a single student during the rioting. There is no point in saying they lacked gas masks--after all, the rioters were standing up well under the gas. At various times students, administrative officials, policemen, and faculty members attempted to get students to go back to their dormitories, but with little success. If they had done so early, the rioters could have been taken care of by more forceful measures.

The disciplinary action taken against the students active in the riot was made more difficult by the slowness of the Justice Department in submitting names and evidence on those arrested by the Marshals. Eight students named ~~xxxx~~ subsequently received sentences ranging from disciplinary probation for one semester to dismissal from the University but with the sentence suspended.

It is impossible to detail all subsequent events related to student discipline. There have been few really serious incidents, one of which resulted in the expelling of five students. The methods now being used are: 1. Stern warnings of drastic action by the administration, notably in the Chancellor's speech on November 1.

2. Faculty, staff, and University police patrolling of campus at night, particularly heavy when warnings of outside shipments of cherry bombs have been received.

3. Frequent editorials in the student newspaper by Aidsa Brower calling for responsibility and obedience to the law. (Censure and impeachment attempt.)

4. Warnings from the accrediting association and other groups such as the AAUP and American Council on Education.

5. Constant patrolling of campus by Military Police.

Another chapter in this case might be termed the Battle of Statements.

Almost everyone, particularly from the outside, has asked, "Where were the Moderates?" The answer is that some were there and they were acting before the riot. But most were slow to speak publicly, and no one expected the viciousness of the riot and the other reactions to the enrollment of James Meredith. First I would point out that a week before the riot I drafted a statement for possible adoption by our Faculty Senate. This stated in part:

1. The primary purpose of the institutions of higher learning is education, and the continued carrying out of this purpose should not be interfered with by other controversies or considerations.

2. The present controversy over the admission of students to the University constitutes interference with this primary educational purpose. When a clear and final legal determination on the controversy has been made, it should be accepted and implemented in a manner which will not interfere with the process of education.

The Senate Executive Committee did not see fit to call a meeting to consider this or another similar statement.

On October 1, a Jackson businessman made a special television appearance in which he called for compliance with the law and an end of violence. On the same day, 114 leading business and professional leaders adopted a long statement urging the maintenance of law and order.

On October 3rd the University Chapter of the AAUP adopted the statement which defended the Marshals, criticized distorted news reporting, called for obedience to the law of the land as interpreted by the Supreme Court, and called for a return to normal educational activity.

The Chancellor held several news conferences in which he made generally positive statements in one of which he indicated that he saw no reason why other Negro students should not enroll at the University. He made the convocation appearance already referred to. He also made a speech in Greenville, Mississippi, in which he firmly set out the guiding principles necessary for higher education. On October 16 the University Associates of Phi Beta Kappa adopted a strong statement, part of which follows:

As teachers and as members of Phi Beta Kappa Associates at the University of Mississippi, we believe in the right of every student at the University to pursue knowledge and truth and to obtain the education of his choice without interference from within or from without. Individual freedom and a respect for human dignity are the lifeblood of a University. If these principles are abandoned, the institution loses its integrity, and the degrees it confers become a mockery.

Finally the Vice Chancellor made a speech in which he condemned "nameless individuals" who were "using University students as pawns" to damage the University.

One of the most valuable developments has been the creation of a committee of nine faculty members who consult with, advise, and demand action from our administrative officials. They meet almost daily, and they provide more daily, and they provide more faculty influence than has ever before existed at Ole Miss on any problem. This committee represents the Senate, the AAUP and the general faculty.

What conclusions can be drawn from all this?

I list them briefly:

1. Develop your courage early, and along with it a sense of humor.
2. Develop faculty unity and communication with the administration early even if it might have to be pressed somewhat. There should be no

important individuals who are prepared to scuttle the effort.

3. Be sure there is adequate communication with the Department of Justice and with the Negro student.

4. Work out an adequate plan for housing, eating, class attendance in a manner which does not isolate the student.

5. Develop methods for resisting any underground movements of disruption.

6. Help develop unity among state business, professional and political leaders.

The preceding speech was written in bits and pieces, half of it on the plane, and part of it in 30 minutes after my arrival. Therefore some of it is in outline form and these points were expanded in the actual speech.

**GENERAL OUTLINE OF PROCEDURES FOR
SPECIAL ASSIGNMENTS**

- I. SCOPE OF OUTLINE**
- II. GENERAL INFORMATION**
- III. CHAIN OF COMMAND**
- IV. EQUIPMENT**
- V. CONDUCT AND RESPONSIBILITIES**
- VI. SECURITY**
- VII. OPERATING PROCEDURES**

I. SCOPE OF OUTLINE:

THE PURPOSE OF THIS OUTLINE IS THE ESTABLISHMENT
A SET OF RULES OF GENERAL PROCEDURE TO BE FOLLOWED
DURING ASSIGNMENT TO SPECIAL DETAILS,

II. GENERAL INFORMATION:

1. OATHS OF OFFICE AND AUTHORITY FOR THE OPERATION
2. BRIEFING OF ALL PERSONNEL
3. EXPENSES AND ACCOMMODATIONS FOR PERSONNEL
4. MAINTANCE OF RECORDS OF ALL PERSONNEL AND
ESTABLISHMENT OF ROTATION SYSTEM

III. CHAIN OF COMMAND:

1. ESTABLISHMENT OF CHAIN OF COMMAND AS FOLLOWS:

- A. ATTORNEY IN CHARGE
- B. ASSISTANT ATTORNEY(S)
- C. MARSHAL OR DEPUTY MARSHAL IN CHARGE
- D. ASSISTANT DEPUTY MARSHAL IN CHARGE
- E. SQUAD LEADERS
- F. SQUADS

2. LAYSON BETWEEN OTHER ORGANISATIONS INVOLVED

IV. EQUIPMENT:

1. INVENTORY OF ALL EQUIPMENT
2. LIST OF ADDITIONAL EQUIPMENT NECESSARY
3. LIST OF LOST OR STOLEN EQUIPMENT

V. CONDUCT AND RESPONSIBILITIES

1. GENERAL CONDUCT OF DEPUTIES
2. RESPONSIBILITIES FOR CARRYING OUT COURT ORDERS.

VI. SECURITY:

1. SECURITY MEASURES NECESSARY FOR EQUIPMENT
2. PHYSICAL SECURITY OF QUARTERS, BUILDINGS, ETC.

VII. OPERATING PROCEDURES:

1. SETTING UP AND MAINTAINING SCHEDULES AND SQUADS.
2. BRIEFING OF ALL PERSONNEL ON SPECIFIC DUTIES.

II. GENERAL INFORMATION

1. IMMEDIATELY UPON ARRIVAL, ALL NEW DEPUTIES SHOULD BE SWORN IN BY A DESIGNATED U.S. ATTORNEY.
2. ALL PERSONNEL SHOULD BE BRIEFED ON THEIR DUTIES AS SOON AS POSSIBLE. THEY SHOULD BE GIVEN DUTY ASSIGNMENTS, AUTO ASSIGNMENTS AND WHERE ACCOMMODATIONS ARE AVAILABLE. THEY SHOULD BE INFORMED OF THE GENERAL FEELING OF THE PUBLIC AND THE STUDENTS. THEY SHOULD ALSO BE GIVEN AN OPPORTUNITY TO READ THIS AND FAMILIARIZE THEMSELVES WITH ITS OPERATION.
3. SUPERVISOR IN CHARGE OF DETAIL SHOULD INSURE THAT PROPER ROOM ARRANGEMENT HAVE BEEN MADE WITH THE OLE MISS MOTEL FOR ALL MEN. ALL EXTRA EXPENSES INCURRED SHOULD BE CLEARED WITH THE SUPERVISOR. THE ONLY EXCEPTION WILL BE FOR GAS AND OIL FOR RENTAL CARS.
4. SUPERVISOR AND SQUAD LEADERS SHOULD MAINTAIN RECORDS OF ALL DUTY PERSONNEL. THEY SHOULD KNOW FULL NAMES AND HOME DISTRICT OF THEIR MEN. SQUAD LEADERS WILL BE RESPONSIBLE FOR THEIR MEN. SUPERVISOR SHOULD SET UP A ROTATION SYSTEM FOR DEALING AS EQUALLY AS POSSIBLE WITH EACH DEPUTY. UNUSUAL CIRCUMSTANCES CONCERNING DUTIES SHOULD BE TAKEN UP WITH THE CHIEF U.S. MARSHAL.

III. CHAIN OF COMMAND

1. PRESENT PERSONNEL.

- A. MR. RAMSEY CYARK ASST. U.S. ATTORNEY IN CHARGE
- B. MR. SCHELI ASST. U.S. ATTORNEY
- C. MR. BUD SATHER ATTORNEY, CIVIL RIGHTS DIVISION.
- D. SUPERVISORY DEPUTY F.E. VANDEGRIFT
- E. ASST. DEPUTY R.L. HAYSLEIP
- F. SQUAD LEADERS: H.B. MCGRICKOR
D.L. HALL
J. GERLAND

2. LIASON WITHIN OUR OWN UNIT WILL RUN AS OUTLINED ABOVE EXCEPT THAT SQUAD LEADERS WILL CONFER WITH MR. SATHER DURING THEIR TOUR OF DUTY. MR. SATHER WILL HANDLE IMMEDIATE CHANGES IN PROCEDURES. LIASON BETWEEN FEDERAL BUREAU OF INVESTIGATION, U.S. ARMY, ARMY INTELLIGENCE AND LOCAL LAW ENFORCEMENTS GROUPS WILL BE HANDLED BY THE SUPERVISORY DEPUTY OR ONE OF THE ATTORNEYS. UNDER NO CIRCUMSTANCES IS A DEPUTY TO CALL ANY OF THESE UNITS WITHOUT CHECKING WITH SUPERVISOR OR MR. SATHER.

IV. EQUIPMENT

1. A LIST OF ALL EQUIPMENT IS TO BE KEPT BY THE DEPUTY IN CHARGE. THIS WILL INCLUDE EQUIPMENT IN THE ROOMS AS WELL AS EQUIPMENT IN THE CARS. EACH SQUAD LEADER WILL BE RESPONSIBLE FOR EQUIPMENT ASSIGNED TO HIS SQUAD. A RUNNING INVENTORY WILL BE KEPT AND WILL INCLUDE LOST OR STOLEN ITEMS.

2. A LIST OF ADDITIONAL EQUIPMENT ITEMS WILL BE KEPT

3. ADDITIONAL EQUIPMENT OR SPECIAL EQUIPMENT MAY BE ORDERED FROM WASHINGTON D.C. BY THE DEPUTY IN CHARGE.

V. CONDUCT AND RESPONSIBILITIES

1. WHEN DEALING WITH GROUPS, CROWDS, PRESS, AND LOCAL LAW ENFORCEMENT OFFICIALS, IT SHOULD BE REMEMBERED THAT WE ARE PROFESSIONAL MEN AND SHOULD GOVERN OURSELVES ACCORDINGLY. REFRAIN FROM ENTERING INTO CONTROVERSIES WITH ANYONE. BE FIRM BUT POLITE AND FRIENDLY AT ALL TIMES.
2. ALL QUESTIONS OF A DELICATE NATURE SHOULD BE REFERRED TO THE ATTORNEY IN CHARGE.
3. ALL SQUAD LEADERS WILL BE RESPONSIBLE FOR THEIR MEN. THIS INCLUDES DAILY LOGS AND DUTY REPORTS. THEY ARE ALSO RESPONSIBLE FOR SEEING THAT WHEN THEY LEAVE THIS ASSIGNMENT THE FOLLOWING MAN IS BRIEFED.

VI. SECURITY

1. MAXIMUM SECURITY MEASURES SHOULD BE MAINTAINED AT ALL TIMES. EXTREME CARE SHOULD BE TAKEN WITH REFERENCE TO DANGEROUS ITEMS SUCH AS TEAR GAS, WEAPONS ETC.
2. EACH DEPUTY SHOULD USE CARE WHEN DISCUSSING THIS ASSIGNMENT AND IN PASSING ON INFORMATION. PERSON TO PERSON CONTACT SHOULD BE MAINTAINED RATHER THAN USE OF TELEPHONE.
3. SURVEILLANCE OF ROOMS AND SURROUNDING AREA SHOULD BE MADE PERIODICALLY. THIS INCLUDES ADJOINING ROOMS, STORAGE ROOMS AND BATHS.

VII. OPERATING PROCEDURES

1. ALL MEN WILL BE PLACED ON ROTATING SHIFTS. A SCHEDULE WILL BE SET UP BY THE DEPUTY IN CHARGE AND A SCHEDULE GIVEN TO EACH MAN.
2. THE DEPUTY IN CHARGE AND THE SQUAD LEADERS WILL BRIEF ALL NEW MEN AS SOON AS THEY ARRIVE. IF POSSIBLE THERE WILL BE A PERMANENT DRIVER DURING THE DAY TIME. THIS WILL BE IN ADDITION TO THE THREE MEN ON THE SHIFT. EACH MAN WILL BE ASSIGNED ONE OF THE FOLLOWING POSITIONS AT THE START OF EACH DAY:
 - A. DRIVER: THE DRIVER WILL BE RESPONSIBLE FOR HAVING THE CAR AVAILABLE NEAR EACH OF THE CLASSROOMS. THE DRIVER SHOULD REMAIN WITH THE VEHICLE AT ALL TIMES SO HE WILL BE IN A POSITION TO RADIO FOR ASSISTANCE IF NECESSARY. HE WILL ALSO FAMILIARISE HIMSELF WITH THE POSITION

B. **LEAD MAN:** THE LEAD MAN WILL LEAVE SHORTLY BEFORE HEREDITH AND WILL CHECK THE GENERAL AREA OF THE CAMPUS AS WELL AS THE CLASSROOM, BEFORE HEREDITH ARRIVES. HE WILL STAY NEAR THE CLASSROOM UNTIL THE CLASS IS OVER. AT THIS TIME HE WILL FOLLOW HEREDITH AT A SHORT DISTANCE, OUT OF THE BUILDING. HE THEN BECOMES THE REAR MAN.

C. **THE REAR MAN:** THE REAR MAN WILL FOLLOW HEREDITH AT A SAFE DISTANCE, CLOSING UP AS THE CROWDS INCREASE, FALLING BACK AS THE CROWDS THIN OUT. WHEN SUBJECT REACHES THE NEXT CLASS THIS DEPUTY WILL TAKE UP A POSITION IN THE MAIN HALL OF THE BUILDING WHERE HE CAN OBSERVE THE CAR AND JEEP. IN CASE OF TROUBLE IN THE BUILDING IT IS THIS MAN'S JOB TO CALL THE SQUAD LEADER, MP'S, ETC. WHEN SUBJECT LEAVES CLASSROOM THIS DEPUTY WILL PROCEED ONWARD TO THE NEXT CLASS. AT THIS POINT HE BECOMES THE LEAD MAN. THE SQUAD LEADER WILL TAKE A POSITION TO THE REAR OF THE DEPUTY FOLLOWING SUBJECT. WHERE HE WILL BE ABLE TO OBSERVE EVERYTHING TAKING PLACE. WHEN SUBJECT ARRIVES AT HIS CLASS THE SQUAD LEADER WILL REMAIN OUTSIDE AND LOCATE THE CAR AND MP JEEP. WHEN SUBJECT LEAVES HE WILL AGAIN TAKE UP HIS POSITION TO THE REAR. THERE IS AN OVERLAP IN THE SHIFTS. THIS WILL ALLOW A MAXIMUM OF PERSONNEL DURING TIMES OF POSSIBLE TROUBLE. THE SHIFTS WILL RUN AS FOLLOWS: DAY SHIFT - 7:00 A.M. TO 6:00 P.M. NIGHT SHIFT - 5:00 P.M. TO 7:00 A.M. THE MEN COMING ON DUTY WILL EAT AT THE SAME TIME THAT HEREDITH DOES. THE MEN GOING OFF SHIFT WILL ACT AS OUTSIDE MAN AND DRIVER FOR THE SECOND CAR. THE OUTSIDE MAN WILL TAKE UP A POSITION OUTSIDE OF THE CAFETERIA WHERE HE IS ABLE TO OBSERVE THE SUBJECT AND ALSO THE CAR AND JEEP. IN CASE OF TROUBLE IT WILL BE HIS JOB TO ALERT THE GROUP OUTSIDE OR THE GROUP INSIDE. THE SECOND CAR WILL GO TO THE REAR OF THE CAFETERIA AND WAIT IF THERE IS TROUBLE THIS WILL BE THE CAR THAT THE SUBJECT WILL USE TO LEAVE IN. THE REMAINDER OF THE MEN WHO WISH TO EAT IN THE CAFETERIA MAY DO SO BUT SHOULD SIT AT THE OPPOSITE END OF THE CAFETERIA FROM THE SUBJECT. ANY UNUSUAL CIRCUMSTANCES SHOULD BE REPORTED IMMEDIATELY. DURING ANY PERIOD WHEN TROUBLE IS EXPECTED THE MEN WILL STANDBY IN THE HOTEL OR AT THE DORMENTORY. FOR THIS REASON ALL MEN SHOULD LET THEIR SQUAD LEADERS KNOW IF THEY EXPECT TO BE GONE FOR ANY LENGTH OF TIME.

3. MAPS OF THE CAMPUS AND TOWN ARE POSTED IN THE BOHITORY AND SHOULD BE STUDIED BY ALL DEPUTIES. THEY SHOULD BE ESPECIALLY FAMILAR WITH THE GENERAL AREA OF THE CLASS ROOMS. ALWAYS BE ON THE LOOKOUT FOR LITTLE BITS OF INFORMATION THAT MAY BE OF ASSISTANCE. INFORMATION MAY BE OBTAINED IN SEVERAL DIFFERENT WAYS. ONE OF THE BEST IS FROM THE FRIENDLY STUDENTS. INSTRUCTIONS WILL BE GIVEN TO EACH DEPUTY BY HIS SQUAD LEADER, AS TO THE OPERATIONS OF THE RADIO SET UP. INSTRUCTIONS REGARDING ASSAULT ON HEREDITH WILL BE FOUND ON THE LAST PAGE. USE OF TEAR GAS WILL BE ONLY ON INSTRUCTIONS FROM THE ASST. U.S. ATTORNEY. ALL OTHER OPERATIONS WILL FOLLOW NORMAL POLICE PROCEDURES. ANY STUDENT WHO BECOMES ABUSEIVE OR GIVES THE DEPUTY A LOT OF TROUBLE SHOULD BE ASKED TO SHOW HIS IDENTIFICATION CARD. IF HE REFUSES, THE DEPUTY SHOULD TRY TO NOTE A GOOD PICTURE IN HIS MIND AND HE CAN CHECK THE PICTURE FILE LATER.

EACH INDIVIDUAL SITUATION WILL HAVE TO BE HANDLED BY THE DEPUTY IN THE BEST INTERESTS OF HEREDITH'S SAFETY AND IN THE HIGHEST DEGREE OF LAW ENFORCEMENT TRADITION. SEE APPENDAGE FOR ADDITIONAL INFORMATION.

PHONE NUMBERS

ALUMNI HOUSE..... 234-5864
BAXTER HALL..... 234-6028
HEADQUARTERS OXFORD
MR. RANSBY CLARK.... 234-5719
234-5864
BARRACKS..... 234-6028
OLD HIBBS HOTEL..... 234-2624
DIRECT LINE..... 234-6918
MARSHAL'S OFFICE OXFORD 234-6021
TELEPHONE Co. MR. ZENDER 234-9010
HOME..... 234-4511

GENERAL NOTES

LINENS FOR BAXTER HALL MAY BE OBTAINED FROM AIRPORT HOSPITAL - RETURN DIRTY LINENS.

JOHN ADAMS - SUPERVISOR OF CUSTODIAL SERVICES

JOHN GILLIAN CUSTODIAN BAXTER HALL.

MR. HAYWOOD - UNIVERSITY FACILITY PROVOST

MR. BOUNDS - SUPERVISOR CAFETERIA

MR. ODUM - ASST. SUPERVISOR

(THESE MEN MUST KNOW EXCEPT TIMES SUBJECT WILL GO TO EAT)

COL. GRISHARD - 2ND INF. DIVISION AT ARMORY IS RESPONSIBLE FOR THE GENERAL ELECTRIC RADIOS OPERATING PROPERLY. THESE RADIOS ARE TO BE RETURNED TO HIM.

G-28
(Rev. 12-7-67)
GPO 880018

ROUTE SLIP

Date Feb 20, 1963
Justice

To Mr. Dennis Dillon, Atty. Room 1134

- | | | |
|---|---|---|
| <input type="checkbox"/> Approval | <input type="checkbox"/> Note & Return | <input type="checkbox"/> See me |
| <input type="checkbox"/> Comment | <input type="checkbox"/> Note & File | <input type="checkbox"/> As requested |
| <input type="checkbox"/> Necessary action | <input type="checkbox"/> Signature | <input type="checkbox"/> For your information |
| <input type="checkbox"/> Per telephone conversation | <input type="checkbox"/> Call me Ext. _____ | |

Remarks

Attached is the radio log (Oxford, Miss.)
which you requested telephonically today.

*General
Dillon*

Donald R. Coppock
FROM Asst. Comm'r, Enforcement Room 658 INS

UNITED STATES GOVERNMENT

Memorandum

Joe Dale

TO : Nicholas deB. Katzenback
Deputy Attorney General
Department of Justice

DATE: MAY 1 1963

FROM : Burke Marshall
Assistant Attorney General
Civil Rights Division

SUBJECT:

Enclosed is a summary of the movie, "Oxford, U.S.A.", which is now being shown in Mississippi. It was produced by Patrick Sims, President of Sims Associates of Dallas, Texas.

Two of our attorneys were in Mississippi in the Oxford area and since one of them, Dennis Dillon, was familiar with the pictures and other investigative material which we had in our file, I asked him to view the movie and send me a report.

John W. Douglas
Assistant Attorney General
Civil Division

April 30, 1963

Burke Marshall
Assistant Attorney General
Civil Rights Division

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April 27, 1963

Report on Movie "Oxford, U.S.A."
By Dennis E. Dillon

John Rosenberg and I went over to Oxford to see the movie "Oxford, U.S.A.". This picture was produced by Sims Associates. Patrick Sims was approached by the F.B.I. when we first learned he had films which were taken at Oxford on September 30. He refused at that time to cooperate in any way with the Federal Government and expressed sympathy for the rioters. This was consistent with his actions on the University campus during the riot, when according to a statement in our files, he circulated among the rioters congratulating them and patting them on the back.

The movie was shown at the Lyric Theater in Oxford. This was its fourth public showing. It consisted of statements by Governor Barnett, Lt. Governor Johnson, T. B. Birdsong, Attorney General Patterson and interviews with various witnesses.

The action on the campus and in Oxford on September 30 was depicted by still photos as well as action pictures. There were comments made by a narrator on the soundtrack as the pictures appeared. These comments placed the blame for the riot and resulting injuries directly on the Federal Government. At certain points in the film, a section of the Constitution would appear on the screen, and the narrator would explain that the actions of the Federal Government just shown violated this particular section.

The pictures shown were obviously not taken by Sims. The stills shown are all in our notebooks and must have been gotten from the same sources. They showed the marshals lined up around the Lyceum right after arriving on the campus. One of the pictures shown was the one we have showing Marshal Duley standing in front of his squad holding a gas gun.

The confrontation on University Avenue on September 26 was shown. None of the conversation between John Doar and Lt. Governor Johnson was reported. The pushing incident between McShane and Johnson was shown. None of the sheriffs who blocked the street appeared.

There were scenes shown of soldiers searching students. These appeared to have been taken on October 1 on the campus. One student had his hands above his head while a soldier frisked him. The soldier was shown rolling up the student's pants leg looking for hidden weapons. Soldiers were shown stopping and searching cars. These scenes also looked as though they took place on October 1. A soldier was shown stopping a Highway Patrol car. The comment on the soundtrack at that time was that no one was spared from the illegal search.

Scenes were shown of the riot itself. These consisted of shots showing burning cars, and shots of the Lyceum area after the gas was fired. There was a scene showing a caravan of Army trucks moving up onto the campus.

Meredith's arrival at the airport with John Doar was shown.

I believe we are in possession of most, if not all of the film contained in this documentary depicting the events leading up to the riot, during the riot and after the riot. The most significant parts of the film for our purposes are the interviews.

T. B. Birdsong said that the Highway Patrol was unarmed on September 30. He had 200 men in the University area. Seventy-five of these men were on the campus trying to control the crowd. One hundred twenty-five of the men were serving on roadblocks which were set up at all six entrances of the campus. He made a point of saying it is not a regular function of the Mississippi Highway Patrol to control crowds. Birdsong estimated the crowd to be between 1500 and 2000. I believe his estimate referred to the time the gas was fired but he was not clear on this. He claimed the Highway Patrolmen were attempting to control the crowd when the marshals fired gas. This forced the Highway Patrolmen to retreat to their headquarters in the gymnasium. Birdsong claimed the accumulation of gas forced them later on in the evening to leave even the gymnasium.

Patrolman Nichols, whose pictures appear in our notebooks in several places, said he saw his partner badly gassed by the marshals. He said he himself was hurt in the head by the tear gas shells. He was

separated from his partner in the melee but some other patrolmen took him to the campus hospital. The film then showed a Highway Patrolman being carried on a stretcher into an elevator followed by Patrolman Nichols, T. B. Birdsong and a doctor. The doctor is stopped and interviewed. He identified himself as Dr. Harris or Dr. Ayers. The soundtrack was poor and I couldn't be sure of the name. He said he was in charge of the University Infirmary. He said the patrolman, who was identified as Patrolman Brunt, was badly hurt and had less than a 50-50 chance to live. He said that he was then being removed to a bigger hospital.

Lt. Governor Johnson was shown. He said that Senator Yarbrough contacted the Governor and himself about removing the Highway Patrol. He said Yarbrough told them a full-scale riot had erupted. Johnson said he advised Yarbrough to keep the Highway Patrol on the campus. Johnson said he then went to the University as a representative of the Governor and spoke with the Federal officials. He commented on a conversation he had with John Doar inside the Lyceum but I cannot recall now what he said. Johnson said the Highway Patrol left the campus, but remained at the gate of the University and turned away hundreds of armed outsiders. He said if these men had ever gotten onto the campus there wouldn't be a marshal left in the morning. Johnson said the Highway Patrol remained at their posts near the University gates until forced away by troops at bayonet point the next morning. The next scene showed gas masked troops marching at bayonet point into the camera. A Highway Patrol Inspector whose name escapes me but is from Starkville and is in photograph #555a in our notebooks was shown walking toward the camera with the bayonets at his back. It is a daylight scene and probably did take place on the morning of October 1.

Several students were interviewed whose names were not given. These were the students who were shown in the pictures taken by William Leaptrott of the Memphis Press Scimitar, exhibiting the marks of shotgun pellets on their stomachs. Two of the boys were brothers. They said the shotgun fire came from the direction of the marshals and there was nobody standing between them and the marshals.

An interview with two students was shown which appeared to have taken place at a time and place removed from the riot. One of these students was identified as Crawford Jones, a freshman at the University. Jones claimed he was stopped while in his car and searched by Army troops on the morning of October 1. The troops found his rifle in the trunk of his car and accused him of using it during the riot. He said he remained in his room during the riot. The troops took him to the Lyceum where he was held for 13 hours. He said the students from the three Mississippi schools were treated better than the older people and outsiders who were forced to crowd into the Public Safety Office, a small hot room. He said no one was given food or medical attention. Many of the prisoners had whelps on their heads where the marshals beat them. Some were detained 24 hours. They were all treated like notorious criminals.

The other student's name sounded like Nelson Childers, Jr. He said he witnessed the firing of the gas, and in his opinion this caused the riot. He said the Highway Patrol had the crowd under control until the gas was fired. He mentioned an incident which occurred on University Avenue. Soldiers stopped a car which a co-ed was driving and searched it. They forced her to open her suitcase and then passed her underwear around while laughing and making comments.

Another interview was with a University student who said the marshals gassed his fiancée. He said she was in the dormitory when the marshals fired into it. The next scene showed a girl, unconscious, being carried into the infirmary. The student said the girl suffered temporary paralysis in her hands.

The girl herself is shown a few days later and is identified. I did not get the last name, but her first name is Thelma and she comes from Vicksburg. She claimed the dormitory was locked, and the girls did not provoke the marshals, but the marshals fired tear gas into the dormitory.

Mississippi State Representative Jim Backus was interviewed. He stated that he was on the campus during

the riot and it was caused by the Federal Government's illegal interference with Mississippi's right to regulate her schools. He said the marshals provoked the riot.

A picture of a gas shell, supposedly used by the marshals during the riot, was shown and the instructions on the shell were read by the narrator. These instructions were that the shell was not to be used against crowds, but only against people entrenched or barricaded in buildings. There was a scene showing the site of Paul Guihard's death and an interview with the student who found the body. He could only testify to finding of the body. The narrator tried to relate the death with the invasion of marshals.

The theater was only about one-half full during the showing of the film. There was little response from the audience who were mostly students. The theater across the street had a line about one-half block long waiting to see "To Kill a Mockingbird".

Office, Viet - General & Intelligence

Note to the Files:

May 13, 1963
Denis Dillon

Fred Woodcock called this morning and told me that the Marshals guarding James Meredith have reported ^{to the FBI} that a former pharmacy student at the University of Mississippi has been following Meredith in the last few days. These Marshals were shown a picture of Frank Lamar Ott, but said he is not the man

Oxford Riots
General Intelligence

JUN 7 1963

Mr. Burke Marshall
Assistant Attorney General
Civil Rights Division

JWD:JGL:WAG:mam
144-41-489

John W. Douglas
Assistant Attorney General
Civil Division

Oxford Riots

In preparing for the defense of the four tort suits arising out of the rioting in Oxford, Mississippi, we have obtained additional statements from the deputy marshals who were positioned around the Lyceum Building on Sunday evening and at the temporary detention center established at the Agriculture Building the following day. These statements are, of course, available to you and are located in the office of William A. Gershuny, Room 3734, extension 3417.

DIVISION
CIVIL RIGHTS
JUN 15 3 27 PM '63
DEPT OF JUSTICE
RECEIVED

DIVISION
CIVIL RIGHTS
JUN 11 4 58 PM '63
DEPT OF JUSTICE
RECEIVED

Opal Grit
General Intelligence

John Dear
First Assistant
Civil Rights Division

Bonnie E. Dillon
Attorney
Civil Rights Division

DED:mhs
51-40-17 12,232
144-40-254 11,801

The Fire Truck and Bulldozer Incidents

At about 9:30 P.M., a man wearing a black jacket with an emblem on the back which looked like a white bird stole one of the two fire trucks from the University of Mississippi power plant. The truck was followed as far as the YMCA building by Eric Maurice Tubbs, Superintendent of the Power Plant and Captain of Fire Trucks of the University of Mississippi. Mr. Tubbs was prevented by the tear gas fumes from following any further. The fire truck entered the grove from the direction of the girls' Dormitory Building, which is located on the right side of the grove as you face the Lyceum. The hose on the truck was attached to a hydrant near the side of the YMCA building. The rioters were attempting to spray the marshals with water. The marshals ran out and fired tear gas at the men directing the hose. They dropped the hose and ran. A few marshals, one of whom was Clarence Feeley, U.S. Border Patrol, disabled the fire truck by breaking off the ignition wires. After the marshals returned to their line, the rioters moved up on the truck and proceeded to rock it back and forth. It appeared to the marshals as though they were trying to tip it over. Word filtered down through the line of marshals that the rioters were preparing to block the road leading to the Lyceum and prevent new supplies of gas from reaching them. The marshals had used up nearly all of their gas. A line of marshals moved out toward the fire truck and dispersed the mob. At the same time some marshals shot holes in the fire hose with their revolvers. Albert S. Taylor, a Border Patrolman, fired six shots into the hose from his .357 Magnum pistol. The marshals held the mob away until the gas supply truck got through. Then, about 9:45, when the truck had gotten through, the marshals returned to the Lyceum.

About this time the bulldozer was cranked up by the students in the area near the new Science Building. They gathered around yelling, "Come on, we've got a

cc: Records (2)
Chrono (2)

Barrett
Trial File (En. 1140) (2)

bulldozer." It was driven out onto the grove and was first seen by the marshals approaching the Lyceum from the East, the direction of the flagpole. Two men were in the cab of the bulldozer. A number of marshals ran out and fired a heavy volume of gas at the bulldozer. Marshal Edward Bartholomew and Albert J. Taylor of the Border Patrol attempted to climb onto the rear of the bulldozer. Marshal Marvin C. Morrisette, when the bulldozer was about 20 feet from the marshals, fired a 1.5 gas projectile directly at the driver. Both occupants jumped off on the right hand side. Morrisett grappled with the driver. He resisted vigorously. Bartholomew and Taylor jumped off the bulldozer, ran up and helped subdue him. They took the driver into custody. He had a scalp wound on his forehead 1 1/2" to 2" long. He was given medical treatment at the Lyceum. This man was later identified as Charles Laverne Reeves, 1340 Noble Avenue, Memphis, Tennessee. Reeves claims he climbed on the bulldozer and drove it after the original driver jumped off. (Statement of Charles Laverne Reeves.) It was now about 1:55 P.M.

Twenty minutes later the rioters managed to get the bulldozer started again. They directed it toward the Lyceum building and the line of marshals. It had two occupants, the driver and another hanging on behind the driver. These two jumped off and the bulldozer proceeded in the direction of the Lyceum being followed by a mob throwing rocks, bricks and bottles. Marshal Marvin C. Morrisett jumped on the bulldozer and stopped it about 30 feet in front of the Lyceum. It was stopped near the sidewalk running through the grove northeast of the Lyceum center.

Deputy U.S. Marshal Carl Ryan got into the bulldozer and started back toward the Lyceum. It was now about 10:25 P.M. The rioters put an old Chevrolet in gear and started it unoccupied toward the line of marshals. Marshal Ryan turned the blade of the bulldozer toward the car and stopped it. The bulldozer was then brought alongside the Lyceum and turned toward the crowd. The lights were turned on the mob. It was used for protection by the marshals.

About ten minutes later, (10:35 P.M.) the fire truck was started again by the rioters. It moved on the grass along the curb in front of the Lyceum. It

*Reeves
to Ryan
at Lyceum
10:35*

was traveling at about twenty to twenty-five miles per hour. There was at least one and possibly two men in the cab of the truck. It approached the line of marshals from their left and passed within ten feet of them. Some of the marshals had to jump back to get out of its way. U.S. Marshal Donald Forsht took his men down into the grove on the southeast corner of the Lyceum to get the fire engine. The fire truck made two or three circles around the grove. The driver would race the motor and the noise seemed to thrill the crowd. A group of rioters formed behind the fire truck using it as a shield and threw bricks, bottles and other objects at the marshals. Several rioters were clinging to the sides and throwing objects. The fire truck would make a complete loop of the grove and return to the area of the girls' Dormitory before starting out again. On his next to last approach the driver changed direction several times in an attempt to run down Marshal Bartholomew. He was forced to jump behind a tree. The driver then circled around the grove and came back toward the marshal. Richard Dick, a Border Patrolman, fired three rounds from his .38 caliber revolver at the right front tire of the fire engine but it did not stop. The fire engine continued on for a short distance. Marshal Siebert W. Lockman fired two shots at the fire engine from six feet away. Marshal Bartholomew shot a tear gas shell through the windshield of the truck. Thomas W. Pritchard, Jr., a Border Patrolman threw a tear gas grenade into the cab. The fire truck turned sharply to the left and hit a tree. Twenty-five or thirty marshals rushed the truck. Its position now was in the center of the grove up from the Lyceum. The rioters broke and ran. Ray Wingfield and Dwight Amstutz, Correction Officers, pulled the driver from the truck. He was a sailor stationed at Millington Naval Air Station, Tennessee, named George Howard Jetton. He was taken into the Lyceum building. Ray Wingfield has identified Jimmy Lee Jones as a person removed from the fire truck at that time. Clarence Feeley, a Border Patrolman, drove the fire truck over to the Lyceum and parked it in front of the entrance. One of the marshals broke the distributor on the truck. The fire truck was captured at about 10:50 P.M.

James Larry Dykes, a student at the University of Mississippi, told Edwin A. Green, 1471 Sfacey, Memphis, Tennessee that he had been driving the fire truck. He said it stalled, and when he jumped from the truck someone shot him in the leg. He was treated at Oxford Hospital at 11:30 P.M. for gun shot wound in the right leg.

Marshall Bartholomew has identified a picture of Dykes as that of a person taken off the fire truck George Howard Jetton was driving.

APPENDIX

Persons with useful descriptions of the
bulldozer and firetruck incidents.

Bulldozer Incidents

Marvin C. Morrisett	U.S. Marshal
Richard H. Dick	Border Patrol
Clarence Feeley	Border Patrol
Lloyd Spivey	Law Student, Univ. of Miss.
Donald R. Forsht	U.S. Marshal
William A. Dunn	Border Patrol
Donald Cameron	U.S. Marshal
Charles Lawrence Reeves -	

Fire Truck

Erice Maurice Tubbs	Superintendent of Fire Trucks Univ. of Miss.
Charles R. Mathis	Correction Officer
George Jetton	
Edward T. Bartholomew	U.S. Marshal
Sterling Slappey	Reporter, U.S. News and World Report
Bill Fischer	United Press International
Stewart Manley	Student, Univ. of Miss.
Lloyd Spivey	" " "
Thomas Pritchard, Jr.	Border Patrol
Richard H. Dick	" "
Albert S. Taylor	" "
Seibert W. Lockman	U.S. Marshal
Clarence Feeley	Border Patrol
Donald R. Forsht	U.S. Marshal