Dear Requester:

Enclosed are copies of documents from FBI records. Excisions have been made to protect information exempt from disclosure pursuant to Title 5, United States Code, Section 552 and/or Section 552a. In addition, where excisions were made, the appropriate exempting subsections have been cited opposite the deletions. Where pages have been withheld in their entirety, a deleted page information sheet has been substituted showing the reasons or basis for the deletion. The subsections cited for withholding information from the enclosed documents are marked below:

- ☒ (b)(1)
- ☒ (b)(2)
- ☒ (b)(3) Title 26, U.S. Code.
- ☒ (b)(6)
- ☐ (b)(4)
- ☐ (b)(5)
- ☐ (b)(7)(A)
- ☐ (b)(7)(B)
- ☐ (b)(7)(C)
- ☐ (b)(7)(D)
- ☐ (b)(7)(E)
- ☐ (b)(7)(F)
- ☐ (b)(7)(G)
- ☐ (b)(7)(H)
- ☐ (b)(7)(I)
- ☐ (b)(7)(J)
- ☐ (d)(5)
- ☐ (j)(2)
- ☐ (k)(1)
- ☐ (k)(2)
- ☐ (k)(3)
- ☐ (k)(4)
- ☐ (k)(5)
- ☐ (k)(6)
- ☐ (k)(7)

(See Form 4-694a, enclosed for an explanation of these exemptions.)

Pursuant to your request, 1522 page(s) were reviewed and 1394 page(s) are being released.

During the review of material pertinent to the subject of your request, documents were located which

- ☒ originated with another Government agency(ies).
  These documents were referred to that agency(ies) for review and direct response to you.

- ☐ contain information furnished by another Government agency(ies). You will be advised by the FBI
  as to the releasability of this information following our consultation with the other agency(ies).

FBI/DOJ
If you desire, you may appeal any denials contained herein. Appeals should be directed in writing to the Co-Director, Office of Information and Privacy, Room 7238 MAIN, United States Department of Justice, Washington, D.C. 20530, within thirty days from receipt of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIPA number assigned to your request so that it may be easily identified.

See additional information which follows.

Sincerely yours,

J. Kevin O'Brien, Chief
Freedom of Information-Privacy Acts Section
Office of Public and Congressional Affairs

Enclosures (21)

The enclosed material is from the main investigative file(s) in which the subject of your request is indexed. The subject of your request may also be indexed in files relating to other individuals, organizations, activities, or general topics. These additional mentions or references have not been reviewed to determine if, in fact, they are identifiable with the subject of your request. Our experience has shown that such references are frequently similar to information contained in the processed main file(s). We will process these references if you now make a specific request for them. However, because of a significant increase in FOIPA requests and an expanding backlog, we have given priority to the processing of main investigative files and can complete the processing of these additional references only as time and resources permit. Therefore, if you do decide to request these references, we will not be able to process them any time in the foreseeable future.

In addition to processing FBI Headquarters files, our Washington and New York Field Office files were also processed and are enclosed.

To minimize costs to both you and the FBI, extra file copies of the same document were not processed.
FILE DESCRIPTION

SUBJECT
Thurgood Marshall

FILE NO.
Headquarters file 9-0-23636
Honorable Clarence Kelly, Director
Federal Bureau of Investigation
U.S. Justice Department
Washington, D.C. Zip Code Unknown
Note: Please do not put forth any effort whatsoever (other than the above) to interfere with the State Courts of Illinois in this particular case. This is a sovereign State and may seek to exercise or reserve certain prerogatives (exclusive rights and privileges). This also applies to the writer, personally, as well as the Associate Justice, United States Supreme Court.

Springfield, Illinois
Hon. Clarence Kelly,

The writer has extended a cordial invitation to Associate Justice, Henry Ford, Marshal, United States Supreme Court, to appear here on Sunday Afternoon, February 23, 1975 (after 1:00 P.M.). Should the Associate Justice choose to accept the above cordial invitation, it is respectfully asked of the F.B.I. director to appear here, also on the above date accompanied by an aid (White man). Should the F.B.I. Director appear here with a Negro aid, he possibly will not live long.

The writer would also like very much to be informed in writing of the specific mandatory requirements of the following:

Title 18, Section 465, Chapter 44
Federal (United States Code) Constitution
Federal (United States) Narcotics Act

I have made every effort to apply for a legal and valid license (Instruction Permit) to operate a Motor Vehicle in the State of Illinois. At the writing of my letter, these efforts have been unsuccessful.

Lee Roncalli.

Enclosure
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 25 1975

To: SACs, Springfield and WFO
From: Director, FBI
Subject: THURGOOD MARSHALL, U. S. SUPREME COURT; DIRECTOR, FBI - VICTIMS
EXTORTION. OO: SPRINGFIELD

Date: 2/25/75
Time: Transmitted
Priority NITEL

Special handling instructions: Springfield promptly present this matter for prosecutorial opinion. If prosecution authorized, conduct appropriate investigation. Advise Bureau of results of investigation in format suitable for dissemination. WFO notify appropriate local authorities and U.S. Secret Service. Original letter being provided appropriate laboratory and latent fingerprint examinations. Bureau records reflect no information identifiable with subject.

Approved: 57MAR101975

b7c6
FILE DESCRIPTION

SUBJECT               Thurgood Marshall

FILE NO.              Headquarters file 9-67085
INDIA B. W.

U.S. Mailing Address:

1000 17th Street NW
Washington, DC 20535

U.S. Attorney General

To Director FBI Priority

Victim Possible Extortion: 6015

U.S. Supreme Court

V. M. Washington Field (GA-KEV) (P)

P 221922 006 82

221922 1 20

b7c

b7a

b7c

b7c
SAVANNAH IS REQUESTED TO CONDUCT A PRELIMINARY INVESTIGATION TO IDENTIFY INTERVIEW OF IS LEFT TO THE DISCRETION OF SAVANNAH.

WFO WILL PROVIDE BUREAU AND SAVANNAH WITH COPIES OF LETTER UNDER SEPARATE COVER.
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☐ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

<table>
<thead>
<tr>
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<tr>
<td>☐ (b)(3)</td>
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☐ Information pertained only to a third party. The subject of your request is listed in the title only.

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Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

Pages were not considered for release as they are duplicative of ___________________________

☐ For your information: ___________________________

☐ The following number is to be used for reference regarding these pages: 9-67085 punched 2 through 7.

DELETED PAGE(S)  NO DUPLICATION FEE  FOR THIS PAGE
TO: ACTING DIRECTOR, FBI
(ATTN: PERSONAL CRIMES UNIT)

FROM: SAC, WASHINGTON FIELD OFFICE (9A-5651)(C-4)(P)

SUBJECT: UNITED STATES SUPREME COURT JUSTICE THURGOOD MARSHALL VICTIM;
EXTORTION (A) 70923016

OO: SAVANNAH

Re WFO teletype to Bureau, dated 9/15/87.

Enclosed for the Bureau is an original one page typed letter from captioned subject to JUSTICE THURGOOD MARSHALL, which was received at the chambers of captioned victim, on 9/14/87.

For the information of the Bureau, [redacted] is a white male, DOB: [redacted] who has a history of violent behavior - no further biographical data is available, at this time.

REQUEST OF FBIHQ

QUESTIONED DOCUMENT UNIT

The Questioned Document Unit is requested to compare submitted item to the Anonymous Letter File. Conduct examinations for indented writings and other physical characteristics deemed appropriate. Forward copies to [redacted] for the psycholinguistic profiling of author to determine the validity of the threat.

LATENT FINGERPRINT SECTION

Examine submitted items for latent prints suitable for comparison with record prints of captioned subject. Forwards original evidence to OO.

[Redacted]

25/91
REPORT
of the
FBI
LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: SAC, Washington Field Office (3A-5631) (C-4)

FBI FILE NO.

From:

UNITED STATES SUPREME
COURT JUSTICE
THURGOOD MARSHALL - VICTIM;
EXTORTION (A)

C/O: Savannah

Address:

Communication dated September 15, 1987

Reference:

Document - Fingerprint

Specimen received:

Specimen:

O1 One-page typewritten letter dated 9/9/87,
beginning "May your soul burn..."

Result of Examination:

Specimen O1 was searched in the appropriate sections
of the Anonymous Letter File without effecting an identification.
Copies will be added to this file for future reference.

Several of the typewriting characters on O1 were
observed to have non printing areas which may allow an association
with a suspect typewriting element.

The typewriting on O1 was determined to have
a horizontal spacing of ten characters per inch. The style
and size of type most closely corresponds to Laboratory standards
for the "Prestige Pica" type style. This type style may
be found on numerous brand name typewriters, including IBM,
Royal and others.

2 - Savannah
No watermarks, indented writing or other physical characteristics were observed on Q1 which would further assist in determining its immediate origin.

The results of the psycholinguistic and latent fingerprint examinations and the disposition of the submitted evidence will be subjects of separate reports. Photographs are retained by the Laboratory.
Note

709.273 + 0 MN VF
TO: SAC, WFO (9A - 5651) (C-4)

Request:
- Send 1 Arc
- Examine in relation with other similar samples

Result of exx:
Because 0.1 was used in the preparation rather than the
0.04 0.10 effect in blank. Again will be added to the file
of original reference.

In the 0.1 0.1 was obtained to have a deeper staining
of 0.19 chromosomes per cell. This type of a type was clearly
consistent with the staining under the "prestige dye"
procedure. The type profile was found in an amount equal to
20%, including IBM, illegal and others.

No similarities, including or other physical characteristics
were observed on Q1 which would further aid in determining
the immediate origin.

The rallies, the preparation of the slides and the dye
are not complete. Photographs are retained by the laboratory.

Several chrromosomes were obtained, 6 being metaphase
which may show in connection with the report.

10/13/87
b7c
To: SAC, Washington Field Office (9A-5651) (C-4)

FBI FILE NO. 7-6-7055

LAB. NO. 70923016 D WN VF

Your NO.

Examination 7/23/87

0/13/87

Re:

UNITED STATES SUPREME COURT JUSTICE THURGOOD MARSHALL - VICTIM; EXTORTION (A)

OO: Savannah

Examination requested by: Addressed

Communication dated September 15, 1987

Reference:

Examination requested:

Document - Fingerprint

Specimens received:

September 23, 1987

Specimen:

Q1 One-page typewritten letter dated 9/9/87, beginning "May your soul burn..."

2 - Savannah

See attached notes.
<table>
<thead>
<tr>
<th>Evidence Files Searched</th>
<th>Section(s) Searched</th>
<th>Date Searched</th>
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<td>Motor Vehicle Title</td>
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<tr>
<td>Anonymous Letter File</td>
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<tr>
<td>State(s)</td>
<td></td>
<td></td>
<td>2.54 (Piecr) spacing</td>
</tr>
<tr>
<td>VIP</td>
<td>Thumbred Marshall</td>
<td>2.54 3:40PM</td>
<td>Prestige Pier</td>
</tr>
<tr>
<td>Bombing</td>
<td></td>
<td></td>
<td>and Ermite Etern</td>
</tr>
<tr>
<td>Other</td>
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<td>2.54 1616</td>
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<tr>
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<td>10/3/18</td>
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<tr>
<td>Office Copier</td>
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<tr>
<td>Safety Paper</td>
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<td>Computer Print Out</td>
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<table>
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<td></td>
</tr>
<tr>
<td>2.0 x 17.9: 1.630</td>
<td></td>
</tr>
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</table>
IBM SELECTRIC

STANDARD

PRESTIGE PICA 72

72

2-3-72

FORMULA 2541616

ABCDEFGHJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ

This type style is an adaptation from the typebar Prestige Pica 10 pitch design. This style was released for the IBM SELECTRIC Model Typewriter.
I. B. M. (USA)

Modèle : STANDARD (électrique)
Fabricant : IBM France
Lieu de fabrication : Essonnes (S. & O.) (F)
Années : 1952
Matricule : 0001
Type de caractères : PRESTIGE PICA (SP)
Fabrique de caractères : Lexington -U.S.A.

Formule 2541 b 1 B

<table>
<thead>
<tr>
<th>Hauteur du &quot;M&quot;</th>
<th>2.95 mm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hauteur du &quot;u&quot;</td>
<td>2.05 mm</td>
</tr>
<tr>
<td>Motion normale</td>
<td>6.73 mm</td>
</tr>
<tr>
<td>Largeur papier</td>
<td>736 mm</td>
</tr>
<tr>
<td>Type clavier</td>
<td>UNIVERSAL</td>
</tr>
<tr>
<td>Interlignes</td>
<td>4.23 mm et 6.34 mm</td>
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</tbody>
</table>

CLAVIER

££ 22 33 44 55 66 77 88 99 66 ** §§
 §§ 66 "" "" (( -- ê ê )) §§ ê ê — — ! !

FBI NO. 1960

A A Z Z E E R R T T Y Y U U I I O O P P

Fische No. 174

A A Z Z E E R R T T Y Y U U I I O O P P

Also See: B - 77

Q Q S S D D F F G G H H J J K K L L M M Z Z

Q Q S S D D F F G G H H J J K K L L M M û û

W W X X C C V V B B N N ?? .. // ++

W W X X C C V V B B N N ,, ; ; :: ==

- peux-tu me envoyer de ce bon vieux whisky, comme celui que j'ai bu chez françois le frère du forgeron du village ;

- PEUX TU M'ENVOYER DE CE BON VIEUX WHISKY COMME CELUI QUE J'AI BUI CHEZ FRANCOIS LE FRERE DU FORGERON DU VILLAGE.

1 - 6 - 1962

Fiche n°174
**TYPOGRAPHY**

**BRAND NAME**
DSG Single Element

**NAME OF TYPE STYLE**
Prestige Pica #2905

**MANUFACTURER OF TYPE STYLE**
DSG

**EXEMPLAR:**

**Lower Case:**
++ 11 22 33 44 55 66 77 88 99 00 -- --
qq ww ee rr tt yy uu ii oo pp ½ ½
nn ss dd ff gg hh jj kk ll : : :
zz xx cc vv bb nn oo .. .. //

**Upper Case:**
**"" 11 @@ ## $% Zz Cc & & ** (( )) **
QQ WW EE RR TT YY UU II OO PP ½ ½
AA SS DD FF GG HH JJ KK LL :: :: ::
ZZ XX CC VV BB NN MM KK LL :: ::
ZZ XX CC VV BB NN MM , , .. ??

DSG Single Element ------ Prestige Pica

**OTHER RELATED INFORMATION:**

Single Element
TYPEWRITER
BRAND NAME Royal / Qume / IBM / Diablo

NAME OF TYPE STYLE Prestige Pica 10

MANUFACTURER OF TYPE STYLE Royal

FORMULA RSY161B

FBI NO. 4362
FYSCHE NO.

ALSO SEE:
Royal Subfile

EXEMPLAR:

494007 | Qume 52054 | (43056) WP Prestige Pica 10

OTHER RELATED INFORMATION:
Roytype Pointwheel
Legal Prestige 10 (#421)

Get the jump on typing tasks with our quick and lively Brother E-Z electronic efficiency experts. ABCDEFGHIJKLMNOPQRSTUVWXYZ abcdefghijklmnopqrstuvwxyz 1234567890-= !@#$%^&*()-_+{[::'"_\:./?<>\}$24

OTHER RELATED INFORMATION: P.W.
This is a sample of Esteem Pica type face.

ABCDEFGHIJKLMNOPQRSTUVWXYZ !@#$%^&*()-_+\"':?.,
abcdefghijklmnopqrstuvwxyz 1234567890-\'%;./\,

ALBERTI ESTEEM PICA 10 Pitch 5 4 lines to an inch (Lines 88-8 lines to an inch)
To: SAC, Washington Field Office (9A-5651) (C-4)

FBI FILE NO. 9-67085-9
LAB. NO. 70923016 D MM VF
YOUR NO.

Examination by:

UNIVERSAL STATES SUPREME
COURT JUSTICE
THURGOOD MARSHALL - VICTIM,
EXTORTION (A)

OO: Savannah
Examination requested by: 
Reference:
Examination requested: 
Specimens received:
Specimen:
Q1 One-page typewritten letter dated 9/9/87, beginning "May your soul burn..."

2 - Savannah
Q1 forwarded to SAC on 11/27/87

LFPS WILL PROCESS AND RETURN
THE SUBMITTED EVIDENCE
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☐ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

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<td>(b)(7)(F)</td>
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☑ Pages were not considered for release as they are duplicative of Washington, DC.

☐ For your information:

☒ The following number is to be used for reference regarding these pages: 9-67085, 9 enclosures.
TO: ACTING DIRECTOR, FBI

FROM: SAC, SAVANNAH (9A-1500) (C)

SUBJECT: UNITED STATES SUPREME COURT JUSTICE THURGOOD MARSHALL - VICTIM; EXTORTION (A)

CC: SV

Re WFO teletype to Savannah, 9/16/87.

Enclosed for the Bureau are the original and four (4) copies of an LHM concerning captioned matter, with two (2) copies of an FD-376. Enclosed for WFO are two (2) copies of LHM.

Copies of LHM being furnished locally to USA, SDGA, Savannah, Ga., and U. S. Secret Service, Savannah.

Date 9/23/87
The information furnished herewith concerns an individual or organization believed to be covered by the agreement between the FBI and Secret Service concerning protective responsibilities, and to fall within the category or categories checked.

1. ☐ Threats or actions against persons protected by Secret Service.

2. ☐ Attempts or threats to redress grievances.

3. ☒ Threatening or abusive statement about U.S. or foreign official.

4. ☐ Participation in civil disturbances, anti-U.S. demonstrations or hostile incidents against foreign diplomatic establishments.

5. ☐ Illegal bombing, bomb-making or other terrorist activity.

6. ☐ Defector from U.S. or indicates desire to defect.

7. ☐ Potentially dangerous because of background, emotional instability or activity in groups engaged in activities inimical to U.S.

Photograph ☐ has been furnished ☐ enclosed ☐ is not available.

Directors
Federal Bureau of Investigation

1 - Special Agent in Charge (Enclosure(s))
U.S. Secret Service

Enclosure(s)
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- Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

- Pages were not considered for release as they are duplicative.

- For your information:

- The following number is to be used for reference regarding these pages:
RECORD
9/24/87

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

Recorded 10/15/87

To: SAC, Washington Field Office (9A-5651) (C-4) (P)

FBI FILE NO. 9-67085

LAB NO. 13123516 D US V7

Re: UNITED STATES SUPREME COURT JUSTICE
THURGOOD MARSHALL - VICTIM;
EXTORTION (A)

CC: Savannah

Examination requested by: Addresses

NOTED BY:

Reference:

Examination requested: Document - Fingerprint

Specimens received: September 23, 1987

Specimen:

Q1 One-page typewritten letter dated 9/9/87,
beginning "May your soul burn..."

Named subject:

Q1 ekron [illegible] 10/12/3

2 - Savannah

 Cust & civil arrest 10/23

- Q1 to get 10/27

Examination Completed 1:25 Time 4-6-87 Dictated 4-6-87

Date

Evidence
5 lot. feet or dev. No. 01
min. days - not necessary.
No. 2 film
(?) forwarded to Sav. as req.
FILE DESCRIPTION

SUBJECT

Thurgood Marshall

FILE NO.

Headquarters file 9-HQ-70566
UNCLASS

ASSOCIATE SUPREME COURT JUSTICE THURGOOD MARSHALL;
ASSOCIATE SUPREME COURT JUSTICE [REDACTED] VICTIM; EXTORTION;

RE: PITTSBURGH


FOR THE INFORMATION OF BUREAU AND WASHINGTON FIELD, A REVIEW OF PITTSBURGH INDICES DISCLOSED A REFERENCE TO

[REDACTED]
FORWARD PHOTOCOPY AND DESCRIPTIVE DATA OF SUBJECT VIA AIRTEL TO WASHINGTON FIELD FOR DISTRIBUTION TO U.S. SUPREME COURT POLICE.

INTERVIEW SUBJECT [Redacted]

OBTAIN PROSECUTIVE OPINION FROM U.S. ATTORNEY, WESTERN DISTRICT OF PENNSYLVANIA.

ARMED AND DANGEROUS.

BY
ASSOCIATE SUPREME COURT JUSTICE THURGOOD MARSHALL; ASSOCIATE SUPREME COURT JUSTICE VICTIM: EXTORTION: 00: PITTSBURGH.

ARMED AND DANGEROUS.

REFERENCE WFD TELCALL TO PITTSBURGH, FEBRUARY 26, 1987.

FOR THE INFORMATION OF THE BUREAU AND PITTSBURGH DIVISION, ON FEBRUARY 26, 1987, THE UNITED STATES SUPREME COURT POLICE ADVISED WFD THAT, AT APPROXIMATELY 10:30 A.M., THEY HAD RECEIVED A CALL FROM THE UNITED STATES SECRET SERVICE (USSS) INDICATING THAT CAPTIONED SUBJECT

UNCLAS
DATE OF BIRTH, SOCIAL SECURITY ACCOUNT NUMBER (SSN) AND MADE THE FOLLOWING THREAT REGARDING THE CAPTIONED VICTIMS:

"I'M ON MY WAY TO KILL THEM."

LEADS. PITTSBURGH DIVISION. AT PITTSBURGH, PENNSYLVANIA.
LOCATE AND INTERVIEW CONDUCT LOCAL INDICES AND POLICE CHECK REGARDING PRESENTS UNITED STATES ATTORNEY'S OFFICE FOR PROSECUTIVE OPINION, AND ADVISE WFO IN ORDER THAT UNITED STATES SUPREME COURT POLICE MIGHT BE APPROPRIATELY APPRISED.

UNCLAS

BT
#0034
#FNNN
ASSOCIATE SUPREME COURT JUDGE 

Re: ASSOCIATE SUPREME COURT JUSTICE 

CO: PITTSBURGH 

On 2/27/87, our Pittsburgh Special Agents interviewed [redacted] regarding threats he had made regarding captioned victims. 

[Redacted] advised that he had never said that he was going to Washington, D.C., to kill [redacted] or Marshall. 

[Redacted] advised that he expressed his anger over the pro-choice abortion stand of Justice [redacted]. 

During that meeting he said that he should be arrested, impeached and executed for his [redacted] role in Wade vs. Roe 1973."

Investigation is continuing.

APPENDIX: 

[Redacted]

1 - Revell 
1 - Clarke 
1 - Daniel 
1 - Ricks 
1 - Nelson 
1 - CID Duty Office 

[Redacted]
FBI REPORT - 14 MARCH 1987

ATTN: UFO, SA

ASSOCIATE SUPREME COURT JUSTICE SURROGATE MARSHALL-
VICTIM: ASSOCIATE SUPREME COURT JUSTICE VICTIM

EXTORTION (DOS: PITTSBURGH)

REPORT TO BUREAU DATED MARCH 5, 1987; AND TELECALL TO SA
UFO, ON MARCH 13, 1987.

ON MARCH 13, 1987, SUBJECT WAS INTERVIEWED IN CONNECTION WITH ALLEGED THREATS
TO KILL SUPREME COURT JUSTICES AND MARSHALL. WAS ADVISED OF THE IDENTITY OF THE INTERVIEWING AGENT AND THE NATURE OF
THE INQUIRY. ACCORDING TO

HE NEVER SAID HE WAS DOING

ICE PSENT TO

USSS 3/12/87

DE-231

G-7056 6-3

TO APR 17 1987
He saw a program on a local TV station dealing with the abortion issue. He said during the next day, the topic of abortion was very much on his mind. He said he was upset and angry over the pro-choice abortion stand of Supreme Court Justice [Redacted]. He said to a group [Redacted] that [Redacted] should be arrested, impeached and executed for his [Redacted] role in Wade vs. Roe (1973). He denied stating he was going to kill Justice [Redacted] or Marshall. He also denied stating he was going to travel to Washington, D.C., for this or any other purposes. He was cooperative during the interview.
said he had no plans to travel to Washington, DC.

For the information of the Bureau and WFO, Ausa James Garrett, WDPA, required additional information regarding subject before he would make a prosecutive decision in this matter. Therefore, PO will conduct appropriate investigation and present same to the USA's Office.
PHOTOS OF [REDACTED] WERE SENT BY EXPRESS MAIL TO WFO FOR DISSEMINATION TO U.S. SUPREME COURT POLICE.

THE FOLLOWING BACKGROUND DATA WAS OBTAINED FOR (X) THROUGH OBSERVATION AND INTERVIEW: CURRENT RESIDENCE:

RACE: WH, SEX: MALE, AGE: [REDACTED]
DOB: [REDACTED]
HT: [REDACTED]
WT: [REDACTED]
HAIR: [REDACTED]
SSN: [REDACTED]

PITTSBURGH AT PITTSBURGH, PA.

CONDUCT CRIMINAL HISTORY CHECKS AND OBTAIN PROSECUTOR OPINION OF USA. ADVISE THE BUREAU AND WFO.

BT

-->
NEW MAIL JUST ARRIVED: K.129
FORMS TEXT HAS 1 DOCUMENT

INBOX.27 (#6363)

TEXT:
PG0000 084 17102
RR HQ WF
DE PO
R 2517102 MAR 87
FM PITTSBURGH (9A-3778) (P)

TO DIRECTOR ROUTINE
WASHINGTON FIELD ROUTINE
BT
UNCLAS

ASSOCIATE SUPREME COURT JUSTICE SURROGATE
MARSHALL - VICTIM: ASSOCIATE SUPREME COURT JUSTICE
VICTIM: EXTORTION: CO:

BY TELETYPE DATED MARCH 22, 1987, FIRE PITTSBURGH FURNISHED THE FOLLOWING:


FOR THE PURPOSE OF THE LAW, PITTSBURGH HAS COMPLETED ADDITIONAL INVESTIGATION REQUESTED BY THE USA, WDPA, REGARDING A PROSECUTIVE OPINION ON SUBJECT.

ON MARCH 23, 1987, THIS INFORMATION WAS PRESENTED TO AUSA JIM. GARRETT, PITTSBURGH, PA, WITH THE FOLLOWING PROSECUTIVE DECISION:

AUSA GARRATT STATED THAT BASED ON THE TOTALITY OF CIRCUMSTANCES
SURROUNDING THE ALLEGED THREATS AGAINST SUPREME COURT JUSTICES
AND MARSHALL, HIS OFFICE WOULD DECLINE PROSECUTION IN THE
CAPTIONED MATTER. AUSA GARRETT NOTED THE ALLEGED THREATS BY

THE DATE OF

WHICH HIS STATEMENTS REGARDING THE JUSTICES WERE MADE.

SAID

NEVER MADE ANY SPECIFIC THREATS THAT HE WAS GOING TO GO TO
WASHINGTON, DC, AND KILL ANY SUPREME COURT JUSTICE. SAID
HE DID NOT KNOW HOW THE FBI AND U.S. SECRET SERVICE COULD HAVE
RECEIVED INFORMATION IN WHICH HE WAS SAID TO BE THE IN-
DIVIDUAL TO WHOM SPECIFICALLY STATED HE WAS GOING TO GO TO
WASHINGTON, DC, AND KILL SUPREME COURT JUSTICES AND MARSHALL.
SAID MADE NO SUCH STATEMENT AND HE CHARACTERIZED
AS "HARMLESS." HAS BEEN AN OUTPATIENT AT THE VA SINCE
1984. THOSE WHO WERE INTERVIEWED REGARDING

STATEMENTS FELT HE DID NOT POSE ANY KIND OF DANGER TO THE SUPREME
COURT JUSTICES. IN VIEW OF THE NEGATIVE PROSECUTIVE DECISION BY THE USA'S OFFICE, PITTSBURGH WILL CONDUCT NO FURTHER INVESTIGATION. FB-8025 WILL BE FORWARD WHEN COMPLETED.
MESSAGE RELAY VIA TELETYPING (RESTRICTED USE)

Date: 3/26/87  PRECEDENCE: □ IMMEDIATE □ PRIORITY □ RUTINE

FM: DIRECTOR, FBI
TO:

Federal Government

□ White House/WH/
□ Bureau of Alcohol Tobacco Firearms/BATF/
□ Central Intelligence Agency/CIA/
□ CIA DOD/DCD/
□ Dept. of Energy HOHQ/DOEHQ/
□ Dept. of Energy Germantown DIV/DOE/
□ Dept. of Justice/DOJ/
□ Dept. of State/DOS/
□ Dept. of the Army/DA/
□ Dept. of Treasury/DOT/
□ Defense Intelligence Agency/DIA/

□ Director National Security Agency/NSA/
□ Director Naval Investigative Service/DNIN/INSERV/
□ Drug Enforcement Admin./DEA/
□ FAA Washington HQ/FAA/
□ HQ AFOSI Bolling AFB/AFOSI/
□ INSCOM Ft. Meade/INSOM/
□ Nuclear Regulatory Commission/NRC/
□ U.S. Customs Service/UCC/
□ U.S. Immigration & Naturalization Service/INS/
□ U.S. Secret Service/USSS/
□ Other: _______________________

94-70566-5

Classification: UNCLASSIFIED

Address: Internal Distribution

For: _______________________

10 MAR 11 1967

Subject: ASSOCIATE SUPREME COURT JUSTICE THURGOOD MARSHALL - VICTIM;
ASSOCIATE SUPREME COURT JUSTICE ____ VICTIM; CCSCAA; OO: PG

□ Bee Attached

Approved By: 

Original: 

Tele Ext: 

Room/Div.: 3042/6

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS CENTER

DO NOT FILE WITHOUT COMMUNICATIONS STAMP
ASSOCIATE SUPREME COURT JUSTICE THURGOOD MARSHALL — VICTIM;
ASSOCIATE SUPREME COURT JUSTICE — VICTIM;
CC:SC:AKA
OO: PITTSBURGH

SYNOPSIS: In late February, 1987, [redacted] made a statement that he was going to kill Associate Supreme Court Justice Thurgood Marshall and Associate Supreme Court Justice [redacted].

DETAILS: On 2/26/87, our Washington Field Office reported that the United States Supreme Court Police (USSCP) advised that [redacted] had made remarks regarding Associate Supreme Court Justices Thurgood Marshall and [redacted]. During this conversation, [redacted] stated "I'm on my way to kill them." This information was reported to the U. S. Secret Service who in turn advised the USSCP.

Our Pittsburgh Office developed information that [redacted].

CURRENT DEVELOPMENTS: Our Pittsburgh Agents plan to interview [redacted]. The facts in this matter will then be presented to the U. S. Attorney's Office for a prosecutive opinion.

F. I. Clarke

1 - Mr. Revell
1 - Mr. Clarke
1 - Mr. Daniels
1 - Mr. Ricks
1 - Mr. Nelson

File

22 APR 1988
TO: ACTING DIRECTOR, FBI
(ATTN: PERSONAL CRIMES UNIT)

FROM: SAC, WASHINGTON FIELD (9A-5546) (C-4) (RUC)

SUBJECT: ASSOCIATE SUPREME COURT JUSTICE
SURROGATE MARSHALL-VICTIM;
ASSOCIATE SUPREME COURT JUSTICE
EXTORTION
OO: PITTSBURGH

The United States Supreme Court Police have been apprised of the results of this investigation.
WFO considers this matter RUC'd.

Approved: 

Transmitted: 

(Date)
NEW MAIL JUST ARRIVED:  
FORMS. TEXT HAS 1 DOCUME.

INBOX.27 (#6363)

TEXT:

FC00006 084 17102

RR HQ WF

DE PG

A-2317102 MAR 87

FM: PITTSBURGH (9A-3778) (P)

TO DIRECTOR ROUTINE

WASHINGTON FIELD ROUTINE

BT

JNCLAS

ATTENTION SA [REDACTED] WFO

ASSOCIATE SUPREME COURT JUSTICE SURROGATE

MARSHALL - VICTIM: ASSOCIATE SUPREME COURT JUSTICE

VICTIM: EXTORTION; DO: PG


FOR THE INFORMATION OF THE BUREAU AND WFO, PITTSBURGH HAS

COMPLETED ADDITIONAL INVESTIGATION REQUESTED BY THE USA, WDPA,

REGARDING A PROSECUTIVE OPINION ON SUBJECT.

ON MARCH 23, 1987, THIS INFORMATION WAS PRESENTED TO AUSA JIM

GARRETT, PITTSBURGH, PA, WITH THE FOLLOWING PROSECUTIVE DECISION:

AUSA GARRATT STATED THAT BASED ON THE TOTALITY OF CIRCUMSTANCES

"Redacted to U.S.S.

20/22"
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

<table>
<thead>
<tr>
<th>Section 552</th>
<th>Section 552a</th>
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- Information pertained only to a third party with no reference to the subject of your request.

- Information pertained only to a third party. The subject of your request is listed in the title only.

- Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

- Pages were not considered for release as they are duplicative of Exhibit 4.

- For your information:

- The following number is to be used for reference regarding these pages: 9-HQ-70566, Exhibit 8, page 2.
COURT JUSTICES. IN VIEW OF THE NEGATIVE PROSECUTIVE DECISION BY
THE USA'S OFFICE, PITTSBURGH WILL CONDUCT NO FURTHER INVESTIGATION.
FD-302S WILL BE FORWARDED WHEN COMPLETED.

BT
INFORMATIVE NOTE

ASSOCIATE SUPREME COURT JUSTICE THURGOOD MARSHALL - VICTIM;
Re: ASSOCIATE SUPREME COURT JUSTICE VICTIM; CCSCAKA; 00: PG

By way of background, in late February, 1987, [redacted] made a statement that he was going to go to Washington, D.C., to kill captioned Justices. [redacted] was a white male, DOB [redacted] was interviewed by our Pittsburgh Agents. He denied making threats against the Justices.

This matter was discussed with the Assistant U.S. Attorney in Pittsburgh who declined prosecution.

APPROVED:

1 - Mr. Revell
1 - Mr. Clarke
1 - Mr. Daniels
1 - Mr. Ricks
1 - Mr. Nelson
1 - CID Duty Office

(10)
Marshall: Timetable for Integration

By SIDNEY HENDY

Thurgood Marshall pointed to a news picture of the Rev. Martin Luther King being arrested for "loitering" in Montgomery, Ala., by two policemen.

"This picture will be printed all over the world, especially in Communist countries," Marshall said. "And King was only waiting to go into a courtroom. It's unbelievable! Yet, the National Association for the Advancement of Colored People is accused of feeding the Communist propaganda mill."

Marshall is the Director and Counsel of the NAACP's Legal Defense and Educational Fund. This Thursday he will argue his first case before the U. S. Supreme Court, pleading for immediate integration at Central High School in Little Rock, Ark.

Like the Rev. King's picture, the arguments, the Court's decision and the aftermath, will be printed and talked about around the world.

Marshall has won 15 of his past 15 cases before the Court. He always presents with quiet brilliance. Without any oratory he uses simple terms for complex legal arguments, and offers them with evident sincerity and a complete mastery of the law.

What was the biggest victory?

"Each one was the biggest," he said, "You have to feel that way if you want to win."

OUT OF COURT he's given to easy laughter, tells a good joke. A big man, six feet, two, 275 pounds, now 40, he's a vestryman in his church, and his only amusement, outside his work, is playing with his two young sons, Howard Jr., two, and John William, two months. They are the children of his second marriage. His first wife died of lung cancer.

Marshall's father was a country club steward; his mother recently retired after teaching school for 35 years, and now lives near him. They managed to make Marshall a lawyer and his brother a surgeon.

As a kid in Baltimore, Md., Marshall was the pitcher in elementary school, and was constantly being punished.

"But it was good punishment," he said, "They made me memorize sections of the Constitution. I knew it word for word by the time I got out."

AFTER Lincoln University in Pennsylvania he went to Howard University Law School because he couldn't get an education in Maryland. He worked as the Student Librarian, which paid for his tuition, and commuted daily between Baltimore and Washington, D.C., 40 miles.

Even before he was graduated at the head of his class he was writing briefs for civil rights cases.

"I suppose that's how I got into this work here," he said.

In the 15 months he practiced privately, he had fewer cases with fees than civil rights cases without fees.

In April, 1955 he faced and won his first big case, involving the admission of Negroes to the University of Maryland. During the year he was hired by the NAACP on a temporary basis at $3,000 a year. A year ago he reached $65,000, and he's well

WHO FEEDS RED PROPAGANDA MILL?

Rev. Martin Luther King being arrested for "loitering" (above). King organized the successful boycott against "Jim Crow" buses in Montgomery, Alabama.

MARSHALL

Wash. Post and Times Herald
Wash. News
Wash. Star
N. Y. Herald Tribune
N. Y. Journal American
American
N. Y. Mirror
N. Y. Daily News
N. Y. Times
Daily Worker
The Worker
New Leader

Date SEP 7 1956

b7c
controversy on a year in your
name. He could do much better
elsewhere, could have run for
public office, could even have
had a Federal judgeship.

"But this is far more im-
portant," he said, "and I haven't
finished my work here yet."

TO MARSHALL the issue of
segregation is now for the first
time clearly defined: "It's not
whether Negro children attend
white schools, but whether any
state can oppose the Federal
government. The issue is sim-
ply whether the U. S. Constitu-
tion is supreme."

It's inevitable that the U. S.
Supreme Court will order in-
tegration. What Arkansas' Gov.
Feather does after that will de-
termine the course of immedi-
ate events.

"One of our big problems
here is to keep Negroes from
taking retaliatory measures," Mar-
shall said. "But I, for one,
will never fail a man not to pro-
tect his family and home."

When will integration become
an accepted fact?

"As far as the law is con-
cerned, I think it will be re-
solved this school term, either
in Virginia or Arkansas. Then,
we have to fight it county
by county in the South until
perhaps 1863, the 100th anni-
sary of the Emancipation Pro-
clamation. After that it will
take a generation before it's
complete, so both white and Ne-
gro accept each other on their
merits."

His job will end when the law
on the books holds any and all
forms of enforced segregation
illegal. The spotlight is on
school integration, but Marshall
is still fighting for the Negro's
right to vote in areas of Ala-
ba, Louisiana, Mississippi.

"In Mobile, Mississippi," Mar-
shall said, "that right to
vote is determined by the Ne-
gro's answer to the question:
"How many bubbles in a bar
of soap?" No, my job isn't finished
yet.
FBI WASH DC 10-1-56 6-48PM

SAC, DALLAS URGENT

UNSUBS, THURGOOD MARSHALL, COMPLAINANT, CR. REURTEL SEPTEMBER THIRTY-INFORMATION RECEIVED BY DEPARTMENT THAT HEARING SCHEDULED FOR TODAY IN FEDERAL COURT POSTPONED UNTIL NOVEMBER FOURTEEN NEXT. DEPARTMENT DESIRES INTERVIEWS CONDUCTED WITH PLAINTIFFS WHO WERE QUESTIONED BY STATE OFFICIALS AS WELL AS THOSE PLAINTIFFS WHO, NOT PREVIOUSLY QUESTIONED BY STATE OFFICIALS, WERE BROUGHT BEFORE COURT OF INQUIRY AT DALLAS SEPTEMBER TWENTYNINE LAST. THESE INDIVIDUALS SHOULD BE THOROUGHLY INTERVIEWED TO ASCERTAIN IN DETAIL THE MANNER IN WHICH THEY HAD BEEN INTERVIEWED, SPECIFIC STATEMENTS OR QUESTIONS MADE BY STATE OFFICIAL AS WELL AS SPECIFIC STATEMENTS OR QUESTIONS RAISED AT THE COURT OF INQUIRY. THIS MUST BE AFFORDED IMMEDIATE AND CONTINUOUS INVESTIGATIVE ATTENTION. INASMUCH AS THIS INVOLVES ALLEGATION AGAINST THE STATE OR HIS REPRESENTATIVES THE GOVERNOR OF THE STATE OF TEXAS AND THE STATE AG MUST BE ADVISED AT THE OUTSET THAT THIS INVESTIGATION IS BEING CONDUCTED AT THE SPECIFIC REQUEST OF WARREN OLNEY III, AAG IN CHARGE OF CRIMINAL DIVISION. IF ANY INFORMATION DEVELOPED THAT TEXAS RANGERS PARTICIPATED IN ANY MANNER YOU MUST IMMEDIATELY ADVISE HEAD OF RANGERS. KEEP BUREAU FULLY INFORMED OF ALL DEVELOPMENTS.

END ACK

OK FBI DL JEH
OCTOBER 1, 1956

URGENT

SAC, DALLAS

UNSUBS, THURGOOD MARSHALL, COMPLAINANT, CR. HEURTEL SEPTEMBER THIRTY. INFORMATION RECEIVED BY DEPARTMENT THAT HEARING SCHEDULED FOR TODAY IN FEDERAL COURT POSTPONED UNTIL NOVEMBER FOURTEEN NEXT. DEPARTMENT DESIRES INTERVIEWS CONDUCTED WITH PLAINTIFFS WHO WERE QUESTIONED BY STATE OFFICIALS AS WELL AS THOSE PLAINTIFFS WHO, NOT PREVIOUSLY QUESTIONED BY STATE OFFICIALS, WERE BROUGHT BEFORE COURT OF INQUIRY AT DALLAS SEPTEMBER TWENTYNINE LAST. THESE INDIVIDUALS SHOULD BE THOROUGHLY INTERVIEWED TO ASCERTAIN IN DETAIL THE MANNER IN WHICH THEY HAD BEEN INTERVIEWED, SPECIFIC STATEMENTS OR QUESTIONS MADE BY STATE OFFICIALS AS WELL AS SPECIFIC STATEMENTS OR QUESTIONS RAISED AT THE COURT OF INQUIRY. THIS MUST BE AFFORDED IMMEDIATE AND CONTINUOUS INVESTIGATIVE ATTENTION. INASMUCH AS THIS INVOLVES ALLEGATION AGAINST THE STATE AG OR HIS REPRESENTATIVES THE GOVERNOR OF THE STATE OF TEXAS AND THE STATE AG MUST BE ADVISED AT THE OUTSET THAT THIS INVESTIGATION IS BEING CONDUCTED AT THE SPECIFIC REQUEST OF WARREN OLNEY III, AAG IN CHARGE OF CRIMINAL DIVISION. IF ANY INFORMATION DEVELOPED THAT TEXAS RANGERS PARTICIPATED IN ANY MANNER YOU MUST IMMEDIATELY ADVISE HEAD OF RANGERS, KEEP BURGARD FULLY INFORMED OF ALLEGATIONS.

TELETYPE 67 OCT 10 1956
FBI, DALLAS  10-1-56  10-29 AM CST

DIRECTOR, FBI

URGENT

UNSUBS, TEXAS RANGERS, THURGOOD MARSHALL - COMPLAINANT, CR. REDL TELE

YESTERDAY. USA FLOORE, NDT, STATES OPINION NO CR VIOLATION INDICATED

ON BASIS AVAILABLE INFORMATION.

MURPHY

RECORDER-31

12-29 PM OK FBI WA SH
Office Memorandum • UNITED STATES GOVERNMENT

TO: Mr. Rosen

FROM: Mr. Price

DATE: October 1, 1956

SUBJECT: UNKNOWN SUBJECTS; THURGOOD MARSHALL, COMPLAINANT
CIVIL RIGHTS

SAC Murphy, Dallas, called during the evening of 10-1-56 and stated that in his opinion, when he advised the Governor of Texas and the State Attorney General on 10-2-56 that the Bureau would be conducting investigation in this matter, they would thereafter make a press release to this effect. SAC Murphy desired to know how to answer any press inquiries received.

ACTION TAKEN:

SAC Murphy was instructed to answer any press inquiries received to the effect that we were conducting investigation in this matter on the specific instructions of Warren Olney III, Assistant Attorney General, Criminal Division, Department of Justice, so determination may be made whether there has been a violation of any Federal Civil Rights Statutes. This was approved by Mr. McGuire of Mr. Nichols' office.

cc: Mr. Nichols

Right: 44-10194

EX-108

18 Oct 11 1956 9

Recorded-59
October 2, 1956

Airtel

b7c

SAC, Dallas

PERSONAL ATTENTION

FORD, TEXAS RANGERS; THURGOOD MARSHALL - COMPLAINANT,
CIVIL RIGHTS.

Reurtel 10-1-56 advising that USA, HDT, was
of opinion that there was no civil rights violation
indicated on the basis of information available.

Investigation requested by Bureau phone call
of 9-30-56 was that Thurgood Marshall, complainant,
be thoroughly interviewed. This investigation was
directed by officials of the Department of Justice and
there was no need to contact USA for his opinion. The
investigation requested by Bureau teletype of 10-1-56
was also ordered by officials of the Criminal Division
of the Department and there is no need to contact the
USA for his views regarding this matter. This case must
be afforded most expeditious attention and report
submitted promptly at the completion of the investigation.

--Hooper

b7c
Office Memorandum - UNITED STATES GOVERNMENT

TO: Mr. Rosen
FROM: Mr. Price

SUBJECT: UNKNOWN SUBJECTS; THURGOOD MARSHALL - COMPLAINANT
CIVIL RIGHTS

DATE: 10-9-56

This is to advise that the investigation requested by the Department has been completed and the last report was furnished to the Department on 10-8-56. The Department has been requested to advise whether or not further investigation is desired.

(William, Special Counsel for the National Association For the Advancement of Colored People (NAACP) originally complained to Department that individuals who had instituted suit in Federal Court against the Dallas, Texas, School Board had been intimidated by Texas Rangers and representatives of the Attorney General of the State of Texas. It was alleged that such intimidation was caused because such individuals had instituted action in Federal Court.)

Investigation disclosed that 4 of the 24 plaintiffs in the civil action and the husband of a 5th plaintiff had been called before a court of inquiry in Dallas, Texas, on 9-29-56. Five additional plaintiffs were interviewed by representatives of the Texas Attorney General's office but did not appear before court of inquiry. Of the other plaintiffs interviewed, none had been questioned by any state officials regarding the action in Federal Court. (23 of the 24 plaintiffs were interviewed; the 24th plaintiff deserted his family in April, 1956, and his present whereabouts unknown.)

The questioning by state officials and at the court of inquiry was designed to ascertain whether the Negroes had of their own volition sent their children to the white school in Dallas and whether they had of their own volition instituted the action in Federal Court or whether such activities were encouraged or sponsored by others, particularly, the NAACP. Investigation did not disclose any use of threats against individuals.

In one instance wife of a plaintiff stated that the Deputy Constable who had subpoenaed plaintiff to appear at court of inquiry on 9-29-56 had stated that if the plaintiff did not appear Constable would place him in jail. Plaintiff disregarded the instructions and has not heard anything further from state officers. One plaintiff stated that a Texas Ranger in questioning him, intimated that in filing suit again Dallas School Board he could be signing resignation from his job.

ACTION:

The above is for information and you will be advised as to the Department's opinion in this case.
ADDITIONAL:

At 12:45 p.m., A. B. Caldwell telephonically advised Supervisor [redacted] that he had received information that the hearing in Federal Court had now been postponed until November 14, 1956, and Caldwell desired the Bureau to proceed with interviews with the individuals who had been questioned in this matter by state authorities and those who had been brought before the court of inquiry at Dallas on September 29, 1956.

There is attached a teletype to the Dallas Office instructing that office to interview the individuals who are plaintiffs in the civil action pending in Federal Court and who were questioned by state officials as well as those who, though not previously questioned, were brought before the court of inquiry on September 29, 1956. Dallas is being specifically instructed that inasmuch as this involves allegation against the state Attorney General that the Governor of the State of Texas and the state Attorney General are to be notified that the investigation is being conducted at the specific request of Warren Olney III, Assistant Attorney General, in charge of the Criminal Division and if information is developed that the Texas Rangers had in any way participated in this matter, the head of the Texas Rangers must be immediately advised.
Office Memorandum • UNITED STATES GOVERNMENT

TO: Mr. Rosen
FROM: Mr. Price

DATE: 10-1-56

SUBJECT: UNKNOWN SUBJECTS;
THURGOOD MARSHALL - COMPLAINANT
CIVIL RIGHTS

Supervisor of the Civil Rights Unit conferred with Mr. A. B. Caldwell, Chief, and Mr. Henry Putzel, Attorney, of the Civil Rights Section regarding information obtained from Marshall as to alleged intimidation of individuals who are plaintiffs in a civil action pending in U. S. District Court in Dallas, Texas. Caldwell and Putzel were advised that a hearing is scheduled in Federal Court in the civil action for this date. They were furnished a summary of the information developed by the Dallas Office from its interview with Marshall and a news article that five Negro witnesses had stated in a Justice of the Peace court that they did not have any knowledge their names were to be used in the suit in Federal Court to force integration in the Dallas school system.

Caldwell advised that in view of the action pending in Federal Court this date, that no further interviews should be conducted at this time. He requested that the Bureau keep the Department advised of the results of the action in Federal Court. Putzel asked if Bureau Agents would observe the proceedings in Federal Court and was immediately informed by Caldwell that it is not in accordance with Bureau policy to have Agents sit in Federal Court as observers and Caldwell personally telephoned U. S. Attorney Heard L. Floore of the Northern District of Texas and instructed that he or one of his assistants observe the proceedings in the civil action in the U. S. District Court in Dallas today and advise the Department specifically whether or not the question of interviews by state authorities with the plaintiffs in the Federal suit is brought to the attention of the judge in the U. S. District Court today.

ACTION:

There is attached for your approval a memorandum to the Criminal Division confirming the conversations with Caldwell on 9-30-56 and 10-1-56 and setting forth the information developed by the Dallas Office on 9-30-56.

Enclosures:

10-2-56

cc: 1 - Mr. Nichols
1 - Mr. Belmont

RECORDED 10-1956

[Handwritten notes and stamps]
Office Memorandum - UNITED STATES GOVERNMENT

TO: Mr. Price

FROM: E. H. Winterroth

DATE: October 2, 1956

TIME OF CALL: 11:35 A.M.

SUBJECT: UNKNOWN SUBJECTS; THURGOOD MARSHALL - COMPLAINANT CIVIL RIGHTS

SAC Murphy, Dallas, called with respect to the investigation being conducted in this matter. He had three questions:

1. Should signed statements be taken from the victims? He was advised they should be.

2. If the victims desire to be interviewed in the presence of their attorneys, would this be permissible? He was advised that under the circumstances it would, but that in the last analysis he would have to be responsible for the circumstances under which the interview is conducted and that the attorney is the proper person in front of whom to conduct the interview.

3. If a request is made for a signed statement, should a copy be made available? He was advised that is the proper action under current regulations but that he need not volunteer.

EHW

(4)

RECORDED - 51 44-10-54-7

EX-12 11 OCT 10 1956

61 OCT 16 1956
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☐ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

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☐ Information pertained only to a third party with no reference to the subject of your request.

☐ Information pertained only to a third party. The subject of your request is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

Pages were not considered for release as they are duplicative of ___________________________.

☐ For your information: ________________________________________________________________

The following number is to be used for reference regarding these pages:

[Handwritten text: Headquarters July 76-78-1089-16]
UNSUBS, TRUEGOOD MARSHALL, COMPLAINANT, CR. RE BL TELETYPE TO
SA OCTOBER ONE LAST. MR. DAVIS GRANT, FIRST ASSISTANT ATTORNEY
GENERAL, ATTORNEY GENERAL'S DEPARTMENT, STATE OF TEXAS, MR. JOHN
OSORIO, ADMINISTRATIVE ASSISTANT TO GOVERNOR ALLAN SHIVERS,
GOVERNOR'S OFFICE, STATE OF TEXAS, AND COL. THOMAS HARRISON,
DIRECTOR, TEXAS DEPARTMENT OF PUBLIC SAFETY, AUSTIN, TEXAS,
ADvised OF POLICE OCTOBER TWO INST. TRUEGOOD MARSHALL'S
COMPLAINT THAT INTERVIEW BEING CONDUCTED BY BLM OFFICE WITH
PLAINTIFF, SHALL BE QUESTIONED BY STATE OFFICIALS AND THOSE
BROUGHT BEFORE COURT OF INQUIRY AT DALLAS, SEPT., TWENTY-NINE.

VERNER

END AND ACK PLG ON ON ROLL CALL
UL, 521, STA. 44
WA 1-27 PH. OK FBI UA JP
VTO
DEEP DEP.

6 FEBRUARY 7 1956
Office Memorandum • UNITED STATES GOVERNMENT

TO: Mr. Rosen

FROM: Mr. Price

DATE: October 2, 1956

SUBJECT: UNKNOWN SUBJECTS; THURGOOD MARSHALL, COMPLAINANT, CIVIL RIGHTS

Time of call, 7:50 P.M.

During the evening of 10-2-56, SAC Murphy, Dallas, telephonically contacted the Bureau to advise that 16 of the 24 plaintiffs had been interviewed so far in this matter, and it was expected that the remaining interviews would be completed during the evening of 10-2-56. SAC Murphy stated that all interviewed have reported no instances of any intimidation. According to SAC Murphy, all persons interviewed have been cordial; no difficulties encountered; and no publicity given to interviews to date.

SAC Murphy stated that upon completion of the interviews, he will furnish the Bureau a teletype summary.

RECORDED • 51 44-10894-10
FBI, DALLAS 10-2-56 939 PM CST

DIRECTOR, FBI URGENT

UNSUBS, THURGOOD MARSHALL, COMPLAINANT, CR. (TWENTYTWO OF TWENTYFOUR
PLAINTIFFS IN BELL VS. RIPPY INTERVIEWED. TWO REMAINING NOT IMMEDIATELY
AVAILABLE. ONLY FOUR PLAINTIFFS AND HUSBAND OF ANOTHER PLAINTIFF
APPEARED IN COURT OF INQUIRY. ONLY FOUR ADDITIONAL PLAINTIFFS QUESTIONED
BY ASST. AG-S. NONE ALLEGED INTIMIDATION OF ANY TYPE BY AAGS.

QUESTIONED BY AAG AND TEXAS RANGER AT PLACE OF EMPLOYMENT, FEELS
POSSIBLE ECONOMIC PRESSURE INTENDED BY RANGER BY REMARKS SET OUT PAGE
NINE, DL RPT. 3A OCT. ONE LAST. PAGE TEN OF RPT, STATES DEPUTY CONSTABLE APPEARED AT
RESIDENCE MORNING OF SEPT TWENTYNINE LAST AND NOT FINDING AT
HOME STATED HAD SUBPOENA FOR TO COURT OF INQUIRY AND IF DID NOT
APPEAR WOULD BE THROWN IN JAIL UNTIL FOLLOWING MONDAY SO COURT WOULD
KNOW WHEREABOUTS. DISREGARDED AND HAS HEARD NOTHING FURTHER.

MURPHY

END ACK PLS

11-61 PM OK-FBI WA BW

RECORDED 24

6 1 OCT 16 356

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

OCT 2-1956

TELETYPewriter

FBI, DALLAS 10-2-56 1210 PM CST
DIRECTOR AND SAC, SAN ANTONIO

URGENT
UNSUBS, THURGOOD MARSHALL, COMPLAINANT, CR. REBUTEL OCT ONE, FIFTY-SIX. JOHN BEN SHEPPARD, TEXAS ATTORNEY GENERAL, WAS TELEPHONICALLY ADVISED DL OFFICE OF HIS RECEIPT OF INFORMATION FROM SA OFFICE THAT INVESTIGATION IS IN PROGRESS. HE STATED HE HAS A COPY OF THE TRANSCRIPT OF TESTIMONY OF COURT OF INQUIRY HELD SEPT TWENTY-NINE LAST, AND WOULD MAKE SAME AVAILABLE IF DESIRED. FURTHER ADVISED HE PLANS TO CONTINUE SUCH COURT OF INQUIRY AT DALLAS EITHER OCT THREE OR FOUR. STATED WOULD BE HAPPY TO HAVE BUREAU REPRESENTATIVE AT SUCH COURT OF INQUIRY. HIS OFFER WAS TACTFULLY DECLINED. TEXAS RANGERS, DL, IN GENERAL CONVERSATION THIS DATE ADVISED THAT WHEN THE TWO ASSISTANT ATTORNEY GENERALS OF TEXAS WERE HERE TO INTERVIEW WITNESSES, THEY DID NOT HAVE TRANSPORTATION AND HE ASIGNED RANGERS AND TO PROVIDE TRANSPORTATION FOR THEM IN CONDUCTING SUCH INTERVIEWS.

SA TO BE ADV

END

2-15 PM OK FBI WA MES

RECORDED: 125

Mr. Raper

Mr. Hallman

Mrs. Hallman

Murphy

10-2-56
FBI, WASH DC  10-3-56  4-12 PM
SAC, DALLAS  URGENT

UNSUBS, THURGOOD MARSHALL, COMPLAINANT, CR. REURTELS
OCTOBER TWO LAST. DEPARTMENT REQUESTED INTERVIEWS WITH
PLAINTIFFS WHO HAD BEEN QUESTIONED BY TEXAS OFFICIALS
AND WITH THOSE PLAINTIFFS WHO HAD BEEN BROUGHT BEFORE
COURT OF INQUIRY AT DALLAS, SEPTEMBER TWENTYNINE LAST,
EVEN THOUGH SAME HAD NOT BEEN PREVIOUSLY QUESTIONED BY
TEXAS OFFICIALS. IF TWO REMAINING PLAINTIFFS WHO ARE
NOT IMMEDIATELY AVAILABLE ARE NOT KNOWN TO HAVE BEEN
QUESTIONED BY THE ASSISTANT AGS OR TO HAVE APPEARED
BEFORE THE COURT OF INQUIRY, THERE IS NO NEED TO CONDUCT
ADDITIONAL INVESTIGATION LOCATE THEM. SUREP WITHOUT
FURTHER DELAY. IN THE EVENT ADDITIONAL COURTS OF INQUIRY
ARE HELD EITHER OCTOBER THREE, OCTOBER FOUR, OR ANY DATE,
ADVISE BUREAU OF SUCH INFORMATION AND FURNISH TWO COPIES
OF ANY PRESS ARTICLES CONCERNING SUCH COURTS.

HOOVER

END AND ACK

OK FBI DL EM -
OCTOBER 3, 1956

URGENT

SAC, DALLAS

UNSBS, THURGOOD MARSHALL, COMPLAINANT, CR. REURTELS

OCTOBER TWO LAST. DEPARTMENT REQUESTED INTERVIEW WITH

PLAINTIFFS WHO HAD BEEN QUESTIONED BY TEXAS OFFICIALS

AND WITH THOSE PLAINTIFFS WHO HAD BEEN BROUGHT BEFORE

COURT OF INQUIRY AT DALLAS, SEPTEMBER TWENTY-NINE LAST,

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ADVISE BUREAU OF SUCH INFORMATION AND FURNISH TWO COPIES

OF ANY PRESS ARTICLES CONCERNING SUCH COURTS.

HOOVER

(3)
FBI, DALLAS 9-30-56  11-01 PM CST
DIRECTOR, FBI URGENT

UNSUBS, THURGOOD MARSHALL-COMPLAINANT, CIVIL RIGHTS. RE TEL CALL SA
NATL. ASSOC. FOR ADVANCEMENT OF COLO.
BU, TODAY. THURGOOD MARSHALL, SPECIAL COUNSEL, NAACP
NYC, W. J. DURHAM, RESIDENT COUNSEL, TEXAS CONFERENCE OF BRANCHES, NAACP
DL, AND C. B. BUNKLEY, ATTORNEY, DL, ALL NEGROES, ALLEGE CERTAIN PLAINTIFFS IN
SUIT STYLED BELL VERSUS RIPPY, NUMBER SIX ONE SIX FIVE,
NORTHERN DISTRICT OF TEXAS, TO BE HEARD BEFORE FGJ ATWELL, DL, OCT.
ONE, FIFTY-SIX, HAVE BEEN INTIMIDATED BY TWO STATE ASSISTAN
ATTORNEYS GENERAL, TEXAS, AND ASSISTING UNIDENTIFIED LOCAL OFFICERS,
IN EFFORT TO GET THEM NOT TO PROSECUTE ABOVE DESEGREGATION SUIT INVOLVING
TESTIMONY IN SAID SUIT. SPECIFICALLY, MARSHALL ALLEGES ATTORNEY
GENERALS OFFICE INSTITUTED SERIES OF INTERVIEWS OF PLAINTIFFS, ALL
PARENTS OR GUARDIANS OF NEGRO CHILDREN INVOLVED IN SUIT, CULMINATING IN
COURT OF INQUIRY BEFORE JUSTICE OF PEACE W. E. RICHBURG, DL, TEN A M
SEPT. TWENTYNINE, AT TIME ALL NAACP ATTORNEYS WERE AT TYLER, TEXAS
CONFERRING WITH ATTORNEY GENERAL JOHN BEEN SHEPPARD RE AG'S SUIT TO OUTL
NAACP IN TEXAS. MARSHALL ALLEGES PLAINTIFFS WERE TAKEN BY UNIDENTIFIED
OFFICERS WITHOUT DISPLAY OF STATE PROCESS OF ANY TYPE AND IN SOME INSTA
UNDER THREATS OF INCARCERATION AND ECONOMIC PRESSURE BEFORE COURT OF
INQUIRY. MARSHALL STATES, WHILE COURT OF INQUIRY WAS PURPORTED TO BE
IN CONNECTION WITH A.C.-S SUIT TO OUTLAW NAACP, ACTUAL PURPOSE WAS TO
TRY TO FORCE PLAINTIFF-S TO STATE THEY DID NOT HIRE ATTORNEYS BUT SIGNE
END PAGE ONE 50 OCT 30 1956
PETITIONS IN FEDERAL SUIT. MARSHALL MADE AVAILABLE COPIES OF UNSIGNED STATEMENTS OF EIGHT INDIVIDUALS, PLAINTIFFS, WHICH MARSHALL STATED INCLUDED DETAILS OF ALLEGED INTIMIDATIONS. EXAMINATION OF STATEMENTS SHOWS THREE PERSONS STATE THEY WERE INTERVIEWED BY A-G REPRESENTATIVES, ONE ON SEPT. TWENTY, LAST, TWO ON SEPT. TWENTYFIRST, LAST, AND WERE ASKED IF THEY HAD ON THEIR OWN VOLITION TAKEN CHILDREN TO WHITE SCHOOLS FOR ENROLLMENT, OR WHETHER NAACP HAD SUGGESTED IT, FURTHER IF THEY HAD SIGNED PETITION FOR FEDERAL COURT ACTION OF THEIR OWN VOLITION OR WHETHER NAACP HAD ASKED THEM TO SIGN SUCH PETITIONS. TWO PERSONS GAVE NO INDICATION IN STATEMENTS THEY HAD BEEN INTERVIEWED BY A-G REPRESENTATIVES. THREE REMAINING STATEMENTS ARE FROM INDIVIDUALS WHO SAY THEY APPEARED JUSTICE OF THE PEACE BEFORE JP RICHBURG IN DL PURSUANT TO REQUESTS. _,_Said received tel message from a _____ NAACP MEMBER, ABOUT ELEVEN FIFTEEN AM SEPT. TWENTYNINE, LAST, ASKING HIM TO APPEAR BEFORE JP. _LUEADA GIPSON STATED SHE WAS CONTACTED AT HER RESIDENCE AT ABOUT ELEVEN THIRTY AM, SEPT. TWENTYNINE, LAST, AND WAS INFORMED BY AN OFFICER THAT A SUBPOENA HAD BEEN ISSUED FOR HER TO APPEAR IN JP COURT AND WAS TAKEN TO THE COURT BY THE ___________________________ OFFICER STATED AT TWO THIRTY OR THREE PM, SEPT. TWENTYNINE, LAST, INDIVIDUAL CAME TO HOME SAYING HE HAD SUBPOENA FOR HER TO APPEAR IN JP COURT AND TOOK HER IN CAR TO THE COURT. THESE LATTER THREE PERSONS STATE WERE TAKEN BEFORE JP , WERE END PAGE TWO
PAGE THREE

SWORN, AND IN PRESENCE OF JP, JP-S FEMALE SECRETARY, AND TWO ASSISTANT A-G-S WERE QUESTIONED CONCERNING INSTITUTION OF SUITS AGAINST DL SCHOOL BOARD ALONG SAME LINES AS ABOVE. STATEMENTS CONTAIN NO ALLEGATIONS RE INTIMIDATION, BRUTALITY, USE OF FORCE OR ECONOMIC PRESSURE AS TO CONSEQUENCES IF THEY Failed TO APPEAR IN JP COURT OF AS TO THE FEDERAL SUIT. AG OF TEXAS IS CONDUCTING FORMAL INVESTIGATION TO DETERMINE IF NAACP IS GUILTY OF VIOLATIONS OF BARRATRY STATUTE WHICH MAKES IT A PENAL OFFENSE TO STIR UP LAW SUITS. ASSISTANTS A-G-S L. W. GRAY AND JOHN A. WILD ARE IDENTIFIED IN DL PRESS TODAY AS HAVING CONDUCTED COURT OF INQUIRY UNDER ORDERS OF A-G SHEPPARD, PURSUANT TO TEL CALL FROM SHEPPARD, AT TYLER, TEXAS, TO JP RICHBURG AT SEVEN AM, SEPT. TWENTYNINE, LAST. ACCORDING TO PRESS, FIVE OF SIX NEGRO WITNESSES BEFORE JP RICHBURG STATED THEY DID NOT HAVE ANY KNOWLEDGE THEIR NAMES WERE TO BE USED IN A CURRENT SUIT IN FEDERAL COURT TO FORCE INTEGRATION IN DL SCHOOL SYSTEM. JUDGE ATWELL RULED AGAINST PLAINTIFFS IN THIS SUIT SEPT FIFTEEN FIFTYFIVE BUT ON APPEAL CASE REVERSED AND REMANDED FOR NEW TRIAL SET FOR OCT. ONE FIFTYSIX. UACB NO FURTHER INQUIRY DL. C RPT TO BE SUBMITTED.

MURPHY

END ACK

PAGE TWO FOURTH LINE FROM BOTTOM WORDS FOUR FIVE AND DIS XX SIX PLAIN "TO THE COURT BY THE OFFICER. " OK 1-15 AM OK FBI WAIT

TU

MR. ROBB
ASSISTANT SUPERVISOR
INVESTIGATIVE DIVISION

b7c

1981 12574...
Office Memorandum - UNITED STATES GOVERNMENT

TO: Mr. Rosen
FROM: Mr. Price

SUBJECT: UNKNOWN SUBJECTS; TEXAS RANGERS; THURGOOD MARSHALL, COMPLAINANT; CIVIL RIGHTS

DATE: October 1, 1956

On Sunday, September 30, 1956, A. B. Caldwell, Chief, Civil Rights Section, telephonically advised he had received a long-distance phone call from Marshall that the Texas Rangers had taken away some colored children in Dallas, Texas, and questioned them regarding a civil action in Federal court, Dallas, Texas. Caldwell stated that Marshall had complained the individuals had been intimidated regarding the action pending in Federal court in their behalf against a school board. He advised that Marshall, general counsel for the National Association for the Advancement of Colored People (NAACP), had been in Tyler, Texas, in connection with a state court action to prohibit the NAACP from doing business in Texas. Caldwell desired that Marshall be interviewed on September 30, 1956, and that interviews be conducted on October 1, 1956, with the colored children or anyone else who had been picked up and questioned by the Texas Rangers to determine if there had been any intimidation of such individuals because of their instituting action in Federal court.

ACTION:

The Dallas Office was telephonically instructed to interview Thurgood Marshall on 9/30/56 in Dallas, Texas, and ascertain the full details of the complaint and advise the Bureau of the results.

At 10:50 P. M. on September 30, 1956, SAC Murphy of Dallas telephonically advised that Marshall had been interviewed and advised that John Ben Sheppard, Attorney General, State of Texas, and two Assistant Attorney Generals had been interviewing the individuals who were plaintiffs in a civil action which is set for hearing in United States District Court, Dallas, Texas, on October 1, 1956. Murphy stated that no children had been questioned by the Texas officials but only the parents or guardians.

cc: Mr. Nichols
Mr. Belmont

RECORDED-37
INDEXED-37
14 OCT 18 1956

b7c
Memorandum to Mr. Rosen

of the colored children. He stated that the individuals had been taken by the officials on the basis of a subpoena to a justice of the peace in Dallas and questioned as to whether they had instituted the action in Federal court of their own initiative or whether they had been given any encouragement or direction. They were also questioned as to whether they had of their own volition or initiative endeavored to have the colored children in white schools or whether it had been encouraged or directed by others, particularly the NAACP. Murphy stated that although Marshall had mentioned that the individuals were "intimidated" the statements which Marshall had obtained from various persons did not indicate they had been intimidated or threatened in any manner. Dallas is submitting a detailed summary of the interview with the names of the individuals involved.

RECOMMENDATION:

Inasmuch as a Federal court hearing is scheduled in a civil suit for October 1, 1956, this matter is being presented to the Civil Rights Section of the Department in order to determine if further interviews are desired at this time. Dallas has been instructed not to conduct any further interviews unless advised by the Bureau.

[Handwritten notes:]

Right. Be certain we have written guidance on what we should do.

X
Assistant Attorney General
Warren Olney III
October 1, 1956

Director, FBI

UNKNOWN SUBJECTS;
THURGOOD MARSHALL - COMPLAINANT
CIVIL RIGHTS

This is to confirm a telephone conversation between Mr. A. B. Caldwell, Chief, Civil Rights Section, and Special Agent... of this Bureau on September 30, 1956, and to confirm a conference between Messrs. Caldwell and Henry Putzel of the Civil Rights Section and Special Agent... on October 1, 1956.

Mr. Caldwell advised on September 30, 1956, that he had received a telephone call from Mr. Thurgood Marshall, General Counsel for the National Association for the Advancement of Colored People (NAACP), regarding activities by Texas Rangers. Mr. Marshall was in Dallas, Texas, and had stated that the Texas officials had taken some colored children and questioned them regarding a civil action which was pending in the United States District Court for the Northern District of Texas, Dallas, Texas. These individuals had been questioned while their attorneys were in Tyler, Texas, in connection with an action in state court brought to prohibit the NAACP from doing business in the State of Texas. Mr. Caldwell requested that Mr. Marshall be interviewed, if possible, on September 30, 1956, and that interviews be conducted on October 1, 1956, with the colored children or anyone else who had been picked up and questioned by the Texas Rangers so that a determination could be made as to whether or not there had been any intimidation of such individuals because of their having instituted action in Federal Court.

On October 1, 1956, Messrs. Caldwell and Putzel were advised of the results of the information developed by our Dallas Office on September 30, 1956. Messrs. Marshall, W. J. Durham, Resident Counsel, Texas Conference of Branches of the NAACP, and C. B. Bunkley, Attorney of Dallas, Texas, advised Agents of our Dallas Office that certain plaintiffs in the civil action captioned "Bell versus Rippy" which is scheduled to be held before United States District Judge [JUDGE?], Dallas, Texas, on October 1, 1956, had been intimidated by two Assistant Attorneys General of the State of Texas and unidentified local officers in an effort...
Memorandum for Assistant Attorney General
Warren Olney III

get the individuals not to prosecute the suit. The civil action concerns denial by the Dallas Independent School District in denying admittance to Negro children to schools in Dallas. Mr. Marshall advised that the Office of the Attorney General of the State of Texas had instituted a series of interviews with the plaintiffs which ended in a court of inquiry before Justice of the Peace W. E. Richburg, Dallas, Texas, on September 29, 1956, at a time when all of the NAACP attorneys were at Tyler, Texas, conferring with Attorney General John Ben Shepperd regarding a state suit to outlaw the NAACP in Texas. Mr. Marshall stated that the plaintiffs, who are parents or guardians of the Negro children involved in the suit, had been taken before the court of inquiry by unidentified officers without a display of state process of any type and in some instances they had been taken under threats of incarceration and economic pressure.

Mr. Marshall advised that while the court of inquiry was purported to be held in connection with the State Attorney General's suit to outlaw the NAACP, the actual purpose of the hearing was to try to force the plaintiffs to state that they did not hire the attorneys who had signed the petitions in the Federal suit. Mr. Marshall made available copies of unsigned statements prepared by eight individuals, which statements Mr. Marshall advised included details of the alleged intimidation. The examination of the statements by Agents of our Dallas Office reflects that three individuals allegedly were interviewed by representatives of the State Attorney General and asked if they had, of their own volition, taken their children to the white schools for enrollment, or whether the NAACP had suggested this action. They were further asked if they had signed the petition for action in Federal Court of their own volition or whether the NAACP had asked them to sign such petitions. One of the individuals had been interviewed by state authorities on September 20, 1956, and the other two on September 21, 1956.

Two individuals in their statements did not indicate that they had been interviewed by representatives of the State Attorney General. The other three statements were from individuals who stated that they appeared before Justice of the Peace Richburg in Dallas pursuant to request. In his statement related that he had received a telephone
message from a member of the NAACP, on the morning of September 29, 1956, asking him to appear before the Justice of the Peace. Related that she had been contacted in her residence on September 29, 1956, at about 11:30 in the morning and informed by an officer that a subpoena had been issued for her appearance in the Justice of the Peace court. Was taken to the court by the officer. In her statement reported that she had been contacted at 2:30 or 3:00 in the afternoon on September 29, 1956, by an individual who said he had a subpoena for her to appear in the Justice of the Peace court. And stated they had been taken before the Justice of the Peace and placed under oath and in the presence of the Justice of the Peace, his female secretary, and two Assistant Attorneys General of the State of Texas, questioned concerning the institution of the suit against the Dallas School Board along the lines set forth above.

Our Dallas Office has advised that the statements did not contain allegations of brutality, intimidation, use of force or possible economic pressure if they failed to appear in the Justice of the Peace Court. The Attorney General of Texas is reportedly conducting a formal investigation to determine if the NAACP is guilty of violation of the Harratry Statute which makes it a penal offense to abet or encourage litigation.

Our Dallas Office has advised that articles appearing in the local newspapers on October 1, 1956, identified Assistant Attorneys General L. W. Gray and John A. Wild as having conducted a court of inquiry under orders of Attorney General Sheppard pursuant to a telephone call from Mr. Sheppard at Tyler, Texas, to Justice of the Peace Richburg at 7:00 on the morning of September 29, 1956. The newspaper articles indicated that five of the six Negro witnesses before Justice of the Peace Richburg had stated they did not have any knowledge their names were to be used in a court suit in Federal Court to force integration in the Dallas school system. Our Dallas Office has further advised that in the case captioned "Bell versus Rippy," the District Court had ruled against the plaintiffs on September 15, 1955, but this decision had been reversed by the Circuit Court of Appeals and the case remanded for a new trial which was set for October 1, 1956.
Memorandum for Assistant Attorney General
Warren Olney III

Mr. Caldwell advised further interviews in this matter should not be conducted at this time in view of the fact that the civil suit in Federal Court was scheduled for hearing on October 1, 1956. He requested that the Bureau follow the developments in action pending in Federal Court. Mr. Caldwell telephonically contacted United States Attorney Floore, Northern District of Texas, and requested that Mr. Floore or one of his assistants attend the Federal Court at Dallas, Texas, on October 1, 1956, and advise the Department if the action by the Texas officials is brought to the attention of the court during the hearing in the case captioned "Bell versus Hippy."

At 12:45 p.m., on October 1, 1956, Mr. A. B. Caldwell telephonically advised Special Agent that information had been received that the hearing scheduled in Federal Court for that date had been postponed until November 14, 1956. Mr. Caldwell requested that the Bureau proceed with its investigation and that interviews be conducted with the persons who had been questioned by officials of the State of Texas regarding the Federal action as well as interviews with those persons who, not previously questioned by state officials, had been brought before the court of inquiry in Dallas, Texas, on September 29, 1956. The investigation requested by Mr. Caldwell has been instituted and you will be advised of the results of such investigation. Inasmuch as this involves allegations against assistants to the Attorney General of the State of Texas, the Governor of the State of Texas and the Attorney General are being advised that the investigation is being conducted by this Bureau pursuant to the request of the Department of Justice.
This matter is being taken up with A. B. Caldwell, Chief, Civil Rights Section, to determine whether in light of the civil action pending in Federal court on 10/1/56 he desires further interviews conducted at this time.
Re: report of SA 10/4/56,
UNKNOWN SUBJECTS, THURGOOD MARSHALL, Complainant, CIVIL RIGHTS,
pages 35-37, 41, concerning
Dallas, Texas, one of the 24 plaintiffs in BALL v.
RIPPEY, No. 6165, NDT, the integration suit involving Dallas
Public Schools.

When interviewed by SA 10/3/56, in connection with referenced
Civil Rights case, description was determined from
interrogation and observation as follows:

Race
Sex
Birth data

Height
Weight
Hair
Employment

Residence
Marital Status

Education

2 - Bureau (REGISTERED MAIL)
1 - Kansas City (REGISTERED MAIL)
1 - Dallas (140-0)

4 - 10/4/54
NOT RECORDED
136 OCT 29 1958
FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE
DALLAS

OFFICE OF ORIGIN
DALLAS

DATE
10/4/56

INVESTIGATIVE PERIOD
1/2/3/56

TITLE OF CASE
UNKNOWN SUBJECTS;
THURGOOD MARSHALL -
COMPLAINANT

CHARACTER OF CASE

CIVIL RIGHTS

SYNOPSIS:
23 of 24 plaintiffs in Dallas, Texas public school integration
suit identified and interviewed; one plaintiff not located. 4
plaintiffs and husband of 5th plaintiff appeared before Court
of Inquiry, 9/29/56; 5 additional plaintiffs interviewed by
State officials, but did not appear before Court of Inquiry.
None alleged intimidation of any type by Texas Assistant Attorneys
General. 1 plaintiff questioned by AAG and Texas Ranger
at place of employment, feels possible economic pressure intended
by remarks of Texas Ranger. 1 plaintiff, states Deputy Constable appeared at residence morning
of 9/29/56 and, in finding plaintiff not home, stated had
subpoena for him to Court of Inquiry and if he did not appear,
Constable would return and put on in jail until Monday
morning so Court would know whereabouts; disregarded
instructions of Deputy Constable and has heard nothing further.
Persons required to appear before Court of Inquiry state that
although local officers said they had subpoenas, they were not
exhibited.

- c -

APPROVED

COPY COUNT:
2 - Bureau (Encl. 2) (AMSD)
1 - USA, Fort Worth (Encl. 1)
(Info)
2 - Dallas (44-739)

EX-12

Property of FBI - This report is issued
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the agency to which issued.
DETAILS:

AT DALLAS, TEXAS

On October 1, 1956, the Bureau advised Assistant Attorney General WARREN OLNEY, III, Criminal Division, had requested interviews with plaintiffs in BELL versus RIFFY, Number 6165, Northern District of Texas, (integration suit scheduled to have been heard before United States District Judge WILLIAM H. ATWELL, Dallas, October 1, 1956, postponed to November 14, 1956), who were questioned by State officials, as well as those plaintiffs who, not previously questioned by State officials, were brought before a Court of Inquiry at Dallas on September 29, 1956.

At 11:25 AM on October 2, 1956, the San Antonio Division advised that Mr. DAVIS GRANT, First Assistant Attorney General, Attorney General's Department, State of Texas; Mr. JOHN OSORIO, Administrative Assistant to Governor ALLAN SHIVERS, Governor's Office, State of Texas, and Colonel HOMER GARRISON, Director, Texas Department of Public Safety, Austin, Texas, were advised on the morning of October 2, 1956, of the facts of THURGOOD MARSHALL's complaint and that interviews were being conducted by the Dallas Office with plaintiffs who had been questioned by State officials and those brought before the Court of Inquiry at Dallas on September 29, 1956.

Thereafter, on October 2, 1956, JOHN BEN SHEPERD, Texas Attorney General, communicated telephonically with SAC WILLIAM A. MURPHY, stating he was in receipt of information which had been supplied to his office. He volunteered to furnish a copy of the transcript of testimony at the Court of Inquiry, Dallas, September 29, 1956. He said he plans to have additional Courts of Inquiry, Dallas, either October 3 or 4, 1956, and would welcome the presence of a Bureau representative at such inquiries.

On October 2, 1956, Texas Rangers, Dallas, advised SAC MURPHY that when two Assistant Attorneys General appeared in Dallas, they did not have transportation and he assigned Rangers to provide transportation for them in conducting their interviews.

On October 2, 1956, SAS reviewed records of BELL versus RIFFY, Number 6165, in the office of the United States District Clerk, Northern District of Texas, Dallas, Texas, and obtained names of
plaintiffs as they appear of record, 24 in number. Each of the persons was listed as "next friend" of minor children whose enrollment had been sought in Dallas public schools. No addresses appeared in the records.

Records of the United States District Court reflected the following attorneys of record for plaintiffs: W. J. DURHAM, 2600 Flora; C. B. BUNKLEY, JR., 814 1/2 North Good-Latimer Expressway; LOUIS BEDFORD, 1807 1/2 Singleton Boulevard; KENNETH HOLBERT, 2531 Forest Avenue; U. SIMPSON TATE, 2600 Flora; S. E. TURNER, JR., 1723 Routh Street; all Dallas; THURGOOD MARSHALL, 107 West 43rd Street, New York City; ROBERT L. CARTER, New York City. Attorney of record for defendants was shown as A. J. THUSS, JR., 1122 Davis Building, Dallas.

On October 2, 1956, SAS obtained from THURGOOD MARSHALL, Special Counsel, National Association for the Advancement of Colored People, at 2600 Flora Street, Dallas, a purported list of addresses of above-mentioned plaintiffs and none had been deleted. He stated the individuals named in United States District Court records as attorneys for plaintiffs is complete.

MARSHALL furnished a photostatic copy of what purports to be the transcript of proceedings before the Court of Inquiry in the office of Justice of the Peace W. E. BILL RICHBURG, Dallas, on September 29, 1956. A photostatic copy of said document is provided as an enclosure to each copy of this report.

THURGOOD MARSHALL volunteered that he could find, from his review of statutes and decisions, no support for possible contempt action against State officials but said that he feels that activities of State officials constitute probable violations of Obstruction of Justice Statutes. In this connection, he stated he feels that based on O'DUM versus U.S., 116 Fed. 2nd 996, Texas, 1941, it is immaterial that persons questioned by State officials were not under Federal subpoenas at the time of questioning. He further volunteered that he is considering possible Federal subpoenas for all persons, including plaintiffs, who may possibly testify in the Federal suit which action he considered might deter State officials from interrogating such persons.

The following signed statements were obtained from plaintiffs in the Federal suit from whom testimony was taken in the Court of Inquiry on September 29, 1956.
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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Section 552  Section 552a

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☐ Pages were not considered for release as they are duplicative of

☐ For your information:

The following number is to be used for reference regarding these pages:

44-HQ-10894 - 16 pages 4 through 16
The following are results of interview of plaintiffs of record who profess to have been interviewed by State officials, but who did not appear before the Court of Inquiry, September 29, 1956:
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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Pages withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

Pages were not considered for release as they are duplicative of

☐ For your information:

The following number is to be used for reference regarding these pages:

44-HQ-10894-16 pages 18 through 37.
The following plaintiffs of record advised interviewing Agents they have not been questioned at any time by State officials regarding the Federal suit:
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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For your information: ________________________

The following number is to be used for reference regarding these pages: 44-HQ-10894-16, page 39.
ENCLOSURES:

TO BUREAU (2)

Two Photostats of purported transcript of testimony, Court of Inquiry, Dallas, Texas, September 29, 1956.

TO UNITED STATES ATTORNEY, FORT WORTH, TEXAS (1)

One Photostat of purported transcript of testimony, Court of Inquiry, Dallas, Texas, September 29, 1956.

- C -
ADMINISTRATIVE

Two copies of this report were prepared for the Dallas office for possible use in the event further investigation is required.

One copy is being furnished to the USA, Ft. Worth, Texas, for information, since the USA has indicated he has been in communication with the Department relative to this matter.

Indices of the Dallas office contain no references identifiable with plaintiffs in Federal integration suit, except*

Full details being submitted by separate communication under SGE character.

REFERENCES

Bureau teletypes to Dallas, 10/1, 3/56.
San Antonio teletype to Bureau and Dallas, 10/2/56.
Dallas teletypes to Bureau, 10/2, 3/56.
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☐ For your information: Court documents filed in State of Texas,
County of Dallas, October 10, 1980, which are in the public domain.

☐ The following number is to be used for reference regarding these pages: 44-HQ-108 79-16, attachments.
Office Memorandum  
TO: Director, Federal Bureau of Investigation

FROM: Warren Olney III, Assistant Attorney General,
Criminal Division

SUBJECT: Unknown Subjects; Thurgood Marshall - Complainant
Civil Rights

DATE: October 16, 1956

This refers to your October 8, 1956, transmittal memorandum
and the report enclosed therewith of Special Agent
dated October 1, 1956, at Dallas. No further investigation is desired
at this time. Please, however, keep us advised of developments in
Bell v. Diggory or related litigation concerning Mr. Marshall's complaint
of intimidation of witnesses and parties and the disclaimer of such
intimidation by representatives of the Texas Attorney General's office.

b7c

RECORDED 35 LA-13 T19 117
6-13-52
10-19-52
SAC, Dallas (44-739) 10-18-56

Director, FBI

UNSUES;
THURGOOD MARSHALL - COMPLAINANT
CIVIL RIGHTS

Herep SA Dallas 10-4-56.

There is transmitted herewith a copy of a memorandum dated October 16, 1956, from the Criminal Division advising that no further investigation is desired at this time and requesting your office to keep the Department advised of developments in the civil action pending in U.S. District Court or any related litigation concerning the intimidation of witnesses and parties to the suit as well as information regarding any statements denying intimidation by representatives of the Attorney General of the State of Texas. This matter is to be closely followed by you and the Bureau currently advised of all developments.

In the event any newspaper articles or other documents are forwarded to the Bureau it is, of course, necessary for you to furnish two copies of each article or document so that one may be retained in the files of the Bureau and one made available to the Department of Justice.
DL 44-739

Of latter three, one appeared at request of NAACP member, no officer involved; two alleged officers came to their residences 9/29/56 saying they had subpoenas and that plaintiffs must appear or be arrested. Dallas press, 9/30/56, indicates five of six Negroes questioned by Court of Inquiry, denied authorizing filing of Federal suit in their names or names of their children. Some discrepancies reported by press as to statements of witnesses compared to information appearing in statements furnished by MARSHALL, USA, NDT, states of view that no Civil Rights violation indicated on basis of available information.

- C -

DETAILS:

At Dallas, Texas:

THURGOOD MARSHALL, in accordance with Bureau instructions was interviewed at 7:00 PM, September 30, 1956, at by S.A.S. and Mr. MARSHALL advised that he is Special Counsel, National Association for the Advancement of Colored People (NAACP), with offices at 107 West 43rd Street, New York City.

MARSHALL stated that he has been in the Dallas area for the past several days in connection with the suit of Texas Attorney General JOHN BEN SHEPPARD to obtain a permanent injunction to prohibit NAACP from operating in the State of Texas. He said that on Saturday, September 29, 1956, he and other NAACE attorneys were in Tyler, Texas, conferring with Attorney General SHEPPARD relative to an amicable settlement of the suit. Upon their return to Dallas on the night of September 29, 1956, MARSHALL, other NAACP attorneys and private Negro attorneys, received telephone calls from certain persons who are plaintiffs in the Federal integration suit affecting Dallas Public Schools which is to be heard before Federal Judge ATWELL, Dallas, on October 1, 1956. These plaintiffs informed that they had on the same date been required to appear before a Court of Inquiry in the office of Justice of the Peace W. E. B. WILLIAMSBURG, Dallas.

- 2 -
MARSHALL stated that the Court of Inquiry instituted by Attorney General SHEPPARD, and conducted by two of SHEPPARD's assistants, had come as a complete surprise to NAACP attorneys and was in his opinion timed so that NAACP attorneys would be out of the city at the time. MARSHALL stated that the plaintiffs in the Federal suit had informed him and other attorneys that they had been intimidated, threatened with incarceration and had economic pressure exerted upon them in an effort to influence them not to prosecute the Federal suit and to influence their testimony in said suit. He said he and other NAACP attorneys had, during the day, Sunday, September 30, 1956, interviewed various plaintiffs in the Federal suit and obtained statements from them. He said the statements, while typed on that date, would await signatures of the persons involved and notarization until Monday, October 1, 1956. MARSHALL stated in response to a direct question, that these statements included full details as to the allegations of intimidation, threats and economic pressure.

Mr. MARSHALL stated that the Federal integration suit involving both Dallas Elementary and High Schools is styled "BELL versus RIFFY", No. 6165, Northern District of Texas, BELL being one of the plaintiffs and RIFFY, the President of the Dallas School Board. By way of background, he stated the original integration suit was heard before Federal Judge ATWELL and on September 15, 1955, the court ruled against the plaintiffs. On appeal, the lower court's decision was overruled and the case was reversed and remanded for new trial. MARSHALL stated that the persons, plaintiffs, who have complained as to the acts of representatives of Attorney General SHEPPARD and local officers in connection with the Court of Inquiry, are parents, grandparents or otherwise have custody of the Negro children involved in the Federal suit. MARSHALL stated while the Court of Inquiry before Judge RICHBURG purported to be in connection with Attorney General SHEPPARD's suit to outlaw NAACP in Texas, the actual purpose was to try to force the plaintiffs to say that they did not hire attorneys who signed the petition in the Federal suit, and another purpose was to intimidate the plaintiffs in an effort to get them not to pursue the Federal suit and to influence their testimony in said suit. MARSHALL stated he did not know the identities of any of the local officers involved but noted that one plaintiff had said that the officer was "dressed like a Texas Ranger" and that another plaintiff had felt the officer who came to his or her house was a local constable. MARSHALL stated he had no information
that any persons connected with the Dallas School Board had anything to do with the matters involved in his complaint. MARSHALL stated that Justice of the Peace RICHBURG should be able to identify all of the local officers who were involved in connection with the Court of Inquiry. MARSHALL stated that he felt it extremely significant that no questions were asked at the Court of Inquiry which had a bearing on the Attorney General's suit to outlaw NAACP but rather that all questions pertained to the Federal suit. He said he feels that the Civil Rights statutes protect plaintiffs and witnesses in a Federal suit against effort of other persons to influence their prosecution of a suit or their testimony in that connection.

MARSHALL furnished copies of the unsigned statements which he said had been obtained from the plaintiffs to the Federal suit and again stated that such statements incorporated the allegations in detail.

The following statements of do not indicate these persons have been personally interviewed by representatives of Attorney General SHEPPARD before a Court of Inquiry or otherwise.
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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Section 552

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☐ Pages were not considered for release as they are duplicative of

☐ For your information:

The following number is to be used for reference regarding these pages:

44-HQ-10894-17, pages 5 through 7.
The statements of [redacted] and [redacted], which follow, indicate these persons were questioned by representatives of the Attorney General's office prior to the time of the Court of Inquiry.
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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☐ For your information: ________________________________

The following number is to be used for reference regarding these pages:

44 HQ-10894-17 pages 9 through 17.
The following article appeared on Page One, Part Three, of "The Dallas Morning News", Dallas daily newspaper, issue of Sunday, September 30, 1956:

"COURT OF INQUIRY HEARS 6 NEGROES"

"Five Deny Talking to Lawyers"

"In a surprise court of inquiry here, two assistant state attorneys general Saturday questioned six Dallas Negroes involved in the federal district suit to admit Negro children to white Dallas schools.

"And five Negroes who were listed as 'friends of the plaintiffs' - relatives of children for whom the suit was filed - denied ever having discussed the matter with any attorney or authorizing any attorney to file the suit in their name or the names of their children. 

Testimony disclosed, had first brought the matter up in separate discussions with the other witnesses at their homes. 

Walter M. Brown, did not know how NAACP attorneys had obtained permission to use specific names in the court suit.


"Gray told The Dallas News that the court of inquiry was called to determine if Article 430 of the Penal Code of the State of Texas had been violated in the filing of the federal suit in September, 1955, by the NAACP. The federal case comes up in U. S. Judge William H. Atwell's court Monday morning.

"This hearing is in no way related to the federal suit," explained Gray. 'We questioned the witnesses to see if there was any violation of the barratry statute which makes it a penal offense to stir up or incite litigation. Our main purpose has been to see if the parties to the suit had contacted a lawyer to represent them.
"This information, he continued, 'will thus be available for possible use in future cases. It will be preserved for the record.'

The parties to the federal suit who were questioned in the 3 1/2-hour session were

All five parties to the federal suit testified also that they did not personally know any of the attorneys listed by Gray as the lawyers who filed the federal suit: Thurgood Marshall,

The following article appeared in "The Dallas Times Herald, Dallas daily newspaper, issue of Sunday, September 30, 1956:

"5 NEGRO WITNESSES DENY AGREEING TO SCHOOL SUIT"

"Five of six Negro witnesses Saturday testified in a hurriedly called court of inquiry that they did not have any knowledge their names were to be used in a current suit in Federal court to force integration in the Dallas Independent School District.

"The court of inquiry, held in Justice of the Peace W. E. Richburg's court, was ordered by Texas Attorney General John Ben Shepperd Saturday morning in a telephone call to Judge Richburg at 7 a.m. from Tyler.

"Witnesses were not served the subpoenas until after 10 a.m.

"One of two assistant attorneys general who handled the questioning said the court of inquiry was another legal
step in current efforts to gather information about the National Association for the Advancement of Colored People and to determine if there had been a violation of the Texas penal code which forbids 'inciting or stirring up litigation'.

"Courts of inquiry similar to the one held Saturday in Dallas have already been held in Longview, Texarkana and Mansfield, scenes of other NAACP segregation suits.

"Assistant Attorneys Gen. L. W. Gray and John A. Wild said it would be some time before the results of the court of inquiry are made public. They did not say if other courts of inquiry would be held in Dallas."
"Mr. Gray said the Barratry Statute makes it a penal offense to incite or stir up litigation."

Honorable HEARD L. FLOORE, United States Attorney, Northern District of Texas, upon being advised on October 1, 1956, of the details of Mr. MARSHALL's complaint and information appearing in the statements set out herein, advised that on the basis of currently available information he was of the view there was no indication of a civil rights violation and desired no investigation except upon specific instructions of the Department of Justice.

On October 1, 1956, Federal Judge WILLIAM H. ATWELL advised SAC WILLIAM A. MURPHY that hearing of the Federal suit has been postponed to November 14, 1956.
REFERENCES

Bureau telephone call, SA 9/30/56;
Dallas teletypes, 9/30/56 and 10/1/56.
Marshall, Special Counsel for National Association for the Advancement of Colored People, alleged that individuals who had instituted suit in Federal Court against the Dallas, Texas, School Board, had been intimidated by Texas Rangers and representatives of the Attorney General of the State of Texas, because of the suit brought in Federal Court to permit Negro children to enroll at public schools on an integrated basis. Preliminary investigation disclosed that 4 of the plaintiffs and the husband of a fifth plaintiff had been called before a Court of Inquiry at Dallas on 9/29/56 and 5 additional plaintiffs were interviewed by representatives of the Texas Attorney General's Office. The other plaintiffs were neither questioned by court officials nor brought before Court of Inquiry.

Bell v. Rippy is the civil action in Federal Court brought by the plaintiffs against the Dallas School Board and hearing has been set for 11/14/56.
Officers of Governor's Office, Attorney General's Office, State of Texas, and Texas Department of Public Safety, Austin, Texas, advised 10/2/56 of allegation of THURGOOD MARSHALL and that interview being conducted by Dallas Office with plaintiffs who were questioned by State Officials and those brought before Court of Inquiry, Dallas, 9/29/56.

- R U C -

DETAILS: AT AUSTIN, TEXAS

On October 2, 1956, Mr. JOHN OSORIO, Administrative Assistant to Governor ALLAN SHIVERS, Governor of State of Texas, Mr. DAVID GRANT, First Assistant, Attorney General, Attorney General's Department, State of Texas, Capitol Building, and Colonel HOMER GARRISON, Director, Texas Department of Public Safety, were advised of THURGOOD MARSHALL's allegation and that interview being conducted by the Dallas Office with plaintiffs who were questioned by State Officials and those brought before Court of Inquiry at Dallas, Texas, on September 29, 1956.

- R U C -
REFERENCE

Dallas teletype to San Antonio October 1, 1956.
San Antonio teletype to Bureau and Dallas October 2, 1956.
UNKNOWN SUBJECTS, TEXAS RANGERS; THURGOOD MARSHALL - COMPLAINANT

THURGOOD MARSHALL, Special Counsel, NAACP, NYC., alleged certain plaintiffs in Dallas Public School integration suit, to be heard 10/1/56, NDT, Dallas, Texas "intimidated" by two State Assistant Attorneys General and unidentified assisting local officers, in effort to get them not to prosecute Federal suit and to influence testimony in said suit. MARSHALL stated Attorney General's Office instituted series of interviews with plaintiffs, all parents or guardians of Negro children involved, culminating in Court of Inquiry before Justice of Peace, Dallas, 9/29/56; stated purported purpose of Court of Inquiry was in connection with Attorney General's suit to outlaw NAACP in Texas, actual purpose to force plaintiffs to state they did not hire attorneys who signed petitions in Federal suit. MARSHALL stated unidentified officers took plaintiffs, without display of state process of any type and in some instances, under threats of incarceration and economic pressure before Court of Inquiry. MARSHALL furnished copies of unsigned statements which he said contained full details of "intimidations." Examinations of statements discloses no indication three of persons have been interviewed by Attorney General's staff at any time; three interviewed prior to Court of Inquiry at their places of employment; three appeared before Court of Inquiry.
FEDERAL BUREAU OF INVESTIGATION
FOI PA DELETED PAGE INFORMATION SHEET

2. Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☐ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

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☐ Information pertained only to a third party with no reference to the subject of your request.

☐ Information pertained only to a third party. The subject of your request is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

☐ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

☐ Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

☐ Pages were not considered for release as they are duplicative of ________________________________

☐ For your information: ________________________________________________________________

☐ The following number is to be used for reference regarding these pages:

44-HQ-10894-19, page 2+3.
Civil Rights Congress and Communist Party, USA, have been designated by the Attorney General pursuant to Executive Order 10450.
Office Memorandum • UNITED STATES GOVERNMENT

TO: FBI, DIRECTOR ( )
FROM: DALLAS (44-739)

SUBJECT: UNSUBS; THURGOOD MARSHALL - COMPLAINANT CIVIL RIGHTS

DATE: 11/2/56

b/c

Re Bureau letter to Dallas 10-18-56.

Attached hereto are two newspaper articles appearing in the DALLAS MORNING NEWS, Dallas, Texas, under date of November 2, 1956.

In the event other items appear in the Dallas newspapers, the Dallas Office will make them available to the Bureau.

3 - Bureau (Encls.2)
1 - Dallas (44-739)

(4)

Enclosed

RECORDED 23

44-10814-20

b/c

71 NOV 1944
SUIT PLAINTIFF BACKS DOWN ON STATEMENT

By JOHN MABEE

A plaintiff in the Dallas school integration case Thursday said that a signed statement he had made in connection with the Attorney General's office harassment hearing here Sept. 28 contained falsehoods.


Thuss said Dorsey's statement, made to two of Atty. Gen. John B. Shepperd's assistants before the hearing was not sworn.

Dorsey said he never had been in touch with a man identified as Edwin Washington (NAACP executive secretary in Dallas) as was stated in his signed statement. Other statements, he said were false included:

1. That he was not concerned whether his stepson, Albert Bell, went to a white school or not. He said he was concerned.

2. That he made the statement of his own free will.

"I had an inferiority complex like any Negro in the South has with the situation like it is," Dorsey declared. He said he had learned later that Texas Rangers were across the street when he made the statement before the hearing held in Justice of the Peace W. E. Richberg's court.

Dorsey said he applied to the NAACP for help a week before his stepson's suit was admitted at Adamson High in September of last year.

J. W. J. Durham, NAACP attorney, told Thuss that one plaintiff, Lena Gipson, had decided to drop her suit against the school district. He said her action was "due to certain events which would be amplified in later federal court filings.

Mrs. Gipson was one of the Negroes who actually testified in the Attorney General's hearing.

Willie Mae Goldstein another participant in that hearing said she could not remember if she authorized anyone to file the suit.

Asked by Thuss if she had not given a sworn statement that she had not authorized it, she replied: "I just couldn't say." She said she received instructions to enter her daughter, Charlene, but did so "after the Supreme Court's ruling." She told Thuss she still wanted her daughter to attend Adamson, though Charlene was graduated from Lincoln High School in June, because it was nearer her home.

Hulse Borders Jr., testified that he had been instructed by a "lady" at the NAACP office to enter his daughter, Hilda Ruth, at Adamson. He said he later signed a paper authorizing a filing of the suit.

Under cross examination by Durham, Borders added that he got the instructions after first telephoning the NAACP offices and asking for help.

Additional testimony Thursday came from Frankie Bush and the Rev. Paul A. Sims, other plaintiffs in behalf of Negro youths.

Thuss will continue taking depositions at 9 a.m. Friday. There are 24 plaintiffs in the case.

The depositions are being taken to shorten the actual court hearing but the testimony given becomes a permanent part of the record. The case is set for November before Federal Judge William Hewley Atwell.

"Dallas Morning News"
Dallas, Texas, 11/2/56

Felix R. McEldowney
Managing Editor
Assistant Attorney General
William F. Tompkins
Director, FBI

October 26, 1956

Dallas, Texas
SECURITY OF GOVERNMENT EMPLOYEES

Reference is made to the report of Special Agent dated October 4, 1956, at Dallas, Texas, entitled "Unknown Subjects, Thurgood Marshall - Complainant - Civil Rights," which was forwarded to the Criminal Division on October 6, 1956. The results of an interview with ____________________, appeared on page thirty-five of the report. It is one of twenty-four plaintiffs in Bell versus Rippy, No. 6165, Northern District of Texas, a suit directed toward seeking the enrollment of minor children in the Dallas public schools which is scheduled to be heard before United States District Court Judge William H. Atwell, Dallas, on November 14, 1956. (44-10894-16)

In May, 1951, the Dallas Chapter of the Civil Rights Congress formed a special committee known as "The South Dallas Citizens Committee for the People" for the purpose of protesting the murder of one Ray Butler. The address of the Committee, and a confidential informant gave the names of the victims, was at 1228 North Pearl Street, Dallas, Texas. It was ascertained later in May, 1951, that the Committee failed to proceed with the Butler protest and was doing nothing further. The Civil Rights Congress has been designated by the Attorney General pursuant to Executive Order 10450.

During the interview with this man on October 3, 1956, he advised he is employed at Dallas, Texas, and his name appears in the 1951 Dallas City Directory listed as residing at 1122 North Pearl Street, Dallas, Texas, and his name was listed as a Negro. The 1951 Dallas City Directory listed the residence of Ray Butler at 1122 North Pearl Street, Dallas, Texas.

In view of the suit pending in the U. S. District Court, Northern District of Texas, in which he is a plaintiff and
Assistant Attorney General
William P. Tompkins

October 26, 1956

which is not scheduled to be heard until November 14, 1956, your advice is requested concerning whether investigation should be instituted concerning [redacted] under Executive Order 10450.

cc: 1 - Assistant Attorney General
Warren Olney III

NOTE:

[redacted] is one of 24 plaintiffs who filed suit in Federal court, Dallas, Texas, against the Dallas school board to force integration in Dallas public schools. The suit is styled Bell versus Rippy. Thurgood Marshall, Special Counsel for the National Association for the Advancement of Colored People, complained to the Department that individuals who had instituted the above suit had been intimidated by Texas Rangers and representatives of the Attorney General of the State of Texas. It was alleged that such intimidation was caused because the plaintiffs had instituted action in Federal court. Department of Justice requested Bureau to interview plaintiffs. On interview executed a signed statement stating according to [redacted] the suit is scheduled to be heard 11/14/56.
11-16-56

AIRTEL

SAC, DALLAS (44-739)

UNKNOWN SUBJECTS:
THURGOOD MARSHALL - COMPLAINANT
CIVIL RIGHTS

ReBulet dated 10-18-56.
Surep immediately reflecting results of hearing
scheduled for 11-14-56.

(4)

DEOYER

47-10894-21

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COMPL.

124
FEDERAL BUREAU OF INVESTIGATION

Report Form
FD-259 (5-12-55)

DALLAS    DALLAS    11/19/56    11/19/56

TITLE OF CASE

UNKNOWN SUBJECTS;
THURGOOD MARSHALL -
COMPLAINANT

CHARACTER OF CASE

CIVIL RIGHTS

Synopsis:
Trial of Dallas, Texas public schools integration suit postponed until 12/15/56.

DETAILS:

AT DALLAS, TEXAS

An article in the Dallas Times Herald newspaper, issue of November 8, 1956, stated trial of the suit to force integration in the Dallas Independent School District (BELL vs. RIPPY, No. 6165, NDT), which had been scheduled for November 14, 1956, was reset for December 15, 1956, by United States District Judge WILLIAM ATWELL, at the request of counsel for the school district.
DL  44-739

LEADS

DALLAS

AT DALLAS, TEXAS

1. Will forward newspaper articles to Bureau, per Bureau instructions.

2. Will report action taken in USDC, Dallas, on 12/15/56.

REFERENCES:  Reports of SA Dallas, 10/1-4/56.
              Bulet, 10/18/56.
              Buairtel, 11/16/56.

                             b7c
Per Bulet to Dallas 10/18/56.
Ex-NAACP Aide Gives Deposition

A former assistant field secretary of the National Association for Advancement of Colored People, Edwin C. Washington, Jr., testified Thursday that statements in a "confidential" report he made were "incorrect" and others didn't mean exactly what they said.

Mr. Washington gave a deposition at the Dallas School Atty. Andrew J. Thusis in the school board's attempt to show that parents of Negro children got NAACP advice on how to challenge for entry into Dallas white schools.

The suit of the Negroes for admission to Dallas white schools is scheduled for Dec. 14 before U.S. Dist. Judge William H. Ayres.

The report prepared by Mr. Washington was used by the state to bar the NAACP from Texas in a state court at Tyler.

It mentioned instruction sheets given to 12 families which had agreed to try to enroll their children in Dallas.

The report said the names were secured and the sheets prepared with advice of regional counsel (of the NAACP).

The witness said, "That's not quite correct. I got no advice."

He also denied getting the names of 12 plaintiffs. He said, "That meant I contacted 12 persons to secure information necessary."

In depositions from plaintiffs taken earlier, they testified that they went to the school in September, 1955, voluntarily and without the advice of the NAACP.

John Minton, Jr., Austin, one of the assistant state attorney general who raided the Dallas NAACP and secured the report prepared by Washington, was scheduled to make a deposition after Washington.

RE: UNSUBS;
THURGOOD MARSHALL - COMPLAINANT
CR
DL. FILE #44-729

"Dallas Times Herald"
Dallas, Texas, 11/15/56

Allen Merriam, Editor
NAACP Secretary Denies Soliciting School Units

Edwin G. Washington, field secretary for the National Association for the Advancement of Colored People, testified Thursday that he did not solicit Negro families to file suit in the Dallas school integration case.

Washington's testimony came in a deposition session in answers to questions by Atty. Andrew Thuss, representing the Dallas Independent School District.

Thus, quizzed Washington at length about a so-called "confidential report," in which the field secretary outlined his activity in the case.

Washington called several statements "incorrect" in the report, written by him, largely because he disagreed with Thuss' interpretation of the wording.

As to his statement that he solicited information from "probable plaintiffs," Washington said it was merely to get personal data for W. J. Durham, NAACP attorney. He said the families' names were already on file in the Dallas office.

Washington denied that he made a second contact with the 24 families that filed suit to instruct them on how to register their children. He also said there were no instruction sessions for the families on "how to be good plaintiffs."

He also said he did not select the 10 schools where the Negro children tried to register in September of 1955. He said the word "selected" meant that the families affected the schools because they were nearer their homes.

Washington said that he had not chosen Dallas as an "integration test city" in Texas. He said the Rev. B. R. Riley, president of the local NAACP branch, told him that the suit would be filed.

Another witness was Asst. Atty. Gen. John H. Minton Jr. of Austin. He identified the report as one entered in evidence at trial (where the NAACP was temporarily enjoined from doing business in Texas.)

Minton said he came across a copy of the report while investigating the local NAACP office for possible baratry statute violations.

On cross-examination, Durham queried Minton about a statement he took from Theodore Dorsey, one of the plaintiffs. (Two weeks ago Dorsey denied that he had been contacted by Washington in an admission he made in the statement.)

"You were actually trying to intimidate him, weren't you?" Durham asked.

Minton replied that he only asked Dorsey about contacts he had received prior to the suit to carry out his baratry probe as directed by Atty. Gen. John Ben Shepperd.

A hearing Nov. 19 before Federal Judge William Atwell in which NAACP attorneys sought to quash the document as evidence was canceled. Thus said that the testimony was sufficient and he would not press the point.

Barring future court delays, the case will come to trial Dec. 14.

"Dallas Morning News"
Dallas, Texas, 11/16/56

Felix R. McKnight,
Managing Editor
FBI

Date: 12-10-56

Transmit the following message via AIRTEL

AIR MAIL

(Priority or Method of Mailing)

TO: DIRECTOR, FBI (44-10894)

From: SAC, Dallas (44-739)

UNSUBS; 0

THURGOOD MARSHALL - COMPLAINANT;
CR

Rerep SA ______________ 11-19-56, DL.

Item in Dallas Morning News, newspaper, issue of 12-13-56, reflects trial of Dallas, Texas, Public Schools' integration suit again postponed by FDJ ATWELL at request of NAACP attorneys to Wednesday, 12-19-56. Basis for postponement is fact that NAACP attorneys currently occupied with State suit at Tyler, Texas.

MURPHY

(3) Bureau
1 Dallas
(4)

[SCARCE VIDEO] 44-10894-24

[RECORDED]

Approved: Special Agent |

Sent M Per
Office Memorandum • UNITED STATES GOVERNMENT

TO: Mr. Rosen

FROM: F. L. Price

SUBJECT: THURGOOD MARSHALL, COMPLAINANT, CIVIL RIGHTS

DATE: December 19, 1955

RE: Tel call 6:34 p.m.

SAC Murphy, Dallas, called to advise that Judge William Haley Atwell, today dismissed the petition which had been filed in the District Court at Dallas, Texas, in the case Bell vs. Rippey. Murphy said that Rippey is the head of the local school board. In this suit, the Association for the Advancement of Colored People (NAACP) is seeking to have the school board admit Negroes to local schools on a non-segregated basis.

We had conducted investigation at the request of the Department, results of which were furnished to the Department on 10/8/56. Marshall, special counsel for the NAACP, had originally complained to the Department that individuals who had instituted suit in Federal Court against the Dallas, Texas, School Board, had been intimidated by Texas Rangers and representatives of the Attorney General of the State of Texas. It was alleged that such intimidation was caused when such individuals instituted action in Federal Court.

ACTION:

SAC Murphy was told to advise the Bureau by teletype when further details of the Court's dismissal are known.

44-10894

cc: Mr. Nichols
December 28, 1956

Airtel

SAC, Dallas (44-739)

UNSUBS; THURGOOD MARSHALL - COMPLAINANT, CR.

Rerep 611-11-19-56, at Dallas, and urairtels 12-20 and 22-56.

Sulairtel date report submitted and name of reporting Agent.

HOOVER

44-10894

(4)
Unknown Subjects; Thurgood Marshall - Complainant

Re Dallas airtel to Bureau, 12/20/56.

There are being enclosed herewith two newspaper articles from "The Dallas Morning News", dated December 21, 1956, relative to plans by the NAACP to appeal the decision handed down by USDC, Dallas, Texas, on December 19, 1956, in the case of Bell vs. Rippy, Civil Docket No. 6165, Northern District of Texas. Also enclosed are two copies of an editorial from "The Dallas Morning News", December 21, 1956, captioned "Atwell on School Integration", concerning the same matter.
NAACP Plans Appeal of New Court Rebuff

By SUE CONNALLY

As an attorney for the National Association for the Advancement of Colored People indicated Thursday that his group will now concentrate on fighting the second dismissal of the NAACP's case against the Dallas Independent School District, School Supt. W. T. White told the News that two more of its studies on desegregation problems will be released in early spring.

The two, he said, will probably be on the "over-all impact on individual pupils" and the "social life of the children within the school" in an integrated system.

U.S. Judge William Hawley Atwell Wednesday dismissed the suit—for the second straight year—to give the Dallas system "ample" time to work out the problems of desegregation.

C. B. Bunkley Jr., an NAACP attorney, Thursday commented: "Our only plan is just appealing the case. That's the only plan we could have right now."

Bunkley, who delivered the closing argument for the NAACP during the hearing, declined to make a statement about Judge Atwell's action. "I never comment on a judge's decision," he said.

Of the decision White earlier declared, "The court recognized the seriousness of purpose which has motivated both the Board of Education and the school administration to try...

Thursday he said, "We shall continue to study the problems and the problems ahead are very serious and critical."

"We shall have to find a way to put into effect decrees of the Supreme Court as well as any decrees that may follow... to maintain a good climate for school work."

See APPEAL, Page 13, Col. 1

APPEAL

Composed From Page 1

his accomplishment and achievement in school.

The second report, he said, will be studied not only from the "recreational" standpoint but also from a "broader concept of the social relationship—understanding, fellowship and good will.

The 12-point study has been a principal factor in the integration suit which was brought by the NAACP on behalf of Negro parents who tried, and failed, to enroll their children in white schools in September, 1954.

The case was first tried by Judge Atwell in September, 1956, who then ruled the suit "degenerate" and allowed the Dallas system time to complete its study.

The decision rendered on Sept.

The two reports which will be made in the spring are included in the 12-point study of the problems of desegregation that were asked to be compiled by the Board of Education when it met July 14, 1955.

The two "have been studied very carefully," White said. The over-all impact on the pupils "is a most critical problem because there the child becomes an individual person."

The superintendent added that "you can't separate a child from his environment. What happens at home affects very decidedly the child."

See APPEAL, Page 13, Col. 1

Dallas Morning News
Dallas, Texas
December 21, 1956

Felix R. McElroy
Managing Editor

100: 60 CRIMINAL DIVISION
FORM 1-58 EVER W/D

ENGLISH
Atwell on School Integration

I FEDERAL District Judge William H. Atwell, handed down Wednesday a decision which may well have settled the Supreme Court at Washington. Yet he did it in such masterful fashion as to make it both a devastating critique of the Warren Era of desegregation opinions and a liberal concurrence with the latest of those opinions. It should become a historic rebuke to all courts which decree the law instead of interpreting it.

I. Judge Atwell: “I believe it will be seen that the court based its decisions on no law, but rather on what the court regarded as more authoritative modern psychological knowledge than existed at the time that the law was discovered doctrine” (Plessy v. Ferguson, 163 U.S. 537). “Of equal facilities was initiated.”

Supreme Court (May 17, 1954): “Whatever may have been the psychological knowledge at the time of Plessy v. Ferguson” (163 U.S. 537) “this finding” (for desegregation of schools) “is amply supported by modern authority.” By footnote the court cites the “authority” on which it relies: Clark, Witmer, Kotinsky, Deutscher, Chein, Brameld, Frazier and Myrdal—all of them authorities on law.

II. Were the decisions of the Warren Court based on the Constitution? The Supreme Court is quite frank about it: “In the South, the movement toward free public schools, supported by general taxation, had not yet” (163 U.S. 537) “taken hold. Education of white children was largely in the hands of private groups. Education of Negroes was almost nonexistent, and practically all of the race was illiterate.” Even in the North the conditions of public education did not approximate those existing today. ... As a consequence, it is not surprising that there should be so little in the history of the Fourteenth Amendment relating to its intended effect on public education.” (As a matter of fact there was not merely “so little,” but actually nothing in that history relating to any such intent—there was no such intent and no basis then for it.)

III. Judge Atwell: “It seems to me, in view of the facts, that the white schools are hardly sufficient to hold the present number of white students, that it would be unthinkable and unbearably wrong to require the white students to get out so that the colored students could come in. "We have civil rights for all the people under the National Constitution, and..."

The Dallas Morning News
Dallas, Texas, 12/21/56

William B. Huggins
EDITOR

1CC: AAG CRIMINAL DIVISION
FORM 6-65 #21-3

ENCLOSURE

44-1: 7-1 27

192
FORWARD

FBI
Date: 12/20/56

TO: DIRECTOR, FBI
FROM: SAC, DALLAS

UNKNOWN SUBJECTS; THURGOOD MARSHALL COMPLAINANT

Re report of SA 11/19/56, at Dallas.

United States Judge WILLIAM HAWLEY ATWELL of Northern District of Texas, on December 19, 1956, after hearing arguments in the case of BELL vs. RIFFY, Civil Docket No. 6165, Northern District of Texas, dismissed without prejudice the action to force integration in the Dallas Independent School District, Dallas, Texas.

There is being enclosed herewith two newspaper articles from the Dallas daily "Times Herald", dated December 19, 1956, and two articles from "The Dallas Morning News", dated December 20, 1956, concerning the action of United States District Court in this matter.

MURPHY

1. Bureau (44-10894) (Encls. 4)
2. Dallas (44-739)
3. ENCLOSED

RECORDED: 44-10894-28
JAN 2 1957

52 JAN 7 1957

Approved: Special Agent in Charge

Sent M Per
Atwell Again Denies Plea for Integration

By BILL GLINES
Times Herald Staff Writer

U. S. Dist. Judge William Hawley Atwell Wednesday ruled that Dallas public schools should not be racially integrated immediately.

In so ruling, Judge Atwell found in favor of the Dallas Independent School District and against parents of 19 Negro children who sought to enter Dallas white schools.

The judge said the U. S. Supreme Court ruling ending racial segregation was not based on law, but on "modern psychological knowledge."

Rev. Paul A. Sims, 2310 South Blvd., a Methodist minister, said his daughter, Rose Sharon, 18, a fourth grader, and Maude Lois, 12, a third grader, were required to go "through blocks of busy traffic" to the Charlestown School, which is only four blocks from their home.

"There is no equal facilities," he said.

The parents sought to enter their children in 1965, but were refused entry.

The judge said the Negro population in Dallas has adequate facilities and is equal to white schools.

The Negro population in Dallas has competent teachers and equal school facilities. The Negro population in Dallas has competent teachers and equal school facilities. It is the Negro's right to be educated and to be treated as an equal to the white student.

PREPARED IN ADVANCE

The school board here, according to dictations of the Supreme Court, has studiously sought to integrate the schools. School authorities are doing their very best to comply with the ruling of the Supreme Court.

"I see nothing here to require an injunction," said Judge Atwell.

The Negroes testify

Six Negro parents testified during the morning. Their attempts to enroll their children in Dallas schools in 1955, to enroll their children in local white schools.

All testified that they tried to enroll their children in white schools near their homes, but were required to send their children to schools as much as "four or five miles" from their homes.

Negroes behind

Dr. W. T. White, superintendent of schools, was the first witness for the school board. Under questioning by Andrew J. Thuss, school board attorney, Dr. White testified that Negro students would be placed in white schools. He added that Negro children are 2 years behind white students at the first-grade level and six years behind at the fourth-grade level.

"Integration would retard the learning of whites," Dr. White said.

A deposition by Edwin C. Washington, former National Association for Advancement of Colored People field secretary for Texas, was read into the record by Atty. Thuss.

The deposition pointed out that in some instances, the NAACP had sought to represent the Negro child in the school case. At the end of the reading, Judge Atwell threw the testimony out, declaring, "I know that there is an injunction in state courts barring the NAACP from activity in Texas."

"That injunction does not rule my court. This court adheres to its clients to hire any lawyer they want to represent them."

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"That injunction does not rule my court. This court adheres to its clients to hire any lawyer they want to represent them."
U.S. Judge Bars Immediate Entry Of Negro Pupils

'54 Ruling Criticized By Atwell

By SUE CONNALLY

For the second time in two years U. S. Judge William Hawley Atwell ruled Wednesday that the Dallas school system may remain segregated while it continues its study of the problems of desegregation.

In his decision Judge Atwell also rebuffed the United States Supreme Court for basing its famed Brown v. Board of Education, May, 1954, integration decision not on law but on "modern psychological knowledge."

The segregation suit brought against the Dallas Independent School District by the National Association for the Advancement of Colored People, was dismissed by Atwell, who declared: "...dismiss this suit with prejudice in order that the School Board may have ample time to work out this problem."

W. J. Durham, attorney for the NAACP, indicated an immediate appeal would be filed. Ten days are allowed under law to give notice of appeal of a case.

Following the hearing, which lasted about two and a half hours, Judge Atwell commented, "We should also be borne in mind that the state statute requires separate schools for colored and white students.

This suit is brought, therefore, under the national civil right clause of the Constitution, and not under the state statutes, as the counsel for the defendant, The school system contends here.

There is no question here as to the administrative procedure or administrative course that should be followed, nor is there any question in my mind, I might suggest that if there are civil rights there are also civil wrongs.

"It seems to me, in view of the facts, that the white schools are hardly sufficient to hold the present number of white students, that it would be unthinkably and unreasonably wrong to require the white students to get out so that the colored students could come in. That would be the result of integration here."

The judge pointed out that out of a school enrollment of 115,000, about 13 per cent are Negro students.

He continued, "Dallas is constantly growing, as the testimony shows, and the School Board and the City Council are constantly making further expenditures to increase school facilities for both white and colored, and I see no equity in the facts presented, men who would require an injunction which would compel integration as prayed and sought at the present time.

"Commenting on the Supreme Court's action Atwell declared, "I believe that it will be seen that the court based its decision on law but rather on what the court regarded as more authorita-
The superintendent also indicated that to place the two races in the same classroom would be an injustice to both.

The white children "would be doing a wasted type of learning" and the Negroes would "not be prepared to do the work of white children," he said.

Thus asked White if he (White) thought there would be enough teachers following integration and White replied, "I don't think so, Mr. Thoma."

White also brought out that half of the studies of the problems of desegregation as ordered by the Dallas Board of Education on July 14, 1955, had been released.

Six witnesses were called by the NAACP. All were parents of Negro children who tried to enroll in school in 1954 but were not admitted. Each testified that the school in which their children applied to enroll was closer to their homes and that the schools which they were forced to attend were much farther away from the homes.

These witnesses were the Rev. Paul A. Sims, Elmer D. Hurdle, Louis Borders Jr., Mrs. Ida Nelson, Mrs. Joe M. Smith and E. G. Elder.

Earlier testimony in the case, Judge Atwell pointed out, "shows unmistakably that competent teachers, equal school facilities, and textbooks, and all sorts of school paraphernalia are furnished to both the white and colored schools and pupils, and so the sole question for the determination in this court of equity is whether the keeping apart of the races is a deprivation of any educational right."

There is no complaint against the colored teachers, though we might quite appropriately inquire what would become of the colored teachers if and when the colored students are taken away from them.

"Is it possible or probable that the colored teachers would be hired to teach the white pupils? There is no complaint by the plaintiffs against the competency of the colored teachers nor against the impediments or physical features of the school buildings, and the school grounds, or the size," Atwell added. "I think that the testimony shows completely that the school authorities here in the Independent School District are certainly doing their very best to comply with the ruling of the Supreme Court of the United States."

Atwell's first decision was on Sept. 18, 1955, when he ruled, "I think it appropriate that this case be dismissed without prejudice to retry it at some later date."

He called the NAACP's action premature, and allowed the Dallas system time to make its study.

The U.S. Fifth Circuit Court of Appeals at New Orleans, La., and later the Supreme Court sent the case back to Judge Atwell, who in the first case did not hear testimony.

Dr. Edwin L. Rippy, president of the School Board commented following the decision, "The board is naturally pleased with the decision of the court . . . and will continue to work in good faith with the people of Dallas to all races so that the interest of their children will be best served."

"Dallas Morning News"
Dallas, Texas, 12/20/56

Felix R. McKnight,
Managing Editor

RE: UNSUBS.: THURGOOD MARSHALL
Complainant.

CD. File #44-739
BU. File #44-10894

Page 2
On 12/19/56, USDC, NDT, after hearing arguments in the case BELL vs. RIPPIE, Civil Docket No. 6165, dismissed without prejudice the action to force integration in the Dallas, Texas, independent school district.

DETAILS:

AT DALLAS, TEXAS

United States District Judge WILLIAM HAWLEY ATWELL of Northern District of Texas, on December 19, 1956, after hearing arguments in the case of BELL vs. RIPPIE, Civil Docket No. 6165, Northern District of Texas, dismissed without prejudice the action to force integration in the Dallas Independent School District, Dallas, Texas.
DALLAS:

AT DALLAS, TEXAS

Will follow and report any further action taken by the defendants in this matter, and also forward any newspaper articles to the Bureau, per Bureau instructions.

REFERENCES

Dallas airtel to Bureau, 12/20/56.
Dallas airtel to Bureau, 12/21/56.
FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE
Dallas

OFFICE OF ORIGIN
Dallas

DATE
1/10/57

INVESTIGATIVE PERIOD
1/9/57

TITLE OF CASE
UNIVERSITY OF TEXAS - COMPLAINANT

CHARACTER OF CASE
CIVIL RIGHTS

Synopsis:
Records, U.S. Dist. Court, Northern District of Texas, Docket No. 6165, Dallas, Texas, Examined 1-9-57. Notice of appeal from Docket No. 6165 was filed 12-31-56 in case of BELL vs. RIFFY, Civil Docket No. 6165, Dallas, Texas.

DETAILS:

AT DALLAS, TEXAS:

On January 9, 1957, the records of the U.S. District Court, Northern District of Texas, were examined in the case of BELL vs. RIFFY, Civil Docket No. 6165. These records reflected that on December 31, 1956, a notice of appeal from the decision of the U.S. District Court, Northern District of Texas, to the Circuit Court of Appeals was filed by Attorney U. SIMPSON TATE, attorney for the Plaintiff.

Approved

Copy made:

F.B.I. BUREAU (44-10894)
1 USA, Fort Worth
2 Dallas (44-739)

1 cc along Arny from 6-45-C
1/17/57

50 JAN 23 1957

PROPERTY OF FBI - This report is issued to you by the FBI, and neither it nor its contents are to be distributed outside the agency to which issued.
LEADS

DALLAS:

AT DALLAS, TEXAS:

At expiration of 90 days, will check court records to ascertain whether any action taken on appeal filed 12-31-56 by plaintiff's attorney.

REFERENCE

Records, USDC, NDT, reflect transcript of record sent to Circuit Court of Appeals, 1/22/57, no further action.

-F-

DETAILS:

On April 2, 1957, records of the United States District Court, Northern District of Texas, Dallas, Texas, were examined with reference to the case styled BELL vs. RIFFY, Civil Number 6165. These records reflect a transcript of the record of the trial Court was forwarded to the Circuit Court of Appeals, New Orleans, Louisiana, on January 22, 1957. No further action is recorded.

United States Attorney HEARD L. FLOORE, Northern District of Texas, Fort Worth, has furnished a copy of a letter dated March 21, 1957, from Mr. FLOORE to Honorable WARREN OLNEY, III, Assistant Attorney General, which makes reference to reports submitted in this case. The final paragraph of Mr. FLOORE's letter reads:
"In my opinion no violation of civil rights seems to have occurred. In view of the Department's memorandum to the F.B.I. dated October 16, 1956, and pertaining to this subject, I have kept this as an open matter. However, it is charged against me as a delinquency and I am, therefore, closing my file on this matter, subject to reopening the same if further evidence should hereafter disclose a violation."
LEADS

DALLAS:

AT DALLAS, TEXAS:

At expiration of ninety days from date, will examine records of USDC, Dallas.

REFERENCE

# FEDERAL BUREAU OF INVESTIGATION

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<th>Date</th>
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**TITLE OF CASE**

UNKNOWN SUBJECTS; THURGOOD MARSHALL - COMPLAINANT

**CHARACTER OF CASE**

CIVIL RIGHTS

**Synopsis:**

Records USDC, NDT, reflect no action to date on appeal.

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**DETAILS:**

On June 26, 1957, records of the U.S. District Court, Northern District of Texas, Dallas, Texas, were examined with reference to the case of BELL vs. RIPPY, Civil No. 6165. It was noted that no action has been recorded to date regarding the appeal pending.

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**EXP. PROC.**

b7c
LEADS:

DALLAS: At Dallas, Texas, will, at expiration of 90 days from date, examine records USDC, Dallas.

REFERENCE: Report of SA [redacted] Dallas, 4-4-57.
Office Memorandum - UNITED STATES GOVERNMENT

TO: DIRECTOR, FBI (44-10894)
FROM: DALLAS (44-739)

DATE: 8/16/57

SUBJECT: UNKNOWN SUBJECTS; THURGOOD MARSHALL - COMPLAINANT CIVIL RIGHTS


Newspapers have recently carried notices that the Court of Civil Appeals has reversed the USDC, NDT, in connection with the appeal of the Dallas school integration suit, ruling against the school board.

SA [redacted] on 8/14/57, checked records of USDC, NDT, Dallas, and determined that the mandate of the Court of Appeals has not been forwarded as yet.
On July 23, 1957, the U. S. Court of Appeals for the Fifth Circuit ordered and adjudged that the judgment of the District Court is reversed and the cause is remanded with directions to the District Court to enter judgment restraining and enjoining the defendants (school board) from requiring segregation of the races in any school under their supervision, from and after such time as may be necessary to make arrangements for admission of children to such schools on a racial non-discriminatory basis, with all deliberate speed as required by the decision of the Supreme Court of the United States in Brown vs Board of Education of Topeka, 349 US 294, and retaining jurisdiction of the cause for such further hearings and proceedings and the entry of such orders and judgments as may be necessary or appropriate to require compliance with such judgment.

On September 9, 1957, the mandate of the U. S. Court of Appeals for the Fifth Circuit was filed by the Clerk, U. S. District Court for the Northern District of Texas, at Dallas, Texas.

On September 9, 1957, Judge W. H. ATWELL, U. S. District Judge for the Northern District of Texas, at Dallas, Texas, ruled as follows: This cause came on for hearing upon the decision and order of the U. S. Court of Appeals for the Fifth Circuit, entered on July 23, 1957, its order denying petition for rehearing entered on August 27, 1957, and the record hereof made in this cause. It is ordered, adjudged and decreed that the defendants are permanently restrained and enjoined from requiring or permitting segregation of the races in any school under their supervision, beginning and not before the mid-winter school term of 1957-58, and defendants are hereby ordered and decreed to admit plaintiffs and the members of the class that they represent to the public schools under their control on the same terms and conditions as though they were members of the white race, as required by the decision of the Supreme Court in Brown vs Board of Education of Topeka, 349 US 294.

This order was entered on September 9, 1957, by the Clerk, U. S. District Court for the Northern District of Texas at Dallas, Texas.
On September 27, 1957, defendants filed an appeal to the U. S. Court of Appeals for the Fifth Circuit, from the final judgment herein, entered on September 9, 1957. On October 3, 1957, the U. S. Court of Appeals for the Fifth Circuit ordered that the application for leave to file petition for writ of mandamus be set for hearing and oral argument, along with and at the same time as the appeal, at the forth- coming session of the Court at Fort Worth, Texas, at 10:00 AM, Friday, November 22, 1957.

With reference to the petition on which ruling was entered by the Appeals Court on August 27, 1957, the denial reads as follows:

Per curiam: By petition for rehearing the appellees express their apprehension that, under the terms of an Act of the 1957 Texas Legislature approved by the Governor on the 23rd day of May, 1957, and to become effective on to wit August 23, 1957, their obedience to the order of the district court to be issued upon remand, pursuant to the directions of this court, may result in the loss to the School District of some six million dollars ($6,000,000.00) a year of aid from the State of Texas and in the imposition by the State of penalties upon the persons carrying out such order. That Act, of course, cannot operate to relieve the members of this Court of their sworn duty to support the Constitution of the United States, the same duty which rests upon the members of the several State Legislatures and all executive and judicial officers of the several states. We cannot assume that that solemn sworn duty will be breached by any officer, State of Federal. If, however, it should be, then the Board of Trustees of the School District and the persons carrying out the order to be issued by the district court, are not without their legal remedies. The petition for rehearing is denied.

This order filed at Dallas, Texas, by Clerk, U. S. District Court for the Northern District of Texas, September 9, 1957.
FEDERAL BUREAU OF INVESTIGATION

Reporting Office: Dallas
Office of Origin: DALLAS
Date: 11/7/57
Investigation Period: 8/14; 9/5; 11/6/57

Title of Case: UNKNOWN SUBJECTS; THURGOOD MARSHALL - COMPLAINANT

Character of Case: CIVIL RIGHTS

Synopsis:
On 7/23/57 US S. Court of Appeals, Fifth Circuit, reversed USDC, NDT, and remanded cause to lower court with directions judgment be entered requiring integration in Dallas Independent School District. On 9/9/57 USDC, NDT, ordered integration to begin with mid-winter school term, 1957-58. Defendants (school board) have filed application for leave to file petition for writ of mandamus, hearing scheduled for 11/22/57.

- P -

Details:
At Dallas, Texas:
The following investigation was conducted by SA...

On November 6, 1957, the records of the Clerk, U. S. District Court for the Northern District of Texas at Dallas, Texas, were checked and reflected the following with respect to BELL vs. RIPP, Civil 6165:

- Bureau (44-10094) 44-10894-35
  1 - USA, Fort Worth
  2 - Dallas (44-739)

Property of FBI - This report is confidential to you by the FBI, and neither it nor its contents are to be distributed outside the agency to which issued.
TO: DIRECTOR, FBI (44-10894)

SIR, DALLAS (44-739)

SUBJECT: UNKNOWN SUBJECTS; THURGOOD MARSHALL - COMPLAINANT CIVIL RIGHTS.

00 - Dallas

Enclosed are two copies of the report of SA Dallas, 11/7/57.

ADMINISTRATIVE

This file will remain in pending inactive status in order that records of the U. S. District Court may be checked to determine the action of the U. S. Court of Appeals in connection with a hearing scheduled for November 22, 1957.

REFERENCES

Dallas letter to Bureau, 8/16/57.

2 - Bureau (encls-2)

2 - Dallas

ENCLOSURE

EX. 63

RECORDED - 83

44-1044-36

65 Nov 19 1957
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

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Information pertained only to a third party with no reference to the subject of your request.

Information pertained only to a third party. The subject of your request is listed in the title only.

Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

Pages were not considered for release as they are duplicative of

For your information:

The following number is to be used for reference regarding these pages: 44-HQ-10894-36 enclosure.

Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.
Office Memorandum

TO: DIRECTOR FBI (44-10894)

FROM: DALLAS (44-739)

SUBJECT: UNKNOWN SUBJECTS; THURGOOD MARSHALL - COMPLAINANT CIVIL RIGHTS

(Dallas - 00)

DATE: 1/31/58

Re report of SA --- 11/7/57, at Dallas.

It should be noted that the Dallas Office has been reporting the status of the integration suit concerning the Dallas, Texas, public schools in this case.

UACB, in the future the Dallas Office will report the activities in this law suit in the case entitled "Racial Situation, Dallas, Texas", File 62-101087-46.

This case is being placed in a closed status.

C - Bureau (RM)

D - Dallas

EX-135

44-10896-37
February 10,

MAC, Dallas (44-739)

Director, FBI (44-10894) -37

INTEGRATION IN PUBLIC SCHOOLS
IN DALLAS, TEXAS
CIVIL RIGHTS

Reurlst 1/31/68 captioned, "Unknown Subjects; Thurgood Marshall - Complainant, Civil Rights."

Your file 44-739 entitled as per reference, should be reopened and hereafter carried under the caption as this communication.

You are instructed to follow all developments concerning integration in Dallas public schools. All news articles should be forwarded by FD-4, Attention: Investigative Division. All court actions should be closely followed and copies of all actions obtained and promptly transmitted to the Bureau.

All purely racial matters should continue to be reported under the "Racial Situation, Dallas, Texas," caption. However, information concerning the activities of the Citizens Councils and the Ku Klux Klan appearing in the press and received through informants aimed at preventing integration in public schools in Dallas should also be reported under "Integration in Public Schools in Dallas, Texas, Civil Rights."

You should continue to forward all news articles pertaining to integration in Texas generally under the caption, "Segregation in Public Schools, State of Texas, Civil Rights." Bureau file 43-101887-66. The news articles can also be forwarded to Bureau by FD-4, which will facilitate handling at the Bureau.
Office Memorandum • UNITED STATES GOVERNMENT

TO: DIRECTOR, FBI (62-101087-46)
SAC, DALLAS (100-4126)

DATE: 1/21/58

SUBJECT: RACIAL SITUATION
DALLAS, TEXAS

Re: Bulletin, 1/2/58.

THOMAS MARSHALL

Enclosed for the Bureau are copies of the pertinent court decisions concerning the Dallas schools, which might have a bearing on possible contempt of court violations.

The above mentioned copies were furnished by [redacted], Deputy Clerk, United States District Court, NTO, on 1/14/58.

Also enclosed for the Bureau are seven copies of a memorandum suitable for dissemination, concerning [redacted] of the NAACP, Dallas, Texas, branch, and [redacted], a member of the Communist Party. It should be noted that the file on [redacted] This letterhead memorandum also contains information concerning [redacted] of the NAACP, Dallas, Texas, branch, and her association with [redacted].

It should be noted that both are on the Security Index of the Dallas office, and are carrying [redacted]. The Dallas office has advised that neither of the NAACP members are currently active in the Communist Party at this time, however.

In view of the fact that the information concerning possible violence on the part of the KKK and the Citizens Councils was furnished to the Bureau in form suitable for dissemination, the Dallas Office will not act on this information forth at this time.
time. It should be noted that the report of 12/17/57, at Dallas, captioned U. S. KLANS, Knights of the Ku Klux Klan, Inc. (Texas), was disseminated to local intelligence agencies of the armed forces. However, the letterhead memorandum dated 12/19/57, captioned Citizens Councils, Dallas Division, was not disseminated to the local intelligence agencies.

The Bureau is requested to advise if it desires that copies of this letterhead memorandum be so disseminated, and if such future memoranda concerning the Citizens Councils should be disseminated to the local intelligence agencies.

INFORMANTS

Identity of Source

Date of Activity and Description of Information

File Number Where Located

The enclosed letterhead memorandum is marked confidential inasmuch as it contains information the unauthorized disclosure of which is prejudicial to the defense interests of the United States.

Careful consideration has been given each item concealed in the enclosed memorandum and the symbols utilized only in those instances where the identities of the sources must be concealed.

It should be noted that the Dallas Office furnished the best characterization of which was available to the Dallas Office; however, a review of Bureau files may reflect a more up-to-date characterization of

In view of the fact that is no longer of the NAACP, no attempts were made to establish the relationship between except through established sources.