

Key Biscayne 49, Florida  
February 14, 1961

ble  
bnc

Justice Hugo Black  
Supreme Court Building  
Washington, D. C.

6/10

Dear Sir:

I am an American citizen by birth, with a deep love of my country and countrymen. I believe in GOD. I salute the American flag with pride. I am not ashamed if tears come to my eyes when I hear the "Star Spangled Banner". I would never be afraid to sign a loyalty oath. I would never hide behind the 1st or 5th Amendments if I were asked if I were a communist. I hope these qualifications are enough to warrant an answer to this letter.

I am going on the assumption that our Constitution was written to protect the loyal American citizen, and not the Communist party or its affiliates. I have written to the Hon. Spessard Holland of Florida to ask him to propose a bill that would make being a Communist an act of treason, punishable by death, for we all know it is not a political party, but a direct plot to destroy the United States Government by deceit or violence if necessary. It seems that there are already laws to this effect, but not good enough to stick. The Hon. Francis Walter of the House Un-American Activities Committee, J. Edgar Hoover, and our Congressmen and Senators do not seem to have the know-how on the wording of these proposals, so as to have the Supreme Court convict known communists. The answer to this is so simple that I think we have all overlooked it. The Supreme Court justices should get their heads together and tell our legislators the wording they must use in these laws if our high court is expected to hand down a verdict of guilty to the members of the Communist Conspiracy. This method would remove all guesswork and wonder from our legislators, and enable them to know the exact wording required for a conviction. I am sure all loyal Americans, our congressmen, and our high courts are anxious to see laws passed that would not give aid and comfort to our mortal enemy, the communists. I would be honored to write my representative on your proposals as you render them.

Some of the recent decisions handed down by the Supreme Court, state that it is alright to plot and advocate the violent overthrow of the United States Government, as long as no action is taken. If this is what the Constitution means, couldn't a well-financed organization start a University of Murder, and recruit students on the basis that they would teach them the best methods on how to commit murder, as well as other violent crimes, and be within their constitutional rights just so long as they did not try to get their students a job? This even might work into Federal Aid and tax exemption. It seems to me that this could be done. If it can I hope it never leaks out, for I fear there are many people in this country who would take advantage of this also.

EX-117

REC-117 62-27585-177

Almost every day, I read in the paper of our officials in government warning our citizens to snap out of our apathy towards communism before it is too late. Then, lo and behold I read a little further, and see where our Supreme Court just released some more Communists on their so-called Constitutional rights . . . and then read a little further to find that our leaders just go. MAR 1 1961

File  
Not No act  
CORRECTION OFFICE

50 MAR 6 1961

a few millions to Czechoslovakia so that they can build arms and ammunition to ship to Cuba so that Castro can threaten to blow our heads off. I think I can speak for most of the citizens of the United States when I say: "WE HAVE SNAPPED OUT OF OUR APATHY . . . ARE WE ALLOWED TO EXPECT THE SAME FROM OUR LEADERS?"

A very much concerned citizen,

[REDACTED]

b6, b7c

NJC/scr.

Encls. 2

cc: Hon. Dante Fascell  
Hon. Spessard Holland  
Hon. Francis Walter  
John Edgar Hoover

DO-6..

OFFICE OF DIRECTOR  
FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE

Ferris, Ill.  
Mar. 5, 1961

Honorable Edgar J. Hoover  
Washington, D. C.

Dear Sir -

Is it true that you have said 'thousands  
of communists could be arrested in  
one night in U. S. A. but our Supreme  
Court would turn them loose"?

If so, why are most of them, if not all, in favor of  
that for our nation?

I am genuinely worried for our future and would like  
very much to have a short to the point article for  
publication in our county, Hancock, paper and others  
if they will print it.

Thank you.

Sincerely yours for a Free America

REC-22 62-27585-171  
/B/ [Redacted]  
Ferris, Ill.

COPY:hbb

661 67c

EX-113

5 MAR 20 1961

ack 15  
2-24-61  
[Redacted]  
661 67c

- Mr. Tolson
- Mr. Parsons
- Mr. Belmont
- Mr. Callahan
- Mr. Conrad
- Mr. DeLoach
- Mr. Evans
- Mr. Malone
- Mr. Rosen
- Mr. Tavel
- Mr. Trotter
- Mr. Jones
- Mr. W. C. Sullivan
- Tele. Room
- Mr. Ingram
- Miss Holmes
- Miss Gandy

[Handwritten signature]

MAR 8 1961

Ferris, Ill.  
Mar 5, 1961

Honorable Edgar Hoover,  
Washington, D. C.

Dear Sir -

is it true that  
you have said  
"Thousands of Com-  
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but our supreme  
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if not all, in  
favor of that for  
our nation?

ack 3-14-61 (JH:pin)

REC-22 62-27585-171

March 18, 1961

EX-113

[Redacted]

Ferris, Illinois

Dear [Redacted]

b6  
b7c

Your letter of March 5, 1961, was received as Mr. Hoover was leaving the city. He wanted me to assure you that he never made the statement attributed to him in your letter. With regard to your desire for an article by Mr. Hoover, in view of the heavy pressure of his official responsibilities, it is not possible for him to comply with your request.

I am enclosing some material on communism which may be of interest to you.

Sincerely yours,

MAILED 25  
MAR 15 1961  
EDMM-FBI

Helen W. Gandy  
Secretary

RECEIVED ROOM  
FBI  
MAR 15 2 55 PM '61

- Enclosures (7)
- Director's speech of 10-18-60
- God and Country or Communism?
- Communism: The Bitter Enemy of Religion
- Expose of Soviet Espionage
- Communist Target--Youth
- Series from Christianity Today
- One Nation's Response to Communism

- Tele. Room
- Parsons
- Mohr
- Belmont
- Callahan
- Conrad
- DeLoach
- Evans
- Malone
- Rosen
- Tavel
- Trotter
- W.C. Sullivan
- Tele. Room
- Ingram
- Gandy

NOTE: Bufiles contain no information identifiable with correspondent. In view of the nature of her inquiries, an in-absence response is deemed advisable.

56 MAR 16 1961 [Redacted] 239 b7c/b6 TELETYPE UNIT

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Mr. Tolson	_____
Mr. Parsons	_____
Mr. Mohr	_____
Mr. Belmont	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Malone	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Trotter	_____
Mr. W.C. Sullivan	_____
Tele. Room	_____
Mr. Ingram	_____
Miss Gandy	_____

Mr. John Edgar Hoover  
Federal Bureau of Investigation,  
Washington, D.C.

Dear Sir,

I am an American who would never be afraid to take a loyalty oath, nor would I ever hide behind the First or Fifth Amendments.

As an American citizen I am greatly concerned over recent decisions of the Supreme Court. I do not believe that we should be lenient with those who are advocating and plotting our overthrow as a nation, nor do I feel that Communists and fellow-travelers should be allowed to teach these things in schools, clubs, or any public place. Ideas are powerful, and to sow ideas on revolution and overthrow in young hearts across the nation, will result sooner or later, in a harvest of revolutionary actions.

May I suggest, that the Supreme Court be advised or requested to spell out the kind of law, and the precise wording that is necessary for them to hand down a verdict of conviction for those who wish to teach communistic revolutionary principles in our land.

Why should our highest tribunal in America be cowed by the loud voices of a minority who demand the right to teach our overthrow in the name of liberty. As a nation we have every right to protect ourselves, and the Supreme Court, above all, should stand ready to protect Americans, that American may continue as "the land of the free and the home of the brave."

REC-64 2 62-27585-172

Sincerely, and hopefully,

[Redacted signature]

Teacher and housewife.

MAR 24 1961

30

MAR 24 1961

CORRESPONDENCE

ack  
3-29-61 b7c  
[Redacted] bb

March 22, 1961

62-27585-172

March 29, 1961

EX-112

[Redacted]

b6  
b7c

Miami Bible Institute  
900 Northwest 30th Street  
Miami 37, Florida

Dear [Redacted]

Your letter postmarked March 23, 1961, was received during Mr. Hoover's absence from the office. You may be certain your communication will be called to his attention upon his return to Washington. Enclosed is some material on communism which you might like to read.

Sincerely yours,

Helen W. Gandy  
Secretary

MAILED 9  
MAR 29 1961  
COMM - FBI

MAR 29 4 03 PM '61  
FBI  
READING ROOM

- Enclosures (5)
- One Nation's Response to Communism
- The Communist Menace
- Communist Target--Youth
- What You Can Do To Fight Communism
- Communism: The Bitter Enemy of Religion

Keep  
MAR 29 2 20 PM '61  
FBI  
REC'D READING ROOM

NOTE: [Redacted] is not identifiable in Bufiles, and we have no record on the Miami Bible Institute.

- Tolson \_\_\_\_\_
- Parsons \_\_\_\_\_
- Mohr \_\_\_\_\_
- Belmont \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Malone \_\_\_\_\_
- Rosen \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- W.C. Sullivan \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Ingram \_\_\_\_\_
- Gandy \_\_\_\_\_

[Redacted]

b6  
b7c

[Handwritten signature]

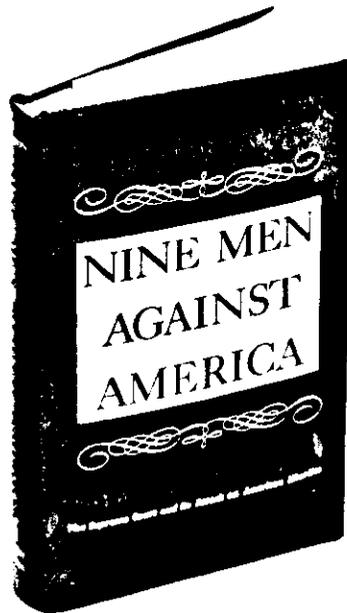
[Handwritten initials]

MAIL ROOM  TELETYPE UNIT

55 APR 1 1961

SUPREME COURT DECISIONS MENTIONED IN THIS VOLUME

<i>Year decided</i>	<i>Case</i>	<i>Popularly known as</i>	<i>Dealing with</i>	<i>Reference</i>	<i>Mentioned in text at page</i>
1896	Plessy v. Ferguson	Same	Separate but equal facilities	163 U.S. 537	40, 45, 51
1935	A.L.A. Schechter Corp. v. U.S.	Sick Chicken or NRA Case	NRA and gov't. control of industry	295 U.S. 495	13-14
1936	Carter v. Carter Coal Co.	Guffey Coal Act Case	Gov't. control of coal production	298 U.S. 238	14
1936	U.S. v. Butler	AAA Case	Gov't. control of agriculture	297 U.S. 1	14
1942	A. B. Kirschbaum v. Walling	Elevator Operator Case	Interstate commerce	316 U.S. 517	29
1943	Schneiderman v. U.S.	Schneiderman Case	Citizenship of alien communists	320 U.S. 118	30
1944	Korematsu v. U.S.	Relocation Case	Rights of Japanese-American citizens	323 U.S. 214	30-31
1945	Bridges v. Wixon	Harry Bridges Case	Deportation	326 U.S. 135	30
1952	Youngstown Sheet & Tube v. Sawyer	Steel Case	Presidential seizure of steel mills	343 U.S. 579	33-34
1953	Bridges v. U.S.	Harry Bridges Case	Naturalization	346 U.S. 209	30
1954	Brown v. Board of Education	Segregation Case	Schools and segregation	347 U.S. 483	39-42
1954	Phillips Petroleum v. Wisconsin	Natural Gas Case	Control of resources	347 U.S. 672	63
1955	Peters v. Hobby	Peters Case	Loyalty	349 U.S. 331	57
1956	Pennsylvania v. Nelson	Sedition Case	State sedition laws	350 U.S. 497	57-62
1956	Cole v. Young	Cole Case	Gov't. security risks	351 U.S. 536	59
1956	Ry. Employees Dept. v. Hanson	Nebraska Labor Case	Labor unions	351 U.S. 225	20, 64
1956	Slochower v. Bd. of Higher Ed.	Slochower Case	Teachers	350 U.S. 551	7, 49, 58-59, 61
1957	Gold v. U.S.	Ben Gold Case	Noncommunist oaths	352 U.S. 985	6, 60
1957	Jencks v. U.S.	Jencks Case	FBI files	353 U.S. 657	52
1957	Konigsberg v. State Bar	Konigsberg Case	Practice of law	353 U.S. 252	8, 60-61
1957	Lambert v. Calif.	Calif. Felon Case	Knowledge of law	353 U.S. 979	63
1957	Mallory v. U.S.	Mallory Case	Police apprehension of criminal suspects	352 U.S. 877	67
1957	Penna. v. Board of Directors of City Trusts	Girard College Case	Wills and schools	353 U.S. 230, 989	64-65
1957	Sentner v. Barton	Sentner Case	Deportation of communists	353 U.S. 963	61
1957	Service v. Dulles	Service Case	Gov't. employees	354 U.S. 363	59-60
1957	Sweezy v. New Hampshire	Sweezy Case	Teachers	354 U.S. 234	61-62
1957	U.S. v. E. I. duPont de Nemours Co.	duPont Case	Clayton Act & "monopoly"	353 U.S. 586	64
1957	Watkins v. U.S.	Watkins Case	Congressional investigations	354 U.S. 178	9, 17, 20, 61
1957	Yates v. U.S.	California Communists Case	Smith Act & overthrow of gov't.	354 U.S. 298	62, 68, 74



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## Index

- A. B. Kirschbaum v. Walling, 29.  
Acheson, Dean, 21, 22, 53, 59.  
Agricultural Adjustment Act (AAA), 14, 18.  
Alabama, University of, 17.  
A. L. A. Schechter v. U. S., 13-14.  
Alien Registration Act, 30.  
Allen, Robert S., 47.  
*Americana*, 59-60.  
American Bar Association, 36, 43, 51, 74.  
*American Constitutional Development*, 34-35.  
Americans for Democratic Action, 36-37.  
*America's Advocate: Robert H. Jackson*, 48.  
Annenberg, Moe, 26.  
Atlantic Union Committee, 50-51.  
Atomic Energy Commission, 59.
- Beck, Dave, 24.  
Bituminous Coal Act, 14.  
Black, Hugo L., 16-18, 22, 23, 27, 32, 33, 38, 42, 46, 47, 48, 50, 52, 54, 57, 59, 60, 61, 62, 63, 71.  
Board of Higher Education (N.Y.C.), 59.  
Bowdoin College, 49.  
Braden, Carl, 57-58.  
Brameld, Theodore, 44.  
Brandeis, Louis D., 11, 12, 13, 15, 16, 19, 41.  
Brennan, William J., Jr., 50, 51-52, 61, 62, 63, 68.  
Bricker, John, 51.  
Bridges, Harry, 30.  
Bridges v. Wixon, 30.  
Brooklyn College, 58-59.  
Brownell, Herbert, 36.  
Brown v. Board of Education, 39-42.  
Burke, Edmund, 75.  
Burton, Harold M., 32, 46, 49, 50, 52, 57, 59, 61, 62, 63.  
Butler, Pierce, 11, 13, 15, 16, 27.  
Byrnes, James F., 25.
- Cardozo, Benjamin N., 11, 12, 13, 15, 16.  
Carnegie Foundation, 44.  
Catholic Church, 20.  
Civil Rights Commission, 18.  
Clark, K. B., 44.  
Clark, Tom, 32, 44, 46, 49, 50, 52, 57, 59, 60, 61, 62, 63.  
Clayton Anti-Trust Act, 64.  
Cole v. Young, 59.  
College of the City of New York, 19.  
Colorado, University of, 27.  
Columbia Law School, 16.  
Columbia University, 18, 23.  
Communist Party (U.S.), 26, 29, 37, 44, 59, 60, 68.  
Communist Workers Book Shop Catalog, 44.  
Congress of Industrial Organizations (CIO), 24, 33.  
Connolly, Dorothy Healey, 68.  
Corcoran, Thomas, 21.
- Cornell University, 12.  
Cummings v. Board of Education, 41 footnote.
- Daily People's World*, 44.  
*Daily Worker*, 44, 68.  
Danaher, John A., 52.  
Democratic Party, 26, 36.  
Dodds, Harold W., 16.  
Douglas, William O., 16, 22-25, 27, 30, 32, 38, 44, 46, 50, 52, 59, 61, 62, 63, 68.  
Du Bois, W. E. B., 40, 45.  
Dulles, John Foster, 51.
- Einstein, Albert, 18.  
Eisenhower, Dwight D., 12, 18, 28, 35, 36, 38, 40, 50, 51, 52, 62, 72.  
Eisenhower, Milton, 31.
- Fair Employment Practices Commission (FEPC), 37.  
Federal Bureau of Investigation (FBI), 8, 38, 52, 59, 60, 69, 74.  
Federal Farm Board, 18.  
Federal Trade Commission, 64.  
Flynn, John T., 75.  
Frankfurter, Felix, 16, 19-22, 23, 27, 29, 32, 38, 44, 46, 47, 48, 50, 52, 53, 57, 59, 61, 62, 63, 64, 67, 68.  
Frankfurter, Mrs. Felix, 22.  
Frazier, E. Franklin, 44.
- Garner, John Nance, 26.  
*Garner of Texas*, 26.  
Garriçon, William Lloyd, 40.  
General Motors Corporation, 25-26.  
Gerhardt, Eugene C., 48.  
Girard College, 64-65.  
Girard, Stephen, 64-65.  
Gitlow, Benjamin, 26.  
Gold, Ben, 60.  
Gong Lum v. Rice, 41 footnote.
- Hague, Frank, 27.  
Hanighen, Frank, 36.  
Harlan, John Marshall, 50-51, 57, 59-60, 61, 62, 63, 68.  
Harriman, Averell, 37.  
*Harvard Law Review*, 55.  
Harvard Law School, 19, 20, 21, 52, 53.  
Hillman, Sidney, 24.  
Hiss, Alger, 21, 22, 51.  
Hitler, Adolf, 10, 18.  
Hoffa, James, 24.  
Holmes, Oliver Wendell, 19, 41.  
Hoover, Herbert, 9, 10, 18.  
Hoover, J. Edgar, 31, 68.  
Hughes, Charles Evans, 11, 12, 13, 14, 15, 16, 41, 47, 48.  
*Human Events*, 36.  
Hurston, Mrs. Zora Neal, 42.  
Indiana University, 49.

- Institute of Pacific Relations (IPR), 51, 59-60, 69.  
 Internal Revenue Bureau, 46.  
 Internal Security, Senate Sub-Committee on, 57, 68-69.  
 International Monetary Fund, 38.  
 Iowa, State University of, 27.
- Jackson, Robert H., 25, 32, 46-48, 50, 55.  
 Jaffe, Philip, 59-60.  
 Jefferson, Thomas, 6, 73.  
 Jehovah's Witnesses, 20.  
 Jencks, Clinton E., 52.  
 Jencks v. U. S., 52.  
 Jenner, William E., 50, 67.  
 Jessup, Philip, 51.  
 Josephson, Matthew, 20-21.  
 Julia Richman High School, 42.
- Kansas, University of, 50.  
 Kefauver, Estes, 37.  
 Kelly, Ed, 27.  
 Kentucky Wesleyan College, 18.  
 Kilpatrick, James Jackson, 41, 73.  
 Konigsberg, Raphael, 60-61.  
 Konigsberg v. State Bar, 60-61.  
 Krock, Arthur, 34.  
 Ku Klux Klan, 17, 48.
- Labour Injunction, The*, 20.  
 Landis, James M., 21.  
 Lawrence, David, 70.  
 Lepke, Louis, 24.  
 Lewis, John L., 47.  
 Lippman, Walter, 16.  
 Longworth, Mrs. Alice Roosevelt, 22.  
 Lusky, Louis, 54.
- MacArthur, Douglas, 22.  
 MacLeish, Archibald, 21.  
 Madison, James, 73.  
 Mallory, Andrew R., 66-67.  
 Mallory v. U.S., 67.  
 Marshall, George, 59.  
 Mason, Alpheus Thomas, 54.  
 Matthews, J. B., 40.  
 McCarran-Walter Immigration Act, 61.  
 "McCarthyism," 37.  
 McCarthy, Joseph R., 17, 37.  
 McReynolds, James C., 11, 13, 15, 16.  
 Michigan, University of, 25.  
 Minton, Sherman, 32, 33, 34, 46, 49-50, 57, 59, 62.  
 Moley, Raymond, 16.  
 Morgan, J. P. & Co., 15.  
 Morgenthau, Henry Jr., 22.  
 Morris, Robert, 68-69.  
 Moskowitz, Dr. Henry, 40.  
 Murphy, Frank, 25-27, 32, 52, 71.  
 Murray, Philip, 33.  
 Murray, Robert V., 67-68.  
 Mussolini, Benito, 13.  
 Myrdal, Gunnar, 44.
- Nation*, 38.  
 National Association for the Advancement of Colored People (NAACP), 39-40, 42, 44.
- National Recovery Act (NRA), 13-14, 15, 18.  
*National Review*, 25.  
 Nehru, Jawaharlal, 24.  
 Nelson, Steve, 57, 62.  
 New Hampshire, University of, 61.  
 New York City, Tenement House Commission, 19.  
*New Yorker*, 20-21.  
 New York Law School, 50.  
*New York Times*, 34, 43.
- Occidental College, 24.  
 O'Connor, Herbert R., 74.
- Paris, University of, 18.  
 Pendergast, Tom, 26.  
 Pennsylvania, University of, 52.  
 Pennsylvania v. Board of Directors of City Trusts, 64-65.  
 Pennsylvania v. Nelson, 57, 62.  
 Peters, John P., 56-57.  
 Peters v. Hobby, 57.  
 Petrillo, James, 24.  
 Phillips Petroleum v. Wisconsin, 63.  
 Pine, David A., 33.  
 Plessy v. Ferguson, 40, 45, 51.  
*Posse Comitatus Act*, 42-43.  
*Pravda*, 24.  
 Princeton University, 16, 50.  
 Proskauer, Joseph, 51.
- Quill, Mike, 24.
- Railway, Employees Dept. v. Hanson, 64.  
 Rauh, Joseph L., 36-37.  
 Reconstruction Finance Corporation, 18.  
 Reed, Stanley F., 16, 18-19, 32, 33, 34, 46, 49, 57, 59, 62.  
 Rehnquist, William H., 55-56.  
 Republican Party, 36, 37.  
 Richberg, Donald, 64.  
*Richmond News-Leader*, 73.  
*Richmond Times-Dispatch*, 42.  
 Roberts, Owen J., 11, 13, 14, 15, 28, 47.  
 Roosevelt, Eleanor (Mrs. Franklin D.), 25, 46.  
 Roosevelt, Franklin D., 9, 10, 11, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 46, 47, 49, 71, 72.  
 Roosevelt, Hall, 25.  
 Roosevelt, Theodors, 19.  
 Rosenberg, Julius and Ethel, 22, 23.  
 Rutledge, Wiley B., 25, 27.
- Sarah Lawrence College, 24.  
 Schechter, A. L. A., 13-14.  
 Scherer, Gordon H., 55.  
 Schneiderman v. U. S., 30.  
 Schneiderman, William, 30.  
 Securities and Exchange Commission, 23.  
 Sentner v. Barton, 61.  
 Service, John Stewart, 59-60.  
 Service v. Dulles, 59-60.  
 Sidney Hillman Foundation, 24.  
 Slochower, Harry, 58-59.
- Slochower v. Board of Higher Education, 49, 58-59, 61.  
 Smith Act, 62, 68, 74.  
 Smith, Howard W., 33.  
 Smith, Young B., 16.  
 Socialist Party, 36.  
 Sorokin, Pitirim A., 42, 44.  
*Sovereign States, The*, 41, 73.  
 Stennis, John, 71.  
 Stephens, Harold M., 52.  
 Stevenson, Adlai, 37, 38.  
 Stimson, Henry L., 19.  
 Stone, Harlan F., 11, 12, 13, 15, 16, 20, 28, 32, 41, 47, 54.  
 Subverive Activities Control Board, 52.  
 Sutherland, George, 11, 13, 14, 15, 16.  
 Sweezy, Paul M., 61.  
 Sweezy v. New Hampshire, 61-62.  
 Swisher, Carl Brent, 34-35.
- Taft-Hartley Act, 33, 38, 60.  
 Taft, Robert A., 36, 48.  
 Taft, William Howard, 19, 41.  
 Texas, University of, 49.  
 Thomas, Norman, 10.  
 Thomason, R. E., 52.  
 Thompson, Dorothy, 16.  
 Timmons, Bascom N., 26.  
 Truman, Harry S., 12, 23, 25, 28, 31-34, 35, 38, 42, 47, 48, 49, 71, 72, 74.
- Un-American Activities, House Committee on, 60.  
 California Committee on, 60.  
 United Nations, 24, 34, 37, 45, 51.
- U. S. News & World Report*, 55.  
 U. S. v. E. I. duPont de Nemours Company, 64.  
 United Steelworkers Union, 33.
- Vanderbilt, Arthur F., 36.  
 Van Devanter, Willis, 11, 12, 13, 15, 16.  
 Villard, Oswald Garrison, 40.  
 Vinson, Fred M., 23, 31-34, 35, 47, 62.  
 Virginia, University of, 18.
- Wallace, Henry, 23.  
 Walling, William E., 40.  
 Walsh, Thomas J., 22.  
 War Relocation Authority, 31.  
 Warren, Earl, 31, 35-38, 40, 41, 43, 44, 45, 46, 50, 51, 52, 53, 56, 57, 58, 59, 61, 62, 63, 68.  
*Washington Evening Star*, 67.  
 Washington University, 27.  
 Watkins v. U. S., 9, 17, 20, 61.  
 Wheeler, Burton K., 16.  
 White, Harry Dexter, 38.  
 White, Mary Ovington, 40.  
 Whiteleather, Dr. P. S., 28.  
 Whitman College, 22.  
 Whittaker, Charles E., 50, 61 footnote, 62, 63.  
*Whole of Their Lives, The*, 26.  
 Wilson, Woodrow, 19.  
 Wisconsin, University of, 27.
- Yale Law School, 23, 53.  
 Yalta Conference, 21.  
 Yates v. U. S., 62, 66, 74.

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### A LETTER TO KHRUSHCHEV

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by

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UNITED STATES GOVERNMENT

# Memorandum

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Callahan \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Malone \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

TO : Mr. Mohr

DATE: 4/30/62

FROM : Mr. Malone

SUBJECT: U. S. SUPREME COURT GUARDS  
FIREARMS TRAINING  
QUANTICO, VIRGINIA

b6, b7c



By memorandum Mr. Brennan to Mr. Sullivan dated January 26, 1962, it was recommended and approved for the U. S. Supreme Court Guards to receive firearms and defensive tactics training at Quantico, Virginia.

SAC Sloan advises classes of U. S. Supreme Court Guards convened at Quantico on January 31, March 14, April 2, 9 and 27, 1962, and during the training 9,700 rounds of .38 caliber ammunition were expended. The price of this ammunition is \$56.95 per thousand.

Training was previously afforded U. S. Supreme Court Guards in 1957 and in 1959, and the U. S. Supreme Court paid for the ammunition expended by transfer of funds.

RECOMMENDATION:

That this memorandum be forwarded to the Administrative Division in order that a 1080 voucher may be prepared for the transfer of funds to cover the cost of ammunition used by the U. S. Supreme Court Guards (9,700 rounds at \$56.95 per thousand - \$552.41).

1 - Brennan (Liaison Section)

(4) [Redacted] GRC  
b6, b7c

JPM - 8  
JW

62-21585-18

11 MAY 8 1962

64  
53 MAY 9 1962

REC-15  
SEARCHED  
SERIALIZED

31

UNITED STATES GOVERNMENT

# Memorandum

TO : The Director

DATE: 5/4/62

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 7061-7065. Senator Javits, (R) New York, spoke concerning the speech made on the floor of the Senate by Senator Eastland, (D) Mississippi, criticizing the Supreme Court for their decisions involving communism and subversion. Mr. Javits stated "The Supreme Court is one of the noblest of bodies. It is a fundamental part of our governmental system. Attempts are being made to discredit it. It is not healthy to attempt to tear it down, as was attempted yesterday. I think the Supreme Court is doing very well, whether I agree with one of its decisions or not. It seems proper to defend it, and I shall do so on the floor of the Senate." Senator Kuchel, (R) California, commended Senator Javits for his defense of the Supreme Court. Mr. Kuchel stated "I have no doubt that there are in our population a few people who are guilty of treason; and, as has been said on this floor time after time in the past, the American Government is discharging its obligation with respect to our country in this regard. I salute once again J. Edgar Hoover and the Federal Bureau of Investigation, who at this moment know precisely who are those treasonable Americans, where they are, and what they are doing. It is a dreadful disservice to the cause of America and to the cause of security of our country for anyone to attempt to undermine our people's faith in any of our national governmental institutions."

Original filed in: 66-1731-31

162-27585-  
NOT RECORDED  
191 MAY 16 1962

In the original of a memorandum captioned and dated as above, the Congressional Record for 5/3/62 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

67 MAY 16 1962 305

UNITED STATES GOV

Memorandum

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- DeLoach
- Evans \_\_\_\_\_
- Malone \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

TO : MR. MOHR

DATE: May 16, 1962

FROM : MR. J. F. MALONE

SUBJECT: [REDACTED]

b6 b7c

b6

b7c

On 5/15/62 at approximately 5:00 PM, [REDACTED] called and stated that he was in the office of Deputy Attorney General Nicholas deB. Katzenbach. He stated that he had been trying all afternoon unsuccessfully to see the Director. He was apprehensive lest some reason might exist that the Director did not want to see him. I asked him if he had been in touch with Miss Gandy. He stated that he had and Miss Gandy advised him the Director was out of the office. I told [REDACTED] that I had just returned after being away from the office all day, but I was sure that if Miss Gandy told him the Director was out of the office, that he actually was out of the office.

b6

b7c

[REDACTED] stated that he was going to stop around to my office when he finished talking with Mr. Katzenbach. When [REDACTED] arrived at the office I told him that I checked with Miss Gandy to see whether or not the Director had returned and was advised that he was still out of the office. I advised [REDACTED] that the Director is frequently called out of the office unexpectedly.

[REDACTED] stated that he understood Associate Justice Frankfurter of the Supreme Court had another stroke and it is very unlikely that he will ever return to his position as a member of the Supreme Court. [REDACTED] stated that he was in Washington to discuss any vacancy that might exist, should Frankfurter retire from the Bench, with Mr. Katzenbach and Joseph F. Dolan, Assistant Deputy Attorney General. [REDACTED] stated that he has at least a 50-50 chance of being appointed to any vacancy that might occur. He indicated that [REDACTED]

[REDACTED]

[REDACTED] went to the office of Mr. DeLoach and then I drove him to the airport to catch a 7:00 PM plane back to New York.

RECOMMENDATION:

None . . . . . informative.

62-27585-12 MAY 18 1962

MAY 21 1962

NOT RECORDED

JFM: [REDACTED] (3) 1962 1 - Mr. DeLoach

145 MAY 1962

UNITED STATES GOVERNMENT

# Memorandum

Tolson	_____
Belmont	_____
Mohr	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Egan	_____
Malone	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : Mr. A. Rosen

DATE: 6/14/62

FROM : G. H. Scatterday

SUBJECT: SUPREME COURT NAME CHECK REQUEST

On June 11, 1962, a name check request was received from [redacted] Marshal, United States Supreme Court, on Form 57 submitted indicated that this individual is applying for a position as "custodial, laborer." born - [redacted]

A check of Bufiles reveals no identifiable derogatory information concerning [redacted]

Memorandum from Mr. Nichols to Mr. Tolson dated 9/3/57 reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [redacted] be stamped, "No derogatory data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

- 1 - Mr. Rosen
- 1 - Name Check Section
- 1 - [redacted]

REC-38

EX-103

JUN 19 1962

57 JUN 26 1962

*original form 57 returned to [redacted] 6/19/62*  
*6-19-62*  
*File*

*Scatterday*

*b6, b7c*

*U.S. Supreme Court*

*Rosen*

*Q*

*JD*

*44-27576-184*

*b6 b7c*

TRUE COPY

b6  
b7c

June 27-1962

Long Beach  
L. I.

Mr. J. E. Hoover.

Dear Sir,

Writing in reference to prayer in school. So many people seem to think those Judges are not American in there way of thinking all Justices (?) one year (?) did not vote They have handed down some pretty funny decisions of late. Dont you think they should be checked? I think it about time the American people started to clean them out. Sen Mc. Carthy was right. Those bullheads did not believe him. Krus Chef made a statement he did not have to worry about America. Since when does 5 families speak for all America? The people are raving mad about it. Those Judges represent all America not 5 families Since when did any prayer hurt any child? Please investigate Thank You

Sincerely

/s/

b6, b7c

TRUE COPY OF ENCLOSURE

Long Beach  
L. I.

Communication was postmarked June 27, 1962, at Long Beach, New York.

EX-115

REC-31

JUL 3 1962

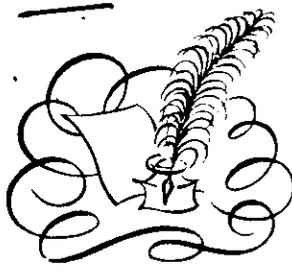
185  
S. J. [Signature]

1-1-62  
1-1-62

66.67c

June 27-1962

[Redacted]



Long Beach

Mr. J. Edgar Hoover

Dear Sir:

Writing in reference  
 to your report  
 to me by Joseph  
 [unclear] that  
 those judges all  
 not [unclear] in  
 their way of think-  
 ing at this time and  
 they do not [unclear]  
 they have decided  
 to give some pretty  
 funny [unclear]  
 later [unclear]  
 think they should

CORRESPONDENCE

AKK  
DLH/ak  
6-29-62

he  
LAW  
6-28-62

[REDACTED]

blat  
DTC

King Pin  
L. D.

1-7c  
L. D.  
8-62

June 29, 1962

EX-115

REC-31

62-27585-185 b61

[Redacted]

Long Beach, New York

b7c

Dear [Redacted]

Your letter of June 27, 1962, and enclosure have been received in Mr. Hoover's absence from Washington. I know he would want me to thank you for your interest in writing him, and please be assured your communication will be brought to his attention when he returns.

Sincerely yours,

Helen W. Gandy  
Secretary

*[Handwritten signatures and initials]*

MAILED 5  
JUN 29 1962  
COMM-FBI

NOTE: Neither correspondent nor her husband is identifiable in Bufiles. An in-absence reply is being forwarded in view of her remarks regarding the Supreme Court.

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Malone \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

[Redacted] b7c 166

RECEIVED DIRECTOR

55 JUL 11 1962

MAIL ROOM  TELETYPE UNIT

377

REC'D BY [Handwritten] FBI

FBI READING ROOM

SALES AND SERVICE  
SPECIALIZING IN REBUILDING GRAND PIANOS. EXPERIENCE IN THREE FACTORIES

DALLAS 5, TEXAS

July 16, 1962.

Mr. J. Edgar Hoover  
Federal Bureau Of Investigation  
Washington, D. C.

Dear Mr. Hoover:

I for one appreciate your efforts in law enforcement. It seems that every time you report, crime has increased. It is time the tide of crime should go the other way.

In my opinion, Court procedure and criminal laws should be reformed. To begin with the Supreme Court, some years ago an English statesman said our Supreme Court was an unnecessary luxury and should be abolished. He may have been right. I do not think the President should be allowed to appoint those Judges, as most of them are appointed for political reasons. The American Bar Association knows who among them are qualified. Let them select three for consideration, then a Senate Committee should investigate them and recommend one one for the appointment. The same procedure could be employed for all Federal Judges. The Supreme Court often renders a 5-4 decision, which is proof that about half of them do not understand the Constitution.

On the matter of State Courts, Lawyers have had too much to say in framing the criminal laws. It is too easy to get a new trial, reversal or appeal. Everytime this is done, one or more lawyers have their hands out. At the same time, it means more expense to the State. For instance consider the Chessman case in California.

I think all Courts should be equal. The State Bar could select a dozen qualified men among them to review Court procedure and it should not be generally known who they are, to avoid any attempt toward bribery. When a criminal is tried in State Court, a transcript of the proceedings should be made and a copy sent to three of these men for review, and if two of them say the criminal had a fair trial, no appeal should be granted.

Juries should not be able to name the penalty for a criminal, but only to say if he is guilty, perhaps sometimes with extenuating circumstances, then let the Judge say what the penalty should be.

Juries are sometimes too "chicken hearted" and do not like to apply the death penalty. Since the criminals are gaining on us, the death penalty should be applied ten times more than it is.

Pardon the length of this, I just wanted to have my say.

Very truly yours,

CORRESPONDENT

REC-62

62-27585-186

July 20, 1962

EX-116

[Redacted]

Dallas 5, Texas

Dear [Redacted]

b6  
b7c

REC'D-READING ROOM  
FBI

JUL 20 4 04 PM '62

Your letter dated July 16th has been received in Mr. Hoover's absence from Washington. Please be assured your communication will be brought to his attention upon his return.

Enclosed is material I hope you find of interest.

Sincerely yours,

Helen W. Gandy  
Secretary

MAILED 31  
JUL 20 1962  
COMM-FBI

- Enclosures (5)
- LEB Introductions:
- 8-1-59
- 6-1-60
- 6-1-61
- 4-1-62
- 5-1-62

NOTE: Neither correspondent nor his company is identifiable in Bufiles. An in-absence reply is being forwarded in view of his attack upon the Supreme Court and other Federal and state magistrates.

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Malone \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_

[Redacted] (3)

b6  
b7c

35

JUL 20 1962  
FBI

del

MURKIN

6/3/62

UNITED STATES GOVERNMENT

# Memorandum

TO : The Director

DATE:

FROM : N. P. Callahan

SUBJECT: The Congressional Record

**Memorandum to the Director  
Re: The Congressional Record**

SENATE - continued

**Adjournment: Until Thursday, August 16, 1962, at 10 a. m.**

APPENDIX

Pages A6238-A6239. Senator Thurmond, (D) South Carolina, extended his remarks to include two broadcasts over station WOKE, Charleston, South Carolina, by Mr. Harry C. Weaver, owner and general manager of this station. Mr. Weaver comments on U. S. payments to the United Nations, State Department foreign policy and the racial situation in Albany, Georgia. Mr. Weaver stated "How can we Americans expect good to prevail, as long as we permit our leaders to reward the evil doers? Internationally, as well as here at home, the forces of evil continue to win. The Director of the FBI, Mr. J. Edgar Hoover, in his August 'Bulletin to Law Enforcement Officials,' refers to the 'massive avalanche of crime sweeping our country.' And, we say, 'Why not'. The U. S. Supreme Court has made the job harder for the law and easier for the criminal in a series of decisions during the past 8 years that have rocked the FBI and the law right back on their heels. 62 - 27575 -

NOT RECORDED  
199 AUG 31 1962

In the original of a memorandum captioned and dated as above, the Congressional Record for \_\_\_\_\_ was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

57 SEP 11 1962 251

UNITED STATES GOVERNMENT

# Memorandum

*St  
esa*

TO : The Director

DATE: *September 24, 1962*

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 19129-19142. Congressman Williams, (D) Mississippi, spoke concerning judicial tyranny and recent decisions of the Supreme Court. Mr. Williams included a soliloquy on the U. S. Supreme Court written by Mr. Clarence G. Amonette of Berkeley, California. This material contained references to the FBI in connection with the Jencks case. Mr. Williams also included an article entitled "U. S. Supreme Court: American Counterpart of Soviet Politburo" written by Honorable Lucas D. Phillips, a member of the house of delegates of the Virginia General Assembly.

*162-27585-*  
NOT RECORDED  
176 OCT 8 1962

*197*

In the original of a memorandum captioned and dated as above, the Congressional Record for *September 21, 1962* was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

Original filed in:

UNITED STATES GOVERNMENT

# Memorandum

TO : The Director

FROM : N. P. Callahan

SUBJECT: The Congressional Record

DATE:

10/15/62

Pages 22071-22075. Senator Javits, (R) New York, spoke in defense of the Supreme Court as a result of an attack on the Court by Senator Eastland, (D) Mississippi, on May 2, 1962. Mr. Javits stated "After charging that the Supreme Court has 'infringed, invaded, and usurped the powers vested by the Constitution' in the executive and legislative branches of the Government, Senator Eastland presented charts that allegedly demonstrated that all members

of the Court have, for many years, been delivering pro-Communist votes that 'threaten fundamentally the basic security of our country from the onslaught of the Communist conspiracy from without and within.' Senator Javits included with his remarks a memorandum on the subject of "Senator Eastland's Attack on the U. S. Supreme Court--An Analysis and Response" prepared by Associate Professor Norman Dorsen of the New York University School of Law. Professor Dorsen, in referring to the case of Gold v. United States, which involved income tax fraud, pointed out that "One of the issues was whether Gold had been deprived of a fair trial because 'an FBI agent, investigating another case in which falsity of a non-Communist affidavit was also charged,' had asked 3 members of the jury whether they had received propaganda literature, and also because other members of the jury had heard of the FBI contacts."

WASH DC

Original filed in: 16-1731-

J

REC-30

ST-116

62-27567-187

NOT RECORDED  
191 OCT 23 1962

In the original of a memorandum captioned and dated as above, the Congressional Record for 10/15/62 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

TO : Mr. A. Rosen

DATE: January 2, 1963

FROM : Mr. G. H. Scatterday *CHS*

SUBJECT: **[REDACTED]**  
SUPREME COURT NAME CHECK REQUEST

*b6, b7c ✓*

On December 28, 1962, a name check request was received from **[REDACTED]**, Marshal, U. S. Supreme Court, on **[REDACTED]** born **[REDACTED]**. The Form 57 submitted indicates that this individual is applying for a position as "Police Private (Supreme Court)."

A check of Bureau files reveals no identifiable derogatory information concerning **[REDACTED]**

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on **[REDACTED]** be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

- 1 - Mr. Rosen
- 1 - Name Check
- 1 - **[REDACTED]**

*b6  
b7c*

**[REDACTED]**  
(4)

*JRM*  
162-27585-  
NOT RECORDED  
176 JAN 8 1963

~~JAN 8 1963~~

*162-27585-9100*  
*Spec 57 returned 1/4/62 6-Kurk*

*JRM*  
JAN 8 1963

ORIGINAL FILED IN 62-5-14190

b6  
b7c

TRUE COPY

[REDACTED]  
Santa Barbara, California

January 27, 1963

J. Edgar Hoover  
U S. Department of Justice  
Federal Bureau of Investigation  
Washington, D. C.

Dear Mr. Hoover,

How we wish that all men in charge of our government would avoid political favoritism. How we hope that the Supreme Court will soon stop usurping the powers of the State.

We appreciate your love for our Constitution, and for true American liberty.

May God bless you always. We feel so happy to quote your words in the Family Weekly of Jan. 27, 1963, of Santa Barbara." I feel today, as on May 10, 1924, the challenge to be a servant of my fellowman and my God.

Let us hope that Christianity may triumph all over our United States.

Your sincere friends,

b6  
b7c

[REDACTED]

ack  
2/15/63  
1 to  
2/4/63  
[REDACTED]  
b6, b7c

62-27585-11

FEB 6 1963

EX-116

REC-28

4-6-63 (handwritten)

[REDACTED]  
Santa Barbara, California

b6, b7c

January 27, 1963

Mr. J. Edgar Hoover  
U.S. Department of Justice  
Federal Bureau of Investigation  
Washington, D.C.

Dear Mr. Hoover,

How we wish that all men in charge of our government would avoid political favoritism. How we hope that the Supreme Court will soon stop usurping the powers of the State.

We appreciate your love for our Constitution, and for true American liberty.

May God bless you always. We feel so happy to quote your words in the Family Weekly of Jan. 27, 1963, of Santa Barbara. "I feel today, as on May 10, 1924, the challenge to be a servant to my fellowman and my God."

Let us hope that Christianity may triumph all over our United States.

Your sincere friends,  
[REDACTED]

b6, b7c

1  
CORRESPONDENCE

February 5, 1963

62-27585-188  
REC-28  
EX 116  
9/17/62

REC'D-READING ROOM  
FBI

[REDACTED]  
Santa Barbara, California

b6,  
b7c

Dear Mrs. Turner:

I have received the letter from you and [REDACTED] dated January 27th, and I want to thank you for writing as you did. Your kind comments concerning my administration of the FBI's activities are indeed a source of much encouragement to me.

Sincerely yours,  
J. Edgar Hoover

NOTE: [REDACTED] has sent two similar letters to the Director both during August, 1962. Both letters were cordially acknowledged and she has been sent reprint material on communism. (94-5-50421 and 62-26225-8-1466).

pure

LEB  
K 8 50 15-23  
[REDACTED]  
b6, b7c

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

REC'D WW

MAILED 5  
FEB 5 - 1963  
COMM-FBI

54 FEB 11 1963

adm

FEB 2 3 03 5 PM '63

REC'D 10 03 5 PM '63

Handwritten signature/initials

SAW

MAIL ROOM  TELETYPE UNIT

UNITED STATES GOVERNMENT

# Memorandum

Tolson	_____
Belmont	_____
Mohr	_____
Casper	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : Mr. Gale *JW*

DATE: March 4, 1963

FROM : H. L. Edwards *JW*

SUBJECT: THE SUPREME COURT ADVISORY COMMITTEE  
ON CRIMINAL RULES - PROPOSED AMENDMENTS  
TO THE FEDERAL RULES OF CRIMINAL PROCEDURE

CRIMINAL LAW SECTION  
AMERICAN BAR ASSOCIATION

Chairman of the Criminal Law Section, Evelle J. Younger, by letter dated February 20, 1963, a copy of which went to all officers and members of the Criminal Law Section Council, has appointed a 7-man committee to form a liaison with the U. S. Supreme Court Advisory Committee on Criminal Rules. This committee will study preliminary draft of proposed amendments to the Federal rules on criminal procedure and report on them at the next council meeting in Chicago which will be held during the annual American Bar Association meeting, August, 1963. The committee consists of Charles A. Bellows, Chairman; General Charles L. Decker, Judge Advocate General of the Army; General Kenneth J. Hodson of General Decker's Staff; Arthur Freund of St. Louis; Judge Laurance M. Hyde, Jefferson City, Missouri; Rufus King of Washington, D. C.; and Edward Silver, District Attorney of Brooklyn, New York.

These proposed amendments were the subject of a memorandum from the Training Division dated 2/28/63 and are being studied by the Legal Research Desk of that Division which will alert me to any of the proposed amendments in which the Bureau has an interest so that I will be able to follow these matters closely with the liaison committee set up by Chairman Younger.

ACTION:

Information.

- 1 - Training Division (Attention: *[redacted]*)
- 1 - Mr. DeLoach

HLE:ejw  
(4)

*[Signature]*  
MAR 7 1963

1-2-27585  
NOT RECORDED  
199 MAR 7 1963

MAR 5 1963

TWC  
*[Handwritten signature]*

62 MAR 14 1963 *43*

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. A. Rosen

DATE: March 20, 1963

FROM : Mr. G. H. Scatterday

SUBJECT: SUPREME COURT NAME CHECK REQUEST

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Malone \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

*Scatterday*

On March 14, 1963, a name check request was received from [redacted] Marshal, U. S. Supreme Court, on [redacted] born [redacted]. The Form 57 submitted indicates that this individual is applying for a position as "Secretary-Receptionist."

A check of Bureau files reveals no identifiable derogatory information concerning [redacted].

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [redacted] be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

- 1 - Mr. Rosen
- 1 - Name Check
- 1 - [redacted]

*Form stamped & returned to Supreme Court*  
*EX-112*  
*REC-35*  
*27505-189*  
 11 MAR 22 1963  
 NAME CHECK

56 MAR 28 1963

62-27585-190  
**CHANGED TO**  
62-113873-X

JAN 11 1971

mt / RP

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. W. C. Sullivan

DATE: April 19, 1963

FROM : Mr. F. J. Baumgardner

- Mr. Belmont

- Mr. Sullivan

- Mr. [unclear]

**CONFIDENTIAL**

INTERNAL SECURITY - Classified by [unclear] Declassify on: [unclear]

[REDACTED]

[REDACTED]

**ACTION:**

For information. In view of the sensitive nature of the source and the nature of the discussion, no dissemination is contemplated.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE [unclear] BY [unclear]

NOT RECORDED  
190 APR 26 1963  
e APR 25 1963

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE

106  
54 MAY 2 1963

XEROX  
APR 23 1963

~~CONFIDENTIAL~~

ORIGINAL FILED IN

J

b1

b1

b7c

b7c

107

b7c

TRUE COPY

Toledo Oregon  
[Redacted]

June 2, 1963

*ble, ok*

*10-1*

Mr. J. Edgar Hoover

Dear Sir.

I have Never Written you Before. I am an average Working Man living in a Small town in Western Oregon.

I have wrote many letters to the Representative and Senator from my State in Regards to the freedom given the Communist By the U.S. Supreme Court. I also had the F.B.I. from the Portland Office visit My home, after I Wrote them a letter about Gus Hall Speaking at Our College at Monmouth Oregon.

*L*

I was told By the F.B.I. official there was Nothing they could do as long as the Laws of Our Country are like they are to day.

I am wondering if there is any way to Curb the Supreme Court.

I am a member of a Protestant Church, Nazarene. I have never Been a member of any group other than my Church.

I think it High time Some one could Stop some of the Supreme Court doings.

It seems so many of Our Nation do not Believe in Sound Doctrine any more. Which the Bible is the foundation for all Sound doctrine.

Sincerely,

REC- 51

*62-275-857*

*ble, ok* [Redacted]

JUN 10 1963

*8-51*

*Handwritten notes at bottom left*

Toledo Oregon

66  
6-1

June 2, 1963

Mr. J. Edgar Hoover

Dear Sir,

I have never written you before.

I am an average working man living in a small town in Western Oregon.

I have wrote many letters to the Representative and Senator from my State in regards to the freedom given the Communist by the U.S. Supreme Court.

I also had the F.B.I. from the Portland office visit my home, after I wrote them a letter about Gus Hall speaking at our college at Seaside Oregon.

I was told by the F.B.I. official there was nothing they could do as long as the laws of our country are like they are to day.

I am wondering if there is any way to curb the Supreme Court.

I am a member of a Protestant Church, Nazarene. I have never been a member of any group other than my Church.

I think it high time some one could stop some of the Supreme Court doings.

It seems so many of our Nation do not believe in sound doctrine any more. Which the Bible is the foundation for all sound doctrine.

Sincerely,

[Redacted Signature]

RECEIVED

EX-116

REC-51

62-27585-191

June 7, 1963

4

[Redacted]

b6  
b7c

Toledo, Oregon

Dear [Redacted]

Your letter of June 2nd was received in Mr. Hoover's absence from the city. I know he would want me to thank you for giving him the benefit of your observations relative to the menace communists pose to our freedoms.

Enclosed is some literature you may find to be of interest.

Sincerely yours,

Helen W. Gandy  
Secretary

JUN 7 10 27 AM '63  
REC'D-READING ROOM  
FBI

MAILED 8  
JUN - 7 1963  
COMM-FBI

Enclosures (4)  
Time of Testing  
Deadly Duel  
An American's Challenge 10-9-62  
The Current Communist Threat  
1 - Portland - Enclosure

Red

ATTENTION SAC: Bufiles contain no record identifiable with correspondent  
NOTE: It is noted correspondent has written to the Portland Office relative to Gus Hall's speaking at Monmouth, Oregon.

- Teleon \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Rm. \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

JUN 18 1963

REC'D MAIL ROOM  
EBI  
JUN 11 33 AM '63

MAIL ROOM  TELETYPE UNIT

*[Handwritten signature]*

*[Handwritten initials]*

*[Handwritten initials]*

*[Handwritten initials]*

UNITED STATES GOVERNMENT

Memorandum

AA  
31

TO : The Director

DATE: 7/16/63

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Supreme Court

Page 11861. Senator Ervin, (D) North Carolina, submitted an editorial from the Charlotte (North Carolina) Observer of July 8, 1963, entitled "Attorney General Unwisely Predicts Action of Court." Mr. Ervin pointed out that the writer of this editorial "asserts with accuracy that the Attorney General's prediction that the Supreme Court, as now constituted, would overrule the civil rights cases of 1853, lends support to those persons who have been asserting for 9 years that the nine men in black have junked legal precedent in favor of sociological amendments to the Constitution."

Original filed in: 16-1731-

162-27585-  
NOT RECORDED  
128 JUL 23 1963

In the original of a memorandum captioned and dated as above, the Congressional Record for 7/15/63 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

Cullman, Alabama  
October 2, 1963

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

The Honorable John Edgar Hoover, Director  
Federal Bureau of Investigation  
Washington, D. C.

Sir:

I appeal to you in behalf of the welfare of our Country! Someone forget political strings and stand up courageously and do what is really best for this Country. From your past record of concern for our youth and of forty years of service to our America, I believe your courage is without equal and that you could lead us out of this morass of rotten politics and help us to respect our leaders again.

My husband and I voted for Mr. Kennedy, but apparently our confidence was misplaced. We feel that it would do no good to appeal to a man who allows Dr. Martin Luther King, Jr. ( whose soft-spoken ways reek of hypocrisy and Mr. Kruschev's tactics) and other Negro leaders such as Rustin ( with a criminal record and Communistic intents) to disrupt all law and order in this Country, but accuses a patriotic and fearless American, our Governor of Alabama, the Honorable George Wallace, of bringing death and chaos to our State because he rebels against a law that we feel to be against the best interests of both races involved.

I am an average American citizen, white, female, forty-eight years of age and the mother of one thirteen year old son. I care enough about the youth of today, both white and Negro, to want we adults to rectify a mistake that we allowed to take place by our apathy. If we adults are in a state of confusion because we can't respect the "Law of our Land" anymore because it is obviously being misused, what kind of a future are we offering our children? Neither white nor black children can feel safe in their schools or churches, anymore, just because we have allowed our Supreme Court to reverse a decision that we knew was not to the good of our Country.

Don't you think it a remarkable fact, Mr. Hoover, that the two subjects which have always disturbed Americans nationwide, and caused the most dissension among us, namely, our civil liberties and religious freedom, have been publicized and had reverse decisions rendered on them by the Supreme Court in recent years? Even though both decisions can be rationalized, there are millions of thinking Americans who are aware that this is exactly the manner in which Communists spread their insidious disease. Doesn't it appear to you that they have achieved their goal by creating more turmoil within our Country than there has been since the Civil War?

OCT 9 1 00 PM '63 OCT 11 1 00 PM '63 REC-53

62-27585-192

OCT 9 1963

NWU  
9:45 AM  
10/9/63  
E B I  
10/17/63

EX-116

8-27-63  
98

Please, Mr. Hoover, HELP!! Since the undercurrent feeling throughout this land prevails that subversive elements have influenced our Supreme Court and that the "bulldozing" methods being employed by our leaders to force our acceptance of their questionable decisions only create resentment and disharmony, something constructive must be done to restore our faith in our leaders! Don't you think that if the American people be shown that the integrity of our nine Supreme Court Justices is beyond reproach that we could more willingly accept laws on which we cannot vote? What better way than by Television? After all, the lives of our Presidents, the members of their Cabinets, our Senators and Congressmen and other public officials are open books to us. Why should the nine men whose decisions have torn this Country asunder remain shrouded in mystery? Why should they remain aloof and be treated with more respect than our Presidents? After all, they are only human beings, not gods. We Americans are not of the stock to blindly follow our leaders, and I, for one, have ceased to be a "hero worshipper". When world famous and respected ministers of the Gospel allude to our Supreme Court disparagingly, isn't it time to know these nine men better? If our Justices possess the fine characters which should be synonymous with men in such trusted positions, they should want to do their Country a great service by being thoroughly investigated by your Department and by letting all the facts and themselves be publicized on Television.

I appeal to you not because I wish to discredit anyone, but because we Americans who have always loved our Country and trusted our leaders are tired of having our feelings discredited. Genuine respect has to be a two-way affair.

Television is getting ready for another "Political Show" in the '64 elections, and we will be barraged with facts and rumors about the two candidates chosen, but if the man who is elected has to run this Country according to the edicts of the Supreme Court, what difference does it make whether we even vote, or not? It seems to me, and I'm sure, to millions of other Americans concerned about the plight of our Country, that our Supreme Court should be chosen by the people instead of being appointed, but since this change hasn't been made, please use your influence to help us know our Supreme Court Justices so that this Nation can again know where it is being lead.

Respectfully submitted,



BOEN APPROX 1915

b6i  
b7c

  
Cullman, Alabama

October 8, 1963

REC-53

62-27585-192

b4  
b7c

APPROX 1915

EX-116

[Redacted]

Cullman, Alabama

Dear [Redacted]

REC'D-READING ROOM  
FBI  
OCT 8 1 49 PM '63

Mr. Hoover received your letter of October 2nd and asked me to thank you for your kind remarks about his administration of the FBI and for your bringing your views to his attention.

He also requested me to explain that the activities of this Bureau are controlled by Presidential directives and legislative enactments. The procedure you suggest does not fall within the purview of this Bureau under existing regulations. Therefore, Mr. Hoover trusts you will understand why he is not in a position to be of help in this regard.

Sincerely yours,

Helen W. Gandy  
Secretary

MAILED 5  
OCT 8 - 1963  
COMM-FBI

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

1 - Birmingham - Enclosure  
REC'D HWIT ROOM  
SEE NOTE ON NEXT PAGE

[Redacted]  
MAIL ROOM  TELETYPE UNIT

help

✓

5 11 64

b7c

pub.  
sem/gum

1

b6  
b7c



**NOTE: Correspondent is not identifiable in Bufiles. She appeals to the Director for help in straightening out this country which is now being "ruled" by the decisions of the Supreme Court rather than by duly elected officials. She wants the FBI to investigate the members of the Supreme Court and make the data available to the public.**

UNITED STATES GOVERNMENT

# Memorandum

Tolson	_____
Belmont	_____
Mohr	_____
Casper	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : Mr. A. Rosen *ARM*

DATE: March 17, 1964

FROM : Mr. G. H. Scatterday *GHS*

SUBJECT: [REDACTED]

NAME CHECK REQUESTS FROM SUPREME COURT

On March 13, 1964, name check requests were received from [REDACTED] Marshal, U. S. Supreme Court, on [REDACTED] born [REDACTED], and [REDACTED] born [REDACTED]. The Form 57 submitted indicates that [REDACTED] is applying for "labor work." No position is shown for [REDACTED].

A check of Bureau files reveals no identifiable derogatory information concerning [REDACTED] or [REDACTED].

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Forms 57 on [REDACTED] and [REDACTED] be stamped "no derogatory data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

*b6, b7C*

*b6, b7C*

*TO: MR. TOLSON  
FROM: MR. SCATTERDAY  
DATE: 3/17/64  
SUBJECT: NAME CHECK REQUESTS FROM SUPREME COURT*

REC-6

*ARM*

*GRC*

*W*

MAR 20 1964

EX-103

2519F

TRUE COPY

Dear Mr. Hoover:

Can you possibly clear up a few things regarding the U. S. Supreme Court:

1. They are against prayer and Bible reading in schools-
2. It seems their fight Against pornography is very poor, if they allowed the legality of such a filth as "Tropic of Cancer"
3. And now I read where they decided the members of the Communists party is not obliged to register —

I don't quite understand their actions — If 1 + 1 still adds up to 2 It looks as tho our supreme Court Consists of Communists —  
Is this true??

Would you please write and let me know— I am quite concerned as are a few other of my friends.

If there is someone else we can write to — please inform me

Thanks so much

/s/

[Redacted]  
Hawthorne, Calif.

b6  
b7c

Copy sent to Supreme Court

1TC 6-12-64

ack 6-16-64

[Redacted]

b6, b7c

EX-114

POSTMARKED 6/9/64  
envelope destroyed.  
JH. JV

REC-121

62-21585-194

JUN 17 1964

— 6/21

Dear Mr. Hoover,

Can you possibly clear up a few things regarding the U. S. Supreme Court:

1. They are against prayer and Bible reading in schools.  
2. It seems their fight against pornography is very poor, if they allowed the legality of such a filth as "Thropic of Cancer" -

3. And now I read where they decided the members of the Communist party is not obliged to register -

I don't quite understand their actions - If

1 + 1 still adds up to 2 (over) H16

ack 6/27/56  
9# de

CORRESPONDENCE

It looks as tho our  
Supreme Court consists  
of Communists - Is  
this true??

Would you please write  
and let me know -  
I am quite concerned  
as are a few other of  
my friends.

If there is someone  
else we can write to -  
Please inform me

Thanks so  
much

[Redacted]

[Redacted]

Sawthorne,  
Calif.

Copy  
sent to  
Supreme Court

JUN 12 10 21 AM '64

b6 / b7c

ack 6-16-64  
9# del

REC-121

62-27585-194

June 16, 1964

EX-114

JUN 16 3 23 PM '64  
REC'D-READING ROOM  
FBI

[Redacted]

b6,  
b7c

Hawthorne, California

Dear [Redacted]

Your letter of June 9th has been received and Mr. Hoover asked me to tell you that, as a matter of policy, he has not answered inquiries requesting his opinion of other governmental organizations. He trusts you will understand his position.

Sincerely yours,

MAILED 4  
JUN 16 1964  
COMM-FBI

✓ Helen W. Gandy  
Secretary

NOTE: Correspondent cannot be identified in Bufiles.

[Redacted] (3)  
b6, b7c

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_

767  
61 JUN 24 1964

RECEIVED DIRECTOR  
JUN 18 3 31 PM '64  
EHE  
[Handwritten signatures]

[Handwritten initials and marks]

[Redacted]

Redondo Beach, Calif. 90278  
July 2, 1964.

b6, b7c

Hon. J. Edgar Hoover  
Federal Bureau of Investigation  
Washington, D. C.

Dear Mr. Hoover:

Is it appropriate or possible for you to supply us with copies of the Decisions of the Supreme Court during the last few years, bearing, primarily on their decisions favorable to Atheism, Communism and those restricting the activities of our law enforcement officers. Including also integration and the reapportionment of the Representatives and Senators from the various states.

We are endeavoring to compile a record, which we believe are, in some cases, illegal and not in conformity with the Constitution. In other words, making laws, not interpreting those already enacted by Congress or authorized by the Constitution.

If unable to supply, can you advise us where and how to obtain.

Thanking you in advance for your consideration,

Respectfully and fraternally,

b6, b7c

[Redacted signature]

Σ

REC-113

62-27585-195

JUL 10 1964

CORRESPONDENCE

Handwritten notes and signatures at the bottom left of the page.

RA

July 9, 1964

62-27585-195

REC'D-READING ROOM  
FBI  
JUL 9 10 42 AM '64

[Redacted]

Redondo Beach, California 90278

b6,  
b7c

Dear [Redacted]

Your letter of July 2nd has been received.

Although I would like to be of assistance, the FBI does not have material of the type you requested available for distribution. For decisions of the Supreme Court, it is suggested you write to the Superintendent of Documents, Government Printing Office, Washington, D. C. 20402.

Enclosed is some literature I hope you will find of interest.

MAILED 8  
JUL 9 - 1964  
COMM-FBI

Sincerely yours,

J. Edgar Hoover

*John S. ...*

- Enclosures (4)
- Faith in Freedom
- Keys to Freedom
- Counterintelligence Activities
- What Young People Should Know About Communism

*led*

NOTE: Bufiles contain no record identifiable with correspondent. ~~It has been determined that the Government Printing Office has copies of the Supreme Court decisions available for distribution; however, in view of correspondent's statements in paragraph two, a copy of his letter is not being referred to GPO.~~

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

[Redacted]

(3) b6  
b7c

RECEIVED DIRECTOR  
*Key ...*

*sent/guar*  
*eff*

64 JUL 21 1964 TELETYPE UNIT

UNITED STATES GOVERNMENT

# Memorandum

Tolson	_____
Belmont	_____
Mohr	_____
Casper	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Malone	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : Mr. Conrad *JWC*

DATE: 7/27/64

FROM : [REDACTED]

*b6  
b7c*

*wet* [Handwritten initials]

SUBJECT: Protest Letters to  
United States Supreme Court

1 - Mr. Conrad  
1 - [REDACTED]  
1 - [REDACTED]

Re memorandum 7/15/64 from D. J. Brennan, Jr.,  
to Mr. Sullivan.

*Supreme Court*

Rambling, incoherent anonymous letters mentioned  
in referenced memorandum were furnished to the Laboratory  
for search in the Anonymous Letter File. The search was  
made with negative results. Copies were not added to this  
file. No watermarks, indented writing or other indication  
as to the sources of the letters was found.

The letters are attached. No photographs were  
made in the Laboratory.

RECOMMENDATION: That this memorandum and enclosures be  
forwarded to the Correspondence and Tours  
Section and Liaison Unit for their  
information.

*Sullivan  
Brennan*

Enclosures

- 1 - Mr. Belmont
- 1 - Mr. Sullivan [REDACTED]
- 1 - Mr. DeLoach [REDACTED]
- 1 - Mr. Rosen [REDACTED]

**2 ENCLOSURE**

**ENCLOSURE ATTACHED**

**EX-112**

**REC-60**

*62-27585-196*

**AUG 5 1964**

b6  
b7c

The United States  
Supreme Court  
Washington, D.C.  
RECEIVED  
SUPREME COURT, U.S.  
CLERK'S OFFICE

[REDACTED]

Chattanooga, Tenn  
June 23, 1964

1964 JUN 25 AM 10:48

Dear Judge:

You are hereby notified  
that I will never cut the Negro's  
hair or anyone else's hair & decide  
not to cut.

I thank God that Russia  
has the atomic bomb and the  
Triune God has given even the  
atheist courage and ability to  
defend themselves against men like  
you fellows and the majority of  
liberals in the United States Senate  
furthermore; when the final day  
come when I have to take side with  
either group God and I both will  
be on the side of Russia. If I have  
to give my labor and business over  
to some force God will be more  
pleas for me to yield to the atheist  
rather than the legalistic false god you  
men seem to serve. Since you  
men have been changeable and  
trying to make all men brothers

We have 18 percent increase  
in Crime.

I think we have the  
meanest men and the heartless  
and dumbest men in the Senate  
and the poorest judges on the  
bench in the history of the world  
at present: these men or more  
vile and ignorant & more full of  
treachery than Hitler with his mob of  
murders. Yes, 18 percent increase  
in Crime and hundreds of white  
women raped by negroes like the  
one here recently - "a pregnant white  
woman raped at home, then dragged  
out forced to the woods, raped again  
and murdered by a Negro." Hundreds of  
such cases around the country and  
you men are so blinded by your own  
sins and religious prejudice you care  
not for even facts... Like our  
departed J. F. K. who said "there is no  
use listening to folks who disagree with him

I have never killed anyone, not  
even during 6 years of military service <sup>(w)</sup>  
and I make no such plans - but no tears  
will be shed by me in the absence of some  
of you from Washington however your final  
day comes. May your false God  
be kind to you... for I sincerely

believe you men are guided from  
the pits of Hell of self. yes,  
anything to forget the Bible, Jesus  
Christ and the Holy Spirit - yes,  
anything. gambling is ok,  
drinking ok - Volands are not  
investigating much. Sin of all  
kinds everywhere is ok. out  
a little barely cannot operate  
in private property. How  
fornaturally will a false god  
that his belief sedates and  
outgo.

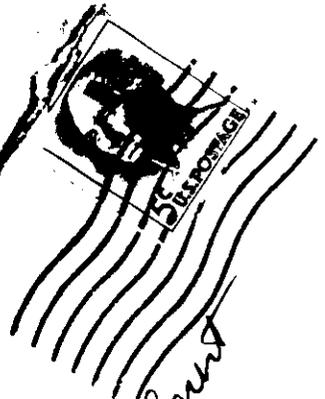
The end is not yet. The  
Triune God will be the final  
judge and like old soldiers the  
actually die instead of take away so  
will you men as well as she.  
The Church has not missed J. F. K.  
with all the publicity he are going  
right along fine. Of course a few  
felts committed suicide but false gods  
always cause that.

Go ahead dance with the  
negros, be raped by them - let your  
wives and daughters suffer. or perhaps  
you can afford the private clubs - the  
private schools. Most of Americans  
are not like Mr. J. F. K. - Most of us

as not. like Sylvia Johnson we have  
not got protection paid by our own  
T+ payers money. All we seem to  
get is just the opposite of protection.  
The Court says - let them in,  
let them rampage, let them eat  
and run off our customers, let them  
close our beaches at other  
places... while our Senators enjoy  
the private Clubs and places with  
a big salary. I say the Senators  
are a big bunch of degraded  
Hypocrites to say do as I say,  
not as I do.

So do or you please  
and answer to Almighty God.  
bc b7c [REDACTED]

If you men get respect  
you have to deserve it and  
earn it. Callings us brothers  
and expect us to be puppets is a  
big joke. The Educated, the rich and  
ignorant and poor only get a few feet  
of ground and the final jalse of  
death. (Never forget that) you might  
lose property unless a little better if you  
realise over the air gun breath belongs to Almighty God.



The United States Supreme Court  
Washington 25, D.C.

July

Supreme Court

RECEIVED  
SUPREME COURT, U.S.  
CLERK'S OFFICE

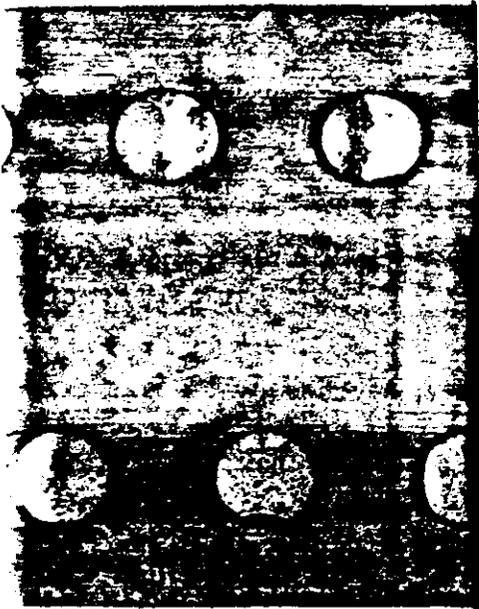
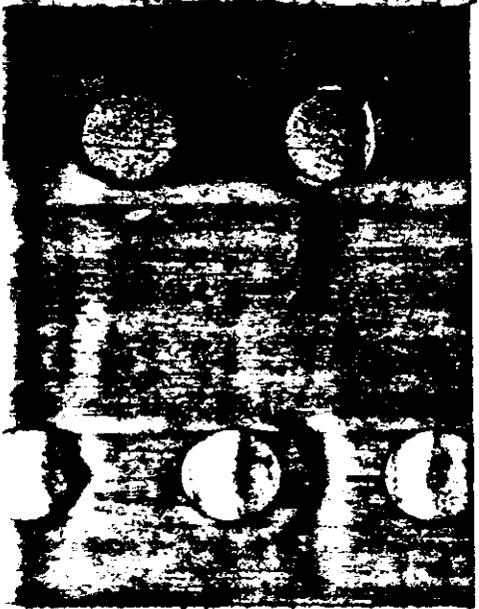
We will show you whether

we will have niggers in  
our white apartments or  
not. We have permission  
from our police chief to  
shoot shoot niggers and  
more.

We have more and more  
ammunition than we can  
ever use and baseball bats.  
No damn infidel niggers  
longer are going to tell us  
what we are going to do.

You don't own this nation!  
This is OUR nation!  
You will find out that there  
is a God in Heaven. When  
you find yourselves burning  
in Hell.

Kennedy started this.  
Look what God did to him.  
You can be a thug if you  
want to, but you are not  
going to tell us what we  
are going to do.  
You are going to burn  
in Hell.





*Supreme Court  
Washington, D.C.*

High Court Block  
Red Register

How could the bunch  
of Traitor Communist  
Atheists spit out  
any diffent. You wouldnt  
expect them to vote against  
themselves would you.

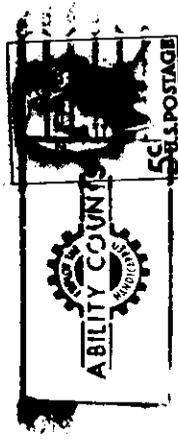
RECEIVED  
SUPREME COURT, U.S.  
MARSHALS OFFICE  
1964 JUN 22 PM 5:17

They say the death of our  
Atheist & Communist is the  
most terrible sight to behold  
when they go floating down  
to Hell & see all the  
horrible things they have done  
& I pray God we help.

Earl Warren soon burn  
I suppose the devil  
has lots of work for  
him to do yet before  
he burns. I'm sure  
Warren long time ago  
committed the unpardonable  
sin.

Happy burning  
by traitors & to  
all your good friends  
to grandchild  
let's burn them

PS. MADE IN U.S.A.



The Supreme Court Justices  
U.S. Supreme Court  
Washington D.C. 20541

66, 67

RECEIVED  
SUPREME COURT, U.S. 305  
OFFICE

[REDACTED]

1964 JUL 7 AM 9:56

Los Angeles, Calif.  
May 10, 1968

United States Supreme Court Personnel Division  
re: Federal Bureau of Investigation

Please investigate a "Phyllis Schan" racket now threatened by Jews here. The Federal Government is involved in a trust of the Peabody Apartments set up by President George Washington and the Jew doctor Paul Cohen and his impersonation of Justice Felix Frankfurter as well as his disease racket run in state staffed hospitals that is blamed by Jews on Justice Frankfurter. Cohen tried to force me under drug to write a letter to a John Edgar Hoover appointing a Mr. Hoover a "Judge in Melilah's court and sign the letter Rusia. What is the J. Edgar Hoover collection? Is there a Jew "Hoover" too. Melilah for both a "Hoover" and "Mr. Allen Melilah worked on me also for US Intelligence

2  
codes. I do not know a damn thing  
about United States codes other than  
I consider the whole damned  
hospital commitment fraud an  
insult to many wonderful people  
who are not interested in subversive  
activity.

A Mr. Mee and Mr. Wiggins play the  
role of "federal doctors" with doubles  
who are U.S. Navy and U.S. Army  
Intelligence agents and a Mr. Talbot  
has several doubles at Camarillo  
one of whom is running some sort  
of free love game and such behavior  
is an insult to Naval personnel.

Please investigate as a double  
for Hugo Black, Justice played  
the role of a Mr. Burkard and  
all. I can say in his mysterious  
license should be yanked off  
him as the birds up there say.

I sense a Supreme court racket  
involving drugs donated by big  
drug firms being stolen and sold  
by state employees and <sup>TRANSPORTS</sup> <sup>WILSON</sup> <sup>WIC</sup> <sup>WIC</sup> <sup>WIC</sup> <sup>WIC</sup> <sup>WIC</sup> <sup>WIC</sup> <sup>WIC</sup> <sup>WIC</sup>  
covertly plumbed and top grade  
liquor donated being filched by

3  
Hospital Director and sold in little commission  
and clothes donated by manufacturers  
sold in employee owned stores and  
at sales.

I was held up in Camarillo for  
months and unable to write anyone  
and I sent a letter out to you  
finally. The demands to will  
Camarillo Hospital money by Justice  
Frank Foster's double and his  
prison record for a Kuna murder  
years ago after a kidnap-murder  
epic and his jail or prison record  
with insurance fraud should be of  
interest to Justice Frankfurter.

I am not Jewish or Hebrew and  
I am not interested in religion.  
I am not interested in money  
and the Masonic attempt to  
force Masonic relations on me  
by a New Jerusalem (or Jerusalem)  
Lodge in New Jersey via Frankfurter  
double are an insult. Between  
religious pressure and Mason  
pressure to sign "powers of attorney"  
and "estate managers" and vote

4  
by proxy" and "bequeath" and various  
adoption papers and marriage  
papers I am becoming rather disjunct  
with the U.S. philosophy of life.

Find out what ails all of the  
ugly mugs pictured as a "J. Edgar Hoover".  
I certainly would not of my own  
volition appoint a judge for any  
court in this country.

Blunck and Ormswell both put  
on letter writing shows with a  
"think" and "feels" performance that  
is an insult to scientific murder  
and the cold war. Shows Justice  
Frankfurter know of the two  
dumself and also of a "Peadilly"  
Department Trust set up by President  
George Washington with most of  
the old dummies of U.S. Supreme Court  
passing judge examinations by adding  
legal legal set ups with the trust  
and.

The old "Mary Wards" in "Church"  
is running a "Mrs. Shapiro racket  
with all of it now with a m...

5  
in Chicago, Illinois involved. She all run  
Pay or be executed game blamed on  
police usually is involved too. I  
sense relatives shocked in nature  
forced to sign the "Church" or "Word"  
Trust for "Maxine Apartments".

I also sense all names of tenants  
here are involved with trusts and  
also of the Joseph Scott son,  
the replacement for Judge Sherman  
who followed me around Pasadena  
for years. I sense the Justice  
Sherman replacement was the  
real Monsieur Scott and the  
repulsive Scott set up trust racket  
here to frame various Justices  
of United States Supreme Court.  
The ambition to use the name  
of "Mary Sherman" has this crowd  
drunk with power.

Please arrange to have United States  
Government agent talk with me  
as soon as possible. And not  
in any hospital

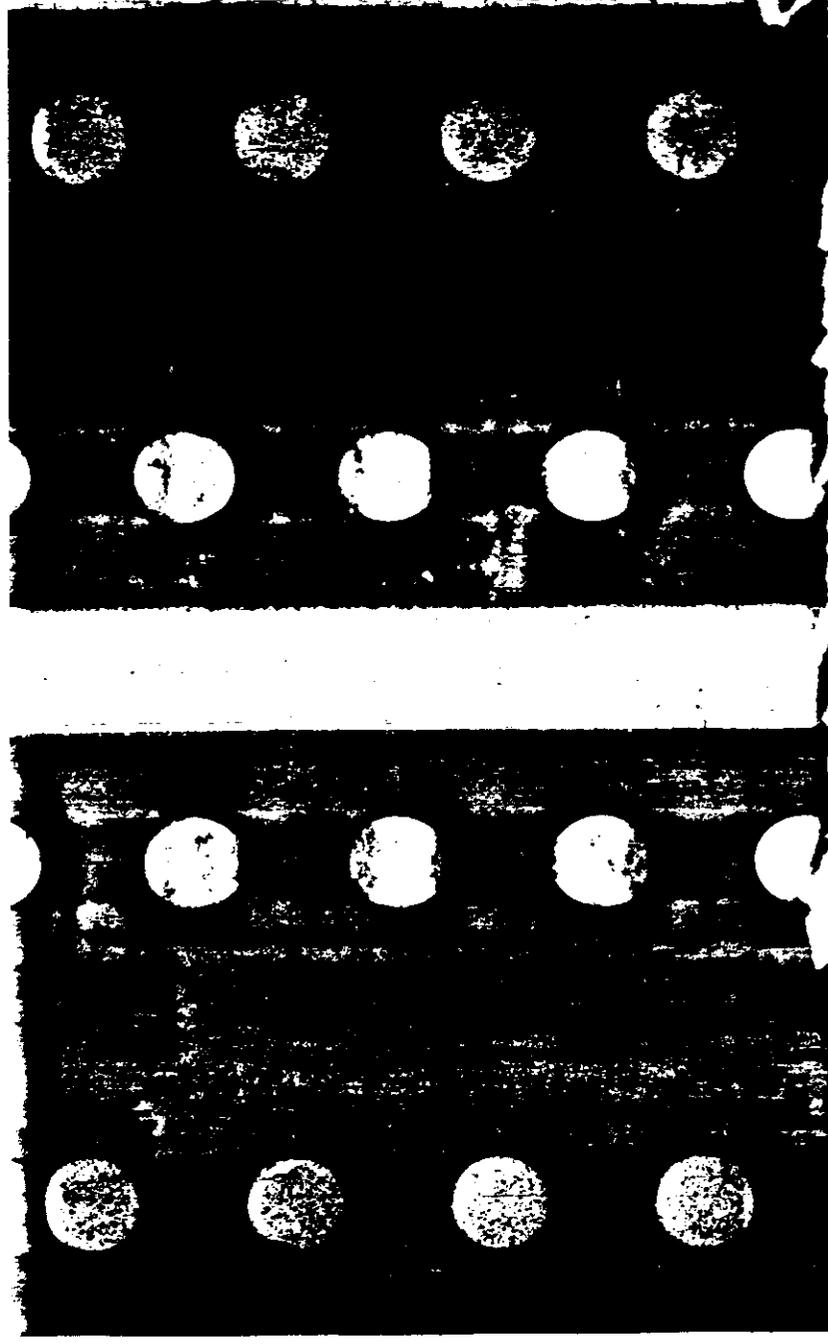
I absolutely refuse to be involved  
with the Scott-Sherman racket and  
the insurance fund racket.

4  
sense that was to be blamed on both  
Justices Hugo Black and Felix Frankfurter  
are simply an infamy.

Investigate as soon as possible and  
please use extreme caution in any  
reply as the "Wolf is chasing Red  
Hiding Nasty" with the chorus and  
litany and penance of thought  
priests give in confession as  
penance.

b7c b7d

[REDACTED]  
[REDACTED]  
[REDACTED]  
Los Angeles, California  
May 9, 1964



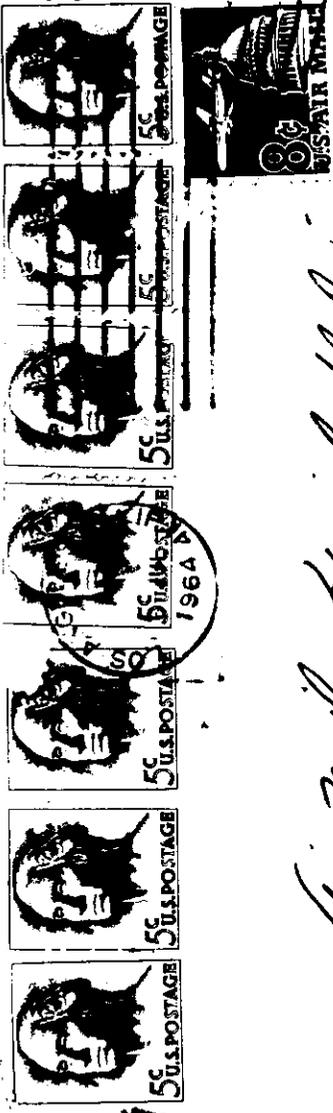
AFTER FIVE DAYS RETURN TO

[Redacted return address]

*San Diego, Calif.*

*Rec'd  
7/7/64  
8:25 AM  
8-21 PM*

*56  
57C*



*Air Mail Special Delivery  
United States Express Co  
Personnel Division  
Washington, D.C.*

62-27585-191

REC-60 SAC, Los Angeles  
EX-112 Director, FBI  
62-27585-196

July 29, 1964

**PROTEST LETTERS TO  
UNITED STATES SUPREME COURT**

[REDACTED], Marshal, Supreme Court, furnished four letters addressed to the Supreme Court. These are general rambling letters which objected to recent decisions handed down by the Supreme Court.

You are being furnished two copies of an anonymous letter. A search of the anonymous letter file was conducted with negative results. This letter contains the statement, "We have permission from our police chief to shoot shoot niggers. We have guns and more ammunition than we can ever use and baseball bats." This letter was postmarked 7-4-64 at Los Angeles, California.

You are requested to make one copy available to one of your contacts in the Los Angeles Police Department. It should be noted, however, that there is no indication the writer is referring to the Los Angeles Police Department.

Enclosures (4)

MAILED 80  
JUL 29 1964  
COMM-FBI

[REDACTED] *Chattanooga, Tenn.*  
[REDACTED]

NOTE: The letter from [REDACTED] indicates that the Supreme Court should arrange to have a U.S. Government Agent talk with her as soon as possible. Crime Records Division maintains an "appears mental card" on this individual and no action is being taken.

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Rm. \_\_\_\_\_
- Holloman \_\_\_\_\_
- Gandy \_\_\_\_\_

65 AUG 13 1964  
65 AUG 14 1964

TELETYPE UNIT

*Handwritten signatures and initials:*  
b6  
b7c  
D.J. [unclear]  
Dm  
Jm  
S0  
BH  
J5

UNITED STATES GOVERNMENT

# Memorandum

Tolson	✓
Belmont	✓
Mohr	
Casper	
Callahan	
Conrad	
DeLoach	✓
Evans	✓
Malone	✓
Rosen	✓
Sullivan	✓
Tavel	
Trotter	
Tele. Room	
Holmes	
Gandy	

TO : Mr. W. C. Sullivan *WCS*

DATE: July 15, 1964

FROM : D. J. Brennan, Jr. *DJB*

SUBJECT: PROTEST LETTERS TO  
UNITED STATES SUPREME COURT

*DJB*

On 7/10/64 [redacted] Marshal, Supreme Court, furnished four letters addressed to the Supreme Court. These letters are general rambling letters which objected to recent decisions handed down by the Supreme Court.

Two of these letters are anonymous. One is signed [redacted] Chattanooga, Tennessee, and the other is [redacted] Los Angeles, California. In the course of the rambling incoherent letter of [redacted], there are several meaningless references to Mr. Hoover. Based on information available, there is no pertinent identifiable information in our files concerning [redacted] and [redacted].

[redacted] advised these letters are being furnished for our files. These letters are apparently written by emotionally disturbed individuals.

ACTION:

For record purposes only.

Enclosures (4)

[redacted] (5)

- 1 - Mr. Belmont
- 1 - Mr. Sullivan
- 1 - [redacted]
- 1 - Liaison

*b6,  
b7c*

*b6,  
b7c*

*WCS*

*b6  
b7  
5- [redacted]*

RECEIVED

62-27585-191

AUG 5 1964

SEARCHED  
SERIALIZED  
INDEXED  
AUG 12 1964

56 AUG 12 1964

UNRECORDED COPY FILED IN

UNITED STATES GOVERNMENT

# Memorandum

TO : DIRECTOR, FBI

DATE: 8/7/64

FROM : *WGS*  
*CPD* SAC, LOS ANGELES (9-3090) (RUC)

SUBJECT: PROTEST LETTERS TO  
UNITED STATES  
SUPREME COURT

ReBulet to Los Angeles 7/29/64.

On 8/4/64 a copy of the letter enclosed with  
referenced letter was furnished to [redacted]  
[redacted], Los Angeles  
Police Department.

[redacted] expressed appreciation for the letter  
and stated he would forward it to the "Hospital Sq.", for  
comparison with others in file.

3 - Bureau  
1 - Los Angeles

[redacted]  
(4)  
b6, b7c

REC-66

AUG 10 1964

EX-102

*No action*

*b6, b7c*

*Crime JWV*

68 AUG 17 1964

TRUE COPY

~~████████████████████~~

Greeley, Colorado

b6  
b7c

September 2, 1964

ack

Mr. J. Edgar Hoover,  
Director of the F. B. I.  
Washington, D. C.

Dear Mr. Hoover,

This letter appeared in the Greeley Daily Tribune on August 31st. I'm sure some of the statements are not true, especially the last paragraph. Will you please advise me how to answer a letter like this one? This gentleman writes many extreme letters like this one to our daily paper.

Thank you for your kind attention.

Sincerely

b6, b7c ~~████████████████████~~

*[Handwritten signature]*

*[Handwritten signature]*  
ENCLOSURE

REC-65

62-27585-199 *[Handwritten]*

11 SEP 17 1964

EX-131

ITC 9-8-64 des  
ack 9-9-64  
~~████████████████████~~

*[Handwritten]*  
mm b6, b7c

0

3



GREELEY, COLORADO

b6  
b7c

September 2, 1944

Mr. J. Edgar Hoover,  
Director of the F.B.I.  
Washington, D. C.

Dear Mr. Hoover,

This letter appeared in the  
Greeley Daily Tribune on August  
31st. I'm sure many of the statements  
are not true, especially the  
last paragraph. Will you please  
advise some how to answer  
a letter like this one? This  
gentleman writes many

ENCLOSURE

CORRESPONDENCE

ITC 9-8-64 des  
now 9-9-64  
OLL des

11228

## Letters to the Tribune

### Says Supreme Court Has Dubious Record

To The Tribune:

The 700 million non-communist people now under communistic control, that were free people prior to 1946, thought the same way as many Americans do. It can't happen here. The United States Supreme Court has a dubious record in casting its' vote on issues involving communism. Is the highest court of our land pro-communist?

The following information is recorded in the minutes of the Senate Judiciary Committee meeting held May 2, 1962. Senator James Eastland, chairman of that committee, recorded the vote of each justice of the Supreme Court whenever a case involving communism was tried. If the individual judge voted in favor of the position advocated by the Communist Party, his vote was recorded pro. If his position was contrary to the Communist Party his vote was recorded contrary.

Justice Black voted pro-communist on 102 decisions out of 102 cases. Justice Frankfurter voted pro on 69 cases out of 103. Justice Douglas voted pro on 97 out of 100 cases. Justice Bren-

nan voted pro in 49 cases out of 61. Justice Burton voted pro-communist on 37 out of 81 cases. Justice Clark voted pro on 21 cases out of 32. Justice Harlan voted pro on 30 cases out of 65. Chief Justice Warren voted pro-communist in 42 cases out of 65.

In the past four years there has been no control or investigation of Communist infiltration in our government. Many Communists tried and convicted in our courts or individuals that took the Fifth Amendment have high positions involving security in our government. "68" might be too late, we must elect a president that will stop this in "64."

L. L. Eldred DWM  
1839 26 Ave. Cl.

*C. REELLY, Colo.*

62-27585-199

ENCLOSURE

September 9, 1964

REC-65 67-27585-199

EX-137  
[Redacted]

b6  
b7c

Greeley, Colorado

Dear [Redacted]

Your letter dated September 2nd and enclosure have been received in Mr. Hoover's absence from Washington.

I know Mr. Hoover would want me to advise you that, as the head of a Federal investigative agency, he is not in a position to evaluate or comment concerning the decisions of the Supreme Court or the individual Justices. I am sure you understand the necessity for such a policy.

Enclosed is material I hope you find of interest.

Sincerely yours,

Helen W. Gandy  
Secretary

MAILED 6  
SEP 9 - 1964  
COMM-FBI

Enclosures (5)

[Redacted] (3) b6  
Asj b7c

See note and enclosures next page.

del

[Handwritten signatures and initials]

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

SEP 24 1964

MAIL ROOM  TELETYPE UNIT

REC'D-READING ROOM  
FBI

SEP 9 9 40 PM '64

Return to [Redacted] 4232  
b6 b7c

[Redacted]

b6  
b7c

Enclosures (5)

"Faith in Freedom"

Do You Really Understand Communism?

Deadly Duel

Internal Security Statement, 4-17-62

One Nation's Response To Communism

b6  
b7c

NOTE:: Correspondent is not identifiable in Bufiles under the names of [Redacted] and [Redacted]. The clipping she enclosed describes a summary conducted by Senator Eastland recording the votes of the members of the Supreme Court whenever a case involving communism was tried. The votes are predominately procommunist.

Memphis, Tenn  
Sept.

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Mr. J. Edgar Hoover,  
F. B. I. Chief,  
Washington, D. C.

Dear Mr. Hoover:

Since your department is supposed to root out and help eliminate Communism, especially in government, will you please tell me why the admitted Communist (the \$100 a day man) is even considered for such a job? I'm sure there are men with as much intellect in Washington who could do the job.

Judging from some of the decisions the Supreme Court has handed down in favor of Communism, I think it is not hard to understand why Earl Warren insists on keeping him. Isn't there anyone in D. C. who yields more power in Washington, and if there is, why isn't it used on that Supreme Court?

I am of the opinion (and hundreds of others I hear talk) that this Court is a worthless organ and a terrible expense to our country and should be abolished.

copy

EX-100  
REC-100  
SEP 23 1964

Form in absence to [redacted]  
9-25-64

66, NEW T 62-27585-200

SEP 23 1964

T-100

ed or re-shuffled and getting rid of Earl Warren and any others who are more concerned with the welfare of the Communist than with our Americans. This is how the whole South feels on this situation and I pray God will remove any not concerned with the good of America.

Thank you, Mr. Hoover for your many years of service given our country and I trust there are many more to come.

Sincerely yours,

b6  
b7c

[Redacted signature]

Memphis, Tenn.

I would like to add that Mr. Johnson's knowledge (and failing to do something about it) of the above situation isn't going to help him now. 3rd.

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Memphis, Tenn.  
Sept.

Mr. J. Edgar Hoover,  
F. B. I. Chief  
Washington, D. C.

Dear Mr. Hoover:

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I am of the opinion (and hundreds of others I hear talk) that this Court is a worthless organ and a terrible expense to our country and should be abolished or re-shuffled and getting rid of Earl Warren and any others who are more concerned with the welfare of the communist than with our Americans. This is how the whole South feels on this situation and I pray God will removed any not concerned with the good of America.

Thank you, Mr. Hoover for your many years of service given our Country and I trust there are many more to come.

Sincerely yours,

b6  
b7c

[Redacted signature]

Memphis, Tenn.

I would like to add that Mr. Johnson's knowledge (and failing to do something about it) of the above situation isn't going to help him Nov. 3rd.

b6, b7c

COPY:crt

9 25 64 [Redacted]

September 25, 1964

REC-7

62-27585-200

b61  
b7c

**Memphis, Tennessee**

Dear [REDACTED]

Your letter was received on September 23rd in Mr. Hoover's absence from the city. You may be certain your communication will be brought to his attention upon his return.

Sincerely yours,

Helen W. Gandy  
Secretary

MAILED 4  
SEP 25 1964  
COMM-FBI

REC'D-READING ROOM  
F B I  
SEP 25 4 21 PM '64

NOTE: Bufiles reflect we have had prior cordial correspondence with this individual, however, the controversial nature of the correspondent's letter, her derogatory comments concerning Chief Justice Warren and President Johnson prompt sending this individual a reply over Miss Gandy's signature rather than the Director's.

*Redo*

[REDACTED] (3) b7c  
*per b61*  
*26 52 39 04 09*

*Dano*

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

61 SEP 25 1964

RECEIVED DIRECTOR

MAIL ROOM  TELETYPE UNIT

*WMA/...*

*B.L.*

*(Handwritten mark)*

UNITED STATES GOVERNMENT

# Memorandum

Tolson	_____
Belmont	_____
Mohr	_____
DeLoach	_____
Casper	_____
Callahan	_____
Conrad	_____
Evans	_____
Gale	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : Mr. Rosen *Sam*

DATE: October 15, 1964

FROM : G. H. Scatterday *Sam*

1-Mr. Rosen  
1-Name Check  
1-*[redacted]*

SUBJECT: *[redacted]* BORN *[redacted]*  
*[redacted]* BORN *[redacted]*  
*[redacted]* BORN *[redacted]*  
*[redacted]* BORN *[redacted]*  
SUPREME COURT NAME CHECK REQUESTS

On October 13, 1964, name check requests were received from *[redacted]* U. S. Supreme Court, on the afore-captioned individuals. The forms submitted indicate that *[redacted]* is applying for "general cleaning." *[redacted]* is applying for "char work." Positions are not shown for the two men on whom name checks were being requested.

A check of Bureau files reveals no identifiable derogatory information concerning *[redacted]*, or *[redacted]*.

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

**RECOMMENDATION:**

That the Form 57 on *[redacted]* and *[redacted]* be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

(4) *[redacted]* *bb, b7c*

69 OCT 29 1964  
338

*570 Transferred  
10/19/64  
supreme court  
P.S.*

REC-44 22585-201  
OCT 21 1964

*ETK da  
Sora*

UNITED STATES GOVERNMENT

# Memorandum

Tolson	_____
Belmont	_____
Mohr	_____
DeLoach	_____
Casper	_____
Callahan	_____
Conrad	_____
Evans	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : Mr. A. Rosen

DATE: October 23, 1964

FROM :

Mr. G. H. Scatterday *CHS*  
*66*  
*07C*

1 - Mr. Rosen  
1 - Name Check  
1 - [REDACTED] *56*

SUBJECT:

SUPREME COURT NAME CHECK REQUEST

*66*  
*67C*  
On October 21, 1964 a name check request was received from [REDACTED] Marshal, U. S. Supreme Court. [REDACTED] born [REDACTED]. The form 57 submitted indicates that this individual is applying for a position as "Janitor."

A check of Bureau files reveals no identifiable derogatory information concerning [REDACTED]

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [REDACTED] be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

REC 45 62-27585-202

NOT RECORDED  
191 OCT 29 1964

*66*  
*67C*  
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*EOI-64*  
*148*  
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*stamp on form 57*  
*copy - 10/24/64*  
*6-9*

NOV 1964

The Lawless  
Court  
1964  
Booklet - J

Mr. J. Edgar Hoover  
Director of FBI

Washington, D.C.

D.C.

CORRESPONDENCE  
NOV 14 1964

62-27585-20

NOT RECORDED

DEC 15 1964

ENCLOSURE ATTACHED

ENCLOSURE



# THE LAWLESS COURT

1964



by

J. M. CLEMENTS  
Attorney at Law

*File F-100  
No Record in Buffalo  
Booklet in anti Supreme  
Court + Anti Rights - NO  
del. mag. from 12/18/64*

# THE LAWLESS COURT

1964



by  
J. M. CLEMENTS  
*Attorney at Law*



Published by the Author  
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Los Angeles, California 90015

## INDEX

CHAPTER	PAGE
THE PREFACE .....	1
I THE VOICES OF PROPHECY.....	5
II THE SUPREME COURT AND THE COMMUNIST CONSPIRACY. A PRESIDENT IS MURDERED..	7
III THE SUPREME COURT INCITES THE NEGRO	15
IV THE HOUSING PROBLEM .....	25
V THE COURT AND THE RAPISTS.....	27
VI THE COURT'S ATTITUDE ON LAW ENFORCEMENT .....	35
VII THE SCHOOL PRAYER CASE .....	41
VIII THE REAPPORTIONMENT CASES. A LAWLESS GRAB FOR POWER.....	45
IX CONCLUSION .....	51

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## THE PREFACE

THE Republic of the United States of America has been in existence for 175 years. In the long march of history this is but a moment as time is measured. Our founding fathers met in convention in 1787 and created our Constitution. This was an assembly of more human intellect at one time and in one place than in all of history. They put together our fundamental law which is the greatest political document ever written by man. From the beginning of this government all thoughtful men have been concerned as to whether an ideal instrument for the government of human conduct could survive in an imperfect world, or if the people would long support such a government. Truly "Eternal vigilance is the price of liberty."

For the past 30 years we have been living in the era of the demagogue namely the politician who panders to the prejudice and passion of special interest and pressure groups who have the organization and the power to vote in blocks. The leader of this new political environment in our country was Franklin D. Roosevelt. One of his first programs was an attempt to pack the Supreme Court by increasing its membership so he could appoint some of his social minded tools who would do his bidding in rendering their decisions. He failed in his program because Congress refused to pass the law to accomplish his purpose. As time passed, retirements and death gave him his chance.

Two of his first appointments were those of Hugo L. Black and William O. Douglas.

Hugo L. Black was a politician from the State of Alabama and at the time of his appointment to the bench was a United States Senator. Before his appointment his only judicial experience was that of a police court judge for a short time. His main interest and activity while in the Senate was investigating business interests. His vicious examination of witnesses has never been equaled by any committee of the Congress. Senator Joseph McCarthy has been long criticized for his relentless exposure of Communists in government. Senator McCarthy's methods were mild in comparison to that of Senator Black. Thus, Senator Black early demonstrated that he was a true "liberal". Senator Black was not only investigating but harassing businessmen. Senator McCarthy was exposing the Communist conspiracy. Justice Black's passionate concern for the protection of Communists

since he has been on the Court is most revealing as to his character. The point here is "Whose ox is being gored?"

William O. Douglass before his appointment had no experience in practicing law and no judicial experience. He had been a teacher at Columbia University and had been a professor of law at Yale and had served on the Securities Exchange Commission before his appointment to the Court. He has always been, both before and after his appointment, identified with radicals and radical movements, and is perhaps best remembered for his desperate efforts while on the bench in trying to save two Communist spies from execution. They were Julius and Ethel Rosenberg.

These two Justices are the hard-core of the ultra-radical members of the Court. The other Justices who now constitute the radical majority on the Court are Earl Warren, William J. Brennan, Jr. and Arthur Goldberg.

Earl Warren was a California politician who had been District Attorney of Alameda County, Attorney General and Governor of California. At that time, from all outward appearances, he seemed to be a "middle of the road" Republican. However, looking back it is revealed that underneath he had radical tendencies. He never had any judicial experience. Several years ago when Richard Nixon was running for United States Senator in California against a left wing Democrat, and Warren was running for Governor, he completely ignored Nixon and publicly gave him the cold shoulder although they were both Republicans running on the same ticket. At that time some observers credited this conduct of Warren to the innate selfishness of a political adventurer. However, subsequent events suggest that it may have been something else.

William J. Brennan, Jr., another member of the radical five that control the Court, is the only one who had judicial experience before his appointment; he had been a judge of the Supreme Court of New Jersey, which reveals nothing that would indicate what his attitude would be as a member of our highest Court. However, one fact might be of significance was that he received his law degree from Harvard Law School and one of his teachers was Felix Frankfurter.

Arthur Goldberg before his appointment had no judicial experience. He had been a labor lawyer and a labor leader and an extremely active partisan on behalf of labor unions. The ques-

tion arises: How could you get unprejudiced and dispassionate decisions from a man of this background?

The succeeding pages will show how the Court, as it is now constituted, has taken over the powers of Congress to legislate and is, in effect, destroying our Constitution. It will also show that by its decisions that it has encouraged lawlessness and deliberately protected criminals and at the same time evidenced an indifference and contempt for law abiding citizens.

We live in changing times. The strongest influence in the world today is not Socialism but its successor Communism. The origin of Communism, of course, was Karl Marx's "Das Kapital". He pretended to find something new, slavery. Slavery is as old as the human race, but Marx's form of slavery was new in this respect, that it was state slavery as distinguished from feudal or chattel slavery. Nicolai Lenin broadened the scope of the slave state to include the enslavement of the mind as well as the body. This Oriental was completely indifferent to any humanitarian sentiments. He, of course, had the background of having been born in Russia where the people all throughout their history have been enslaved and brutalized. Lenin also introduced the new element of deception in his program to control public opinion and politics. One of his important methods was the destruction of patriotism on the thesis that patriotism is an outmoded, childish instinct. Patriotism is love of ones country and as such is an expression of pride. Pride is self-respect. When self-respect is gone man has deteriorated beyond recall. Patriotism is a most powerful instinct, and when properly used is an admirable trait.

These ideas of Lenin seem to have had considerable affect on our so-called intellectuals and liberals. They are bored with freedom and are in a constant search for change, good or bad. They are blind to the fact that the old should never be abandoned until the new has proven superior. In the days of Senators Norris and LaFollette a liberal was a man who searched for more freedom. The liberals of today advocate the monolithic state and the bureaucratic regulation of our daily lives. They are the chore boys of these so-called new ideas. They are ashamed of our prosperity and our way of life and seem to think that our affluent society is a bad thing and should be apologized for. They have a hysterical urge to make "reforms".

The Supreme Courts place in our system is defined and

limited by our Constitution. The five Supreme Court Justices who now control the Court, namely, Black, Douglas, Warren, Brennan and Goldbe.g, are social reformers. There is a proper place for reformers in our government. They belong in the legislative branch, but never in the judiciary. In the judiciary they cannot help but be a corrupting influence. They do not know or do not care about the proper function of a Court. The purpose of a Court is to determine the truth respecting a question of fact in a particular case and to determine in a criminal case the guilt or innocence of a defendant. Nothing more and nothing less. In the most recent Communist case the Court, speaking through Justice Douglas, stated:

"America is of course sovereign; but her sovereignty is woven in an international web that makes her one of the family of nations. The ties with all the continents are close—commercially as well as culturally. Our concerns are planetary, beyond sunrises and sunsets. Citizenship implicates us in those problems and perplexities, as well as in domestic ones. We cannot exercise and enjoy citizenship in world perspective without the right to travel abroad."

This puts the five Justices in the same mental condition that a new recruit is in after he has been indoctrinated and is ready for membership in the Communist Party.

These men are unqualified by training, experience or temperament to be Judges. Lack of a Judicial temperament in any Judge is a bad thing. In our highest court it is a tragedy.

This book is a partial chronicle of the Supreme Court's decisions which should have the thoughtful attention of all citizens.

J. M. CLEMENTS.

## THE VOICES OF PROPHECY

THERE should be no discussion of our Supreme Court without quoting the wisdom and foresight of three of our great presidents.

George Washington in his farewell address said "If there are wrongs let them be corrected in the ways designated by the Constitution but let there be no change by usurpation: for though this, in one instance, may be the instrument of good, it is the customary weapon by which free Governments are destroyed."

Thomas Jefferson writing in the year 1821: "It has been my opinion, and I have never shrunk from its expression . . . that the germ of dissolution of our federal government is in the Constitution of the federal judiciary; an irresponsible body—for impeachment is scarcely a scarecrow—working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief, over the fields of jurisdiction, until all shall be usurped from the States, and the government of all be consolidated into one.

"To this I am opposed; because, when all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government or another, and will become as venal and oppressive as the government from which we separated."

Abraham Lincoln, in his first inaugural address: "If the policy of the government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court the people will have ceased to be their own rulers, having to that extent practically resigned their government into the hands of that Eminent Tribunal."

II.  
THE SUPREME COURT  
AND THE COMMUNIST CONSPIRACY  
A PRESIDENT IS MURDERED—

FOR the past 19 or 20 years the Supreme Court, under the pretense of protecting individual liberties, has systematically protected the Communist conspiracy. One of the early cases was a decision rendered in June, 1945, entitled *Bridges v. Wixson*. This is a case where the Attorney General, under the authority of an Act of Congress, sought to deport Harry Bridges, the well known West Coast labor leader. The Act of Congress under which the proceedings were instituted provided that any alien could be deported who "was a member of, or affiliated with, any organization, association, society or group that believes in, advises, advocated or teaches the overthrow by force or violence, the government of the United States". After a hearing and the presentation of evidence, the Attorney General issued an order for deportation, which order Bridges appealed through the Circuit Court of Appeals, which Court sustained the order of the Attorney General, after which Bridges appealed to the Supreme Court. Justice Douglas delivered the opinion of the Court and reversed the order upon the ground that the order interfered with the rights of an alien. Chief Justice Stone, with Justices Roberts and Frankfurter concurring, dissented from this ruling of the majority of the Court, in which they contended that the Attorney General was entirely justified in this order of deportation because of the fact that in the hearing of the matter the government produced ample evidence to prove that Bridges was a member of the Communist Party.

Some few years later Bridges applied for citizenship and the Attorney General of the United States objected to his application by accusing him of "conspiracy to defraud the United States by defeating the proper administration of the naturalization laws, by falsely stating that he had never belonged to the Communist Party of the United States". His naturalization was refused and Bridges appealed. The case finally reached the Supreme Court and the Court again ruled against the government in favor of Bridges upon the ground that a three year statute of limitation applied. This in face of the fact that Congress had prior to that time removed the limitation. In this case there was a dissenting

opinion by Justice Reed, concurred in by Chief Justice Vinson and Justice Minton. Thus, in spite of the efforts of the government, Bridges was admitted to citizenship.

Another case between the two Bridges' decisions was the Steve Nelson case. Nelson was convicted in Pennsylvania of being a Communist under an anti-subversive law of that state. This case reached the Supreme Court on appeal in 1956 and the Court freed Nelson on the ground that the anti-subversive law of Pennsylvania was null and void because it was superseded by the so-called Smith Act, a law enacted by Congress dealing with the Communist conspiracy. This in spite of the fact that the Act of Congress dealing with subversion put no prohibition whatever against a state prosecuting for Communist subversion.

These are not all of the decisions showing the trend of the Courts' attitude toward Communists and the Communist conspiracy. One of the cases, however, was decided as late as June 17, 1963. This case is known as *Gastelum-Quinones vs. Kennedy*. Gastelum-Quinones was an alien residing in the United States and he was ordered deported by the Attorney General after a hearing. The basic accusation against him being that he was and had been a member of the Communist Party. The evidence in this case is quite interesting in that the government proved that he was a dues paying member of the Communist Party from 1949 to 1951. The government witnesses against him testified that he attended 15 or more meetings of the Communist cell or club; that he attended executive meetings of these cells at which the ordinary member was not permitted to attend. These executive meetings were strictly controlled. Each member entering the meeting had to be identified by a panel so as to make sure of his membership and position. To this proof the defendant offered no defense and refused to testify. After he was ordered deported the defendant appealed. The appeal reached the Supreme Court in 1963. The Court reversed the order of the Attorney General, the opinion being written by Justice Goldberg, the latest appointee to the Court. In this case Justice Goldberg made no pretense of writing a reasoned or considered opinion. His opinion in substance amounts to nothing more than a blunt order annulling the order of deportation, in spite of the fact that all of the evidence was against the defendant and the defendant refused to testify and put on no defense. In the face of these undisputed facts of all of this alien's Communist

activities, Justice Goldberg stated in his opinion that Gastelum-Quinone's membership in the Communist Party was not a *voluntary, meaningful membership*. This was a five to four decision, a dissenting opinion being written by Justice White.

These cases show the Court's general support of the Communist conspiracy.

Now we come to cases which give direct support to the Communist conspiracy and with some far reaching consequences. One was the case of *Dayton v. Dulles*, decided in June, 1958. Dayton applied for a passport which was refused by the Secretary of State on the ground that he was a member of the Communist Party. His frank reason for securing the passport: That he had received employment from the Tata Institute of Research, Bombay, India. The Tata Institute was run by one Bernard Peters, a suspected Communist agent who had previously renounced his American citizenship.

The other case was *Kent v. Dulles*. Kent applied for a passport and the State Department refused to issue it on the ground that he was a member of the Communist Party. His stated purpose in applying for the passport was to attend the "World Council of Peace" in Helsinki, Finland. This was a gathering of Communists from all over the world, promoted by Nikita Khrushchev in his big, phony propaganda drive in an attempt to impress the world with Russia's peaceful intentions. The Supreme Court reversed the lower Court and ordered the Secretary of State to issue a passport to Kent upon the ground that any American citizen, no matter what his subversive intentions or activities, cannot be refused a passport.

#### A COMPLETE VICTORY FOR COMMUNISM!

The latest and perhaps the most important Communist decision was decided on June 22, 1964. This case was entitled *Herbert Aptheker and Elizabeth Gurley Flynn v. Secretary of State*. The Court summary was as follows:

" "The chairman of the American Communist Party and the editor of POLITICAL AFFAIRS, its 'theoretical organ', filed complaints in the United States District Court for the District of Columbia for judgments declaring unconstitutional Sec. 6 of the Subversive Activities Control Act, under the authority of which passports had been denied to them, and ordering the Secretary of State to issue passports to them. A three-judge Federal District Court sustained the constitution-

ality of the statute and granted the Secretary's motion for summary judgment. (219 F Supp 709.)

"BLACK, J., concurring, expressed the view that the entire Subversive Activities Control Act is unconstitutional.

"DOUGLAS, J., concurring, joined in the Court's opinion and added that, absent war, there is no constitutional way to restrict a citizen's right to travel, unless there is power to detain him.

"CLARK, J., joined by HARLAN J., dissented on the grounds that Sec. 6 is not unconstitutional on its face nor as applied to the plaintiffs.

"WHITE, J., dissenting, joined in the first part of the opinion of CLARK, J."

Here we have again another abuse of the Fifth Amendment. The basis of the Secretary of State's refusal to issue passports to these two top Communists was the Subversive Activities Control Act of 1950, Section 6 of which provides:

"(a) When a Communist organization . . . is registered, or there is in effect a final order of the Board requiring such organization to register, it shall be unlawful for any member of such organization, with knowledge or notice that such organization is so registered or that such order has become final —(1) to make application for a passport, or the renewal of a passport, to be issued or renewed by or under the authority of the United States; or (2) to use or attempt to use any such passport.'

It is pointed out in the dissenting opinion that: "Mrs. Flynn 'was an active, participating and continuous member of the Communist Party of the United States; was active in the Party's affairs and its organization: and, indeed, was and still is one of its principal officials.' Likewise there is a finding—not under attack—as to Aptheker that he 'Aptheker) makes it quite clear in his own words that he has been a member of the Communist Party since 1939 and that he is very proud of his association and will do whatever he can to further the aims and goals of the Party.' The record shows that both Flynn and Aptheker were witnesses in behalf of the Party in the registration proceeding which resulted in the Party being ordered to register as a Communist-action organization. Communist Party v. Subversive Activities Control

Board, 367 US 1, 6 L ed 2d 625, 81 Ct 1357 (1961). In addition, Mrs. Flynn was convicted under the Smith Act. See Flynn v. United States, 216F2d 354 (1954). In view of these circumstances, no one could say with truth that the petitioners did not know that they were associated with a Communist-action organization. In fact, neither petitioner claims lack of notice or knowledge of the requirements of the section.

"(2) As to knowledge that the Communist Party is involved in a world Communist movement aimed at establishing a totalitarian Communist dictatorship in countries throughout the world, Congress made specific findings in the Subversive Activities Control Act of 1950 (the very statute under which the hearing was held at which petitioners testified for the Party) and in the Communist Control Act of 1954 that: 'the Communist Party of the United States . . . is in fact an instrumentality of a conspiracy to overthrow the Government of the United States,' 68 Stat 775; 'the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement,' *ibid.*; this control is in a 'Communist dictatorship of a foreign country,' whose purpose is to 'establish a Communist totalitarian dictatorship in the countries throughout the world,' 64 Stat 987; and this is to be accomplished by 'action organizations' in various countries which seek 'the overthrow of existing governments by any available means'."

Under this decision Congress is helpless to pass any law to protect us from subversion and the Communist conspiracy is given the right to use our government's passports to assist them in all their foreign activities and organizations to overthrow our government.

The Court is obviously indifferent to our national security in their passion to give the Communists a free rein.

#### THE MURDER OF PRESIDENT KENNEDY

In considering the effect of these last two decisions we must consider the murder of President Kennedy on November 22, 1963. The basic facts of the occurrence do not seem to be much in dispute. The assassin was Lee Harvey Oswald, a young man who had for a long time engaged in Communist activities and he was by nature an unruly individual, which led him finally to go to Russia in November, 1959. Upon arriving in Russia Os-

wald went to the American Embassy, turned in his American passport and renounced his United States citizenship. While in Russia he was married to a Russian woman, and after staying in Russia a little over two years he decided he wanted to return to the United States and went to our Embassy in Moscow and made application to have his passport returned. The Embassy not only returned his passport, but gave him money to return to the United States. After engaging in some Communist activities in New Orleans he moved to Dallas, Texas sometime prior to November 22, 1963, the date of the assassination. The rest of the story is now well known; about his purchase of a rifle and the fact that he fired at President Kennedy and Governor Connally from a school book storage building in Dallas.

From all of the evidence it seems reasonable that Oswald acted alone and that he did not carry out his act by reason of any instructions from Khrushchev or his secret police. This conclusion is the most logical one in that Khrushchev would have no reason to cause Kennedy's death. His dealings with President Kennedy had apparently been most satisfactory to him, especially the result of his dealings over the Cuban situation. Assuming that Oswald was acting alone, which seems to be the most reasonable conclusion, the undisputed facts are that Oswald was a product of the Communist conspiracy. **IF WE WANT TO GO BEYOND THESE BARE FACTS IN ASSESSING RESPONSIBILITY THERE IS NO QUESTION BUT WHAT PRESIDENT KENNEDY WOULD BE ALIVE TODAY EXCEPT FOR THE ACTION OF THE STATE DEPARTMENT IN RETURNING OSWALD'S PASSPORT AND FURNISHING HIM WITH THE MONEY TO RETURN TO THE UNITED STATES.** This foolish and unpatriotic act by the State Department seems almost inconceivable. However, the next question is: Did the State Department feel compelled to take this action by reason of the ruling of the Supreme Court in the Kent case? Perhaps a discussion by the Court with Secretary of State Rusk could enlighten us as to the real cause of this tragedy.

President Johnson has appointed Chief Justice Warren to head a commission to investigate the assassination. Why would President Johnson by-pass the Congress in setting up of this committee? Why was the Congress asleep as to their responsibility? This tragedy should have been investigated by a committee of Congress, the lawful and reasonable authority in this

situation. President Johnson acted with great speed and political foresight which confirms his reputation as a shrewd and astute manipulator. He evidently did not want the Congress to inquire into this situation as he took the play away from the Congress with masterful dexterity. In view of the Court's decision in the Kent case, are they not just as suspect as the State Department in being the underlying cause of President Kennedy's death? In taking the action that he did President Johnson was, in effect, asking Chief Justice Warren to investigate himself. What a travesty!

### THE REMARKABLE AFTERMATH OF THE ASSASSINATION

In the excitement and confusion of the events of November 22, 1963, there was speculation, hints and rumors that the assassin was a bigot, a reactionary, an extremist, or some kind of conservative. One commentator even quoted Moscow's PRAVDA, Russia's propaganda newspaper. This speculation died aborning when the police quickly established that the assassin was a Communist and a product of the Communist conspiracy. This immediately changed the atmosphere so far as our news media was concerned. In the succeeding weeks there was hardly a word of criticism, let alone denunciation of Khrushchev or the Communist conspiracy. What strange power has Khrushchev over our communications and news system that he can bring it almost to dead silence? Khrushchev's power over our news media is not only negative—it is positive also. If any person or organization attacks the Communist conspiracy, immediately the radicals in the news media start to search for some isolated misstatement of fact or slip of the tongue and then they begin a vicious counter-attack. They do not defend the Communist conspiracy because that would be contrary to the known Communist tactics. They attack the person or persons by accusing them of being bigots, dangerous reactionaries, enemies of progress, Fascists, and many other Communist smear expressions. Then the dupes in the news media join in like a chain reaction and sustain their counter-attack over months and even years. Probably few of these people are Communists, but at the least they are unconscious fellow-travelers. They are terrified that someone might accuse them of not being "liberals". Truly, Khrushchev has friends in our news media and no wonder that

casts that our children will live under his brand of socialism. The whole business constitutes the cancer in our body politic.

### KHRUSHCHEV GETS HIS REWARD!

Russia recently has had very serious crop failures and has had ideological differences with Communist China, either realigned. Did our government or press resent the assassination of our President? Hardly! President Johnson and our politicians in Congress rushed through Congress a special bill to sell millions of dollars worth of wheat to Russia on special terms and at a specially reduced price. Apparently Khrushchev must be saved at all costs. This is but the latest of a long series of financial gifts that we have given to our deadly enemies, the Communist countries. "The fools returned to their folly like the dog returned to his vomit."

### III.

### THE SUPREME COURT INCITES THE NEGRO

IN 1954 the Court opened a Pandora's Box of lawlessness in that they instigated and promoted the Negroes to indulge in violence and destruction and protected them in their demonstrations, sit-ins and other lawless acts to intimidate the white community. The history of this adventure is of the gravest importance to every citizen of the United States. It is as follows:

### JUDICIAL COUP DE TAT

In 1954 several cases on the same subject reached the Supreme Court of the United States for a decision. These cases all involved the question of forcing Negro children into white schools. The title of the lead case was *Brown vs. The Board of Education*, known as the school integration case. The Court in its decision ordered the School Boards to integrate. They based their decision on the language of the XIV Amendment to the Constitution. In particular the expression that they relied on "deny to any person within its jurisdiction the equal protection of the laws". This opinion and order changed the rulings of the Court, which at all times prior thereto held that the only obligation of the School Boards was to furnish "separate, but equal" schools for Negroes. In justification for its decision Chief Justice Warren, who wrote the opinion, stated that the Negro child was entitled to "intangible considerations" such as "his ability to study, to engage in discussions and exchange views with other students and in general to learn his profession". This was a quote from an earlier decision. He stated further "segregation of white and colored children in public schools has a detrimental affect on the colored child, the impact is greater when it has the sanction of the law for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group, a sense of inferiority affects the motivation of the child to learn. Segregation with the sanction of law, therefore, has a tendency to (retard) the education and mental development of Negro children and to deprive them of some of the benefits they would receive in a racially integrated school system." Thus the Court unconstitutionally and unlawfully made a law. The Court has no power under the Constitution to make or enact a statute. This power rests with Congress and Congress alone as the Constitution states in simple and explicit language.

Article I, Section I reads: "All legislative powers herein granted shall be vested in a Congress of the United States which shall consist of a Senate and House of Representatives".

Even Congress has no power in the field of education because the only authority they have is the authority given to them by the Constitution. All other powers are retained by the states. The Xth Amendment (Section 1) reads:

"The powers not delegated to the United States by the Constitution or prohibited by it to the states are reserved to the states respectively or to the people."

The Court itself has many times defined the limitation. As early as 1803 Chief Justice Marshall, in a case entitled *Marbury vs. Madison*, stated:

"A court decision merely decides; it decides a dispute between the parties to a case or controversy as to the law or facts, or both, depending on the precise issues between the parties in that case. A written opinion is just an 'opinion' and nothing more. It is, as the dictionary says, 'the notion, idea, or view' that the court entertains and expresses as a basis for a judgment or decree. The final judgment or decree, based upon the opinion, ends the dispute between the parties. The ruling does not 'make' laws but merely *declares or interprets* what law is binding in the particular dispute."

Associate Justice Jackson in the book published in 1955 "The Supreme Court in the American System" sets forth in terse language what has been through the years the Court's own ideas as to its limited powers.

"But perhaps the most significant and least comprehended limitation upon the judicial power is that this power extends only to cases and controversies. . . The result of the limitation is that the Court's only power is to decide lawsuits between adversary litigants . . . Also, as an appellate court, it properly can act only on the state of facts revealed by the record made in the court below, supplemented sometimes by general information of which it may take judicial notice.

". . . And when it is all over, judicial decree, however broadly worded, actually binds, in most instances, only the parties to the case. As to others, it is merely a weather vane showing which way the judicial wind is blowing—a precedent that the Court in a similar case is likely to follow. Its

real weight in subsequent cases, however, will depend on many factors, such as the quality of the prevailing opinion, the strength of any dissent, the acceptance or criticism by the profession, and the experience in application of the rule."

It will be seen from this that decisions of the Court are not laws and cannot have the effect of laws. This power belongs alone to Congress, and not even to Congress unless permitted by the Constitution. Thus we have had from the beginning of the republic until 1954 a government of laws and not of men. The *Brown vs. The Board of Education* case suddenly changed all established principles and the Court, in one bold stroke, decided to destroy the Constitution and set itself up as THE SUPREME LAW OF THE LAND.

The most amazing result of this bold take-over by the Court was the attitude of Congress; their cowardly acquiescence in the Court's usurpation of their rightful authority and functions. Is the Congress just a rubber stamp to be used by the Court when its whim dictates a new adventure for their despotic nature? Is the Congress going to stand by like a herd of timid sheep while the Constitution is being nullified? This tendency by the Congress has been some time in the making. Many years ago Speaker of the House Cannon, in a humorous mood, asked the question, "What is more cowardly than a Congressman?". The answer, "Two Congressmen." The Court has already further encroached by limiting the Congress as to what subjects their investigating committees can inquire into when seeking information upon which to base future legislation.

What caused this amazing assumption of power? Was the Court sorry about the Negro's economic position and progress in the United States? Did the Court decide to make a special class of the Negro and give him special privileges not enjoyed by other citizens? Should not the Negro earn his way in this country the same as is required by other persons, no matter what the color of his skin might be?

It seems to be the unquestioned theory by Negroes and sympathetic whites alike that the Negro can make no progress in school without close classroom association and collaboration with white students. It apparently makes no difference what the physical equipment is or what the ability of the teachers. Therefore the purpose of integration is to improve and elevate the

Negro child. If this is true, what does it do to the white student? Conversely does not integration tend to retard, debase and degenerate the white child? Whose welfare is to be considered—just the Negro? Does the white child have no rights? Is his welfare and future to be sacrificed in an attempt to improve the Negro? Is this equality before the law? Are the desires of the Negro alone to be considered?

PROMOTION OF LAWLESSNESS in order to implement their so-called revolutionary law and to carry out the Courts apparent plans has encouraged the Negro to *demonstrate* to secure what they claim are their *rights*, provided that said demonstrations are *peaceful*. *Demonstration* means an assembly of people with pent up feelings. Anyone with the slightest power *of reasoning* knows that this sort of *assembly* usually turns into a mob which, as Webster says, is "a turbulent and lawless crowd". Thus did the Court inflict on the law abiding people of this country a state of anarchy and lawlessness, well known now to all who read newspapers or listen to or observe other news media. This lawlessness has naturally attracted a variety of white people in all conditions of mental balance or unbalance. In addition to the *naturally criminally inclined*, a large segment of these people undoubtedly are laboring under an intense *emotional sympathy* for the Negro. When emotion moves in, logic and reason depart. This mental illness can best be described as *emotional dementia*.

The members of the Court do not seem to have much knowledge of history, or else they are brutally and callously indifferent to the consequences of their encouraging and, in fact, legalizing these so-called demonstrations. It took the English 600 years to develop an orderly and law abiding society and civilization. The American Negro, at most, is but a few short generations from the savagery of the *African jungle*. Has the Court forgotten what happened in the South after the end of our Civil War? Because the white man was defeated and disorganized the Negro ran amuck. A Northern observer on the scene reported it as an amazing spectacle of barbarism overwhelming civilization by physical force and a wonder and a shame at the excesses of the Negro.

The authoritative book by E. M. Coulter titled "The South During Reconstruction" recites some of the misconduct and lawless excesses of the Negro, encouraged by the carpetbaggers,

radicals and visionaries of that day. The carpetbaggers were political schemers and thieves taking advantage of the chaotic conditions then existing in the South. The radicals were fanatic trouble-makers seeking by any means to punish the Southerners because of the Civil War, and they devised the most senseless schemes to carry out their *ideas*. The *visionaries* were perhaps well meaning but nonsensical busybodies who added their activities to the confusion. To quote from Mr. Coulter's book,

"To prevent anarchy the army of occupation marched in and dispersed itself in small groups widely over the country with each state comprising a department under a major general. Even if the army had been forbearing it would have had difficulty in preserving order everywhere; but with soldiers singing 'John Brown's Body' and exciting the Negroes, and with a previously submerged lawless white element now unrestrained, for a short interim there was little law and order in some parts of the South.

"At the end of the war the tendency was for the best element in the Federal army to get mustered out first, leaving a less reliable soldiery to police the South. Many of these troops remaining were Negroes, the number in October, 1865, amounting to 85,000. Many of them were scattered widely over the South where they became almost without exception a vicious influence. Elated over their high station, their uniforms and guns, they took special delight in insulting white people and in instilling dangerous notions into the heads of the freedmen. Occasionally they had bloody clashes with the whites and ravished white women. In Nashville they collided with the police and were disarmed and turned over to the provost marshal; in Beaufort, North Carolina, a Negro soldier raped a white girl and was arrested and sent to Fort Macon near by where other Negro troops threatened to turn the guns of the fort on the city; and near Augusta, Georgia, marauding troops demolished the home and threatened the lives of a family who objected to the Negroes drinking out of the well bucket instead of the preferred gourd dipper. In Newberry, South Carolina, a Confederate soldier returning after the war to his Texas home was beset by Negro troops and murdered because he attempted to protect two white girls from their insults.

"During reconstruction three hundred Negroes broke out

in open riot in 1869 on the Ogeechee river rice lands in central Georgia. They drove out the white owners and showed their intention of running that part of the state . . . next year a better organized and more serious outbreak took place in the vicinity of Louisville, Ga. . . by a movement whose purpose was to protest against arrest, prevent collection of debts and taxes, effect their release if placed in jail, and ultimately gain control of the land.

"It was estimated that 150 people were killed in riots in Jackson County, Florida; that Negroes started the most serious riots in Alabama's history when at Eufaula they tried to prevent a member of their race from voting the Democratic ticket. In Louisiana under its miserable travesty of government there was no end of riots—the Colfax riot in which 59 Negroes and two whites were killed, the Coushatta violence in which five Radical office holders were murdered, and the famous New Orleans uprising of 1874 which was not unlike a Parisian revolution."

Then, as now, there were many Northern white people suffering from "emotional dementia", then called *visionaries*. To quote again from Coulter's book:

"Certain Northern visionaries honestly thought that the solution of the Negro question lay not only in forced social equality but also in the disappearance of both races through *miscegenation*; the political tricksters knew better, but for a time they favored the program as part of their scheme to capture and hold Negro votes. Well might Southerners look with abhorrence on *miscegenation*, as, indeed, did most Northerners, with one of the latter expressing some levity in this parody on "Yankee Doodle Dandy":

Yankee Doodle is no more,  
Sunk his name and station;  
Nigger Doodle takes his place,  
And favors 'malgamation.  
Nigger Doodle's all the go,  
Ebon shins and bandy,  
Loyal people all must bow  
To Nigger Doodle Dandy.

Bishop Gilbert Haven of the Northern Methodist Church saw the millennium nearing when he predicted that the 'hour

is not far off when the white hued husband shall boast of the dusky beauty of his wife, and the Caucasian wife shall admire the sun-kissed countenance of her husband as deeply and as unconscious of the present ruling abhorrence as is his admiration for her lighter tint.' In addition to a few Negro reformers, only the dregs of both races favored intermarriage. A South Carolina Negro boasted that 'when 'the Yankees' came he would go to 'quiltings', sit beside white girls, and have a white wife.'"

After almost twelve years of this bloodshed and anarchy the South slowly quieted down. Since then there have been many race riots in the North, in fact, much more than in the South. We recite one situation, not that it is much different from the others, but because of an editorial it produced. This riot occurred in Omaha, Nebraska in 1919. The *Literary Digest* of October 11, 1919 tells the story:

"The feature of the Omaha riot that somewhat differentiates it from previous crimes of the same nature, while emphasizing the sinister spirit of anarchy that inspires them all, is the murderous assault upon Mayor E. P. Smith when he attempted to address the mob. Omaha dispatches report a recent epidemic of crimes committed by Negroes in that city, culminating in an assault upon a nineteen-year-old white girl. On Sunday night, September 28, the correspondents tell us, a mob of five thousand stormed the court-house where the Negro charged with this crime was imprisoned, and demanded that the authorities hand him over to them. When this demand was refused they set fire to the court-house with incendiary bombs, imperiling the lives of more than a hundred prisoners and officials, and turned upon the building a fusillade of shots. When the Mayor appeared on the court-house steps and began to address the mob as "fellow citizens" the leaders interrupted him with shouts of 'give us that nigger'. When he replied, 'I can't do that, boys,' he was seized by the men nearest him and dragged to a point several blocks away. 'Lynch him', shouted some one in the crowd, and in a moment a rope was round his neck and he was strung up to a trolley-wire. Somebody cut him down, but the mob readjusted the rope and pulled him up again. When a group of policemen rescued him he was bleeding at the nose and mouth, but still conscious. At the hospital where he was taken

his condition was found to be critical, but he ultimately rallied. In the meanwhile, the mob wreaked its fury on the negro, Brown, who had been handed over to it by his fellow prisoners when they faced the alternative of being burned alive. His body was riddled with bullets, partially burned, and dragged through the streets behind an automobile. Afterwards rioting continued, with threats against the negro population, until Federal troops under Gen. Leonard Wood took charge of the situation."

In Omaha, on the day after the lynching, "The World-Herald" said editorially:

"We have felt, however briefly, the fetid breath of anarchy on our cheeks. We have experienced the cold chill of fear which it arouses. We have seen as in a nightmare its awful possibility. We have learned how frail is the barrier which divides civilization from the primal jungle, and we have been given to see clearly what that barrier is. It is the law. It is the might of the law wisely and fearlessly administered. It is the respect for and obedience to the law on the part of the members of society. When these fail us, all things fail. When these are lost, all will be lost. Should the day ever come when the rule that was in Omaha Sunday night become the dominant rule, the grasses of the jungle would everspread our civilization, its wild denizens, human and brute, would make their foul feast on the ruins, and the God who rules over us would turn his face in horror from a world given over to bestiality. May the lesson of Sunday night sink deep!"

A riot is a riot and lawlessness is lawlessness whether it is done by whites or Negroes. Then why does the Supreme Court encourage the Negro to *demonstrate*? Do they want some more lynchings? Do they think that violence will help to enforce their constitutional decision?

The Court's decision in the recent integration case stimulated the Negro to action. Events moved at a swift and accelerated pace. Demonstrations became more numerous and more violent. The Negro was on top. He had the sympathy of the news media. The newspapers refused to publish crime statistics about the Negro; it was too damaging to his image. When there was a crime committed and the suspect was a Negro, the newspapers

refused to reveal that fact. Television commentators followed suit and slanted their comments to favor the Negro.

### WILL THE POLICE BE DESTROYED?

All too often we take our police departments for granted. They are the guardians of law and order. People probably do not think about it, but if the police department of a large city should quit for even one day, it would result in anarchy, rioting and looting. A police officer normally has a very hazardous job. Every time that he leaves home to go to his work his wife never knows whether he will come home alive. Why should he have to carry the additional burden of controlling Negro mobs? Apparently the only defense that the Negroes have is the old Communist accusation of "police brutality". Apparently the Negroes are trying to either intimidate the police or to destroy their effectiveness. They are not supported by the news media, but it has been quite obvious in reporting recent events that the news media is always careful to emphasize that the Negroes are making a counter-charge or "police brutality." After their recent uprising in the Harlem section of New York the same thing occurred in the city of Rochester, New York. This was sparked when two police officers attempted to make a simple drunk arrest and the whole Negro community arose in rebellion. This unimportant arrest spontaneously brought to the surface all of the latent savagery that the Negro had inherited from his ancestors of the African jungle. It is becoming increasingly more difficult to recruit new officers for the police departments. Why should a new officer, at a small starting salary, be expected to assume, in addition to the normal hazards of his occupation, that of mob violence? The Supreme Court has sowed the wind and now we are reaping the whirlwind!

IV.  
THE HOUSING PROBLEM.  
DOES THE NEGRO HAVE THE WHITE MAN  
ON THE RUN?

IN the past two years the Negro has seen fit to launch a new adventure. During this period a New York Negro Congressman boasted that "We have the white man on the run, let us keep him running." This was about the time that the Negroes attempted to invade white residential neighborhoods. Is the white man justified in his fear of this invasion? Past experience tells the story. The Negro moves in and the white man moves out. There are many examples, but one will show the pattern. The Bedford Stuyvesant Section of Brooklyn was an area originally settled by the Dutch, where they built substantial homes surrounded by gardens. As the city grew the section was populated almost entirely by white people well into this century. In recent years there has been a rapid exodus of the whites. As of last year the population of 307,500 had 215,858 Negroes. This is almost as big a Negro settlement as Harlem. The change in population has produced some significant results. A recent article by the Associated Press states:

"'Cesspool of Filth'—As long ago as 1943 a Brooklyn grand jury termed Bedford-Stuyvesant 'a cesspool of filth . . . one of the worst areas in the state'. The jury called it 'a disgrace to the city'.

"The jury said it was the scene of lawlessness and violence of every description—murder, muggings and rape, numbers and narcotics rackets, prostitution, gang war, armed robbery and bootlegging.

"Today it has one of the highest rates of crime and juvenile delinquency."

There have been other communities where the pattern has made the white home owner apprehensive. The first Negro families have at times caused a drop in real estate prices. As the Negro population increased many of these communities showed a change in the crime rate. There were purse snatchings, petty thievery, knifings, assaults, robberies, and so on up the scale until the whites were gone and mostly Negroes left in what the Negro complains is a ghetto. What is wrong with a ghetto? A

a settlement of one ethnic group, in the past mostly to Jewish settlements. We still have ghettos, not only out other races and nationalities. They live in peace and with their own people. Their communities are clean. There are no rats in the walls and no garbage in the halls. Why of all the many segments of our population only the Jews are subjected to living with his own people?

## V.

### THE COURT AND THE RAPISTS

FROM January 3 to January 23, 1948, in Los Angeles, California, one Caryl Chessman went on a rampage of lawlessness which resulted in his arrest and conviction for numerous crimes. He was tried in the Superior Court of Los Angeles County, after which he appealed and his conviction was affirmed by the Supreme Court of California. Taken from this decision is a terse statement of the crimes:

"Defendant appeals from judgments of conviction of 17 felonies, rendered pursuant to jury verdicts, and from an order denying his motion for new trial. For convenience of discussion the crimes are listed in chronological order and numbered. Each paragraph indicates a separate general criminal enterprise, in each of which one or more offenses were committed.

"January 3, 1948: (1) First degree robbery of McCullough.

"January 13, 1948: (2) Grand theft of an automobile, which was used in perpetrating subsequent crimes and in which defendant was fleeing when he was apprehended.

"January 18, 1948: (3) First degree robbery of Bartle.

"January 18, 1948: (4) First degree robbery of Ballew.

"January 19, 1948: (5) First degree robbery of Lea. (6) First degree robbery of Regina. (7) Kidnaping Regina for the purpose of robbery, with infliction of bodily harm; punishment fixed at death. (8) Violation of section 288a of the Penal Code, committed against Regina.

"January 20, 1948: (9) First degree robbery of Stone.

"January 22, 1948: (10) Attempted robbery of Hurlburt. (11) Kidnaping Mary for the purpose of robbery, with infliction of bodily harm; punishment fixed at death. (12) Attempted rape of Mary. (13) Violation of section 288a of the Penal Code committed against Mary.

"January 23, 1948: (14) First degree robbery of Waisler. (15) First degree robbery of Leshner. (16) Kidnaping Waisler for the purpose of robbery, with infliction of bodily harm; punishment fixed at life imprisonment without possibility of parole. (17) Kidnaping Leshner for the purpose of robbery.

"The jury further found that defendant was armed at the time of the commission of each of the crimes except that of grand theft, numbered (2) above; that he was armed at the time of his arrest; and that he had suffered two previous convictions of robbery and one of assault with a deadly weapon. Defendant was acquitted of one count of burglary. We have concluded that no prejudicial error is shown and that the judgments and order should be affirmed."

The crime listed as violation of Section 288a of the California Penal Code is sexual perversion. During the infliction of the assault on the two women Chessman subjected them to the most unspeakable sexual abuse. This abuse resulted in one woman being driven insane.

Chessman appealed from the California Supreme Court to the United States Supreme Court. His ground for appeal was that there were errors in the trial court's transcription of the testimony. Over 12 years elapsed from the time of Chessman's arrest until the day of his execution on May 2, 1960 in San Quentin Penitentiary. During most of this time his case was held in the United States Supreme Court by numerous stays of execution and many orders from the Court for reviews of the testimony by the California Courts. All of these orders were in response to Chessman's continuing, but unfounded, objections to the trial court's record. Here was a desperate man in the death cell trying to contradict not only the trial court, but all the other courts who had reviewed his case, and using the Supreme Court to play what amounted to a ridiculous game of delay.

What prompted the Court to delay this case so many years? First it shows the Supreme Court's incompetence. Second it shows the Court's lack of understanding of what the true function of an appellate court is. Third it shows the Court's unnatural sympathy for even a most reprehensible criminal and the lengths to which they would go to save him. It is an old truism that justice delayed is justice denied. It is hardly worth while to waste any sympathy on Chessman as his crimes were worse than murder. What we should be concerned about is the conduct of a Court, especially the highest Court in the land.

Any person charged with a criminal offense is entitled to have his case decided within a reasonable time. It certainly reflects on the competence of any court that does not do its duty with intelligence and dispatch. This case had a most ominous side

effect in the form of torture that Chessman was subjected to. He was held in the death cell all those years not knowing what day the warden would call him to the gas chamber. This is a form of slow torture, probably more prolonged in this case than most any other tribunal, ancient or modern, savage or civilized. The Court's callous indifference to this result of their delays is most revealing. In other times torture has been inflicted much as the Colonial day stocks where the defendant was confined in public view. However, even in these crude times the torture lasted at the most a day or two. Cardinal Mindszenty was put to a prolonged torture by the Communists in Hungary. However, he was relieved by the fact that he was under the influence of drugs most of the time and apparently, during that period, unconscious. In recent times the Chinese Communists had street trials wherein they incited a howling mob to a frenzy of hatred for the hapless defendant whose only crime was that he happened to be the owner of a small piece of real estate. Even in these cases the victims suffering did not last long because it was only a matter of hours before he was put out of his misery.

#### THE WASHINGTON, D.C. CASE

On the 24th of June, 1957 the United States Supreme Court decided the case of Mallory vs. United States, reported in Volume 354, United States Reports at Page 1357. The defendant was convicted of rape in the United States District Court of the District of Columbia and, as authorized by the District Code, the jury imposed a death sentence.

"The rape occurred at six p.m. on April 7, 1954, in the basement of the apartment house inhabited by the victim. She had descended to the basement a few minutes previous to wash some laundry. Experiencing some difficulty in detaching a hose in the sink, she sought help from the janitor, who lived in a basement apartment with his wife, two grown sons, a younger son and the petitioner, his nineteen-year-old half-brother. Petitioner was alone in the apartment at the time. He detached the hose and returned to his quarters. Very shortly thereafter, a masked man, whose general features were identified to resemble those of petitioner and his two grown nephews, attacked the woman. She had heard no one descend the wooden steps that furnished the only means of entering the basement from above.

"Petitioner and one of his grown nephews disappeared from the apartment house shortly after the crime was committed. The former was apprehended the following afternoon between two and two-thirty p.m. and was taken, along with his older nephews, also suspects, to police headquarters. At least four officers questioned him there in the presence of other officers for thirty to forty-five minutes, beginning the examination by telling him, according to his testimony, that his brother had said that he was the assailant. Petitioner strenuously denied his guilt. He spent the rest of the afternoon at headquarters, in the company of the other two suspects and his brother a good part of the time. About four p.m. the three suspects were asked to submit to "lie detector" tests, and they agreed. The officer in charge of the polygraph machine was not located for almost two hours, during which time the suspects received food and drink. The nephews were then examined first. Questioning of petitioner began just after eight p.m. Only he and the polygraph operator were present in a small room, the door to which was closed.

"Following almost an hour and one-half of steady interrogation, he "first stated that he could have done this crime, or that he might have done it. He finally stated that he was responsible.\*\*\*\*\*" (Testimony of polygraph operator, R.70.) Not until ten p.m. after petitioner had repeated his confession to other officers, did the police attempt to reach a United States Commissioner for the purpose of arraignment. Failing in this, they obtained petitioner's consent to examination by the deputy coroner, who noted no indicia of physical or psychological coercion. Petitioner was then confronted by the complaining witness and "practically every man in the Sex Squad", and in response to questioning by three officers, he repeated the confession. Between eleven-thirty p.m. and twelve-thirty a.m. he dictated the confession to a typist. The next morning he was brought before a Commissioner."

The Court reversed this conviction upon the ground that the defendant, after his arrest, was not immediately taken before a Commissioner for his arraignment. It is to be pointed out that on the day of the defendant's arrest the police had three or four suspects, including Mallory, and that they did not know who the proper defendant was until midnight. It would be most unreasonable and the police would be properly subjected to critic-

ism if they had filed a charge against this defendant without substantial evidence as to his guilt which, of course, in this case was his confession. We can only guess as to what the Court's motives were in reversing this case, but it is evident that they wanted to reverse the case because of the severity of the punishment. In other words, the Court did not like the law which imposed the death penalty for rape and they sought by this means to free the defendant. It will be noted that in the Court's opinion they state that the defendant was just "a 19 year old lad". No where in the opinion is there any concern whatever for the victim of this criminal. Apparently she was just another woman who had been raped and, after all, the defendant was just "a 19 year old lad". The prosecutor having had to rely on the confession was unable to prosecute the case again because the Court, by its decision, had effectively closed the door to any further prosecution and the defendant was freed.

In May, 1960, in the city of Philadelphia, the same defendant was arrested and charged with rape, battery, aggravated assault and burglary. The facts, briefly, are: The defendant entered a home in Philadelphia where he ostensibly came to visit a cousin. While there he went into each of three rooms on the second floor and ransacked these rooms for the purpose of stealing. While doing so, the housewife returned and was told by her children that there was a man upstairs. She then went upstairs to investigate and the defendant grabbed her and allegedly raped her, after which he left the house before the police arrived but was apprehended shortly the same day.

The jury convicted him of burglary for entering the home and found him guilty of assault and battery and aggravated assault and battery upon the rape victim, but not guilty of rape. On this conviction he was sentenced from 11½ to 23 years in prison.

This is an example of the Court's arrogant and arbitrary substitution of their own judgment as to what they think the law should be so that we must ask the question: Was the Supreme Court's judgment in the first case the indirect cause of the woman in Philadelphia being assaulted?

This is another example of the Court's interference with the legislative functions where they have no authority. It is also an example of their almost paranoiac concern for the welfare of a convicted criminal. The legislature and the legislature alone has

the authority to fix the penalties for all crimes, including rape. The only theory by which the Court could interfere would be on the ground that the penalty was a "cruel and unusual punishment" under the eighth amendment of the Constitution. In the case of rape, how about the victim? How many women have been driven insane? How many women have committed suicide? Who, indeed, received the "cruel and unusual punishment"?

In a recent magazine article (True Detective) Mr. Stan Redding, a student of and a writer on the subject, had this to say:

"Advertently or inadvertently, three United States Supreme Court Justices have raised that question by suggesting that executing a man for rape might be in violation of the 8th and 14th amendments to the Constitution.

"Justice Arthur J. Goldberg—joined by Justices William O. Douglas and William J. Brennan, Jr., raised the potentially far-reaching idea in a dissent from the high court's refusal to review two death penalties imposed in separate rape convictions.

"Justice Goldberg wrote that the court should decide whether the Constitution permits the 'imposition of the death penalty on a convicted rapist who has neither taken nor endangered human life'.

"In light of the trend 'both in this country and throughout the world against punishing rape by death', asked Justice Goldberg, does execution for rape violate 'the standards of decency more or less universally accepted?'

"Justice Goldberg said the court should consider whether the 'taking of human life to protect a value other than human life . . . (is punishment)' of a severity disproportioned to the offense charged'.

"Justice Goldberg raised the question of whether the sentence might be cruel because the 'permissible aims of punishment', such as deterrence, isolation and rehabilitation, 'can be achieved as effectively by punishing rape less severely.'

"In certain quarters of American public opinion such reasoning is sure to be regarded as lofty and detached to a startling degree, the sort of reasoning which emanates from an ivory tower that shields the thinker from intimate contact with flesh-and-blood casualties of human predators on defenseless women. On the subject of values, it may legitimately

be asked, What about the human values affected in the act of rape? And Justice Goldberg's concern for 'standards of decency' seems to center on the punishment for the rapist, rather than on his victim.

"How does one measure the depth of shock, terror and sense of degradation experienced by a girl or woman who has been sexually assaulted? Who can gauge the extent of the shock waves which spread outward from such a crime to affect not only the victim, but her husband, her children, relatives, neighbors and even strangers who recognize her as 'that woman who was raped'?

"If her attacker is executed, his punishment is final. If he is given a prison term, the limits of his punishment are defined. But there is no time on the horrible, haunting memories of a woman raped."

"Understandably, most men under sentence of death are against capital punishment. But not all.

"One of the eight men executed for rape last year was Charles L. Forgey, 23, who died for the savage rape of a young Dallas housewife. The writer interviewed Forgey before his sentencing.

" 'A man knows what he's done,' Forgey told me. 'She did not know me, and I did not know her. I acted under the same compulsion that makes men rob, kill and steal, but my crime was worse in many ways.

" 'That woman had the worst experience of her life that day. She'll live with it a long time, I'm sure. Now I'm having the worst experience of mine—but it will be over in a few seconds.'

Forgey paused a few seconds, and then affirmed what proponents of death for rape have contended all along: 'Men like me deserve to die!'

## VI.

### THE COURT'S ATTITUDE ON LAW ENFORCEMENT

ONE of the disturbing trends of our time is the progressive increase in the crime rate. A report from the Federal Bureau of Investigation as of July, 1964, shows that the crime rate for the last five years is up 40% in face of the fact that our population only increased 8%, and this is particularly true in our urban areas. J. Edgar Hoover, Director of the FBI, in his official report on crime in 1963 states "More impassioned and articulate pleas are being made today on behalf of the offender, tending to ignore the victim and obscuring the right of a free society of equal protection under the law." Most police officials are becoming increasingly concerned about the Court's attitude that law breakers are sick people rather than criminals and should be treated with leniency. The Court's continual interference with law enforcement has restricted the police so much that it is getting harder and harder for them to function. One trend that particularly alarms law enforcement officials is the growth of attacks on police officers. In 1963 there were 16,793 assaults on policemen and 55 police officers were murdered. Even in good residential areas of large cities citizens fear to walk their neighborhood streets after dark. Even the city of Washington, D.C., which is now over one-half Negro, is rapidly becoming a Negro slum and it is dangerous to walk the streets at night. Even in the U. S. Supreme Court building in Washington it has become necessary to supply guards for its employees when they leave the Court Building to walk to their parked cars. If a woman employee of the Court calls a taxicab she cannot wait for it outside the building, but must have the taxi driver escort her to the cab. The public parks in some large cities are now mostly deserted and the citizens almost never go into a park at night for fear of being assaulted.

In recent years and since most of the present Court have been in office the Court has continuously and progressively more and more interfered with law enforcement agencies and criminal prosecutors. Their passion for protecting the criminal and their indifference to law and order has reached alarming proportions, so much so that they are endangering the public safety. Their theory is what has become known as "Due Process". An expression the Court has taken from the XIV Amendment of the Con-

tution. This Amendment they have used, or rather abused, to justify some of their wildest ideas. These cases come under the heading of "Search and Seizure" decisions. There have been many cases where they have interfered with the administration of justice, but two fairly recent cases point up their conduct.

The case of Chapman vs. United States, decided April 3, 1961, from Volume 365 U. S. Reports, 610, originated in the State of Georgia.

"The relevant evidence is not controverted. It shows the following: One Bridgaman, and another, owned a dwelling house in a wooded area near the Macon, Georgia, airport, which they commonly rented through a rental agency. Understanding that the house had been rented to a new tenant, Bridgaman, on Sunday, February 16, 1958, went to the house for the purpose of inviting the tenant to attend church. Upon arrival he noted a strong "odor of mash" about the house. There was no response to his knock, and, although he tried to do so, he was unable to see into the house. He then returned to his home and, by telephone, advised the local police department of his observations. Soon afterward two local police officers, Harbin and Chance, arrived at Bridgaman's home, and the three then went to the rented house. They noticed a strong odor of "whiskey mash" coming from the house. After their knock at the door failed to produce a response, they walked around the house and tried to look into it but were unable to do so because the shades were down. They found that all of the windows were locked, save one in the bathroom. The officers testified that Bridgaman told them "to go in the window and see what('s) what in there." Bridgaman's version of what he said was: "If it's what I think it is, what it smells like, yes, you can have my permission to go in." Thereupon they opened the bathroom window and, with the assistance of Bridgaman and Chance, Harbin entered the house through that opening. Upon entering the house he saw a complete and sizeable distillery and 1,300 gallons of mash located in the living room. Apart from some accessories, containers and firewood, there was nothing else in the house. Harbin then called to Chance that he had found a large still and asked him "to go get some help". Chance immediately left—dropping Bridgaman at his home—to call the federal officers. While the federal officers were en route to the house, peti-

tioner drove up, unlocked the front door, entered the house and was immediately arrested by Harbin. The federal officers soon arrived and took custody of petitioner. They also saved samples of the mash, took various pictures of the scene and then destroyed the still and its contents. Neither the state nor the federal officers had any warrant of any kind."

From these facts the defendant was convicted of the illegal operation of a distillery by the United States District Court for the Middle District of Georgia. The Court reversed this conviction on the ground that the arresting officers did not get the defendant's permission to enter the premises where the still was in operation and, therefore, there was an unreasonable search and seizure. To point up how nonsensical this decision is we quote from the dissenting opinion of Justice Clark:

"As I read the record, Bridgaman had rented a house to Chapman. On a Sunday morning he called at the house to invite Chapman to church services. However, Bridgaman found Chapman gone, the house locked up and an "awful scent" of whiskey mash all over the place, including an open but empty cellar. He reported these facts to state officers and, at his suggestion, two officers accompanied him to the house. They too smelled, as the Court says, "a strong odor of 'whiskey mash' coming from the house."

"Under Georgia law, the use of premises for the manufacture or the keeping of liquor for disposition works "a forfeiture of the rights of any lessee or tenant under any lease or contract for rent\*\*\*". Bridgaman advised the officers he was the owner of the house, had it leased out, and "instructed" officer Harbin to enter it and "see what('s) what in there." The officers found a bathroom window unlocked. Bridgaman "told" the officers "to go in the window" and assisted in "boosting" officer Harbin into the window and on into the house. Inside, the officer found a still set up for operation and 1,300 gallons of whiskey mash in the vats. There was neither household furniture nor other evidence of residential occupancy.

"The Court sets aside Chapman's conviction on the ground that this search without a warrant was "unreasonable". For the life of me I cannot see why this is true. I agree with a unanimous Court of Appeals that "under the circumstances of the search here made by the State officers, no illegality was shown"."

Another case is that of *Stoner vs. State of California*. Recorded in 84 Supreme Court Recorder, Page 889. The facts from the decision are:

"The essential facts are not in dispute. On the night of October 25, 1960, the Budget Town Food Market in Monrovia, California, was robbed by two men, one of whom was described by eyewitnesses as carrying a gun and wearing horn-rimmed glasses and a gray jacket. Soon after the robbery a checkbook belonging to the petitioner was found in an adjacent parking lot was turned over to the police. Two of the stubs in the checkbook indicated that checks had been drawn to the order of the Mayfair Hotel in Pomona, California. Pursuing this lead, the officers learned from the Police Department of Pomona that the petitioner had a previous criminal record, and they obtained from the Pomona police a photograph of the petitioner. They showed the photograph to the eyewitnesses to the robbery, who both stated that the picture looked like the man who had carried the gun. On the basis of this information the officers went to the Mayfair Hotel in Pomona at about 10 o'clock on the night of October 27. They had neither search nor arrest warrants. There then transpired the following events, as later recounted by one of the officers:

" 'We approached the desk, the night clerk, and asked him if there was a party by the name of Joey L. Stoner living at the hotel. He checked his records and stated 'Yes, there is'. And we asked him what room he was in. He stated he was in Room 404 but he was out at this time.

" 'We asked him how he knew that he was out. He stated that the hotel regulations required that the key to the room would be placed in the mail box, that he therefore knew he was out of the room.

" 'We asked him if he would give us permission to enter the room, explaining our reasons for this.

" 'Q. What reasons did you explain to the clerk?

" 'A. We explained that we were there to make an arrest of a man who had possibly committed a robbery in the City of Monrovia, and that we were concerned about the fact that he had a weapon. He stated 'In this case, I will be more than happy to give you permission and I will take you directly to the room.'

" 'Q. Is that what the clerk told you?

" 'A. Yes, sir.

" 'Q. What else happened?

" 'A. We left one detective in the lobby, and Detective Oliver, Officer Collins, and myself, along with the night clerk, got on the elevator and proceeded to the fourth floor, and went to Room 404. The night clerk placed a key in the lock and unlocked the door."

"The officers entered and made a thorough search of the room and its contents. They found a pair of horn-rimmed glasses and a grey jacket in the room, and a 45-caliber automatic pistol with a clip and several cartridges in the bottom of a bureau drawer. The petitioner was arrested two days later in Las Vegas, Nevada. He waived extradition and was returned to California for trial on the charge of armed robbery. The gun, the cartridges and clip, the horn-rimmed glasses, and the grey jacket were all used as evidence against him at his trial."

The Court reversed this conviction for armed robbery upon the ground that the arresting officers did not have the defendant's permission to enter his hotel room, therefore, it was an unreasonable search and seizure. What ridiculous nonsense is this? The true functions of a Court is to do justice and to ascertain the truth respecting the facts of the crime to determine the guilt or innocence of a person charged with a crime. Why should the law enforcement agencies be subjected to this continual harassment?

This new and unreasonable rule by the Court on "Search and Seizure" resulted in two police officers being murdered while conducting an investigation. Recently the Chief of Police of Los Angeles in commenting on their difficulties stated:

"The increasing restrictions upon police authority and effectiveness are coming from the courts and not the legislatures in an avowed effort to administer the affairs of the police. These restrictions have given advantage to the criminal element and have resulted in a deterioration of our internal security. The untimely and violent death of two of our officers recently while questioning forgery suspects is a case in point. Formerly, these officers would have ascertained what evidence might be in possession of the suspects at the time of contact. Since the courts have ordained that officers

opinion Justice Black went into a long historical recitation about religious liberty and particularly what happened in England in 1548 and 1549, some 400 years ago. Justice Stewart dissented to this opinion in which he stated that he could not see what bearing there could be on the question by reciting something that happened so long ago; in pointing out that England has always had an established religion, stating:

“What is relevant to the issue here is not the history of an established church in sixteenth century England or in eighteenth century England or in eighteenth century America, but the history of the religious traditions of our people, reflected in countless practices of the institutions and officials of our government.

“At the opening of each day’s Session of this Court we stand, while one of our officials invokes the protection of God. Since the days of John Marshall our Crier has said, ‘God save the United States and this Honorable Court.’ Both the Senate and the House of Representatives open their daily Sessions with prayer. Each of our Presidents, from George Washington to John F. Kennedy, has upon assuming his Office asked the protection and help of God.”

This is not *establishing* a religion by any stretch of the imagination. When a Parliament or a Congress establishes a religion it builds and owns the churches, it employs and pays the clergy and it discourages, prevents and outlaws all other religions. Even a seven or eight year old school child could understand the distinction here, but apparently it is beyond the ken of our Supreme Court.

This was an innocuous prayer, non-sectarian and non-denominational. Out of 190 million people in this country who could object? Not even the agnostics, who are a very small percentage of the population. This leaves, of course, the atheists, who are so small in number that they are not even a percentage, but just a handful. Is not this carrying the *protection of a minority* to the point where it is ridiculous? This prayer could hardly interfere with any one’s religious or lack of religious beliefs. We still have freedom of expression in this country; even in public parks we have people freely carrying on discussions and making speeches about religion and any other number of subjects. Some of these speeches are logical and reasonable, some are humorous and some foolish and nonsensical, but the freedom of speech is still

there. Why does the Court seek to upset 175 years of tradition just to satisfy the desires of a small handful of people? Are the desires and wishes of the great majority of no consequence? What prompted this mischievous meddling? Did the Court want to make a show of power? Did they want to prove to the Communist slave states that they agree with the dogma of Karl Marx that “Religion is the opiate of the people.”? Or, on the other hand, did they just want to make an arrogant gesture to show their contempt for our Christian civilization? Have they forgotten that human nature has not changed in 10,000 years? That man has conquered everything except the ability to get along with himself? Have they forgotten that all through history religion has been a stabilizing influence on mankind? It is easy to criticize religion, whether it is Christianity, or some other belief. What would they put in its place? The materialism of atheistic Communism that holds that a man is just another cog in a machine; that he is just another cow in the dairy herd with no spiritual, moral or inspirational values?

## VIII.

### THE REAPPORTIONMENT CASES.

#### A LAWLESS GRAB FOR POWER.

THE year 1963 saw a new and bold assault on the Constitution. Any school boy who has had his first lesson in civics is aware of our fundamental *function in government*; that the power is divided between the legislative, executive and judicial, each limited to its rightful sphere of authority and action.

The Constitution provides that each House of Congress shall be the *sole* judge of the qualifications of its members. Article I (Section 5) paragraph 1. states:

"Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each House may provide."

This provision of the Constitution has stood against all challenge until the year 1963. From time to time disappointed office seekers have complained that the *legislature of their states* have unfairly created congressional districts unbalanced as to population and the Supreme Court has always held that such controversies are beyond the Court's jurisdiction or authority. The last such case before 1963 was *Colegrove vs. Green*, decided June 10, 1946. The complaint of Colegrove and others joining with him as to complaint asked for a decree declaring *Illinois statutes* apportioning the State of Illinois into congressional districts invalid in that such districts lacked compactness of territory and approximate equality of population. The case came before the District Court of the Northern District of Illinois which Court dismissed the complaint upon the ground that the Court had no jurisdiction to decide the dispute. The case afterwards came to the Supreme Court on appeal and the Supreme Court affirmed the judgment of the District Court, the opinion being written by Justice Frankfurter and being concurred in by Justices Reed and Burton. We quote from the important language of the opinion.

"We are of opinion that the petitioners ask of this Court what is beyond its competence to grant. This is one of those

demands on judicial power which cannot be met by verbal fencing about 'jurisdiction'. It must be resolved by considerations on the basis of which this Court, from time to time, has refused to intervene in controversies. It has refused to do so because due regard for the effective working of our Government revealed this issue to be of a peculiarly political nature and therefore not meet for judicial determination."

It is to be noted that there was a dissent to this decision by Justices Black, Douglas and Murphy, who wanted to take the unconstitutional position that the Court could interfere with the lawful functions of the Illinois Legislature. Justices Black and Douglas were the old hard-core liberals. Murphy, a politician of extreme liberal tendencies, was appointed by President Franklin Roosevelt during the court packing era. Murphy was practically devoid of any legal or judicial training or experience. It also should be remembered that in 1937 Murphy, as governor of Michigan, permitted the disgraceful anarchy of the Communist led sit down strikes in the automobile plants of Michigan. Between 1946 and 1963 the membership of the Court changed. The hard-core extremists, Justices Black and Douglas, are now joined by Chief Justice Warren and Justices Brennan and Goldberg, who were very like minded. The five now constituted a majority of the Court. They were then in a position to ignore the Constitution and to nullify the authority and functions of Congress and the State Legislatures. Their opportunity came in the case of *Gray vs. Sanders*, a reapportionment suit from the state of Georgia. The plaintiff sought, as in the *Colegrove* case, to force the Georgia Legislature to change their law as to the counting of votes in the various districts of that state. Georgia had what is known as the County Unit System. Under this system some rural, thinly populated counties, had more voting power proportionately than more populous counties. The Court, in its decision, ordered the Legislature to abolish the system and divide the state into districts of equal population on a theory that has become known as the "One Person—One Vote" idea. Justice Harlan, in a dissenting opinion, held to the rule long established and so clearly stated in the *Colegrove* case, with the added reasoning:

"To assume that political power is a function exclusively of numbers is to disregard the practicalities of government. Thus, the Constitution protects the interests of the smaller

against the greater by giving in the Senate entirely unequal representation to populations. It would be strange indeed, and doctrinaire, for this Court, applying such broad constitutional concepts as due process and equal protection of the laws, to deny a State the power to assure a proper diffusion of political initiative as between its thinly populated counties and those having concentrated masses, in view of the fact that the latter have practical opportunities for exerting their political weight at the polls not available to the former. The Constitution—a practical instrument of government—makes no such demands on the States."

At least some 30 states are now in the same situation as Georgia, in that their congressional districts are not evenly balanced as to population and this applies to some 360 members of the House of Representatives. According to the Court's decision, these members are now holding office illegally. Now that the extremist five constitute a majority of the Court what will they do to implement their decision? Will they decide to do what they did in the case of *Brown vs. Board of Education* and order these members off of the floor of the House of Representatives? What will the offending Congressmen do? Will they meekly submit and resign? Will they decide to stand firm against the order and then wait for the President to send the Army in to enforce the Court's order by ejecting them from the House chamber? You say this would not happen? Who would have thought a few years ago that the Court in its fanatic and insatiable lust for power would have destroyed the Constitution in order to set up a judicial despotism? Before passing this subject it is important to recall the dissenting opinion of Justice Frankfurter on the Court's power to interfere with or over-rule apportionment statutes. First, who is he? Felix Frankfurter was appointed to the Court in 1939 by President Franklin Roosevelt. This appointment, also, was during the court packing era. At this time Frankfurter was a professor in the Harvard Law School and had been for a long time. He was well known for his liberal and even radical theories. Many of his students found employment with the Government in Washington due to his influence. Several turned out on the radical side, to say the least. Among these students was the infamous Alger Hiss, the convicted perjurer. Frankfurter was a character witness for Hiss at his first trial. Another incident to show Frankfurter's trend of

mind. When the atom spies, Julius and Ethel Rosenberg were sentenced to death they appealed to the Court for a stay of execution several times. Each time their petition was denied by a majority of the Court and they were finally executed. At the last denial of their petition Justice Frankfurter joined in dissenting together with Justices Black and Douglas.

With this background on Justice Frankfurter we come to consider the apportionment case of *Baker vs. Carr*, decided March 26, 1962. This was a case arising from the State of Tennessee. Plaintiff asked the Court to reapportion the districts of the members of the Legislature in that state. This was a matter of purely state concern, having nothing to do with Congress. The lower Courts had refused to entertain the complaint on the ground that the United States Court had no jurisdiction to interfere with the method of arranging districts in a State Legislature any more than they had the right to interfere in the fixing of Congressional Districts. Majority of the Court in a long, rambling opinion decided three things:

1. That the United States Courts possess jurisdiction on the subject matter.
2. That the complaint presented a justiciable controversy.
3. That the appellants had standing in Court.

In other words, that the Federal Courts have a right to interfere in something that is purely a concern of the states. Justice Frankfurter wrote a dissenting opinion and was joined by Justice Harlan. It is of the utmost importance to quote at length from this dissenting opinion.

"The Court today reverses a uniform course of decision established by a dozen cases, including one by which the very claim now sustained was unanimously rejected only five years ago. The impressive body of rulings thus cast aside reflected the equally uniform course of our political history regarding the relationship between population and legislative representation—a wholly different matter from denial of the franchise to individuals because of race, color, religion or sex. Such a massive repudiation of the experience of our whole past in asserting destructively novel judicial power demands a detailed analysis of the role of this Court in our constitutional scheme. Disregard of inherent limits in the effective exercise of the Court's 'judicial Power' not only presages the

futility of judicial intervention in the essentially political conflict of forces by which the relation between population and representation has time out of mind been and now is determined. It may well impair the Court's position as the ultimate organ of 'the supreme Law of the Land' in that vast range of legal problems, often strongly entangled in popular feelings, on which this Court must pronounce. The Court's authority—possessed of neither the purse nor the sword—ultimately rests on sustained public confidence in its moral sanction. Such feeling must be nourished by the Court's complete detachment, in fact and in appearance, from political entanglements and by abstention from injecting itself into the clash of political forces in political settlements.

"A hypothetical claim resting on abstract assumptions is now for the first time made the basis for affording illusory relief for a particular evil even though it foreshadows deeper and more pervasive difficulties in consequence. The claim is hypothetical and the assumptions are abstract because the Court does not vouchsafe the lower courts—state and federal guidelines for formulating specific, definite, wholly unprecedented remedies for the inevitable litigations that today's umbrageous disposition is bound to stimulate in connection with politically motivated reapportionments in so many States. In such a setting, to promulgate jurisdiction in the abstract is meaningless. It is as devoid of reality as 'a brooding omnipresence in the sky,' for it conveys no intimation what relief, if any, a District Court is capable of affording that would not invite legislatures to play ducks and drakes with the judiciary. For this Court to direct the District Court to enforce a claim to which the Court has over the years consistently found itself required to deny legal enforcement and at the same time to find it necessary to withhold any guidance to the lower court how to enforce this turnabout, new legal claim, manifests an odd—indeed an esoteric—conception of judicial propriety.

". . . To charge courts with the task of accommodating the incommensurable factors of policy that underlie these mathematical puzzles is to attribute, however flatteringly, omniscience to judges. The Framers of the Constitution persistently rejected a proposal that embodied this assumption and Thomas Jefferson never entertained it.

". . . In effect, today's decision empowers the courts of the

country to devise what should constitute the proper composition of the legislatures of the fifty States.

" . . . The Framers carefully and with deliberate forethought refused so to enthrone the judiciary. In this situation, as in others of like nature, appeal for relief does not belong here. Appeal must be to an informed, civically militant electorate. In a democratic society like ours, relief must come through an aroused popular conscience that sears the conscience of the people's representatives. In any event there is nothing judicially more unseemly nor more self-defeating than for this Court to make *in terrorem* pronouncements, to indulge in merely empty rhetoric, sounding a word of promise to the ear, sure to be disappointing to the hope."

*It will be noted at the outset of his opinion Justice Frankfurter stated "SUCH A MASSIVE REPUDIATION OF THE EXPERIENCE OF OUR WHOLE PAST IN ASSERTING DESTRUCTIVELY NOVEL JUDICIAL POWER."* Even Justice Frankfurter looked on with dismay and perhaps horror when he saw the Court deliberately destroying the Constitution.

## IX.

### CONCLUSION

THE Court has effectively destroyed the Constitution and rendered it useless. The United States is now ruled by the fanatical five Justices, who constitute a dictatorship that governs by edict without regard to law, reason, the public safety or even common morals and decency. The Court is the bulwark and constant protector of the Communist conspiracy. Congress is completely intimidated! The news media, with few exceptions, supports their tyranny. The legal profession, with some brilliant exceptions, have failed the people by their indifference to what is going on. Was their education and reasoning power stultified by some Communist leaning law professor? In spite of the Court's power they have deliberately created and supported an outside ally. This ally is the lawless Negro mobs. Does the Fanatic Five imagine that they are Nicolai Lenin when he ordered his Bolsheviks to storm Petrograd in the October revolution? What is the purpose of the Court in encouraging these so-called Negro demonstrations? Is it to create a state of violence and chaos as a prelude to a Communist take-over in this country? What is the remedy for this tragic situation? There has been some public discussion about amending the Constitution. There is nothing wrong with the Constitution! It needs no amendments. The fault lies with the Court and more so with the Congress whose timid and craven surrender of their Constitutional authority and functions will be the death warrant for our republic. How can this judicial despotism be overthrown and the Constitution restored?

The remedy is provided in the Constitution itself! That remedy is impeachment!

The Constitution wisely left the ultimate power in the people. The time has come for the people to elect a congress that will restore the liberties that the Founding Fathers originally gave us.

UNITED STATES GOVERNMENT

# Memorandum

Tolson	_____
Belmont	_____
Mohr	_____
DeLoach	_____
Casper	_____
Callahan	_____
Conrad	_____
Felt	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : Mr. A. Rosen

DATE: December 30, 1964

FROM : G. H. Scatterday

1-Mr. Rosen  
1-Name Check  
1- [redacted]

SUBJECT: [redacted]  
SUPREME COURT NAME CHECK REQUEST

On December 28, 1964, a name check request was received from [redacted] Marshal, U. S. Supreme Court, on [redacted], born [redacted]. The Form 57 submitted indicates that this individual is applying for a position as police officer.

A check of Bureau files reveals no identifiable derogatory information concerning [redacted].

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [redacted] be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

b6  
b7c

b1c  
b6

[redacted]

*Yes*  
*[Handwritten signatures]*

*Form 57 stamped  
1-5-65  
Mr. Barry Dade  
JAN 7*

EX-111

62-27585-204

21 JAN 6 1965

NAME [redacted]

70 JAN 11 1965

UNITED STATES GOVERNMENT

# Memorandum

TO: *[Signature]* The Director  
FROM: *[Signature]* N. P. Callahan

DATE: March 2, 1965

SUBJECT: The Congressional Record

Page 9677. Senator Byrd, (D) Virginia, spoke concerning an address delivered before the New York Bar Association by Lewis F. Powell, Jr., of Richmond, Virginia, president of the American Bar Association. Mr. Byrd advised that the Richmond Times Dispatch, in its edition of February 10, 1965, editorialized on the address. He included the editorial, entitled "A Lawyer Rebukes the Court," with his remarks. The editorial pointed out that Powell, in his address, "issued a warning recently that some Supreme Court's decisions in criminal cases have tipped the scales of justice too far in favor of the criminal—at the expense of public safety." It quoted Mr. Powell as follows: "Crimes of violence continue to increase. The single most shocking statistic, documented in FBI reports, is that since 1958 crime has been increasing five times faster than the population growth."

Original filed in: 62-21585-177

62-21585-  
RECORDED  
47 MAR 16 1965

In the original of a memorandum captioned and dated as above, the Congressional Record for March 1, 1965 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau or subject matter files.

Mr. W. C. Sullivan

June 29, 1965

D. J. Brennan, Jr.

b6  
b7c

[REDACTED]  
MISCELLANEOUS - NONSUBVERSIVE

On 6/28/65, [REDACTED], Marshal, United States Supreme Court, furnished Liaison the two attached telegrams which were recently sent to Chief Justice Earl Warren by subject. The contents are rambling, incoherent and make no sense whatever.

The Chief Justice asked that Bufiles be checked for any indication that the subject is a mental case.

In April of this year, two similar telegrams were sent by the subject to the Director. They were completely incoherent and no acknowledgement was made. Otherwise, our files contain no information concerning the subject.

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

If approved, Marshal [REDACTED] will be advised that our files do not contain any information indicating the subject is a mental case.

b6  
b7c

[REDACTED] b7c  
(6) b6

63-10312

Enc. 2

- 1 - Mr. Belmont
- 1 - Mr. Sullivan
- 1 - Liaison
- 1 - [REDACTED]

① - 162-27585

b6  
b7c

162-27585-  
NOT RECORDED  
128 JUL 2 1965

58 JUL 14 1965

ORIGINAL FILED IN 63-10312-2

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

JUL 23 1965

WESTERN UNION

CG 11

*JAN*  
*[Handwritten initials]*

*EW 10-*

BIA008 230P EDT JUL 23 65 0A381

O SEA498 DL PD 3 EXTRA SEATTLE WASH 23 1106A PDT

J EDGAR HOOVER

DIRECTOR FEDERAL BUREAU OF INVESTIGATION WASHDC

YOUR POLICY SELDOM TO RECOMMEND IS APPRECIATED. HOWEVER LAW ENFORCEMENT NATIONALLY WOULD NEVER REGRET THE PRESENCE OF WASHINGTON SUPREME COURT JUDGE ROBERT C FINLEY ON THE US SUPREME COURT. PERHAPS THE OPPORTUNITY TO SAY A KIND AND FAVORABLE WORD MIGHT DEVELOP RESPECTFULLY

*l*

[Redacted]

STATE OF WASHINGTON

*62-27585*

*205*

*SC 2 - 8:50*  
*AT 7/23/65*  
*(24)*

*LD*

XEROX

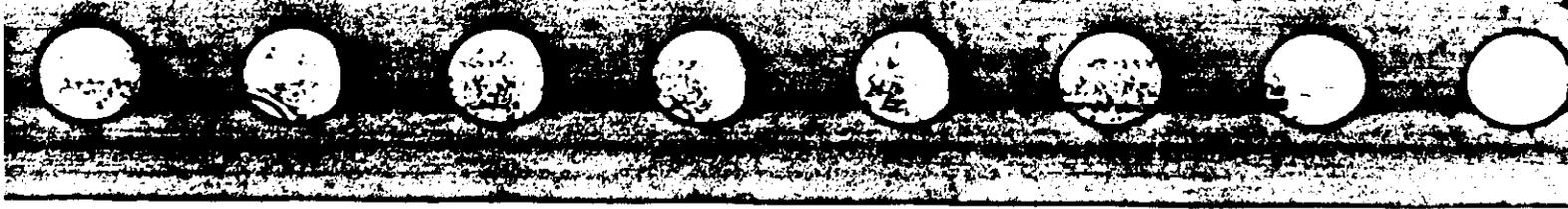
AUG 6 1965

REC 33

MR. MOHR FOR THE DIRECTOR

JUL 29 1965

*PERKINS*



July 27, 1965

REC 33 62-27585-205

JUL 27 10 29 AM '65  
REC'D--READING ROOM  
FBI

**The Supreme Court  
State of Washington  
Temple of Justice  
Olympia, Washington 98502**

bc  
b7c

Dear [REDACTED]

Your telegram of July 23rd has been received, and it was indeed thoughtful of you to send me your observations concerning Washington Supreme Court Judge Finley.

Sincerely yours,  
J. Edgar Hoover

*[Handwritten initials]*

MAILED 11  
JUL 27 1965  
COMM-FBI Seattle - Enclosure

NOTE: [REDACTED] is a retired Special Agent who is on the Special Correspondents' List. [REDACTED] was written 5/4/61.

bc  
b7c

head

[REDACTED]

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- Felt \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

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b7c, bc

*[Handwritten signature]*

JUL 29 1965

3 AUG 9 1965

MAIL ROOM  TELETYPE UNIT

PERS. REC. UNIT

UNITED STATES GOVERNMENT

# Memorandum

TO : The Director

DATE: 8/11/65

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page 18197. Senator Thurmond, (R) South Carolina, spoke concerning an article entitled "Man Seized Attacking Waitress" from the Evening Star of August 9, 1965, on a man arrested for the fourth time this year on a charge of rape in the District of Columbia, who had been released on all

previous charges. Mr. Thurmond stated J. Edgar Hoover, the president of the American Bar Association, and countless others who are learned in the law and who are recognized authorities in the field of law enforcement have warned time and again against decisions by the U. S. Supreme Court which have served to effectively tie the hands of our police officers in trying to bring criminals to justice and protect the public against the ever-increasing crime rate in this country. The text of the article was placed in the Record.

*d*

Original filed in:

REC-49  
EX-101

162-27585-206  
NOV 19 1965  
OED

In the original of a memorandum captioned and dated as above, the Congressional Record for 8/10/65 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

70 AUG 30 1965