

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

SEP 21 1964

TELETYPE

FBI WASH DC

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

FBI JKN MISS

829PM CST URGENT 9-21-64 TCM

TO DIRECTOR /44-25706/

FROM JACKSON /44-1/ 5P

*Office of Origin*  
MIBURN. OO, JACKSON.

SUMMARY TEL FOR SEPT. TWENTYONE INSTANT.

REMYTEL SEPT. TWENTY LAST, RE DEVELOPMENTS AT PHILADELPHIA AND MERIDIAN, MISS.

INFORMATION REGARDING PROGRESS OF GRAND JURY, BILOXI, MISS., THIS DATE.

THE GRAND JURY HAS BEEN CHARGED AND <sup>APPEARANCES</sup>ARRAIGNMENTS HAVE BEEN SCHEDULED.

[REDACTED]

DEPARTMENTAL ATTORNEY ROBERT OWEN ADVISED THE FIRST WITNESS [REDACTED] WILL BE CALLED

LATE AFTERNOON THIS DATE AND INFORMATION FROM OTHER WITNESSES [REDACTED] WILL BE PRESENTED SEPT. TWENTYTWO NEXT,

AS FIRST MATTER ON AGENDA.

END PAGE ONE  
79 SEP 29 1964

REC-64 44-25706-1203

SEP 25 1964

6 - [Signature]

PAGE TWO

VOTER REGISTRATION ACTIVITIES, NESHOPA COUNTY, MISS.

ON SEPT. SEVENTEEN LAST, SHERIFF LAWRENCE ANDREW RAINEY, NESHOPA COUNTY, ADVISED BUAGENT THAT IT WAS NORMAL PRACTICE AT NESHOPA COUNTY TO CLOSE VOTERS REGISTRATION FOR NESHOPA COUNTY DURING THE PERIOD THAT THE CIRCUIT COURT SITS AT PHILADELPHIA, MISS. HE STATED AN ORDER TO THIS EFFECT WAS BEING DRAWN UP FOR THE CIRCUIT COURT JUDGE TO SIGN.

ON SEPT. SEVENTEEN LAST, [REDACTED] <sup>COUNCIL OF FEDERATED ORGANIZATION</sup> COFO, PHILADELPHIA, MISS., DIRECTOR OF VOTER REGISTRATION, WAS ADVISED OF THE ABOVE INFORMATION BY BUAGENT. *b7c*

ON SEPT. NINETEEN, TWENTY, AND TWENTYONE, REPRESENTATIVES OF THE NESHOPA COUNTY SHERIFFS OFFICE, SPECIFICALLY DEPUTY SHERIFF CECIL PRICE, ADVISED COFO HEADQUARTERS IN PHILADELPHIA, MISS., THAT NO REGISTRATION FOR VOTERS WOULD BE ALLOWED UNTIL AFTER CIRCUIT COURT HAD COMPLETED ITS DOCKET, WHICH WOULD BE APPROXIMATELY TEN DAYS FROM THE DATE COURT STARTED.

ON SEPT. TWENTYONE INSTANT, COUNTY ATTORNEY RAYFORD JONES, ADVISED BUAGENT THAT AN ORDER HAD BEEN ISSUED BY CIRCUIT COURT JUDGE DENYING ANYONE THE RIGHT TO REGISTER TO VOTE IN NESHOPA COUNTY UNTIL THE CIRCUIT COURT HAD COMPLETED ITS SITTING AT PHILADELPHIA, MISS., DUE TO THE FACT THAT ONLY ONE PERSON IS QUALIFIED REGISTRAR, THAT BEING CIRCUIT CLERK OF COURT.

END PAGE TWO

13

PAGE THREE

TWO GROUPS OF NEGROES, TOTALING SIX, ACCOMPANIED BY COFO WORKERS, APPEARED AT NESHOPA COUNTY COURTHOUSE AM THIS DATE. THEY WERE ADVISED BY DEPUTY SHERIFF CECIL RAY PRICE THAT THE CIRCUIT JUDGE HAD ISSUED AN ORDER THAT VOTER REGISTRATION WAS CLOSED AS LONG AS THE CIRCUIT COURT WAS IN SESSION. HE EXPLAINED THIS WAS DUE TO THE FACT THAT THERE IS ONLY ONE CIRCUIT COURT CLERK WHO HANDLES VOTER REGISTRATION. POTENTIAL REGISTRANTS LEFT THE COURTHOUSE STEPS WITHOUT INCIDENT. ON HAND WERE CITY POLICE, DEPUTY SHERIFF PRICE, NESHOPA COUNTY AUXILIARY POLICE, AND MISS. HIGHWAY SAFETY PATROLMEN.

IMMEDIATELY FOLLOWING VOTER REGISTRATION ATTEMPT BY COFO WORKERS AND SIX NEGROES AT NESHOPA COUNTY COURTHOUSE, [REDACTED]

[REDACTED] TELEPHONICALLY COMPLAINED TO BUAGENT AT PHILADELPHIA, THAT THE CONSTITUTIONAL RIGHTS OF THOSE ATTEMPTING TO REGISTER HAD BEEN DENIED WHEN THEY WERE DENIED ENTRANCE TO THE COURTHOUSE AND STATED HE ~~QUOTE~~" WOULD LIKE SOME TYPE OF ACTION TAKEN BY THE FEDERAL GOVERNMENT" ~~END QUOTE~~. b7c

[REDACTED] CONTINUED THAT HE WAS NOT FURNISHED WITH A COPY OF THE COURT ORDER, AND STATED THAT COFO ATTORNEY [REDACTED] WAS BEING DIRECTED TO THE CLERK OF COURTS OFFICE TO SECURE SAME. b7c

ON SEPT. TWENTYONE, INSTANT, DEPUTY SHERIFF PRICE AND COUNTY ATTORNEY RAYFORD JONES ADVISED BUAGENTS THAT [REDACTED] CAME TO CIRCUIT COURT CLERKS OFFICE AND DEMANDED A COPY OF THE ORDER, WHICH HE WAS DENIED, BUT WHICH WAS READ TO HIM. A COPY OF THE ORDER WAS DENIED, INASMUCH AS THESE MUST BE OBTAINED BY ORDER OF THE CIRCUIT JUDGE, WHO HAD DEPARTED FOR LUNCH. b7c

END PAGE THREE

 <sup>b7c</sup> TELEPHONICALLY ADVISED DEPUTY SHERIFF PRICE ON SEPT. TWENTYONE INSTANT THAT AN ADDITIONAL ATTEMPT TO REGISTER VOTERS AT NESHOPA COUNTY WOULD BE MADE IN AM OF SEPT. TWENTYTWO NEXT. PRICE ADVISED THAT CIRCUIT COURT JUDGE, NESHOPA COUNTY, INSTRUCTED HIM THAT ANY PERSON ATTEMPTING TO REGISTER AT THE CIRCUIT CLERK OF COURT OFFICE ON SEPT. TWENTYTWO NEXT OR ANY SUBSEQUENT DATE DURING THE SITTING OF THE CIRCUIT COURT AT NESHOPA COUNTY, IS TO BE ARRESTED FOR CONTEMPT OF COURT.

THE ABOVE INFORMATION CONCERNING THE ARREST WAS FURNISHED COFO HEADQUARTERS, PHILADELPHIA, MISS., BY BUAGENTS SEPT. TWENTYONE INSTANT, AND THEY ADVISED THAT THEY WOULD ATTEMPT TO REGISTER ADDITIONAL WORKERS. REGISTRATION ATTEMPTS WILL BE OBSERVED BY BUAGENTS.

KKK ACTIVITIES, LAUDERDALE AND NESHOPA COUNTIES, MISS.

  
 b7D  
  
 b7D

PAGE FIVE

[REDACTED]

b7D

END WA LLD

FBI WASH DC

P

CODE

9/25/64

TELETYPE

URGENT

1 - Mr. [REDACTED]

b7c

TO SAC JACKSON (44-1)  
FROM DIRECTOR FBI (44-25706)

MIBURN.

CIVIL DIVISION OF DEPARTMENT ADVISED FOLLOWING PLANS HAVE BEEN MADE RELATIVE TO SUBPOENAS SERVED ON BUREAU PERSONNEL CALLING/ THEIR APPEARANCE BEFORE LOCAL GRAND JURY AT PHILADELPHIA, MISSISSIPPI, NINE TWENTY EIGHT SIXTY FOUR:

U. S. ATTORNEY AT JACKSON WILL ATTEMPT TO ARRANGE MEETING WITH JUDGE O. H. BARNETT, SATURDAY OR SUNDAY. DEPARTMENTAL ATTORNEY, HOWARD E. SHAPIRO, U. S. ATTORNEY AND PROBAELY RAIFORD JONES WILL BE PRESENT AT THIS MEETING AT WHICH TIME ATTEMPT WILL BE MADE TO HAVE JUDGE WITHDRAW SUBPOENAS.

IF THIS ATTEMPT UNSUCCESSFUL, BUREAU AGENTS ACCOMPANIED BY USA AND SHAPIRO WILL APPEAR PHILADELPHIA COURT HOUSE, NINE O'CLOCK A. M., NINE TWENTY EIGHT SIXTY FOUR AT WHICH TIME USA AND SHAPIRO WILL MOVE TO HAVE SUBPOENAS QUASHED OR MODIFIED SO BUREAU AGENTS CANNOT TESTIFY TO ANY OFFICIAL INVESTIGATION. IF THIS ATTEMPT UNSUCCESSFUL, AGENTS WILL APPEAR BEFORE GRAND JURY WHEN CALLED AND

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

b7c

view

VIA TELETYPE  
SEP 25 1964  
9:33 PM  
ENCIPHERED

79 SEP 29 1964

MAIL ROOM TELETYPE UNIT

REC-64

44-25706-1204

SEP 28 1964

[Handwritten signature]

TELETYPE TO SAC, JACKSON  
RE: MIBURN

DECLINE TO FURNISH ANY INFORMATION IN LINE WITH INSTRUCTIONS OF DEPARTMENT. IF AGENTS THEN BROUGHT BEFORE JUDGE BARNETT, THEY ARE TO MAINTAIN SAME POSITION AND CITE DEPARTMENTAL INSTRUCTIONS.

IF JUDGE RULES AGENTS TO BE IN CONTEMPT AND LEVIES A FINE, IMPOSITION OF FINE WILL BE IMMEDIATELY APPEALED. IF JUDGE WANTS AGENTS HELD IN CONTEMPT AND ASKS THAT THEY BE DETAINED IN JAIL, DEPARTMENT WILL HAVE APPROPRIATE LEGAL PAPERS AT BILOXI, MISSISSIPPI, AND DEPARTMENT WILL IMMEDIATELY OBTAIN A WRIT OF HABEAS CORPUS FROM FEDERAL JUDGE SIDNEY MIZE TO HAVE AGENTS RELEASED.

DEPARTMENTAL ATTORNEY SHAPIRO TENTATIVELY DESIRES TO MEET WITH ALL BUREAU PERSONNEL WHO HAVE BEEN SUBPOENAED ON SUNDAY, NINE TWENTYSEVEN SIXTYFOUR. INSURE ALL BUREAU PERSONNEL WHO HAVE BEEN SUBPOENAED ARE AVAILABLE FOR FURTHER INSTRUCTIONS. SHAPIRO SHOULD CONTACT JACKSON AND COMPLETE ARRANGEMENTS WITH SAC MOORE IN ORDER TO AVOID UNNECESSARY TRAVEL AND CONFUSION.

INSURE ALL PERSONNEL HAVE LOCAL SUBPOENAS IN THEIR POSSESSION.

NR.	252310
ENC.	<i>[Signature]</i>
CK.	<i>[Signature]</i>
APPROVED BY	<i>[Signature]</i>
TYPED BY	

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

SEP 25 1964

TELETYPE

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	_____

b2c  
FBI WASH DC

FBI JKN MISS

845PM CST URGENT 9-25-64 TCM

TO DIRECTOR /44-25706/

FROM JACKSON /44-1/ 2P

MIBURN. OO, JACKSON.

SUMMARY TEL FOR SEPT. TWENTYFIVE INSTANT.

RE JACKSON TEL SEPT. TWENTYFOUR LAST, RE DEVELOPMENTS AT  
PHILADELPHIA AND MERIDIAN, MISS.

PROGRESS OF FEDERAL GRAND JURY, SOUTHERN DISTRICT OF MISS.,  
BILOXI, MISS., AS OF ADJOURNMENT, SEPT. TWENTYFIVE, INSTANT.

TEN WITNESSES TESTIFIED BEFORE FGJ, <sup>Federal Grand Jury</sup> ~~SOUTHERN DISTRICT OF MISSISSIPPI~~ BILOXI, MISS., THIS

DATE. [REDACTED]

[REDACTED] WAS CONCLUDING WITNESS AT  
TODAYS SESSION, WHICH RECESSED FOR WEEKEND AT TWELVE FORTY P.M.

REC-64 44-25706-1205

79 SEP 29 1964  
END PAGE ONE

b3

b7c

PAGE TWO

[REDACTED]

b3

RE NESHOPA COUNTY GRAND JURY.

ON SEPT. TWENTYFIVE INSTANT, SA [REDACTED] <sup>b7c</sup> IN THE PRESENCE OF RAYFORD JONES, COUNTY ATTORNEY, NESHOPA COUNTY, ADVISED CIRCUIT COURT JUDGE O.H. BARNETT THAT MR. BURKE MARSHALL, ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS DIVISION, U.S. DEPARTMENT OF JUSTICE, HAD REQUESTED THAT JUDGE BARNETT BE ADVISED THAT THE SAS OF THE FBI CONDUCTING INVESTIGATION PERTAINING TO THE THREE MURDERED CIVIL RIGHTS WORKERS WOULD NOT HONOR NESHOPA COUNTY SUBPOENAS FOR SEPT. TWENTYEIGHT, NEXT. JUDGE BARNETT STATED THAT HE DID NOT DESIRE TO ACCEPT A VERBAL DECLINATION, BUT DESIRED THAT AN OFFICIAL OF THE JUSTICE DEPARTMENT APPEAR ON BEHALF OF THE SAS, BEFORE THE NESHOPA COUNTY GRAND JURY AT HIS COURT OF SEPT. TWENTYEIGHT NEXT, CONCERNING WHY THE FBI AGENTS WOULD NOT APPEAR.

JUDGE BARNETT HAD NO CRITISM CONCERNING THE FBI OR ITS INVESTIGATION.

END WA OMS

FBI WASH DC

P

135

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

SEP 24 1964

TELETYPE

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	_____

FBI WASH DC

FBI JKN MISS

715PM CST URGENT 9-24-64 TCM

TO DIRECTOR /44-25706/ /ATTN ASSISTANT DIRECTOR ALEX ROSEN/  
FROM JACKSON /44-1/ 1P

MIBURN. OO, JACKSON.

RETELCALL OF ASSISTANT DIRECTOR ROSEN TO INSPECTOR JOSEPH A. SULLIVAN, THIS DATE.

THE OFFICIAL NAME OF THE FEDERAL GRAND JURY CONVENED AT BILOXI, MISS., IS THE FEDERAL GRAND JURY FOR THE SOUTHERN DISTRICT OF MISS.

THE FOLLOWING BUAGENTS ON THE MIBURN SQUAD HAVE BEEN SERVED WITH SUBPOENAS TO APPEAR BEFORE THE NESHOPA COUNTY GRAND JURY;

[REDACTED]

[REDACTED] OF THE JACKSON DIVISION HAVE ALSO BEEN SERVED WITH SUBPOENAS. b7c

THE SPECIFIC TITLE OF THE STATE COURT WHICH CONVENED THE GRAND JURY IN NESHOPA COUNTY, IS THE CIRCUIT COURT OF NESHOPA COUNTY.

THE NESHOPA COUNTY GRAND JURY WILL END AT THE CLOSE OF BUSINESS ON OCTOBER TWO NEXT.

END WA OMS

FBI WASH DC

P  
79 SEP 29 1964

*H. K. Helms  
9/25/64*

REC-64

44-25706-1206

SEP 28 1964

*6-22*

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

SEP 25 1964

TELETYPE

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	_____

*NA 8:30  
9/25/64  
[Redacted]  
b7c*

SENT BY CODED TELETYPE

FBI NEW YORK

8/10-08 PM

URGENT 9-25-64

DAE

TO DIRECTOR -9- 44-25706  
FROM NEW YORK 44-1019

*[Redacted]*  
*b7c*

MIBURN

RENYTELCALL THIS DATE.

[Large redacted block of text]

REC-64 44-25706-1207

END PAGE ONE.....

SEP 28 1964

79 SEP 29 1964

*b7c*  
*6*  
*[Handwritten initials]*

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### FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

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

- Deleted under exemption(s) b7c with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) \_\_\_\_\_, was/were forwarded to them for direct response to you.

\_\_\_\_\_ Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

For your information: \_\_\_\_\_  
\_\_\_\_\_

The following number is to be used for reference regarding these pages:  
44-25706 Serial 1207 pg 2

XXXXXX  
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XXXXXXXXXXXXXXXXXXXXX  
X DELETED PAGE(S) X  
X NO DUPLICATION FEE X  
X FOR THIS PAGE X  
XXXXXXXXXXXXXXXXXXXXX

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Belmont

DATE: September 25, 1964

FROM : A. Rosen *RW*

- 1 - Mr. Mohr
- 1 - Mr. DeLoach

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

SUBJECT: UNKNOWN SUBJECTS;  
MICHAEL HENRY SCHWERNER,  
ANDREW GOODMAN,  
JAMES EARL CHANEY - VICTIMS (DECEASED)  
CIVIL RIGHTS

- 1 - Mr. Belmont
- 1 - Mr. Rosen
- 1 - Mr. [REDACTED] *b7c*
- 1 - Mr. [REDACTED] *b7c*
- 1 - Mr. [REDACTED] *b7c*

In connection with the testimony before the Grand Jury today at Biloxi, Mississippi, Burke Marshall advised me that

[REDACTED] *b3*

Marshall called to tell me that according to Departmental Attorney Robert Owen, who is presenting this case before the Grand Jury, [REDACTED] testimony was very impressive. Marshall said they considered this testimony as key material. *b3*

ARige  
(8)

*f*

✓

*Q*

REC-64

44-55706-1208

SEP 28 1964

*6-SPK*

7-9 SEP 29 1964

2:11

9-26-64

**GENERAL INVESTIGATIVE DIVISION**

With reference to subpoenas directed to Bureau Agents to testify before Neshoba County Grand Jury, Departmental Attorney Howard Shapiro, Civil Division, has advised that he and USA Hauberg ARE scheduled to confer on 9-27-64, at Carthage, Mississippi, with Judge Barnett, Rayford Jones, Neshoba County District Attorney and W. H. Johnson, District Attorney Eighth Judicial District. At that time efforts will be made to have Judge Barnett release the Agents from the subpoenas.

If Judge Barnett refuses to do so, the Agents, represented by Shapiro and USA Hauberg will honor the subpoenas by appearing but will, on the advise of the Acting Attorney General, respectfully decline to testify.

*John*

-1209

UNITED STATES GOVERNMENT

# Memorandum

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

TO : Mr. Rosen *RW*

FROM : [REDACTED] *b7c*

SUBJECT: MIBURN

DATE: September 25, 1964

- 1 - Mr. Rosen
- 1 - Mr. [REDACTED] *b7c*
- 1 - Mr. [REDACTED] *b7c*
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED] *b7c*

[REDACTED] *b7c*

Departmental Attorney Howard Shapiro, Civil Division, Department of Justice, telephoned at approximately 6:30 p. m., this date, in connection with subpoenas directed to our Agents to testify before a grand jury, Neshoba County, Mississippi, on 9-28-64. He stated that he had arranged to confer at 2:00 p. m., Sunday, 9-27-64, at Carthage, Mississippi, with U. S. Attorney Hauberg, Biloxi, Mississippi; Judge Barnett, Eighth Judicial District, State of Mississippi; W. H. Johnson, Jr., District Attorney of Eighth Judicial District; and Rayford Jones, Neshoba County District Attorney, in an effort to avoid having Agents answer the subpoenas.

Mr. Shapiro suggested that prior arrangements for him to confer with the Jackson Agents who were subpoenaed at 4:00 p. m., 9-27-64, at Meridian, be set aside at this time. He indicated that he expected to fly to Jackson the evening of 9-26-64, and that he would get in contact with SAC Roy Moore, *Sunday morning 9/27/64,* so that he can make further arrangements dependent on the results of his conference with the aforementioned individuals at Carthage, Mississippi.

During a telephonic contact with SAC Moore on another matter at approximately 8:00 p. m., 9-25-64, he was advised that Mr. Shapiro would arrive in Jackson and would contact him concerning this matter.

[REDACTED] *hw*  
*b7c*

*Ch...*

REC-64

44-25706-1209

SEP 28 1964

*6-21*

79 SEP 29 1964

UNITED STATES GOVERNMENT

# Memorandum

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

TO : Mr. Belmont

DATE: September 25, 1964

FROM : A. Rosen *AR*

- 1 - Mr. Mohr
- 1 - Mr. DeLoach
- 1 - Mr. Belmont
- 1 - Mr. Rosen
- 1 - Mr. [REDACTED] *b7C*
- 1 - Mr. [REDACTED] *b7C*
- 1 - Mr. [REDACTED] *b7C*

SUBJECT: UNKNOWN SUBJECTS;  
 MICHAEL HENRY SCHWERNER,  
 JAMES EARL CHANEY,  
 ANDREW GOODMAN - VICTIMS (DECEASED)  
 CIVIL RIGHTS

[REDACTED] *b7C*

[REDACTED] *b7C*

ACTION:

New York is closely following this matter and will advise the Bureau.

*nkf*  
*216 52*  
*b7C (8)*

*Jim*  
*Post*

*44-25706-1210*

REC-66

3 SEP 28 1964

EX-108

65 OCT 1 1964

*6-1-68*  
*216 52*  
*3 12 44 87*

GENERAL INVESTIGATIVE DIVISION

9/24/64

We are taking this up immediately with Assistant Attorney General Burke Marshall so that we can draft an immediate reply to Judge Barnett.

AHB:hmm



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

SEP 24 1964

WESTERN UNION *lll*

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	_____

BIA010 318P EDT SEP 24 64 NSA161

NS JZA266 PD 15 EXTRA PHILADELPHIA MISS 24 104P CST

HON J EDGAR HOOVER

DIRECTOR FBI JUSTICE DEPT WASHDC

*o jimburn*

YOU ARE RESPECTFULLY REQUESTED TO INSTRUCT ALL OF YOUR AGENTS  
 THAT HAVE INFORMATION REGARDING THE DEATH OF THREE CIVIL RIGHTS  
 WORKERS WHOSE BODIES WERE FOUND IN NESHOPA, COUNTY, MISSISSIPPI  
 IN AUGUST TO APPEAR IN PERSON AT THE COUNTY COURTHOUSE IN PHILADELPHIA  
 , MISSISSIPPI, AT NINE OCLOCK A.M., MONDAY, SEPTEMBER 28 1964,  
 PREPARED TO TESTIFY BEFORE A GRAND JURY ABOUT THIS MATTER

H BARNETT CIRCUIT JUDGE EIGHTH JUDICIAL DISTRICT STATE  
 OF MISSISSIPPI ATTEST: T A SANSING CLERK CIRCUIT COURT NESHOPA,  
 MISSISSIPPI (SEAL)

(06) 95 11 15 11 11

REC-66 44-25706-1211

216 54 2-10 216 54

EX-108

SEP 28 1964

*These reports submitted  
 to Judge Barnett  
 9/25/64 Ad:gn*

MR. BELMONT FOR THE DIRECTOR

RECEIVED-DIRECTOR

CC-MR. ROSEN

*6-211  
147*

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

9/25/64

PLAINTEXT

TELEGRAM

URGENT

REC-66

44-35706-1211

HONORABLE O. H. BARNETT  
 JUDGE  
 EIGHTH JUDICIAL DISTRICT  
 PHILADELPHIA, MISSISSIPPI

FBI AGENTS REFERRED TO IN YOUR TELEGRAM WILL BE UNABLE TO TESTIFY BEFORE STATE GRAND JURY AT THIS TIME REGARDING DEATH OF THREE CIVIL RIGHTS WORKERS, AS THEY HAVE BEEN INSTRUCTED BY THE ACTING ATTORNEY GENERAL NOT TO DISCLOSE BEFORE THAT GRAND JURY ANY INFORMATION RELATING TO MATERIAL OR INFORMATION CONTAINED IN THE FILES OF THE DEPARTMENT OF JUSTICE, OR ANY INFORMATION OBTAINED IN CONNECTION WITH ANY OFFICIAL DEPARTMENT OF JUSTICE INVESTIGATION. IN THE CIRCUMSTANCES, I ASSUME THE AGENTS WILL BE EXCUSED FROM APPEARING BEFORE GRAND JURY ON MONDAY. RESPECTFULLY YOURS.

JOHN EDGAR HOOVER, DIRECTOR  
 FEDERAL BUREAU OF INVESTIGATION

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

AR [REDACTED]  
 (10)

INITIALED  
 DIRECTOR'S OFFICE

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

SEP 25 1964

WESTERN UNION

55 OCT 0

MAIL ROOM [ ] TELETYPE UNIT [ ]

11/15/64  
 145  
 [Handwritten initials]

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

SEP 25 1964

TELETYPE

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	

FBI WASH DC

FBI JKN MISS

1012PMCST

URGENT 9-24-64 JWS

TO DIRECTOR /44-25706/

FROM JACKSON /44-1/

Office of Origin  
MIBURN. OO JACKSON.

SUMMARY TEL FOR SEPTEMBER TWENTYFOUR, INSTANT.

RE JACKSON TEL DATED SEPTEMBER TWENTYTHREE LAST  
RE DEVELOPMENTS AT PHILADELPHIA, AND MERIDIAN, MISS.

[REDACTED]

b7c, b7D

[REDACTED]

[REDACTED]

WHO RESIDE ON THE EAST SIDE OF ROUTE NINETEEN;

HAD

HEARD SHOTS IN THAT VICINITY ON THE EVENING OF JUNE TWENTYONE LAST. b7c, b7D

END PAGE ONE

REC-66

44-25706-1212

SEP 28 1964

EX-108

65 OCT 1 1964

149

PAGE TWO

[REDACTED]  
[REDACTED] MIGHT HAVE OBSERVED THE VICTIMS STATION WAGON IN THAT VICINITY. [REDACTED] THERE WERE NO OTHER CARS IN VICINITY OF THIS STATION WAGON. b7C, b7D

[REDACTED] HAD WORKED ON THE BURRAGE DAM. [REDACTED] HAD FILLED UP THE CORE DITCH OF DAM PRIOR TO MORNING OF JUNE TWENTYTWO LAST, AND THAT ON MORNING OF JUNE TWENTYTWO, LAST, HE BEGAN BUILDING THE DAM EARTH WORK OVER THE ALREADY FILLED UP CORE DITCH, WHERE BODIES OF THREE MISSING CIVIL RIGHTS VICTIMS WERE LATER LOCATED. b7C, b7D.

[REDACTED] TWO MOST NERVOUS INDIVIDUALS IN PHILADELPHIA AT PRESENT TIME ARE ~~QUOTE~~ "HOP" ~~END QUOTE~~ BARNETT AND [REDACTED] [REDACTED] KNEW OF NO REASON WHY THESE TWO INDIVIDUALS SHOULD BE AS NERVOUS AND UPSET AS THEY PRESENTLY ARE AS A RESULT OF THIS CASE. [REDACTED] HAD RECEIVED INFO INDICATING THAT [REDACTED]

[REDACTED] WAS SOURCE WHO FURNISHED FBI WITH PERTINENT INFO [REDACTED] CERTAIN INDIVIDUALS IN PHILADELPHIA AREA CONSIDER [REDACTED] AS BEING THE INFORMER.

[REDACTED] NOT ELABORATE ON WHO THESE PERSONS WERE WHO CONSIDERED [REDACTED] AS INFORMER. b7C, b7D

END PAGE TWO

150

PAGE THREE

[REDACTED] HAD NO FACTS OR CONCRETE EVIDENCE, HE IS OF OPINION THAT [REDACTED] IS INDIVIDUAL QUITE CAPABLE OF PULLING THE TRIGGER AND MURDERING THE THREE CIVIL RIGHTS VICTIMS. b7C, b7D

[REDACTED] HAVE PREVIOUSLY BEEN INTERVIEWED, AND INFO RE THE HEARINGS OF THE SHOTS IN THE VICINITY OF [REDACTED] RESIDENCE HAS PREVIOUSLY BEEN REPORTED.

NO INFO RE OBSERVING VICTIMS CAR WAS FURNISHED [REDACTED] WHEN INTERVIEWED. b7C, b7D

RE VOTER REGISTRATION ACTIVITIES, NESHOPA COUNTY, MISS.

[REDACTED]  
[REDACTED]  
HAD TO TAKE THREE DAYS OFF BECAUSE OF A BEATING HE HAD RECEIVED DUE TO HIS ATTEMPT TO REGISTER TO VOTE IN NESHOPA COUNTY. [REDACTED] IN FACT DID NOT ATTEMPT TO REGISTER TO VOTE, BUT HIS b7C, b7D

END PAGE THREE

PAGE FOUR

COUSIN REPORTEDLY DID SO ATTEMPT. LOGICAL INVESTIGATION WILL BE CONDUCTED CONCERNING THIS MATTER.

RE ECONOMIC BOYCOTT DIRECTED AGAINST ~~COFO~~ <sup>COUNCIL OF FEDERATED ORGANIZATIONS</sup> AT PHILADELPHIA, MISS.

[REDACTED] OF PHILADELPHIA HAS REPORTEDLY BEEN TOLD TO FIRE [REDACTED] BECAUSE [REDACTED] WAS COOPERATING WITH COFO. LOGICAL INVESTIGATION WILL ALSO BE CONDUCTED CONCERNING THIS MATTER. b7C, b7D

MRS. MINNIE HERRING, WIFE OF NESHOPA COUNTY JAILER, ADVISED NOT NECESSARY TO CLEAR WITH <sup>JUSTICE OF PEACE</sup> ~~JP~~ FOR RELEASE OF SPEEDERS.

MRS. MINNIE HERRING, IN INTERVIEW [REDACTED] [REDACTED] ADVISED SEPTEMBER TWENTYFOUR INSTANT THAT IT WAS NOT NECESSARY TO CLEAR WITH JUSTICE OF PEACE BEFORE RELEASING SPEEDERS SUCH AS CHANEY AND HIS ASSOCIATES IN NORMAL NESHOPA COUNTY PROCEEDINGS, THAT A SCHEDULE OF FINES FOR SPEEDING VIOLATIONS WAS POSTED IN THE JAIL AREA WHERE THE BOOKS AND RECORDS WERE KEPT, AND THIS WAS USED AS A GUIDE IN SETTING BAIL OR ASSESSING FINES IN THE ABSENCE OF THE JUSTICE OF PEACE. THIS INFO WAS CHECKED AND VERIFIED. [REDACTED]

b3

RE PROGRESS OF FEDERAL GRAND JURY, SOUTHERN DISTRICT OF MISS., BILOXI, MISS., THIS DATE.

Federal Grand Jury SOUTHERN DISTRICT OF MISSISSIPPI

SEVENTEEN WITNESSE APPEARED BEFORE THE FGJ, BILOXI, MISS.,

THIS DATE. ALL TESTIMONY PERTAINED [REDACTED]

ADDITIONAL WITNESSES TO BE CALLED ON SEPTEMBER TWENTYFIVE NEXT,

[REDACTED] GRAND JURY

WILL BE RECESSED FOR WEEKEND AT TWELVE NOON, SEPTEMBER TWENTYFIVE NEXT.

b3

END

LRA

FBI WASH DC

•

SEP 25 1961

153

9-28-64

1- Mr. [REDACTED]

b7C

Airtel

To: SAC, Jackson (44-1)

From: Director, FBI (44-25706)

MI BURN

[REDACTED] furnished the following information on a confidential basis. b7C, b7D

[REDACTED] b7C, b7D

[REDACTED] b7C, b7D

[REDACTED] b7C, b7D

Above for your information.

[REDACTED] rmb mmb  
(4) b7C

JLB

EX-112 REC 45 44-25706-1213

SEP 29 1964

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

79 SEP 30 1964

MAILED 6  
SEP 28 1964

MAIL ROOM  TELETYPE UNIT

9-27-64

**GENERAL INVESTIGATIVE DIVISION**

Miburn is code name of case involving the three civil rights workers whose bodies were found by FBI 8-4-64.

Information received [REDACTED]

[REDACTED] Victims in Miburn case arrested 6-21-64 at Philadelphia, Mississippi, by local authorities and subsequently reported as missing later that day. Civil Rights Division aware of matter and requested no FBI investigation until afternoon 6-22-64. Prior to receiving this request, no basis for FBI inquiry as no reason to believe victims other than missing persons. Other publicity seekers have alleged in press that Agent stated FBI force in McComb reduced from 16 to 4 men. Allegation checked out and no truth to it.

b7c, b7D

[REDACTED] las  
b7c [Handwritten initials]

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

SEP 26 1964

TELETYPE

SENT BY CODED TELETYPE

FBI NEW YORK

5-25 PM URGENT 9-26-64 PW

TO DIRECTOR /44-25706/ ---4---

--- ENCODED ---

FROM NEW YORK /44-1019/ 3P

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	✓

MIBURN

RE NY TELETYPE, NINE TWENTY-FIVE, LAST AND  
NY TELCALL, THIS DATE.

L

[REDACTED]

b7c, b7D, b2

ADVISED THIS DATE THAT NAT SCHWERNER, <sup>FIRST NAME UNKNOWN</sup> /FNU/ BERGER, /PHONETIC/,

/FNU/ LEVIN, /PHONETIC/ AND CAROL ROGOFF /PHONETIC/

APPEARED ON STEPS US COURT HOUSE, NYC, SHORTLY AFTER

FOUR P.M., NINE TWENTY-FIVE LAST. ABOVE GROUP RECEIVED BY

ROBERT MORGENTHAU, USA, SDNY. <sup>United States Attorney</sup> AP, UP AND NEWSREEL PEOPLE

PRESENT COVERED MEETING. ABOVE GROUP ASKED MORGENTHAU

TO URGE "FEDERAL PRESENCE" IN MC COMB, MISSISSIPPI, AND

COUNTY. LEVIN /PHONETIC/ STATED HE HAD BEEN IN MC COMB

END PAGE ONE

79 OCT 1-1964

MR. DELMONT FOR THE DIRECTOR

REC-7 44-25706-1214

EX 101 ASSOCIATED PRESS, UNITED PRESS 17 SEP 30 1964

6- [Signature]

PAGE TWO NY /44-1019/

ALL LAST SUMMER. FBI HAD SIXTEEN AGENTS THERE BUT, WHEN WHITE CIVILIAN WORKERS LEFT, FBI REDUCED TO FOUR. SINCE THEN, SIXTEEN BOMBINGS HAVE OCCURRED IN MC COMB VICINITY. LEVIN /PHONETIC/ ADDED THERE IS NO FEDERAL ACTIVITY HE IS AWARE OF IN MC COMB. SCHWERNER STATED HAD FBI RESPONDED BETWEEN SIX THIRTY P.M. AND TEN P.M. OF NIGHT OF KILLINGS, HE HAS FEELING PROBABLY THE THREE MURDER VICTIMS WOULD BE ALIVE. NO ONE FROM A FEDERAL AGENCY APPEARED ON NIGHT OF KILLINGS. SCHWERNER DOES NOT CARE IF FBI OR US MARSHALS ARE USED BUT URGED A FEDERAL FORCE. MORGENTHAU SUBSEQUENTLY RECEIVED SCHWERNER GROUP IN PRIVATE WITH Assistant United States Attorney <sup>5</sup> AUSAS VINCENT BRODERICK AND STEPHEN KAUFMAN. [REDACTED]

END PAGE TWO

b7c, b7D

157

PAGE THREE NY /44-1019/

[REDACTED] b7C, b7D

[REDACTED]

[REDACTED] b7C

END

WA WBS

FBI WASHDC

CC-MR. ROSEN

138

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Belmont

FROM : A. Rosen *AR*

SUBJECT: UNKNOWN SUBJECTS;  
MICHAEL HENRY SCHWERNER,  
ANDREW GOODMAN,  
JAMES EARL CHANEY - VICTIMS (DECEASED)  
CIVIL RIGHTS

1 - Mr. Mohr  
1 - Mr. DeLoach

DATE: September 25, 1964

1 - Mr. Belmont  
1 - Mr. Rosen  
1 - Mr. [REDACTED] *b7c*  
1 - Mr. [REDACTED]  
1 - Mr. [REDACTED]

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

Reference is made to the telegram received by the Bureau addressed to the Director by Circuit Judge O. H. Barnett of the 8th Judicial District, State of Mississippi, respectfully requesting that all of our Agents having information regarding the death of the three civil rights workers whose bodies were found in Neshoba County, Mississippi, in August, appear in person at the County Courthouse in Philadelphia, Mississippi, at nine o'clock, Monday, September 28, 1964, prepared to testify before a grand jury about this matter.

ACTION TAKEN:

Upon receipt of this Western Union telegram, the matter was brought personally to the attention of Burke Marshall. Mr. Marshall has prepared an approved reply to the Judge. A copy of the draft is attached.

It appears to be acceptable and reads as follows:

"Honorable O. H. Barnett  
Circuit Judge  
Philadelphia, Mississippi

**EX 101**

REC-7

44-25706-1215

"FBI Agents referred to in your telegram will be unable to testify before State Grand Jury at this time regarding death of three civil rights workers, as they have been instructed by the Acting Attorney General not to disclose before that grand jury any information relating to material or information contained in the files of the Department of Justice, or any

17 SEP 30 1964

ENCLOSURE

Enclosure *Sent 9-25-64*  
AR:ige

(8)

69 OCT 5 1964

CONTINUED - OVER

*6-21*

*150*

Memorandum to Mr. Belmont  
Re: UNKNOWN SUBJECTS;  
MICHAEL HENRY SCHWERNER, ET AL.

information obtained in connection with any official Department of Justice investigation. In the circumstances, I assume the Agents will be excused from appearing before grand jury on Monday. Respectfully yours,

"J. Edgar Hoover  
Director,  
FBI"

We have also received information from Mr. Marshall's office that Katzenbach has also received a telegram from the Judge requesting the appearance of the Agents and that he intends to reply to the effect that he has instructed the FBI not to disclose any information to the grand jury. *we should get a copy* ← ← *Des. H*  
Marshall mentioned that the telegram itself does not appear to have any legal obligation to comply as such; nevertheless he agrees that an answer should be prepared.

In addition to the above request of the Judge, we, of course, have specific subpoenas which have been issued against nine Special Agents, including [REDACTED]. The Department is preparing appropriate legal answers with reference to these individual subpoenas. We have not been advised of the exact language which they intend to use; however, this will be made available to us today inasmuch as the appearance of the Agents is called for September 28, 1964. *b7c*

ACTION TO BE TAKEN:

1. If approved, the attached telegram to the Judge should be sent to the Judge in accordance with the language used by the Department.
2. We will follow the Department for their answers concerning the specific subpoenas which have been issued.

You will be advised of further developments.

R V. <sup>9/28</sup> [Signature] [Signature]

*9/25/64*  
*COPY OBTAINED*  
*9/25/64*  
*4. 157/10/10*

*Approved  
9/24/64*

HONORABLE O. H. BARNETT  
CIRCUIT JUDGE  
PHILADELPHIA, MISSISSIPPI

FBI AGENTS REFERRED TO IN YOUR TELEGRAM WILL BE UNABLE TO  
TESTIFY BEFORE STATE GRAND JURY AT THIS TIME REGARDING DEATH  
OF THREE CIVIL RIGHTS WORKERS, AS THEY HAVE BEEN INSTRUCTED  
BY THE ACTING ATTORNEY GENERAL NOT TO DISCLOSE BEFORE THAT  
GRAND JURY ANY INFORMATION RELATING TO MATERIAL OR INFORMATION  
CONTAINED IN THE FILES OF THE DEPARTMENT OF JUSTICE, OR ANY  
INFORMATION OBTAINED IN CONNECTION WITH ANY OFFICIAL DEPARTMENT  
OF JUSTICE INVESTIGATION. IN THE CIRCUMSTANCES, I ASSUME THE  
AGENTS WILL BE EXCUSED FROM APPEARING BEFORE GRAND JURY ON  
MONDAY. RESPECTFULLY YOURS.

J. EDGAR HOOVER  
DIRECTOR,  
FBI

*44-25706-1215*

ENCLOSURE

XXXXXX  
XXXXXX  
XXXXXX

### FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

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

- Deleted under exemption(s) \_\_\_\_\_ with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) Department of Justice, Civil Division, was/were forwarded to them for direct response to you.

\_\_\_\_\_ Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

For your information: \_\_\_\_\_  
\_\_\_\_\_

The following number is to be used for reference regarding these pages:  
44-25706 Serial 1215 enclosure

XXXXXX  
XXXXXX  
XXXXXX

XXXXXXXXXXXXXXXXXXXXX  
X DELETED PAGE(S) X  
X NO DUPLICATION FEE X  
X FOR THIS PAGE X  
XXXXXXXXXXXXXXXXXXXXX

9-26-64

**GENERAL INVESTIGATIVE DIVISION**

In connection with the Schwerner, Et. Al. case at Biloxi, a conference with the state judge is to be held Sunday afternoon. The Department attorneys feel that the attached statement should be used in discussing matter with judge. He may accept it in good faith and withdraw subpoenas for Agents. If he does not, Department plans to fight the subpoenas as previously indicated.

AR:las

*[Handwritten signature]*

*Alton*

(Draft)

✓ *R*

When the federal proceedings are completed and at such time when it does not conflict with our federal obligation, we will fully cooperate with state and local authorities in making available such evidence and testimony as we possess pertaining to violations of local law.



b7c

*630 L...*

*44-25706-*

NOT RECORDED

17 SEP 30 1964

*44-25706*  
*6- [Signature]*

*120 140 110 110 110 110*

79 OCT 1-1964

COPY SENT TO MR. TOLSON

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

SEP 27 1964

TELETYPE

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	_____

FBI WASH DC

FBI JKN MISS

1059PM CST

URGENT 9-26-64 JWS

TO DIRECTOR, FBI /44-25706/

FROM JACKSON /44-1/

MEMPHIS. OO JACKSON.

SUMMARY TEL FOR SEPTEMBER TWENTYSIX INSTANT.  
RE JACKSON TEL SEPTEMBER TWENTYFIVE LAST, RE  
DEVELOPMENTS IN PHILADELPHIA AND MERIDIAN, MISS.

INVESTIGATION, PHILADELPHIA, MISS., SEPTEMBER  
TWENTYFIVE LAST REFLECTS NEGRO PRINCIPAL [REDACTED]  
[REDACTED] BOOKER T. WASHINGTON HIGH SCHOOL, SENT FORTY  
STUDENTS HOME ON SEPTEMBER TWENTYFOUR LAST FOR WEARING  
FREEDOM PINS AND REFUSING TO REMOVE SAME IN COMPLIANCE  
WITH LONG ESTABLISHED POLICY OF THE BOARD OF EDUCATION,  
PHILADELPHIA, MISS. [REDACTED] FURNISHED  
MIMEOGRAPHED COPY OF LETTER SENT TO STUDENTS PARENTS  
SETTING FORTH BOARD OF EDUCATION POLICY. [REDACTED]

END PAGE ONE

[REDACTED] b7C

L

REC-7 44-25706-1216

17 SEP 30 1964

b7C  
b7D

[Handwritten signature]

79 OCT 1-1964

PAGE TWO

[REDACTED] ACTED [REDACTED] IN COMPLIANCE  
67C, 67D  
WITH POLICY OF BOARD OF EDUCATION, AND THEN ADVISED  
SUPERINTENDENT OF SCHOOLS, [REDACTED] b7C

[REDACTED]  
[REDACTED] FIRST LEARNED FROM PRINCIPAL  
[REDACTED] THAT STUDENTS WERE WEARING FREEDOM PINS AND  
ATTENDED CLASS ON MONDAY, SEPTEMBER TWENTYONE LAST,  
AND PRINCIPAL SENT THEM HOME. ON THURSDAY, SEPTEMBER  
TWENTYFOUR, LAST, PRINCIPAL [REDACTED]

[REDACTED] INSTRUCTED SOME FORTY NEGRO STUDENTS TO  
REMOVE FREEDOM PINS OR LEAVE SCHOOL. PRINCIPAL  
HANDLED MATTER WITH PARENTS AND STUDENTS RETURNED  
TO SCHOOL. MOST PARENTS NOT AWARE STUDENTS WERE  
WEARING PINS AND IN COMPLETE AGREEMENT WITH  
BOARD OF EDUCATION POLICY. [REDACTED] LEARNED  
COUNCIL OF FEDERATED ORGANIZATIONS  
FROM PARENTS OF STUDENTS THAT COFO HAD MEETING WITH  
STUDENTS ON NIGHT OF SEPTEMBER TWO TWO LAST, WHERE  
b7C, b7D  
END PAGE TWO.

PAGE THREE

THEY BELIEVED STUDENTS WERE INSTRUCTED RE COFO PINS.

ON MORNING OF SEPTEMBER TWENTYFOUR LAST,  
SUPERINTENDENT [REDACTED] BOARD OF EDUCATION, MEMBER  
[REDACTED] AND PRINCIPAL [REDACTED] PRESENT IN  
PRINCIPALS OFFICE, BOOKER T. WASHINGTON HIGH SCHOOL  
WHEN SUPERINTENDENT [REDACTED] TOLD COFO WORKER [REDACTED]  
[REDACTED] THE POLICY OF BOARD OF EDUCATION RE STUDENTS  
DRESS AND WEARING SUCH ITEMS AS FREEDOM PINS. [REDACTED]  
EXPLAINED TO [REDACTED] HE WAS NOT COMPELLED AS  
SUPERINTENDT TO ANSWER TO ANY OUTSIDE ORGANIZATION,  
BUT HE WOULD EXPLAIN THE POLICY OF BOARD OF EDUCATION  
TO [REDACTED] AS A MATTER OF COURTESY. b7c, b7D

[REDACTED] FURNISHED COPY OF STUDENTS HANDBOOK  
SETTING FORTH REGULATIONS GOVERNING CONDUCT OF STUDENTS  
ATTENDING PHILADELPHIA, MISS., HIGH SCHOOLS. NO  
FREEDOM PINS WILL BE PERMITTED INSIDE THE SCHOOLS.

[REDACTED] STATED NO INTENT ON PART

END PAGE THREE

b7c, b7D

PAGE FOUR

OF ANY PERSONS TO DEPRIVE STUDENTS OF THEIR  
CIVIL RIGHTS. ~~LETTERHEAD MEMORANDUM~~ <sup>LETTERHEAD MEMORANDUM</sup> SUBMITTED, COVERING THIS INCIDENT.

MIBURN SUMMARY, SEPTEMBER TWENTYFOUR LAST,  
DESCRIBED PRESENCE OF VICTIMS VEHICLE IN VICINITY  
OF [REDACTED] RESIDENCE SOUTH OF PHILADELPHIA,  
MISS., ON ROUTE NINETEEN. SOURCE OF DATA IDENTIFIED  
AS [REDACTED] b7c, b7D

[REDACTED]  
[REDACTED] FURNISHED INFO CONCERNING THE  
PRESENCE OF VICTIMS VEHICLE IN VICINITY OF

[REDACTED] RESIDENCE ON ROUTE NINETEEN, NEAR  
[REDACTED] RESIDENCE, EVENING OF JUNE TWENTYONE LAST.

AT THE TIME THE VEHICLE WAS IN THIS AREA, SHOTS WERE HEARD AND IN IS  
SUSPECTED THAT THE SHOTS WERE THE CAUSE OF VICTIMS DEATHS.

[REDACTED]  
[REDACTED] THIS DATA WAS RELATED TO DEPARTMENTAL  
END PAGE FOUR b7c, b7D



UNITED STATES GOVERNMENT

# Memorandum

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

TO : Mr. Belmont

DATE: September 24, 1964

FROM : A. Rosen

- 1 - Mr. Belmont
- 1 - Mr. Rosen
- 1 - Mr. [REDACTED] b7C
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED] b7C

SUBJECT: UNKNOWN SUBJECTS;  
MICHAEL SCHMERNER;  
ANDREW GOODMAN;  
JAMES EARL CHINEY - VICTIMS  
(DECEASED)  
CIVIL RIGHTS

With reference to the Federal Grand Jury at Biloxi, Mississippi, Departmental Attorney Robert Owen of the Civil Rights Division is handling the presentation of evidence. Owen is well thought of by Burke Marshall and John Doar of the Civil Rights Division. U. S. Attorney Robert Hauberg is also present at the proceedings.

I talked with Sullivan concerning the developments and he said that we do not know the attitude of the jurors as a result of personal observation as we have no one in the grand jury but insofar as the attorneys are concerned, the group in Biloxi are diligent and we cannot complain about the quality of their effort. They are working late and are "really grinding out the work." They are carefully interviewing all witnesses beforehand and seem to be trying to do a good job.

While talking with Burke Marshall today, he stated [REDACTED] and had made a very favorable impression on the jurors. [REDACTED]

[REDACTED] also testified yesterday and held up well. b3

I inquired as to the attitude of the grand jurors. He said that some of them, of course, were resistant and had the attitude that you couldn't believe anything that a Negro said. He felt that some of the grand jurors thought that a spectacular development would be presented to them the first day, and that, of course, this was to be expected with all the speculation which was taking place. Marshall felt that taking everything into consideration, it was moving along as well as could be expected.

[REDACTED] pah  
(6) b7C

REC-7 44-25706-1217

EX 101

17 SEP 30 1964

CONTINUED - OVER

79 OCT 8 - 1964

6- [Signature]

Memorandum to Mr. Belmont

RE: UNSUBS; MICHAEL SCHWERNER; ANDREW GOODMAN;  
JAMES EARL CHENEY - VICTIMS (DECEASED), CIVIL RIGHTS

[REDACTED]  
[REDACTED] while in the building, he observed Edgar Ray "Preacher" Killen of Philadelphia, [REDACTED] positively identified Killen as being one of the five armed men who seized him [REDACTED] at Philadelphia, Mississippi, [REDACTED]

b7c, b7d

ACTION:

You will be advised of further developments of pertinence.

*Chm*      *R*      *JPH*      *SEP*      *GRC*  
*Q*      *ASD*      *✓*

FBI

Date: 9/23/64

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL AIR MAIL  
(Priority)

*Asst. Director Sullivan*  
*4/5*

TO DIRECTOR, FBI (44-25706)  
(ATTN: ASSISTANT DIRECTOR ALEX ROSEN)

FROM SAC, JACKSON (44-1)

MIBURN

OO: JN

[REDACTED] b7C

b7C, b7D

[REDACTED] L

b7C, b7D

[REDACTED]

b7C, b7D

[REDACTED]

b7C, b7D

- 8 - Bureau
- 2 - Jackson
- (1 - [REDACTED] b7D)
- [REDACTED] DJM

b7C (10)

*[Signature]*  
44-25706-121  
EX 101  
b7C

17 SEP 30 1964

*1 cc WH [Signature]*  
*1 cc [Signature]*

Approved: [Signature]  
79 OCT 1 - Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

JN 44-1

[REDACTED]

b7c  
b7d

[REDACTED]

b7c, b7d

[REDACTED]

b7c, b7d

[REDACTED]

b7c, b7d

The Mississippi Highway Safety Patrol, Neshoba County Sheriff's Office, Philadelphia, Mississippi Police Department are being advised of this information. The Council of Federated Organizations has been advised. All concerned were advised in general of this information in order to protect the identity of the source and will be further advised as details develop.

[REDACTED]

This information is not to be disseminated outside the Bureau unless it is sufficiently paraphrased in order to adequately protect the highly confidential source who is furnishing information on a continuing basis.

b7d

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Belmont

DATE: September 24, 1964

FROM : A. Rosen *R*

1 - Mr. Mohr  
1 - Mr. DeLoach

SUBJECT: UNKNOWN SUBJECTS;  
MICHAEL HENRY SCHWERNER,  
ANDREW GOODMAN,  
JAMES EARL CHANEY - VICTIMS (DECEASED)  
CIVIL RIGHTS

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

Tolson	<input checked="" type="checkbox"/>
Belmont	<input checked="" type="checkbox"/>
Mohr	<input type="checkbox"/>
Casper	<input type="checkbox"/>
Callahan	<input type="checkbox"/>
Conrad	<input checked="" type="checkbox"/>
DeLoach	<input checked="" type="checkbox"/>
Evans	<input type="checkbox"/>
Gale	<input type="checkbox"/>
Rosen	<input checked="" type="checkbox"/>
Sullivan	<input type="checkbox"/>
Tavel	<input type="checkbox"/>
Trotter	<input type="checkbox"/>
Tele. Room	<input type="checkbox"/>
Holmes	<input type="checkbox"/>
Gandy	<input type="checkbox"/>

*b7c* *AD*  
*b7c* *U* *b7c*

With reference to the subpoenas which have been issued for certain of our Agents to appear before a State Grand Jury which is convening on September 28, 1964, Inspector Sullivan has been in touch with County Attorney Raiford Jones of Neshoba County. Attempts were made yesterday to talk with Judge O. H. Barnett, who is a brother of the former Governor. He is the State Circuit Court Judge who will handle this case. They were not able to meet with the Court yesterday inasmuch as he was in session. Sullivan is to talk with Raiford Jones today inasmuch as Jones had communicated with him and indicated he wanted to talk with him.

Our understanding as a result of personal contact with Burke Marshall of the Civil Rights Division is that we are to tell the local authorities that with reference to the subpoenas for state appearance, we would be unable to testify before any grand jury at this time in state court inasmuch as we are under subpoena in a Federal court in connection with the presentation of material before a Federal Grand Jury at Biloxi, Mississippi.

In talking with Sullivan today, it was indicated to him that every effort should be made to get to the Judge today if at all possible to explain the position which we necessarily have to follow in accordance with instructions received from Burke Marshall.

I also talked with Burke Marshall concerning the present procedure and he affirmed the fact that this was the procedure which should be followed and that if this was not satisfactory he would take whatever action was necessary to insure that the above procedure was adhered to.

AR:ige  
(8) *12*

79 OCT 1 - 1964

CONTINUED - OVER

*REC-117*  
*44-25706-1219*  
*6 JIS*  
17 SEP 30 1964

Memorandum to Mr. Belmont  
Re: UNKNOWN SUBJECTS;  
MICHAEL HENRY SCHWERNER, ET AL.

As it now stands, Sullivan is taking the position that we cannot decline to be served with subpoenas but if the Agents are actually required to appear after having been duly served they will follow instructions given by Burke Marshall of the Civil Rights Division to the effect that they will be unable to testify at this time pursuant to Departmental instructions; namely, Departmental Order 260-62; and that this was in accordance with instructions received from Burke Marshall, Assistant Attorney General in charge of the Civil Rights Division of the Department of Justice.

ACTION BEING TAKEN:

This matter will be closely followed with Sullivan so that if any situation develops requiring additional action it will immediately be taken up with Burke Marshall.

R

Q

✓

9/29/64

CODE

RADIOGRAM

URGENT

1 - [redacted]  
1 - Mr. [redacted]

b7c

of  
10

TO SAC JACKSON (44-1)  
FROM DIRECTOR FBI (44-25706)

MIBURN.

REURAIRTEL SEPTEMBER TWENTY-FIVE, LAST.

L

FOR YOUR INFORMATION, VOUCHER STATISTICAL  
SECTION ANTICIPATES COMPLETING PROJECT REQUESTED IN  
REAIRTEL ON OCTOBER TWO, NEXT, AT WHICH TIME EVIDENCE  
AND ACCOMPANYING REPORTS WILL BE FORWARDED DIRECTLY  
TO BILOXI RESIDENT AGENCY.

REC-7 44-25706-1220

19 SEP 30 1964

EX 104

[redacted] nkr  
b7c  
(4)

NOTE:

[redacted]

are being programed by voucher statistical  
section in order to obtain details and voluminous information requested by b3  
Jackson.

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

VIA TELETYPE  
8:00 SEP 23 1964  
ENCIPHERED

NR.	292330
ENC.	[initials]
CK.	[initials]
APPROVED BY	[initials]
TYPED BY	

9 OCT 1 - 1964

MAIL ROOM  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. CALLAHAN

DATE: 9-25-64

FROM :

[REDACTED] *hsc*  
*hsc*

SUBJECT: MIBURN  
JN 44-1, BUR 44-25706

*b7c* → [REDACTED]

In response to approved Departmental request (remymemo 9-10-64), the following visual aids were prepared by Exhibits Section and delivered to Department Attorney Frank Dunbaugh on 9-18-64 for use at Grand Jury Hearing, Biloxi, Mississippi, on 9-21-64:

[REDACTED]

*b3*

In addition, Jackson airtel, 9-19-64, transmitted Attorney Owen's request for [REDACTED] This map, size 40" x 40", was prepared and forwarded to the Meridian Resident Agency on 9-23-64. *b3*

REC-7

44-25706-1221

17 SEP 30 1964

EX 101

*alg*

*b7c* (3)

1 - General Investigative Division [REDACTED] (Sent Direct)

*b7c*

79 OCT 8 - 1964

*SAH*

Memo <sup>b7c</sup> [redacted] to Callahan  
Re: Miburn  
9-25-64

This completes all requests received to date. It is expected, however, that when case comes up for actual trial, more visual aids will be requested.

At time initial group of charts was delivered (9-18-64), Attorney Dunbaugh expressed his most profound thanks for the assistance given him in this matter. Both Mr. Dunbaugh and Attorney John Doar highly praised the quality of the exhibits. This work was turned out under very short deadline conditions. Section Supervisor [redacted] performed all liaison and technical advisory duties, working with and supervising the work of Exhibits Specialist [redacted] and Clerk [redacted] in preparing the finished exhibits. b7c

All surplus Department of Agriculture and Navy aerial photos are being held in Exhibits Section against possible future need. If not needed these photos will be forwarded to bulky file at the proper time. Photos on hand are:

1. Department of Agriculture

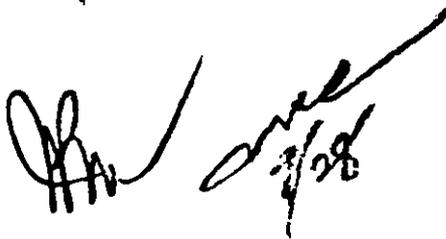
AVB-3AA-75, AVB-3AA-136, AVB-3AA-138, AVB-4AA-46,  
AVB-4AA-77, AVB-4AA-80, AVB-4AA-107, AVB-4AA-108.

2. Navy

A, B, C, D, M, S, T, U, V.

RECOMMENDATION:

None; for information only.

Handwritten signatures and initials, including a large signature on the left and another signature with the date '3/28' on the right.

UNITED STATES GOVERNMENT

# Memorandum

TO : Director, FBI (44-25706)  
(Attn: Assistant Director ALEX ROSEN)

FROM : SAC, Jackson (44-1)

SUBJECT: MIBURN

DATE: 9/22/64

Crime Records Division has requested background data concerning potential subjects in indictments in the Miburn investigation as well as identifying data and background concerning the victims in the various civil rights cases encompassed by this case.

Enclosed herewith are memoranda concerning 17 potential subjects and memoranda concerning the victims whom it is believed will be involved in the charges in any indictments returned.

Photographs suitable for use in answering press inquiries are not available in the cases of any of these individuals, therefore, they are not included. Some of the victims have arrest records, however, no attempt has been made to accumulate data of this type concerning the victims. Following a review of this material, it is suggested that it be referred to the Crime Records Division to the attention of [REDACTED] for use in answering any inquiries that may arise out of this investigation. b7c

L

REC-7

- ② - Bureau (Encls. 48) ENCLOSURE
- 2 - Jackson
- (1 - Attn: SAC ROY K. MOORE)

44-25706-1222

[REDACTED] bjm  
(4) b7c

EX 101

21 SEP 24 1964  
30

ENCL. BEHIND FILE

[REDACTED] b7c

RE  
[Handwritten initials]



79 OCT 1-1964

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

P O T E N T I A L   S U B J E C T S

Enclosure - 1222

pgs 1-36

**SUBJECTS:**

**PAGE:**

**Ethel Glen Barnett**

1-2

**Neal Otha Burkes**

3-4

[REDACTED]

5

[REDACTED]

6

[REDACTED]

7-8

[REDACTED]

9

[REDACTED]

10

[REDACTED]

11

**Edgar Ray Killen**

12

[REDACTED]

13-14

[REDACTED]

15

[REDACTED]

16

**Cecil Ray Price**

17-20

**Lawrence Andrew Rainey**

21-24

[REDACTED]

25-26

[REDACTED]

27-28

[REDACTED]

29-30

[REDACTED]

31

**Richard Andrew Willis**

32-35

[REDACTED]

36

ETHEL GLYN BARNETT

Better known as "HOP" BARNETT, he was formerly the Sheriff of Neshoba County, Mississippi, from January 1950 until January 1964. For approximately 24 years during his term as Sheriff, one of his deputies was the current Sheriff of Neshoba County, LAWRENCE ANDREW RAINEY. Another of his deputies was CLAYTON LIVINGSTON, who is currently a Constable of Neshoba County.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

all  
b7c

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For your information: \_\_\_\_\_  
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NEAL OTHA BURKES

Burkes has been in law enforcement in the Philadelphia, Mississippi area for approximately 25 years. He is currently a patrolman on the Philadelphia, Mississippi Police Department but has formerly served as a Deputy Sheriff with the Neshoba County Sheriff's Office.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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For your information: \_\_\_\_\_  
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EDGAR RAY KILLEN

Killen is an ordained Baptist minister serving as pastor of the Salem Baptist Church in Neshoba County and the Zion Baptist Church in Kemper County. In addition, he operates a saw mill in rural Neshoba County. He has been active in state and county politics in recent years, having made an unsuccessful bid for Sheriff of Neshoba County in 1963.

[REDACTED]

Killen is described as follows:

Race	White
Sex	Male
Birth	[REDACTED]
Age	[REDACTED]
Height	[REDACTED]
Weight	[REDACTED]
Build	[REDACTED]
Hair	[REDACTED]
Eyes	[REDACTED]
Complexion	[REDACTED]

*all  
b7c*

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For your information: \_\_\_\_\_  
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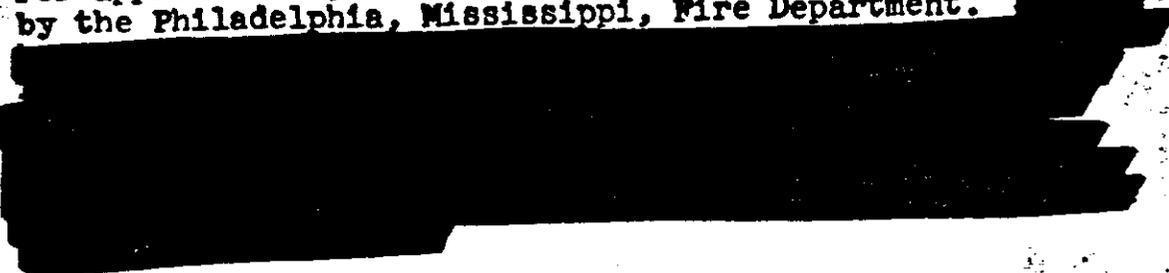
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CECIL RAY PRICE

PRICE is a Deputy Sheriff currently employed by Sheriff LAWRENCE RAINEY, Neshoba County, Mississippi. He has served as a Deputy Sheriff since January of 1964. For approximately two years prior to this he was employed by the Philadelphia, Mississippi, Fire Department.



PRICE is described as follows:

Race  
Sex  
Age  
Date of Birth  
Place of Birth

White  
Male

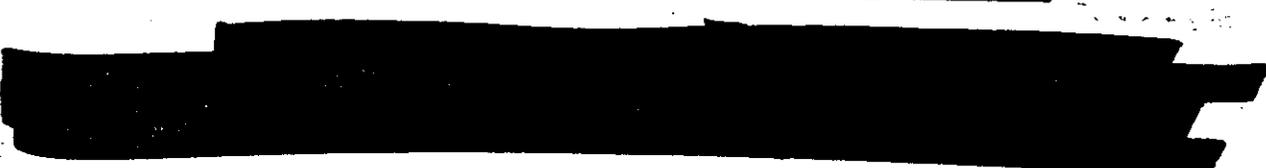
Height  
Weight  
Build  
Hair  
Eyes  
Father  
Mother



*all  
b7c*

RE: CECIL RAY PRICE

PRICE intercepted JAMES E. CHANEY, ANDREW GOODMAN, and MICHAEL SCHWERNER in a 1963 blue Ford station wagon on Highway 16 east of Philadelphia, Mississippi, on June 21, 1964, about 3:30 P.M., followed them to Philadelphia, Mississippi, and arrested them for speeding. The three were held in jail until about 10:30 P.M. same date without being permitted to make bond. After release, the three were killed by gunshot and their station wagon was burned.



LAWRENCE ANDREW RAINNEY

RAINNEY began serving a four-year term as Sheriff of Neshoba County, Mississippi, on January 6, 1964. He has had prior law enforcement experience, serving as Deputy Sheriff from October of 1960 until March of 1963 under the former Neshoba County Sheriff ETHEL GLEN "HOP" BARNETT. In addition to this, RAINNEY formerly served as a police officer on the Philadelphia, Mississippi, Police Department. [REDACTED]

[REDACTED]

[REDACTED]

RAINNEY is described as follows:

Race	White
Sex	Male
Birth	[REDACTED]
Age	[REDACTED]
Height	[REDACTED]
Weight	[REDACTED]
Build	[REDACTED]
Hair	[REDACTED]
Complexion	[REDACTED]

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For your information: \_\_\_\_\_  
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44-25706 Serial 1222 enclosure pgs 22-31

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RICHARD ANDREW WILLIS

WILLIS, [REDACTED]

[REDACTED] has been a patrolman on the Philadelphia, Mississippi, Police Department since 1959.

[REDACTED]

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V I C T I M S

Enclosure 1222

Pgs 36-85

**VICTIMS:**

**PAGE:**

[REDACTED]	37
[REDACTED]	38
[REDACTED]	39
[REDACTED]	40
[REDACTED]	41
[REDACTED]	42
[REDACTED]	43
[REDACTED]	44
James Chaney (deceased)	45
[REDACTED]	46
Congress of Federated Organizations (COFO) Headquarters, Staffed by [REDACTED]	47
[REDACTED]	48-49
[REDACTED]	50
[REDACTED]	51-52
[REDACTED]	53
Andrew Goodman (deceased)	54
[REDACTED]	55
[REDACTED]	56-59
[REDACTED]	60-61
[REDACTED]	62
[REDACTED]	63-64
[REDACTED]	65

*all  
b7c*

[REDACTED]

Michael Henry Schwerner (deceased)

[REDACTED]

66  
67-68  
69  
70-72  
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For your information: \_\_\_\_\_  
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The following number is to be used for reference regarding these pages:  
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JAMES CHANEY (deceased)

See page 18 regarding Cecil Price and [REDACTED]  
[REDACTED]

b7E

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FEDERAL BUREAU OF INVESTIGATION  
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For your information: \_\_\_\_\_  
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44-25706 Serial 1222 enclosure pgs 46-53

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ANDREW GOODMAN (deceased)

See page 18 regarding Cecil Price [REDACTED]  
[REDACTED]

b7C

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For your information: \_\_\_\_\_  
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The following number is to be used for reference regarding these pages:  
44-25706 Serial 1222 enclosure pgs 55-81

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206

**MICHAEL HENRY SCHWERNER (deceased)**

See page 18 regarding Cecil Price [REDACTED]  
[REDACTED]

b7C

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FEDERAL BUREAU OF INVESTIGATION  
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44-25706 Serial 1222 enclosure pgs 83-85

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FBI

Date: 9/25/64

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	_____

*b7c*  
*a. [redacted]*  
*to [redacted]*  
*9/26/64*  
*[redacted]*

Transmit the following in \_\_\_\_\_  
(Type in plain text or code)

Via AIRTEL AIR MAIL  
(Priority)

TO: DIRECTOR, FBI (44-25706) [redacted] *b7c*  
PERSONAL ATTENTION ASSISTANT DIRECTOR  
ALEX ROSEN TO BE FORWARDED TO THE  
VOUCHER STATISTICAL SECTION

FROM: SAC, JACKSON (44-1)

MIBURN  
OO: JACKSON

[redacted] *b3*

[redacted] *b3*

Upon completion of the requested information, the  
Statistical Section is directed to return [redacted] *b3*

- 4 - Bureau (AMSD)
- (1 - Packages) (AM-RM)
- 2 - Jackson (44-1)

REC-1 44-25706-1223

SEP 26 1964

[redacted] lac  
(6) *b7c*

*Request handled.*  
*Material sent to*  
*Jackson 10/12/64*  
*dlw*

Approved: \_\_\_\_\_ *b7c*  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

*cc Voucher Stat. [redacted]*

300010 1004

JN 44-1

[REDACTED] to the Biloxi Resident Agency, Biloxi, Mississippi, so that information can be entered into testimony at the Grand Jury presently in session at Biloxi, Mississippi. b3

The Statistical Section is requested to [REDACTED] obtain the following results: b3

[REDACTED]

b3

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### FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

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**GENERAL INVESTIGATIVE DIVISION**

**9/30/64**

This information has heretofore been furnished to the Director indicating the FBI Agents who were subpoenaed by the Neshoba County Grand Jury to appear on 9/28/64 did not appear. The attached copy of a letter merely confirms what has previously been known to the Bureau that this matter was satisfactorily worked out between the Department and the Judge and the Agents did not have to appear.

AR: [REDACTED]

b7C

214 30

P

UNITED STATES GOVERNMENT

# Memorandum

*abs*

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

TO : Mr. Belmont *Rosen*

DATE: September 27, 1964

FROM : A. Rosen *R/S*

*Milburn*

SUBJECT: UNKNOWN SUBJECTS;  
MICHAEL HENRY SCHWERNER,  
ANDREW GOODMAN,  
JAMES EARL CHANEY - VICTIMS (DECEASED)  
CIVIL RIGHTS

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

*b7c*  
*b7c*  
*b7c*

This is to advise that SAC Moore of the Jackson Office telephonically advised on 9/27/64 information had just been received that the nine FBI Agents subpoenaed to appear before the state grand jury at Philadelphia, Mississippi, on 9/28/64, will not have to appear in answer to the subpoenas.

According to SAC Moore, the United States Attorney at Jackson and Mr. Howard E. Shapiro, Civil Division of the Department, had a conference the afternoon of Sunday 9/27/64 with Neshoba County Circuit Court Judge O. H. Barnett and the Neshoba County Prosecutor at which time an agreement was made that our Agents would not have to appear.

Mr. Moore related that Mr. Shapiro will appear at the local proceedings on 9/28/64 and make a statement to the effect that after the current Federal Grand Jury at Biloxi has completed its inquiry then any information of interest to the Neshoba County authorities will be turned over to them.

ACTION:

You will be advised of pertinent developments.

*bah*  
*(8) b7c*

*EX-102*

REC 8

*44-25706-1224*

18 SEP 30 1964

65 OCT 2 1964

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FEDERAL BUREAU OF INVESTIGATION  
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For your information: \_\_\_\_\_  
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UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Belmont

FROM : A. Rosen *RW*

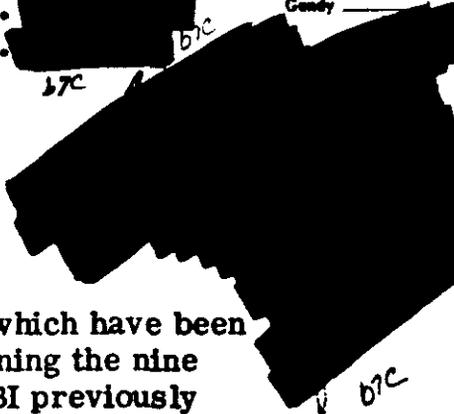
SUBJECT: UNKNOWN SUBJECTS;  
MICHAEL HENRY SCHWERNER,  
ANDREW GOODMAN,  
JAMES EARL CHANEY - VICTIMS (DECEASED)  
CIVIL RIGHTS

*Milburn*

DATE: September 25, 1964

- 1 - Mr. Mohr
- 1 - Mr. DeLoach
- 1 - Mr. Belmont
- 1 - Mr. Rosen *b7c*
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]

- ai's*
- Tolson
  - Belmont
  - Mohr
  - Casper
  - Callahan
  - Conrad
  - DeLoach
  - Evans
  - Gale
  - Rosen
  - Sullivan
  - Tavel
  - Trotter
  - Tele. Room
  - Holmes
  - Gandy



We have been informed of the arrangements which have been made by the Civil Division of the Department concerning the nine subpoenas that have been issued for Agents of the FBI previously named in my memorandum of 9/25/64 in connection with the state grand jury proceeding for September 28, 1964, at Philadelphia, Mississippi. The local grand jury was called by Judge O. H. Barnett, Circuit Court Judge of Neshoba County at Philadelphia, Mississippi. The County Attorney is Raiford Jones.

The following telegram was sent by Acting Attorney General Katzenbach at 11:00 a. m., Central Standard Time, today, September 25, 1964, having been received by SAC Roy Moore at Jackson:

"ROY K. MOORE, SAC, FBI, JACKSON, MISS.

"IT APPEARS THAT CERTAIN FBI AGENTS IN MISSISSIPPI HAVE BEEN SERVED WITH SUBPOENAS REQUIRING THEIR APPEARANCE BEFORE A STATE GRAND JURY IN PHILADELPHIA, MISS. ON MONDAY, SEPTEMBER 28. PURSUANT TO DEPARTMENT OF JUSTICE ORDER NO. 260-62 (28 C. F. R. 16.1) AND AS ACTING ATTORNEY GENERAL, I INSTRUCT YOU AND, THROUGH YOU, EACH FBI AGENT SO SERVED, NOT TO DISCLOSE BEFORE THE SAID STATE GRAND JURY, ANY INFORMATION RELATING TO MATERIAL OR INFORMATION CONTAINED IN THE FILES OF THE DEPARTMENT OF JUSTICE OR ANY INFORMATION OBTAINED IN CONNECTION WITH ANY

*L*

*265 SR 11 11 11 11 11*

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(8)

EX-102  
REC-57  
44-15706-1226  
OCT 1 1964

CONTINUED - OVER -

79 OCT 8 - 1964

Memorandum to Mr. Belmont  
Re: UNKNOWN SUBJECTS;  
MICHAEL HENRY SCHWERNER, ET AL.

OFFICIAL DEPARTMENT OF JUSTICE INVESTIGATION. IT IS ESSENTIAL THAT THESE AGENTS BE AVAILABLE TO TESTIFY BEFORE THE FEDERAL GRAND JURY NOW SITTING AT BILOXI, MISS. AND SINCE THE FBI INVESTIGATION OF MATTERS BEING INQUIRED INTO BY THAT GRAND JURY IS STILL CONTINUING, DISCLOSURE AT THIS TIME TO PERSONS OTHER THAN THE FEDERAL GRAND JURY WOULD BE INIMICAL TO THE PUBLIC INTEREST AND WOULD SERIOUSLY BURDEN AND IMPEDE THE DEPARTMENT OF JUSTICE IN EFFECTIVELY DISCHARGING ITS LAWFUL RESPONSIBILITIES IN THE ADMINISTRATION OF THE CRIMINAL LAWS OF THE UNITED STATES.

"NICHOLAS DE B. KATZENBACH"

In addition to the above, we have been advised by Howard E. Shapiro, Civil Division of the Department, that the following plans are made and it is intended that they will be followed relative to the nine subpoenas which have been issued:

The United States Attorney at Jackson will attempt to arrange a meeting with Judge Barnett either Saturday or Sunday.

Shapiro said he and the United States Attorney and probably Raiford Jones would be present at the meeting, at which time an attempt will be made to have the Judge withdraw the subpoenas.

If this is unsuccessful, Bureau Agents, accompanied by the United States Attorney and Departmental Attorney Shapiro, will appear at the Philadelphia Courthouse at 9 o'clock, September 28, 1964, at which time the United States Attorney and Departmental attorney will move to have the subpoenas quashed or modified so that our Agents cannot testify to any official investigation. (With reference to the modification, it will mean that the Agents will be able to state their name, their address, their employment, and answer any proper personal question; however, they

Memorandum to Mr. Belmont  
Re: UNKNOWN SUBJECTS;  
MICHAEL HENRY SCHWERNER, ET AL.

will not be allowed to testify concerning any official matter in connection with their duties as Special Agents of the FBI.)

If this attempt is unsuccessful, Agents will appear before the grand jury when called and decline to furnish any information as indicated above and in line with the instructions of the Department.

If the Agents are then brought before Judge Barnett, they will maintain the same position and cite the Departmental instructions.

If the Judge rules the Agents to be in contempt and levies a fine, the imposition of the fine will immediately be appealed.

If the Judge orders the Agents held in contempt and asks that they be detained in jail, the Departmental Attorney has stated that appropriate legal papers will be at Biloxi and the Department will immediately obtain a writ of habeas corpus from Federal Judge Sidney Mize of the U. S. District Court sitting at Biloxi to have the Agents released.

In order that the above plans can be carried out, the Departmental Attorney plans to have a meeting at Meridian with all of the Agents involved on Sunday at approximately 4:00 p. m.

ACTION BEING TAKEN:

The above information is being furnished to the SAC at Jackson and also Inspector Sullivan at Meridian for appropriate action.

If any modifications in the above take place, you will be advised.

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Belmont

DATE: September 25, 1964

FROM : A. Rosen *R/S*

- 1 - Mr. Mohr
- 1 - Mr. DeLoach
- 1 - Mr. Belmont

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

SUBJECT: UNKNOWN SUBJECTS;  
 MICHAEL HENRY SCHWERNER,  
 ANDREW GOODMAN,  
 JAMES EARL CHANEY - VICTIMS (DECEASED)  
 CIVIL RIGHTS

- 1 - Mr. Rosen
- 1 - Mr. [REDACTED] b7C
- 1 - Mr. [REDACTED] b7C
- 1 - Mr. [REDACTED] b7C

I talked with Joe Sullivan at Meridian in connection with the above matter indicating that the Civil Division of the Department was preparing appropriate legal replies to the nine subpoenas which have been served upon our Agents.

They desire the identity of the foreman of the local grand jury and Sullivan was requested to obtain this.

Yesterday, as reflected in my memorandum of 9/24/64, Raiford Jones contacted Sullivan and indicated he wanted to talk with him. Raiford Jones is the County Attorney of Neshoba County, Mississippi. The results of this conference were obtained from Sullivan. It, in substance, indicates that Jones was merely reiterating a desire to have Agents appear before the local grand jury. Sullivan, in his conversation with Jones, did not obtain anything that we did not heretofore know and Sullivan took the position that, insofar as Raiford Jones' request was concerned, this was a matter which would have to be brought to the attention of the Department and we would be guided by the Department's decision in such matters.

The information requested by the Civil Division of the Department will be furnished in order that they may appropriately prepare the necessary legal papers concerning the subpoenas which have been issued.

You will be advised of additional developments.

REC-57 44-15706-1227

AR:ige  
(8)

OCT 1 1964

EX-102

CONTINUED - OVER

79 OCT 8 - 1964

Memorandum to Mr. Belmont  
Re: UNKNOWN SUBJECTS;  
MICHAEL HENRY SCHWERNER, ET AL.

ADDENDUM: 9/25/64 ARige

We have ascertained that Judge O. H. Barnett, State Circuit Court Judge, who we now understand is not a brother of the former Governor but is a cousin of the former Governor of Mississippi, was contacted in line with previous advice of Burke Marshall of the Civil Rights Division concerning the subpoenas that were issued against the nine Agents. Burke Marshall stated that we should tell the local authorities that with reference to these subpoenas for state appearance we would be unable to testify before any grand jury in state court inasmuch as we were under subpoena in a Federal court in connection with the presentation of material before a Federal grand jury at Biloxi, Mississippi. In line with this, we contacted the Judge, who was unavailable yesterday, and he was most cordial and was not critical of the FBI.

He indicated that the Department should have released the testimony requested and that he felt a Departmental representative should appear before the state grand jury and state the Department's position. Our Agent made no comment concerning this except to indicate that we were being guided by the Department's wishes in this matter and any request which was made would have to be referred to the Department for appropriate consideration.

Insofar as the nine subpoenas are concerned, they are addressed to

[REDACTED]

the Jackson Division. The Department has advised us that the Attorney General plans to send a telegram to SAC Moore instructing him in the manner in which the subpoenas should be answered and he is having prepared individual instructions to each Agent concerning the manner in which they are to answer the subpoena. A copy of such instructions will be obtained from the Department just as soon as they are prepared. b7c

ACTION TAKEN:

The Department has been advised of the identity of the foreman of the local grand jury. He is [REDACTED] b7c

Burke Marshall has been advised of the Judge's comments to the effect that he felt the Department should release testimony to the grand jury

Memorandum to Mr. Belmont  
Re: UNKNOWN SUBJECTS;  
MICHAEL HENRY SCHWERNER, ET AL.

and that the Judge felt the Department should have a representative appear before the state grand jury and state the Department's position. This has been given to Burke Marshall for such action as he deems appropriate.

Burke Marshall, upon being advised of the above, indicated that he was thinking seriously of having a Departmental representative, perhaps a representative of the U. S. Attorney's Office in Jackson, appear before the local state grand jury and explain the Department's position. He felt that this would be desirable.

You will be advised of additional developments.

R      JPB      [Signature]      ✓      GRC



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F B I

Date: 9/26/64

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL AIR MAIL  
(Priority)

TO: DIRECTOR, FBI (44-25706)  
ATTENTION: ADMINISTRATIVE DIVISION  
MOVEMENT SECTION

FROM: SAC, JACKSON (44-1-SF2)

MIBURN PERSONNEL  
SA [REDACTED] b7c

This is to advise that SA [REDACTED] is returning to his office of assignment via Bucar, Oklahoma City #626, on 9/26/64. b7c

Bucar in which SA [REDACTED] is traveling is assigned to the Oklahoma City Division. b7c

Upon his departure, SA [REDACTED] is being released from the Miburn Special. b7c

*Administrative*  
*San*  
*W. J. Grant*  
[REDACTED] b7c  
[REDACTED] b7c  
8/10

W

*cc - movement*

REC-43 44-25706-1229

- 3 - Bureau (1: Assistant Director ROSEN)
- 1 - Oklahoma City
- 2 - Jackson
- [REDACTED] sab

11 OCT 2 1964

EX-102

(6) b7c

256 SP

11 OCT 1964

[Handwritten signature]

Approved: \_\_\_\_\_ Sent \_\_\_\_\_ M Per \_\_\_\_\_  
56 OCT 8 1964 Agent in Charge

[Handwritten initials]

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For your information: \_\_\_\_\_  
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SAC, JACKSON (44-1)

9-30-64

DIRECTOR, FBI (44-25706)

**MIBURN**

Enclosed are three copies of an artist's conception drawing of Unsub #5, which Exhibits Section, Administrative Division, has prepared from photographs of [redacted] submitted by your office as possible look-alikes of one of the individuals who took victim [redacted] into custody after his release from jail in Philadelphia, Mississippi, [redacted]. This likeness should be shown to [redacted] if he is available and the Bureau advised regarding [redacted] evaluation of the likeness. b7c

If [redacted] indicates that changes should be made to enhance the likeness, this will be done upon receipt of information as to changes desired. Artist's conceptions were not prepared from photographs of [redacted] or [redacted] since [redacted] had already approved look-alike drawings of the man with the mole (Unsub #1) and "Preacher" (Unsub #4). However, if additional drawings of Unsub #1 and Unsub #4 are desired, [redacted] should again be consulted regarding specific points of similarity between these photographs and the men who took him into custody. Exhibits Section should then be requested to prepare drawings based on this additional information. b7c

L

Photographs forwarded by routing slip are being returned to you herewith for possible use in recontacting [redacted] b7c

REC-48 44-25706-1231

OCT 1 1964

Enclosures (13)

ST-112

1 - General Investigative Division [redacted] (Enclosure - One copy of artist's conception drawing) (Sent Direct) b7c

NOTE: Artist's conceptions of Unsubs #1 and #4 prepared at Mr. Rosen's request after interviews by Exhibits Specialists with victim [redacted] at Washington, D. C., 9/4 and 9/8/64. Drawing of Unsub #5 prepared from photographs submitted by Jackson office and should be shown to [redacted] for evaluation. It is understood that [redacted] is now in Mississippi having returned there as a witness in the Miburn hearing. b7c

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

ENCLOSURE

MAILED 25  
OCT 1 - 1964  
COMM-FBI

9 OCT 6 - 1964 MAIL ROOM  TELETYPE UNIT

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UNITED STATES GOVERNMENT

# Memorandum

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

TO : Mr. Belmont

DATE: September 25, 1964

FROM : A. Rosen *R/R*

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

SUBJECT: UNKNOWN SUBJECTS;  
MICHAEL HENRY SCHWERNER,  
JAMES EARL CHANEY,  
ANDREW GOODMAN - VICTIMS  
(DECEASED)  
CIVIL RIGHTS

*fw  
5.1*

[REDACTED] *b7c*

[REDACTED] *b7c*

[REDACTED] *b7c*

ACTION:

[REDACTED] *b7c*

*nkr*  
*b7c(8)*

*V-SP-112*  
*REC-44*

*44-25706-1232*

*R* *Chen* *Jim* *Pat*

17 OCT 5 1964

[REDACTED] *b7c*

79 OCT 6 - 1964

*6-118*



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For your information: \_\_\_\_\_  
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UNITED STATES GOVERNMENT

# Memorandum

TO : DIRECTOR, FBI (44-25706)

DATE: 9/26/64

FROM : *Ramm* SAC, JACKSON (44-1) (P)

ATTENTION: FBI LABORATORY

SUBJECT: MIBURN  
OO: JACKSON

Enclosed to the Laboratory are two rolls of Recordak film

[REDACTED]

*b3*

REQUEST OF THE BUREAU:

The Laboratory is requested to develop the film and return directly to the Meridian, Mississippi, Resident Agency, Attention: Inspector JOSEPH SULLIVAN.

*Enclosure attached to be sent to Meridian R.A. 10-1-64 dit*

- 2 - Bureau (Encl. - 2) (AIR MAIL) (REGISTERED MAIL)
- 1 - Jackson (44-1)

[REDACTED]: lac  
(3) b7c

*re: MIBURN  
film  
10-1-64 dit*

44-25706 -  
NOT RECORDED  
3 SEP 29 1964

RECEIVED *DET*  
 DEVELOPED *9/29/64*  
 PRINTED \_\_\_\_\_  
 ENLARGEMENTS \_\_\_\_\_  
 COPIED \_\_\_\_\_  
 INSPECTED \_\_\_\_\_

[REDACTED] b7c  
THREE



Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

SIX

*226 231*



UNITED STATES GOVERNMENT

# Memorandum

- 1 - Mr. Conrad *b7c*
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]
- 1 - Office, ROOM 7183  
9-29-64

*al*

Tolson	<input checked="" type="checkbox"/>
DeLoach	<input checked="" type="checkbox"/>
Mohr	<input checked="" type="checkbox"/>
Bishop	<input checked="" type="checkbox"/>
Callahan	<input checked="" type="checkbox"/>
Conrad	<input checked="" type="checkbox"/>
DeLoach	<input checked="" type="checkbox"/>
Evans	<input checked="" type="checkbox"/>
Malone	<input checked="" type="checkbox"/>
Rosen	<input checked="" type="checkbox"/>
Sullivan	<input checked="" type="checkbox"/>
Tavel	<input checked="" type="checkbox"/>
Trotter	<input checked="" type="checkbox"/>
Tele. Room	<input checked="" type="checkbox"/>
Holmes	<input checked="" type="checkbox"/>
Gandy	<input checked="" type="checkbox"/>

TO : Mr. Conrad *[Signature]*

DATE:

FROM : [REDACTED] *b7c*

SUBJECT: MIBURN

Special Agent [REDACTED] testified before the Federal Grand Jury, Southern District of Mississippi, sitting in Biloxi [REDACTED] *b7c*

[REDACTED] *b3*

[REDACTED] *b7c*

[REDACTED] *b3*

[REDACTED] *b3*

[REDACTED] *b3*

[REDACTED] *b3*

Upon completion of testimony SA [REDACTED] was released by the Grand Jury and immediately returned to headquarters. It is anticipated that the presentation to this Grand Jury will be completed on or about October 2 next. *b7c, b3*

44-25706

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

[REDACTED] hlb (9)

65 OCT 8 1964

OCT 6 1964

*7236*

*210 50 3 11 211 214*

Memorandum to Mr. Conrad  
MIBURN  
44-25706



b3

ACTION: None. For information only.

*[Handwritten signatures and initials]*  
A large checkmark is visible above the signatures.

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

SEP 30 1964

TELETYPE

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	✓

FBI WASH DC

FBI JKN MISS

1115PM CST

URGENT 9-29-64 JWS

TO DIRECTOR /44-25706/

FROM JACKSON /44-1/

Office of Origin

MIBURN. OO JACKSON.

SUMMARY TEL FOR SEPTEMBER TWENTYNINE INSTANT.

RE JACKSON TEL SEPTEMBER TWENTYNINE LAST, RE DEVELOPMENTS AT PHILADELPHIA AND MERIDIAN, MISS.

PROGRESS OF FEDERAL GRAND JURY /FGJ/, SOUTHERN DISTRICT OF MISS., BILOXI, MISS., AS OF SEPTEMBER TWENTYNINE INSTANT.

TWENTYNINE WITNESSES, INCLUDING RECALLED WITNESSES TESTIFIED BEFORE FGJ, SOUTHERN DISTRICT OF MISSISSIPPI BILOXI, MISS., THIS DATE

[REDACTED]

END PAGE ONE

AC ME  
MH  
MC  
NO  
RH  
SL  
ST

9 OCT 12 1964

EX-114

REC-1  
44-25706-124  
OCT 6 1964

6-114

PAGE TWO

[REDACTED] b3

TESTIMONY [REDACTED]

[REDACTED] WILL CONTINUE

SEPTEMBER THIRTY NEXT. b3

DEPARTMENTAL ATTORNEY ROBERT OWEN ADVISED

TELEPHONICALLY SEPTEMBER TWENTYNINE INSTANT THAT  
HE DESIRED [REDACTED] TO APPEAR  
BEFORE THE GRAND JURY AS A WITNESS ON OCTOBER ONE  
NEXT. HE REQUESTED TESTIMONY [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] b3

END PAGE TWO

2

PAGE THREE

[REDACTED]

Unless Advised to Contrary by Bureau

[REDACTED]

UAGB, b3

OK

[REDACTED] WILL APPEAR AND TESTIFY ALONG THESE  
LINES. OWEN ADVISED HE ALSO PROPOSES TO UTILIZE  
SEVERAL OF THE CITIZENS [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] WAS CONTACTED AND

REQUESTED TO TESTIFY ALONG THESE LINES AND SHE  
WILL APPEAR AT BILOXI WITH SEVERAL FRIENDS ON  
SEPTEMBER THIRTY NEXT PREPARED TO TESTIFY.

OWEN FEELS THAT TESTIMONY OF THIS TYPE  
WILL SERVE TO OVERCOME THE ~~QUOTE~~ "SO WHAT" ~~UNQUOTE~~  
ATTITUDE THE GRAND JURY HAS EXHIBITED TOWARD MOST

[REDACTED]

b3

END PAGE THREE

3

PAGE FOUR

INVESTIGATION CONDUCTED SEPTEMBER TWENTYNINE INSTANT.

THE BULK OF THE INVESTIGATION CONDUCTED BY  
MIBURN SQUAD ON SEPTEMBER TWENTYNINE INSTANT  
PERTAINED TO FULFILLING REQUESTS OF THE ATTORNEYS  
HANDLING THE GRAND JURY FOR THE LOCATION OF WITNESSES,  
EXHIBITS, AND PREPARATION OF CHARTS DEPICTING THE  
SCENES INVOLVED IN VARIOUS OF THE BRUTALITY CASES.

LAUDERDALE AND NESHOPA COUNTY KLAN ACTIVITIES.

TALKON

RACIAL

[REDACTED]

b7D

END PAGE FOUR

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FOIPA DELETED PAGE INFORMATION SHEET

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- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) \_\_\_\_\_, was/were forwarded to them for direct response to you.

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For your information: \_\_\_\_\_  
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FBI

Date: 9/23/64

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL AIR MAIL  
(Priority)

*Asst Dir Sullivan*  
*Dis 5*  
*when can enclosed*

TO DIRECTOR, FBI (44-25706)  
(ATTN: ASSISTANT DIRECTOR ALEX ROSEN)

FROM SAC, JACKSON (44-1)

MIBURN

OO: JN

Re Jackson summary teletype to the Bureau dated 9/22/64.

Enclosed for the Bureau are eight copies of an airtel containing information furnished by confidential source

[REDACTED] b7D  
[REDACTED] b7D  
[REDACTED] b7C

- ③ - Bureau (Encls. 8) (RM)
- 2 - Jackson (1 - 170-93)

bjm  
(5) b7C

*8 ENCL RETAINED*  
*CRS*  
*REC-2 44-25706-124*  
*25 OCT 6 1964*

122  
79 OCT 13 1964

Approved: \_\_\_\_\_  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

*[Handwritten signature]*  
*cl - central*

FBI

Date: 9/30/64

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL \_\_\_\_\_  
(Priority)

*John returned to  
for p. 6. 6. 67  
Returned by  
See AT 10/1/67*

TO: DIRECTOR, FBI (44-25706)

ATTENTION: MECHANICAL SECTION

FROM: SAC, JACKSON (44-1)

*R.P.  
S.E. 10/1/64  
P.F. 10/1/64*

MIBURN  
OO: JACKSON

Forwarded under separate cover are the following:

Six rolls of 35 mm film exposed on Recordak MRD-1 camera. Roll #1 has an undeveloped test strip inside the can and on the outside is a developed film strip with information attached to that film strip concerning type of developer used, time and temperature of development.

Two rolls of 16 mm film exposed on Recordak RP-1 camera. Roll #1 has an undeveloped test strip inside the can and on the outside of the can is a developed film strip with information attached concerning type of developer used, time and temperature of development.

REQUEST OF THE BUREAU:

It is requested that the above film be developed and positive copies forwarded to the U. S. Department of Justice.

- 4 - Bureau (Encl. - 8)
- (1 - Package) (RM)
- 2 - Jackson (44-1)
- lac
- (6) b7c

*Diary p. 8, 9, 10  
10/1/64*

44-25706-  
NOT RECORDED

1 OCT 6 1964

*[Handwritten signatures and stamps]*

Approved: \_\_\_\_\_  
Special Agent in Charge

Sent \_\_\_\_\_ M

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

SEP 29 1964

TELETYPE

FBI WASH DC

FBI JKH MISS

1000HCST

URGENT 9/28/64

TO DIRECTOR /44-25706/

FROM JACKSON /44-1/

HURN DO JACKSON.

YACMAROSA  
JACKSON  
OFFICE OF ORIGIN

SUMMARY TEL FOR SEPTEMBER TWENTYEIGHT INSTANT.

RE JACKSON TEL DATED SEPTEMBER TWENTYSEVEN LAST, RE  
DEVELOPMENTS AT PHILADELPHIA AND MERIDIAN, MISS.

PROGRESS OF FEDERAL GRAND JURY, SOUTHERN DISTRICT OF MISS.,  
AS OF ADJOURNMENT SEPTEMBER TWENTYEIGHT INSTANT.

SA [REDACTED] CONCLUDED HIS  
TESTIMONY BEFORE FEDERAL GRAND JURY, SOUTHERN DISTRICT OF MISSISSIPPI,  
BILOXI, MISS.

THIS DATE [REDACTED]

[REDACTED]

NINETEEN OTHER WITNESSES, INCLUDING RECALLS, TESTIFIED BEFORE

THIS DATE [REDACTED]

[REDACTED]

END PAGE ONE

EX-114  
OCT 20 1964

OCT 14 1964

58 OCT 21 1964

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	

[REDACTED]

[REDACTED]

b3

b3

44-25706-1270

PAGE TWO

ON SEPTEMBER TWENTYNINE, NEXT, FGJ WILL CONTINUE TO HEAR

WITNESSES

[REDACTED]

[REDACTED]

OF WITTS EVIDENCE OF THE RO [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

b7D

[REDACTED]

b7D

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

b7D

END PAGE TWO

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For your information: \_\_\_\_\_  
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44-25706 Serial 1270 pg 3

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PAGE FOUR

[REDACTED] b7D  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] b7D

REJACKSON TEL TO DIRECTOR, SEPTEMBER TWENTYTWO LAST.  
BOOKER T. WASHINGTON HIGH SCHOOL, PHILADELPHIA, MISS., <sup>SS</sup> <sup>David Nathan</sup>

VOTER REGISTRATION, PHILADELPHIA, MISS., SEPTEMBER  
TWENTYONE LAST, <sup>Civil Rights</sup> <sup>Section 1000</sup> CR DASH EL.  
COUNCIL OF FEDERATED ORGANIZATIONS

COFO ADVISED JACKSON OFFICE THAT [REDACTED] COFO  
ATTORNEY, WAS ARRESTED BY WESHOPA COUNTY SHERIFFS OFFICE FOR  
IMPERSONATING FEDERAL MARSHAL, ATTEMPTING TO SERVE PAPERS  
ON TRANSFER OF SUIT TO FEDERAL COURT RE WEARING FREEDOM TYPE BUTTONS BY  
SCHOOL STUDENTS. b7C

DEPUTY SHERIFF CECIL RAY PRICE ADVISED THAT [REDACTED] WAS  
NOT ARRESTED AND THE SHERIFFS OFFICE UNDERSTOOD PAPERS MUST BE  
SERVED BY U. S. MARSHAL. THEY CONTACTED U. S. DISTRICT JUDGE  
WIZE AND DETERMINED HE HAD NOT ISSUED RESTRAINING ORDER OR  
INJUNCTION AND UNFAMILIAR WITH COFO ATTEMPT TO TRANSFER  
JURISDICTION TO FEDERAL COURT. PRICE ADVISED SUBPOENAS WERE IN

END PAGE FOUR

PAGE FIVE

EFFORT TO HAVE U. S. DISTRICT JUDGE SET ASIDE ORDER OF CIRCUIT JUDGE, WESHOPA COUNTY, SEPTEMBER TWENTYONE LAST, PREVENTING VOTER REGISTRATION ACTIVITY DURING COURT SESSION. [REDACTED] IN ADDITION, HAD SUBPOENAS NOT YET SERVED IN CONNECTION WITH SCHOOL SUIT. [REDACTED] WAS GIVEN HIS PAPERS BACK, WHICH HE HAD BEEN SERVING IN VARIOUS OFFICES IN WESHOPA COUNTY COURTHOUSE, AND HE WAS ADVISED THAT IF HE ATTEMPTED TO SERVE PAPERS, HE WOULD BE ARRESTED FOR IMPERSONATING OFFICER. [REDACTED] TOOK PAPERS, AND ON INSTRUCTIONS FROM SHERIFFS OFFICE, LEFT COUNTY FOR JACKSON.

WESHOPA COUNTY GRAND JURY. b7c

MR. NOVARD E. SHAPIRO, DEPARTMENTAL ATTORNEY, WENT TO WESHOPA COUNTY COURTHOUSE TODAY AND APPEARED BEFORE THE GRAND JURY. HE STATED THE DEPARTMENT'S POSITION CONCERNING THAT AGENTS WOULD NOT BE ABLE TO APPEAR. HE PRESENTED TO THE GRAND JURY COPIES OF THE EXCHANGE OF TELEGRAMS BETWEEN THE COURT AND THE DEPARTMENT, AN AFFIDAVIT PREPARED BY MR. KATZENBACH, AND A STATEMENT CONCERNING FUTURE COOPERATION, WHICH STATEMENT WAS AUTHORIZED BY THE DEPARTMENT. AN ORAL COMMITMENT WAS GIVEN BY W. M. JOHNSON, DISTRICT ATTORNEY, THAT IT WOULD NOT BE NECESSARY FOR AGENTS TO RESPOND TO THE SUBPOENAS AT ALL. MR. SHAPIRO WAS OF THE OPINION THAT THERE WOULD BE NO FORMAL LEGAL WITHDRAWALS OR SUPPRESSION OF THE SUBPOENAS BUT RATHER THEY ARE TO BE IGNORED.

~~CORRECTIONS PAGE TWO LINE FOUR SIXTH WORD SHOULD BE OF AND SAME PAGE LINE FOURTEEN EIGHTH WORD SHOULD BE [REDACTED] b7D~~

~~PAGE FOUR LINE NINE SEVENTH WORD SHOULD BE MISS. PAGE FIVE NEXT TO LAST LINE SEVENTH WORD SHOULD BE WITHDRAWAL AND ON SAME PAGE ON NINETEENTH LINE FIRST WORD SHOULD BE JOHNSON.~~

END SA JK

FBI WASH DC

241