

no action
9/14/61
[REDACTED]

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
SEP 14 1961

TELETYPE [REDACTED]

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

URGENT 9-14-61 4-16 PM CST [REDACTED]

TO DIRECTOR, FBI 77-88,227

FROM SAC, LITTLE ROCK 77-1663

THURGOOD MARSHALL, DAPLI, USCJ, SECOND CIRCUIT. REBUAIRTEL
SEPTEMBER TWELVE LAST AND LITTLE ROCK TELETYPE TO BUREAU,
SEPTEMBER SEVEN, NINETEEN FIFTY-SEVEN, ENTITLED INTEGRATION
IN PUBLIC SCHOOLS IN ARKANSAS, CR, COC. IN VIEW OF THE
INFORMATION IN LITTLE ROCK TELETYPE THAT [REDACTED]

b7c

[REDACTED] QUOTE UNDERSTOOD [REDACTED] HAD BEEN IN
CONFERENCE WITH MARSHALL END QUOTE, IS IN EFFECT RUMOR AND
TO REFRESH [REDACTED] MEMORY BY INTERVIEW MAY RESULT IN NEWSPAPER
PUBLICITY, [REDACTED] WILL NOT BE INTERVIEWED AND THIS INFORMATION
WILL BE REPORTED ON THE ADMINISTRATIVE PAGE OF LITTLE ROCK
REPORT IN CAPTIONED MATTER, UACB.

END AND ACK PLS

6-17 PM OK FBI WA [REDACTED]

T OK FBI TU DISC

107L
[REDACTED]

Comrade

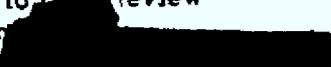
77-11-27-49
NOT RECORDED
25 FEB 23 1962 *b7c*

copies destroyed
DEC 17 1961

9
[REDACTED]
419

Federal Bureau of Investigation
Records Era

9-15, 1961

- Name Searching Unit - Room 6527
- Service Unit - Room 6524
- Forward to File Review
- Attention 
- Return to  1250

b7C

Supervisor Room Ext.

Type of References Requested:

- Regular Request (Analytical Search)
- All References (Subversive & Nonsubversive)
- Subversive References Only
- Nonsubversive References Only
- Main _____ References Only

Type of Search Requested:

- Restricted to Locality of _____
- Exact Name Only (On the Nose)
- _____ Variations

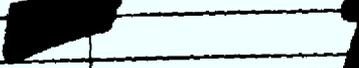
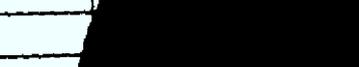
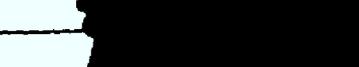
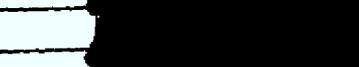
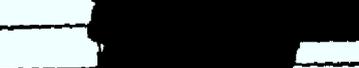
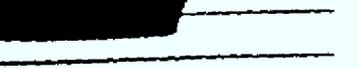
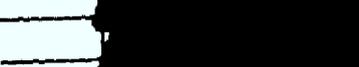
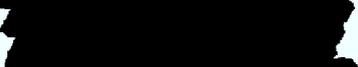
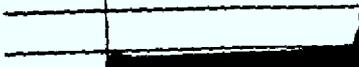
b7C

Subject _____
Birthdate & Place _____
Address _____

Localities _____

Re _____ Date _____ Searcher Initials 

Prod. _____ FILE NUMBER SERIAL

Prod.	FILE NUMBER	SERIAL
		
		
		
		
		
		
		
		
		
		
		
		

b7C

819

No action
9/14/61
[Redacted]

DECODED COPY

b7c

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

Radio

Teletype

URGENT 9-14-61

TO DIRECTOR AND SAC RICHMOND

Done

[Redacted] *1250*

FROM SAC PHILADELPHIA 141752

COVES. THURGOOD MARSHALL, USDJ, SECOND DISTRICT. RE BUTEL SEPTEMBER 8, CC RICHMOND. [Redacted] INTERVIEWED AND RECOMMENDS. ADVISED FEW PEOPLE KNOW THAT ABOUT 3 YEARS AGO, APPLICANT TOOK 2 MONTHS LEAVE OF ABSENCE AND WORKED WITH RIGHT HONORABLE IAIN MACLEOD, M P ON CONSTITUTION OF NIGERIA, BRITISH WEST AFRICA. AS RESULT OF SERVICE RECEIVED LETTER OF COMMENDATION FROM HER MAJESTY QUEEN ELIZABETH. BUREAU MAY DESIRE TO HAVE LEGAT LONDON VERIFY [Redacted] STATED MARSHALL MAY NOT BE HIGHLY REGARDED THROUGHOUT SOUTH. HOWEVER, THERE IS A MAN IN HIGH OFFICE IN SOUTH WHO HAS DEALT WITH APPLICANT ON INTEGRATION AND RACIAL MATTERS WHO MAY NOT AGREE WITH APPLICANT IN PRINCIPLE BUT STILL HOLDS HIM IN HIGH ESTEEM AS A MAN. [Redacted] IDENTIFIED MAN AS GOVERNOR J. LINDSAY ALMOND OF VIRGINIA. RICHMOND INTERVIEW ALMOND. FOR BUREAU'S INFO, [Redacted] [Redacted] WILL NOT BE AVAILABLE FOR INTERVIEW UNTIL SEPTEMBER 15. REPORT WILL BE SUBMITTED SEPTEMBER 18.

And
Process
[Redacted]

RECEIVED:

77-88227-50
4:26 PM. CODING UNIT [Redacted]

NOT RECORDED
25 FEB 23 1962

b7c

286 1: 3 3-21-61

copies destroyed.
DEC 14 1961
[Redacted]

9-
[Redacted] *821*

no action
9/14/61

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
SEP 14 1961
TELETYPE

b7c

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

URGENT 9-14-61 4-27 PM CST
TO DIRECTOR FBI 77-88227 AND SAC DALLAS
FROM SAC, LITTLE ROCK 77-1663

THURGOOD MARSHALL, DAPLI, USCJ, SECOND CIRCUIT. BUDED
SEPTEMBER FIFTEEN NEXT.

██████████ ADVISED MARSHALL WAS BELIEVED CITED
FOR CONTEMPT OF COURT IN THE MATTER OF STATE OF TEXAS
VERSUS NAACP IN THE SEVENTH JUDICIAL DISTRICT, SMITH
COUNTY, TEXAS DATE UNKNOWN. FOR INFORMATION DALLAS, LITTLE ROCK
HAS CONDUCTED INVESTIGATION INTO ALLEGED ILLEGAL PRACTICE OF
LAW IN ARKANSAS. DALLAS ATTEMPT TO VERIFY AND OBTAIN RESULTS.

DL TO BE ADVISED

END AND ACK PL
6-29 PJ OK FBI W
TU DISC V

b7c

77-61-27-51

1 copy destroyed
EO 14 1961

9-

228

9/14/61
[REDACTED]

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
SEP 14 1961

TELETYPE

b7c

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

150

URGENT 9-14-61 9-08 PM [REDACTED]
TO DIRECTOR /17/ AND SAC, CHICAGO
FROM SAC, NEW YORK 77-26395

THURGOOD MARSHALL, USCJ, SECOND CIRCUIT. REBUTEL NINE EIGHT LAST.
QUOTE WHO-S WHO END QUOTE, STATES APPLICANT MEMBER OF NATIONAL
BAR ASSOCIATION. NEW YORK INQUIRIES NEGATIVE TILL TODAY, WHEN INFORMATION
RECEIVED THAT [REDACTED] b7c
CHICAGO, PAREN [REDACTED] END PAREN, [REDACTED] ORGANIZATION
CURRENTLY IN EXISTENCE AND ANY RECORDS REPORTEDLY WITH [REDACTED]
CHICAGO VERIFY MEMBERSHIP.

END

NY R 17 WA [REDACTED]

77-11-7-52
NOTED
25 FEB 20 1961
COPIES DESTROYED
DEC 14 1961

b7c

91- [REDACTED]
823

REC-11
FEB 25 1961

2-9-61
[REDACTED]

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
SEP 14 1961

TELETYPE

b7c

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

URGENT 9-13-61 11-53 PM [REDACTED]
TO DIRECTOR -1- AND SAC MEMPHIS [REDACTED]
FROM SAC NEW YORK 77-26395

COVES, THURGOOD MARSHALL, US CIRCUIT JUDGE, SECOND CIRCUIT.
REBUTEL SEPTEMBER EIGHT, [REDACTED] LAST, NO COPY MEMPHIS.
BUDED SEPTEMBER FIFTEEN, NEXT. BORN JULY TWO, NINETEEN EIGHT,
BALTIMORE, TO WILLIAM AND NORMA MARSHALL. EMPLOYED SINCE
NINETEEN THIRTY SIX AS COUNSEL FOR NAACP OR DIRECTOR DASH
COUNSEL, NAACP LEGAL DEFENSE AND EDUCATIONAL FUND. NEW YORK
NEWSPAPER ARTICLE REFLECTS MARSHALL AND TWO OTHER LAWYERS
IN NINETEEN FORTY SIX AFTER TRIAL OF TWO NEGROES ARRESTED
IN RIOT IN COLUMBIA, TENNESSEE, HAD DRIVEN ABOUT FIVE MILES
OUT OF COLUMBIA, WERE HALTED BY THREE POLICE CARS WITH
WARRANT TO SEARCH MARSHALL-S CAR FOR WHISKEY. MARSHALL
QUOTED AS SAYING NO WHISKEY WAS IN CAR. THEY WERE SUBSEQUENTLY
STOPPED TWICE AGAIN AND LAST TIME MARSHALL ARRESTED FOR
DRUNKEN DRIVING, DRIVEN BACK TO COLUMBIA IN POLICE CAR.

MARSHALL QUOTED AS SAYING MAGISTRATE SNIFFED HIS BREATH AND
RELEASED HIM. MEMPHIS CONDUCT APPROPRIATE INVESTIGATION RE ABOVE.

END

NY R 1 WA [REDACTED]

NOT RECORDED
27 FEB 23 1962

copies destroyed.
DEC 14 1961

b7c

9- [REDACTED] 822

9-14-61

PLAIN TEXT

TELETYPE

URGENT

TO SAC PITTSBURGH (77-5708)

FROM DIRECTOR FBI (77-88227)

THURGOOD MARSHALL, DAPLI, USCJ, SECOND CIRCUIT. RE PG FD-TWO ZERO FIVE
SEPTEMBER THIRTEEN, LAST. SUREP TO REACH BUREAU NINE A.M. SEPTEMBER
EIGHTEEN, NEXT. BUDED MUST BE MET.

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
SEP 14 1961

77-11-27-54

NOT RECORDED

25 SEP 14 1961

b7c

TELETYPE

9-48

- Tolson _____
- Belmont _____
- Mohr _____
- Callahan _____
- Conrad _____
- DeLoach _____
- Evans _____
- Malone _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____

NOTE: On 9-8-61 request received from Assistant Deputy Attorney General Dolan for expedite investigation of Marshall for position of U. S. Circuit Judge, Second Circuit.

(3)

TELETYPE UNIT

ROOM 1250

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
SEP 14 1961

TELETYPE

b7c

URGENT 9-14-61 9-48 PM [REDACTED]
TO SAC PITTSBURGH "77-5708"
FROM DIRECTOR "77-88227" 1 P

THURGOOD MARSHALL, DAPLI, USCJ, SECOND CIRCUIT. RE PG FD-TWO
ZERO FIVE SEPTEMBER THIRTEEN, LAST. SUREP TO REACH BUREAU NINE
A.M. SEPTEMBER EIGHTEEN, NEXT. BUDED MUST BE MET.

ACK & H O L D PLS

OK FBI PG [REDACTED]

b7c

826

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
SEP 14 1961

TELETYPE

b7c

URGENT 9-14-61

4-41 PM

TO SAC ALEANY

FROM DIRECTOR 1P

THURGOOD MARSHALL, DAPLI, USCJ, SECOND CIRCUIT. RE NY AND NH TELS
SEPTEMBER FOURTEEN, INSTANT. AL INTERVIEW SECOND CIRCUIT JUDGES AND
REPRESENTATIVE NUMBER OF USDJ-S FROM THE SOUTHERN AND EASTERN DISTRICT
OF NY AND SUREP TO REACH BUREAU NINE A.M. SEPTEMBER EIGHTEEN, NEXT.
BUDED MUST BE MET. COPY MAILED NY.

END AND ACK PLS

OK FBI AL

TU DISC

V

b7c

52

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
SEP 14 1961

TELETYPE

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

b7c

URGENT 9-14-61 12-12 PM
TO DIRECTOR, FBI /9/ AND SACS ALBANY AND NEW HAVEN
FROM SAC, NEW YORK /77-26305/ 1 PAGE

THURGOOD MARSHALL, USCJ, SECOND CIRCUIT. REBUTEL NINE THIRTEEN
LAST, INSTRUCTING THAT ALL SECOND CIRCUIT JUDGES BE INTERVIEWED.
SECOND CIRCUIT JUDICIAL CONFERENCE BEING HELD NINE FOURTEEN
THROUGH SEVENTEEN AT WHITEFACE INN, LAKE PAXX PLACID, NEW YORK. ALL
JUDGES FROM SECOND CIRCUIT ATTENDING THIS CONFERENCE. NYO
HAS INTERVIEWED USCJ-S [REDACTED] AND [REDACTED]
SECOND CIRCUIT, AND FOLLOWING USDJ-S, SDNY.. [REDACTED]

b7c

[REDACTED] TWO JUDGES EXPRESSED
OPINION THE CONFERENCE WOULD NOT BE PROPER PLACE TO INTERVIEW
JUDGES REGARDING MARSHALL, UACB, BY NOON FIFTEENTH INSTANT, ALBANY
INTERVIEW ALL REMAINING SECOND CIRCUIT JUDGES AND REPRESENTATIVE NUM
OF SOUTHERN AND EASTERN DISTRICT JUDGES AT LAKE PLACID

END AND ACK
NY R 9 WA JS

tel to AL
9-14-61

NOT RECORDED
25 FEB 23 1962

b7c 9

b7c

9-14-61

PLAIN TEXT

TELETYPE

URGENT

TO SAC ALBANY

FROM DIRECTOR FBI

THURGOOD MARSHALL, DAPLI, USCJ, SECOND CIRCUIT. RE NY AND NH TELS
SEPTEMBER FOURTEEN, INSTANT. AL INTERVIEW SECOND CIRCUIT JUDGES AND
REPRESENTATIVE NUMBER OF USDJ'S FROM THE SOUTHERN AND EASTERN DISTRICTS
OF NY AND SUREP TO REACH BUREAU NINE A.M. SEPTEMBER EIGHTEEN, NEXT.
BUDED MUST BE MET. COPY MAILED NY.

1 - NEW YORK (INFO)

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
SEP 14 1961

TELETYPE

b7c

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

NOTE: On 9-8-61 request received from Assistant Deputy Attorney General Dolan for expedite investigation of Marshall for position of U. S. Circuit Judge, Second Circuit.

MAIL ROOM

TELETYPE UNIT

ROOM 1250

Auth. 829

9-14-61

PLAIN TEXT

TELETYPE

URGENT

TO SAC LITTLE ROCK (77-1663)

FROM DIRECTOR FBI (77-88227)

THURGOOD MARSHALL, DAPLI, USCJ, SECOND CIRCUIT. BUDED SEPTEMBER FIFTEEN, NEXT. RE LR TEL SEPTEMBER THIRTEEN, LAST. REFER TO LR LETT JUNE TWENTY-NINE, LAST, LR FILE FOUR FOUR-FOUR TWO FIVE, ENTITLED QUOTE RACIAL SITUATION, UNQUOTE ENCLOSING LETTERHEAD MEMORANDUM CAPTIONED QUOTE RACIAL SITUATION IN ARKANSAS. UNQUOTE APPLICANT'S NAME IS SET FORTH IN PARAGRAPH SIX, LINE SEVEN, PAGE NINE OF THE ENCLOSURE. REFER TO LR TEL SEPTEMBER SEVEN, NINETEEN FIFTY-SEVEN, TO BUREAU CAPTIONED QUOTE INTEGRATION IN PUBLIC SCHOOLS IN ARKANSAS, CIVIL RIGHTS, CONTEMPT OF COURT. UNQUOTE APPLICANT'S NAME IS SET FOR IN LINE THREE. REVIEW AND REPORT PERTINENT INFORMATION. (157-4-25-1 (44-12284-6

FEDERAL BUREAU OF INVESTIGATION
 U S DEPARTMENT OF JUSTICE
 COMMUNICATIONS SECTION
 SEP 14 1961
 TELETYPE

NOT RECORDED
 25 SEP 1961

Dwy

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

NOTE: On 9-8-61 Assistant Deputy Attorney General Dolan request expedite investigation of Marshall, who is currently being considered for the position of U. S. Circuit Judge, Second Circuit.

[REDACTED]

(3)

MAIL ROOM TELETYPE UNIT

[REDACTED]

ROOM 1250

b7c

830

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
SEP 14 1961
TELETYPE

b7c

URGENT 9-14-61 12-43 PM [REDACTED]
TO SAC LITTLE ROCK /77-1663/
FROM DIRECTOR /77-88227/ 1 P

THURGOOD MARSHALL, DAPLI, USCJ, SECOND CIRCUIT. BUDED SEPTEMBER FIFTEEN, NEXT. RE LR TEL SEPTEMBER THIRTEEN, LAST. REFER TO LR LET JUNE TWENTY-NINE, LAST, LR FILE FOUR FOUR-FOUR TWO FIVE, ENTITLED QUOTE RACIAL SITUATION, UNQUOTE ENCLOSING LETTERHEAD MEMORANDUM CAPTIONED QUOTE RACIAL SITUATION IN ARKANSAS. UNQUOTE APPLICANT-S NAME IS SET FORTH IN PARAGRAPH SIX, LINE SEVEN, PAGE NINE OF THE ENCLOSURE. REFER TO LR TEL SEPTEMBER SEVEN, NINETEEN FIFTY-SEVEN TO BUREAU CAPTIONED QUOTE INTEGRATION IN PUBLIC SCHOOLS IN ARKANSAS, CIVIL RIGHTS, CONTEMPT OF COURT. UNQUOTE APPLICANT-S NAME IS SET FORTH IN LINE THREE. REVIEW AND REPORT PERTINENT INFORMATION.

END PLS ACK

OK FBI LR [REDACTED]

VTU DISC

b7c

831

9-14-61

PLAIN TEXT

b7c

TELETYPE

URGENT

TO SAC DALLAS (77-4416)

FROM DIRECTOR FBI (77-88227)

THURGOOD MARSHALL, DAPLI, USCJ, SECOND CIRCUIT. RE DL REPORT
SEPTEMBER TWELVE, LAST. DL SUBMIT SUPPLEMENTAL PAGES FOR RREP TO
INCLUDE PERTINENT CHARACTERIZATION OF [REDACTED] SUPPLEMENTAL
PAGES MUST BE SUBMITTED TO REACH BUREAU NINE A.M. SEPTEMBER EIGHTEEN,
NEXT, WITHOUT FAIL.

b7c

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
SEP 14 1961

NOT RECORDED

25 SEP 1961

TELETYPE

57

b7c

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

NOTE: On 9-8-61 request received from Assistant Deputy Attorney General Dolan for expedite investigation of Marshall for position of U. S. Circuit Judge, Second Circuit.

(3)

MAIL ROOM TELETYPE UNIT

ROOM 1250

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
SEP 14 1961

TELETYPE

b7C

URGENT 9-14-61 9-07 PM
TO SAC DALLAS /77-4416/
FROM DIRECTOR /77-88227/ 1 P

THURGOOD MARSHALL, DAPLI, USCJ, SECOND CIRCUIT. RE DL REPORT
SEPTEMBER TWELVE, LAST. DL SUBMIT SUPPLEMENTAL PAGES FOR REREP TO
INCLUDE PERTINENT CHARACTERIZATION OF [REDACTED] SUPPLEMENTAL
PAGES MUST BE SUBMITTED TO REACH BUREAU NINE A.M. SEPTEMBER EIGHTEEN,
NEXT, WITHOUT FAIL.

END ACK PLS

b7C

TK S

VL PLS HOLD

OK FBI DL [REDACTED]

83

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE RICHMOND	OFFICE OF ORIGIN BUREAU	DATE 9/14/61	INVESTIGATIVE PERIOD 9/11 - 13/61
TITLE OF CASE THURGOOD MARSHALL		REPORT MADE BY [REDACTED]	TYPED [REDACTED]
		CHARACTER OF CASE DEPARTMENTAL APPLICANT U. S. CIRCUIT COURT JUDGE SECOND CIRCUIT	b7C

REFERENCE: Bureau teletype, dated 9/8/61.

-RUC-

15/A
8/29/62
[REDACTED]

ADMINISTRATIVE DATA

Richmond files contain various newspaper clippings which report activities of MARSHALL in connection with NAACP activities and civil rights cases in which he has appeared as counsel for the NAACP. No unfavorable information concerning him appears in these articles and it is not believed significant to this investigation that the contents of these articles be included in this report.

INFORMANTS

Informants mentioned in this report are identified as follows:

APPROVED [REDACTED]	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: (3)-Bureau 1-Richmond (77-7946)		1	-58
	<i>1961-7-12-65</i>	NOT RECORDED	
	SEP 19 1961	22 SEP 25 1961	b7C
DISSEMINATION RECORD OF ATTACHED REPORT		NOTATIONS	
AGENCY.....		CC TO: <i>file</i>	
REQUEST RECD.....		REQ RECD 4-2	
DATE FWD.....		APR 13 1963	
HOW FWD.....		ANS BY: [REDACTED]	
BY.....			

RH 7-794c

b2i
b70/c

[REDACTED] [REDACTED] Contacted by SA [REDACTED]
[REDACTED]
[REDACTED]

-B*-
COVER PAGE

835

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

b7C

Report of:

[REDACTED]

Office: Richmond, Virginia

Date:

9/14/61

Field Office File No.:

77-7946

Bureau File No.:

Title:

THURGOOD MARSHALL

Character:

DEPARTMENTAL APPLICANT, UNITED STATES CIRCUIT COURT JUDGE, SECOND CIRCUIT

Synopsis:

THURGOOD MARSHALL has appeared before Federal and State Courts, State of Va., as counsel for National Association for Advancement of Colored People (NAACP) Legal Defense and Educational Fund. Described variously as person of good character; as honest, reliable and able; as good civil rights attorney; and as loyal U.S. citizen. Recommended by some as qualified for position of U.S. Circuit Judge and others state his legal practice confined to civil rights matters; that his knowledge of other aspects of law limited; that he has had no previous judicial experience; that he is prejudiced and biased; and that he does not have temperament to act dispassionately. Unknown to informants familiar with some Communist Party activities as well as identity some Communist Party members State of Va. Credit and arrest negative Petersburg, Colonial Heights and Richmond, Va.

-RUC-

DETAILS:

EDUCATION

AT FTFICK, VIRGINIA

On September 11, 1961, [REDACTED] Virginia State College, advised SA [REDACTED] [REDACTED] her records revealed that an honorary LL.D degree was granted to THURGOOD MARSHALL by this college during

7-8830-258

6246

commencement exercises on May 31, 1943. She recalled that MARSHALL was in Ettrick, Virginia, only on the date when this degree was conferred and that he delivered an address to the graduating class. She noted that MARSHALL is known to her only by reputation and that she has no first-hand knowledge concerning his activities or abilities.

ASSOCIATES AND ACQUAINTANCES

AT RICHMOND, VIRGINIA

b7c

On September 11, 1961, [REDACTED] advised that he has known THURGOOD MARSHALL since about 1935. They were school mates at Howard University, Washington, D.C., and MARSHALL obtained an LL.B. degree from this institution in about 1935. After obtaining his law degree, he returned to Baltimore, Maryland, where he practiced law for a year or two. He then went to New York City and was employed by the National Association for the Advancement of Colored People (NAACP) as a member of the legal staff of this organization. He has been continuously employed by the NAACP since that time and has been the chief counsel of the NAACP for many years. He noted that Mr. MARSHALL has participated in desegregation and school integration cases in various parts of the South and has been active in different cases in the State of Virginia since about 1940.

b7c

[REDACTED] added that THURGOOD MARSHALL has, in his capacity of an attorney for the NAACP, dealt mostly with Civil Rights cases; however, he is also well versed in other aspects of the law. He described MARSHALL as honest, intelligent, personable, discreet and unemotional; as well as versed in the law; as ethical in all his dealings; as calm, methodical and cooperative; and as reliable and trustworthy. He added that MARSHALL possesses qualities of justice and fair play; the ability to analyze and evaluate; and a sense of objectiveness, all of which, in his opinion, would make him an excellent choice for the position of a United States Circuit Court Judge.

b7c

On September 11, 1961, [REDACTED] of the Virginia State Conference of the NAACP, informed that he has known THURGOOD MARSHALL since about 1940 in connection with their mutual activities in the NAACP. He identified the members of MARSHALL's family as follows:

8/25

WILLIAM MARSHALL, father, deceased several years ago; NOFMA WILLIAMS MARSHALL, mother, who was employed as a school teacher in Baltimore, Maryland, for about thirty-five years, and who recently died at the home of her sister, a Mrs. DODSON, in New York City; Dr. WILLIAM A. MARSHALL, brother, Marshalton, Delaware; JOHN and THURGOOD, Jr. sons, ages about four and five; and wife, CECELIA, who was formerly employed as a private secretary at the NAACP in New York City. His former wife, VIVIAN, died in about 1955.

He noted that MARSHALL has never lived in Virginia but has visited this area in connection with various Civil Rights cases involving desegregation and school integration which have been heard in Federal District Court and local courts. He has lived in New York City since he left his boyhood home in Baltimore, Maryland, after practicing law there for about a year after he obtained his law degree from Howard University in Washington, D.C. At the present time MARSHALL is Director of the Legal Defense and Educational Fund, Inc. of the NAACP.

[redacted] characterized MARSHALL as an able attorney; as loyal to the United States Government; as a person of excellent character who associates with people of good reputation; as ethical, honest and reliable; as calm and judicious in his demeanor; and as one of the best informed lawyers in the country in the matter of constitutional law. He explained that he is not an attorney but that he has observed MARSHALL operate in legal matters before the court and regards him as a very sincere and well informed individual in legal matters. He mentioned that MARSHALL has an outstanding record with respect to cases he has argued before the United States Supreme Court in that he has obtained favorable decisions in about thirty-four of the approximately thirty-eight cases that he has handled. He observed that MARSHALL is highly regarded by his colleagues and associates that he has a sense of fair play and justice which would make him an excellent judge of the United States Circuit Court.

On September 11, 1961, [redacted] related that he has known THURGOOD MARSHALL since about 1934 and has been associated with him in NAACP litigation matters in the State of Virginia for approximately ten years. He explained that he is not acquainted with the background of MARSHALL, but has had many

RH 77-7946

contacts with him in an official capacity. He noted that he regards MARSHALL as an able attorney; as an ardent crusader for the rights of all men regardless of race or color; as calm, collected and thorough in his demeanor and legal arguments; as ethical and law abiding; and as honest, forthright and loyal to this country.

He stated further that he has attended many meetings with MARSHALL with respect to the proper course of action the NAACP should follow within the limits of the law and he has been impressed with his conviction and acute mental ability. He mentioned that the NAACP has great respect for the legal ability of MARSHALL and that MARSHALL has constantly cautioned and counseled NAACP members to conduct their fight for civil rights and equality within the framework of the duly constituted courts of the land. He described MARSHALL as an attorney who takes great pride in a good legal battle; who is just, honorable and judicious; and who is unemotional and has a deep sense of responsibility for his country and for his fellowman. He said he would highly recommend MARSHALL for the position of United States Circuit Court Judge. b7C

On September 11, 1961, [REDACTED]

[REDACTED] advise that he has appeared in Federal District Court in Richmond on several occasions as counsel for the State of Virginia to oppose THURGOOD MARSHALL and the NAACP in connection with school desegregation and the so-called "NAACP Statutes" passed by the Virginia State Legislature. These statutes have required that the NAACP disclose its membership lists and a list of the contributors to this organization in the State of Virginia. b7C

[REDACTED] commented that MARSHALL is a good attorney in civil rights matters; is intelligent, honest, calm and conscientious; is ethical in his legal practice; has a good personality; and handles himself well in a court of law. He explained that his only contacts with MARSHALL have been in connection with the above-mentioned legal proceeding and that he knows nothing concerning MARSHALL's background. He explained that MARSHALL appears to be weak in his knowledge of the law aside from strictly civil rights matters and he said he has won several points before the courts on procedural matters with which MARSHALL did not seem to be familiar. He noted that MARSHALL has not, to his knowledge, ever had any judicial experience and does not

RH 77-7946

appear to have enough knowledge of the law to adequately function as a United States Circuit Court Judge; however, he emphasized that he is not in a position to furnish a positive recommendation either for or against MARSHALL in this respect. He pointed out that he has never heard anything unfavorable concerning MARSHALL and that he would, on the basis of the above-mentioned limited association with him, recommend MARSHALL as a person of good character and as a loyal citizen of this country. b7C

On September 11, 1961, [REDACTED] advised that he has appeared in Virginia State Courts as counsel for the state on behalf of the [REDACTED]

[REDACTED] and that THURGOOD MARSHALL has been the counsel for the NAACP. He noted that MARSHALL has always conducted himself with decorum and respect; that he is honest and ethical; and that he has appeared to be a person of good character. He knew nothing about MARSHALL's background, but mentioned that he has never heard anything unfavorable against him. He explained that MARSHALL has exhibited a good knowledge of laws relating to civil rights matters, but has appeared to lack familiarity with certain legal procedural matters.

He added that his contacts with MARSHALL have been limited to actual court room arguments; however, he commented that he does not think that MARSHALL is "U.S. Circuit Court Judge timber." He explained that, in his opinion, MARSHALL does not have the necessary legal background to be qualified for a position of this sort since his practice has been limited to the narrow avenue of civil rights; and, also, since he has had no experience as a judge either in state or Federal courts. He pointed out, however, that he would have no reason to question MARSHALL's sense of propriety or justice and regards him as sincere and a loyal citizen of this country. b7C

On September 13, 1961, [REDACTED] informed SA [REDACTED] that his contacts with THURGOOD MARSHALL have been limited to the occasions when MARSHALL has appeared in his court as legal counsel for the NAACP. He described MARSHALL as an able attorney; as poised and even-tempered in court; and as dignified and respectful. He said that, to his knowledge, MARSHALL has had no previous experience as a judge which fact would make him question whether MARSHALL is qualified to function as judge of the United States Circuit Court.

RH 77-7946

He added that he has no knowledge of MARSHALL's background or associates, but that his reputation for personal conduct is above reproach. He also felt that MARSHALL is a loyal American citizen. [REDACTED] explained that he would recommend MARSHALL for a judicial position with the reservation that his tenure in this position might not be successful because of his lack of experience in a judicial capacity. b7C

Date 9/14/61

On September 13, 1961, [REDACTED] b7C
 [REDACTED] Richmond, Virginia furnished the following information:

He has known THURGOOD MARSHALL for several years and has dealt with him in connection with "sit-ins and sit-downs" staged by Negroes at department stores and lunch counters in this area. He has never appeared in a court of law as opposing counsel against MARSHALL. He described MARSHALL as an able attorney; as reliable and honest; as having a fair knowledge of the law in both civil rights and other matters; and as a loyal citizen of the country.

He stated further that, in his opinion, MARSHALL does not have the temperament to be a United States Circuit Court Judge and that he would not recommend him for such a position. He explained that MARSHALL has "high prejudices"; is not objective; and would be biased and prejudiced in favor of members of his own race. He added that MARSHALL is, like so many attorneys, an advocate for a cause and a crusader. He said that these characteristics would definitely make MARSHALL a poor choice for a judgeship. He pointed out that he does not think MARSHALL could be conscientious in his decisions, although he might think his decisions were reached from a conscientious and dispassionate standpoint. He related that MARSHALL is such a vehement advocate on racial matters that he cannot see issues dealing with racial matters from a strictly legal standpoint; but views them from the moral issues which, in his opinion, are involved. He commented that a judicial officer must always render decisions on the basis of the legal facts presented before the court and proven without basing a decision on what may or what may not be morally right in a given set of circumstances.

On 9/13/61 at Richmond, Virginia File # Richmond 77-7946 b7C
 by SA [REDACTED] Date dictated 9/13/61

Date 9/14/61

[REDACTED] b7C
 [REDACTED] Richmond, Virginia advised as follows:

He has had contacts with THURGOOD MARSHALL in connection with an inquiry which the Virginia State Bar has been making into his practice of law in this state without becoming a member of the Virginia State Bar. He mentioned that he has had several conferences with MARSHALL and that he regards him as personable, as an able lawyer and as well informed in the realm of civil rights statutes. He noted that MARSHALL is not outstanding and is not, in his opinion, qualified for the position of United States Circuit Court Judge. He explained that MARSHALL does not have the capacity to divorce himself from his personal convictions to the extent necessary to render a judicial opinion on the basis of facts proven in a legal manner.

He added that he does not know anything about the background or character of MARSHALL but said he has never heard anything unfavorable against him in this respect. He stated that, as far as he knows, MARSHALL has, throughout his legal career, dealt only in civil rights cases and, consequently, does not have the legal knowledge which a person sitting on the United States Circuit Court should have. He also mentioned that MARSHALL has had no previous judicial experience; that he is not unbiased or objective; and that he would possibly lean toward deciding issues in favor of members of his own race in the event a question between members of the two major races in this country were presented to him for a decision.

He also commented that MARSHALL has not been cooperative with the Virginia State Bar in connection with inquiry and has delayed, without reason, orders issued by local judges to make certain records and information available to the Bar.

On 9/13/61 at Richmond, Virginia File # Richmond 77-7946 b7C

by SA [REDACTED] Date dictated 9/13/61

b7c

On September 12, 1961, [REDACTED]

[REDACTED] related that THURGOOD MARSHALL is unknown to him personally. He said MARSHALL has never appeared in court against him and that he does not know anything about his background, legal ability, character, honesty, legal ethics or loyalty to the United States Government. He pointed out that he has heard a great deal about MARSHALL and has seen his name on legal documents which he, as Attorney General, has had to sign on behalf of the state; however, he explained that he has no personal knowledge of MARSHALL.

b7c

[REDACTED] commented that he did not feel he was in a position to make any recommendation concerning MARSHALL; however, he mentioned that the appointment of MARSHALL to a Federal judgeship would be looked upon with disfavor in the South because of his NAACP connections and his association as legal counsel in desegregation and school integration matters.

845

Date 9/14/61

b7C

[REDACTED]
 Virginia State Bar, Richmond, Virginia advised as follows:

THURGOOD MARSHALL is not a member of the Virginia State Bar and that this agency has had quite a few dealings with MARSHALL in connection with his practice in the State of Virginia in violation of state regulations requiring that he be a member of the Virginia State Bar. He mentioned that MARSHALL first started to appear in the courts in Virginia in connection with civil rights matters as a representative of the NAACP and the Virginia State Bar forced him to work with members of this bar and act as co-counsel with them rather than handling the cases by himself as counsel.

He added that no information concerning MARSHALL appears in the Virginia State Bar Grievance Committee files since he is not a member of this bar. He commented that he has observed MARSHALL operate in the courts of Virginia in connection with civil rights matters and that he would definitely not recommend him for a judicial position of any kind. He said that MARSHALL has only appeared in civil rights matters and does not, in his opinion, have the necessary knowledge of other legal matters to be able to function in a judicial capacity. He also stated that MARSHALL is "race conscious crazy" in that he is only concerned with the advancement of his own race irrespective of the rights of the members of any other race; that he is bigoted and biased in his judgments and actions on race matters; and that he could not give an unbiased, fair and impartial decision in any matter with respect to racial issues.

b7C

[REDACTED] stated further that MARSHALL has never, to his knowledge, had any experience in a judicial capacity and he definitely would be ill qualified to operate dispassionately and with ability as a United States Circuit Court Judge. He mentioned that the Virginia State Bar is a party in some litigation presently pending in the courts in this state to force the NAACP and its Legal Defense and Educational Fund, Inc. to cease and desist from illegally soliciting legal business and engaging in barratry, which is encouraging a law suit or inciting litigation. He explained that the Virginia State Bar feels that the NAACP and MARSHALL have been instituting

On 9/12/61 at Richmond, Virginia File # Richmond 77-7946
 by SA [REDACTED] Date dictated 9/13/61

b7C

RH 77-7946

suits in civil rights and desegregation matters in the names of certain specific individuals without obtaining the knowledgeable consent of these individuals and without allowing these clients to have any control whatsoever over the cases in question. He said that MARSHALL has exhibited an uncompromising temperament in his dealings in the State of Virginia; has been emotional and biased in his arguments and presentations; and is definitely not qualified to handle decisions judiciously and solely on the basis of the facts and issues proven by legal evidence. He emphasized that he would consider MARSHALL the "worst qualified" attorney known to him for the position of a Federal judgeship.

Date 9/14/61

b7C

[REDACTED] Richmond, Virginia advised as follows:

He has had limited legal association with Mr. MARSHALL and that all of the association has been connected with racial matters, wherein Mr. MARSHALL and [REDACTED] have been opposing each other.

[REDACTED] said that he considers MARSHALL a competent attorney, but not a brilliant or outstanding lawyer, who is weak in procedural matters of law and the courts, but ready to admit his weaknesses. He said that he knows of no other realm of the law other than racial matters in which MARSHALL has ever participated, and believes that MARSHALL has confined himself solely to this field. [REDACTED] said that Mr. MARSHALL does not approach litigation concerning racial matters as anything but a social matter, and sincerely believes that any law which is contrary to his beliefs on racial matters is wrong.

[REDACTED] said that in his opinion Mr. MARSHALL would not be able to render an unbiased opinion on a racial matter brought before him as a judge any more than he could render an unbiased opinion in a matter involving his brother.

[REDACTED] said that in his opinion Mr. MARSHALL is not qualified for appointment as an appellate judge due to his specialized legal experience, and his refusal to approach racial matters as a legal rather than a social matter.

On 9/13/61 at Richmond, Virginia File # Richmond 77-7946
 by SA [REDACTED] Date dictated 9/13/61

b7c

On September 13, 1961, Honorable J. LINDSAY ALMOND, JR., Governor of the State of Virginia was interviewed by SA [REDACTED]

Governor ALMOND stated that he first became acquainted with Mr. MARSHALL in 1952 at which time Governor ALMOND was Attorney General of the State of Virginia. Governor ALMOND stated that between 1952 and 1958 he was in numerous legal suits in which Mr. MARSHALL appeared for the other side. Governor ALMOND stated that all of these cases dealt with matters of segregation. He stated that he appeared opposite Mr. MARSHALL in District Courts, Appellate Courts and the Supreme Court of the United States and found Mr. MARSHALL to be an exceptionally capable and worthy opponent in these cases. Governor ALMOND stated that in all the conferences of opposing counsel, courtroom appearances and other meetings, Mr. MARSHALL showed the highest type of ethical conduct and marked ability. He stated that Mr. MARSHALL always lived up to any stipulations which had been made and that he was objective in his approach in all matters in which they opposed each other.

He characterized Mr. MARSHALL as being a very capable lawyer, level headed and highly experienced. He stated that MARSHALL might place a more liberal interpretation on some matters of law, particularly those dealing with segregation, than many other lawyers would, but he felt that from his extensive knowledge of Mr. MARSHALL's courtroom demeanor and legal talent that MARSHALL would make a very fine judge. He stated that as far as deciding matters concerning racial segregation, he believes that Mr. MARSHALL as a judge would lean over backwards in order to decide a case strictly on its legal merits.

He further characterized Mr. MARSHALL as a man of dignity who used restraint in his approach, knew his facts very well in every case and made a very powerful impression in court.

Governor ALMOND concluded by stating that from his knowledge of Mr. MARSHALL he would unhesitatingly recommend him for a judicial position and feels that Mr. MARSHALL would make a very good judge.

Governor ALMOND stated that it is his honest and sincere opinion that many people who might question the qualifications of Mr. MARSHALL for the judiciary would be highly influenced in their judgments because of Mr. MARSHALL's

RH 77-7946

race. Governor ALMOND stated that such judgment is anathema to him and he is basing his recommendation solely on Mr. MARSHALL's legal ability.

AT ETTRICK, VIRGINIA

On September 11, 1961, [REDACTED]

[REDACTED] informed SA [REDACTED] that he has known and has been personally acquainted with THURGOOD MARSHALL for a period of about twenty years. Within the past ten years, he said he has appeared at various public meetings and functions with MARSHALL and has had an opportunity to observe him and his operations. He commented that he is not an attorney and, consequently, is not in a position to evaluate MARSHALL's legal ability; however, he said he knows that MARSHALL has been associated in legal matters on behalf of the NAACP for many years. In this regard, he mentioned that MARSHALL has been very successful in various civil rights cases which he has argued before different state and Federal courts as well as the United States Supreme Court.

[REDACTED] added that he regards THURGOOD MARSHALL to be a loyal American citizen; to be a reliable, honest, pleasant, forthright and dependable person; to be judicious and fair in his dealings; and to be a person of excellent character and reputation. He said he would, on the basis of the above characteristics of MARSHALL, recommend him for the position of United States Circuit Court Judge.

AT RICHMOND, VIRGINIA

MISCELLANEOUS

On [REDACTED] who is aware of some of the activities of the Communist Party in the State of Virginia as well as the identity of some of its members advised that his knowledge of THURGOOD MARSHALL is limited to information concerning his activities which has appeared in newspapers and periodicals. He added that MARSHALL is unknown to him personally and that MARSHALL has never, to his knowledge had any contact with the Communist Party or any of its members in the State of Virginia.

On September 11, 1961, other confidential informant who are aware of some of the activities of the Communist Party in the State of Virginia as well as the identity of some of its members advised that THURGOOD MARSHALL is unknown to them and that they have no information concerning him.

RH 77-7946

The Communist Party, United States of America, its subdivisions, subsidiaries and affiliates have been cited by the Attorney General pursuant to Executive Order 10450.

NEWSPAPER MORGUE

On September 12, 1961, the records of the library at the Richmond Newspapers, Inc., 110 North Fourth Street, were found to contain only two newspaper clippings concerning THURGOOD MARSHALL. The notation "previous envelope vanished" appeared on the outside of the envelope containing these two clippings.

One article, which appeared in the Richmond Times-Dispatch, a Richmond, Virginia, daily newspaper, dated October 25, 1955, reported on a speech which THURGOOD MARSHALL delivered before the closing session of the twentieth annual convention of the Virginia NAACP at Charlottesville, Virginia. It was reported that "Marshall, who led the NAACP's successful legal battle to have the United States Supreme Court declare racial segregation in public schools unconstitutional, said Southern officials who are now talking about circumvention are just kicking up dust, just jawing with the umpire like a baseball player who has been called out. But, he said, when the dust settles, they will find the mling is still the same."

It also reported that MARSHALL, with respect to desegregation, said "It will be just as difficult 20 years from today...and you might as well do it today and get it over with," and that there was "a distinct moral as well as legal difference between disagreement with the defiance of the Constitution... Defiance of the laws of the land is not only unlawful out breeds contempt for other phases of law. Defiance of the Constitution or of the Supreme Court in regard to school desegregation is not defiance of Negroes or the NAACP. It is defiance of our very Government."

The other article, which appeared in the same newspaper, dated January 25, 1960, mentioned that THURGOOD MARSHALL, Chief Counsel for the NAACP, went to Africa as a special advisor to the African delegation to the Kenya Constitutional Conference in London.

ORGANIZATIONS

None of the individuals interviewed during the course of this investigation knew of any organizations to which THURGOOD MARSHALL belonged with the exception of the NAACP.

RH 77-794c

CREDIT

AT RICHMOND, VIRGINIA

On September 12, 1961, [REDACTED] Credit Bureau of Richmond, advised that she could locate no information in her files identifiable with THURGOOD MARSHALL.

AT PETERSBURG, VIRGINIA

On September 11, 1961, [REDACTED] Retail Merchants Credit Association, advised SA [REDACTED] that she could locate no references in her files identifiable with THURGOOD MARSHALL.

b7c

ARREST

AT RICHMOND, VIRGINIA

On September 12, 1961, [REDACTED] Richmond Police Department, informed that she could locate no references in her files identifiable with THURGOOD MARSHALL.

AT PETERSBURG AND COLONAIL HEIGHTS, VIRGINIA

On September 11, 1961, [REDACTED] Petersburg Police Department, and [REDACTED] Colonial Heights Police Department, advised SA [REDACTED] that no information identifiable with THURGOOD MARSHALL could be found in the arrest files of their respective agencies.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 77-7946

Title THURGOOD MARSHALL

Character DEPARTMENTAL APPLICANT, U.S. CIRCUIT
COURT JUDGE, SECOND CIRCUIT
Reference Report of SA [REDACTED] dated 9/14/61
at Richmond. b7C

All sources (~~except any listed below~~) used in referenced communication have furnished reliable information in the past.

FEDERAL BUREAU OF INVESTIGATION

Reporting Office NEW YORK	Office of Origin BUREAU	Date 9/14/61	Investigative Period 9/11-14/61
TITLE OF CASE THURGOOD MARSHALL		Report made by 	Typed By:
This report does not complete the investigation. You will be furnished with additional information when it is received.		CHARACTER OF CASE DEPARTMENTAL APPLICANT U. S. CIRCUIT JUDGE, SECOND CIRCUIT	

XXXXX

REFERENCE: Bureau teletype to NY, 9/8/61

- P -

US 1A
4/15/62
[Redacted]

ADMINISTRATIVE:

NY files contain a throw-away pamphlet issued by the National Federation for Constitutional Liberties announcing a dinner at the Hotel Russell, NYC, on 4/2/44 held under the auspices of that organization. THURGOOD MARSHALL was listed as a sponsor. No source of this pamphlet was indicated and same was not located by checking the references under applicant's name. Inasmuch as the source of this information is not known, the information was not reported.

NY file 105-40092-35 (report of SA 5/25/60 at New York re "African Activities in the U. S., IS - Africa") reflects information pertaining to THURGOOD

Approved 	Special Agent in Charge	Do not write in spaces below		
Copies made: 3-Bureau 1-NY 77-26395	<i>Photo</i>	7	- 59	REC-19
cc TO: <i>Kate</i>	REQ. REC'D <i>4-2</i>	[Redacted]		
APR 18 1963	ANS BY	[Redacted]		
cc Deputy AG	SEP 18 1961	[Redacted]		

COVER PAGE

NY 77-26395

ADMINISTRATIVE (contd)

MARSHALL, American constitutional lawyer, and a proposed speaking engagement at a celebration of Africa Freedom Day 1960 (April 13, 1960). Information contained herein relative to MARSHALL is not felt pertinent to this investigation and was therefore not reported. b2, b7c

NY files also reflect that [redacted] advised (date and location of information not shown) that in his opinion THURGOOD MARSHALL is either a member of the CP or is a strong sympathizer and that his belief is based on the past activities of THURGOOD MARSHALL. No further information is shown. [redacted] when contacted on [redacted] by SA [redacted] b7c [redacted] advised he does not recall stating MARSHALL was a CP member or sympathizer. The informant said he has no knowledge that MARSHALL was a CP member or sympathizer or ever had any connection with the CP in any way whatever.

In view of the above, the original comment attributed to [redacted] was not reported.

File review in this case to date has been done jointly by SAS [redacted] b7c [redacted] Extensive file review is continuing on an expedite basis.

NY 77-26395

b2, b7D / C

INFORMANTS

<u>Identity</u>	<u>Contacted by</u>	<u>File where located</u>
[redacted] (current)	[redacted] by SA [redacted]	instant report
[redacted] (current)	[redacted] by SA [redacted]	instant report
[redacted] (by request) used in characterizing [redacted]	[redacted]	
[redacted] anonymous		
[redacted] anonymous (mentioned in report of SA [redacted] at NY re "National Lawyers Guild, IS - C)	[redacted]	[redacted]
[redacted] [redacted] (by request)	[redacted]	[redacted] and [redacted]
[redacted]	[redacted]	NY report [redacted] re [redacted] SM-C".
[redacted] used in characterizing [redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]

451

NY 77-26395

b2, b7D
c

INFORMANTS (contd)

<u>Identity</u>	<u>Contacted by</u>	<u>File Where Located</u>
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED] (by request)	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Careful consideration has been given to each source concealed and T symbols were utilized in the report only in those instances where the identities of the sources must be concealed.

The other confidential informants mentioned in this report and not otherwise identified are as follows:

[REDACTED]

b2;
b7D

LEADS

NEW YORK

At New York, New York

MAX YERGAN. Will continue efforts to locate and interview

Will continue efforts to contact additional appropriate informants, at least two of which are not available until 9/18/61.

Will complete Board of Elections check, difficulty having been encountered in completing same.

Will contact additional appropriate individuals ascertained through investigation on 9/14/61.

150

NY 77-26395

b2,
b7D
C

INFORMANTS (contd)

<u>Identity</u>	<u>Contacted by</u>	<u>File where located</u>
[REDACTED]		[REDACTED]
[REDACTED]		[REDACTED]

(by request)

Careful consideration has been given to each source concealed and T symbols were utilized in the report only in those instances where the identities of the sources must be concealed.

The other confidential informants mentioned in this report and not otherwise identified are as follows:

[REDACTED]

b2,
b7D

LEADS

NEW YORK

At New York, New York

Will continue efforts to locate and interview MAX YERGAN.

Will continue efforts to contact additional appropriate informants, at least two of which are not available until 9/18/61.

Will complete Board of Elections check, difficulty having been encountered in completing same.

Will contact additional appropriate individuals ascertained through investigation on 9/14/61.

COVER PAGE

- D* -

853

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

b7C

Report of:

[REDACTED]

Office: New York, New York

Date:

9/14/61

Field Office File No.:

77-26395

Bureau File No.:

Title:

THURGOOD MARSHALL

Character:

DEPARTMENTAL APPLICANT
UNITED STATES CIRCUIT JUDGE
SECOND CIRCUIT

Synopsis:

Applicant employed by NAACP since 1936. Associates recommend. Former and current neighbors know nothing unfavorable concerning him. Two members of US Court of Appeals, Second Circuit, decline to recommend MARSHALL and question whether applicant should be appointed. One judge does not feel MARSHALL has requisite general legal experience. Associates of applicant recommend him, based on personal knowledge of him. Satisfactory credit rating, no arrest or BSS information. No grievances located. Confidential informant stated CP [REDACTED] and MARSHALL necessarily had to know [REDACTED]. Applicant reportedly sponsor of National Negro Congress meeting, member of National Lawyers Guild, member of International Juridical Association and was reference of [REDACTED]

b7D

b7C

77-26395-59

ld

NY 77-26395

DETAILS

Employment

National Association For the
Advancement of Colored People (NAACP)
NAACP Legal Defense and Educational
Fund, Incorporated, New York City

b7C

[REDACTED]
on September 11, 1961, advised that the applicant has been employed by the NAACP since October, 1936, as Assistant Special Counsel from 1936 to 1938, Special Counsel from 1938 to 1950, and since 1950 he has been Director-Counsel of the NAACP Legal Defense and Educational Fund, Incorporated, a separate corporation with offices at 10 Columbus Circle, New York, New York. According to [REDACTED] the applicant attended local elementary and high schools in Baltimore, Maryland, having been born in that city on July 2, 1908. He received his Bachelor of Arts degree in February, 1930 from Lincoln University, Lincoln, Pennsylvania, and his LLB degree in June, 1933 from Howard University Law School, Washington, D. C. He was admitted to the Maryland State Bar in October, 1933 and thereafter conducted a private practice of law in Baltimore for about two years. She said [REDACTED] of the Afro-American newspaper, 628 North Utah Street, Baltimore, Maryland, is acquainted with this period of Mr. MARSHALL's life. He then came to New York in the employ of the NAACP and has been so employed since 1936.

He lives at 501 West 123rd Street, New York, New York, Apartment 17F, having lived there for the past three or four years. For approximately 17 years previously he lived at 409 Edgecombe Avenue, New York, New York. Between his arrival in New York City in 1936 and 1938, when he moved to 409 Edgecombe Avenue, he lived at 140 Bradhurst Avenue, New York, New York.

dd

NY 77-26395

Mr. MARSHALL's first wife was VIVIAN BUREY, who died approximately six or seven years ago. Approximately one year later he married CECILIA SUYAT, his present wife. There were no children of the first marriage and there are two sons of the second marriage:

THURGOOD MARSHALL, JR., age 5
JOHN WILLIAM MARSHALL, age 3.

The applicant has one brother, WILLIAM MARSHALL, M.D., 3000 Newport Gap Pike, Wilmington, Delaware. His father, WILLIAM, formerly of Baltimore, died ten or twelve years ago and his mother, Mrs. NORMA MARSHALL, a retired Baltimore school teacher, died in August, 1961. For approximately the past six years since her retirement, Mrs. NORMA MARSHALL had lived with her sister, Mrs. MEDIA DODSON, the applicant's aunt, at 409 Edgecombe Avenue, New York City. Mrs. STOVALL said these individuals comprise the applicant's family and there are no others.

[REDACTED] knew of no social clubs or organizational affiliations of Mr. MARSHALL except his membership in the Masons. b7c

[REDACTED] said she is not acquainted with one [REDACTED] and knows of no association on the part of Mr. MARSHALL with this person.

[REDACTED] suggested the following as individuals who know Mr. MARSHALL well both personally and through his work:

[REDACTED]
[REDACTED]
[REDACTED]
Boston, Massachusetts

Judge WILLIAM H. HASTIE
United States Court of Appeals
Third Circuit, Philadelphia, Pennsylvania

Red

NY 77-26395

[REDACTED]
Dallas, Texas

[REDACTED]
Howard University Law School
Washington, D. C.

b7c

[REDACTED]
Baton Rouge, Louisiana

[REDACTED]
Pine Bluff, Arkansas

[REDACTED]
Washington, D. C.

[REDACTED]
Tulsa, Oklahoma

[REDACTED]
Pittsburgh, Pennsylvania

[REDACTED]
Howard University,
Washington, D. C.

[REDACTED]
[REDACTED] and during that time she found him to be of consistently good character, reputation, associates, and undoubted loyalty to this country. [REDACTED] said she has never had reason to doubt Mr. MARSHALL in any way and she feels he would be well qualified as a federal judge.

763

NY 77-26395

b7c

[REDACTED] NAACP Legal Defense and Educational Fund, Incorporated, on September 11, 1961, advised he has known and worked with Mr. MARSHALL since [REDACTED]. In his opinion the applicant is a superior human being whose character, loyalty, associates, reputation and demeanor leave no reason for question. He has much human compassion which, combined with his technical legal competence, would make him a very good judge, said [REDACTED]. He feels Mr. MARSHALL would be one of the better federal judges and his record of cases successfully argued before the United States Supreme Court attests to his legal ability. [REDACTED] continued that he feels Mr. MARSHALL has sufficient background and judicial temperament to qualify him as a federal judge and [REDACTED] said he has no reservations about recommending Mr. MARSHALL for the federal judiciary.

164

NY 77-26395

On September 12, 1961, [REDACTED] NAACP, 36 West 44th Street, New York, New York, advised Special Agent [REDACTED] that Mr. MARSHALL has been in the Legal Section of the NAACP for the past 25 years and, as a matter of fact, will celebrate his 25th anniversary on October 14, 1961. He said that at the time that Mr. MARSHALL was hired, [REDACTED]

[REDACTED] and that Mr. MARSHALL had come to him highly recommended by [REDACTED] of the Howard University Law School. He said that Mr. MARSHALL held various positions in the Legal Committee over the years and in 1941, when the present Legal Defense and Education Fund was set up, Mr. MARSHALL was placed in charge. He said that over the years, he has also become a close social friend of Mr. MARSHALL and both of his wives.

[REDACTED] said that Mr. MARSHALL is a man of the greatest personal integrity and is a completely loyal American citizen devoted to the principles of democracy. He said that there has never been the slightest hint of scandal connected with Mr. MARSHALL or any of the members of his family. He said that Mr. MARSHALL enjoys an almost unique faculty for making friends, even among his enemies. He said that he enjoys a very wide acquaintanceship with persons of various political creeds in both the North and the South and is highly respected as a man and as an attorney. He said that Mr. MARSHALL is a keen student of constitutional law and regards the law as being almost sacred. He said that he has an insatiable capacity for work.

[REDACTED] said that Mr. MARSHALL is a man of great humaneness endowed with outstanding qualities of understanding and patience. He said that he would recommend Mr. MARSHALL most highly for the position of Circuit Judge.

b7c

b7c

9/15

NY 77-26395

On September 13, 1961, [REDACTED]

[REDACTED] NAACP, advised SA [REDACTED] that he first met THURGOOD MARSHALL as a social friend in 1940. He said that at that time Mr. MARSHALL's first wife, since deceased, himself and several other individuals were engaged in the operation of a cooperative grocery store in the Washington Heights section of New York and Mr. MARSHALL helped occasionally with the delivery of groceries. He said that from then until 1956, when he himself accepted his present position, he saw the MARSHALLS frequently as friends. He said since 1956 he has been acquainted with Mr. MARSHALL on both a business and a personal basis. b7c

[REDACTED] said that he considers Mr. MARSHALL eminently qualified for a position as circuit judge. He said that Mr. MARSHALL, though he may joke about many things, has never joked about the law or the Constitution. He said that the Constitution and the law are sacred to Mr. MARSHALL. He said that he does not feel qualified to comment on his legal qualifications for a judgeship, inasmuch as he himself is not an attorney. He said, however, that temperamentally Mr. MARSHALL is well qualified for such a position, being a calm, dispassionate individual. He said that of his own experience in civil rights matters, Mr. MARSHALL has never allowed his personal involvement to cloud the applicability of the law. b7c

[REDACTED] said that he has also been acquainted with the various members of Mr. MARSHALL's family and that he considers them as he does the applicant, to be persons of the finest character and completely loyal American citizens.

On September 13, 1961, [REDACTED]

[REDACTED] New York, New York, advised SA [REDACTED] that he himself is a member of the board of the Legal Defense and Educational Fund of the NAACP and has been for the past three years. He said, however, that he has been involved with legal matters of the NAACP for the past ten to twelve years and has been closely associated with THURGOOD MARSHALL 26

NY 77-26395

during that period on a business basis. He said that he has had no social contact with Mr. MARSHALL outside of NAACP affairs. He said that Mr. MARSHALL is eminently qualified for a position as circuit judge, having a thorough knowledge of the Constitution and law and being a detached individual. He said that by training and temperament, he considers Mr. MARSHALL to be well suited for the judgeship and he recommended him highly for such a position. [REDACTED] b7C
[REDACTED] is not acquainted with the members of the applicant's family and he stated that he has had no reason to question Mr. MARSHALL's character or his loyalty to the United States.

967

NY 77-26395

b7C

On September 12, 1961, [REDACTED] NAACP, advised Special Agent [REDACTED] that he has known THURGOOD MARSHALL since 1937 [REDACTED] since 1944. He said that over the years he has enjoyed a close business and social acquaintanceship with Mr. MARSHALL and his family. He said that he is delighted at the prospect of Mr. MARSHALL being appointed Circuit Judge, inasmuch as he feels that he is eminently qualified for this position. He said that Mr. MARSHALL enjoys one of the finest legal reputations in the country and is highly considered and respected even by his opponents. He said that he is a man of understanding and patience and a very hard and conscientious worker.

[REDACTED] said that he is also acquainted with Mr. MARSHALL's family. He said that both his parents are deceased as is his first wife. He said he has one brother. He said that Mr. MARSHALL's loyalty to the United States and his personal reputation are above reproach and he concluded by recommending him most highly for a position as Circuit Judge.

On September 12, 1961, [REDACTED] NAACP, advised Special Agent [REDACTED] that he has been a close business and social associate of THURGOOD MARSHALL since the latter came to work with the NAACP in 1936. He said that for many years, [REDACTED] He described Mr. MARSHALL as a loyal, talented American. He said that he is a very hard worker, who completely devotes himself to the task at hand. He said that he has always been a very keen student of the law and has a great reverence for the law. He said that

b7C

9/6/61

NY 77-26395

Mr. MARSHALL has a faculty of winning friends and respect even in a hostile atmosphere and that he has friends and admirers all over the nation. He said that in all respects, THURGOOD MARSHALL is an extraordinary individual. He said that he is a superb lawyer and that the law is a deeply ingrained part of his whole life. He said that Mr. MARSHALL regards the law as the bulwark of society. He said that he has always conducted himself without rancor or hatred. He said, however, that where the law is concerned and where the great principles upon which this nation is based are concerned, Mr. MARSHALL is uncompromising. He said that as a Judge, he does not believe that Mr. MARSHALL would ever be swayed by personal bias. He said that he believes firmly in the tradition of the law. [REDACTED] went on to say that while Mr. MARSHALL is bound by the traditions of the law, he has imagination and has often sought to apply the traditions of the law in areas where they had never been tried before. He said that to the best of his knowledge, Mr. MARSHALL has never espoused any questionable organizations or philosophies. He said that he is definitely not a joiner. He said that in his opinion, Mr. MARSHALL would make a very fine Judge and he recommended him very highly for such a position. b7c

On September 12, 1961, [REDACTED]

[REDACTED] New York, advised Special Agent [REDACTED] that he has been a close business and social acquaintance of THURGOOD MARSHALL for the past eight years, inasmuch as he himself is also connected with the NAACP Defense Fund. He said that he last saw Mr. MARSHALL about two weeks ago when Mr. MARSHALL and his family attended a picnic at his own home. He said that he has never had any legal dealings with Mr. MARSHALL, either appearing with him or against him. He said, however, that he is a very fine lawyer and gentleman and has

9/16/61

NY 77-26395

all the qualities of patience, understanding, knowledge, and respect for the law to make him a suitable Circuit Judge. [REDACTED] b7c

[REDACTED] He said that he would recommend Mr. MARSHALL highly for the position of Circuit Judge.

[REDACTED] mentioned above, on recontact on September 14, 1961, advised SA [REDACTED] that he recalls that in a segregation case in Kansas City, Missouri, in 1951

[REDACTED] a motion was filed in behalf of Kansas City to strike MARSHALL's name from the plaintiff's petition and to deny him the privilege of appearing as counsel by reason of membership in the National Lawyers Guild (NLG) and the International Juridical Association (IJA), both described as Communist Party (CP) front organizations.

[REDACTED] said that the IJA is known to him by name only and he has no knowledge of MARSHALL's connection with that organization. b7c

Concerning the NLG, he said that at that time MARSHALL had indicated that the NLG was formed by "liberal elements" in the field of law. MARSHALL in conversation said that he had joined the NLG because the American Bar Association was then closed to the Negro. MARSHALL further indicated that, when in the late 1940's, it became apparent that CP members or sympathizers were gaining control of the organization, he had withdrawn from the NLG. [REDACTED] said that this is his only knowledge of MARSHALL's connection with the NLG.

970

NY 77-26395

b7C

[REDACTED] Legal Defense and Educational Fund, Incorporated, on September 12, 1961 advised Special Agent [REDACTED] that he has worked with Mr. MARSHALL for the past six years, and that he has known him over a period of years as an individual of excellent character and absolute integrity. He said that the applicant is a humble, sensible, courageous person who possesses a fine sense of responsibility and one who has the respect of all races.

He stated that Mr. MARSHALL has an exceptionally keen legal mind and great experience in the field of law and that he realizes the value of hard work. H. said that the applicant is aware of the necessity of a correct conclusion in a legal matter, and that he has the stamina, tenacity, and maturity to do outstanding work. He said that Mr. MARSHALL has been a student of the law since his days in law school, and that he has shown good insight and sound judgment in legal matters.

He stated further that the applicant's family consists of his wife, CECILIA MARSHALL, and two small children, and that he has a brother, Dr. WILLIAM MARSHALL, a Medical Doctor located in Wilmington, Delaware. He said that the applicant's mother died about one month ago, and that Mr. MARSHALL and his relatives are individuals of good reputation.

He stated further that the applicant's loyalty to the United States Government is above question, and that he is outspoken in his denunciation of those whose interests are contrary to the best interests of the United States Government. He said that Mr. MARSHALL has the experience, brains, common sense, and judicial temperament to do eminent work for the government, and he recommended him highly.

111

NY 77-26395

b7C

On September 12, 1961, [REDACTED]
[REDACTED], NAACP Legal Defense
and Educational Fund, Incorporated, advised Special
Agent [REDACTED]

[REDACTED] She said that the applicant's legal experience has been primarily in the field of free speech and civil liberties, but that he has acted as counsel or legal assistant in a variety of cases in the field of law. She said that during her experience in this office, she estimated that 25 per cent of the cases handled were in the field of criminal law. She said that Mr. MARSHALL is an extremely competent lawyer; that he is a flexible person; and that one of the chief reasons for his success is his ability to deal with people and mediate disputes. She said that in addition to his legal work, he has successfully directed an organization composed of groups of lawyers from many states. She said that he exercises sound judgment in his dealings with individuals and the handling of his legal responsibilities and that he possesses a judicial temperament.

She stated that the applicant is an exceptionally honest person both with himself and in his dealings with others; that he is humble; and that he is lenient in matters of human failings, and has a personal concern for the individual. She said that he is conservative in his thinking; that he lives modestly; and that he does not seek personal aggrandizement.

b7C

[REDACTED] stated further that Mr. MARSHALL has been married twice, and that his first wife, VIVIAN MARSHALL, died about six years ago. She said that she was acquainted with the applicant's present wife, CECILIA MARSHALL, and that both wives were individuals of good reputation. She said that the applicant's

878

NY 77-26395

mother, Mrs. NORMA MARSHALL, died about one month ago and that the applicant's brother, Dr. WILLIAM MARSHALL, is a Medical Doctor in Wilmington, Delaware. She said that both are of good reputation. She said that the applicant has two children, the oldest being approximately five years of age.

She stated further that Mr. MARSHALL is unquestionably a loyal American citizen of excellent character, and that he is highly regarded, both personally and professionally. She said that to her knowledge, he has never been associated with individuals or groups of questionable reputation, and that the only groups whose activities he regularly participates in are his church and the Masonic Order. She said that she has complete confidence in the integrity and ability of the applicant, and that she would recommend him highly. She said that she did not know [REDACTED] and that to her knowledge, [REDACTED] never worked with Mr. MARSHALL within this organization. She said that she knew of no association between the applicant and [REDACTED] b7C

872

NY 77-26395

Neighborhoods

140 Bradhurst Avenue
New York, New York

b7c

Investigation under this caption was conducted by
SA [REDACTED] on September 14, 1961.

[REDACTED] 140 Bradhurst Avenue,
New York, New York, advised that she has lived for many years in
the adjoining house and moved into 140 Bradhurst Avenue several
years ago. She was acquainted with THURGOOD MARSHALL as a neighbor
in 1936 to 1938. As far as she could recall, Mr. MARSHALL had
a good reputation in the community, was well liked, and she never
heard anything derogatory concerning him. She stated she had
no reason to question his loyalty to the Government in any way.
[REDACTED] was not acquainted with any of the associates of
Mr. MARSHALL. She considered THURGOOD MARSHALL well qualified
for employment with the Federal Government.

[REDACTED] 140 Bradhurst Avenue, New York, New York, advised
that they have been living at this address since 1937, and
while they do not recall THURGOOD MARSHALL specifically, they
had heard of him. [REDACTED] said that they had
never heard anything derogatory concerning THURGOOD MARSHALL
nor concerning any members of his family. [REDACTED] further
stated that the [REDACTED]
was not available for interview at the time and further, that
it is not likely he would know Mr. MARSHALL. [REDACTED]
[REDACTED] had long since moved away and is unavailable for contact at this
time.

874

NY 77-26395

409 Edgecombe Avenue
New York, New York

b7c

Investigation under this caption was conducted on
September 12, 1961, by SA [REDACTED]

[REDACTED]
[REDACTED] tenants at 409 Edgecombe Avenue, advised they are acquainted with
THURGOOD MARSHALL who resided in this apartment building until
about three to four years ago. All [REDACTED] said they
lived in the building before the applicant moved in during the
late 1950's. [REDACTED]

b7c

[REDACTED] knew
the applicant and relatives in Baltimore, Maryland.

They stated the applicant occupied apartment 9B with
his wife, VIVIAN, who died about six years ago. He remarried
and moved out after the birth of his first child. His mother and
his aunt, Mrs. MEDIA DODSON have occupied the apartment since that time,
they said, and his mother died during August, 1961.

These individuals recommended the applicant for a federal
judgeship as a man of excellent character, conduct, morals and
reputation. They stated he is a gentleman who has humane interests
and is dedicated to his work. Further, he has achieved a reputation
as an outstanding attorney in his work with the National Association
for the Advancement of Colored People (NAACP).

They stated there has never been any scandal or gossip
associated with him or any relative and all members of his family
are cultured, educated and respectable individuals, as well as
loyal American citizens. To their knowledge he has never been
connected with any subversive activities, organizations or
individuals, and they said they could provide no further information.

NY 77-26395

501 West 123rd Street
New York, New York

b7C

Investigation under this caption was conducted
by SA [REDACTED] on September 14, 1961.

[REDACTED] New York,
New York, advised that 501 West 123rd Street, New York, New
York, is an apartment within this housing project; that it
consists of cooperative apartments, one of which is occupied
by THURGOOD MARSHALL and his family, namely, Apartment 17F.
THURGOOD MARSHALL has been residing at that address since
November, 1957. He is considered an excellent tenant, meets
all his financial obligations, and no complaints against him
have been received by the housing corporation.

b7C

[REDACTED] stated she is personally acquainted
with THURGOOD MARSHALL and his family, and considers them
all individuals of high character, good moral habits, and
unquestioned loyalty to the United States Government. She
stated that she is also acquainted with some of the personal
friends of THURGOOD MARSHALL and considers them also patriotic
citizens and people of high character. THURGOOD MARSHALL bears
an excellent reputation in the community, he is well liked,
and she would recommend him without hesitation for a position
with the United States Government.

[REDACTED] 501 West 123rd Street,
New York, New York, advised that [REDACTED]

[REDACTED] He has
been acquainted with THURGOOD MARSHALL and his family since that
time. THURGOOD MARSHALL is one of the best tenants in the building

NY 77-26395

b7c

His reputation is above reproach and his moral habits and integrity are outstanding. [REDACTED] could have no reason to question the loyalty of THURGOOD MARSHALL. Mr. MARSHALL gets along well with the other tenants in the building and [REDACTED] has heard no derogatory information concerning Mr. MARSHALL. [REDACTED] was also acquainted with THURGOOD MARSHALL's mother, who recently passed away.

[REDACTED]
New York, New York, / [REDACTED] 501 West 123rd Street) advised that she has been acquainted socially with THURGOOD MARSHALL since 1943. She considers THURGOOD MARSHALL thoroughly reliable, honest, of excellent moral habits and conduct.

[REDACTED] stated that THURGOOD MARSHALL is thoroughly loyal to the United States Government and she would consider his associates also patriotic American citizens. She was acquainted with his former wife, as well as his present wife, and considers them both individuals of the highest character. She stated that the strong character of THURGOOD MARSHALL was exemplified in the excellent way in which he cared for his first wife during her last illness. [REDACTED] stated she definitely would recommend THURGOOD MARSHALL for a position with the United States Government.

NY 77-26395

Members of the Judiciary

b7C

The following Federal Judges, advised SA [redacted] on the dates indicated they know MARSHALL by his reputation. They said MARSHALL has never appeared before them in a Court of Law, and they could not comment regarding his qualifications:

[redacted] Southern District of New York (USDJ, SDNY), United States Court House, Foley Square, New York, New York, contacted September 13, 1961.

[redacted] SDNY, contacted September 11, 1961.

[redacted] SDNY, contacted September 12, 1961.

b7C

[redacted] SDNY, contacted September 12, 1961.

[redacted] SDNY, contacted September 12, 1961.

[redacted] SDNY, contacted September 11, 1961.

[redacted] United States District Court, Southern District of New York (USDC, SDNY) advised SA [redacted] on September 12, 1961, that THURGOOD MARSHALL has appeared before him in connection with the [redacted] case involving school segregation in [redacted]. He said the [redacted] case had been handled by several other attorneys; however, MARSHALL filed a motion before [redacted] regarding the matter.

b7C

NY 77-26395

He said he had several legal conferences with MARSHALL in connection with the [REDACTED] case and MARSHALL conducted himself admirably. He found MARSHALL to be conscientious and he is a good attorney.

[REDACTED] advised he believes MARSHALL has only appeared in the Second Circuit on one occasion and to the best of his knowledge his legal experience has been in courts in Southern states. He stated he believes MARSHALL has the qualifications for the position of Federal Judge in the United States Court of Appeals in the Second Circuit.

b7c

FEDERAL BUREAU OF INVESTIGATION

Date 9/13/61

[REDACTED] United States Court of Appeals, Second Circuit, United States Court House, Foley Square, New York, New York, advised he recalls meeting THURGOOD MARSHALL [REDACTED] b7c

[REDACTED] several years ago. He said he has had no contact with MARSHALL since that meeting.

[REDACTED] advised he believes MARSHALL's legal experience lies only in the civil rights field. He does not believe MARSHALL has ever handled any legal matters except segregation cases. He added he does not doubt MARSHALL's capacity for the position, but he would not recommend him as a Federal Judge in the Court of Appeals. He said it is his opinion that appointments to the Court of Appeals should come from the District Court. He feels there are too many capable, well-trained Federal Judges in the United States District Court who should be elevated to the Court of Appeals, and he would not recommend MARSHALL for this position. [REDACTED] added that he knows of nothing unfavorable concerning Mr. MARSHALL and has no reason to doubt his character or loyalty.

On 9/12/61 at United States Court House, New York, New York File # NY 77-26395 b7c

by SA [REDACTED] Date dictated 9/13/61

FEDERAL BUREAU OF INVESTIGATION

Date 9/13/61

b7C

[REDACTED] United States District Court, Southern District of New York, advised he met THURGOOD MARSHALL several years ago at a meeting in New York City. He could not recall where the meeting was held, however, he believes the affair was a legal conference. He said he has had no other contact with MARSHALL.

[REDACTED] stated MARSHALL has spent the majority of his life with the National Association for the Advancement of Colored People (NAACP). He has handled only civil rights cases and matters for the above organization. He feels MARSHALL, if appointed as a Federal Judge in the Second Circuit, would have to disqualify himself in civil rights matters. He added he would not comment regarding his qualifications for the position as a Federal Judge. [REDACTED] added no other information except to say he has never doubted Mr. MARSHALL's character, citizenship, or reputation.

On 9/12/61 at United States Court House,
New York, New York File # NY 77-26395 b7C
by SA [REDACTED] Date dictated 9/13/61

NY 77-26395

On September 14, 1961, the [REDACTED]

[REDACTED] New York, New York, advised that he has known THURGOOD MARSHALL about 40 or more years. He stated that he could not recall the exact circumstances under which he met the applicant but believes it was in conjunction with the applicant's attendance at Lincoln University. [REDACTED] advised that he has maintained very close professional and social contact with the applicant during the ensuing years. He advised that [REDACTED] is [REDACTED] of the Legal Defense and Educational Fund, Incorporated, of the National Association for the Advancement of the Colored People (NAACP), and as such, has worked very closely with the applicant who has been the Director - Counsel of this Fund for many years. He went on to say that the applicant has been employed by the NAACP as a Legal Counsel since the 1930's, and prior to that, was a practicing attorney in Baltimore, Maryland. [REDACTED] described the applicant as a very able person and attorney, who has a well rounded background in the legal field, and who is capable of handling oral situations between lawyers. [REDACTED] continued by saying that the applicant has never practiced in his, [REDACTED] court, but nevertheless, he judges the applicant as an attorney who maintains excellent court room demeanor and one who has the capacity, judgement and accomodation for judicial temperament. He stated that he has spoken to many persons in the legal field whose comments about the applicant's legal ability have been the highest. b7C

[REDACTED] went on to say that he knew the applicant's mother who died recently. She had been a school teacher in Baltimore. He never met the applicant's father. He described the applicant's wife and children as very fine persons, and continued by stating that he considers the applicant and his family to be persons of excellent character, reputation and associates. [REDACTED] advised that the applicant's loyalty to the United States is unquestioned. He knew of no organization or club memberships on the part of the applicant other than with the NAACP and possibly with the Masons. He concluded by saying that he would recommend the applicant most highly for a judicial position with the United States Government. b7C

883

NY 77-26395

It is noted that [REDACTED] is
or a different political persuasion from that of the
applicant.

[REDACTED] was interviewed by SA [REDACTED]

b7c

884

NY 77-26395

b7c

On September 13, 1961, the [REDACTED] City Court of the City of New York, 111 Centre Street, New York, New York, residence [REDACTED] New York, advised that he has known the applicant as a former neighbor and on a professional and social basis for twenty or more years. He stated that he had done some work with the applicant on legal matters in connection with the NAACP. He described the applicant as a very intelligent and able attorney, and a person who is free of all inhibitions. He went on to say that the applicant has never appeared in his court. It is his judgement that the applicant has all of the qualities to be a good judge, including temperament, patience and good judgement. He continued by saying that MARSHALL is highly regarded for his legal ability and scholarship by many members of the legal profession. [REDACTED] advised that he never knew the applicant's father and has never known his brother. He was acquainted with the applicant's deceased mother who had been a resident in the same apartment building where he resides. He was acquainted with the applicant's first wife who is deceased, and has been acquainted with the applicant's second wife and two children. He further advised that [REDACTED]

[REDACTED] He described the applicant and his family as persons of unquestionable character, reputation, associates and loyalty. He stated that there is definitely nothing disloyal or subversive about the applicant. He concluded by saying that the applicant is as worthy a man as he could think of for any responsible position, and that he would recommend him without reservation for a judicial position with the United States Government.

b7c

[REDACTED] was interviewed by SA [REDACTED]

885

NY 77-26395

b7C

[REDACTED] New York State Supreme Court, Appellate Division, Madison Avenue and [REDACTED] New York, New York, advised SA [REDACTED] on September 13, 1961, that he has known the applicant for approximately 16 years on a professional basis. He said he first met THURGOOD MARSHALL when the former was employed as District Attorney in New York City. He said since that time he has had occasion to be in contact with Mr. MARSHALL on a professional basis and believes him to be a highly competent attorney and advocate. [REDACTED] said that as far as he knows, MARSHALL has always represented the National Association for the Advancement of Colored People (NAACP) and has done excellent work in this regard. On many occasions MARSHALL had discussed legal questions with [REDACTED] [REDACTED] said that MARSHALL is well known to many attorneys and judges, is a member of the Maryland Bar Association but is not admitted to practice in the State of New York.

[REDACTED] said he believes MARSHALL's character and reputation are excellent and that he is fundamentally loyal to the United States. He said that MARSHALL has a strong anti-Communist feeling and recalled specifically that MARSHALL on one occasion a few years ago stated that there were some Communists in the NAACP and that they invariably tried to capitalize on the good work of the NAACP. b7C

[REDACTED] went on to say that he met Mrs. MARSHALL at a party at the MARSHALL residence some years ago but did not recall her name and was not aware of any other members of his family. He said he believes that MARSHALL is a member of the

786

NY 77-26395

National Bar Association and other commonly known legal associations but he could not specify any by names. [REDACTED] said the name [REDACTED] was not familiar to him and he could not say whether this person was an associate or acquaintance of Mr. MARSHALL. b7c

With regard to judicial ability, [REDACTED] stated that it is almost impossible to predict whether MARSHALL would be a good judge. He said the only answer he could give would be on a theoretical basis because there is a great difference between an advocate and a judge. However, he said he would be highly surprised if MARSHALL turned out to be a poor judge. He said, relatively speaking, he thought the choice of THURGOOD MARSHALL for a judgeship position was an excellent one and probably the only thing he lacks is experience as a judge.

897

NY 77-26395

b7C

On September 12, 1961, [REDACTED]

[REDACTED]
New York, residence [REDACTED]
New York, advised that he has known the applicant

[REDACTED] and were very close friends. The applicant's father is deceased. [REDACTED] was also a very close friend of the applicant's recently deceased mother, Mrs. NORMA MARSHALL, who had at one time been a school teacher in Baltimore, Maryland. He stated that the applicant has one brother, WILLIAM MARSHALL, who is a medical doctor in Wilmington, Delaware. The applicant's first wife, VIVIAN, died around 1954 or 1955. The applicant married his present wife, CECILIA almost a year after his first wife's death, and that [REDACTED] at his second wedding. The applicant has two children, THURGOOD MARSHALL, Jr., about five years old and JOHN WILLIAM MARSHALL, about three years old.

[REDACTED] went on to say that he has been a very close friend of the applicant and his family, and regards them as persons of the highest character, reputation, associates and loyalty. He advised that he also includes the applicant's aunt, MEDIA DODSON, in his above comments. Mrs. DODSON is the sister of the applicant's mother, and she resides at 409 Edgecombe Avenue, New York City.

b7C

He recalled that the applicant practiced law in Baltimore, Maryland, in the early 1930's, and then became an attorney with the NAACP shortly thereafter. The applicant is a person of the highest integrity, and one who is highly respected in his community. He described the applicant as a religious person who holds a responsible position in his church, and one who is definitely loyal to the United States. He highly recommended the applicant for a judicial position with the United States Government.

[REDACTED] was interviewed by SA [REDACTED]

888

NY 77-26395

Associates

b7C

[REDACTED]

New York, New York, advised SA [REDACTED] on September 11, 1961 as follows: He has known the applicant on a fairly intimate basis for over thirty years. He was acquainted with his first wife, who died of cancer, about five years ago. There were no children by this marriage. The applicant remarried and has two children by his present wife, whom he holds in high regard. The applicant because of his long association in the civil rights field has become one of the outstanding constitutional lawyers in the country, in this field. MARSHALL is a natural leader, who has the ability to work with others and to draw in people with special qualifications. These qualities have been evident in his NAACP activities. The applicant is well balanced, exercises impartial judgment and is guided by reason, rather than emotion, in reaching decisions. The applicant is a dedicated American citizen and he knows of no organizations of which the applicant is a member, whose interests are inimical to the best interests of the United States.

He highly recommended the applicant for a federal judicial appointment.

889

NY 77-26395

b7c

On September 13, 1961. [REDACTED]

[REDACTED] New York, New York, advised SA [REDACTED] that he has known MARSHALL for about 15 to 20 years.

[REDACTED] He said, however, that their friendship is not a close personal one and estimated that he sees him four or five times a year, usually at social gatherings. He advised that he has the greatest admiration for MARSHALL as a man who has dedicated himself to a cause and has achieved great success. He said his character, habits, reputation and loyalty to the United States are beyond question. He said that MARSHALL's associates are persons in the legal field and in the NAACP and that he has never heard of [REDACTED]

[REDACTED] He further advised that MARSHALL's reputation as an outstanding legal mind is well known and he felt no need of commenting on his legal ability. He said that MARSHALL is a temperate, calm person; that he is a man of restraint and that he is not given to emotional demonstrations. He said that based on his established legal ability and personal qualities he felt that MARSHALL would make an excellent member of the Federal Judiciary.

890

NY 77-26395

b7c

On September 12, 1961, [REDACTED] New York, [REDACTED] advised SA [REDACTED] that he has known MARSHALL personally for the past three or four years. He said that his contacts have been professional and that he has no intimate, personal knowledge of him. He said that he has no reason to question his character or loyalty to the United States and that he enjoys an excellent reputation. He described MARSHALL as a courageous, clear-thinking, intelligent man who abhors violence and has a deep respect for the law and legal processes.

[REDACTED] stated that, based on his experience in law enforcement and on committees that passed on the qualifications of judicial appointees, he would recommend MARSHALL to the Federal Judiciary. He said that MARSHALL is temperate, weighs the pros and cons of an issue impartially, and has a deep understanding of human rights as granted under the Constitution. He said that a man of MARSHALL's background and experience is needed and would be a definite asset to the Federal Judiciary.

891

NY 77-26395

On September 12, 1961 [REDACTED]

[REDACTED] New York, advised SA [REDACTED] that she has been interested in the program of the NAACP since 1930 and through this interest met MARSHALL in about 1936. She said that this association developed into a close, personal family friendship and she has followed MARSHALL's progress with a great deal of pride. She said that throughout his many years of association with the NAACP, he has taken part in a very wide variety of legal cases, and through his success has firmly established himself as an outstanding legal authority. She said that he is a courageous man who is dedicated to American principles, has the greatest reverence for the Constitution and has the liveliest interest in making it work as a progressive instrument. She advised that he is a person of the highest integrity and that his character is above reproach. She said that she has met many of his associates who are all high type persons; but that she has no knowledge of anyone by the name of [REDACTED]. She added that he is a member of the Masons but that she knows of no other organizations with which he is affiliated besides the NAACP, which has been his life's work. b7C

[REDACTED] said that MARSHALL's parents, WILLIAM and NORMA [REDACTED] are deceased, that he has one brother, AUBRY, who lives in Delaware; that his wife, VIVIAN is deceased; and that he has two children, THURGOOD, Jr., and JOHN, by his second wife, CECILIA. She stated that MARSHALL's brother and wife are very respectable people and loyal citizens. She stated that she was an intimate friend of his first wife, who was a wonderful person. She said his parents were very refined, respectable people who provided him with an excellent background. b7C

NY 77-26395

b7c

[REDACTED] said that she would highly recommend MARSHALL for a Federal Judgeship because of his vast legal experience, his intelligence, his judicial temperament and his great respect for the law. She said he is a warm, human individual who is impartial and could judge a case on the issues involved. She concluded by stating that his professional ability and integrity have been established before the world and his appointment would be a good thing for the country and international relations.

NY 77-26395

On September 12, 1961, [redacted] New York County Lawyers' Association, 14 Vesey Street, New York, New York, advised Special Agent [redacted] that the appointee became an associate member of this association in 1936, and is a member in good standing at the present. She said that her record reflects that the appointee was admitted to the Bar in the State of Maryland on August 11, 1933. She said that the appointee has not been a member of any committees and that she was unable to suggest anyone who would know him. b7c

On September 12, 1961, [redacted] Committee on Grievances, Association of the Bar of the City of New York, 42 West 41st Street, New York, New York, advised Special Agent [redacted] that she had no record of the appointee.

On September 12, 1961, [redacted] Registrar, advised Special Agent [redacted] that the appointee was not a member here.

[redacted] New School for Social Research, 66 West 12th Street, New York, New York, on September 14, 1961, advised SA [redacted] that THURGOOD MARSHALL was guest lecturer on December 14, 1954, and December 13, 1955. The 1954 lecture was entitled "Segregation: The Next Steps" and the 1955 lecture was entitled "The Attack on Segregation". [redacted] said there is no further information concerning Mr. MARSHALL, he does not know the applicant personally, and added that there is no one currently available who would know Mr. MARSHALL. b7c

NY 77-26395

b7c

It is noted that information is set forth in another report in this matter to the effect that Mr. MARSHALL was arrested in 1946 at Columbia, Tennessee, and that with him was [REDACTED] described by MARSHALL as a reporter for the DAILY WORKER.

The DAILY WORKER, issue of March 26, 1946, states that [REDACTED] is a communist and joined the CP in 1930. This issue also states that [REDACTED] joined the DAILY WORKER in 1931 and in 1946 was still employed by the DAILY WORKER as a reporter.

896

NY 77-26395

b7c

On September 13, 1961, [REDACTED] Republican County Commission, New York County General Headquarters, Hotel Astor, Manhattan, New York, advised [REDACTED] that he has met THURGOOD MARSHALL on only one occasion, which was a casual introduction. He said that he, for several years, has known THURGOOD MARSHALL through his reputation as counsel for the NAACP and his knowledge of MARSHALL and his activities have been limited to what he has read about him in the newspapers. He said that he knows nothing concerning MARSHALL's background or experience and could not comment as to his qualifications for appointment as a Circuit Court Judge, nor could he give any information concerning his character, loyalty, reputation and associations.

897

NY 77-26395

b7C

[REDACTED] Southern District of New York, United States Court House, Foley Square, New York, New York, advised SA [REDACTED] on September 13, 1961 he is not acquainted with MARSHALL, and he feels he could not comment regarding MARSHALL.

[REDACTED] Eastern District of New York, United States Post Office and Court House, 271 Washington Street, Brooklyn, New York, advised SA [REDACTED] on September 13, 1961 he is not acquainted with MARSHALL. He said he feels he is not qualified to make any comments regarding MARSHALL's qualifications for a position as a Federal Judge in the Court of Appeals.

[REDACTED] New York, New York, Association of the Bar of the City of New York, advised SA [REDACTED] on September 13, 1961, he is acquainted with MARSHALL only through his reputation as an attorney with the National Association For the Advancement of Colored People (NAACP). He has never met MARSHALL, however, MARSHALL has an excellent reputation as an attorney. He could not comment regarding MARSHALL's judicial ability or qualifications for the position involved. According to [REDACTED] he knows of nothing reflecting unfavorably upon MARSHALL's habits, loyalty, reputation or associates.

b7C

[REDACTED] added his records do not show MARSHALL as a member of the Association of the Bar of the City of New York.

BA

NY 77-26395

[redacted] a confidential informant who has knowledge of some phases of Communist activity in the New York area, advised in September, 1961, that he has heard of Mr. MARSHALL but knows of nothing of a subversive nature or unfavorable nature concerning him.

b2j
b7D

The Communist Party (CP), NAA has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

[redacted] another confidential informant who has knowledge of certain phases of Communist activity in the New York area, advised in September, 1961, that he has no personal knowledge of THURGOOD MARSHALL and only knows of him because of Mr. MARSHALL's prominence. The informant said he has no knowledge that Mr. MARSHALL was ever a member of the CP or affiliated with it, except as outlined below:

b2j
b7D

The informant continued that in the middle 1940's and the early 1950's, the National Association for the Advancement of Colored People (NAACP) was controlled or influenced by a "leftist" group which the informant defined as individuals who tended to be sympathetic with the CP or their aims. The informant could provide no further specific information on this group and said he has no knowledge that Mr. MARSHALL was a member of that group. During the years mentioned above, the CP [redacted]

b7D

[redacted] which was utilized as the CP saw fit. The informant continued that the Party used [redacted] During that period [redacted]

19

NY 77-26395

THURGOOD MARSHALL, as an officer of the NAACP, was involved in the [REDACTED]

[REDACTED] MARSHALL was in contact with individuals such as HENRY WINSTON, whom the informant identified as a national officer of the CP. According to the informant, Mr. MARSHALL would necessarily have had to know that [REDACTED]

The informant added that in connection with these [REDACTED] MARSHALL would have been in contact also with MAX YERGAN, whom the informant said was at that time head of the Council on African Affairs. The informant identified the latter organization as a CP - controlled front. [REDACTED] could provide no further information.

It is noted that the Council on African Affairs has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

The "Daily Worker" of October 29, 1943, Page 2, Columns 3 to 5, contains the following caption under a photograph of THURGOOD MARSHALL [REDACTED]

"Attorney Thurgood Marshall, Special Counsel of the NAACP, in charge of the Hillburn case, yesterday received a check of \$247.75 from [REDACTED]

[REDACTED] to help the fight against Jim Crow. The money was contributed by [REDACTED] friends in response to a personal appeal made by the Negro leader through the columns of the paper."

The "Daily Worker" was an East Coast Communist newspaper which suspended publication on January 13, 1958.

NY 77-26395

"The Worker" of October 30, 1960. Page 1, identified [REDACTED] as National Secretary of the CP. b7c

"The Worker" is an East Coast Communist weekly publication.

On May 15, 1952, [REDACTED] a member of the CP [REDACTED] for the purpose of furnishing information to the Federal Bureau of Investigation (FBI), advised that THURGOOD MARSHALL, according to information furnished to him on May 12, 1952, by [REDACTED] was not a Marxist. b7c

[REDACTED] advised on [REDACTED] that [REDACTED] b2;
b7D
/c

[REDACTED] advised that [REDACTED] National Negro Congress, held at New York City on March 28, 1945, reflect that THURGOOD MARSHALL was among the sponsors of the meeting, his name having been listed under the heading, "Establishment of the National Committee for Military Equality Through Circulation of Declaration on Military Equality." b2;
b7D

The National Negro Congress has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

NY 77-26395

[redacted] advised during 1951 that THURGOOD MARSHALL, residing at 409 Edgecombe Avenue, New York City, business address 20 West 40th Street, New York City, was [redacted] a member of the Civil Rights and Liberties Committee of the National Lawyers Guild (NLG).

b2,
b7D

Information concerning the NLG appears below in the Appendix of this report.

In a report of the Special Committee on Un-American Activities, United States House of Representatives, 78th Congress, Second Session, Appendix, Part 9, 1944, on Pages 795 and 809, THURGOOD MARSHALL is listed as a national committeeman of the International Juridical Association.

Information concerning the International Juridical Association appears below in the Appendix of this report.

[redacted] on [redacted] advised that the name THURGOOD MARSHALL, care of NAACP, 20 E. 40th Street, New York, New York, appeared on [redacted] "The Southern Patriot."

b2,
b7D

Information concerning the "Southern Patriot" appears below in the Appendix of this report.

b2,
b7D
C

908

NY 77-26395

b7c

[REDACTED] The informant further advised that [REDACTED] application at the United Nations, New York City, listed among others, a reference, THURGOOD MARSHALL, Field Secretary for the New York City Board of the NAACP.

[REDACTED]

b2
b70/c

[REDACTED]

b7c

It is noted that none of the individuals in this report who might have knowledge of the applicant's

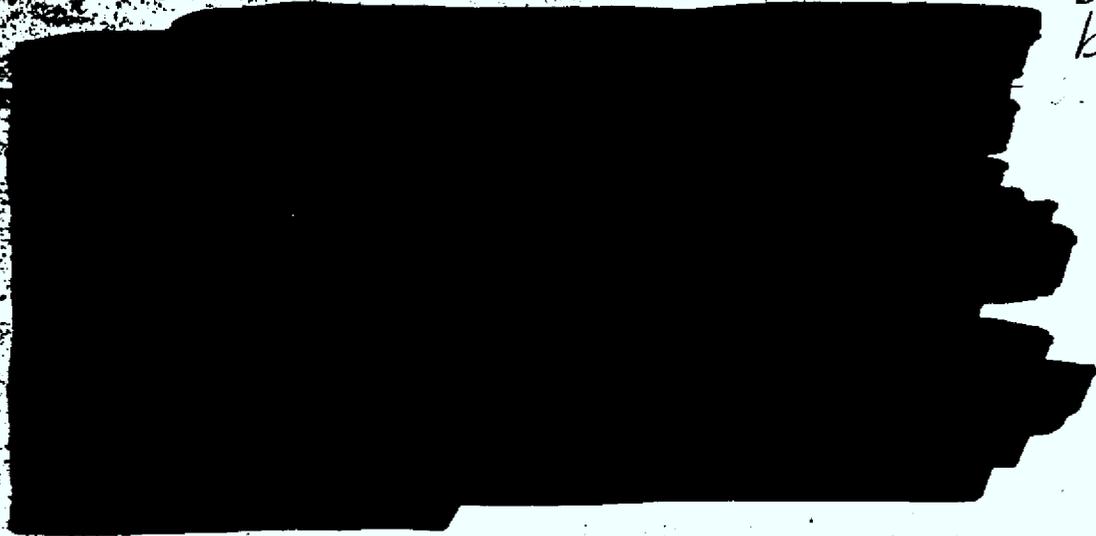
913

NY 77-26395

b7C

association with [redacted] and who were questioned concerning same, could provide any information concerning her or Mr. MARSHALL's association with her.

b2
b7D



The USSR Information Bulletin was a publication of the Soviet Embassy in Washington, D.C. and was distributed twice monthly. On July 15, 1952, the United States Department of State directed the USSR to suspend Soviet Embassy publications in the United States.

b2
b7D

[redacted] advised [redacted] that the 47th annual convention of the NAACP was held at the San Francisco, California Civic Auditorium, 57 Grove Street, San Francisco, during the period of

904

NY 77-26395

from June 26 to July 1, 1956. The convention was attended by 200 official delegates from various NAACP chapters representing 23 states, the District of Columbia and Alaska, 300 fraternal delegates representing various unions and organizations, and approximately 1,000 observers. The informant further advised that the convention reaffirmed and extended a 1950 resolution against Communism to include a ruling that Communists and/or persons who are prominently identified with Communist front or Communist line organizations are ineligible for membership in the NAACP.

[redacted] advised [redacted] that there was no activity at the above convention which could be termed Communist or Communist inspired. The informant also said that the keynote address of THURGOOD MARSHALL, which included statements to the effect that there was no place in the NAACP for CP members or sympathizers, set an anti-Communist theme for the entire convention.

[redacted] advised [redacted] that [redacted] and other CP members present at the convention were highly irritated by the tenor of THURGOOD MARSHALL's speech, which attacked the CP.

Other confidential informants who have knowledge of some phases of Communist activity in the New York area were contacted during September, 1961 and could provide no information concerning Mr. MARSHALL or his relatives, named above.

NY 77-26395

The "Daily Worker", issue of Monday, November 24, 1947, contained an article on page 4, column 2, which read in part as follows:

"Ministers Ask End to Thomas Committee"

"A call to end the House Committee on Un-American Activities was made yesterday by 20 prominent New York Clergymen. They said the committee uses the label of 'Communitic' to block progressive thought and action. . . .

"A group of outstanding attorneys sent a telegram to New York Congressmen asking them to oppose contempt citations in the case of the Hollywood writers.

"The lawyers' group included
Thurgood Marshall"

The "Daily Worker" was an east coast Communist newspaper which ceased publication January 13, 1958.

The aforementioned "Daily Worker" contained an article on page 4, column 1, headed:

"Film Citations Go to House for Action Today"

"Aid for Europe, presented to the Congress as a matter of the utmost urgency, will be set aside Monday and Tuesday, while the House debates contempt citations brought against 10 of America's most distinguished writers, film directors and producers by the Un-American Committee."

906

APPENDIX

NY 77-26395

NATIONAL LAWYERS' GUILD

The "Guide to Subversive Organizations and Publications," revised and published as of January 2, 1957, prepared and released by the Committee on Un-American Activities, United States House of Representatives, Washington, D.C., contains the following concerning the "National Lawyers' Guild":

"National Lawyers' Guild

- "1. Cited as a Communist front.
(Special Committee on Un-American Activities, House Report 1311 on the CIO Political Action Committee, March 29, 1944, p. 149.)
- "2. Cited as a Communist front which 'is the foremost legal bulwark of the Communist Party, its front organizations, and controlled unions' and which 'since its inception has never failed to rally to the legal defense of the Communist Party and individual members thereof, including known espionage agents.'
(Committee on Un-American Activities, House Report 3123 on the National Lawyers Guild, September 21, 1950, originally released September 17, 1950.)
- "3. 'To defend the cases of Communist lawbreakers, fronts have been devised making special appeals in behalf of civil liberties and reaching out far beyond the confines of the Communist Party itself. Among these organizations are the * * * National Lawyers' Guild. When the Communist Party itself is under fire these offer a bulwark of protection.'
(Internal Security Subcommittee of the Senate Judiciary Committee, Handbook for Americans, S. Doc. 117, April 23, 1956, p. 91.)"

90

APPENDIX

NY 77-26395

INTERNATIONAL JURIDICAL ASSOCIATION

The "Guide to Subversive Organizations and Publications," revised and published as of January 2, 1957, prepared and released by the Committee on Un-American Activities, United States House of Representatives, Washington, D.C., contains the following concerning the International Juridical Association:

- "1. Cited as 'a Communist front and an offshoot of the International Labor Defense.'
(Special Committee on Un-American Activities, House Report 1311 on the CIO Political Action Committee, March 29, 1944, p. 149.)
- "2. Cited as an organization which 'actively defended Communists and consistently followed the Communist Party line.'
(Committee on Un-American Activities, House Report 3123 on the National Lawyers Guild, September 21, 1950, originally released September 17, 1950, p. 12.)"

968

APPENDIX

NY 77-26395

SOUTHERN PATRIOT

The "Guide to Subversive Organizations and Publications," published as of January 2, 1957, prepared and released by the Committee on Un-American Activities, United States House of Representatives, Washington, D.C., contains the following concerning Southern Patriot, on page 108:

- "1. 'Organ of the Southern Conference for Human Welfare.
(Congressional Committee on Un-American Activities, House Report No. 592 on the Southern Conference for Human Welfare, June 12, 1947, pp. 6 and 9.)"

909

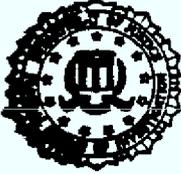
APPENDIX

NY 77-26395

SOUTHERN CONFERENCE FOR HUMAN WELFARE

The "Guide to Subversive Organizations and Publications", published as of January 2, 1957, prepared and released by the Committee on Un-American Activities, United States House of Representatives, Washington, D.C., contains the following concerning the Southern Conference for Human Welfare, on page 81:

- "1. Cited as a Communist front which received money from the Robert Marshall Foundation, one of the principal sources of funds by which many Communist fronts operate. (Special Committee on Un-American Activities, House Report 1311 on the CIO Political Action Committee, March 29, 1944, p. 147.)
- "2. Cited as a Communist-front organization 'which seeks to attract southern liberals on the basis of its seeming interest in the problems of the South' although its 'professed interest in southern welfare is simply an expedient for larger aims serving the Soviet Union and its subservient Communist Party in the United States.' (Congressional Committee on Un-American Activities, House Report No. 592 on the Southern Conference for Human Welfare, June 16, 1947.)



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

New York, New York
September 14, 1961

In Reply, Please Refer to
File No. 77-26395

Title Thurgood Marshall

Character Departmental Applicant
United States Circuit Judge
Second Circuit

Reference is made to the report of Special Agent
[redacted] dated and captioned as above at New York.

b7C

All sources (except any listed below) used in referenced
communication have furnished reliable information in the past.

[redacted] who were
in a position to furnish reliable information.

b2j
b7D

91

FEDERAL BUREAU OF INVESTIGATION

Reporting Office MEMPHIS	Office of Origin BUREAU	Date 9/14/61	Investigative Period 9/13-14/61
TITLE OF CASE THURGOOD MARSHALL		Report made by SA [REDACTED]	TYPE
		CHARACTER OF CASE DAPLI U. S. CIRCUIT JUDGE SECOND CIRCUIT	

b7C

Synopsis:

REFERENCES

Bureau tel to Memphis dated 9/12/61
Knoxville tel, 9/13/61, to Memphis
New York tel, 9/13/61, to Memphis

451A
8/21/62

- RUC -

ADMINISTRATIVE

Investigation at Nashville, Tennessee, was conducted by SA [REDACTED]

INFORMANTS

[REDACTED]

b2;
b7D
C

Approved [REDACTED]	Special Agent Charge [REDACTED]	Do not write in spaces below	
Copies made: 3 - Bureau (AMSD) 1 - Memphis (77-2527)		REC-60	
[REDACTED]		NOT RECORDED 22 SEP 15 1961	b7C Photo
[REDACTED]		CC TO: [REDACTED]	REQ. REC'D. 4... APR 18 1963
[REDACTED]		ANS BY: [REDACTED]	

ME 77-2527

The original of this information is set out
in New York file [REDACTED]

b2j

b7D
C

[REDACTED]
The identity of the above individuals has been
protected at their request, and due to the nature of
the information furnished.

- B* -
COVER PAGE

913

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: September 14, 1961

Office: Memphis b7c

Field Office File No.: ME 77-2527

Bureau File No.:

Title: THURGOOD MARSHALL

Character: DEPARTMENTAL APPLICANT
UNITED STATES CIRCUIT JUDGE
SECOND CIRCUIT

Synopsis:

THURGOOD MARSHALL arrested November 18, 1946, at Columbia, Tennessee, by local authorities on a DWI charge but he was released when found not to be intoxicated. [REDACTED] on interview stated he believed that [REDACTED] wanted to get a "last crack" at attorneys who had defended Negroes involved in racial difficulties at Columbia in 1946. At time of his arrest MARSHALL was in a car with [REDACTED] and [REDACTED] and [REDACTED] whom he identified as a reporter for the "Daily Worker." [REDACTED] Nashville, Tennessee, who had been active with MARSHALL in integration suits in Tennessee endorsed MARSHALL highly as to character, ability, reputation and loyalty. Background information on [REDACTED] set out. [REDACTED] Memphis, Tennessee, Tennessee Conference of NAACP Branches well acquainted with MARSHALL and endorsed him highly. b7c

- RUC -

DETAILS:

b7c

A review of the November 19, 1946 edition of the NASHVILLE BANNER, a daily newspaper at Nashville, Tennessee, reveals a news story appearing in that paper entitled "Intimidation Probe Asked By NAACP." The story indicated that [REDACTED] of the Defense Council for the Negro defendants in the Columbia, Tennessee racial disorders trial, had indicated on November 19, 1946 that he had sent a telegram to the Attorney General of the United States demanding an investigation of what [REDACTED] described as an attempt to intimidate himself and his fellow attorneys. The news article recited that [REDACTED] said the telegram was signed by THURGOOD MARSHALL, Chief Counsel for the NAACP, who along with [REDACTED] represented the Columbia defendants. The telegram was addressed to the Attorney General, [REDACTED] said, after an automobile in which he was riding, along with MARSHALL and [REDACTED] was stopped outside Columbia, Tennessee the previous night by a group [REDACTED] identified as State Highway Patrolmen, Murray County Deputies, and Columbia City Officers, at which time MARSHALL was arrested on suspicion of being drunk but was released. The article quoted [REDACTED] Tennessee, as saying, "MARSHALL was arrested and carried before a magistrate. The magistrate found he was not drunk and released him."

b7c

[REDACTED] member of [REDACTED] National Association for the Advancement of Colored People (NAACP) and [REDACTED] who resides at [REDACTED] Nashville, Tennessee, was interviewed by SA [REDACTED] on September 13, 1961.

b7c

[REDACTED] said that he has known Mr. THURGOOD MARSHALL for about thirty-five years and has been associated with him for the past twenty years in the latter's capacity as Director-Counsel, NAACP-Legal Defense and Educational Fund, Inc., New York City. He said he knew Mr. MARSHALL to be a person of excellent moral character and reputation, and one who chooses his associates from persons of like characters and reputations, and that his loyalty to the United States is above reproach.

b7c

915

[REDACTED] indicated that he felt that in his office as Director-Counsel of the NAACP-Legal Defense and Educational Fund, Inc., the applicant had exhibited that he was "mentally head and shoulders above most men practicing law in the courts." He commented that "we have been associated not only through correspondence, but in the trial of law suits. I have observed him before the United States Supreme Court and I might add that the Supreme Court's decision declaring segregation in the schools un-Constitutional is due almost entirely to his brilliant work." [REDACTED] also commented that "in spite of his tremendous success at the Bar, he has never lost the common touch--so much so that any first-year law student could approach him just as easily as a United States Supreme Court Justice." b7c

[REDACTED] further said, "He has been very careful and very strict in keeping the NAACP free from any Communistic influence. There is no question in my mind concerning his associations. I know he has always been very careful in choosing his associates in that respect. In fact, he may have lost some friends because of his strict adherence to that principle." [REDACTED] said that he felt that Mr. MARSHALL is eminently well qualified by his background, training, temperament, character, and other qualities for the position of Judge of the United States Circuit Court of Appeals. b7c

[REDACTED]
Nashville, Tennessee, advised SA [REDACTED] on September 13, 1961, that he has known THURGOOD MARSHALL well since 1934. b7c

[REDACTED] who was present during the foregoing interview with [REDACTED] said that he endorsed all of the above said by [REDACTED] concerning the applicant. He further indicated that he was also associated with Mr. MARSHALL in the preparation of law suits seeking desegregation in public school systems and other public facilities in Tennessee, and found him to be an able, well qualified attorney and a person whom he felt was

ME 77-2527

of excellent moral character, reputation, associates,
and one who is entirely loyal to the United States of
America.

917

b7C

Regarding the above NASHVILLE BANNER news article, the following investigation was conducted by the FBI in 1947:

The Department of Justice furnished this Bureau with a copy of a letter dated December 4, 1946, from THURGOOD MARSHALL to THERON L. CAUDLE, assistant attorney general, Department of Justice, Washington, D. C. In this letter Mr. MARSHALL related that he was in Columbia, Tennessee, on November 18, 1946, and that on that date the trial of [REDACTED] and [REDACTED] was concluded. In this connection it is noted that these two defendants were charged with having been involved in the racial disturbances in Columbia, Tennessee, which occurred in February, 1946. Mr. MARSHALL related in his letter that he; [REDACTED] and [REDACTED] left Columbia to drive to Nashville. He identified [REDACTED] in the letter as being a reporter for the "Daily Worker." It is noted that the "Daily Worker" is an East Coast communist publication. Mr. MARSHALL further related that the car which he was driving was stopped by local authorities, that he was arrested for driving while drunk and taken to the office of [REDACTED]. He stated that [REDACTED] smelled his breath and then stated "this man isn't drunk; he hasn't even had a drink". Mr. MARSHALL continued in his letter by stating that he was released and that he and his associates continued to Nashville. b7C

The Department of Justice requested that an investigation be conducted regarding this matter and during the course of this investigation, the above mentioned [REDACTED] constable in the Ninth District of Columbia, Tennessee, was interviewed. [REDACTED] stated that it was his belief that [REDACTED] wanted to get a "last crack" at [REDACTED] and MARSHALL and was using [REDACTED] as his instrument in accomplishing this. b7C

Regarding the above [REDACTED] in connection with another investigation, the following information was obtained regarding him:

918

on [redacted] advised [redacted] that the name of [redacted] receive copies of the June, 1956, issue of the "Lawyers Guild Review", the official quarterly publication of the "National Lawyers Guild" (NLG). [redacted] reflected that the individuals who received this publication were members of the "National Lawyers Guild."

b2,
b7D/c

The "National Lawyers Guild" was cited as "a communist front" by the special committee on Unamerican activities, U. S. House of Representatives report of March 29, 1944, Page 149.

[redacted] has advised that in the spring of 1948 [redacted] appeared as a guest speaker at a convention of the Southern Negro Youth Congress, Birmingham, Alabama.

b2
b7D/c

It will be noted that the Southern Negro Youth Congress has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

This informant further advised that it was common knowledge among people in Tennessee who were interested in Civil Rights matters that in 1946 when LOOBY served as a Defense Attorney for some of the Negro defendants charged with participating in the Columbia, Tennessee race troubles that [redacted] was very friendly with [redacted] who was a correspondent for the "Daily Worker."

b7C

This informant [redacted] advised on [redacted] that although [redacted] has been connected with several organizations which informant considers to be "pro-communist" that he does not actually consider [redacted] to be sympathetic to the communist movement. He stated that [redacted] has joined these organizations because of his extreme interest in Civil Rights matters and because of a lack of awareness of the communist influence therein.

b2,
b7D/c

On September 13, 1961, [redacted] Memphis, Tennessee, advised that he has been well acquainted with THURGOOD MARSHALL approximately

b7C

910

b7c

ten years. [REDACTED] pointed out that [REDACTED] of the Tennessee Conference of NAACP Branches and has been active on behalf of the NAACP in representing numerous plaintiffs in segregation cases in Tennessee. [REDACTED] stated that in most of these cases that THURGOOD MARSHALL is an attorney of record but has not actively participated in the local court trials of these cases. He stated that MARSHALL has probably been in Memphis only twice during the past ten years and that he was here on behalf of the NAACP legal matters. [REDACTED] stated that he has consulted with Mr. MARSHALL on numerous occasions, however, and has visited in the MARSHALL home. He stated that he has an extremely high regard for MARSHALL and considers him as being a highly competent lawyer of unquestioned loyalty and integrity. He stated that MARSHALL is completely opposed to the communist movement and has always counselled the NAACP against becoming involved in any manner with the communist party and its members.

920



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Memphis, Tennessee
September 14, 1961

In Reply, Please Refer to
File No. ME 77-2527

Title THURGOOD MARSHALL

Character DEPARTMENTAL APPLICANT
U. S. CIRCUIT JUDGE
Reference SECOND CIRCUIT

b7c

REFERENCE REPORT OF SA [REDACTED]
[REDACTED], dated September 14,
1961, and captioned as above.

All sources (except any listed below) used in referenced communication have furnished reliable information in the past.

FEDERAL BUREAU OF INVESTIGATION

Reporting Office ST. LOUIS	Office of Origin BUREAU	Date 9/14/61	Investigative Period 9/14/61	b7C
TITLE OF CASE THURGOOD MARSHALL		CHARACTER OF CASE DAPLI USCJ SECOND CIRCUIT		

Synopsis:

REFERENCE: Bureau teletype, dated 9/12/61.
Kansas City teletype, dated 9/14/61.

STATUS: - RUC -

ADMINISTRATIVE

A check of the files of the reference rooms of the St. Louis Post Dispatch and the St. Louis Globe Democrat contained various items concerning MARSHALL being the Chief Counsel for the National Association for the Advancement of Colored People, however none of these items were pertinent to this investigation.

White
 CC TO: *State*
 REQ. REC'D *4-2*
 APR 15 1963
 ANS. [Redacted]
 BY: [Redacted]

Approved [Redacted]	Special Agent in Charge [Redacted]	Do Not Write in spaces below	
Copies made:		77-	1-61
3 - Bureau (AM)			b7C
1 - St. Louis (77-31674)			
[Redacted]			

SEP 19 1961

- A* -
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

b7C

Report of: SA [REDACTED]
Date: SEPTEMBER 14, 1961

Office: ST. LOUIS

Field Office File No.: SL 77-31674

Bureau File No.:

Title:
THURGOOD MARSHALL

Character:
DEPARTMENTAL APPLICANT
UNITED STATES CIRCUIT JUDGE
Synopsis:
SECOND CIRCUIT

No Post Office employment record located at FRC, St. Louis, Mo. Appellate Judge advised MARSHALL presented himself very well in court, and is fair and honest. Has no reason not to recommend him for a government position.

- RUC -

DETAILS: AT ST. LOUIS, MISSOURI

EMPLOYMENT

On September 14, 1961, personnel, Federal Records Center, General Services Administration, advised IC [REDACTED] that no record of U.S. Post Office employment for THURGOOD MARSHALL, born July 2, 1908, Baltimore, Maryland, could be located.

b7C

MISCELLANEOUS

On September 14, 1961, [REDACTED] U.S. Court of Appeals, Eighth Circuit, advised the applicant has never personally appeared before this Court, however he has

923

77-88227-61

SL 77-31674

filed briefs before the Court, but the arguments were handled by other attorneys employed by the National Association for the Advancement of Colored People.

On September 14, 1961, [REDACTED] U.S. Circuit Court of Appeals, Eighth Circuit, advised THURGOOD MARSHALL has appeared before him on one occasion in about 1951 [REDACTED] in Kansas City, Missouri. He advised the case involved the Negroes right to use city swimming pools. b7c

[REDACTED] stated that MARSHALL handled and presented himself very well in court. He said he is fair, impartial and honest and he was very impressed with him. He stated he has never heard anything derogatory concerning MARSHALL and understands he has outstanding ability as an attorney. He advised he would have no reason not to recommend him for a Government position.

FEDERAL BUREAU OF INVESTIGATION

Reporting Office BIRMINGHAM	Office of Origin BUREAU	Date 9/14/61	Investigative Period 9/13/61
TITLE OF CASE THURGOOD MARSHALL		Report made by SA [REDACTED]	Type [REDACTED]
		CHARACTER OF CASE DEPARTMENTAL APPLICANT b7C UNITED STATES CIRCUIT JUDGE, SECOND CIRCUIT	

[Handwritten initials]
 CC TO: *[Handwritten]*
 REC'D 4-2
APR 18 1963
 ANS [REDACTED]
 E [REDACTED]

REFERENCE:

REFERENCE:

Butel to Birmingham, 9/12/61

-RUC-

[Handwritten]
 US 1/1
 5/29/61
 [REDACTED]
 [REDACTED]

ADMINISTRATIVE:

The morgue of the Birmingham News was checked and nothing pertinent was found concerning THURGOOD MARSHALL. It is noted that [REDACTED] explained that the Morgue Files did contain some information concerning MARSHALL's appearance at the [REDACTED] case, but that most of these clippings were used to make an exhibit subsequent to the [REDACTED] trial, when some criticism was leveled at the Birmingham News for allegedly suppressing certain types of information.

Approved <i>[Handwritten Signature]</i>	Special Agent in Charge	Do not write in spaces below	
Copies made: 3-Bureau 1-Birmingham (77-1874)		77-1874-1-62	[REDACTED]
cc to Deputy AG. SEP 18 1961		[REDACTED]	b7C

A*
COVER PAGE

[Handwritten] 92

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

b7c

Report of:
Date:SA [REDACTED]
9/14/61

Office: Birmingham

Field Office File No.: 77-1874

Bureau File No.:

Title: THURGOOD MARSHALL

Character: DEPARTMENTAL APPLICANT; UNITED STATES CIRCUIT JUDGE,
SECOND CIRCUIT

Synopsis: Records Jefferson County Circuit Court, Birmingham, Alabama, reflect that THURGOOD MARSHALL is one of the defendants in four separate suits filed on March 2, 1956, by [REDACTED] and [REDACTED] Earlier MARSHALL and others brought Civil Action number 652 against these individuals, accusing them of conspiring to defy an injunction order, and aiding in the rejection of [REDACTED] as a student at the University of Alabama, and for threatening [REDACTED] with bodily harm. On February 29, 1956, MARSHALL moved to dismiss the above action, declaring that there was no proof that the charges were true. Shortly thereafter the four suits above mentioned were filed against MARSHALL, the National Association for the Advancement of Colored People, and others, asking one million dollars damages in each suit. These suits were set for hearing on January 28, 1957, and continued by consent on that date, and are still on the Docket.

b7c

-RUC-

DETAILS: At Birmingham, Alabama:

77-88227-62

926

BH 77-1874

On September 13, 1961, the records of the Jefferson County Circuit Court were examined and were found to reflect the following information:

On March 2, 1956, four separate suits were filed against THURGOOD MARSHALL and others. These were similar suits and were filed by [REDACTED] and were numbered 36079 through 36082. Prior to March 2, 1956, THURGOOD MARSHALL and others brought Civil Action Number 652 against [REDACTED] accusing them of conspiring to defy an injunction order, and aiding in the rejection of [REDACTED] as a student at the University of Alabama, and having threatened [REDACTED] with bodily harm. On February 29, 1956, THURGOOD MARSHALL moved to dismiss the above Civil Action Number 652, declaring that he had no proof that the charges were true. b7C

The above mentioned suits were filed against the National Association for the Advancement of Colored People, [REDACTED] THURGOOD MARSHALL, and others, and one million dollars damages was asked for in each suit. b- In summary, each suit alleged that defendants charged the plaintiffs with contemptuous disobedience of a Federal Court Order and of commission of divers crimes including participation in breaches of the peace; that all such charges brought by NAACP lawyers against plaintiffs were dismissed in open court; that [REDACTED] were both graduates of Miles Negro College, Birmingham and had been approached by agents of NAACP, who agreed to pay each \$300 a month plus court costs and attorney fees to seek admission as undergraduate students at the University of Alabama; that [REDACTED] was of loose morals, when applying for entrance, being unmarried but with child; that [REDACTED] subsequent marriage to [REDACTED] prior to birth of child, did not ameliorate her moral unfitness; that NAACP lawyers, [REDACTED] entered into a conspiracy to simulate a cause of action against plaintiffs for the purpose of promoting a scheme to destroy racial integrity and to force the presence and social association of Negroes on members of the white race and for the purpose of advancing their own financial

interests and to obtain contributions to a fund of which defendants were to be beneficiaries; that plaintiffs had been slandered, libeled, greatly inconvenienced, harrassed, annoyed, and caused to suffer great mental anguish for which punitive and compensatory damages were claimed. These suits charged that THURGOOD MARSHALL and others accused [REDACTED] with conspiring to defy an injunction order and aiding in the rejection of [REDACTED] as a student at the University of Alabama and having threatened [REDACTED] with bodily harm and having incited riots and civil disorder and with the commission of other criminal acts. These suits charged that THURGOOD MARSHALL, among others, knew that such charges were false. b7C

The above mentioned four suits against the NAACP, MARSHALL, and others were set for hearing on January 28, 1957, and continued by consent on that date. These cases are still on the Docket and have not been tried.

The Birmingham News for April 27, 1948, printed an article entitled "First Suit Is Filed Against Boswell Rule by Birmingham Negro." This article stated that a suit was brought by [REDACTED] Negro resident of Birmingham, against three members of the Jefferson County Board of Registrars as defendants. This article said that it was a class suit brought on behalf of "all qualified Negroes in Jefferson County." The suit was filed, according to the Birmingham News, by [REDACTED] THURGOOD MARSHALL, [REDACTED] Negro attorneys. Also named as defendants were [REDACTED] and [REDACTED]. This article said that the suit charged that the Boswell Amendment was "illegal and unconstitutional. That the Boswell Amendment required that voters be able to read and understand the constitution of the United States and the republican form of government and be of good moral character." The article quoted [REDACTED] as saying that he applied for registration on February 5, 1948, and correctly answered questions about the constitution, and that he was refused registration. [REDACTED] accused the Board of Registrars of making a habit of refusing to register qualified Negro citizens of Jefferson County on the "pretext that they were unable to understand and explain the constitution." b7C

FEDERAL BUREAU OF INVESTIGATION

Reporting Office LITTLE ROCK	Office of Origin BUREAU	Date 9/14/61	Investigative Period 9/13-14/61
--	-----------------------------------	------------------------	---

TITLE OF CASE MURGOOD MARSHALL	Report made by
--	--------------------

Handwritten: **APR 18 1963**

Handwritten: CC TO: State
REQ. REC'D

CHARACTER OF CASE

**DEPARTMENTAL APPLICANT
U. S. CIRCUIT JUDGE
SECOND CIRCUIT**

Handwritten: b7c

**SEE REVERSE SIDE FOR
ADD. DISSEMINATION.**

REFERENCES BY:

Handwritten: 4
7
8
4
6
11/2
11/4

New York teletype to Bureau and other offices, 9/12/61.
Bureau teletype to Little Rock, 9/12/61.
Little Rock teletype to Bureau, 9/13/61.
Bureau teletype to Little Rock, 9/14/61.
Little Rock teletype to Bureau and Dallas, 9/14/61
- RUC -

INFORMANTS:

Identity of Source

Files Where Located

Handwritten: b2
b7D
b7c

Approved:

Typed name:

- ③ - Bureau (AMSD) (77-88, 227)
- 1 - Little Rock (77-1663)
- Handwritten:* 1 - Prof White House
7-16-65

Do not write in spaces below

77-*Handwritten:* 7-1663-227

SEARCHED INDEXED
SERIALIZED FILED

SEP 25 1961
FBI - LITTLE ROCK

CC TO: *Handwritten:* USA
REQ. REC'D
BY:

**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/10/86 BY**

Handwritten: 970

b7C

[REDACTED]
Little Rock.

In testimony before the House of Representatives UnAmerican Activities Committee, Washington, D. C., [REDACTED] named [REDACTED] as being active in the Communist Party at the University of Cincinnati in 1940 and 1941. This information appeared in the Cincinnati Inquirer of July 13, 1950.

On August 3, 1950, [REDACTED] a self-admitted former Communist Party member in Cincinnati, Ohio, from 1935-1942, testified before the House Committee on UnAmerican Activities, Washington, D. C., at which time he mentioned [REDACTED] as a Communist Party member during the aforementioned time.

[REDACTED] advised in February 1943 that while attending the University of Cincinnati he met a man named [REDACTED] an [REDACTED] at the University of Cincinnati, and that [REDACTED] induced [REDACTED] to join the Communist Party for the purpose of helping the Negro race. [REDACTED] stated that in 1939 [REDACTED] explained to him how the Communist Party would be able to overcome the threat of Fascism and how the Communist Party could help the Negroes. b7C

On September 14, 1961, the morgues of the Arkansas Gazette and Arkansas Democrat, Little Rock daily newspapers, were reviewed by SA [REDACTED] concerning the applicant and no pertinent information was located other than that set out in the details of this report. b7C

SA [REDACTED] observed the proceedings of the CRC, Detroit, Michigan, on April 27, 1946.

THIS REPORT IS BEING CLASSIFIED CONFIDENTIAL AS IT CONTAINS INFORMATION [REDACTED] IF THIS FACT WERE DISCLOSED IT COULD REVEAL THE IDENTITY OF THIS INFORMANT AND THEREBY SERIOUSLY HAMPER FURTHER INVESTIGATIONS OF A SUBVERSIVE NATURE, WHICH WOULD BE INJURIOUS TO THE NATIONAL DEFENSE. b7D

4731

~~CONFIDENTIAL~~
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

b7c

Copy to:

Report of: SA [REDACTED]
Date: September 14, 1961

Office: Little Rock, Arkansas

Field Office File No.: 77-1663

Bureau File No.: 77-88227

Title: THURGOOD MARSHALL

Character: DEPARTMENTAL APPLICANT
UNITED STATES CIRCUIT JUDGE
SECOND CIRCUIT

Synopsis:

Associates, Little Rock and Pine Bluff, Arkansas, recommend applicant as having good reputation, character, moral conduct, loyal American, and recommend for position with U. S. Government. One of associates reportedly told fellow Army sergeant that he, [REDACTED] joined the Communist Party in Washington, D. C., but [REDACTED] in an interview denied ever being a member of Communist Party. Another associate interviewed reportedly appointed to committee of the Civil Rights Congress, which organization designated by Attorney General under Executive Order 10450. Two suits filed against NAACP to restrain THURGOOD MARSHALL of New York City, et al, from engaging in practice of law in Arkansas. U. S. District Court Judge, Fort Smith, Arkansas, professionally acquainted with MARSHALL, and in his opinion MARSHALL ethical and well qualified attorney, but judge did not have knowledge of personal character. Former [REDACTED] characterizes MARSHALL as either a Communist or a tool of the Communist Party, basing opinion on a theory of "guilt by association," and identified individuals associated with organizations which in his opinion are Communistic.

- RUC -

b7c

Details:

Investigation conducted in Little Rock, Arkansas, was by SA'S [REDACTED] and [REDACTED] at El Dorado, Arkansas, by SA [REDACTED] at Pine Bluff, Arkansas, by SA [REDACTED] and at Fort Smith, Arkansas, by SA [REDACTED]

~~CONFIDENTIAL~~

77-88227-63

932

b7c

ASSOCIATES

[redacted]
[redacted] furnished the following information on September 14, 1961:

He has been acquainted with MARSHALL for about 10 years and has had occasion to visit with MARSHALL during MARSHALL's trips to Arkansas on National Association for the Advancement of Colored People (NAACP) business. On one occasion [redacted] attended a social function with MARSHALL at the home of [redacted] of the NAACP. [redacted] was of the opinion that MARSHALL has above-average ability, is reputable of good character and associates and a loyal citizen, having heard nothing to the contrary. [redacted] recalled that MARSHALL was a close friend to BOB BOOKER, a reputable Little Rock attorney who died about one year ago. At least on some of MARSHALL's visits to Little Rock he stayed at the BOOKER home. MARSHALL came to Little Rock to attend the funeral of BOOKER.

On September 13, 1961, [redacted] furnished the following information: b7c

He has known THURGOOD MARSHALL personally since 1946 and very close personally since 1953. MARSHALL was Chief Council for the NAACP, and [redacted] became acquainted with him through attending NAACP conventions. [redacted] in the Little Rock school integration suit [redacted] This has been a continuous active suit since 1956 and MARSHALL has participated in all of the action. [redacted] and MARSHALL have had a close relationship since 1956, both visiting in each others homes as house guests.

[redacted] considers MARSHALL to be of good character, having a good reputation as to sobriety and moral conduct; trustworthy and reliable and a man of discretion. b7c

4/3

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

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

Section 552

Section 552a

(b)(1)

(b)(7)(A)

(d)(5)

(b)(2)

(b)(7)(B)

(j)(2)

(b)(3)

(b)(7)(C)

(k)(1)

(b)(7)(D)

(k)(2)

(b)(7)(E)

(k)(3)

(b)(7)(F)

(k)(4)

(b)(4)

(b)(8)

(k)(5)

(b)(5)

(b)(9)

(k)(6)

(b)(6)

(k)(7)

- Information pertained only to a third party with no reference to the subject of your request.
- Information pertained only to a third party. The subject of your request is listed in the title only.
- Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

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

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

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

For your information: _____

The following number is to be used for reference regarding these pages:
77-88227-63, page 4.

XXXXXX
XXXXXX
XXXXXX

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

FBI/DO

925

LR 77-1663

b7c



The Communist Party has been designated
by the Attorney General pursuant to the Executive
Order 10450.

CPB

[REDACTED]
National Association For The Advancement Of Colored People, (NAACP), 610½ West Ninth Street, Little Rock, Arkansas, advised on September 14, 1961, that he has been closely acquainted with the applicant since 1941. This association developed as a result of the applicant's being legal counsel for the NAACP and [REDACTED]

[REDACTED] in Little Rock, Arkansas, at the time. He stated that he has been affiliated with the NAACP in Arkansas for many years and that since 1957 MARSHALL has been a frequent visitor, staying in his home on many occasions, and their association has been close, both in a personal and a business manner. [REDACTED] has visited the applicant in his home in New York on a number of occasions. [REDACTED] stated that applicant's closest associate in Little Rock was J. R. "BOB" BOOKER, deceased Negro attorney. [REDACTED] stated applicant was of course very well known in Little Rock but did not have other close associates.

[REDACTED] stated that [REDACTED] resides at the [REDACTED] and presently has no position with the Arkansas Chapters of the NAACP, but is likewise well acquainted with the applicant and has similar association to that of [REDACTED]

[REDACTED] stated that he considers applicant to have good character, good morals, a reliable reputation, judgement which [REDACTED] respects, and is unquestionably loyal to the United States. He stated applicant's associates he feels sure are of high caliber and he is friendly to everyone. He knew of no organizations to which the applicant belongs that are of a questionable nature. He stated he would recommend him highly for a position with the United States Government. b7C

On April 27, 1946, a Special Agent of the Federal Bureau of Investigation observed that at the afternoon session of the Civil Rights Congress held at Detroit, Michigan, April 27, 1946, there was announced the selection of the various committees included on a list of 24 persons announced as members of the Organization Committee was the name [REDACTED] Little Rock.

The Civil Rights Congress (CRC) has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

b2,
b7D
C

[redacted] made available on [redacted] a copy of the Southern Conference Educational Fund, Inc., (SCEF) letter dated July 19, 1961, which reflects officers of the SCEF, which includes [redacted] of Arkansas as a member of the board of directors.

An amendment to the charter of the Southern Conference for Human Welfare (SCHW), which has been cited by the Congressional Committee on Un-American Activities as a Communist front, changed the name of the organization to Southern Conference Educational Fund, Inc., (SCEF), and listed its purposes as being to improve the educational and cultural standards of the southern people in accordance with the highest American democratic institutions, traditions and ideals. The amendment was dated April 26, 1946.

A source, [redacted]

b7D

[redacted] advised [redacted] that during the time the SCHW was in existence, Communist Party members were members of and worked actively in the SCHW. However, since the formation of the SCEF, Inc., rank and file Communist Party members have not been encouraged to work in the SCEF. Source stated that the SCEF is a progressive liberal organization because it has gone along with the Communist Party on certain issues, particularly on the racial question, and through the years certain Communist Party members in the New Orleans area have been assigned to work in the organization to further Communist Party principles.

b7

This source considers [redacted] as a Communist Party member because he follows Communist principles, but he is not under Communist Party discipline. Many prominent people who are officials and members of the organization, while liberal in their views, are by no means Communists.

The source advised [redacted] that the status of the Southern Conference Educational Fund, Inc., remains unchanged.

908

LEGAL PRACTICE IN ARKANSAS

The Arkansas Gazette, a Little Rock daily newspaper, under date of December 24, 1957, contains an article on Page 1, entitled "Bennett Fires His 'Big Gun' at the NAACP." This article reads as follows:

"Attorney General Bruce Bennett filed suits yesterday in Pulaski Circuit Courts against the National Association for the Advancement of Colored People and its Legal Defense and Education Fund, charging the two organizations with practicing law illegally in Arkansas.

"The suits asked for a permanent injunction against the organizations to restrain them from 'engaging, either directly or indirectly, in the practice of law in any respect.'

"Bennett, who has filed a number of suits against the NAACP and its branches, called the suits 'the big gun, after numerous skirmishes.'

"State Law Cited

"The complaints say the organizations are corporations and that Arkansas law prohibits corporations from engaging in the practice of law.

"The complaints list 11 cases in which agents or employees of the NAACP or the Legal Defense and and Education Fund allegedly have appeared as counsel.

"The complaints listed these attorneys as having appeared as counsel for the organizations in Arkansas courts:

"Thurgood Marshall of New York City,

"Quotes From Suits

"The complaint against the NAACP declared:

"The activities of the defendant in connection with the foregoing litigation amounts to a complete usurpation of its corporate franchise; is completely outside the corporate charter; is an invasion by the defendant of the legal profession in general, and is absolutely unauthorized and illegal.'

"The one against the Legal Defense and Education Fund says:

"The corporate charter of the defendant purports to authorize the corporation to give legal aid and assistance to needy persons whose civil rights are purportedly being violated. Such practice is a complete invasion by the defendant of the legal profession in general and is absolutely unauthorized and illegal in all respects.'

"The suit against the NAACP was filed in the Court of Pulaski Circuit Judge Guy Ansler. The one against the Legal Defense and Education Fund was filed in Circuit Judge J. Mitchell Cockrill's Court:

"Bennett is the author of a proposed ordinance which several cities, including Little Rock and North Little Rock, have used in an attempt to get the NAACP to reveal its financial records and membership lists.

"The NAACP has challenged these ordinances in the courts and these suits are among those mentioned in the complaints in which attorneys for the two organizations have appeared."

b7c

On September 13, 1961, [REDACTED] Pulaski County, Little Rock, Arkansas, advised that the above article refers to casenumber 41582 which was filed in Circuit Court of Pulaski County, Arkansas, on December 23, 1957, by the State of Arkansas. Ex Rel., BRUCE BENNETT, Attorney General, versus the NAACP, Inc. The complaint listed nine Federal and two state cases in which the defendants through their agents, servants, and/or employees including THURGOOD MARS

940

LR 77-1663

appeared as counsel contrary to Arkansas Statutes (1947) Secs. 34-2201 et seq.

On May 29, 1961, this complaint was dismissed by Circuit Judge GUY ANSLER because the state could not prove that the defendants participated in the two state cases listed in the complaint and the fact that "the state exercises no control over admissions to practice in Federal court, it seems clear that an attempt of a state court to enjoin the defendants from advocacy in Federal District Courts would be a futile and empty gesture." b7C

██████████ advised that a companion suit to the above case, number 45183, was filed in Circuit Court, Pulaski County, on December 23, 1957, in which the State of Arkansas, Ex Rel. BRUCE BENNETT, Attorney General, versus NAACP Legal Defense and Educational Fund Inc. This complaint charges the defendants through their agents, servants, and/or employees including THURGOOD MARSHALL have appeared as counsel in nine Federal and two state cases contrary to Arkansas Statutes (1947) Secs. 34-2201 et seq.

██████████ advised that this case is still pending in the court of Circuit Judge J. MITCHELL COCKRILL, Pulaski County, and no final disposition has been made of same.

b7c

[REDACTED] United States District Court, Eastern District of Arkansas, Little Rock, Arkansas, advised on September 13, 1961, that he is not acquainted with the applicant and the applicant has not appeared before him in court. He stated he is aware that MARSHALL is not acquainted with [REDACTED] who is [REDACTED] in this district, as [REDACTED] placed on the bench.

b7c

[REDACTED] United States District Court, Western District of Arkansas, Fort Smith, Arkansas, advised on September 14, 1961, that he was professionally acquainted with THURGOOD MARSHALL. Mr. MARSHALL has appeared in court before [REDACTED] on several occasions. [REDACTED] advised that it was his opinion that THURGOOD MARSHALL seems to be ethical and a well-qualified attorney. [REDACTED] advised that he did not have personal knowledge of Mr. MARSHALL outside the courtroom and did not desire to comment on his personal character.

942

b7c

[redacted] said that [redacted] is a [redacted] of the NAACP with headquarters at New Orleans, Louisiana. In this connection he produced for inspection a copy of a letter dated September 23, 1955, to Congressman EDWARD HEBERT from [redacted] which states in part as follows

"The records show that [redacted] was discharged from his appointment as a Reserve commissioned officer of the Army on July 20, 1955, under the provisions of paragraph 6b(8), Army Regulations 140-175 which authorize discharge for security reasons when such action is necessary in the interests of national security."

[redacted] to show the connection between THURGOOD MARSHALL, [redacted] produced a copy of a deposition signed by Mr. MARSHALL in the matter of State of Arkansas versus NAACP, Legal Defense and Educational Fund, Inc., Case Number 44,679, in Pulaski County, Arkansas, which reads in part:

b7

"October 15, 1954 - August 30, 1955: [redacted] Survey of Community attitudes regarding racial integration in twenty Arkansas cities and towns (Batesville, Beardon Blytheville, Crossett, DeWitt, Earle, Fort Smith, Hamburg Helena, Hot Springs, Hoxie, Little Rock, McGehee, Osceola Pine Bluff, Prescott, Texarkana, Walnut Hill, West Memphis Wilmont)"

[redacted] could not locate readily any evidence to show that [redacted] was granted a leave of absence by [redacted] because his files were disrupted when he moved his office from Little Rock to El Dorado. He said it is obvious that he did because [redacted] was [redacted] at Tuskegee Institute:

It was [redacted] opinion, under the premise of "guilt by association," that communistic leanings are shown above of MARSHALL, [redacted] He called particular attention to the alleged attendance of [redacted] of a communist gathering at Monteagle, Tennessee, in 1957. He said he has film showing that known Communist Party member attended this meeting.

[redacted] continued that [redacted] of the NAACP in Arkansas. He has [redacted] but could not readily locate a group photograph of [redacted] and one [redacted] taken on the steps of the White House when

9

~~CONFIDENTIAL~~

LR 77-1663

[REDACTED] was a candidate for President. He claims both [REDACTED] and [REDACTED] are known members of the Communist Party and [REDACTED] and Mr. MARSHALL are, of course, associates in the NAACP.

[REDACTED] said Mr. MARSHALL did not testify at the hearing and he does not know him personally. None of the witnesses who appeared directly accused Mr. THURGOOD MARSHALL of being a member of the Communist Party or a tool of that organization.

In addition to the above, [REDACTED] advised that Mr. MARSHALL was cited for contempt of court in the matter of the State of Texas versus NAACP in the 7th Judicial District of Smith County, Texas. Except for this and the above information, [REDACTED] does not have any information bearing on the character, reputation, loyalty, and associates of Mr. MARSHALL.

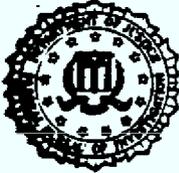
[REDACTED] made available a copy of the Southern Conference Educational Fund, Inc., (SCEF) letter dated July 19, 1961, which reflects officers of the SCEF which includes [REDACTED] as a member of the board of directors. b7

[REDACTED] advised during July 1948 that [REDACTED] Tuskegee Institute, Tuskegee, Alabama, was listed as one of the sponsors and advisory board members of the Southern Negro Youth Congress (SNYC). b7

The SNYC has been designated by the Attorney General pursuant to Executive Order 10450.

- 14* -
~~CONFIDENTIAL~~

94E



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Farm Bureau Building
Seventh and High Streets
Little Rock, Arkansas
September 14, 1961

Title THURGOOD MARSHALL

Character DEPARTMENTAL APPLICANT
UNITED STATES CIRCUIT JUDGE
Reference SECOND CIRCUIT
Report of SA [REDACTED]

b7c

dated September 14, 1961, at Little Rock, Arkansas

All sources (except any listed below) used in referenced communication have furnished reliable information in the past.

946

FEDERAL BUREAU OF INVESTIGATION

Reporting Office NEWARK	Office of Origin BUREAU	Date 9/14/61	Investigative Period 9/12-14/61 <i>b7c</i>
TITLE OF CASE THURGOOD MARSHALL		Report made by 	TYPE
		CHARACTER OF CASE DEPARTMENTAL APPLICANT U. S. CIRCUIT COURT JUDGE SECOND CIRCUIT	

REFERENCE:

Bureau teletype to Newark dated 9/12/61.

RUC

INFORMANTS

Identity of Source

US 2A
8/29/62

CC TO: [Redacted]
REQ. RECD: [Redacted]

ANS. [Redacted]
BY: [Redacted]

File Number Where Located

Instant report
(by SA)

Other Newark informants referred to in instant report are as follows:

Informant

Date Contacted

Agent

Approved <i>RUC</i> 	Special Agent Charge 	Do not write in spaces below		
Copies made: 3-Bureau 1-Newark (77-7856)		77-7856-764	REC	
SEP 19 1961		APR 18 1963		

1 copy when Newark 7-14-61

state

Photo

947

MK 77-7856

b2,
b7D/C

Informant

Date Contacted

Agent

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Careful consideration has been given to each source concealed and a T-symbol was utilized in the report only in the instance where the identity of the source must be concealed

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

b7c

Report of:
Date:

[REDACTED]
9/14/61

Office: Newark, New Jersey

Field Office File No.: 77-7856

Bureau File No.:

Title:

THURGOOD MARSHALL

Character: DEPARTMENTAL APPLICANT, U. S. CIRCUIT COURT JUDGE,
SECOND CIRCUIT

b2;
b7D

Synopsis:

[REDACTED] reported [REDACTED] that MARSHALL [REDACTED]
[REDACTED]

[REDACTED] Informant stated this was isolated con-
tact and no previous or subsequent association between the two
is known to him. [REDACTED] and other Newark informants familiar
with some phases of Communist activity in N. J. advised
MARSHALL not CP member to their knowledge and never known to
associate with CP members. No pertinent information contained
in files of Newark newspapers.

RUC

DETAILS:

b2;
b7D
c

MISCELLANEOUS

[REDACTED]
[REDACTED]

77-88227-64

94c

NY 77-7856

[REDACTED]

The informant has identified [REDACTED] as a CP member. b7C

[REDACTED] was recontacted on [REDACTED] and advised that this contact between [REDACTED] and MARSHALL was an isolated contact brought about only because [REDACTED]

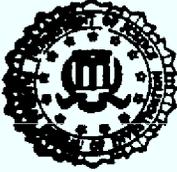
[REDACTED] He said there was no previous contact and there has been no subsequent contact or association between [REDACTED] and MARSHALL to his knowledge. [REDACTED] related that he knows MARSHALL by reputation but does not know him to be a member of the CP or to have associates who are members of the CP. b2, b7D

Other Newark informants familiar with some phases of subversive activity in New Jersey advised that THURGOOD MARSHALL is known to them by reputation but they have no knowledge of his being or having been a member of the CP. [REDACTED] also has no knowledge of his having ever associated with members of the CP or his having engaged in any activity of a subversive nature.

On September 13, 1961, [REDACTED] [REDACTED] "Newark Evening News" a daily newspaper printed in Newark, N. J., furnished news items that have appeared in the newspaper concerning THURGOOD MARSHALL. These items contain no information of a pertinent nature.

On September 13, 1961, [REDACTED] [REDACTED] "Newark Star Ledger," a daily newspaper printed in Newark, N. J. also furnished news items none of which contain any pertinent information.

950



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Newark, New Jersey

In Reply, Please Refer to
File No. **NK 77-7856**

September 14, 1961

Title **THURGOOD MARSHALL**

Character **DEPARTMENTAL APPLICANT, U. S. CIRCUIT
COURT JUDGE, SECOND CIRCUIT**

Reference report of SA [REDACTED]
dated and captioned as above at Newark.

b7c

All sources (except any listed below) used in referenced communication have furnished reliable information in the past.

951

FEDERAL BUREAU OF INVESTIGATION

Reporting Office ATLANTA	Office of Origin BUREAU	Date 9/14/61	Investigative Period 9/12-14/61
TITLE OF CASE THURGOOD MARSHALL		Report made by SA [REDACTED]	CHARACTER OF CASE DEPARTMENTAL APPLICANT U. S. CIRCUIT JUDGE SECOND CIRCUIT

b7C

Synopsis:

REFERENCE:

Bureau teletype to Atlanta, dated 9/12/61.

- RUC -

Photo

CC TO: <i>[Handwritten]</i>
REQ. REC'D <i>4-2</i>
APR 18 1963
ANS [REDACTED]
BY: [REDACTED]

U.S. Marshall

[REDACTED]
[REDACTED]
[REDACTED]

- A* -

(COVER PAGE)

b7C

Approved <i>[Signature]</i>	Special Agent in Charge	Do not write in spaces below
Copies made:		
3 - Bureau (AMSD) 1 - Atlanta (77-4185) <i>100-1-20000</i>		<i>65</i>

Approved Deputy A.G.
SEP 19 1961

b7C

958

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

Copy to:

Report of: SA [REDACTED] **Office:** Atlanta, Georgia b7C
Date: September 14, 1961
File Number: 77-4185
Title: THURGOOD MARSHALL

Character: DEPARTMENTAL APPLICANT
 U. S. CIRCUIT JUDGE
 SECOND CIRCUIT

Synopsis:

The 12/3/42 issue of "Atlanta Daily World" carried article captioned "Lawyers RAP AP; Condemn The FBI," which states condemnation of Department of Justice was formulated in report of THURGOOD MARSHALL, Special Counsel of NAACP, and WILLIAM HASTIE. Attorney General of State of Georgia issued press release 10/19/55 simultaneous with his address before the Peace Officers Association of Georgia, in which he describes THURGOOD MARSHALL as a member of Executive Board of "Communist-front" National Lawyers Guild as late as 1950.

- RUC -

DETAILS:

On October 19, 1955, simultaneously with his speech, EUGENE COOK, Attorney General of the State of Georgia, issued a press release identified as follows:

"THE UGLY TRUTH ABOUT THE NAACP
 An Address by
 ATTORNEY GENERAL EUGENE COOK
 Before The
 55th ANNUAL CONVENTION
 Of The
 PEACE OFFICERS ASSOCIATION OF GEORGIA
 HELD IN ATLANTA"

AT 77-4185

This address contained the following information regarding THURGOOD MARSHALL:

"Special Counsel Thurgood Marshall -- the negro lawyer responsible for the NAACP's court attacks upon segregation in the public schools -- as late as 1950 was a member of the Executive Board of the 'Communist front' National Lawyers Guild which has been described as 'the foremost legal bulwark of the Communist Party, its front organizations and controlled unions.' Since its inception, the Guild 'has never failed to rally to the legal defense of the Communist Party and individual members thereof, including known espionage agents.' And, as a member and policy-making official of this Communist Front, Marshall has served as Associate Editor of the 'Lawyers Guild Review' and has criticized this nation's loyalty program. He also is listed as a member of the National Committee of the 'Communist front' International Juridical Association which has 'actively defended Communists and consistently followed the Communist Party line.' And he was among a group of attorneys who, in 1947, protested the issuance of contempt citations against pro-Communist Hollywood writers who refused to testify before the House Un-American Activities Committee."

The December 3, 1942, issue of the "Atlanta Daily World," issued in Atlanta, Georgia, and identified as "the nation's only colored daily newspaper," contained the following headline over the masthead:

"LAWYERS RAP AP; DEMAND ANTILYNCHING BILL."

The article which appears on Page 1, Column 1, captioned "LAWYERS RAP AP; CONDEMN THE FBI," states as follows:

AT 77-4185

"New York, N. Y. -- (SNS) At a meeting this week of the Executive Board of the National Lawyers Guild of which [REDACTED] the filing of a brief as friend of the court was authorized in the government's suit against the Associated Press. b

"In a resolution adopted by the board the Guild declared that "The contention of the Associated Press that the Government Anti-trust suit against the press is a violation of freedom of the press is without foundation."

"The executive board will appoint a special committee to study and report on the general question of freedom of the press and the dissemination of news in war time.

"JUSTICE DEP'T CRITICIZED

"Condemnation of the Department of Justice was formulated in a report to the board by William Hastie, Civilian Aide to the Secretary of War and Thurgood Marshall, special Counsel of the N.A.A.C.P.

"Sharply criticizing the manner in which U. S. Attorneys appointed by the Department of Justice have presented evidence in lynching cases the report said:

"In the states with the worst lynching records, criminal prosecutions of the members of the mob never go further than a perfunctory investigation by either a coroner jury or by a grand jury, ending with the decision that a person lynched "came to his death at the hands of parties unknown."

"CONDEMN ACTIONS

"During the past year the U. S. Department of Justice for the first time has been investigating several of the lynchings. The lynching at Sikeston, Missouri, January 25, 1942, was investigated by the United States Department of Justice and presented to the U. S. Grand Jury, which refused to indict either the members of the mob or the

AT 77-4185

"state officials involved. Due credit should be given to the present United States Department of Justice for this much. It is quite evident that more vigorous action must be taken by the members of the Department of Justice presenting these cases to the Grand Jury. The report of the Grand Jury on the Sikeston lynching includes a statement that begins with a rehearsal of evidence presented to it of the crime alleged to have been committed by the victim of the mob and then proceeds to find the victim guilty of the crime for which he was charged by stating that 'in this instance a brutal criminal was denied due process.' This was of course beyond the scope of the Grand Jury investigation and was unnecessary, uncalled for and indeed is contrary to the facts revealed by other investigations.

"The report further cited instances of violence against Negroes in uniform by civilian and state officials.

"RAP SOLDIER ATTACKS

"An attack on a Negro soldier or sailor in uniform is a direct attack on our government. Unless the federal government is willing to protect its soldiers and sailors on leave as well as while on duty, it is impossible to maintain the proper morale among Negro soldiers and sailors and their families, and the authority of government itself is seriously undermined. It is impossible to develop combat efficiency in Negro soldiers and sailors while denying them basic civil rights during the period of their training.

"One of the most serious consequences of congestion on segregated public carriers is the almost daily conflict between soldiers and white fellow passengers, whether traveling on duty or on furlough the colored soldier experiences the indignity of segregation. Moreover, he is often ordered to move from seats customarily set aside for Negro passengers so that white persons may be seated. With increasing frequency he is denied accommodations altogether when there are sufficient white persons waiting to fill the entire vehicle.

AT 77-4185

"In October, Montgomery, Alabama, a Negro Army nurse was beaten and her nose broken by city policemen because she refused to vacate the rear seat of a bus so that white passengers might be seated. At about the same time in Norfolk, Virginia, two Negro sergeants were beaten and jailed for a similar offense. In some large camps a short furlough may be worthless to the Negro soldier because local transportation officials will prevent him from boarding trains or bus so that space may be available for white passengers.

"HAVE RIGHT TO WORK

"It is certainly agreed that American citizens have a right to go about their work without molestation by either civilians or state authorities. There are several instances where white workers incited by bigots have refused to work with Negro workers and in some cases have even committed assaults upon Negro workers. In some plants in the state of Alabama, white and colored workers are going to work armed in anticipation of racial outbreaks.

"Now that the Ku Klux Klan is under indictment by the federal government, smaller organizations, such as Vigilantes, Inc., being sponsored by the Talmadges of Georgia have come into existence. It is the duty of the federal government to ferret out the leaders of these subversive elements aimed to prevent Negroes from working in defense plants."

A review of the files of the "Atlanta Journal-Atlanta Constitution" newspaper reference department "morgue" by SA [REDACTED] on September 13, 1961, revealed no pertinent information. b7c

AT 77-4185

b7c

[REDACTED] "Atlanta Daily World," 143 1/2 Auburn Avenue, N. E., Atlanta, Georgia, advised SA [REDACTED], on September 13, 1961, that newspaper does not have a reference department or "morgue." [REDACTED] explained that the initials "SNS" appearing on the dateline in his newspaper would represent the abbreviation for "Scott News Syndicate."

958

ADMINISTRATIVE

Indices of the Cleveland Office were searched and inquiries were made in the Reference Room of the Cleveland Public Library, where folders are maintained on many prominent people, and at the libraries (morgues) of the Cleveland Press and Cleveland Plain Dealer, Cleveland's two daily newspapers. Nothing was found concerning MARSHALL at any of these places other than what is reported in the details and what was clipped from page 19 of the Dec. 21, 1953, issue of Time magazine, an article on the life of MARSHALL from childhood to that date; however, it was noted that the papers contained articles reporting on speeches made by MARSHALL in Cleveland on the following occasions but they contain nothing of a possibly derogatory nature and reported only that he described the battle of the NAACP in the courts for equal civil rights for Negroes:

Monday following Sept. 19, 1951 - Cleveland Chapter
NAACP

Friday following Mar. 14, 1952 - CIO Conference on
Civil Rights

June 16, 1959 - Community Relations Committee of the
Jewish Community Federation

Sunday following Oct. 9, 1959 - Prince Hall Masons

Feb. 19, 1961 - KYW-TV Program.

Careful consideration was given to each source concealed and T symbols were utilized in the report only in those instances where the identities of the sources must be concealed.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

b7C

Report of: SA [REDACTED]
Date: SEPTEMBER 14, 1961

Office: CLEVELAND, OHIO

Field Office File No.: 77-4886

Bureau File No.:

Title: THURGOOD MARSHALL

Character: DEPARTMENTAL APPLICANT
UNITED STATES CIRCUIT JUDGE
SECOND CIRCUIT

Synopsis: THURGOOD MARSHALL and [REDACTED] listed as speakers at protest mass meeting in Cleveland, Ohio, on March 15, 1946, against "Ugly Race Situation" in Columbia, Tennessee. Cleveland papers report MARSHALL also spoke in Cleveland on other occasions about discrimination, integration and matters of interest to Negro people.

- RUC -

DETAILS: AT CLEVELAND, OHIO

The March 13, 1946, issue of the Cleveland Press, a daily newspaper of general circulation, carried an article which stated that the Cleveland Branch of the National Association for the Advancement of Colored People, hereinafter referred to as the NAACP, and a Citizens Committee was sponsoring a protest mass meeting on March 15, 1946, against the "Ugly Race Situation" in Columbia, Tennessee. It was stated in this article that the speakers for this meeting would be THURGOOD MARSHALL, [REDACTED]

b7C

[REDACTED] was identified by [REDACTED]

b2
b7C
/c

The Communist Party, U.S.A., has been designated pursuant to Executive Order 10450.

77-48227-66

96

On [redacted] advised that [redacted] described as a Communist Party organizer, had stated the Communist Party would [redacted]

b2,
b7D
/C

On [redacted] advised that of the [redacted] the NAACP had [redacted]

The April 5, 1947, issue of the Call & Post, a Cleveland, Ohio, weekly newspaper, carried an article which reported that THURGOOD MARSHALL would be the main speaker for a giant Fair Employment Practice Committee mass meeting sponsored by the local chapter of the NAACP at the Euclid Avenue Baptist Church in Cleveland, Ohio, on Tuesday, April 15, 1947.

The April 16, 1947, issue of the Cleveland Press reported that MARSHALL told his audience the night before at the Euclid Avenue Baptist Church that "the Civil War and the last two World Wars are not over because minority peoples still are fighting for freedom."

MARSHALL reportedly warned "too many people are sitting still waiting for something to happen." . . . "Discrimination, the thing they fear, already has happened. We must take up arms against discrimination.

"Too many people spend too much time worrying about the rest of the world and ignore the lack of democracy at home. How can we go before the nations of the world with appeals for democracy when we do not practice it at home?

"Many people abhor lynchings, naturally. But few worry about discrimination that keeps people out of jobs. There is very little difference in dying at the end of a rope and starving to death for want of a job."

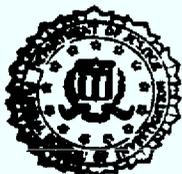
The Feb. 19, 1961, issue of the Cleveland Press contains an article reporting that on Feb. 19, 1961, in reply to questions on "Open Circuit," a KYW-TV program, THURGOOD MARSHALL said that in his travels abroad he had had trouble

942

CV 77-4886

explaining integration problems; that people in other countries cannot understand why an order of the United States Supreme Court is not automatically obeyed. He said that when trouble was confined to Little Rock, Arkansas, he used to explain that city was not typical; that nobody outside the United States had ever heard of Little Rock so that was accepted but that tactic will not work with school integration trouble in New Orleans because everybody knows it isn't a little town.

The June 14, 1961, issue of the Cleveland Press reported that on June 23, 1961, THURGOOD MARSHALL in addressing the National Newspaper Publishers Association at the Call & Post Auditorium in Cleveland, Ohio, said that the patience of the Negro was gone and that there would be "no cooling-off period." He reportedly added "We're going to stop our country from being embarrassed. We're going to save our souls, I mean the white man's soul."



In Reply, Please Refer to
File No. 77-4886

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

CLEVELAND, OHIO
September 14, 1961

Title THURGOOD MARSHALL

Character DEPARTMENTAL APPLICANT
UNITED STATES CIRCUIT JUDGE
SECOND CIRCUIT

b7c

Reference Report of SA [REDACTED]
Cleveland, 9/14/61.

All sources (except any listed below) used in referenced communication have furnished reliable information in the past.

9/14/61

FEDERAL BUREAU OF INVESTIGATION

Reporting Office JACKSONVILLE	Office of Origin BUREAU	Date 9/14/61	Investigative Period 9/13-14/61
TITLE OF CASE THURGOOD MARSHALL		Report made by [REDACTED]	
		CHARACTER OF CASE DEPARTMENTAL APPLICANT U. S. CIRCUIT JUDGE SECOND CIRCUIT	

Photo

CC TO: *State Council*

REQ. REC'D *4-2*

APR 18 1963

ANS [REDACTED]

BY: [REDACTED]

REFERENCE

Bureau teletype to Jacksonville and other offices, *9/12/61*

- RUC -

ADMINISTRATIVE

The indices of the Jacksonville office contain one reference to THURGOOD MARSHALL, Jacksonville 44-22-151. This reference consists of an article contained in the February 1, 1960, edition of "The Pensacola News", Pensacola Fla., which refers to the suit in the USDC, NDF, for integration of the Escambia County, Fla., schools. The article states that suit had been filed that morning and that THURGOOD MARSHALL, Chief Counsel for the NAACP, among others, was listed as an attorney for the plaintiffs. It states [REDACTED] for the NAACP, was in Pensacola Fla., over the week-end, but does not indicate MARSHALL was present. It also lists the other counsel for the plaintiffs as [REDACTED]

Approved <i>DKB</i>	Special Agent in Charge	Do not write in spaces below	
Copies made: 3 - Bureau 1 - Jacksonville (77-570)		<i>77</i>	<i>67</i>
[REDACTED]		[REDACTED]	

SEP 19 1961

- A* -
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

b7C

Report of: SA [REDACTED]
Date: 9/14/61

Office: JACKSONVILLE, FLORIDA

Field Office File No.: 77-570

Bureau File No.:

Title: THURGOOD MARSHALL

Character: DEPARTMENTAL APPLICANT, U.S. CIRCUIT JUDGE, SECOND CIRCUIT

Synopsis: [REDACTED] Fla., was law student at Howard University 1948-1951 and casually acquainted with applicant during that time while aiding in research and pre-trial work, but had no social contact. Applicant has good reputation for moral character and professional ability and recommends for Judge. [REDACTED] unable to comment on applicant's associates, loyalty or organizational affiliations.

- RUC -

DETAILS:

AT JACKSONVILLE, FLORIDA:

b7C

MISCELLANEOUS

On September 13, 1961, [REDACTED] "Florida Times Union" and "Jacksonville Journal," Jacksonville, Florida, informed SA [REDACTED] the above two newspapers are the only daily newspapers in Jacksonville and that they are owned and managed by the same concern.

She checked the biographical indices of the morgue for the two papers and advised they contained no reference to THURGOOD MARSHALL.

On September 14, 1961, [REDACTED] Star Edition of the "Florida Times Union," a special edition for Negro readers, informed SA [REDACTED] he does not maintain a

gd

77-88227-67

JK 77-570

separate morgue for his edition.

ASSOCIATES

FLORIDA:

b7C

[REDACTED] advised he attended law school at Howard University during 1948-1951 and while there he was among students who had contact with the applicant doing research and pre-trial practice with THURGOOD MARSHALL's legal firm. The relationship was professional and he had no social contact with the applicant. From that contact he feels applicant has a good reputation for moral character, professional ability and he recommends applicant for the Judgeship.

THURGOOD MARSHALL is presently director and counsel for the National Association for the Advancement of Colored People Legal Defense and Educational Fund, Inc. and as such he advises much of the legal work being done on integration matters throughout the country. [REDACTED] has had much correspondence with Mr. MARSHALL's firm regarding these matters, but Mr. MARSHALL has not been in Pensacola during the last nine years. In legal matters, Mr. MARSHALL has always forwarded the legal fees promptly. Beyond the position mentioned above, [REDACTED] does not know of applicant's fraternal, social or business associates and he cannot comment on his loyalty due to limited contact with him.

b7C

967