

is no longer so invisible. There have been defections from this empire. The Federal Communications Commission has undertaken a study of the misuse of citizens band radios, and I am sure that other agencies of the executive branch will want to take action as a result of some of the facts developed by the committee. It is our intention, in due time, to submit certain parts of our record to the Internal Revenue Service, the FCC, and the Veterans Administration, for example, for appropriate action. We are also considering, of course, the recommendation of contempt citations.

Our hearings are far from completed at this point, but I believe we have developed many facts of great significance for the record, and that by the time the hearings are ended, the Congress will have all the facts it needs for purposes of remedial legislation.

The witnesses subpoenaed to appear before the committee today are continued under subpoena until January 4, 1966.

The committee stands adjourned until further call of the Chair.

(Subcommittee members present at time of recess: Representatives Willis, Pool, and Weltner.)

(Whereupon, at 1:25 p.m., Tuesday, November 9, 1965, the subcommittee adjourned, to reconvene at the call of the Chair.)



3

US Doc 2.771

**ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS
IN THE UNITED STATES
PART 3**

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**HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-NINTH CONGRESS
SECOND SESSION**

JANUARY 4-7, 11-14, 18, AND 28, 1966
(INDEX IN SEPARATE VOLUME)

Printed for the use of the
Committee on Un-American Activities



CONTENTS

	Page
January 4, 1966: Testimony of—	
John Deason Swenson.....	2334
Afternoon session:	
John Deason Swenson (resumed).....	2359
Murry H. Martin.....	2362
Lloyd Grady Wilder.....	2394
Henry I. Bayles.....	2400
Billy Skipper.....	2405
January 5, 1966: Testimony of—	
Ralph Blumberg.....	2415
Charles Horton Christmas.....	2438
Afternoon session:	
Charles Horton Christmas (resumed).....	2444
Saxon Farmer.....	2459
John Magee.....	2464
Dewey Bernard Smith.....	2470
January 6, 1966: Testimony of—	
Russell E. Magee.....	2521
James M. Ellis, Jr.....	2525
Randle C. Pounds.....	2529
Eric Peterson.....	2532
Afternoon session:	
James W. (Pete) Holden.....	2543
Willie Houston Burke.....	2544
Albert Laftman Applewhite.....	2547
Ewell William Rowley.....	2550
Kinch Wilson Miley.....	2554
Robert Earl Stallings.....	2556
Houston Pierce Morris.....	2561
Robert William Fuller.....	2563
Houston Pierce Morris (resumed).....	2572
January 7, 1966: Testimony of—	
Robert T. Rester.....	2577
B. J. "Jack" Saucier.....	2580
Willis James Kidd.....	2584
Jack M. Helm.....	2585
Lloyd H. Barnett.....	2593
Marvin Curtis Brister.....	2596
Tommy Frank Reagan.....	2604
January 11, 1966: Testimony of—	
John Hugh Gipson.....	2609
Afternoon session:	
George Gill Harris, Jr.....	2626
Bobby Gene Kelley.....	2635
James Malcolm Edwards.....	2639
January 12, 1966: Testimony of—	
Gordon Mims Lackey.....	2667
Afternoon session:	
Thomas Collins Brock.....	2683
A. C. Herrington.....	2691
Byron de la Beckwith.....	2698
Mordaunt Hamilton.....	2701
Donald Leo Mathieu.....	2705

	Page
January 13, 1966: Testimony of—	
Louis Anthony DiSalvo	2710
Thomas Byron Thrasher, Sr.	2720
Burrel Lindsey White, Jr.	2724
Afternoon session:	
Joseph Walter Holder	2733
Rex Henry Pierce, Jr.	2739
Thomas A. Gunter	2742
Harvey Herman Heredeen	2760
Elmore Douglas Greaves	2768
January 14, 1966: Testimony of—	
James Nolan Fortenberry	2781
Harold Lloyd Delk	2784
Afternoon session:	
Edward Willard Fuller	2791
James Kenneth Greer	2798
Willie Gerald Whitehead	2802
Charles Marcus Edwards	2804
James Ford Seale	2807
Clyde Wayne Seale	2812
Julius Hunter Harper	2815
Billy Douglas Buckles	2823
January 18, 1966: Testimony of—	
Billy Wilson	2833
January 28, 1966: Testimony of—	
George Leonard Williams	2867
Index in separate volume.	

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

TUESDAY, JANUARY 4, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee met, pursuant to recess, at 10 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

This morning we resume hearings on the Ku Klux Klan organizations of the United States. In that connection I refer to my opening statement of October 19, 1965, which is of course already a part of the record.

I assume that each witness to be called today, and thereafter, has received and read a copy of that opening statement. I nevertheless suggest that the one who will conduct the interrogation will ask each witness if that is so. It is my information it is so.

So we will now resume the interrogation of witnesses, and Mr. Appell will please call the first witness.

Mr. APPELL. Mr. John Deason Swenson.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SWENSON. Yes, sir.

Mr. APPELL. Will counsel please have a seat.

**TESTIMONY OF JOHN DEASON SWENSON, ACCOMPANIED BY
COUNSEL, JAMES R. VENABLE**

Mr. APPELL. Mr. Swenson, will you please state your full name for the record.

Mr. SWENSON. Do you want me to stand?

Mr. APPELL. No.

Mr. SWENSON. My name is John D. Swenson.

Mr. APPELL. Is the "D" for Deason?

Mr. SWENSON. That is right.

Mr. APPELL. When and where were you born, Mr. Swenson?

Mr. SWENSON. I was born on June 15, 1910, in Poplarville, Mississippi.

Mr. APPELL. Are you represented by counsel?

Mr. SWENSON. Yes, sir.

Mr. APPELL. Would counsel please identify himself for the record?

Mr. VENABLE. James R. Venable, attorney at law, Atlanta, Georgia.

The CHAIRMAN. Will you give your address for the record?

Mr. VENABLE. Walter R. Brown Building, Atlanta 3, Georgia.

Mr. APPELL. Mr. Swenson, will you please set forth your educational background?

Mr. SWENSON. Sir, I have a grade school education.

Mr. APPELL. Will you set forth to the committee a brief chronology of your employment background?

Mr. SWENSON. I am in business for myself.

Mr. APPELL. Let's take from the period 1960 to the present time. How have you been employed?

Mr. SWENSON. I respectfully refuse to answer on the grounds this may tend to incriminate me.

Mr. APPELL. Mr. Swenson, are you now, or have you ever been, a member of a Ku Klux Klan organization?

Mr. SWENSON. I respectfully refuse, sir, to answer on the grounds it may tend to incriminate me.

Mr. APPELL. Mr. Swenson, in 1960, Roy E. Davis, now of Dallas, Texas, organized the old Original Knights of the Ku Klux Klan.

Did you become an officer in that organization?

Mr. SWENSON. Sir, I refuse to answer on the grounds this answer may tend to incriminate me.

The CHAIRMAN. Do you mean under the provisions of the fifth amendment of the Constitution?

Mr. SWENSON. Yes, sir. May I respectfully say, also the fourth amendment, sir.

The CHAIRMAN. Pardon?

Mr. APPELL. He would like to include the fourth amendment.

Mr. SWENSON. I am sorry if I am not talking loud enough.

The CHAIRMAN. That is perfectly all right.

You are invoking constitutional privileges, and it should be spelled out for the record.

Mr. APPELL. Mr. Swenson, do you know Mr. Royal V. Young.

Mr. SWENSON. Yes, sir; I have met Mr. Young.

Pardon me, sir. I would like to withdraw that statement, sir. I respectfully refuse to answer this question on the grounds that it may tend to incriminate me.

The CHAIRMAN. And again for the record, you base that refusal on the basis of the fifth amendment?

Mr. SWENSON. The fourth and fifth; yes, sir.

Mr. APPELL. Mr. Chairman, I suggest that the witness, before withdrawing the answer that he gave, did acknowledge that he knew Royal V. Young, and I suggest serious consideration ought to be given by the committee that he has waived his right to retract the answer and now invoke the fifth amendment.

Mr. POOL. He was advised by his counsel to take the fifth amendment, and I think we cannot argue with that. If counsel wants to advise him that way, we have to respect his wishes.

The CHAIRMAN. I think certainly as a matter of law and in the procedures of the court, he has technically waived his rights to invocation, but for the time being we will pass it up.

Mr. APPELL. Mr. Swenson, did you recruit Royal V. Young into the Original Knights of the Ku Klux Klan?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds it may tend to incriminate me, invoking the fourth and fifth amendment.

Mr. APPELL. Mr. Chairman, on July 28, 1965, the committee heard in executive session Mr. Royal V. Young. This testimony the committee voted this morning to release, and I should therefore like to refer to that testimony in the interrogation of the witness.

The CHAIRMAN. That is proper. The committee did this morning vote to release the executive testimony of Mr. Young.

Mr. APPELL. Mr. Young was asked:

Mr. APPELL. Who recruited you into membership into the Klan?

Mr. YOUNG. I believe it was Brother Swenson.

Mr. APPELL. Would you identify Brother Swenson fully, by his full name?

Mr. YOUNG. Sir, I don't know his full name. All I know—all I can do is give you his initials.

Mr. APPELL. By whatever identities you can give then.

Mr. YOUNG. It is J. D. Swenson.

Are you the J. D. Swenson that Mr. Young identified as having recruited him into the Klan?

Mr. SWENSON. I respectfully refuse to answer on the ground it might incriminate me.

Mr. APPELL. Mr. Young testified further with respect to J. D. Swenson that, at the time he was recruited by J. D. Swenson, J. D. Swenson held the position of Grand Dragon for the Original Knights of Ku Klux Klan.

Is the testimony of Mr. Young truthful?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds this question may tend to incriminate me on the fourth and fifth amendment.

Mr. APPELL. Mr. Young was asked what positions he held within the Original Knights, and he said that he had held the position of Acting Grand Dragon. He was then asked:

Mr. APPELL. Who appointed you?

Mr. YOUNG. Swenson.

I ask you if that testimony is truthful?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds this question may incriminate me.

The CHAIRMAN. And you are invoking that on grounds previously stated?

Mr. SWENSON. Yes, the fourth and fifth amendment.

Mr. APPELL. Mr. Young testified that subsequently he was promoted to the position of Imperial Dragon and that this appointment was made by the Reverend Roy E. Davis. Is that testimony truthful?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds this answer may incriminate me. I am invoking the fourth and fifth amendment.

The CHAIRMAN. Mr. Swenson, you testified under oath that you were born in 1910. Where were you born?

Mr. SWENSON. I believe I stated that—Poplarville, Mississippi.

The CHAIRMAN. Poplarville, Mississippi?

Mr. SWENSON. Yes.

The CHAIRMAN. Where do you reside now?

Mr. SWENSON. I reside in Bossier City, Louisiana.

The CHAIRMAN. That is across the Red River from Shreveport?

Mr. SWENSON. Yes, sir; that is correct.

Mr. APPELL. Mr. Swenson, Mr. Young was asked this question by me after some talk about you:

Mr. Appell. All right. Now in addition to Grand Dragon, did Swenson hold another office as National Kleagle?

Mr. YOUNG. Yes; that is right.

Did you hold the position of National Kleagle?

Mr. SWENSON. Sir, I respectfully refuse to answer this question on the grounds that it may incriminate me, invoking the fourth and fifth amendment.

The CHAIRMAN. Mr. Swenson, it is the information of this committee that you can be called what would be known as the father of the modern-day Klan in Louisiana; is that not true?

Mr. SWENSON. Sir, I respectfully refuse to answer your question on the grounds it may tend to incriminate me. In both instances, the fourth and fifth amendment.

Mr. APPELL. As an officer of the Original Knights of the Ku Klux Klan of Louisiana, I ask you whether this other sworn testimony of Mr. Young is factual; that at the time Mr. Young was appointed the Imperial Dragon, that Mr. Murry H. Martin was appointed the Grand Giant, or the number two man under the Grand Dragon?

Mr. SWENSON. Sir, did you ask that as a question?

Mr. APPELL. Yes. I ask you if his testimony to that effect was truthful?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds this testimony may tend to incriminate me.

Mr. APPELL. Mr. Young testified, and I ask you if his testimony was truthful, that at the time Murry H. Martin was appointed as Grand Giant, that Mr. Grady Wilder was appointed the Assistant Grand Giant. I ask you if that is true?

Mr. SWENSON. I didn't hear the question. I thought you were reading a statement there.

Mr. APPELL. I ask you if Mr. Young's testimony is truthful to the effect that at the time Murry H. Martin was appointed Grand Giant, that Grady Wilder was appointed the Assistant Grand Giant?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds this answer may tend to incriminate me, invoking the fourth and fifth amendment.

Mr. APPELL. I ask you if Mr. Young's testimony is truthful to the effect that Mr. Robert Fuller of Monroe, Louisiana, was appointed to the position of chief of the Klan Bureau of Investigation?

Mr. SWENSON. I didn't hear the question.

Mr. APPELL. If Mr. Robert Fuller was appointed to the position of chief of the Klan Bureau of Investigation?

The CHAIRMAN. Known as the klabee?

Mr. APPELL. No, sir.

The CHAIRMAN. What is the technical name?

Mr. APPELL. KBI, Klan Bureau of Investigation.

Mr. SWENSON. I respectfully refuse to answer on the grounds this answer may tend to incriminate me, invoking the fourth and fifth.

The CHAIRMAN. Mr. Swenson, Mr. Young appeared, as you now know, before this subcommittee in executive session under oath, under the pains and penalty of perjury, and he chose to answer these questions posed to you, and apparently saw no involvement under the constitutional amendments you refer to.

Can you explain why he felt he could answer these questions freely, while you rely on these amendments?

Mr. SWENSON. Sir, I respectfully refuse to answer your question on the grounds it may incriminate me, invoking the first, fourth, and fifth amendments.

The CHAIRMAN. You now invoke the first also?

Mr. SWENSON. Yes, sir.

Mr. APPELL. Mr. Swenson—

The CHAIRMAN. Why?

Mr. SWENSON. Sir?

The CHAIRMAN. Why?

Mr. SWENSON. Sir, I believe it might tend to incriminate me. That is the reason I don't answer, respectfully.

The CHAIRMAN. That is why I am curious to know why you are invoking the first amendment. The amendment speaking of incrimination is five.

Mr. APPELL. Mr. Swenson, I ask you if Mr. Young's testimony is truthful to the effect that Mr. Charles Pearson was appointed as Mr. Fuller's assistant in the Klan Bureau of Investigation—the assistant chief?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds that this answer may tend to incriminate me.

The CHAIRMAN. What are the duties of the KBI—the Klan Bureau of Investigation?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds this answer may tend to incriminate me, standing on the fifth amendment.

Mr. APPELL. Mr. Chairman, may I suggest, if it is agreeable with Mr. Venable's client, if it is agreeable to him, that the witness use the response "Same answer," if it encompasses the amendments to which he has previously referred.

The CHAIRMAN. He may do that.

You may say you refuse to answer on the grounds previously stated.

Mr. APPELL. In the course of the organization of the Original Knights, did you appoint as an assistant to yourself as organizer, with the title of grand kleagle, as testified by Mr. Young under oath, Houston P. Morris of Monroe, Louisiana?

Mr. SWENSON. I respectfully refuse to answer on the grounds that I have heretofore refused to answer.

Mr. APPELL. With respect to the Original Knights of the Ku Klux Klan of Louisiana, did you have within the organizational structure the position of grand kludd, or chaplain?

Mr. SWENSON. I respectfully refuse to answer on the grounds this may tend to incriminate me.

Mr. APPELL. Mr. Young testified under oath that the position of grand kludd was held by his brother, Jack D. Young. Is that truthful?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds this answer may incriminate me.

Mr. APPELL. Mr. Swenson, as the National Kleagle of the Original Knights of the Ku Klux Klan, I will put it to you as a fact that in 1963 you moved across the river into Mississippi and there recruited members for the Original Knights of the Ku Klux Klan. I ask you to affirm or deny the fact.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds that it may tend to incriminate me.

Mr. APPELL. I put it to you as a fact, and I ask you to confirm or deny the fact, that you organized within the State of Mississippi some five Klaverns.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds it may tend to incriminate me.

The CHAIRMAN. Mr. Swenson, we have been unanimously directed by the full committee to conduct this investigation, and the House of Representatives, by an overwhelming vote, supplied the funds to conduct the investigation. It would be useful, in addition to the information we have gathered, and that is voluminous, if one witness would stand up and spell out in his own words the objectives of klanism. Can you do that?

What is the organization all about?

What are its functions?

What is its program?

What does it stand for?

Certainly, there are all kinds of literature issued along that line. We have that literature. I want to give you that opportunity.

Will you spell out the objectives of your Klan organization and what klanism in general stands for?

Mr. SWENSON. Have you finished?

The CHAIRMAN. Yes.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Swenson, I hand you a copy of a series of oaths administered to members of the Original Knights of the Ku Klux Klan, and I ask you if you subscribe to those oaths?

Mr. SWENSON. Do you want me to read this?

Mr. APPELL. You read it yourself, and I ask you if that is the oath you subscribe to.

The CHAIRMAN. You may read it. You sound as though you are anxious to do it. It would be perfectly satisfactory for you to read it out loud and let us question you about what you read, if that is your wish.

The question is, Do you subscribe to these oaths?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

(Document marked "John Swenson Exhibit No. 1" and retained in committee files.¹)

Mr. APPELL. Mr. Swenson, it is the result of the committee's investigation that Roy E. Davis, in reactivating a Klan group in 1960, as a member of the 1915 Ku Klux Klan organization, adopted for his organization that which was used by the Knights of the Ku Klux Klan under William Joseph Simmons.

Did the Original Knights of the Ku Klux Klan follow in toto the naturalization proceedings of the Klan headed by Mr. Simmons?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Simmons appeared before the House Rules Committee on October 12 and 13, 1921, and after setting forth the oaths, which are almost verbatim to the oaths that I have shown you, after reading the last oath under "Klanishness," Mr. Simmons said that the naturalization proceedings continued with this language:

Sirs, have you assumed without mental reservation your oath of allegiance to the invisible empire?

According to Mr. Simmons, the candidate answers "Yes," and Mr. Simmons said this statement followed, and I quote from the transcript of the testimony statement read to the candidate:

Mortal man cannot assume a more binding oath; character and courage alone will enable you to keep it. Always remember that to keep this oath means to you honor, happiness, and life; but to violate it means disgrace, dishonor, and death. May honor, happiness, and life be yours.

Was this language taken from the testimony of Mr. Simmons as part of the official proceedings of the 1915 Klan a part of your organization?

Mr. SWENSON. I respectfully refuse to answer on the grounds heretofore stated.

Mr. POOL. May I ask the witness a question?

Are you answering and taking the fifth amendment based on the grounds that your oath as a Klansman takes higher precedent than your obligation to appear before this committee and answer questions?

Is that the reason for it?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. POOL. I just asked you the reason for it. You can't get in trouble with that.

Mr. SWENSON. Sir, I have heretofore stated this, that anything I might be asked might tend to incriminate me.

¹These oaths are similar in form to those used by the United Klans of America, Inc. See Robert Shelton Exhibit No. 4, committee report, *The Present-Day Ku Klux Klan Movement*, pp. 343-346.

Mr. POOL. You are going to look pretty bad back home when you wave the flag and say you will fight for America first. You have not the guts to testify before the committee on the things we are asking. I know you have a right to take the fifth amendment, I know that. Back home, you are not going to look very good. You keep on talking like that and the Ku Klux Klan will be out of existence sure enough, if you are not proud to testify for an organization that you have any connection with.

That is all.

The CHAIRMAN. Mr. Venable.

Mr. VENABLE. Yes.

The CHAIRMAN. Mr. Chalmers appeared as counsel for the witnesses previously before this committee. I asked Mr. Chalmers whether, in addition to the invocation of the privileges or whatever constitutional amendments were relied on, the witnesses he represented were relying on their oath of allegiance to the Klan as a reason for refusing to answer. He responded that they did not; they were relying on the constitutional privilege.

I wonder if you would mind giving your views as a lawyer on that. Are you relying on the oaths taken by your client, Mr. Swenson, as a member of the Klan, and I know you are familiar with them—that series of oaths—as a basis for refusal to answer questions before this committee?

Mr. VENABLE. Your Honor, we are relying on the first amendment on the grounds if a person should be compelled to answer, it might indicate that he was a member and, further, it would violate his rights to peacefully assemble, freedom to discuss their grievance under the first amendment. And under the fourth amendment—he invokes it, we invoke it—there are certain matters and things that might compel him, if it pertains to documents and records and books, that that would be a violation of his rights under the freedom to have and retain personal effects, and if you were compelled to produce them and if they would incriminate you, they would incriminate you. The fifth amendment says he shall not be a witness against himself.

Last but not least, the 14th amendment, as I understand the Supreme Court has so held and ruled, if any of your rights are being violated, they would be in violation of the 14th amendment. You would not have equal protection of law under the first, fourth, and fifth. The sixth amendment too.

The CHAIRMAN. My question was whether the basis of your advice to your client for refusing to answer is these constitutional amendments?

Mr. VENABLE. Yes.

The CHAIRMAN. And you are not relying on his oath as a Klansman as a reason for refusing to answer?

Mr. VENABLE. That's right, your Honor.

The CHAIRMAN. That is my question.

Mr. VENABLE. Yes, sir; that's right.

The CHAIRMAN. Meaning what—that you are or are not?

Mr. VENABLE. If he identified that oath and admitted that he took that oath, an oath similar to that oath, then he would admit that he was a Klansman, and if he is part of a machinery or group then some of them would be involved.

The CHAIRMAN. I understand. I think I understand you better than you understand me.

Mr. VENABLE. Yes, sir.

The CHAIRMAN. The oath taken by a member of the Klan is, in short, a pledge of secrecy, and conceivably, outside of what the decisions may say—

Mr. VENABLE. Yes, sir.

The CHAIRMAN. —conceivably a person, a member of the Klan who has taken that oath, could appear before the committee and say, "I have taken an oath of allegiance and loyalty to my organization. I believe in that oath so firmly that I am not going to say anything about the activities of my organization. I am not relying on the constitutional amendments. I am relying on my fealty of allegiance and dedication to the oath of a Klansman as the reason for refusing."

You are not relying on that oath as a matter of law, as I understand it.

Mr. VENABLE. That is right.

The CHAIRMAN. You are relying on the constitutional amendments?

Mr. VENABLE. Yes, sir.

The CHAIRMAN. That is what I wanted. That was the position—

Mr. VENABLE. We are not trying to hide the oath. We are just invoking those constitutional amendments.

The CHAIRMAN. If you relied on the oath, we would have some questions. You are not relying on it as a basis for refusing?

Mr. VENABLE. That is right.

Mr. POOL. Mr. Venable, since you have explained all that very nicely, will you go further and say Congress has no right to investigate anything?

Mr. VENABLE. No, I don't state that. I think Congress should have the right.

Mr. POOL. Where do they have a right to investigate? Where do you limit it?

Mr. VENABLE. They have a field to investigate many things, if your Honor please. Where it involves a person's rights and privileges as guaranteed under the Bill of Rights, then this Congress, this committee, or any other person has no right to compel a person, to make a person produce evidence which might tend to incriminate him in a conspiracy or intend to incriminate him in a law violation.

Mr. POOL. Is the Ku Klux Klan a conspiracy?

Mr. VENABLE. No, it is not a conspiracy. There are 43 separate Klans.

Mr. POOL. You don't know anything about the Ku Klux Klan?

Mr. VENABLE. I know a little bit about it, yes, sir, having been in it quite a while. I am proud of it.

Mr. POOL. You may have good ground for what you are saying. You know more about it than I do. Maybe you are right, that you should plead the fifth amendment. I don't know.

Mr. VENABLE. I am not pleading the fifth amendment myself, as you know. I never have "pled" it and I never will.

Mr. POOL. The Klan pleads it.

Mr. VENABLE. I never invoked the fifth amendment as far as being a lawyer.

Mr. POOL. I am getting tired of sitting here and all these niceties going on. When we get down to basic facts, I will ask questions along that line. We will just get right down to it.

Mr. VENABLE. I thank you. I have a right to advise my client.

Mr. POOL. You certainly do.

Mr. VENABLE. Yes, sir.

Mr. POOL. And I have a right to talk to you, so we will talk a little bit more if you want to.

Mr. VENABLE. Yes, sir.

Mr. APPELL. Mr. Swenson, you are appearing before the committee today in accordance with a subpoena served upon you on October 27, 1965, and extended by formal telegrams from the committee?

Mr. SWENSON. Yes, sir; and I turn these in.

Mr. APPELL. You keep them. You are appearing in accordance with that subpoena? You are appearing here this morning because of the subpoena served upon you?

The CHAIRMAN. That is a proper question.

Mr. SWENSON. Yes, sir.

The CHAIRMAN. It doesn't involve constitutional questions.

Mr. SWENSON. I am sorry, sir, but I am not an attorney.

The CHAIRMAN. I understand.

Mr. SWENSON. I am appearing here according to this subpoena.

Mr. APPELL. An attachment to that subpoena, which was made part of the subpoena, calls in three paragraphs for you to produce certain books and records. Paragraph 1 calls for you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan—Louisiana, in your possession, custody or control, or maintained by you or available to you as present or past officer and/or member of the Original Knights of the Ku Klux Klan—Louisiana.

I now demand that you produce those documents called for.

Mr. SWENSON. I am respectfully refusing to produce these records, sir, that they may tend to incriminate me.

Mr. APPELL. Mr. Chairman, I ask for a direction of the production of documents called for in paragraph 1.

Mr. SWENSON. Sir, I am adding to this that this would be in violation of my fourth and fifth amendments of the Constitution.

The CHAIRMAN. Mr. Swenson, I wanted to ask this question for the record, and I assume counsel will understand. The question is this: You understand, of course, that the part of the subpoena duces tecum just read calls for you to produce those documents in the representative capacity stated in the subpoena; do you not? You understand that? In other words, and I wish counsel would hear this, this part of the subpoena in paragraph 1—and I assume it is true in the succeeding two next paragraphs, so I will not have to repeat everything—calls on you as an officer, or in a capacity stated here, to produce the documents in your possession as stated in that capacity. You understand that; do you?

Mr. SWENSON. Yes.

The CHAIRMAN. Because it makes a difference, to be fair with you, between calling on you to produce, for example, your own income tax return or your own papers, and papers that we say you have or had in a representative capacity. There is a distinction between the two.

I will repeat this—you understand that under this subpoena you are being asked and directed to produce documents in the capacity stated and not as J. B. Swenson, the man. You understand that; do you?

Counsel, do you understand that?

Mr. VENABLE. Yes, sir.

The CHAIRMAN. That being the case, I now order and direct you to produce those documents in the capacity stated in the subpoena, and I will try to explain to you as a layman this—I am repeating that this is an order directed to you to submit documents, papers, and records which we say you have, or had, in that representative capacity, and since we do not accept your right to refuse to do so in the capacity stated, that is why I am ordering you to produce them. I am referring now to documents described in paragraph 1 of the attachment to this subpoena.

Mr. SWENSON. May I consult counsel, please?

The CHAIRMAN. Surely.

Mr. SWENSON. Sir, as far as records of the Klan organization, I do not have any of those records. I guess I don't know what you are talking about except it is something that you showed me here, but I don't have any records whatsoever of the Klan in my possession now at all.

I did bring my personal income tax return which you asked for.

The CHAIRMAN. We haven't reached that. I didn't realize it had been asked for, frankly. I just wanted to explain the call of this particular portion of the subpoena.

Mr. SWENSON. I have none, sir.

The CHAIRMAN. You are now saying that you cannot produce those documents called for in the capacity stated because you do not have them?

Mr. SWENSON. No, sir.

The CHAIRMAN. That is the reason you do not produce them?

Mr. SWENSON. That is right.

The CHAIRMAN. And you know you are under oath?

Mr. SWENSON. Yes.

Mr. POOL. Mr. Chairman—did you ever have possession of these documents?

Mr. SWENSON. Mr. Pool, what was the question, sir?

Mr. POOL. Did you ever have possession of these documents that he just asked for under the subpoena?

Mr. SWENSON. I have had no documents since I have been subpoenaed, sir. I have had no documents like this.

Mr. POOL. Did you ever have possession of these documents?

Mr. SWENSON. Sir, you are asking me a direct question? Is that right, sir?

Mr. POOL. Sure I am asking the question.

Mr. SWENSON. I respectfully refuse to answer this question, sir, on the grounds heretofore stated.

Mr. POOL. You just got through testifying the you didn't have possession of them. The proper question then would be whether you ever had possession of these documents. It is a very proper question, and you should answer it.

Mr. Chairman, I ask you to direct him to answer.

The CHAIRMAN. We are now cross-examining you on your previous answer. You said, in answer to my question, that you were not producing those documents for the reason that you didn't have them.

Now, Mr. Pool asked whether you ever had them. That is a proper question.

Furthermore, if you persist in refusing to answer that one, I have two or three of my own I want to ask. So the pending question is this: Did you ever have possession of those documents? I order and direct you to answer that question.

Mr. POOL. Mr. Chairman, I will give him warning on the probability of contempt if he doesn't answer this question.

Mr. SWENSON. Sir, may I get a clarification on that? What records are you speaking of now on this?

The CHAIRMAN. Mr. Appell will explain it.

Mr. SWENSON. That you asked me if I ever had.

Mr. APPELL. [Reading:]

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan—Louisiana, in your possession, custody or control, or maintained by you or available to you as present or past officer and/or member of the Original Knights of the Ku Klux Klan—Louisiana.

The CHAIRMAN. Let me supplement that so it will be completely clear, Mr. Swenson. The subpoena asks you to produce any kind of books, any kind of records, any kind of documents, any kind of correspondence, any kind of memoranda relating to the organization of, and the conduct of, the business and affairs of the Original Knights of the Ku Klux Klan, whether those documents were—and as broadened by Mr. Pool—are or ever were, in your possession or under your control or maintained by you or available to you either as present or as a past officer and/or as a member of the Original Knights of the Ku Klux Klan of Louisiana.

That is a broad question. It is a broad order. This subpoena follows the pattern of subpoenas of this kind, and that is what Mr. Pool's question is. I have ordered you to answer it. Having said that you do not now have them, he is asking you—have you ever had any kind of book, record, document, or correspondence or memoranda in the capacity indicated, whether as a present officer or a past officer or a present member or a past member?

In answer to me, you said you couldn't produce them because you didn't have them.

Well, now, we have the right to ask you—sure you don't have them now, and that is an acceptable answer. I didn't direct you to answer that question. You said you didn't have them, and you are under oath. But now the question is this—you say you don't now have them: What did you do with them? Did you just leave them home or give them to a friend so you would not be called upon to produce them? That is the question we are now asking you.

If you don't have them now the question is, Have you ever had them?

Mr. POOL. Mr. Chairman, I want to ask counsel how long he wants to take. How about the recess?

The CHAIRMAN. What is your answer?

Mr. SWENSON. Sir, I would like to speak to my counsel just a little longer if you don't mind, please.

The CHAIRMAN. The committee will stand in recess for 5 minutes.

(Whereupon, at 11:05 a.m., the subcommittee recessed and reconvened at 11:11 a.m. Subcommittee members present at time of recess:

Representatives Willis, Pool, Weltner, and Buchanan and when hearings resumed: Representatives Willis, Pool, and Weltner.)

The CHAIRMAN. The committee will come to order.

Mr. Swenson, you having consulted with counsel, and I think another one came to your table during this recess, I ask for an answer to the pending question.

Mr. VENABLE. Have the question repeated first so you will understand.

Mr. SWENSON. Will you repeat that question again, sir? I think I understand it, but I want to be sure, sir.

The CHAIRMAN. In answer to my question you said you could not produce books, records, documents, correspondence, and so on, because you don't have them. I accepted that, because you are under oath. I accepted it temporarily, anyway, because that is your position and you are under oath.

Mr. SWENSON. Yes, sir.

The CHAIRMAN. Mr. Pool asked you, and that is the pending question—well, you say you don't have them: Have you ever had them either in your possession or custody or control, and whether you maintained those records or whether they are or were available to you? That is the question.

Having said you don't have them, did you ever have possession, custody, or control of these records? Did you ever maintain them? Were they ever available to you?

(At this point Mr. Buchanan entered the hearing room.)

Mr. POOL. That is the pending question. I will direct you to answer.

The CHAIRMAN. Yes, and I am directing him to answer.

Mr. SWENSON. Sir, the records that you are referring to, I don't know how many or what kind that you have in mind, and so on, but any books, paraphernalia, correspondence, or anything that I had in my possession this past March, a year ago, this all was burned, destroyed completely.

The CHAIRMAN. They were burned and destroyed?

Mr. SWENSON. Yes, sir.

The CHAIRMAN. Who burned them?

Mr. SWENSON. I burned them.

The CHAIRMAN. All the records?

Mr. SWENSON. All records that I had in my possession.

The CHAIRMAN. All books?

Mr. SWENSON. All books. In other words, everything that I had in my possession; yes, sir.

The CHAIRMAN. Why did you do that?

Mr. SWENSON. I did that so it wouldn't get into the hands of the enemy.

The CHAIRMAN. Who is the enemy?

Mr. SWENSON. I am speaking of the Communists and the elements of communism.

The CHAIRMAN. What do you mean by that?

Mr. SWENSON. I just say I didn't want it to get into the hands of Communists.

The CHAIRMAN. What would make you believe that they would? Are you friendly with the Communists?

Mr. SWENSON. No, sir, definitely not.

The CHAIRMAN. I didn't say you were. I am not being facetious.

Mr. SWENSON. May I say something that does not have anything to do with this, sir?

The CHAIRMAN. You are speaking freely. That is what I want you to do, and we will have a nice time questioning you. I am not saying that as a basis for your not talking. On the contrary, I am delighted.

Mr. SWENSON. Sir, I respect this committee, very, very much. I am not against the committee. I respect it.

The CHAIRMAN. All right.

Mr. SWENSON. I am trying to answer your questions, sir, without incriminating myself.

The CHAIRMAN. When was it that you destroyed them? March of last year, you say?

Mr. SWENSON. Yes, sir.

The CHAIRMAN. March of 1965 or 1964? We are just entering 1966.

Mr. SWENSON. March of 1964.

The CHAIRMAN. March of 1964.

Mr. POOL. That is 2 years ago.

Mr. SWENSON. Two years ago approximately.

The CHAIRMAN. That is March of 1964?

Mr. SWENSON. Yes, sir.

The CHAIRMAN. I understand you had reference to last year because we are in only the 3d or 4th of January. You were picturing yourself as still being in the year 1965. You destroyed, you burned them in March of 1964?

Mr. SWENSON. Approximately; yes, sir.

The CHAIRMAN. Did you consult with your fellow officers in doing that, or did you take it upon yourself? Or, if that question embarrasses you, I will ask you this—did you consult anyone?

Mr. SWENSON. Sir?

The CHAIRMAN. Did you take it on yourself?

Mr. SWENSON. Did I do what now, sir?

The CHAIRMAN. Did you consult anyone?

Mr. SWENSON. No, sir, I consulted no one.

The CHAIRMAN. You just took it upon yourself to burn those records?

Mr. SWENSON. Yes, sir.

The CHAIRMAN. And you say under oath you did that because you didn't want those records to fall into the hands of the "enemy." That is your sworn testimony?

Mr. SWENSON. Sir, I didn't want them stolen, so that's the reason. I had reason to believe that they might be stolen, so I burned them.

The CHAIRMAN. Was there anything in those records which, if they fell into the "hands of the enemy," would be damaging to you as an individual or to your organization?

Mr. SWENSON. You asked me, sir, I believe, why did I—

Mr. APPELL. What documents?

The CHAIRMAN. My question was what, if anything, was contained in those records, whatever they may be, that you felt would be dam-

aging to you or to your organization if they did fall in the hands of "the enemy"? This is another way of saying—what was it that you felt should be destroyed because if the enemy got hold of them and read them that something bad would happen to you, your organization, or you can say to your country? I will allow you to say anything that you have in mind.

Mr. SWENSON. Sir, I don't know of anything definite. It is just that the material that we are speaking of the Communists would like to get their hands on it. Of course, I imagine they have it now. Actually, it just wasn't supposed to be where it could be stolen by any enemy organization of our country.

The CHAIRMAN. I have a very few questions. I don't want to haggle with you. You are under oath and time will tell what happens.

Mr. SWENSON. Yes, sir.

The CHAIRMAN. Was there, in addition to your fear that they might be stolen or used by "the enemy," a feeling on your part that they might be subpoenaed and that you didn't want them subpoenaed in the future?

Mr. SWENSON. Sir, no, sir. No, sir.

The CHAIRMAN. And that is your testimony under oath?

Mr. SWENSON. This was March of 1954, sir.

The CHAIRMAN. 1964.

Mr. SWENSON. 1964; I am sorry.

Mr. POOL. May I ask some questions here? Where did you burn these papers and records and things? Where were you when you burned them?

Mr. SWENSON. You mean the city?

Mr. POOL. Were you in a house, a barn, out in the country? Where were you?

Mr. SWENSON. No, sir; it was in my back yard.

Mr. POOL. Your back yard?

Mr. SWENSON. Yes, sir.

Mr. POOL. Who was there with you?

Mr. SWENSON. No one.

Mr. POOL. Do you have a witness there to say you burned them?

Mr. SWENSON. No one.

Mr. POOL. In the daytime or night?

Mr. SWENSON. In the daytime.

Mr. POOL. Do you remember what day?

Mr. SWENSON. No, sir, I don't.

Mr. POOL. What records did you burn?

Mr. SWENSON. Sir, I burned the records that we were speaking of just now, that he asked me about.

Mr. POOL. Call them off. Did you burn the minutes of the meeting? Did you burn the membership lists? Call off the things. You know what they are.

If you were afraid the Communists would get hold of them you certainly knew what they were.

Mr. SWENSON. Sir, it was just literature or documents. It was no membership list. I haven't had any membership list.

The CHAIRMAN. Did they include any financial records, records of money you received, because it is my understanding that you will be questioned about financial transactions. This is a proper question, as I am sure your lawyer will agree.

You said that the reason for burning them was that you didn't want them to fall into the hands of the enemy, which you described as the Communists.

Then I asked you, in addition to that reason were you fearful that they might be subpoenaed. You said "No."

Now I am asking you if any of the documents that you burned had to do with financial records, that is, receipts, evidence of money received as dues, for robes, or anything else, any financial records involved that were burned?

Mr. SWENSON. Sir, the question that you asked me, if I answer that it may tend to incriminate me in you asking for certain things.

The CHAIRMAN. Well, are you invoking constitutional privilege and the fifth amendment at this point?

Mr. SWENSON. Fourth and fifth; yes.

The CHAIRMAN. The fourth and fifth.

Mr. SWENSON. Respectfully, Mr. Willis, I am trying my best to—

The CHAIRMAN. I understand that. I am trying my best to be fair and yet to develop evidence. If in answer to my question as to whether there were any financial records involved you invoke the fourth and fifth amendments, I at least accept your invocation of the fifth as far as I am concerned, because you are under oath and you can invoke your privileges.

Mr. POOL. How about the membership list, though? You don't remember whether they were in there or not; do you?

Mr. SWENSON. Sir, that is something I have never had, this membership list.

Mr. POOL. You have never had custody, control, or possession of the membership list of any Ku Klux Klan organization? Is that what you are saying?

Mr. SWENSON. Sir, the only thing I am saying is numbers.

Mr. POOL. I didn't get you. You haven't answered my question.

Mr. SWENSON. Just a minute, Mr. Pool. I am sorry.

Mr. POOL. You have never had custody, possession, or control of the membership list of any Ku Klux Klan organization, is that right, the membership list?

Mr. SWENSON. Sir, what do you mean by list, sir?

The CHAIRMAN. He said, Mr. Pool, the only thing he saw was numbers. Maybe the list was numbers rather than names.

Mr. POOL. I understand. You are referring to numbers instead of the names. Were you ever in control, possession, or custody of any lists of members whether by numbers or by names?

Mr. SWENSON. Would you give me just a few minutes, sir?

Mr. POOL. Yes.

Mr. SWENSON. Sir, this answer may tend to incriminate me. I invoke the fifth amendment on this one, sir, respectfully, sir.

The CHAIRMAN. Let me say that technically, in the decisions of the Supreme Court, you have opened yourself to examination on these questions. I do not want to be supertechnical, but I will have to direct you to answer that question. I think you opened up the door when you said the only thing you saw was numbers, and thereby that makes this question proper, so I will direct you to answer that question—whether or not you ever had a list of members, whether by names or by

numbers. To that you invoked the fifth amendment. I simply do not accept that invocation at this time.

You can consult with counsel. If you want to reinvoke your privileges under my order, I am not your lawyer, but you do what your lawyer tells you.

Mr. SWENSON. The question was did I ever have numbers.

The CHAIRMAN. You said that yourself.

Mr. SWENSON. Yes, sir.

The CHAIRMAN. You said you saw numbers.

Mr. SWENSON. Yes, sir.

The CHAIRMAN. The only thing you saw was numbers, not names. The pending question is: Did you have possession of a list of members, either by names or numbers, and was that list or series of numbers on pieces of paper included in the bonfire you had in your office?

Mr. SWENSON. What numbers I had, sir, yes, was included in the bonfire.

Mr. POOL. You testified a little earlier that it wasn't in there.

Mr. SWENSON. No, sir, if it is read back, I am sorry, sir, respectfully.

Sir, all the records that I had—I don't want to get confused and I don't want to cause you any delay here.

Mr. POOL. All right, did you burn the membership list when you burned—

Mr. SWENSON. I burned everything I had in my possession, sir. As far as membership list is concerned, all I know anything about is numbers, and everything that was in my possession was burned.

The CHAIRMAN. Including the numbers?

Mr. SWENSON. Yes, sir.

The CHAIRMAN. Papers with Klans by numbers. You burned them?

Mr. SWENSON. Sir, it was numbers. That is all I can—

Mr. POOL. He hasn't answered the question. He is evading the question. That is why I am trying to pin him down.

Did you, or did you not, burn the membership list, either by numbers or names, out there in the backyard the day you burned all the other records you claimed here a while ago?

(Witness confers with counsel.)

Mr. SWENSON. Sir, the numbers that you are speaking of were burned; yes, sir. Everything that I had in my possession was burned.

Mr. POOL. What Klavern or what was the list of? What Klavern?

Mr. SWENSON. Sir, respectfully, I believe we were speaking of documents of the organization.

Mr. POOL. Of the total organization.

Mr. SWENSON. You asked me what became of them.

Mr. POOL. What did the numbers pertain to? What membership did they pertain to? What organization are we talking about?

The CHAIRMAN. The document calls for matters referring to the Original Knights of the Ku Klux Klan—Louisiana. That, I take it, is what you are referring to.

Mr. SWENSON. Let me talk to my counsel.

(Witness confers with counsel.)

Mr. SWENSON. Sir, I respectfully say that I have answered your question on what happened to the records which you asked me to produce here. They were destroyed. The question which is being

asked me now will tend to incriminate me under the fifth amendment—fourth amendment.

Mr. POOL. After this numbers list was destroyed or misplaced or whatever happened to it, how did the organization get along without a numbers list?

Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated.

Mr. POOL. Are we talking about the numbers list or membership of the Original Knights of the Ku Klux Klan? Is that the list you are claiming was burned in that fire?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. POOL. Mr. Chairman, I ask that the witness be directed to answer because I think he opened it up for cross-examination and he should be directed to answer the question.

The CHAIRMAN. I have already ruled that these questions are pertinent under the decisions and might lead to whatever legal remedy is available to us under the law. I have directed him to answer the question already, and he has reinvoked his amendment on which he relies, despite my admonition. That is where we stand. He stands on his position, and I stand on mine. In other words, I have already directed him to answer the question.

Mr. WELTNER. With regard to the documents previously discussed as required by the subpoena and with regard to the witness' explanation that the records were destroyed pursuant to his fear that they would fall into the hands of the enemy, I would ask the Chair's permission to read briefly from transcript of the executive session held on July 28, 1965, being a transcript of the testimony of Royal V. Young, Route 1, McDade, Louisiana. With the Chair's permission and with the attention of the witness, I would request the witness pay close attention to Mr. Young's sworn testimony with regard to the "hands of the enemy."

Mr. Young testified concerning a division in the Original Knights, stating that he was assigned to various offices under Mr. J. D. Swenson, the witness today. Then he was asked about the nature of the faction. Mr. Young stated, now quoting:

There is no explaining to it. Some people wanted to take over the manufacturing of the robes, and one man had it, and that was it. That is the only thing I can tell you. Power purge.

Mr. APPELL. Now, who was the man that had the jurisdiction of the manufacturing of the robes?

Mr. YOUNG. Everyone in the United States knows that, and also your investigators. Mr. Swenson.

That is on page 257 of the transcript. On page 293 the witness Young further states:

Let me straighten this out. The relationship to the money was not to the money of the Klan. It was to the money of the robe money. That was most of the argument.

Further on page 262, Mr. Young in identifying this faction stated under oath as follows:

Mr. APPELL. Who were the leaders in this faction against you?

Mr. YOUNG. Sir, this was the Murry Martin and Mr. Wilder.

Mr. Chairman, the executive testimony of Mr. Young, previously released, shows there was a struggle over the robe money; that Mr. Swenson had the concession and it was given to him by Mr. Davis, of the State of Texas; and that it was in the period March 1964 that Swenson and Young lost out on the Original Knights of the Ku Klux Klan.

My question to Mr. Swenson is this—he said he burned the records to keep them from falling into the hands of the enemy: Mr. Swenson, you were afraid, were you not, that these records would fall into the hands of the enemy, Murry H. Martin and Billy Skipper, who led this revolt against your leadership; is that not true?

Mr. SWENSON. Sir, I would like to say I have already answered who I thought the enemy might be. We were then speaking of the records. As I say, I am not an attorney. I will have to consult with my attorney. The books and records that you asked, that were subpoenaed, that you asked to bring here, are no longer to be obtained. They are not here.

Mr. WELTNER. Mr. Chairman, he has burned the records. Let me restate the question to be sure the witness has it in mind.

You stated, Mr. Swenson, you burned the records in March of 1964 for fear that they would fall into the hands of the enemy. You further stated that you meant by the enemy, the Communists. You stated also that they are probably in the hands of the Communists now, anyway.

I have directed your attention to the sworn testimony of Royal V. Young concerning this controversy in March of 1964. I am asking you whether or not the truth of the matter is that the enemy into whose hands you feared these records might fall were Murry Martin, Grady Wilder, and Billy Skipper, who challenged you and Mr. Young for the leadership of the Original Knights of the Ku Klux Klan of the State of Louisiana. Isn't that the fact, Mr. Swenson?

Mr. SWENSON. Sir, I didn't fear that they would fall into Mr. Martin's hands, that you are speaking of, or anyone else except the Communists, that I was speaking of. I believe that is about the only way that I know how to answer you on that, sir, respectfully.

Mr. WELTNER. Did you consider Messrs. Martin, Wilder, and Skipper as your enemies?

Mr. SWENSON. Sir, on your question I refuse to answer on the grounds heretofore stated.

The CHAIRMAN. You mean by that, the 1st, the 4th, the 5th, and the 14th amendments, and particularly the 5th amendment?

Mr. SWENSON. Yes, sir, respectfully.

Mr. POOL. Mr. Chairman, I ask that the witness be directed to answer the question.

The CHAIRMAN. I will direct you to answer that question because this examination is quite proper and perfectly obvious. Mr. Swenson, the reason is this: It is just as simple as daylight. A witness cannot very well appear before a committee and extol his virtues in a certain area and then, having done that, start invoking the fourth and fifth amendments under cross-examination. That is not permissible. The question Mr. Weltner is asking is perfectly proper, and I think quite obvious. I do direct you to answer that question.

(Witness confers with counsel.)

Mr. SWENSON. Sir, you are still talking about the records?

The CHAIRMAN. That is right. That is, we are still talking about Mr. Weltner's question, and it is that the reason for burning the records was not so much fear of the enemy, meaning the Communists, but you were afraid that these records might fall into the hands of the people that you were having a financial struggle and intraorganizational fuss going on with. That is what he is asking.

Mr. SWENSON. Sir, I didn't know anything about this fuss, except what you have read there which Mr. Young has said.

The CHAIRMAN. Let me say that Mr. Young when he appeared, like you, was under oath. He was under the pains and penalties of perjury. Now you are opening up the question some more. We want to give you the opportunity to talk about the lack of any intraorganizational struggle, including financial transactions concerning robes at that time. If that is your testimony under oath, Mr. Swenson, that is the end of it with me.

Mr. SWENSON. Sir, I have forgotten the first question.

The CHAIRMAN. Just once more and then it will be over. Will you repeat the question?

Mr. WELTNER. The question is as follows: You stated in response to the subpoena that you did not have them since March 1964, that you destroyed them in your backyard, and the reason you did so was to prevent their falling into the hands of the enemy, and you identified the enemy as the Communists. I have read to you the excerpt from the transcript of July 28, 1965, concerning a struggle between you and Mr. Young and Grady Wilder and Billy Skipper concerning the robe money and the organization. I am asking you if it is not true that the enemy into whose hands you feared these records might fall were not the Communists, but Grady Wilder, Billy Skipper, and Murry Martin.

Mr. SWENSON. No, sir, the Communists were the ones I was afraid they would fall into the hands of.

Mr. WELTNER. All right, that is an answer to the question.

Were there among the records that you destroyed any records pertaining to the manufacture, sale, or distribution of robes among members of the Original Knights of the Ku Klux Klan?

(Witness confers with counsel.)

Mr. SWENSON. Sir, on this question I refuse to answer on the grounds heretofore stated.

Mr. WELTNER. Do you have knowledge of the existence or location of any other records pertaining to the Original Knights of the Ku Klux Klan or any other Ku Klux Klan organization, Mr. Swenson?

Mr. SWENSON. Sir, will you give me that question once more?

Mr. WELTNER. Do you have knowledge of the existence or location of any other records pertaining to the Original Knights of the Ku Klux Klan or any other Ku Klux Klan organization?

Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated, on the fourth and fifth amendments.

Mr. WELTNER. Mr. Swenson, in Mr. Young's testimony of July 28, 1965, concerning the internal struggle within the Original Knights

organizaion, he stated in response to a question—the question is as follows:

Mr. WELTNER. Mr. Young, what did the dissenting group feel was the proper program? What kind of activities did they want you to lead them into?

Mr. YOUNG. Sir, I don't know. I will decide, and show you one incident that might suffice. They wanted to burn crosses at the polls at the election in 1963, and I put out specific orders that was to be ruled out because I did not believe in intimidation of the voters. * * *

Mr. WELTNER. Did you consider the act of burning the cross in and of itself to be an intimidation?

Mr. YOUNG. I did. I figures that there was some people might see those crosses and fail to go to vote.

My question is, Were you aware of the controversy identified by Royal V. Young concerning burning of crosses at the polls in 1963?

Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated—the first, fourth, and fifth amendments.

Mr. WELTNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Are there any further questions?

Mr. APPELL. Mr. Swenson, with respect to your reason for destroying the records that you have testified to in response to questions asked by members of the committee, I put it to you as a fact that, immediately prior to the destruction of the records, by action of the membership you were voted out of any office that you held, together with Mr. Royal V. Young.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. I put it to you as a fact that the reason the membership took this action, or the leaders took this action, was because of charges leveled against you of enriching yourself handsomely over the sale of robes.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. I ask you, if these records which you destroyed had fallen into the hands of the faction that was opposing you, it would have documented the charges they were making against you?

Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Swenson, part 2 of the subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member and/or officer of the Original Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

The CHAIRMAN. I think we could shorten the examination on item 2 and probably item 3 of the subpoena, certainly item 2, if I made this statement, and then if you say that the same situation with reference to these documents obtains as that concerning the documents required in paragraph 1. In other words, you took the position with reference to paragraph 1 that the documents therein listed were not in your possession, and then we examined you as to whether they had been in your possession. Then you said you had destroyed them by fire. Then we examined you on this. Is it the same situation that your answers

with reference to paragraph 2 would be the same as with reference to paragraph 1?

If you want to go through it in that way, it is all right with me. So I ask you specifically: Do you now have possession of these documents? Do you now have possession of the documents called for in paragraph 2?

Mr. SWENSON. Sir, it is the same thing in paragraph 1.

The CHAIRMAN. Your answer is that you do not have them?

Mr. SWENSON. Yes, sir.

The CHAIRMAN. Is it your answer that they were consumed by fire under the same circumstances with reference to paragraph 1?

Mr. SWENSON. Yes, sir.

Mr. APPELL. Part 3, Mr. Swenson—

The CHAIRMAN. Counsel, is it agreed that the pertinent questions and answers with reference to paragraph 1 would be the same with reference to paragraph 2?

Mr. VENABLE. Yes.

The CHAIRMAN. In other words, No. 1, your answer is that you do not have those documents; is that correct?

Mr. SWENSON. No, sir.

The CHAIRMAN. No. 2 is that you destroyed them in a bonfire—

Mr. SWENSON. Yes, sir.

The CHAIRMAN. —under the same circumstances with reference to paragraph 1. If we asked you the same questions, your answers would be the same; is that correct? I think that is what counsel indicated.

Mr. VENABLE. Yes, sir. That is right.

The CHAIRMAN. That is agreed to, Counsel?

Mr. VENABLE. Yes, sir.

Mr. POOL. Could I ask him if he destroyed by fire the records that the "Constitution and Laws" of said organization authorize and require be maintained by him? Were these also destroyed by fire?

(Witness confers with counsel.)

The CHAIRMAN. Is that correct?

Mr. SWENSON. Yes, sir.

Mr. POOL. In other words, you burned the constitution and bylaws along with all the other records; is that correct?

The CHAIRMAN. No. I think specifically he burned the records required by the constitution and bylaws to be kept.

Mr. POOL. Which included the constitution and bylaws.

Let me ask it of you in another way. In other words, you burned the very documents that the constitution and bylaws required that you keep; is that correct?

Mr. SWENSON. Sir, anything that I had in my possession, as I stated in paragraph 1 there, was destroyed.

Mr. POOL. Including these documents that the constitution and bylaws required that you keep.

Mr. SWENSON. Sir, respectfully, all the paraphernalia that you asked for in paragraph 1 and paragraph 2 here were destroyed.

Mr. POOL. Can you answer my question and say "Yes"? Is that correct, that you burned the documents that the constitution and bylaws required that you keep?

The CHAIRMAN. Or those are among the documents that you destroyed, whatever you had.

Mr. SWENSON. What you have stated here, sir—

The CHAIRMAN. What you are answering is yes in a roundabout way.

Mr. SWENSON. Yes, sir.

Mr. POOL. In other words, your constitution and bylaws did not mean a whole lot to you; did it?

Mr. SWENSON. Sir, if I answer this question, it will tend to incriminate me in the language it was asked. I respectfully answer you that I have none of these records in my possession.

Mr. POOL. I understand that.

The CHAIRMAN. But you are refusing to answer the last question on the grounds of the privileges afforded to you under the constitutional amendments which you have previously invoked. That is what you are doing.

Mr. SWENSON. Yes.

Mr. POOL. That is fine and dandy. I think it is a terrible situation when you just ignored the constitution and laws of the organization like that and burned the records which you were supposed to keep under the constitution and bylaws. That is all I am trying to point out.

Mr. APPELL. Mr. Swenson, paragraph 3 called for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I ask you to produce those documents.

Mr. SWENSON. May I consult my attorney?

(Witness confers with counsel.)

Mr. SWENSON. Sir, I am respectfully refusing to produce my personal income tax records since they may tend to incriminate me, on the fifth amendment.

The CHAIRMAN. You said you had them with you a while ago, but I am not going to insist that you produce the income tax returns if you invoke the fifth amendment in that respect. It might ease a lot of pain later on, because we will question you about the finances.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny, that the cover name used while you were the National Kleagle and Grand Dragon of the Original Knights of the Ku Klux Klan was the Louisiana Rifle Association.

Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated, on the first, fourth, and fifth amendments.

The CHAIRMAN. Let me ask the question in a different way. Is it not a fact that you used the Louisiana Rifle Association as a coverup and as a phony front organization for the Ku Klux Klan organization?

Mr. SWENSON. Sir, I very respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Swenson, you said that you have with you retained copies from your Income Tax Returns, Form 1040. I put it to you as a fact, and ask you to affirm or deny the fact, from your retained copies of your income tax returns that for the year 1962 you reported commissions from the Louisiana Rifle Association in the amount of \$4,473; in the year 1963, \$10,690; and that in 1964 up until the time you were removed, \$1,781.66. I ask you to affirm or deny the fact that these are the figures that you reported on your tax returns.

Mr. SWENSON. May I confer with my counsel?

(Witness confers with counsel.)

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated, based on the fifth amendment to the Constitution of the United States.

(Income tax returns marked "John Swenson Exhibit No. 2" and retained in committee files.)

Mr. APPELL. Then the charges made against you that you were enriching yourself were in fact truthful. Is that so?

Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated.

(At this point Mr. Willis left the hearing room.)

Mr. POOL (presiding). Mr. Appell, this is in addition to other income he reported?

Mr. APPELL. Yes, sir.

Mr. Swenson, what part of the income from the Original Knights of the Ku Klux Klan, which maintained a national account and a local account under the name of the Louisiana Rifle Association, did Royal V. Young receive?

Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Chairman, I think the record should reflect that in the interrogation of Mr. Royal V. Young on July 28, 1965, Mr. Young also invoked constitutional privileges with respect to the finances of the Original Knights of the Ku Klux Klan, of which he was the Imperial Dragon, as to whether or not he shared in the profits made by Mr. Swenson on the exclusive sale of robes which Mr. Swenson had received as a commission from Roy E. Davis.

Mr. POOL. If there is no objection, the record will so show and it is so ordered.

Mr. APPELL. Mr. Swenson, so the record might establish that the Louisiana Rifle Association was, in fact, the cover name of the Original Knights of the Ku Klux Klan, I put it to you as a fact, and ask you to affirm or deny the fact, that one of the Klaverns under your jurisdiction was the Monroe Hunting and Fishing Club in Monroe, Louisiana.

(At this point Mr. Willis returned to the hearing room.)

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. I hand you two envelopes, one containing canceled checks drawn against the account of the Monroe Hunting and Fishing Club, payable to the Louisiana Rifle Association, endorsed by the Louisiana Rifle Association, and another envelope containing checks against the account of the Monroe Hunting and Fishing Club, payable to cash, and endorsed by J. D. Swenson. I ask you, after you examine the contents of these envelopes—will you also examine the other envelope, Mr. Swenson, and the checks endorsed by J. D. Swenson?

Mr. Swenson, do the checks made payable to the Louisiana Rifle Association by the Monroe Hunting and Fishing Club represent per capita dues to the state and national office, together with a portion of the membership fees due to the office on the initiation of a new member?

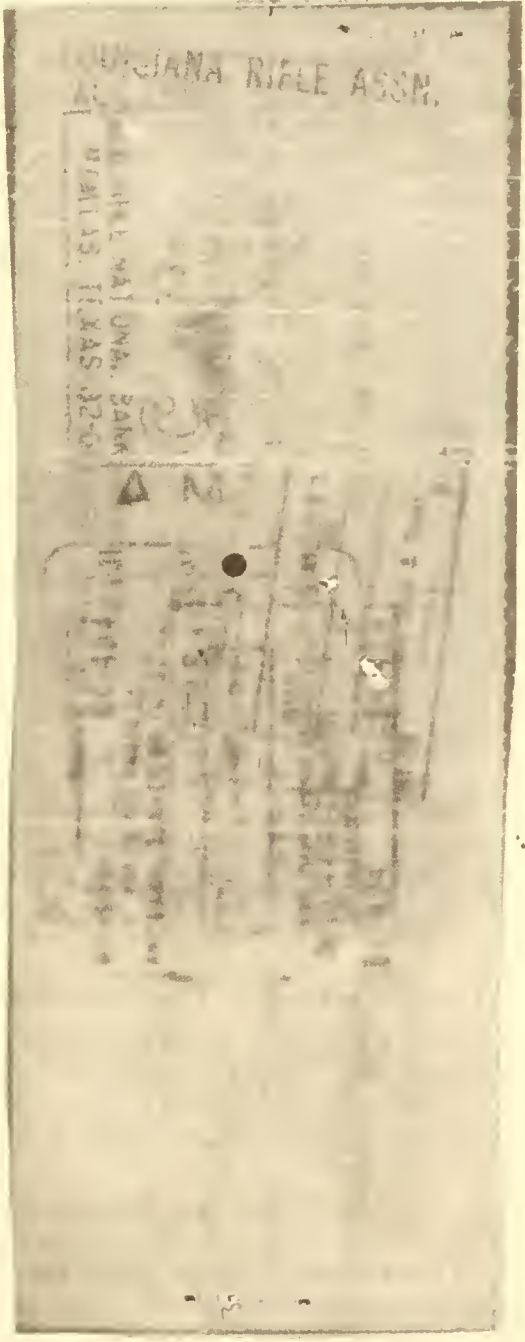
Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Regarding the checks endorsed by J. D. Swenson, do these checks represent payments for robes that you had the exclusive concession for?

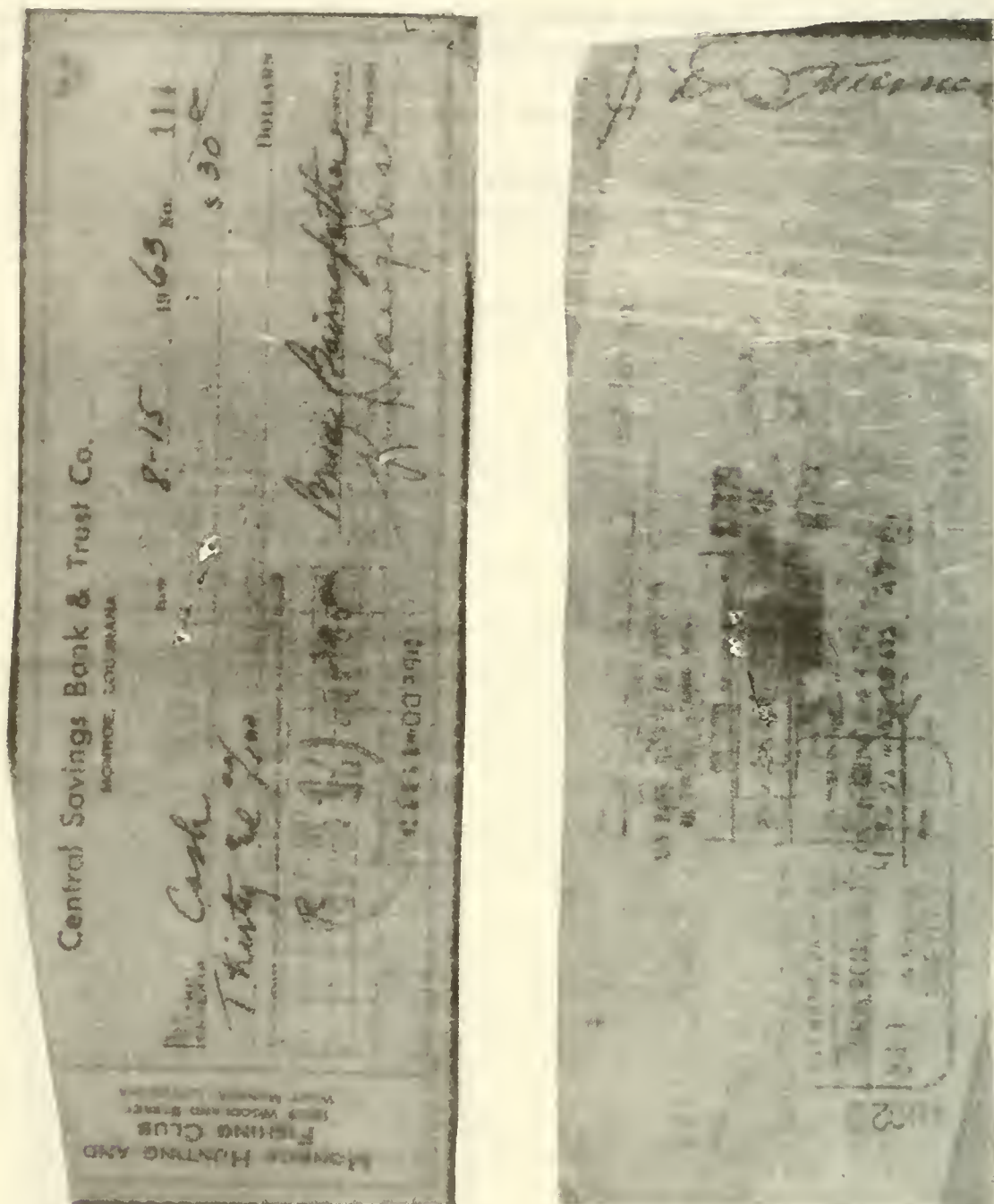
Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated.

(Checks marked "John Swenson Exhibits Nos. 3 and 4," respectively. One check from each exhibit follows; balance retained in committee files.)

JOHN SWENSON EXHIBIT NO. 3



JOHN SWENSON EXHIBIT No. 4



The CHAIRMAN. The committee will stand in recess until 2 o'clock.
 (Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan.)

(Whereupon, at 12:15 p.m., Tuesday, January 4, 1966, the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION—TUESDAY, JANUARY 4, 1966

(The subcommittee reconvened at 2 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.)

The CHAIRMAN. The subcommittee will come to order.

Mr. Appell, I suppose you want to recall Mr. Swenson.

Mr. APPELL. Will Mr. Swenson take the stand, please?

The CHAIRMAN. Mr. Swenson, you have already been sworn. Have a seat, please.

TESTIMONY OF JOHN DEASON SWENSON—Resumed

Mr. APPELL. Mr. Swenson, as the National Kleagle, or national organizer of the Original Knights of the Ku Klux Klan, I put it to you as a fact, and ask you to affirm or deny the fact, that you organized members into the Klan in the State of Mississippi.

Mr. SWENSON. Sir, I refuse to answer—respectfully refuse to answer on the grounds heretofore stated, based on the fourth and fifth amendment.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that in Mississippi you created a realm of the Original Knights and that you recommended to Royal V. Young for appointment to the position of Grand Dragon for the State of Mississippi Douglas A. Byrd.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that prior to your removal from office in the Original Knights of the Ku Klux Klan in December of 1963 you banished from the Original Knights of the Ku Klux Klan Douglas A. Byrd and Edward L. McDaniel.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the Klansmen that you recruited in Mississippi broke with your organizations and that they became the cadre of an organization now operating in Mississippi known as the White Knights of the Ku Klux Klan of Mississippi.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Do you know that E. L. McDaniel, whom you banished from your organization in December 1963, is now the Grand Dragon for Mississippi of the United Klans of America, Knights of the Ku Klux Klan, Inc.?

Mr. SWENSON. I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Do you possess any knowledge of violence, bombings, or cross-burnings by members of the Original Knights of the Ku Klux Klan during the period of time that you were the Grand Dragon?

Mr. SWENSON. I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. In February of 1962 there was a bombing at the home of the Negro leader in Shreveport, Louisiana, C. O. Simpkins. Was that act carried out by members of the Klan, to your knowledge?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. In April 1962 there was a bombing at the Negro Masonic Lodge in Shreveport, Louisiana. Do you possess any knowledge that this bombing was carried out by members of your Klan organization?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. In May of 1962 there was a bombing at the Simpkins' home in Shreveport, Louisiana. I ask you if you possess any knowledge that members of your Klan organizations engaged in that act?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. In September 1962 there was an additional bombing in Shreveport, Louisiana, the home of a white integrationist. Do you possess any knowledge that members of your Klan were involved in that action?

Mr. SWENSON. I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. In May of 1963 there was violence on the campus of the Louisiana State University at Baton Rouge. Were members of your Klan involved in that violence?

Mr. SWENSON. Sir, I refuse to answer, respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Swenson, Mr. Young was asked in his testimony on July 28, 1965, page 294, questions concerning the takeover of the Original Knights, the leadership of Mr. Young and yourself. The questioning went like this—related to the robe concession. Mr. Young says that he was told not to dig into the fact that you had the robe concession, and the questioning went on by Mr. Hitz:

And was that the sole accusation of mishandling of funds that was again made against you, Mr. Young?

Mr. YOUNG. That was the question brought up to me. That I should do something about it.

Mr. HITZ. Well, was it not quite easy to represent to anyone who accused you of that, that it was the act of the Imperial Wizard and that your direction from the Imperial Wizard, who gave you your job as Imperial Dragon, was to keep out of it?

Mr. YOUNG. At that time, it made no difference. There was a power purge on; and if I had to have told them that anybody had told me to stay out of it, it would still have been the same thing over and over again. When men set their mind to take over something, the first thing they go through is your pocketbook.

The CHAIRMAN. Is what?

Mr. APPELL. Your pocketbook.

Is this the desire, to get the other individuals to get their hands on the profit that you and Mr. Young were making that caused the split in the Original Knights of the Ku Klux Klan in March of 1964?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

The CHAIRMAN. Mr. Swenson, we have quoted quite extensively from the testimony of Mr. Young under oath, and that testimony, I think it is fair to say, was not exactly complimentary to you. His testimony was under oath. It was part of our investigation.

Now, would you care to say what you think of Mr. Young?

Mr. SWENSON. Sir, I respectfully refuse to answer this question, sir, on the grounds heretofore stated.

The CHAIRMAN. I just wanted to give you that opportunity which would be a doublecheck on the credibility of his sworn testimony.

Mr. APPELL. Mr. Chairman, the staff has no further questions of this witness.

I would like to ask as a part of the witness' testimony that the subpoena—that the records obtained of the account in the name of the Louisiana Rifle Association from the Louisiana Bank and Trust Company, Shreveport, Louisiana, and from the Bossier Bank and Trust Company, Bossier City, Louisiana, be made a part of the record of Mr. Swenson's testimony.

The CHAIRMAN. Those documents will be inserted in the record at the point where Mr. Swenson was questioned about them, so in reading the whole transcript the evidence introduced will be at that point.

(Bank records marked "John Swenson Exhibit No. 5" and retained in committee files.)

Mr. BUCHANAN. Mr. Swenson, you have made a good deal of the fact that you have burned the records because you didn't want them to fall into the hands of the enemy, which you said was communism, the Communists. Certainly this committee is concerned about Communist subversion, and continues to do a good deal of work in that field. However, I think it is only fair to point out that whatever your concern might have been, I personally very much doubt that the Communists would have any reason to do anything to the Ku Klux Klan or any of its various organizations, because I can't think of an outfit that has more consistently served the purposes of the Communists than the various Klan organizations, however unwittingly.

It seems to me one could well contend that the Klan organizations have consistently and well served the purposes of the Communists in feeding propaganda for their propaganda mill, and there would be little reason for them to try to do away with your organization, sir, because it serves them too well.

Secondly, I would like to point out that not being a Communist does not make a man or organization a saint, that evil has many faces and the evil of communism is just one of those faces.

I would like to point out for your edification that Judas Iscariot was not a Communist, nor was John Dillinger, nor was Jesse James, nor was Adolf Hitler, and the fact is under the guise of anticommunism, when an organization under this guise commits acts of violence or terrorism, it is without excuse for its extra-legal activities and being non-Communist or against communism is hardly justification for any act that is illegal or that is wrong.

Consequently, I would say in light of these things, of the service that the Klan organizations have rendered to world communism, in light of the nature of the organization of which it is said you are the father, I wonder if you aren't very much ashamed that it is the case that you are at least known to be the father of the Ku Klux Klan in Louisiana. Aren't you ashamed of that, sir?

I will withdraw the question. No further questions.

The CHAIRMAN. Call your next witness.

Mr. SWENSON. Thank you, gentlemen.

Mr. APPELL. Mr. Murry H. Martin.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MARTIN. I do.

**TESTIMONY OF MURRY H. MARTIN, ACCOMPANIED BY COUNSEL,
JAMES R. VENABLE**

Mr. APPELL. Mr. Martin, will you state your full name for the record?

Mr. MARTIN. Murry H. Martin.

Mr. APPELL. When and where were you born?

Mr. MARTIN. June 1, 1924, in Tioga, Louisiana.

Mr. APPELL. Where do you presently reside?

Mr. MARTIN. In Winnsboro, Louisiana.

Mr. APPELL. Are you represented by counsel?

Mr. MARTIN. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. VENABLE. James R. Venable, Atlanta, Georgia.

Mr. APPELL. Mr. Martin, you are appearing here this morning in accordance with a subpoena served upon you on the 27th day of October at 2303 Rowland Street, Winnsboro, Louisiana, and subsequently the appearance was postponed by telegram?

Mr. MARTIN. Yes, sir.

Mr. APPELL. Mr. Martin, the subpoena served upon you demands for you to bring with you and produce before the said committee documents set forth in an attachment, paragraph 1 of which reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the National Knights of the Ku Klux Klan, Original Knights of the Ku Klux Klan, and affiliated organizations, namely, Christian Constitutional Crusaders, in your possession, custody or control, or maintained by you or available to you as Grand Dragon and/or member of the Original Knights of the Ku Klux Klan of America, and/or National Knights of the Ku Klux Klan.

I request you to produce the documents as called for in the subpoena.

Mr. MARTIN. Mr. Chairman, I respectfully decline to produce these books, documents, and records on the constitutional grounds of the fourth and fifth amendment, the Constitution guaranteeing the freedom of unreasonable search and seizure.

The CHAIRMAN. And self-incrimination?

Mr. MARTIN. And self-incrimination.

Mr. APPELL. I ask that the witness be asked to produce the records asked for in the subpoena.

The CHAIRMAN. Mr. Martin, were you in the hearing room when Mr. Swenson testified?

Mr. MARTIN. I was; yes, sir.

The CHAIRMAN. I ask that because I think, though I assume you are not a lawyer, you understood that, from our point of view, anyway, there is a distinction between ordering an individual to produce

personal records such as an income tax return, and a subpoena served upon him in a corporate or representative capacity which he holds, not for himself, but for an organization. You understood my explanation of that?

Mr. MARTIN. I did; yes.

The CHAIRMAN. Well, for that reason we do not accept as valid reasons for refusing to produce these documents your reliance on these constitutional amendments, and I therefore order and direct you to produce them.

Let me add this: I do so because the court decisions require me to do it. It is a cautionary note to a witness when the chairman of this committee, despite the invocation of constitutional grounds, nevertheless orders a witness to produce documents. It means we do not accept your position as a matter of law and it means that it could result, for further consideration, in a contempt citation.

I am saying that because I want you to understand it and because the court decisions require me to do that; therefore, for the reasons that I have stated, I order and direct you to produce the documents.

Mr. MARTIN. Mr. Chairman, I still must decline to answer.

In support of this, I would like to say that the Supreme Court in 1961 knocked down a Louisiana statute that required all fraternal or—

The CHAIRMAN. Say that again.

Mr. MARTIN. I am not a lawyer.

The CHAIRMAN. I just want to caution you that perhaps, since you are not a lawyer, I am not sure you are capable of carrying on this discussion. Talk to your lawyer and go on if you want to.

Mr. MARTIN. I must still decline to answer on the grounds that it may incriminate me under the first, fourth, and fifth amendment to the Constitution.

Mr. APPELL. Mr. Martin, paragraph 2 of the attachment commanded you to bring with you, and to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as member or officer of the Original Knights of the Ku Klux Klan and/or Christian Constitutional Crusaders which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce the documents requested in paragraph 2.

Mr. MARTIN. I respectfully decline to produce these documents in question on the constitutional grounds previously stated.

The CHAIRMAN. Mr. Martin, for the reasons previously pointed out and explained in detail, I order and direct you to produce the documents.

Mr. APPELL. You were directed, Mr. Martin.

Mr. MARTIN. I must decline.

The CHAIRMAN. On the ground previously stated?

Mr. MARTIN. Right, on the grounds previously stated.

Mr. POOL. Did you inform him he is subject to possible citation for contempt?

The CHAIRMAN. Yes. That is the reason for ordering him.

Mr. APPELL. Mr. Martin, paragraph 3 of the subpoena calls upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I ask you to produce those tax returns.

Mr. MARTIN. I must decline to produce these records on the constitutional grounds previously stated.

Mr. APPELL. Mr. Martin, I hand you a blank form of application for citizenship in the Invisible Empire of the Original Ku Klux Klan. I ask if you have executed an application identical to or similar to that.

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

(Document marked "Murry Martin Exhibit No. 1" and retained in committee files.)

Mr. APPELL. I hand you a copy of a series of oaths and ask you if you subscribe to those series of oaths in any organization that you might have belonged to?

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

(Document previously marked "John Swenson Exhibit No. 1.")

Mr. APPELL. I hand you the reproduction of a document, the "Konstitution of the Original Ku Klux Klan, Realm of Louisiana." I ask you if this constitution was adopted by the Original Knights of the Ku Klux Klan organization which you at one time headed.

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

(Document marked "Murry Martin Exhibit No. 2." See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 297-319.)

Mr. APPELL. Mr. Martin, were you acquainted with Mr. Royal V. Young, the Imperial Dragon of the Original Knights of the Ku Klux Klan?

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did you hold an office under Mr. Young in that organization?

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Young testified that after he was appointed to the position of Imperial Dragon that Murry H. Martin was appointed to the office of Grand Giant. Is that testimony truthful?

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did you know that the cover name for the Original Knights during that period of time was the Louisiana Rifle Association?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. I prefer to put it this way: Is it not within your knowledge that that Klan organization, as part of its efforts to remain completely in the background and secret, used the cover name or front name of the Louisiana Rifle Association?

In other words, we have heard, we have read literature, literature of all other organizations of the type you headed, about their use of front organizations and all the rest of it.

I am trying to say Mr. Appell has represented to you as a cold fact that you were a party to using a front organization. Is that true or not?

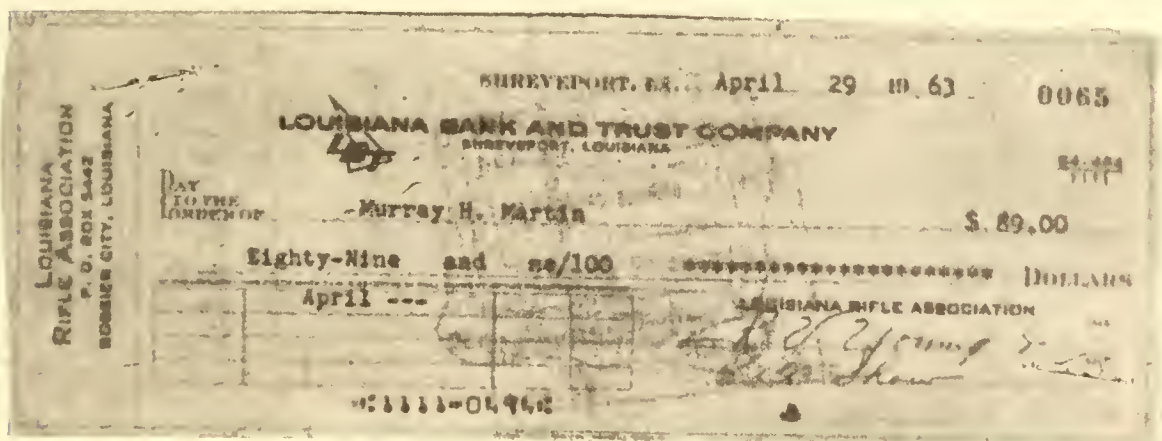
Mr. MARTIN. I decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I hand you an envelope which contains five checks totaling \$531.26 made payable to "Murray" H. [Murry H. or M. H.] Martin, drawn against the account of the Louisiana Rifle Association, Louisiana Bank and Trust Company, Shreveport, Louisiana, and ask you whether you affirm or deny the fact that you are the payee designated on those checks.

Mr. MARTIN. Sir, I respectfully decline to answer the question on the constitutional grounds previously stated.

(Checks marked "Murry Martin Exhibit No. 3." One of said checks follows; balance retained in committee files.)

MURRY MARTIN EXHIBIT NO. 3



Mr. APPELL. Mr. Martin, I put it to you as a fact, and ask you to affirm or deny it as a fact, that after Mr. Young and Mr. Swenson were removed from the Original Knights of the Ku Klux Klan that a deal was worked out among those responsible for removing them from office whereby you would take over the position of Grand Dragon of the organization. I ask you to affirm it or deny it.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you took office without being elected and that you were supposed to hold this office for some 6 months, at which time there was to be an election and someone else other than yourself was sup-

posed to succeed to the office of Grand Dragon. I ask you to affirm or deny it.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the person who under the agreement was supposed to take over was Houston P. Morris, who was the grand kleagle of your organization. I ask you to affirm or deny it.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that when you had made your position within the organization solid enough so that at the election you won and Mr. Morris did not win, that he broke with the organization and created a new Klan group in Louisiana known as the Original Ku Klux Klan of America, Inc.

Mr. MARTIN. I decline to answer on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that he took from your organization certain Klaverns within it.

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that he later took this group of people into the United Klans of America, Realm of Louisiana.

The CHAIRMAN. Of which Mr. Shelton is head?

Mr. APPELL. Of which Mr. Shelton is the Imperial Wizard.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that when you took over leadership of the Original Knights of the Ku Klux Klan that you adopted as a cover name for that organization the Christian Constitutional Crusaders.

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. And this is being stated to you as a fact again, that you use that fancy Christian name as a purely phony front organization, just as false as a 2-foot yardstick. Is that true?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I hand you a signature card filed in the account of the name of the Christian Constitutional Crusaders opened in the Ouachita National Bank in Monroe, Louisiana. In examining this card I ask you—put it to you as a fact, and ask you to affirm or deny the fact, that the card reflects that the president of the Christian Constitutional Crusaders is M. H. Martin; that the secretary is L. G. Wilder; and that the treasurer is Henry I. Bayles.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Document marked "Murry Martin Exhibit No. 4" follows:)

MURRY MARTIN EXHIBIT No. 4

(XERO)

CORPORATION FIRM OR SOCIETY ACCOUNT

NAME Christian Constitutional Crusaders

ADDRESS C/O H.I. Bayles 201 ~~W. 11th~~ Dr., N.M.

THE OUACHITA NATIONAL BANK
MONROE, LOUISIANA

BY	<u>M. H. Martin</u>	✓ PRESIDENT
BY		VICE-PRESIDENT
BY	<u>L. J. Wilder</u>	✓ SECRETARY
BY	<u>Henry J. Bayles</u>	✓ TREASURER
BY		

SEE OTHER SIDE

Mr. APPELL. Mr. Martin, during the appearance of Mr. Swenson we discussed with him the Monroe Hunting and Fishing Club, which made checks payable to the Louisiana Rifle Association.

According to the bank account of the Monroe Hunting and Fishing Club maintained at the Central Savings Bank & Trust Co. of Monroe, Louisiana, from January 21, 1964, to June 3, 1964, they issued five checks which were endorsed by the Christian Constitutional Crusaders. I put it to you as a fact, and ask you to affirm or deny the fact, that these checks covered dues, the realm's share of the new members' klectokon or membership fees. I ask you to affirm or deny the fact, sir.

Mr. MARTIN. Repeat the question, please. I don't quite understand all you said there.

Mr. APPELL. The bank records of the Monroe Hunting and Fishing Club reflect that from January 21, 1964, to June 3, 1964, there were five checks payable to cash and endorsed by the Christian Constitutional Crusaders. I ask you if it is a fact, and ask you to affirm or deny the fact, that these checks represented dues and klectokon or membership fees owed to the grand office on the part of this Klavern.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Checks marked "Murry Martin Exhibit No. 5" not reproducible; retained in committee files.)

Mr. APPELL. In May of 1963 this account in the Central Savings Bank & Trust Co. was opened. According to the signature card of this account, Houston P. Morris was the president, or exalted cyclops. Did you know this to be a fact, sir?

Mr. MARTIN. Sir, I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Bruce Bairnsfather was the secretary, or kligrapp. Did you know this to be a fact?

Mr. MARTIN. I respectfully decline to answer this question on the constitutional grounds previously stated.

Mr. APPELL. J. R. Douglas was the klabee, or treasurer. Did you know this to be a fact?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Document marked "Murry Martin Exhibit No. 6." See p. 2369.)

Mr. APPELL. This signature card was changed on August 21, 1963, with Robert Fuller as the exalted cyclops. Did you know that Robert Fuller was the exalted cyclops?

Mr. MARTIN. I respectfully decline to answer the questions on the constitutional grounds previously stated.

Mr. APPELL. Did you know that Russell A. Price was the secretary?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Did you know that the Reverend Louis Warren was the treasurer?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Document marked "Murry Martin Exhibit No. 7." See p. 2370.)

Mr. APPELL. On January 21, 1964, the signature card was again changed to this account with the exalted cyclops being James C. Oliver, who was employed by Louisiana State Highway Department. Did you know him to be the exalted cyclops?

Mr. MARTIN. I respectfully decline to answer on the constitutional grounds previously stated.

Mr. APPELL. That F. T. Odom according to the bank records was the vice president. Did you know him to be the vice president?

Mr. MARTIN. I respectfully decline to answer.

Mr. APPELL. That Russell A. Price was the secretary. Did you know him to be the secretary?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Document marked "Murry Martin Exhibit No. 8." See p. 2371. Exhibits Nos. 6, 7, and 8 follow:)

MURRY MARTIN EXHIBIT No. 6

CENTRAL SAVINGS BANK & TRUST CO.
MONROE, LOUISIANA

Authority of Lodge, Association or Other Similar Organization

To CENTRAL SAVINGS BANK & TRUST CO.

Date 5-24 1963

At a regular meeting of the Monroe Hunting and Fishing Club
of the _____
held on the 24 day of May 1963, at which a quorum
was present, the following officers were duly elected for the ensuing year and until their successors shall be
elected and shall have qualified:


Name	Title	Specimen Signature
<u>Houston Morris</u>	<u>President</u>	<u>Houston P. Morris</u>
<u>Bruce Bairnsfather</u>	<u>Secretary</u>	<u>Bruce Bairnsfather</u>
<u>J. R. Douglas</u>	<u>Treasurer</u>	<u>J. R. Douglas</u>

Under the rules of the Monroe Hunting and Fishing Club
Any funds deposited to its credit with the Central Savings Bank & Trust Co. may be withdrawn by the _____
Secretary and Treasurer, signed and countersigned

(Use blank spaces for titles of signing officers and state whether checks will bear one signature or will be signed and countersigned)

who _____ authorized to endorse and sign Checks, Drafts and Orders for the payment of money

The authority herein given is to remain irrevocable so far as the above bank is concerned until it be notified
in writing of the revocation of such authority and shall in writing acknowledge receipt thereof

[_____]

Bruce Bairnsfather SECRETARY
Houston P. Morris PRESIDENT

TRUE COPY
Central Savings Bank & Trust Co.
MONROE, LOUISIANA

Approved: _____

MURRY MARTIN EXHIBIT NO. 7

CENTRAL SAVINGS BANK & TRUST CO.
MONROE, LOUISIANA

Authority of Lodge, Association or Other Similar Organization

To CENTRAL SAVINGS BANK & TRUST CO.

Date August 21 19 63

At a regular meeting of the MEMBERS
of the Monroe Hunting & Fishing Club
held on the _____ day of _____ 19____, at which a quorum
was present, the following officers were duly elected for the ensuing year and until their successors shall be
elected and shall have qualified:

Name	Title	Specimen Signature
Robert Fuller	President	<i>Robert Fuller</i>
²⁰¹¹⁵ J. D. Warren	Treasurer	<i>J. D. Warren</i>
Russell A. Price	Secretary	<i>Russell A Price</i>

Under the rules of the _____
Any funds deposited to its credit with the Central Savings Bank & Trust Co. may be withdrawn by the _____
Any two (2)

(Use blank spaces for titles of signing officers and state whether checks will bear one signature or will be signed and countersigned)
who are authorized to endorse and sign Checks, Drafts and Orders for the payment of money
The authority herein given is to remain irrevocable so far as the above bank is concerned until it be notified
in writing of the revocation of such authority and shall in writing acknowledge receipt thereof

Russell A Price
SECRETARY
Robert Fuller
PRESIDENT

Approved: _____
TRUE COPY
Central Savings Bank & Trust Co.
MONROE, LOUISIANA
By _____

MURRY MARTIN EXHIBIT NO. 8

CENTRAL SAVINGS BANK & TRUST CO.
MONROE, LOUISIANA

Authority of Lodge, Association or Other Similar Organization

To CENTRAL SAVINGS BANK & TRUST CO.

Date January 21, 1964

At a regular meeting of the Membership
of the Monroe Hunting & Fishing Club
held on the _____ day of _____, 19____, at which a quorum
was present, the following officers were duly elected for the ensuing year and until their successors shall be
elected and shall have qualified:

Name	Title	Specimen Signature
<u>James C. Oliver</u>	<u>President</u>	<u>James C. Oliver</u>
<u>F. T. Odom</u>	<u>Vice President</u>	<u>F. T. Odom</u>
<u>Russell A. Price</u>	<u>Secretary</u>	<u>Russell A. Price</u>

Under the rules of the By-laws

Any funds deposited to its credit with the Central Savings Bank & Trust Co. may be withdrawn by the _____
President and Vice President and Secretary (Any Two (2))

(Use blank spaces for titles of signing officers and state whether checks will bear one signature or will be signed and countersigned)

who are authorized to endorse and sign Checks, Drafts and Orders for the payment of money.

The authority herein given is to remain irrevocable so far as the above bank is concerned until it be notified
in writing of the revocation of such authority and shall in writing acknowledge receipt thereof

_____ Russell A. Price SECRETARY
 _____ James C. Oliver PRESIDENT

TRUE COPY
Central Savings Bank & Trust Co.
MONROE, LOUISIANA
 By _____

Approved:

Mr. APPELL. Mr. Martin, as the Grand Dragon of this organization, can you tell me why Klaverns in Louisiana select as cover names for the Klavern rather than the unit designation given to it by the Klan organization the names of hunting and fishing clubs or sportsmen's clubs?

Mr. MARTIN. I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Martin, according to the deposit slips contained in the bank records of the account to which we have just referred, and also in the Winnsboro State Bank and Trust Company in Winnsboro, Louisiana, in the name of the Christian Constitutional Crusaders, I put it to you as a fact, and ask you to affirm or deny the fact, that the following Klaverns were within your jurisdiction: The Ouachita Parish Hunting and Fishing Club; the Sterlington Hunting and Fishing Club; the Concordia Sportsman Club; the Clinton Hunting and Fishing Club; the Deere Creek Sportsman's Club; Jena Hunting and Fishing Club; Northeast Gun Club; Tensas Sportsman Club; Black River Lake Sporting Club; Arcadia Sportsman Club; West Carroll Rifleman Club; Watson Hunting Club; Delta Sportsman Club; Baker Hunting and Fishing Club; Delhi Sportsman Club; Okaloosa Hunting and Fishing Club; Many Hunting and Fishing Club; Catahoola Sportsman Club; Deville Hunting and Fishing Club; Folsom Sportsman's Club; Turkey Creek Rod and Gun Club; Hineston Hunting and Fishing Club; Madison Parish Rifle Club; Boeuf River Hunting Club; Varnado Sportsmans Club; Vidalia Sportsman's Club; New River Rifle Club; Homer Hunting and Fishing Club; Roseland Hunting Club; Pride Sportsman League, in East Baton Rouge; Swartz Hunting and Fishing Club; The Choudrant Rod and Gun Club; Valley Hunting Club; Covington Hunting and Fishing Club; Pine Grove Hunting and Fishing Club; Big River Sportsman's Club.

I put it to you as a fact, and ask you to deny or affirm the fact, that these were organizations within your organization.

Mr. MARTIN. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Martin, during the time that you were Grand Dragon of the Original Knights in 1964, did Russell Magee hold a position within your organization as related to the Sixth Congressional District of Louisiana?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I show you two checks, one dated 6/29 and the other 7/13 [1964] drawn against the account of the Christian Constitutional Crusaders, check of 6/29 in the amount of \$377.01 and the check of 7/13 in the amount of \$400—check in the amount of \$400 the purpose for which drawn being the "Sixth District Fund." Will you examine these checks and advise the committee for what purpose those checks were drawn?

These are both made payable to Russell Magee.

Mr. MARTIN. Sir, I must respectfully decline to answer the question on the constitutional grounds previously stated.

(Checks marked "Murry Martin Exhibit No. 9" follow on p. 2373.)

(At this point Mr. Pool left the hearing room.)

Mr. APPELL. Mr. Martin, I hand you an envelope with checks dated, the first one, February 13, 1964, and the last one September 12, 1964, all but one payable to Murry H. Martin, the total of these checks amounting to \$3,558.09, and I want to ask you after you examine these

MURRY MARTIN EXHIBIT No. 9

THE OUACHITA NATIONAL BANK		No. 71
IN MONROE		MONROE, LA. 6-29 1964
PAY TO THE ORDER OF	Russell Magee	\$ 377.01
Three hundred seventy-seven & 1/100		DOLLARS
19 This Check is in full settlement of amount due unless otherwise stated. All payments by check must be accompanied by receipt in full.		
Sixth District Fund		Christian Const. Crusaders
		<i>James J. Taylor</i> <i>L. B. Wilder</i>
⑆⑆⑆⑆-003⑆⑆		

THE OUACHITA NATIONAL BANK		No. 83
IN MONROE		MONROE, LA. 7-13 1964
PAY TO THE ORDER OF	Russell Magee	\$ 400.00
Four hundred & NO/100		DOLLARS
19 This Check is in full settlement of amount due unless otherwise stated. All payments by check must be accompanied by receipt in full.		
Sixth District Fund		Christian Const. Crusaders
		<i>James J. Taylor</i> <i>L. B. Wilder</i>
⑆⑆⑆⑆-003⑆⑆		

checks with regard to the purpose for which these checks were made payable to you.

Mr. MARTIN. Sir, I respectfully decline to answer the question on the constitutional grounds previously stated.

(Checks marked "Murry Martin Exhibit No. 10.")

Mr. APPELL. Did you report that income on your Federal income tax returns?

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I show you an envelope containing checks payable to Houston P. Morris totaling \$628.46. After examining them I ask you the purpose for which those checks were drawn.

Mr. MARTIN. Sir, I must respectfully decline to answer the question on the constitutional grounds previously stated.

(Checks marked "Murry Martin Exhibit No. 11.")

Mr. APPELL. Mr. Martin, I show you an envelope containing checks, all but one payable to Robert Fuller. These checks starting with February 11, 1964, total \$3,955.47. I ask you what purpose these checks were drawn for.

(At this point Mr. Willis left the hearing room—Mr. Weltner presiding.)

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

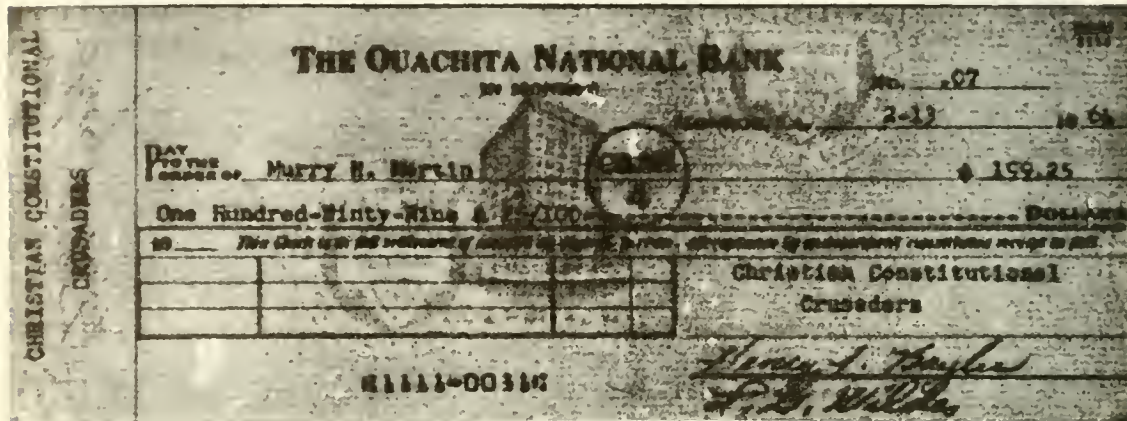
(Checks marked "Murry Martin Exhibit No. 12.")

Mr. APPELL. I show you an envelope containing checks all payable to L. G. Wilder totaling \$3,060.58. I ask you the purpose for which those checks were drawn.

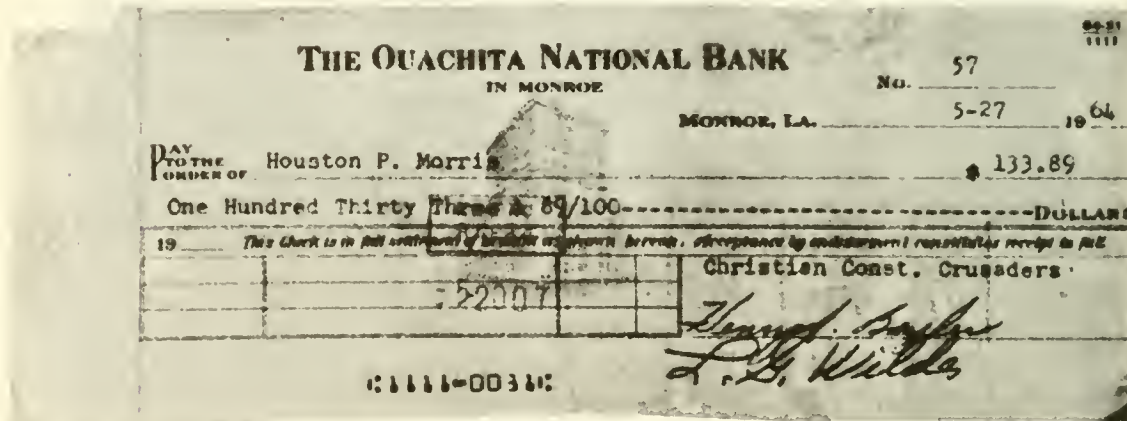
Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Checks marked "Murry Martin Exhibit No. 13." One check from each of said exhibits Nos. 10-13 follows; balance retained in committee files.)

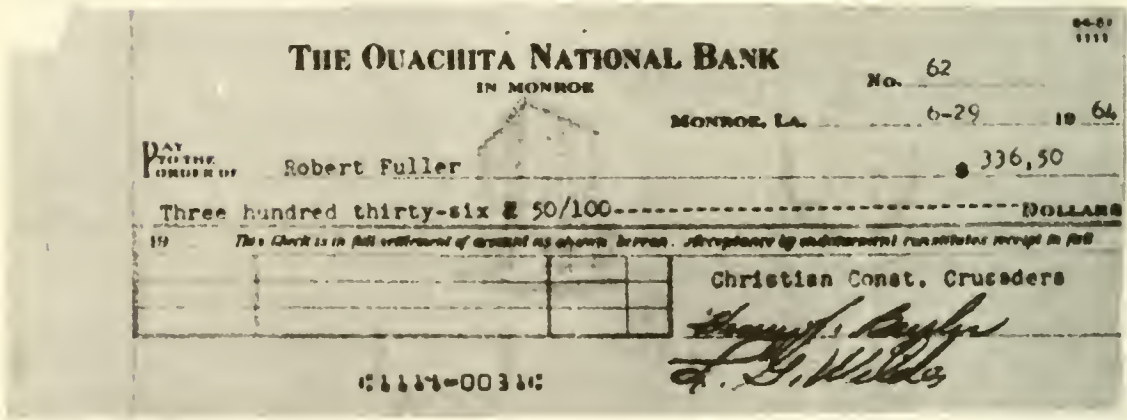
MURRY MARTIN EXHIBIT NO. 10



MURRY MARTIN EXHIBIT NO. 11



MURRY MARTIN EXHIBIT NO. 12



Mr. APPELL. Mr. Martin, these names that I have read to you, I put it to you as a fact that they were the leaders, you and the others were the leaders, of the Original Knights following the leadership of Mr. Young and Mr. Swenson. I ask you to affirm or deny that.

(At this point Mr. Willis returned to the hearing room.)

Mr. MARTIN. I must respectfully decline to answer the question on the grounds previously stated.

Mr. APPELL. Irrespective of what the constitutional laws of the organization set forth as their purpose, as far as you individuals were

MURRY MARTIN EXHIBIT No. 13

THE OUACHITA NATIONAL BANK		No. 59	0421 1111
IN MONROE		MONROE, LA.	5-27 1944
PAY TO THE ORDER OF L. G. Wilder		293.53	
XXXX Two Hundred Ninty Three & 53/100		DOLLARS	
This Check is in full settlement of account as shown in rear. Acceptance by endorsement constitutes receipt in full			
		Christian Conat. Crusaders	
		<i>Henry S. Taylor</i>	
		<i>L. G. Wilder</i>	
000000000000			

concerned, did it have any purpose other than to bring money into yourself?

Mr. MARTIN. I respectfully decline to answer the question on the constiutional grounds previously stated.

Mr. WELTNER. I would like to direct a question or two to Mr. Appell, the investigator.

Mr. Appell, you are reminded that you are still under oath.

As chief investigator, and after having made an examination and analysis of the several packets of checks which you just referred to, I wonder if you would give to the committee your conclusions as to the nature, character, and object of those checks insofar as those conclusions were derived from your examination.

Mr. APPELL. Mr. Weltner, an examination of this account shows that in addition to the checks that we have exhibited to the witness that very few people benefited from the funds that were submitted to the grand or state treasury, and it appears that with respect to some of them that this was their percentage for going out and deceiving people into believing that the Original Knights of the Ku Klux Klan had a purpose other than getting members.

Mr. WELTNER. Are these for robe sales, klectokons, and the like?

Mr. APPELL. No, sir. The items that you describe are the deposits to the account. This is the way the klectokons and initiation fees and dues and other assessments were disbursed by the State organization after they received them from the Klavern. They disbursed them to themselves.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Martin, under the constitution of the Original Knights of the Ku Klux Klan the organizational structure calls for, on the realm level, a Grand Dragon. Under him there is a Grand Titan, who is the assistant to the Grand Dragon. I ask you who held that office.

Mr. MARTIN. I must respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Referring to this document, Mr. Martin, I see that there is a provision for several committees: education committee,

membership committee, benevolence committee, building committee, public relations committee, and klokan committee. Would you give the committee the identities of the chairmen of these respective committees?

Mr. MARTIN. I must respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. The constitution sets forth many ways in which the Klan dedicates itself, but then it sets forth under a title "The Way Of The Klavern":

The following should be given to each new member immediately after the naturalization ceremony.

The newly made member be conducted to the Klocards' station by the Kladd. The Klocard will then instruct the new members as follows:

1. Destroy application

* * * * *

What is the purpose of that, Mr. Martin?

Mr. MARTIN. I must respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Is it not a fact that after the application is destroyed that that man is known only by a number which is known only to the secretary of the Klavern?

Mr. MARTIN. I must respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. On the grand or state level, did you as the Grand Dragon ever receive the identity of a member of the Ku Klux Klan no matter into which Klavern he was naturalized other than the Klavern with which you might be affiliated yourself?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Can you advise the committee with regard to the responsibilities and purposes of the klokan committee?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Was it your responsibility to concern yourself with the appointment by the klokan office, the person who held the office of klokan in the Klavern, as to an organization which he creates under the constitution and bylaws known as the wrecking crew?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. What was the purpose of the "wrecking crew"?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. This morning, Mr. Martin, I quoted from Mr. Simmons' testimony about "keep the secrets, enjoy life, and violate them and beware of death." The Original Ku Klux Klan Konstitution reads as follows:

Any Klansman who is known to violate our rules, especially those that give information to any aliens, shall be expelled immediately, then is to be watched and visited by the Wrecking Crew if necessary.

Can you help the Congress to understand this function that is explained in this document?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Is this not for the purpose of intimidating members of the Klan if they ever get out and speak against it, that physical harm will come to them?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. This document also says with respect to the wrecking crew that:

Each unit will set up at least one team of six men to be used for wrecking crew. These men should be appointed by the Klokan in secrecy.

Can you advise the committee why it is necessary for a Klavern to appoint this wrecking crew and the identity of the wrecking crew to be secret from all members of the Klavern except for the members who serve in the klokan who appoint them?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Is this not for the purpose of eliminating exposure in case the Klan carries out—the wrecking crew carries out acts of violence, that people will not know even within the Klan those responsible for the acts?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. If the Klan organization which you head is as it represents itself to be, can you explain to the committee this language contained in the constitution:

All Klaverns will have at least five armed guards with flashlights posted during regular meetings.

(a) No one will be allowed to carry a gun inside the Klavern during regular meetings except the Night Hawk.

(b) No one will carry a gun inside during a state or province meeting except those appointed by the Chief KBI or Province KBI.

Can you explain this to the committee in light of what the Klan allegedly stands for?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. As a leader of the Klan, Mr. Martin, will you tell this committee of the Congress what your organization does stand for?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional ground previously stated.

The CHAIRMAN. Mr. Martin, I regret you take that position. It would be helpful to this committee and the Congress to know, and I should say that dedicated members who believe and talk inside about the nobility of Klan organizations as represented by you and other leaders in literature, would feel better if someone of your stature representing the Klan would simply come up before this committee and just tell us what their objectives are. What does it stand for? What are the programs of the Klan, and so on?

We wish someone would come, talk, and tell us. Not that we would accept all they might say, but the truth will remain indestructible wherever it is. Here is your opportunity to stand up and tell us what you stand for really, in addition to what is distributed to the rank-and-file members with regard to anticommunism, national defense, and all the rest. Here is your chance.

I really would like for you to tell us what I know you must have said time and time again on the streets in your hometown, at Klavern meetings. You appear to be very intelligent. I suppose you make a pretty good speech. I know you have spoken about those things before and I know you represent yourself as believing what the Klan stands for.

Our job is to give information to Congress, all the information, whatever good there is in the Klan organization, and so on. Put it in the record. Here is your splendid chance. I want you to talk and tell us all about it. Would you care to avail yourself of the opportunity?

I say, do you care to avail yourself of the opportunity?

Mr. MARTIN. No.

The CHAIRMAN. You do not?

Mr. MARTIN. No.

The CHAIRMAN. You nodded your head in the negative. Your answer is "No"?

Mr. MARTIN. My answer is I most respectfully decline to answer the question on the constitutional ground previously stated.

Mr. APPELL. Mr. Martin, is it a fact that Mr. Swenson was removed from the offices he held in the Original Knights because of profit that he was making on the sale of Klan robes?

Mr. MARTIN. Sir, I must respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I ask you that, Mr. Martin, because in the constitution in effect under your regime there is contained this language:

Uniforms (robes) will all be made by the same standards by Klansmen in Realm. We shall have at least two manufacturers. One for South La. and one for North La. Since there is considerable profit envolved [sic] in this project, the following has been suggested: Determine amount of profit and pay makers accordingly out of realm treasury. Orders to be placed with secretary who will collect \$10.00 for each. Profit will thereby go to Realm to be used for Klan expenses.

Who was appointed as the robe manufacturer for north Louisiana?

Mr. MARTIN. Sir, I must respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Who was appointed as the manufacturer for south Louisiana?

Mr. MARTIN. I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Martin, does your organization, the Original Knights, have any relationship or affiliation with any other Klan group?

Mr. MARTIN. Sir, I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Are you affiliated with the National Knights of the Ku Klux Klan?

Mr. MARTIN. I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Do you hold the office of klokan in the [National] Knights?

Mr. MARTIN. Sir, I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Within that organization does the klokan have the responsibility for performing wrecking crews?

Mr. MARTIN. Sir, I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. On May 22 and 23, 1965, did you attend a meeting of the National Knights held at the Dobie Motel in Montgomery, Alabama?

Mr. MARTIN. I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. During the course of that meeting did friction develop between the leader of the organization, James Venable, and Hugh Morris, both of Georgia?

Mr. MARTIN. I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Was there discussion as to what you might do, that is the Klan groups affiliated in the National Knights, with people who could not be controlled and whom the groups wished to be quieted?

Mr. MARTIN. Sir, I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Was there discussed the subject of castration?

Mr. MARTIN. I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Was it reported by any of the leaders there that they would not engage in castration, but that if it was necessary to liquidate someone to prove that the Klan was not kidding, that this would be done?

Mr. MARTIN. Sir, I must respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. The committee will stand in recess for 5 minutes.

(Whereupon, at 3:25 p.m., the subcommittee recessed and reconvened at 3:38 p.m., with Representatives Willis, Weltner, and Buchanan, of the subcommittee, present at time of recess and when hearings resumed.)

The CHAIRMAN. The subcommittee will resume the hearings. Please resume the stand, Mr. Martin.

A quorum of the subcommittee met during the recess and voted unanimously to make public certain excerpts of executive testimony received from James R. Venable on October 6, 1965. The released excerpts appear from line 25 on page 1125 through line 11 on page 1126, also from line 21 on page 1149 to line 5 on page 1150 of the transcript of that day of the executive hearing.

Mr. Weltner desires to propound a couple of questions to the witness in this connection.

Mr. WELTNER. Mr. Martin, I would like to read the first portion of this testimony. Prior to doing that I would like to say to the witness and to the committee that the witness James R. Venable appeared in Washington on October 6 voluntarily, without having been placed under subpoena, and he continued through that entire day and answered all the questions that were propounded to him without resorting to any kind of constitutional claim of privilege. I want to make that clear.

The portion that I would like to read to you appears on page 1125. It is a question by Mr. Manuel and answered by Mr. Venable:

Mr. MANUEL. Do you have any chartered Klaverns in the State of Louisiana?

Mr. VENABLE. No, the National Knights of the Ku Klux Klan has not got any, to my knowledge. I know the other two Klan groups down there. I don't know under what names they operate. I know the two gentlemen who are alleged to head them; I don't know the names.

The CHAIRMAN. Can we have their names? Do their names come to you?

Mr. VENABLE. One of them is named Mr. P. L. Morgan from Coushatta and the other gentleman's name is M. H. Martin of Winnsboro.

My question is, Are you the M. H. Martin of Winnsboro referred to in the testimony on the part of the Imperial Wizard of the Ku Klux Klan, James R. Venable?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. WELTNER. I ask you whether or not that statement given under oath by Mr. Venable is true?

Mr. MARTIN. I again respectfully decline to answer the question on constitutional grounds previously stated.

Mr. WELTNER. The other portion of this testimony concerned a matter previously touched upon by Mr. Appell and the inquiry concerning "wrecking crews." This colloquy which I will read to you has to do with the Klan as it was reconstituted in 1915 and existed generally through a 30-year period thereafter, referred to as the Old Klan.

Mr. APPELL. Recalling back in your young days and your knowledge that there did exist such things as wrecking crews, it would be only the members of the crew that would know the identity of the crew members; is that right?

Mr. VENABLE. That is right.

Mr. APPELL. So, therefore, the average Klansman, while he might understand there is a crew, he would know nothing about it?

Mr. VENABLE. He would not know who they were or what they do; they would keep it secret among themselves.

That appears on page 1149 of the transcript of October 6, 1965.

My question is, in the light of that testimony, whether or not the Original Knights of the Ku Klux Klan, or any successor thereto, in which you may have had an office or title employed a wrecking crew or any other similar committee or any other function with a similar purpose.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. WELTNER. Mr. Chairman, the portions which I have read I think constitute the entire portions of the record which have been released to the public, and I have no further questions.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. APPELL. Mr. Martin, did the Louisiana Joint Legislative Committee on Un-American Activities conduct an investigation into the Ku Klux Klan in Louisiana? Did it, sir?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I show you a reproduction of certain pages from a report issued by that committee. This is a "Q and A" taken by the staff director of that committee of one Mr. "Murray" Martin. I show you this and put it to you as a fact, and ask you to affirm or deny the fact, that you are the "Murray" H. Martin whose testimony is recorded in that document.

Mr. MARTIN. Sir, I respectfully decline to answer the question on the constitutional grounds previously stated.

(Document marked "Murry Martin Exhibit No. 14." See pp. 2383-2393.)

Mr. APPELL. Mr. Martin, was the testimony which you gave to the staff director of the joint committee truthful in all respects?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. A review of this testimony shows that in questioning as to what the Original Knights stands for, you picked out from the oaths taken by Klansmen those which relate to the Constitution of the United States, upholding it. I would like to ask you why you

did not put into this record those oaths under [Klan]*ishness, especially the oath which says:

I swear that I will never allow any animosity, friction nor ill will to arise and remain between myself and a [Klans]*man but will be constant in my efforts to promote real [Klan]*ishness among the members of this Order. I swear that I will keep secure to myself a secret of a [Klans]*man when same has been committed to me in the sacred bond of [Klans]*manship. The crime of violating this solemn oath—, treason against the United States of America, rape, and malicious murder alone excepted.

Why did you not put this into this transcript and give a true picture of your Original Knights?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Why did you not bring to the attention of the committee the existence of wrecking crews and the functions of wrecking crews in giving a picture of the Original Knights in Louisiana? I ask you why?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. In light of the oath which I read to you, Mr. Martin, I would like you to explain to the committee an answer to a question asked of you, and I shall read to you both the question and your answer:

Q.—Mr. Martin, what protection have you got built into your organizational structure or procedures to protect your Organization from people who would use the cover of the existence of the Klan to commit crime?

A.—Our Organization actually is based upon, and its primary function is by Committees; such Committees as an Investigating Committee, and should this violence, or lawbreaking, or crime come to our attention, of course, this Committee would investigate, and should we be successful, we would turn the person over to the Law, or at least tell the Law who he was so that we wouldn't get the blame for it. We have gotten the blame for a lot of it in the past and we hope we can help to stop it. Our prime purpose, of course, is not to avoid the blame, but to assist the law enforcement officers in their duties. As I have already stated, that's in our Oath that we should do so, and we do.

In light of the fact that a Klansman takes an oath not to divulge a secret of a Klansman except in the case of treason against the United States, rape, and malicious murder, how could your organization turn any information over to law enforcement agencies when committed by members of your Klan?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. In your association with the Klan, have you ever turned over to law enforcement agencies any knowledge relating to violence on the part of a Klansman?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. You told the Louisiana committee that you distribute literature, not only that published by yourself, but that published by other people. As an exhibit there is reproduced a document, "The Meaning Of Americanism." I would like to ask you to tell me, in light of the constitution and laws, the existence of the wrecking crews, and the violence on the part of members of your organization, how you can distribute this as a policy and principle of the Klan:

Americanism holds that every person has an inherent right to think, to act, to express opinions, to seek redress against wrongs, and enlarge his personality

without fear. It gives each American, whether rich or poor, white or black, Jew or Gentile, the right to challenge wrong and oppression without the threat of retaliation. It means that every American be given the right to invest in the soil of his country and to reap the benefits from his labors and his thrift. Americanism holds that these rights be protected for all, not merely for the privileged.

Isn't this a direct contradiction of what the Original Knights of the Ku Klux Klan stands for?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Martin, in presenting yourself for interrogation by the staff director of the Louisiana joint committee, were you under subpoena?

The CHAIRMAN. I think the question should be extended by saying, Were you under subpoena or did you voluntarily appear?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. I think the transcript indicates, does it not, Mr. Appell, that he appeared voluntarily?

Mr. APPELL. The transcript is silent, Mr. Chairman. It just shows he was sworn and gave the following testimony, and does not say whether the staff consultation resulted from appearance pursuant to a subpoena.

Mr. Martin, I ask if you can explain to this committee why you voluntarily testified or why you did answer questions there and not invoke constitutional privileges, and you invoke constitutional privileges before this body?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. WELTNER. We have established clearly that this transcript was of a consultation held on April 17, 1965, bearing in mind that that was some 6 weeks after this committee of the Congress resolved unanimously to conduct the pending investigation of the Ku Klux Klan organization. The transcript, of course, speaks for itself, but it says the witness, "Mr. Murray Martin," having been duly sworn to tell the truth, the whole truth, and nothing but the truth, testified as follows, and the transcript is some 28 pages of testimony, including exhibits, constituting an answer to each question propounded to the witness. April 17, 1965, was the date of the appearance.

Let me ask one more question.

Mr. Martin, one question—on page 25 of this transcript the question:

Does your Organization in any way propose to achieve its goals by violence, or any means other than the political action that you are describing?

The answer to the question notes:

No, sir, we do not advocate violence.

I would like to propound that question to you again, sir. Does your organization in any way propose to achieve its goals by violence or any means other than political action which you have described? That is my question.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. WELTNER. No further questions.

The CHAIRMAN. The witness is excused.

(Murry Martin Exhibit No. 14 introduced on p. 2380 follows:)

MURRY MARTIN EXHIBIT NO. 14

[Excerpt from June 16, 1965, hearings before The Joint Legislative Committee on Un-American Activities of Louisiana held in Baton Rouge, La. Hon. Jesse M. Knowles, chairman; Jack N. Rogers, Committee counsel. Report No. 7, July 26, 1965.]

TRANSCRIPT OF STAFF CONSULTATION HELD ON APRIL 17, 1965, AT 7:22 P. M., at COLUMBIA, LOUISIANA. JACK N. ROGERS, ESQ., COMMITTEE COUNSEL FOR THE JOINT LEGISLATIVE COMMITTEE ON UNAMERICAN ACTIVITIES, PRESIDING.

BY MR. ROGERS:

Under the power vested in me by Senate Resolution #12, Regular Session, 1964, and the Rules of the Committee, I now swear the first witness in this Staff Consultation.

THE WITNESS, MR. MURRAY MARTIN, AFTER FIRST HAVING BEEN DULY SWORN TO TELL THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH, SO HELP HIM GOD, TESTIFIED AS FOLLOWS:

DIRECT EXAMINATION

BY MR. ROGERS:

Q—Please give me your name, sir?

A—Murray Martin.

Q—Where do you live, Mr. Martin?

A—In Winnsboro, Louisiana.

Q—Where and when were you born?

A—At Tioga, Louisiana, 1924, June 1.

Q—What do you do for a living?

A—I am a building contractor.

Q—What is the correct name of the Klan Organization you represent?

A—The Original Knights of the Ku Klux Klan.

Q—What is the title of your Klan office, and what level of leadership does that title mean?

A—I am Grand Dragon, and the level of leadership would be

MURRY MARTIN EXHIBIT NO. 14—Continued

the same as the Chairman of the Board of Directors.

Q—What geographical area does that cover?

A—The State of Louisiana.

Q—Is your Klan Organization connected with any other Klan Organization?

A—We are loosely connected with another Klan Organization, yes, sir.

Q—If so, which one is that?

A—We are connected with the National Association of Klans known as the Associated Klans of America.

Q—Mr. Martin, who is the national head of your Klan Organization?

A—We have no national head.

Q—As I understand your testimony, you are the head in the State of Louisiana, is that correct?

A—That's true.

Q—How and by whom are the objectives of your organization determined?

A—They are determined by a Board of Officers.

Q—Is it a large Board?

A—Relatively small.

Q—Are the people who determine your policy on this Board all citizens of the State of Louisiana?

A—That is right, that is true.

Q—Is your organization connected in any way with the Communist Party?

A—Definitely not.

Q—How about any other foreign party, or agency, or government?

MURRY MARTIN EXHIBIT No. 14— Continued

A—No, sir.

Q—Would you care to elaborate on that, sir?

A—One of our questions asked of all candidates is this: "Do you esteem the United States of America and its institutions above any government, civil, political, or ecclesiastical in the whole world?" And another one is: "Are you absolutely opposed to and free of any allegiance of any nature to any cause, government, people, sect, or ruler that is foreign to the United States of America?" Both of these questions must be answered "yes" before the candidate can proceed.

Q—Are these questions asked your prospective members under oath?

A—They are.

Q—Is any Pledge or Oath of Allegiance required of all of your members?

A—Yes.

Q—Does this in any way infringe upon, or negate, complete loyalty to the Constitution of the United States?

A—No, sir, in fact they must swear allegiance to the United States to become a member.

Q—Would you mind telling us what words are required to do this? Can you do this?

A—I can and I will. This is part of the Oath: "I most solemnly assert and affirm, that to the Government of the United States of America, and any State thereof of which I may become a member, I sacredly vow unqualified allegiance above any other, and every kind of government in the whole world. I here and now pledge my life, my property, my vote, and my sacred honor to uphold its flag, its Constitution, and Constitutional Laws and will protect, defend, and enforce same unto death."

Q—Mr. Martin, what is the policy of your Organization as to law violations?

A—I will again quote from our Oath: "I swear that I will always, and at any and all times, and in all places, help, aid, and assist the duly constituted officers of the Law in the proper perform-

MURRY MARTIN EXHIBIT No. 14—Continued

ance of their legal duties.”

Q—Would you explain what policy your Organization has toward a member who might be involved in a crime, caught, and convicted?

A—If and when he is convicted, then he is either expelled or banished from the Organization. Does that explain it pretty well?

A—Yes, sir.

Q—What are the qualifications for membership in your Organization?

A—Of course, a man must be of good character, first.

Q—How do you determine that, Mr. Martin?

A—We have a system of elections whereby a man may enter into our Organization, and he is first invited to join after having been cleared by all of the members, and his name is published in two regular meetings, and any one man in the Organization can, if he so desires, stop the admittance of any man.

Q—By “Organization” you mean on the local level?

A—On the local level.

Q—Do you have any special name for the local level group?

A—Klavern. This also is in our Oath and I would like to give that to you.

Q—Would you, please?

A—The candidate or the man being initiated has to swear that: “I will never recommend any person for membership in this Order whose mind is unsound, or whose reputation I know to be bad, or whose character is doubtful, or whose loyalty to our Country is in any way questionable.”

Q—What other qualifications do you have for membership, Mr. Martin?

A—A man must first believe in the tenets of the Christian Religion. Would you like for me to give you all of the qualifying questions?

MURRY MARTIN EXHIBIT NO. 14--Continued

Q—Would you, please?

A—All of these questions must be answered "yes" by any person seeking admittance into our Organization: First, "Is the motive prompting your ambition to be a Klansman serious and unselfish?" Second, "Are you a native-born white gentile American citizen?" Third, "Are you absolutely opposed to, and free of any allegiance of any nature to any cause, government, people, sect, or ruler that is foreign to the United States of America?" Fourth, "Do you believe in the tenets of the Christian Religion?" Fifth, "do you esteem the United States of America and its institutions above any other Government, Civil, Political, or Ecclesiastical in the whole world?" Sixth, "Will you, without mental reservation, take a solemn oath to defend, preserve, and enforce same?" Seventh, "Do you believe in Klanishness and will you practice same towards Klansmen?" Eighth, "Do you believe in, and will you faithfully strive for the eternal maintenance of white supremacy?" Ninth, "Will you faithfully obey our Constitution and Laws and conform with them to all of our usages, requirements, and regulations?" Tenth, "Can you always be depended upon?"

Q—Mr. Martin, are there any other qualifications for membership other than the ones you have read to me?

A—I believe not. I would like to say that we are trying our best to eliminate any undesirables from our Organization. I would also like to state that we have no sex-perverts, or homosexuals, or beatniks in our Organization, and I defy anyone to find them.

Q—Approximately how many members do you have in the State of Louisiana?

A—This, I must respectfully decline to answer, since to answer it would put me in violation of the Oath that I have taken to the Klan.

Q—What are the objectives of your Organization?

A—Our objectives are to return our Government to the Constitution. We believe in constitutional government. We have a set of goals, a written one that I would be glad to send you. I am sorry I do not have one with me. It lists our goals and our hopes for the future. Of course, our prime purpose is the preservation of individual and national liberty.

Q—Do you ascribe, as an organization, to this written state-

MURRY MARTIN EXHIBIT NO. 14—Continued

ment of principles that you are going to send me—this written statement of objectives?

A—Yes, I do.

Q—By what means does your Organization propose to realize these objectives?

A—Through governmental affairs, the education of ourselves and the general public as to the trend of Government towards the left and continuing headlong flight towards Communism.

Q—I understand from this that you mean primarily by education, is this correct?

A—Well, no, of course, after you educate yourself, then we will vote at the polls to remove such scalawags that propose and keep proposing legislation to sell us to the “one world government.”

Q—Does your Organization in any way propose to achieve its goals by violence, or any means other than the political action that you are describing?

A—No, sir, we do not advocate violence.

Q—Mr. Martin, what protection have you got built into your organizational structure or procedures to protect your Organization from people who would use the cover of the existence of the Klan to commit crime?

A—Our Organization actually is based upon, and its primary function is by, Committees; such Committees as an Investigating Committee, and should this violence, or lawbreaking, or crime come to our attention, of course, this Committee would investigate, and should we be successful, we would turn the person over to the Law, or at least tell the Law who he was so that we wouldn't get the blame for it. We have gotten the blame for a lot of it in the past and we hope we can help to stop it. Our prime purpose, of course, is not to avoid the blame, but to assist the law enforcement officers in their duties. As I have already stated, that's in our Oath that we should do so, and we do.

Q—Will you furnish our Committee with samples of the literature and printed materials used by your Organization? You understand, we don't expect you to give us something that you have sworn to keep secret, but we would like samples to the limit of what you

MURRY MARTIN EXHIBIT No. 14—Continued

FIFTY REASONS WHY YOU SHOULD BE A MEMBER OF THE ORIGINAL KU KLUX KLAN

- 1-Because the Klan is a great, legal American Institution of Americas
- 2-Because it is the only organization on earth where only native-born, White, Gentle American citizens make up its membership.
- 3-Because it is a militant Christian organization, opposed to all forms of Atheism.
- 4-Because it throws its strong arm of protection around your family in your absence
- 5-Because it believes in and fights for White Supremacy
- 6-Because it saved the South twice, and will save it again and again.
- 7-Because it is composed of HE men and not silly dilly humans.
- 8-Because it is founded deep in the tenets of the Christian religion
- 9-Because it is an open supporter of the Constitution
- 10-Because it is the ONE organization fighting for repeal of the Segregation ruling by the Supreme Court of the United States.
- 11-Because it believes in and fights for state sovereignty.
- 12-Because it is neither Democratic or Republican, politically, but ALWAYS AMERICAN.
- 13-Because it fights for the glory of the flag and for the rights of free men.
- 14-Because it believes in law and order and good government.
- 15-Because it exalts principle above men.
- 16-Because it stands for segregated schools, NOW and ALWAYS!
- 17-Because it is opposed to intermarriages between niggers and White people Several states have already legalized such marriages, and more are to follow.
- 18-Because it believes that the White race is God's race through which He wants to maintain a just civilization
- 19-Because it believes the Bible doctrine of the separation of the races.
- 20-Because it believes that Judaism is not the religion of the Bible, but that it is a set of principles for the purpose of elevating the Christless Jew beyond the White races.
- 21-Because it has an effective program against Socialism, Communism, and ultra left wing liberalism.
- 22-Because it believes the highest type of citizenship is Christian citizenship.
- 23-Because it believes all Constitutional changes are to be made by Congress, and ratified by the State Legislature
- 24-Because it believes in getting the United States out of the United Nations Organization.
- 25-Because it believes that every preacher holding a congregation but who teach integration should retire from his pulpit, either willingly or be forced out.
- 26-Because it is opposed to forcing defenseless children to have nigger playmates.
- 27-Because it believes in free speech and free press, as opposed further to a police state.
- 28-Because we believe it to be the most effective way to fight all forms of subversion.
- 29-Because we oppose niggers teaching White children in public schools, which they will do in all integrated schools before long.
- 30-Because it is the most effective way to fight organized crime in a community.
- 31-Because it teaches men should love their own wives and let other women alone.
- 32-Because it is opposed to Loan Sharks charging an unlawful rate of interest to the poor people
- 33-Because it believes in trials by jury.
- 34-Because it does not endorse either the Republican or Democratic parties politically as such, but does support candidates in both parties when said candidates stand for a 100% Americanism
- 35-Because it is opposed to disarmament in any form and unalterably in favor of the right of citizens to bear arms.
- 36-Because it teaches that every school teacher in our public schools should be retired who believes in and teaches integration of the black and White races.
- 37-Because it stands for the disenfranchisement of all foreigners who have not been in America for the same length of time required our own boys and girls to reach legal voting age.
- 38-Because it stands for segregation on inmates in penal and mental institutions, especially the juveniles.
- 39-Because it opposes free Communist literature being sent through the United States mail to Americans.
- 40-Because it is unalterably opposed to the Zionist Jew program.
- 41-Because it is opposed to the Anti-Defamation league in all respects.
- 42-Because it knows the United Nations Charter has usurped the Constitution of these United States, and we are trying to get the United States out of the UN
- 43-Because it was here YESTERDAY, and is here TODAY, and will be here FOREVER.
- 44-Because it stands against UNESCO in its attempt to rewrite our American history.
- 45-Because it is opposed to a police state which robs the individual of his rights.
- 46-Because it does not believe that education is THE remedy for our political ills.
- 47-Because it is opposed to any government professing to be friendly to America, while at the same time trading with any communist-dominated country
- 48-Because it is opposed to taxation without representation.
- 49-Because it is opposed to the income tax laws as presently existing.
- 50-Because it is opposed to the World Health Organization and the National Mental Health Act and all forms of psychiatric education of our children and citizens.

Exhibit 4. Policy statement furnished by Mr. Murray Martin.

MURRY MARTIN EXHIBIT No. 14—Continued

THE MEANING OF AMERICANISM

Americanism is a living, dynamic force governing the lives of our people, who are peculiarly blessed with the opportunity of living under a representative form of government, protected by the most amazing instrument of human conduct ever devised by man, the CONSTITUTION of the UNITED STATES.

Americanism is a form of controlled liberty in which the rights of the small and the large are protected for the greatest good of all. Its practical motivating principles are clearly enunciated in the DECLARATION of INDEPENDENCE and in the PREAMBLE to our CONSTITUTION. Its foundation is the infinite dignity and worth of the individual.

The essence of Americanism is spiritual. It holds that there is a moral GOD in the universe, and that by virtue of this fact, there is a moral purpose in the affairs of mankind. Our social science is predicated on the tenets of the SPEECH on the MOUNT and the TEN COMMANDMENTS. The very essence of American jurisprudence is the protection of personal liberty and property from the encroachment of others and from GOVERNMENT itself. It recognizes as its enemy, both the will of the tyrant and the whims of the masses.

Americanism holds that every person has an inherent right to think, to act, to express opinions, to seek redress against wrongs, and enlarge his personality without fear. It gives each American, whether rich or poor, white or black, Jew or Gentile, the right to challenge wrong and oppression without the threat of retaliation. It means that every American be given the right to invest in the soil of his country, and to reap the benefits from his labors and his thrift. Americanism holds that the rights be protected for all, not merely for the privileged.

Our schools, our churches, our civic organizations and our magnificent philanthropies, - all bespeak a sense of moral obligation to others, and a spirit of brotherhood transcending that of other people in the entire world.

Americanism, however, is not a one way street. It imposes rightful obligations upon individuals and groups to play the game of living with a concern for the welfare of the community, state, and nation.

Americanism is humanity's most glorious experiment in the sciences of living. If this experiment should fail, civilization itself might be doomed. The surest guarantee for continued success is a personal citizenship, dedicated to the ideals and purposes of this great REPUBLIC. Americanism is mankind's remaining hope for a decent and just world!

And in this hour of critical crisis, when this lofty heritage of Americanism is seriously threatened by a ruthless, Godless Communist conspiracy as well as by an expanding Welfare State, which could destroy the incentive of our citizens to create and produce as well as impair the will to defend our heritage, let every loyal American have emblazoned on his conscience the immortal pledge of the brave men who first gave articulation to the ideals of Americanism in the DECLARATION of INDEPENDENCE.

AND FOR THE SUPPORT OF THIS
DECLARATION, WITH A FIRM RE-
LIANCE ON THE PROTECTION OF
DIVINE PROVIDENCE, WE MUTU-
ALLY PLEDGE TO EACH OTHER
OUR LIVES, OUR FORTUNES, AND
OUR SACRED HONOR!



MURRY MARTIN EXHIBIT NO. 14—Continued

can furnish us, to see what type of thing you are using in your training, and in your educational program?

A—I will be glad to furnish you with samples, a lot of which is not our own. We use other Organizations' literature, and we learn by it; but of course, we have literature of our own, and I can and will send you some of this.

Q—Mr. Martin, do you have anything you want to add to your testimony?

A—Nothing that I can think of.

Q—I would like to thank you for our Committee. This is the end of the Staff Consultation. The time is 7:48 P. M.

MURRY MARTIN EXHIBIT No. 14—Continued

DUTIES OF COMMITTEES

POLITICAL ACTION COMMITTEE

- (a) The duty of the political action committee is to study all political activities in the jurisdiction of the Klavern.
- (b) Keep the E. C. and the members of the Klavern informed on all matters of political interest. This includes State, National and International.
- (c) Be well enough informed to recommend what political candidates or issues to support or oppose and give recommendations to Klavern on such.
- (d) Keep a record of all political activities within the jurisdiction of the Klavern, and be prepared to present it or any part of it to the Klavern upon request of E. C.
- (e) Stay out of other Klavern Klanton unless otherwise agreed by same.
- (f) From time to time the members of this committee will be requested to effectively contact their State Representatives and State Senator, as well as their Democratic State Central Committeemen for one or more of the following purposes:
 - (1) To determine their position on a specific matter then before them.
 - (2) To obtain their support and cooperation in either passing, amending or defeating that measure, or
 - (3) To learn and report the person or persons most able to influence them on such matters.

THE MEMBERS OF THIS COMMITTEE WILL BE CONTACTED, FREQUENTLY ON VERY SHORT NOTICE, FROM TIME TO TIME TO ASSIST IN LINING UP THEIR REPRESENTATIVES, SENATORS AND COMMITTEEMEN IN SUPPORT OF OUR POSITION.

EDUCATION COMMITTEE

- (a) The Education Committee is responsible for the educating of the public in all matters of interest within the jurisdiction of the Klavern.
- (b) Collect and distribute any literature that they can obtain that will further the cause of our organization.
- (c) Write letters to the public on political or other issues of interest within the jurisdiction of the Klavern.
- (d) Check books in the libraries of Schools, Churches, etc, and check any books or literature that is exposed to the public to assure that it does not contain communist influence material, (or integration material)..
- (e) Write letters of protest to individuals or organizations that publicly advocate integration, or communism.
- (f) Write letters of appreciation to those who are working to further Americanism, Segregation, and etc.

MEMBERSHIP COMMITTEE:

- (a) The membership committee keeps all records of the members, (Not excluding the aect.) prospective members, and rejected and/or suspended members.
- (b) See that all material and literature in the possession of an expelled or suspended member is returned to the unit.

Exhibit 6. Statement of functions of committees in Klan organizational structure, furnished by Mr. Murray Martin.

MURRY MARTIN EXHIBIT No. 14—Continued

- (c) Encourage regular attendance of members.
- (d) Report on all members unable to attend regularly.
- (e) Attempt to notify all members of special events, called meetings, summons, etc.

BENEVOLENCE COMMITTEE:

- (a) The Benevolence Committee is in charge of all charity activity within the unit.
- (b) Reports on all sick members, send flowers or cards to them and asks for any assistance that the unit might provide for same.
- (c) Reports on and asks for assistance for persons other than members where the unit can be of assistance.

BUILDING COMMITTEE:

- (a) The building committee is in charge of the construction and maintenance of the Klavern.
- (b) Asks for or appoints members to work on the building or the grounds of same.
- (c) Sees that the building is kept clean, the grass is cut, all necessary repairs are made, and recommends changes or additions to the building.

PUBLIC RELATIONS COMMITTEE:

- (a) The Public Relations Committee is responsible for the relations between the organization and the non-member public.
- (b) Their duties are advisory only.
- (c) Inspect all out going literature and determine if it will create a good image.
- (d) Advise on all activities of the unit that concern the public to assure prestige and a good public image for the organization.

KLOKAN COMMITTEE:

- (a) This committee is appointed by the Klokan of the Klavern and is under the direct supervision of the Klokan.
- (b) Takes no action other than that specifically ordered by the Klokan.

THE WAY OF THE KLAVERN

The following should be given to each new member immediately after the naturalization ceremony.

The newly made member be conducted to the Klocards' station by the Kladd. The Klocard will then instruct the new members as follows:

1. Destroy application
2. Instruct the member in the use of the gavel.

The CHAIRMAN. Call the next witness, Mr. Appell.

Mr. APPELL. Mr. Wilder.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WILDER. I do.

**TESTIMONY OF LLOYD GRADY WILDER, ACCOMPANIED BY
COUNSEL, JAMES R. VENABLE**

Mr. APPELL. Mr. Wilder, will you state your name?

Mr. WILDER. Lloyd Grady Wilder.

Mr. APPELL. When and where were you born?

Mr. WILDER. September 11, 1922, St. Landry, Louisiana.

Mr. APPELL. L-a-n-d-r-y?

Mr. WILDER. That is right.

The CHAIRMAN. That is the name of a parish. What town?

Mr. WILDER. It is also the name entered on the birth certificate. Long Pine.

Mr. APPELL. Where do you currently reside?

Mr. WILDER. Jena, Louisiana.

Mr. APPELL. Mr. Wilder, are you appearing here this afternoon in accordance with a subpoena served upon you on the 27th day of October at Third Street, Jena, Louisiana?

Mr. WILDER. That is right, sir.

Mr. APPELL. Mr. Wilder, the subpoena served upon you commands you to bring with you and to produce documents set forth in the attachment to the subpoena which is made a part of the subpoena. Paragraph 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan and affiliated organizations, namely, Christian Constitutional Crusaders, in your possession, custody or control, or maintained by you or available to you as Secretary or other officer of the Original Knights of the Ku Klux Klan and/or Christian Constitutional Crusaders.

I ask you to produce those documents, Mr. Wilder.

Mr. WILDER. Sir, I respectfully decline to produce those documents for the reason that it might intend to violate my constitutional rights under the 1st amendment of the Constitution of the United States guaranteeing freedom of speech, the right of people to peacefully assemble and to associate together for the exchange of ideas in matters of public concern, and further on the constitutional grounds of the 4th and 5th amendments, that producing such documents might intend to incriminate me, and also on the 14th amendment, should I be compelled to answer this question or to produce such documents, then I would be denied my constitutional rights as provided under the 14th amendment of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, in view of the fact that the bank records of the Christian Constitutional Crusaders show that Mr. Wilder held the position of secretary, I request that he be directed to produce the documents called for.

The CHAIRMAN. Mr. Wilder, were you in the hearing room when Mr. Swenson and Mr. Martin were on the stand today?

Mr. WILDER. Yes, sir.

The CHAIRMAN. You heard me explain to both Mr. Swenson and Mr. Martin that this subpoena requires you to produce these documents and papers in your capacity as an official of the Klan organization to which you belong. You heard me say that and you understand the position of the committee.

Mr. WILDER. Yes, sir.

The CHAIRMAN. I will repeat it to you. I am required to do that by court decision.

We do not accept your invocation of the constitutional amendments to which you refer because the subpoena requires you to produce the papers and documents outlined in the subpoena in your official capacity indicated. Therefore, I order and direct you to produce those documents.

Mr. WILDER. Sir, I respectfully decline to produce those documents on the constitutional grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Did he set forth his grounds?

The CHAIRMAN. On the grounds previously stated. You mean on the constitutional grounds previously stated?

Mr. APPELL. Mr. Wilder, paragraph 2 of the subpoena commands you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you in your capacity as Secretary and/or member of the Original Knights of the Ku Klux Klan and/or Christian Constitutional Crusaders which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents called for.

Mr. WILDER. Sir, I respectfully decline to produce those documents for the same constitutional grounds previously stated.

The CHAIRMAN. For the reasons previously indicated, I order and direct you to produce those documents.

Mr. WILDER. Sir, I respectfully decline to produce the documents on the constitutional grounds previously stated.

Mr. APPELL. Mr. Wilder, paragraph 3 calls for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service Form 1120, "U.S. Corporation Income Tax Return," for the fiscal years 1961 through June 30, 1965, filed by you as Secretary of the Christian Constitutional Crusaders.

Mr. WILDER. Sir, I respectfully decline to produce those documents on the same constitutional grounds previously stated.

The CHAIRMAN. For the reasons that I stated previously, I now order and direct you to produce those documents.

Mr. WILDER. Sir, I respectfully decline to produce those documents on the constitutional grounds previously stated.

Mr. APPELL. Mr. Wilder, the subpoena calls, under paragraph 4, for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

Mr. WILDER. Sir, I respectfully decline to produce those documents on the constitutional grounds that it might tend to incriminate me, on the fifth amendment.

Mr. APPELL. Mr. Wilder, will you set forth briefly your educational background?

Mr. WILDER. Sir, I respectfully decline to answer that question on the grounds that it might tend to incriminate me.

The CHAIRMAN. Please talk louder.

Mr. APPELL. Will you briefly set forth your occupational background?

Mr. WILDER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Are you principally engaged in the heating and air-conditioning business in Jena, Louisiana?

Mr. WILDER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Wilder, the committee's investigation establishes that through the secretary, whether it be the klavern or the realm, paper of the Klan flows. A Klavern making a report to the realm makes its report through the realm secretary. I put it to you as a fact, and ask you to affirm or deny the fact, that you are the secretary of the organization known as the Original Knights of the Ku Klux Klan, which organization used as a cover name the Christian Constitutional Crusaders.

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. During the time that Royal V. Young was the Imperial Dragon of the Original Knights of the Ku Klux Klan, the period ending in early 1964, Mr. Young testified that you held the position of secretary-treasurer. Was Mr. Young's testimony factual?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I hand you an envelope containing three checks drawn by the Louisiana Rifle Association against their account at the Louisiana Bank and Trust Company, payable to L. G. Wilder, Grady Wilder, or Mr. L. G. Wilder. I will ask you the purpose for which those checks were drawn.

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

(Checks marked "Lloyd Wilder Exhibit No. 1." One of said checks follows; balance retained in committee files.)

LLOYD WILDER EXHIBIT NO. 1

9.4.

SHREVEPORT, LA. April 29 1963 0062

LOUISIANA BANK AND TRUST COMPANY
SHREVEPORT, LOUISIANA

84-484
1111

LOUISIANA RIFLE ASSOCIATION
P. O. BOX 8443
SHREVEPORT, LOUISIANA

LOUISIANA RIFLE ASSOCIATION

PAID BY THE MEMBER

Grady Wilder

\$44.43

Forty-four and 43/100 Dollars ***** DOLLARS

April	---	

LOUISIANA RIFLE ASSOCIATION

R. C. Young
E. C. Shaw

⑆1111-0444⑆

Mr. APPELL. With Mr. Young being deposed as the Imperial Dragon and Mr. Swenson being deposed from his office, did you know Mr. Murry H. Martin to be the next Grand Dragon of the Original Knights of the Ku Klux Klan of Louisiana?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I hand you the signature card for the account in the name of the Christian Constitutional Crusaders at the Ouachita National Bank, in Monroe, Louisiana, and put it to you as a fact, and ask you to affirm or deny the fact, that this signature card shows the president of the organization to be M. H. Martin, the secretary to be L. G. Wilder, and the treasurer to be Henry I. Bayles.

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

(Document previously marked "Murry Martin Exhibit No. 4." See p. 2367.)

Mr. APPELL. Mr. Wilder, how many Klan organizations, to your knowledge, are existing in the State of Louisiana?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. In the latter part of 1964 and early 1965, did dissension grow within the ranks of the organization headed by Mr. Martin so that certain Klaverns and leaders defected from your organization and started new Klan groups?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did Houston P. Morris, grand kleagle of the Original Knights of the Ku Klux Klan under Mr. Martin, break away and take his following with him and form the Original Ku Klux Klan of America, Incorporated?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did a group of Klansmen in the Sixth Congressional District at the same time break away from the leadership of Mr. Martin and go as an independent Klan organization sometimes known as the Original Knights of the Ku Klux Klan, Louisiana?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did Henry I. Bayles, who was the treasurer of the organization at the same time that you were the secretary, break with the organization and is he now with the United Klans of America, Knights of the Ku Klux Klan?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Wilder, a review of deposit slips filed or appended to deposits to the account of the Christian Constitutional Crusaders at the Ouachita National Bank, in Monroe, Louisiana, contains a list of the following individuals. I hand you a list and I put it to you as a fact, and ask you to affirm or deny the fact, that these people were members of your Klan organization.

The CHAIRMAN. The reporter will make note of the fact to insert at the points where the previous witnesses and this witness testified with reference to documents, that those documents should be included in the printed record at those respective points.

Mr. WILDER. I respectfully refuse to answer that question on the constitutional grounds previously stated.

(Document marked "Lloyd Wilder Exhibit No. 2" follows:)

LLOYD WILDER EXHIBIT No. 2

Subject: Christian Constitutional Crusaders
Bank Account,
The Ouachita National Bank
Monroe, Louisiana

(Deposit slips from January 31, 1964, to October 19, 1964)

Following is a list of individuals (only those positively deciphered) listed on the deposit slips for Christian Constitutional Crusaders bank account:

Marvin C. Brister	L. D. Starns
Dale Blackman	H. W. Nickens
Norman D. McFerran	Clarence Boykin
A. J. Kidd	Cecil Cliburn
Carl J. Teal	Melvin Jackson
Earnest Martin	J. D. Baker
C. C. Charles	Paul Loft
L. G. Wilder	C. Tigner
Eddie J. Moore	R. C. Colvin
Ed Leggett	Tilman C. Rinehart
W. Jenkins	Harold E. Gordon
Harold Smith	Mrs. T. R. King
W. J. Williams	W. R. Watson
Gary Core	Eric Peterson
Bobby Lang	James Manning

LLOYD WILDER EXHIBIT No. 2—Continued

E. B. Smith
 R. S. Wright
 Frank Cooper
 Gene Halford
 Edward H. Browning
 Gerald Myers
 Aubrey Gerald Myers
 James R. Dunaway
 E. L. Murray
 C. R. Watts
 Tommie Thompson
 Mrs. Hattie J. Atkinson
 L. R. Rinehart
 Donald Varnado
 Browning Grocery
 Donald Ray Martin
 James W. Ford
 Donnie Mann (608 Wat-
 son)

J. A. McGee
 Frank Cooper
 J. H. Droddy
 W. J. Hester
 Anthony V. Brown
 Joseph S. Reeves
 Alex J. Langer, Jr.
 John R. Smith
 Jimmie N. Atkins
 James L. Collins
 C. R. Moore
 Hardy J. Penton
 Phillip Harrell
 Bert N. Stafford
 Milton H. Ballard
 Don Hudson
 Angus Rogers
 Ronald Byrd

Mr. APPELL. Mr. Wilder, did the Little River Rod and Gun Club which maintained a banking account at the Guaranty Bank and Trust Company, Alexandria, Louisiana, make checks payable to you as secretary for their dues and the realm's share of the initiation fee collected from members of that Klavern?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Wilder, would you be willing to explain to the committee the purposes and functions of the wrecking crew which is provided for by the constitution of the Original Knights of the Ku Klux Klan?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Do you possess knowledge of any act of violence carried out by members of the Original Knights of the Ku Klux Klan?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. To your knowledge, did the Original Knights of the Ku Klux Klan ever carry out any of its programs or objectives without the use of intimidation or violence?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions of this witness.

The CHAIRMAN. The witness is excused. Call your next witness.

Mr. APPELL. Mr. Henry I. Bayles.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BAYLES. I do.

TESTIMONY OF HENRY I. BAYLES

Mr. APPELL. Will you state your full name for the record?

Mr. BAYLES. Henry I. Bayles.

Mr. APPELL. When and where were you born?

Mr. BAYLES. November 19, 1932, in West Monroe, Louisiana.

Mr. APPELL. Are you represented by counsel?

Mr. BAYLES. No.

Mr. APPELL. Do you desire counsel?

Mr. BAYLES. No, sir.

Mr. APPELL. Have you had the advice of counsel?

Mr. BAYLES. Yes.

Mr. APPELL. Is Mr. Chalmers your counsel?

Mr. BAYLES. I respectfully decline to answer that question for I feel the answer might incriminate me in violation of my rights as guaranteed me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Bayles, are you appearing before the committee this afternoon in accordance with a subpoena served upon you?

The CHAIRMAN. Before you ask that question, Mr. Bayles, you are appearing here without counsel. You were asked whether you wanted counsel. You said you did not. I think I should tell you that if you want it, you have a right to invoke the fifth amendment in your own way and within your own right. I just want to let you know that. We respect your invocation in that respect in the same way and to the same extent as though you had a lawyer.

You understand what I am saying? I am not asking you a question. I am just telling you that.

Mr. BAYLES. I understand.

Mr. APPELL. Mr. Bayles, are you appearing before the committee this afternoon in accordance with a subpoena served upon you on the 26th day of October 1965, at 2006 DeSiard Street, Monroe, Louisiana?

Mr. BAYLES. November 15.

Mr. APPELL. That is the date?

Mr. BAYLES. That I was to appear.

Mr. APPELL. You were served on October 26 by the United States marshal?

Mr. BAYLES. Yes.

Mr. APPELL. Under the terms of that subpoena, you were commanded to bring with you and produce documents set forth in an attachment that was made a part of the subpoena:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan and affiliated organizations, namely, the Christian Constitutional Crusaders, in your possession, custody or control, or maintained by you or available to you as Treasurer and/or member of Original Knights of the Ku Klux Klan and/or the Christian Constitutional Crusaders.

I ask you to produce those documents.

Mr. BAYLES. Sir, I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated November 15, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Sir, I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated November 15, 1965, for the information is not relevant and germane to the subject under investigation and does not aid the Congress in the consideration of valid or remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress by House Resolution 8, adopted January 4, 1965.

The CHAIRMAN. That is a good one.

Mr. APPELL. I ask that the witness be directed to produce the documents called for.

The CHAIRMAN. You were in the hearing room when I instructed the previous witnesses concerning the production of records under subpoenas served on them, and on you, in a representative capacity. Were you in the room at that time?

Mr. BAYLES. Yes.

The CHAIRMAN. I am not——

Mr. BAYLES. Yes.

The CHAIRMAN. You appear to be a very bright young man, and I suppose you understand, or understood what I said, that is, that since this subpoena calls for you to produce documents to this committee in a representative capacity, I do not accept your invocation.

Do you understand what I am saying?

For that reason, and I am sure you follow me, I direct you to produce the documents.

Mr. BAYLES. I respectfully decline to deliver to the committee any and all documents demanded by the committee in the subpoena dated November 15, 1965, because I honestly feel it would tend to incriminate my rights contained in amendments 5, 4, 1, and 14 of the Constitution of the United States.

I decline to deliver to the committee all records requested by the committee under subpoena dated November 15, 1965, for that information is not relevant and germane to the said investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress by House Resolution 8, adopted January 4, 1965.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Bayles, I might advise you, if you have discussed with counsel you might know, that in the future, with respect to the production of documents, the committee will accept all of those reasons in an answer which would encompass "for the reasons previously stated," which would not require you to repeat all the language each time.

The CHAIRMAN. Do you understand that?

Mr. BAYLES. Yes.

The CHAIRMAN. What he is trying to tell you is, if you want to you may, from here on, if that is to be your course of action, say, "I decline to answer the questions on the grounds previously stated."

Mr. APPELL. Paragraph 2 calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Treasurer, past or present, of the Original Knights of the Ku Klux Klan and/or Christian Constitutional Crusaders which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce the documents called for in paragraph 2.

Mr. BAYLES. I refuse to deliver to the committee any and all documents demanded for the reasons previously stated.

The CHAIRMAN. And for the reasons I stated, I order you to produce the documents.

Mr. BAYLES. For the constitutional reasons previously stated, I decline to do so.

Mr. APPELL. Paragraph 3 calls for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1120, "U.S. Corporation Income Tax Return," for the fiscal years 1961 through June 30, 1965, filed by you as Treasurer of Christian Constitutional Crusaders.

Mr. BAYLES. I respectfully decline to deliver to the committee any and all documents as demanded by the committee for the constitutional reasons previously stated.

The CHAIRMAN. And for the reasons I previously stated, I order and direct you to produce them.

Mr. BAYLES. I respectfully decline to deliver to the committee any and all documents demanded by the committee for the constitutional reasons previously stated.

Mr. APPELL. Paragraph 4 calls for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

Mr. BAYLES. I respectfully decline to deliver to the committee any and all documents as demanded by the committee for the constitutional reasons previously stated.

Mr. APPELL. Mr. Bayles, where do you presently reside?

Mr. BAYLES. I respectfully decline to answer that question for the reason that I honestly feel my answer might incriminate my rights as guaranteed by amendments 5, 4, 1, and 14 of the Constitution.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you reside at 201 Elmwood Drive, Monroe, Louisiana.

Mr. BAYLES. I refuse to answer on the grounds my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. Where are you currently employed?

Mr. BAYLES. I respectfully decline to answer that question because I honestly feel that my answer might tend to incriminate me as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States.

The CHAIRMAN. Mr. Bayles, if you wish to, you may say in answer to following questions you refuse to answer the questions on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are employed by the Gregg Implement Company, 2006 DeSiard Street, Monroe, Louisiana.

Mr. BAYLES. Sir, I respectfully decline to answer that question for the reasons previously given.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you have held the position of Grand Dragon, great titan, and treasurer.

Mr. BAYLES. I decline to answer on the grounds previously stated.

Mr. APPELL. Mr. Bayles, I put it to you as a fact, and ask you to affirm or deny the fact, that during the days when the Original Knights were under the leadership of Mr. Young and Mr. Swenson, that it used as a cover name the Louisiana Rifle Association.

Mr. BAYLES. I respectfully decline to answer that question for the reason previously given.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you signed a signature card on account of the Original Knights of the Ku Klux Klan on February 3, 1964, at the Ouachita National Bank of Monroe, Louisiana, in the name of the Christian Constitutional Crusaders? (See Murry Martin Exhibit No. 4, p. 2367.)

Mr. BAYLES. I respectfully decline to answer that question for the constitutional reasons previously given.

Mr. APPELL. Mr. Bayles, as the treasurer of the Original Knights of the Ku Klux Klan, you were responsible for cosigning checks drawn against the account maintained in its banking institutions. Can you tell the committee the purpose for which checks were drawn to your-

self, L. G. Wilder, Robert Fuller, Houston P. Morris, and Murry Martin?

Mr. BAYLES. Sir, I respectfully decline to answer that question for the constitutional reasons given previously.

Mr. APPELL. Under the constitution and laws of the Original Knights of the Ku Klux Klan, Realm of Louisiana, there is provision for the creation within Klaverns of a body known as the wrecking crew. Can you tell the committee the purpose and function of the wrecking crew?

Mr. BAYLES. Sir, I respectfully decline to answer that question for the constitutional reasons previously given.

Mr. APPELL. Did you ever serve as a member of a wrecking crew?

Mr. BAYLES. I respectfully decline to answer that question for the reasons previously given.

Mr. APPELL. Have you, as a Klansman, ever engaged in active violence?

Mr. BAYLES. I respectfully decline to answer that question for the constitutional reasons previously given.

Mr. APPELL. Early in 1965, Mr. Houston P. Morris broke from the Original Knights of the Ku Klux Klan and formed the Original Ku Klux Klan of America, Inc.

Did you join with him in this organization?

Mr. BAYLES. Sir, I respectfully decline to answer that question for the constitutional reasons previously given.

Mr. APPELL. In the summer of 1965, the bulk of its membership disbanded from the Original Ku Klux Klan of America, Inc., and became affiliated with the United Klans of America, Inc., under the Realm of Louisiana under the Imperial Wizard, Robert Shelton, Tuscaloosa, Alabama. Are you one of the members that took that course of action?

Mr. BAYLES. I respectfully decline to answer that question for the constitutional reasons previously given.

Mr. APPELL. I have no further questions of this witness.

The CHAIRMAN. The witness may be excused.

The committee will stand in recess for 5 minutes.

(Whereupon, at 4:35 p.m., the subcommittee recessed and reconvened at 4:57 p.m. with the following subcommittee members: Representatives Willis, Weltner, and Buchanan, present at time of recess and when hearing resumed.)

The CHAIRMAN. The subcommittee will come to order.

Counsel will call the next witness.

Mr. APPELL. I would like, Mr. Chairman, to call Billy Skipper.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SKIPPER. I do.

The CHAIRMAN. Proceed.

TESTIMONY OF BILLY SKIPPER, ACCOMPANIED BY COUNSEL,
JAMES R. VENABLE

Mr. APPELL. Would you state your full name for the record, Mr. Skipper?

Mr. SKIPPER. Billy Skipper.

Mr. APPELL. When and where were you born?

Mr. SKIPPER. In Baskin, New Orleans, 1933.

Mr. APPELL. What month and day of 1933?

Mr. SKIPPER. April 22.

Mr. APPELL. Are you appearing before the committee with counsel?

Mr. SKIPPER. Sir?

Mr. APPELL. Are you appearing with counsel?

Mr. SKIPPER. Yes, sir.

Mr. APPELL. Will counsel please state his name for the record?

Mr. VENABLE. James R. Venable, attorney, Atlanta, Georgia.

Mr. APPELL. Mr. Skipper, are you appearing before the committee in accordance with a subpoena served upon you by United States marshal on the 30th day of October 1965?

Mr. SKIPPER. Yes, sir.

Mr. APPELL. Mr. Skipper, the subpoena served upon you has an attachment which is made part of the subpoena, and it directs you to produce for the committee those documents described in two paragraphs.

Paragraph 1:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan and affiliated organizations, in your possession, custody or control, or maintained by you or available to you as Klan Bureau Investigator and/or member of the Original Knights of the Ku Klux Klan.

I ask you to produce those documents.

Mr. SKIPPER. Sir, I decline to produce those documents on the constitutional grounds of the 4th amendment of the Constitution—the 4th, 5th, and 14th amendments.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce the documents called for in paragraph 1.

The CHAIRMAN. Mr. Skipper, you were in the audience, were you not, when I explained to the previous witnesses what this subpoena called for, that is, that they called on you to produce documents which you hold in a representative capacity? You understand that?

Mr. SKIPPER. Yes, sir.

The CHAIRMAN. We do not accept your right to invoke the constitutional amendments you outlined, as I previously stated. Therefore I direct you to answer this question.

Mr. SKIPPER. I decline to produce these documents and records on the grounds previously stated.

Mr. APPELL. Mr. Skipper, paragraph 2 calls for the production of:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past Klan Bureau Investigator and/or member of the Original Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I direct that you produce those documents.

Mr. SKIPPER. I decline to produce those documents on the grounds previously stated.

The CHAIRMAN. And for the reasons you previously stated you decline to produce them?

Mr. SKIPPER. For the reasons I previously stated.

Mr. APPELL. Mr. Skipper, would you give the committee your educational background?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you have had a seventh-grade grammar school education.

Mr. SKIPPER. I respectfully decline, on the constitutional grounds previously stated.

Mr. APPELL. What is your employment background from the year 1960?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are presently self-employed as a plumbing contractor.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Skipper, have you had any military service?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm to deny the fact, that you served in the United States Army from May 5, 1953, to April 21, 1955, and transferred into the United States Army Reserve to complete your military obligation and were in the Reserve from April 1955 to June 1961.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. While a member on active duty in the United States Army were you ever court-martialed?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you——

The CHAIRMAN. One moment, please.

Mr. APPELL. Mr. Skipper, I put it to you as a fact, and ask you to affirm or deny the fact, that in March of 1965 you attended a meeting of four factions of the Original Knights of the Ku Klux Klan, meeting held in Baton Rouge, Louisiana——

Mr. SKIPPER. I respectfully——

Mr. APPELL.—for the purpose of attempting to reunite these groups under one head.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Skipper, I put it to you as a fact, and ask you to affirm or deny the fact, that you were the chief of the Klan Bureau of Investigation for the Sixth Congressional District of Louisiana of the Original Knights of the Ku Klux Klan.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Skipper, under the constitution of the Original Knights of the Ku Klux Klan of Louisiana it states that no one will carry a gun inside the state or province meeting except those appointed by the “Chief KBI or Province KBI.” Would you tell us the functions of the province KBI?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. The word “province” in this instance as I recall it, Mr. Appell, encompasses a congressional district. Is that right?

Mr. APPELL. Yes, sir, and in the case of Mr. Skipper it is the Sixth Congressional District.

Mr. Skipper, have you received from the Federal Communications Commission authority to operate a Class D citizens band radio?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Skipper, I will show you a copy of an application signed Billy Skipper, dated August 21, 1964, application for a Class D citizens band license. I wish to read from that application language which appears on the reverse side. It reads:

On the application I mailed the 15 transmitters I requested was a mistake in filling out the application. I only need 10 because I am self-employed in Plumbing & Heating. Thank you. Billy Skipper.

I ask you to look at this and ask you whether this is a true copy of the application you executed and filed with the Federal Communications Commission.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

(Document marked “Billy Skipper Exhibit No. 1” follows:)

BILLY SKIPPER EXHIBIT NO. 1

FCC FORM 505
REVISED MAY 1963

Book 1
10/3/64

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

FORM APPROVED
BUDGET BUREAU NO. 52-R123-10

APPLICATION FOR CLASS B, C, OR D STATION LICENSE IN THE
CITIZENS RADIO SERVICE

25212829305317
AUG 1964
RECEIVED
SEP 24 64

DO NOT WRITE IN THIS BLOCK

30287

FCC: 9 8728

AUG 27 64

FCC-WASHINGTON, D. C.

1. Application for Class A stations must be filed on FCC FORM 400.
2. Complete on typewriter or good quality D.
3. Be sure application is filled and dated. Mail application to Federal Communications Commission, Gettysburg, Pa., 17325.
4. Enclose appropriate fee with application, if required. **DO NOT RETURN CASH.** Make check or money order payable to Federal Communications Commission. See Part 19, Volume VI of FCC rules to determine whether a fee is required with this application.

1	NAME OF APPLICANT BUSINESS NAME (OR LAST NAME, IF AN INDIVIDUAL) <i>Skippers Plumbing Heating</i> FIRST NAME (IF AN INDIVIDUAL) MIDDLE INITIAL	9	DOES EACH TRANSMITTER TO BE OPERATED APPEAR ON THE COMMISSION'S "RADIO EQUIPMENT LIST PART C," OR, IF FOR CLASS C OR CLASS D STATIONS, IS IT CRYSTAL-CONTROLLED? (If no, attach detailed description: see subpart C of Part 19)	YES	NO
2	IF AN INDIVIDUAL OPERATING UNDER A TRADE NAME, GIVE INDIVIDUAL NAME, OR IF PARTNERSHIP, LIST NAMES OF PARTNERS (Do not repeat any name used in item 1) LAST NAMES FIRST NAMES MIDDLE INITIAL <i>SKIPPER Billy</i>	10	A WILL APPLICANT OWN ALL THE RADIO EQUIPMENT? (If no, answer B and C below) B NAME OF OWNER C IS THE APPLICANT A PARTY TO A WRITTEN LEASE OR OTHER AGREEMENT UNDER WHICH THE OWNERSHIP OR CONTROL WILL BE EXERCISED IN THE SAME MANNER AS IF THE EQUIPMENT WERE OWNED BY THE APPLICANT?	YES	NO
3	MAILING ADDRESS NUMBER AND STREET <i>Rt # 1</i> CITY STATE <i>DENHAM SPRINGS LA</i> ZIP CODE COUNTY OR EQUIPMENT SUBDIVISION <i>LIVINGSTON</i>	11	HAS APPLICANT READ AND UNDERSTOOD THE PROVISIONS OF PART 19, SUBPART D, DEALING WITH PERMISSIBLE COMMUNICATIONS FOR WHICH THIS CLASS OF STATION MAY BE USED?	YES	NO
4	CLASSIFICATION OF APPLICANT (See instructions) <input checked="" type="checkbox"/> INDIVIDUAL <input type="checkbox"/> ASSOCIATION <input type="checkbox"/> GOVERNMENTAL ENTITY <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER (Specify):	12	WILL THE USE OF THE STATION CONFORM IN ALL RESPECTS WITH THE PERMISSIBLE COMMUNICATIONS AS SET FORTH IN PART 19, SUBPART D?	YES	NO
5	CLASS OF STATION (Check only one) <input type="checkbox"/> CLASS B <input type="checkbox"/> CLASS C <input checked="" type="checkbox"/> CLASS D	13	WILL THE STATION BE OPERATED BY ANY PERSON OTHER THAN THE APPLICANT, MEMBERS OF HIS IMMEDIATE FAMILY OR HIS EMPLOYEES? (If yes, attach a separate sheet listing the names and relationship of all such persons and give a detailed reason for their operation of your station)	YES	NO
6	IS THIS APPLICATION TO MODIFY OR RENEW AN EXISTING STATION LICENSE? <input type="checkbox"/> YES (Give call sign): <input checked="" type="checkbox"/> NO	14	IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY OF THE PARTNERS AN ALIEN?	YES	NO
7	DO YOU NOW HOLD ANY STATION LICENSE, OTHER THAN THAT COVERED BY ITEM 6 OF THE SAME CLASS AS THAT REQUESTED BY THIS APPLICATION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	15	IS APPLICANT THE REPRESENTATIVE OF ANY ALIEN OR ANY FOREIGN GOVERNMENT? (If yes, explain fully)	YES	NO
8	TOTAL NUMBER OF TRANSMITTERS TO BE AUTHORIZED UNDER REQUESTED STATION LICENSE <i>10</i> (Number)	16	WITHIN 10 YEARS PREVIOUS TO THE DATE OF THIS APPLICATION HAS THE APPLICANT OR ANY PARTY TO THIS APPLICATION BEEN CONVICTED IN A FEDERAL STATE OR LOCAL COURT OF ANY CRIME FOR WHICH THE PENALTY IMPOSED WAS A FINE OF \$500 OR MORE, OR AN IMPRISONMENT OF 6 MONTHS OR MORE? (See instructions. If yes, attach a separate sheet giving details of each such conviction)	YES	NO
		17	IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY PARTNER LESS THAN 18 YEARS OF AGE (LESS THAN 12 YEARS OF AGE IF FOR CLASS C STATION LICENSE)?	YES	NO
		18	IF THE PRINCIPAL LOCATION WHERE THE STATION WILL BE USED IS DIFFERENT FROM THE MAILING ADDRESS (ITEM 3), GIVE THAT LOCATION. (DO NOT GIVE POST OFFICE BOX OR RFD NO.) NUMBER AND STREET CITY STATE IF LOCATION CANNOT BE SPECIFIED BY STREET, CITY, AND STATE, GIVE OTHER DESCRIPTION OF LOCATION	YES	NO
		DO NOT WRITE IN THIS BOX SCREENING <input checked="" type="checkbox"/> Y <input type="checkbox"/> N SIGNATURE <input checked="" type="checkbox"/> Y <input type="checkbox"/> N			

89 Eume

SIGN AND DATE THE APPLICATION ON REVERSE SIDE

BILLY SKIPPER EXHIBIT NO. 1—Continued

19 IF APPLICANT IS A NONGOVERNMENTAL CORPORATION, ANSWER THE FOLLOWING ITEMS		YES	NO	20 IF APPLICANT IS AN UNINCORPORATED ASSOCIATION, ANSWER THE FOLLOWING ITEMS		YES	NO
A	IS CORPORATION ORGANIZED UNDER LAWS OF ANY FOREIGN GOVERNMENT?		<input checked="" type="checkbox"/>	A	IS ANY OFFICER OR DIRECTOR OF THE ASSOCIATION AN ALIEN?		
B	IS ANY OFFICER OR DIRECTOR OF THE CORPORATION AN ALIEN?			B	ARE MORE THAN ONE FIFTH OF THE VOTING MEMBERS OF THE ASSOCIATION ALIENS OR REPRESENTATIVES OF ALIENS; FOREIGN GOVERNMENTS OR REPRESENTATIVES THEREOF; OR CORPORATIONS ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?		
C	IS MORE THAN ONE FIFTH OF THE CAPITAL STOCK EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?			C	IS THE ASSOCIATION DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER ORGANIZATION? (If yes, give detailed explanation)		
D	IS APPLICANT DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER CORPORATION? (If yes, answer items E through K below)			USE THIS SPACE FOR ANY ADDITIONAL INFORMATION OR REMARKS			
E	GIVE NAME AND ADDRESS OF CONTROLLING CORPORATION			<p style="font-size: large; font-family: cursive;">On the application I mailed the 15 transmitters I requested was a mistake in filling out the application. I only need 10. Because I am self employed in Plumbing & Heating.</p> <p style="font-size: large; font-family: cursive;">Thank you Billy Skipper</p>			
F	UNDER THE LAWS OF WHAT STATE OR COUNTRY IS THE CONTROLLING CORPORATION ORGANIZED?						
G	IS MORE THAN ONE FOURTH OF THE CAPITAL STOCK OF CONTROLLING CORPORATION EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY? (If yes, give details)						
H	IS ANY OFFICER OR MORE THAN ONE FOURTH OF THE DIRECTORS OF THE CONTROLLING CORPORATION AN ALIEN? (If yes, answer items I and J below)						
I	TOTAL NUMBER OF DIRECTORS IN CONTROLLING CORPORATION						
J	LIST ALL OFFICERS AND DIRECTORS WHO ARE ALIENS IN CONTROLLING CORPORATION AND GIVE BRIEF BIOGRAPHICAL STATEMENT FOR EACH ALIEN			<p style="font-size: large; font-family: cursive;">Billy Skipper</p> <p style="font-size: large; font-family: cursive;">Sept. 22 64</p> <p style="font-weight: bold;">Signature Date</p>			
NAME		NATIONALITY	OFFICE HELD				
K	IS THE CONTROLLING CORPORATION IN TURN CONTROLLED BY OTHER COMPANIES? (If yes, attach information for each of these controlling companies covering the information requested in items E through J, above)		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.			

ALL THE STATEMENTS MADE IN THE APPLICATION AND ATTACHED EXHIBITS ARE CONSIDERED MATERIAL REPRESENTATIONS, AND ALL THE EXHIBITS ARE A MATERIAL PART HEREOF AND ARE INCORPORATED HEREIN AS IF SET OUT IN FULL IN THE APPLICATION.

I CERTIFY THAT:

- The applicant has (or has ordered from the Government Printing Office) a current copy of Part 19 of the Commission's rules governing the Citizens Radio Service;
- The applicant waives any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise;
- The applicant accepts full responsibility for the operation of, and will retain control of any citizens radio station licensed to him pursuant to this application;
- The station will be operated in full accordance with the applicable law and the current rules of the Federal Communications Commission.
- The said station will not be used for any purpose contrary to Federal, State or local law;
- The applicant will have unlimited access to the radio equipment and effective measures will be taken to prevent its use by unauthorized persons; and
- The statements in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

DO NOT OPERATE UNTIL YOU HAVE YOUR OWN LICENSE. USE OF ANY CALL SIGN NOT YOUR OWN IS PROHIBITED.

SIGNATURE: Billy Skipper DATE SIGNED: 8/21/64
 (Check appropriate box below)

INDIVIDUAL APPLICANT
 MEMBER OF APPLICANT PARTNERSHIP
 OFFICER OF APPLICANT CORPORATION OR ASSOCIATION
 OFFICIAL OF GOVERNMENTAL ENTITY

Mr. APPELL. I would like to ask you, Mr. Skipper, whether or not these 10 transmitters were requested for use in your plumbing and heating business or for use of the Original Knights of the Ku Klux Klan?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the transmitters were used on Klan business.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Skipper, on October 6, 1964, Howard M. Lee, who possessed an Alcoholic Tax Unit License to sell firearms, was arrested by the Treasury Department. He was charged with failing to keep adequate records for rifles which he had obtained from several wholesalers and which he had distributed throughout the Bogalusa area, most of them to members of the Klan.

Howard Lee, according to the committee's investigation and according to an interview with Howard Lee in the Federal penitentiary in Texarkana, Texas, was the exalted cyclops of the Mitch Community Unit of the Original Knights of the Ku Klux Klan, the Mitch Community being located in Bogalusa.

Did you know Howard M. Lee to be the exalted cyclops of the unit?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did Howard M. Lee visit with you at your residence in connection with Klan business?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I show you a sketch, a hand-drawn sketch, of how a person would outline the route which he would travel to get to your home. I ask you if this is factual?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

(Map sketch marked "Billy Skipper Exhibit No. 2" and retained in committee files.)

Mr. APPELL. Howard Lee drew that sketch in order to locate your residence. Did Howard Lee meet with you at your residence and discuss the business of the Original Knights of the Ku Klux Klan?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Howard Lee had in his possession a list containing names of people. I hand you this list in his hand and ask you if you knew those persons to be members of the Ku Klux Klan.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

(Document marked "Billy Skipper Exhibit No. 3" follows:)

BILLY SKIPPER EXHIBIT No. 3

BILL OWENS L
 AUGUST VARNADO L
 HUSTON RABURN L
 CHARLES HUNT
 DANIAH SMITH X
 BARNEY CREEK L
 L. W. CARNIGIA L
 HAWARD CREEK L
 PIERCE OBERRY L
 EDWIN KNIGHT L
 NEVERS HOLLAND L
 HAROLD THOMAS L
 ROY MILLER L
 EDWIN STREHE L
 OLLIN STOGNER L
 GLAY GALLOWAY L
 BILL MAGEE L
 DOYLE SIMMONS L
 BILLY RAY BURN L
 HARDY JENKINS L
 J. L. BAGGETT L
 SON MELTON L
 BOOTS GERALD L
 HAWARD RESTER L
 PRESS GOKMAN L
 ALVIN BURTON L
 J. M. STICKER X
 RED BURDETT L
 BOYET J. A. L

WILLIE BURCH
 PREACHER DIKES L
 LAVELLE DIKES L
 JOE PROVOST L
~~WAYNE~~ WAYNE YOUNG L
 ALTON WELCH L
 WILLIE KUHN L
 MURL POPE L
 CARL RAY CRAIN L
 ALCUS DAVIS L
 TROY WHEAT X
 JAMES DAVIS L
 GRADY WARD L
 Sanders Cook Jr.
 A. P. Mitchell
 Prentiss Berry
 John Jacob
 Raymond
 M. T.
 Frank Beowell
 Ralph Beowell L
 Bills
 Jack
 Red Camp
 Ray King
 J. Q. Carroll

Mr. APPELL. Did you purchase pistols or rifles from Howard M. Lee?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. The records obtained by the Treasury Department from Howard Lee—and by the way, Mr. Chairman, I think the record should reflect that Howard Lee purchased for sale some 684 rifles and his records showed disposition of the rifles by him except in the case of 184. It was the failure to keep records of these that he was later indicted, tried, and sentenced to 3 years for, which he is now serving in the Federal penitentiary in Texarkana, Texas.

In 1964 he sold Billy Skipper, Denham Springs, Louisiana, one .303 Jungle carbine number MKF937A239, price \$32.50.

Did you purchase that rifle from Mr. Lee?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Entry under the same date, sold to Billy Skipper, Denham Springs, Louisiana, one 30 calibre U.S.M1. carbine, E-563, amount \$57.50. I show you this entry which contains a signature, Billy Skipper, and ask you if you purchased the rifle and if that is your signature.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

(Excerpt from Howard Lee's records marked "Billy Skipper Exhibit No. 4" follows:)

BILLY SKIPPER EXHIBIT No. 4

~~7-28-64~~

Page 16

* * * * *

7-28-64 Denham Springs La
 Sold to Billy Skipper¹ one 303 jungle carbine
 # MKF-937A239 32.50

* * * * *

7-28-64 Denham Springs La
 Sold to Billy Skipper Denham Springs La 57.50
 One 30 cal U.S. M.I Carbine
 # E563

signed
 Billy Skipper

.....

Mr. APPELL. Mr. Skipper, when interviewed by agents of the Treasury Department did you admit that you had purchased from Mr. Lee one of the carbines that I have described to you?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. What weapons do you own other than those that I have described to you?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. In April 1965, following an argument, did you pull a gun on a Denham Springs police officer?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Skipper, in May of 1964, the Klan in Bogalusa, a part of the Sixth Congressional District, held a rally in which the Klansmen were masked in public in violation of Louisiana State law. Do you possess any knowledge of whether assurances were received by the Klan that they would not be prosecuted for violating the State law?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. As chief of the KBI in 1964 and early 1965, did cross-burning, throwing of tacks on people's lawns, threatening telephone calls, come under the jurisdiction of the KBI?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did you personally engage in any of these acts?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions to ask of this witness.

The CHAIRMAN. Mr. Skipper, is it not a fact that the application you filed with the Federal Communications Commission for a citizens band radio license was applied for by you for use by you not only as a member and official of the Klan group to which you belong, but also in your capacity as a member of the Klan Bureau of Investigation?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. Is it not a fact that the gun, or guns, you purchased from Mr. Lee were so purchased by you for use by you in your capacity as a member of the Klan Bureau of Investigation in the Sixth Congressional District, which is the area that you represent?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. WELTNER. I have no questions.

Mr. BUCHANAN. I have no questions.

The CHAIRMAN. The documents we have just examined the witness on will be inserted in the record at the points where Mr. Appell previously questioned the witness.

Mr. Appell now has an additional question to ask and an additional document to offer in evidence.

Mr. APPELL. Mr. Chairman, I would like the record to show that the sketch which I exhibited to the witness, directions to his residence, was drawn by Howard M. Lee, the exalted cyclops of the Mitch Community Unit of the United Klans of America.

The CHAIRMAN. That drawing will be a part of the record.

Is that all?

Mr. APPELL. That is all, Mr. Chairman.

The CHAIRMAN. The committee will stand in recess until 10 o'clock tomorrow morning.

(Subcommittee members present: Representatives Willis, Weltner, and Buchanan.)

(Whereupon, at 5:20 p.m., Tuesday, January 4, 1966, the subcommittee recessed, to reconvene at 10 a.m., Wednesday, January 5, 1966.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

WEDNESDAY, JANUARY 5, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee met, pursuant to recess, as 10 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator, and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

Mr. MANUEL, will you call the first witness.

Mr. MANUEL. Mr. Chairman, the staff would like to call at this time Mr. Ralph Blumberg.

The CHAIRMAN. Please raise your right hand, sir.

Do your solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BLUMBERG. I do.

TESTIMONY OF RALPH BLUMBERG

Mr. MANUEL. Mr. Blumberg, would you please state your full name for the record?

Mr. BLUMBERG. Ralph Blumberg.

Mr. MANUEL. And when and where were you born, Mr. Blumberg?

Mr. BLUMBERG. February 27, 1921, Cotton Plant, Arkansas.

Mr. MANUEL. Would you please give the committee a brief résumé of your educational background?

Mr. BLUMBERG. I completed 2 years at the University of Missouri.

Mr. MANUEL. And would you please give the committee a résumé of your career in the Armed Forces of the United States?

Mr. BLUMBERG. I served a little over 4 years in the United States Coast Guard.

Mr. MANUEL. What were the years of your service?

Mr. BLUMBERG. From 1941 to 1945.

Mr. MANUEL. Would you give the committee a brief résumé of your business and professional background?

Mr. BLUMBERG. I have been in broadcasting since 1945.

Mr. MANUEL. Were you ever a resident of Bogalusa, Louisiana?

Mr. BLUMBERG. Yes.

The CHAIRMAN. A little louder.

Mr. BLUMBERG. Yes. I went to Bogalusa in July 1961.

Mr. MANUEL. And what did you do in Bogalusa?

Mr. BLUMBERG. We purchased Radio Station WBOX, and I operated it as an owner and operator of the station.

Mr. MANUEL. That was in July 1961; is that correct, sir?

Mr. BLUMBERG. Yes, sir.

Mr. MANUEL. During that period of time, July 1961 and shortly thereafter, would you inform the committee as to your opinion as a private citizen of the racial situation which existed at that time in Bogalusa?

Mr. BLUMBERG. As far as I knew, from 1961, the next 3 or 4 years, I knew of no racial tension or any racial problems. Whether they existed or not is another question, but I knew of none of this.

Mr. MANUEL. Prior to approximately May of 1964, were you aware as a private citizen of the existence of a Ku Klux Klan organization in the area of Bogalusa, Louisiana?

Mr. BLUMBERG. I had heard some rumors to that effect, but they were merely rumors. I really couldn't say that I definitely knew factually, because I didn't.

Mr. MANUEL. When did you first become aware of such a group?

Mr. BLUMBERG. When they held an open rally in the city of Bogalusa in May of 1964. It was an open rally with all the regalia, hooded sheets and 20-foot crosses, this kind of thing.

The CHAIRMAN. Were they masked? Were any of them masked?

Mr. BLUMBERG. Yes. I didn't attend that rally. This is what was told to me.

The CHAIRMAN. From the reports and so on, it was a meeting where Klansmen appeared in hooded sheets or regalia?

Mr. BLUMBERG. Regalia.

Mr. MANUEL. During that time, May of 1964, were there any racial demonstrations in Bogalusa at that time?

Mr. BLUMBERG. No, not that I know of.

Mr. MANUEL. As a private citizen did you detect any racial tension at that time?

Mr. BLUMBERG. No. I have to be honest, as a private citizen I knew of no racial tension whatsoever or of any activity at that time.

Mr. MANUEL. Mr. Blumberg, in October of 1964 did you, with others, meet in order to form an organization to better deal with racial problems in the Bogalusa area?

Mr. BLUMBERG. Yes. In October of 1964 I was invited to the home of an attorney in Bogalusa, Mr. Bascom Talley, who had been ap-

pointed a Community Relations¹ official for Bogalusa, and when I arrived at his home I found a group of other citizens, including two men from Community Relations. I think at that time it was headed by former Governor LeRoy Collins. We were told they felt there was possible trouble coming to Bogalusa with the racial question and they wanted a group of citizens to get together and bring a speaker into Bogalusa in order to help Bogalusa avoid the racial pitfalls some of the other communities in the South had already experienced.

The CHAIRMAN. By "they" you mean former Governor Collins?

Mr. BLUMBERG. Yes.

Mr. MANUEL. From the period May 1964 until your initial meeting with this group which you have just described in October of 1964, did you as a private citizen detect Klan activities, recruitings, or rallies or anything of that sort in the Bogalusa area?

Mr. BLUMBERG. What period was that?

Mr. MANUEL. From May 1964, when you told the committee there was an open rally in Bogalusa, until October 1964 when you met with this group?

Mr. BLUMBERG. I had heard rumors of recruitment. I am not sure there were any open Klan activities. There may have been a few cross-burnings in this period. As a matter of fact, I think it was the editor of the newspaper, Lou Major, who had cross-burnings on his lawn at that time.

Mr. MANUEL. Was Mr. Major one of the men who comprised the group you met with in October, 1964?

Mr. BLUMBERG. Yes, he was.

Mr. MANUEL. Who were the other members of that group?

Mr. BLUMBERG. Reverend Jerry Chance, minister of the Main Street Baptist Church; Reverend Paul Gillespie, minister of the Memorial Baptist Church; Reverend Bruce Shepherd, minister of the St. Matthew's Episcopal Church; Lou Major, editor of the *Bogalusa News*; and Bascom Talley, an attorney and Community Relations representative.

The CHAIRMAN. Mr. Talley was then, or before or since, an official of the Louisiana Bar Association; was he not?

Mr. BLUMBERG. He was past president of the Louisiana Bar Association. I think he was president 2 years ago or perhaps 1 year ago. And myself. We were the six.

Mr. MANUEL. Specifically, Mr. Blumberg, what activities did this group engage in, in order to improve racial relations in Bogalusa? What did you plan to do?

Mr. BLUMBERG. We had decided to bring Brooks Hays to Bogalusa to speak to the professional and business community.

The CHAIRMAN. We know who he is, but for the record would you describe who he is?

Mr. BLUMBERG. Mr. Hays is an ex-Congressman from the State of Arkansas, and I understand he now has been working directly with the President, going around and speaking, especially in the Southern States.

The CHAIRMAN. He was an active religious leader; was he not?

Mr. BLUMBERG. He was. I started to say we wanted him because he was a prominent Baptist layman and we were told he was an engag-

¹ Community Relations Service.

ing speaker, somewhat of a humorist. And we felt if he talked to the professional and business community of Bogalusa, we possibly could avoid some of these racial pitfalls that some of the other communities had experienced prior to our problem. This actually was the main purpose of our organization.

Mr. MANUEL. Was your purpose at any time to force integration on the city of Bogalusa?

Mr. BLUMBERG. Absolutely not.

Mr. MANUEL. When was it decided to invite Mr. Hays to speak in Bogalusa?

Mr. BLUMBERG. We decided around the first part of December.

The CHAIRMAN. You are now in the year 1964?

Mr. BLUMBERG. In the year 1964; yes, sir. Mr. Talley had contacted Mr. Hays and invited him to speak in Bogalusa and Mr. Hays had accepted and we set the date around January 7.

Mr. MANUEL. After the decision was made by the six of you gentlemen, what action did you take to implement the appearance of Mr. Hays in Bogalusa?

Mr. BLUMBERG. The first thing we did, we went to talk to the city administrator, because we wanted the mayor and commission council to sponsor the speech. We wanted the mayor to introduce Mr. Hays and, frankly, we were going to step out of the picture.

We set up a meeting with Mayor Cutrer and the city council in the City Hall. This was the period right before Christmas, perhaps mid-December of 1964. We met with the mayor and the commission council and we told the mayor what we wanted to do.

Mr. MANUEL. Did you act as spokesman for this group at that time?

Mr. BLUMBERG. Yes, I did.

Mr. MANUEL. Please proceed.

Mr. BLUMBERG. Basically, what we told the commission council was that we wanted to bring Mr. Hays in. We explained why. In essence, what we were really after was to get the entire business and professional community behind the mayor and commission council if trouble started in Bogalusa. We felt they were out on a limb and somebody was getting ready to saw it off. But the mayor felt our timing was bad. We also made the statement that he was afraid the Klan would violently object to the meeting.

There is one thing I left out, and it was very important. We were told by Community Relations that since Mr. Hays was with the Federal Government we had to have an integrated audience. So we decided to invite 8 Negroes who had been working with the mayor in the past to this meeting. We also felt it should be a private meeting. We felt if it was public there would be trouble. We had a list of approximately 100 names of business and professional people in the community and 8 Negro leaders.

Mr. MANUEL. So there would have been a total of 108 people?

Mr. BLUMBERG. Yes.

Mr. BUCHANAN. I would like to say for the record, in further reference to Mr. Hays, that he served as president of the Southern Baptist Convention of more than 10 million members and is a very prominent Baptist layman.

The CHAIRMAN. Proceed.

MR. MANUEL. Mr. Blumberg, in addition to the mayor of Bogalusa what other officials were present at your meeting?

MR. BLUMBERG. The city attorney, Robert Rester; also the four commissioners, Andy Overton, Arnold Spiers, Jim Talbot, and Marshall Holloway.

MR. MANUEL. Did any of them contribute anything to the conversation about the appearance of Mr. Hays in Bogalusa?

MR. BLUMBERG. The only one who spoke was the mayor and the chief of police, Arnold Spiers, and they both agreed the Klan would violently object to an integrated meeting and they felt it was not the time to hold a meeting. However, we asked the administration if they would at least attend the meeting, and they agreed to do this.

Right before we left, which was a little before 3 o'clock, we asked that they keep this information quiet. No one else in the community knew about it at the time, and we wanted it kept quiet because we didn't want the whole story out at that time. We had not issued the invitations yet. That was 3 o'clock in the afternoon.

At 5 o'clock that same afternoon, Reverend Shepherd received a knock at the door; and the man at the door was a well-known character in Bogalusa—I can't recall his name—"Buddy" somebody, and he told the Reverend Shepherd that the Masons in town had just heard about Brooks Hays being invited and they didn't think it was a good idea to bring Mr. Hays to Bogalusa. Of course, I am being nice in saying it. I was told he was not that nice in relating the message.

MR. MANUEL. To go back to the meeting with the mayor and city council, I understood you to say the mayor said the Klan would object to Mr. Hays speaking in Bogalusa. As a private citizen, was this your first encounter with the Klan as a powerful force in Bogalusa?

MR. BLUMBERG. This was our baptism. This was the first time we had heard the word "Klan" as it dealt with fear and power, yes.

MR. MANUEL. Subsequent to the meeting, will you tell the committee what your group's activities were in trying to obtain a place for Mr. Hays to speak?

MR. BLUMBERG. We first wanted to hold the meeting in the Episcopal Church, Reverend Shepherd's church, but there was so much difficulty in obtaining the meeting place that his congregation asked him not to have the meeting there. And all six of us tried all over town, any place we could think of that was practical, to hold the meeting, but we were turned down everywhere. We talked to the gentleman in charge of the armory and were turned down there. We talked to the mayor to try to get the City Hall, and they refused. Finally we just had to give up finding a place to hold the meeting because there was no place to be had.

MR. POOL. I want to clarify something for the record. I didn't get what you said about the man quoting the Masons.

MR. BLUMBERG. He merely used the word that the "Masons" had heard Brooks Hays was coming to Bogalusa and they didn't feel Mr. Hays should come, but I am sure when he used the word "Masons" he was just pulling it out of the air.

MR. POOL. In other words, so far as you know, the Masons were not involved in this?

Mr. BLUMBERG. No; not at all.

The CHAIRMAN. In fact, you referred to the so-called Buddy as a "well-known character," so you are not subscribing to what he was saying?

Mr. BLUMBERG. Absolutely not.

The CHAIRMAN. It might be advisable for you to speak a little about that. By "character," do you mean he was known as a segregationist or possible Klansman then or subsequently known? What did you mean by that word "character" for the record?

Mr. BLUMBERG. Number one, I understand he was quite a drunkard. He used to love to brawl all the time, and I was told he was at one time a deputy sheriff who was taken off the force. I don't know if he was a policeman or not, but let us put it this way: he was a great candidate for the Klan.

The CHAIRMAN. What do you mean by that?

Mr. BLUMBERG. He was a great candidate for Klan membership.

The CHAIRMAN. I assumed that was what you meant from the way you said it. I wanted it for the record.

Mr. BLUMBERG. Let us get it for the record.

Mr. MANUEL. Mr. Blumberg, in your attempts to secure a speaking place for Mr. Hays, what were the reasons that your group was turned down at the places that you visited, by the persons that you visited?

The CHAIRMAN. I think I have the background for that. I take it by this time, including the encounter with the minister you referred to, I assume by this time in the chronology of your discussion it was then quite well known in town that Brooks Hays had been invited or might come?

Mr. BLUMBERG. After the minister had been visited?

The CHAIRMAN. Yes.

Mr. BLUMBERG. Actually, no. It wasn't. This is what surprised us because nobody in town knew about this except the six of us.

The CHAIRMAN. We have learned, even in Congress, that there is a crowd.

Mr. BLUMBERG. We learned it back in 1964. But anyway, this was the first time we realized there was a leak in the city administration, because they were the only ones who knew about this.

Mr. MANUEL. Were any members of the city administration with whom you met that day later known to be members that day of the Ku Klux Klan?

Mr. BLUMBERG. Yes. As a result of a Federal hearing in New Orleans a few weeks ago, the city attorney was named as a member of the Klan.

Mr. MANUEL. That was Robert Rester?

Mr. BLUMBERG. Yes; and he was at that meeting.

Mr. MANUEL. Did there come a time when your group made an announcement in the paper as to the invitation issued to Mr. Brooks Hays?

Mr. BLUMBERG. Yes.

First, I think, to keep the record straight chronologically, right after Reverend Shepherd had received this visit, I had gone to St. Louis with my family for the holidays. Christmas and New Year's, and

while there I received a phone call from the radio station saying that a pamphlet had been distributed in Bogalusa by the Klan. They said in this pamphlet that Brooks Hays was coming to Bogalusa and we were going to try to integrate them.

Mr. MANUEL. Do you have a copy of that pamphlet, Mr. Blumberg?

Mr. BLUMBERG. Yes, I do.

(Document marked "Ralph Blumberg Exhibit No. 1." See p. 2454.)

Mr. MANUEL. Would you be good enough to read the pamphlet for the committee?

Mr. BLUMBERG. Yes. [Reading:]

"On Sunday, December 27, 1964," —

The CHAIRMAN. What is the date?

Mr. BLUMBERG. December 27, 1964. [Reading:]

On Sunday, December 27, 1964, the Bogalusa Daily News announced that a "renowned layman" Brooks Hayes, is to speak in Bogalusa, on January 7, 1965. His subject will be better *community relations*. The Bogalusa Daily News stated,

"a group of civic, religious and business leaders of Bogalusa have invited Hayes to speak here at the St. Matthew's Episcopal Church Parish House. Due to limited seating facilities, the meeting will be by invitation."

The Daily News did not tell you the whole true story concerning this meeting and it is the purpose of this leaflet to give you the full story concerning this meeting.

In the first place, this meeting of January 7, 1965, is to be an integrated meeting. The meeting was arranged by Bascom D. Talley, Jr., the local public or community relations commissioner who is holding this job by appointment of Lyndon B. Johnson under the infamous civil rights act. Bascom D. Talley formed a committee to help shoulder the responsibility of this meeting. This committee of integration minded people are the group of "civic, religious and business leaders" referred to by the Daily News. Mr. Talley's committee is composed of Bruce H. Shepherd, Minister of the St. Matthew's Episcopal Church, Vertrees Young, a member of the Episcopal Church, Reverend Jerry Chance, Minister of the Main Street Baptist Church, Reverend Paul G. Gillespie, Minister of the Memorial Baptist Church, Reverend James T. Harris, Minister of the Methodist Church, Reverend Bob Lambright whose similar escapades have made him a Minister without a church, Ralph Blumberg, owner and operator of the radio station WBOX, and, of course, Lou Major, Mr. Talley's favorite puppet.

In the second place, this integrated meeting is for the sole purpose of planning the integration of your Church, Schools, Businesses, Restaurants, Hotels, Motels, etc., and those who will receive invitations to the January 7th meeting will be people who Bascom D. Talley hopes that Brooks Hayes can convince that they should change their social and religious lives, and that in turn will try to convince you that you should help integration by sitting in Church with the black man, hiring more of them in your businesses, serving and eating with them in your cafes, and allowing your children to sit by filthy, runny-nosed, ragged, ugly little niggers in your public schools.

In the third place, the Bogalusa Daily News did not tell you the whole story about Brooks Hayes. He is a traitor to the South. He assisted Sherman Adams draw the order to send Federal Troops into his own State of Arkansas to put nine little niggers into white schools, the result of which was spending \$5,000,000 of the taxpayers money as well as the beating and jailing of hundreds of white citizens. As a result of Hayes' integration efforts, he was defeated in his efforts for re-election to Congress by a political unknown, Dr. Dale Alford. Brooks Hayes is now a member of the Civil Rights Community Relations Committee and he is paid a lucrative salary by the Federal Government to make talks such as he is scheduled to make in Bogalusa, on January 7th., 1965.

The Ku Klux Klan is strongly organized in Bogalusa and throughout Washington and St. Tammany Parishes. Being a secret organization, we have KLAN members in every conceivable business in this area. We will know the names of all who are invited to the Brooks Hayes meeting and we will know who did and did not attend this meeting. Accordingly, we take this means to urge all of you to refrain from attending this meeting. Those who do attend this meet-

ing will be tagged as integrationists and will be delt [sic] with accordingly by the Knights of the KU KLUX KLAN.

There is in Bogalusa a man named Talley,
 who with a hand picked committee has planned an integrated rally;
 This man would love the nigger.
 in order to grow financially bigger;
 He and his committee have come up with an integration plan, which is
 bitterly opposed by the KU KLUX KLAN;
 Talley has attended Nigger Churches to sing,
 this was done to please Martin Luther King;
 While Talley sings with his nigger group,
 the KU KLUX KLAN will more Knights recruit;
 Soon Talley and his committee will know who is boss,
 as the KU KLUX KLAN lights the fiery cross.

Mr. MANUEL. Mr. Blumberg, is the source of this leaflet which you have read identified on the flyer?

Mr. BLUMBERG. Yes, it is. At the top it says: "Published By The Original Ku Klux Klan Of Louisiana."

The CHAIRMAN. Let me ask you two questions:

Was this to be a meeting by invitation?

Mr. BLUMBERG. Yes; yes, this was to be a meeting by invitation.

The CHAIRMAN. Was the purpose of the meeting to force integration or to accomplish the objectives suggested in that pamphlet?

Mr. BLUMBERG. Absolutely not. Nothing could have been further from the truth.

The CHAIRMAN. Why had it been decided to make the meeting by invitation?

Mr. BLUMBERG. We decided this because we were told by Community Relations that Mr. Hays had to speak to an integrated audience since he worked for the Federal Government. And we felt if we made it an open meeting and it was to be integrated, there probably would be a great deal of trouble; and we felt if we made it private, we could keep the possibility of trouble down. Also, we were very, very anxious to see to it that the power structure in the community attended the meeting, and that is why we were going to make it private by invitation. However, we never did have the opportunity to issue the invitations.

The CHAIRMAN. As it turned out, based on subsequent events, did you come to the conclusion that Mayor Cutrer, in expressing himself as he did at the meeting you had with his council, was expressing a factual opinion rather than personal involvement in approbation of what might have developed?

Mr. BLUMBERG. Mr. Willis, this is a difficult question to answer. Perhaps I should say this, in all fairness to Mayor Cutrer.

The CHAIRMAN. I want the record straight on that.

Mr. BLUMBERG. I think the mayor has tried to do his very level best as mayor of a deep South community. Here is a man who grew up in Bogalusa, and many, many members of the Ku Klux Klan were friends of his, and I am sure this man felt a moral obligation, as the mayor. But I don't think I am qualified, or anyone else is qualified, to criticize a man in his position. I don't know all of his problems, and whatever his decisions have been, whatever his actions have been, I am sure they were made in sincerity and honesty.

The CHAIRMAN. I am glad to hear you say that because subsequent events as a factual matter proved trouble did arise.

Mr. BLUMBERG. That is true.

The CHAIRMAN. I have never met the man and don't want to charge him for making a factual statement at that time.

Mr. WELTNER. Mr. Chairman, may I ask a question?

The CHAIRMAN. Yes.

Mr. WELTNER. You stated Robert Rester was city attorney and in attendance at the meeting and subsequently was disclosed as being a member of the Klan through Federal court proceedings. Do you know if he was elected by the people or appointed by the mayor?

Mr. BLUMBERG. He was elected by the people.

Mr. WELTNER. Thank you.

Mr. POOL. Let me see that pamphlet. Were there any direct threats to anyone attending the meeting?

Mr. BLUMBERG. Yes.

Mr. POOL. Read what it says about that.

Mr. BLUMBERG. [Reading:]

We will know the names of all who are invited to the Brooks Hayes meeting and we will know who did and did not attend this meeting. Accordingly, we take this means to urge all of you to refrain from attending this meeting. Those who do attend this meeting will be tagged as integrationists and will be delt [sic] with accordingly by the Knights of the KU KLUX KLAN.

Mr. POOL. The words "dealt with accordingly" is that a threat?

Mr. BLUMBERG. I would say it is a threat; yes, sir. I think it is about as definite a threat as you can make.

The CHAIRMAN. I think the word "intimidation" would certainly apply.

Mr. POOL. Is the word "intimidation" in there?

The CHAIRMAN. No. I think you asked if the words "dealt with accordingly" could be construed as a threat. I think if you wanted to use a word which, in my opinion, could not be questioned, it would be an "intimidation" if not a "threat."

Mr. POOL. To be fair, you could say they would be dealt with accordingly in the next election, which would be all right.

Mr. BLUMBERG. That is true.

Mr. POOL. We are looking for acts of violence and threats. There is a question in my mind whether you can call this a direct threat or not.

Mr. WELTNER. May I ask a question at this point, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. WELTNER. Would you read that part of the pamphlet that says being members of a secret organization we have members in every conceivable place, or words to that effect?

Mr. BLUMBERG. Yes. [Reading:]

"Being a secret organization, we have KLAN members in every conceivable business in this area."

Mr. WELTNER. On the basis of the disclosures that have been made subsequent to the distribution of this pamphlet, would you describe that as an accurate statement?

Mr. BLUMBERG. I will be honest with you. I think it is a very honest statement; yes.

Mr. WELTNER. That is my opinion too.

Mr. BLUMBERG. And I have never changed my opinion.

Mr. WELTNER. The Klan in Bogalusa did have Klan members, maybe not in every conceivable position, but in many positions of importance, and I think that point should be developed.

Mr. POOL. Are you going to tie the Klan into threats later on in your testimony?

Mr. BLUMBERG. Yes.

Mr. BUCHANAN. Mr. Chairman, may I say, by way of being "dealt with accordingly," as I understand it, there were very few elected officers there, weren't there? Weren't most of them church and business and professional people? I don't know how they could deal "accordingly" with ministers or editors on election day. And what about business and professional men being "dealt with" on election day?

Mr. POOL. I was thinking of the political leaders.

Mr. BUCHANAN. These were primarily other than elected officials.

Mr. POOL. I am not defending it. I am saying, in my opinion, it is not a definite threat.

Mr. BUCHANAN. I am joining you in clarifying the record.

Mr. WELTNER. That sounds like the man who said he didn't know if it was a threat or not but they had authority to do away with him.

The CHAIRMAN. All right. Proceed.

Mr. MANUEL. Following the distribution of the pamphlet you have just read and following the fact you could not provide adequate speaking facilities to Mr. Hays, did your group cancel the engagement with Mr. Hays?

Mr. BLUMBERG. We met at the newspaper office the first week in January, I don't know the exact date, and we discussed this. In saying "we," I am talking about the six in our group and the two men from Community Relations. We talked from 8 o'clock in the evening until 12 o'clock that night trying to make a decision on what to do. We decided to cancel the meeting but to put a statement in the paper explaining why we canceled it. We came back at 8 o'clock the next morning and we all helped to draft the statement, and that afternoon we published the statement in the paper.

Mr. MANUEL. In general terms, what did the statement say?

Mr. BLUMBERG. I am a little hazy on the statement. However, as I remember it, we told the public we had to cancel the Brooks Hays meeting because everybody had feared the Klan in the community and we couldn't find a place to hold the meeting, and we felt there was no freedom of assembly in Bogalusa and we were ashamed of this fact that we couldn't hold a public meeting because of fear. This, in essence, was the general theme of the statement.

Mr. MANUEL. Subsequent to the appearance of this statement in the *Bogalusa Daily News*, were you personally or your family the objects or victims of any harassment?

The CHAIRMAN. Before coming to that, let me develop a thought or two here.

I have before me a copy of the opinion of the circuit court of appeals decided recently in connection with an injunction suit filed by the United States of America against the following—and I will name them and I want you to make a mental note if one of these defendants in this suit comes to your mind as being the man called Buddy

who appeared at the minister's home. I don't know if it is a fact. I see Mr. Appell shaking his head so maybe he knows the answer. Do you know the answer, whether this man "Buddy" was one of the defendants?

Mr. APPELL. He was not a defendant.

The CHAIRMAN. I am now advised that this man "Buddy" you referred to was not a defendant. But this suit was an injunction suit filed by the United States against the Original Knights of the Ku Klux Klan, an unincorporated association; the Anti-Communist Christian Association, which we will talk about later; and then quite a long list of individuals.¹

Referring to your testimony thus far concerning the proposed speech to be made by former Congressman Brooks Hays, the court, having heard the evidence in the whole in that case, said the following:

"Specific Findings"—this is a subheading—"Specific Findings of Klan Intimidation and Violence":

We select the following examples of the defendants' acts of intimidation and violence.

(1) January 7, 1965, former Congressman Brooks Hays of Arkansas, at the invitation of religious, business, and civic leaders of Bogalusa, was scheduled to speak in Bogalusa at St. Matthews Episcopal Church Parish House on the subject of community relations. The meeting was to be open to both Negroes and whites and it was planned that seating would be on a racially non-segregated basis. After learning of the proposed appearance of Mr. Hays and the arrangements for an unsegregated meeting, the Klan and its members protested to the Mayor and the members of the Commission Council and, by means of threats of civil disorder and economic retaliation against local businessmen who supported the meeting, caused the withdrawal of the invitation to Mr. Hays to speak. December 18, 1964, before the Hays invitation was withdrawn, the Mayor of Bogalusa and Police Commissioner Arnold Spiers, in an effort to head off possible civil disorder, appeared at a Klan meeting at the Disabled Veterans Hall. The show of force at this meeting by over 150 hooded Klansmen—

and [to Mr. Pool] I quote now for your information—

unquestionably intimidated public officials in Bogalusa and, later, hindered effective police action against Klan violence. On the stand, Mayor Cutrer admitted that he was "frightened when he looked into 150 pairs of eyes." [Emphasis in original.]

So at that point in your chronology, I think it is valuable for the record to have the findings of the Fifth Circuit Court of Appeals.

(Document marked "Ralph Blumberg Exhibit No. 2." (See pp. 2475-2519).)

Mr. POOL. It does not have too much importance to the question of the pamphlet he was raising.

The CHAIRMAN. I don't know.

Mr. POOL. The "150 pairs of eyes" were the most important.

The CHAIRMAN. That is right.

Mr. POOL. That is what I was pointing out a while ago.

¹ *United States of America, by Nicholas deB. Katzenbach, Attorney General of the United States v. Original Knights of the Ku Klux Klan, an unincorporated association; Anti-Communist Christian Association, a corporation; Saxon Farmer; Charles Christmas; Russell Magee; Dewey Smith; Virgil Corkern; Albert Applewhite; E. J. (Jack) Dixon; Delos Williams; James M. Ellis; Hardie Adrian Goings, Jr.; Esley Freeman; Arthur Ray Applewhite; James A. Hollingsworth, Jr.; Randle C. Pounds; Sidney August Warner; Billy Alford; Rawlin Williamson; Louis Applewhite; Willis Blackwell; J. A. Hollingsworth, Sr.; Latimore McNeese; Ira Dunaway; Doyle Tynes; Charles Ray Williams; Franklin Harris; Charles McClendon; Delton Graves; Milton Earl Parker; Mervin Taylor; Van Day; Ray Risner; James D. Terrell; J. D. Jones; Richard E. Krebs; Michael R. Holden; James Burke; Albert Simmons, Jr.; and Noel Ball, Jr., — U.S. District Court for the Eastern District of Louisiana, New Orleans Division, Civil Action No. 15793; 250 F. Supp. 330, decided Dec. 1, 1965.*

The CHAIRMAN. Proceed.

Mr. MANUEL. Mr. Blumberg, would you please tell the committee what actions of harassment or intimidation were directed against you and in what form, sir?

Mr. BLUMBERG. After we put the statement in the paper—we signed our names, all six of us, to the statement, and then the following day we broadcast our first editorial since we had been in Bogalusa about the civil rights problem.

Mr. MANUEL. This is over your radio station WBOX?

Mr. BLUMBERG. WBOX; yes, sir.

Mr. MANUEL. Proceed.

Mr. BLUMBERG. And we merely explained why we participated in the Brooks Hays affair, for the reasons I have given you before. And also we told the people that the civil rights law was now the law of the land and, regardless of how you felt about it, it must be complied with or the community was going to be in trouble. And this, in essence, was exactly what we had stated editorially.

Of course, this editorial and the statement in the paper was like setting off a time bomb. We received threatening telephone calls at the station and at home, and the essence of the calls—not only myself, but the other five men involved. And the pattern was pretty much the same:

“When you signed this statement you have signed your death warrant.” And some of the calls stated that “we are going to kill your wife and your children” or “we are going to take care of your wife and your children.” This type of thing.

Mr. POOL. To whom were these calls made?

Mr. BLUMBERG. They were made to myself, my wife answered some, some of the announcers at the station answered some, and they were also made to the other five members.

Mr. POOL. Did you recognize any of the voices?

Mr. BLUMBERG. No, sir. They were completely anonymous.

Mr. POOL. Completely anonymous, and you couldn't pinpoint them?

Mr. BLUMBERG. Yes.

Mr. POOL. Did you report it to the police department?

Mr. BLUMBERG. No, sir, I didn't.

Mr. POOL. Why didn't you?

Mr. BLUMBERG. Frankly, I didn't think about it. As I look back on it, I should have as a matter of record, but I didn't and I don't think any of the other men did.

Mr. POOL. Was it your feeling the police department wouldn't do anything about it?

Mr. BLUMBERG. Frankly, I don't see what anybody could do about it, being anonymous phone calls.

Mr. POOL. How about the FBI?

Mr. BLUMBERG. No.

Mr. POOL. You didn't report it to them either?

Mr. BLUMBERG. No.

Then around this time, I guess a few days later, a man walked into the station that we knew fairly well, and I wasn't there. He talked to my wife. He sat down in front of her and he made a statement that friends of his were very surprised I signed the statement in the paper and they felt that I had been hoodwinked into getting involved, and

they felt I should publicly apologize for signing the statement and I should explain that all of this was, in essence, a bunch of lies and that I really didn't intend to have anything to do with it.

And my wife told him that I wasn't going to apologize for anything; I knew exactly what I had done.

And he shrugged his shoulders and he made this statement, he said: "Well, these friends of mine don't want to harm women and children." He shrugged his shoulders and walked away.

Mr. MANUEL. Did he identify the friends of his of whom he was speaking?

Mr. BLUMBERG. No. That is merely what it was. And then after that I sent my wife and family to St. Louis to stay for a while.

Mr. MANUEL. As far as the phone-call harassment is concerned, did it take any particular pattern?

Mr. BLUMBERG. Well, the most annoying thing was the fact we received phone calls perhaps every 2 hours all throughout the evening, all night long. Nobody would say anything. Pick up the receiver and there would be nothing on the other end.

Mr. MANUEL. How long did this last, Mr. Blumberg?

Mr. BLUMBERG. It is kind of hard to say. I imagine, if I could pinpoint it, perhaps about 3 weeks.

Mr. POOL. Did you ever ask the telephone company to give you an unlisted number? Or don't they do that now?

Mr. BLUMBERG. No. Actually, what I did, after a while I just took it off the hook and left it off.

Mr. MANUEL. Were there any other acts of intimidation and harassment directed toward you, such as tacks in your tires, and so forth?

Mr. BLUMBERG. Yes. I had the car windows of my automobile smashed, my wife's smashed, and we had tacks put in the driveway and ruined, you know, a set of tires, and that is about it.

Mr. POOL. You didn't report this to the police department?

Mr. BLUMBERG. We reported this.

Mr. POOL. You did report it?

Mr. BLUMBERG. Yes, sir.

Mr. MANUEL. Was there any trouble at your transmitting tower in Bogalusa?

Mr. BLUMBERG. Yes. After we made our plight public nationally and editorialized, we decided to fight the Klan. Right after our first editorial, which was on a Thursday, some time in March, that evening we received seven bullet holes in our transmitter house fired by a high-powered rifle.

Mr. WELTNER. May I interrupt as a matter of chronology?

This meeting with Mr. Hays was supposed to have been on January 7?

Mr. BLUMBERG. That is right.

Mr. WELTNER. And at the time there was a statement in the paper which bore your name and the editorial, and the general acts of harassment continued all through the month of March?

Mr. BLUMBERG. Yes.

Mr. WELTNER. There were no other statements and editorials, but—

Mr. BLUMBERG. We skipped. I haven't told the rest of it yet.

Right after the January 7 editorial, the most effective weapon the Klan, of course, used against me was the boycott. They would call our sponsors by telephone and tell them if they didn't stop advertising on the station that they would boycott their place of business. And they received numerous phone calls and finally the advertisers had to go off the station and they pretty well reduced our income.

And then—and I think this should be told for the record because I made a big mistake—right after we lost most of our sponsors, around the middle of January, I didn't say another word—no editorializing, no nothing. I simply tried to get our sponsors back on the radio station. To be honest about it, I think I was actually appeasing the Klan. And then around March, the 1st of March, we had most of the sponsors back on, and they started the phone call routine again. It was very organized this time, and they reduced us down from approximately 75 sponsors a month to around 6. This is when I knew I had made a mistake, because you just can't compromise with the devil, and that is what I was trying to do. And I think this is important that this be told for the record, because there is no compromise with this sort of evil.

And they had reduced our sponsorship to about 6. We had to make up our mind at this time what to do. I am sure the Klan felt we would close our doors and walk away quietly and do nothing, but we decided to make a fight, for two reasons:

One, if we could keep our doors open long enough with outside help, perhaps the merchants would come back and advertise again.

And, number two, which is real important, the longer we could keep our doors open, we felt the better it was going to be for small radio stations and small communication media in small markets, especially in the South. Because, if the Klan could close our doors easily, this would be a tremendous display of strength. And the longer we could keep our doors open, I felt the more frustrated and more confused we would get these people and perhaps they would think twice before hitting a communications media again.

This actually has been our purpose in this fight, and our fight basically has been for freedom of speech. It's that simple. It has nothing to do with integration or segregation, regardless of what the Klan wants to make out. It is strictly a matter of freedom of speech. And this, gentlemen, has been exactly what the fight has been about, as far as I am concerned, with the Klan.

Mr. MANUEL. Mr. Blumberg, what reason do you have to believe that this boycott of which you speak was initiated and carried through by the Ku Klux Klan?

Mr. BLUMBERG. I didn't know at the beginning, and even in our editorials we never mentioned the name of the Klan until they came out with one of their own publications and publicly stated that they were behind the boycott.

Mr. MANUEL. Do you have a copy of that particular publication?

Mr. BLUMBERG. Yes.

Mr. MANUEL. Was it likewise, as the other publications which you read, distributed by the Original Ku Klux Klan of Louisiana?

Mr. BLUMBERG. Yes, sir.

Mr. MANUEL. Would you please read that, Mr. Blumberg, for the committee?

Mr. BLUMBERG. The entire article?

Mr. MANUEL. Would you, please? Yes, sir.

The CHAIRMAN. What is the date of it, so we will know?

Mr. BLUMBERG. I don't have a date.

Mr. APPELL. It is not dated.

The CHAIRMAN. It is not dated. Could you fix about the day so that we could put in the record a chronological understanding?

Mr. BLUMBERG. It must have been around March or April, I guess.

The CHAIRMAN. 1965?

Mr. MANUEL. The early part of 1965, Mr. Chairman.

Mr. BLUMBERG. [Reading:]

As a result of the statement issued in the Bogalusa Daily News, signed by Bascom D. Talley, Jr., Bruce Shepherd, Paul Gillespie, Jerry Chance, Ralph Blumberg and Lou Major announcing the cancellation of the invitational, integrated, speaking engagement in this city by Brooks Hays, our City, as well as the Klan, received unfair, biased, national publicity from television and newspapers throughout the country. The national news media quoted Bascom Talley as saying that Bogalusa has a "leadership vacuum". They quoted Bruce Shepherd as saying "Bogalusa has a high rate of alcoholism and mental illness". The national press even misquoted Brooks Hays who was supposed to have said "Bogalusa is a city in the grips of the Ku Klux Klan." Even one magazine contained an article entitled "Klan Town U.S.A." which accused Bogalusa of being dominated by the Ku Klux Klan. This article was written by a free lance, alcoholic reporter—Paul Good, who spent over \$100.00 on alcoholic beverages, who wrecked his car, and who was charged with reckless driving during his short visit to Bogalusa.

Bruce Shepherd was quoted as saying that he had received calls threatening to bomb his church if Brooks Hays were allowed to speak there. We accuse Bruce Shepherd of lying. There was no such threat or threats made and we challenge Bruce Shepherd to prove that he made such a report to the police.

Mr. MANUEL. At that point let me interrupt you for a moment and ask, did you know whether as a matter of fact Reverend Shepherd had received threats to bomb his church?

Mr. BLUMBERG. I don't know. I really don't know.

Mr. MANUEL. All right.

Mr. BLUMBERG. [Reading:]

Bruce Shepherd must have had his family in mind rather than our city when he stated we had a high rate of alcoholism and mental illness because Bruce Shepherd himself can be observed frequently emerging from the Cuban Liquor Company with an arm load of liquor. We further would have you know that Bruce Shepherd's son recently faced a charge in court for morals violation and was committed to a mental institution.

The Ku Klux Klan is now in the process of checking on Reverend Shepherd's moral standards. If he is cleared you will be so informed. If he is not cleared, you will be informed of any and all misdeeds or moral violations of his in the past.

Much has been printed about the Ku Klux Klan being a violent organization. This is not true. There was no violence when public accommodations were tested in this city and there has been no violence since then. We, however, have formed a large block white vote which will more than offset any other block vote in this entire parish. We also are boycotting businesses which cater to integration such as Mobile Gas Stations, Radio Station W.B.O.X., Rosenblum's, Zesto and the Barbecue Inn.

Mr. MANUEL. At that point Mr. Blumberg, let me ask you if you know why the Klan would boycott the Mobile gas stations in Bogalusa?

Mr. BLUMBERG. I am a little hazy on this one. I feel it is probably because, if I am not mistaken, I think this was operated by some Negro

attendants and they catered greatly to Negro trade, and I was told that Mr. Talley owned the land on which this station was located.

Mr. MANUEL. Do you know whether the boycott was successful as far as the Mobile gas stations were concerned?

Mr. BLUMBERG. They have almost ruined the people financially.

Mr. MANUEL. What about the other business establishments mentioned—Rosenblum's, Zesto, and the Barbecue Inn?

Mr. Blumberg. I don't know anything about their boycotts, nor the reasons.

Mr. MANUEL. Please proceed, sir.

Mr. BLUMBERG. Where did I leave off?

Mr. MANUEL. Right after "Barbecue Inn."

Mr. BLUMBERG. [Reading:]

The Bogalusa Daily News is also being boycotted by the Klan because while the National press was tearing Bogalusa into shreds, it did not print one single word in the defense of Bogalusa. The theory behind boycotting the Daily News and these other businesses is that to financially aid such business institutions is comparable to buying bullets for a man as John Dillenger who would take the bullets and then kill you and rob your city.

Congressman Charles Weltner of Atlanta, Georgia, a member of the House Committee of Unamerican Activities has proposed that committee investigate the Klan. We wonder why he doesn't also propose to investigate the Black Muslims who advocate black supremacy, who commit murder and who commit arson all over the country in a period of one week and who defied and refused to allow Chicago Police to enter their meeting place while they were beating almost to the point of death one of Malcolm X's friends. We urge each of you to write this Congressman and demand that he investigate the Black Muslims.

The original Ku Klux Klan invites any investigation that Congressman Weltner should like to make. The citizens of Bogalusa know that this city has always been a Klanish City from the days of the Great Southern Lumber Company until now. We have never appreciated outsiders telling us how to run our city. Outsiders have often caused trouble in our City. A good example of this was when labor unions were forming in Bogalusa. A gang of union busters or hired gunmen were brought into this city to kill those who stood up for the common man. As a result of such incidents, it is only natural that Bogalusa would be Klanish.

The CHAIRMAN. Have you finished?

Mr. BLUMBERG. Yes, sir.

(Document marked "Ralph Blumberg Exhibit No. 3." See p. 2455.)

The CHAIRMAN. I would like to point this out, in view of the reference to the committee:

This committee, on March 30, 1965, voted unanimously to conduct the investigation we are now conducting. It voted also to request the House to furnish funds to do so, and the House by an overwhelming vote did it. Now the last "resolve" of that resolution which authorizes this particular investigation reads as follows:

BE IT FURTHER RESOLVED, that the Chairman is directed—
meaning myself—

to continue the preliminary inquiry into the activities of the Black Muslims, the Minutemen and the American Nazi Party previously authorized by the Committee, for the purpose of determining whether an investigation of these groups is called for.

With reference to that "resolve," I have said many times that we cannot be in two places at one time or do two things at one time. And I added, always, that sufficient unto the day is the evil thereof.

This preliminary inquiry is still going on with reference to these other organizations, and that is the way it stands at this time.

I think the record should also reflect my personal views anyway, and that is all I have to say.

Here we are hearing evidence of threats, intimidation, and boycotts. That at least during the period of our history thus far has not been a pretty word—"boycotts." We want the evidence that you are presenting. It is important. But I must, in all honesty to myself, say that a boycott, wherever it comes from, is no good.

Mr. MANUEL. Mr. Blumberg, during the period of this boycott which you have described against your radio station, did you subsequently regain any sponsors?

Mr. BLUMBERG. We did. We had a few, and then would lose them again, until it got to the point where, frankly, I think we had one local sponsor left and perhaps two or three national sponsors. People were too frightened. I can't blame the merchants. The only way they could have broken the back of the boycott was to stand up together. Of course, this has been the problem from the beginning in Bogalusa: For some reason good people—

The CHAIRMAN. I meant to add that perhaps another mistake your group made was not to pursue that meeting, and perhaps the engaging in boycotts would have been prevented. I wanted to complete my statement. You may comment.

Mr. BLUMBERG. Right.

The CHAIRMAN. In other words, I agree with you when you said you should have kept on.

Mr. BLUMBERG. Right.

The CHAIRMAN. And perhaps better results would have been achieved if the committee had not yielded in the first place.

Mr. BLUMBERG. This is quite true, but for some reason—

The CHAIRMAN. I am not reproachful.

Mr. BLUMBERG. No. I was just continuing.

For some reason we have never been able to get the power structure in the community, Bogalusa, to stand up together and do away with all of this nonsense. I think it is the answer to peacefully resolving the civil rights problem not only in Bogalusa, but in any community, because the people of Bogalusa are no different than the people in any small community in the country, North, South, East, or West. I would say 90 to 95 percent of the people are good people, but, if the people would only quit underrating themselves and stand up, they would be amazed how much power they have if they stand together. I think it is the key to this kind of a problem and somehow, somewhere along the line, the answer to getting people to become involved is going to be found. But until it is, there is going to be a great deal of difficulty not only in Bogalusa, but anywhere else, because Bogalusa is not unique, it is like any community anywhere in this country. And this goes for the State of Louisiana, too.

Mr. POOL. Mr. Chairman?

The CHAIRMAN. Mr. Pool.

Mr. POOL. How do you account for the fact that Bogalusa didn't stand up, where most communities in the South have handled their racial situation in a whole lot better manner than they did in Bogalusa?

MR. BLUMBERG. I think possibly it was because, for some reason, the Klan was allowed to infiltrate the community in the powerful places too quickly and before it was discovered it was too late. I think this is the basic reason. Why this happened, of course, is anyone's guess.

MR. WELTNER. Who was running the affairs of that town, Mr. Blumberg, in the first part of the year 1965? Was it the civic and religious leaders or the Ku Klux Klan?

MR. BLUMBERG. The first part of 1965?

MR. WELTNER. From the time you invited Brooks Hays until March or June, who was running the town at that time? Who was exercising the decision power? Whose decisions were being carried out?

MR. BLUMBERG. I am sure it was supposed to be Mayor Cutrer and the commission council. I really don't know how much they were influenced. Let's put it that way.

MR. POOL. Were the decisions being made at Ku Klux Klan headquarters for the city?

MR. BLUMBERG. I really—I mean, all I can offer you is a personal opinion.

MR. POOL. That is what I asked.

MR. BLUMBERG. If you want my personal opinion, I don't think any decision was made unless a great deal of thought was put into how this would affect the Klan leadership, what they would think about it.

MR. POOL. They weren't actually calling the shots, but they were more or less in a veto position; they could veto?

MR. BLUMBERG. They were an influencing factor then, and I think they are an influencing factor right now when I am sitting here talking to you. I have never changed my mind about that.

THE CHAIRMAN. I think it would be appropriate at this point—I want in the record at some point—for me to refer to the findings and holdings of the Fifth Circuit Court of Appeals in the case I read from a while ago, particularly with reference to one of the defendants, the Anti-Communist Christian Association. The court, with reference to that outfit and the Klan, said this:

We find that to attain its ends, the klan exploits the forces of hate, prejudice, and ignorance. We find that the klan relies on systematic economic coercion, varieties of intimidation, and physical violence in attempting to frustrate the national policy expressed in civil rights legislation. We find that the klansmen, whether cloaked and hooded as members of the Original Knights of the Ku Klux Klan, or skulking in anonymity as members of a sham organization, "The Anti-Communist Christian Association", or brazenly resorting to violence on the open streets of Bogalusa, are [and quoting] a "fearful conspiracy against society * * *."

* * * * *

The evidence clearly establishes that the Anti-Communist Christian Association is not a bona fide, independent organization but is the defendant klan thinly disguised under a respectable title. At an earlier time, the klan's dummy organization was called the Bogalusa Gun and Rifle Club. The defendants' efforts to appear respectable by association may also be reflected in the location of the klan's principal office in the Disabled American Veterans Hall.

That is the end of the quotation.

That is why I stated yesterday that in all of the long history of the phony front groups that the Klan has used to appear respectable, they are just as false as a 2-foot yardstick, and I am glad to have a court,

the circuit court of appeals, agree with the views of this committee and with the evidence we have been presenting along the same lines.

Proceed.

Mr. MANUEL. Mr. Blumberg, the fact is that you decided to leave Bogalusa and sell your WBOX, Bogalusa. Will you please tell the committee when you made this decision and why?

Mr. BLUMBERG. Well, we decided to sell the station around November. We made the decision because, number one, we had been receiving outside help from individuals and some broadcasting stations from around the country, and we were running out of money, and we realized the merchants weren't going to come back with the station for a long time, if ever. We also felt we were making the decision to sell; the Klan was not making it for us. We could possibly have kept going, but we decided that we had proved our point as much as we possibly could. My family was in St. Louis, my wife and two children living there, and myself in Bogalusa for 4 or 5 months, which is no way to live. I don't think we could have ever lived in Bogalusa in peace again. So we had no choice, really, we had to sell. But we didn't close our doors; they didn't drive us out of business like they wanted to do. So its kind of a pathetic thing to say, really, but in a way we had our share of victory. But, unfortunately, the Klan has won their battle in Bogalusa. They control, they influence greatly now all of the press, the news media. But I am hoping that perhaps they will think a little harder before they ever hit a communications media again. If they control the press, half of their battle has been won.

Mr. MANUEL. At the time you decided to sell, did you know that the Klan would never let up its boycott and pressure on your former sponsors?

Mr. BLUMBERG. Yes. As a matter of fact, we had a sponsor, the first one in 9 months, that came back with us a few months ago. He was an automobile dealer who changed his location to a new place and he wanted to try the station once again. He felt everything was all right. He was on the station for 3 days. The morning of the fourth day he called me and said that he had received a flood of phone calls all day long at his business and even at nighttime at his home, and he felt he just had to go back off, and I agreed. So nothing has changed.

Mr. MANUEL. Can you fix the approximate date of that incident?

Mr. BLUMBERG. I think that was probably late October, early November.

Mr. MANUEL. And that was almost a year after the invitation to Brooks Hays which you have described to the committee?

Mr. BLUMBERG. That is correct.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. We appreciate your appearance. I think you have made a contribution to the hearings. I don't know whether you would be prepared to answer a question which I would like to propound. Maybe you would like to think about it and reappear. It is this:

This committee will be called upon to make a report to the House and to recommend remedial legislation as a result of the hearings and

based upon the hearing record after it is completed. I can conceive of a number of possibilities, of a number of possible approaches. I do not know what they will be specifically, any more than a judge knows what he will decide until he has heard the whole evidence.

Certainly, a possible approach to remedial legislation would be an amendment to the Internal Security Act of 1950, of which I was not the author, but wrote the report and helped manage it on the floor of the House. That law requires the Communist Party and, under certain circumstances, its officers and members to register—in simple terms—under sanctions or punishments or penalties for not doing so.

After many years of litigation—I think 11 years to be specific—the Supreme Court, in 1961 I think it was, upheld that law as a constitutional piece of legislation. But then, subsequently, when it came to implement it according to its terms, that is, the forced registration, we have met frustration. I am not in the least reproaching anyone in that connection. It's not my business to point the finger at anyone or to criticize another branch of the Government, but it is a fact we have had trouble in implementing it.

Now, a possible approach would be to amend that act and to include Klan organizations and members, possibly, to register.

Another approach would be based upon our experience over the years. When the Klans were at their peak specifically within my generation, in 1915 and the early twenties, all the Southern States, including my own, with the legislatures as then composed, saw fit to enact laws curbing certain activities of the Klans that then operated, including, for instance, in some States, making it unlawful for Klans to appear in hooded robes—and you mentioned that a while ago—on public property and prohibiting appearance in hooded robes on private property without the consent of the owner. And so on. Perhaps that could be a beginning. Perhaps a Federal law could be fashioned and the law modified to fit the Nation.

Thirdly, another approach—and these are possibilities only—would be a Federal statute to make it unlawful, to use short terms, for groups of people to engage in types of activities described in that circuit court of appeals decision and thereby deprive other people of the enjoyment of their rights under the Constitution.

So those would be three possibilities that now occur to me and that I have been thinking about.

Based upon your experience, I was going to ask you now, or later if you prefer, while you are on the stand whether you have any suggestions as possible remedial legislation that we might recommend. It is a tough one, it is not an easy one. We will wrestle with it and we will come out with something. I am wondering if you are prepared to make any suggestions.

Mr. BLUMBERG. Actually, Congressman Willis, I really don't have any suggestions for legislation as such. As I have stated before, you know when you go through something like this, like one of the FBI agents told me down there, all of a sudden you become a great sociology expert. But the one thing that keeps coming back to my mind time and time again is the same answer, and this goes beyond the Klan and civil rights movement: We are talking about human beings, about people. For some reason today good people, people who

know better, educated people, don't want to become involved in anything that has to do with trouble. And I think it is getting to the point where this type of person is going to have to become involved, because I think that our basic principles are at stake now in a lot of ways. This Klan thing and the civil rights movement are just one part of it. And I don't care how much legislation we enact, you still come back to the human beings. People have got to realize that they must become involved in these things, regardless of how much trouble is involved, if it affects their freedoms. We are either going to prove to the world that we are a democratic country or we are not, that we are a freedom-loving people or we are not, and there is no in between. You can't compromise with this thing, you can't rationalize; you either stand for it or you don't, you are going to fight for it or you are not.

This applies not only to the battlefield in Vietnam, for example, this applies on the home front, too. As I said before, this is only one little part of it we are talking about today, but to me this is the answer, and legislation, of course, is the way to open the door to make it easier, but it still is coming right back to the same old answer all over again—people themselves, individuals.

The CHAIRMAN. Of course, I agree with you. But if we believe in another precept of our governmental structure, to the effect that we are a government of law and not of men, then we must think about rules, with sanctions attached to them.

Anyway, I am glad to have your views, and I completely agree with you that this involves personal involvement of people. People have to speak out. It becomes a little tough now and then.

I made a lot of speeches in my district and all over the State of Louisiana in the last few weeks, and I said about what you have said. But I did add this, and I think it was well received and I think it is true: A person has to be proud of country and heritage, where he comes from and what he stands for. I said that I am an American citizen who comes from the South and I am proud of it. But I, for the life of me, cannot convince myself that believing in or joining a hate group, whether on the right or the left, would make me either a better American or a better Southerner. So I am willing to involve myself and I do hope that, as a result of the hearings, you and I will have more company.

I have a note from my general counsel that the Fifth Circuit Court of Appeals case to which I referred—let me say in my own words, this is a landmark decision with reference to these specific hearings, and it was written by Judge Wisdom of New Orleans, and I think it ought to be made a part of the record. At the conclusion of today's hearing record, I would like for it to be made a part of this record. (See pp. 2475-2519.) It is United States of America against the Original Knights of the Ku Klux Klan and it came out of the Eastern District of Louisiana, a three-judge court composed of Judge John Wisdom of the Fifth Circuit Court of Appeals and District Judges Herbert Christenberry of New Orleans and District Judge Robert Ainsworth of New Orleans.

The decision was written by Judge Wisdom who is a Fifth Circuit Court of Appeals Judge.

Mr. POOL. I have no questions. I thank the witness for appearing and giving us the benefit of his appearance. I think it was very helpful to the committee, especially in view of the fact that you have been in the radio and television news media which makes you a more qualified witness than some others and I appreciate it.

Mr. WELTNER. Mr. Chairman, I have some questions.

Mr. BLUMBERG, I think you sent your wife and children to St. Louis shortly after the series of harassing telephone calls and they remained there until the sale of the station?

Mr. BLUMBERG. They had come back after about 30 days. They stayed in Bogalusa with me until we had received a report from some friends of ours in Bogalusa which we have never been able to prove.

To make a long story short, the word "kidnaping" was used in relation to getting even with me, and I discussed this with the FBI. They said, "Get the family back to St. Louis," and we did.

Mr. WELTNER. Did you do that because you feared for their life and safety?

Mr. BLUMBERG. Yes.

Mr. WELTNER. You feared for their safety in the hands of the Ku Klux Klan?

Mr. BLUMBERG. I don't know who it would be, but it probably would have been the Klan.

Mr. WELTNER. Well, you know who it was; let's put it that way.

Mr. BLUMBERG. Yes.

Mr. WELTNER. I have been very much impressed with your conviction, very forcibly and eloquently stated, that it is time for people to become involved and, in effect, stand up for what they profess to believe.

I wonder what public officials stood up during this time of crisis in the city of Bogalusa? You gave editorials on the radio station. Mr. Major stood up through his newspaper. Several ministers stood up in their action. What did public officials do in that city in an effort to protect law and order?

Mr. BLUMBERG. Actually the mayor came out with a statement saying there would be law and order.

Mr. Weltner, it is difficult to say exactly what they did under the circumstances. All I can do is boil it down to one statement: I think these men did as well as they could possibly do. Whether they were right or whether they were wrong, I think is immaterial.

The fact that these were men who grew up in this community, had to face this problem unexpectedly—I just don't have the right to, you know, to personally criticize these men. I honestly believe that they did the best they could do. It is that simple.

Mr. WELTNER. The problem they had to face unexpectedly was the wholesale infiltration of the Klan into the fabric of the community.

Mr. BLUMBERG. In the civil rights problem; yes.

Mr. WELTNER. What effect, Mr. Blumberg, would you say that the anonymity or the secrecy or hidden identity of members of the Klan had in the apparent ability of the Klan to work its will upon this community?

Mr. BLUMBERG. Like spreading a blanket of fear over the entire community, and this is the great effective weapon of the Klan.

Mr. WELTNER. Secrecy?

Mr. BLUMBERG. Secrecy.

Mr. WELTNER. Well, now, that is interesting. I would like to read to you from a document that has previously been placed into the record of these hearings, "The Seven Symbols of The Klan" (Allen Bayne Exhibit No. 3);¹ all of this is under the aegis of the United Klans of America. The statement, I think, holds true that says, "The secret of our power lies in the secrecy of our membership."

That is a statement emanating from a Klan publication. Do you agree with that statement, that the secrecy of the Klan's power is the secrecy of its membership?

Mr. BLUMBERG. Right.

Mr. WELTNER. In view of your experience, I would also like to read to you certain portions of another document published by the United Klans of America called The Principle of the United Klans of America, Knights of the Ku Klux Klan (Allen Bayne Exhibit No. 1).² I am taking certain excerpts from this. I will ask your opinion on this.

This says:

We believe in just laws and liberty.

By just laws is meant laws that apply equally to all, rich and poor, educated, men and women. * * *

What is your experience with the Ku Klux Klan as to whether that proclamation is believed and transposed to action and continued.

Mr. BLUMBERG. I don't believe they believe this at all.

Mr. WELTNER. [Reading:] "We believe in the upholding of the Constitution of these United States."

Bearing in mind that the first amendment of the Constitution of the United States includes the right peaceably to assemble, I wonder whether or not you believe this statement.

Mr. BLUMBERG. I think they believe in this statement as it is interpreted by them.

Mr. WELTNER. What about this:

We believe in freedom of speech: By this is meant the right of any citizen to express an opinion on any subject, either publicly or privately, so long as no other person's private character is assailed. * * *

Now, you have expressed some opinions publicly and I wonder whether or not your experience bears out a firm belief in this proclamation.

Mr. BLUMBERG. Let me answer that by saying this: There is no freedom of speech or freedom of assembly or a businessman's right to run his business in Bogalusa today.

Mr. WELTNER. What about this:

We believe in a free press, uncontrolled by political or religious sects.

The press should be free to spread news without coloring it to suit any person or sects: * * *

What has been your experience with that as a member of the press and as an associate of Mr. Lou Major, publisher of the newspaper there.

Mr. BLUMBERG. At this time the newspaper, which was formerly a liberal paper, is a completely conservative newspaper. It is not the real policy of the editor down there. It isn't what he really believes.

¹ See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 347-352.

² *Ibid.* pp. 366-371.

Mr. POOL. Let me interrupt right there now. You said, "conservative newspaper." Are you saying that conservatives are followers of the Ku Klux Klan?

Mr. BLUMBERG. No, I am not saying that.

Mr. POOL. I wanted to distinguish that. I kind of like to be considered a conservative in my district. People down there like conservatives, and I want to get that in the record straight.

Mr. BUCHANAN. May I say amen?

Mr. BLUMBERG. That is not what I meant. The paper publishes news slanted the way the Klan wants it slanted. There is no doubt about it.

Mr. WELTNER. So you wouldn't particularly believe the practice of the Klan as taught by this belief in a free press?

Mr. BLUMBERG. Absolutely not.

Mr. WELTNER. You previously testified that a friend of yours came to you and said that—or someone well known to you came and said that his friends wanted you to retract everything you have said and followed it by saying, "We don't want to harm women and children," and following that your wife and child were sent to St. Louis and once again were sent to St. Louis.

What about this: "We believe in the protection of our pure womanhood, the home * * *."

Mr. BLUMBERG. I don't know who wrote that.

Mr. WELTNER. This is written by the United Klans of America, Knights of the Ku Klux Klan, Inc., in Alabama.

Mr. BLUMBERG. I don't believe any of that; none of it that you have read so far.

Mr. WELTNER. Mr. Chairman, I have no further questions.

Mr. BUCHANAN. I would just like to thank the witness for his testimony, Mr. Chairman. I have no further questions.

The CHAIRMAN. The witness will be excused. Thank you ever so much. We certainly appreciate the contribution you have made.

Call your next witness.

Mr. APPELL. I would like to call to the stand Mr. Charles Christmas.

The CHAIRMAN. The committee will come to order. The next witness will come forward.

Will you call your next witness?

Mr. APPELL. I have, Mr. Chairman. Mr. Charles Christmas.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CHRISTMAS. I do.

TESTIMONY OF CHARLES HORTON CHRISTMAS, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Will you state your full name for the record, please?

Mr. CHRISTMAS. Charles Horton Christmas.

Mr. APPELL. When and where were you born?

Mr. CHRISTMAS. June 18, 1917, Meridian, Mississippi.

Mr. APPELL. Are you represented by counsel?

Mr. CHRISTMAS. I am.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Yes, sir. My name is Michael S. Ingram, engaged in private practice of law from Baton Rouge, Louisiana.

Mr. Chairman, if I might clarify the record, for your record, the decision that you referred to during the testimony of the last witness from the case of the United States of America against the Original Knights of the Ku Klux Klan was not a Fifth Circuit Court of Appeals decision.

The CHAIRMAN. I am sorry, it was a three-judge court decision.

Mr. INGRAM. It came out of the Eastern District of Louisiana.

The CHAIRMAN. I am sorry. I knew that. In my reference to that decision, I meant to say that that decision was rendered by a three-judge court, as it is technically called, composed of Judge John M. Wisdom of the Fifth Circuit Court of Appeals and District Judges Herbert Christenberry of New Orleans and District Judge Robert Ainsworth of New Orleans in the Eastern District of Louisiana. The decision was written by Judge Wisdom as a Fifth Circuit Court of Appeals Judge.

Mr. APPELL. Mr. Christmas, when and where were you born?

Mr. CHRISTMAS. June 18, 1917, Meridian, Mississippi.

Mr. APPELL. Where do you presently reside?

Mr. CHRISTMAS. Amite, Louisiana.

Mr. APPELL. Do you have a street?

Mr. CHRISTMAS. 414 North Duncan Avenue.

Mr. APPELL. Mr. Christmas, are you appearing before the committee today in accordance with a subpoena served upon you on October 26, 1965, at the Brumfield Motor Company in Amite, Louisiana?

Mr. CHRISTMAS. Yes, sir.

Mr. APPELL. Are you employed by the Brumfield Motor Company?

Mr. CHRISTMAS. Yes.

Mr. APPELL. Mr. Christmas, under the conditions of the subpoena you were directed to produce certain documents called for in an attachment which was made a part of the subpoena. Paragraph 1 calls for you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan of Louisiana and affiliated organizations, namely, Louisiana Rescue Service and the Anti-Communist Christian Association in your possession, custody or control, or maintained by you or available to you as Grand Dragon of the 6th Congressional District of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you to produce the documents called for.

Mr. INGRAM. Just a moment.

Mr. Chairman, it is my understanding that yesterday after meeting with Mr. Appell on this matter, and by telephone conversations with Mr. McNamara, the staff director of this committee, back in November, when these men were originally scheduled to appear, and quite recently, that I advised Mr. McNamara and yesterday Mr. Appell, that all the records asked for in paragraph 1 of the subpoena duces tecum issued to Mr. Christmas and the other defendants who were also named as individual defendants in the injunction sought under the Civil Rights Act in New Orleans, which was tried early in September, that

all of this literature was in the court record as evidence and in the possession of the clerk of courts in New Orleans and also in the hands of the Justice Department, to whom it was turned over personally by me at the commencement of that trial in New Orleans.

I called the staff director back in November specifically for this purpose, because at that time I was advised all of it had been turned over and I wanted to know from the staff director if he wanted me to obtain a court order authorizing the release of this information so that it could be brought here to the committee today, and he said that he would obtain a ruling from the chairman.

I was later advised it would suffice, not to obtain this court order if this information had been in the record.

I might also point out that these gentlemen were served with a subpoena duces tecum in that case which, although I do not have a copy of it here today, I am well familiar with it since myself and my two law partners represented most of these men in that case in New Orleans; that that subpoena issued by the Justice Department was more encompassing and broader than the subpoena is here today, and I would like a clarification before we proceed.

The CHAIRMAN. Here is Mr. McNamara of the committee. Would you relate your understanding? I don't think it is necessary to be sworn unless contradictions develop.

Mr. McNAMARA. I would like to qualify one statement made by Mr. Ingram. I think it is no more than a misunderstanding. You did, as you say, call me on several occasions in regard to the subpoenas and documents called for by the committee. You did not state to me, however, that *all* of the documents called for by the subpoena had been placed in the court—had been turned over to the court.

You did tell me that *some* of them had been. I informed you that any documents which had been given to the court the committee could obtain from the court and that your witness and client would not be required to produce those, but if he had any materials that had not been turned over to the court, we would expect that they be produced.

The CHAIRMAN. Mr. Ingram, I understood you to say that the court's subpoena was broader than the committee subpoena.

Mr. INGRAM. Yes.

The CHAIRMAN. That would be your answer unless there are further points of disagreement?

Mr. McNAMARA. Mr. Ingram perhaps forgot to mention to me that everything was turned over. You did not say that. You just told me some of these documents had been turned over, but you did not say all.

The CHAIRMAN. And you say, Mr. McNamara, that whatever documents were turned over in response to the court's subpoena would not have to be produced here.

Mr. McNAMARA. That is correct.

The CHAIRMAN. Now, what is your position on that? Is it your position that of necessity everything called for was produced because the Federal subpoena was broader than our subpoena?

Mr. INGRAM. Yes, Mr. Chairman, and in addition to that, after the trial was commenced, if a transcript of that trial is present here, I am

sure that will bear this out: The defendants were required to produce additional material during the course of the trial. From specific memory, I do know that certain membership lists were turned over, the various charters and articles of incorporation of the Anti-Communist Christian Association, a copy of the constitution of the Ku Klux Klan was admitted; various pamphlets and brochures allegedly, purportedly put out by the Klan were introduced. Many of them were like what Mr. Blumberg testified to today, handbills—not only were these asked for in the Federal subpoena of the Original Knights of the Ku Klux Klan and any other Klan organization, but the Anti-Communist Christian Association, the Bogalusa Rifle Club, the United Conservatives, the Minutemen, and I think there were two or three other organizations which I can't remember now, because I don't have a copy of that subpoena.

The CHAIRMAN. Now, Mr. Appell, will you relate—as I see it, there is practically no serious disagreement. What do you have to say, Mr. Appell?

Mr. APPELL. Mr. Ingram advised me all the documents in the hands of his clients had been turned over not to the court, but to the U.S. attorney handling the case. He assumed that all of those documents were put in evidence, and we reviewed the exhibits filed in the case, and I advised him we had obtained from the court records those exhibits which were of interest to us in our inquiry; that we did not know that the Government attorney had in his possession documents turned over by his clients which were not made a part of the record; and, however, if his clients had no records they would not be required to produce something that they did not have, but that his clients would be asked this morning to produce documents called for in the record so that this record would show, as the court records showed, that these documents were destroyed and that they were not in the possession of any of his clients. This is the reason the questions are being propounded.

Mr. POOL. Are you now asking him that question?

Mr. APPELL. I am asking for the production of documents.

The CHAIRMAN. Be specific about what you want produced at this time so that we can proceed and see where we are.

I don't have a general picture of any points of disagreement, if any exist.

(Discussion off the record.)

The CHAIRMAN. I think the best thing to do is for Mr. Appell to pose such questions as he has in mind, and then Mr. Christmas has his attorney here and he was, as I understand it, the attorney in that suit and as we proceed we can see what position we go on.

Mr. APPELL. I would like to say, Mr. Christmas, to you, first, that through your counsel it was expressed that the subpoena of the court was broader than the committee's subpoena. I would like to ask you, through your counsel: Does the duces tecum part of paragraph 1 encompass all documents, records, correspondence, and memorandum covered by the subpoena of the court?

Mr. INGRAM. Mr. Appell, you are talking about paragraph 1?

Mr. APPELL. Paragraph 1.

Mr. INGRAM. All the records asked for were turned over to the Federal court.

Mr. APPELL. Did the Federal court records call for the production of correspondence, memorandums, and other documents relating to the United Klans of America?

Mr. CHRISTMAS. To the best of my knowledge, yes.

Mr. APPELL. Mr. Chairman, I ask that the witness produce the documents called for in paragraph 1.

Mr. CHRISTMAS. I respectfully decline to produce the records asked for in paragraph 1 on the grounds it might incriminate me and on the further grounds it would violate my rights as guaranteed under the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States.

The CHAIRMAN. Mr. Ingram, you made a statement a while ago to the effect—as I understood it—your client didn't have these documents because they, and more of them in view of the breadth of the Federal subpoena referred to, had been submitted to, and filed with, either the court or clerk or someone in that litigation.

Now, there appears to be quite a problem here, and I must tell you that we have asked these questions of your client and you advised him what to do.

What is the pending question?

In other words, we want this record complete within itself and we want answers to these questions under oath. It is not a question of not taking anybody's word, but we have to proceed in the usual way and have you under the rules of the committee—which are in print—take the part of an attorney for your client in these hearings.

Specifically, our printed rules provide:

At every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the Committee, but shall confine his activity to the area of legal advice to his client.

Let me say, Mr. Ingram, this is absolutely no questioning of your integrity or your word or your motives, but in view of conversations I have had with the staff, I think the only thing we can do, and must do, is to proceed in our way to have your client under oath answer these questions, because we have reasons to believe that that would be the best way.

Mr. POOL. Mr. Ingram's explanation previously was not sworn to.

The CHAIRMAN. That is true. I am trying to act as one lawyer to another here, and not question his motives, but I think the thing to do is to follow the rules of the committee, because matters discussed with me not within the hearing of the witness or his attorney force me to take the position I am now taking.

Proceed.

Mr. APPELL. Mr. Christmas, are the representations of your counsel with respect to the production of all documents in the court factual?

Mr. CHRISTMAS. Yes.

Mr. APPELL. In answer to that then, I must ask you: Is it true then that you have no records in your possession relating to the organizations called for in the subpoena?

Mr. CHRISTMAS. I respectfully decline to answer your question on the constitutional grounds previously stated.

The CHAIRMAN. I missed them. What constitutional amendments did you rely on?

Mr. CHRISTMAS. 1st, 4th, 5th, and 14th.

The CHAIRMAN. All right.

Mr. Christmas, this subpoena duces tecum calling for the production of those documents was served upon you in the representative capacity stated in that subpoena. In other words, if you were in the hearing room yesterday, you heard me say it before: there is a distinction between calling on an individual as an individual to produce his records in an income tax return, and a subpoena on someone in a representative capacity, whether it is a corporation or organization of any kind.

We do not accept your invocation of the constitutional privileges you rely on, and we take that position from the point of view of our construction of court decisions. Therefore, I order and direct you to produce those documents.

Mr. CHRISTMAS. I respectfully decline and refuse to produce these documents under the constitutional privileges previously stated.

Mr. APPELL. Was your testimony given before the three-judge court in New Orleans that records of the organizations mentioned had been destroyed after the initiation of the actual injunction proceeding truthful?

Mr. CHRISTMAS. I respectfully decline to answer on the grounds previously stated.

The CHAIRMAN. In view of counsel's statement that all documents in his possession had been submitted, and more, under the Federal subpoena, and this development—which I didn't know—from the questions of Mr. Appell that you said and swore and admitted before that court that certain documents called for had been destroyed, I order and direct you to produce those documents—I mean to answer the question.

Mr. WELTNER. Mr. Chairman, may I interject something as a possible clarification? As I recall counsel's statement, he stated that his client was under compulsion of a subpoena duces tecum to produce documents which was broader than our subpoena, and he stated he would undertake to obtain those documents which had been submitted to the Federal court in Louisiana, either to the clerk or the U.S. attorney's office.

I don't recall whether counsel stated, as a representation on behalf of his client, that all documents in this witness' possession had been submitted according to that subpoena, and I think there may be a hiatus in here.

The CHAIRMAN. I am glad that you made that statement.

Counsel said at one point in the discussion that he had offered to get a court order to produce for us whatever had been admitted in the court record.

Now, as I see it, at this time, it would seem what counsel had in mind was to make available to us the documents that had been offered and to forget about—deprive us of the right to develop that, in the course of this trial, there was evidence to the effect that some of them had been destroyed, and we are interested in that destruction. So I direct you to answer that question.

Mr. CHRISTMAS. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, paragraph 2 of the subpoena called for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member and/or officer of the Original Knights of the Ku Klux Klan which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

Mr. CHRISTMAS. I respectfully refuse to produce the documents under the constitutional amendments previously stated.

Mr. POOL. Mr. Chairman, I ask that he be directed to produce the documents.

The CHAIRMAN. Yes, for the reasons I previously explained, I order and direct you to produce the documents.

I might say that *if*—and I stress that word—you have turned over to the court in New Orleans *all* records and documents called for in the first paragraph and the second paragraph of our subpoena, all you have to do is to state that and you will not be expected to turn them over to us here now, so that you do not really have a right to invoke the fifth amendment or any other amendments.

Again for the reasons previously stated—and those I just stated—I order and direct you to produce the documents.

Mr. CHRISTMAS. May we have a short recess?

The CHAIRMAN. Surely.

We will stand in recess for 5 minutes.

(Brief recess.)

The CHAIRMAN. We will reconvene at 2 p.m.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan.)

(Whereupon, at 12:30 p.m., Wednesday, January 5, 1966, the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION—WEDNESDAY, JANUARY 5, 1966

(The subcommittee reconvened at 2 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.)

The CHAIRMAN. The subcommittee will come to order and we will resume the testimony of Mr. Christmas.

You have already been sworn, sir, so have a seat and Mr. Appell will proceed.

TESTIMONY OF CHARLES HORTON CHRISTMAS—Resumed

Mr. APPELL. Mr. Christmas, the reporter does not have the exact point we left off prior to the luncheon recess so I will ask you, when were documents, records, and memoranda in your possession destroyed as you testified in the Federal court, the three-judge court in New Orleans?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. Did you testify in the Federal court?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. Did you or anyone testify before the Federal court, or was any reference made before those Federal judges, that at any time documents had been destroyed?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, is it factual that the documents were destroyed following the release of the leaflet published by the Original Ku Klux Klan which welcomed the investigation of the Klan?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. Mr. Christmas, it is my general information—and you can correct it if it is not so—that the documents we are talking about that were destroyed were, in fact, destroyed after the injunction suit had been filed and after this committee announced on March 30, 1965, that it would hold hearings on the Ku Klux Klan organizations in the United States. Is that not true?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. A witness testified yesterday, in connection with the destruction by fire of documents, that the reason for their destruction was fear of the enemy, which he nebulously referred to as the Communists. Was that the reason why these documents were destroyed?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. Is it not a fact that the documents which were destroyed—which, as I have said, took place after the filing of the injunction suit and after the announcement of our hearings and after the announcement in the press that we were subpoenaing numerous witnesses—based on that I ask you this question:

Is it not a fact that one of the reasons for their destruction was fear that they would be subpoenaed and would have to be produced both, or either, in the Federal court or before this committee?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Christmas, does the refusal on your part to produce documents called for in paragraph 1 and paragraph 2—is the reason for the refusal based upon the fact that since your appearance on September 8, 1965, before the three-judge court in Louisiana and the date that you were served with a subpoena by the Committee on Un-American Activities, that books, documents, records, correspondence, and other memoranda did come into your possession?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, I hand you a copy of a document, the front cover of which shows a cross and the title, the "Knights of the

Ku Klux Klan Since 1866," and page 2 showing the "Konstitution of the Original Ku Klux Klan Realm of Louisiana," and I ask if this is a copy of the document you presented to the court?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

(Document previously marked "Murry Martin Exhibit No. 2.")

The CHAIRMAN. Let the reporter note that documents that were commented on and questioned on by either this witness or other witnesses previously appearing should be inserted in the transcript of the proceedings at the respective points where the several witnesses were questioned.

Mr. APPELL. Mr. Christmas, I would like to quote to you from the opinion of the three-judge court (Ralph Blumberg Exhibit No. 2):

The Grand Dragon of the Original Knights of the Ku Klux Klan and President of the Anti-Communist Christian Association is Charles Christmas of Amite in Tangipahoa Parish. * * *

Is that factual, sir?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. I think we have a right to take judicial notice of the accuracy of the statement in the Federal court, unless you testify to the contrary.

Mr. APPELL. Mr. Christmas, when did you become a member of the Original Ku Klux Klan?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. In November 1964 were you a coordinator or organizer in the Sixth Congressional District or Sixth Province of the Original Knights of the Ku Klux Klan?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. In early 1965 did the bulk of the Klan members of the Sixth Congressional District sever their relationship with the parent organization and become an independent group?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, it was testified to in the three-judge court injunction proceeding that, in order for a person to become a member of the Anti-Communist Christian Association, that the member would give to the Klavern secretary the number by which he was known as a member of the Klavern and the secretary would then issue him a card in the Anti-Communist Christian Association. Is that testimony that was given in that case actual?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. Let me say again that, just as in the previous instance and in other instances that might come up, unless and until there is evidence to the contrary this committee is going to assume the accuracy of statements given in court and sworn testimony given in court.

Mr. APPELL. Mr. Christmas, after the organization of the Sixth Congressional District of the Klan became independent, were you elected to the position of Grand Dragon?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Under the constitution the number two man to the Grand Dragon is the Grand Titan. Did Saxon Farmer hold the position of Grand Titan of the Klan?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Who held the position of grand klokard?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. In February 1965 did you attend a meeting near Amite, Louisiana, in which there was discussed the possibility of uniting the four factions again under one head?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, are you familiar with the organizational procedure in the Original Knights whereby the exalted cyclops of Klaverns was to see to it that each Klavern would have a body of men known as the wrecking crew?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Did your Klan group in the Bogalusa area create as an instrumentality within the Klan a boycott committee?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, I will read to you from the opinion of the court a description of the boycott committee and its responsibilities:

"The Boycott Committee (one member from each local unit appointed by the Exalted Cyclops) shall have exclusive investigative authority and it shall not act at any time with less than three members present. . . .

(1) No person or subject upon whom a boycott shall have been placed shall be patronized by any member. . . . Boycotts shall be imposed upon subjects who are found to be violating the Southern traditions. . . .

Boycotts shall be placed upon all members of the Committee who publicly served with Bascom Talley in his efforts to promote the Brooks Hays meeting.

Boycotts shall be placed upon any merchant using Negro employees to serve or wait upon persons of the white race. (Service Stations using Negroes to pump gas are excluded.)

Boycotts shall be placed against a subject who serves Negroes and whites on an integrated basis.

Boycotts shall be placed upon a subject who allows Negroes to use White rest rooms. . . .

No member shall be punished for violation of the rules by a member of his family under twelve (12) years of age.

Any member who shall after a hearing have been found guilty of personally patronizing a subject listed on the boycott list shall be *wrecked by the wrecking crew* who shall be appointed by the Committee. (Emphasis added.) . . .

Second offense—If a member is found guilty of personally violating the boycott list he shall be wrecked and banished from the Klan."

Mr. Christmas, would you explain to the committee the reasons and necessity for the appointment of a boycott committee?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Was Marvin Foster the chairman of the boycott committee?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, as Grand Dragon of the Klan and as president of the Anti-Communist Christian Association, can you tell us under what arrangements and how it came about that Marvin Foster was appointed a personal liaison man between the Klan and the city administration?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mayor Cutrer testified at the trial in Louisiana that it was Marvin Foster who suggested that he attend the meeting of the Klan held at the Disabled American Veterans' Hall. Was his testimony truthful?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, I show you five leaflets, four of which proclaim that they were published by the Original Ku Klux Klan of Louisiana and one signed merely "The K.K.K." and I ask you who was the author of these leaflets?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Two of said documents previously marked "Ralph Blumberg Exhibits Nos. 1 and 3," respectively. See pp. 2454, 2455. Three marked "Charles Christmas Exhibits Nos. 1-A through 1-C." See pp. 2456-2458.)

Mr. APPELL. Was Dewey Smith the author?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. POOL. Do you intend to give this committee any information at all?

Mr. CHRISTMAS. I decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, as the leader of the Klan in Bogalusa did you know Albert Applewhite to be the exalted cyclops of Unit 4 in Bogalusa?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. He was an auxiliary policeman. Was he and some 17 other Klansmen sworn out of the Klan so they could deny Klan membership in order to remain in the auxiliary police force?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, as a leader of the Klan, did you know William Houston (popularly known as Jack) Burke to be the EC of a Klan unit?

The CHAIRMAN. By "EC" you mean exalted cyclops?

Mr. APPELL. Yes, Mr. Chairman.

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, in January 1965 did he head a committee comprised of the exalted cyclops of the Klaverns in the Sixth Congressional District area?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Prior to your taking over leadership of the Klan, was Saxon Farmer the head of the Klan in the Sixth Congressional District?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. At a meeting of the Klan, was it agreed that if Saxon Farmer should be arrested you would take over?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. As a leader of the Klan did you know James M. Ellis, Jr., to be the exalted cyclops of Unit No. 2?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Did you know Howard M. Lee, the gun dealer, to be the exalted cyclops of the Mitch Community Klavern unit?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. Is that the man who was charged and convicted of having violated the Federal law dealing with the sale of guns and firearms?

Mr. APPELL. Yes, Mr. Chairman.

Did you know D. D. McElveen to be a member of the Klan in the Bogalusa area?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Did you know him to be a member of the wrecking crew?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. As a leader of the Klan did you know Russell E. Magee to be in August 1964 kleagle for the Franklinton unit of the Klan?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. In September 1964 did you know him to be a leader of the Klan in the Sixth Congressional District?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Did you know Kinch Miley to be a member of the Klan?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. As a leader of the Klan did you know Eric Peterson of Sun, Louisiana, to be at one time the exalted cyclops of the Klan unit in Bush, Louisiana?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. As a leader of the Klan did you know Dewey Bernard Smith to have been at one time the exalted cyclops of Unit 1 and at another time the exalted cyclops of Unit No. 2?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, I shall now read to you specific findings of Klan intimidation and violence as found by the three-judge court in New Orleans, in which the court found and in substance which you and the other defendants agreed to as having taken place:

(2) Since at least January 28, 1965, the defendants, including Saxon Farmer, Russell Magee, Dewey Smith, Randle C. Pounds, Billy Alford, Charles McClendon, James Burke, and other members of the defendant Klan, have made a practice of going to places where they anticipated that Negroes would attempt to exercise civil rights, in order to harass, threaten, and intimidate the Negroes and other persons. For this purpose, members of the defendant Klan have gone to Franklinton, Louisiana, when Negro citizens of Washington Parish were expected to apply to register as voters, have gone to restaurants in Bogalusa when Negroes were seeking or were expected to seek service, and have gone to locations in downtown Bogalusa and near the Bogalusa Labor Temple when Negroes were attempting or were expected to demonstrate publicly in support of equal rights for Negroes.

(3) William Yates and Stephen Miller, two CORE workers, came to Bogalusa in January 1965. The Grand Dragon and Grand Titan of the Klan, defendants Charles Christmas and Saxon Farmer, appeared at the Mayor's office to ask the Mayor to send William Yates and Stephen Miller out of Bogalusa. Mayor Cutrer indicated that he could do nothing. The next day, February 3, 1965, three Klansmen, James Hollingsworth, Jr., James Hollingsworth, Sr., and Delos Williams, with two other persons, Doyle Tynes and Ira Dunaway, attempted to insure Yates' and Miller's departure. This group followed Yates and Miller and assaulted Yates.

(4) February 15, 1965, defendant Virgil Corkern, Klansman, and approximately 30 other white persons attacked five Negro citizens and damaged the car in which they were riding. This occurred because the Negroes had sought service at a gasoline station in Bogalusa. On that same day, Corkern and other persons gathered at Landry's Fine Foods, a restaurant in Bogalusa, to observe Negroes seeking service at the restaurant. Corkern and one other entered the restaurant brandishing clubs, ordered the Negroes to leave and threatened to kill Sam Barnes, a member of the Bogalusa Voters League, who had come to the restaurant with six Negro women.

(5) March 29, 1965, defendants Hardie Adrian Goings, Jr., Klansman, and Franklin Harris, Klansman, shortly after meetings had been held at the Bogalusa Labor Temple, threw an ignited tear gas canister at a group of Negroes standing near the Labor Temple. Goings, Jr. then tried to disguise his car by repainting it and removing the air scoop from the top to prevent detection of this crime. Goings or other Klansmen used this same car in May of 1964 to burn a cross at the home of Lou Major, editor of the Bogalusa newspaper.

(6) April 7, 1965, defendants Lattimore McNeese and E. J. (Jack) Dixon, Klansman, threatened Negro citizens during the course of a meeting at the Labor Temple by brandishing and exhibiting a gun at Negroes standing outside the Labor Temple.

(7) April 9, 1965, defendants Billy Alford, Klansman, Randle C. Pounds, Klansman, Lattimore McNeese, Charles McClendon, and James Burke, Klansman, with other persons, went to the downtown area of Bogalusa where Negro citizens were participating in a march to the Bogalusa City Hall to protest denial of equal rights. Pounds, McClendon, and Burke, in a group, moved out to attack the marchers. Pounds assaulted the leader of the march, James Farmer, with a blackjack; McClendon and Burke were temporarily deterred from the threatened assault, but immediately thereafter assaulted a newsman and an FBI agent. Alford assaulted one of the Negroes participating in the march.

(8) May 19, 1965, Virgil Corkern, Klansman, two sons of Virgil Corkern, and other white persons went to Cassidy Park, a public recreation area maintained by the City of Bogalusa, for the purpose of interfering with the enjoyment of the park by Negroes and white CORE workers who were present at the park and using the facilities for the first time on a non-segregated basis. The Corkern group entered the park and dispersed the Negro citizens with clubs, belts, and other weapons.

(9) Negro members of the Bogalusa Voters League, unable to exercise their civil rights and also unable to obtain from police officials adequate protection from the Klan, filed suit June 25, 1965, in the case of *Hicks v. Knight*, Civ. Ac. No. 15, 727 in this Court. The complaint asks for an injunction requiring of-

ficers of the City of Bogalusa to open the public parks and to operate such parks without racial discrimination, and also requiring law enforcement officers of the City, Parish, and State to protect the Negro plaintiffs and other Negroes from physical assaults, beatings, harassment, and intimidation at the hands of white citizens. July 10, 1965, this Court issued an injunction in *Hicks v. Knight* enjoining certain city and parish law enforcement officers from failing to use all reasonable means to protect the Negro plaintiffs and others similarly situated from physical assaults and beatings and from harassment and intimidation preventing or discouraging the exercise of their rights to picket, assemble peaceably, and advocate equal civil rights for Negroes. The preliminary injunction is still in full force and effect. Even after this Court issued its order July 10, 1965, the defendant Klansmen continued to interfere with Negro citizens exercising civil rights and interfered with performance of the duties of law enforcement officials under the injunction in *Hicks v. Knight*.

(10) July 11, 1965, during a Negro march in downtown Bogalusa, defendants Randle Pounds, Klansman, H. A. Goings, Jr., Klansman, Franklin Harris, Klansman, and Milton E. Parker were present. Harris and Goings passed out 25-30 2x2 clubs to youths and Pounds stationed the youths along the march route. Parker was arrested by a City policeman along the route of march for disturbing [sic] the peace.

(11) Included in the exhibits are a number of handbills bearing the caption, "Published by the Original Ku Klux Klan of Louisiana". These are crude, scurrilous attacks on certain Bogalusa citizens who advocated a moderate approach to desegregation. For example, in one handbill an Episcopal minister is accused of lying for having said that he had received calls threatening to bomb his church; the minister's son is said to be an alcoholic, to have faced a morals charge in court, and to have been committed to a mental institution. The handbill adds:

"The Ku Klux Klan is now in the process of checking on Reverend _____'s [naming him] moral standards. If he is cleared you will be so informed. If he is not cleared, you will be informed of any and all misdeeds or moral violation of his in the past."

In the same handbill the Klan announced that it was "boycotting businesses which cater to integration such as Mobile Gas Stations, etc." Mobile Gas Station is a business competitor of the defendant, Grand Titan Saxon Farmer.

All of the handbills attempt to intimidate public officials, the Governor of Louisiana, the Congressman from the Sixth District, the Mayor of Bogalusa, and federal judges (by name). Sometimes the attempted intimidation is by threat of violence, sometimes by character assassination. We quote, for example:

The Court then quotes from one of the handbills which I shall not read in full but after talking about the conduct of public officials there is contained this language:

"All these should be tarred and feathered:

MAYOR JESSIE CUTRER, REPRESENTATIVE SHERIDAN, SENATOR SIXTY RAYBORN, SHERIFF DORMAN CROWE, CONGRESSMAN JIMMY MORRISON, GOVERNOR JOHN McKEITHEN, SENATOR RUSSELL LONG"

Mr. Christmas are there any expressions of this finding of the court which I have read to you to which you would like to take exception or comment upon?

Mr. CHRISTMAS. I respectfully refuse to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. Then let me have this word to say, I think, to complete the record, and the whole opinion will be printed as part of the record. (Previously marked "Ralph Blumberg Exhibit No. 2." See pp. 2475-2519.)

Mr. Christmas, you were one of the defendants in that case. I state that as a matter of fact. The court in that statement—and this is general language—said: "An unusual feature of this litigation is the defendants' damning admissions. * * *"

The court proceeded:

In deciding to grant the injunction prayed for, we rest our conclusions on the finding of fact that, within the meaning of the Civil Rights Act of 1957 and 1964, the defendants have adopted a pattern and practice of intimidating, threatening, and coercing Negro citizens in Washington Parish * * *.

Proceeding further:

We find that to attain its ends the klan exploits the forces of hate, prejudice, and ignorance. We find that the klan relies on systematic economic coercion, varieties of intimidation, and physical violence in attempting to frustrate the national policy expressed in civil rights legislation. * * *

Further on, the court says, based on admissions in the pleadings and sworn testimony—and you were one of the people they were talking about:

Wrapped in myths and misbeliefs which they think relieve them of the obligations of ordinary citizens, Klansmen pledge their first allegiance to their Konstitution and give their first loyalty to a cross in flames.

Further findings of fact include—and I will give you an opportunity to explain:

None of the defendant Klansmen is a leader in his community. As a group, they do not appear to be representative of a cross-section of the community. Instead they appear to be ignorant bullies, callous of the harm they know they are doing and lacking in sufficient understanding to comprehend the chasm between their own twisted Konstitution and the noble charter of liberties under law that is the American Constitution.

And finally, the court in its holding says:

Legal tolerance of secret societies must cease at the point where their members assume supra-governmental powers and take the law in their own hands. We shall not allow the misguided defendants to interfere with the rights of Negro citizens deprived from or protected by the Constitution of the United States and now expressly recognized by Congress in various Civil Rights statutes.

And then, finally:

We enjoin the Original Knights of the Ku Klux Klan, its dummy front, the Anti-Communist Christian Association, and the individual defendants from interfering with orders of this Court * * *.

and so on.

Now, I ask you, and I mean it sincerely, do you wish an opportunity to affirm, deny, explain, or exculpate yourself as a defendant in these proceedings before the three-judge court of any of the findings of fact based upon damning admissions in the pleadings before the court and sworn testimony. Would you care to take advantage of that offer I now make?

Mr. CHRISTMAS. I respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. I must say to you that, unless and until you or someone else party to these proceedings appear and give credible evidence and testimony to the contrary, this committee, as it must, will assume to be true the statement by the court under the circumstances I have indicated.

Mr. APPELL. Mr. Christmas, I have one last question to ask of you, sir, and this goes directly to the sincerity of the Klan.

The leaflet which was quoted this morning, a leaflet, according to the masthead, published by the Original Ku Klux Klan of Louisiana, the one in which the reference is made to the Reverend Shepherd's moral standards, in which there are these two sentences:

"Much has been printed about the Ku Klux Klan being a violent organization. This is not true." (Ralph Blumberg Exhibit No. 3)

Now I put it to you as a fact, Mr. Christmas, and ask you to affirm or deny the fact, that during your testimony or the testimony of Mr. Farmer it was testified that the reason you adopted the organization, the Anti-Communist Christian Association, was that the members of the Klan felt that the Klan was too violent, that they felt there was no need for the KBI, and that they felt that there was no need for wrecking crews. I ask you, is it not a fact that your testimony in the trial or testimony of Mr. Farmer is a direct contradiction of the two sentences I read to you from this leaflet which you distributed in Bogalusa in hopes that the people there would believe it?

Mr. CHRISTMAS. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. One other thing, Mr. Christmas: With respect to Mr. Shepherd, the Reverend Shepherd, you say—this leaflet says:

The Ku Klux Klan is now in the process of checking on Reverend Shepherd's moral standards. If he is cleared you will be so informed. If he is not cleared, you will be informed of any and all misdeeds or moral violations of his in the past.

The inference is that the Reverend Bruce Shepherd has been engaged in moral indiscretions. You leave this impression with the people. Have you ever determined whether he has been involved so that you can erase the harm that you did to the man, or have you documented that there was anything to support the malicious inferences contained in this leaflet?

Mr. CHRISTMAS. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. No further questions.

The CHAIRMAN. Mr. Weltner.

Mr. WELTNER. I have just one reflection on the same leaflet that Mr. Appell referred to, showing at the top "Published by the Original Ku Klux Klan of Louisiana." It contains two sentences as follows:

Congressman Charles Weltner of Atlanta, Georgia, a member of the House Committee of Unamerican Activities has proposed that committee investigate the Klan.

Later on it says:

The Original Ku Klux Klan invites any investigation that Congressman Weltner should like to make.

I would inform the witness that the investigation now pending is an investigation that had been proposed by myself and other members of this committee and adopted by this committee unanimously. I would like to ask what has transpired since the publication of this document welcoming this investigation and the present day that has caused you and your colleagues to refuse to respond to any inquiries of the committee.

Mr. CHRISTMAS. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. WELTNER. No further questions.

The CHAIRMAN. The witness is excused.

(Ralph Blumberg Exhibits Nos. 1 and 3, introduced on pp. 2421 and 2430, respectively, and Charles Christmas Exhibits Nos. 1-A through 1-C, introduced on p. 2448, follow:)

RALPH BLUMBERG EXHIBIT NO. 1

P-126

PUBLISHED BY THE ORIGINAL KU KLUX KLAN
OF LOUISIANA

On Sunday, December 27, 1964, the Bogalusa Daily News announced that a "renowned layman" Brooks Hayes, is to speak in Bogalusa, on January 7, 1965. His subject will be better community relations. The Bogalusa Daily News stated,

" a group of civic, religious and business leaders of Bogalusa have invited Hayes to speak here at the St. Matthew's Episcopal Church Parish House. Due to limited seating facilities, the meeting will be by invitation."

The Daily News did not tell you the whole true story concerning this meeting and it is the purpose of this leaflet to give you the full story concerning this meeting.

In the first place, this meeting of January 7, 1965, is to be an intergrated meeting. The meeting was arranged by Bascom D. Talley, Jr., the local public or community relations commissioner who is holding this job by appointment of Lyndon B. Johnson under the infamous civil rights act. Bascom D. Talley formed a committee to help shoulder the responsibility of this meeting. This committee of intergration minded people are the group of "civic, religious and business leaders" referred to by the Daily News. Mr. Talley's committee is composed of Bruce H. Shepherd, Minister of the St. Matthew's Episcopal Church, Vertrees Young, a member of the Episcopal Church, Reverend Jerry Chance, Minister of the Main Street Baptist Church, Reverend Paul G. Gillespie, Minister of the Memorial Baptist Church, Reverend James T. Harris, Minister of the Methodist Church, Reverend Bob Lambricht whose similar escapades have made him a Minister without a church, Ralph Blumberg, owner and operator of the radio station WBOX, and, of course, Lou Major, Mr. Talley's favorite puppet.

In the second place, this intergrated meeting is for the sole purpose of planning the intergration of your Church, Schools, Businesses, Restaurants, Hotels, Motels, etc, and those who will receive invitations to the January 7th. meeting will be people who Bascom D. Talley hopes that Brooks Hayes can convince that they should change their social and religious lives, and that in turn will try to convince you that you should help intergration by sitting in Church with the black man, hiring more of them in your businesses, serving and eating with them in your cafes, and allowing your children to sit by filthy, runny-nosed, ragged, ugly little niggers in your public schools.

In the third place, the Bogalusa Daily News did not tell you the whole story about Brooks Hayes. He is a traitor to the South. He assisted Sherman Adams draw the order to send Federal Troops into his own State of Arkansas to put nine little niggers into white schools, the result of which was spending \$5,000,000 of the taxpayers money as well as the beating and jailing of hundreds of white citizens. As a result of Hayes' intergration efforts, he was defeated in his efforts for re-election to Congress by a political unknown, Dr. Dale Alford. Brooks Hayes is now a member of the Civil Rights Community Relations Committee and he is paid a lucrative salary by the Federal Government to make talks such as he is scheduled to make in Bogalusa, on January 7th., 1965.

^a The Ku Klux Klan is strongly organized in Bogalusa and throughout Washington and St. Tammany Parishes. Being a secret organization, we have KLAN members in every conceivable business in this area. We will know the names of all who are invited to the Brooks Hayes meeting and we will know who did and did not attend this meeting. Accordingly, we take this means to urge all of you to refrain from attending this meeting. Those who do attend this meeting will be tagged as intergrationists and will be delt with accordingly by the Knights of the KU KLUX KLAN. ^b

There is in Bogalusa a man named Talley,
who with a hand picked committee has planned an intergrated rally;
This man would love the nigger,
in order to grow financially bigger;
He and his committee have come up with an intergration plan,
which is bitterly opposed by the KU KLUX KLAN;
Talley has attended Nigger Churches to sing,
this was done to please Martin Luther King;
While Talley sings with his nigger group,
the KU KLUX KLAN will more Knights recruit;
Soon Talley and his committee will know who is boss,
as the KU KLUX KLAN lights the fiery cross.

RALPH BLUMBERG EXHIBIT NO. 3

***** PUBLISHED BY THE ORIGINAL KU KLUX KLAN OF LOUISIANA *****

As a result of the statement issued in the Bogalusa Daily News, signed by Bascom D. Talley, Jr., Bruce Shepherd, Paul Gillespie, Jerry Chance, Ralph Blumberg and Lou Major announcing the cancellation of the invitational, integrated, speaking engagement in this city by Brooks Hays, our City, as well as the Klan, received unfair, biased, national publicity from television and newspapers throughout the country. The national news media quoted Bascom Talley as saying that Bogalusa has a "leadership vacuum". They quoted Bruce Shepherd as saying "Bogalusa has a high rate of alcoholism and mental illness". The national press even misquoted Brooks Hays who was supposed to have said "Bogalusa is a city in the grips of the Ku Klux Klan." Even one magazine contained an article entitled "Klan Town U.S.A." which accused Bogalusa of being dominated by the Ku Klux Klan. This article was written by a free lance, alcoholic reporter—Paul Good, who spent over \$100.00 on alcoholic beverages, who wrecked his car, and who was charged with reckless driving during his short visit to Bogalusa.

Bruce Shepherd was quoted as saying that he had received calls threatening to bomb his church if Brooks Hays were allowed to speak there. We accuse Bruce Shepherd of lying. There was no such threat or threats made and we challenge Bruce Shepherd to prove that he made such a report to the police.

Bruce Shepherd must have had his family in mind rather than our city when he stated we had a high rate of alcoholism and mental illness because Bruce Shepherd himself can be observed frequently emerging from the Cuban Liquor Company with an arm load of liquor. We further would have you know that Bruce Shepherd's son recently faced a charge in court for morals violation and was committed to a mental institution.

The Ku Klux Klan is now in the process of checking on Reverend Shepherd's moral standards. If he is cleared you will be so informed. If he is not cleared, you will be informed of any and all misdeeds or moral violations of his in the past.

Much has been printed about the Ku Klux Klan being a violent organization. This is not true. There was no violence when public accommodations were tested in this city and there has been no violence since then. We, however, have formed a large block white vote which will more than offset any other block vote in this entire parish. We also are boycotting businesses which cater to integration such as Mobile Gas Stations, Radio Station W. B. O. X., Rosenblum's, Zesto and the Barbecue Inn. The Bogalusa Daily News is also being boycotted by the Klan because while the National press was tearing Bogalusa into shreds, it did not print one single word in the defense of Bogalusa. The theory behind boycotting the Daily News and these other businesses is that to financially aid such business institutions is comparable to buying bullets for a man as John Dillinger who would take the bullets and then kill you and rob your city.

Congressman Charles Weltner of Atlanta, Georgia, a member of the House Committee of Unamerican Activities has proposed that committee investigate the Klan. We wonder why he doesn't also propose to investigate the Black Muslims who advocate black supremacy, who commit murder and who commit arson all over the country in a period of one week and who defied and refused to allow Chicago Police to enter their meeting place while they were beating almost to the point of death one of Malcolm X's friends. We urge each of you to write this Congressman and demand that he investigate the Black Muslims.

The original Ku Klux Klan invites any investigation that Congressman Weltner should like to make. The citizens of Bogalusa know that this city has always been a Klanish City from the days of the Great Southern Lumber Company until now. We have never appreciated outsiders telling us how to run our city. Outsiders have often caused trouble in our City. A good example of this was when labor unions were forming in Bogalusa. A gang of union busters or hired gunmen were brought into this city to kill those who stood up for the common man. As a result of such incidents, it is only natural that Bogalusa would be Klanish.

CHARLES CHRISTMAS EXHIBIT No. 1-A

PUBLISHED BY THE ORIGINAL LOUISIANA KU KLUX KLAN

THE QUESTION
WHO BOUGHT JESSE CUTRER?

Was it CORE? Was it LBJ?

In the beginning of the Racial troubles in Bogalusa, the Mayor assured the people that he COULD & WOULD handle this invasion of trouble makers. When the problem began the Mayor said that he would not give a Parade Permit. Cutrer did give the Parade Permit. The people of Bogalusa respected the Mayor's judgement. The tax-paying people gave up their streets and humbled themselves. The people were ORDERED off THEIR own streets, by a Police Force, whom the people pay. This was done by direct order of the Bogalusa Mayor, the man that was trusted. NO VIOLENCE ERUPTED. The people did EVERYTHING in their power to see that the Mayor and his Council were not interfered with in their efforts to save the city from this DEGRADATION. As the people tried to preserve our Southern way of Life, the Mayor and Council were slowly selling the people out at every turn. The Mayor has repeatedly GIVEN in. James Farmer did not have the support of the local Negroes. Mayor Cutrer is not giving the city of Bogalusa to the negro citizens of Bogalusa. No. He is giving the city to James Farmer and a handful of Negro Teenagers. NO PRESSURE was put on James Farmer and Dick Gregory to keep them out of Bogalusa. Not by the Mayor, the State Representative, the State Senator, or Congressman Morrison. This was not so when the WHITE CONSERVATIVES wanted to stage a Rally. Pressure was exerted from all levels, even the invited guest speakers were "leaned on".

The Governor, the Congressman, Jimmy Morrison, or his com-rats, Suksty Rayborn, and Buster Sheridan. John McKeithen asked for our vote and promised to serve the PEOPLE. We now ask, Big John, isn't this TRUE? What is happening under your administration?

Here is the list of elected officials who COULD & AND SHOULD have helped the People of Bogalusa. All these should be tarred and feathered.

MAYOR JESSIE CUTRER
REPRESENTATIVE SHERIDAN
SENATOR SIXTY RAYBORN
SHERIFF DORMAN CROWE
CONGRESSMAN JIMMY MORRISON
GOVERNOR JOHN MCKEITHEN
SENATOR RUSSELL LONG

Now the QUESTION. Why have these men, elected by the WHITE people turned their back on us in our time of need?

Is Communism so close? Who bought them? Who bought their HONOR and FOR HOW MUCH?

MAYBE SOME OF THESE PEOPLE:

1. Rowan Burris-Homosexual; he is free on bond at the present time, charged with contributing to the delinquency of a minor.
2. Robert Hicks-Official of the Negro Voters League.
3. A. Z. Young-Official of the Negro Voters League.
4. Michael Jones-Local Program Director for CORE.
5. Robert Taylor-Official of the Negro Voters League.
6. Victor Bussie-State President of ALF-CIO, Chairman for the committee of OUTSIDERS imported into Bogalusa by Mayor Jesse H. Cutrer, Jr., to solve our LOCAL problems.
7. Camel Gravel-Member of this IMPORTED MEDIATION BOARD.
8. Bascom D. Talley, Jr., -Local representative for LBJ's federal compliance agency, "The Community Relations Service."
9. Ronnie Moore-State Field Representative for CORE.
10. Dick Gregory-Negro Comedian.
11. James Farmer-National Director for CORE.

CHARLES CHRISTMAS EXHIBIT NO. 1-B

PUBLISHED BY THE ORIGINAL KU KLUX KLAN OF LOUISIANA

It is the intention of this literature to inform the public of the positions taken by the original Ku Klux Klan in the past six months of racial strife in our city.

On numerous occasions we have been asked by local officials to refrain from any acts of violence upon this outside scum that has invaded our city. Being a christian organization, we have honored these requests each time. How much longer can we continue??? Contrary to what the liberal element would have you think, this memorandum is not the work of racist and hate mongers or trouble makers, as Governor "Big John" McKeithen calls us. We are God fearing white, southerners who believe in constitutional government and the preservation of our American heritage.

If your governor would have done the right thing to start with, he would have refused to protect these local and outside agitators and did just what one great southern governor did. He refused to protect this outside element, (CORE, NAACP, SNICK, ETC.), at the expense of his state. He chose, instead, to let LBJ and Katzenbach protect them. Only after the city of Bogalusa had spent \$96,000, did he, (Big John McKeithen), make any effort to ease the situation in this city.

"Big John" is now organizing a 40 man biracial committee to prevent other "Bogalusa". He does not need this committee, because he and our mayor have and still are giving these niggers, (Deacons for Defense of Justice), their every whim.

It has come to the point that these agitators can sit and block the entrance to our restaurants. In New York, Washington D.C. and on Pennsylvania Avenue, this low class scum was arrested and taken to jail, but not in our city.

On Thursday July 22, one of our local police captains gave the order to arrest the "ait ins" in front of one of our local restaurants, but his superior intervened, and ordered his men to "let these little darlings alone".

"Skinnum" Jim Morrison was called on for his assistance also. Mr. Morrison informed some of our local citizens that they supported the Republican candidate in the last election and they should call upon him for his assistance. If Mr. Morrison had the welfare of his district, (and not his pocketbook), and heart, he would use the powers of his office to restore our city to normalcy and remove such characters as James Farmer, Ronnie Moore, Louis Lomax, Dick Gregory, and LBJ'S troublemaker, John Doar

FACT ABOUT OUR FEDERAL JUDGES:

Can a white man win justice in a federal court??? These federal judges are not elected by the people, but are appointed to office by the same people that are now after the nigger block vote.

DID YOU KNOW

1. Judge "Crystal Ball" Christenberry is a brother-in-law of James H. Morrison, and has been in a mental hospital for alcoholism?
2. Judge Gordon West was a law-partner of Russell B. Long - he taught one class at LSU, but was paid full pay.
3. Judge Frank Ellis was the attorney in 1947 for the Dairy Farmers of the Florida Parishes. He took their money and sent 52 out of 54 men to federal jail for a year or more. (Many of these men were just home from World War II).

Has any of these judges ever served in the armed forces and fought or been wounded for their country???

Recently there was a hearing before judge "Crystal Ball", in which he inferred that the testimony of most of the white witnesses was false, but on the other hand, when a nigger was confused by cross examination, he put words in his mouth. There was no need for this hearing, because, just like Doar, his liberal, brain washed mind was already in favor of the niggers.

The only way to defeat this enemy is by organized opposition and resistance. There are more than enough people who oppose this unconstitutional behavior to defeat it. Simply join hands with us. Vote for a Jeffersonian type of government, not for personal gain. Vote for honorable, Christian candidates. If all our elected officials were stateamen instead of politicians, we would not be faced with the problems before us at this time. We can defeat this issue with the ballot, boycott and economic pressure.

Won't you please join with us in this fight for freedom and leave a christian America to your children as your parents left to you.

We can't raise our standards by mixing with the black man, but we will lower the standards of this great nation that the white man has built. Are we to save the Political careers of James Morrison, John McKeithen, Sixty Rayborn, et al. Or are we to save our religions, houses, and country?

Let us leave this one thought with you:

"Purchase where the nigger picketa"

CHARLES CHRISTMAS EXHIBIT No. 1-C

JULY 13 1965

FACTS

FACTS

FACTS

TO: THE COLORED PEOPLE OF THIS COMMUNITY, AND OTHERMMIS-LED PERSONS.

UNTIL THE NAACP AND CORE BECAME ACTIVE IN LOUISIANA ANY COLORED PERSON COULD GET HELP FROM ANY WHITE PERSON (MALE OR FEMALE), UNTIL THE NAACP AND CORE BEGAN TO THREATEN THE GOOD COLORED PEOPLE AND FORCE THEM TO JOIN THEIR SO CALLED CIVIL RIGHTS MOVEMENT.

THE JEWISH LED CORE AND NAACP GAVE YOU...

MONTHLY DUES TO PAY(DID YOU EVER KNOW A JEW TO DO ANYTHING HE WASN'T WELL PAID FOR?) THIS IS TAKING THE COLORED PEOPLES MONEY TO MAKE THE NORTHEN JEW RICHER.

HAVE THEY EVER HELPED YOU GET A JOB?

HAVE THEY EVER HELPED YOU FINANCE A CROP?

HAVE THEY EVER LOANED YOU MONEY AT LOW INTEREST?

HAVE THEY EVER FED OR CLOTHED YOUR CHILDERN?

HAVE THEY LOWERED YOUR SOCIAL POSITION BY FORCING YOU TO ASSOCIATE WITH THE LOWEST WHITE TRASH FROM THE NORTH?

THE GOOD COLORED PEOPLE HAVE ALWAYS LOOKED DOWN ON THIS TYPE OF POOR WHITE TRASH. THIS POOR WHITE TRASH IS SO LOW THEY ARE NOT ACCEPTED IN THE WHITE SOCIETY.

WHY DO YOU ALLOW THE JEWISH LED NAACP AND CORE MAKE THEM YOUR LEADERS?

TRUE, THEY HAVE MADE SOME LOCAL COLORED PEOPLE RICH. THOSE WHO HAVE SOLD THEIR BROTHERS SOUL FOR (BLOOD MONEY) 30 PEICES OF SILVER, THE PRICE JUDAS WAS PAID FOR BETRAYAL OF JESUS CHRIST.

THEY HAVE NOTHING TO GIVE YOU BUT PROMISES AND MUST LIVE OFF YOU.

HOW MANY OF YOUR COLORED BROTHERS CAN YOU NAME THAT ARE SELLING YOU FOR THEIR OWN PERSONAL GAIN? AS JUDAS DID JESUS CHRIST.

HOW MANY OF THESE COLORED BROTHERS THAT TOOK THIS WHITE TRASH INTO THEIR HOMES DO YOU KNOW? LOOK AROUND AND SEE IF IT HELPED THEM TO MIX WITH THE WHITE SOCIETY. NO, FOR NOW THESE SAME COLORED BROTHERS ARE LIVING IN A CLOSED SOCIETY, FOR NONE OF THIER WHITE FRIENDS WILL RESPECT THEM NOW. THEY LOWERED THEMSELVES BY TAKING THIS WHITE TRASH IN TO THIER HOMES.

LOOK AT THOSE WHO ARE GETTING PAYCHECKS FROM OPERATION HEAD START, THE SAME ONES THAT ALREADY DRAW A PAYCHECK FROM THE TAXPAYERS.

SHOULD THAT NOT PROVE TO YOU COLORED PEOPLE, THAT THESE SO CALLED LEADERS ARE SELFISH. COLORED PEOPLE WAKE UP AND STOP THESE SELFISH (SO-CALLED) LEADERS, FROM USING YOU AS A TOOL FOR THIER OWN L-A-Z-Y POCKET BOOKS.

THINK COLORED PEOPLE THINK.

REMEMBER

IF THE TRUTH SEEMS STRANGE

IT'S BECAUSE TRUTH

HAS BECOME A STRANGER IN THIS LAND

THE K.K.K.

The CHAIRMAN. Call your next witness.

Mr. APPELL. I would like to call Mr. Saxon Farmer.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FARMER. I do.

**TESTIMONY OF SAXON FARMER, ACCOMPANIED BY COUNSEL,
MICHAEL S. INGRAM**

Mr. APPELL. Will you please state your full name for the record, please, sir?

Mr. FARMER. Saxon Farmer.

Mr. APPELL. When and where were you born?

Mr. FARMER. February 13, 1907, at Huttig, Arkansas.

Mr. APPELL. Are you represented by counsel?

Mr. FARMER. I am.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Michael S. Ingram from Baton Rouge, Louisiana.

Mr. APPELL. Mr. Farmer, are you appearing here this morning and this afternoon in accordance with subpoena served upon you by Deputy United States Marshall on October 26, 1965 at 315 East 5th Street in Bogalusa?

Mr. FARMER. Yes.

Mr. APPELL. Mr. Farmer, under the terms of the subpoena you are directed to bring with you and to produce documents set forth in the attachment, which is made a part of this subpoena.

Paragraph 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of Ku Klux Klan of Louisiana and affiliated organizations, namely, Anti-Communist Christian Association in your possession, custody or control, or maintained by you or available to you as member or officer of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan or the Original Knights of the Ku Klux Klan of Louisiana or the Anti-Communist Christian Association.

I ask you to produce the documents called for.

Mr. FARMER. I respectfully decline and refuse to produce on the grounds that it might tend to incriminate me; on the further grounds that it would violate my rights under the 1st, 4th, 5th, and 14th amendments as guaranteed by the Constitution of the United States.

Mr. APPELL. Mr. Chairman, I ask the witness be directed to produce.

The CHAIRMAN. You were in the hearing room when I explained the position of the committee to other witnesses preceding you with reference to this subpoena being served upon you, not in your individual capacity but in the capacity indicated in the subpoena. You were present; were you not?

Mr. FARMER. Yes.

The CHAIRMAN. I take it, as your counsel and others previously have indicated, you understand the position. I now order and direct you to produce them.

Mr. FARMER. I respectfully refuse to produce this information on the constitutional grounds previously stated.

Mr. APPELL. Mr. Farmer, a copy of the opening statement the chairman delivered when these hearings first started in October was sent

to your attorney. Were you advised of the contents of that document?

Mr. FARMER. Yes.

The CHAIRMAN. Mr. Ingram, you would make the same admission as with reference to the previous clients, that is, you received a copy and are generally familiar with what I said at the beginning of the hearings indicating the purpose, objective, and hopes of the hearings?

Mr. INGRAM. Yes, sir.

Mr. APPELL. Paragraph 2 calls for the production of:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member or officer of the United Klans of America, Inc., Knights of the Ku Klux Klan, or any other Klan organization, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I direct you to produce those documents.

Mr. FARMER. I respectfully decline and refuse to produce the documents on the grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask for direction of the witness for production of items called for in paragraph 2.

The CHAIRMAN. For the reasons previously indicated and under the circumstances of our colloquy, I order and direct you to produce these documents.

Mr. FARMER. I respectfully decline and refuse to produce the documents on the constitutional grounds previously stated.

Mr. APPELL. Mr. Farmer, are there any grounds for refusal to produce the documents called for in paragraphs 1 and 2 other than the reasons which you have set forth?

Mr. FARMER. I refuse to answer on the grounds previously stated.

Mr. APPELL. Were any of the books, records, and documents called for in paragraph 1 and paragraph 2 destroyed after you had knowledge of the committee's investigation and out of fear that those documents would be subpoenaed by this committee?

Mr. FARMER. I respectfully decline and refuse to answer on the grounds previously stated.

Mr. APPELL. Mr. Farmer, were you a witness before the three-judge court sitting in September 1965 in New Orleans, Louisiana?

Mr. FARMER. I respectfully decline to answer on the constitutional grounds previously stated.

Mr. APPELL. I will put it to you as a fact that you testified you were the Grand Titan of the Klan and at the same time vice president of the Anti-Communist Christian Association and ask you to affirm or deny that fact.

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. In supporting the Constitution of the United States, do you as the vice president of the Anti-Communist Christian Association support the Constitution of the United States as it now exists, or do you have reservations as to the Constitution which you support?

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I hand you a copy of Articles of Incorporation of the Anti-Communist Christian Association.

According to this document, the Articles of Incorporation were

filed with the recorder of Washington Parish, Louisiana, on January 21, 1965. They show the registered agents are Robert T. Rester, Saxon Farmer, and that the first directors are W. J. [William J.] Williams of Varnado, Louisiana; Saxon Farmer; and Lloyd Joiner, Route 2, Box 270, Ponchatoula, Louisiana.

In handing this document to you, Mr. Farmer, I ask you to explain the provision Article II, the purpose of that part of it which reads:

To provide for the preservation of the Constitution of the State of Louisiana, the Constitution of the United States of America, as originally written * * *.

Would you explain that to the committee, please?

Mr. FARMER. I respectfully decline to answer your question on the constitutional grounds previously stated.

(Document marked "Saxon Farmer Exhibit No. 1. See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 362-365.)

Mr. WELTNER. Mr. Chairman, I might point out that the Constitution as originally written contains neither the 1st, 4th, 5th, nor the 14th amendment.

The CHAIRMAN. That is historically true.

Mr. APPELL. Mr. Farmer, as the number two man in both the Klan and the Anti-Communist Christian Association, did you approve and endorse the action taken against Bascom D. Talley, Jr., Bruce Shepherd, Paul Gillespie, Jerry Chance, Ralph Blumberg, and Lou Major following knowledge of an invitation extended to Brooks Hays?

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I would ask you if you can reconcile the position that you took in light of reason 27 as it appears in the "Fifty Reasons Why You Should Be a Member of the Original Ku Klux Klan," which is because the Klan "believes in free speech and free press, as opposed further to a police state." (Murry Martin Exhibit No. 14, p. 2389.)

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Farmer, on Saturday, May 30th of 1964, the Klan had a rally in Bogalusa on public property, in which members of the Klan were masked in violation of Louisiana law. Did the Klan have assurances from anyone, law authority, in Bogalusa that you would not be arrested for violating the Louisiana State law that prohibits the wearing of a mask on public property?

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Farmer, you were in the room when I read to Mr. Christmas the findings of the court with respect to violence and intimidation carried out by the members of the Original Knights and the Anti-Communist Christian Association. I give you an opportunity to express any comments you care to express on the findings of the court in that action.

Mr. FARMER. I respectfully decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. Mr. Farmer I would like you to answer the question if you can safely answer it. You were in the hearing room when Mr. Christmas was on the stand and when I read excerpts from that decision in which case you, as a matter of fact, were also a defendant; were you not? I am asking you, were you in the room?

Mr. FARMER. Yes.

The CHAIRMAN. Without repetition or consumption of more time, I, too, offer you an opportunity to confirm, deny, explain, or otherwise comment on the findings of the court based upon admissions made in the pleadings and based upon admissions in the courtroom and based upon sworn testimony before the court. Do you care to avail yourself of that offer?

Mr. FARMER. I decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. Until you or someone else of the defendants in that suit appears before this committee and gives credible testimony which would show otherwise, this committee will assume, under the circumstances indicated, that the excerpts I quoted from are true.

Mr. FARMER. I decline to answer the question of the constitutional grounds previously stated.

Mr. APPELL. Mr. Farmer, do you know John Magee?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Magee testified at the three-man court in Louisiana, identified himself as being treasurer of the Anti-Communist Christian Association, and testified that while he was the treasurer you, Saxon Farmer, controlled the funds. What are the sources of funds of the Anti-Communist Christian Association?

Mr. FARMER. I decline to answer the question on the grounds, constitutional grounds, previously stated.

Mr. APPELL. You testified that there were seven Klan units in Washington Parish. I ask you to identify the exalted cyclops of those seven units.

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. You testified that you opposed the appearance of former Congressman Brooks Hays because he appeared to you to be a liberal, leftwing Communist. Yet you testified in court you had no evidence. Is a tactic like this one of the typical tactics of the Klan of which you were an officer?

Mr. FARMER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Isn't it a fact that you testified that you were one of the incorporators of an organization known as the United Conservatives?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Farmer, among the incorporators listed were yourself: your son: Ned Touchstone of Shreveport, Louisiana; and Courtney Smith of Shreveport, Louisiana. Did you know the other three other than yourselves to be members of the Ku Klux Klan?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Farmer, do you have a formal connection today, with, not the Original Knights of the Ku Klux Klan, not the Anti-Communist Christian Association, but the United Klans of America, Knights of the Ku Klux Klan, which is headed by the Imperial Wizard Robert Shelton?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you spoke at a United Klan rally held at Poplarville, Crossroads Community, Mississippi, on 17 July 1965. I ask you to affirm or deny the fact.

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the master of ceremonies for that rally in which you spoke was C. J. Seal of White Sands Community, Poplarville, Mississippi.

Mr. FARMER. I decline to answer the question on constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that another speaker along with yourself was Mr. Ovid Dunaway of Bogalusa, Louisiana, who at one time was an exalted cyclops of an Original Knights Klavern in Bogalusa.

Mr. FARMER. I decline to answer the questions on the constitutional grounds previously stated.

Mr. APPELL. Was Mr. Dunaway, whom I have identified as a speaker at that rally, also in charge of a raffle in Bogalusa which was staged to raise funds for the A.C.C.A.?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Do you know Mr. Dunaway to hold a supervisor position with the telephone company in Bogalusa?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Did Mr. Dunaway assist the Klan in any manner in illegally obtaining any knowledge against citizens of Bogalusa?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. John O. Guinn from Taylor, Louisiana was another speaker at that rally.

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that Ernest Gilbert, the grand kleagle of the United Klans of America for the Realm of Mississippi, was a speaker at that rally.

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that E. L. McDaniel, the Grand Dragon for the State of Mississippi, was also a speaker at that rally.

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. Jack Helm, an officer of the United Klans of America, Realm of Louisiana, was a speaker at that rally.

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Did you meet on the platform at that rally a Klansman from Waveland, Mississippi, by the name of DiSalvo?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. On July 21, 1965, the United Klans of America held another rally at Poplarville, Crossroads, Mississippi. The principal speaker at the July 21 rally was Imperial Wizard Mr. Shelton. I would like to ask you to comment on a report made to the committee with respect to the speakers at that rally, and I am quoting from a report:

The last speaker was a 16 year old boy from Bogalusa, La., named Mike Copran. He gave a short talk on the Bible and its stand on integration. He also made a plea for boys in the Bogalusa area to join a youth group headed by Mr. Saxon Farmer. He stated that any boy belonging to the group would have his bond made, and or, his fine paid if he got in trouble with the law for hitting a negro demonstrator.

Do you have any comment to make upon that, Mr. Farmer?

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Were you on July 21, 1965, organizing a youth group under your leadership as Mike Copran is reported to have said at that rally?

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused. Call the next witness.

Mr. APPELL. Mr. John Magee.

The CHAIRMAN. Raise your right hand. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MAGEE. I do.

TESTIMONY OF JOHN MAGEE, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Will you state your full name for the record, please, sir?

Mr. MAGEE. John Magee.

Mr. APPELL. I think you will have to speak up a little louder and get closer to the mike. I could not hear you.

Mr. MAGEE. John Magee.

Mr. APPELL. When and where were you born?

Mr. MAGEE. January 3, 1932, at Tylertown, Mississippi.

Mr. APPELL. Where do you presently reside, Mr. Magee.

Mr. MAGEE. Bogalusa.

Mr. APPELL. Your street and address?

Mr. MAGEE. 531 Union Avenue.

Mr. APPELL. Mr. Magee, are you appearing here today in accordance with the subpoena served upon you on the 28th day of December 1965?

Mr. MAGEE. Yes.

Mr. APPELL. Mr. Magee, have you been apprised through your attorney of the contents of the opening statement the chairman delivered on October 19, 1965, as to the purpose of this hearing?

Mr. MAGEE. Yes.

Mr. APPELL. Mr. Magee, the subpoena served upon you called for you to bring with you and to produce documents called for in attachment which reads as follows:

All books, records, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan, the Original Knights of the Ku Klux Klan of Louisiana, the Louisiana Rifle Association, the Christian Constitutional Crusaders, and the Anti-Communist Christian Association in your possession, custody or control,

or maintained by you or available to you as present or past officer or member of the Original Knights of the Ku Klux Klan, the Original Knights of the Ku Klux Klan of Louisiana, the Louisiana Rifle Association, the Christian Constitutional Crusaders, and the Anti-Communist Christian Association.

I ask you to produce the documents called for in that section.

Mr. MAGEE. I respectfully refuse to decline, to answer the question—I respectfully refuse to produce the records on the grounds it might tend to incriminate me under the Constitution, and on the further grounds to answer the same would violate my rights inherent under the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States.

The CHAIRMAN. Mr. Magee, you were in the hearing room, were you not, when I explained the position of the committee with reference to the command of this subpoena served upon you to produce documents in the capacity indicated in the subpoena?

Mr. MAGEE. Yes.

The CHAIRMAN. For the reasons I stated previously, which you say you understand, I order and direct you to produce these documents.

Mr. MAGEE. I refuse to produce the documents on the grounds previously stated.

Mr. APPELL. Mr. Magee, are there any reasons other than the reasons you have set forth that you did not produce the documents called for?

Mr. MAGEE. I refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Magee, during the proceedings in the three-judge court in Louisiana, the court ordered Mr. Charles Christmas and Mr. Saxon Farmer to try to recall from memory, or from any records available to them, the identity of people who were members of either the Klan or the Anti-Communist Christian Association. These two lists or three lists were submitted by Mr. Farmer and Mr. Christmas. One is a list headed "Former Officers of the Original Knights of the K.K.K."; the other, "Officers" of the "Anti-Communist Christian Assn." Both of these documents under the heading of "Officers" list "Johnny Magee."

Is the information supplied by the court as it applies to yourself in that proceeding, as it applies, factual?

Mr. MAGEE. I refuse to answer on the grounds previously stated. (Documents marked "John Magee Exhibits Nos. 1-A and 1-B," respectively. See pp. 2467-2469.)

Mr. APPELL. Are you presently a member of any Klan organization?

Mr. MAGEE. I refuse to answer the question on the grounds previously stated.

Mr. APPELL. I hand you a reproduction of a signature card filed with the First State Bank & Trust Co., Bogalusa, Louisiana, on account in the name of the Parish A.C.C.A. The card shows that the authority to the bank to authorize payment of checks containing any two signatures was given by Robert E. Stallings and contains the names of J. E. Magee, B. R. Crain, Sidney Brock, for an account opened on May 22, 1965. I ask you if that signature card is factual?

Mr. MAGEE. I refuse to answer on the grounds it might tend to incriminate me.

(Document marked "John Magee Exhibit No. 2" follows:)

JOHN MAGEE EXHIBIT No. 2

NAME <i>Parish A.C.C.A.</i>		CORPORATION	
TO <i>First State Bank & Trust Co.</i>		<i>Bogalusa, Louisiana</i>	
<p>You are authorized to recognize any (* <i>2</i>) of the signatures subscribed below in the payment of funds or the transaction of any business for this account. It is agreed that all transactions between you and the undersigned shall be governed by the contract printed on the reverse side of this card.</p>			
(* Indicate Number of Signatures Required) <i>1</i>		BY <i>Robert E. Stallings</i>	
A.B.A. Approved Contract			
2.	<i>[Signature]</i>	PRESIDENT	
3.	<i>[Signature]</i>	VICE-PRESIDENT	
4.	<i>[Signature]</i>	SECRETARY	
5.	<i>[Signature]</i>	TREASURER	
ADDRESS <i>P.O. Box 1157 Bog.</i>			
DATE OPENED	SIGNATURE AUTHORITY DATED	INITIAL DEPOSIT	ACCOUNT OPENED BY
	<i>Parish A.C.C.A.</i>	<i>5/11/62</i>	<i>R</i>
		<i>100.68</i>	

Mr. APPELL. According to canceled checks submitted by the banks in accordance with the subpoena duces tecum, the makers are John Magee, J. E. Magee, Robert E. Stallings, J. E. Magee, Sidney Brock, J. E. Magee, Robert E. Stallings, J. E. Magee, Robert E. Stallings. These checks are drawn against the account of the Parish A.C.C.A.

One shows that the purpose for which drawn is for district funds. Can you explain to the committee the division of the Parish A.C.C.A. into its district breakdown?

Mr. MAGEE. I decline to answer on the grounds it might tend to incriminate me.

(Checks marked "John Magee Exhibit No. 3" and retained in committee files.)

Mr. APPELL. Will you tell the committee the purpose for which these checks were drawn?

Mr. MAGEE. I decline to answer on the constitutional grounds previously stated.

Mr. APPELL. It is your testimony in the Federal court that Saxon Farmer actually handled the funds, therefore, the inference that your position of treasurer is that of a figurehead position?

Mr. MAGEE. I respectfully decline to answer under the constitutional grounds it might incriminate me.

Mr. APPELL. Mr. Chairman, I would like to ask that the records relating to the Parish A.C.C.A. and the list of former officers of the Original Knights, and the current members of the Anti-Communist Christian Association be entered as an exhibit to Magee's testimony.

The CHAIRMAN. These documents will be admitted in the record at this point.

Mr. APPELL. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. The witness is excused.

(John Magee Exhibits Nos. 1-A and 1-B introduced on p. 2465 follow:)

JOHN MAGEE EXHIBIT No. 1 A

A. Former Officers of the Original Knights of the K. K. K.

Charles Christmas

Saxon Farmer

Albert Applewhite

Marion Foster

James M. Ellis

Oswald Dunaway

W. H. Burke

Charles H. Lane

Johnny Magee

Helen Dunaway

Dewey Smith

Murry R. Williams, Jr.

B. Former Members -

Charles Christmas

Saxon Farmer

Albert Applewhite

Marion Foster

James M. Ellis

Oswald Dunaway

W. H. Burke

Charles H. Lane

Johnny Magee

* Jimmie Ford

Helen Dunaway

Murry R. Williams, Jr.

Russell Magee

Vance Coburn

* Robert Fuller

* Royal Young

Dewey Smith

✓ Delos Williams

Hardie Young Sr.

Arthur R. Applewhite

* Houston P. Williams

Esley Freeman

Rayford Dunaway

Eddie Freeman

✓ Hardie Young, Jr.

James Hollingworth, Jr.

Randle Bonds

* J. D. Swenson

James Burke

Bobby Arnold

* Murray Wharton

Sidney A. Warner

Rawlin Williams

* Bobby Skipper

JOHN MAGEE EXHIBIT No. 1-A—Continued

Eugene Farmer
 Billy Crain
 R. L. Stallings ✓
 Rodney Brock
 Calvin Warner
 J. W. Fisher
 B'Neal Austin Jones
 James Hallingsworth, Jr.
 ✓ Harold E. Smith
 ✓ C. B. Smith
 Carl Williams
 Devon Varnado.
 * Jim Ford

 JOHN MAGEE EXHIBIT No. 1-B

Anti-Communist Christian Assn.

A. OFFICERS -

- Charles Christmas
- Saxon Farmer
- Dewey Smith (not now a former officer)
- Johnny Magee
- Ovid Sumaway
- Calvin Warner
- J. W. Fisher
- Rodney Brock
- Dick Williams

JOHN MAGEE EXHIBIT No. 1-B—Continued

B. MEMBERS -

Charles Christmas

Saxon Farmer

Dewey Smith

Vergel Lockern

Delos Williams

✓ Russell Magee

Haskell A. Hoings, Sr.

Eddy Ferguson

Ransie C. Bonds

Bobby Alfred

James Burke

Haskell A. Hoings, Jr.

Warren Foster (a former member)

W. H. Burke

Selmer Brock

Charles H. Lane (a former member)

Arvis ~~W.~~ Warner

Ray Ritchie

Johnny Magee

Ray Pinner

Rayford Dunaway

Orel Dunaway

Hulon Dunaway (a former member)

The CHAIRMAN. Call your next witness.

Mr. APPELL. Dewey Bernard Smith.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SMITH. I do.

**TESTIMONY OF DEWEY BERNARD SMITH, ACCOMPANIED BY
COUNSEL, MICHAEL S. INGRAM**

Mr. APPELL. Will you state your full name for the record, Mr. Smith?

Mr. SMITH. Dewey B. Smith.

Mr. APPELL. When and where were you born?

Mr. SMITH. Washington Parish, Louisiana, March 8, 1920.

Mr. APPELL. Is the city of your birth Franklinton?

Mr. SMITH. I don't really know.

Mr. APPELL. Where do you reside?

Mr. SMITH. At present I reside in Granada Hills, California.

The CHAIRMAN. How long have you been residing there?

Mr. SMITH. The latter part of September 1965.

The CHAIRMAN. And your residence previous to that was?

Mr. SMITH. Bogalusa, Louisiana.

Mr. APPELL. Mr. Smith, are you represented by counsel?

Mr. SMITH. Yes I am.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. Mr. Smith, have you been advised by your counsel as to the contents of the opening statement of the chairman setting forth the purposes of this hearing?

Mr. SMITH. Yes.

Mr. APPELL. Mr. Smith, are you appearing here today in accordance with a subpoena served upon you by the United States marshal on 10-28-65, October 28, 1965?

Mr. SMITH. Yes.

Mr. APPELL. Under the conditions of the subpoena served upon you and the date of your appearance which was extended by telegrams, you were directed to produce for the committee items contained in an attachment thereto, which was made a part of the subpoena.

Under paragraph 1:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan of Louisiana and affiliated organizations, namely, the Anti-Communist Christian Association in your possession, custody or control, or maintained by you or available to you as Exalted Cyclops of Washington Parish Unit of the Original Knights of the Ku Klux Klan of Louisiana.

I ask you to produce the documents called for.

Mr. SMITH. I respectfully decline and refuse to produce said documents on the grounds that it might incriminate me and on the further

grounds that it would be a violation of my rights under the 1st, 4th, 5th, and 14th amendments to the United States Constitution.

The CHAIRMAN. Mr. Smith, you were in the hearing room when I explained the position of this committee with reference to the provisions of this subpoena directing you to produce documents in the capacity indicated therein; were you not?

Mr. SMITH. Yes.

The CHAIRMAN. Then I call upon you and direct you to produce those documents.

Mr. SMITH. I respectfully decline to produce them on constitutional grounds as previously indicated.

Mr. APPELL. Do you have any reasons, other than the constitutional reasons that you stated, for failing to produce the documents called for?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. Is one of the reasons for your failure to produce, the fact that some of those documents were documents which were destroyed in a fear that they might be subpoenaed by the Federal Government in the Bogalusa case, as well as by this committee?

Mr. SMITH. I respectfully decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. I will say to you as a fact that you were a defendant in that suit.

Were you in the hearing room—I think you were—when I read excerpts from that decision which, by reason of the fact that you were a defendant, apply to you? I am just asking, were you in the hearing room?

Mr. SMITH. Yes.

The CHAIRMAN. Do you care to avail yourself of an opportunity to explain, contradict, deny, or otherwise comment on the facts and holdings of the court based on the statements in the record in that sworn testimony?

Mr. SMITH. I respectfully refuse to answer on the constitutional grounds as previously stated.

The CHAIRMAN. If people in that case do not decide to appear and give credible contradictory testimony under oath, the committee may presume to be true the factual findings made in that decision.

Mr. APPELL. Paragraph 2 of the subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as a present or past member or officer of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. SMITH. I respectfully decline to produce on the constitutional grounds as previously stated.

The CHAIRMAN. And for the reasons I have previously indicated, set forth, I order and direct you to produce these documents.

Mr. SMITH. I respectfully refuse to produce the documents on the constitutional grounds as previously stated.

Mr. APPELL. Mr. Smith, I hand you a series of leaflets distributed in the Bogalusa area published, according to the leaflets, by the Original Ku Klux Klan of Louisiana, and I ask you if you are the author of any of these leaflets?

Mr. SMITH. I refuse to answer the question on the constitutional grounds as previously stated.

(Documents previously marked "Ralph Blumberg Exhibits Nos. 1 and 3" and "Charles Christmas Exhibits Nos. 1-A through 1-C," respectively. See pp. 2454-2458.)

The CHAIRMAN. Mr. Smith, I understand you have a college education and that you are a fluent talker—in general terms I am talking about. Would you care to describe to the committee the purpose and objectives and programs that the Klan organization stands for?

Mr. SMITH. I respectfully refuse to answer on the constitutional grounds as previously stated.

Mr. APPELL. Mr. Smith, what is your educational background?

The CHAIRMAN. Well, I just indicated that it was my information that he had gone through college. I obtained that from you so I suppose that is accurate. I hope it is.

Mr. APPELL. I would like him to state the full extent.

Mr. SMITH. I respectfully decline to answer on the constitutional grounds as previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you attended Southwestern Louisiana Institute prior to enrolling in San Jose State College. You attended in 1944 and 1945, enrolled in chemistry and botany courses.

September 1945 you were admitted to the University of California at Los Angeles and completed 35 units, majoring in horticulture.

Mr. SMITH. I respectfully refuse to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. What is your military background, Mr. Smith?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you entered the United States Army in June 1940; were honorably discharged as technical sergeant in May 1943; accepted a commission in the Army of the United States, the Army Air Force; were relieved of active duty in April 1944 as a second lieutenant due to a duodenal ulcer and neuritis.

Mr. SMITH. I refuse to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. Are you drawing disability or retirement benefits from the United States Army?

Mr. SMITH. I respectfully refuse to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. Mr. Smith, in February 1964, did you attend a meeting of Klan units at Alexandria, Louisiana, in which Royal V. Young, the former Imperial Dragon of the Original Knights of the Ku Klux Klan, appeared before the representatives of the units and to ask that the organization be held together under his leadership?

The CHAIRMAN. And asked what?

Mr. APPELL. That the organization be held together under his leadership. Under Young's leadership.

Mr. SMITH. I respectfully refuse to answer on the constitutional grounds as previously stated.

Mr. APPELL. In March 1964 were you a write-in candidate for sheriff of Washington Parish, Louisiana?

Mr. SMITH. I respectfully refuse to answer on the constitutional grounds previously stated.

Mr. POOL. When you plead the fifth amendment on a political question, you might get in trouble on that.

Mr. APPELL. Did you advise the electorate at the time you were a candidate that you were at the same time a member of the Original Knights of the Ku Klux Klan?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

The CHAIRMAN. Well, were you?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. Mr. Smith, having taken a Klan oath in which you promised to keep secret to yourself the secret of a Klansman, except treason against the United States, rape, and malicious murder, how could you in good conscience, having taken that oath, appear on a ballot as a candidate for the office of sheriff?

Mr. SMITH. I refuse to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. If you had been elected to sheriff, under your oath, wouldn't you have had to give protection to your fellow Klansmen?

Mr. SMITH. I respectfully refuse to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. In July 1964, were you a member, or the exalted cyclops of Unit No. 2 in Bogalusa, Louisiana?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. Would you identify to the committee the klokan and the members of the wrecking crew of that Klan unit?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. In December of 1964 were you exalted cyclops of Unit No. 1 of the Klan in Bogalusa, Louisiana?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. In February 1965, while the exalted cyclops of Unit No. 1, did you advise fellow Klansmen that you would put up your business and property to go bail bond for any Klansman arrested?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. In April of 1965 did you attempt, along with other Klansmen, to enter Central High School in Bogalusa to disrupt an integration meeting?

Mr. SMITH. I respectfully decline to answer the question upon the constitutional grounds previously stated.

Mr. APPELL. Mr. Smith, have you made a statement to your fellow Klansmen that you owe no loyalty to the United States because the late President Kennedy and President Johnson are traitors?

Mr. SMITH. I respectfully decline to answer the statement—the question—on the constitutional grounds previously stated.

Mr. APPELL. I wish you would correct me if I am wrong, but it is my understanding you are receiving compensation from the Federal Government.

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. While residing in Bogalusa in January 1965, were you a member of the Minutemen?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. At a meeting of the Minutemen in January 1965, did you make the statement the only way to keep communism from taking over was to get rid of some politicians and that the only way to do this was to kill them?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions.

The CHAIRMAN. The witness is excused.

The committee will stand in recess until 10 o'clock tomorrow.

(Whereupon, at 4 p.m., Wednesday, January 5, 1966, the subcommittee recessed, to reconvene at 10 a.m., Thursday, January 6, 1966.)

[On the following pages appears the opinion of court in the case of *United States v. Original Knights of the Ku Klux Klan, et al.* marked "Ralph Blumberg Exhibit No. 2" and introduced into the record on p. 2425.]

(ORIGINAL)

Ralph Blumberg Exhibit No. 2
IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF LOUISIANA
NEW ORLEANS DIVISION

U. S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FILED

DEC 1 1965

A. DALLAM O'BRIEN, JR.
CLERK *WBJ*

UNITED STATES OF AMERICA, by
Nicholas deB. Katzenbach,
Attorney General of the
United States,

Plaintiff,

CIVIL ACTION NO. 15793

v.

ORIGINAL KNIGHTS OF THE KU KLUX
KLAN, an unincorporated Associa-
tion; ANTI-COMMUNIST CHRISTIAN
ASSOCIATION, a corporation;
SAXON FARMER; CHARLES CHRISTMAS;
RUSSELL MAGEE; DEWEY SMITH; VIRGIL
CORKERN; ALBERT APPLEWHITE; E. J.
(JACK) DIXON; DELOS WILLIAMS;
JAMES M. ELLIS; HARDIE ADRIAN
GOINGS, JR.; ESLEY FREEMAN;
ARTHUR RAY APPLEWHITE; JAMES A.
HOLLINGSWORTH, JR.; RANDLE C.
POUNDS; SIDNEY AUGUST WARNER;
BILLY ALFORD; RAWLIN WILLIAMSON;
LOUIS APPLEWHITE; WILLIS
BLACKWELL; J. A. HOLLINGSWORTH,
SR.; LATIMORE McNEESE; IRA
DUMMAY; DOYLE TINES; CHARLES
RAY WILLIAMS; FRANKLIN HARRIS;
CHARLES McCLENDON; DELTON
GRAVES; MILTON EARL PARKER;
MERVIN TAYLOR; VAN DAY; RAY
RISNER; JAMES D. TERRELL;
J. D. JONES; RICHARD E. KREBS;
MICHAEL R. HOLDEN; JAMES BURKE;
ALBERT SIMONS, JR., and
NOEL BALL, JR.

Defendants

DEC 2 1965

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PLANNING _____
RECORDING _____

WBJ

Ralph Blumberg Exhibit No. 2 - Continued

Before WISDOM, Circuit Judge, and CHRISTENBERRY and AINSWORTH, District Judges.

WISDOM, Circuit Judge:

This is an action by the Nation against a klan.*

The United States of America asks for an injunction to protect Negro citizens in Washington Parish, Louisiana, seeking to assert their civil rights. The defendants are the "Original Knights of the Ku Klux Klan", an unincorporated association, the "Anti-Communist Christian Association," a Louisiana corporation, and certain individual klansmen, most of whom come from in and around Bogalusa, Louisiana.

The defendants admit most of the allegations of the complaint. Their legal position is that a private organization and private persons are beyond the reach of the civil rights acts authorizing the Attorney General to sue for an injunction. There is no merit to this contention.

Seeking refuge in silence and secrecy, the defendants object to the admission of any evidence as to klan activities. We hold, however, that what the klan is and what the klan does bear significantly on the material issues and on the appropriate relief.

In deciding to grant the injunction prayed for, we rest our conclusions on the finding of fact that, within the meaning of the Civil Rights Acts of 1957 and 1964, the defendants have adopted a pattern and practice of intimidating, threatening, and coercing Negro citizens in Washington Parish for the purpose of interfering with the civil rights of the Negro citizens. The compulsion within the klan to engage in this unlawful conduct is inherent in the nature of the klan. This is its ineradicable evil.

We find that to attain its ends, the klan exploits the forces of hate, prejudice, and ignorance. We find that the klan relies on systematic economic coercion, varieties of intimidation, and physical violence in attempting to frustrate the national policy expressed in civil rights legislation. We find that

Ralph Blumberg Exhibit No. 2— Continued

the klansmen, whether cloaked and hooded as members of the Original Knights of the Ku Klux Klan, or skulking in anonymity as members of a sham organization, "The Anti-Communist Christian Association", or brazenly resorting to violence on the open streets of Bogalusa, are a "fearful conspiracy against society . . . [holding] men silent by the terror of [their acts] and. 2
/[their] power for evil".

As early as 1868 General Nathan Bedford Forrest, the first and only Grand Wizard of the original Invisible Empire, dismayed by mounting, uncontrollable violence laid to the klan, ordered the klan to disband and directed klansmen to burn their robes and hoods.³ General Forrest was a Confederate cavalry hero, a man without fear and, certainly to most Southerners, a man beyond reproach. He announced that he would dissociate himself from all klansmen and cooperate with public officials and the courts in enforcing law and order. But the founders of the Invisible Empire had sown dragon's teeth.

The evil that led General Forrest to disband the original Ku Klux Klan was its perversion of purposes by undisciplined klans led by irresponsible leaders.⁴ The evil we find in the Original Knights of the Ku Klux Klan is an absolute evil inherent in any secret order holding itself above the law: "the natural tendency of all such organizations . . . to violence and crime."⁵ As history teaches, and as the defendants' admissions and the proof demonstrate in this case, violence and crime follow as the night the day when masked men conspire against society itself. Wrapped in myths and misbeliefs which they think relieve them of the obligations of ordinary citizens, klansmen pledge their first allegiance to their Konstitution and give their first loyalty to a cross ~~flaming~~ in flames.

None of the defendant klansmen is a leader in his community. As a group, they do not appear to be representative of a cross-section of the community. Instead they appear to be ignorant bullies, callous of

Ralph Blumberg Exhibit No. 2—Continued

the harm they know they are doing and lacking in sufficient understanding to comprehend the chasm between their own twisted Konstitution and the noble charter of liberties under law that is the American Constitution.

Legal tolerance of secret societies must cease at the point where their members assume supra-governmental powers and take the law in their own hands. We shall not allow the misguided defendants to interfere with the rights of Negro citizens derived from or protected by the Constitution of the United States and now expressly recognized by Congress in various civil rights statutes. We enjoin the Original Knights of the Ku Klux Klan, its dummy front, the Anti-Communist Christian Association, and the individual defendants from interfering with orders of this Court and from interfering with the civil rights of Negro citizens in Washington Parish. Specifically, these rights include:

- (1) the right to the equal use and enjoyment of public facilities, guaranteed by the Fourteenth Amendment;
- (2) the right to the equal use and enjoyment of public accommodations, guaranteed by the Civil Rights Act, 42 USC 2000a;
- (3) the right to register to vote and to vote in all elections guaranteed by the Fifteenth Amendment, by 42 USC 1971, and by the Voting Rights Act of 1965; and
- (4) the right to equal employment opportunities, guaranteed by the Civil Rights Act, 42 USC 2000e.

I.

The United States sues under authority of 42 USC 1971; 42 USC 2000a-5 and e-6. Under those sections and under 28 USC 1345, this Court has jurisdiction of the action. We resolve any doubt as to the reach of these sections in favor of the Government's standing to sue in a case of this kind. In its sovereign capacity the Nation has a proper interest in preserving the integrity of its judicial system, in preventing klan interference with court orders, and in making meaningful both nationally created and nationally guaranteed civil rights.

Ralph Blumberg Exhibit No. 2— Continued

II.

We turn now to a detailed findings of fact.

A. Background. The invisible realm of the Original Knights coincides with

~~of the Ku Klux Klan/includes-the-eight-parishes-in~~ the Sixth Congressional District of Louisiana. ~~These-are/the~~ "Florida" parishes, ~~the area~~ east of the Mississippi River and north of Lake Pontchartrain, claimed

by Spain until 1810. The events giving rise to this action took place in Washington Parish and centered in Bogalusa, the largest municipality in the Parish. Bogalusa is on the Pearl River at a point where the river forms the boundary between Louisiana and Mississippi. It has a population of about 14,000 white persons and 7,500 Negroes.

The Grand Dragon of the Original Knights of the Ku Klux Klan and President of the Anti-Communist Christian Association is Charles Christmas of Amite in Tangipahoa Parish. Saxon Farmer, who seems to have an uncanny capacity for being present whenever there is racial trouble in Bogalusa, is the second in command of both organizations, Grand Titan of the Klan and Vice-President of the Anti-Communist Christian Association. In February 1955 he was elected to both offices simultaneously. He is also the Exalted Cyclops of one of the Bogalusa Klaverns (local units). In 1960 this Court entered an order in the case of United States v. McElveen et als. (C.A.No. 9146) against Saxon Farmer and others enjoining them from interfering with the rights of Negro citizens to vote. That order restored to voter registration rolls of Washington Parish the names of 1,377 Negro citizens Farmer and others, then active in the Citizens Council, had unlawfully purged from the rolls.

The evidence clearly establishes that the Anti-Communist Christian Association is not a bona fide, independent organization

Ralph Blumberg Exhibit No. 2—Continued

but is the defendant klan thinly disguised under a respectable title. At an earlier time, the klan's dummy organization was called the Bogalusa Gun and Rifle Club. The defendants' efforts to appear respectable by association may also be reflected in the location of the klan's principal office in the Disabled American Veterans Hall.

The officers, members, internal structure, ^{and} method of paying dues of the ACCA and the klan are identical. The corporate structure of the ACCA includes nothing but a charter. The governing rules and by-laws of the ACCA are the Klan Konstitution. The secret oath for admission and resignation in both organizations is the klan oath. Nothing is required of klan members to become members of the ACCA, except identifying to the secretary of the klan unit their assigned secret klan number. Klan members are then furnished a small green card with the name Anti-Communist Christian Association printed thereon. This Court finds that the defendant klan has appeared in this cause. The pretense that the klan does not exist, has ceased to exist, or has made no appearance in this cause is a sham.

Until recently Washington Parish was segregated from cradle to coffin. After Congress adopted the 1964 Civil Rights Act, however, the Negroes in Bogalusa began a broad scale campaign to gain recognition of their rights. Working through the Bogalusa Voters League, they conducted voter registration clinics, held mass meetings to call attention to their grievances, picketed places of public accommodations to protest racially discriminatory policies, and petitioned the Mayor of Bogalusa to accord equal rights in voting, public facilities, employment, and education.

The klan has been the center of ~~a pattern and practice of~~ unlawful activity in Washington Parish designed to interfere with the efforts of Negro citizens to gain equal rights under the law. Its objective has been to preserve total racial segregation in Bogalusa

Ralph Blumberg Exhibit No. 2— Continued

B. Defendants' Admissions. An unusual feature of this litigation is the defendants' damning admissions. The defendants admit that the klan's objective is to prevent Washington Parish Negroes from exercising the civil rights Congress recognized by statute. In their pleadings, the defendants concede that they furthered their objective by --

- (a) assaulting, threatening, and harassing Negroes who seek to exercise any of their civil rights, and assaulting, threatening and harassing persons who urge that Negroes should exercise or be accorded those rights;
- (b) committing, threatening to commit, and urging others to commit acts of economic retaliation against Negroes who seek to exercise these rights, and against any persons who urge that Negroes should exercise or be accorded these rights, or who permit open, free and public discussion on the issue;
- (c) threatening and intimidating public officials and businessmen who accord or seek to accord Negroes their rights without regard to race or color.

The reason for the admissions was evident at the trial and is evident in the defendants' brief. The United States subpoenaed over a hundred witnesses and, no doubt, was prepared to prove every allegation in the complaint. Because of the defendants' admissions, the disputed issues were few and only a few witnesses were called. As a result, the klan avoided an airing of its activities that necessarily would have occurred had a large number of witnesses testified. Not content with the success of this maneuver, the defendants objected to the introduction of "any evidence pertaining to the activities of the Ku Klux Klan" on the grounds that (a) the klan had ceased to exist and (b) "delv[ing] into these unrelated matters" was solely "to expose" the Ku Klux Klan, an invasion of the "privacy and individual freedoms of all these defendants".

Ralph Blumberg Exhibit No. 2— Continued

As indicated earlier, however, the nature of the klan's activities bears directly on the existence of a pattern and practice of unlawful conduct and also on the sort of decree that should be issued.

The Government subpoenaed membership lists and records of the klan. The defendants failed to produce these records and at the hearing explained that all of the records of the klan had been destroyed as a matter of klan policy after suit was filed. The Court ordered Christmas, Farmer, and John Magee, the treasurer, to compile from memory lists of officers and members. Counsel for the defendants objected to the admissibility of the lists for the reasons that: (1) there were no lists and records in the custody of the defendants; (2) the requirement was an invasion of the rights of privacy and association. The defendants did not rely on the Fifth Amendment privilege against self-incrimination; they relied on *NAACP v. Alabama*, 1958, 357 U.S. v. 449, 78 S. Ct. 1163 2 L. Ed 2d 1488. The Court overruled the objections.

NAACP v. Alabama does not support the defendants' position. In that case Justice Harlan, speaking for a unanimous Court, held that the rights of the members of the NAACP to pursue their lawful interests privately and to associate freely with others were protected by the 14th Amendment. Accordingly, the NAACP was relieved of the necessity of turning over its membership list to the State of Alabama. In reaching that decision the Court distinguished *New York ex rel. Bryant v. Zimmerman*, 1928, 278 U.S. 63, 49 S. Ct. 61, 73 L. Ed. 184, ^{a case} involving a New York Chapter of the Ku Klux Klan. A New York statute required any unincorporated association which demanded an oath as a condition to membership to file with state officials copies of its "constitution, by-laws . . . a roster of its membership and a list of officers". In Zimmerman the Court found that the statutory classification was reasonable, because of the "manifest tendency on the part of one class to make the secrecy surrounding its purposes

Ralph Blumberg Exhibit No. 2—Continued

and membership "a cloak for acts and conduct inimical to personal rights and public welfare. . . . 'It is a matter of common knowledge that this organization [the klan] functions largely at night, its members disguised by hoods and gowns and doing things calculated to strike terror into the minds of people'". The Supreme Court reaffirmed this distinction in NAACP v. Alabama. Justice Harlan pointed out:

"[In Zimmerman] the Court took care to emphasize the nature of the organization which New York sought to regulate. The decision was based on the particular character of the klan's activities, involving acts of unlawful intimidation and violence . . . of which the Court itself took judicial notice."

Here the defendants admit that the klan's methods are lawless. Albertson v. Subversives Activities Board, Nov. 15, 1965, U. S. Supreme Court, pretermits the question at issue in Zimmerman and NAACP v. Alabama.

C. Out of Their Own Mouths. (1) The Konstitution of the Original Ku Klux Klan embodies "the Supreme Law of the Realm". Article I states that one of the objects of the organization is to "protect and defend the Constitution of the United States"; but another object is to "maintain forever Segregation of the races and the Divinely directed and historically proven supremacy of the White Race". The preamble reaffirms "the principles for which our forefathers mutually pledged and freely sacrificed their lives, their fortunes, and their sacred honor two centuries ago"; but Article II limits the membership to "mature, Native-born, White, Gentile Men . . . who profess and practice the Christian Faith but who are not members of the Roman Catholic Church".

(2) Printed with the Konstitution is a Proclamation stating that it must be "STRICTLY ADHERED TO." The Proclamation states that "ALL REALM work is carried on by a chain of command", establishes the organization along military lines, defines the duties of the various officers and committees, and describes "The Way of the Klavern".

"All Klaverns will have at least five armed guards with flashlights posted during regular meetings." However, "No one will be allowed to carry a gun inside the Klavern during regular meetings except the Knight Hawk (Keeper of the Klavern)."

Ralph Blumberg Exhibit No. 2— Continued

Klokan's (Klavern Investigator's) duty is "to investigate all questionable matters pertaining to the Klaverr". "Any Klansman who is known to violate our rules, especially those that give information to any aliens [non-members] shall be expelled immediately, then is to be watched and visited by the Wrecking Crew if necessary". (Emphasis added.) Moreover, each klan unit "will set up at least one team of six men to be used for wrecking crew. These men should be appointed by the Klokan in secrecy". As judges charged with the duty of drawing inferences from the demeanor of witnesses, we observed that a former klansman exhibited uneasiness/^{for} ~~if not~~ fear of klan reprisals, when questioned as to the function of the klan "wrecking crew". The defendants' testimony relating to the purpose and functions of the wrecking crew was evasive. There is no doubt/^{however} that the wrecking crew performed disciplinary functions and that the discipline could be severe.

(3) The Oath of Allegiance requires faithful obedience to the "Klan's Konstitution and Laws", regulations, "rulings and instructions of the Grand Dragon". "PROVIDENCE ALONE PREVENTING". Klansmen must swear "forever" to "keep sacredly secret . . . all . . . matters and knowledge of the * * * * [one asterisk is Klanese for 'Klan'; four asterisks mean "Original Knights of the Ku Klux Klan] . . . [and] never divulge same nor even cause same to be divulged to any person in the whole world". As if this were not enough, the Oath also requires klansmen to swear that they "solemnly vow and most positively swear" never "to yield to bribe, threats, passion, punishment, persecution, persuasion, nor any inticements (sic) whatever . . . for the purpose of obtaining . . . a secret or secret information of the XXXX." Section IV on "XXXX ISHNESS"

Ralph Blumberg Exhibit No. 2—Continued

goes a little further. In this section of the oath the klansmen must swear to "keep secret to [himself] a secret of a man committed to him in the sacred bond of * manship. The crime of violating this oath, treason against the United States of America, rape, and malicious murder alone excepted." (Emphasis added.) In pure Klanese, the klanman pledges his "life, property, vote, and sacred honor" to uphold "unto death" the Constitution and "constitutional laws". (Emphasis added.) But he ends by swearing that he will "zealously shield and preserve . . . free segregated public schools, white SUPREMACY."

(4) The "Boycott Rules" give a good idea of the Klan's coercive tactics. For example:

"The Boycott Committee (one member from each local unit appointed by the Exalted Cyclops) shall have exclusive investigative authority and it shall not act at any time with less than three members present. . . .

¶ (1) No person or subject upon whom a boycott shall have been placed shall be patronized by any member. . . .

Boycotts shall be imposed upon subjects who are found to be violating the Southern traditions. . . .

¶ Boycotts shall be placed upon all members of the Committee who publicly served with Bascom Talley in his efforts to promote the Brooks Hays meeting.

¶ Boycotts shall be placed upon any merchant using Negro employees to serve or wait upon persons of the white race. (Service Stations using Negroes to pump gas are excluded.)

¶ Boycotts shall be placed against a subject who serves Negroes and whites on an integrated basis.

¶ Boycotts shall be placed upon a subject who allows Negroes to use White rest rooms. . . .

¶ No member shall be punished for violation of the rules by a member of his family under twelve (12) years of age.

¶ Any member who shall after a hearing have been found guilty of personally patronizing a subject listed on the boycott list shall be wrecked by the wrecking crew who shall be appointed by the Committee. (Emphasis added.) . . .

—2. Second offense - If a member is found guilty of personally violating the boycott list he shall be wrecked and banished from the Klan."

It is not surprising that the attorneys for the United States had difficulty extracting from klansmen answers to questions.

Ralph Blumberg Exhibit No. 2—Continued

(5) In keeping with its false front and as bait for the devout, the Klan purports to perform its dirty work in the name of Jesus Christ. The first object stated in the "Objects and Purposes" clause of the Konstitution of this anti-Roman Catholic, anti-Semitic, hate-breeding organization is to "foster and promote the tenets of Christianity". The Proclamation requires the Kludd (Klavern Chaplain) to "open and close each meeting of the Klavern with prayer". Setting some kind of a record for sanctimonious cant, the Proclamation directs the Kludd to "study and be prepared to explain the 12th chapter of ROMANS at any time, as this is the religious foundation of the Invisible Empire". (Emphasis added)

Saint Paul, Apostle to the Gentiles, wrote his Epistle to the Romans in Corinth, midway between Rome and Jerusalem. Addressing himself to Jews and Gentiles, he preached the brotherhood of man: "Glory, honour, and peace, to every man that worketh good, to the Jew first, and also to the Gentile: For there is no respect of persons with God." In the Twelfth Chapter of Romans, Paul makes a beautiful and moving plea for tolerance, for brotherly love, for returning good for evil:

9 Let love be without dissimulation. Abhor that which is evil; cleave to that which is good.

10 Be kindly affectioned one to another with brotherly love; in honour preferring one another; . . .

14 Bless them which persecute you: bless, and curse not. . . .

17 Recompense to no man evil for evil. Provide things honest in the sight of all men.

18 If it be possible, as much as lieth in you, live peaceably with all men.

19 Dearly beloved, avenge not yourselves, but rather give place unto wrath: for it is written, Vengeance is mine; I will repay, saith the Lord.

20 Therefore if thine enemy hunger, feed him; if he thirst, give him drink; for in so doing thou shalt heap coals of fire on his head.

21 Be not overcome of evil, but overcome evil with good."

These words must fall on stony ground in the Klaverns of a Klan.

Ralph Blumberg Exhibit No. 2—Continued

D. Specific Findings of Klan Intimidation and Violence.

We select the following examples of the defendants' acts of intimidation and violence.

(1) January 7, 1965, former Congressman Brooks Hays of Arkansas, at the invitation of religious, business, and civic leaders ~~from~~^{of} Bogalusa, was scheduled to speak in Bogalusa at St. Matthews Episcopal Church Parish House on the subject of community relations. The meeting was to be open to both Negroes and whites and it was planned that seating would be on a racially non-segregated basis. After learning of the proposed appearance of Mr. Hays and the arrangements for an unsegregated meeting, the Klan and its members protested to the Mayor and the members of the Commission Council and, by means of threats of civil disorder and economic retaliation against local businessmen who supported the meeting, caused the withdrawal of the invitation to Mr. Hays to speak. December 18, 1964, before the Hays invitation was withdrawn, the Mayor of Bogalusa and Police Commissioner Arnold Spiers, in an effort to head off possible civil disorder, appeared at a Klan meeting at the Disabled Veterans Hall. The show of force at this meeting by over 150 hooded Klansmen unquestionably intimidated public officials in Bogalusa and, later, hindered effective police action against Klan violence. On the stand, Mayor Cutrer admitted that he was "frightened when he looked into 150 pairs of eyes".

(2) Since at least January 28, 1965, the defendants, including Saxon Farmer, Russell Magee, Dewey Smith, Randle C. Pounds, Billy Alford, Charles McClendon, James Burke, and other members of the defendant Klan, have made a practice of going to places where

Ralph Blumberg Exhibit No. 2—Continued

they anticipated that Negroes would attempt to exercise civil rights, in order to harass, threaten, and intimidate the Negroes and other persons. For this purpose, members of the defendant Klan have gone to Franklinton, Louisiana, when Negro citizens of Washington Parish were expected to apply to register as voters, have gone to restaurants in Bogalusa when Negroes were seeking or were expected to seek service, and have gone to locations in downtown Bogalusa and near the Bogalusa Labor Temple when Negroes were attempting or were expected to demonstrate publicly in support of equal rights for Negroes.

(3) William Yates and Stephen Miller, two CORE workers, came to Bogalusa in January 1965. The Grand Dragon and Grand Titan of the Klan, defendants Charles Christmas and Saxon Farmer, appeared at the Mayor's office to ask the Mayor to send William Yates and Stephen Miller out of Bogalusa. Mayor Cutrer indicated that he could do nothing. The next day, February 3, 1965, three Klansmen, James Hollingsworth, Jr., James Hollingsworth, Sr., and Delos Williams, with two other persons, Doyle Tynes and Ira Dunaway, attempted to insure Yates' and Miller's departure. This group followed Yates and Miller and assaulted Yates.

(4) February 15, 1965, defendant Virgil Corkern, Klansman, and approximately 30 other white persons attacked five Negro citizens and damaged the car in which they were riding. This occurred because

Ralph Blumberg Exhibit No. 2— Continued

the Negroes had sought service at a gasoline station in Bogalusa. On that same day, Corkern and other persons gathered at Landry's Fine Foods, a restaurant in Bogalusa, to observe Negroes seeking service at the restaurant. Corkern and one other entered the restaurant brandishing clubs, ordered the Negroes to leave and threatened to kill Sam Barnes, a member of the Bogalusa Voters League, who had come to the restaurant with six Negro women.

(5) March 29, 1965, defendants Hardie Adrian Goings, Jr., Klansman, and Franklin Harris, Klansman, shortly after meetings had been held at the Bogalusa Labor Temple, threw an ignited tear gas canister at a group of Negroes standing near the Labor Temple. Goings, Jr. then tried to disguise his car by repainting it and removing the air scoop from the top to prevent detection of this crime. Goings or other Klansmen used this same car in May of 1964 to burn a cross at the home of Lou Major, editor of the Bogalusa newspaper.

(6) April 7, 1965, defendants Lattimore McNeese and E. J. (Jack) Dixon, Klansman, threatened Negro citizens during the course of a meeting at the Labor Temple by brandishing and exhibiting a gun at Negroes standing outside the Labor Temple.

(7) April 9, 1965, defendants Billy Alford, Klansman, Randle C. Pounds, Klansman, Lattimore McNeese, Charles McClendon, and James Burke, Klansman, with other persons, went to the downtown area of Bogalusa where Negro citizens were participating in a march to the Bogalusa City Hall to protest denial of equal rights. Pounds, McClendon, and Burke, in a group, moved out to attack the marchers. Pounds assaulted the leader of the march, James Farmer, with a blackjack; McClendon and Burke were temporarily deterred from the threatened assault, but immediately thereafter assaulted a newsman

Ralph Blumberg Exhibit No. 2— Continued

and an FBI agent. Alford assaulted one of the Negroes participating in the march.

(8) May 19, 1965, Virgil Corkern, Klansman, two sons of Virgil Corkern, and other white persons went to Cassidy Park, a public recreation area maintained by the City of Bogalusa, for the purpose of interfering with the enjoyment of the park by Negroes and white CORE workers who were present at the park and using the facilities for the first time on a non-segregated basis. The Corkern group entered the park and dispersed the Negro citizens with clubs, belts, and other weapons.

(9) Negro members of the Bogalusa Voters League, unable to exercise their civil rights and also unable to obtain from police officials adequate protection from the Klan, filed suit June 25, 1965, in the case of Hicks v. Knight in this Court. The complaint asks for an injunction requiring officers of the City of Bogalusa to open the public parks and to operate such parks without racial discrimination, and also requiring law enforcement officers of the City, Parish, and State to protect the Negro plaintiffs and other Negroes from physical assaults, beatings, harassment, and intimidation at the hands of white citizens. July 10, 1965, this Court issued an injunction in Hicks v. Knight enjoining certain city and parish law enforcement officers from failing to use all reasonable means to protect the Negro plaintiffs and others similarly situated from physical assaults and beatings and from harassment and intimidation preventing or discouraging the exercise of their rights to picket, assemble peaceably, and advocate equal civil rights for Negroes. The preliminary injunction is still in full force and effect. Even after this Court issued its order July 10, 1965, the defendant Klansmen continued to interfere with Negro citizens exercising civil rights and

Ralph Blumberg Exhibit No. 2—Continued

interfered with performance of the duties of law enforcement officials under the injunction in Hicks v. Knight.

(10) July 11, 1965, during a Negro march in downtown Bogalusa, defendants Randle Pounds, Klansman, H. A. Goings, Jr., Klansman, Franklin Harris, Klansman, and Milton E. Parker were present. Harris and Goings passed out 25-30 2x2 clubs to youths and Pounds stationed the youths along the march route. Parker was arrested by a City policeman along the route of march for disturbing the peace.

(11) Included in the exhibits are a number of handbills bearing the caption, "Published by the Original Ku Klux Klan of Louisiana". These are crude, scurrilous attacks on certain Bogalusa citizens who advocated a moderate approach to desegregation. For example, in one handbill an Episcopal minister is accused of lying for having said that he had received calls threatening to bomb his church; the minister's son is said to be an alcoholic, to have faced a morals charge in court, and to have been committed to a mental institution. The handbill adds:

"The Ku Klux Klan is now in the process of checking on Reverend _____'s [naming him] moral standards. If he is cleared you will be so informed. If he is not cleared, you will be informed of any and all misdeeds or moral violation of his in the past."

In the same handbill the Klan announced that it was "boycotting businesses which cater to integration such as Mobile Gas Stations, etc." Mobil Gas Station is a business competitor of the defendant, Grand Titan Saxon Farmer.

All of the handbills attempt to intimidate public officials, the Governor of Louisiana, the Congressman from the Sixth District, the Mayor of Bogalusa, and federal judges (by name). Sometimes the attempted intimidation is by threat of violence, sometimes by

Ralph Blumberg Exhibit No. 2—Continued

We quote,
 character assassination. / For example:

- (a) "On numerous occasions we have been asked by local officials to refrain from any acts of violence upon this outside scum that has invaded our city. Being a christian organization, we have honored these requests each time. How much longer can we continue??? Contrary to what the liberal element would have you think, this memorandum is not the work of racist and hate mongers or trouble makers, as Governor 'Big John' McKeithen calls us. We are God fearing white, southerners who believe in constitutional government and the preservation of our American heritage.

"If your governor would have done the right thing to start with, he would have refused to protect these local and outside agitators and did just what one great southern governor did. He refused to protect this outside element, (CORE, NAACP, SNECK, ETC.), at the expense of his state. He chose, instead, to let LBJ and Katzenbach protect them. Only after the city of Bogalusa had spent \$96,000, did he (Big John McKeithen), make any effort to ease the situation in this city."

- (b) "As the people tried to preserve our Southern way of life, the Mayor and Council were slowly selling the people out at every turn. The Mayor has repeatedly GIVEN in. James Farmer did not have the support of the local Negroes. Mayor Cutrer is not giving the city of Bogalusa to the negro citizens of Bogalusa. No. He is giving the city to James Farmer and a handful of Negro Teenagers. NO PRESSURE was put on James Farmer and Dick Gregory to keep them out of Bogalusa. Not by the Mayor, the State Representative, the State Senator, or Congressman Morrison. This was not so when the WHITE CONSERVATIVES wanted to stage a Rally. Pressure was exerted from all levels, even the invited guest speakers were 'leaned on'.

"The Governor, the Congressman, Jimmy Morrison, or his com-rats, Suksty Rayborn, and Euster Sheridan. John McKeithen asked for our vote and promised to serve the PEOPLE. We now ask, Big John, isn't this TRUE? What is happening under your administration?

"Here is the list of elected officials who COULD & AND SHOULD have helped the People of Bogalusa." All these should be tarred and feathered:

MAYOR JESSIE CUTRER
 REPRESENTATIVE SHERIDAN
 SENATOR SIXTY RAYBORN
 SHERIFF DORMAN CROWE
 CONGRESSMAN JIMMY MORRISON
 GOVERNOR JOHN MCKEITHEN
 SENATOR RUSSELL LONG "

"Now the QUESTION. Why have these men, elected by

Ralph Blumberg Exhibit No. 2—Continued

the WHITE people turned their back on us in our time of need?

"Is Communism so close? Who bought them? Who bought their HONOR and FOR HOW MUCH?"

- (c) "The Ku Klux Klan is strongly organized in Bogalusa and throughout Washington and St. Tammany Parishes. Being a secret organization, we have KLAN members in every conceivable business in this area. We will know the names of all who are invited to the Brooks Hayes meeting and we will know who did and did not attend this meeting. Accordingly, we take this means to urge all of you to refrain from attending this meeting. Those who do attend this meeting will be tagged as intergrationists and will be dealt with accordingly by the Knights of the KU KLUX KLAN."

E. Summary of the Facts. We find that the defendants have admitted and the proof has shown that they intimidated, harassed, and otherwise interfered with (1) Negroes exercising their civil rights, (2) persons encouraging Negroes to assert their rights, and (3) public officials, police officers, and other persons seeking to accord Negroes their rights. These acts are part of a pattern and practice of the defendants to maintain total segregation of the races in Washington Parish. The pattern creates an effect extending beyond the effect of any particular act or practice. A Negro who is clubbed in a public park may fear to order coffee in a segregated sandwich shop or he may decide that it is the better part of valor not to exercise voting rights. The owner of the sandwich shop who receives threatening calls for having served Negro patrons may conclude that taking care of his family comes ahead of hiring Negro employees. The intimidation or violence may be effective not only as to the particular individual against whom it is directed but also as to others who may be less courageous than the Negroes brave enough to parade in Bogalusa or register to vote in Franklinton. The acts of terror and intimidation admitted or proved in this case, acts characteristic of a masked, secret conspiracy, can be halted only by a broad order enjoining the defendants

Ralph Blumberg Exhibit No. 2—Continued

from unlawfully interfering with the exercise of civil rights by Negro citizens.

III.

The defendants contend that the complaint fails to state a claim upon which relief can be granted. They start with the doctrine that the 14th and 15th Amendments apply only to state action or action under color of state law. A. This moves them as a matter of statutory construction, to conclude that Congress did not purport to enforce civil rights against private persons. Moreover, so they argue, the 1957 Act applies to "interference with voting" not to "interference with registering". B. And, they say, if civil rights acts do authorize enforcement against private persons (not owners or managers of a place of public accommodation) the statutes are unconstitutional.

A.

(1) The Civil Rights Act of 1957. In the field of civil rights the problem of enforcement is more difficult than the problem of legislative definition. The choice of remedy determines whether an act of Congress simply declares a right or carries machinery for meaningful performance of the statutory promise. In the past, an obvious hiatus has been the lack of effective sanctions against private persons interfering with a citizen's exercise of a civil right. This lack may be explained by a number of reasons. (a) Con-

Ralph Blumberg Exhibit No. 2--Continued

gress has been reluctant to assert affirmatively by legislation its responsibility to protect the privileges and immunities of citizens of the United States, for fear of imperiling the balanced relationship between the states and the Nation. ¹¹ (b) Courts have narrowly construed criminal sanctions available in Section 241 and 242 of Title 18. ¹² (c) Congress and the courts have been severely limited by the doctrine of state action, in spite of the trend toward an expansive view of what is state action. ¹³ (d) Congress has been wary of using an equitable remedy in civil rights legislation. The Constitution guarantees an accused in a criminal case the right to indictment by a grand jury and trial by a jury of the vicinage. Enforcement of civil rights through the use of an injunction and the contempt power of the courts would by-pass the jury system. ¹⁴ However, in communities hostile to civil rights and resentful against "outside", that is, federal interference, injunctive relief may be the most effective method of enforcing civil rights.

the pros and cons of these and many other issues when Congress considered ~~these and related racial discrimination~~ ¹⁵

the Administration submitted an omnibus civil rights bill in 1956. The focal issues--the contempt power, the jury system, and the relationship of the states with the Nation--produced one of the great debates in American parliamentary history. By the time the bill was cut down to a voting rights law, as the Civil Rights Act of 1957, 71 Stat. 534,

¹⁶ /Congress and the country thoroughly understood the significance of the legislation. Congress had opened the door, then nearly shut, to national responsibility for protecting civil rights--created or guaranteed by the Nation--by injunction proceedings against private persons.

Part III of the Administration's bill, as originally proposed, would have authorized the Attorney General to file suit against any

Ralph Blumberg Exhibit No. 2--Continued

person who deprived or was about to deprive any citizen of any civil right. The compromise that became the Civil Rights Act of 1957 limits civil actions to protection of voting rights in special, general, or primary elections where federal officers are elected.

Before the 1957 Act, Section 1971 (now 1971(a)) was enforced either by an action for damages under 42 U.S.C. §1983 and §1985(3) or by a criminal action under 18 U.S.C. §241, 242. The 1957 Act adds four subsections to Section 1971, including:

"b. No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegate's or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"c. Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person." (Emphasis added.)

The House Report on the Act--there was no Senate Report-- clearly states the purpose of the amendments to 1971:

"This section adds new matter. The provision is a further declaration of the right to vote for Federal offices. It states clearly that it is unlawful for a private individual as well as one acting under color of law to interfere or attempt to interfere with the right to vote at any general, special, or primary election concerning Federal offices. This amendment, however, does not provide for a remedy. However, the succeeding subsection of the amendment, which is designated subsection (c),

Ralph Blumberg Exhibit No. 2--Continued

does provide a remedy in the form of a civil action instituted on the part of the Attorney General." House Report No. 291, to accompany H.R. 6127, U.S. Code Cong. and Adm. News 1966, 1977 (1987) (Emphasis added)

Although Congress narrowed the subject matter of the statute to voting rights, there is nothing narrow about the scope of the Act as to interference with voting rights. The statute is not limited to physical acts or to direct interference with the act of voting but applies to--

"any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b). . ."

The statute applies to "any person" who shall--

"intimidate, threaten, coerce or attempt to intimidate, threaten or coerce for the purpose of interfering with the right of such person to vote."

There is no doubt that this language applies to private individuals. And there is very little doubt that the Act protects the right to register and to engage in activities encouraging citizens to register. As discussed more fully elsewhere, registration is an integral, indispensable part of the voting process. It is also a stage that is vulnerable to abuse by the registrar or to unlawful conduct by private persons. Ever since the Supreme Court outlawed the "white" primary, it has been apparent that the main battleground in the war over Negro suffrage would be the registration office. See, for example, the description of the activities of the Citizens Councils and parish registrars in *United States v. Louisiana*, E.D.La. 1963, 225 F. Supp. 353, 378-80. Congress was well aware that a major mischief to be combatted in the 1957 Act was economic coercion and threats of intimidation by private persons that would deny or interfere with the Negro's access to registration.

More often than not, the economic coercion and intimidation by private persons are triggered by an educational campaign to encourage registration. *United States v. Beatty*, 6 Cir. 1961, 288 F. 2d 653 is a case in point. The case arose in Haywood

Ralph Blumberg Exhibit No. 2—Continued

County, Tennessee, a county in which no Negroes were registered to vote. In the spring of 1959, a newly formed Civic and Welfare League, apparently similar to the Bogalusa Voters League, initiated a campaign in Haywood and in Fayette Counties to encourage Negroes to register. This led to the institution of a "white" primary in Fayette; later prohibited by a consent decree in April 1960. In the face of a renewed registration drive, white businessmen in both counties retaliated by circulating a "blacklist" containing the names of the Negroes who registered and white citizens who assisted them. The businessmen induced local merchants to boycott anyone whose name appeared on the list, by denying credit and the right to buy necessities through the usual business relations. White landowners evicted sharecroppers and tenant farmers who had registered or whose names appeared on the blacklist. The Attorney General sued the businessmen and landowners, under Section 1971, for immediate injunctive relief. The district judge granted a restraining order enjoining the businessmen from "interfering through intimidation and/or coercion", but refused to enjoin the landowners on the ground that the Civil Rights Act did not vest the court with authority "to adjudge contracts and property rights". 6 Race Rel. L. Rep. 200. The Sixth Circuit affirmed the judgment as to the businessmen and extended the injunction to the landlords.

In East Carroll Parish, Louisiana, cotton growers refused to gin cotton for Negro farmers who had attempted to register to vote. The Attorney General again sued under the 1957 Act. Judge Dawkins granted a restraining order, as preventive relief, against owners, operators, and managers of cotton gin businesses and certain other businesses. The Court restrained the defendants from "refusing to gin refusing to sell goods or services, and to conduct ordinary business transactions with, any person for the purpose of discouraging or dissuading such person from attempting to vote and . . . engaging

Ralph Blumberg Exhibit No. 2—Continued

in any attempted threats, intimidations, or coercion of any nature, whether economic or otherwise". United States v. Deal, W.D.La. 1961, 6 Race Rel. L. Rep. 474.

The parallel between the defendants' intimidation by and economic coercion in Beatty/ in Deal, and the defendants' boycott and other activities in this case is too patent to be spelled out. Beatty and Deal also illustrate a principle of enormous importance in the enforcement of civil rights: acts otherwise lawful may become unlawful and be enjoined under Section 1971, if the purpose and effect of the acts is to interfere with the right to vote.

In United States v. Board of Education of Greene County, Mississippi, 1964, 332 F. 2d 40, the Fifth Circuit affirmed the holding below that the government failed to prove that the alleged intimidation was for the purpose of interfering with the right to vote. But, as Judge Tuttle explained in United States v. Bruce (not yet reported, decided Nov. 16, 1965, No. 22029), the Court in the Greene County case assumed:

"Whereas a school board might, under the circumstances present in that case, have legally failed to renew a teacher's contract for any reason or for no reason at all, if it in fact declined to renew the [teacher's] certificate as a means of coercing or intimidating the teacher as to her right to vote, such conduct would be prohibited under the Act."

In United States v. Bruce twenty-eight white persons in Wilcox County, Alabama, notified Lonnie Brown, a Negro insurance collector, to stay off land owned or controlled by them.

Ralph Blumberg Exhibit No. 2—Continued

As a result Brown could not reach many of his policy-holders. Brown had been active in urging his Negro neighbors and friends to register to vote in Wilcox County, a county where no Negroes were registered. The Court held that the trial court erred in dismissing the complaint:

"The background allegations make a strong case upon which the trial court could infer the correctness of the conclusionary allegations that these defendants did in fact 'intimidate and coerce' the Negro citizens of Wilcox County, through the person of Lonnie Brown, for the purpose of interfering with their right to vote."²³

We hold that the Civil Rights Act of 1957 applies to private persons, including the defendants impleaded in this case. We hold that the Act applies to interfering with the right to register as well as interfering with the right to vote; that the Act protects Negro citizens against the coercion, intimidation, and violence the defendants admitted or were proved to have committed in this case.

(2) The Civil Rights Act of 1964. The '64 Act creates new categories of civil rights and extends the authority of the Attorney General to protect such rights by a civil suit for injunctive relief against any person, public or private.

Ralph Blumberg Exhibit No. 2—Continued

For purposes of this proceeding, the most pertinent provisions are those relating to (a) places of public accommodation, (b) equal employment opportunities, and (c) public facilities. As clearly as words can say, these provisions reach any person and any action that interferes with the enjoyment of civil rights secured by the Act. Thus, 42 U.S.C. §2000a-2 of Title II, is not limited to prohibiting discrimination or segregation by the owner or manager of a place of public accommodation. The section provides:

"No person shall (a) withhold, deny, or attempt to withhold or deny, or deprive or attempt to deprive, any person of any right or privilege secured by section 2000a or 2000a-1 of this title, or (b) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person with the purpose of interfering with any right or privilege secured by section 2000a or 2000a-1 of this title, or (c) punish or attempt to punish any person for exercising or attempting to exercise any right or privilege secured by section 2000a or 2000a-1 of this title."

And to enforce the law, Section 2000a-5 (a) allows the Attorney General to sue "any person or group of persons":

"Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights secured by this subchapter, and that the pattern or practice is of such a nature and is intended to deny the full exercise of the rights herein described, the Attorney General may bring a civil action requesting such preventive relief, including an application for a permanent or temporary injunction, restraining order or other order against the person or persons responsible for such pattern or practice, as he deems necessary to insure the full enjoyment of the rights herein described." [Emphasis supplied.]

Section 2000e-6 of Title VII, relating to equal employment opportunities, tracks the language of Section 2000a-5(a).

This suit is not one to desegregate public facilities under Title VII of the Act. However, Section 2000-b is relevant, since it demonstrates again the broad Congressional objective of authorizing the Attorney General to sue as defendants "such parties as are or

Ralph Blumberg Exhibit No. 2—Continued

become necessary to the grant of effective relief". The defendants' interference with the right of Negroes to use public facilities in Bogalusa is relevant to the cause of action, for that interference was part of a pattern and practice of total resistance to the Negroes' exercise of civil rights.

(3) In sum, in the Civil Rights Acts of 1957 and 1964, Congress recongnized that when a Negro is clubbed or coerced for having attempted to register or for having entered a "white" restaurant, the action most likely to produce effective relief is not necessarily for the Negro to complain to the local police or to sue for damages or to make charges under 18 USC 241, 242. The most effective relief for him and for all others affected by the intimidation may be an injunction by the Nation against the private persons responsible for interfering with his civil rights.

Effectiveness of remedy is not the only reason for the Congressional grant of authority to the Attorney General of the United States. The Nation has a responsibility to supply a meaningful remedy for a right it creates or guarantees. As Justice Story wrote, in sustaining the constitutionality of the Fugitive Slave Act of 1793:

"If, indeed, the constitution guarantees the right, and if it requires the delivery [of the fugitive slave] upon the claim of the owner . . . , the natural inference certainly is, that the national government is clothed with the appropriate authority and functions to enforce it. The fundamental principle, applicable to all cases of this sort, would seem to be, that when the end is required, the means are given. . ." Prigg v. Pennsylvania, 1842, 41 U.S. (17 Pet.) 539, 614.

It is one thing when acts are mere invasions of private rights; "it is quite a different matter when Congress undertakes to protect the citizen in the exercise of rights conferred by the Constitution of the United States essential to the healthy organization of the government itself". Ex parte Yarbrough, 1884, 110 U.S. 651, 665, 4 S.Ct. 152, 28 L.Ed. 274. We turn now to the defendants' constitutional arguments.

Ralph Blumberg Exhibit No. 2—Continued

B.

The defendants' constitutional arguments rest on a misunderstanding of the constitutional sources for the Civil Rights Acts of 1957 and 1964.²⁴

(1) The Civil Rights Act of 1957: Protection of Right to Vote From Unlawful Interference.(a) In upholding the constitutionality of the voting provisions of the 1957 Act, we need not consider the Civil War Amendments. Section 1971 (b), here enforced under 1971 (c), is limited to prohibiting interference with the right to vote in elections for federal office. Article I, Section 4 of the Constitution is an express grant of authority to Congress to regulate federal elections:²⁵

"The times, places and manner of holding elections for senators and representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by Law make or alter such regulations, except as to the places of choosing Senators."

As the House Committee pointed out in its report on the law, *United States v. Classic*, 1941, 313 U.S. 299, 61 S. Ct. 1031, 85 L.Ed. 1368, "establishes the authority in Congress to legislate concerning any and all elections affecting federal officers, whether general, special, or primary, as long as they are 'an integral part of the procedure of choice or where in fact the primary effectively controls their choice.'" U.S.Code Cong. and Adm. News, 85 Cong. 1957, p. 1977. The Supreme Court said, in Classic:

"While, in a loose sense, the right to vote for representatives in Congress is sometimes spoken of as a right derived from the states, [citations omitted] this statement is true only in the sense that the states are authorized by the Constitution, to legislate on the subject as provided by §2 of Art. I, to the extent that Congress has not restricted state action by the exercise of its powers to regulate elections under §4 and its more general power under Article I, §8, clause 18 of the Constitution 'to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.'"

Ralph Blumberg Exhibit No. 2—Continued

(b) Under the "sweeping clause", Article I, Section 8, Clause 18, Congress may enact all laws "necessary and proper" to carry out any of its powers, including, of course, its power to regulate federal elections. This provision leaves to Congress the choice of the means to execute its powers. "Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution are constitutional". *McCulloch v. Maryland*, 1819, 4 Wheat. 316, 421.

"There is little regarding an election that is not included in the terms 'time, place and manner of holding it'". *United States v. Munford*, 1833, C. C., E.D.Va., 16 F. 223. The Supreme Court has said:

"It cannot be doubted that these comprehensive words embrace authority to provide a complete code for congressional elections, not only as to times and places, but in relation to notices, registration, supervision of voting, protection of voters, prevention of fraud and corrupt practices, counting of votes, duties of inspectors and canvassers, and making and publication of election returns; in short, to enact the numerous requirements as to procedure and safeguards which experience shows are necessary in order to enforce the fundamental right involved." *Smiley v. Holm*, 1932, 285 U.S. 355, 366, 76 L.Ed. 795.

Two facts make it appropriate for Congress to reach registration as part of the "manner of holding elections".

First, registering is a prerequisite to voting. Second, registration is a process for certifying a citizen as a qualified voter in both federal and state elections. A law protecting the right to vote could hardly be appropriate unless it protected the right to register. In Classic language, registering is a "necessary step" and "integral" in voting in "elections". In Classic, "interference with the effective choice of the voters" in a Louisiana Democratic primary was interference "at the only stage

Ralph Blumberg Exhibit No. 2—Continued

of the election procedure when their choice is of significance". Here, in terms of a meaningful right to vote, interference with Negro citizens' registering is interference at the most critical stage of the election procedure. It is true of course that the framers of the Constitution did not know about the registration process; but neither they did not have in mind the selection of senators and representatives by the direct primary. In *United States v. Louisiana*, E.D.La. 1963, 225 F. Supp. 353, 359, aff'd./1965, 380 U.S. 145 on other grounds, this Court said:

"Congressional authority [under Article I, §4] extends to registration, a phase of the electoral process unknown to the Founding Fathers but today a critical, inseparable part of the electoral process which must necessarily concern the United States, since registration to vote covers voting in federal as well as in state elections.

In *United States v. Manning*, W.D.La. 1963, 215 F. Supp. 272, one of the constitutional attacks on the Civil Rights Act of 1960 was directed at the provision for federal registrars. In the opinion upholding the act, the Court considered it important that--

"For purposes of accomplishing the constitutional objective the electoral process is indivisible. The act of casting a ballot in a voting booth cannot be cut away from the rest of the process. It is the last step in a process that starts with registration. Similarly, registration is an indivisible part of elections. . . . There is no separate registration for federal elections. Any interference with the qualified voter's right to register is therefore interference with a federal election." 215 F. Supp. at 283.

(c) Classic relied on three important cases that construe the nature and extent of the power of Congress to regulate federal elections: *Ex parte Siebold*, 1880, 100 U.S. 371, 25 L.Ed. 717; *Ex parte Yarbrough*, *The Ku Klux Klan cases*, 1884, 110 U.S. 651, 4 S.Ct. 152, 28 L.Ed. 274; and *Burroughs v. United States*, 1934, 290 U.S. 534, 54 S.Ct. 287, 78 L.Ed. 485. These cases

Ralph Blumberg Exhibit No. 2—Continued

point to the principle that a congressional statute protecting against private interference before the voting stage is necessary and proper legislation under Article I, Section 4, whenever it is reasonably related to "protection of the integrity" of the federal electoral process. Classic, 313 U.S. at 316.

Ex parte Siebold involved a conviction of state election officers for ballot-stuffing in a federal election. The Court had before it the Enforcement Act from which Section 1971 was derived. The statute contained a number of extensive voting and registration regulations, including a provision for the appointment of federal election supervisors. These supervisors were authorized "to cause such names to be registered as they may think proper to be so marked". In sustaining the validity of the legislation under Article I, Section 4, the Court commented:

"It is the duty of the States to elect representatives to Congress. The due and fair election of these representatives is of vital importance to the United States. The government of the United States is no less concerned in the transaction than the State government is. It certainly is not bound to stand by as a passive spectator, when duties are violated and outrageous frauds are committed. It is directly interested in the faithful performance, by the officers of election, of their respective duties. Those duties are owed as well to the United States as to the State." 100 U.S. 388

In Yarbrough the Court had before it the question whether Congress could protect civil rights against private interference, specifically klan aggression in the form of intimidation of voters. Yarbrough and eight other members of a Georgia klan were indicted for conspiring to intimidate a Negro in the exercise of his right to vote for a congressional representative. It was shown that they used physical violence and that they went in disguise upon the public highways. They were convicted under the section of the Enforcement Act of 1870, Revised Statutes Section 5508, that was the predecessor of 18 U.S.C. §241; and/Section 5520. These are the

Ralph Blumberg Exhibit No. 2--Continued

criminal law counterpart to 42 U.S.C. 1971. The Act forbade two or more persons "to conspire to injure, oppress, threaten or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to by the Constitution or laws of the United States" or to "go in disguise on the highway, or on the premises of another, with intent to prevent or hinder [such citizen in] his free exercise or enjoyment" of any such right; or to "conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote" from voting for presidential electors or members of Congress. Justice Miller, in a powerful opinion for the Court, sustained the conviction and held the statute valid. The opinion made it clear that the right to vote in federal elections is a privilege of national citizenship derived from the Constitution. Congress therefore "can by law protect the act of voting, the place where it is done and the man who votes, from personal violence or intimidation, and the election itself from corruption or fraud." Nor does it matter that state and federal offices are elected in the same election. The congressional powers are not "annulled because an election for state officers is held at the same time and place". 110 U.S. at 660.

The heart of the Yarbrough decision is the Court's emphasis on the transcendent interest of the federal government.²⁷ The violence and intimidation to which the Negro was subjected were important because ^{they} ~~it~~ alloyed the purity of the federal political process. The federal government "must have the power to protect the elections on which its existence depends from violence and corruption". 110 U.S. at 658. This implied power arises out of governmental necessity. The Court said:

Ralph Blumberg Exhibit No. 2--Continued

"The power in either case arises out of the circumstance that the function in which the party is engaged or the right which he is about to exercise is dependent on the laws of the United States.

"In both cases it is the duty of that government to see that he may exercise this right freely and to protect him from violence while so doing or on account of so doing. This duty does not arise solely from the interest of the party concerned, but from the necessity of the government itself, that its service shall be free from the adverse influence or force and fraud practiced on its agents, and that the votes by which its members of Congress and its President are elected shall be the free votes of the electors, and the officers thus chosen the free and uncorrupted choice of those who have the right to take part in that choice."

Since it is the purity of the federal political process that must be protected, the protection may be extended against interference with any activity having a rational relationship with the federal political process. Thus, the "rationale of Yarbrough indicates congressional power over voting, though limited to federal elections, extends to voter registration activities", including registration rallies, voter education classes, and other activities intended to encourage registration.

28

Burroughs is one of a number of cases dealing with corrupt election practices which go far beyond the act of voting in an election. These ~~cases~~ ^{Federal corrupt practice cases} operate on the campaigning stage rather than the voting stage and apply to private persons having no part in the election machinery. In Burroughs the contention was made that under Article II, Section 1 the states control the manner of appointing presidential electors; Congress is limited to prescribing the time of choosing electors and the day on which they cast their votes. In upholding the validity of the Federal Corrupt Practices Act of 1925, the Court, relying on Yarbrough, said:

"While presidential electors are not officers or agents of the federal government . . ., they exercise federal functions under, and discharge

Ralph Blumberg Exhibit No. 2—Continued

duties in virtue of authority conferred by, the Constitution of the United States. The president is vested with the executive power of the nation. The importance of his election and the vital character of its relationship to and effect upon the welfare and safety of the whole people cannot be too strongly stated. To say that Congress is without power to pass appropriate legislation to safeguard such an election from the improper use of money to influence the result is to deny to the nation in a vital particular the power of self-protection. Congress undoubtedly, possesses that power, as it possesses every other power essential to preserve the departments and institutions of the general government from impairment or destruction, whether threatened by force or by corruption." 110 U.S. at 545

The states' power over the manner of appointing presidential electors is similar to the states reserved power to establish voting qualifications. Notwithstanding this unquestioned power in the states, "Burroughs holds that 'Congress' has the implied power to protect the integrity of the processes of popular election of presidential electors once that mode of selection has been chosen by the state." There is an obvious parallel between corruption of the federal electoral process by the use of money and corruption of the same process by acts of violence and intimidation that prevent voters from getting on the registration rolls or, indeed, from ever reaching the registration office.

Classic involved federal indictments against state election commissioners for falsely counting ballots in a Democratic party primary. The Court held that under Article I, Section 4 and the necessary and proper clause, Congress had the implied power to regulate party primaries. The "interference [was] with the effective choice of voters at the only stage when their choice is of significance. . . . The primary in Louisiana is an integral part of the procedure for the popular choice of Congressmen". The right to choose is a right "secured by the Constitution". 313 U.S. at 314.

Ralph Blumberg Exhibit No. 2—Continued

Moreover, "since the constitutional command is without restriction or limitation, the right, unlike those guaranteed by the Fourteenth and Fifteenth Amendments, is secured against the action of individuals as well as of states." *Ib.* at 315 Mr. Justice Stone, for the Court, spelled out the rationale:

"The right to participate in the choice of representatives for Congress . . . is protected just as the right to vote at the election, where the primary is by law made an integral part of the election machinery. . . . Unless the constitutional protection of the integrity of 'elections' extends to primary elections, Congress is left powerless to effect the constitutional purpose. . ." 313 U.S. at 318, 319.

The innumerable cases in this Circuit involving civil rights speak eloquently against the use of economic coercion, intimidation, and violence to inhibit Negroes from applying for registration. This interference with nationally guaranteed rights, whether by public officials or private persons corrupts the purity of the political process on which the existence and health of the National Government depend. No one has expressed this better than Judge Rives in *United States v. Wood*, 5 Cir. 1961, 295 F.2d 772; cert. denied 369 U.S. 850(1962).²⁹ In Wood the inter-organizer interference was in the form of groundless prosecution of a Negro/who had set up a registration school in Walthall County, Mississippi, where no Negroes had ever registered. He was not even qualified to vote in the county where the intimidatory acts occurred; he was a resident of another county. In reversing the district judge's refusal to stay the state prosecution, the Fifth Circuit noted that the alleged coercion was of the kind the 1957 Act was intended to reach. Judge Rives, for the Court, said:

"The foundation of our form of government is the consent of the governed. Whenever any person interferes with the right of any other person to vote or to vote as he may choose, he acts like a political termite to destroy a part of that foundation. A single termite or many termites may pass unnoticed, but each damages the foundation, and if that process is allowed to continue the whole structure may crumble and fall even before the occupants become aware of their peril. Eradication of political termites, or at least checking their activities, is necessary to prevent irreparable damage to our Government."

Ralph Blumberg Exhibit No. 2--Continued

We hold that the defendants' acts of economic coercion, intimidation, and violence directed at Negro citizens in Washington Parish for the purpose of deterring their registering to vote strike at the integrity of the federal political process. The right to vote in federal elections, a privilege of national citizenship secured by the United States Constitution, includes the right to register to vote. The right to register to vote includes the right to be free from public or private interference with activities rationally related to registering and to encouraging others to register.

(2) The Civil Rights Act of 1964: Public Accommodation.

The Supreme Court has upheld the constitutionality of Title II as it applies to motels and restaurants. *Atlanta Motel v. United States*, 1964, 379 U.S. 241, 85 S. Ct. 348, 13 L.Ed. 2d 258; *Katzenbach v. McClung*, 1964, 379 U.S. 294, 85 S. Ct. 377, 13 L.Ed. 2d 290.

The defendants are left, therefore, only with the contention that the Act, for reasons not articulated, should not reach private persons.

The defendants are really arguing against the judgment of Congress in selecting injunctive relief against private persons as one method of enforcing congressional policy. Once it is conceded that Congress has the power, under the commerce clause, to forbid discrimination in public places, there is little doubt that injunctive relief against any person seeking to frustrate the statutory objective is appropriate.

In this Circuit, relying on *In re Debs*, 1895, 158 U.S. 564, 15 S. Ct. 900, 39 L. Ed. 1092, the courts have held that when private persons burden commerce to the detriment of the national interest, the Nation may enjoin such persons even without enabling legislation. On two occasions courts have issued

Ralph Blumberg Exhibit No. 2—Continued

injunctions against klans and klansmen engaged in intimidation and violence burdening commerce. *United States v. U.S. Klans*, M.D.Ala. 1961, 194 F. Supp. 897; *Plummer v. Brock*, M.D.Fla. 1964, 9 R.Rel.L. Rep. 1399. See also *United States v. City of Jackson*, 5 Cir. 1963, 318 F.2d. 1.

(3) The Civil Rights Act of 1964: Equal Employment Opportunities. Title VII, like Title II, is based upon the commerce clause. The term "industry affecting commerce" used in Title VII parallels the definition of "industry affecting commerce" in the LMRDA (29 U.S.C. 402 (c)). This in turn incorporates the definition of "affecting commerce" in the NLRA (29 U.S.C. 152 (7)). The National Labor Relations Act represents an exercise of congressional regulatory power to "the fullest jurisdictional breadth constitutionally permissible under the Commerce Clause," *NLRB v. Reliance Fuel Corp.*, 1963, 371 U.S. 224, 226; *Polish National Alliance v. NLRB*, 1944, 322 U.S. 643, 647, a conclusion equally applicable to Title VII.

The sweeping regulations in the NLRA and LMRDA covering the terms, conditions, and policies of hiring and bargaining do not differ in any essential respect from this legislation prohibiting discrimination in hiring practices and on the job assignments. The employer-employee relationship has, of course, direct effect upon the production of industries which are in commerce and upon the practical utilization of the labor force and the power of Congress to regulate these activities cannot be doubted. *NLRB v. Jones & Laughlin Steel Corp.*, 1936, 301 U.S. 1; *NLRB v. Fainblatt*, 1939, 306 U.S. 601, 606; *Mabee v. White Plains Publishing Co.*, 1946, 327 U.S. 178.

Defendants admit that they beat and threatened Negro pickets to prevent them from enjoying the right ^{of} equal employment opportunity.

Ralph Blumberg Exhibit No. 2—Continued

The effect of course is to prevent Negroes from gaining free access to potential employers. Such acts not only deter Negroes but intimidate employers who might otherwise wish to comply with the law but fear retaliation and economic loss. This is precisely what the klan's Boycott Rules are designed to do.

* * *

The United States has alleged, the defendants have admitted, and the proof has shown that the defendants have intimidated, harassed, and in other ways interfered with the civil rights of Negroes secured by the Constitution. The admission and proof show a pattern and practice of interference.

Protection against the acts of terror and intimidation committed by the Original Knights of the Ku Klux Klan and the individual defendants can be halted only by a broad injunctive decree along the lines of the order suggested by the United States. ³⁰
The Court will promptly issue an appropriate order.

John W. Wisdom

UNITED STATES CIRCUIT JUDGE

Charles W. Whittaker

UNITED STATES DISTRICT JUDGE.

James A. McWhorter

UNITED STATES DISTRICT JUDGE

Ralph Blumberg Exhibit No. 2—Continued

United States of America v. Original Knights of the Ku Klux Klan, et als.

Civil Action No. 15793

FOOTNOTES

* Although this order is cast in the form of an opinion, it represents the Court's findings of fact and conclusions of law.

1. Counsel for the individual defendants take the position that the defendant klan does not exist. The proof shows that the klan continues to exist and to function as a klan in the benign name of the "Anti-Communist Christian Association". See Section II, A of this opinion.
2. Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States (Wash. 1872), p. 28. (Majority Report.)
3. Testimony of General Forrest before the Joint Select Committee. Note 2, p. 6-14, 449-51.
4. In January 1869 General Forrest issued an order to disband which began "Whereas, the order of the Ku Klux Klan is in some localities being perverted from its original honorable and patriotic purposes..." Davis, Authentic History: Ku Klux Klan, 125-28, (N. Y. 1928); Carter, The Angry Scar, 216 (N. Y. 1959).
5. "There is no doubt about the fact that great outrages were committed by bands of disguised men during those years of lawlessness and oppression. The natural tendency of all such organizations is to violence and crime; hence it was that General Forrest and other men of influence in the state, by the influence of their moral power, induced them to disband." Report of the Joint Select Committee, Note 2, p. 463. (Minority Report.)
6. In United States v. Raines, 1959, 362 U.S. 17, 27, 80 S. Ct. 519, 4 L. Ed. 524 upholding the constitutionality of the Civil Rights Act of 1957 in a suit on behalf of private persons against public officials, the Court said: "It is urged that it is beyond the power of Congress to authorize the United States to bring this action in support of private constitutional rights. But there is the highest public interest in the due observance of all the constitutional guarantees, including those that bear the most directly on private rights, and we think it perfectly competent for Congress to authorize the United States to be guardian of that public interest in a suit for injunctive relief."
7. The parishes of Washington, Tangipahoa, St. Tammany, St. Helena, Livingston, Ascension, East Feliciana, West Feliciana, East Baton Rouge, West Baton Rouge, Pointe Coupee, and Iberville.
8. Aff'd. sub. nom. United States v. Thomas 1962, 362 U.S. 58 S.Ct. L.Ed.

Ralph Blumberg Exhibit No. 2--Continued

9. On two occasions, the Court found it necessary to warn the witnesses of the penalty for perjury. The Court recessed the hearing to allow time for the witnesses to refresh their recollection, and to find, if possible, any membership lists. On one occasion, a witness pleaded the 5th Amendment when, in a colloquy with the Court, it was apparent that he was afraid of klan reprisal for testifying as to klan records; he withdrew his plea of privilege and testified.
10. Romans, Chap. II, v. 10-11.
11. See *United States v. Cruikshank*, 1875, 92 U.S. 542, 23 L.Ed. 588; *Slaughter-House Cases*, 1873, 16 Wall 36, 21 L.Ed. 394.
12. In 1894 Congress repealed most of the provisions dealing with federal supervision of elections. Two general provisions for criminal sanctions were left standing: 42 U.S.C. §241 (originally Section 6 of the Civil Rights Act of 1870, later Section 5508 of the Revised Statutes) providing criminal sanctions against conspiracies to deprive any citizen of any right secured by the Constitution and laws of the United States; and 42 U.S.C. §242 (originally Section 2 of the Civil Rights Act of 1866, later Section 5510 of the Revised Statutes (1873), as amended in 1909, 35 Stat. 1092 by adding the word "wilfully") providing criminal sanctions against the deprivation of constitutional rights, privileges, and immunities under color of state law. See *United States v. Williams*, 1951, 341 U.S. 70, 71 S.Ct. 581, 95 L.Ed. 758 restricting Section 241 to those cases in which the right allegedly violated is an incident to national citizenship. See also *Screws v. United States*, 1945, 325 U.S. 91, 65 S.Ct. 1031, 89 L.Ed. 1495 construing Section 242 as requiring specific intent to deprive a person of the right made specific by the Constitution or laws of the United States. Sections 241 and 242 are now before the Supreme Court again. *United States v. Price*, Nos. 59, 60, October Term, 1965; *United States v. Quest*, No. 65, October Term, 1965.
13. See *Civil Rights Cases*, 1883, 109 U.S. 3, 3 S.Ct. 18, 27 L.Ed. 835; *United States v. Reese*, 1876, 92 U.S. 214, 23 L.Ed. 478.
14. Hence the compromise affecting jury trials in the 1957 Act: criminal contempt cases arising under the act may be tried by district courts without juries, except where a person convicted is fined more than \$300 or imprisoned for more than 6 months. 71 Stat. 638 (1957), 42 U.S.C. 1995.
15. President Truman's Committee on Civil Rights submitted equally broad recommendations. See Report, *To Secure These Rights*, 151-161 (1947).
16. In a hearing before the House Judiciary Committee on the Civil Rights Bill, Attorney General Herbert Brownell explicitly explained the purposes and scope of the proposed amendments to Section 1971 of Title 42:
- "The most obvious one of these defects in the law is that it does not protect the voters in Federal elections from unlawful interference with their voting rights by private persons--in other words, 1971 applies only to those who act 'under color of law'

Ralph Blumberg Exhibit No. 2--Continued

which means public officials, and the activities of private persons and organizations designed to disenfranchise voters in Federal or State elections on account of race or color are not covered by the present provisions of 1971. And so we say that the statute fails to afford the voters full protection from discrimination which was contemplated by the Constitution, especially the 14th and 15th amendments.

"Also this section 1971 is defective in another respect, because it fails to lodge in the Department of Justice and the Attorney General any authority to invoke civil remedies for the enforcement of voting rights. And it is particularly lacking in any provision which would authorize the Attorney General to apply to the courts for preventive relief against the violation of these voting rights.

"And we think that this is also a major defect. The ultimate goal of the Constitution and the Congress is the safeguarding of the free exercise of the voting right, acknowledging of course, the legitimate power of the State to prescribe necessary and fair voting qualifications. And we believe that civil proceedings by the Attorney General to stop any illegal interference and denial of the right to vote would be far more effective in achieving this goal than the private suits for damages which are presently authorized by the statute, and far more effective than the criminal proceedings which are authorized under other laws which, of course, can never be used until after the harm has been actually done.

"No preventive measures can be brought under the criminal statutes. So I think--and I believe you will agree with me--that Congress should now recognize that in order to properly execute the Constitution and its amendments, and in order to perfect the intended application of the statute, section 1971 of title 42, United States Code, should be amended in three respects:

"First, by the addition of a section which will prevent anyone, whether acting under color of law or not, from threatening, intimidating or coercing an individual in his right to vote in any election, general, special, or primary, concerning candidates for Federal office.

"And second, to authorize the Attorney General to bring civil proceedings on behalf of the United States or any aggrieved person for preventive or

Ralph Blumberg Exhibit No. 2--Continued

other civil relief in any case covered by the statute.

"And third, an express provision that all State administrative and judicial remedies need not be first exhausted before resort to the Federal courts." [Hearings before Subcommittee No. 5 of the Committee on the Judiciary, 85th Cong. 1st Sess., p. 570 (1957)]

17. Section 1971(a) derived from the Civil Rights Act of 1870, defined voting rights as follows:

"(a) All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding".

18. See Section III, B, (1), (b) of opinion.

19. See Key, Southern Politics 555(1949); Civil Rights Commission Report 133-38(1961).

20. In a note, Beatty, Private Economic Coercion and the Civil Rights Act of 1957, 71 Yale L. Jour. 536, 543(1962), the author points out:

"The Circuit Court's construction of the 1957 act to apply to economic coercion in general and to economic coercion involving contract and property rights in particular seems correct. In requesting legislation to protect voting rights, President Eisenhower noted: 'It is disturbing that in some localities allegations persist that Negro citizens are being deprived of their right to vote and are likewise being subjected to unwarranted economic pressures.' Senator Douglas, a sponsor of the bill, asserted that the legislation was directed at denials of voting rights 'by economic pressure' as well as by other means. And Representative Celler, a House sponsor, indicated that if 'the milk dealer, the coal dealer, the butcher, the baker and the candlestick maker . . . agree . . . to boycott' persons who try to vote, the agreement would violate the proposed law."

21. The Attorney General brought a similar suit to enjoin "intimidation, threat, and coercion" in Fayette County. United States v. Atkinson, et als, Civ.Ac. 4121, 6 R. Rel. L. Rep. 200(1962). See Mendelson, Discrimination (Pren.Hall 1962) 21. And see United States v. Ellis, W.D.S.C. 1942, 43 F. Supp. 321, 324.

Ralph Blumberg Exhibit No. 2—Continued

22. The Sixth Circuit said:

"If sharecropper-tenants in possession of real estate under contract are threatened, intimidated or coerced by the landlords for the purpose of interfering with their rights of franchise, certainly the fact that the coercion relates to land or contracts would furnish no excuse or defense to the landlord for violating the law." 288 F. 2d 653, 656.

23. Judge Tuttle added:

"Thus, although the defendants here may have had an almost restricted right to invoke the Alabama trespass law to keep all persons from entering upon their property after warning, in the exercise of a desire to exercise exclusive ownership and proprietary interest in their property, they could not legally invoke the right of excluding Lonnie Brown, who had previously been given free access to the property, as a threat or means of coercion for the purpose of interfering with his right or the right of others whom he represented in exercising their right to register and vote."

24. The Supreme Court has affirmed the constitutionality of various provisions of the 1957 Act on other grounds than those at issue here. *United States v. Thomas*, 1960, 362 U.S. 58, 80 S.Ct. 612, 4 L.Ed. 2d 535; *United States v. Raines*, 1960, 362 U.S. 17, 80 S.Ct. 519, 4 L.Ed. 2d 524; *Hannah v. Larche*, 1960, 363 U.S. 420, 80 S.Ct. 1502, 4 L.Ed. 2d 1307.

25. Although a statute that is "necessary and proper" legislation to carry out the power of Congress to regulate elections for federal office may also be "appropriate legislation" to "enforce" the provisions of the 15th, 14th, and 13th amendments. The predecessor of Section 1971(a) withstood attack on constitutional grounds. In *re Engle*, 8 Fed. Cas. C.C.D. Md. 1877, 716, No. 4,488. It was held to be a valid exercise of congressional power under the 15th Amendment. *Chapman v. King*, 5 Cir. 1946, 154 F.2d 460, cert. denied, 327 U.S. 800; *Kellogg v. Warmouth*, C.C.D. La. 1872, 14 Fed. Cas. 257, No. 7,667.

The Voting Rights Act of 1965 rests, in part, on Section 2 of the 15th Amendment.

26. "An abundance of judicial dicta and holdings in analogous situations make clear that the federal power to regulate elections extends equally to the registration process. Any matter affecting the character or choice of the federal electorate is so integrally related to the election ultimately held as to come within the 'holding' of the election under article I, section 4." *Van Alstyne, Anti-literacy Test Legislation*, 61 Mich. L. Rev. 805, 815(1963).

Ralph Blumberg Exhibit No. 2—Continued

28. Comment, Federal Civil Action Against Private Individuals for Crimes Involving Civil Rights, 74 Yale L.Jour. 1462, 1470(1965). And see Maggs and Wallace, Congress and Literacy Tests, 27 Duke L. & Cont.Prob. 510, 517-521(1962).

29. In that case Hardy, a Negro resident of Tennessee, a member of the "Student Non-Violent Coordinating Committee", was in Walthall County, Mississippi for the purpose of organizing Negroes of that county to register and vote. Hardy engaged in an argument with the registrar. The registrar ordered him to leave the office. As he got to the door, the registrar struck him on the back of the head with a revolver. Hardy was arrested and charged with a breach of the peace. The Court upheld (1) the fact that Hardy was not eligible to register and therefore his right to vote was not interfered with; (2) the appeal was from a denial of a request for a temporary restraining order, generally an unappealable order under 28 U.S.C. 1291, 1292; (3) the prosecution was a state criminal court proceeding, protected by the doctrine of comity and Section 2283 severely restricting federal injunctions of state proceedings.

30. The Court finds that on the admissions and on the evidence adduced at the hearing, a preliminary injunction should not issue against Charles Ray Williams, Louis Applewhite, and Willis Blackwell. The Court does not enter a judgment of dismissal as to these defendants, because the United States expressly reserved the right to introduce additional evidence at the hearing for permanent relief, as to these and other defendants. At the time of the hearing, Blackwell had not been correctly served. We find that James Ellis, Sidney August Warner, and Albert Applewhite are members of the klan--ACCA or were members until recently, and therefore should be enjoined. The request for dismissal of the action as to these named defendants and their request for attorneys fees are denied.

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

THURSDAY, JANUARY 6, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee met, pursuant to recess, at 10:31 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order. The Chair wants to acknowledge the presence in the hearing room of the Hon. Belgrano Rosson; Mr. Belgrano Rosson is president of the Committee on Constitutional Affairs of the Chamber of Deputies of Argentina.

With him in the audience is his charming wife, Mrs. Belgrano Rosson, and Mr. Caulus F. Soto, an interpreter for the Department of State.

We acknowledge your presence and appreciate your attendance.

We hope you can follow some of the proceedings, anyway. I understand you have an interpreter with you.

Proceed.

Mr. APPELL. Mr. Chairman, I would like to call Russell E. Magee.

The CHAIRMAN. Please raise your right hand, sir.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MAGEE. I do.

TESTIMONY OF RUSSELL E. MAGEE, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Mr. Magee, will you state your full name for the record?

Mr. MAGEE. Russell E. Magee.

Mr. APPELL. Mr. Magee, I suggest that you pull the microphone a little closer. It is difficult to hear you.

Mr. MAGEE. Russell E. Magee.

Mr. APPELL. When and where were you born?

Mr. MAGEE. Washington Parish, April 19, 1924.

The CHAIRMAN. What town?

Mr. MAGEE. Franklinton. It is in a rural area.

The CHAIRMAN. I know the town and the surrounding area.

Mr. APPELL. Are you represented by counsel?

Mr. MAGEE. I am.

Mr. APPELL. Would counsel please identify himself for the record?

Mr. INGRAM. Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. Mr. Magee, are you appearing here this morning in accordance with a subpoena served upon you?

Mr. MAGEE. Yes.

Mr. APPELL. Would you set forth for the record your educational background?

Mr. MAGEE. I respectfully decline to answer the question on the grounds that it might incriminate me; on the further grounds that it would violate my rights under the 1st, 4th, 5th, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. I put it to you as a fact, Mr. Magee, and ask you to affirm or deny the fact, that you are the recipient of a master's degree from the University of Southern Mississippi, Hattiesburg, Mississippi.

Mr. MAGEE. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Will you set forth for the record your employment background?

Mr. MAGEE. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Magee, I put it to you as a fact, and ask you to affirm or deny the fact, that you are formerly the vice principal and basketball coach of Thomas, Louisiana, School and that you now hold a supervisory position with the local school board.

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

Mr. POOL. Counsel, is there any information there on what the Federal participation is there at this school?

Mr. APPELL. That is information which we do not possess in full.

The CHAIRMAN. Mr. Magee, you have a master's degree, and therefore you are fully capable of understanding the purposes, objectives, and programs of any organization to which you might belong.

In light of that I shall ask you for enlightenment later on, after certain identifications will be made.

Mr. APPELL. Mr. Magee, I hand you copy of a constitution of the Original Knights of the Ku Klux Klan of Louisiana. I ask you if, as a member of that organization, you operated under those constitutional laws?

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

(Document previously marked "Murry Martin Exhibit No. 2.")

Mr. APPELL. Mr. Magee, this constitution provides that in each Klavern there shall be appointed a klokan, and under the klokan there shall be appointed in secret a wrecking crew. What knowledge do you possess of the existence and the purpose of a wrecking crew?

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I now present to this committee the results of our investigation as they pertain to Mr. Magee:

Member of the Franklinton, Louisiana, unit of the Original Knights of the Ku Klux Klan in 1963, when the organization was known as the Louisiana Rifle Association and was under the leadership of J. D. Swenson and Royal V. Young.

In April of 1964 he arranged bond for two Klansmen who were arrested for assaulting an officer and resisting arrest in Franklinton, Louisiana.

In June and July, 1964 he received the sum of \$777.01 by checks from the Christian Constitutional Crusaders, the front or cover name of the Original Knights of the Ku Klux Klan as headed by Murry H. Martin.

These funds were advanced to Magee as an organizer for the Sixth Congressional District as well as to operate the Sixth District Klan organization.

(Checks previously marked "Murry Martin Exhibit No. 9." See p. 2373.)

In September of 1964 he was coordinator of all Klan activities for the Sixth Congressional District of the Original Knights of the Ku Klux Klan.

He was a leader of the faction which broke from the Martin leadership of the Original Knights in or around December of 1964. This faction continued to operate in Washington Parish, Louisiana, independent of other Klan groups and issued leaflets under the name of the Original Knights of the Ku Klux Klan of Louisiana.

In March of 1965, Magee and other Klansmen attended a meeting at Baton Rouge, Louisiana, called for the purpose of attempting to reunite factions under the Original Knights of the Ku Klux Klan of America, Inc., a newly incorporated independent Klan organization.

When the Bogalusa Klan group created as its front, or cover, the Anti-Communist Christian Association, Magee held membership in that organization.

This information, Mr. Chairman, which we believe the witness can confirm, also leads us to believe that he possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Magee, you have heard the statement of Mr. Appell. You now have the opportunity to reply to any portion of that statement, to admit or deny the truth of any allegation, and to explain or modify any part of that statement.

In addition you may, if you desire, offer any other matter which the committee may deem relevant to this inquiry.

Do you wish to take advantage of the offer I have just made?

Mr. MAGEE. Sir, I respectfully refuse to answer on the grounds heretofore stated.

The CHAIRMAN. Well then, Mr. Magee, I must inform you that in the absence of your rebuttal, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation. Bearing this in mind, have you anything to say?

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

The CHAIRMAN. As I indicated a moment ago, you possess a master's degree and you are connected with the school system in your area. I would like very much to take advantage of your education and ability to express yourself and have you give us the purposes, objectives, and the programs of the Ku Klux Klan organization to which you belong.

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

The CHAIRMAN. Did you at any time make speeches or participate in the issuance of pamphlets, literature, and documents purporting to define the objectives and programs of the Ku Klux Klan organization to which you belong?

Mr. MAGEE. Sir, I respectfully refuse to answer on the grounds heretofore stated.

The CHAIRMAN. Did you as part of your participation in the school system of your area discuss these objectives, purposes, and programs of the Klan organization to which you belong?

Mr. MAGEE. Sir, I respectfully refuse to answer on the grounds heretofore stated.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. APPELL. Mr. Magee, visiting the schools of your parish as a member of the school board, I assume that you discuss with the students the Constitution of the United States. The bylaws of the Anti-Communist Christian Association supports the Constitution of the United States as originally written. Is this the constitution that you discuss with your students?

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Magee, were you a defendant in the three-judge court seated in Louisiana which returned an order and finding of facts against yourself and other named defendants? ¹

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. This statement appears in the court records and it is my understanding that the defendants, through counsel, admitted to your knowledge—during the period from January 28, 1965, to the present time the individual defendants—

including Saxon Farmer, Russell Magee, Dewey Smith, Randle C. Pounds, Billy Alford, Charles McClendon, James Burke, and other members of the defendant Klan, have gone to locations where they anticipated that Negroes would attempt to exercise their rights and where they anticipated that persons would publicly demonstrate in favor of equal rights for Negroes, in order that the defendants might identify, harass, threaten and intimidate such Negroes and other persons. * * *

¹ See Ralph Blumberg Exhibit No. 2, pp. 2475-2519.

Is that statement that I read to you factual, as it applies to yourself?

Mr. MAGEE. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

Mr. WELTNER. Mr. Chairman, I would like to ask the witness whether an employee of the public schools of the State of Louisiana takes an oath of office, or whether he must subscribe to any stated principle prior to embarking on employment with the public school system of the State of Louisiana.

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

Mr. WELTNER. No further questions.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Before calling the next witness, I would like to ask that the checks made payable to Mr. Magee be entered as exhibits to his testimony at the conclusion of his testimony.

The CHAIRMAN. The checks will be admitted at the point where they were referred to.

Mr. APPELL. Mr. James M. Ellis, Jr.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ELLIS. I do.

TESTIMONY OF JAMES M. ELLIS, JR., ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. State your full name for the record.

Mr. ELLIS. James M. Ellis, Jr.

Mr. APPELL. Are you popularly known in Bogalusa by the nickname of "Buster"?

Mr. ELLIS. I respectfully decline to answer the question on the grounds that it might incriminate me and, further, that it might violate my rights guaranteed me under the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States.

The CHAIRMAN. Do you honestly feel—and that is the basis upon which you have the right to invoke the constitutional privilege you have outlined—that to answer that question would tend to incriminate you or subject you to criminal prosecution under those very constitutional provisions that you cited?

Mr. ELLIS. Sir, I respectfully decline to answer the question propounded to me on the grounds previously stated.

Mr. APPELL. When and where were you born, Mr. Ellis?

Mr. ELLIS. July 5, 1932, Bogalusa, Louisiana.

Mr. APPELL. Where do you presently reside?

Mr. ELLIS. 520 Superior Avenue, Bogalusa.

Mr. APPELL. Would you give the committee the benefit of your educational background?

Mr. ELLIS. I respectfully decline and refuse to answer the question propounded to me on the grounds previously stated.

Mr. APPELL. Would you give the committee the benefit of your employment background?

Mr. ELLIS. I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are the owner of the Ellis Auto Repairs, 814 Sabine Street, Bogalusa, Louisiana.

Mr. ELLIS. I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Ellis, did you receive an honorable discharge from the United States Air Force in April of 1953?

Mr. ELLIS. I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Ellis, I hand you a constitution of the Original Knights of the Ku Klux Klan of Louisiana and ask you if, as a former exalted cyclops of a Klavern in Bogalusa, you operated in accordance with this constitution?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

(Document previously marked "Murry Martin Exhibit No. 2.")

Mr. APPELL. Mr. Ellis, are you appearing before the committee in accordance to a subpoena served upon you on October 26, 1965, at Wesley Car Sales at Bogalusa, Louisiana?

Mr. ELLIS. Yes.

Mr. APPELL. Mr. Ellis, under the conditions of the subpoena, and the attachment which was made a part of the subpoena, you were commanded to bring with you and to produce before the committee:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan of Louisiana and affiliated organizations, namely, Anti-Communist Christian Association in your possession, custody or control, or maintained by you or available to you as Exalted Cyclops of the Original Knights of the Ku Klux Klan of Louisiana or Anti-Communist Christian Association.

I ask you to produce those documents called for in your subpoena.

Mr. ELLIS. Sir, I respectfully decline and refuse to produce those documents on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce the documents called for.

The CHAIRMAN. Were you in the hearing room when I explained to previous witnesses the fact this subpoena was served on you, and ordered you to produce documents just read by Mr. Appell in the representative capacity indicated?

Mr. ELLIS. Yes.

The CHAIRMAN. For the reasons stated previously, which you say you are aware of. I therefore order and direct you to produce those documents.

Mr. ELLIS. Sir, I respectfully decline and refuse to produce those documents on the grounds previously stated.

Mr. APPELL. Mr. Ellis, paragraph 2 of the subpoena called upon you to produce:

All books, records, documents, correspondence, and memoranda in your possession custody or control, or maintained by or available to you, in your capacity as present or past member or officer of the United Klans of America, Inc., Knights of

the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce the documents called for in paragraph 2.

Mr. ELLIS. Sir, I respectfully decline and refuse to produce the documents on the grounds previously stated.

Mr. APPELL. I ask that the witness be directed to produce the documents and other records called for in paragraph 2.

The CHAIRMAN. For the reasons previously stated, I order and direct you to produce those documents.

Mr. ELLIS. Sir, I respectfully decline and refuse to produce those documents on the grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I now present to this committee the results of our investigation as they pertain to Mr. Ellis.

Member and exalted cyclops of the Original Knights of the Ku Klux Klan under the leadership of Murry H. Martin. In July 1964, Ellis was the second endorser on a check drawn against the Christian Constitutional Crusaders, the cover name of the Original Knights of the Ku Klux Klan. The payee of the check was Russell Magee, and the check was advanced for the purpose of financing Sixth Congressional District Klan activities. (See Murry Martin Exhibit No. 9, p. 2373.)

From Klansman Howard M. Lee, a licensed gun dealer, Ellis received 6.5 Italian surplus rifles by the case and either he, or his employee at that time, Klansman Eddie Dubison, sold same out of Ellis's place of business, Ellis Auto Repair. Following questioning by agents of the Alcohol Tax Unit, Ellis for his own security left the Klan.

With the creation of the Klan front or cover, the Anti-Communist Christian Association, he joined the association.

On February 15, 1964, Ellis and other Klansmen followed Negroes into the Negro section of Bogalusa after having threatened them because they sought service at a restaurant in Bogalusa.

This information, Mr. Chairman, which we believe the witness can confirm, also leads us to believe that he possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Ellis, you have heard the sworn statement of the committee's chief investigator, Mr. Appell. I now give you the opportunity to reply to any portion of that statement, to admit or deny the truth of any allegation, and to explain or modify any part of that statement.

Do you care to avail yourself of that opportunity?

Mr. ELLIS. I respectfully decline to and refuse to answer the question on the grounds previously stated.

The CHAIRMAN. I must say to you, Mr. Ellis, in the absence of your rebuttal, or any other facts that may come to the attention of this committee, this committee will rely on the accuracy of its investigation as related by Mr. Appell. Bearing this in mind, do you have anything else to say?

Mr. ELLIS. I respectfully decline to and refuse to answer the question on the grounds previously stated.

The CHAIRMAN. Are you aware of the fact, which is established in the injunction proceedings filed in Louisiana, that some of the records of the Klan were destroyed?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

The CHAIRMAN. Did you as a fact, as related by Mr. Appell, retire from the Klan out of self-protection in order not to be involved in the distribution of guns, pursuant to a license issued to Howard M. Lee, who was charged and convicted of violating Federal law in that respect?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. CHAIRMAN. Proceed.

Mr. APPELL. Mr. Chairman, I would like to read from a report of Wallace J.——

The CHAIRMAN. Pardon me.

I say to you as a fact that you were one of the defendants in that injunction proceeding, so you would have knowledge, I assume, of the destruction of the records.

Proceed.

Mr. APPELL. Mr. Chairman, I would like to read from a report of Wallace J. Moll, Jr., an agent of the Alcohol Tax Unit stationed in New Orleans, Louisiana.

The CHAIRMAN. And that unit has jurisdiction over gun licenses, strange enough. I do not know how strange it is, but it has jurisdiction over licensing people distributing certain types of guns; is that correct?

Mr. APPELL. Yes, Mr. Chairman.

The CHAIRMAN. All right.

Mr. APPELL. [Reading:]

James M. Ellis, Jr., 520 Superior Avenue, Bogalusa, Louisiana, was interviewed at his place of business on January 14, 1965 and advised that he had known Howard Lee about one year and that Lee had approached him on the possibility of purchasing high-powered rifles at a cheap price provided they could secure volume sales.

He advised that he had delivered about 4 cases of the rifles for Lee, securing the money for him and receiving the rifles in shipment. He stated that he eventually quit this as it as interfering with his business operation.

I ask you, Mr. Ellis, if the paragraph that I have quoted from Agent Moll's report is factual?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. To whom did you distribute the rifles contained in the four cases which you acknowledged to the A.T.U. that you had delivered for Howard M. Lee?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that by "delivering" you meant that you sold these rifles out of your place of business, either you or Eddie Dubison, your employee.

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Ellis, when I interviewed Mr. Howard M. Lee in the Federal penitentiary at Texarkana, Texas, Mr. Lee told me how, when he was confronted with the facts, that many of the persons whom his records disclosed had received weapons. that he had gone and called upon these people or made investigation for the purpose of determining the accuracy of the Government's charges. He determined to his own satisfaction that his records were in fact false.

I ask you whether or not in the distribution of these rifles that you supplied Howard Lee for his records false information as to the identity of people who purchased same from your garage or auto repair shop?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, the majority of the rifles sold out of the Ellis Auto Repair Shop were sold to people known to you and to Eddie Dubison to be Klansmen.

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Ellis, as the exalted cyclops of a unit, you had the responsibility under the constitution of seeing to it that the klokan of your Klavern appointed in secret a wrecking crew.

Mr. ELLIS. Sir, I—

Mr. APPELL. I haven't asked the question yet.

Was a wrecking crew appointed within your Klavern?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. As an exalted cyclops, will you explain to the committee the purpose of a wrecking crew?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Randle C. Pounds.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. POUNDS. I do.

TESTIMONY OF RANDLE C. POUNDS, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Mr. Pounds, will you state your full name for the record, please?

Mr. POUNDS. Randle Cozell Pounds.

Mr. APPELL. When and where were you born?

Mr. POUNDS. Picayune, Mississippi, September, 30th day of September, 1925.

Mr. APPELL. Where do you presently reside, Mr. Pounds?

Mr. POUNDS. Bogalusa, Louisiana, Route 58-C.

Mr. APPELL. Mr. Pounds, are you appearing here this morning in accordance with a subpoena served upon you on October 30, 1965, at the Chevrolet Motors in Bogalusa, Louisiana?

Mr. POUNDS. Yes.

Mr. APPELL. Mr. Pounds, the subpoena served upon you contained an attachment which was made part of the subpoena and calls for you to produce certain documents.

Paragraph 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan of Louisiana and affiliated organizations, namely, Anti-Communist Christian Association, in your possession, custody or control, or maintained by you or available to you as member or officer of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you to produce the documents.

Mr. POUNDS. I respectfully refuse to produce the records on the grounds they might incriminate me, and on the further grounds that it might violate my rights guaranteed me under the 1st, 4th, 5th, and 14th amendment to the Constitution of the United States.

Mr. APPELL. Are you represented by counsel?

Mr. POUNDS. Yes.

Mr. APPELL. Will counsel please give his name for the record?

Mr. INGRAM. Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. Mr. Pounds, paragraph 2 calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member and/or officer of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce the documents called for in this paragraph 2.

Mr. POUNDS. I refuse to produce the documents on the constitutional grounds previously stated.

The CHAIRMAN. Mr. Pounds, were you in the hearing room when I explained to previous witnesses the fact that this subpoena was served upon you and requires you to produce documents in the capacity indicated in the subpoena?

Mr. POUNDS. Yes.

The CHAIRMAN. I therefore now order and direct you to produce those documents.

Mr. Ingram, I assume what we have covered before has been true all along, namely, you were supplied with a copy of my opening statement and you are familiar with its contents?

Mr. POUNDS. I refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Pounds, would you give the committee your educational background?

Mr. POUNDS. I respectfully refuse to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Pounds, is your principal source of income that from the business of a private contract painter?

Mr. POUNDS. I refuse to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Pounds, I put it to you as a fact, and ask you to affirm or deny the fact, that you served in the United States Navy from December 1950 to October 1954, in the United States Naval Reserve from September 1958 to October 1960, that you served in the regular United States Navy from October 1960 to December 1962, when you were transferred to the temporary disability retired list by reason of a physical disability.

I put that to you as a fact and ask you to affirm or deny it.

Mr. POUNDS. I respectfully refuse to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Pounds, do you presently receive compensation from the United States Government as a result of being placed on a temporary disability retired list?

Mr. POUNDS. I refuse to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Pounds, I put it to you as a fact, and ask you to affirm or deny the fact, that you have held membership in the Original Knights of the Ku Klux Klan.

Mr. POUNDS. I refuse to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness's claimed privilege and his consistent refusal to answer questions, I now present to this committee the results of our investigation as they pertain to Mr. Pounds.

In 1964, an active member of the Original Knights of the Ku Klux Klan.

In 1965, believed to be a member of the wrecking crew.

On April 6, 1965, the Klan rented a vacant house near the Bogalusa Labor Temple to observe the activities of civil rights groups and to plan acts of violence against its members. Pounds was one of the many Klansmen in the watching and planning of violence.

April 7, 1965, Randall C. Pounds and Klansman [Glenn] Breland accosted CORE worker William Yates. Pounds struck Yates' car with a heavy object at a time when Yates was leaving the house of Robert Hicks, vice president of the Bogalusa Voters League.

April 9, 1965, arrested for the assault upon Negroes in a march to the Bogalusa City Hall, including James Farmer, whom he attacked with a blackjack.

April 8, 1965, Pounds, together with other Klansmen, smashed the rear window of an automobile belonging to a CORE worker while it was parked across the street from the house of Robert Hicks.

May 31, 1965, Klansmen Billy Alford and Pounds threatened, harassed, and attempted to intimidate Negro pickets in the downtown area of Bogalusa.

Pounds is a member of the Klan front, or cover organization, the Anti-Communist Christian Association.

This information, Mr. Chairman, which we believe the witnesses can confirm also, leads us to believe that he possesses additional informa-

tion which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Pounds, you have heard the sworn statement of Mr. Appell, the chief investigator of this committee.

I now give you the opportunity to reply to any portion of that statement, admit or deny the truth of any of it, and to explain, or modify, any part of the statement.

In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of that opportunity?

Mr. POUNDS. I refuse to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. In that case, Mr. Pounds, I must inform you that in the absence of your rebuttal, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation.

Bearing this in mind, do you have anything to say?

Mr. POUNDS. I refuse to answer on the constitutional grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Pounds, I put it to you as a fact, and ask you to affirm or deny the fact, you were one of the defendants before the three-judge court sitting in Louisiana, New Orleans, Louisiana?

Mr. POUNDS. I refuse to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Eric Peterson.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PETERSON. I do.

TESTIMONY OF ERIC PETERSON, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Mr. Peterson, will you state your full name for the record, please?

Mr. PETERSON. My name is Captain Eric Peterson.

Mr. APPELL. Would you explain the title of "captain" that you give to yourself?

Mr. PETERSON. Sir, I respectfully decline and refuse to answer the question propounded to me on the grounds it will discriminate me, on the further grounds it will violate my rights under the 1st, 4th, 5th, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. Mr. Peterson, you are represented by counsel?

Mr. PETERSON. I am.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Michael S. Ingram, attorney at law, Baton Rouge, Louisiana.

Mr. APPELL. Mr. Chairman, Mr. Peterson was asked to set forth his full name for the record. He identified himself on the record as "Captain Eric Peterson." He was then asked to explain to the committee the designation which he gave to himself as captain and he refused to do so, invoking constitutional grounds. I request that the witness be directed to answer the question, Where does he get the title of captain?

The CHAIRMAN. I order and direct you to answer that question.

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Peterson, when and where were you born?

Mr. PETERSON. I was born in a rural area near Sunny Hill, Louisiana, on July 6, 1924.

Mr. APPELL. Where do you presently reside?

Mr. PETERSON. I reside in a rural area near Sun, Louisiana.

Mr. APPELL. Would you give us a description of where you live?

Mr. PETERSON. Would you repeat the question, please?

Mr. APPELL. Would you give the committee a description of the area in which you live?

Mr. PETERSON. I repeat my answer. I reside in a rural area about 1½ miles from Sun, Louisiana.

The CHAIRMAN. Mr. Ingram, I believe our colloquy is broad enough with reference to my opening statement to include this witness and others whom you might represent. So we may have it in the record now; is that correct?

Mr. INGRAM. Yes.

Mr. APPELL. Mr. Peterson, you are appearing before the committee this morning in accordance with a subpoena which was served upon you by a United States Marshal on November 4, 1965, at your residence in Sun, Louisiana.

Mr. PETERSON. Yes.

Mr. APPELL. Mr. Peterson, under the conditions of the subpoena served upon you and an attachment thereto which was made a part of the subpoena, you were ordered to produce the following items listed in paragraph 1:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan of Louisiana and affiliated organizations, namely, the Anti-Communist Christian Association, in your possession, custody or control, or maintained by you or available to you as member and/or officer of the Original Knights of the Ku Klux Klan of Louisiana and the Anti-Communist Christian Association.

I ask you to produce those records, sir.

Mr. PETERSON. I respectfully decline to produce the documents on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce the documents called for in paragraph 1 of the attachment to his subpoena.

The CHAIRMAN. Were you in the hearing room when I commented on this subpoena served upon you, which orders you to produce documents in the capacity indicated in the subpoena?

Mr. PETERSON. Yes, sir.

The CHAIRMAN. I therefore order and direct you to produce those documents.

Mr. PETERSON. I respectfully refuse to produce the documents on the constitutional grounds previously stated.

Mr. APPELL. Mr. Peterson, paragraph 2 calls upon you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member or officer of the United Klans of America, Inc., Knights of the Ku Klux Klan, and the Anti-Communist Christian Association which the "Constitution and Laws" of said organization authorize and require to be maintained by you or any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

Mr. PETERSON. I respectfully decline to do so on the constitutional grounds previously stated.

The CHAIRMAN. And for the reasons I previously stated, I order and direct you to produce those documents.

Mr. PETERSON. I respectfully decline to do so on the constitutional grounds previously stated.

Mr. APPELL. Paragraph 3, Mr. Peterson, calls upon you——

Mr. INGRAM. May I speak to you a minute?

(Counsel conferring.)

Mr. APPELL. Mr. Peterson, paragraph 3 of your subpoena calls upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Returns," for the calendar years 1958 through 1964 filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I ask you to produce those documents called for in paragraph 3.

Mr. PETERSON. I respectfully refuse to produce the documents on the constitutional grounds previously stated.

Mr. APPELL. Mr. Peterson, will you advise the committee of your educational background?

Mr. PETERSON. I respectfully decline to do so on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you had 1 year of college at Southwestern Louisiana State College.

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are the owner of the Pearl River Towing Company, Sun, Louisiana.

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Peterson, did you ever hold membership in the Original Knights of the Ku Klux Klan of the Realm of Louisiana?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I hand you a copy of the constitution of the Original Knights of the Ku Klux Klan, Realm of Louisiana, and I ask you if, as an exalted cyclops of that unit, of that organization, you conducted a Klavern under the rules and regulations prescribed therein?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Document previously marked "Murry Martin Exhibit No. 2.")

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I now present to this committee the results of our investigation as they pertain to Mr. Peterson:

October 1963, a member of the Bush, Louisiana, Unit, Original Knights of the Ku Klux Klan, which was then under the leadership of J. D. Swenson and Royal V. Young.

February 1964, attended a meeting at Alexandria, Louisiana, at which meeting Royal V. Young made plea with Klan leaders to hold organization together under his leadership.

July 1964, exalted cyclops of Bush Unit, Original Knights of the Ku Klux Klan, then under the leadership of Murry H. Martin. Klavern funds were maintained in his personal bank account.

While the exalted cyclops he purchased 700 rounds of ammunition and 25 rifles from Howard M. Lee, which rifles were sold or distributed by Peterson to Klansmen in the Covington, Louisiana, area.

Mr. Peterson paid Howard Lee \$125 for the 25 rifles.

In September 1964, Peterson was a member of the wrecking crew in the Saint Tammany Parish. The "wrecking crew," in Klan terminology, refers to a group of Klansmen who are prone to violence or who have been selected to carry out violence.

This information, Mr. Chairman, which we believe the witness can confirm, also leads us to believe that he possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

(At this point Mr. Buchanan left the hearing room.)

The CHAIRMAN. Mr. Peterson, you have heard the sworn statement of Mr. Appell, our chief investigator. You now have the opportunity to reply to any part or portion of that statement, to admit or deny the truth of any allegation, and to explain or modify any part of that

statement. In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry. Do you care to avail yourself of that opportunity?

Mr. PETERSON. I respectfully decline to do so on the constitutional grounds previously stated.

The CHAIRMAN. While Mr. Appell was outlining his sworn statement, I noticed you made notes of something when he described a meeting in Alexandria, when he described that you put Klan funds in your personal account, when he referred to rifles coming from Howard Lee, and when he referred to you as a member of the wrecking crew.

I have no objection at all, of course, and have none to your making notes. I simply wanted to give you the opportunity to say whether you were making those notes because you were doubtful of these things or because perhaps you wanted to keep a memorandum of what you had been questioned about and what had been disclosed. Do you care to comment?

Mr. PETERSON. I respectfully decline to do so on the constitutional grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Chairman, I would like to have entered into the record four documents which I shall now exhibit to Mr. Peterson.

One is a notice of the Ouachita National Bank, Monroe, Louisiana, to the Christian Constitutional Crusaders, the cover name of the Original Knights of the Ku Klux Klan when under the leadership of Murry H. Martin, which reflects that a check drawn against the account of Eric Peterson in the amount of \$47 was returned because of a missing endorsement.

Document Nos. 2, 3, and 4 are excerpts from the records of Howard M. Lee relating to his sales of guns and ammunition. The first paper contains the writing "700 rounds for Sun, La., Eric Peterson." The second document, in addition to other entries, contains the entry, "Eric Peterson, 25 rifles, pd. \$125." The third document contains the serial numbers of the 25 rifles and is dated July 28, 1964.

After you have examined those documents, Mr. Peterson, I give you an opportunity to comment on either or all.

The CHAIRMAN. Do you care to avail yourself of that opportunity?

Mr. PETERSON. I respectfully decline to do so on the constitutional grounds previously stated.

The CHAIRMAN. I order that these documents be inserted in the record at this point and instruct the reporter to insert in the printed record all documents as they are commented on and exhibited.

(Documents marked "Eric Peterson Exhibits Nos. 1 and 2-A, 2-B, and 2-C, respectively, follow:)

ERIC PETERSON EXHIBIT No. 1

CRAWLER	CHAS.	REASON	AMOUNT
Eric Peterson	BL-490	1st end. missing	47.00
To Christian Const. Crusaders e/o H. I. Bales 201 Elmwood Dr. West Monroe, La.			9-2 1964 VE

THE OUACHITA NATIONAL BANK
Monroe, Louisiana

We have today a special year interest rate provided by our annual fund raising campaign. Amount of this check, endorsed through or given to us.

Traveler Printing Co., Inc., Monroe, La. 70130-4

CASHIER

ERIC PETERSON EXHIBIT No. 2-A

Frank Mingo 40 rounds
 46.15 Ammo \$5.20

Lee Spears 40 rounds 5.20

700 rounds for Sun, La.
 (Eric Peterson)

ERIC PETERSON EXHIBIT No. 2-B

~~Eric Peterson 25 rounds pd. 12.50~~
~~L.M. Davis 25 rounds pd. 12.50~~
 L.M. Davis 24 boxes ammo pd. \$62.40
~~...~~
 C. J. Davis 200 Rds ammo pd. \$26.00
 David Scott 60 Rds ammo pd. 7.80
 John Brown 100 Rds ammo pd. 13.00
 David Seal 40 Rds ammo pd. 5.20
~~...~~

7/28/64

Sold to Eric Peterson by La (Page)
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YM 6089

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EX 9877

PK 1687

D 9668

EH 7274

MI 9393

FC 3149

AG 1468

ORA 7803

FK 4923

Mr. APPELL. Mr. Peterson, are there any other reasons, other than the constitutional reasons which you have set forth, for your refusal to answer or your refusal to produce documents called for by the subpoena?

Mr. PETERSON. Would you repeat that question?

Mr. APPELL. Yes, sir. Are there any other reasons, other than the constitutional reasons which you have set forth, why you did not answer questions propounded to you or produce documents called for by your subpoena?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Prior to November 6, 1965—and your subpoena was served upon you on November 4—were you telling residents of Sun, Louisiana, that you did not intend to cooperate with the committee and that you intended to be completely nonresponsive?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. POOL. Is that statement a matter of fact, Counsel?

Mr. APPELL. Yes, sir.

Mr. POOL. Where did that statement appear?

Mr. APPELL. In the area of Sun, Louisiana, where Mr. Peterson resides.

Mr. Peterson, it is the committee's information that from the Pearl River Towing Company, which you own, you have a gross income, prior to deductions, of in excess of \$300,000. What percentage of your income is derived from the United States Government?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. As a matter of fact, do you not live on Government property and tie up your barges on Government property, for which you pay compensation of only \$35 per month?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, I would like to read into the record at this point a letter from the Office of the Chief of Engineers, which reads as follows:

The District Engineer, U.S. Army Engineer District, at Mobile, Alabama, informs me that a lease was entered into between the Government and Mr. Peterson on 1 January 1962 for the use of approximately two acres of land and a concrete block dwelling at Lock No. 3, Pearl River Project, Louisiana. The term of the lease was for five years and ends 31 December 1966. This grant was the result of a bid submitted by Mr. Peterson in response to an invitation to bid for leasing this property. The compensation is \$35.00 per month. Mr. Peterson in the operation of his towing business is one of the principal users of the Pearl River Project.

Is the information supplied to the committee by the Corps of Engineers factual?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Document marked "Eric Peterson Exhibit No. 3" follows:)

ERIC PETERSON EXHIBIT No. 3

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON, D.C. 20315



IN REPLY REFER TO
ENGRE-MI

27 December 1965

Mr. Donald T. Appell
Chief Investigator
Committee on Un-American Activities
House of Representatives
Washington, D.C.

Dear Mr. Appell:

This is in further reply to your recent letter concerning the contractual relationship between the Corps of Engineers and Mr. Eric Peterson, operator of the Pearl River Towing Company, Sun, Louisiana.

The District Engineer, U.S. Army Engineer District, at Mobile, Alabama, informs me that a lease was entered into between the Government and Mr. Peterson on 1 January 1962 for the use of approximately two acres of land and a concrete block dwelling at Lock No. 3, Pearl River Project, Louisiana. The term of the lease was for five years and ends 31 December 1966. This grant was the result of a bid submitted by Mr. Peterson in response to an invitation for bids for leasing this property. The compensation is \$35.00 per month. Mr. Peterson, in the operation of his towing business, is one of the principal users of the Pearl River Project.

I trust the foregoing information is sufficient for your purposes.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Woodrow Berge".

WOODROW BERGE
Acting Director of Real Estate

Mr. APPELL. Mr. Peterson, will you advise the committee as to the Klansmen to whom you distributed or sold the 25 rifles which you obtained from Howard M. Lee, according to his record?

The CHAIRMAN. He did not get the question.

Mr. APPELL. Would you identify to the committee the Klansmen to whom you either sold or distributed the 25 rifles which you received, according to the records of Howard M. Lee?

Mr. PETERSON. I decline to do so on the constitutional grounds previously stated.

Mr. APPELL. To your certain knowledge, were any of these rifles used as a part of any wrecking crew activity of the Klan unit in Bush, Louisiana?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds perviously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of Mr. Peterson.

Mr. WELTNER. I have a question, Mr. Chairman.

Mr. Peterson, I note at page 11 of the court opinion (Ralph Blumberg Exhibit No. 2) there is set forth the boycott rules of the Anti-Communist Christian Association. A portion of those rules reads as follows:

"Any member who shall after a hearing have been found guilty of personally patronizing a subject listed on the boycott list shall be *wrecked by the wrecking crew* who shall be appointed by the Committee. [Emphasis added.] . . .

Second offense—If a member is found guilty of personally violating the boycott list he shall be wrecked and banished from the Klan."

I would like to know what is meant by the term "wrecked." What happens to a Klansman when he is "wrecked" by the "wrecking crew"?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. WELTNER. Mr. Chairman, may I have another moment.

I would like to inquire of Mr. Appell concerning the letter he presented from the Department of the Army. Is the Pearl River Project one constructed by the United States Corps of Engineers?

Mr. APPELL. It is, sir.

Mr. WELTNER. Is that what is known generally as a rivers and harbors project?

Mr. APPELL. It is, sir.

Mr. WELTNER. Is that project financed by any Federal funds?

Mr. APPELL. It is my understanding that the river is maintained by the Corps of Engineers and all dredging, widening, and things of that nature are financed by Federal funds.

Mr. WELTNER. As a matter of fact, that is financed 100 percent by Federal funds; is it not?

Mr. APPELL. That is my understanding, sir.

Mr. WELTNER. I understand the company of this witness, Mr. Peterson, is engaged in using the river, the harbor, docks, and such other facilities there in the course of Mr. Peterson's business.

Mr. APPELL. Yes, sir.

Mr. WELTNER. I do not have a question but a sort of query as to whether this is the kind of outside agitation and Federal interference that seems to serve to make one a member of the Ku Klux Klan.

I have no further comment, Mr. Chairman.

Mr. POOL. I have no questions.

The CHAIRMAN. The witness is excused.

The CHAIRMAN. It is now noon. The committee will stand in recess until 2 o'clock.

(Subcommittee members present: Representatives Willis, Pool, and Weltner.)

(Whereupon, at 11:55 a.m., Thursday, January 6, 1966, the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION—THURSDAY, JANUARY 6, 1966

(The subcommittee reconvened at 2:10 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.)

The CHAIRMAN. The subcommittee will come to order.

I have a brief announcement to make.

The subcommittee which is conducting these hearings met at the conclusion of this morning's session. At that meeting the four members present voted unanimously to recommend to the full committee that certain persons subpoenaed to testify in the earlier phase of these hearings be cited for contempt of Congress.

The following seven officials of the United Klans of America, Inc., Knights of the Ku Klux Klan, were the subjects of the subcommittee action:

Robert M. Shelton, Imperial Wizard of the United Klans of America, Inc., Knights of the Ku Klux Klan.

James R. Jones, Grand Dragon, Realm of North Carolina.

Robert E. Scoggin, Grand Dragon of the Realm of South Carolina.

Calvin F. Craig, Grand Dragon of Georgia.

Marshall R. Kornegay, Grand Dragon of Virginia.

George F. Dorsett, Imperial Kludd, who is also a paid organizer and a province titan of the Realm of North Carolina.

Robert Hudgins, Imperial Kladd and also the exalted cyclops of the North Carolina Klavern using the name of the Capital City Restoration Association.

That concludes my announcement, but in that connection I would like to say this: On the basis of the committee's study and analysis of the hearing record as it pertains to these men, it is my belief that the full committee will act favorably and promptly on the recommendation of the subcommittee.

I also announce that the subcommittee decided, also, to cancel the outstanding subpoenas on Mr. Shelton and Mr. Craig. It is my impression that those are the two who have outstanding subpoenas. We voted to cancel the subpoenas in light of the recommendation to be made by the subcommittee that action be taken by the full committee to recommend contempt citation of Congress.

I would like, also, to make this statement: This morning I was handed two documents which I have before me and which I can probably describe by use of the term "flyers." These documents state that they are put out by the United Klans of America, Inc. One of them is a bulletin from the Ku Klux Klan, and it seeks to exhort the reader to fight back against the colored people, whom it calls "niggers."

The other document is an invitation to join the United Klans of America, Inc., saying that any native-born, loyal United States citizen, 21 years old, white, gentile, temperate habits, Christian faith, and believing in white supremacy in America can join the Klan.

There is actually a membership blank, with places to be filled in.

The point I make it this: These flyers, I am told, have been and are being inserted in mail boxes in and around Baton Rouge.

I call attention to the fact that the insertion of these documents in United States mail boxes without payment of postage in regular mailing constitutes a violation of section 1725 of title 18 of the United States Code. We plan to report the incident to the postal authorities. In fact, we have already talked to the legal department about taking

whatever action and measures which might be appropriate in the circumstances.

Mr. Appell, call the next witness.

Mr. APPELL. Pete Holden.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOLDEN. I do.

**TESTIMONY OF JAMES W. (PETE) HOLDEN, ACCOMPANIED BY
COUNSEL, MICHAEL S. INGRAM**

Mr. APPELL. Will you state your full name for the record?

Mr. HOLDEN. James W. Holden.

Mr. APPELL. Are you represented by counsel, Mr. Holden?

Mr. HOLDEN. Yes, I am.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. My name is Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. When and where were you born, Mr. Holden?

Mr. HOLDEN. I was born in Bogalusa, Louisiana, May 18, 1926.

Mr. APPELL. Would you give the committee a brief résumé of your educational background?

Mr. HOLDEN. I respectfully refuse to answer the question on the grounds that it might incriminate me and on the further grounds that it would violate my rights under the Constitution—1, 5, 4, and 14th amendments of the Constitution of the United States.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you operate a Texaco station in Covington, Louisiana.

Mr. HOLDEN. I respectfully refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Holden, do you now or have you ever held office in a Ku Klux Klan organization?

Mr. HOLDEN. I respectfully refuse to answer the question on the same constitutional grounds previously stated.

Mr. APPELL. Mr. Holden. I put it to you as a fact, and ask you to affirm or deny the fact, that you held the position of exalted cyclops of a unit of the Original Knights of the Ku Klux Klan in Covington, Louisiana.

Mr. HOLDEN. I refuse to answer on the ground previously stated.

Mr. APPELL. Mr. Holden, were you acquainted with Howard M. Lee, the gun dealer in Bogalusa, Louisiana?

Mr. HOLDEN. I refuse to answer on the ground previously stated.

Mr. APPELL. Mr. Holden, the committee's investigation established that Eric Peterson, of Sun, Louisiana, obtained 25 rifles from Howard M. Lee and either sold or distributed them to Klansmen in the Covington, Louisiana, area. Do you possess knowledge of this?

Mr. HOLDEN. I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. Mr. Holden, the committee's investigation established that Mr. Lee's records failed to reflect the sale of some 154 rifles. The

committee's investigation disclosed that many of these rifles were sold and not reflected in Mr. Lee's records and were purchased by members of the Covington, Louisiana, Klavern.

As the exalted cyclops of that Klavern, can you tell us whether or not any of your members obtained these rifles from Howard M. Lee?

Mr. HOLDEN. I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. Mr. Holden, I hand you a copy of the "Konstitution of the Original Ku Klux Klan, Realm of Louisiana," and ask you if you ever operated under that constitution.

Mr. HOLDEN. I respectfully refuse to answer on the grounds previously stated.

(Document previously marked "Murry Martin Exhibit No. 2.")

Mr. APPELL. Mr. Holden, under the constitution of the Original Knights of the Ku Klux Klan there was provision made within Klaverns, within provinces, and within the realm for divisions known as the Klan Bureau of Investigation. Who headed the Klan Bureau of Investigation for your Klavern?

Mr. HOLDEN. I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. Provision was made for the appointment by the klokan of the Klavern of six men to be appointed in secret, being known by the title of the "wrecking crew." Who was the klokan of your Klavern?

Mr. HOLDEN. I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

Mr. POOL. I have no questions.

Mr. WELTNER. I have no questions.

Mr. BUCHANAN. I have no questions.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Willie Houston Burke.

The CHAIRMAN. Please raise your right hand, sir.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BURKE. I do.

TESTIMONY OF WILLIE HOUSTON BURKE, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Would you state your full name for the record, Mr. Burke?

Mr. BURKE. Willie Houston Burke.

Mr. APPELL. When and where were you born?

Mr. BURKE. February 2, 1917, in the suburbs of Bogalusa, Louisiana.

Mr. APPELL. Are you represented by counsel?

Mr. BURKE. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. My name is Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. Where do you reside, Mr. Burke?

Mr. BURKE. 903 Pine Ridge Road, Bogalusa, Louisiana.

Mr. APPELL. Are you appearing before the committee today, Mr. Burke, in accordance with a subpoena served upon you on October 26, 1965, at 903 Pine Ridge Drive, Bogalusa, Louisiana?

Mr. BURKE. Yes.

Mr. APPELL. Mr. Burke, the subpoena served you contained an attachment which called upon you to produce books and records set forth on the attachment which was made part of the subpoena. Paragraph 2 calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession custody or control, or maintained by or available to you, in your capacity as a present or past Exalted Cyclops and/or member of the Original Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization the same being in your possession, custody or control.

I ask you to produce the documents called for in paragraph 2.

Mr. BURKE. Sir, I refuse to produce the records mentioned in the question on the grounds that it might incriminate me and on the further grounds that it would violate my rights under the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States of America.

(At this point Mr. Buchanan left the hearing room.)

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce those documents.

The CHAIRMAN. Were you in the hearing room when I explained the fact that this subpoena was being served on others and on you in the capacity designated in the subpoena?

Mr. BURKE. Yes.

The CHAIRMAN. Accordingly, I order and direct you to produce those documents.

Mr. BURKE. Sir, I respectfully refuse to produce the records on the grounds previously stated.

Mr. APPELL. Mr. Burke, were you a member of the Ku Klux Klan in 1963 when the Original Knights of the Ku Klux Klan was under the direction of Royal V. Young as the Imperial Dragon?

Mr. BURKE. I respectfully refuse to answer the question on the grounds previously stated.

(At this point Mr. Buchanan returned to the hearing room.)

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I now present to this committee the results of our investigation as they pertain to Mr. Burke:

In 1963, exalted cyclops of the Bogalusa Unit of the Original Knights of the Ku Klux Klan under the leadership of J. D. Swenson and Royal V. Young.

In 1963-64 exalted cyclops of the Bogalusa Unit of the Original Knights of the Ku Klux Klan under the leadership of Murry H. Martin. This Klavern held its meetings at the Disabled American Veterans Hall which was operated by Klansman Arvis Warner.

Head of the committee of exalted cyclops under the Washington Parish Klan which distributed leaflets under the title of the Original Knights of the Ku Klux Klan of Louisiana, under the leadership of Charles Christmas and Saxon Farmer.

Member of the Klan front or cover organization, the Anti-Communist Christian Association.

This information, Mr. Chairman, leads us to believe that the witness, Mr. Burke, possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in the enactment of remedial legislation.

The CHAIRMAN. Mr. Burke, you have heard the sworn statement of Mr. Appell, the chief investigator of this committee.

Now I give you the opportunity to reply to any portion of that statement, to admit or deny the truth of any allegation, and to explain or modify any part of that statement.

In addition you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of that opportunity?

Mr. BURKE. Sir, I respectfully refuse to answer on the constitutional grounds previously stated.

The CHAIRMAN. In that case I must inform you that, absent your rebuttal or other facts which may come to the attention of the committee, this committee will rely upon the accuracy of its investigation.

Bearing that in mind, have you anything to say?

Mr. BURKE. Sir, I respectfully refuse to answer on the grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Burke, I put it to you as a fact, and ask you to affirm or deny the fact, that you are an employee of the city of Bogalusa.

Mr. BURKE. Sir, I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you have acted on behalf of the Klan in matters affecting the city of Bogalusa.

Mr. BURKE. Sir, I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. As chairman of the committee of exalted cyclops, did you know Albert Applewhite—

The CHAIRMAN. And that committee operates statewide in Louisiana—or did it?

Mr. APPELL. No; this was Washington Parish, Mr. Chairman.

The CHAIRMAN. I thought you said he was head of the committee of exalted cyclops.

Mr. APPELL. Of Washington Parish.

As chairman of the committee of exalted cyclops of Washington Parish did you know Albert Applewhite to be exalted cyclops of Unit No. 4?

Mr. BURKE. I refuse to answer on the grounds previously stated.

Mr. APPELL. Did you know these following individuals to have held the position of exalted cyclops at one time or another of Unit No. 2?

Dewey B. Smith, Ovied B. Dunaway; James M. (Buster) Ellis, Jr.; Robert Rester; and Billie Clyde Simmons?

Mr. BURKE. I refuse to answer on the grounds previously stated.

Mr. APPELL. Do you know Dewey B. Smith to also have been the exalted cyclops of Unit No. 1?

Mr. BURKE. I refuse to answer on the grounds previously stated.
(At this point Mr. Pool left the hearing room.)

Mr. APPELL. Mr. Burke, the mayor of Bogalusa, Mayor Cutrer, testified that he was approached by a man identified as Marvin Foster, whom he described as the liaison of the Klan, liaison man of the Klan, to the City Hall, and was told to attend a meeting of the Klan at the Disabled American Veterans Hall operated by Mr. Arvis Warner.

The mayor testified that he attended this meeting along with the police commissioner, Arnold Spiers, and there the demands of the Klan were made to him by 150 Klansmen robed and masked.

Did you participate in that meeting—

Mr. BURKE. I refuse to answer under the grounds previously stated.

Mr. APPELL—responsible for extending the demands to Mayor Cutrer, and what demands were made upon him with respect to the impending visit to Bogalusa, as a speaker, of former Congressman Brooks Hays?

Mr. BURKE. I refuse to answer under the grounds previously stated.

Mr. APPELL. Mr. Burke, literature distributed to the citizenry of Bogalusa, as well as the citizenry throughout the United States, by the Klan, advocates that it supports free speech. Enforcing the cancellation of speaking engagement of former Congressman Brooks Hays, how did the Klan carry out one of its purposes and objectives?

Mr. BURKE. I refuse to answer under the grounds previously stated.

Mr. APPELL. Mr. Burke, it was at a speech at Crossroads, Mississippi, on January 21, 1965, a 16-year old boy from Bogalusa announced that there was a youth group of the Klan being organized under the direction of Saxon Farmer in Bogalusa, Louisiana, and this 16-year-old boy asked you to join up. Do you know of the existence of such a youth group in Bogalusa?

Mr. BURKE. I refuse to answer under the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

Mr. BUCHANAN. I have no questions.

Mr. WELTNER. I have no questions.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Mr. Albert Applewhite.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. APPLEWHITE. I do.

TESTIMONY OF ALBERT LAFTMAN APPLEWHITE, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Would you state your full name for the record?

Mr. APPLEWHITE. Albert Laftman Applewhite.

Mr. APPELL. Are you appearing before the committee this afternoon represented by counsel?

Mr. APPLEWHITE. Yes.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Michael Ingram from Baton Rouge, Louisiana.

Mr. APPELL. When and where were you born?

Mr. APPLEWHITE. Bogalusa, December 24, 1924.

Mr. APPELL. Where do you presently reside?

Mr. APPLEWHITE. 1813 Washington Street, Bogalusa, Louisiana.

Mr. APPELL. Are you appearing in accordance to a subpoena served upon you by U.S. Marshal on October 26, 1965, at 1813 Washington Street, Bogalusa, Louisiana?

Mr. APPLEWHITE. Yes, sir.

Mr. APPELL. Mr. Applewhite, under the conditions of the subpoena there was an attachment thereto made a part of the subpoena and you were commanded to bring with you and to produce documents set forth in the attachment, paragraph 1:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of the business and affairs of the Original Knights of the Ku Klux Klan of Louisiana, and affiliated organizations, namely, the Anti-Communist Christian Association in your possession, custody or control, or maintained by you or available to you as Exalted Cyclops of the Original Knights of the Ku Klux Klan of Louisiana and the Anti-Communist Christian Association.

I ask you to produce those documents.

Mr. APPLEWHITE. Sir, I respectfully decline to produce these documents because to me on the grounds it might incriminate me, and on the further ground it would violate my rights guaranteed under the 1st, 4th, 5th, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce the documents.

The CHAIRMAN. Were you in the hearing room when I commented on the fact these subpoenas, including the one served upon you, called upon you to produce these documents in the representative capacity indicated in the subpoena?

Mr. APPLEWHITE. Yes.

The CHAIRMAN. Therefore, I order and direct you to produce the documents for the reasons previously stated.

Mr. APPLEWHITE. Sir, I refuse to present these documents on the grounds previously stated.

Mr. APPELL. Mr. Applewhite, under paragraph 2 of the subpoena you were asked to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past officer or member of the Original Knights of the Ku Klux Klan, or the Anti-Communist Christian Association which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

Mr. APPLEWHITE. Sir, I refuse to present these documents on the grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce the documents.

The CHAIRMAN. For the reasons I previously indicated, I order you to produce those documents.

Mr. APPLEWHITE. I refuse to present the documents on the grounds previously stated.

Mr. APPELL. Mr. Applewhite, would you give the committee your educational background?

Mr. APPLEWHITE. Sir, I refuse to answer that question on the grounds previously stated.

Mr. APPELL. Mr. Applewhite, did you see service in the United States Navy from August 1943 to March 1946, at which time you were honorably discharged?

Mr. APPLEWHITE. Sir, I refuse to answer that question on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you have a high school education and are employed by Crown-Zellerbach Corporation, Bogalusa, Louisiana?

Mr. APPLEWHITE. I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I propose to present to this committee the results of our investigation as they pertain to Mr. Applewhite.

In 1964, Mr. Applewhite was a member of Bogalusa Klavern of the Original Knights of the Ku Klux Klan, then under the leadership of Murry H. Martin.

In March of 1965, he held the position of exalted cyclops of Unit No. 4 of the Original Knights of the Ku Klux Klan of Louisiana.

The CHAIRMAN. He was exalted cyclops of Unit No. 4?

Mr. APPELL. On February 15, 1965, Applewhite, with other known Klansmen, gathered at Landry's Fine Foods, a Bogalusa restaurant, for the purpose of threatening Negroes seeking service.

On April 6, 1965, the Bogalusa Klan rented a vacant house near the Bogalusa Labor Temple for the purpose of observing civil rights groups and planning violence against them. Applewhite was one of the Klansmen watching and planning.

Applewhite was one of 18 members of the Bogalusa Auxiliary Police force who was sworn out of the Original Knights for security reasons in April of 1965. Applewhite is a member of the Klan cover organization, the Anti-Communist Christian Crusaders. Applewhite is also a leader of the Minutemen in the Bogalusa, Louisiana, area.

This information, Mr. Chairman, leads us to believe that Mr. Applewhite possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in the enactment of remedial legislation.

The CHAIRMAN. Mr. Applewhite, you have heard the sworn statement of the committee's chief investigator, Mr. Appell. I give you the opportunity to reply to any portion of that statement, to admit or deny the truth of any allegation, and to explain or modify any part of it.

In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you wish to avail yourself of that opportunity?

Mr. APPLEWHITE. Sir, I respectfully refuse to answer the question on the grounds that I previously stated.

The CHAIRMAN. In that case, I must inform you in absence of your rebuttal, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation.

Now, bearing that in mind, do you have anything more to say?

Mr. APPLEWHITE. Sir, I respectfully refuse to answer the question on the grounds that I have previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Applewhite, will you identify for the committee the additional 17 members of the Bogalusa Auxiliary Police Department who were members of the Ku Klux Klan?

Mr. APPLEWHITE. I respectfully refuse to answer the questions on the grounds previously stated.

Mr. APPELL. Mr. Applewhite, will you identify for the committee the klokan and the members of the wrecking crew of the Klavern which you headed as the exalted cyclops?

Mr. APPLEWHITE. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. The Klan in Bogalusa provided for the creation of a boycott committee to be comprised of one member from each unit in the Bogalusa area. This committee was to appoint a wrecking crew who would wreck persons violating the boycott restrictions. Were you a member of this wrecking crew?

Mr. APPLEWHITE. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. The staff has no further questions to ask of this witness.

The CHAIRMAN. The witness is excused.

Mr. APPELL. Mr. Ewell Rowley.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROWLEY. I do.

TESTIMONY OF EWELL WILLIAM ROWLEY, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Would you state your full name for the record, please?

Mr. ROWLEY. Ewell William Rowley.

Mr. APPELL. Are you appearing here this afternoon in accordance with a subpoena served upon you on October 26, 1965, at the Pearl River Junior High School in Pearl River, Louisiana?

Mr. ROWLEY. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. ROWLEY. Yes.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. When and where were you born, Mr. Rowley?

Mr. ROWLEY. Marion County, Mississippi, April 25, 1921.

Mr. APPELL. What city in Marion County were you born?

Mr. ROWLEY. It was in a rural area known as Kokomo.

Mr. APPELL. Where do you presently reside?

Mr. ROWLEY. Sixth Ward Community, Louisiana.

Mr. APPELL. Sixth Ward of what parish?

Mr. ROWLEY. St. Tammany.

Mr. APPELL. Mr. Rowley, under the condition of the subpoena served upon you and attachment that was made a part of the subpoena, you were called to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan of Louisiana and affiliated organizations, namely, Pearl River Hunting and Fishing Lodge #1028 and the Anti-Communist Christian Association in your possession, custody or control, or maintained by you or available to you as a member and/or officer of the Original Knights of the Ku Klux Klan of Louisiana and/or Anti-Communist Christian Association.

I ask you to produce those documents, sir.

Mr. ROWLEY. Are you speaking of paragraph 1 of the subpoena?

Mr. APPELL. Yes, I read paragraph 1.

Mr. ROWLEY. Sir, I respectfully refuse to produce the records asked for in paragraph 1 of the subpoena on grounds that it might incriminate me and, further, it would violate my rights under the 1st, 4th, 5th, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. I ask that the witness be directed to produce the documents.

The CHAIRMAN. Were you in the hearing room when I commented on the fact that these subpoenas, including the one served upon you, called upon you to produce these documents in the representative capacity indicated in the subpoena?

Mr. ROWLEY. No, sir; I was not.

The CHAIRMAN. I will explain it to you.

This subpoena, which is technically called a subpoena duces tecum, calls upon you to produce certain books, records, documents, correspondence, and memoranda relating to Ku Klux Klan affairs and organization, which documents, it is stated in the subpoena, are in your possession, custody, or control or maintained by you or are available to you as a member and/or an officer of the Original Knights of the Ku Klux Klan of Louisiana and/or Anti-Communist Christian Association.

In other words, the subpoena does not call upon you to produce personal papers of yours, but papers, as indicated, in your possession, custody, or control in the capacity stated. Do you understand that?

Mr. ROWLEY. Yes.

The CHAIRMAN. That means that this committee takes the position that the constitutional ground upon which you rely is not applicable, because you have been asked to produce something not belonging to you personally, not your own papers or documents, but in that capacity, and it is our position you have no right to invoke those constitutional provisions.

Under these circumstances, I order and direct you to produce them.

Mr. ROWLEY. Sir, I respectfully refuse to produce the records on the grounds previously stated.

Mr. APPELL. Mr. Rowley, paragraph 2 calls for the production of:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as member and/or officer of the Original Knights of the Ku Klux Klan or the Anti-Communist Christian Association which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other

officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

Mr. ROWLEY. Sir, I respectfully refuse to produce those records on the grounds previously stated.

The CHAIRMAN. And for the reasons and the grounds I previously stated, I again order you to produce those documents mentioned in paragraph 2.

Mr. ROWLEY. I respectfully refuse to produce these records on the grounds heretofore stated.

Mr. APPELL. Mr. Rowley, will you set forth your educational background?

Mr. ROWLEY. Sir, I refuse to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, you are the principal of the Sixth Ward Junior High School, Pearl River, Louisiana.

Mr. ROWLEY. Sir, I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I propose to present to this committee the results of our investigation as they pertain to Mr. Rowley.

In 1964, Mr. Rowley was a member of the Original Knights of the Ku Klux Klan under the leadership of Murry H. Martin, which organization was known by a cover name of the Christian Constitutional Crusaders. He held membership and official position in the Pearl River Unit known by the front, or cover, name of the Pearl River Hunting and Fishing Lodge. Meetings of the Klan group were held in the Junior High School of which Mr. Rowley was its principal.

Officers of the unit in addition to Mr. Rowley were Ed Yates, D. B. Dean and L. J. Moran, all of Pearl River.

This information, Mr. Chairman, leads us to believe that he is in possession of additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in the enactment of remedial legislation.

The CHAIRMAN. Mr. Rowley, you have heard the sworn statement of the committee's chief investigator.

Now, I give you the opportunity to reply to any portion of that statement, to admit or deny the truth of any allegation, and to explain or modify any part of that statement.

In addition, I give you the privilege, if you desire, to offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of this opportunity?

Mr. ROWLEY. Sir, I respectfully refuse to answer on the grounds heretofore stated.

The CHAIRMAN. In that case, sir, I inform you that in the absence of any rebuttal from you, or anyone else for that matter, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation.

In view of that, do you have anything to say?

Mr. ROWLEY. Sir, I respectfully refuse to answer on the grounds previously stated.

Mr. WELTNER. I would like to inquire of Mr. Appell whether he has the name of the junior high school in Pearl River.

Mr. APPELL. I think it is the Sixth Ward Pearl River Junior High School.

Mr. WELTNER. Is that a part of the public school system of that parish?

Mr. APPELL. It is my understanding it is.

The CHAIRMAN. In the State of Louisiana, the parish is divided into wards, and in each ward there are elected, depending upon the population, members of the governing authority of that parish, which you would call a county in other States. And from each ward there are elected, again depending upon the population, members of the school board system. The name "ward" in this instance is a political subdivision of the parish from which the ward officers are drawn or elected. So I affirm the fact it is a part of the school system of each parish.

Mr. WELTNER. So it is a publicly financed and publicly owned facility in which this Klavern known as the Pearl River Hunting and Fishing Lodge was located?

Mr. APPELL. Those are the results of our investigation.

Mr. WELTNER. Thank you.

Mr. BUCHANAN. I am intrigued about the use of the school

Do you feel, sir, this is a proper use of public property, to use a school building as a place for a Klan meeting?

Mr. ROWLEY. Sir, I respectfully refuse to answer the question on the grounds previously stated.

The CHAIRMAN. I would give as my opinion, coming from Louisiana and being familiar with the school system there and the operation of the public buildings, that if a Klan organization—or rather an organization dedicated to peace, order, and law enforcement asked for the building, the school authorities would make the building available.

Mr. BUCHANAN. May I inquire?

You are the second schoolman we have had here today, and I think it is fair to state heretofore, in looking into the Klan, we found a number of people of rather limited education in positions of leadership. You are a man of some education, of responsibility in the field of education, and working with young people. I am intrigued, therefore, to learn what it is that drew you toward the Ku Klux Klan or makes you feel, as a school official and one with your influence on young people, that this is the sort of an organization of which you ought to be a part.

Would you tell us what it is about the Klan that makes you feel it is the kind of organization you ought to support and a man in your position of responsibility ought to support?

Mr. ROWLEY. Sir, I respectfully refuse to answer on the grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. I would like to ask Mr. Rowley whether or not approval was given for the Klan to meet in his school by the ward school board?

Mr. ROWLEY. Sir, I respectfully refuse to answer the question on the grounds previously mentioned.

Mr. APPELL. The staff has no further questions to ask this witness.

The CHAIRMAN. The witness is excused, and the committee will stand in recess for 5 minutes.

(Whereupon the subcommittee recessed and reconvened at 3:30 p.m. with the following subcommittee members present at time of recess and when hearings resumed: Representatives Willis, Weltner, and Buchanan.)

The CHAIRMAN. The subcommittee will come to order.

Proceed, Mr. Appell.

Mr. APPELL. Mr. Kinch Miley.

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MILEY. I do.

TESTIMONY OF KINCH WILSON MILEY, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. State your full name for the record, Mr. Miley.

Mr. MILEY. Kinch Wilson Miley.

Mr. APPELL. Are you represented by counsel?

Mr. MILEY. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Michael S. Ingram, from Baton Rouge, Louisiana.

Mr. APPELL. Mr. Miley, you are appearing before the committee today in accordance with a subpoena served upon you at Route 1, Varnado, Louisiana, on October 26, 1965?

Mr. MILEY. Yes, sir.

Mr. APPELL. Is Route 1, Varnado, Louisiana, your residence, Mr. Miley?

Mr. MILEY. Yes, sir.

Mr. APPELL. Mr. Miley, would you state for the record your educational background?

Mr. MILEY. I respectfully refuse to answer on the grounds that it might intend to incriminate me, and on the further grounds that it might violate my rights under the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States of America.

Mr. APPELL. Mr. Miley, are you currently employed as a schoolbus driver?

Mr. MILEY. I refuse to answer that question on the grounds previously stated.

Mr. APPELL. Mr. Miley, are you currently a member of a Klan organization?

Mr. MILEY. I refuse to answer on the grounds previously stated.

Mr. APPELL. Are you currently a member of the Anti-Communist Christian Association?

Mr. MILEY. I refuse to answer that question on the grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I propose to present to this committee the results of our investigation as they pertain to Mr. Miley.

Mr. Miley, as a member of the Bogalusa Unit of the Original Knights of the Ku Klux Klan, was the purchaser of ammunition and weapons from Howard M. Lee, the Bogalusa former exalted cyclops, who was arrested and convicted of violation of ATU regulation governing licensed gun dealers.

Records in Lee's possession reflect entries as follows:

Kinch Miley, 500 rounds of ammunition.

The second entry: Two pistols, .32 caliber, Savage automatics, No. 127258, No. 160634.

Four weapons not described, with Serial Nos. RA4844, OK6890, BN6537, UI6718.

Another entry: Three weapons, not described.

Mr. Miley, what disposition did you make of the weapons and ammunition obtained by you according to the records of gun dealer Howard M. Lee?

Mr. MILEY. I refuse to answer on the grounds previously stated.

(Excerpts from Howard M. Lee's records marked "Kinch Miley Exhibit No. 1" follow:)

KINCH MILEY EXHIBIT NO. 1

Frank Minto 40 rounds
y6 '5 Animo \$5.20

Kinch Miley (500 rds) 65.00

Lee Spears (40 rds) 5.20

700 rds for Sun, La.
(Eric Peterson)

Kinch Miley
2 pistols .32 Cal Savage auto's
#127258 #160634

KINCH MILEY
RA 4844 BN 6537
OK 6890 UI 6718

Kinch Miley 3

Mr. APPELL. Did you dispose of any of the ammunition, pistols, or other weapons to individuals known to you to be members of the Ku Klux Klan?

Mr. MILEY. I refuse to answer on the grounds previously stated.

Mr. APPELL. Did you ever serve on an official organization of the Klan known as the wrecking crew?

Mr. MILEY. I refuse to answer on the grounds previously stated.

Mr. APPELL. To your knowledge, was any of the ammunition or weapons obtained by you from Howard Lee used for the purpose of carrying out a wrecking crew assignment?

Mr. MILEY. I refuse to answer on the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of Mr. Miley.

The CHAIRMAN. Mr. Miley, I assume that Varnado is in Washington Parish.

Mr. MILEY. Yes.

The CHAIRMAN. What ward of Washington Parish is that town in?

Mr. MILEY. What is that question again?

The CHAIRMAN. What ward of the parish is that town in? What ward number of Washington Parish?

Mr. MILEY. Ward 5.

The CHAIRMAN. Now I ask you a question on which you may want to consult your counsel. I assume that you are a bus driver representing the public school system in Ward 5 of Washington Parish?

Mr. MILEY. Repeat the question, please.

The CHAIRMAN. I say I assume that you are a bus driver representing the public school system of Ward 5 of Washington Parish?

Mr. MILEY. I refuse to answer on the grounds previously stated.

The CHAIRMAN. Have you made public statements or have you appeared at public meetings to discuss activities of the Klan of which you are a member?

Mr. MILEY. I refuse to answer on the grounds previously stated.

The CHAIRMAN. Have you ever, in the course of your daily transportation of school children, which would be bringing them to school in the morning and driving them back home after school hours, discussed with these school children Klan activities or made suggestions to them that they consult with their parents to join up?

Mr. MILEY. I refuse to answer on the grounds previously stated.

The CHAIRMAN. Are there any questions?

The witness is excused.

Mr. APPELL. Mr. Robert Stallings.

The CHAIRMAN. Raise your right hand. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STALLINGS. I do.

TESTIMONY OF ROBERT EARL STALLINGS, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Would you state your full name for the record?

Mr. STALLINGS. Robert Earl Stallings.

Mr. APPELL. When and where were you born, Mr. Stallings?

Mr. STALLINGS. July 28, 1937, in Bogalusa, Louisiana.

Mr. APPELL. Are you represented by counsel?

Mr. STALLINGS. I am.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Yes. My name is Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. Mr. Stallings, are you appearing here this afternoon in accordance with a subpoena served upon you at 344 Columbia Road, Bogalusa, on the 28th day of December 1965?

Mr. STALLINGS. Yes.

Mr. APPELL. Mr. Stallings, under the terms of this subpoena you are called up to produce:

All books, records, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan, the Original Knights of the Ku Klux Klan of Louisiana, the Louisiana Rifle Association, the Christian Constitutional Crusaders, and the Anti-Communist Christian Association in your possession, custody or control, or maintained by you or available to you as present or past officer or member of the Original Knights of the Ku Klux Klan, the Original Knights of the Ku Klux Klan of Louisiana, the Louisiana Rifle Association, the Christian Constitutional Crusaders, and the Anti-Communist Christian Association.

I ask you if you have those documents and if you will produce them, sir.

(Documents produced.)

Mr. APPELL. Mr. Chairman, I would like the record to show that, in accordance with the attachment to the subpoena and the demand made on Mr. Stallings, Mr. Stallings has produced certain records. These records, Mr. Chairman, consist of monthly ledger cards of an account maintained by the Parish A.C.C.A. at the First State Bank & Trust Company, Bogalusa, Louisiana, copies of deposit slips, account signature card,¹ and eight checks drawn against the account.²

These are identical, Mr. Chairman, to the records which the committee received from the bank in accordance with a subpoena duces tecum.

(Ledger cards and deposit slips marked "Robert Stallings Exhibit No. 1" and retained in committee files.)

Mr. APPELL. Mr. Stallings, would you give the committee a brief outline of your educational background?

Mr. STALLINGS. I refuse and decline to answer the question propounded to me on the grounds that it might incriminate me and on the further grounds that the answers would tend to violate my rights as guaranteed under the 1st, 4th, 5th, and the 14th amendments to the Constitution of the United States.

Mr. APPELL. Would you please give to the committee your employment background, including current employment?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are employed by the bank in which this account was maintained.

¹ Previously marked "John Magee Exhibit No. 2."

² Previously marked "John Magee Exhibit No. 3."

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. Mr. Stallings, according to one of the items supplied by you, the copy of the signature card maintained by the bank (John Magee Exhibit No. 2), the card reflects that Robert E. Stallings, who is yourself, was the signature of the authority to the bank to honor checks drawn against the account in the name of the Parish A.C.C.A., including the names of J. E. Magee, B. R. Crain, and Sidney Brock. In light of the fact that these records which you supplied show that you are the responsible officer of the Parish A.C.C.A. granting to the bank the authority to honor checks, I now ask you if these documents are all of the documents in your possession called for in the attachment to the subpoena under which you delivered these documents?

Mr. STALLINGS. The manner in which the question is phrased, I respectfully refuse to answer the question on the grounds I previously stated.

The CHAIRMAN. Would you care to explain it in your own language? Would you care to?

Frankly, I am going to ask the examiner to rephrase his question. We want the facts here.

Mr. APPELL. Mr. Stallings, are there any documents in your possession called for in the attachment to the subpoena which you have not produced before this committee in accordance with the attachment?

Mr. STALLINGS. Would you repeat the question, please?

Mr. APPELL. Are there any documents in your possession called for to be produced in the attachment to your subpoena which you have not produced in response to the subpoena?

Mr. STALLINGS. No, sir; this is all the documents I have.

The CHAIRMAN. I do not know that you followed the question. I do not want to confuse you in the least. That would have been my subsequent question. The question he asked you was, Are the documents that you have produced the only documents called for? Now let me explain. It may be—I do not know myself—that the subpoena called for other documents. Perhaps you do not have them. If that is the case, I would suggest that you say, subject to your counsel; "No, the subpoena called for other documents, but I don't have them and I have never had them," if that is the case. I think counsel understands that and I am trying to clarify the record. That is all I want.

(Witness confers with counsel.)

The CHAIRMAN. Do you understand what I am driving at, Mr. Ingram?

Mr. INGRAM. Yes, sir.

The CHAIRMAN. I might tell you, Mr. Ingram, in all frankness, my next question would be, since we are talking about possession, that the subpoena called for documents either in his possession or under his custody or control, or available to him or maintained by him. I just want to make it plain; that is all.

To be perfectly frank with you, I would like to see one witness who has responded to the call of the subpoena.

Mr. STALLINGS. The documents which I have produced are all of the documents, books and records, correspondence, and memoranda which I have in my possession, custody—

The CHAIRMAN. Which I "have" or "had"?

Mr. STALLINGS. Which I have. Shall I start over?

The CHAIRMAN. Yes, please.

Mr. STALLINGS. The documents which—

The CHAIRMAN. Talk a little louder.

Mr. STALLINGS. The documents which I have produced are all the documents, records, books, correspondence, and memoranda which I have or have had in my possession, custody, or control or which I have or have had access to.

The CHAIRMAN. Mr. Stallings, as to this portion of your testimony—I do not know what comes next—I tell you that I appreciate for once somebody properly responding to a subpoena issued by this committee. I accept your tender as satisfying the subpoena.

Go ahead.

Mr. APPELL. Mr. Stallings, do you know John Magee, who appeared before the three-judge court in Louisiana and identified himself as treasurer of the Anti-Communist Christian Association, whose account carried the name of the Parish A.C.C.A.?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds I previously stated.

Mr. APPELL. Mr. Magee testified that the other members of the finance committee were Sidney Brock, Billy Crain, and Robert Stallings. Will you explain to the committee the formation, purpose, and organization of the finance committee of the Anti-Communist Christian Association?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. Mr. Magee testified that while he was treasurer, the funds were handled by Mr. Saxon Farmer. Was his testimony truthful?

Mr. STALLINGS. I—

The CHAIRMAN. You mean he testified in the Federal court injunction proceedings?

Mr. APPELL. Yes, sir.

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds I previously stated.

Mr. APPELL. Mr. Stallings, the deposit slip of March 22, 1965, of the First State Bank, which deposit slip shows a deposit of currency of \$100 and silver of 68 cents—

The CHAIRMAN. Complete your question and the answer to it, and then defer.

Mr. APPELL. —which reflects that this is a new account, contains as the person who received the funds for the bank a signature which I interpret as "Robert E." or "R. E. Stallings." Will you tell the committee from what source you received this money, either as a bank employee or as a member of the finance committee of the Parish A.C.C.A.?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

The CHAIRMAN. As chairman of the full House Committee on Un-American Activities, I hereby reconstitute the subcommittee to conduct the hearings for the balance of the afternoon as the following: Myself

as chairman, Mr. Weltner and Mr. Buchanan as the other two members, so for the balance of the afternoon two members shall constitute a quorum of the subcommittee of three.

(At this point Mr. Weltner left the hearing room.)

Mr. APPELL. Mr. Stallings, as a member of the A.C.C.A. did you at any time execute an application for membership which application had on its face "Application for Citizenship in the Invisible Empire, The Original Ku Klux Klan"? I exhibit to you a copy of an application.

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds previously stated.

(Document previously marked "Murry Martin Exhibit No. 1.")

Mr. APPELL. As a member of the A.C.C.A., did you ever swear to a series of oaths, copies of which I am now handing you?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

(Documents previously marked "John Swenson Exhibit No. 1.")

Mr. APPELL. Mr. Stallings, in the month of November were you called to jury duty at the courthouse in Franklinton, Louisiana?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. I put it to you as a fact, and ask you whether or not, when examined as a prospective juror in a case, you were asked whether or not you were the Stallings identified as a member of the A.C.C.A. before the three-judge court in Louisiana, and that you denied that you were, with the explanation that the name in that record was R. L. Stallings and that you are R. E. Stallings?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. Mr. Stallings, in the canceled checks which you submitted under the subpoena duces tecum, there are checks on December 22, 1965, in the amount of \$135, payable to cash, cosigned J. E. Magee, Robert E. Stallings; August 2, 1965, to cash, in the amount of \$77.40, signed J. E. Magee, Robert E. Stallings; July 2, 1965, to cash, in the amount of \$106.48, cosigned J. E. Magee, Robert E. Stallings; July 2, 1965, a check to cash for \$93, cosigned J. E. Magee, Robert E. Stallings; a check of March 28, 1965, to the District A.C.C.A., in the amount of \$39—strike that one because it is not cosigned by Mr. Stallings—a check dated April 15, 1965, to cash, in the amount of \$69, cosigned J. E. Magee, Robert E. Stallings; a check dated May 24, 1965, to cash, in the amount of \$170.90, cosigned J. E. Magee, Robert E. Stallings; a check dated May 29, 1965, to cash—strike that one.

Mr. Stallings, I would like to ask you the purpose for which the money was used from checks made payable to cash, cosigned by yourself.

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

(Checks previously marked "John Magee Exhibit No. 3.")

The CHAIRMAN. You wrote the checks.

Mr. APPELL. Was the income that went into this account income received from units of the A.C.C.A. which were identical to the Klan Klavern?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Mr. APPELL. Mr. Houston Pierce Morris.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MORRIS. I do.

TESTIMONY OF HOUSTON PIERCE MORRIS

Mr. APPELL. Will you state your full name for the record, Mr. Morris?

Mr. MORRIS. Houston Pierce Morris.

Mr. APPELL. Before proceeding further, Mr. Morris, I note that you are not accompanied by counsel. Do you desire counsel?

Mr. MORRIS. No.

The CHAIRMAN. Do you understand, Mr. Morris, that you have a right—if you do not, I am now telling you—to in your own way invoke the fifth amendment if you desire? Do you understand you have that right?

Mr. MORRIS. Yes.

The CHAIRMAN. I say that because you do not have a lawyer. You have that right. It will be given to you and accorded to you just as if you had a lawyer with you.

Mr. APPELL. Mr. Morris, when and where were you born?

Mr. MORRIS. October 4, 1935, Rayville, Richland Parish, Route 4, Box 616. Now I reside at 112 Texas Avenue, Monroe, Louisiana.

Mr. APPELL. Mr. Morris, will you give the committee your educational background?

Mr. MORRIS. I respectfully decline to answer that question for the reason that I honestly feel it might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Morris, you are appearing before the committee in accordance with a subpoena served upon you the 26th day of October, 1965, at 112 Texas Avenue, Monroe, Louisiana?

The CHAIRMAN. The question is, you are appearing here because you were subpoenaed to come here. That is the question.

Mr. MORRIS. That is correct.

Mr. APPELL. Mr. Morris, the subpoena served upon you calls for you to produce certain books and records described in an attachment to the subpoena which is made a part of the subpoena. Paragraph 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan—Louisiana, Original Knights of the Ku Klux Klan of America, Inc.—Louisiana, and United Klans of America—Louisiana, in your possession, custody or control, or maintained by you or available to you as officer and/or member of the above-mentioned organizations.

I ask you to produce the documents called for.

Mr. MORRIS. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated

October 14, 1965, for the reason that I honestly feel to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America. I respectfully decline to deliver to the committee any and all records requested by this committee under subpoena dated October 14, 1965, because that information is not relevant and germane to any subject under investigation and the same would not aid the Congress in the consideration of any legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress by House Resolution 8, adopted January 4, 1965.

The CHAIRMAN. Mr. Morris, I am not going to ask you a question, but I am just telling you that that response has been used many times, but yours is in very good form.

Were you here in the hearing room when I explained to the witnesses that this subpoena called on you to produce papers, books, documents, and so forth?

Mr. MORRIS. Yes.

The CHAIRMAN. Not that they belonged to you, but in your capacity as an officer. You understand that?

Mr. MORRIS. Yes, sir.

The CHAIRMAN. I order and direct you to furnish those.

Mr. MORRIS. I respectfully decline to produce the documents asked for by the committee in the subpoena dated October 14, 1965 for the reason I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 14, 1965. That information is not relevant and germane to the subject under investigation and the same would not aid the Congress in its consideration of legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Mr. Morris, I would advise you that in the future in answer to a demand to produce documents all of your rights will be protected if you will respond by the language you "refuse to produce for the reasons previously stated." That would include all of the reasons which you have stated.

I would like to ask you, however, Mr. Morris, before asking for the production of documents contained in part 2, whether or not in connection with the legal advice that you received with respect to your appearance here if you were advised by counsel of the opening statement of the chairman in October 1965, which set forth the purposes of the hearing and the designation of the subcommittee, and whether or not you understand them.

Mr. MORRIS. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Morris, on the first day of the hearings, I made what is called an opening statement which indicates the reasons,

purposes, objectives, the scope, and the purpose of holding the hearings. All witnesses who appeared here with a lawyer agreed that either the lawyer had explained my statement or he was familiar with it. You said you were not.

Therefore, I now hand you a copy of my opening statement of October 19, 1965, and I shall excuse you for a few minutes so you will have a chance to read it.

Call the next witness.

Mr. APPELL. Mr. Robert Fuller.

The CHAIRMAN. Will you raise your right hand, sir?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FULLER. I do.

TESTIMONY OF ROBERT WILLIAM FULLER

Mr. APPELL. Will you state your full name for the record, Mr. Fuller?

Mr. FULLER. Robert William Fuller.

Mr. APPELL. Mr. Fuller, you are not represented by counsel. Do you desire counsel?

Mr. FULLER. No, sir. I have consulted one and I will go from that, if you don't mind.

Mr. APPELL. I had a conversation with your counsel, Mr. Venable. He explained to me that he had advised you of the purposes of the hearing as contained in the opening statement. You are familiar with the purpose for which this hearing is being conducted?

Mr. FULLER. Yes, sir, I am.

The CHAIRMAN. One more question of Mr. Fuller.

Mr. Fuller, I want you to know because you are entitled to it—it is your choice to invoke constitutional privileges if you wish to. I want you to know that.

If you do, that right is a sacred one and it will be respected as if you had a lawyer.

Mr. FULLER. Yes, sir.

Mr. APPELL. Mr. Fuller, when and where were you born?

Mr. FULLER. Monroe, Louisiana, November 11, 1920.

Mr. APPELL. Are you appearing before the committee this afternoon in accordance with a subpoena served upon you on the 26th day of October, 1965 at 608 Winnsboro Road, Monroe, Louisiana?

Mr. FULLER. Yes, sir; that is right.

Mr. APPELL. Mr. Fuller, the subpoena served upon you calls for you to produce:

All books, records, documents correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan of America—Louisiana, also Original Knights of the Ku Klux Klan and affiliated organizations in your possession, custody or control, or maintained by you or available to you as member and/or officer of the Original Knights of the Ku Klux Klan of America—Louisiana, also the Original Knights of the Ku Klux Klan—Louisiana.

I ask you to produce those documents, sir.

Mr. FULLER. I respectfully refuse to do so. I honestly believe that it might tend to incriminate me and is in violation of my constitutional rights provided in article—1, 4, 5, and 14th amendments of the Constitution of the United States.

Mr. APPELL. Mr. Chairman, I ask for a direction to the witness.

The CHAIRMAN. You were in the hearing room when I explained to the previous witnesses that this subpoena served on you calls upon you to produce documents, not of your own, but in your capacity as stated in that subpoena.

You understand that, do you?

Mr. FULLER. Any what, now, sir?

The CHAIRMAN. That the subpoena calls upon you to produce documents which might have been in your possession—not belonging to you but held, controlled, or possessed by you as an officer of the Klan. In other words, it is not a call for personal papers. There is a distinction.

I say, you understand that?

Mr. FULLER. Yes, sir. I still stick to this. I understand it; yes, sir.

The CHAIRMAN. All right. Then under the circumstances I order you to produce them. Since you have no lawyer, you may, if you wish, repeat your refusal to produce them.

Mr. FULLER. Yes, sir. I respectfully refuse to produce records, and I honestly believe that it might tend to incriminate me in violation of the constitutional rights as provided in amendments 1, 4, 5, and 14th of the Constitution of the United States.

Mr. APPELL. Mr. Fuller, I hand you a series of oaths given to members of the Original Knights of the Ku Klux Klan, and ask you to examine these series of oaths and ask you whether you ever subscribed to them?

(Documents previously marked "John Swenson Exhibit No. 1.")

Mr. FULLER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. You're almost a lawyer yourself.

Mr. FULLER. Thank you, Mr. Willis. I don't have much education. I have to try to look out for myself.

Mr. APPELL. Mr. Fuller, are you familiar with the Klavern of the Ku Klux Klan in Louisiana known by the designation of the Monroe Hunting and Fishing Club?

Mr. FULLER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did you know the gentleman who was just excused from the witness chair?

Mr. FULLER. I respectfully decline to answer that question, sir, on the same ground previously stated.

Mr. APPELL. Is it a fact that you succeeded him as the exalted cyclops of the Klavern known as the Monroe Hunting and Fishing Club?

Mr. FULLER. That question again, please, sir?

Mr. APPELL. I put it to you as a fact that you succeeded him as the exalted cyclops.

Mr. FULLER. You said it was a fact, though, sir. I didn't.

MR. APPELL. I ask you to affirm or deny the fact.

MR. FULLER. I decline to answer that question on the constitutional grounds previously stated.

MR. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I propose to present to this committee the results of our investigation as they pertain to Mr. Fuller.

Mr. Fuller has been in a leadership capacity in the Klan in Louisiana since shortly after its activation in the beginning of the 1960's.

In 1963 he became the exalted cyclops of the Klavern known as the Monroe Hunting and Fishing Club.

He later became chief of the Klan Bureau of Investigation under J. D. Swenson and Royal V. Young and received compensation from its account operated under the front or cover name Louisiana Rifle Association.

He led the revolt against the leadership of Swenson and Young, using the charge that they were only interested in the money they were getting from Klan income.

Fuller became a leader under the reorganized Original Knights of the Ku Klux Klan, and from this organization he received compensation in the amount of \$3,955.47 during the period of February 11, 1964, through September 29, 1964, from that organization's account known as the Christian Constitutional Crusaders.

Fuller and other leaders under Murry H. Martin broke with Martin at the end of 1964 and incorporated an organization known by the name of the Original Knights of the Ku Klux Klan of America, Inc., in March 1965 for the purpose of attempting to bring all Louisiana Klansmen under its banner.

In June 1964, the bulk of the officers and members of the Knights of the Original Ku Klux Klan of America, Inc., joined the United Klans of America, Inc. The Monroe Hunting and Fishing Club, of which Mr. Fuller was an exalted cyclops, had gone into the United Klans of America, Inc., which operates in Louisiana under the front or cover name of the Louisiana Rescue Service in the fall of 1964.

According to the records of the Monroe Hunting and Fishing Club maintained at the Central Savings Bank & Trust Company, Monroe, Louisiana, Mr. Fuller was described in the account, on authority of the signature, as president, and he remained as president from August 21, 1963, to January 21, 1964.

This information, Mr. Chairman, leads us to believe that he possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in the enactment of remedial legislation.

THE CHAIRMAN. Mr. Fuller, the name of the man who made this statement is Don Appell. He is the chief investigator of this committee. He is under oath, just as you are.

Now I will give you the opportunity to reply to any portion of that statement, to admit or deny the truth of any allegation, or to explain or modify any part of that statement.

In addition I shall give you the opportunity, if you like, to offer any other matter which this committee may deem relevant to this inquiry.

Do you care to avail yourself of that opportunity?

Mr. FULLER. Mr. Chairman, I respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. In that case, Mr. Fuller, I must inform you that since you did not take advantage of that opportunity, or if we do not come in possession of other facts, this committee will rely upon the accuracy of what Mr. Appell had to say. We have been very careful in our investigation and it has come from many sources.

In view of what I have said, would you care to say anything?

Mr. FULLER. In view of what, sir?

The CHAIRMAN. In view of the fact that unless you choose to explain or deny or affirm or comment on what Mr. Appell had to say, the committee will assume that what he said is true. We assume that in view of that.

If you want to, I will now give you another opportunity to say anything you want.

Mr. FULLER. I state the same, Mr. Chairman.

The CHAIRMAN. In other words, you refuse on the grounds previously stated?

Mr. FULLER. Yes, sir; I respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. APPELL. Mr. Fuller, on June 26, 1965, I interviewed Houston P. Morris at Travel Lodge Motel in Monroe, Louisiana. Mr. Fuller explained that 3 weeks or so prior to the interview—

Mr. FULLER. Mr. Morris.

Mr. APPELL. —Mr. Morris stated that the bulk of his organization had gone over to the United Klans of America, but he said that you hadn't gone because you didn't want to give up your title.

Mr. FULLER. Didn't want to give up what, sir?

Mr. APPELL. Your title.

Mr. FULLER. I have no comment.

Mr. APPELL. I am asking you whether Mr. Morris' testimony was truthful?

Mr. FULLER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Fuller, I hand you two separate documents, forms issued by the Federal Communications Commission, both forms being applications for Class B, C, or D station license in the Citizens Radio Service. The first is Robert W. Fuller, dated 8-22-1964, and seeks authority to operate four transmitters.

The second, signed Robert W. Fuller, dated 8-14-64, is in the name of Fuller's Sanitation Service, and seeks authority to operate 10 transmitters.

I hand you these and ask you if these are factual copies of applications which you made.

Mr. FULLER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

(Documents marked "Robert Fuller Exhibits Nos. 1-A and 1-B," respectively. See pp. 2568-2571.)

The CHAIRMAN. What does that sanitation business do? You don't have to answer, but I am curious to know.

Mr. FULLER. Mr. Willis, I wouldn't mind answering that at the start. That's my business. But you have me way down in the middle of it, and I think that should have come up, sir, at the start of my program.

The CHAIRMAN. I won't press it.

Mr. FULLER. I will be glad to write you a letter and tell you concerning what it is. It's legitimate.

The CHAIRMAN. What I wanted to know was, really, that is an awful lot of transmitters to use in a cleaning or sanitation business.

Mr. FULLER. I have 18 pieces of equipment, no Klan equipment.

The CHAIRMAN. Why didn't you say in answer to previous questions that you had no Klan connections? I won't press the question because you don't have a lawyer. You are now saying you have no Klan connections. I don't know what you mean by that.

Mr. FULLER. I believe you asked me the question, sir——

The CHAIRMAN. I now ask you the question—Are you now, or have you ever been, a member of the Klan?

Mr. FULLER. I respectfully decline to answer that question on the grounds of my constitutional rights.

The CHAIRMAN. Are you now, or have you ever been, an officer of the Klan?

Mr. FULLER. I state the same. I respectfully decline to answer.

The CHAIRMAN. I thought you would.

Mr. APPELL. Mr. Fuller, have any of the transmitters authorized for you ever been used to carry out any activity on the part of the Klan?

Mr. FULLER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Fuller, if Mr. Morris's statement to me was truthful, that you did not go into the Klan, United Klan, what Klan organization, if any, are you now affiliated with?

Mr. FULLER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Fuller, do you continue membership in the Monroe Hunting and Fishing Club which in October of 1964 was a Klavern of the Louisiana Rescue Service?

Mr. FULLER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I have no further questions to ask of this witness.

The CHAIRMAN. You are excused.

Mr. FULLER. May I ask a question, if it is permissible?

The CHAIRMAN. It is perfectly all right with me.

I must warn you, if you do he will ask some of you.

Mr. FULLER. Maybe I will ask him later. It is important, but not in this investigation.

The CHAIRMAN. I will be glad to talk to you.

Mr. FULLER. Thank you, sir.

(Robert Fuller Exhibits Nos. 1-A and 1-B introduced above follow:)

ROBERT FULLER EXHIBIT No. 1-A

FCC FORM 505
REVISED MAY 1962

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

FORM APPROVED
BUDGET BUREAU NO. 52-812310

APPLICATION FOR CLASS B, C, OR D STATION LICENSE IN THE
CITIZENS RADIO SERVICE

DO NOT WRITE IN THIS BLOCK
65A544 8.00
#55 20755 JUL 1961

- 1. Application for Class A station license must be filed on FCC FORM 400.
- 2. Complete on typewriter or print clearly. **AUG 27 '64**
- 3. Be sure application is signed and dated. Mail application to Federal Communications Commission, Gettysburg, Pa., 17825.
- 4. Enclose appropriate fee with application, if required. **DO NOT SUBMIT CASH.** Make check or money order payable to Federal Communications Commission. (See Part 19, Volume V of FCC rules to determine whether a fee is required with this application.)

1 NAME OF APPLICANT
BUSINESS NAME (OR LAST NAME, IF AN INDIVIDUAL)
FULLER
FIRST NAME (IF AN INDIVIDUAL) ROBERT MIDDLE INITIAL W

2 IF AN INDIVIDUAL OPERATING UNDER A TRADE NAME, GIVE INDIVIDUAL NAME, OR IF PARTNERSHIP, LIST NAMES OF PARTNERS (Do not repeat any name used in item 1)

LAST NAMES	FIRST NAMES	MIDDLE INITIAL

3 MAILING ADDRESS
NUMBER AND STREET 1500 SUNSET
CITY MONROE STATE LA
ZIP CODE 70001 COUNTY OR EQUIVALENT SUBDIVISION OUACHITA

4 CLASSIFICATION OF APPLICANT (See instructions)
 INDIVIDUAL ASSOCIATION GOVERNMENTAL ENTITY
 PARTNERSHIP CORPORATION OTHER (Specify):

5 CLASS OF STATION (Check only one)
 CLASS B CLASS C CLASS D

6 IS THIS APPLICATION TO MODIFY OR RENEW AN EXISTING STATION LICENSE?
 YES (Give call sign): NO

7 DO YOU NOW HOLD ANY STATION LICENSE, OTHER THAN THAT COVERED BY ITEM 6, OF THE SAME CLASS AS THAT REQUESTED BY THIS APPLICATION?
 YES NO

8 TOTAL NUMBER OF TRANSMITTERS TO BE AUTHORIZED UNDER REQUESTED STATION LICENSE
4
(Number)

	YES	NO
9 DOES EACH TRANSMITTER TO BE OPERATED APPEAR ON THE COMMISSION'S "RADIO EQUIPMENT LIST, PART C," OR IF FOR CLASS C OR CLASS D STATIONS, IS IT CRYSTAL-CONTROLLED? (If no, attach detailed description: see subpart C of Part 19)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10 A WILL APPLICANT OWN ALL THE RADIO EQUIPMENT? (If no, answer B and C below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B NAME OF OWNER	<input type="checkbox"/>	<input type="checkbox"/>
C IS THE APPLICANT A PARTY TO A WRITTEN LEASE OR OTHER AGREEMENT UNDER WHICH THE OWNERSHIP OR CONTROL WILL BE EXERCISED IN THE SAME MANNER AS IF THE EQUIPMENT WERE OWNED BY THE APPLICANT?	<input type="checkbox"/>	<input type="checkbox"/>
11 HAS APPLICANT READ AND UNDERSTOOD THE PROVISIONS OF PART 19, SUBPART D, DEALING WITH PERMISSIBLE COMMUNICATIONS FOR WHICH THIS CLASS OF STATION MAY BE USED?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12 WILL THE USE OF THE STATION CONFORM IN ALL RESPECTS WITH THE PERMISSIBLE COMMUNICATIONS AS SET FORTH IN PART 19, SUBPART D?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13 WILL THE STATION BE OPERATED BY ANY PERSON OTHER THAN THE APPLICANT, MEMBERS OF HIS IMMEDIATE FAMILY, OR HIS EMPLOYEES? (If yes, attach a separate sheet listing the names and relationship of all such persons and give a detailed reason for their operation of your station)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14 IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY OF THE PARTNERS AN ALIEN?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15 IS APPLICANT THE REPRESENTATIVE OF ANY ALIEN OR ANY FOREIGN GOVERNMENT? (If yes, explain fully)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16 WITHIN 10 YEARS PREVIOUS TO THE DATE OF THIS APPLICATION HAS THE APPLICANT OR ANY PARTY TO THIS APPLICATION BEEN CONVICTED IN A FEDERAL STATE OR LOCAL COURT OF ANY CRIME FOR WHICH THE PENALTY IMPOSED WAS A FINE OF \$500 OR MORE OR AN IMPRISONMENT OF 6 MONTHS OR MORE? (See instructions. If yes, attach a separate sheet giving details of each such conviction)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17 IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY PARTNER LESS THAN 18 YEARS OF AGE; LESS THAN 12 YEARS OF AGE IF FOR CLASS C STATION LICENSE?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18 IF THE PRINCIPAL LOCATION WHERE THE STATION WILL BE USED IS DIFFERENT FROM THE MAILING ADDRESS (ITEM 3), GIVE THAT LOCATION. (DO NOT GIVE POST OFFICE BOX OR RFD NO.)	<input type="checkbox"/>	<input type="checkbox"/>
NUMBER AND STREET	<input type="checkbox"/>	<input type="checkbox"/>
CITY	<input type="checkbox"/>	<input type="checkbox"/>
STATE	<input type="checkbox"/>	<input type="checkbox"/>
IF LOCATION CANNOT BE SPECIFIED BY STREET, CITY, AND STATE, GIVE OTHER DESCRIPTION OF LOCATION	<input type="checkbox"/>	<input type="checkbox"/>
<u>see #3</u>	<input type="checkbox"/>	<input type="checkbox"/>
DO NOT WRITE IN THIS BOX	<input type="checkbox"/>	<input type="checkbox"/>
SCREENING <input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	<input type="checkbox"/>
SIGNATURE <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	<input type="checkbox"/>

SIGN AND DATE THE APPLICATION ON REVERSE SIDE

ROBERT FULLER EXHIBIT No. 1-A—Continued

<p>19 IF APPLICANT IS A NONGOVERNMENTAL CORPORATION, ANSWER THE FOLLOWING ITEMS.</p> <p>A IS CORPORATION ORGANIZED UNDER LAWS OF ANY FOREIGN GOVERNMENT?</p> <p>B IS ANY OFFICER OR DIRECTOR OF THE CORPORATION AN ALIEN?</p> <p>C IS MORE THAN ONE-FIFTH OF THE CAPITAL STOCK EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?</p> <p>D IS APPLICANT DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER CORPORATION? (If yes, answer items E through K below)</p> <p>E GIVE NAME AND ADDRESS OF CONTROLLING CORPORATION</p> <p>F UNDER THE LAWS OF WHAT STATE OR COUNTRY IS THE CONTROLLING CORPORATION ORGANIZED?</p> <p>G IS MORE THAN ONE-FOURTH OF THE CAPITAL STOCK OF CONTROLLING CORPORATION EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY? (If yes, give details)</p> <p>H IS ANY OFFICER OR MORE THAN ONE-FOURTH OF THE DIRECTORS OF THE CONTROLLING CORPORATION AN ALIEN? (If yes, answer items I and J below)</p> <p>I TOTAL NUMBER OF DIRECTORS IN CONTROLLING CORPORATION</p> <p>J LIST ALL OFFICERS AND DIRECTORS WHO ARE ALIENS IN CONTROLLING CORPORATION AND GIVE BRIEF BIOGRAPHICAL STATEMENT FOR EACH ALIEN</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:33%;">NAME</th> <th style="width:33%;">NATIONALITY</th> <th style="width:33%;">OFFICE HELD</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p>K IS THE CONTROLLING CORPORATION IN TURN CONTROLLED BY OTHER COMPANIES? (If yes, attach information for each of these controlling companies covering the information requested in items E through J, above)</p> <p style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</p>	NAME	NATIONALITY	OFFICE HELD							<p>20 IF APPLICANT IS AN UNINCORPORATED ASSOCIATION, ANSWER THE FOLLOWING ITEMS.</p> <p>A IS ANY OFFICER OR DIRECTOR OF THE ASSOCIATION AN ALIEN?</p> <p>B ARE MORE THAN ONE-FIFTH OF THE VOTING MEMBERS OF THE ASSOCIATION ALIENS OR REPRESENTATIVES OF ALIENS FOREIGN GOVERNMENTS OR REPRESENTATIVES THEREOF OR CORPORATIONS ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?</p> <p>C IS THE ASSOCIATION DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER ORGANIZATION? (If yes, give detailed explanation)</p> <p>USE THIS SPACE FOR ANY ADDITIONAL INFORMATION OR REMARKS</p> <p style="font-size: 1.2em; margin-left: 40px;">Address is 1500 Sunset</p> <p style="text-align: right; margin-right: 20px;"> _____ Signature Date 8-22-64 </p> <div style="border: 1px solid black; padding: 5px; margin-top: 20px;"> <p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.</p> </div>
NAME	NATIONALITY	OFFICE HELD								

ALL THE STATEMENTS MADE IN THE APPLICATION AND ATTACHED EXHIBITS ARE CONSIDERED MATERIAL REPRESENTATIONS, AND ALL THE EXHIBITS ARE A MATERIAL PART HEREOF AND ARE INCORPORATED HEREIN AS IF SET OUT IN FULL IN THE APPLICATION.

I CERTIFY THAT:

- The applicant has (or has ordered from the Government Printing Office) a current copy of Part 19 of the Commission's rules governing the Citizens Radio Service;
- The applicant waives any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise.
- The applicant accepts full responsibility for the operation of, and will retain control of any citizens radio station licensed to him pursuant to this application;
- The station will be operated in full accordance with the applicable law and the current rules of the Federal Communications Commission. The said station will not be used for any purpose contrary to Federal, State or local law.
- The applicant will have unlimited access to the radio equipment and effective measures will be taken to prevent its use by unauthorized persons; and
- The statements in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

DO NOT OPERATE UNTIL YOU HAVE YOUR OWN LICENSE. USE OF ANY CALL SIGN NOT YOUR OWN IS PROHIBITED.

SIGNATURE: DATE SIGNED: _____

(Check appropriate box below):

INDIVIDUAL APPLICANT MEMBER OF APPLICANT PARTNERSHIP OFFICER OF APPLICANT CORPORATION OR ASSOCIATION OFFICIAL OF GOVERNMENTAL ENTITY

ROBERT FULLER EXHIBIT NO. 1-B

FCC FORM 505
REVISED MAY 1963

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

FORM APPROVED
BUDGET BUREAU NO. 52-R112.10

65 A 594
YES

APPLICATION FOR CLASS B, C, OR D STATION LICENSE IN THE
CITIZENS RADIO SERVICE

DO NOT WRITE IN THIS BLOCK
11:00 800
3:25:203 MDT 1164

1. Application for Class A station license must be filed on FCC FORM 400.
2. Complete on typewriter or print clearly.
3. Be sure application is signed and dated. Mail application to Federal Communications Commission, Gettysburg, Pa., 17325.
4. Enclose appropriate fee with application, if required. DO NOT SUBMIT CASH. Make check or money order payable to Federal Communications Commission. (See Part 19, Volume VI of FCC rules to determine whether a fee is required with this application.)

<p>1 NAME OF APPLICANT</p> <p>BUSINESS NAME (OR LAST NAME, IF AN INDIVIDUAL) <i>FULLER'S SANITATION SERV.</i></p> <p>FIRST NAME (IF AN INDIVIDUAL) _____ MIDDLE INITIAL _____</p>	<p>9 DOES EACH TRANSMITTER TO BE OPERATED APPEAR ON THE COMMISSION'S RADIO EQUIPMENT LIST, PART C, OR IF FOR CLASS C OR CLASS D STATIONS IS IT CRYSTAL CONTROLLED? (If no, attach detailed description, see subpart C of Part 19)</p> <p>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></p>									
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LAST NAMES	FIRST NAMES	MIDDLE INITIAL								
<i>FULLER</i>	<i>ROBERT</i>	<i>W</i>								
<i>FULLER</i>	<i>FRANCES</i>	<i>M.</i>								
<p>3 MAILING ADDRESS</p> <p>NUMBER AND STREET <i>PO. Box 213</i></p> <p>CITY <i>MONROE</i></p> <p>STATE <i>LA</i></p> <p>ZIP CODE _____ COUNTY OR EQUIVALENT SUBDIVISION <i>OUACHITA</i></p>	<p>11 HAS APPLICANT READ AND UNDERSTOOD THE PROVISIONS OF PART 19 SUBPART D, DEALING WITH PERMISSIBLE COMMUNICATIONS FOR WHICH THIS CLASS OF STATION MAY BE USED?</p> <p>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></p>									
<p>4 CLASSIFICATION OF APPLICANT (See instructions)</p> <p><input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> ASSOCIATION <input type="checkbox"/> GOVERNMENTAL ENTITY</p> <p><input checked="" type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER (Specify): _____</p>	<p>12 WILL THE USE OF THE STATION CONFORM IN ALL RESPECTS WITH THE PERMISSIBLE COMMUNICATIONS AS SET FORTH IN PART 19, SUBPART D?</p> <p>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></p>									
<p>5 CLASS OF STATION (Check only one)</p> <p><input type="checkbox"/> CLASS B <input type="checkbox"/> CLASS C <input checked="" type="checkbox"/> CLASS D</p>	<p>13 WILL THE STATION BE OPERATED BY ANY PERSON OTHER THAN THE APPLICANT, MEMBERS OF HIS IMMEDIATE FAMILY OR HIS EMPLOYEES? (If yes, attach a separate sheet listing the names and relationship of all such persons and give a detailed reason for their operation of your station)</p> <p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p>									
<p>6 IS THIS APPLICATION TO MODIFY OR RENEW AN EXISTING STATION LICENSE?</p> <p><input type="checkbox"/> YES (Give call sign): _____ <input checked="" type="checkbox"/> NO</p>	<p>14 IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY OF THE PARTNERS AN ALIEN?</p> <p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p>									
<p>7 DO YOU NOW HOLD ANY STATION LICENSE OTHER THAN THAT COVERED BY ITEM 6 OF THE SAME CLASS AS THAT REQUESTED BY THIS APPLICATION?</p> <p><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>	<p>15 IS APPLICANT THE REPRESENTATIVE OF ANY ALIEN OR ANY FOREIGN GOVERNMENT? (If yes, explain fully)</p> <p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p>									
<p>8 TOTAL NUMBER OF TRANSMITTERS TO BE AUTHORIZED UNDER REQUESTED STATION LICENSE</p> <p><i>10</i> (Number)</p>	<p>16 WITHIN 10 YEARS PREVIOUS TO THE DATE OF THIS APPLICATION HAS THE APPLICANT OR ANY PARTY TO THIS APPLICATION BEEN CONVICTED IN A FEDERAL, STATE, OR LOCAL COURT OF ANY CRIME FOR WHICH THE PENALTY IMPOSED WAS A FINE OF \$500 OR MORE OR AN IMPRISONMENT OF 6 MONTHS OR MORE? (See instructions. If yes, attach a separate sheet giving details of each such conviction)</p> <p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p>									
<p>17 IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY PARTNER LESS THAN 18 YEARS OF AGE (LESS THAN 12 YEARS OF AGE IF FOR CLASS C STATION LICENSE)?</p> <p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p>										
<p>18 IF THE PRINCIPAL LOCATION WHERE THE STATION WILL BE USED IS DIFFERENT FROM THE MAILING ADDRESS (ITEM 3), GIVE THAT LOCATION. (DO NOT GIVE POST OFFICE BOX OR RFD NO.)</p> <p>NUMBER AND STREET <i>1500 SUNSET</i></p> <p>CITY <i>MONROE</i></p> <p>STATE <i>LA</i></p> <p>IF LOCATION CANNOT BE SPECIFIED BY STREET, CITY, AND STATE, GIVE OTHER DESCRIPTION OF LOCATION</p>										
<p>DO NOT WRITE IN THIS BOX</p> <p>SCREENING <input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p> <p>SIGNATURE <input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>										

SIGN AND DATE THE APPLICATION ON REVERSE SIDE

ROBERT FULLER EXHIBIT NO. 1-B—Continued

19 IF APPLICANT IS A NONGOVERNMENTAL CORPORATION, ANSWER THE FOLLOWING ITEMS		YES	NO	20 IF APPLICANT IS AN UNINCORPORATED ASSOCIATION, ANSWER THE FOLLOWING ITEMS		YES	NO				
A	IS CORPORATION ORGANIZED UNDER LAWS OF ANY FOREIGN GOVERNMENT?			A	IS ANY OFFICER OR DIRECTOR OF THE ASSOCIATION AN ALIEN?						
B	IS ANY OFFICER OR DIRECTOR OF THE CORPORATION AN ALIEN?			B	ARE MORE THAN ONE FIFTH OF THE VOTING MEMBERS OF THE ASSOCIATION ALIENS OR REPRESENTATIVES OF ALIENS, FOREIGN GOVERNMENTS OR REPRESENTATIVES THEREOF, OR CORPORATIONS ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?						
C	IS MORE THAN ONE FIFTH OF THE CAPITAL STOCK EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?			C	IS THE ASSOCIATION DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER ORGANIZATION? (If yes, give detailed explanation)						
D	IS APPLICANT DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER CORPORATION? (If yes, answer items E through K below)			USE THIS SPACE FOR ANY ADDITIONAL INFORMATION OR REMARKS							
E	GIVE NAME AND ADDRESS OF CONTROLLING CORPORATION										
F	UNDER THE LAWS OF WHAT STATE OR COUNTRY IS THE CONTROLLING CORPORATION ORGANIZED?										
G	IS MORE THAN ONE FOURTH OF THE CAPITAL STOCK OF CONTROLLING CORPORATION EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY? (If yes, give details)										
H	IS ANY OFFICER OR MORE THAN ONE FOURTH OF THE DIRECTORS OF THE CONTROLLING CORPORATION AN ALIEN? (If yes, answer items I and J below)										
I	TOTAL NUMBER OF DIRECTORS IN CONTROLLING CORPORATION										
J	LIST ALL OFFICERS AND DIRECTORS WHO ARE ALIENS IN CONTROLLING CORPORATION AND GIVE BRIEF BIOGRAPHICAL STATEMENT FOR EACH ALIEN										
K	IS THE CONTROLLING CORPORATION IN TURN CONTROLLED BY OTHER COMPANIES? (If yes, attach information for each of these controlling companies covering the information requested in items E through J, above)	<input type="checkbox"/> YES	<input type="checkbox"/> NO					WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.			

ALL THE STATEMENTS MADE IN THE APPLICATION AND ATTACHED EXHIBITS ARE CONSIDERED MATERIAL REPRESENTATIONS, AND ALL THE EXHIBITS ARE A MATERIAL PART HEREOF AND ARE INCORPORATED HEREIN AS IF SET OUT IN FULL IN THE APPLICATION.

I CERTIFY THAT

- The applicant has (or has ordered from the Government Printing Office) a current copy of Part 19 of the Commission's rules governing the Citizens Radio Service.
- The applicant waives any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise.
- The applicant accepts full responsibility for the operation of, and will retain control of any citizens radio station licensed to him pursuant to this application.
- The station will be operated in full accordance with the applicable law and the current rules of the Federal Communications Commission.
- The said station will not be used for any purpose contrary to Federal, State or local law.
- The applicant will have unlimited access to the radio equipment and effective measures will be taken to prevent its use by unauthorized persons, and
- The statements in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

DO NOT OPERATE UNTIL YOU HAVE YOUR OWN LICENSE. USE OF ANY CALL SIGN NOT YOUR OWN IS PROHIBITED.

SIGNATURE: Robert W. Fuller DATE SIGNED: 8-14-64
 (Check appropriate box below):
 INDIVIDUAL APPLICANT MEMBER OF APPLICANT PARTNERSHIP OFFICER OF APPLICANT CORPORATION OR ASSOCIATION OFFICIAL OF GOVERNMENTAL ENTITY

Mr. APPELL. I will recall Mr. Houston P. Morris.

TESTIMONY OF HOUSTON PIERCE MORRIS—Resumed

The CHAIRMAN. Mr. Morris, during this interval when you were excused from the stand, I take it you have had opportunity to familiarize yourself with my stated reasons for the purposes of this hearing.

Mr. MORRIS. Right.

The CHAIRMAN. He says he is familiar with the opening statement.

Mr. APPELL. Mr. Morris, will you give the committee a brief résumé of your educational background?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, in view of the fact Mr. Morris did not know the content of your opening statement, the purpose of the hearings, I shall again ask him to produce the documents called for under the subpoena.

You were ordered and directed under the subpoena to produce under paragraph 1:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan—Louisiana, Original Knights of the Ku Klux Klan of America, Inc.—Louisiana and United Klans of America—Louisiana, in your possession, custody or control, or maintained by you or available to you as an officer and/or member of the above-mentioned organizations.

I ask you to produce those documents.

Mr. MORRIS. I respectfully decline to deliver to the committee any and all documents as commanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records requested by this committee under subpoena dated October 14, 1965, because that information is not relevant and germane to any subject under investigation and the same would not aid the Congress in the consideration of any legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. I ask for a direction for the production of documents called for in paragraph 1.

The CHAIRMAN. Were you in the hearing room when I explained, Mr. Morris, that this subpoena asked you to produce documents as an officer of the Klan and documents and papers of your own. Do you understand that?

Mr. MORRIS. Yes.

The CHAIRMAN. I therefore order and direct you to produce those documents.

Mr. MORRIS. I respectfully decline to deliver to the committee any and all documents as commanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel to do so might

tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records requested by this committee under subpoena dated October 14, 1965, because that information is not relevant and germane to any subject under investigation and the same would not aid the Congress in the consideration of any legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Under part 2 of the subpoena, paragraph 2, you are directed to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member and/or officer of the United Klans of America, Inc.—Louisiana, Original Knights of the Ku Klux Klan—Louisiana and the Original Knights of the Klu Klux Klan of America, Inc.—Louisiana, which the “Constitution and Laws” of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. MORRIS. I respectfully decline to deliver to the committee any and all documents as commanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records requested by this committee under subpoena dated October 14, 1965, because that information is not relevant and germane to any subject under investigation and the same would not aid the Congress in the consideration of any legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. I ask for a direction for the production of documents called for in paragraph 2.

The CHAIRMAN. For the reasons indicated, I order and direct the witness to produce the documents.

Mr. APPELL. Mr. Morris, are you currently a member of the United Klans of America, Realm of Louisiana, which operates under the cover name of the Louisiana Rescue Service?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. I hand you a document, authority to the Central Savings Bank & Trust Company, Monroe, Louisiana, issued by the president and secretary of the Monroe Hunting and Fishing Club, which designates Houston Morris as president and contains the signature of Houston P. Morris, signed by Bruce Bairnsfather, secretary, and Houston P. Morris, president, and I ask you if you are the Houston P. Morris who signed that document.

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in

violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

(Document previously marked "Murry Martin Exhibit No. 6." See pp. 2369.)

The CHAIRMAN. Mr. Morris, a minute or two ago I ordered you to produce documents called for in paragraph 2. Somehow you did not respond. Mr. Appell then went to another question.

I now again order you to produce the documents called for in paragraph 2 of the subpoena.

Mr. MORRIS. I respectfully decline to deliver to the committee any and all documents as commanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records requested by this committee under subpoena dated October 14, 1965, because that information is not relevant and germane to any subject under investigation and the same would not aid the Congress in the consideration of any legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. In view of the witness' claim of privilege and his consistent refusal to answer questions, I propose to present to the committee the results of our investigation as they pertain to Mr. Morris.

Mr. Morris was the first president and exalted cyclops of the Original Knights of the Ku Klux Klan Klavern in Monroe, Louisiana, known by the cover name of the Monroe Hunting and Fishing Club. He was the grand kleagle or State organizer of the Original Knights of the Ku Klux Klan under the leadership of J. D. Swenson and Royal V. Young. He was the grand kleagle—or state organizer, realm organizer—of the Original Knights under the leadership of Murry H. Martin. He was the leader of a faction which resulted in the removal of leadership of Royal V. Young and the succession of Murry H. Martin.

At the time of the election of Murry H. Martin, a deal was consummated between Mr. Martin and Mr. Morris whereby Mr. Morris would retain leadership of the organization, and Mr. Martin would retain leadership of the organization for 6 months until elections were to be held, at which time it was scheduled for Mr. Morris to take over the top office.

When Mr. Martin defeated Mr. Morris in elections in November 1964, Mr. Morris led dissension within that organization, and in 1965 incorporated the Original Knights of the Ku Klux Klan of America, Inc., along with Jack Saucier, 809 South Eighth Street, Monroe, and George Bonner, 1511 Alabama Street, Monroe.¹

After incorporation, Morris became the Imperial Wizard of the organization.

April 28, 1965, Mr. Morris addressed a letter to the secretary of state informing the secretary of state that he had resigned from the board

¹ See B. J. Saucier Exhibit No. 1, committee report, *The Present-Day Ku Klux Klan Movement*, pp. 320-324.

of directors of the Original Ku Klux Klan of America, Inc., and advised the secretary of state that his letter of resignation had been accepted by the board of directors.¹

In May or June of 1965, Mr. Morris, together with other former members of the Original Knights of the Ku Klux Klan of America, Inc., met with Imperial Wizard Robert Shelton of the United Klans of America and took the bulk of his organization into the United Klans of America.

As the Imperial Wizard, Mr. Morris organized some Klansmen in the State of Arkansas. These Arkansas members are now under Mr. Shelton's organizational structure in that State.

This information, Mr. Chairman, leads us to believe that Mr. Morris possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Morris, the name of the gentleman who just made that statement is Mr. Appell. He is under oath just like you, and I now give you the opportunity to reply to any portion of that statement, to admit or deny the truth of any allegation, and explain or modify any part of the statement.

In addition, I give you the opportunity, if you wish, to offer any other matter the committee may deem pertinent to this inquiry.

Do you wish to avail yourself of this opportunity?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

The CHAIRMAN. In that case, Mr. Morris, I inform you that in the absence of your rebuttal, or other facts that may come to the attention of the committee, the committee will rely upon the accuracy of its investigation.

Do you wish to say anything to that?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

The CHAIRMAN. All right, proceed.

Mr. APPELL. Mr. Morris, were you interviewed by me at the Travel Lodge Motel in Monroe, Louisiana, on June 16, 1965?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Morris, did you admit to me during that interview that you were a member of the Klan, and that you had recently taken your Klan organization, yourself and others, into the United Klans of America?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

¹ See B. J. Saucier Exhibit No. 2, p. 2583.

Mr. APPELL. Mr. Morris, when I discussed with you income which you had received as an organizer for the Klan and asked you whether you had reported same on your income tax returns, you advised me you had reported it and for me to find it.

Is that factual, sir?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. In 1963, did you report \$925 of that as public good will donations?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. In 1964, did you report \$2,353.65 as donations from speeches at political meetings?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. In discussing the organizational structure of the Klan, Mr. Morris, did you advise me that the Klan was a nonviolent organization?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. Did you admit to me that investigating procedures of new members was such that people prone to violence would not be kept out of membership in the Klan?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Morris, this next statement I will put to you as a fact, and ask you to affirm or deny the fact.

When asked what action you would take against a member who was guilty of killing a Negro, that you responded, you "don't give a damn if they went out and killed 100."

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. I have no further questions, Mr. Chairman, to ask of this witness.

The CHAIRMAN. The witness is excused.

The committee stands in recess.

(Subcommittee members present: Representatives Willis and Buchanan.)

(Whereupon, at 5:10 p.m., Thursday, January 6, 1966, the subcommittee recessed, to reconvene at 10 a.m., Friday, January 7, 1966.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

FRIDAY, JANUARY 7, 1966

UNITED STATES HOUSE OF REPRESENTATIVES
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities, as reconstituted for the January 7 hearings, met, pursuant to recess, at 10:20 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Charles L. Weltner, of Georgia; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

As chairman of the full Committee on Un-American Activities, I hereby constitute a committee of three to conduct the hearings today, of the following: myself, as chairman of the subcommittee; Mr. Weltner, of Georgia; and Mr. Buchanan, of Alabama. And, of course, two members constitute a quorum of this subcommittee, and I announce the presence of a quorum.

Mr. APPELL. Mr. Chairman, I call to the witness stand Robert T. Rester.

The CHAIRMAN. Do you solemnly swear, sir, the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RESTER. I do, sir.

TESTIMONY OF ROBERT T. RESTER, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Mr. Rester, will you state your full name for the record, please.

Mr. RESTER. Robert T. Rester.

Mr. APPELL. Are you represented by counsel?

Mr. RESTER. Yes, sir, I am.

Mr. APPELL. Would counsel please identify himself for the record?

Mr. INGRAM. Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. Mr. Rester, are you appearing today in accordance with the subpoena served upon you on December 28, 1965, which calls for your appearance on January 10, and you are appearing this morning because of an arrangement between your counsel and the committee?

Mr. RESTER. I am.

Mr. APPELL. Mr. Rester, when and where were you born?

Mr. RESTER. Bogalusa, Louisiana, May 3, 1930.

Mr. APPELL. Where do you presently reside?

Mr. RESTER. Bogalusa, Louisiana.

Mr. APPELL. Do you reside at a street and number?

Mr. RESTER. 1353 Edward Lane.

Mr. APPELL. Do you have a business address in Bogalusa?

Mr. RESTER. 311 First Avenue.

Mr. APPELL. Mr. Rester, would you give the committee your educational background?

Mr. RESTER. I decline to answer that question on the grounds that it might tend to incriminate me and cite as the basis of this refusal the 1st, the 4th, the 5th, and the 14th amendments of the United States Constitution.

Mr. APPELL. Would you give the committee your employment background?

Mr. RESTER. I decline to answer that, sir, on the grounds previously stated.

Mr. APPELL. Mr. Rester, are you a member of the bar of the State of Louisiana as well as the city attorney of Bogalusa?

Mr. RESTER. I decline to answer the question on the grounds previously stated, sir.

Mr. APPELL. Mr. Rester, I hand you a copy of the articles of incorporation of the Anti-Communist Christian Association. I invite your attention to page 2 of the articles of incorporation, specifically Article V. Registered Agents, which reads, "The full names and post office addresses of the corporation's registered agents are: Robert T. Rester, 311 First Avenue, P.O. Box 1160, Bogalusa, Louisiana; Saxon Farmer, 315 East Fifth Street, Bogalusa, Louisiana." And I ask you if you are the Robert T. Rester indicated as one of the two agents.

Mr. RESTER. Sir, I decline to answer the question on the grounds previously stated.

(Document previously marked "Saxon Farmer Exhibit No. 1.")

Mr. APPELL. Mr. Rester, the three-judge court—

The CHAIRMAN. Please speak up a little bit, both of you. It is hard for us to follow.

Mr. APPELL. Mr. Rester, the three-judge court in New Orleans which considered an injunction against certain residents of Bogalusa, including the Original Knights of the Ku Klux Klan and the Anti-

Communist Christian Association, found that the Anti-Communist Christian Association was a front organized to operate as a Klan-type organization. As one of the agents of that corporation, is the finding of the three-judge court factual?

Mr. RESTER. I decline to answer the question, sir, on the grounds previously stated.

Mr. APPELL. Mr. Rester, at the time these incorporation papers were drawn—and according to the corporation papers, they were drawn “the 1st day of the month of December, in the year of Our Lord, One Thousand Nine Hundred and Sixty Four,”—were you a member of the Original Knights of the Ku Klux Klan?

Mr. RESTER. I decline to answer that, sir, on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were the exalted cyclops of a unit in Bogalusa.

Mr. RESTER. I decline to answer that, sir, on the grounds previously stated.

Mr. APPELL. Mr. Rester, as the exalted cyclops of a unit and under the constitution by which the organization was supposed to govern itself, there was in each Klavern a klokan chief. I ask you who was the klokan chief of your Klavern.

Mr. RESTER. I decline to answer that, sir, on the grounds previously stated.

Mr. APPELL. The klokan chief was supposed to appoint six members to an organization known within the Klavern and Klan as the wrecking crew. Who were the members of the wrecking crew of your Klavern?

Mr. RESTER. I decline to answer that, sir, on the grounds previously stated.

Mr. APPELL. Mr. Rester, in light of the admissions of Saxon Farmer and Charles Christmas and the admission of counsel representing the Klan, Anti-Communist Christian Association, as well as the defendants in that action—I might point out you were not a defendant—members did in fact engage in violent acts. I would like to ask you whether or not you are quoted correctly in a syndicated article by Murray Kempton which quotes you as saying that the town of Bogalusa owes the Klan a vote of thanks. I show you the article to which I am referring.

(Document handed to witness.)

Mr. RESTER. Sir, I decline to answer that question on the grounds previously stated.

(Document marked “Robert Rester Exhibit No. 1” and retained in committee files.)

Mr. APPELL. Mr. Rester, do you know Clayton Hines of Lees Creek near Bogalusa?

Mr. RESTER. I decline to answer that, sir, on the grounds previously stated.

Mr. APPELL. According to Mr. Hines’ testimony before the three-judge court, he was the secretary of the Klavern of which you were the exalted cyclops, and through him the Government introduced in

evidence a list of, I believe, 151 members of the Klan in the Bogalusa area, and Mr. Hines testified that the list was made up in your office with your assistance. I ask you if his testimony was true.

Mr. RESTER. I decline to answer that, sir, on the grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions to ask of this witness. I ask that the documents referred to be entered in the record at the place where they were mentioned.

The CHAIRMAN. The documents will be inserted in the record at the respective points indicated.

(The chairman, Mr. Appell, and Mr. Ingram confer.)

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Rester, are you now a member of any Klan-type organization?

Mr. RESTER. No, sir.

The CHAIRMAN. And that is your statement under oath?

Mr. RESTER. Yes, sir; that is my statement.

The CHAIRMAN. And you are an attorney and you know the meaning of an oath?

Mr. RESTER. Correct.

Mr. APPELL. Mr. Chairman, I have no further questions to ask of this witness.

The CHAIRMAN. The witness is excused.

Mr. RESTER. Thank you.

The CHAIRMAN. Call your next witness.

Mr. APPELL. Mr. B. J. Saucier.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SAUCIER. I do.

TESTIMONY OF B. J. "JACK" SAUCIER

Mr. APPELL. Would you state your full name for the record, Mr. Saucier?

Mr. SAUCIER. I have initials only. B. J. Saucier. Jack is a nickname.

Mr. APPELL. Are you appearing here today in response to a subpoena served upon you on the 26th day of October 1965 at 608 Winnsboro Road, Monroe, Louisiana?

Mr. SAUCIER. Yes, sir.

Mr. APPELL. Mr. Saucier, you are not accompanied by counsel. Do you desire counsel?

Mr. SAUCIER. No, sir.

The CHAIRMAN. Mr. Saucier, I want to tell you that if you wish you may invoke the fifth amendment at any point you think you ought to. I say that because you won't have the benefit of advice from counsel. If you exercise that right, I will accept it in the same manner and treat it in the same way as if you had counsel.

Mr. SAUCIER. Yes, sir.

Mr. APPELL. Mr. Saucier, Attorney James Venable advised me that he was your attorney or is your attorney, that he had given you legal

advice, and that it was agreeable with him that you testify without him. Is that right, sir?

Mr. SAUCIER. Yes, sir.

Mr. APPELL. Did Mr. Venable explain to you the purposes for which the committee is sitting and holding these hearings as outlined in the opening statement of Chairman Willis in October of last year?

Mr. SAUCIER. Yes, sir.

Mr. APPELL. Mr. Saucier, paragraph 1 of the subpoena served upon you called for you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, of America, Inc., and Original Knights of the Ku Klux Klan, and affiliated organizations, namely, Choshota Parish Unit of the Original Knights of the Ku Klux Klan in your possession, custody or control, or maintained by you or available to you as member and/or officer of the Original Knights of the Ku Klux Klan of Louisiana, or the United Klans of America, Louisiana.

I ask you to produce those documents, Mr. Saucier.

Mr. SAUCIER. Sir, I respectfully refuse to do so. I earnestly believe that it might tend to incriminate me and violate my constitutional rights as provided under article I, article IV, article V, and the 14th amendment to the Constitution of the United States.

The CHAIRMAN. Mr. Saucier, I think you were in the hearing room and heard me explain that this subpoena was served on you as an officer of the Klan group and to produce those records in that capacity. You are aware of that?

Mr. SAUCIER. Yes, sir.

The CHAIRMAN. In view of that, I order and direct you to produce those documents.

Mr. SAUCIER. I respectfully refuse to do so on the previously stated grounds.

Mr. APPELL. Mr. Saucier, paragraph 2 called for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member and/or officer of the United Klans of America, Louisiana and Original Knights of the Ku Klux Klan, Louisiana which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

Mr. SAUCIER. I respectfully decline to on the previously stated grounds.

The CHAIRMAN. For the reasons I stated, I order and direct you to produce those documents.

Mr. SAUCIER. I respectfully decline to do so on the previously stated grounds.

Mr. APPELL. Mr. Saucier, when and where were you born?

Mr. SAUCIER. I was born July 2, 1927, in the rural area of Winnsboro, Louisiana.

Mr. APPELL. Where do you presently reside?

Mr. SAUCIER. 809 South Eighth Street, Monroe, Louisiana.

Mr. APPELL. Mr. Saucier, would you give the committee the benefit of your educational background?

Mr. SAUCIER. I respectfully refuse to answer the question on the grounds that I earnestly believe it might tend to incriminate me and further violate my constitutional rights under article I, article IV, article V, and the 14th amendment of the Constitution of the United States.

Mr. APPELL. Will you give the committee the benefit of your employment background?

Mr. SAUCIER. I respectfully decline to answer on the grounds previously stated.

Mr. APPELL. Mr. Saucier, were you a member of the Original Knights of the Ku Klux Klan at the time said organization was under the leadership of Royal V. Young?

Mr. SAUCIER. Sir, I respectfully decline to answer the question on the grounds previously stated.

Mr. APPELL. Under the leadership of Murry H. Martin, were you the exalted cyclops of the Ouachita Parish Unit?

Mr. SAUCIER. Sir, I respectfully decline to answer on the grounds previously stated.

Mr. APPELL. Did you know Willis J. Kidd to be the exalted cyclops of the Swartz Unit?

Mr. SAUCIER. I respectfully decline to answer the question on the grounds previously stated.

Mr. APPELL. In November 1964 at an election of the Original Knights of the Ku Klux Klan, Houston P. Morris sought the position of Imperial Wizard and was defeated.

Did you, Mr. Kidd, and others subsequently break with that organization as a result of the dissension that grew out of his defeat?

Mr. SAUCIER. I respectfully decline to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Saucier, I hand you a copy of an incorporation—articles of incorporation of an organization designated as the Original Ku Klux Klan of America, Inc.

I invite your attention to the fact that the incorporators are listed in this document as being Houston P. Morris, 112 Texas Avenue, Monroe, Louisiana; Jack Saucier, 809 South 8th Street, Monroe, Louisiana; and George Bonner, 1511 Alabama Street, Monroe, Louisiana.

I hand you this document for you to review and put it to you as a fact, and ask you to affirm or deny the fact, that you are the Jack Saucier named in this document.

Mr. SAUCIER. Sir, I respectfully decline to answer the question on the grounds previously stated.

(Document marked "B. J. Saucier Exhibit No. 1.")

Mr. APPELL. According to a letter obtained from the Office of Secretary of State, the State of Louisiana, Houston P. Morris resigned from this organization, according to the letter dated April 28, 1965.

Will you tell the committee what caused Houston P. Morris to break with the organization?

Mr. SAUCIER. I respectfully decline to do so on the same grounds previously stated.

(Document marked "B. J. Saucier Exhibit No. 2" follows:)

B. J. SAUCIER EXHIBIT NO. 2

RECF1.25
APR 30 8 04 AM '65
MAIL
SECR: :
IN. JR.
STATE

112 Texas Ave.
Monroe, Louisiana
April 28, 1965

Secretary of State
State of Louisiana
Capital Building
Baton Rouge, Louisiana

2-3-65
Monroe, La.

Dear Sir:

This is to inform you that I have resigned from the Board of Directors of the Original Ku Klux Klan of America, Inc. My letter of resignation has been submitted and accepted by the Board of Directors of the Original Ku Klux Klan of America, Inc.

Please remove my name from the charter on file with your office.

Sincerely yours
Houston P. Morris
Houston P. Morris

ack receipt
& place in Gen.
Report file.
Be sure + send across
to Ruth!

Mr. APPELL. Wasn't it again because of dissension within a Klan group in which Mr. Morris wanted to take the bulk of the organization into the United Klans of America?

Mr. SAUCIER. I respectfully decline to answer the question on the previously stated grounds.

Mr. APPELL. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Mr. APPELL. I call Mr. Willis J. Kidd.

The CHAIRMAN. Please raise your right hand, sir.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?
Mr. KIDD. I do.

**TESTIMONY OF WILLIS JAMES KIDD, ACCOMPANIED BY COUNSEL,
LESTER V. CHALMERS, JR.**

Mr. APPELL. Will you state your full name for the record, Mr. Kidd?

Mr. KIDD. Willis James Kidd.

Mr. APPELL. Are you appearing here this morning in accordance with a subpoena served upon you on the 26th day of October 1965 at Music Road in Swartz, Louisiana?

Mr. KIDD. I am.

Mr. APPELL. Are you represented by counsel?

Mr. KIDD. Yes.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, 501 First Federal Building, Raleigh, North Carolina.

Mr. APPELL. When and where were you born, Mr. Kidd?

Mr. KIDD. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights guaranteed to me in the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Kidd, you have been a member of the Original Knights of the Ku Klux Klan under Mr. Young, the Original Knights of the Ku Klux Klan under Mr. Martin, the Original Ku Klux Klan of America, Inc., as well as the United Klans of America?

Mr. KIDD. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Kidd.

Mr. Kidd was born on June 11, 1932, in Ouachita Parish, Louisiana. He is employed as assistant office manager at the Columbia Carbon Company, Swartz, Louisiana. He served in the United States Navy from 1952 to 1956. He has been a member of Ku Klux Klan organizations since 1963. He recently held membership, in the office of exalted cyclops, of the Swartz Unit, Original Ku Klux Klan of America, Inc., and the United Klans of America, Inc.

In April 1965, he was the Imperial Dragon of the Original Ku Klux Klan of America, Inc., which organization was incorporated by Houston P. Morris and Jack Saucier, the previous witness.

This information, Mr. Chairman, indicates that he possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. You have heard the sworn statement of the committee's investigator. You now have an opportunity to reply to any portion of that statement, to affirm or challenge the accuracy of the information, or to explain any part of the statement.

In addition, you may, if you desire, offer any other matters the committee might deem relevant to this inquiry.

Do you care to avail yourself of that opportunity?

Mr. KIDD. I respectfully decline to answer that question based on the grounds previously stated.

The CHAIRMAN. In that case, Mr. Kidd, I must inform you that, absent your rebuttal, or other factors that may come to the attention of the committee, we will continue to rely upon the accuracy of the investigation.

Proceed.

Mr. APPELL. Mr. Kidd, were you formally affiliated in the Original Knights of the Ku Klux Klan with Jack Saucier, the witness that preceded you?

Mr. KIDD. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Do you know Thomas Frank Reagan?

Mr. KIDD. I respectfully decline to answer that question upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that he is the great titan for the Northern Province of Louisiana, United Klans of America, Knights of the Ku Klux Klan.

Mr. KIDD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions.

The CHAIRMAN. Mr. Kidd, it is information coming to myself that you and Houston Morris have gone over to the United Klans of America under the leadership of Robert Shelton. Is that true?

Mr. KIDD. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. I think I have confirmatory evidence along that line.

Thank you. The witness is excused.

Call your next witness.

Mr. APPELL. Mr. Jack Helm.

The CHAIRMAN. Do you solemnly swear, sir, the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HELM. I do, sir.

**TESTIMONY OF JACK M. HELM, ACCOMPANIED BY COUNSEL,
LESTER V. CHALMERS, JR.**

Mr. APPELL. Will you state your name for the record, Mr. Helm?

Mr. HELM. Jack M. Helm.

Mr. APPELL. Are you appearing this morning, Mr. Helm, in accordance with a subpoena served upon you?

Mr. HELM. Yes, I am.

Mr. APPELL. On October 26, 1965?

Mr. HELM. Yes, sir.

Mr. APPELL. At 3141, DeSaix Street, New Orleans, Louisiana?

Mr. HELM. Yes, sir.

Mr. APPELL. You are represented by counsel?

Mr. HELM. Yes, I am, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Helm, under the conditions of the subpoena and an attachment thereto which was made a part of the subpoena, you were commanded to bring with you and to produce before the committee documents called for in paragraph 1 as follows:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Louisiana Rescue Service in your possession, custody or control, or maintained by you or available to you as Grand Klaliff, State of Louisiana, and/or E.C. New Orleans Unit of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you to produce those documents, Mr. Helm.

Mr. HELM. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in its subpoena dated October 14, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records as requested by the committee under the subpoena dated October 14, 1965, for that information is not relevant and germane to the subject under investigation; that the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to deliver the documents called for in paragraph 1.

The CHAIRMAN. Mr. Chalmers, I assume that previous stipulations which we previously made to the effect that you acknowledge that the subpoena was served upon him in the capacity stated in the subpoena and that he is being asked to produce the documents in that capacity; is that correct?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. In that case, Mr. Helm, I order and direct you to produce those documents.

Mr. HELM. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Helm, paragraph 2 of the subpoena calls upon you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member or officer of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

Mr. HELM. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated, sir.

The CHAIRMAN. Is the same stipulation agreed to, Mr. Chalmers?

Mr. CHALMERS. It is, Mr. Chairman.

The CHAIRMAN. I order and direct you to produce those documents.

Mr. HELM. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated, sir.

Mr. APPELL. Paragraph 3 of the subpoena, Mr. Helm, calls upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

Mr. HELM. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Helm, when and where were you born?

Mr. HELM. Houston, Texas.

Mr. APPELL. What date, sir?

Mr. HELM. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, in view of the fact that the witness has stated that he was born in Houston, Texas, I ask that he be directed to give to the committee the date of his birth.

The CHAIRMAN. Pardon?

Mr. APPELL. In view of the fact, in response to my question as to when and where he was born, he responded "Houston, Texas," and then invoked constitutional privileges with respect to the date of his birth, I ask that he be directed to give to the record the date of his birth.

The CHAIRMAN. Of course, I could do that. It is introductory and preliminary, and I can visualize absolutely no basis for the invocation of any constitutional privileges, unless he wants to enumerate the reason. I will order and direct him to answer.

Mr. HELM. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions or to produce documents demanded of him, I present to the committee the results of our investigation as they pertain to Mr. Helm.

Mr. Helm was born February 7, 1910, at Houston, Texas. He is the operations manager for the L. P. Smith Construction Company, New Orleans, Louisiana. He is a member of the United Klans of America, Realm of Louisiana, which is known by the cover name of Louisiana Rescue Service. He is the exalted cyclops of the New Orleans, Louisiana, Unit of the United Klans of America.

In March of 1965 he attended a convention of the Realm of Louisiana, which at that time operated under the cover name of the Bernice Sportsman Club. At this meeting he was elected Grand Klaliff or State vice president of the Realm of Louisiana.

On May 15 and 16, 1965, Mr. Helm, along with Charles T. Miller of New Orleans, and Lloyd Barnett, who gave an address of New Orleans, D. B. Jackson of Baton Rouge—correction—of Bernice—and Gill Harris, Jr., of Bernice; he attended a meeting of Grand Dragons, Imperial officers, and other UKA—United Klans of America—leaders from many States at the Eola Hotel in Natchez, Mississippi.

This meeting was sponsored by the Mississippi Realm of the United Klans of America known as the Mississippi Rescue Service.

While a Klan official, Mr. Helm, who speaks at numerous Klan rallies, is always introduced as a leader of the Citizens Council of Greater New Orleans. With such an introduction, he spoke at the following rallies.

The CHAIRMAN. Do you mean Klan rallies?

Mr. APPELL. Yes, sir. Rallies of the United Klans of America in most instances.

May 22, 1965, at a public rally near Tioga, Louisiana.

July 17, 1965, at Crossroads Community, Poplarville, Mississippi.

On October 24, 1965, at Philadelphia, Mississippi, where he shared the platform with Sheriff Lawrence Rainey, Deputy Sheriff Cecil Price, and Wayne Alton Roberts, all three of whom were arrested for the slaying in Philadelphia, Mississippi, of the three civil rights workers.

At that rally Helm stated, and I quote, "No congressional investigation will ever deteriorate this organization. We'll still be here when they are dead and buried—and I hope it will be soon."

On October 27, 1965, at Bay Saint Louis, Mississippi, Mr. Helm spoke, where he stated that the Federal Government was corrupt with homosexuals and that many Communists had high jobs.

On October 30, 1965, at Natchez, Mississippi, where he warned of a Communist takeover in the United States and urged his listeners to not register their guns because—and I quote—"You've got to have something in your house to keep those savages"—referring to Communists—"from your door."

On June 5, 1965, Helm attended a meeting of the Americans for the Preservation of the White Race at Natchez, Mississippi.

This information, Mr. Chairman, indicates that Mr. Helm possesses information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Helm, you have heard the sworn statement of the committee's investigator, Mr. Appell, who is under oath just like you are.

You now have the opportunity to reply to any portion of that statement, confirm or challenge the accuracy of the information, or to explain any part of it. In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of this opportunity?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

The CHAIRMAN. I must inform you in that case that, absent your rebuttal, or other facts that may come to the attention of the com-

mittee, this committee will rely upon the accuracy of its investigation.

Now, bearing that in mind, have you anything to say?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. APPELL. Mr. Helm, you do quite a bit of traveling for the L. P. Smith Construction Company and represent to the Government sizable deductions for traveling expenses for use of automobile and other items necessary to travel. Do you include as legitimate business deductions those expenses which you incur in travel as an official of the United Klans of America?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Helm, we spoke of the meeting at Natchez, Mississippi. I hand you a copy of the registration card of the Eola Hotel.

I ask you if the card, which is one of the cards reproduced on this sheet that I am handing you, underscored, containing the name "Jack M. Helm," is your signature there?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

(Document marked "Jack Helm Exhibit No. 1" follows:)

JACK HELM EXHIBIT NO. 1

EOLA HOTEL NATCHEZ, MISSISSIPPI
REGISTRATION CARD

Guests Without Baggage Please Pay in Advance

Money, jewelry and valuables must be deposited in the office safe, otherwise the proprietors will not be responsible for any loss.

NAME Jack M Helm

STREET _____

CITY AND STATE New Orleans La.

REPRESENTING _____

American Hotel Register Co., 226-232 W. Ontario St., Chicago 10 Ill.

ROOM <u>611</u>	RATE <u>15.00</u>	ARRIVE A. M. P. M.	FOLIO
DATE	NO. IN PARTY <u>1</u>	CLERK	

REMARKS

Mr. APPELL. In addition to the persons from Louisiana whom I set forth in my statement with respect to you, were the following individuals also present for that meeting:

Ruby Lee Brown; Nick Caulda; Robert E. Scoggin; W. S. Cox of Spartanburg, South Carolina; and Mr. and Mrs. Joseph H. Bedford of Jacksonville, Florida; Morris P. Perkins and Danny Hawkins of Jackson, Mississippi; Robert M. Creel of Bessemer, Alabama—the Grand Dragon of Alabama; Don Cothran, the Grand Dragon of Florida; B. W. Waldrup of Jackson, Mississippi; Calvin F. Craig, the Grand Dragon of Atlanta, Georgia; Raymond R. Anderson, the Grand Dragon of Tennessee; Robert M. Shelton, the Imperial Wizard of the United Klans of America; Clint Low of Jasper, Georgia.

Were those persons whose names I have read to you present at that meeting?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. APPELL. I hand you the reproduction of an article which appeared in the Alexandria, Louisiana, *Town Talk* of May 24, 1965, a story relating to a Klan rally.

It contains a picture of two men. In handing you this document, I ask you if you know the other man at the microphone to be Dr. J. M. Edwards of Jonesboro, Louisiana, a chiropractor who is the Grand Dragon of the United Klans of America for the State of Louisiana.

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

(Document marked "Jack Helm Exhibit No. 2" appears on p. 2591.)

Mr. APPELL. Mr. Helm, in March of 1963 were you president of an organization known as Parents and Friends of Catholic Children, Inc.?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Chairman, I would like to have introduced into the record of Mr. Helm's testimony the registration card of the Eola Hotel, the newspaper clipping from the Alexandria, Louisiana, *Town Talk*, and an article which appeared in the *Times-Picayune* of March 25, 1963, relating to Mr. Helm and the Parents and Friends of Catholic Children, Inc.

The CHAIRMAN. They will be introduced in the record at the points indicated.

Mr. APPELL. Mr. Helm, the *Times-Picayune* story relating to the Parents and Friends of Catholic Children, Inc., states that Archbishop Cody, dealing with the organization I have mentioned, said that that organization was "not a recognized Catholic organization." and in response to an inquiry from the press in which you were asked about Archbishop Cody's statement, you are quoted in this paper as saying, "'Well, we have news for him. We don't recognize Archbishop Cody.'"

Were you quoted correctly?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated.

JACK HELM EXHIBIT NO. 2
[Alexandria, La., *Town Talk*, May 24, 1965]



(Town Talk Staff Photo)

Dr. J. M. Edwards of Jonesboro, right, grand dragon of Louisiana of the United Klans of America Inc., introduces Jack Helm of New Orleans, approaching the microphone, who is a leader of the Citizens Council of Greater New Orleans and was the principal speaker during a klan rally near Tioga Saturday night.

'Invocation' at Klan Rally Is Not According to Grand Dragon's Hoyle

A Klu Klux Klan rally went off as scheduled Saturday night near Tioga with one unexpected performance.

Dr. J. M. Edwards, grand dragon of the United Klans of America Inc., realm of Louisiana, called for a minister from the audience to open the rally.

An unidentified man approached the microphone as the members of the crowd began to bow their heads.

"I don't see how you in the name of Jesus Christ can conduct hatred for any man" he said and walked from the platform.

Dr. Edwards, a Jonesboro veterinarian, gave the invocation and said of the man "we pray our richest blessing upon him; may the hatred in him be removed."

Jack Helm, leader of the Citizens Council of Greater New

Orleans and principal speaker, said "I'm excited after I saw this performance here tonight."

Helm spoke for an hour and covered almost every subject from the United Nations to birth control to Selma and Bogalusa.

The crowd was estimated at some 600 people; Helm said 5,000.

He promised 125,000 people at a Baton Rouge rally June 4 when "Big John, that's McKeithen, had better go to Europe."

After the Baton Rouge rally the council is sponsoring a train trip to Washington to protest civil rights activities by the government. Helm said \$60 would buy a round trip ticket.

The program was concluded with Dr. Edwards explaining the meaning of a cross lighting ceremony held with 15 robed klansmen behind the platform.

Dr. Edwards, the grand dragon, is not the Dr. James M. Edwards of Pineville.

(*Times-Picayune* article of March 25, 1963, marked "Jack Helm Exhibit No. 3" follows:)

JACK HELM EXHIBIT NO. 3

[NEW ORLEANS, LA., *Times-Picayune*, MARCH 25, 1963]



RAU ADDRESSES PARENTS GROUP

Says Catholic Church Is 'Playing Politics'

State Rep. John F. "Jack" Rau of Jefferson Parish Sunday accused the Catholic Church of "playing politics" in working for integration of Negroes into all-white schools and all-white neighborhoods.

"The Negro bloc vote controls the election of the President of the United States," Rau declared. "The Church, by co-operating, can play politics to get federal aid — maybe," he charged.

Rau addressed a meeting sponsored by the Parents and Friends of Catholic Children Inc., in Bud's Flower Room, 5707 St. Claude ave., Sunday afternoon.

'NOT ATTACKING' CHURCH

"It hurts everyone of us here to disagree with our Catholic clergy," Rau stated.

Jack M. Helm, president of Parents and Friends of Catholic Children Inc., stressed that "We are devout and practicing Roman Catholics and we are

not attacking Holy Mother Church. We are attacking the hierarchy of the Catholic Church in the Archdiocese of New Orleans," he said.

He said Archbishop John P. Cody was "one man who came down here and did nothing but talk finances."

Referring to the archdiocese's new central fund, Helm said the archbishop "has taken the fun out of raising money by church festivals, little penny parties and things like that."

ASKS ACCOUNTING

Helm said the Catholic Church in Violet, La., had raised some \$30,000 through these means, but it all had to be turned over to the archdiocesan fund. "Not satisfied with that \$30,000, the archbishop went into the Altar Society and took the few hundred dollars they had."

The Parents and Friends of Catholic Children Inc., asked the archbishop to account for the disposition of funds turned over to him by the churches of the archdiocese. According to Helm the answer was: "Query is rejected."

"Cody's letter of reply said: 'This is not a recognized Catholic organization,'" Helm declared.

"Well, we have news for him," Helm added. "We don't recognize Archbishop Cody."

Mr. APPELL. Were you affiliated with any Klan organization at the time you made that statement?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. APPELL. I have no further questions.

The CHAIRMAN. Mr. Helm, did you become an officer or president of that Parents and Friends of Catholic Children, Inc., organization by direction of anyone higher than you in the Klan hierarchy?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

The CHAIRMAN. You seem to have smiled when I asked that question. Is there any reason for it? Do you care to talk about it? I will be glad to hear whatever you have to say.

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. BUCHANAN. Mr. Helm, if I understand your program correctly, I believe Mr. Appell said you stated in a rally that this committee was not going to be able to destroy your organization, that your organization would continue to exist when we were dead and buried and you hoped it would be soon. I further understand you said in regard to the archbishop that you intend to fire the archbishop and bury the committee.

I don't ask for an answer to that, but I will say this: If this is your attitude, there are forces in this country that have for a long time tried to destroy this committee and the vital function it fulfills for the Congress and the American people, and I would predict if the Ku Klux Klan joins hands with the Communist Party to destroy this committee that you will be unsuccessful in that endeavor.

I note from what I am hearing and reading that such a joining of hands in the vilification and attempted destruction of the functions of this committee would seem to be the purpose of statements such as the one quoted from this rally. I just want you to know that I suspect this shall be unsuccessful.

This is not a question and there is no need to answer.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. I call Mr. Lloyd H. Barnett.

The CHAIRMAN. Do you solemnly swear, sir, that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BARNETT. I do, sir.

TESTIMONY OF LLOYD H. BARNETT, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Mr. Barnett, would you state your full name for the record, please?

Mr. BARNETT. Lloyd H. Barnett.

Mr. APPELL. Are you represented by counsel?

Mr. BARNETT. I am, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Barnett, you are appearing here in connection with the subpoena served upon you on October 26, 1965, at 423 River Oaks Drive, New Orleans, Louisiana?

Mr. BARNETT. Yes, sir.

Mr. APPELL. Mr. Barnett, under the conditions of the subpoena and an attachment thereto, which is made a part of the subpoena, you are called upon in paragraph 1 to produce the following documents:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Louisiana Rescue

Service in your possession, custody or control, or maintained by you or available to you as Grant Titan of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you to produce those documents, sir.

Mr. BARNETT. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records as requested by this committee under the subpoena dated October 14, 1965, for that information is not relevant and germane to the investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. I ask for a direction, Mr. Chairman.

Mr. CHAIRMAN. Is our previous stipulation agreed to as to the significance of this subpoena as it applies to this witness?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. I order and direct you to produce the documents.

Mr. BARNETT. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Barnett, under paragraph 2 you are ordered to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past Grand Titan and/or member of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents, sir.

Mr. BARNETT. Sir, I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

The CHAIRMAN. On the basis of the stipulation previously made, I order and direct you to produce them.

Mr. BARNETT. Sir, I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Barnett, paragraph 3 of your subpoena calls for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I ask for the production of those tax returns.

Mr. BARNETT. Sir, I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

MR. APPELL. Mr. Barnett, I hand you a reproduction of an application for citizenship in the Invisible Empire, Knights of the Ku Klux Klan, and ask you if you have executed a similar application?

MR. BARNETT. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document previously marked "Richard Constantineau Exhibit No. 3.")

MR. APPELL. Mr. Barnett, I hand you a series of oaths of allegiance, obedience, secrecy, and fidelity of the Ku Klux Klan and ask you to review them and state whether or not you have ever subscribed to the oaths set forth in that document?

MR. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Robert Shelton Exhibit No. 4.")

MR. APPELL. Mr. Barnett, I put it to you as a fact, and ask you to affirm or deny, that as a titan in the Realm of Louisiana that you have jurisdiction of Klan organizational activities in Klaverns within southern Louisiana?

MR. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

MR. APPELL. Will you advise the committee of the number of Klaverns organized within your jurisdiction?

MR. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

MR. APPELL. Will you advise the committee of the membership of the Klaverns within your jurisdiction?

MR. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

MR. APPELL. As the officer of the United Klans of America in charge of south Louisiana, do you know Jim Roundtree?

MR. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

MR. APPELL. Do you know Jimmy Mumphrey?

MR. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

MR. APPELL. Do you know Ralph Houston?

MR. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

MR. APPELL. Do you know Robert Joseph Fuxan, F-u-x-a-n?

MR. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

MR. APPELL. Do you know Jimmy Simon Mumphrey?

MR. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

MR. APPELL. Mr. Barnett, do you know Saxon Farmer?

MR. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

MR. APPELL. Following the meeting of the Klan officials at the Eola Hotel in Natchez, Mississippi, I put it to you as a fact, and ask you to affirm or deny the fact, that you played a role in a rally held at Cross-

roads Community in Mississippi across the line from Bogalusa, Louisiana?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Barnett, I put it to you as a fact, and ask you to affirm or deny the fact, that you deliberately, with knowledge, lied to the press when you advised them that there were 4,000 Klansmen in the Bogalusa area?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. As a matter of fact, isn't it the practice of Klan organizations in certain areas, for whatever influence they conceive it might have, to balloon or exaggerate the number of their members?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Barnett, I put it to you as a fact, and ask you to affirm or deny, that you do not have 4,000 Klansmen in the entire State of Louisiana?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny, that as a matter of organizational procedure you balloon your strength in order to intimidate people into thinking you are a larger and more powerful organization than you are in fact?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions of this witness.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. I call Marvin Curtis Brister.

The CHAIRMAN. You solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BRISTER. I do.

TESTIMONY OF MARVIN CURTIS BRISTER, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Mr. Brister, will you state your full name for the record?

Mr. BRISTER. Marvin Curtis Brister.

Mr. APPELL. Are you appearing today in accordance with a subpoena served upon you on the 29th day of October 1965 at the Tioga High School in Tioga, Louisiana?

Mr. BRISTER. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. BRISTER. Yes, sir.

Mr. APPELL. Will counsel please identify himself?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Brister, under the conditions of a subpoena served on you, you were ordered by an attachment, which was made a part

of the subpoena, to bring with you and to produce articles called for in paragraph 1 as follows:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Louisiana Rescue Service in your possession, custody or control, or maintained by you or available to you as Grand Titan of Southern Louisiana of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I request you to produce, in your representative capacity stated therein, the documents called for by part 1 of the subpoena.

The CHAIRMAN. It is stipulated that the significance of the call is for the witness to produce the documents in the capacities stated in this subpoena?

Mr. CHALMERS. May I inquire of Mr. Appell what was the date of that subpoena?

Mr. APPELL. The date of service was the 29th of October.

Mr. BRISTER. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 29, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 29, 1965, for that information is not relevant and germane to the subject under investigation and that same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

The CHAIRMAN. Pursuant to the stipulation made, I order and direct you to produce those documents in the capacities stated in the subpoena.

Mr. BRISTER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Part 2 of the subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as past or present Grand Titan and/or member of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I request you to produce, in your representative capacity stated therein, the documents called for by this part 2 of your subpoena.

Mr. BRISTER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

The CHAIRMAN. And pursuant to the stipulation, I order and direct you to produce the documents in those capacities.

Mr. BRISTER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Part 3 of your subpoena calls upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I request you to produce those documents.

Mr. BRISTER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. APPELL. Mr. Brister, would you state for the record your educational background?

Mr. BRISTER. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Brister, I put it to you as a fact, and ask you to affirm or deny, that you have an M.A. degree from Colorado State College, Fort Collins, Colorado. Will you confirm or deny that fact?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Brister, I put it to you as a fact, and ask you to affirm or deny, that you hold the position of assistant principal of the Tioga High School, Tioga, Louisiana.

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Brister, I put it to you as a fact, and ask you to affirm or deny, that you are receiving disability compensation from the United States Government occasioned by retirement from the Army at the rank of major because you suffered from diabetes and that your compensation is \$237.19 a month? I ask you to affirm or deny that fact.

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Brister, I hand you a copy of an application for Class B, C, or D license, a form issued by the Federal Communications Commission, dated March 15, 1965, for a Class D license with 10 transmitters. I would like to read in the record before handing it to you and then would like you to verify the accuracy of what I am quoting.

The CHAIRMAN. What are you reading from?

Mr. APPELL. This is a letter which is a part of the application. It is signed by Marvin C. Brister. It reads:

Dear Sirs:

I was certainly unaware that there was to be a detail report as to where each of the transeivers were to be placed.

I expect to place transeivers in the following places:

1. My home—my use, my wife and 2 daughters.
2. My ½ ton pick-up—
3. My Family Car—
4. 2 cars owned by me but driven by my daughters.
5. My sports car—
6. My boat, run about-outboard

All of these will be used by my family and my mother or father or some of my close friends.

The above is in the near future or when I receive my permits. My future plans is for a small house boat, trailer that is use [sic] for hunting trips. A portable would come in handed [sic] on certain types of outings.

I am sorry I have delayed this, by not giving *exact* placements.

It is signed "Marvin C. Brister."

In handing you this application I ask you if this is the application you filed and if the letter which I read is signed by you and whether or not any of these citizens band transmitters were used by members of the United Klans of America?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "Marvin Brister Exhibit No. 1." See pp. 2600-2603.)

Mr. APPELL. Mr. Brister, did Mr. Lloyd Barnett replace you as the titan in charge of the United Klans of America organization in Klavern activities in southern Louisiana?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Are you still a member of the United Klans of America?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Brister, prior to joining the United Klans of America were you a member of the Original Knights of the Ku Klux Klan, which was known by the cover name of Christian Constitutional Crusaders?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny, that you wrote checks payable to the Christian Constitutional Crusaders and were a member of that organization?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I have no further questions of this witness, Mr. Chairman.

The CHAIRMAN. Mr. Brister, it appears from what has been stated that you have an unusually high education. I ask you what I have asked of many others, if you would care to state in your own way and with language portraying it in your own fashion, the objectives, purposes, and programs of the Ku Klux Klan that impelled you to join the Klan and to become a high official thereof?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. It has been proven in the record that another teacher in a high school, in that case a principal—and I see you are assistant principal in a high school in Louisiana—that in the other case Klan activities and meetings were held in that school. Were any Klan activities and meetings held in your school?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Have you made talks at Klan rallies or before Klan groups?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Did you in any way try to indoctrinate in the ways of the Klan any of the pupils in your school?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. The witness is excused.

(Marvin Brister Exhibit No. 1, introduced above follows:)

MARVIN BRISTER EXHIBIT No. 1

FCC FORM 505
REVISED MAY 1963

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

FORM APPROVED
BUDGET BUREAU NO. 52-R12310

4/30/65

APR 2 '65

APPLICATION FOR CLASS B, C, OR D STATION LICENSE IN THE
CITIZENS RADIO SERVICE

DO NOT WRITE IN THIS BLOCK
FEE: \$8.00
440839 MAR1865
APR 23 1965
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

Application for Class A station license must be filed on FCC FORM 400.
2. Complete on typewriter or print clearly.
3. Be sure application is signed and dated. Mail application to Federal Communications Commission, Gettysburg, Pa., 17326.
4. Enclose appropriate fee with application, if required. DO NOT SUBMIT CASH. Make check or money order payable to Federal Communications Commission. (See Part 19, Volume VI of FCC rules to determine whether a fee is required with this application.)

1 NAME OF APPLICANT
BUSINESS NAME (OR LAST NAME, IF AN INDIVIDUAL)
BRISTER
FIRST NAME (IF AN INDIVIDUAL) MIDDLE INITIAL
MARVIN C

3 IF AN INDIVIDUAL OPERATING UNDER A TRADE NAME, GIVE INDIVIDUAL NAME, OR IF PARTNERSHIP, LIST NAMES OF PARTNERS (Do not repeat any name used in item 1)

LAST NAMES	FIRST NAMES	MIDDLE INITIAL

3 MAILING ADDRESS
NUMBER AND STREET
3002 Monroe Hwy.
CITY Pineville STATE La.
ZIP 71360 COUNTY OR EQUIVALENT SUBDIVISION Rapides

4 CLASSIFICATION OF APPLICANT (See instructions)
 INDIVIDUAL ASSOCIATION GOVERNMENTAL ENTITY
 PARTNERSHIP CORPORATION OTHER (Specify):

6 CLASS OF STATION (Check only one)
 CLASS B CLASS C CLASS D

6 IS THIS APPLICATION TO MODIFY OR RENEW AN EXISTING STATION LICENSE?
 YES (Give call sign): NO

7 DO YOU NOW HOLD ANY STATION LICENSE OTHER THAN THAT COVERED BY ITEM 6 OF THE SAME CLASS AS THAT REQUESTED BY THIS APPLICATION?
 YES NO

8 TOTAL NUMBER OF TRANSMITTERS TO BE AUTHORIZED UNDER REQUESTED STATION LICENSE
10
(Number)

	YES	NO
9 DOES EACH TRANSMITTER TO BE OPERATED APPEAR ON THE COMMISSION'S "RADIO EQUIPMENT LIST, PART C" OR, IF FOR CLASS C OR CLASS D STATIONS, IS IT CRYSTAL-CONTROLLED? (If no, attach detailed description; see subpart C of Part 19)	X	
10 A. WILL APPLICANT OWN ALL THE RADIO EQUIPMENT? (If no, answer B and C below)	X	
B NAME OF OWNER		
C IS THE APPLICANT A PARTY TO A WRITTEN LEASE OR OTHER AGREEMENT UNDER WHICH THE OWNERSHIP OR CONTROL WILL BE EXERCISED IN THE SAME MANNER AS IF THE EQUIPMENT WERE OWNED BY THE APPLICANT?		
11 HAS APPLICANT READ AND UNDERSTOOD THE PROVISIONS OF PART 19 SUBPART D, DEALING WITH PERMISSIBLE COMMUNICATIONS FOR WHICH THIS CLASS OF STATION MAY BE USED?	X	
12 WILL THE USE OF THE STATION CONFORM IN ALL RESPECTS WITH THE PERMISSIBLE COMMUNICATIONS AS SET FORTH IN PART 19, SUBPART D?	X	
13 WILL THE STATION BE OPERATED BY ANY PERSON OTHER THAN THE APPLICANT, MEMBERS OF HIS IMMEDIATE FAMILY, OR HIS EMPLOYEES? (If yes, attach a separate sheet listing the names and relationship of all such persons and give a detailed reason for their operation of your station)		X
14 IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY OF THE PARTNERS AN ALIEN?		X
15 IS APPLICANT THE REPRESENTATIVE OF ANY ALIEN OR ANY FOREIGN GOVERNMENT? (If yes, explain fully)		X
16 WITHIN 10 YEARS PREVIOUS TO THE DATE OF THIS APPLICATION HAS THE APPLICANT OR ANY PARTY TO THIS APPLICATION BEEN CONVICTED IN A FEDERAL, STATE, OR LOCAL COURT OF ANY CRIME FOR WHICH THE PENALTY IMPOSED WAS A FINE OF \$500 OR MORE, OR AN IMPRISONMENT OF 6 MONTHS OR MORE? (See instructions. If yes, attach a separate sheet giving details of each such conviction)		X
17 IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY PARTNER LESS THAN 18 YEARS OF AGE (LESS THAN 12 YEARS OF AGE IF FOR CLASS C STATION LICENSE)?		X
18 IF THE PRINCIPAL LOCATION WHERE THE STATION WILL BE USED IS DIFFERENT FROM THE MAILING ADDRESS (ITEM 3), GIVE THAT LOCATION. (DO NOT GIVE POST OFFICE BOX OR RFD NO.)		
NUMBER AND STREET	Same	
CITY		
STATE		
IF LOCATION CANNOT BE SPECIFIED BY STREET, CITY, AND STATE, GIVE OTHER DESCRIPTION OF LOCATION		

DO NOT WRITE IN THIS BOX
SIGNATURE Y M N

SIGN AND DATE THE APPLICATION ON REVERSE SIDE

MARVIN BRISTER EXHIBIT No. 1—Continued

<p>19. IF APPLICANT IS A NONGOVERNMENTAL CORPORATION, ANSWER THE FOLLOWING ITEMS:</p> <p>A IS CORPORATION ORGANIZED UNDER LAWS OF ANY FOREIGN GOVERNMENT?</p> <p>B IS ANY OFFICER OR DIRECTOR OF THE CORPORATION AN ALIEN?</p> <p>C IS MORE THAN ONE-FIFTH OF THE CAPITAL STOCK EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?</p> <p>D IS APPLICANT DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER CORPORATION? (If yes, answer items E through K below)</p> <p>E GIVE NAME AND ADDRESS OF CONTROLLING CORPORATION</p> <p>F UNDER THE LAWS OF WHAT STATE OR COUNTRY IS THE CONTROLLING CORPORATION ORGANIZED?</p> <p>G IS MORE THAN ONE-FOURTH OF THE CAPITAL STOCK OF CONTROLLING CORPORATION EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY? (If yes, give details)</p> <p>H IS ANY OFFICER OR MORE THAN ONE-FOURTH OF THE DIRECTORS OF THE CONTROLLING CORPORATION AN ALIEN? (If yes, answer items I and J below)</p> <p>I TOTAL NUMBER OF DIRECTORS IN CONTROLLING CORPORATION</p> <p>J LIST ALL OFFICERS AND DIRECTORS WHO ARE ALIENS IN CONTROLLING CORPORATION AND GIVE BRIEF BIOGRAPHICAL STATEMENT FOR EACH ALIEN</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">NAME</th> <th style="width:30%;">NATIONALITY</th> <th style="width:40%;">OFFICE HELD</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p>K IS THE CONTROLLING CORPORATION IN TURN CONTROLLED BY OTHER COMPANIES? (If yes, attach information for each of these controlling companies covering the information requested in items E through J, above)</p> <p style="text-align: right;"> <input type="checkbox"/> YES <input type="checkbox"/> NO </p>	NAME	NATIONALITY	OFFICE HELD							<p>20 IF APPLICANT IS AN UNINCORPORATED ASSOCIATION, ANSWER THE FOLLOWING ITEMS</p> <p>A IS ANY OFFICER OR DIRECTOR OF THE ASSOCIATION AN ALIEN?</p> <p>B ARE MORE THAN ONE-FIFTH OF THE VOTING MEMBERS OF THE ASSOCIATION ALIENS OR REPRESENTATIVES OF ALIENS, FOREIGN GOVERNMENTS OR REPRESENTATIVES THEREOF OR CORPORATIONS ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?</p> <p>C IS THE ASSOCIATION DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER ORGANIZATION? (If yes, give detailed explanation)</p> <p>USE THIS SPACE FOR ANY ADDITIONAL INFORMATION OR REMARKS</p> <p style="font-size: 1.2em; font-family: cursive;"> This is my mistake. I only read the first part of this statement, therefore I did not get the full meaning of question. It should be answer with the word <u>no</u>. I am a born citizen of this country. </p> <p style="text-align: right;"> 3-29-65 Signature Date </p> <div style="border: 1px solid black; padding: 5px; text-align: center; font-size: 0.8em;"> <p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.</p> </div>
NAME	NATIONALITY	OFFICE HELD								

ALL THE STATEMENTS MADE IN THE APPLICATION AND ATTACHED EXHIBITS ARE CONSIDERED MATERIAL REPRESENTATIONS, AND ALL THE EXHIBITS ARE A MATERIAL PART HEREOF AND ARE INCORPORATED HEREIN AS IF SET OUT IN FULL IN THE APPLICATION.

I CERTIFY THAT:

- The applicant has (or has ordered from the Government Printing Office) a current copy of Part 19 of the Commission's rules governing the Citizens Radio Service.
- The applicant waives any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise.
- The applicant accepts full responsibility for the operation of, and will retain control of any citizens radio station licensed to him pursuant to this application.
- The station will be operated in full accordance with the applicable law and the current rules of the Federal Communications Commission.
- The said station will not be used for any purpose contrary to Federal, State or local law.
- The applicant will have unlimited access to the radio equipment and effective measures will be taken to prevent its use by unauthorized persons; and
- The statements in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

<p>DO NOT OPERATE UNTIL YOU HAVE YOUR OWN LICENSE. USE OF ANY CALL SIGN NOT YOUR OWN IS PROHIBITED.</p>	<p>SIGNATURE: <u>Marvin C. Brister</u> DATE SIGNED: <u>3-15-65</u></p> <p>(Check appropriate box below):</p> <p> <input checked="" type="checkbox"/> INDIVIDUAL APPLICANT <input type="checkbox"/> MEMBER OF APPLICANT PARTNERSHIP <input type="checkbox"/> OFFICER OF APPLICANT CORPORATION OR ASSOCIATION <input type="checkbox"/> OFFICIAL OF GOVERNMENTAL ENTITY </p>
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MARVIN BRISTER EXHIBIT No. 1—Continued

APR 22 1955

F. S. C. B.
AMATEUR RADIO
GETTYSBURG, PENN.

Supplement to Application Return Form

Page 3-B

In addition to providing the information requested on the attached sheet, please answer the following questions in the Remarks space on the reverse side of the application Form 505.

1. Will station be operated in connection with business activities? *no.*

If "Yes", state:

Owner of business

Nature of business activity

Where do you propose to install the transmitters shown in Item 8, and for what purposes and by whom will they be used?

2. Will station be operated in connection with personal activities? *yes*

If "Yes", state:

Nature of personal activity *Communication between home and mobile units, Hunting, Fishing, Tramping, etc*
Where do you propose to install the transmitters shown in Item 8, and for what purposes and by whom will they be used?

Furber or Home set.

mobile units

Boats.

(Over)

MARVIN BRISTER EXHIBIT NO. 1—Continued

April 19, 1965

Dear Sirs:

I was certainly unaware that there was to be a detail report as to where each of the Transcinnus were to be placed.

I expect to place Transcinnus in the following places:

1. My Home - my use, my wife and 2 daughters.
2. My 1/2 Ton Pick-up-
3. My Family Car-
4. 2 Cars owned by me, but driven by my daughters. all of these will be used by my family and my mother or father or some of my close friends.
5. My sports car -
6. My boat, run about outboard

The above is in the near future on when I receive my permits. My future plans is for a small home boat, trailer that is use for hunting trips. A portable would come in handy on certain types of outings.

I am sorry I have delayed this, by not giving exact placements.

Marvin C. Brister

The CHAIRMAN. Call your next witness.

Mr. APPELL. Tommy Frank Reagan.

The CHAIRMAN. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. REAGAN. I do.

**TESTIMONY OF TOMMY FRANK REAGAN, ACCOMPANIED BY
COUNSEL, LESTER V. CHALMERS, JR.**

Mr. APPELL. Would you state your full name for the record?

Mr. REAGAN. Tommy Frank Reagan.

Mr. APPELL. R-e-a-g-a-n?

Mr. REAGAN. That is correct.

Mr. APPELL. You are appearing before the committee today in response to a subpoena served upon you on the 26th day of October 1965 at 319 Hickory Street, West Monroe, Louisiana?

Mr. REAGAN. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. REAGAN. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Reagan, the subpoena served upon you and the attachment thereto, which was made a part of that subpoena, called upon you to produce certain documents set forth in paragraph 1 as follows:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Louisiana Rescue Service in your possession, custody or control, or maintained by you or available to you as Great Titan of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I request you to produce, in your representative capacity stated therein, the documents called for by part 1 of your subpoena.

Mr. REAGAN. Sir, I respectfully decline to deliver to the committee any and all documents as demanded by the committee in a subpoena dated October 14, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records as requested by this committee in a subpoena dated October 14, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Mr. Chairman, I ask for a direction for the production of the documents called for in paragraph 1 of the subpoena.

The CHAIRMAN. I assume our previous stipulation stands as to the significance of this subpoena as it applies to this witness?

Mr. CHALMERS. Yes.

The CHAIRMAN. Pursuant to the stipulation made, I order and direct you to produce those documents in the capacities stated in the subpoena.

Mr. REAGAN. Sir, I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Reagan, paragraph 2 of the subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member or Great Titan of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. REAGAN. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

The CHAIRMAN. Mr. Reagan, when were you born?

Mr. REAGAN. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. According to the memorandum before me, it appears you ran for the highest office of your organization in the State of Louisiana and for that reason, since you appear to be quite young, I think the question is completely pertinent and I order and direct you to answer that question.

Mr. REAGAN. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Reagan, are you a member at the present time of any Klan organization in the United States?

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I notice in your lapel, Mr. Reagan, you have the Klan pin. I ask you if that is worn by a person who is not a member of the Ku Klux Klan?

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. You are proud to wear it, but not to state it.

Mr. REAGAN. Sir—

Mr. CHALMERS. Wait a minute. That was just an observation.

Mr. APPELL. Mr. Chairman, in view of the witness' claimed privilege and his refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Reagan.

Mr. Reagan was born on July 18, 1939, at West Monroe, Louisiana. He served in the Air Force from 9-13-56 to 10-1-58, and in the Reserve to 12 September 1962. His military specialty was that of a supply

helper, and he was honorably discharged, a medical discharge because of a bad back.

Mr. Reagan has a high school education and is currently employed by the Horton Sewing Machine Company on 1200 Cypress Street, West Monroe.

Mr. Reagan has been a member of the United Klans of America, and in August of 1964 he was great titan covering the jurisdiction of northern Louisiana. In September 1964, he was a delegate to the Imperial Klonvokation held at the Dinkler-Tutwiler Hotel in Birmingham, Alabama.

On November 7, 1964, his name appears on the signature card of an account opened in the name of the Committee of United Clans of America—and this is spelled with a "C" and not a "K"—at the Central Savings Bank & Trust Company in Monroe, Louisiana, and the cosigner of the account, in addition to Mr. Reagan, is Leon Smudrick, the former exalted cyclops of a Klavern of the United Klans of America known as the Monroe Hunting and Fishing Club.

(Document marked "Tommy Reagan Exhibit No. 1" follows:)

TOMMY REAGAN EXHIBIT No. 1

AUTHORIZED SIGNATURE OF

Leon Smudrick AND Tommy Reagan

FOR THE TRANSACTION OF BUSINESS WITH

CENTRAL SAVINGS BANK & TRUST CO. MONROE, LOUISIANA

Items received for deposit or collection are accepted on the following terms and conditions. This bank acts only as depositor's collecting agent and assumes no responsibility beyond its exercise of due care. All items are credited subject to final payment and to receipt of proceeds of final payment in cash or solvent credits by this bank at its own office. This bank may forward items to correspondents and shall not be liable for default or negligence of correspondents selected with due care nor for losses in transit, and each correspondent shall be liable except for its own negligence. Items and their proceeds may be handled by any Federal Reserve bank in accordance with applicable Federal Reserve rules, and by this bank or any correspondent, in accordance with any common bank practice or procedure that a Federal Reserve bank may use or permit another bank to use which may be lawful. This bank may charge back, at any time prior to midnight on its business day next following the date of the item drawn on this bank which is ascertained to be drawn against insufficient funds or other wise not good or payable. An item received after this bank's regular afternoon closing hour shall be deemed received the next business day. This bank reserves the right to post all deposits, including deposits of cash and of items drawn on it, later than midnight of its next business day after their receipt at this office during regular banking hours, and shall not be liable for damages for nonpayment of any presented item resulting from the exercise of this right.

TRUE COPY
Central Savings Bank & Trust Co.
Monroe, Louisiana

SIGNATURES REQUIRED

SIGNATURE Leon Smudrick Leon Smudrick

SIGNATURE Tommy F. Reagan Tommy Reagan

SIGNATURE *****

ADDRESS P.O. Box 251, Monroe, La. BUSINESS Committee of United Clans of America

DATE November 7, 1964 INTRODUCED BY Leon Smudrick

CHECKING ACCOUNT SAVINGS ACCOUNT

0 25 019 8

Mr. APPELL. I might point out, Mr. Chairman, in that connection, that the Monroe Hunting and Fishing Club has been a Klavern of the Original Knights under Mr. Young, of the Original Knights under Mr. Martin, and now under the United Klans of America.

On December 6, 1964, following a public rally at the West Monroe fairgrounds, Mr. Reagan, in response to an inquiry about the absence of Imperial Wizard Robert Shelton, reported that Shelton was in Mississippi contacting United Klans of America Klaverns about raising money to defend the individuals arrested by the FBI in the murder of the civil rights workers.

In January of 1965, Mr. Reagan attended meetings of imperial and other officers of the United Klans of America at Tuscaloosa, Alabama.

In March of 1965, Mr. Reagan was a defeated candidate—

The CHAIRMAN. '65 or '64?

Mr. APPELL. '65, sir—for the office of Grand Dragon of the Realm of Louisiana, which is operated under the cover name of the Louisiana Rescue Service.

In March and April 1965, Reagan took judo lessons with other Klansmen in the West Monroe, Louisiana, area.

This information, Mr. Chairman, indicates that Mr. Reagan possesses additional information which is pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. I might say that I completely agree. If he cares to, he could shed a lot of light, provide a lot of additional facts within his knowledge.

In any case, Mr. Reagan, you have heard the sworn statement of the committee's investigator, Mr. Appell, who is under oath just like you are. We want the truth and nothing but the truth. I now give you the opportunity to reply to any portions of that statement, to confirm or challenge the accuracy of the information, or to explain any part of it. In addition, you may—and I urge you to—offer any other matter which the committee may deem relevant to this inquiry. Do you care to avail yourself of this opportunity?

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. In that case, I must tell you, Mr. Reagan, absent your rebuttal, or facts that may come to the attention of the committee, the committee will rely upon the accuracy of the investigation.

Bearing this in mind, do you have anything to say?

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Having attended a school which apparently teaches everything but what appears in the literature of the Klan organization, do you know anything about the actions of the wrecking crews which are part of the activities of the Klan?

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. That is all.

Mr. APPELL. Mr. Reagan, prior, to the holding of the Imperial Klonvokation at the Dinkler-Tutwiler Hotel, that hotel distributed to the United Klans of America, who represented itself to the hotel as the Alabama Rescue Service, a printed card by which delegates to the convention, klonvokation, could request reservations. I show you a reproduction of a card stating, "I will be attending the convention of the Alabama Rescue Service," when the party will arrive, when the party plans to depart, and requesting a reservation for four double bedrooms. It is signed "Tommy F. Reagan & Party, 600 No. 7th St., W. Monroe, La." I ask you if you mailed the original of that card to the hotel.

(Document handed to witness.)

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Tommy Reagan Exhibit No. 2" follows:)

TOMMY REAGAN EXHIBIT NO. 2

**MAKE YOUR HOTEL RESERVATIONS NOW!**

I will be attending the convention of the . . .

ALABAMA RESCUE SERVICE
(name of group or association)I will arrive (day) Monday (date) SEPT 5 (hour) 3 A m.I will depart (day) THU (date) SEPT 6 (hour) 4 P m.

Reserve for me the following accommodations . . .

(check one) single double bedrooms 4 suite \$8.50
 twin bedroomYOUR NAME TOMMY F. REAGAN & PARTYADDRESS 600 No. 7th ST.CITY W. MONROE, LA

Mr. APPELL. Will you identify to the committee the other members of your party?

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that as a delegate to that convention or klonvokation you participated in the election of the Imperial Wizard, Robert Shelton; the Imperial Klokard, Robert Collins; the Imperial Kludd, the Reverend Dorsett; the Imperial Kladd, Robert Hudgins; the Imperial Klarogo, Walter Brown; and the Imperial Klexter, Robert Korman.

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, may I have 1 minute?

The CHAIRMAN. The committee will stand in recess for a minute? (Brief recess.)

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Reagan, does the Monroe, Louisiana, area of the United Klans of America have a woman's auxiliary which covers its true function by going under the name of the Green Thumb Club?

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further question to ask the witness.

The CHAIRMAN. The witness is excused.

The committee will stand in recess until next Tuesday at 10 a.m.

(Whereupon, at 12:30 p.m., Friday, January 7, 1966, the subcommittee recessed, to reconvene at 10 a.m., Tuesday, January 11, 1966.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

TUESDAY, JANUARY 11, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.
PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:10 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; and Donald T. Appell, chief investigator.

The CHAIRMAN. The subcommittee will come to order.

Mr. Appell, call your first witness.

Mr. APPELL. Mr. Chairman, I would like to call Mr. John H. Gipson.

Mr. Gipson, would you come up here and take the stand, please?

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear the testimony you shall give in this session will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GIPSON. I do.

The CHAIRMAN. Have a seat.

TESTIMONY OF JOHN HUGH GIPSON

Mr. APPELL. Mr. Gipson, if you will talk into the microphone I think that the committee will be able to hear you. The acoustics here are rather bad.

Would you state your full name for the record?

Mr. GIPSON. John Hugh Gipson.

Mr. APPELL. And that is spelled G-i-p-s-o-n?

Mr. GIPSON. Right.

Mr. APPELL. Where do you presently reside, sir?

Mr. GIPSON. Slidell, Louisiana.

Mr. APPELL. When and where were you born?

Mr. GIPSON. St. Tammany Parish.

Mr. APPELL. And the month?

Mr. GIPSON. March 24, 1936.

Mr. APPELL. Mr. Gipson, you are not appearing before the committee this morning with counsel. Do you desire counsel?

Mr. GIPSON. Yes, sir.

Mr. APPELL. You desire an attorney to accompany you—

The CHAIRMAN. Do you desire to have a lawyer?

Mr. APPELL. —here this morning?

Mr. GIPSON. Sir?

Mr. APPELL. I say, you do not have an attorney with you?

Mr. GIPSON. No, sir.

Mr. APPELL. Do you want an attorney?

Mr. GIPSON. No, sir.

The CHAIRMAN. Mr. Gipson, you do not have a lawyer. You said you don't want one.

I want you to know that, if you want to, you may invoke the fifth amendment. You don't have to, but if you want to I want you to know that we respect your rights.

Mr. GIPSON. Yes, sir.

Mr. APPELL. Mr. Gipson, how far did you go in school?

Mr. GIPSON. I quit school in the seventh grade.

Mr. APPELL. Over the recent years what has been your principal occupation?

Mr. GIPSON. Most of my life I logged, working in the woods.

The CHAIRMAN. Logging?

Mr. GIPSON. Logging.

Mr. APPELL. Mr. Gipson, have you ever been a member of any Ku Klux Klan organization?

Mr. GIPSON. Yes, sir.

Mr. APPELL. When did you join a Ku Klux Klan organization?

Mr. GIPSON. It was in 1963.

Mr. APPELL. And was this the Original Knights of the Ku Klux Klan?

Mr. GIPSON. Yes, sir.

Mr. APPELL. And was this the organization that was headed statewide by J. D. Swenson and Royal V. Young?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Were you acquainted with dissension which grew up within the Original Knights over finances involving Mr. Swenson and/or Mr. Young?

Mr. GIPSON. I know they had some kind of money squabble, but I don't know too much about it. I was just becoming a member then and I did know they had some squabble over the money.

Mr. APPELL. And you do know that after this money squabble Mr. Young and Mr. Swenson were no longer the leaders of the organization?

Mr. GIPSON. Right.

Mr. APPELL. In 1963 when you joined the Original Knights of the Ku Klux Klan, who recruited you into the organization?

Mr. GIPSON. Herbert Gornor.

Mr. APPELL. G-o-r-n-o-r?

Mr. GIPSON. Yes.

Mr. APPELL. And to what Klavern of the Original Knights were you assigned after you became a member?

Mr. GIPSON. To the Pearl River.

Mr. APPELL. Was this Klavern also known as the Pearl River Hunting and Fishing Club?

Mr. GIPSON. It was.

Mr. APPELL. The first meeting that you attended was held where?

Mr. GIPSON. By Cary Crawford's house; in the house, in fact.

Mr. APPELL. In the house of Cary Crawford?

Mr. GIPSON. Yes, sir.

Mr. APPELL. And he was a member of the Pearl River unit?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Why did you join the Klan? What interested you in the Klan's program which caused you to join?

Mr. GIPSON. Well, at the time I thought it was a pretty good thing the way they explained it to me. It did sound good, but the longer I stayed in and the further I went, I seen that they didn't live up to the oath that they took, because when I went in it was supposed to be no violence. Their fighting was going to be with boycotts and ballots and with economic pressure.

Mr. APPELL. At the time you joined, what was the klectokon, or recruitment fee, which you had to pay to get into the Klan?

Mr. GIPSON. Ten dollars initiation fee; ten dollars for uniform.

Mr. APPELL. This is the robe?

Mr. GIPSON. Yes, sir.

Mr. APPELL. And what were the dues paid by the members within their respective Klaverns?

Mr. GIPSON. Four and a half a quarter. A quarter was 3 months.

Mr. APPELL. At the time you joined the unit, who was the exalted cyclops, or the leader of the Klavern?

Mr. GIPSON. Mr. Rowley.

Mr. APPELL. Is this Mr. Ewell R-o-w-l-e-y?

Mr. GIPSON. Right.

Mr. APPELL. What did you know his occupation or profession to be?

Mr. GIPSON. He was principal at the school.

Mr. APPELL. This is the Sixth Ward Junior High School, also known as the Pearl River?

Mr. GIPSON. At the time I went in, he was principal at Pearl River School, but then he got a transfer to Sixth Ward High School.

Mr. APPELL. How long did Mr. Rowley continue to be the exalted cyclops?

Mr. GIPSON. As well as I remember somewhere around 7 to 8 months.

Mr. APPELL. Who replaced Mr. Rowley as the exalted cyclops of the unit?

Mr. GIPSON. Beg pardon?

Mr. APPELL. Who was the next exalted cyclops after Mr. Rowley?

Mr. GIPSON. Nelson Ainsworth.

Mr. APPELL. What business is Mr. Ainsworth in in the Pearl River area?

Mr. GIPSON. He owns the dump trucks, hauling sand and gravel.

Mr. APPELL. Who was the secretary of the Klavern, the man to whom dues were paid and the man who kept notes and records of the meeting?

Mr. GIPSON. Howard Swenson.

Mr. APPELL. And is Howard Swenson employed by a tobacco company as a route salesman working out of Bogalusa?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Who succeeded Nelson Ainsworth as the exalted cyclops of your unit?

Mr. GIPSON. James L. Leslie.

The CHAIRMAN. Will you spell that?

Mr. APPELL. L-e-s-l-i-e.

Is he known in the community by the nickname of Preacher Leslie?

Mr. GIPSON. Yes, sir, he is.

Mr. APPELL. Is he currently engaged in the profession of a minister, or does he have some other occupation?

Mr. GIPSON. He is a mechanic.

Mr. APPELL. He is a mechanic now?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Do you know from what origin he gets the nickname of Preacher?

Mr. GIPSON. He was supposed to have been an ordained preacher at one time.

Mr. APPELL. Who was the secretary of the Klavern under James Leslie?

Mr. GIPSON. Clayton Hickey.

Mr. APPELL. C-l-a-y-t-o-n H-i-c-k-e-y?

Mr. GIPSON. Right.

Mr. APPELL. And what does Mr. Hickey do?

Mr. GIPSON. He is an iron worker.

Mr. APPELL. Is he presently under some kind of suspension from the *Times-Picayune*, where he had been employed as a typesetter?

Mr. GIPSON. Yes, sir, he is.

Mr. APPELL. Mr. Gipson, where did this Klavern at the time Mr. Leslie was the exalted cyclops hold some of its meetings?

Mr. GIPSON. Al Bardin's Pine View.

Mr. APPELL. And he owns and operates Pine View Salvage Company?

Mr. GIPSON. Right.

Mr. APPELL. Mr. Gipson, within the organizational structure of the Original Knights there is provision made within the Klavern and within the realm level of a body of men known as the wrecking crew?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Are you familiar with the activities of the wrecking crew?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Were you ever a member of a wrecking crew?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Prior to becoming a member of the wrecking crew

did you ever, in consultation with other Klansmen, carry out an act against anyone?

Mr. GIPSON. Yes, sir; one time.

Mr. APPELL. Would you tell the committee in your own words what this act was and what led up to it?

Mr. GIPSON. Well, they had a boy in our community and he was, according to Oscar Anderson, chief KBI.

Mr. APPELL. Oscar Anderson was the chief of the KBI?

Mr. GIPSON. Yes, sir. He said the boy drinks and didn't take care of his family, late out at night, and he needed to be straightened out with a belt.

Mr. APPELL. Did it come about that the opinion of Mr. Anderson, who was the KBI—Klan Bureau of Investigation—man, and a group of Klansmen carried out Mr. Anderson's belief that this man should be handled and taken care of with a belt?

Mr. GIPSON. Yes, sir, they did.

Mr. APPELL. Who was this man that was going to be whipped with with a belt?

Mr. GIPSON. Clarence O'Berry.

Mr. APPELL. O-'-B-e-r-r-y?

Mr. GIPSON. Right.

The CHAIRMAN. Is that a white boy or a Negro boy?

Mr. GIPSON. He was a white boy.

Mr. APPELL. With respect to the planning and the participants involved in this act, would you, in your own words, tell the committee just what transpired? I first would like to ask you approximately when this planning and the actual beating were carried out.

Mr. GIPSON. The night that he got whipped we had a regular Klan meeting. Oscar Anderson told us that after the meeting he wanted to talk to us. After the meeting he come out, and everybody there were the ones who went.

The CHAIRMAN. Who were they?

Mr. GIPSON. Myself, John Gipson, L. M. Raynor, Harold Brakefield, Herbert Gornor.

The CHAIRMAN. Could you remember about when that was, what month and what year approximately?

Mr. APPELL. Is that approximately July of 1964?

Mr. GIPSON. It is in July sometime.

The CHAIRMAN. 1964?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Continue.

Mr. GIPSON. He said he thought that night would be a good night to get him, but he thought he was laying out in one of them barrooms down there that night. He told us to follow him down to this barroom. We went down and we parked on the side road. He made a loop in front of the barroom and said he seen the boy sitting at the bar, and he was watching the boy. In some kind of way the boy come out and caught a ride.

He said "He must be on his way home." He told us to follow him.

We went up Highway 11, turned off 11 up 41, and he went up the road and passed the boy's road which goes to his house and he was going to watch for the sheriff.

We turned around then, and he come back. Sure enough the boy was about a quarter of a mile from his house. We caught him, drug him off in the woods, Harold Brakefield, Gornor, Oscar Anderson, and L. M. Raynor. They pulled his pants down, and I hit him two or three licks, and Eliot Rand took the belt and he really whipped him. He was whipping him so hard I reached and grabbed his wrist one time and shoved him back.

When we got through we just left him there.

The CHAIRMAN. On the ground?

Mr. GIPSON. On the ground.

Mr. APPELL. Was O'Berry pretty well welted?

Mr. GIPSON. Yes, he was in a pretty bad way.

Mr. APPELL. Was there any discussion among the people of getting him medical attention?

Mr. GIPSON. No, sir, there wasn't.

Mr. APPELL. He was left there without anyone caring how he was going to get home or whether he was going to get any kind of medical attention?

Mr. GIPSON. That's right.

Mr. APPELL. Was he told by the Klansman why he was being whipped?

Mr. GIPSON. I understood that he had had some warning before that, but I didn't know nothing about that.

Mr. APPELL. But on the night that he was whipped he wasn't told why?

Mr. GIPSON. No, sir; nobody talked.

Mr. APPELL. Following this act against Clarence O'Berry, were you formally inducted into a wrecking crew?

Mr. GIPSON. I wasn't at the time O'Berry got whipped, but after that they got them a wrecking crew up and I was sworn in.

Mr. APPELL. Would you describe to the committee the procedures that you went through in order to be inducted into the wrecking crew?

Mr. GIPSON. This guy, Oscar Anderson, told me to come down by his station. He was running a station at that time. He had some men he wanted me to talk with. Whenever I got down there they had two fellows that I didn't know, and never did know. They were supposed to be from northeast Louisiana. They told that there had to be something set up to stop all these smart niggers and things, and that laws was made for something, but sometimes they had to be broken and there had to be some good men to do it. Then they swore in a few of us that night, and we took a different oath than they have in the regular Klavern.

Mr. APPELL. Let me interrupt you there. In the discussion of taking care of people, people that you describe, to what extremes was this group willing to go, or were they told they might have to go, in order to take care of smart Negroes?

Mr. GIPSON. They said it might even come necessary to have to murder somebody.

Mr. APPELL. You testified that you took an oath which was different from the oath administered in a Klavern. Do you remember the context of this oath, or do you remember any part of it which made an impression upon you at the time?

Mr. GIPSON. Yes, sir. One part of it I well remember, the part where "if you reveal any secrecy, ever talk, that you would get your head blown from your shoulders." I well remember that.

Mr. APPELL. Your testimony is that, as part of this oath, it was set forth that a violation of the secrecy of the wrecking crew would result in your head being blown off from your shoulders?

Mr. GIPSON. Right.

Mr. APPELL. Was there discussion—

The CHAIRMAN. May I first ask a question about the meeting? Were any of you in robes or were you in plain clothes when you administered that oath?

Mr. GIPSON. We had plain clothes, but we had black masks.

The CHAIRMAN. And that was in July of 1964?

Mr. GIPSON. Yes, sir.

The CHAIRMAN. All right.

Mr. APPELL. I was going to ask about subsequent events, Mr. Chairman—but this black mask that you wore, did it cover your head so that no one could identify you, so that only the eye slits showed through?

Mr. GIPSON. That's right.

Mr. APPELL. Was there any discussion after the oath as to retaliation against a member of the wrecking crew who might violate any of the secrets of the members of the wrecking crew?

Mr. GIPSON. Yes, sir. They said if a fellow ever talked that they would get him, that they might not get him then, it might be 5 or 10 years later, but he would be gotten.

Mr. POOL. Who said this?

Mr. GIPSON. These two fellas that were supposed to have been from northeast Louisiana.

Mr. POOL. You don't know the names?

Mr. GIPSON. No, sir. I never did find their names out. They said that they could get men from somewhere else to do these jobs.

Mr. POOL. Where did they tell you this?

Mr. GIPSON. At Al Bardin's.

Mr. POOL. Anybody else here?

Mr. GIPSON. No, sir.

Mr. POOL. You are the only one who talked?

Mr. GIPSON. I misunderstood. I thought you asked did anybody else here hear it. I heard it, Oscar Anderson, Harold Brakefield, L. M. Raynor, Nelson Ainsworth.

Mr. POOL. Did you ever ask who these fellows were?

Mr. GIPSON. No, sir; I never did.

Mr. WELTNER. What was your understanding as to what was meant by "they will get you"?

Mr. GIPSON. My understanding was that if anybody ever revealed any of their secrets that they would kill you.

Mr. WELTNER. Was there any question about what they meant by "get you" in your mind?

Mr. GIPSON. Well, I knew what they meant.

Mr. WELTNER. Thank you, sir.

The CHAIRMAN. Proceed.

Mr. APPELL. I want to ask you, and this will be a complete answer,

I think, to Mr. Pool's question—in addition to yourself who on this night took the wrecking crew oath?

Mr. GIPSON. Oscar Anderson, he took it hisself; Harold Brakefield; L. M. Raynor; Louis Singletary.

Mr. APPELL. S-i-n-g-l-e-t-a-r-y?

Mr. GIPSON. Right; Harold Brakefield, Henry Gaines——

The CHAIRMAN. Could you tell us about the ages of those people? Were they about your age? Were some older or some younger than you?

Mr. GIPSON. There was two boys—three boys—pretty close to about my age, and the rest of them was older than me.

The CHAIRMAN. How old would you say?

Mr. GIPSON. I am 29.

The CHAIRMAN. You were then 27?

Mr. GIPSON. Yes, sir.

Mr. APPELL. In addition to those that you have already named, L. M. Raynor, Harold Brakefield, Nelson Ainsworth, and Louis Singletary and Henry Gaines, was a man by the name of Talley, whose first name is Vernon Edgar Talley, another who took the wrecking crew oath at that time?

Mr. GIPSON. Yes, sir, he was.

Mr. APPELL. And Henry Clayton Hickey. H-i-c-k-e-y?

Mr. GIPSON. Right; he took the oath, too.

Mr. APPELL. Did the wrecking crew meet and discuss its business as part of the regular Klavern meeting, or did the members of the wrecking crew hold separate, independent meetings?

Mr. GIPSON. They held separate meetings.

Mr. APPELL. Where would these meetings be held—at the residence of different members?

Mr. GIPSON. Yes, sir, in the residences.

Mr. APPELL. At whose residences did some of the meetings of this particular group take place?

Mr. GIPSON. Most of the time at Oscar Anderson's house.

Mr. POOL. Was Oscar Anderson the leader of this group?

Mr. GIPSON. Yes, sir.

Mr. POOL. He presided at the meetings?

Mr. GIPSON. Yes, sir.

Mr. POOL. He gave you instructions?

Mr. GIPSON. Yes, sir.

Mr. POOL. He administered the oath? Who administered the oath?

Mr. GIPSON. Them boys that come down from northeast Louisiana, they swore him in as the leader and then he was supposed to lead from there on.

Mr. POOL. They designated him as the leader?

Mr. GIPSON. In other words, they was just starting him out, just like they were supposed to already have been.

Mr. APPELL. After they swore in Oscar Anderson, then Oscar Anderson in turn administered the oath to the local members of the wrecking crew?

Mr. GIPSON. Yes, sir.

Mr. APPELL. How often did this wrecking crew normally meet?

Mr. GIPSON. They met about once a week.

Mr. APPELL. Did you or other members of the wrecking crew ever travel to places outside of the Pearl River area for the purpose of discussing operations and projects or jobs which the wrecking crew should involve itself in?

Mr. GIPSON. I never did get out of the area of Slidell and Pearl River.

Mr. APPELL. Did you ever attend any meetings in Covington?

Mr. GIPSON. Yes, sir, I did attend a meeting out there but it was a kind of a State meeting like, State officers mostly.

Mr. APPELL. And not restricted to wrecking crew personnel?

Mr. GIPSON. No, sir. But there was a little discussion there I heard on one part of it.

Mr. APPELL. Would you describe this meeting for us and tell us where it was held and approximately when it was held?

Mr. GIPSON. One Sunday morning Oscar Anderson come by my house and told me he had a call to meet with some fellows in Covington. He didn't know who or what was going on.

Mr. APPELL. I interrupt you there, Mr. Gipson. In an interview which you had with me did we establish that the approximate date of this meeting was Sunday, the 25th of July 1965?

Mr. GIPSON. Yes, sir.

The CHAIRMAN. For the record, about how far is Covington from Slidell?

Mr. GIPSON. Must be around about 25 miles.

The CHAIRMAN. About how far is Slidell from Bogalusa, approximately?

Mr. GIPSON. 36 miles roughly.

The CHAIRMAN. And how far is Covington from Bogalusa, approximately?

Mr. GIPSON. About 50 or 60 miles.

The CHAIRMAN. All right. Go ahead.

Mr. APPELL. You had told, up to the point of my interruption, that Oscar Anderson had advised you that he had to go to Covington to meet with some fellows. Did you accompany Oscar Anderson to Covington to meet with these fellows?

Mr. GIPSON. Yes, sir. On the way he picked up Al Bardin.

Mr. APPELL. He picked up Al Bardin, whom we discussed previously as the owner of the Pine View Salvage Company?

Mr. GIPSON. Yes, sir.

Mr. APPELL. And the three of you then traveled to Covington?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Did you have a meeting in Covington?

Mr. GIPSON. Yes, sir. It was a little meeting.

Mr. APPELL. Where was this meeting held?

Mr. GIPSON. At Pete Holden's home.

Mr. APPELL. That is James Holden, Mr. Chairman, who was a witness before the committee last week and refused to testify and invoked his constitutional privileges.

Would you proceed in your own words to describe who was there and what the general discussion of those assembled was?

Mr. GIPSON. S. J. Parker was there; Saxon Farmer.

Mr. APPELL. Is Mr. Parker from Bush?

Mr. GIPSON. Yes, sir, from up around Bush.

Mr. APPELL. And Saxon Farmer is from Bogalusa.

Mr. Chairman, I think the record should show that he was a witness before the committee last week and refused to testify on constitutional privileges.

You have mentioned Parker and Farmer.

Mr. GIPSON. And Pete Holden.

Mr. APPELL. In whose house the meeting was held?

Mr. GIPSON. Yes. Oscar Anderson, Al Bardin and myself, Johnnie Gipson.

Mr. APPELL. Was Albert M. Bancks, B-a-n-c-k-s, also there?

Mr. GIPSON. That is right; he was there, too.

Mr. APPELL. Mr. Chairman, I think the record should show that at the time of that meeting Mr. Albert M. Bancks resided at Folsom, Louisiana, but is currently residing at Foxboro, Mississippi.

Will you proceed with the discussions that might have taken place at this meeting that you can recall?

Mr. GIPSON. I heard Oscar Anderson ask Saxon Farmer were they still going through with the plans to burn the churches, and Saxon Farmer told him "yes," that it was going to be done statewide, that they would follow the plans through.

Mr. APPELL. Following that meeting, was there subsequently a meeting of members of the wrecking crew in your area?

Mr. GIPSON. Yes.

Mr. APPELL. Which meeting related itself to the actual burning of churches?

Mr. GIPSON. Yes, sir.

Mr. APPELL. I think in the interview we established that this meeting was held on July 31, the Saturday following the meeting at Pete Holden's house, that it was held at the house of Oscar Anderson; is that true?

Mr. GIPSON. Right.

Mr. APPELL. Would you tell the committee the discussion that went on at that meeting?

Mr. GIPSON. We met there, and they decided they would wet the buildings down with gas.

Mr. APPELL. What buildings are we talking about?

Mr. GIPSON. The Hartsell Methodist Church, I believe.

Mr. APPELL. Methodist Youth Center, I believe is the technical name.

Mr. GIPSON. Yes.

Mr. POOL. What town?

Mr. GIPSON. In Slidell.

Mr. APPELL. The other was the Providence Baptist Church?

Mr. GIPSON. On Thompson Road.

The CHAIRMAN. Were those churches with white congregations or Negro congregations? Were they colored or white churches?

Mr. GIPSON. They were colored churches. They said they were using them for civil rights meetings. They decided they would wet them down with gas, take four matches, two on each side of a cigarette and wrap a rubber band around them to ignite the gas. That was the trigger.

Mr. APPELL. During the interview, Mr. Gipson, under your guidance and instruction, did we sort of simulate the type of instrument that was used to ignite the gas? I show this to you.

Mr. GIPSON. Yes, sir.

The CHAIRMAN. Is that the kind of torch that they had planned to use?

Mr. GIPSON. Yes, sir.

The CHAIRMAN. Describe that torch.

Mr. APPELL. Mr. Chairman, the torch that we manufactured at the guidance of Mr. Gipson is an ordinary cigarette which has four matches attached to it. These are wood matches, not paper matches. They are held in place around the cigarette with a rubber band. The cigarette is ignited and as it burns down it then ignites the matches. The time that the people have to get away depends upon how close or far removed they put the matches to the ignited end of the cigarette.

Mr. POOL. Is that description the way it was?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Was a time set at which the burning of these two churches would take place?

Mr. GIPSON. Yes. It was set on a Monday night.

Mr. APPELL. Is this the Monday which followed the meeting at Oscar Anderson's house on Saturday?

Mr. GIPSON. On Saturday, that is right.

Mr. APPELL. This would then make it on August 2?

Mr. GIPSON. Yes, sir. They figured the best time would be in the morning, which would be Tuesday morning at about 1 o'clock.

The CHAIRMAN. In the afternoon?

Mr. APPELL. A.M.

The CHAIRMAN. In other words, Tuesday at 1 o'clock a.m.

Mr. GIPSON. Yes, sir.

The CHAIRMAN. Just past Monday midnight.

Mr. GIPSON. That is right. They said there wouldn't be too many people stirring at that hour of the night.

Mr. APPELL. On the following Monday night, were these acts carried out?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Would you describe in your own words how the rendezvous was established and how the teams were set up to carry out the actual purpose?

Mr. GIPSON. That Monday night we had a regular Klan meeting at James L. Leslie's house.

Mr. APPELL. He was the exalted cyclops of the unit at that time?

Mr. GIPSON. Right.

Mr. APPELL. You mentioned the meeting was held on a Monday night. Was this the normal night for a meeting of the Klavern?

Mr. GIPSON. No, sir. They had been meeting on Friday nights, but they decided they would change nights.

Mr. APPELL. In order to keep the sheriff's department and the FBI from observing their meetings, they then switched the meeting nights?

Mr. GIPSON. Right.

Mr. APPELL. Proceed with the meeting and what happened.

Mr. GIPSON. We had a regular meeting—

The CHAIRMAN. By "we," do you mean the wrecking crew?

Mr. GIPSON. Yes.

Mr. APPELL. By the regular meeting, you mean of the Klavern membership?

Mr. GIPSON. The Klavern meeting and the wrecking crew men were there, too. After the regular meeting, Oscar Anderson said just wait until everybody left, and when everybody left he come around and he asked if everything was ready, and was told yes. He said, "Well, I am going home so I will have an ironclad alibi"——

Mr. APPELL. Let me interrupt you there. Oscar Anderson is the KBI man?

Mr. GIPSON. Yes, sir.

Mr. APPELL. He is the man who planned the action?

Mr. GIPSON. Right.

Mr. APPELL. But instead of going with you to carry out these acts, he is going home so he can have a perfect alibi?

Mr. GIPSON. Yes, sir.

The CHAIRMAN. What is that?

Mr. APPELL. He is going home after planning it and getting the people to do it, so he will have a perfect alibi.

Mr. GIPSON. He doesn't worry about the rest of the guys. So we left and went on about 3 miles and we stopped again. We were going to split up there. So two took the one on Thompson Road.

The CHAIRMAN. I do not want to break into your thoughts, but when you say "we," who are they? You and who else?

Mr. GIPSON. L. M. Raynor and Louis Singletary were going to take the one on Thompson Road, and myself and Clayton Hickey and Ed Talley were going to get the the other one on Shortcut Highway.

Mr. APPELL. That would be the Hartsell Methodist Youth Center?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Continue.

Mr. GIPSON. I had my truck. The other two boys had a car. They were going to let me take my truck home, and I was going to leave it. They were going to pick me up. I had two of these little hand walkie-talkie radios that they use on guard duty around the Klavern. I had me a little story made up. When I went in and put the radios up, I come back out and told them, the two boys I was with, Hickey and Talley, that my wife was crying and begging me not to go, which was the story I just made up, and that I couldn't go. They said, "We understand, but we will take care of it."

Mr. APPELL. To your knowledge and to the public knowledge of people in the community, were the Providence Baptist Church and the Hartsell Methodist Youth Center set fire that night?

Mr. GIPSON. Yes, sir. The next morning I went to work and I heard it on the radio that they were both burned down.

Mr. APPELL. After this burning, did you continue active membership in the Klan?

Mr. GIPSON. After that happened, I knew I couldn't go on with them kind of things, and I slacked off. I got on the side with the law officials, and they advised and asked me would I get back in the groove and go back to the regular meetings so I could help stop that kind of things, and I did.

(At this point Representative Senner entered the hearing room.)

The CHAIRMAN. What law officials?

Mr. GIPSON. Mr. Broom.

The CHAIRMAN. Who is he?

Mr. GIPSON. Sheriff Broom of St. Tammany Parish.

The CHAIRMAN. It was by arrangement of your sheriff that you appear here today? Is that right, as far as you know? I am telling you it is.

Mr. GIPSON. Yes, sir.

The CHAIRMAN. You said you were engaged in logging operations. I think even yesterday you were logging; were you not?

Mr. GIPSON. Yes, sir.

The CHAIRMAN. Through your sheriff you asked two things of the committee. One, that your expenses be paid and, second, that you be afforded police protection while you were in Washington; is that correct?

Mr. GIPSON. Yes, sir.

The CHAIRMAN. I have afforded you that, and I direct the police to continue that watch.

By the way, there was discussion about your protection when you went back home. The sheriff said he would take care of that. I congratulate him.

Mr. GIPSON. He is a fine fellow.

Mr. APPELL. Mr. Gipson, on January 5, 1966, did you then leave the Klan and become a witness for the State in a prosecution of fellow Klansmen who carried out the whipping of Clarence O'Berry?

Mr. GIPSON. Yes, sir, I did.

Mr. POOL. I did not get the last question, Mr. Appell.

Mr. APPELL. I asked whether or not the witness on January 5, 1966, became a witness in a trial growing out of the whipping of Clarence O'Berry.

It was with your taking the witness stand in that case that you severed your Klan connections, which immediately prior thereto you were carrying out at the request of Sheriff Broom of St. Tammany Parish?

Mr. GIPSON. Yes, sir.

Mr. APPELL. I do not know whether you possess knowledge but I shall ask: In October 1965 there was a fire in the Sixth Ward near Hickory occasioned by threats brought against the builder of the property because he was using Negro help in finishing cement or concrete. The first threat of burning of the lumber that was being used in construction was the hanging of a doll by its neck to simulate a hanging. Do you possess knowledge of that?

Mr. GIPSON. No, sir.

Mr. APPELL. You talked about walkie-talkies that you had taken from the Klavern meeting on the night of August 2 and left at your home. What use does the Klan make of walkie-talkie radios?

Mr. GIPSON. In case anybody starts in, they can be notified inside to disband and stop their business.

Mr. APPELL. Therefore, a man outside has a walkie-talkie and someone inside—

Mr. GIPSON. They have one inside. Sometimes they might have two or three more outside. Like if the building is back off the road,

there will be one away out by the road and maybe one about the middle ways, and then one pretty close by the house.

Mr. APPELL. Is it your knowledge that within the operation of the Klan, members use very extensively citizens band radios in their automobiles for the purpose of carrying out Klan activities?

Mr. GIPSON. Yes, sir, they do. They use everything they can arrange and scrape to do it. They get every channel they can.

Mr. APPELL. Even though their authority might be for a certain channel, they do not remain within the regulations of the Federal Communications Commission?

Mr. GIPSON. I don't think they do.

Mr. APPELL. Mr. Gipson, were you defended by the same counsel that defended the defendants in that case?

Mr. GIPSON. No, sir. I had my own separate lawyer.

Mr. APPELL. What was the quotation of expense to the Klan for the defense of the Klan defendants in that trial?

Mr. GIPSON. I understood the amount would be around \$9,000. I got to figuring I might be getting took and that I wasn't going to take that lawyer because it is kinda hard for me, raising a family and the kind of work I am doing, to get up that kind of money. I was afraid I might wind up with a suit for that \$9,000. I decided I would just have me another lawyer.

Mr. APPELL. Do you know how the Klan raised the necessary legal fees that they had to pay to defend the Klansmen in that trial?

Mr. GIPSON. They raffled off a bull and they gave turkey shoots. Whenever they had a rally they would take up a collection. Stuff like that.

Mr. APPELL. Prior to going to trial, was there discussion among the people as to what they felt their chances might be during the trial, whether they were going to be acquitted or whether they were going to be found guilty?

Mr. GIPSON. They said unless somebody pimped, there wouldn't be a conviction.

Mr. APPELL. They were convicted, were they not?

Mr. GIPSON. Yes, sir, they were.

Mr. APPELL. Mr. Gipson, I have one more question to ask of you. I would like you in your own words to say why you joined the Klan and why you agreed to render assistance to Sheriff Broom of St. Tammany Parish, and therefore technically leave the Klan.

Mr. GIPSON. At the time I joined, I figured it was a pretty good thing that they had going, and I figured something might be accomplished by it, but as I stayed in and seen these things happen and they kept getting worse and worse, I knew it could not go on for me. You can't do them kind of things and get by the law like that. I just had to go the right way.

The CHAIRMAN. Mr. Gipson, I suppose it was because of people like Preacher Leslie and High School Principal Rowley—it was because of people of that prominence in the community who talked to you, people of that type who led you to believe this was a good organization.

Mr. GIPSON. Yes. When I first went in, there was a lot of fellows in it, and they were what I call upstanding men. And then they started dropping out.

The CHAIRMAN. They are dropping out some more now?

Mr. GIPSON. They are dropping out. It is boiling down to just a bunch of—

The CHAIRMAN. Say it.

Mr. GIPSON. The way I would describe it would be renegades. Right now I feel my life ain't worth two cents to me. I figure my family—they might even go through them to get me.

The CHAIRMAN. Are you afraid? You are doing a courageous thing.

Mr. GIPSON. I am trying to right a wrong and help the cause of the country. I feel I am supposed to do it. I am not scared of them. I am scared of the law. I am not scared of them.

The CHAIRMAN. Do you find there are other people who are learning the truth and that they do not have that fear any more and are willing to come out and stand up for law and order?

Mr. GIPSON. Yes, sir.

The CHAIRMAN. That is what is going on in your area?

Mr. GIPSON. Yes, sir, that is right.

The CHAIRMAN. I hope this will be an example for others to do what you are doing today. I hope and express confidence that that will come about.

Mr. APPELL. With respect to the wrecking crew, are you acquainted with the constitution which provided that there should be a formal organization within the Klan known as the wrecking crew?

Mr. GIPSON. Yes.

Mr. APPELL. The wrecking crew of which you were a member was an official Klan group; is that right?

Mr. GIPSON. Yes, sir.

Mr. POOL. The members of the Klavern all knew there was such a thing as a wrecking crew which was authorized by the Klavern?

Mr. GIPSON. They pretty well knew there was a wrecking crew, but they couldn't pinpoint them out.

Mr. POOL. They knew there was such an organization within the Klavern itself?

Mr. GIPSON. I think they did.

The CHAIRMAN. But the whole idea of the Klan is that the wrecking crew itself be kept secret?

Mr. GIPSON. Be kept secret, right.

The CHAIRMAN. One more thing in addition to my reference to possible influence on you of Preacher Leslie and the high school principal. I have before me literature on this general subject, literature of the Klan, which reads: "To be read and reread until thoroughly understood by all officers and members." Also, it should be used as background material for discussions and lectures at local and unit meetings. I will read only one example: "The purpose and function of this organization is to preserve Christian Civilization."

That is the kind of thing they preach—Christianity, patriotism, love of country, anticommunism, and all the rest, in addition, of course, to hatred in matters involving racial relations. That is the kind of stuff they preach.

Mr. GIPSON. Yes, sir, that is right.

The CHAIRMAN. Do they practice what they preach?

Mr. GIPSON. No, sir, they don't.

The CHAIRMAN. Of course, burning churches and things of that nature are, to say the least, un-Christian; isn't that correct?

Mr. GIPSON. Right.

Mr. APPELL. Mr. Gipson, returning to Ewell Rowley, the high school principal, do you possess knowledge as to why he gave up the position of exalted cyclops and what rank within the Klan he assumed?

Mr. GIPSON. One of his reasons was that it was going to interfere with his job being principal of the school, and then the next reason was when this O'Berry boy got whipped, I don't believe it was brought before him and cleared before him. He realized he couldn't have no control over the men, and I think he thought it was best for him to drop out.

Mr. APPELL. Drop the position of exalted cyclops?

Mr. GIPSON. Right.

Mr. APPELL. Did he continue a membership of some kind?

Mr. GIPSON. Then he became an honorary member. Actually, he is not attending no meetings.

Mr. APPELL. Some constitutions of the Klan, if not your Klan, provide for secret members. Would you put him in this category?

Mr. GIPSON. Yes, sir.

Mr. APPELL. When you said difficulty with respect to his position of principal, were you inferring that he might lose his position? Is that the type of difficulty you referred to?

Mr. GIPSON. Yes. He felt it would cause him to lose his job.

Mr. APPELL. Mr. Chairman, the staff has not further questions of this witness.

Mr. POOL. I just want to compliment the witness for being a very brave man to come here and testify in view of the fact that there is a chance that somebody might try to harm you or your family. I want to point out to you that this committee has had similar things in the investigation of communism. We have had witnesses come and point out people who are Communists and trying to infiltrate industry and things like that. You have the same thing going on in other areas, where you have extreme groups trying to preach violence. I assure you, after these people have been named here this morning, I do not think anyone is going to try to harm you, but if they do, this committee should be notified, the chairman should be notified, and we will take action immediately.

The CHAIRMAN. There is a very severe law to the effect if anyone who takes the stand either before a court or before a committee is subjected to attempts at intimidation or recrimination or violence or threats, that is a severe thing under the law, and the law is there to punish those people. If any such thing happens, let me know. I will bet 10 to 1 no such thing is going to happen. This threat and this preachment that a wrecking crew member's talking would result in his neck being severed from his body and that members of his family will be hurt—that is just so much talk to intimidate and put the members themselves in fear. The more like you who are brave like you and talk, the less and less such a thing will happen. I would bet nothing is going to happen to you. You are protected here, and I am sure your good sheriff will protect you back home.

Mr. POOL. The Federal Government itself will become a pretty good wrecking crew if those people do try anything like that.

Mr. GIPSON. The judge I think understands that, too. I glory in his spunk. He flat laid the cards on the table.

Mr. WELTNER. Mr. Chairman, I should like to join in the statement of the Chair and of the members of the committee in commending this witness for his courage. I know courage in New York City, Buffalo, and Atlanta is one thing. Courage in Slidell, Louisiana, is another thing. I have developed an intense admiration for you since you have been here. I simply want to add this one point, Mr. Gipson. The literature which we have in the record of these hearings is quite clear that the Klan realizes that its power is in the secrecy of its membership. What power the Klan has, I think it is becoming clear, depends upon the secrecy of that membership. In recent weeks, substantial changes have come about in the maintenance of that secrecy. The action of the Federal court which resulted in the submission to that court of the membership list of the Klan of Bogalusa and of the Anti-Communist Christian Association is one thing. The very fine investigation conducted by the staff of this committee is another. The fact of the matter is, Mr. Gipson, there is no secrecy of membership within the area concerning which you testified. The Federal court knows who the Klansmen are; this committee knows who the Klansmen are; the Federal Bureau of Investigation knows who the Klansmen are. So far as your concern about the danger which exists by virtue of your testimony here today to you and your family, take some heart in the fact that the agencies of the Government, both the legislative branch through this committee and the executive branch through the FBI and the judicial branch through the court in New Orleans, know exactly who it might be on the other end of that telephone when you receive a threatening call. They know exactly what group it might be that sets out some kind of intimidation or harassment of you or your family. We know, and we are determined, so far as it is within our power, speaking for the Federal Government, all branches, to protect you and your family.

The power of the Klan is the secrecy of its membership and that power has been vastly diluted and abated in recent weeks, and it will continue to dwindle because the facts are coming in and the facts will be available through people such as yourself.

Mr. POOL. I think we will have more people come forth with statements like Mr. Gipson's and further expose the Klan. Don't you agree?

Mr. WELTNER. I am certainly hopeful that the example which Mr. Gipson has set here will stimulate others to consider what is their duty as Americans as well as their duty as Christians.

Mr. GIPSON. I hope so myself. I can see it is beginning to weaken now. I know in our area it is weakened now.

Mr. WELTNER. Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Gipson, I want to read from the Federal law I just mentioned a while ago. Among other acts which this law makes unlawful—it states:

Whoever injures any party or witness in his person or property on account of his attending or having attended such proceeding, inquiry, or investigation, or on account of his testifying or having testified to any matter pending therein; or

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

The record will show that you have appeared, have been sworn, and have testified, and you have the protection of this law.

Mr. BUCHANAN. Mr. Gipson, I cannot tell you how much I admire your courage. In the last analysis, a nation is only as strong as the people who make it up, and I think you are demonstrating yourself today before this committee to be a part of the hope of our Republic, and I appreciate it.

One of the ideas which was perpetrated by the Klan organization was that they are fighters against communism. May I say, sir, that people like you, who are determined to uphold the law and attempt to do what is right, are this Nation's strength in the struggle against world communism, and those who perpetrate acts of violence and terrorism, who take the law into their own hands, serve well the Communist cause. As far as I am concerned, you here today are taking your stand as a patriot doing what is right, and people like you are the people who are really going to win the battle against communism.

I want to thank you for your testimony.

The CHAIRMAN. The committee will stand in recess until 2:30 this afternoon.

(Members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan, of the subcommittee, and also Representative Senner.)

(Whereupon, at 11:25 a.m., Tuesday, January 11, 1966, the subcommittee recessed, to reconvene at 2:30 p.m. the same day.)

AFTERNOON SESSION—TUESDAY, JANUARY 11, 1966

(The subcommittee reconvened at 2:30 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Members present: Representatives Willis, Pool, Weltner, Ashbrook, and Buchanan, of the subcommittee, and also Representative Senner.)

The CHAIRMAN. The subcommittee will come to order.

Call the first witness.

Mr. APPELL. George Gill Harris, Jr.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HARRIS. I do.

The CHAIRMAN. Proceed.

TESTIMONY OF GEORGE GILL HARRIS, JR., ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Mr. Harris, will you identify yourself for the record, please?

Mr. HARRIS. George Gill Harris, Jr.

Mr. CHALMERS. Mr. Chairman, may I state at this time his subpoena only reads "George Gil Harris." I would consent to any amendment to this subpoena by the chairman since he has identified himself as George Gill Harris, Jr. He informs me that it is G-i-l-l, rather than one "l."

The CHAIRMAN. In view of the self-identification by the witness as the person served and the statement of counsel, the subpoena will be technically corrected to conform to his true name.

Mr. APPELL. Mr. Harris, are you appearing here in accordance with the subpoena, which has now been technically amended, served upon you at Fourth Street, Bernice, Louisiana, on the 27th day of October 1965?

Mr. HARRIS. Yes.

Mr. CHALMERS. Speak up for the record.

Mr. HARRIS. Yes.

Mr. APPELL. Are you represented by counsel?

Mr. HARRIS. Yes.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Raleigh, North Carolina.

Mr. APPELL. Mr. Harris, the subpoena served upon you contained in the attachment thereto, which was made a part of the subpoena, under the conditions of the subpoena you were called upon to produce, to bring with you and to produce documents described in the attachment, paragraph 1 of which reads as follows:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Louisiana Rescue Service, Bernice Sportsman Club in your possession, custody and control, or maintained by you or available to you as Kligrapp or Secretary of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

Mr. Harris, I request you to produce in your representative capacity stated therein the documents called for by part 1 of the subpoena.

The CHAIRMAN. Is it stipulated that the subpoena served upon him orders him to produce the documents therein referred to in the capacity stated therein?

Mr. CHALMERS. As stated in the subpoena; yes, sir, Mr. Chairman.

Mr. HARRIS. I respectfully decline to deliver to the committee any and all documents as demanded by the committee subpoena dated October 14, 1965, for the reason that I honestly feel to do so might tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 14, 1965, for that information is not relevant and germane to the subcommittee's investigation and the same would not aid the Congress in consideration of any valid remedial legislation, nor is any such inquiry within the scope of that authorized to be investigated by the rules adopted by the Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Mr. Harris, before asking a direction of the Chair, I would like to ask you, have you been apprised of the statement the chairman issued in October at the start of these hearings which set forth the purpose of the hearings and the other pertinent facts with respect thereto?

Mr. CHALMERS. I will stipulate that he has, Mr. Chairman.

Mr. APPELL. Mr. Chairman, I now ask that the witness be directed to produce those documents called for in paragraph 1. I ask for direction of paragraph 1.

The CHAIRMAN. The reasons you have given for your refusal to produce the documents called for by this part of the subpoena do not legally justify your refusal. Therefore, those reasons are rejected. Accordingly, I order and direct you to produce the documents in the representative capacity as stated by Mr. Appell and in this subpoena.

Mr. HARRIS. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the records—grounds previously stated.

Mr. APPELL. Mr. Harris, paragraph 2 of the attachment to the subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody and control, or maintained by or available to you, in your capacity as present or past Kligrapp and/or member of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

The CHAIRMAN. Is the same stipulation with reference to his representative capacity entered into?

Mr. CHALMERS. As stated in the subpoena; yes, sir, Mr. Chairman.

Mr. APPELL. Mr. Harris, I request you to produce in your representative capacity stated therein the documents called for in paragraph 2 of the subpoena.

Mr. HARRIS. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

The CHAIRMAN. For the reasons previously indicated, I direct you to produce the documents called for in the representative capacity stated in the subpoena.

Mr. HARRIS. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Harris, paragraph 3 calls upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1120, "U.S. Corporation Income Tax Return," for the fiscal years 1961 through June 30, 1965, filed by you as Kligrapp.

I request you to produce in the representative capacity set forth in paragraph 3 the documents called for.

The CHAIRMAN. The same stipulation?

Mr. CHALMERS. Yes, sir.

Mr. HARRIS. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee on the grounds previously stated.

The CHAIRMAN. For the reasons previously stated, I order and direct you to produce those documents in the capacity stated.

Mr. HARRIS. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Harris, I put it to you as a fact, and ask you to affirm or deny the fact, that as secretary of the Bernice Sportsman

Club, Box 57, Bernice, Louisiana, and as secretary of the Louisiana Rescue Service, Box 57, Bernice, Louisiana, you filed in the case of Bernice [Sportsman Club] on August 17, 1965, and on August 18 in the case of the Louisiana Rescue Service, Forms 1120, U.S. corporate income tax return for the two organizations that I have mentioned to you.

Mr. HARRIS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. In support of the tax returns which you filed, do you have in your possession financial books and records upon which these returns were based?

Mr. HARRIS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Have any records upon which the two returns were based been destroyed since the filing of the corporate returns mentioned on August 17 and 18, 1965?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I would like the record to reflect that the "Constitution and Laws" of the United Klans of America, Incorporated, Knights of the Ku Klux Klan, adopted in Imperial Klonscilium at Birmingham, Alabama, in September 1964, set forth certain documents to be received by the grand kligrapp of a realm and prescribes the kligrapp of the realm as an officer of the organization.

Mr. HARRIS, when and where were you born?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Have you been an officer of the Bernice Sportsman Club since January of 1964?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claimed privilege and his consistent refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Harris.

George Gill, spelled with two "l's," Harris, Jr., was born January 16, 1922, at Haynesville, Louisiana. He resides at Bernice, Louisiana, where he operates Harris' 5 and 10, a variety store. He served in the Army from September 24, 1942, to April 24, 1946, and in the Enlisted Reserve Corps until April 23, 1949. His military specialty was telephone lineman, repairman, and repeaterman. At the time of entry into the Army he claimed 1 year of college.

Harris has been a member of the Klan since at least January 1964. He has been an official of the Klavern known under the cover name Bernice Sportsman Club since January of 1964. This Klavern was affiliated with the Original Knights of the Ku Klux Klan under J. D. Swenson and Royal V. Young. It became affiliated with the United Klans of America around April 1964 and became part of Louisiana

Realm of that organization, which uses as its cover name the Louisiana Rescue Service.

Harris is currently realm kligrapp or secretary. In this position he receives monthly reports from each Klavern within the realm. He receives all funds due to the realm which he turns over to the realm treasurer. As secretary he possesses the identities of all Klavern kligrapps or secretaries as well as exalted cyclops.

On May 15-16, 1965, Harris attended a meeting of imperial officers and other Klan officials at Natchez, Mississippi.

Mr. Harris, the records of the Bank of Bernice, Bernice, Louisiana, covering the name of the Bernice Sportsman Club, handled both the funds of the realm and the funds of the Klavern. I put it to you as a fact, and ask you to affirm or deny the fact, that prior to the committee's inquiry or announcement of inquiry into the Klan, the Bernice Sportsman Club paid imperial tax on 97 members and by July of 1965 it was paying imperial tax on 25 members.

The CHAIRMAN. Before answering this question, Mr. Harris, I wish to say this to you: You have heard the sworn statement just made by the committee's investigator, Mr. Don Appell. You now have the opportunity to reply to any portion of that statement outlining your activities, to confirm or challenge the accuracy of the information, or to explain any part of that statement.

In addition you have the right, if you desire, to offer any other matters that the committee may deem relevant to this inquiry. Do you care to avail yourself of that opportunity?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. In that case, Mr. Harris, I must inform you that in the absence of your rebuttal, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation. With that in mind, do you have anything else to say, or anything to say?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. CHALMERS. Mr. Chairman, I think for the record there is still one question that Mr. Appell asked that the witness has not replied to yet. If we—

The CHAIRMAN. You may now respond to the pending question.

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Harris, as the grand kligrapp of the Realm of Louisiana, which operates a little differently than most UKA realms operate, in that imperial per capita tax, until some new Klaverns came under your jurisdiction recently, you collected the imperial tax and transmitted it on to the imperial office in Tuscaloosa. Therefore, you possess knowledge of the identity of UKA Klaverns within the State of Louisiana.

An examination of deposit slips reflects that prior to August 6, 1965, when the account in the name of the Bernice Sportsman Club was closed out and a new account was opened in the name of the Louisiana Rescue Service, there were these Klaverns in existence.

After I read you the names of the Klaverns, I would like to ask

you whether or not all of the Klaverns that I mentioned to you are still in operation.

The Bernice Sportsman Club, Calhoun Businessmen's Association, C. B. Riding Club, Chatham Hunting and Fishing Club, Dubach, as we interpret the deposit slip—Mr. Chairman, D-u-b-a-c-h—Hunting and Fishing Club, the Dugdemonice Hunting Club, the Farmville Hunting and Fishing Club, the Jackson Parish Gun and Rod Club, the Marion Hunting and Fishing Club, the MOG—M-O-G, I don't know whether that is an abbreviation—Junction City Sportsman Club, the Okeloosa Hunting Club, the Ouachita Parish Hunting and Fishing Club, the Sterlington Hunting and Fishing Club #8, the Taylortown Hunting Club, Union Hunting and Fishing Club, Ward 10 Hunting Club.

Are they still in existence?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "George Harris Exhibit No. 1" and retained in committee files.)

Mr. APPELL. Mr. Harris, does the Realm of Louisiana have a Klavern in Kenner, Louisiana?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Harris, on August 27, 1965, Charles L. Miller of 2512 Airline Highway wrote a check or obtained a money order from the Merchants Trust and Savings Bank in Kenner, Louisiana, payable to the United Klans of America in the amount of \$30. Purpose for which drawn, copies of the Klan publication, the *Fiery Cross*.

This is according to deposits made to the account of the Alabama Rescue Service as obtained through a subpoena duces tecum from The First National Bank of Tuscaloosa, Alabama. Do you know Charles L. Miller?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "George Harris Exhibit No. 2" and retained in committee files.)

Mr. APPELL. Mr. Harris, you can help the committee understand something that confuses it. There is maintained in Bogalusa, Louisiana, an account in the name of the United Conservatives of Mississippi, No. 1. The signature to this account is B. L. Sellers. Is this a Klavern within the Realm of Louisiana or the Louisiana Rescue Service or a Klavern in Mississippi affiliated with the Realm of Mississippi known as the Mississippi Rescue Service?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "George Harris Exhibit No. 3" appear on p. 2632.)

Mr. POOL. Mr. Appell, let me talk to you a minute.

Mr. APPELL. Mr. Chairman, I think the record should reflect that the checks drawn against the account of the United Conservatives of Mississippi, No. 1, are deposited to the official account of the United Klans of America, which is maintained under the name of the Alabama Rescue Service.

(At this point Mr. Weltner left the hearing room.)

GEORGE HARRIS EXHIBIT No. 3

NOV 19 1965

CORPORATION COMMERCIAL ACCOUNT OF

Date Opened

United Conservatives of Miss, Inc. #1

WASHINGTON BANK & TRUST COMPANY

IS HEREBY AUTHORIZED TO RECOGNIZE THE SIGNATURES GIVEN BELOW IN PAYMENT OF FUNDS OF THE TRANSACTIONS OF OTHER FINANCIAL INSTITUTIONS FOR THIS ACCOUNT

George Harris

PRESIDENT

VICE PRESIDENT

TREASURER

SECRETARY

ASST. TREASURER

ASST. SECRETARY

B. L. Sellers

[Handwritten initials]

RAVON 5100

NUMBER 681

CORPORATION COMMERCIAL ACCOUNT OF

United Conservatives of Miss, Inc. #1

WASHINGTON BANK & TRUST COMPANY

IS HEREBY AUTHORIZED TO RECOGNIZE THE SIGNATURES GIVEN BELOW IN PAYMENT OF FUNDS OF THE TRANSACTIONS OF OTHER FINANCIAL INSTITUTIONS FOR THIS ACCOUNT

George Harris

PRESIDENT

VICE PRESIDENT

TREASURER

SECRETARY

ASST. TREASURER

ASST. SECRETARY

Charles J. Deal
Pat Meek

John [unclear]
J.P. Meek
Pat [unclear]

RAVON 5100

NUMBER 681

Mr. APPELL. Mr. Harris, I put it to you as a fact, and ask you to affirm or deny the fact, that on 11-22-1965 you were the cosigner of a check drawn against the Louisiana Rescue Service in the amount of \$185 payable to the Alabama Rescue Service and that this check represents the imperial tax on only 370 members, which is the bulk of your membership in the State of Louisiana.

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "George Harris Exhibit No. 4" follows:)

GEORGE HARRIS EXHIBIT NO. 4



BERNICE, LA., 11/22 1965 NO. 657A

84-148 **BANK OF BERNICE** 8-1-148

OF BERNICE, UNION PARISH, LA.

PAY TO ORDER OF Alabama Rescue Service \$185⁰⁰

one hundred eighty-five and 00/100 DOLLARS

MARKED BANK STATIONERS

⑆9084⑈0⑆48⑆

Louisiana Rescue Service
By [Signature]
Booby G. Wiley Treas.

Mr. APPELL. Mr. Harris, do you have a women's auxiliary in Monroe, Louisiana, which makes payments to the imperial account from an account known as the Green Thumb Club?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Harris, much is said by Dr. Edwards, the Grand Dragon of the Realm of Louisiana, about the United Klans of America and the Louisiana Realm not endorsing violence. On September 4, 1964, a check was written to Tom Whitehead, an exalted cyclops of a Klavern in Georgia, who was collecting money from Klaverns throughout the United States, the total sum of which was to go for the defense of the United Klansmen arrested in the murder of Lieutenant Colonel Lemuel Penn. Can you explain this check to Tom Whitehead in the light of your announced nonviolent position?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "George Harris Exhibit No. 5." See report, p. 121.)

Mr. APPELL. On March 20, 1965, a check was drawn payable to "E. L. McDaniels," the Grand Dragon of Mississippi, in the amount of \$20 for a defense fund. Can you tell the committee what defense this was?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "George Harris Exhibit No. 6" appears on p. 2634.)

(At this point Mr. Buchanan left the hearing room and Mr. Weltner returned.)

Mr. APPELL. Do you know whether or not it related to the defense of any United Klansman involved in violence?

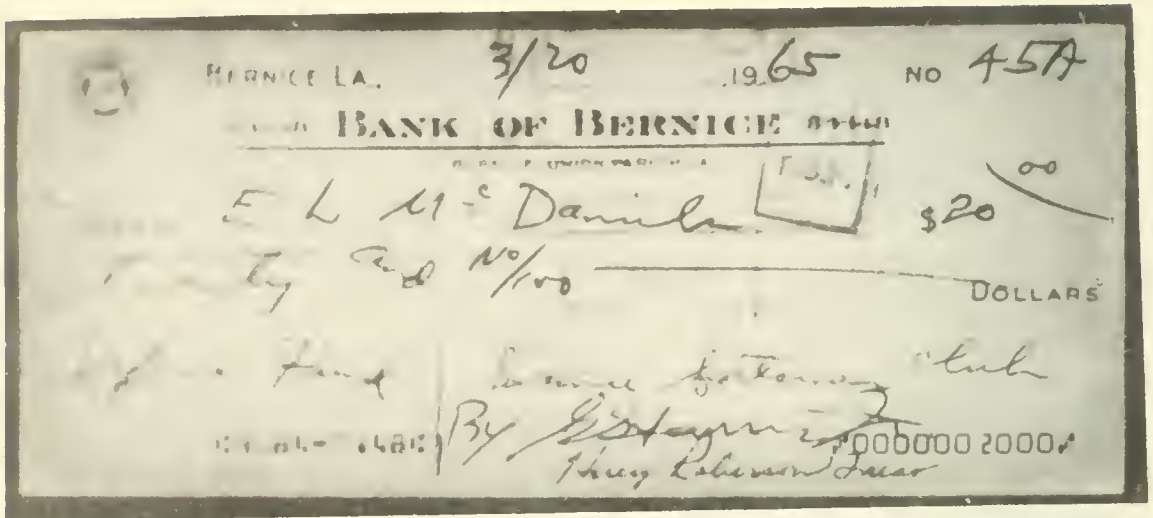
Mr. HARRIS. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Could it have been funds collected by the United Klans of America to help defray expenses for those people who were arrested following the murder of the three civil rights workers?

Mr. HARRIS. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of Mr. Harris.

GEORGE HARRIS EXHIBIT NO. 6



The CHAIRMAN. Questions?

Mr. POOL. Mr. Harris, were you in the audience when the previous witness testified, Mr. Gipson?

Mr. HARRIS. I respectfully decline to answer that question based on the grounds previously stated.

Mr. POOL. Mr. Gipson came before this committee to testify very bravely. One of the things he said was that he wanted to right the wrong that he had done.

You don't care to absolve your conscience in any way before this committee?

Mr. HARRIS. I respectfully decline to answer that question based on the grounds previously stated.

Mr. POOL. I want to point out one other thing in the testimony which has come to us here during the testimony. The word "conservative" is used to hide the front of the Ku Klux Klan. It is a fraud and a disgrace to the philosophy for which the word "conservative" stands. The fact that the Communists have come before this committee and used the name of labor is a disgrace and a fraud on respectful, decent, God-fearing, patriotic Americans who belong to organized labor.

Let him answer if he wants to, with your advice.

Mr. CHALMERS. There is no question.

Mr. POOL. Do you have any comments, then?

Mr. HARRIS. I respectfully decline to answer that question based on the grounds previously stated.

Mr. POOL. The way this thing is going, maybe within 6 months or a year, you may wish you had answered differently. You may wish that you had been brave enough to come before this committee and absolve your conscience. I am talking about back home, back in Louisiana. The people in the South will not put up with this kind of philosophy of hate and violence and the things that are coming out now, and they will come out faster as this thing progresses.

We are giving you a chance right now to do this.

Mr. HARRIS. I respectfully decline to answer that question based on the grounds previously stated.

Mr. POOL. That is all.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Bobby Gene Kelley.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KELLEY. I do.

**TESTIMONY OF BOBBY GENE KELLEY, ACCOMPANIED BY COUNSEL,
LESTER V. CHALMERS, JR.**

Mr. APPELL. Mr. Kelley, state your full name for the record, please.

Mr. KELLEY. Bobby Gene Kelley.

Mr. APPELL. B-o-b-b-y G-e-n-e K-e-l-l-e-y?

Mr. KELLEY. That is right.

Mr. APPELL. Mr. Kelley, are you appearing before the committee today in accordance with a subpoena served upon you on the 27th day of October 1965 at Route 1, Box 227, Bernice, Louisiana?

Mr. KELLEY. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. KELLEY. Yes, sir.

Mr. APPELL. Will counsel please identify himself?

Mr. CHALMERS. Lester V. Chalmers, Jr., 501 First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Kelley, under the conditions of the subpoena served upon you, and attachment which was made part of that subpoena, you were commanded to bring with you and to produce documents described in four parts of the subpoena.

Part 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Louisiana Rescue Service and/or Bernice Sportsman Club in your possession, custody or control, or maintained by you or available to you as State Treasurer of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I request you to produce in your representative capacity stated therein the documents called for in part 1 of your subpoena.

Mr. KELLEY. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 14, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within

the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Mr. Chairman, before we ask for the stipulation, and I ask for an order of direction, I desire to ask the witness whether or not he was advised of the opening statement of the Chair made in October 1965, which set forth the purposes for which these series of hearings were being held.

Mr. CHALMERS. It is stipulated, Mr. Chairman, that he has been so advised.

The CHAIRMAN. Is it stipulated that the subpoena directs him to produce documents in the capacities recited in the subpoena?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Witness, the reasons you have given for refusal to produce the documents called for by this part of the subpoena do not legally justify your refusal or rejection. I therefore order and direct you to produce those documents in the representative capacity stated.

Mr. KELLEY. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. APPELL. Mr. Kelley, part 2 of the subpoena calls upon you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past State Treasurer of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I request you to produce in the representative capacity stated therein the documents called for in part 2 of the subpoena.

Mr. KELLEY. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask the witness be directed to produce those documents.

The CHAIRMAN. Because of the reasons stated and pursuant to the stipulation made I order and direct you to produce those documents.

Mr. KELLEY. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Kelley, I hand you a copy, a reproduced copy of a canceled check dated September 27, 1965, payable to G. G. Harris, Jr., in the sum of \$25. This is drawn against the Bank of Bernice, Bernice, Louisiana. The maker of the check is the Louisiana Rescue Service, and the cosigners to the account are G. G. Harris, Jr., secretary, and Bobby G. Kelley, treasurer.

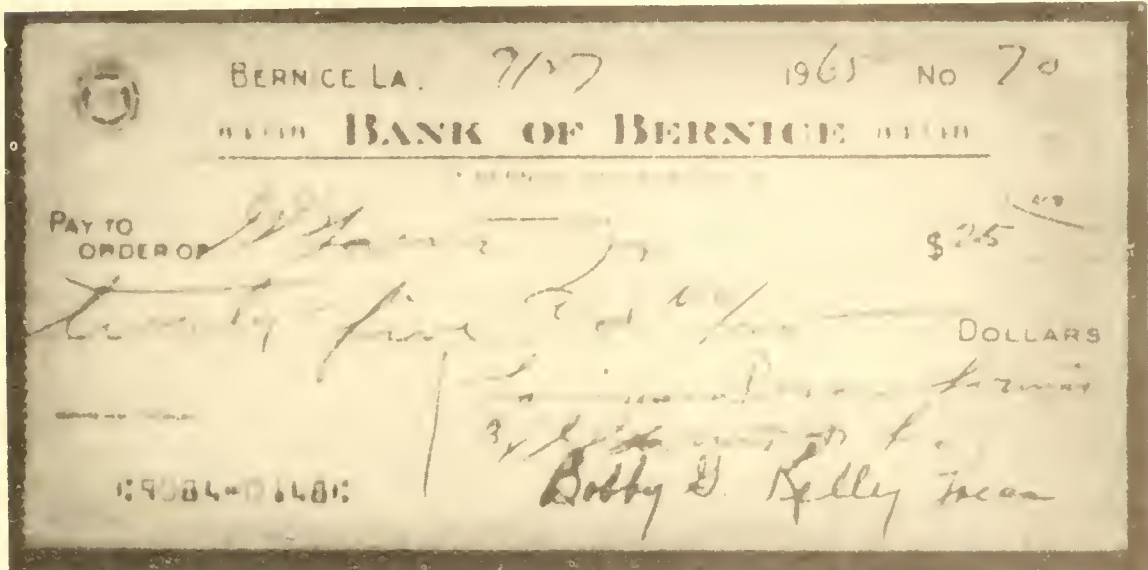
I hand you this and put it to you as a fact, and ask you to affirm or deny the fact, that you are the Bobby G. Kelley shown on this canceled check as treasurer of the Louisiana Rescue Service.

Mr. KELLEY. I respectfully decline to answer that question for the

reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Bobby Kelley Exhibit No. 1" follows:)

BOBBY KELLEY EXHIBIT NO. 1



Mr. APPELL. Mr. Kelley, when and where were you born?

Mr. KELLEY. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Kelley.

Bobby Gene Kelley was born on October 3, 1932, at Bernice, Louisiana. He has a high school education. He served in the United States Navy from December 1951 to December 1955 and received an honorable discharge.

He resides at Route 2, Bernice, Louisiana, and is employed by the Lion Oil Company, El Dorado, Arkansas, where he is a foreman in the print shop.

Bobby Gene Kelley became a Klan official in 1965 when he replaced Mr. Roberson on the signature card in the account of the Klavern maintained at the Bank of Bernice. This Klavern uses the cover name of the Bernice Sportsman Club.

At the time, the Bernice Sportsman Club was affiliated with the Realm of Louisiana of the United Klans of America, Inc., which realm is known by the cover name of the Louisiana Rescue Service.

In March 1965 Kelley was elected realm klabee, or treasurer.

As klabee, Kelley is responsible for payment of bills and other obligations. Many Klaverns in Louisiana make payments to the realm, of both realm and imperial per capita tax. Thus Kelley paid the United Klans of America through its cover name, the Alabama Rescue Service, \$185 in November, which under present requirements

of 50 cents per member means the realm's per capita tax was upon 370 members.

At the time of the committee's announcements of the Klan probe, the Klan was paying imperial tax on 872 members.

In addition to payments of its officials, the klavern or realm, both of whom process their funds through the Bernice Sportsman Club, made a payment on September 4, 1964, to Tom Whitehead, a United Klans of America exalted cyclops in Georgia. At the time Tom Whitehead was handling defense funds for the Klansmen involved in the murder of Lieutenant Colonel Lemuel Penn. On March 20, 1965, a check in the amount of \$20 was paid to the Grand Dragon for Mississippi of the United Klans of America, E. L. McDaniel. This check drawn against the Bernice Sportsman Club shows the purpose for which drawn as "Defense Fund." (George Harris Exhibits Nos. 5 and 6.)

On June 12, 1965, Kelley was one of the participants in a caravan of the United Klans of America through the streets of Natchez, Mississippi.

This information, Mr. Chairman, indicates that Mr. Kelley possesses additional information which is both pertinent and relevant to this inquiry, and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Kelley, you have heard the statement of Mr. Appell, our chief investigator, who is under oath just as you are.

You now have the opportunity to reply to any portion of that statement, to confirm or challenge the accuracy of any information, or to explain any part of it.

In addition you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of this opportunity?

Mr. KELLEY. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. In view of which, Mr. Kelley, I must inform you that absent your rebuttal, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation.

In light of that do you have anything to say?

Mr. KELLEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Kelley, are you willing and prepared to give to the committee knowledge which you possess as an officer and the grand klabee of the Realm of Louisiana as it relates to the operations of the Ku Klux Klan, United Klans of America, within the State of Louisiana?

Mr. KELLEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. Questions?

Mr. WELTNER. I have no questions, Mr. Chairman.

The CHAIRMAN. The witness is excused. Call your next witness.

Mr. APPELL. James Malcolm Edwards.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EDWARDS. I do.

**TESTIMONY OF JAMES MALCOLM EDWARDS, ACCOMPANIED BY
COUNSEL, LESTER V. CHALMERS, JR.**

The CHAIRMAN. Sir, I represent to you as facts the following: During the Christmas recess you phoned me at my home in St. Martinville, Louisiana. You were in a rather belligerent mood. The following conversation ensued:

You said: "What the hell is your staff doing summoning me to appear on a certain date and then postponing the date of appearance?"

I said: "Doctor," because you represented yourself as a doctor, "I don't attend to these details, but I think you will find out that the staff knows what it is doing."

"Furthermore," I said, "you will have an opportunity to say all you want to say when you do appear."

Then I added "By the way, do you intend to testify and speak on the witness stand?"

I ask you to affirm or deny these facts.

Mr. CHALMERS. May I approach the bench?

The CHAIRMAN. Yes.

Before you respond to my question as to whether you would appear to testify, you did not respond, and that ended the conversation.

Mr. EDWARDS. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Edwards, we called you to the stand under your name. Would you now place your name in the record, please?

Mr. EDWARDS. James Malcolm Edwards.

Mr. APPELL. M-a-l-c-o-l-m, and there is an "s" on the name E-d-w-a-r-d-s?

Mr. EDWARDS. Yes.

Mr. APPELL. Are you popularly known as doctor?

Mr. CHALMERS. It is stipulated that he is called doctor.

The CHAIRMAN. Did you ask him his name and date of birth?

Mr. APPELL. We have his name at this stage, sir.

Mr. Edwards, are you appearing before the committee today in accordance with a subpoena served upon you on the 27th day of October 1965 at 426 Sixth Street, Jonesboro, Louisiana?

Mr. EDWARDS. Yes.

Mr. APPELL. Are you represented by counsel?

Mr. EDWARDS. Yes, sir.

Mr. APPELL. Will counsel identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Edwards, under the conditions of the subpoena and attachment thereto which is made part of the subpoena, you were com-

manded to bring with you and produce documents outlined in paragraph 1 as follows:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Louisiana Rescue Service or any other Ku Klux organization in your possession, custody or control, or maintained by you or available to you as Grand Dragon of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I request you in the representative capacity set forth in paragraph 1 to produce the documents called for.

Mr. CHALMERS. The same stipulation, Mr. Chairman, that we have heretofore entered into with respect to other witnesses—the contents of the chairman's opening statement have been made available to him.

Mr. APPELL. I ask that the witness be directed to answer the question, Mr. Chairman.

The CHAIRMAN. He has not responded.

Mr. EDWARDS. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed—

Mr. CHALMERS. There is one other one.

Mr. EDWARDS. I respectfully decline to deliver to the committee any and all records as requested by this committee in the subpoena dated October 14, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in its consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Mr. Chairman, I ask the witness be directed to produce those documents called for in paragraph 1.

The CHAIRMAN. Sir, the reasons you have given for refusal to produce the documents called for by this part of the subpoena do not legally justify your refusal and they are rejected. I therefore order and direct you to produce those documents, in your capacity stated in the subpoena.

Mr. EDWARDS. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon grounds previously stated.

Mr. APPELL. Mr. Edwards, paragraph 2 of the subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past Grand Dragon and/or member of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. EDWARDS. Sir, I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask the witness be directed to produce those documents called for in paragraph 2.

The CHAIRMAN. For the reasons stated, and the stipulations made, you are ordered and directed to produce those documents.

Mr. EDWARDS. Sir, I respectfully decline to deliver to the committee the documents commanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Edwards, I put it to you as a fact, and ask you to affirm or deny the fact, that you are currently the Grand Dragon for the Realm of Louisiana, which operates under cover name of the Louisiana Rescue Service.

Mr. EDWARDS. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in the violation of my rights as guaranteed by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Edwards, Section 6 [Article XVI] of the "Constitution and Laws" of the United Klans of America, Inc., Knights of the Ku Klux Klan, adopted in Imperial Kloucilium at Birmingham, Alabama, in September 1964 (Robert Shelton Exhibit No. 3¹) provides that each realm shall have officers.

I read you the officers of the realm as set forth in the constitution and at the conclusion I shall ask you to identify the holder of each office as set forth in the constitution:

The officers of A Realm shall be a Grand Dragon, who shall be President of the Klorero; he shall be elected by the Realm for a term of three years, and shall govern his Realm in a manner not inconsistent with this Constitution, or the instructions and directions of his Imperial Klaliff; Grand Klaliff, second highest officer of a Realm, who shall be vice-president of the Klorero; Grand Klokard, lecturer; Grand Kludd, chaplain; Grand Kligrapp, secretary; Grand Klabee, treasurer; Grand Kladd, conductor; Grand Klarogo, inner guard; Grand Klexter, outer guard; and a Grand Night-Hawk. These shall be known as the Grand Dragon and his nine Hydras. They are to be elected by proper delegation of their respective Realm.

Please name the people holding the offices provided for by the constitution.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Edwards.

James Malcolm Edwards was born on July 20, 1918, at Marion, Louisiana. His education includes Louisiana State University and Kilgore Junior College, Kilgore, Texas, and graduation from the Palmer College of Chiropractic on August 26, 1951.

He served in the enlisted ranks of the United States Army Air Force from 1942 to 1946, on active duty, and from March 3, 1949, to October 1, 1952, in the Reserves.

He is self-employed as a chiropractor at 424 West Sixth Street, Jonesboro, Louisiana.

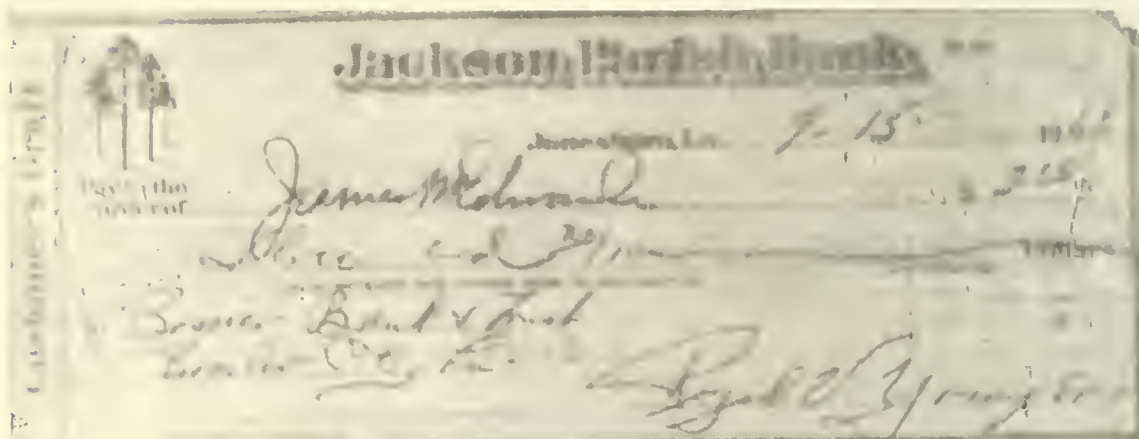
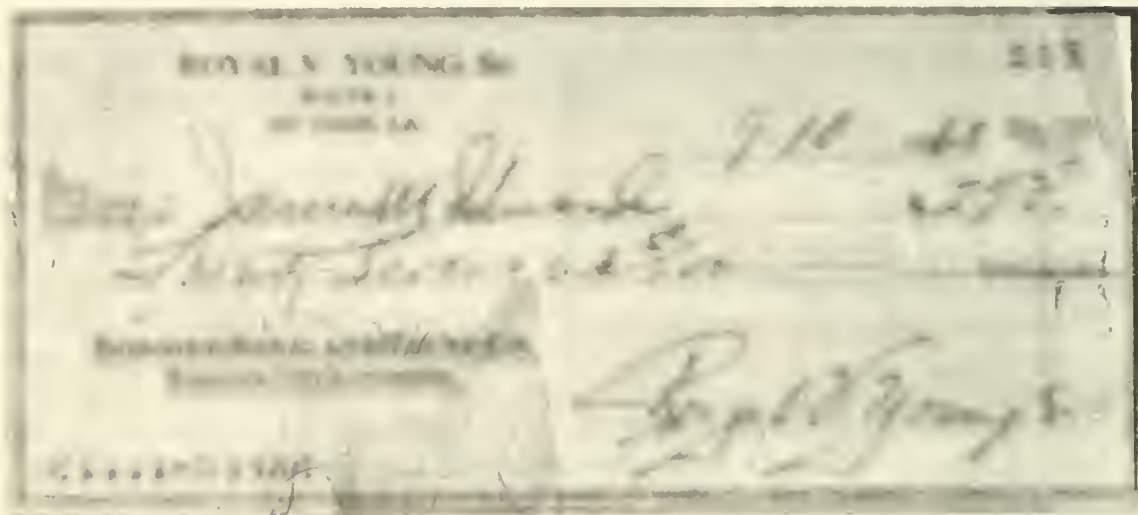
In September 1963, Mr. Edwards received funds from Royal V.

¹ See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 181-252.

Young, Imperial Dragon of the Original Knights of the Ku Klux Klan.

(Checks marked "James Edwards Exhibit No. 1" follow:)

JAMES EDWARDS EXHIBIT NO. 1



Mr. APPELL. In 1964 he became a member and Grand Dragon of the United Klans of America, Realm of Louisiana, which operates under the cover name of the Louisiana Rescue Service.

On February 4, 1964, he attended a klonvokation of the Alabama Rescue Service at Dinkler-Tutwiler Hotel in Birmingham, Alabama.

In addition to electing the Imperial Klaliff, Robert Thompson, of Georgia, there was elected the Imperial Kligrapp, W. O. Perkins of Tuscaloosa, Alabama, and the Imperial Klabee, Fredrick Smith, of Tuscaloosa, Alabama.

In addition to electing these three officers, the klonvokation pushed the sale of insurance under the name of the Heritage Insurance Agency, Inc. by Robert M. Shelton, the Imperial Wizard, and others.

On September 5 and 6, 1964, Mr. Edwards again attended a klonvokation at the Dinkler-Tutwiler Hotel where there was elected the Imperial Wizard, Robert M. Shelton, Robert Collins as the Imperial Klokard, Rev. George Dorsett as Imperial Kludd, the Reverend Robert Hudgins as the Imperial Kladd, Walter Brown as the Imperial

Klarogo, Robert Korman as the Imperial Klextor, and Amos Pedigo as the Imperial Night-Hawk.

(Hotel registration marked "James Edwards Exhibit No. 2" follows:)

JAMES EDWARDS EXHIBIT NO. 2

653 EDWARDS DR J M & WF 9-88
JONESBORO LA 65606 1

H 65606

9-4 RS

PLEASE CHECK YOUR BAGGAGE OR SEND SAME TO YOUR ROOM; OTHERWISE THE HOTEL COMPANY WILL NOT BE RESPONSIBLE FOR LOSS

SEP 17 PM 11
Dinkler-Tutwiler

DIRECTION
DINKLER HOTEL CORPORATION
"DISPENSERS OF TRUE SOUTHERN HOSPITALITY"

GUESTS ARE HEREBY NOTIFIED THAT THE COMPANY WILL NOT BE RESPONSIBLE FOR VALUABLES, MONEY, JEWELRY, CLOTHING ETC. UNLESS THE SAME ARE DEPOSITED IN SAFE.

Name	<i>J M Edwards & Mrs.</i>		
Street	<i>653</i>	City	<i>Jonesboro La.</i>
Firm		City	
Room No.	<i>653</i>	Rate	<i>9.88</i>
		Clerk	<i>XMTWTFSS</i>

Mr. APPELL. On December 20, 1964, Mr. Edwards applied for Post Office Box, Drawer K, Hodge, Louisiana. In the application Mr. Edwards designated the United Klans of America, Inc., to be a fraternal organization.

(Document marked "James Edwards Exhibit No. 3" appears on p. 2644.)

Mr. APPELL. On April 17, 1965, Mr. Edwards attended a meeting of imperial officers and other officials of the United Klans of America and spoke at a rally held in Tuscaloosa, Alabama.

On May 24, 1965, along with the Grand Klaliff of the Realm of Louisiana, he spoke at a rally at Tioga, Louisiana. The Grand Klaliff at that time, Jack Helm, of New Orleans, was introduced not as a Klansman but as an official of the Citizens Council of Greater New Orleans.

(Document previously marked "Jack Helm Exhibit No. 2." See p. 2591.)

Mr. APPELL. On June 5, 1965, Mr. Edwards spoke at a United Klans of America rally and street walk at Atlanta, Georgia.

On July 21, 1965, he spoke at a United Klans of America rally at Crossroads, Mississippi.

On August 21 and 22, he attended the meeting of the Realm of North Carolina, where there was also held a meeting of imperial and other officers of the United Klans of America, and during these two days spoke at a United Klans rally at Landis, North Carolina.

JAMES EDWARDS EXHIBIT NO. 3

FOR POST OFFICE USE ONLY	POSTMASTER	DATE BOX OPENED 12/20/64	DATE BOX CLOSED	BOX NO. K
<small>APPLICANT PLEASE NOTE: Completion of this application signifies your willingness to comply with all postal rules relative to the renting and use of Post Office boxes</small>				
NAME OF APPLICANT (Print or type) <u>J. M. EDWARDS</u>				
NAME OF FIRM OR CORPORATION (If box is rented for use of either) <u>UNITED KLANS OF AMERICA, INC.</u>				
KIND OF BUSINESS <u>FRATERNAL ORGANIZATION</u>				
BUSINESS ADDRESS (No., street, and zone) <u>424 6th St.</u>				
HOME ADDRESS (No., street, and zone) <u>JONESBORO, LA.</u>				
SIGNATURE OF APPLICANT X <u>JMEdwards</u>				DATE OF APPLICATION <u>12/20/64</u>

<small>For Post Office Use Only ENTERED IN DIRECTORY</small>	INITIALS OF CLERK	INITIALS OF CARRIER	BOX NO. K
THE FOLLOWING MUST BE COMPLETED AND SIGNED BEFORE P.O. BOX IS ASSIGNED			
<small>DELIVER MAIL IN ACCORDANCE WITH INSTRUCTIONS CHECKED BELOW</small>			
<input type="checkbox"/> ALL EXCEPT SPECIAL DELIVERY IN BOX	<input checked="" type="checkbox"/> ALL INCLUDING SPECIAL DELIVERY IN BOX	<input type="checkbox"/> ONLY MAIL ADDRESSED TO BOX IS TO BE PLACED IN IT. ALL OTHER MAIL TO BE DELIVERED AS ADDRESSED.	
<input type="checkbox"/> OTHER INSTRUCTIONS (Explain)			
<small>SPECIAL DELIVERY MAIL ONLY (Deliver as checked below)</small>			
<input type="checkbox"/> DELIVER TO LOCAL RESIDENCE AT		<input type="checkbox"/> DELIVER TO LOCAL BUSINESS ADDRESS AT	
<small>(No., street, and zone)</small>		<small>(No., street, and zone)</small>	
<small>NAMES OF PERSONS ENTITLED TO RECEIVE MAIL THROUGH BOX (If box is rented to a firm, include the full name of each of its members whose mail is to be placed in box.)</small>			

APPLICANT

<input checked="" type="checkbox"/> HAVE READ ITEMS 1 THROUGH 5, ABOVE AND WILL COMPLY WITH THEM.	X <u>JMEdwards</u> <small>(Signature of applicant)</small>
---	---

POD FORM 1093
JULY 1960

APPLICATION FOR POST OFFICE BOX

Drawer "K", Hodge, Louisiana

(Document marked "James Edwards Exhibit No. 4" appears on p. 2645.)

Mr. APPELL. On August 23, 1965, he attended the funeral of the late Imperial Klonsel, Matt Murphy.

September 15, 16, and 17, Mr. Edwards attended meetings and rallies in Crockett and Houston, Texas, along with Imperial Wizard Shelton and Theodore Crane, of Virginia, Younger Newton, the Grand Klaliff of South Carolina.

JAMES EDWARDS EXHIBIT NO. 4

[BOISE, IDAHO, *Stateman*, AUG. 23, 1965]

Dragon Hails Klan Power In Elections

LANDIS, N.C. (UPI) — South Carolina Grand Dragon Bob Scoggin told one of the largest Ku Klux Klan rallies in recent years Saturday night the Klan "can elect the next president of the United States."

Scoggin, one of 11 state grand dragons addressing a crowd estimated by sheriff's deputies at 3,500 to 4,000 said "President Johnson is afraid of the Klan" and that the Klan could play a big role in the 1968 election "if we will."

In addition to Scoggin and Imperial Wizard Robert Shelton of Alabama, others addressing the rally included Grand Dragons E. L. McDaniel of Mississippi, Bob Jones of North Carolina, Calvin Craig of Georgia, Don Cothran of Florida, Roy Frankhouser of Pennsylvania, Ralph Pryor of Delaware, Flynn Harvey of Ohio, George Otto of Texas, Dr. J. M. Edwards of Louisiana and Raymond Anderson of Tennessee.

Anderson said the reason he is a Klansman was to prevent the Communists from taking over the country. He charged that if that happened, all the churches would be burned and that United Nations troops would be patrolling the streets.

While in Texas, Mr. Edwards met and conferred with William H. Drennan and George A. Otto, Texas Klan coleaders.

Mr. Edwards, during the period of May, 1964, to 10-12-65, received \$1,517.64 in checks drawn against the account of the Bernice Sportsman Club and/or Louisiana Rescue Service.

(Documents marked "James Edwards Exhibit No. 5." A listing of checks and one check from each account appears on pp. 2646, 2647.)

Mr. APPELL. February 19, 1965, Mr. Edwards requested the Louisiana State Joint Legislative Committee on Un-American Activities to investigate the Klan and make findings public. He answered questions propounded by the committee counsel on April 23, 1965.

On February 18 and March 29 of 1965, Mr. Edwards addressed letters to Chairman Willis of the Committee on Un-American Activities urging an investigation of the United Klans of America and requesting the report of its findings to be made public.

Mr. Edwards was in contact with Imperial Wizard Shelton during the committee's hearings in November of 1965.

This information, Mr. Chairman, indicates that Mr. Edwards possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Sir, you have heard the sworn statement of the committee's investigator.

You now have the opportunity to reply to any portion of that statement, to confirm or challenge the accuracy of the information, or to explain any part of that statement.

JAMES EDWARDS EXHIBIT No. 5

Bank of Bernice, Bernice, La.
Bernice Sportsman Club and Louisiana Rescue Service Accounts
J. M. Edwards Checks

Date of Check	Payee	Amount	Endorsers	Remarks
5/3/64	J. M. Edwards	\$27.55	Credit account of J. M. Edwards	
6/4/64	" " "	19.52	" " " " "	
7/1/64	" " "	43.00	J. M. Edwards	
7/16/64	" " "	115.75	" " "	
8/21/64	" " "	50.69	" " "	
8/21/64	" " "	67.44	J. M. Edwards; Dub Horton's Dixie Dandy #1, G. W. Horton, Jonesboro, La.	
9/18/64	" " "	63.83	J. M. Edwards	Travel
11/11/64	" " "	63.96	J. M. Edwards; Skolly Service, Jonesboro, La.	
12/2/64	" " "	37.07	J. M. Edwards	Part pay
12/6/64	" " "	23.00	" " "	P P
12/14/64	" " "	8.73	" " "	Bal.
12/22/64	" " "	38.91	J. M. Edwards; Illegible	Travel
1/20/65	" " "	41.49	Illegible; Tuloma, Inc., General Gas Corporation, General Gas Division.	
2/22/65	" " "	62.23	Dr. James M. Edwards, Jonesboro Chiropractic Clinic	Travel
3/12/65	" " "	109.67	J. M. Edwards	
4/19/65	" " "	47.00	" " "	
5/1/65	" " "	86.30	J. M. Edwards; Tuloma, Inc., General Gas Corporation, General Gas Division	Travel
5/18/65	" " "	50.00	J. M. Edwards	
6/10/65	" " "	75.00	" " "	
7/3/65	" " "	50.00	" " "	
7/8/65	" " "	55.00	" " "	Travel
7/26/65	" " "	70.00	" " "	
8/13/65	" " "	91.50	" " "	
8/27/65	" " "	70.00	" " "	
9/27/65	" " "	75.00	" " "	
10/12/65	" " "	75.00	Dr. James M. Edwards, Jonesboro Chiropractic Clinic	
Total		\$1,517.64		

In addition you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of this opportunity?

Mr. EDWARDS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. I will say to you, therefore, in the absence of rebuttal on your part, or other facts which may come to the attention of the committee, that the committee will rely upon the accuracy of its investigation.

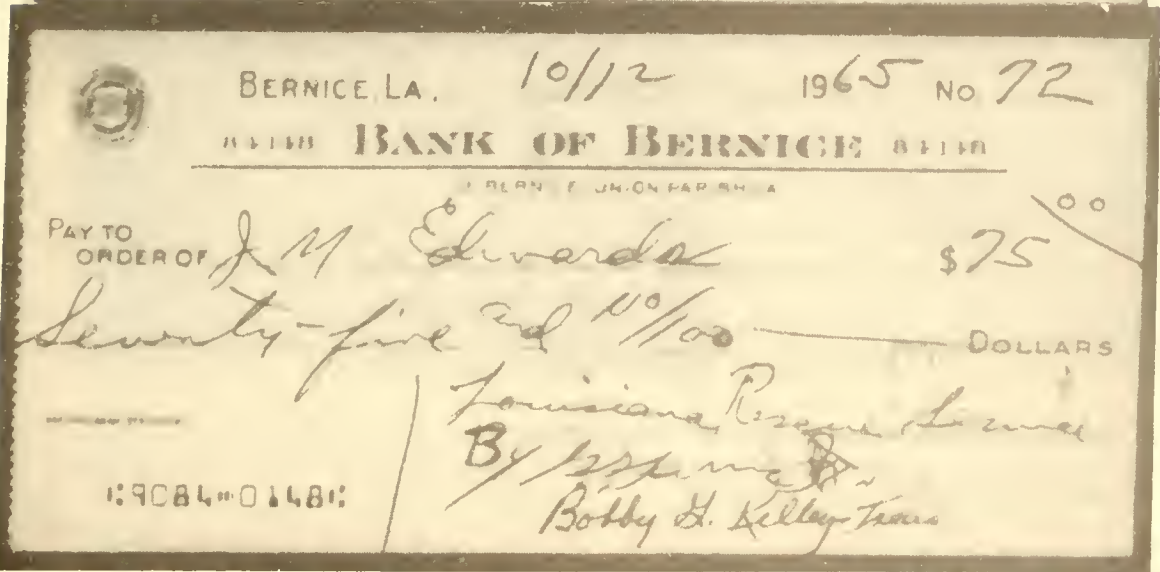
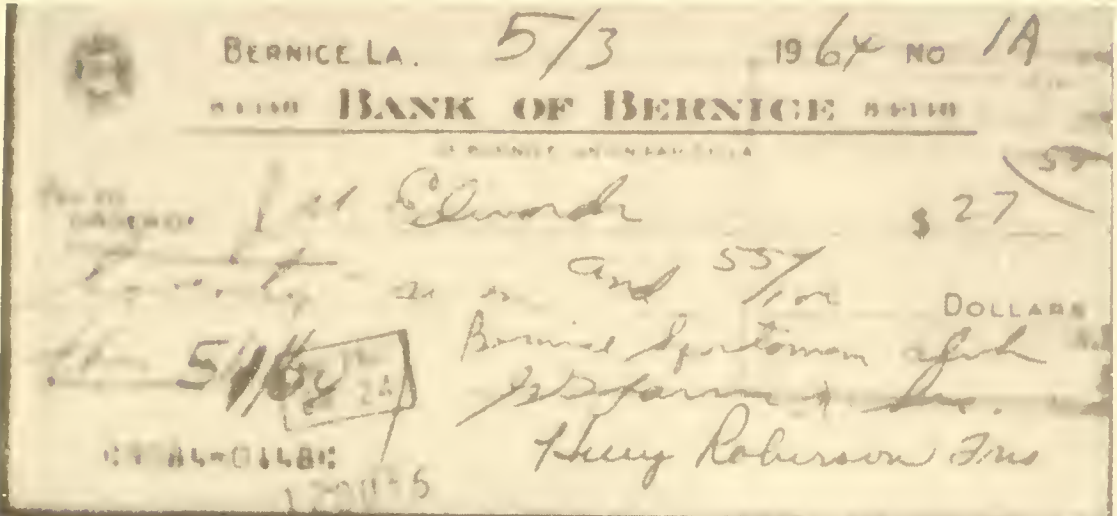
Bearing this in mind have you anything to say?

Mr. EDWARDS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. SENNER. Is it possible to get in the record at this point the letter written to you by Mr. Edwards?

Mr. APPELL. Mr. Edwards, I have several photographs in front of me which picture you at a rally of the United Klans of America held April 17, 1965. I ask you whether or not this rally was a rally of convenience, and that the main reason for you and other Klan officials assembling in Tuscaloosa, Alabama, around April 17, 1965, was because I had just a few days prior thereto interviewed Imperial Wizard Shelton, and that the real purpose for your being there was to discuss strategy that you should follow in the event of being subpoenaed before the committee.

JAMES EDWARDS EXHIBIT No. 5-- Continued



Mr. EDWARDS. I respectfully decline to answer that question based upon the grounds previously stated.

(Photographs marked "James Edwards Exhibit No. 6." Two of said photographs appear on pp. 2648, 2649; balance retained in committee files.)

Mr. APPELL. Mr. Edwards, I will hand to you two letters addressed to Honorable Edwin E. Willis, Chairman, HUAC, Washington, D.C., the first dated February 18, 1965, return address 426 Sixth Street, Jonesboro, Louisiana, signed J. M. Edwards, Grand Dragon, United Klans of America, Inc.

Mr. Chairman, I ask that these and all other documents referred to be made part of this record, and for that reason I shall only read the portions relative to an inquiry by this committee.

The letter of February 18 reads:

Mr. Willis, I will welcome an investigation of the United Klans of America, Inc. in Louisiana and will cooperate in any way possible. If I may make one request it would be this: Please name the specific Klan organization, United Klans of America, Inc. along with the others. I would also like included in the reports your findings relative to the NAACP, CORE, COFO, and SCEF.

Thanks for the fine service you are performing, Mr. Willis, and if I can be of any assistance please call upon me.

JAMES EDWARDS EXHIBIT No. 6



Photo taken at United Klans of America rally, April 17, 1965, Tuscaloosa, Ala. From left to right are: Robert Shelton, Raymond Anderson, Dr. J. M. Edwards, Matthew Murphy, and Edward L. McDaniel.

The letter of March 29, 1965:

Since the president's recent indictment of men said to be members of this organization, and that without due process of law, I urge you, Mr. Willis, to investigate United Klans and make your findings public as soon as possible.

It would seem, that by virtue of the February resolution to investigate the Klan, that another decision to do so would not be necessary.

Thanks for your kind consideration, and may God bless you in every honorable endeavor.

Please insert this letter in the Congressional Record.

Signed "J. M. Edwards—Grand Dragon."

I hand you these two letters, Mr. Edwards, and ask you if you in fact mailed these or signed those letters.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "James Edwards Exhibit No. 7" appear on pp. 2650, 2651.)

Mr. APPELL. A Joint Legislative Committee on Un-American Activities of the State of Louisiana, according to an official report, conducted a staff interview with J. M. Edwards commencing at 11:42 p.m. on April 23, 1965. I put it to you as a fact, and ask you to affirm or deny the fact, that you are the J. M. Edwards with whom

JAMES EDWARDS EXHIBIT No. 6—Continued



Photo taken at United Klans of America rally, April 17, 1965, Tuscaloosa, Ala. From left to right are: Raymond Anderson, Robert Shelton, Robert Scoggin, Robert Creel, Don Cothran, J. M. Edwards, and Calvin Craig.

this consultation was held and that the Q and A reproduced in the committee's findings are the answers or your statements.

The CHAIRMAN. You mean the questions and answers?

Mr. APPELL. Yes, sir.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. In response to a question you were asked, "Do you do any screening of people to keep out undesirable elements or people who might have criminal records, or anything like that?" the answer is: "The very best that is possible to do."

Isn't it a fact, Dr. Edwards, as Grand Dragon, that while you provide for certain regulations in order to guarantee that undesirables not get in your organization, in fact you do no screening and that you take in anyone?

Mr. EDWARDS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. The next question: "What do you do after you have gotten members in if you find out that they are involved in violations of law?" The record reflects no answer.

Then the question: "How do you take care of that, how do you handle that within your organization?"

"Any member or any person, for that matter, whose unlawful acts come to the attention of our people are reported to the proper authori-

JAMES EDWARDS EXHIBIT NO. 7

FEB 24 1965

Hon. Edwin E. Willis
Chairman, HUAC
Washington, D.C.

426 Sixth Street
Jonesboro, Louisiana
February 18, 1965

Dear Congressman Willis;

Under dateline Washington and AP wire, Shreveport Times Saturday, February 13, 1965 was an article which stated "that the committee last week adopted unanimously a resolution authorizing chairman Edwin E. Willis, D-La. to 'continue preliminary inquiries' into matters that had been brought to the attention of the committee.

The four organizations are specifically included, although they are not named in the resolution." (This last statement puzzles me.)

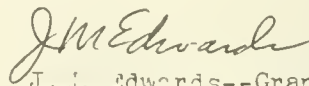
Now, the four organizations named in the AP article are "The Ku Klux Klan, the Minutemen, George Lincoln Rockwell's American Nazi Party, and the Black Muslims."

Mr. Willis, I am one of the "Southern whites" having "such titles as Grand Dragon" and the order which I represent is the United Klans of America, Inc., Knights of the Ku Klux Klan. I have great admiration for your committee, and I thank you for your untiring efforts to keep America safe. I regret that your burden is being increased by now having to investigate the Ku Klux Klan.

Mr. Willis, I will welcome an investigation of the United Klans of America, Inc. in Louisiana and will cooperate in any way possible. If I may make one request it would be this: Please name the specific Klan organization, United Klans of America, Inc. along with the others. I would also like included in the reports your findings relative to the NAACP, CORE, COFO, and SCLC.

Thanks for the fine service you are performing, Mr. Willis, and if I can be of any assistance please call upon me.

Yours for God and Country,



J. E. Edwards--Grand Dragon,
United Klans of America, Inc.

JME/vh

ties. Our organization does not harbor those who commit unlawful acts."

Dr. Edwards, I give you an opportunity at this time to name one member of the United Klans of America that you have ever turned over to lawful authority because of their violation of the law.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "James Edwards Exhibit No. 8." See pp. 2655-2663.)

The CHAIRMAN. Dr. Edwards, do the various Klaverns over which you preside in your Realm of Louisiana have wrecking crews that perform the functions described this morning by Mr. Gipson?

JAMES EDWARDS EXHIBIT NO. 7—Continued

Hon. Edwin E. Willis
Chairman, HUAC
Washington, D.C.

426 Sixth Street
Jonesboro, Louisiana
March 29, 1965

Dear Sir;

On February 18, 1965 I wrote you concerning a resolution passed unanimously by your committee to investigate the Klan. I invited an investigation of United Klans of America, Inc. and shortly thereafter received an affirmative reply.

Meanwhile, President Johnson has publicly assailed the Klan and made serious charges against men said to be affiliates, and that before any trial and conviction.

Now, Mr. Willis, that should frighten you and every member of Congress who has taken an oath to uphold the Constitution of the United States of America.

Under UPI dateline Sunday, March 28, 1965 I note that "Rep. Edwin E. Willis, D-La., has promised that his House Committee on Un-American Activities will meet early next week to decide whether to begin a full scale investigation of the Klan."

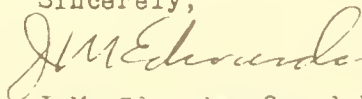
Since the president's recent indictment of men said to be members of this organization, and that without due process of law, I urge you, Mr. Willis, to investigate United Klans and make your findings public as soon as possible.

It would seem, that by virtue of the February resolution to investigate the Klan, that another decision to do so would not be necessary.

Thanks for your kind consideration, and may God bless you in every honorable endeavor.

Please insert this letter in the Congressional Record.

Sincerely,



J.M. Edwards--Grand Dragon
United Klans of America, Inc.
Realm of Louisiana

JME:vh

(continued)

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Edwards, it is already in the record that the Realm of Louisiana helped finance the defense of Klansmen involved in the murder of Dr. Penn in Georgia. Can you reconcile this testimony with the financial contribution that you made toward their defense?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. As a matter of fact, Dr. Edwards, under the oath which members of your organization take, it would be a violation

of your oath to turn them over to authorities except if they had committed the crimes of treason, rape, or murder. Isn't that factual?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. In the record [of the Joint Legislative Committee on Un-American Activities] you were asked, "Have you ever had occasion, as yet, to turn over any law violators to the local police authorities in any area? Do you know of any specific incident where this has been done?"

Answer: "I cannot speak for any area outside of Louisiana, but I am very happy to report that it has not come to my attention."

I give you an opportunity as Grand Dragon of the Realm of Louisiana to state that no Klansman to your knowledge has engaged in the violation of law.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. It was brought out by the chairman, Mr. Edwards, on last Friday, I believe, that members of the United Klans of America in the Baton Rouge, Louisiana, area, are placing applications for membership in the United Klans of America and other United Klan literature in post office boxes in that city. I ask you as the Grand Dragon if you are going to make an investigation of this violation of law and report those Klansmen to the postal authorities.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Edwards, in the Baton Rouge, Louisiana, *Advocate*, an article which appeared May 25, 1965, relates to an incident that happened at a United Klans of America rally held at Tioga, Louisiana. I shall read this short clipping into the record before asking you a question:

The invocation was brief and jolting at the Ku Klux Klan rally here over the weekend.

Dr. J. M. Edwards of Jonesboro, a chiropractor who heads the Klan in Louisiana, called for a minister from the audience to step forth and lead the invocation.

An unidentified man stepped to the microphone and, as the Klansmen and spectators bowed their heads, he said:

"I don't see how you, in the name of Jesus Christ, can conduct hatred for all man."

Did that happen, sir?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "James Edwards Exhibit No. 9" and retained in committee files. See also Jack Helm Exhibit No. 2, p. 2591.)

The CHAIRMAN. Sir, in your sworn testimony before the Louisiana body referred to by Mr. Appell a while ago, did you tell the truth, the whole truth, and nothing but the truth because it appears that you did speak on that occasion.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Edwards, during the recitation of the results of the committee's investigation it was set forth as a matter of fact that you attended the klonvokation held in February 1964 at the Dinkler-Tutwiler Hotel in Birmingham, and that discussed at the klonvokation was the creation of an insurance program.

I hand you a letter addressed to Mr. Robert Shelton from David F. Stinson, return address Jonesboro, Louisiana, addressed, "Dear Bob," in which Mr. Stinson asks if he might head up the insurance program in Louisiana. This letter was sent to the insurance company which was going to handle the life and health and accident part of the program, and there is contained in handwriting at the bottom of this letter the following language: "Write this man a [sic] make Arrangements for meeting with Dr. Edwards to set up Insurance Program for La. Bob."

I hand you this and ask you if you conferred with this man and whether or not there was set up within Louisiana an insurance program.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Robert Shelton Exhibit No. 14." See p. 1649.)

Mr. APPELL. At the State rally held in North Carolina and the meeting of imperial and other officers, together with the meeting which elected officers for the State of North Carolina, I put it to you as a fact, and ask you to affirm or deny the fact, that there was present at that meeting Dan Burros of New York and Roy Frankhouser of Pennsylvania.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you possess knowledge of their and other United Klans of America members' and leaders' affiliation with the American Nazi Party?

Mr. EDWARDS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. Sir, in the format of your oath of allegiance, I find the following, which oath is taken by all members, including yourself, I assume: "I swear that I will keep secure to myself a secret of a [Klan]*sman when same is committed to me in the sacred bond of [Klan]*smanship—the crime of violating THIS solemn oath"—that is all in caps—"treason against the United States of America—rape—and malicious murder—alone excepted."

Since you use in that oath the words "malicious murder," is there any kind of murder to which this oath does not apply?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. I want to read to the witness title 18, United States Code, section 1505, which provides as follows:

Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any witness in any proceeding pending before any department or agency of the United States, or

in connection with any inquiry or investigation being had by either House, or any committee of either House, or any joint committee of the Congress; or

Whoever injures any party or witness in his person or property on account of his attending or having attended such proceeding, inquiry, or investigation, or on account of his testifying or having testified to any matter pending therein; or

* * * * *

Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which such proceeding is being had before such department or agency of the United States, or the due and proper exercise of the power of inquiry under which such inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress—

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

The reason I read that to you is because of two things. If you are up here testifying before this committee in fear of your life or in fear of bodily injury or any fear that you might have, you may be assured that this law applies to you and you will be protected if you care to answer any questions or add anything to this inquiry or give any information to this committee that you can. If that is not the case, then I read it to you for the second purpose: In your job, if you go back to Louisiana as the Grand Dragon of the United Klans of America, Realm of Louisiana, you can take that message back to your membership and tell them that is what the law is and that this committee intends to see that the witnesses appearing before this committee will not be harmed and that we will enforce this law.

Have you any further statement to make?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Mr. Chairman, I do not have any questions, but in view of this witness' eagerness to see the investigation by this committee of this organization, the United Klans of America, I am somewhat baffled at his reluctance at the present time.

Mr. SENNER. Mr. Edwards, do you really believe you have cooperated with this committee pursuant to the letters you sent to the chairman?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. SENNER. Did you intend to mislead the chairman when you wrote those letters?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. SENNER. Did you do it for just public consumption and public opinion?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. SENNER. I have no further questions.

The CHAIRMAN. Sir, since you mentioned in those letters other organizations, do you care to say anything about them?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. The witness is excused.

Mr. Appell, call your next witness.

Mr. APPELL. Mr. Douglas Byrd.

Mr. BLACKWELL. Mr. Chairman, I am Charles Blackwell, attorney for Mr. Byrd, from Laurel, Mississippi. Mr. Chairman, I have a letter from Mr. Byrd's doctor that he is in the hospital and he will be there for about a week or 10 days. Would you like me to read the letter, Mr. Chairman?

Mr. APPELL. Mr. Chairman, I suggest that the committee consider the contents of this letter and that we advise Mr. Blackwell tomorrow morning as to the disposition of the committee with respect to it.

The CHAIRMAN. All right.

The committee will stand in recess until 10 o'clock tomorrow morning.

(Members present at time of recess: Representatives Willis, Pool, Weltner, and Ashbrook, of the subcommittee, and also Representative Senner.)

(Whereupon, at 4:25 p.m., Tuesday, January 11, 1966, the subcommittee recessed, to reconvene at 10 a.m., Wednesday, January 12, 1966.)

[James Edwards Exhibit No. 8, introduced on p. 2650, follows:]

JAMES EDWARDS EXHIBIT NO. 8

[Excerpt from June 16, 1965, hearings before The Joint Legislative Committee on Un-American Activities of Louisiana held in Baton Rouge, La. Hon. Jesse M. Knowles, chairman; Jack N. Rogers, Committee counsel. Report No. 7, July 26, 1965.]

* * * * *

TRANSCRIPT OF A STAFF CONSULTATION HELD ON APRIL 23, 1965, AT 11:42 P.M., AT BATON ROUGE, LOUISIANA. JACK N. ROGERS, ESQ., COMMITTEE COUNSEL FOR THE JOINT LEGISLATIVE COMMITTEE ON UN-AMERICAN ACTIVITIES, STATE OF LOUISIANA, PRESIDING.

BY MR. ROGERS:

Pursuant to the power granted me under Senate Concurrent Resolution #12, Regular Session of the Louisiana Legislature of 1964, and the rules of this Committee under the Law, I now swear the first witness.

THE WITNESS, MR. J. M. EDWARDS, AFTER FIRST HAVING BEEN DULY SWORN TO TELL THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH, SO HELP HIM GOD, TESTIFIED AS FOLLOWS:

DIRECT EXAMINATION

BY MR. ROGERS:

Q—What is your name, sir?

JAMES EDWARDS EXHIBIT NO. 8—Continued

A—J. M. Edwards.

Q—Where do you live, Mr. Edwards?

A—Jonesboro, Louisiana.

Q—When and where were you born?

A—July 20, 1918, in Union Parish, Louisiana.

Q—What do you do for a living?

A—I practice Chiropractic.

Q—Mr. Edwards, what is the name of the Klan Organization you represent?

A—It's the United Klans of America, Inc.

Q—What is the title of your Klan office, and what level of leadership does that title mean?

A—The office that I have in the United Klans is that of Grand Dragon of the realm of Louisiana, and it designates the highest office in the State in which that Klan operates.

Q—Is your Klan Organization connected with any other Klan Organizations, and if so, which one and how is it connected?

A—It is not connected with any other Klan Organization.

Q—Who is the national head of your Klan Organization?

A—Robert M. Shelton, Jr.

Q—Where does he live?

A—Tuscaloosa, Alabama.

Q—As I understand your testimony, you are the head of the organization in the State of Louisiana?

A—Yes, sir.

Q—How and by whom are the objectives of your organization determined?

A—By the membership itself.

JAMES EDWARDS EXHIBIT No. 8—Continued

Hon. Jesse Knowles
 Senator
 Lake Charles, Louisiana

426 Sixth Street
 Jonesboro, Louisiana
 February 19, 1965

Dear Sir;

Since reading an article in the Shreveport Times last Saturday, February 13, under dateline Washington and AP, I have been somewhat perplexed. It concerned an investigation of the Ku Klux Klan, a general term, along with three other organizations.

Now, Mr. Knowles, I have invited Mr. Edwin S. Willis, whom I understand you know, and have welcomed an investigation of United Klans of America, Inc. and have requested that the findings of HUAC be published.

By virtue of your relationship with the Joint Legislative Committee on Un-American Activities, I also invite your committee to investigate ~~our~~ organization also and make public your findings.

If you would be so kind as to encourage Mr. Willis to investigate us and publish his findings, I would appreciate it very much.

Any questions you may have concerning United Klans of America, Inc. I would be very pleased to try to answer.

I shall anticipate hearing from you soon. Meanwhile I remain sincerely,

Yours for God and Country,



J.M. Edwards-Grand Dragon
 United Klans of America, Inc.

JMS/vh

JAMES EDWARDS EXHIBIT No. 8—Continued

Q—What process is used to determine policy or objectives?

A—A democratic assembly, Mr. Rogers.

Q—Is your organization connected in any way with the Communist Party, or any other foreign party, agency or government?

A—No, sir, it is not.

Q—Is any pledge or oath of allegiance required of all of your members?

A—Yes, indeed.

Q—Does this oath in any way infringe upon, or negate, complete loyalty to the Constitution of the United States?

A—No. Mr. Rogers, did you say “infringe or negate?”

Q—Does the oath which your members take infringe upon their loyalty to the United States, or negate in any way their loyalty to the United States?

A—No, sir, that oath does not.

Q—Would you explain that, please?

A—(No answer.)

Q—Can you give me the oath?

A—I will explain that, Mr. Rogers. The oath swears unqualified allegiance to the government of the United States of America, its Constitution and laws. May I just quote the section which has to do with allegiance?

Q—Go right ahead.

A—“I most solemnly assert and affirm that to the government of the United States of America, and any State thereof of which I may become a resident, I sacredly swear an unqualified allegiance above any and every kind of government in the whole world. I here and now pledge life, property, vote and sacred honor to uphold its flag, its Constitution, and Constitutional Laws, and will protect, defend and enforce same unto death.”

Q—Mr. Edwards, what is the policy of your organization as to law violations? Is there anything in your oath concerning this?

JAMES EDWARDS EXHIBIT NO. 8—Continued

A—The attitude of the Order concerning law violations is the same as it would be on the part of any good American citizen. I repeat that for you: "I most solemnly promise and swear that I will always, at all times, and in all places, help, aid, and assist the duly constituted officers of the law, in the proper performance of their legal duties."

Q—What are the qualifications for membership in your organization?

A—He must be a white man, a Protestant person who believes in the tenets of the Christian Religion, and of sane mind, of course.

Q—Do you do any screening of people to keep out undesirable elements or people who might have criminal records, or anything like that?

A—The very best that it is possible to do.

Q—What do you do after you have gotten members in if you find out that they are involved in violations of law?

A—(No answer.)

Q—How do you take care of that, how do you handle that within your organization?

A—Any member or any person, for that matter, whose unlawful acts come to the attention of our people are reported to the proper authorities. Our organization does not harbor those who commit unlawful acts.

Q—Are they allowed to remain in the organization?

A—No, sir, this Order does not provide for a person who conducts himself contrary to the tenets of the law he has sworn to uphold, rather than to violate. As soon as any act of unlawfulness is discovered on the part of a member of this Order, he is immediately expelled.

Q—Approximately how many members do you have in the State of Louisiana, Mr. Edwards?

A—I am not at liberty to answer that question, Mr. Rogers.

Q—Can you tell us how many local Klaverns you have in Louisiana?

JAMES EDWARDS EXHIBIT NO. 8—Continued

A—No, sir, I am not at liberty to reveal that.

Q—Why is that, are you sworn under some oath not to reveal that?

A—Yes, sir.

Q—What are the objectives of your organization?

A—The objectives of this Order shall be to unite all white male persons, native-born gentiles of the United States who owe no allegiance of any nature to any other government, nation, institution, ruler, sect or people; to unite people whose morals are good, whose reputations and vocations are respectable, whose habits are exemplary, who are of sound mind, and 21 years of age or more, to a common oath of brotherhood of strict regulations, and also to cultivate and promote patriotism toward our civil government.

Q—After you unite them, is the function of the organization directed solely at improving yourselves, the members, or do you have some outward manifestation of your objectives?

A—Certainly it has as its objective to improve the individual, and I think this is best done by virtue of the fact that we hold Christ himself as our criterion of character, and never in a Klavern meeting will a person stay without hearing the name of Christ proclaimed, and His principles sounded. Then in the community, I think that you will find it hard to determine any difference in the works of the people in this Order and in any other civic service, or social organization, because I think the efforts overlap in every one of these areas.

Q—Do your members aim, and are the objectives of your organization in any way directed, toward political action?

A—No, sir, I couldn't say that they are directed toward political action, but certainly men with these objectives would participate in governmental affairs; that's a responsibility of any citizen.

Q—How do you propose to realize the objectives that you have set forth here, by any means other than education?

A—What other means are there?

Q—What is the attitude of your organization toward violence?

A—A member of this Order is not going to engage in violence.

JAMES EDWARDS EXHIBIT NO. 8—Continued

Q—By that you mean a member who sincerely ascribes to the basic tenets of the Order, or do you mean a person who might have associated himself with you cynically?

A—A person might have associated himself with this Order for the sole purpose of bringing disrespect, or bringing it into disrepute, but if he ascribed to these tenets, the violence he might enter into automatically would suspend him from membership in the Order.

Q—Have you any built-in system of protection by investigation, or surveillance, or anything of this nature, to protect yourselves from people who might commit acts of violence using the existence of your organization as a “cover” for their criminal acts?

A—Would you repeat that question?

Q—Yes, what protection have you got built into your procedure, or your ritual, or your functioning of your organization, to protect your organization from acts-of-violence committed by outsiders using the existence of your organization as a “cover” for what they do?

A—There is no way a person could be connected with the Order while engaging in acts-of-violence.

Q—Why is this?

A—Because the regalia that identifies a member is not worn outside of the rituals, except, I must say this, in the organized public meetings where ceremonial ritual teams enact certain rituals where the significance of this ritual is narrated from a platform. It is done in public, and there are other instances, of course, such as street walkings, etc., but they are done in regalia in the light of day before the public, and certainly no acts-of-violence are permitted by those people. We are non-violent people. Does that answer your question, sir?

Q—Yes, it does.

A—Mr. Rogers, may I add further in connection with attaining our objectives, that what we do is done entirely within the framework of the law, utilizing every legitimate method available to us, and tolerating absolutely no person conducting himself in any manner that might be construed to be beyond the framework of our duly constituted laws.

Q—Have you ever had occasion, as yet, to turn over any law-

JAMES EDWARDS EXHIBIT NO. 8—Continued

violators to the local police authorities in any area? Do you know of any specific incident where this has been done?

A—I cannot speak for any area outside of Louisiana, but I am very happy to report that it has not come to my attention.

Q—Mr. Edwards, how are your officers of the Klan elected at the different levels?

A—Through a democratic process, by the membership.

Q—How do you get elected to the office which you hold?

A—By the same process, it is not a dictatorial organization, Mr. Rogers.

Q—Are you elected by popular vote of all the members in the State, or are you elected by a Board which is elected by the members throughout the State?

A—No, sir, perhaps like people are elected on the national level, by delegates representing a certain number of people.

Q—Have you any control as Grand Dragon of the State of Louisiana over the local Klaverns?

A—Only through the people who are elected to maintain the order in those Klaverns.

Q—Do you have any veto power over the chosen officers of the local Klavern?

A—In case their conduct is contrary to the oath and the Constitution.

Q—You do?

A—Yes, sir, in that case.

Q—Have you any disciplinary powers available to you over the members in the local Klavern, if you had learned that something had gone on which was contrary to your basic rules? Could you do anything about it if the local Klavern officers did not?

A—Yes, sir.

Q—Do you actively maintain responsibility over the local Klaverns to the best of your ability?

JAMES EDWARDS EXHIBIT NO. 8—Continued

A—Yes, sir, I do.

Q—Will you furnish the Committee with samples of the literature and printed materials used by your organization in this educational program which you have described to me?

A—Yes, sir, I would be happy to, I have some copies available.

Q—Is there anything, Mr. Edwards, that you would like to add to your testimony?

A—Mr. Rogers, I don't believe there is. I would like to add one thing, however, that in the United Klans of America, Inc., we operate according to a Committee System wherein we attempt to utilize the potential of every person in our Order, regardless of whatever his gift might be.

Q—What different committees do you have in a local Klavern?

A—Well, of course, as I said a while ago, we don't engage in politics as such, but we do concern ourselves with governmental affairs, and I believe that that is one of the most basic committees that we have. We have a religious activities committee, education committee, womens' organizations, we have a civic committee, sick and welfare, publicity, grievance, to mention a few.

Q—Is there anything other than this that you would like to add to your testimony, Mr. Edwards?

A—I believe that's just about all I have to say, Mr. Rogers, unless there are some other questions.

Q—I have no other questions for you at this time, and I would appreciate your giving us the printed materials to which you have referred already. Thank you, Mr. Edwards for giving us this time. This is the end of the Staff Consultation, the time is 12:18 A.M.

* * * * *

WITNESS EXCUSED

* * * * *



ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

WEDNESDAY, JANUARY 12, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:45 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Weltner, and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; and Donald T. Appell, chief investigator.

The CHAIRMAN. The subcommittee will come to order.

Mr. Appell, call your first witness.

Mr. APPELL. Mr. Chairman, before calling the first witness the staff desires to make a statement for the record based upon its investigation, and in view of the fact that with the start of today's hearings the committee's inquiry will deal with Klan organizations in the State of Mississippi.

Klans in Mississippi have as their origin in the modern day the action on the part of the Original Knights of the Ku Klux Klan of Louisiana when J. D. Swenson, the National Kleagle of that organization, went across the river into Mississippi and recruited into the Original Knights, the Realm of Mississippi, citizens of the State of Mississippi.

Soon after this happened a split occurred over what Klansmen felt to be the unnecessary enrichment of Mr. Swenson through initiation fees and the profits made on the sale of robes, and they split away from this organization with many of them being banished from the Original Knights of the Ku Klux Klan.

The cadre of the Original Knights of Mississippi were basically the ones that founded what was in the early part of 1964 the largest Klan organization in Mississippi, which is known as the White Knights of the Ku Klux Klan of Mississippi.

This organization grew, and certain leaders of the White Knights defected from that organization and became the leadership of the United Klans of America, Inc., Knights of the Ku Klux Klan, headed by Imperial Wizard Robert Shelton and known within Mississippi as the Mississippi Rescue Service.

The investigation from its very start, Mr. Chairman, has been very confused because Klansmen, while remaining Klansmen, have shifted from the White Knights to the UKA, and in most recent days we have learned of two Klaverns of the United Klans of America switching back to the White Knights.

The White Knights of the Ku Klux Klan is unique as an autonomous Klan organization in that its constitution and the oath which it administers to its members do not follow the standard pattern of the Klan of 1915, from which most of the modern day Klans adopt their constitutions, their rituals, and their oaths.

The constitution of the White Knights of the Ku Klux Klan divides this organization into two branches of a legislature—the senate, which they call their Klavocation, and their lower house which they call the Klanburgesses.

The executive department of the White Knights of the Ku Klux Klan is headed by an Imperial Wizard, whom the investigation established to be Sam Holloway Bowers, Jr., of Laurel, Mississippi; a Grand Dragon, Julius Harper; a grand giant, Billy Buckles; a grand chaplain, who in the early days was Paul Foster, and who later was replaced by Petus G. Bilbo; the grand director of the Klan Bureau of Investigation, who in the early days was Mr. Ernest S. Gilbert and who is now a king kleagle for the United Klans of America.

The organizational structure of the White Knights is divided into five districts, which compare to the congressional districts of Members of Congress from the State of Mississippi, and this division is divided into nine provinces.

Each of these provinces has in its leadership a province giant and a province KBI. These province giants and province KBIs are members of the cabinet of the White Knights of the Ku Klux Klan.

The constitution under Article II sets forth the authority of the Imperial Wizard, and in Section 17 of Article II it sets forth the duties of the province giant and the KBI.

In this connection, Mr. Chairman, I would like the record to disclose that under the constitution it is reported that all projects which arise in a Klavern or in the Klan which are of—

a Great Magnitude or Complex in Nature shall be forwarded through the Chain of Command to the Imperial Wizard, who shall seek the advice and counsel of all Grand Officers.

Investigation and sworn executive testimony, Mr. Chairman, show that projects of great magnitude and of complex nature refer to official projects adopted by the Klan, known as Projects 1, 2, 3, and 4.

Project 1 is a threatening telephone call, or visits.

Project 2 is the burning of a cross, usually on private property.

Project 3 is beatings or floggings, burning of property, wild shooting into property, and bombings.

Project 4 is extermination.

The constitution provides for a judicial department headed by a chief klanjustice and four other klanjustices, a finance department, which is headed by a chief klabursar, and four additional klabursars.

The Klaverns and the officers within the Klavern follow the normal organizational structure of a Klan Klavern except that in the White Knights the Klavern officers include a klepeer, who is the Klavern representatives to the Klanburgesses.

The constitution of the White Knights of the Ku Klux Klan is unique to other constitutions because, while it requires of its members an oath which pledges absolute obedience to the White Knights constitution and its laws, the member swears allegiance to the Constitution of the United States only as originally written.

The oaths of the White Knights of the Ku Klux Klan do not provide, as do the other Klan oaths which the committee has dealt with, in that the other oaths provide that a Klansman shall keep secret to himself the secret of a fellow Klansman except in the case of treason against the United States, rape, and malicious murder.

In the case of the White Knights of the Ku Klux Klan, their constitution provides that a man guilty of those three offenses is not eligible for membership, but their constitution provides that a secret of a Klansman shall be kept secret, period.

Mr. Chairman, I would like to call the staff's first witness, Gordon Lackey.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LACKEY. I do.

The CHAIRMAN. Mr. Blackwell, at the conclusion of the hearings yesterday, in response to a call for Douglas Byrd, Route 1, Liberty, Mississippi, to take the stand, you presented in his behalf a medical statement.

This statement, on the letterhead of The Field Clinic, Centreville, Mississippi, and signed by Dr. John Y. Gibson advised the committee that Byrd was confined at the Field Memorial Community Hospital because of a back condition. It was the doctor's position that Mr. Byrd would require 1 week to 10 days of hospital care.

In light of the medical statement, I request that you advise your client, Mr. Byrd, to appear before the committee at 10 a.m., January 19, 1966.

Now, Mr. Blackwell, if consultation with Dr. Gibson indicates that Mr. Byrd, for reasons of his physical disability, is unable to appear at that time, I hope you will notify the committee of that.

Mr. BLACKWELL. Yes, sir.

TESTIMONY OF GORDON MIMS LACKEY, ACCOMPANIED BY COUNSEL, TRAVIS BUCKLEY AND CHARLES G. BLACKWELL

Mr. APPELL. State your full name, please.

Mr. LACKEY. My full name is Gordon Mims Lackey.

Mr. APPELL. Your last name is spelled L-a-c-k-e-y?

Mr. LACKEY. That is correct, sir.

Mr. APPELL. Mr. Lackey, are you appearing here in accordance with a subpoena served upon you by John D. Sullivan on November 5, 1965, at 412 W. Park Avenue, Greenwood, Mississippi?

Mr. LACKEY. Yes, sir; that is correct.

Mr. APPELL. Are you represented by counsel?

Mr. LACKEY. Yes, sir.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. BUCKLEY. I am Travis Buckley, attorney at law, Bay Springs, Mississippi, Post Office Box 411.

Mr. APPELL. And the additional counsel?

Mr. BLACKWELL. Charles G. Blackwell, attorney at law, 790 Northwood Drive, Laurel, Mississippi.

Mr. APPELL. Mr. Lackey, under the conditions of the subpoena served upon you and attachment thereto, which was made part of the subpoena, you were commanded to bring with you and to produce to the committee documents called for in the subpoena, paragraph 1, which reads:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, namely the Mississippi Constitutional Council in your possession, custody or control, or maintained by you or available to you as the past or present Kleagle at Large, and/or Special Investigator to the Imperial Wizard of the White Knights of the Ku Klux Klan of Mississippi.

Mr. Lackey, I ask that you produce those documents in the representative capacity set forth in the subpoena.

The CHAIRMAN. Before that, Mr. Lackey, I ask your counsel if it is a fact and whether they will stipulate that you are familiar with the opening statement I made October 19, last year, outlining the general purposes, objectives, and the reasons for this hearing.

Mr. BUCKLEY. Mr. Chairman, I do so stipulate.

The CHAIRMAN. Thank you.

I did not want to direct the question to your client, but you are speaking for your client in this instance?

Mr. BUCKLEY. Yes, sir.

Mr. APPELL. Will you produce the documents, Mr. Lackey?

Mr. LACKEY. Sir, I am sorry but I cannot produce such records as ordered by the subpoena issued me, due to the fact that such records were and are not in my possession, custody, or control and I do not have access to such documents.

Mr. APPELL. Mr. Lackey, in the representative capacity set forth in the subpoena, did you possess such documents?

Mr. LACKEY. Would you repeat the question, sir?

Mr. APPELL. In the representative capacity set forth in paragraph 1 of your subpoena, did you possess such records?

Mr. LACKEY. Sir, with all sincerity, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed me by the 5th, the 1st, and the 14th amendments of the Constitution of the United States of America, sir.

The CHAIRMAN. I am afraid I do not follow the position of the witness. He is represented by able counsel, of course.

Mr. Appell, try to be very attentive, because the witness took one position and then another under his asserted constitutional rights.

Will you repeat your first question?

Mr. APPELL. Mr. Lackey, I ask you to produce those documents which are enumerated in paragraph 1 of the attachment to your subpoena.

Mr. LACKEY. Sir, I am extremely sorry, but I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were and are not in my possession, custody, or control and I did not have access to any such documents.

The CHAIRMAN. Are you now saying, sir, that as an individual you did not have possession, custody, or control or access to these documents?

I ask that in view of what you said in response to the second question. If your counsel wants to explain your position, your exact legal position, I will accept that instead of its coming from you, but I cannot quite distinguish between your first answer and your second answer because, I call attention to you and your counsel, the subpoena on the face of it calls for you to produce those documents in your representative capacities, and Mr. Appell made the request of you in your representative capacities.

Are you distinguishing between the two?

Mr. BUCKLEY. Mr. Chairman, would you like me to explain it?

The CHAIRMAN. Yes.

Mr. BUCKLEY. I think I can say simply this: His position, his response to the original question, is simply that it was not within his power, and it has not been within his power, to comply with the subpoena. He could not comply with it. It was not within his power to so do. In other words, he does not have any contempt. It is not that he is purposely evading or avoiding the subpoena or this committee, but it was simply not within his power to so do.

The CHAIRMAN. Are you saying that you do not now have and have never had—I am directing the question to the witness—possession, custody, or control or access to the documents called for by the subpoena, either as an individual or in a representative capacity?

Mr. LACKEY. Mr. Chairman, I must respectfully decline to answer that question—

Mr. WELTNER. Mr. Chairman?

Mr. LACKEY. —and as a defense invoke the privileges guaranteed to me by the fifth amendment of the Constitution of the United States of America, sir.

Mr. WELTNER. Mr. Chairman, directing myself to the apparent conflicting positions, I would like to call attention to Article V of the constitution of the White Knights which states the duties of kleagles. It is my understanding that this witness is the grand kleagle of the White Knights.

His duties under Article V, Section 4 in the recruiting of members consists of preparing in quadruplicate form the application blanks. One copy is given to the kligraph, or secretary, and then within 15 days he is under duty to present the remaining copies to the district klabursar.

Assuming that this witness is the kleagle and assuming he has complied with his constitutional obligations, he would have had the documents, but would not have any documents within 15 days following the recruiting of a new member.

For that reason I can see why he would say he has no documents now and would refuse to answer whether he had ever had them.

The CHAIRMAN. Of course, the questions are in the record, irrespective of the explanation.

Mr. LACKEY, your counsel, as I understood him, said what you were trying to say was that you did not have the power to produce these documents. Did I understand counsel correctly?

Mr. BUCKLEY. That is right.

The CHAIRMAN. What the subpoena calls for is documents or documents in your possession or control or custody or available to you. Are you also saying that you do not now have, and never have had, possession, custody, or control, or custody or accessibility to the documents, irrespective of whether you didn't have the technical power to produce them?

Mr. LACKEY. Mr. Chairman, are you asking me or my attorney?

The CHAIRMAN. I directed the question to the witness.

Mr. LACKEY. Sorry, sir; I didn't understand it. I thought you had asked my attorney.

The CHAIRMAN. You can advise with him.

Mr. LACKEY. I thought you directed the question directly to him. I am sorry, sir.

Sir, I think it would be clearer purely by my stating that it was not physically within my power to bring any such records, documents, correspondence, memoranda, et cetera, purely because I did not possess these documents at the time, they were not within my custody or control, and I could not physically bring something that I did not have, sir.

The CHAIRMAN. Did you have possession, custody, or control, or were there available to you these documents called for on the date that you were served with the subpoena, November 5, 1965, until today?

Mr. LACKEY. No, sir, I did not.

The CHAIRMAN. You are saying, and you are under oath, that at no time did you have possession, custody, or control or availability of these documents?

Mr. LACKEY. Mr. Chairman, with all possible respect for this committee and its staff, I must in all sincerity decline to answer that question on the grounds as previously stated in invoking the fifth amendment.

The CHAIRMAN. I think I follow you. What you are trying to say is that you stick by your first statement that from the time that the subpoena was served on you, November 5, 1965, until today, during that period of time you did not have possession, custody, or control and that these documents were not available to you during that period of time. That is the time where you are saying you had no power, as you put it, to produce the documents. Is that the testimony you are giving?

Mr. LACKEY. Yes, sir; that is absolutely correct.

The CHAIRMAN. Now, as a matter of law I will ask you this question: Did you have possession, custody, or control, or were these documents available to you the day before or at any time before you were served, but that you deliberately lost possession, custody, or control and saw to it that they were not available to you prior to that time because you feared, or had reason to believe, that a subpoena would be served upon you to produce them?

Mr. LACKEY. Mr. Chairman, I must for clarity at this time decline to answer the question on the grounds as previously stated invoking the fifth amendment, but I would like to state that I am——

The CHAIRMAN. Wait a minute. You cannot invoke the fifth amendment and then say something to just applaud yourself unless you realize you will be subject to cross-examination on that.

I am making myself plain.

Mr. LACKEY. Yes, sir; I was trying to do this in the interest of clarity. I am stating that I have never destroyed any document or correspondence, et cetera, in contempt of this body.

The CHAIRMAN. All right. Then my next question is this: Accepting as true that you have never destroyed any documents in contempt of this body at any time, even before you were subpoenaed to produce them, did you at any time, let us say from March 30, 1965, when the committee announced that it would conduct these hearings, just transfer them to another person or somehow, without destroying them, lose custody, possession, control, and availability of the documents?

Mr. LACKEY. Mr. Chairman, I have never taken any deliberate steps——

The CHAIRMAN. You are not answering my question, and I insist that you do.

Mr. LACKEY. Sir, would you restate the question? Perhaps I misunderstood it.

The CHAIRMAN. You testified that at no time, even prior to the service of the subpoena on November 5, did you destroy these documents. I base my question on the assumption that you did not destroy them. Not having destroyed them, did you have possession, custody, or control, or were those documents available to you from March 30, 1965, when we announced the hearings, and did you then transfer them to somebody else, pass them on to somebody else, or deliberately lose or do away with custody, possession, or control, or did you see to it that they were no longer available, they were no longer available to you?

You are under oath, and that is it.

Mr. LACKEY. Mr. Willis, I believe you gave me this date—from March 30 of 1965. That is the date when this hearing was announced. Is it from that date up until the present? Is that the date in your question?

The CHAIRMAN. Yes.

Mr. LACKEY. Sir, during those dates these documents requested by the subpoena were not within my custody, possession, or control so that I could have destroyed them, done away with them, or anything else.

The CHAIRMAN. Then I will go back to my first question which was broader: Did you at any time have possession, control, or custody of those documents, and were they at any time available to you, and did you see to it that you lost possession, control, or custody, and did you see to it that they were no longer available because of a fear or because of a realization or because you had reasons to believe that at some time you would be ordered by subpoena to produce them?

Mr. LACKEY. No, sir, Mr. Willis.

The CHAIRMAN. Mr. Lackey, you have responded to my questions under oath, so I direct Mr. Appell to proceed.

Mr. APPELL. Paragraph 2 of the subpoena calls upon you to produce :

All books, records, documents, correspondence and memoranda in your possession, custody or control or maintained by or available to you, in your capacity as Special Investigator to the Imperial Wizard or Kludge at Large of the White Knights of the Ku Klux Klan, of Mississippi which the Constitution and Laws of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I request you to produce in your representative capacity stated in the attachment, paragraph 2, the documents called for in paragraph 2.

Mr. LACKEY. Mr. Appell, with all possible respect for this body, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were and are not in my possession, custody, or control and I did not have access to such records, sir.

The CHAIRMAN. Have you ever had in your possession, custody, or control any documents relating to the White Knights of the Ku Klux Klan, and this refers to these last documents called for and the ones now called for?

Mr. LACKEY. Sir, I respectfully decline to answer that question and invoke as a defense for so doing the privileges guaranteed to me by the 5th, the 1st, and the 14th amendments of the Constitution of the United States of America.

The CHAIRMAN. Mr. Lackey, it has been made abundantly clear to you and your counsel that these documents just called for, and the ones called for in paragraph 1, that you were being called upon to produce them in the representative capacities stated in the subpoena.

The reason you have given for refusal to produce the documents called for by both paragraphs 1 and 2 of the subpoena do not, in my opinion, legally justify your refusal, and those reasons are rejected.

I now order and direct you to produce them.

Mr. LACKEY. Mr. Chairman, with all possible respect I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were and are not in my possession, custody, or control and I did not have access to such records and could therefore—it was a physical impossibility for me to bring such records.

The CHAIRMAN. I understand that, but yet you invoke the privileges of the constitutional amendments you related. The two do not make sense. That is why I directed you to produce them.

Unless you want to explain your position, there is something wrong somewhere. Maybe I am wrong and dumb, but you do not need the invocation if what you say is true, so I have ordered you, and you have refused. That is the way the record stands.

Mr. APPELL. Mr. Lackey—

The CHAIRMAN. Do you know who has them?

Mr. LACKEY. Sir, with all possible respect, I must refuse to answer that question for the reasons previously stated, invoking the fifth amendment of the Constitution of the United States of America.

The CHAIRMAN. Mr. Lackey, you testified under oath that you do not now have, and never have had, possession, custody, or control of these documents called for in paragraphs 1 and 2 of the subpoena and that at no time were they available to you during the period from March 30, 1965, until the present time. You also testified under oath that you did not destroy them and that you did nothing to divest your-

self of custody, possession, or control. I have the right not to accept that position and to cross-examine you on that, and I am now doing it, especially because I take the position that you have waived your fifth amendment rights, and so I now ask you, What became of those documents?

Mr. LACKEY. Sir, with all respect, all possible respect to this committee and its staff, I must decline to answer that question for the reasons previously stated, invoking my rights guaranteed me by the fifth amendment to the Constitution of the United States of America.

The CHAIRMAN. I order and direct you to answer that question and to produce the documents.

Mr. LACKEY. Mr. Chairman—

The CHAIRMAN. First, I order and direct you to answer the question I have just asked.

Mr. LACKEY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you know who has possession of those documents at this time or at any time since you were served with the subpoena on November 5, 1965?

Mr. LACKEY. Mr. Willis, with all due dignity and respect, sir, I must decline to answer that question for the reasons previously stated, invoking my rights guaranteed me by the fifth amendment to the Constitution of the United States of America.

The CHAIRMAN. Did those documents ever exist? It is obvious some documents relating to the White Knights of the Ku Klux Klan did exist.

Mr. LACKEY. Sir, for the reasons previously stated, I must respectfully decline to answer that question.

The CHAIRMAN. I order and direct you to answer that question.

Mr. LACKEY. Sir, I must respectfully decline—

The CHAIRMAN. You don't have to do anything. You may choose to do what you want. You do decline?

Mr. LACKEY. Yes, sir; that is correct, sir.

The CHAIRMAN. To answer questions on the grounds previously stated?

Mr. LACKEY. Yes, sir; that is absolutely correct.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. APPELL. Mr. Lackey, when and where were you born?

Mr. LACKEY. Sir, I was born in Greenwood, Leflore County, Mississippi, September 12, 1936.

Mr. APPELL. Where do you presently reside?

Mr. LACKEY. Sir, my present residence is 1414 Camelia Street, Greenwood, Leflore County, Mississippi.

Mr. APPELL. Would you give the committee a brief résumé of your educational background?

Mr. LACKEY. Sir, I entered the public school systems in Greenwood, Leflore County, Mississippi, where I graduated from Greenwood High School.

Mr. APPELL. In what year, sir?

Mr. LACKEY. In the year 1954, sir.

Mr. APPELL. Did you serve in the military of the United States or the State of Mississippi?

Mr. LACKEY. Sir, I did not finish on the educational question you asked before. Would you like me to finish that before I go to the next question?

Mr. APPELL. Yes; please continue.

Mr. LACKEY. I graduated from Greenwood High School in Leflore County, Mississippi. I attended Mississippi State University, at that time Mississippi State College, for an intermittent period of about 5 years, dropping out occasionally to work and then returning the next year to the university.

Mr. APPELL. How many credits did you earn?

Mr. LACKEY. Sir, I don't have my university transcript with me and the length of time and the exact hours escape me.

Mr. APPELL. You did not receive a degree?

Mr. LACKEY. That is correct, sir; I did not receive a degree.

Mr. APPELL. Now, returning to the question about military service, have you had any military service?

Mr. LACKEY. Sir, I served 8 years in the United States Army Enlisted Reserve. I served 2 to 3 years in the Mississippi National Guard. I had no active duty other than the short periods of active duty required for training by these reserve components.

Mr. APPELL. As a member of the military establishments you have set forth, were you trained in counterinsurgency and did you qualify with an M-1 rifle?

Mr. LACKEY. Sir, in these reserve components there is at least 2 hours per week of counterinsurgency training which is required in all reserve training. And in the normal course of events, I attended those classes on counterinsurgency, but I would not say I achieved any degree of proficiency as such in counterinsurgency.

Sir, during the 8 years that I spent in the United States Army Reserve, I did not have occasion to qualify with the United States rifle caliber 30 M-1. In the Mississippi National Guard's annual spring firing range training, I did qualify with the United States rifle caliber 30 M-1.

Mr. APPELL. In addition to the military service which you have stated, would you give the committee your principal employment background since 1960?

Mr. LACKEY. Sir, my principal employment since the year of 1960 was a small motorcycle sales and service shop, which I operated myself in my backyard.

Mr. APPELL. From 1963 to the present time, would you give the committee sources of income which you had, other than the motorcycle repair and sales service and with the Mississippi National Guard?

Mr. LACKEY. Sir, I most respectfully decline to answer that question for the reasons as previously stated, sir.

Mr. APPELL. Mr. Lackey, I hand you a form of "Application for Citizenship in the Invisible Empire in the White Knights of the Ku Klux Klan of Mississippi" and ask if you have ever used such a document to recruit Mississippians into the organization stated in the application?

Mr. LACKEY. Sir, for the reasons previously stated I respectfully decline to answer that question.

(Document marked "Gordon Lackey Exhibit No. 1" and retained in committee files.)

Mr. APPELL. Mr. Lackey, were you a kleagle at large or organizer of the White Knights of the Ku Klux Klan of Mississippi?

Mr. LACKEY. Sir, I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. Mr. Lackey, the committee's investigation established that you did hold such a position, in addition to other positions. Therefore, I want to ask you the purport of the last sentence in the application, which reads as follows:

If I prove untrue as a Klansman I will willingly accept as my portion whatever penalty your authority may impose.

What does that mean, sir?

Mr. LACKEY. Sir, I believe I missed a little of the wording. Would you please repeat it to me, sir?

Mr. APPELL. [Reading:]

If I prove untrue as a Klansman I will willingly accept as my portion whatever penalty your authority may impose.

Mr. LACKEY. Sir, I must respectfully decline to answer that question for the reasons previously stated, sir.

Mr. APPELL. Mr. Lackey, I show you a document, the cover page of which is missing, which describes itself to be "The Constitution of the White Knights of the Ku Klux Klan of the Sovereign Realm of Mississippi." This copy that I am showing you was printed after April 1964 because, according to the document, it contains three amendments passed on April 19, 1964. I am showing you this document and asking you if you are familiar with its contents?

Mr. LACKEY. Sir, for the reasons previously stated I most respectfully decline to answer that question.

(Document marked "Gordon Lackey Exhibit No. 2." See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 253-292.)

Mr. APPELL. Mr. Lackey, the committee's investigation establishes that when the White Knights was in its formation stage in late 1963 and early 1964 that you were appointed to a committee for the purpose of drafting a constitution for the White Knights of the Ku Klux Klan. I put it to you as a fact, and ask you to affirm or deny the fact.

Mr. LACKEY. Mr. Appell, for the reasons previously stated I, in all respectfulness, decline to answer that question, sir.

Mr. APPELL. Did you know Douglas A. Byrd to be the Grand Dragon of the Original Knights of the Ku Klux Klan, Realm of Louisiana, and did Mr. Byrd assist you in the drafting of this constitution?

Mr. LACKEY. Mr. Appell, I respectfully decline to answer that question for the reasons previously stated, sir.

Mr. APPELL. Mr. Lackey, I shall read to you from Article V of this constitution, which relates to recruiting, and after reading it to you I shall ask some questions based upon the provisions of this constitution:

Section 1. All Kleagles and Organizers shall be selected on the basis of their depth of Christian Dedication, Ability to Organize and Instruct, their Domestic Situation, and their Moral Integrity.

Section 2. The Klan Kleagle and his selected Kleagles shall be primarily responsible to the Klan for the further expansion and organization of the Klan.

Section 3. All Kleagles must possess the clerical ability to perform the work which the office requires.

Section 4. All Kleagles shall, as a part of each Initiation Ceremony, prepare a receipt in quadruplicate form, and shall number same, and shall obtain thereon the number of the Klavern Kligrath, or the temporary officer in charge of the Klavern, if UnKhartered. The Kleagle shall then leave one copy with the Kligrath or temporary officer. The Kleagle shall then, within fifteen days, present the remaining three copies of the quadruplicate receipt form to the proper District Klabursar thereon, and leave one copy with the Klabursar. The Kleagle shall then forward both remaining copies of the receipt to the Grand Giant who shall number both copies, retain one and return the other to the Kleagle. The four copies shall be retained by their respective holders and surrendered upon call of a bona-fide Klan Auditor. The Klabees of Khartered Klaverns shall perform the clerical duties outlined in this section.

Section 5. All Kleagles may be compensated by law.

Section 6. No Kleagle, Officer or Klansman in any capacity shall ever attempt to recruit an alien for membership into the Klan who is a negro, jew or papist, not [sic] shall any alien who is cohabiting with or married to, by common law or pagan ways, a negro, jew or papist ever be allowed membership in the Klan.

Section 7. No person who professes atheism, or who refuses to acknowledge Almighty God as his Creator, Savior and Inspiration shall ever be allowed membership in the Klan.

Section 8. No person who espouses any allegiance in any form to any government or governmental system, social, ecclesiastical or political, which is in any way incompatible with the Lawful, Constitutional, Governmental System of the United States of America shall ever be allowed membership in the Klan. No person who advocates the overthrow or erosion of the Lawful, Constitutional Government of the United States of America shall ever be allowed membership in the Klan. No person shall ever be recruited who is not a White, Gentile, American-born Citizen.

Section 9. Kleagles shall scout into new areas and contact prospective Christian militant aliens for membership in a careful and Judicious manner using maximum possible secrecy, after being commissioned for this work by the Imperial Wizard.

Section 10. The membership of the Klan shall be composed of Christian men who meet the requirements heretofore stated and who are Twenty-One Years of Age, or older, sound of mind, sober in habits, of good moral character and not guilty of rape, murder, or treason.

Section 11. After the Initial men have begun a new Klavern, or a Klavern has been established, the Exalted Cyclops or temporary [sic] officer in Charge shall call for names of men to be submitted as prospective candidates for membership. All members of the particular Klavern who are Klansmen in good standing shall be allowed to submit names of persons whom they have known for at least *five* years personally, and for *two* years intimately, at least. A submitted name must be accompanied by the vouch of an additional Klavern member in good standing. All submitted names shall be immediately recorded on the Prospective Candidate Roll within the Klavern.

The Exalted Cyclops or Temporary Officer in Charge of the Klavern shall require that all names of Prospective Candidates shall be called and read aloud at two consecutive meetings of the Klavern without a dissenting vote being cast against any particular prospective candidate, before the sponsor of that particular candidate shall be granted permission to approach that particular candidate for membership. If no dissent is heard on a particular candidate for two consecutive Klavern Readings of his name, the sponsor shall have permission to contact the candidate for membership.

Mr. Chairman, I ask that the remaining paragraphs—

The CHAIRMAN. Let the document be inserted in the record in full.

Mr. APPELL. Mr. Lackey, in Section 4 that I read to you, it states that one copy of the receipt is returned to the kleagle. What disposition did you make of the copy which, according to Section 4, was to be retained by you so that it might be surrendered upon call of a bona fide Klan auditor?

Mr. LACKEY. Mr. Appell, I respectfully decline to answer that question for the reasons as previously stated, sir.

Mr. APPELL. Mr. Lackey, you continually invoke the 1st, 5th, and 14th amendments to the Constitution of the United States, but the constitution of the White Knights only holds to the Constitution as originally written and those amendments were not in it. Can you explain that to me?

Mr. LACKEY. Sir, for the reasons previously stated I most respectfully decline to answer that question.

The CHAIRMAN. Mr. Lackey, it is obvious that some documents passed through your hands at some time, particularly, as I understood the reading of Section 4 of your constitution, in connection with recruitment operations. Did you recruit anyone to membership since the service of this subpoena, or since March 30, 1965?

Mr. LACKEY. Mr. Chairman, for the reasons as previously stated, I most respectfully decline to answer that question, sir.

The CHAIRMAN. And I now again order and direct you to produce the documents called for by the subpoena.

Mr. LACKEY. Mr. Willis, sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were and are not in my possession, custody, or control and I did not and do not have access to such records, sir.

The CHAIRMAN. I now order and direct you to answer the last question I propounded. I don't know if I asked that of you before; did I?

Mr. APPELL. Yes, sir.

The CHAIRMAN. All right, then I do not accept the reasons given by you and the constitutional provisions relied upon as a basis for not producing those documents and I order and direct you to do so.

Mr. LACKEY. Mr. Willis, I am sorry, sir, there seems to be a little confusion between my attorney and I. What is the last question?

The CHAIRMAN. It is a direction to produce the documents.

Mr. LACKEY. Thank you, sir.

Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were and are not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Go on.

Mr. APPELL. Mr. Lackey, the constitution of the White Knights of the Ku Klux Klan provides that a klavle who performs ceremonies of initiation in Klaverns other than his home Klavern shall be entitled to deduct from the initiation fee \$4 for his personal fee and shall remit the remaining \$6 to the proper district klavbursar. To whom did you transmit the \$6 as provided for in the constitution?

Mr. LACKEY. Mr. Appell, I respectfully decline to answer that question for the reasons previously stated, sir.

Mr. APPELL. Mr. Chairman, in view of the witness' claimed privilege and his consistent refusal to answer questions with respect to the activities of the White Knights of the Ku Klux Klan, I present to the committee the results of our investigation as they pertain to Mr. Lackey.

He was appointed, along with Douglas A. Byrd and others, to write a constitution for the White Knights of the Ku Klux Klan of Mississippi. Douglas Byrd at that time was the former Grand Dragon of the Original Knights of the Ku Klux Klan, Realm of Mississippi, which

has been known by the cover name of the Louisiana Rifle Association and was banished in 1963 from office and membership by the Imperial Dragon of the Original Knights of the Ku Klux Klan, Royal V. Young.

In early 1964, at one of the first meetings of the White Knights of the Ku Klux Klan in Brookhaven, Mississippi, Mr. Lackey was made an Imperial Investigator and placed under the control of Ernest S. Gilbert, then grand director of the Klan Bureau of Investigation and a man who is now the kleagle of the United Klans of America.

In October 1964, he became a kleagle or organizer at large.

In October 1964, he became one of two province officers holding the position of province KBI in Province 2 to replace Wesley Kersey. Both were members of the Leflore Unit No. 1 of the White Knights of the Ku Klux Klan.

In March 1965 he became province giant for the Leflore Province 2.

In August 1964, Lackey discussed blowing up the SNCC headquarters around Greenwood, Mississippi. However, since cars parked in the vicinity were believed to be occupied by FBI agents, the project was forgotten.

On August 30, 1964, the White Knights of the Ku Klux Klan held a statewide meeting at Crystal Springs, Mississippi. Among other things, it was agreed to issue temporary charters with 25 men and permanent charters with 40. Lackey objected to this procedure.

On September 14, 1964, at an executive meeting of the White Knights held in Crystal Springs, Mississippi, Gordon Lackey was in attendance.

On January 1, 1965, a meeting was held at the Heidelberg Hotel in Jackson, Mississippi, for the purpose of establishing a defense fund to be known as the White Christian Protective and Legal Defense Fund. This fund had as its primary function the raising of funds for the defense of Philadelphia, Mississippi, defendants accused of the murder of three civil rights workers. A board of directors was appointed and consisted of Glen Swetman of Biloxi, Mississippi, a province giant of the White Knights; Pete Shumaker, of Kosciusko, Mississippi; Reverend Delmar Dennis, Meridian, Mississippi; and James M. Hooper of Sidon, Mississippi. The state chairman of the fund was Elmore D. Greaves of Jackson, Mississippi. Present at the meeting in addition to Mr. Lackey were the Grand Giant B. D. Buckles, Imperial Wizard Bowers, Province Giant J. K. Greer, Grand Dragon Julius Harper, Elmore Greaves, Johnny Bostick of Natchez, Mississippi, and E. L. "Tiny" Lewis of Natchez, Mississippi.

On January 30, 1965, a meeting was held in Room 3-E of the Robert E. Lee Hotel in Jackson, Mississippi. Gordon Lackey was present at this meeting along with other Klan officials, who used this occasion for the purpose of attending a Klan cabinet meeting held on January 31.

On January 20, 1964, Gordon M. Lackey applied for a citizens band radio license covering four transmitters.

In May of 1965, M. F. White of Greenwood, Mississippi, hired a Negro, Walter Fisher, to paint a house he owned in Greenwood, Mississippi. Fisher, unknown to Mr. White, hired Dewey Green, a relative of the Negro student at Ole Miss. Klansmen painted a black band around the newly painted house with a type of paint sold to Gordon Lackey for use in his motorcycle repair shop.

Lackey recruited into membership in the White Knights Byron de la Beckwith, who was arrested and tried for the murder of Medgar Evers.

This information, Mr. Chairman, indicates Mr. Lackey possesses additional information which is both pertinent and relevant to this committee and would materially aid this committee and the Congress in proposing remedial legislation.

The CHAIRMAN. Mr. Lackey, you heard the statement read by Mr. Appell. You now have the opportunity to confirm or challenge the accuracy of the statement or to explain any part of it. In addition you may, if you desire, offer any other matter you deem relevant to this inquiry. Do you care to avail yourself of this opportunity?

Mr. LACKEY. Sir, I respectfully decline to do so for the reasons previously stated.

The CHAIRMAN. In that case, Mr. Lackey, I inform you that in the absence of your rebuttal or other facts that might come to the attention of this committee, this committee will rely upon the accuracy of its investigation. Bearing that in mind, do you wish to say anything?

Mr. LACKEY. No, sir, I do not care to make any statement.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Lackey, with respect to the painting of a black band around a rental house in Greenwood, Mississippi, owned by M. F. White, did you have a conversation with Mr. White with respect to the Negroes that he hired?

Mr. LACKEY. Mr. Appell, for the reasons as previously stated, I most respectfully decline to answer that question, sir.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you told Mr. White he had hired the "wrong Nigger" to paint his house and that a neighbor had told Green, the Negro, to get out of the neighborhood?

The CHAIRMAN. You shook your head indicating in effect it was not so or you did not know about it. You are at liberty to state the facts or test the accuracy of our investigation. Do you care to answer that question?

Mr. LACKEY. No, sir, for the reasons as previously stated I most respectfully decline to answer that question.

Mr. APPELL. Mr. Lackey, I ask you whether or not the black band was painted around this house by you, John Winstead, and Byron de la Beckwith?

Mr. LACKEY. Sir, with all possible respect, I must decline to answer that question for the reasons as previously stated, sir.

The CHAIRMAN. Mr. Appell, for clarification, you mentioned that Mr. Lackey had recruited Byron de la Beckwith into the Klan, but you did not state a time. Was that before or after the hung jury proceeding?

Mr. APPELL. I think Mr. Byron de la Beckwith has been tried twice, both of which trials resulted in a hung jury, and it is the committee's information that it was after both of those trials.

The CHAIRMAN. Proceed.

Mr. APPELL. I hand you an application for a citizens band radio license containing the signature of Gordon M. Lackey. The date set forth here as the date the application was signed is January 20, 1964.

However, I think the proper year should be 1965 because the stamped receipt of the Federal Communications Commission shows the fee was received on January 22, 1965.

I hand you this application and ask you if this is a copy of the application that you submitted for a citizens band radio license?

Mr. LACKEY. Sir, for the reasons as previously stated I respectfully decline to answer that question.

(Document marked "Gordon Lackey Exhibit No. 3" follows:)

GORDON LACKEY EXHIBIT NO. 3

FCC FORM 505
REVISED MAY 1961

Ref. Box 65
2/19/65

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

FORM APPROVED
BUDGET BUREAU NO. 52-812118

APPLICATION FOR CLASS B, C, OR D STATION LICENSE IN THE
CITIZENS RADIO SERVICE

DO NOT WRITE IN THIS BLOCK

FEE: \$ 8.00

413232 JAN 22 1965

FCC-GETTYSBURG, PENNA.

- Application for Class A station license must be filed on FCC FORM 400.
- Complete on typewriter or print clearly.
- Be sure application is signed and dated. Mail application to Federal Communications Commission, Gettysburg, Pa., 17325.
- Enclose appropriate fee with application, if required. DO NOT SUBMIT CASH. Make check or money order payable to Federal Communications Commission. (See Part 19, Volume VI of FCC rules to determine whether a fee is required with this application.)

1 NAME OF APPLICANT BUSINESS NAME (OR LAST NAME, IF AN INDIVIDUAL) Lackey		YES	NO
FIRST NAME (IF AN INDIVIDUAL) Gordon		MIDDLE INITIAL M.	
2 IF AN INDIVIDUAL OPERATING UNDER A TRADE NAME, GIVE INDIVIDUAL NAME, OR IF PARTNERSHIP, LIST NAMES OF PARTNERS (Do not repeat any name used in item 1)			
LAST NAMES		FIRST NAMES	
MIDDLE INITIAL			
3 MAILING ADDRESS			
NUMBER AND STREET 412 W. Park Ave.			
CITY Greenwood		STATE Miss.	
ZIP CODE 38931		COUNTY OR EQUIVALENT SUBDIVISION Leflore	
6 CLASSIFICATION OF APPLICANT (See instructions)			
<input checked="" type="checkbox"/> INDIVIDUAL <input type="checkbox"/> ASSOCIATION <input type="checkbox"/> GOVERNMENTAL ENTITY			
<input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER (Specify):			
8 CLASS OF STATION (Check only one)			
<input type="checkbox"/> CLASS B <input type="checkbox"/> CLASS C <input checked="" type="checkbox"/> CLASS D			
6 IS THIS APPLICATION TO MODIFY OR RENEW AN EXISTING STATION LICENSE?			
<input type="checkbox"/> YES (Give call sign): <input checked="" type="checkbox"/> NO			
7 DO YOU NOW HOLD ANY STATION LICENSE, OTHER THAN THAT COVERED BY ITEM 8, OF THE SAME CLASS AS THAT REQUESTED BY THIS APPLICATION?			
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
8 TOTAL NUMBER OF TRANSMITTERS TO BE AUTHORIZED UNDER REQUESTED STATION LICENSE 4 (Number)			
5 DOES EACH TRANSMITTER TO BE OPERATED APPEAR ON THE COMMISSION'S "RADIO EQUIPMENT LIST, PART C," OR, IF FOR CLASS C OR CLASS D STATIONS, IS IT CRYSTAL-CONTROLLED? (If no, attach detailed description: see subpart C of Part 19)			
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
10 A. WILL APPLICANT OWN ALL THE RADIO EQUIPMENT? (If no, answer B and C below)			
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
B. NAME OF OWNER			
C. IS THE APPLICANT A PARTY TO A WRITTEN LEASE OR OTHER AGREEMENT UNDER WHICH THE OWNERSHIP OR CONTROL WILL BE EXERCISED IN THE SAME MANNER AS IF THE EQUIPMENT WERE OWNED BY THE APPLICANT?			
<input type="checkbox"/> YES <input type="checkbox"/> NO			
11 HAS APPLICANT READ AND UNDERSTOOD THE PROVISIONS OF PART 19, SUBPART D, DEALING WITH PERMISSIBLE COMMUNICATIONS FOR WHICH THIS CLASS OF STATION MAY BE USED?			
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
13 WILL THE USE OF THE STATION CONFORM IN ALL RESPECTS WITH THE PERMISSIBLE COMMUNICATIONS AS SET FORTH IN PART 19, SUBPART D?			
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
13 WILL THE STATION BE OPERATED BY ANY PERSON OTHER THAN THE APPLICANT, MEMBERS OF HIS IMMEDIATE FAMILY, OR HIS EMPLOYEES? (If yes, attach a separate sheet listing the names and relationship of all such persons and give a detailed reason for their operation of your station)			
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
14 IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY OF THE PARTNERS AN ALIEN?			
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
15 IS APPLICANT THE REPRESENTATIVE OF ANY ALIEN OR ANY FOREIGN GOVERNMENT? (If yes, explain fully)			
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
16 WITHIN 10 YEARS PREVIOUS TO THE DATE OF THIS APPLICATION HAS THE APPLICANT OR ANY PARTY TO THIS APPLICATION BEEN CONVICTED IN A FEDERAL, STATE, OR LOCAL COURT OF ANY CRIME FOR WHICH THE PENALTY IMPOSED WAS A FINE OF \$500 OR MORE, OR AN IMPRISONMENT OF 6 MONTHS OR MORE? (See instructions. If yes, attach a separate sheet giving details of each such conviction)			
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
17 IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY PARTNER LESS THAN 18 YEARS OF AGE (LESS THAN 12 YEARS OF AGE IF FOR CLASS C STATION LICENSE)?			
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
18 IF THE PRINCIPAL LOCATION WHERE THE STATION WILL BE USED IS DIFFERENT FROM THE MAILING ADDRESS (ITEM 3), GIVE THAT LOCATION. (DO NOT GIVE POST OFFICE BOX OR RFD NO.)			
NUMBER AND STREET			
CITY		STATE	
IF LOCATION CANNOT BE SPECIFIED BY STREET, CITY, AND STATE, GIVE OTHER DESCRIPTION OF LOCATION			
DO NOT WRITE IN THIS BOX			
SCREENING <input checked="" type="checkbox"/> Y <input type="checkbox"/> N			
SIGNATURE <input checked="" type="checkbox"/> Y <input type="checkbox"/> N			

SIGN AND DATE THE APPLICATION ON REVERSE SIDE

GORDON LACKEY EXHIBIT No. 3—Continued

19. IF APPLICANT IS A NONGOVERNMENTAL CORPORATION, ANSWER THE FOLLOWING ITEMS.		YES	NO	20. IF APPLICANT IS AN UNINCORPORATED ASSOCIATION, ANSWER THE FOLLOWING ITEMS		YES	NO				
A	IS CORPORATION ORGANIZED UNDER LAWS OF ANY FOREIGN GOVERNMENT?			A	IS ANY OFFICER OR DIRECTOR OF THE ASSOCIATION AN ALIEN?						
B	IS ANY OFFICER OR DIRECTOR OF THE CORPORATION AN ALIEN?			B	ARE MORE THAN ONE FIFTH OF THE VOTING MEMBERS OF THE ASSOCIATION ALIENS OR REPRESENTATIVES OF ALIENS FOREIGN GOVERNMENTS OR REPRESENTATIVES THEREOF OR CORPORATIONS ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?						
C	IS MORE THAN ONE-FIFTH OF THE CAPITAL STOCK EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?			C	IS THE ASSOCIATION DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER ORGANIZATION? (If yes, give detailed explanation)						
D	IS APPLICANT DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER CORPORATION? (If yes, answer items E through K below)			USE THIS SPACE FOR ANY ADDITIONAL INFORMATION OR REMARKS							
E	GIVE NAME AND ADDRESS OF CONTROLLING CORPORATION										
F	UNDER THE LAWS OF WHAT STATE OR COUNTRY IS THE CONTROLLING CORPORATION ORGANIZED?										
G	IS MORE THAN ONE-FOURTH OF THE CAPITAL STOCK OF CONTROLLING CORPORATION EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY? (If yes, give details)										
H	IS ANY OFFICER OR MORE THAN ONE-FOURTH OF THE DIRECTORS OF THE CONTROLLING CORPORATION AN ALIEN? (If yes, answer items I and J below)										
I	TOTAL NUMBER OF DIRECTORS IN CONTROLLING CORPORATION										
J	LIST ALL OFFICERS AND DIRECTORS WHO ARE ALIENS IN CONTROLLING CORPORATION AND GIVE BRIEF BIOGRAPHICAL STATEMENT FOR EACH ALIEN										
		NAME	NATIONALITY					OFFICE HELD			
K	IS THE CONTROLLING CORPORATION IN TURN CONTROLLED BY OTHER COMPANIES? (If yes, attach information for each of these controlling companies covering the information requested in items E through J, above)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.							

ALL THE STATEMENTS MADE IN THE APPLICATION AND ATTACHED EXHIBITS ARE CONSIDERED MATERIAL REPRESENTATIONS, AND ALL THE EXHIBITS ARE A MATERIAL PART HEREOF AND ARE INCORPORATED HEREIN AS IF SET OUT IN FULL IN THE APPLICATION.

I CERTIFY THAT:

- The applicant has (or has ordered from the Government Printing Office) a current copy of Part 19 of the Commission's rules governing the Citizens Radio Service;
- The applicant waives any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise;
- The applicant accepts full responsibility for the operation of, and will retain control of any citizens radio station licensed to him pursuant to this application;
- The station will be operated in full accordance with the applicable law and the current rules of the Federal Communications Commission;
- The said station will not be used for any purpose contrary to Federal, State or local law;
- The applicant will have unlimited access to the radio equipment and effective measures will be taken to prevent its use by unauthorized persons; and
- The statements in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

DO NOT OPERATE UNTIL YOU HAVE YOUR OWN LICENSE. USE OF ANY CALL SIGN NOT YOUR OWN IS PROHIBITED.

SIGNATURE: Gordon M. Lackey DATE SIGNED: 20 Jan '64
 (Check appropriate box below):
 INDIVIDUAL APPLICANT MEMBER OF APPLICANT PARTNERSHIP OFFICER OF APPLICANT CORPORATION OR ASSOCIATION OFFICIAL OF GOVERNMENTAL ENTITY

The CHAIRMAN. Mr. Lackey, you have a perfect right to say, if it is right, that this application for a citizens band license was for the purpose of conducting your business. Is that true?

Mr. LACKEY. I am sorry, sir, but I must stand on my position and respectfully decline to answer that question for the reasons as previously stated.

The CHAIRMAN. Then I must ask another question: Was the purpose of the application for the citizens band license because you intended to use it for Klan activities?

Mr. LACKEY. Again, Mr. Chairman, with all possible respect, I decline to answer that question for the reasons as previously stated.

Mr. APPELL. Mr. Lackey, did you know Mr. A. C. Herrington to be the grand kleagle or the head organizer for the White Knights of the Ku Klux Klan of Mississippi?

Mr. LACKEY. Mr. Chairman, I respectfully decline to answer that question for the reasons as previously stated, invoking the fifth amendment to the Constitution of the United States of America.

Mr. APPELL. Mr. Lackey, I put it to you as a fact, and ask you to affirm or deny the fact, that he holds or has held that position.

Mr. LACKEY. Sir, I must, with all respect, decline to answer that question for the reasons as previously stated, sir.

Mr. APPELL. Mr. Lackey, I put it to you as a fact, and ask you to affirm or deny the fact, that among the kleagles at large of the White Knights of Ku Klux Klan of Mississippi you knew the following kleagles:

Woody Mathews from Utica, Mississippi; the Reverend Rank Boyte of Attala, Mississippi; Frank Breeland of Columbia, Mississippi; Ralph Edwards of Yazoo City, Mississippi; J. N. Fortenberry of Jackson, Mississippi; and Bill Sullivan of Pearl, Mississippi.

Mr. LACKEY. I most respectfully decline to answer that question for the reasons as previously stated, sir.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

Mr. WELTNER. Mr. Chairman, I have some questions.

I notice this witness, according to this investigative report, was one of the drafters of the constitution of the White Knights of the Ku Klux Klan, and he has a high school education and for 5 years was intermittently enrolled in a college. For that reason, I would like to ask if you can explain one or two provisions of this constitution:

On page 12 of the constitution, Section 18, it sets forth the duties of the grand chaplain. It says:

The Grand Chaplain shall serve in the capacity of Christian advisor on all questions of morals and idealistic Klavern conduct.

Then it states this, which I hope you can explain to me:

In cases of extreme penalties the advise [sic] of the Grand Chaplain shall be sought and considered.

As one of the drafters of this constitution, what would be an example of a case of extreme penalties?

Mr. LACKEY. Mr. Weltner, I respectfully decline to answer that question for the reasons as previously stated, sir.

Mr. WELTNER. On page 36, Mr. Lackey, of this constitution—and I would like the chief investigator to provide Mr. Lackey with a copy of that constitution if there is any question of it—Section 5 reads as follows:

All Klan functions, regardless of time, place and manner, shall begin with prayer, and end with prayer to Almighty God.

I want to know if that was applied to the case of carrying out extreme penalties as provided in the preceding section?

Mr. LACKEY. Mr. Weltner, with all possible respect, I must decline to answer that question for the reasons as previously stated, invoking the fifth amendment to the Constitution of the United States of America.

Mr. WELTNER. Now if you will examine page 39, Amendment 2 of the original constitution. These amendments were passed on April 19, 1964, to become effective 30 days thereafter. It states:

No disciplinary cross shall be burned on private property without prior approval and investigation by the Province Investigators and Province Titan.

I would like you to tell the committee what is a disciplinary cross?

Mr. LACKEY. Sir, for the reasons as previously stated I must most respectfully decline to answer that question, sir.

Mr. WELTNER. I have no further questions, Mr. Chairman.

Mr. BUCHANAN. Mr. Chairman, I want to ask Mr. Appell, in describing Project 4, did you say extermination?

Mr. APPELL. Yes, sir.

Mr. BUCHANAN. Thank you.

The CHAIRMAN. The witness is excused.

The committee stands at recess until 2:15.

AFTERNOON SESSION—WEDNESDAY, JANUARY 12, 1966

(The subcommittee reconvened at 2:15 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis and Weltner.)

The CHAIRMAN. As chairman of the full Committee on Un-American Activities, I hereby constitute for the purpose of this afternoon's hearings the following subcommittee—myself as chairman, Mr. Weltner, and Mr. Buchanan. This means two constitute a quorum.

Let it be noted in the record that a quorum is present.

Call your first witness.

Mr. APPELL. Thomas Brock.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BROCK. I do.

TESTIMONY OF THOMAS COLLINS BROCK, ACCOMPANIED BY COUNSEL, CHARLES G. BLACKWELL AND TRAVIS BUCKLEY

Mr. APPELL. Will you state your full name for the record?

Mr. BROCK. Thomas Collins Brock.

Mr. APPELL. C-o-l-l-i-n-s?

Mr. BROCK. Yes.

Mr. APPELL. Last name, B-r-o-c-k?

Mr. BROCK. Right.

Mr. APPELL. Mr. Brock, are you appearing before the committee this afternoon in accordance with a subpoena served upon you by Investigator Sullivan of this committee on November 1, 1965?

Mr. BROCK. I am.

The CHAIRMAN. It is understood, attorneys for this witness, that this witness, Mr. Brock—and let us say all others you might represent, heard the opening statement I made outlining the purposes and objectives of these hearings?

Mr. BLACKWELL. I so stipulate.

Mr. APPELL. Mr. Brock, are you represented by counsel?

Mr. BROCK. Yes.

Mr. APPELL. Will counsel please identify themselves for the record?

Mr. BUCKLEY. Travis Buckley, attorney at law, Post Office Box 411, Bay Springs, Mississippi.

Mr. BLACKWELL. Charles Blackwell, attorney at law, Laurel, Mississippi.

Mr. APPELL. Mr. Brock, under the conditions of the subpoena served upon you, there was an attachment thereto made a part of the subpoena, and under the terms of it, it commanded you to bring with you and produce documents set forth in certain paragraphs.

Paragraph 1 reads:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, namely the Mississippi Constitutional Council in your possession, custody or control or maintained by you or available to you as the present or past Chief Klubursar of the White Knights of the Ku Klux Klan of Mississippi.

Mr. Brock, in the representative capacity set forth in paragraph 1 of your subpoena, I ask that you produce those documents.

Mr. BROCK. I am sorry I cannot produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to any such records.

The CHAIRMAN. Do you understand that the subpoena is for you to bring the documents in your representative capacity and not as an individual, as though those documents pertain to your own affairs?

Mr. BROCK. Yes.

The CHAIRMAN. Are you now saying that in the capacity stated in the subpoena you do not now have, and have never had, possession, custody, or control of those documents and they never were available to you?

Mr. BROCK. No, sir; I didn't say that.

The CHAIRMAN. That is where we do not seem to understand each other.

What did you say?

Mr. BROCK. I stated that I could not produce such records as were ordered by this subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do have access to any such records.

The CHAIRMAN. I wish counsel could in a short way explain his client's position. If we could understand each other, I think we could move faster.

Mr. BUCKLEY. I think so too.

What he is saying is simply this, he cannot produce the records because it was not physically in his power to do so at the time the subpoena was issued to him requiring him to.

The CHAIRMAN. Were the documents in your possession at any time before the subpoena was issued upon you?

Mr. BROCK. Mr. Willis, sir, I respectfully decline to answer that question and I invoke as a defense the privileges guaranteed me by the 5th, 1st, and 14th amendments of the Constitution of the United States of America.

The CHAIRMAN. Did you divest yourself of possession, custody, or control, or in any way make it impossible for you to produce those documents because you apprehended that you might be called upon to produce them by subpoena?

(At this point Mr. Buchanan entered the hearing room.)

Mr. BROCK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you know who has possession of those documents?

Mr. BROCK. Mr. Willis, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you occupy a position before this subpoena was served upon you which required you to have possession of the documents, and either resigned or assumed another position whereby someone else would have to assume possession and custody or control and whereby you could transfer those documents to that individual?

Mr. BROCK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did those documents ever exist?

Mr. BROCK. Sir, for the previous reasons already stated, I respectfully decline to answer that question.

Mr. WELTNER. Mr. Brock, have you ever had in your custody, possession, or control the documents listed in the subpoena?

Mr. BROCK. Sir, for the reasons previously stated, I respectfully decline to answer that question. That is in article 1 and 2 as stated on the subpoena.

The CHAIRMAN. Is it not true that, having heard about the hearings to come, some steps were taken to divest you of possession, custody, or control so you can now say what you are saying?

Mr. BROCK. Mr. Willis, sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I tell you, sir, since those documents were ordered to be produced by you in your representative capacity, I do not accept as valid the reasons you have given and, more properly, the reasons you fail to give as justifying your invocation of the constitutional provisions relied upon.

I now therefore order and direct you to produce them in the capacity indicated in the subpoena.

Mr. BROCK. Sir, I cannot produce such records by subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Did you, or to your knowledge did anyone else, destroy the documents?

Mr. BROCK. Sir, for the previous reasons stated, I respectfully decline to answer that question.

The CHAIRMAN. I further tell you, in my opinion, having taken the way out in the self-serving manner you have indicated, I have a right to cross-examine you on that subject and therefore I ask you again: Did those documents exist at any time?

Mr. BROCK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I think by opening the door in the self-serving manner you did in failing to enlighten the committee, it is obviously proper—I must, and now do, order you to answer that question.

Mr. BROCK. Sir, I respectfully decline for the reasons previously stated, and respectfully decline to answer that question.

The CHAIRMAN. Proceed, Mr. Appell.

It is understood he is under order both to answer questions and produce.

Mr. APPELL. Mr. Brock, on June 7, 1964, did you personally, using the hood of an automobile, give a receipt to a Klansman for the payment of funds which they owed to the White Knights of the Ku Klux Klan?

Mr. BROCK. Sir, I respectfully decline to answer that question and invoke the privileges guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

Mr. APPELL. When and where were you born?

Mr. BROCK. Learned, Mississippi, January 19, 1917.

Mr. APPELL. January, Mr. Brock?

Mr. BROCK. June—I beg your pardon.

Mr. APPELL. Would you recite for the committee your educational background?

Mr. BROCK. I attended grade school at Lebanon. Three years at Raymond High School finishing my high school education, and just a month or two at junior college. I finished my high school work at Hines Junior, which at that time had high school work, and then continued about 2 months, I suppose, in college—Hines Junior College, Greenwood, Mississippi.

Mr. APPELL. Since 1960, what has been your employment background?

Mr. BROCK. Principally farming has always been my background.

Mr. APPELL. From what other sources have you received compensation?

Mr. BROCK. I served as justice of the peace a little over 2 years, I believe, and one full 4-year term.

The CHAIRMAN. Was that an elected position? Were you elected?

Mr. BROCK. Yes.

Mr. APPELL. Are you currently a justice of the peace?

Mr. BROCK. No, sir.

Mr. APPELL. What other sources of revenue have you had since 1960?

Mr. BROCK. I believe it was March 1, 1964, I started working for the Hines County Cooperative.

Mr. APPELL. Are you still employed by them?

Mr. BROCK. Yes.

Mr. APPELL. What other sources of revenue have you had since 1960?

Mr. BROCK. Other than maybe an oil lease—you know sometimes they come around and lease for oil—something of that nature, that about covers it.

Mr. APPELL. And that is all of the revenue that you have received from 1960?

Mr. BROCK. Yes, sir.

Mr. APPELL. Did you ever receive any revenue provided for by the White Knights of the Ku Klux Klan for any position that you held within that organization?

The CHAIRMAN. Let's make it plain, as I understand the question, he is asking you for revenues that you might have received as an officer, and I suppose that will be the next question. I do not know. Let it be understood right now that Mr. Appell is asking you, did you receive revenues provided for and which you were entitled to receive personally as a member of the Klan.

Mr. BROCK. Mr. Appell, would you mind repeating your question.

Mr. APPELL. Did you receive any revenue or income from the White Knights of the Ku Klux Klan?

The CHAIRMAN. Personally, and not in a representative capacity for the time being.

Mr. BROCK. No, sir.

Mr. APPELL. The constitution of the White Knights of the Ku Klux Klan provides for reimbursement of travel and meals of officials of that organization. Have you ever received such compensation?

The CHAIRMAN. Or reimbursement.

Mr. APPELL. Or reimbursement?

Mr. BROCK. No, sir.

The CHAIRMAN. Did you receive revenues—and I certainly do not know the answer to this question—as a member or as an official of the Ku Klux Klan which you, in turn, transmitted to someone else?

Mr. BROCK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, I hand you a mimeographed form captioned at the top "Mississippi Constitutional Council." It provides that certain information be supplied: the unit number, county, district, subdistrict, and recruiter's number, and I ask you if that is a cover designation of the White Knights of the Ku Klux Klan, the Mississippi Constitutional Council?

Mr. BROCK. What does this represent? State your question again.

Mr. APPELL. I ask you after reviewing that form whether you know if the Mississippi Constitutional Council shown on the top of that document is the cover designation for the White Knights of the Ku Klux Klan of Mississippi?

The CHAIRMAN. Let me explain that so it will be perfectly clear to you.

We have evidence under oath in the record, in innumerable instances, to the effect that Klan organizations or Klaverns, in order to keep secret the fact they are Klan organizations, operate under assumed or cover names or under front names, and this is what this question is about.

Do you know whether or not the name indicated on that document is a cover name or an assumed name to indicate greater respectability for what is really a Klan organization?

tribution made of it are instructions which are identical with those contained in the constitution as in response to the recruiting of new members.

Mr. Brock, commencing in February of 1964, did you become a klabursar of the White Knights of the Ku Klux Klan?

Mr. BROCK. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, the constitution provides that there will be a board of five klabursars and with one elected by the five to be its chief.

Do you know Everett D. Wiggs of Woodland, Mississippi; Gordon Sykes of Greenville, Mississippi; Jack Williams of Pelahatchie, Mississippi; and Donald Elmer Henshaw of Laurel, Mississippi, to have been fellow klabursars with you?

Mr. BROCK. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Did you attend a meeting of the White Knights of the Ku Klux Klan on June 7, 1964, near Raleigh, Mississippi, a rather large meeting at which some 300 Klansmen were present?

Mr. BROCK. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, it was announced at that meeting that money collected by Donald Henshaw was to be turned over to you as the chief klabursar?

Mr. BROCK. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, I put it to you as a fact, and ask you to affirm or deny the fact, that at that meeting held near Raleigh on June 7, 1964, a speech was made by the Imperial Wizard, Sam Bowers, and that in the course of this speech he urged members to obtain firearms, that he urged younger members to travel to assist law enforcement and emphasized that these members were to stay out of trouble until you catch them, referring to COFO [Council of Federated Organizations] workers, outside the law, and, he said, "then under Mississippi law you have the right to kill them."

Did you hear that speech made by Imperial Wizard Sam Bowers?

The CHAIRMAN. I am sorry, I did not hear the question.

Mr. APPELL. I asked the witness whether or not he was present at the meeting on June 7, 1964, and whether or not he heard a speech by the Imperial Wizard, Sam Bowers, in which the Imperial Wizard urged all members to obtain firearms and urged younger members to travel to assist law enforcement, and emphasized that they should stay out of trouble until you catch them, referring to COFO workers, outside the law and then under Mississippi law, according to the Imperial Wizard, "you have the right to kill them."

Mr. BROCK. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Did Mr. Bowers claim at that meeting that such a thing had happened at Old Miss and, as a result of it, some six United States marshals had been killed there, but the then Attorney General Kennedy was keeping it quiet?

Mr. BROCK. For the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, have you heard within the White Knights of the Ku Klux Klan Projects 1, 2, 3, 4 stemming from threatening telephone calls up to elimination or extermination of people?

Mr. BROCK. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that Bowers at that speech made a report to the Klansmen that there were than 97 projects working which would be completed in the near future?

Mr. BROCK. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. Can you enlighten the committee as to the nature of any one of the 97 projects?

Mr. BROCK. For the reasons previously stated, sir, I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, did you attend the meeting on November 15, 1964, near Brandon, Mississippi, at which there was discussed a moratorium on the third and fourth degree projects?

Mr. BROCK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, I put it to you as a fact, and ask you to affirm or deny the fact, that at that meeting Imperial Wizard Bowers reported that the White Knights of the Ku Klux Klan had incurred some \$19,000 in legal fees, including cash bail, and that the treasury had only \$18,500 and that, in addition, the State Treasury owed \$4,500 throughout the State, including \$500 to the Lauderdale Klavern.

Were you present—I put it to you as a fact and ask you to affirm or deny those facts.

Mr. BROCK. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, did you attend a State meeting of the White Knights in Pearl River County on May 2, 1965?

Mr. BROCK. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the various bursars were called upon to make a report at that meeting and it was reported that Judge Tommy Brock had \$2,100 on hand; that Vincent Purser from Gulfport had \$800; that Dewitt Sandifer, of Jayess, Mississippi, had \$350; and that Billy Buckles advised that Julius Harper had \$400; and that Billy Buckles also advised that the Greenwood Unit had \$1,000.

I put it to you as a fact and ask you to affirm or deny the fact.

Mr. BROCK. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, under the constitution certain financial records are maintained by the klabursars in order to assure the organization that money is not mishandled or that there is no malfeasance in office and other things. Therefore as the chief klabursar you maintained records. When did you dispose of those records?

Mr. BROCK. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. I call Mr. A. C. Herrington.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear the testimony you shall give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HERRINGTON. I do, sir.

**TESTIMONY OF A. C. HERRINGTON, ACCOMPANIED BY COUNSEL,
TRAVIS BUCKLEY AND CHARLES G. BLACKWELL**

Mr. APPELL. Will you state your full name for the record, please?

Mr. HERRINGTON. A. C. Herrington. That is spelled H-e-r-r.

Mr. APPELL. You pronounce it Herrington?

Mr. HERRINGTON. Well, it is pronounced both ways now, H-a and H-e both down there.

Mr. APPELL. Mr. Herrington, are you appearing before the committee this afternoon in accordance with a subpoena served upon you by Investigator John D. Sullivan on November 4, 1965?

Mr. HERRINGTON. That is correct.

Mr. APPELL. Are you represented by counsel?

Mr. HERRINGTON. Yes, sir.

Mr. APPELL. Will counsel please identify themselves for the record?

Mr. BUCKLEY. I am Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. BLACKWELL. Charles G. Blackwell, attorney at law, Laurel, Mississippi.

Mr. APPELL. Mr. Herrington, under the terms of the subpoena served upon you and attachment thereto which is made part of the subpoena, you were called upon in part 1 to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, namely the Mississippi Constitutional Council in your possession, custody or control, or maintained by you or available to you as present or past Exalted Cyclops, King Kleagle or State Organizer of the White Knights, Ku Klux Klan of Mississippi.

Mr. Herrington, I request you to produce the documents in the representative capacity set forth in part 1 of the subpoena.

Mr. HERRINGTON. Sir, I cannot produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Did you have possession, custody, or control or were they available to you in the representative capacity described in the subpoena, the documents called for in the subpoena at any time after March 30, 1965, when the committee announced that it would conduct these hearings?

Mr. HERRINGTON. No, sir.

The CHAIRMAN. Were those records to your knowledge destroyed, done away with in any way?

Mr. HERRINGTON. Sir, I respectfully decline to answer that question and invoke as a defense the privilege guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

The CHAIRMAN. Did you take any steps to divest yourself, or do you know whether anyone else took any steps to divest himself, of these documents so that you could take the position you are now taking today?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. You have refused to produce these documents on the grounds that you are unable to produce them because you have not had possession, custody, or control of them and they have not been available to you since you were served with this subpoena and since March 30, 1965.

Did you have possession, custody, or control of these records or were they available to you at any time?

Mr. HERRINGTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do these document called for in this part of the subpoena exist?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did they ever exist?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Where are they now?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Who has these documents now?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Have you taken the position you have because, as you stated, while you have not had possession, custody, or control in the capacity of the position you held or now hold with the White Knights of the Ku Klux Klan of Mississippi, you nevertheless had them as an official of that outfit under a cover or front name?

Mr. HERRINGTON. Sir, will you repeat the question, please?

The CHAIRMAN. I want to be sure about the situation. You said you did not have possession, custody, or control of these records; that they were not available to you; that you did not destroy them, and then proceeded to invoke the fifth amendment. I am now asking you whether you had custody, possession, or control of these documents not, for example, as king kleagle or State organizer for the White Knights of the Ku Klux Klan, but whether you held them as an official of a cover name or a front name for the White Knights of the Ku Klux Klan of Mississippi.

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Mr. Herrington, you stated that you have not had

possession of the documents mentioned in the subpoena since March 30, 1965. Is that correct?

Mr. HERRINGTON. Yes, sir; that is right.

Mr. WELTNER. Have you had possession of the documents, or any of the documents, mentioned in that subpoena subsequent to February 1, 1965, that date being the first date where there was public discussion of the possibility of investigating the Ku Klux Klan by this committee—February 1, 1965?

Mr. HERRINGTON. Sir, I have those mentioned in number 4 here, the 1045 mentioned.

Mr. WELTNER. I refer to the documents mentioned in paragraph 1—books, records, and documents pertaining to the White Knights of the Ku Klux Klan, the Mississippi Constitutional Council, particularly in a representative capacity.

My question was whether or not you had those documents in your possession at any time subsequent to February 1, 1965. You stated you have not had such documents subsequent to March 30, 1965.

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. WELTNER. I will ask one more question. On March 17, this committee conducted an executive session in which the proposed investigation of the Ku Klux Klan was discussed. That meeting was duly reported in the press and given some degree of coverage.

I will ask you whether or not you have had in your possession between the dates March 17 and March 30 any of the documents mentioned in paragraphs 1 or 2 of that subpoena.

Mr. HERRINGTON. Would you repeat the dates, sir?

Mr. WELTNER. Bear in mind that you have testified under oath you have not had any of these documents since March 30, 1965. That was the date that this committee decided to conduct this investigation.

I asked you, first, whether or not you had any documents subsequent to February 1, 1965, which was the first time there was any widespread public discussion of an investigation of the Klan by this committee. You declined to answer that question on the grounds of the fifth amendment and others.

I stated to you then that on March 17 this committee met, and the indications apparently were in the press reports that there was going to be an investigation.

I want to know whether or not you had in your possession any documents identified in paragraphs 1 or 2 of the Mississippi White Knights or the Mississippi Constitutional Council subsequent to the date March 17.

Mr. HERRINGTON. 1955?

Mr. WELTNER. 1965.

Mr. HERRINGTON. No, sir.

Mr. WELTNER. You had not?

Mr. HERRINGTON. No, sir.

Mr. WELTNER. I have no further questions, Mr. Chairman.

Mr. APPELL. Mr. Herrington, in connection with your response to the production of records and your statement that you are powerless to do so, is any of your answer encompassed within an oath taken by members of the Ku Klux Klan, White Knights of the Ku Klux Klan of Mississippi, which states that:

I swear that I will never be the cause of a breach of secrecy or any other act which may be detrimental to the integrity of the White Knights of the Ku Klux Klan of Mississippi.

Mr. HERRINGTON. Sir, to the best of my knowledge I have told the truth and nothing but the truth on this stand.

Mr. APPELL. Mr. Herrington, the committee's investigation established that you held the position of Klan kleagle for the White Knights of the Ku Klux Klan in Mississippi. Is the committee's information factual?

Mr. HERRINGTON. Sir, for the reason previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Herrington, at the meeting near Raleigh, Mississippi, on June 7, 1964, it was announced that the White Knights of the Ku Klux Klan had organized 62 Klaverns in 82 Mississippi counties. Is that information factual?

Mr. HERRINGTON. Sir, for the reason previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Herrington, the committee's investigation established that, at that meeting of June 7 there was handed out to some 300 Klansmen present a document headed "Harrasment." I hand you a reproduction of a leaflet and ask you if you have ever seen this document, sir.

In looking at that, Mr. Herrington, I would like to explain to you that this is a mimeographed reproduction on both sides of one sheet. In our making a copy it was impossible to reproduce it all on one sheet of paper, so it is on two sheets of paper.

Mr. HERRINGTON. Sir, for the reason previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, I ask permission to put this document in the record.

The CHAIRMAN. It has been put in, and all documents which might have been commented on, handed to, or exhibited to the witness will, as usual, be inserted in the record at the respective points.

(Document previously marked "James Jones Exhibit No. 34." See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 172-173.)

Mr. APPELL. Mr. Chairman, while the entire document is in the record I would like to call the attention of the committee to one paragraph of this document which relates to some equipment which may be found useful in harassment:

(1) Roofing nails; (2) sugar and molasses; (3) firecrackers, (4) snakes and lizards; (5) mad dogs; (6) itching powder; (7) stink bombs; (8) tear gas; (9) paint; (10) lacquer thinner; (11) slingshots, marbles, BB guns, air rifles, bow and arrow, cross bows; (12) blank cartridges and pistols; (13) Roman candles; (14) sky rockets; (15) salt and pepper; (16) noisemakers.

The CHAIRMAN. Mr. Appell, those were recommended acts of harassment?

Mr. APPELL. Instruments which may be used in carrying out acts of harassment described in this document.

The CHAIRMAN. Going beyond that, what does the other document say about the four steps and the procedure of this organization?

Mr. APPELL. We had testimony under oath, Mr. Chairman, that within the White Knights of the Ku Klux Klan they operated with

four projects: Project No. 1, threatening telephone calls or visits; 2, burning of a cross, usually on property of an individual, private property; 3, beating or flogging, burning of property, wild shooting into property, and bombing; 4, extermination.

The CHAIRMAN. Proceed.

Mr. Herrington, did you participate in any of these acts of harassment outlined in the list which Mr. Appell read?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you participate in any of the four steps outlined by Mr. Appell as having been disclosed to this committee under oath?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. WELTNER. I would like to ask a question from this document. A portion of this document, Mr. Herrington, states, that:

As far as our immediate work is concerned, harassment fulfils two important goals: 1. It provides a healthy, not-too-dangerous outlet for the Spirited Enthusiasm of the Membership and trains them to work together. If successful, it boosts morale.

I want to ask you, Mr. Herrington, whether you think the use of mad dogs and tear gas is a healthy, enthusiastic outlet?

Mr. HERRINGTON. Sir, could you be more specific?

Mr. WELTNER. Yes, sir. I will ask the investigator to hand to the witness a copy of this document so that he might have it in his hand and follow the portion from which I read.

Mr. Herrington, if you will look at the third paragraph it states:

As far as our immediate work is concerned, harassment fulfils two important goals: 1. It provides a healthy, not-too-dangerous outlet for the Spirited Enthusiasm of the Membership and trains them to work together. If successful, it boosts morale.

Then at the bottom of the first page of the document, some equipment which may be found useful in harassment is listed. Then there are 16 different items. Two of those are mad dogs and tear gas.

My question to you is this: Do you feel that the use of mad dogs and tear gas in harassing other persons is a healthy, not-too-dangerous outlet for spirited enthusiasm?

Mr. HERRINGTON. No, sir, I don't think it is.

Mr. WELTNER. Look at that list there and tell me whether you feel that any of these 16 items constitute a healthy, not-too-dangerous outlet for spirited enthusiasm.

Mr. HERRINGTON. No, sir; I do not.

Mr. WELTNER. You are stating under oath now that not a single one of these recommended items of equipment is really a healthy outlet for enthusiasm?

Mr. HERRINGTON. Sir, within a rule I state that I see no use in them.

Mr. WELTNER. Look on the second page, there. It states:

In addition to the regular equipment herein [sic] listed, the proper use of the Telephone must be given tremendous weight as an effective means of harassment. * * *

I would like to ask you whether or not you feel that the telephone is a proper instrument for harassing others.

Mr. HERRINGTON. No, sir, I cannot see how it would be.

Mr. WELTNER. Have you ever seen this document before?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Mr. Herrington, on page 2, the fourth paragraph of the document begins as follows—I refer to the fourth full paragraph:

It must always be remembered that ours is a Nocturnal Organization. We work best at night and our greatest victories will be achieved at night.

Then it says:

Cameras do not work so well at night. We must harass the enemy at night, and, in general have little or nothing to do with him in the daytime. * * *

What victories are referred to in that statement? What is the meaning of "our greatest victories" where it states, "We work best at night"?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. WELTNER. I have just one more question. I would like you to take just a few seconds to glance through this document because I would like to ask you this:

On page 1, the second paragraph, it states:

In general, harassing should always have a humorous twist to it and should be in the nature of Halloween Pranks. * * *

That is the first line of the second full paragraph. Then you will see the type of harassment recommended.

Do you feel that harassment such as indicated in here constitutes a proper course of conduct for any organization in the United States?

Mr. HERRINGTON. Sir, in my opinion, no, sir.

Mr. WELTNER. Do you see anything humorous about a series of acts of harassment such as indicated in this document?

Mr. HERRINGTON. No, sir.

Mr. WELTNER. Have you ever engaged in any acts of harassment such as indicated in this document?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Mr. Herrington, in response to my question of whether you ever engaged in any acts of harassment, I want to ask you this: Have you ever engaged in any acts of harassment as indicated in this document subsequent to March 30, 1965? That is the date this committee resolved to conduct this investigation.

Mr. HERRINGTON. No, sir.

Mr. WELTNER. May I ask whether or not you have engaged in any such acts of harassment subsequent to February 1, 1965?

Mr. HERRINGTON. Would you repeat that, sir?

Mr. WELTNER. Yes, sir. This is the same series of questions in an effort to fix the base involved here. We asked you about March 30 because that is the date this committee undertook to conduct this investigation. February 1 was the first date there was any widespread discussion of the possibility of an investigation by this committee.

I am merely trying to get some idea here about activity with relation to these two things.

You stated that subsequent to March 30 you have not engaged in any acts indicated in this document. You have stated that under oath.

I will ask you the same question—have you engaged in any such acts of harassment as indicated in this document subsequent to February 1, 1965?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Mr. Herrington, I have just one more question for you. On this date, January 12, 1966, are you now a member of any Klan organization?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. The witness is excused unless Mr. Appell has further questions.

Mr. APPELL. Mr. Chairman, I think the record reads that the witness declined to answer the question. I think that the witness intended to state the grounds previously stated. I don't want the record to be confused if this is what the witness intended.

Mr. BUCKLEY. Would you like him to answer the question again?

Mr. WELTNER. I will repeat the question.

Mr. Herrington, are you now on this date, January 12, 1966, a member of any Ku Klux Klan organization?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Herrington, on September 20, 1964, did you attend a State executive meeting of the White Knights of the Ku Klux Klan at which bombings and burnings were discussed?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that in the course of this discussion the position taken by yourself was that you opposed church bombings unless COFO workers were present, and Ernest Gilbert favored throwing heathens out, but he opposed burnings or bombings; that the Grand Dragon, Harper, was against burnings; that the Grant Giant, Buckles, and the Imperial Wizard, Bowers, expressed the same views that you expressed?

Mr. HERRINGTON. Sir, for the reason previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Herrington, on September 28, 1964, did you meet with representatives of the Pike County group of the United Klans of America who were discussing with you their desire to get a case of dynamite, some nitroglycerin, and hand grenades?

Mr. HERRINGTON. Sir, for the reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. Mr. Herrington, have you ever made a statement to law enforcement agencies in Mississippi that you have never been a member of the Ku Klux Klan?

Mr. HERRINGTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Herrington, in June of 1964 did you assist Thomas B. Thrasher in establishing a Klavern of the White Knights of the Ku Klux Klan at Pascagoula, Mississippi, which was comprised mostly of employees of the Ingalls Shipyard?

Mr. HERRINGTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask this witness.

The CHAIRMAN. The witness is excused. Call the next witness.

Mr. APPELL. Mr. Byron de la Beckwith.

The CHAIRMAN. Will you raise your right hand? You solemnly swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DE LA BECKWITH. I do, sir.

**TESTIMONY OF BYRON DE LA BECKWITH, ACCOMPANIED BY
COUNSEL, TRAVIS BUCKLEY AND CHARLES G. BLACKWELL**

Mr. APPELL. State your full name for the record.

Mr. DE LA BECKWITH. Byron de la Beckwith, sir.

Mr. APPELL. You are appearing in accordance with a subpoena served on you on November 19, 1965, by John D. Sullivan, an investigator of this committee?

Mr. DE LA BECKWITH. Yes, sir.

Mr. APPELL. When and where were you born, Mr. de la Beckwith?

Mr. DE LA BECKWITH. I was born in Sacramento, California, November 9, 1920, sir.

Mr. APPELL. Are you represented by counsel?

Mr. DE LA BECKWITH. I am, sir.

Mr. APPELL. Will counsel please identify themselves for the record?

Mr. BUCKLEY. I am Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. BLACKWELL. And I am Charles G. Blackwell, attorney at law, Laurel, Mississippi.

Mr. APPELL. Mr. de la Beckwith, under the conditions of the subpoena served upon you and the attachments thereto, you were ordered and directed to bring with you, under part 1:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the Knights of the Ku Klux Klan and affiliated organizations, namely the Mississippi Constitutional Council in your possession, custody or control or maintained by you or available to you as a present or past member of the White Knights of the Ku Klux Klans of Mississippi, also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

In your representative capacity as a member of that organization, I ask you to produce any documents in your possession.

Mr. DE LA BECKWITH. Sir, in answer to your question, I could not produce such records as those ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Did you have possession, custody, or control or were they available to you in the representative capacity described in the subpoena, the documents called for in the subpoena at any time after March 30, 1965?

Mr. DE LA BECKWITH. No, sir.

The CHAIRMAN. Did you have such possession, custody, or control or were such records at any time available to you since February 1, 1965?

Mr. DE LA BECKWITH. No, sir.

The CHAIRMAN. Did you take any steps, alone or with others, to divest yourself of such possession, custody, or control or to see to it that they were no longer available to you so that you could take the stand and testify as you have testified thus far?

Mr. DE LA BECKWITH. No, sir.

The CHAIRMAN. Do these documents called for in this part of the subpoena referred to exist?

Mr. DE LA BECKWITH. Is that all, sir?

The CHAIRMAN. Yes.

Mr. DE LA BECKWITH. Sir, I respectfully decline to answer that question and invoke as a defense the privilege granted to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America, sir.

The CHAIRMAN. Did they ever exist?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

The CHAIRMAN. Where are they now?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

The CHAIRMAN. Who has these documents now?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

The CHAIRMAN. Did you do anything to permit yourself to be divested of these records? For example, did you by arrangement of any kind place them anywhere so that a third party could assume possession, custody, and control of them?

Mr. DE LA BECKWITH. No, sir.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. APPELL. Mr. de la Beckwith, would you give us your educational background?

Mr. DE LA BECKWITH. Yes, sir. I attended grade school in Greenwood; prep school in Tennessee; graduated from Greenwood High School and attended one semester at Mississippi State, sir.

Mr. APPELL. When did you complete your semester at Mississippi State?

Mr. DE LA BECKWITH. In 1941, I believe; yes, sir.

Mr. APPELL. Did you have military service, sir?

Mr. DE LA BECKWITH. Yes, sir.

Mr. APPELL. What was your military record?

Mr. DE LA BECKWITH. I was a member of the United States Marine Corps 4 years at Guadalcanal and Tarawa. I was wounded at Tarawa and received an honorable discharge and returned to civilian life in 1946.

Mr. APPELL. What has been your employment background since 1960?

Mr. DE LA BECKWITH. Sir, for many years I was a salesman with a wholesale tobacco firm in Greenwood, Mississippi, and in the past 3 years I have been a salesman for a dealer in liquid-mixed fertilizers, chemical fertilizers.

Mr. APPELL. Is that the Delta Liquid Plant Food Company in Greenwood?

MR. DE LA BECKWITH. The Delta Liquid Plant Food Company, Inc., of Greenville, Mississippi.

MR. APPELL. Is that whom you are employed by now?

MR. DE LA BECKWITH. Yes, sir.

MR. APPELL. Mr. de la Beckwith, do you know the witness who preceded you to the stand this morning, Gordon Lackey?

MR. DE LA BECKWITH. Sir, I respectfully decline to answer that question and invoke as a defense the privilege guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

MR. APPELL. Did Mr. Lackey recruit you into membership in the White Knights of the Ku Klux Klan in August 1965?

MR. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

MR. APPELL. Mr. de la Beckwith, were you in the room this morning when I described to Mr. Lackey the incident whereby the rental property of Mr. M. F. White which had been recently painted had been defaced by the spraying of a black line around that property?

THE CHAIRMAN. I understand the simple question is, Was he in the hearing room?

MR. DE LA BECKWITH. Yes, sir; I was here, sir.

MR. APPELL. Did you assist in the act of defacing that property?

MR. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

MR. APPELL. Mr. de la Beckwith, in the early morning hours of March 5, 1965, 11 quart beer bottles filled with gasoline, with rags held into them by 2-inch machine bolts, were thrown at the property of Laura McGee of Greenwood, Mississippi. Do you possess any knowledge of that, sir?

MR. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

MR. APPELL. Mr. de la Beckwith, on August 8, 1965, did you attend a State klonvocation of the White Knights of the Ku Klux Klan held off Elden Road in Jackson, Mississippi?

MR. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question.

MR. APPELL. At that time were you appointed a kleagle or organizer for the White Knights of the Ku Klux Klan?

MR. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

MR. APPELL. If you did not violate the constitution of the White Knights of the Ku Klux Klan, why is it you have not had in your possession since March 30, 1965, the documents called for in the subpoena?

MR. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

MR. APPELL. Have you recently attended several rallies of the United Klans of America?

MR. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

MR. APPELL. Are you currently a member of any Ku Klux Klan organization?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

Mr. APPELL. I have no further questions of this witness, Mr. Chairman.

The CHAIRMAN. Mr. de la Beckwith, you appear to be a man of intelligence and you attended for at least one semester a university. Would you care to describe the objectives, purposes, and programs of the Ku Klux Klan organization?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

The CHAIRMAN. The Chair announces that it is the committee's view that it would not be proper to go into matters in which this witness might have been involved as a principal but which have not been finally resolved.

Mr. DE LA BECKWITH. I certainly appreciate that courtesy; thank you, sir.

The CHAIRMAN. The Chair was referring to criminal matters and I must say to the witness that we appreciate his expression, but we have taken that attitude because of our own determination of the propriety of our inquiry.

The witness is excused.

Call the next witness.

Mr. APPELL. Mr. Mordaunt Hamilton.

The CHAIRMAN. Please raise your right hand. You solemnly swear, sir, the testimony you will give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HAMILTON. I do.

TESTIMONY OF MORDAUNT HAMILTON, ACCOMPANIED BY COUNSEL, TRAVIS BUCKLEY AND CHARLES G. BLACKWELL

Mr. APPELL. Mr. Hamilton, will you state your full name for the record, please?

Mr. HAMILTON. Mordaunt Hamilton.

The CHAIRMAN. And that is spelled M-o-r-d-a-u-n-t?

Mr. HAMILTON. Correct, sir.

Mr. APPELL. Mr. Hamilton, you are appearing today in accordance with a subpoena served upon you on October 27, 1965, by Investigator John D. Sullivan at the Polk Hardware Company in Hattiesburg, Mississippi?

Mr. HAMILTON. That is correct, sir.

Mr. APPELL. Are you represented by counsel?

Mr. HAMILTON. Yes, sir.

Mr. APPELL. Will counsel identify themselves for the record, please?

Mr. BUCKLEY. I am Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. BLACKWELL. I am Charles G. Blackwell, attorney at law, Laurel, Mississippi.

Mr. APPELL. Mr. Hamilton, under the conditions of the subpoena served upon you and the attachment thereto which was made a part of the subpoena, it calls for in paragraph 1 your production of:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire,

United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, also the White Knights of the Ku Klux Klan of Mississippi and the Mississippi Constitutional Council in your possession, custody or control, or maintained by you or available to you as present or past member of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan and the White Knights of the Ku Klux Klan of Mississippi.

In your representative capacity as a member of that organization, I ask you to produce any documents in your possession.

Mr. HAMILTON. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Did you have possession, custody, or control, or were they available to you in the representative capacity described in the subpoena, the documents called for in the subpoena, at any time after March 30, 1965?

Mr. HAMILTON. No, sir.

The CHAIRMAN. Did you have any such possession, custody, or control or were those records available to you at any time since February 1, 1965?

Mr. HAMILTON. No, sir.

The CHAIRMAN. Do these documents called for in the subpoena exist?

Mr. HAMILTON. Sir, I respectfully decline to answer that question and invoke as a defense the privileges granted to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

The CHAIRMAN. Did they ever exist?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Where are they now?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Who has those documents?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you take any steps, alone or with others, to divest yourself of those records so that you could assume the position and testify in the way you are now testifying?

Mr. HAMILTON. No, sir.

The CHAIRMAN. Did you permit that to occur in any way? For example, did you by arrangement, or otherwise, with other parties place them anywhere so that you would know that you had been divested of them?

Mr. HAMILTON. No, sir.

The CHAIRMAN. Have you ever had those documents in your possession, custody, or control?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. When was the last time you had them?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I don't catch, but we will see. Proceed.

Mr. HAMILTON. Sir?

The CHAIRMAN. I don't catch, but we will see. Proceed.

Mr. APPELL. When and where were you born, Mr. Hamilton?

Mr. HAMILTON. I was born in Forrest County, Mississippi.

Mr. APPELL. When?

Mr. HAMILTON. February 6, 1908.

Mr. APPELL. Where do you presently reside?

Mr. HAMILTON. 711 South Main Street, Petal, Mississippi, an unincorporated community in Forrest County, Mississippi.

Mr. APPELL. That is P-e-t-a-l?

Mr. HAMILTON. That is right, sir.

Mr. APPELL. Would you briefly give the committee your educational background?

Mr. HAMILTON. I finished high school at East Forrest Consolidated School, Forrest County, Mississippi.

Mr. APPELL. What year was that, sir?

Mr. HAMILTON. 1928, I believe, sir.

Mr. APPELL. Since 1960 would you give the committee a brief résumé of your employment background?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. What was that question? Was it about his educational background?

Mr. APPELL. His employment background since 1960.

The CHAIRMAN. All right.

Mr. APPELL. I give it to you as a fact, and ask you to affirm or deny the fact, that you do business in the name of the Polk Hardware Company, 116 Market Street, Hattiesburg, Mississippi.

Mr. HAMILTON. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, do you know Sam Holloway Bowers, Jr., the Imperial Wizard of the Ku Klux Klan?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, toward the end of 1964 or early 1965, did the Forrest County Klavern hold a meeting in a barn owned by you in Petal, Mississippi?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that both Imperial Wizard Bowers and Travis Ainsworth of the White Knights attended that meeting and you pulled a gun on them, relieved them of their guns, and told them they could not leave the meeting until they had repaid some money which had been turned over to Ainsworth in connection with the purchase of Klan robes.

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that on January 25, 1965, Bowers, accompanied by some of his Klansmen, came to your area to get revenge and left after he was

advised by one of your Klansmen that if Bowers wanted to get you he would have to come after you?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, I put it to you as a fact, and ask you to affirm or deny the fact, that doing business as the Polk Hardware Company you possess a Federal firearms control gun license?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I ask you if you have sold weapons, pistols, rifles, and ammunition to individuals you know to be members of Klan organizations?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, do you know the Reverend Robert L. Beech of Hattiesburg, Mississippi?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. On 10-3-64 did you assault the Reverend Beech when he came into your hardware store for the purpose of purchasing a stepladder?

Mr. HAMILTON. Sir, would you repeat that question for me?

Mr. APPELL. On October 3, 1964, did you assault the Reverend Robert L. Beech when he came into the Polk Hardware Store for the purpose of purchasing a stepladder?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, was the assault upon Reverend Beech in any way related to your membership in the Ku Klux Klan?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, on January 23, 1965, were you charged with assault and battery and fined \$25? On January 25, 1965, were you charged with assault and battery? On February 4, 1965, were you charged with assault and battery? And on August 10, 1965, did you assault and strike David Nesmith? Were all these assaults I have referred to, Mr. Hamilton, due to your affiliation with Klan organizations?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. After the assault upon Imperial Wizard Bowers, did you take the Forrest County Klavern out of the White Knights of the Ku Klux Klan and affiliate with the United Klans of America?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Are you currently a member of the United Klans of America?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, the committee's investigation indicates you served as exalted cyclops of the Forrest County Klavern. Is that information correct?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, were you aware of the fact that orders were issued by Imperial Wizard Bowers that the purchase of guns from Hamilton had been canceled?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Mr. Hamilton, it has come to my attention that the assaults mentioned by Mr. Appell were, in fact, connected with Klan activities. Is that true or not?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

Mr. APPELL. I have no further questions.

The CHAIRMAN. The witness is excused.

Mr. APPELL. Donald Leo Mathieu.

Mr. BUCKLEY. When the witness is excused, he is finally excused?

The CHAIRMAN. Yes.

Please raise your right hand.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MATHIEU. Yes.

TESTIMONY OF DONALD LEO MATHIEU, ACCOMPANIED BY COUNSEL, CHARLES G. BLACKWELL AND TRAVIS BUCKLEY

Mr. APPELL. State your full name for the record, Mr. Mathieu.

Mr. MATHIEU. Donald Leo Mathieu.

Mr. APPELL. Are you appearing here in accordance with a subpoena served upon you on October 28, 1965?

Mr. MATHIEU. Yes, sir.

The CHAIRMAN. Are you represented by counsel?

Mr. MATHIEU. Yes.

Mr. APPELL. Will counsel please identify themselves for the record?

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. BLACKWELL. Charles Blackwell, Laurel, Mississippi.

Mr. APPELL. Mr. Mathieu, when and where were you born?

Mr. MATHIEU. In Pascagoula, Mississippi.

Mr. APPELL. When?

Mr. MATHIEU. In Jackson County, February 10, 1931.

Mr. APPELL. Would you give the committee a brief résumé of your educational background?

Mr. MATHIEU. I have a seventh grade education.

Mr. APPELL. Would you give the committee the benefit of your employment background since 1960?

Mr. MATHIEU. Yes, sir.

I worked at the Ingalls Shipbuilding Corporation for approximately 2 years. I then worked for John I. Walker Shipbuilding Corporation with Western Geophysical.

Mr. APPELL. Mr. Mathieu, you are appearing here in accordance to a subpoena served upon you on October 28, 1965, at 2438 Ken Avenue, Pascagoula, Mississippi?

Mr. MATHIEU. Yes, sir.

Mr. APPELL. At the time you were served with the subpoena, did you admit to Investigator Sullivan sitting to my right that you had been a member of the White Knights of the Ku Klux Klan?

Mr. MATHIEU. I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. Did you know Burrell Lindsey White to be the exalted cyclops of your Klavern?

Mr. MATHIEU. For reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you attended only two meetings of the White Knights of the Ku Klux Klan. At the second meeting you paid your \$10 initiation fee and you attended no further meetings because you were advised that as a Klansman, if you were ordered to kill someone by a Klan official, that you would have to do so as a good Klansman.

The CHAIRMAN. Mr. Mathieu, the question is, Did you say that?

There is no trick in this question. I might tell you, as I understand the further part of that statement, you probably had left the Klan. You know you can say that if that is true.

I will be perfectly frank with you, it was the hope of this committee that you would say "yes" to these questions, that you quit the Klan because you said if you were ordered to kill someone by a Klan official, you would have to do that and you did not care to do such an act.

Do not be afraid to answer that if that is true.

Mr. WELTNER. Before he answers the question, I would like to state also that I am advised that this committee has no information concerning any acts of violence or any breaches of order on the part of this witness; that there is nothing in the investigative files to date concerning him that indicates any more than attendance at one or two meetings.

I make this statement simply in connection with what the chairman stated. Apparently this witness almost got in, and got out in a hurry. Possibly the chairman will want the investigator to rephrase the question at this point.

Mr. APPELL. Mr. Mathieu, I put it to you as a fact, and ask you to affirm or deny the fact, that you attended only two meetings of the White Knights of the Ku Klux Klan held at Lightseys Cabins in the summer of 1964; that at the second meeting you paid a \$10 initiation fee; and that you attended no further meetings because you were informed by Klansmen that if you were ordered to kill someone by Klan officials, you would have to do it as a good Klansman.

Mr. MATHIEU. For the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. What I have now asked you under oath has been asked you by law enforcement officials not under oath, and I ask you if, when you gave them the information that I now just stated to you, you were telling the truth.

Mr. MATHIEU. For reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. In light of the position taken by the witness, I have no further questions to ask.

Mr. WELTNER. Mr. Mathieu, has any member of the Klan intimidated you or made any indications to you about any results that might occur if you came here and testified voluntarily?

Mr. MATHIEU. No, sir; no one has tried to intimidate me.

Mr. WELTNER. Mr. Mathieu, following that along, do you have any fears that if you were to testify fully in response to the questions put to you, there might be some unpleasant result from members of the Klan?

Mr. MATHIEU. No, sir.

Mr. WELTNER. And the only reason you refuse to answer the question is on the constitutional grounds stated?

Mr. MATHIEU. Will you repeat the question?

Mr. WELTNER. The only reason you have for refusing to answer the questions is on the constitutional grounds that you have previously stated?

Mr. MATHIEU. Yes, sir.

The CHAIRMAN. The witness is excused.

The committee stands in recess until 10:45.

(Subcommittee members present at time of recess: Representatives Willis and Weltner.)

(Whereupon, at 4:45 p.m., Wednesday, January 12, 1966, the subcommittee recessed, to reconvene at 10:45 a.m., Thursday, January 13, 1966.)



ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

THURSDAY, JANUARY 13, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities, as reconstituted for the January 13 hearings, met, pursuant to recess, at 11:15 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Charles L. Weltner, of Georgia; and Del Clawson, of California.)

Subcommittee members present: Representatives Willis, Weltner, and Clawson.

Committee member also present: Representative George F. Senner, Jr., of Arizona.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; and Donald T. Appell, chief investigator.

The CHAIRMAN. The subcommittee will please come to order.

The Chair wishes to make this brief announcement: At a meeting of the full committee this morning, the members present unanimously approved the recommendations of two subcommittees that certain persons be cited for contempt of Congress. The recommendations by the subcommittees, unanimously approved by the full committee, concerned the following:

That Dr. Jeremiah Stamler, Yolanda Hall, and Milton Cohen, who were witnesses subpoenaed in hearings held in Chicago last May and who refused to testify, walking out of the hearing room without being excused from the subpoena and in the defiance of directions to the contrary, be cited for contempt of Congress.

A second action of the full committee unanimously approved the recommendation of this subcommittee, made last week, that Robert M. Shelton, James R. Jones, Robert E. Scoggin, Calvin F. Craig, Marshall R. Kornegay, George F. Dorsett, and Robert Hudgins, who, as previously outlined, all hold high offices in klanism, likewise be cited for contempt.

Incidentally, I, as chairman, was directed to take the usual course of action to bring this matter to the floor of the House and that will be done as expeditiously as possible.

Mr. Appell, call your first witness.

Mr. APPELL. Louis Anthony DiSalvo.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear the testimony you will give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DiSALVO. I do.

The CHAIRMAN. I, as chairman of the full committee, hereby constitute as a subcommittee for the purpose of the hearings today three members as follows: Myself as chairman, Mr. Weltner, and Mr. Clawson, as members.

Let the record show that the full subcommittee is present now and that two will constitute a quorum for the purpose of today's hearings.

Now, please be sworn.

Mr. DiSalvo, do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DiSALVO. I do, sir.

TESTIMONY OF LOUIS ANTHONY DiSALVO

Mr. APPELL. Mr. DiSalvo, will you state your full name for the record?

Mr. DiSALVO. Louis Anthony DiSalvo.

Mr. APPELL. How do you spell your last name?

Mr. DiSALVO. D-i-S-a-l-v (as in victory) -o.

Mr. APPELL. Mr. DiSalvo, are you appearing before the committee this morning in accordance with a subpoena served upon you in your barber shop in Waveland, Mississippi, by Investigator Sullivan of this committee on October 28, 1965?

Mr. DiSALVO. Yes, sir, I am.

Mr. APPELL. Are you represented by counsel?

Mr. DiSALVO. No, sir, I am not.

Mr. APPELL. Do you desire counsel?

Mr. DiSALVO. No, sir.

The CHAIRMAN. Mr. DiSalvo, I want to inform you that, although you are not represented by an attorney, you have the right, which will be respected as though you had a lawyer, to invoke the fifth amendment and we will recognize your invocation, if you decide upon that course.

I am quite sure you were in the hearing room when previous witnesses were asked whether they were familiar with the opening statement I made last October 19, which outlined the reasons for the purposes of these hearings. You are generally familiar with that; are you not?

Mr. DiSALVO. Yes, sir.

The CHAIRMAN. Proceed.

Mr. APPELL. As a matter of fact, Mr. DiSalvo, a mimeographed copy of the pertinent portions of the chairman's opening statement was given you when you arrived in Washington in accordance with this subpoena?

The CHAIRMAN. That is correct, is it?

Mr. DiSALVO. That is right, sir.

MR. APPELL. Mr. DiSalvo, under the terms of the subpoena and an attachment thereto which was made a part of the subpoena, you were ordered under paragraph 1 to bring with you and to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, also the complete records of your buying and selling of firearms and the Mississippi Constitutional Council in your possession, custody or control or maintained by you or available to you as member or officer of the White Knights of the Ku Klux Klan of Mississippi.

In the representative capacity set forth in your subpoena, Mr. DiSalvo, I ask you to produce the documents called for.

MR. DISALVO. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in a subpoena dated October 6, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States, and I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 6, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor in such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8 adopted January 4, 1965.

THE CHAIRMAN. Mr. DiSalvo, just as a matter of comment, I recognize the wording of your refusal to produce these documents as being a form which has been recommended to his clients by Mr. Chalmers and I notice that you do not rely on the fact that these documents are not, and never have been, in your possession and control as some others have said.

Now, you do not have a lawyer, but let me explain this to you. This subpoena calls upon you to produce documents in your representative capacity and not in your individual capacity. In other words, it does not call upon you to produce, for example, items such as your own personal income tax and your own personal papers. It calls upon you to produce documents that came into your possession and custody as an official or whatever representative capacity you had with Ku Klux Klan activities.

You understand the difference, do you?

MR. DISALVO. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

THE CHAIRMAN. Well, you could have safely said that you understood the difference because that is the course of action Mr. Chalmers represented to his clients. But since you invoke the constitutional privileges, I again tell you that you are being asked to produce documents in your representative capacity and, since the subpoena calls upon you to produce documents in your representative capacity, we do not accept as valid the grounds which you have relied on for failure to produce them. That being the case, I order and direct you to produce them.

I say to you, though I see you are intelligent and probably know it already, if you wish, you have the right, again, to not carry out my order and direction. I order and direct you to produce the documents.

Mr. DiSALVO. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in its subpoena dated October 6, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America, and I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 6, 1965, for that information is not relevant or germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor in such way inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8 adopted January 4, 1965.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. DiSalvo, I suggest to you—and I do not ask you to do, but just suggest to you—that with respect to additional documents which you are called upon to produce, if you desire to use those reasons, this committee will accept all of those reasons by a reply on your part that you refuse to produce for the reasons previously stated.

Paragraph 2 calls upon you to produce :

All books, records, documents, correspondence and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as member or officer of the White Knights of the Ku Klux Klan, which the "Constitution and Laws" of the said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

In the representative capacity set forth in paragraph 2, Mr. DiSalvo, I ask you to produce the documents called for in paragraph 2.

Mr. DiSALVO. I respectfully decline to answer on the grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask for a direction.

The CHAIRMAN. Mr. DiSalvo, for the reasons I gave a while ago, I order and direct you to produce.

Mr. DiSALVO. I respectfully decline to answer on the grounds previously stated.

The CHAIRMAN. You mean, you respectfully decline to produce the documents on the grounds previously stated. That is what you mean?

Mr. DiSALVO. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 6, 1965, for the reason that I honestly feel to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America, and I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 6, 1965, for that information is not relevant and germane to the subject under investigation and the same will not aid the Congress in consideration of any valid remedial legislation, nor

with such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8 adopted June 4, 1965.

Mr. APPELL. Mr. DiSalvo, paragraph 4 calls upon you to produce:

All books, records, documents, correspondence and memoranda in your possession, custody or control or maintained by you, which in any way refer to the purchase or sale of firearms.

Mr. DiSALVO. I respectfully decline to answer and deliver on the grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce those documents called for in paragraph 4.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. DiSalvo, when and where were you born?

Mr. DiSALVO. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights—in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. DiSalvo, prior to July of 1965, did you hold membership in the White Knights of the Ku Klux Klan of Mississippi?

Mr. DiSALVO. I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. Since July of 1965, have you been a member of the United Klans of America, Realm of Mississippi, which is known under the cover name of the Mississippi Rescue Service?

Mr. DiSALVO. I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. Mr. DiSalvo, do you hold a license under the Federal Firearms Act as a gun dealer?

Mr. DiSALVO. I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. As a member of a Klan organization, have you ever discussed acts of violence, including the creation of firing squads and the dynamiting of a train carrying any specific passengers?

Mr. DiSALVO. I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claimed privilege and his consistent refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. DiSalvo.

Louis Anthony DiSalvo was born on January 31, 1927, at New Orleans, Louisiana. He is self-employed as an operator of a Shell gasoline station and as the operator of Louis Barbershop. In addition thereto, as a part of his gasoline station he applied for and received a license under the Federal Firearms Act. He completed a 10th grade education and received a high school equivalent diploma through an Armed Forces Equivalency Test. He served in the United States Maritime Service from May 1945 to November 1945 and in the United States Army from November 1945 to May of 1947, receiving an honorable discharge. On June 16, 1964, Mr. DiSalvo applied for a retail dealer's license under the Federal Firearms Act. However, prior to applying for the license he purchased between 50 and 70

7.62 Fincub Sporter rifles and 30.06 Springfield rifles from J. C. Newberry Department Store, Edgewater Plaza Shopping Center, Mississippi City, Mississippi. After receipt of license he purchased, on August 28, 1964, from Hunters Lodge, Incorporated, Alexandria, Virginia, eighteen 7.62 Russian M40 Tokarev rifles, six 30.06 Springfield rifles, and 10,000 rounds of 7.62 Russian "M.C." ammunition.

An examination of the serial numbers of the Russian 7.62 rifles shipped by Hunters Lodge to DiSalvo establishes that four of the rifles were identical with rifles found in the possession of the acting EC of the UKA Klaverns who was arrested and who pleaded guilty of charges lodged against him for certain bombings in the McComb, Mississippi, area.

DiSalvo's records, according to the ATU inspection—

The CHAIRMAN. What do you mean by that?

Mr. APPELL. Under the law a gun dealer must keep records of sales of arms and ammunition, and periodically the ATU makes inspections.

The CHAIRMAN. What is the ATU?

Mr. APPELL. The Alcoholic Tax Unit.

The CHAIRMAN. Administering the gun license law?

Mr. APPELL. Yes, sir. I am sorry.

The CHAIRMAN. Under the Treasury Department?

Mr. APPELL. Yes, sir.

The inspection reflects the sale of 12 rifles to Kelly Dunaway of Jayess, Mississippi, and one each to Dillard Houston, Poplarville, Mississippi, and E. Gilbert of Brookhaven, Mississippi, all members of the Klan, with Gilbert at that time being the grand director of the Klan Bureau of Investigation of the White Knights of the Ku Klux Klan of Mississippi.

At the time DiSalvo was buying and selling rifles and ammo, he was a member of the White Knights and the exalted cyclops of a Klavern in Hancock County. At one time DiSalvo indicated to members of a White Knights Klavern at Poplarville, Mississippi, that he was attempting to recruit a firing squad for the Klan under the direction of Sam Bowers, the Imperial Wizard, and himself. As a result, members of the Klavern discussed dropping out of the White Knights and reaffiliating with the United Klans of America. The membership felt that not only would such a squad be used against informants of Klan activities, but against Klansmen who were not informants but who might be suspected.

In September of 1964, DiSalvo suggested to other Klansmen that they could dynamite the train carrying Mrs. Lyndon B. Johnson when she came through Mississippi. He discussed places where dynamite may be obtained and the use of boats for possibly dynamiting a bridge over which the train carrying Mrs. Johnson was to travel.

On July 17, 1965, DiSalvo sat on the speakers platform at the United Klans of America rally held at Crossroads Community, Poplarville, Mississippi. On October 27, 1965, DiSalvo acted as master of ceremonies at the United Klans of America rally held at Bay Saint Louis, Mississippi. He claimed at this rally to have been a

member of the UKA for about 3 or 4 months. Jack Helm, Grand Klaliff of the Realm of Louisiana, who was introduced as representing the Greater New Orleans Citizens Council, was the principal speaker. DiSalvo claims to hold membership in both the UKA and the White Knights of the Ku Klux Klan of Mississippi.

This information, Mr. Chairman, indicates that Mr. DiSalvo possesses additional information which is both pertinent and relevant to this inquiry and would materially aid Congress in enacting remedial legislation.

The CHAIRMAN. Mr. DiSalvo, the gentleman who made that statement is Mr. Don Appell. He is the chief investigator of this committee. He is under oath, just like you are, subject to the fines and penalties of perjury. You have heard the sworn statement of Mr. Appell. I now give you the opportunity to reply to any portion of that statement, to admit or deny the truth of it, to modify it in any way. In addition, I give you the right and privilege, if you so desire, to offer any other matter the committee may deem relevant to this inquiry. And, incidentally, I agree with the statement of Mr. Appell that you possess additional information to supply. Do you care to avail yourself of that opportunity?

Mr. DiSALVO. I respectfully decline to answer the question for the reasons previously stated.

The CHAIRMAN. In that case, Mr. DiSalvo, I will inform you, since you offer no rebuttal, that unless other facts may come to the attention of the committee, this committee will rely upon the accuracy of this investigation. With that in mind, have you anything to say?

Mr. DiSALVO. I respectfully decline to answer the question for the reasons previously stated.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. APPELL. Mr. DiSalvo, I hand you a copy of an application for retail dealer's license under the Federal Firearms Act, which the Treasury Department certifies to be a copy of the original. This application is made in the name of Louis A. DiSalvo, trade name DiSalvo Service, 264 Waveland Avenue, Waveland, Mississippi, dated June 16, 1964, signed Louis A. DiSalvo, independent owner. I ask you if the signature on that application is your signature.

Mr. DiSALVO. I respectfully decline to answer the question on the grounds previously stated.

(Document marked "Louis DiSalvo Exhibit No. 1" appears on pp. 2716, 2717.)

Mr. APPELL. Mr. DiSalvo, I hand you a series of documents obtained by the committee from Hunters Lodge, Incorporated, 200 South Union Street, Alexandria, Virginia, and ask you if the letters contained therein signed Louis A. DiSalvo and the record of shipment of the rifles described in the statement are authentic.

Mr. DiSALVO. I respectfully decline to answer the question for the reasons previously stated.

(Documents marked "Louis DiSalvo Exhibits Nos. 2A, 2B, and 2C" appear on pp. 2717-2719.)

LOUIS DiSALVO EXHIBIT No. 1

902

U. S. TREASURY DEPARTMENT - INTERNAL REVENUE SERVICE
 APPLICATION FOR LICENSE (Federal Firearms Act)
 (See Instructions on reverse)

FORM 7 (Firearms)
REV. MAY 1962

1. Check which Renewal Initial

TO: District Director of Internal Revenue,

2. Name of applicant (Print) (If partnership, furnish name of each partner)
 Louis A. DiSalvo

2a. Employer Identification No. (If any) or individual Social Security No. if not an employer
 435-20-4074

3. Trade name
 DiSalvo Service

4. Business address (No. and street, city, county, State)
 264 Waveland Ave., Waveland, Miss.

5. Home address (No. and street, city, county, State) (If a partnership, indicate address of each partner. If a corporation, indicate address of principal place of business)
 RFD #2 - Box 374-C; Bay St. Louis, Miss.

6. Are you presently engaged in the business of manufacturing, importing or dealing in Firearms? Yes No

7. If you are not presently engaged in the Firearms business, give approximate date of starting in business Date 7/1/64 if possible to receive license then.

8. Type of business conducted, or to be conducted
 Station & sporting goods (guns & ammo.) went to add. State Tax No. 23-1808

8. Check appropriate box or boxes
 Importer Exporter Manufacturer
 Gunsmith Wholesale dealer
 Retail dealer

9. Type of license applied for
 \$25.00 - Manufacturer (including importer)
 \$1.00 - Dealer (including exporter, wholesale or retail dealer, and gunsmith)

10. Remittance submitted by (make remittance payable to TREASURER OF THE UNITED STATES)
 Cash Check Money order

11. Do you have a State or local license to engage in the Firearms business
 Yes No
 If answered "Yes," state type, serial number, and under what jurisdiction issued; if answered "No," check appropriate box below:
 NOT REQUIRED APPLICATION SUBMITTED
 APPLICATION HELD PENDING ISSUANCE OF FEDERAL LICENSE
 OTHER (Explain in a separate attachment)

12. Are you registered as a manufacturer or dealer in Firearms under the National Firearms Act? (United States Code, Title 26, Chapter 53)
 Yes No
 If answered "Yes," indicate class and special (occupational) tax stamp number
 Class _____ Occupational Tax Stamp No. _____

13. Are you registered as an Importer or Exporter of arms under regulations issued by the Department of State (Part 122 of Title 22, Code of Federal Regulations)?
 Yes No
 If answered "Yes," indicate registry number and date of issuance
 Registry No. _____ Date of issuance _____

14. Have you ever had any Permit or License to engage in the Firearms business denied, suspended, or revoked by Federal, State or local authorities?
 Yes No
 If answered "Yes," give full particulars on additional sheet

The undersigned hereby applies for a license under the Federal Firearms Act (15 USC 903) to transport, ship, and receive firearms and ammunition in interstate and foreign commerce and states as follows: The applicant is not a fugitive from justice as defined in Title 18 U.S.C. 301(6) and is not under indictment for, and has never been convicted of a crime punishable by imprisonment for a term exceeding one year.

I declare that the above statements are true and correct. (Any person***who makes any statement in applying for the license***provided for in this Act, knowing such statement to be false, shall upon conviction thereof, be fined not more than \$2,000 or imprisoned for not more than five years, or both (15 USC 905).)

15. Date of application June 10, 1964

16. Signature Louis A. DiSalvo

17. Title (State whether individual owner, member of firm, or officer of corporation)
 Ind. Ownr

Mr. APPELL. Mr. DiSalvo, the individual who was arrested in the McComb bombing for the part he played in certain bombings in McComb, Mississippi, in whose possession the four rifles shown on the invoice of rifles which you received, was Paul D. Wilson. Did you know Paul D. Wilson?

Mr. DiSALVO. I respectfully decline to answer the question for the reasons previously stated.

LOUIS DiSALVO EXHIBIT No. 1—Continued

1. PRIOR LICENSE NO.		5. EMPLOYER IDENTIFICATION NUMBER (IF ANY)	6. FOR DISTRICT DIRECTOR'S USE ONLY APPLICATION NO.
6-1169 2. DIST. DIR. OF INTERNAL REVENUE AT	Louis A. DiSalvo DiSalvo Service 264 Waveland, Ave. Waveland, Miss.		
3. DIST. DIR. OF INTERNAL REVENUE AT Jackson, Miss.	4. NAME AND ADDRESS OF APPLICANT - IF INCORRECT, PLEASE CORRECT		7. (CHECK APPLICABLE BOX ONLY) <input type="checkbox"/> DEALER <input type="checkbox"/> MANUFACTURER (225) (or Importer)
APPLICATION FOR RENEWAL LICENSE — FEDERAL FIREARMS ACT The applicant is engaged in the class of business indicated above and hereby applies for a license under the Federal Firearms Act. The applicant also states that he is not a fugitive from justice as defined in Title 18 USC 201 (b) and is not under indictment for and has never been convicted of a crime punishable by imprisonment for a term exceeding one year.			8. COMPLETE IF APPLICABLE <input type="checkbox"/> BUSINESS DISCONTINUED (Specify date disc.)
I declare that the above statements are true and correct.			
9. SIGNATURE	10. DATE	11. TITLE OR STATUS (State whether individual owner, member of firm, or officer of corporation)	

Complete this application, enclose proper remittance, made payable to "Treasurer of the U. S.", and file IMMEDIATELY to avoid penalties prescribed by law. File this application with the District Director of Internal Revenue indicated in item 3.

LOUIS DiSALVO EXHIBIT No. 2-A

DI SALVO SERVICE
RIFLES-PARTS-AMMUNITION
F.F. LIC # 64-1409
SHIPP ST. WAVELAND, MISS.
PHONE: 467-5413

August 28, 1964

Hunter's Lodge Inc.
200 South Union Street
Alexandria, Virginia

Sirs;

As per my phone call to your company on August 27, 1964, I placed an order of:

- 18 pcs. 7.62 Russian M-40 Tokorev rifles.
- 6 pcs. 30.06 Springfield 03A3's rifles, High numbers only.
- 10,000 rnds. of 7.62 Russian M.C. ammO.

— Brass Cases

I understand that the above are in a Guaranteed condition or we can return or exchange; is that not correct, sir?

Enclosed is the check for the price total quoted me on telephone. Please ship immediately, consigned to:

DiSalvo Service
Shipp Street
Waveland, Mississippi

Please send me more information and books as to what you have and discounts and quantity discounts along with my order.

Thanking you in advance for your kind attention;

I remain
Very truly,

Louis A. DiSalvo

Louis A. DiSalvo

c.c. on file

Please place my phone number up above on the Bill of Lading for shipment.

LOUIS DiSALVO EXHIBIT No. 2-B

HUNTERS LODGE, INC.
100 SOUTH UNION ST.
 THE BLADESMAN
8-10 PRINCE ST.

No. 97640

King 8-2323

ALEXANDRIA, VIRGINIA

City

State

Shipped To . DI SALVO SERVICE
Street . Shipp Street
Wave land, Mississippi

Date Shipped

PHONE: 467-5413

Shipping Point:—	ALEXANDRIA, VIRGINIA		Declared Value	DO NOT USE THIS SPACE
Pieces	Articles	Description	\$980.76	
	<input type="checkbox"/> Pistol		Weight	
	<input checked="" type="checkbox"/> Rifles			
	<input type="checkbox"/> Accessories			
P.P. No.	<input checked="" type="checkbox"/> Small Arms Ammunition			

PLEASE OPEN SHIPMENT UPON ARRIVAL EXAMINE AND UNPACK MERCHANDISE.
IF DAMAGED GET BAD ORDER REPORT AND FILE CLAIM IMMEDIATELY WITH CARRIER.

Codes:

Date Order Received

August 31, 1964

ORDERS USUALLY SHIPPED 72 HOURS AFTER RECEIPT

Shipped Via: RAIL EXPRESS * PARCEL POST * UNITED PARCEL * TRUCK * AIR FREIGHT * OTHER

QUANTITY	DESCRIPTION	AMOUNT
X18	M-40 Russian Tokarev rifles w/TOOLS @34.95	629.10
XSix	Model 03/A3 U.S. Springfield 30-06 rifles @42.95	257.70
	less 30%	886.80
		266.04
		620.76
X10,000rds	7.62mm Russian MC. ammo @6.00	600.00
	less 25%	240.00
		360.00
	by M.O. w/order	980.76
		980.76
		000000

hm
8/31/64

9-9
Jore
S. V. G. H.

IMPORTANT! IN ALL CORRESPONDENCE REFER TO ABOVE INVOICE NUMBER.
ALL INFORMATION PRINTED ON BOTH SIDES OF THIS SHEET IS PART OF YOUR CONTRACT.

PACKING ORDER

SHIPPING DIVISION: RETURN TO PROCESSING
DIVISION AFTER DISPATCHED!

XERO COPY

XERO COPY

XERO COPY

XERO COPY

LOUIS DiSALVO EXHIBIT No. 2-C

Sold to: Louis DiSalvo Service Date: 9-10

Invoice No. 97640 Serial Nos. Taken By: Mitt

03A3 Springfield M-40 Item: Solaris Item: _____

- 1) 3543915 ✓ (1) CA 2091 ✓ (1)
- 2) 3488548 ✓ (2) 450 ✓ (2)
- 3) 3523570 ✓ (3) 2110 ✓ (3)
- 4) 3513457 ✓ (4) 3521 ✓ (4)
- 5) 3498356 ✓ (5) 7866 ✓ (5)
- 6) 4053150 ✓ (6) 2980 ✓ (6)
- 7) _____ (7) 3486 ✓ (7)
- 8) _____ (8) 907 ✓ (8)
- 9) _____ (9) 2609 ✓ (9)
- 10) _____ (10) 2579 ✓ (10)
- 11) _____ (11) 841 ✓ (11)
- 12) _____ (12) 512 ✓ (12)
- 13) _____ (13) 5432 ✓ (13)
- 14) _____ (14) 3986 ✓ (14)
- 15) _____ (15) 737 ✓ (15)
- 16) _____ (16) 5533 ✓ (16)
- 17) _____ (17) 3843 ✓ (17)
- 18) _____ (18) 1483 ✓ (18)
- 19) _____ (19) _____ (19)
- 20) _____ (20) _____ (20)

Mr. APPELL. Mr. DiSalvo, at a meeting of the White Knights of the Ku Klux Klan held near Raleigh, Mississippi, on June 7, 1964, did you instruct the some 300 White Knights gathered at a rally in the use of poisonous snakes and the method by which a victim could be bitten by a poisonous snake and placed in the woods in such a position that if his body was uncovered people would think that he might have laid down and gone to sleep and a snake had come upon him and poisoned him?

Mr. DiSALVO. I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. Mr. DiSalvo, you were laughing. We have sworn testimony to this effect. Now you have an opportunity to deny it if it is not true.

Mr. DiSALVO. I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. Mr. DiSalvo, did you know a coleader in the Bay Saint Louis area of Mississippi in the White Knights of the Ku Klux Klan, Emile Piazza?

Mr. DiSALVO. I respectfully decline to answer that question for reasons previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions of this witness. I ask that, according to your previous instructions, documents referred to in the testimony of Mr. DiSalvo be entered into the record as exhibits to his testimony.

The CHAIRMAN. The documents will be admitted in evidence. The witness is excused.

Call the next witness.

Mr. APPELL. Mr. Chairman, I would like to call Mr. Thomas Byron Thrasher, Sr.

The CHAIRMAN. Raise your right hand, sir. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. THRASHER. I do, sir.

TESTIMONY OF THOMAS BYRON THRASHER, SR., ACCOMPANIED BY COUNSEL, TRAVIS BUCKLEY AND CHARLES J. MAY III

Mr. APPELL. State your full name for the record, please.

Mr. THRASHER. My full name is Thomas Byron Thrasher, Sr.

Mr. APPELL. Spelled T-h-r-a-s-h-e-r?

Mr. THRASHER. That is true, sir.

Mr. APPELL. Are you appearing before the committee in accordance with the subpoena served upon you by Investigator Sullivan at 2203 Ken Avenue, Pascagoula?

Mr. THRASHER. Sir, I am appearing before the committee in regard to subpoena issued October 28, 1965. The address at which it was delivered, which you gave, is incorrect. The place was my home at 2431 Ken Avenue, Pascagoula, Mississippi.

Mr. APPELL. 2431 rather than 2203?

Mr. THRASHER. Yes. You have an old set of addresses and house numbers which have been changed.

Mr. APPELL. I see. Mr. Thrasher, are you represented by counsel?

Mr. THRASHER. Yes, sir, I am.

Mr. APPELL. Will counsel identify themselves?

Mr. BUCKLEY. I am Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. MAY. I am Charles J. May III, attorney at law, Mississippi.

Mr. APPELL. Mr. Thrasher, under the terms of the subpoena served upon you and the attachment thereto, which was made a part of the subpoena, you were directed to bring with you and to produce the documents called for in paragraph 1:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi, and affiliated organizations, namely, The Mississippi Constitutional Council, in your possession, custody or control, or maintained by you or available to you as past or present Exalted Cyclops of the White Knights of the Ku Klux Klan of Mississippi.

In the representative capacity set forth in paragraph 1, Mr. Thrasher, I ask you to produce the documents called for.

Mr. THRASHER. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records as were ordered by the subpoena issued to me—due to the fact that such records are not and were not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Mr. Thrasher, do you have possession and custody or control, or was there available to you in the representative capacity described in the subpoena, the documents called for in the subpoena at any time after March 30, 1965?

Mr. THRASHER. No, sir.

The CHAIRMAN. Did you have possession of such documents at any time after February 1, 1965?

Mr. THRASHER. No, sir.

The CHAIRMAN. Did you take any steps, alone or with others, to divest yourself of the possession or custody or control of these documents so that you could take the position taken in the answers you have given thus far?

Mr. THRASHER. No, sir.

The CHAIRMAN. Did you take any steps, alone or with others, so that it could be impossible for you to produce the documents today?

Mr. THRASHER. No, sir.

The CHAIRMAN. Did you have possession of those documents at any time?

Mr. BUCKLEY. Mr. Chairman, may I ask you a question off the record?

(Conference off the record.)

Mr. BUCKLEY. Would you ask the question again, Mr. Chairman?

The CHAIRMAN. Did you have possession, custody, or control of these documents at any time?

Mr. THRASHER. No, sir.

The CHAIRMAN. Do you know who has had possession and control of these documents and who has possession or control of them at this very minute?

Mr. THRASHER. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments of the Constitution of the United States of America.

The CHAIRMAN. Were you a party in any way to their destruction?

Mr. THRASHER. Sir, would you repeat that question, please?

The CHAIRMAN. I will lead up to it. Do you know whether or not these records were ever destroyed, done away with in any way, or hidden? I am talking about from your personal knowledge.

Mr. THRASHER. Sir, in answer to your question, from my own personal knowledge I do not know.

The CHAIRMAN. Did you personally participate in their destruction?

Mr. THRASHER. Sir, I have never participated in the destruction of any records as required by the subpoena issued to me.

The CHAIRMAN. Do you know who has those records now?

Mr. THRASHER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you have possession, custody, or control of any Klan records that were not asked for in the subpoena?

Mr. THRASHER. No, sir.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Thrasher, paragraph 2 called for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Exalted Cyclops (past or present) of the White Knights of the Ku Klux Klan which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

In the representative capacity set forth in that subpoena, I ask you to produce the documents called for in paragraph 2.

Mr. THRASHER. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

Mr. SENNER. Mr. Chairman, may we have the answer repeated?

Mr. THRASHER. Sir, I could not produce such—

The CHAIRMAN. You "could not." You mean, you cannot?

Mr. THRASHER. Could not.

The CHAIRMAN. I see what you mean.

Mr. THRASHER. I could not produce such records that were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. If I asked you the same series of questions I propounded a while ago with reference to the first paragraph of this subpoena, would your answers be the same on the whole?

Mr. THRASHER. Sir, in regards to my answer, assuming that the questions were the same in regards to records, and so forth and so on, they would be the same.

The CHAIRMAN. Counsel, I suppose, both of them, agree to the import and the scope of the question I just asked and he answered.

Mr. BUCKLEY. Yes, sir.

The CHAIRMAN. Counsel indicate their agreement.

Mr. APPELL. Mr. Thrasher, prior to June 1, 1964, did you, with the assistance of A. C. Herrington, organize a Klavern of the White Knights of the Ku Klux Klan of Mississippi?

Mr. BUCKLEY. Did you say prior to that time?

Mr. APPELL. Prior to.

Mr. THRASHER. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments of the Constitution of the United States of America.

The CHAIRMAN. What was the answer—the invocation?

Mr. APPELL. Yes. Was a meeting of prospective Klansmen held at Lightseys Cabins on South Market in Pascagoula on June 11, 1964, which meeting consisted of between 30 and 60 employees of Ingalls Shipyard?

Mr. THRASHER. Sir, for the reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. The constitution and bylaws of the White Knights of the Ku Klux Klan of Mississippi provide certain duties and responsibilities and the maintaining of certain records by an exalted cyclops. I put it to you as a fact, and ask you to affirm or deny the fact, that after the organization of this Klavern and up until March of 1965 you were the exalted cyclops of the Klavern.

Mr. THRASHER. Sir, for the reasons previously stated, I respectfully decline to answer the questions.

Mr. APPELL. Mr. Thrasher, I repeat a question asked earlier by Chairman Willis, and that is whether or not you had any documents called for by the constitution and laws of the White Knights of the Ku Klux Klan in your possession after February 1, 1965.

Mr. THRASHER. Mr. Appell, I would like if you would, please, sir, to clarify just what you mean by documents.

Mr. APPELL. Charters, books, and records of minutes of meetings, charter that was presented to the Klavern, and other documents which the constitution and law provide.

Mr. Thrasher, my question related to documents in your possession as the exalted cyclops of the unit.

Mr. THRASHER. No, sir.

Mr. APPELL. Then, Mr. Chairman, I consider the answer that he had no documents in his possession as the exalted cyclops.

Mr. Thrasher, it is my opinion that you have opened the door by the response that you gave to this last question, and I now ask you: Who held the offices within the Klavern of klaliff or vice president, klokard or lecturer, kligraph or secretary, klabee or treasurer, kludd or chaplain, kladd or conductor, klarogo or inner guard, klexter or outer guard, klokkan or investigator, night-hawk, and who is the assistant to the klokard and the kladd and the klepeer, the Klavern's representative to the klanburgesses?

Mr. THRASHER. Sir, for reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. Mr. Thrasher, when and where were you born?

Mr. THRASHER. I was born September 23, 1934, in Pensacola, Florida.

Mr. APPELL. What is your educational background?

Mr. THRASHER. I attended public schools in Pensacola. I have a graduate equivalency diploma from the Armed Forces and I attended college at Stetson University at Deland, Florida, for approximately 1 year.

Mr. APPELL. What year was that?

Mr. THRASHER. That was 1953, I believe, sir.

Mr. APPELL. What is your military service?

Mr. THRASHER. I am a veteran of the Air Force. I served 4 years and was honorably discharged.

Mr. APPELL. What years were you in the Air Force?

Mr. THRASHER. From 1950 to 1954. It must be 1954 that I attended Stetson University in DeLand.

Mr. APPELL. What is your employment background since 1960?

Mr. THRASHER. I have been employed by the Ingalls Shipbuilding Corporation at Pensacola.

Mr. APPELL. Mr. Thrasher, on March 11, 1965, was there a meeting held at your house in which B. L. White was told that he would be the next exalted cyclops of the Klavern?

Mr. THRASHER. Sir, for reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. On March 19, 1965, was Mr. B. L. White in fact elected as the exalted cyclops to replace you?

Mr. THRASHER. Sir, for reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. Did you know, or do you know, Louis Anthony DiSalvo, who preceded you on the witness stand?

Mr. THRASHER. Sir, for reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. Did you purchase a rifle from him?

(Witness confers with counsel.)

Mr. THRASHER. Sir, for reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. Mr. Thrasher, a cross was burned at the home of Spurgeon Lauchaussee, the employment manager at Ingalls. Do you possess any knowledge of that cross-burning?

Mr. THRASHER. Sir, for reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. THRASHER. Thank you, sir.

Mr. APPELL. Mr. Burrel Lindsey White.

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WHITE. I do.

TESTIMONY OF BURREL LINDSEY WHITE, JR., ACCOMPANIED BY COUNSEL, TRAVIS BUCKLEY AND CHARLES J. MAY III

Mr. APPELL. Would you state your full name for the record, Mr. White?

Mr. WHITE. Burrel Lindsey White, Jr.

Mr. APPELL. Would you spell your first name, please, sir?

Mr. WHITE. B-u-r-r-e-l.

Mr. APPELL. Mr. White, are you appearing before the committee to-

day in accordance with a subpoena served upon you by John D. Sullivan, an investigator of this committee, on October 28, 1965, at the General Building Supply in Gulfport, Mississippi.

(Witness confers with counsel.)

Mr. WHITE. Was that the 28th of October, sir?

Mr. APPELL. Yes.

Mr. WHITE. That is correct.

Mr. APPELL. Are you represented by counsel, Mr. White?

Mr. WHITE. I am, sir.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. BUCKLEY. I am Travis Buckley, attorney at law, Bay Spring, Mississippi.

Mr. MAY. I am Charles J. May III, attorney at law, Laurel, Mississippi.

Mr. APPELL. Mr. White, the subpoena served upon you, which I understand should be amended to include the designation "Jr.," called upon you to bring with you and to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi, and affiliated organizations, namely, The Mississippi Constitutional Council, in your possession, custody or control, or maintained by you or available to you as past or present Exalted Cyclops of the White Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

In the representative capacity set forth in that document, I ask you to produce the documents called for.

(Witness confers with counsel.)

Mr. WHITE. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were not and are not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Have you ever had possession of those documents or control or custody of them at any time?

(Witness confers with counsel.)

Mr. WHITE. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

The CHAIRMAN. Do you know where those documents are?

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you know who has possession of them?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you now have, or have you ever had, any Klan documents in your representative capacity as stated in the subpoena not called for by the subpoena?

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you know whether the documents called for, or any others, have been destroyed by you or anyone else?

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you participate or have knowledge—participate in or have knowledge of the destruction of these documents?

(Witness confers with counsel.)

Mr. WHITE. No, sir; not such records as required by the subpoena.

The CHAIRMAN. Well, did you participate in, or do you have knowledge of, the destruction of documents—Klan documents—not called for by the subpoena?

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Proceed.

Mr. APPELL. As a matter of fact, Mr. White, it is a part of the operating procedure of the White Knights of the Ku Klux Klan to do things as follows: When you recruit a man into the organization to immediately burn his application; and with respect to financial documents, that once they have served their purpose they are to be burned; and that, to maintain the security of the White Knights, destruction of documents is supposed to take place as soon as possible in order to cut down on the risk of exposure of either the Klan or its members.

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. White, in paragraph 2 you are requested to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as officer or member of the White Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

In the representative capacity set forth in paragraph 2, I ask you to produce the documents called for.

Mr. WHITE. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, or are, not in my possession, custody, or control and I did not and I do not have access to such records.

The CHAIRMAN. If I asked the same series of questions that I did a moment ago, would your answer to them under oath be the same?

(Witness confers with counsel.)

Mr. WHITE. Would you state that again?

The CHAIRMAN. Would the answer be the same that you gave a while ago if I repeated the questions I asked a while ago?

Mr. WHITE. Yes, sir.

The CHAIRMAN. Do counsel agree that the scope of this question is proper under the circumstances?

Mr. BUCKLEY. Yes, sir, Mr. Chairman.

Mr. MAY. Yes, sir.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. White, when and where were you born?

Mr. WHITE. When or where, sir?

Mr. APPELL. When and where.

Mr. WHITE. September 11, 1914, at Laurel, Jones County, Mississippi.

Mr. APPELL. What is your educational background?

Mr. WHITE. I am a graduate of the Laurel High School. I attended all Laurel public schools; graduating in 1932.

The CHAIRMAN. From public schools?

Mr. WHITE. From the public schools.

The CHAIRMAN. You are not talking about higher education. If you did, proceed.

Mr. WHITE. I have no formal higher education. However, I did later, Mr. Willis, attend some vocational schools.

Mr. APPELL. What has been your employment background since 1960?

Mr. WHITE. In a portion of 1960 I was self-employed and I also was working for the Frank Gardner Hardware Company of Laurel, Mississippi. Now, I am not sure as to the dates because I worked for that firm on two different occasions. I worked also for the J. C. Martin Lumber Company of Waynesboro; the St. Louis Field Terminal Warehouse Company of St. Louis, Missouri; the General Building Supply Company, Inc., of Gulfport, Mississippi; the Lawrence Warehouse Company. And the General Building Supply Company has since changed their name to General Homes. I would like to clarify that just a little. These warehousing companies, for instance, the Lawrence Warehouse Company now is my legal employer. However, I work for them but render service to General Homes, Inc., as a bonded warehouseman.

Mr. APPELL. Mr. White, since 1960, have you had or did you receive income from sources—

Mr. CHAIRMAN. I did not catch it.

Mr. APPELL. Since 1960 did you receive income from sources other than those you have enumerated in your employment background?

Mr. WHITE. Yes, sir.

Mr. APPELL. Would you enumerate them?

Mr. WHITE. I have an apartment house in Laurel, Mississippi. We have two apartments or did have two apartments that we rented out. We lived in one until about 2 years ago. At present we have three apartments that we try to keep rented. I also received other commissions. I was a free-lance salesman, as I said, employed by myself for a while and sought any item that was salable to the building trades. In that capacity I represented the Laurel Brick & Tile Company of Laurel, Mississippi, and the Standard Block Company of Gulfport, Mississippi. I believe those are all.

Mr. APPELL. Did you receive any income in the form of reimbursement for recruiting or expenses from an organization known as the White Knights of the Ku Klux Klan of Mississippi?

(Witness confers with counsel.)

Mr. WHITE. No, sir.

Mr. APPELL. Mr. White, are you acquainted with the VCM Club in Pascagoula?

Mr. WELTNER. What club?

Mr. APPELL. VCM.

The CHAIRMAN. What is the question?

Mr. APPELL. Is he acquainted with it, with the fact that it exists.

The CHAIRMAN. The what?

Mr. APPELL. "V" as in Victor, "C" as in Charles, "M" as in Mary.

The CHAIRMAN. What is that? All right, ask the question.

(Witness confers with counsel.)

Mr. WHITE. Sir, could you make that question a little more specific? In what way do you want me—

Mr. APPELL. Do you know of the existence of a building known as the VMC Club. I mean VCM.

(Witness confers with counsel.)

Mr. WHITE. Sir, I do know of the existence of it. I know nothing else of the operation.

Mr. APPELL. At that club on March 19, 1965, did you become exalted cyclops of the Klavern of the White Knights in the Pascagoula, Mississippi, area?

(Witness confers with counsel.)

Mr. WHITE. Sir, I respectfully decline to answer that question and invoke as a defense the privilege guaranteed to me by the 5th, 1st, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. Do you know Mr. Thrasher who preceded you to the witness stand?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Were you advised at a meeting which took place in Mr. Thrasher's house on March 11, 1965, that you would be the next exalted cyclops of the Klavern?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Are you presently a member of the White Knights of the Ku Klux Klan?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. White, do you possess knowledge of the fact that two Klaverns in the Pascagoula area have recently disaffiliated with United Klans of America and become affiliated with the White Knights of the Ku Klux Klan?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of Mr. White.

Mr. WELTNER. I have a question, Mr. Chairman.

Mr. White, on page 6 of the constitution of the White Knights—could I ask that the witness be afforded a copy of that? Page 6, Section 12, there is this section—"This Constitution and all Laws enacted pursuant to it"—and then the following is in capital letters—

SHALL BE THE SUPREME LAW OF THE WHITE KNIGHTS OF THE KU KLUX KLAN OF THE SOVEREIGN REALM OF MISSISSIPPI, AND BINDING THEREOF UPON ALL MEMBERS, REGARDLESS OF RANK.

I would like to know whether you consider this constitution to be a higher power than the Constitution of the United States.

(Witness confers with counsel.)

Mr. WHITE. Are you asking me, sir, to confirm or deny a fact, or are you asking for my own personal opinion?

Mr. WELTNER. I will restate the question. Bearing in mind Section 12 of the constitution of the White Knights of the Ku Klux Klan, which states that the constitution and laws of the White Knights—

SHALL BE THE SUPREME LAW OF THE WHITE KNIGHTS OF THE KU KLUX KLAN OF THE SOVEREIGN REALM OF MISSISSIPPI, AND BINDING THEREOF UPON ALL MEMBERS; REGARDLESS OF RANK.

I am asking you whether or not you personally consider this constitution, a copy of which you hold in your hand, to be a higher authority upon you than the Constitution of the United States?

(Witness confers with counsel.)

Mr. WHITE. I do not so consider it.

(Document previously marked "Gordon Lackey Exhibit No. 2.")

Mr. WELTNER. Do you consider the Constitution of the United States to take precedence over the constitution of the White Knights of the Sovereign Realm of Mississippi?

(Witness confers with counsel.)

Mr. WHITE. I believe, sir, that the Constitution of the United States takes precedence over all laws, except the laws of God.

Mr. WELTNER. Mr. White, have you ever subscribed to an oath to support this constitution of the White Knights of the Ku Klux Klan?

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Are you familiar with Article XII of the constitution of the White Knights, or were you familiar with it prior to the time some few minutes ago when a copy was handed to you?

Mr. WHITE. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. WELTNER. Have you ever subscribed to the oath appearing on page 38 of that document which you have in your hand that says:

I swear that I will never be the cause of a breach of secrecy or any other act which may be detrimental to the integrity of the White Knights of the Ku Klux Klan of Mississippi.

That appears on page 38 of the constitution.

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Mr. White, I hand you a copy of a document entitled "Imperial Executive Order," bearing date May 3, 1964, addressed to all officers and members, subject, "Forthcoming Enemy attack and countermeasures to be used in meeting same," with the notation at the top reading:

THIS ORDER WILL BE READ TO OR BY AND UNDERSTOOD BY EVERY MEMBER OF THIS ORGANIZATION.

I will ask you to examine that and state to us whether or not you have ever seen such a document as this by this date.

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

(Document marked "Burrel White Exhibit No. 1." See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 169-171.)

Mr. WELTNER. I call your attention to a section of this. On page 2, the third full paragraph, reads as follows:

Any Personal attacks on the enemy should be carefully planned to include *only* the leaders and prime white collaborators of the enemy forces. * * *

Mr. BUCKLEY. Pardon me, Mr. Weltner, we cannot hear you.

Mr. WELTNER. I am reading from paragraph 3 of page 2. That portion in the approximately center of that paragraph:

Any Personal attacks on the enemy should be carefully planned to include *only* the leaders and prime white collaborators of the enemy forces. These attacks against these selected, individual targets should, of course, be as severe as circumstances and conditions will permit. * * *

What kind of attacks are contemplated in the instruction of this Imperial Executive Order of May 3, 1964?

(Witness confers with counsel.)

Mr. WHITE. Sir, I do not quite understand your statement. I am afraid I could not intelligently answer that question.

Mr. WELTNER. All right, sir. Can you enlighten this committee, after having read that document, which, according to its face, is required to be read and understood by every member of the organization—can you enlighten this committee as to what kind of attack is meant by the language that says:

Any Personal attacks on the enemy should be carefully planned * * * should [of course,] be as severe as circumstances [and conditions] will permit. * * *

What is meant by that? This committee is seeking information and we believe that you can provide us that information.

I am asking you what this document means by "Personal attacks on the enemy."

(Witness confers with counsel.)

Mr. WHITE. Sir, I have not had a chance really to examine and fully understand this document here and I am afraid I just cannot really answer that question intelligently.

Mr. WELTNER. Are you testifying you have never seen this document before today?

Mr. WHITE. No; I am not saying that, sir. But I am saying that I have not had a chance to examine this document right here, right now, and I cannot intelligently answer the question you ask. I just do not understand this document.

Mr. WELTNER. The reason I ask that specifically, Mr. White, is because I asked you a minute ago whether or not you had ever seen this document prior to today, and you refused to answer. Then you stated a moment ago that you had not had a chance to examine this document.

I want to be absolutely clear, and I will ask you again just to be certain that we understand each other, my question is: Have you prior to this day ever seen this document, Imperial Executive Order dated May 3, 1964?

(Witness confers with counsel.)

Mr. WHITE. Sir, to the best of my knowledge, I have never seen this document until right now.

Mr. WELTNER. We are not playing games. I do not mean the two pieces of papers there. I mean the original of the document.

Mr. WHITE. The original of such document.

Mr. WELTNER. Or any copy thereof?

Mr. WHITE. Or any copy thereof.

Mr. WELTNER. Have you ever seen any paper entitled "Imperial Executive Order" emanating from the White Knights of the Ku Klux Klan of the Sovereign Realm of Mississippi?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Let me ask you this—If the investigator would hand this witness the Executive Lecture of March 1, 1964, and I shall, with the Chair's indulgence, permit counsel and the witness to examine that before the next question.

(Document handed to witness.)

Mr. WHITE. Mr. Weltner, sir, in answer to that question—

Mr. WELTNER. I have not asked the question yet, Mr. White.

Mr. WHITE. Pardon me.

Mr. WELTNER. I was just giving you and your counsel an opportunity to examine the document.

Mr. WHITE. Pardon me, sir.

Mr. WELTNER. Let me ask you this question: If you will look on the fourth page of that document, under the paragraph headed, "Propaganda," about 10 lines down, there is this language:

There are three ways that we can destroy an atheist or traitor in the community. They are: 1. Socially. 2. Economically. 3. Physically. The weapon of propaganda can accomplish the first two in nearly all cases, and it should at least precede [sic] and follow up the Action in the third case, if practical. * * *

What I would like to ask you is: Have you ever seen such a document as this prior to today?

(Witness confers with counsel.)

Mr. WHITE. Sir, to the best of my knowledge, I have never seen this document before.

(Document marked "Burrell White Exhibit No. 2." See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 164-168.)

Mr. WELTNER. Have you ever heard any discussion among the Klan members concerning the social, economic, or physical destruction of any person termed "an enemy"?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. I think that is all the questions I have at this time, Mr. Chairman.

Mr. SENNER. Mr. White, in response to Mr. Appell's question, whether or not you knew of the VCM, I believe your answer was that you knew about its existence, but nothing else. The second question was, Were you not elected as exalted cyclops at the VCM? And you took the fifth amendment. Would you explain to this committee the difference between those two answers? Would you elaborate on it?

(Witness confers with counsel.)

Mr. WHITE. Sir, I would like to ask if this answer will suffice. I know the approximate location of the building. In fact, I know the road it is located on. But that is all the knowledge I have of the place.

Mr. SENNER. Then what would be the reason of invoking the fifth amendment to the question whether or not you were elected as exalted cyclops of that particular club or VCM?

Mr. WHITE. Sir, I gave this answer to keep from leading to further questions which might possibly—the answers to which might possibly tend to incriminate me.

The CHAIRMAN. Mr. White, since we have been talking about VCM, perhaps you can enlighten me. I understand that could be the name of a building or probably, more accurately, VCM stands for Veterans Club Mississippi. Is that your understanding of what VCM means?

Mr. WHITE. I have no idea what the initials stand for.

The CHAIRMAN. I am delighted with your answer under oath. Despite whatever else was asked of you, I think what I am about to ask was asked of you and you invoked the fifth amendment. You give the appearance of a man of intelligence. You have answered some questions such as the last one under oath, and I assume truthfully. Now, under oath, while you are on the stand, I want to ask you two questions: Are you now or have you ever occupied an official position in any Klan organization?

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Although it may be repetitious, I will ask you again: Are you at this very moment a member of any Klan organization?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Mr. Chairman, if I may get back to this VCM, isn't it a fact that you did attend a meeting at the VCM and were inside that club?

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. And still you want the committee to believe your statement to this committee that you just know about the existence of the VCM, but you know nothing else?

Mr. WHITE. Would you repeat that question, sir?

Mr. SENNER. Mr. Reporter, will you read it to him?

The REPORTER. [Reading:]

And still you want the committee to believe your statement to this committee that you just know about the existence of the VCM, but you know nothing else?

Mr. WHITE. Sir, I gave that statement under oath and I expect the committee to believe it. It is a true statement.

Mr. SENNER. I will ask you again: Is it not a fact that you attended a meeting at the VCM club and were inside that club?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. One last question: At that meeting, or one of those meetings that you attended at the VCM club, isn't it true that you were elected exalted cyclops?

Mr. WHITE. May I have the question read?

Mr. SENNER. Yes.

The REPORTER. [Reading:]

At that meeting, or one of those meetings that you attended at the VCM club, isn't it true that you were elected exalted cyclops?

Mr. WHITE. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. SENNER. I think the record is clear now.

The CHAIRMAN. I have one final question. Were you elected exalted cyclops at any time or at any other place?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. The witness is excused.

The committee stands in recess until 2:30 this afternoon.

(Members present: Representatives Willis, Weltner, and Clawson, of the subcommittee, and also Representative Senner.)

(Whereupon, at 1:10 p.m., Thursday, January 13, 1966, the subcommittee recessed, to reconvene at 2:30 p.m. the same day.)

AFTERNOON SESSION—THURSDAY, JANUARY 13, 1966

(The subcommittee reconvened at 2:50 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Weltner, and Clawson.)

The CHAIRMAN. The subcommittee will be in order.

Mr. Appell, you may call your first witness.

Mr. APPELL. Mr. J. W. Holder.

The CHAIRMAN. Please raise your right hand, sir.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOLDER. I do, sir.

TESTIMONY OF JOSEPH WALTER HOLDER, ACCOMPANIED BY COUNSEL, TRAVIS BUCKLEY AND CHARLES J. MAY III

Mr. APPELL. State your full name for the record, Mr. Holder.

Mr. HOLDER. My full name is Joseph Walter Holder.

Mr. APPELL. H-o-l-d-e-r?

Mr. HOLDER. That is right.

Mr. APPELL. Are you appearing today in accordance with a subpoena served upon you on October 27, 1965, at R.F.D., Louin, Mississippi?

Mr. HOLDER. Yes, sir.

Mr. APPELL. Mr. Holder, are you represented by counsel?

Mr. HOLDER. Yes, I am, sir.

Mr. APPELL. Would counsel identify themselves for the record?

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. MAY. Charles J. May III, attorney at law, Laurel, Mississippi.

Mr. APPELL. Mr. Holder, when and where were you born?

Mr. HOLDER. I was born in Ted, Mississippi, in Smith County.

Mr. APPELL. And the month, day, and year?

Mr. HOLDER. 1933, January 31.

Mr. APPELL. Briefly outline your educational background.

Mr. HOLDER. Well, I attended school—started to school at Louin, to the best of my ability, I spent 1 year there and finished the 12th grade at Sylvarena.

Mr. APPELL. Since 1960, would you give the committee your employment background?

Mr. HOLDER. I have been employed by Masonite Corporation of Laurel, Mississippi, from 1958 up until the present time.

Mr. APPELL. Mr. Holder, are you presently a member of the White Knights of the Ku Klux Klan of Mississippi?

Mr. HOLDER. Sir, I respectfully decline to answer that question and invoke as a defense the privilege guaranteed me by the 5th amendment, 1st, and 14th amendment of the Constitution of the United States of America.

Mr. APPELL. Mr. Holder, did you know Ottis Matthews, the financial secretary and assistant business manager of the International Woodworkers of America Local in Laurel, Mississippi? Did you know him?

(Witness confers with counsel.)

Mr. HOLDER. Yes, sir.

Mr. APPELL. Mr. Holder, do you possess any knowledge which relates to a flogging of Mr. Matthews on November 16, 1964?

(Witness confers with counsel.)

Mr. HOLDER. No, sir.

Mr. APPELL. Mr. Matthews, prior to his death, identified you as one of a group of masked men that drug him from his automobile on the night of November 16, 1964, drove him to nearby dump grounds, forced him to lie face down, and beat his bare buttocks—

The CHAIRMAN. I can't understand you. You are either too far away or too close to the mike. I can't understand what you are saying.

Mr. APPELL. Mr. Matthews, before his death, identified you as one of a group of masked men who forced him from his vehicle on the night of 11/16/64, drove him to a nearby dump grounds, forced him to lie face down, and beat his bare buttocks with what was believed to be a leather strap. Some solution was poured on wounds before these persons left him.

Were you involved in this according to the statement made to Investigator Sullivan by the late Mr. Matthews?

(Witness confers with counsel.)

Mr. HOLDER. Sir, if he made that statement, I was not involved.

Mr. APPELL. As a member of the White Knights of the Ku Klux Klan, do you know who was involved?

(Witness confers with counsel.)

Mr. HOLDER. Sir, I respectfully decline to answer that question and invoke as a defense the privilege guaranteed to me by the 5th, 1st, and 14th amendment of the Constitution of the United States of America.

Mr. APPELL. Mr. Holder, did you as an individual participate in this act of violence against Mr. Ottis Matthews?

Mr. HOLDER. No, sir.

Mr. APPELL. Were you in an automobile on the night of November 16, 1964, either on the parking lot of Sam Holloway Bowers or in

a car near the bridge on the road past the Masonite plant? That is November 16, 1964.

(Witness confers with counsel.)

Mr. HOLDER. Sir, I don't remember where I was on that date.

Mr. APPELL. I asked you if you were in either one of two automobiles. The one parked there or the one parked on the bridge?

(Witness confers with counsel.)

The CHAIRMAN. What is the pending question?

Mr. HOLDER. Sir, I worked at the Masonite Corporation, and the parking lot is close by this vicinity you are talking about. I work shift work. My car could be there, but as far as the date is concerned, I couldn't say definitely. I don't remember the date.

Mr. APPELL. What knowledge do you possess of the beating or flogging of Ottis Matthews?

(Witness confers with counsel.)

Mr. HOLDER. Absolutely no personal knowledge of it.

Mr. APPELL. Personal knowledge? I asked you what knowledge you possessed, no matter from what source it came.

(Witness confers with counsel.)

Mr. HOLDER. Sir, it was either 1 or 2 days after this had taken place that I found it out. I was in the bathroom with a bunch of men—restroom, I beg your pardon—and they was discussing it and that was the first knowledge that I had ever attained of it.

Mr. APPELL. Who were these men that were—

Mr. HOLDER. I don't have any idea. I don't remember. It was just a gang of them, and things like that you don't actually remember.

Mr. APPELL. What was this discussion?

Mr. HOLDER. Well, it was talking about, laughing about Ottis Matthews getting a whipping. The majority of them said, "Well, they didn't believe it" and were carrying on like that, you know. It was more or less a joke. As far as I was concerned, I didn't believe it either. I didn't see it; I don't know anything about it.

Mr. APPELL. Was the position of Ottis Matthews against the Klan and the effort on the part of the Klan to take over the Masonite Local, was this discussed within the Klavern of the White Knights?

Mr. HOLDER. Sir, I respectfully decline to answer that question and invoke as a defense that privilege guaranteed to me by the 5th and 14th amendment of the Constitution of the United States of America.

Mr. APPELL. Under the White Knights of the Ku Klux Klan and the Klavern with which you were affiliated, were there appointed men under the leadership of the klokan who carried out functions which are described in some other Klan groups as "wrecking crews"?

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Did you ever serve on such a crew?

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Who was the exalted cyclops of the Klan to which you were affiliated?

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Do you possess any knowledge of any violence carried out by members of the Klavern of the White Knights to which you were affiliated?

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Are you presently a member of the White Knights of the Ku Klux Klan?

Mr. HOLDER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Is the membership of your Klavern composed mostly of employees of the Masonite Company?

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. Mr. Holder, you stated that at times you did park your automobile, as I understood, near the Masonite plant and that it may or may not have been parked at that place upon the occasion stated. However, Mr. Appell had also asked whether your car was either parked there or at a lot near a Sam Bowers' place.

(Witness confers with counsel.)

Mr. BUCKLEY. Did you say "ever"?

The CHAIRMAN. Yes.

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. You said that your car may or may not have been parked near a bridge at the end of the Masonite plant upon the occasion stated. Now, I am asking you whether your car was parked next to Sam Bowers' place on that occasion?

(Witness confers with counsel.)

Mr. HOLDER. Sir, to the best of my ability to remember, I wasn't even working that night, but was at home.

The CHAIRMAN. I am not talking about where you were. I am asking whether on the occasion stated your car was parked near Sam Bowers' place?

Mr. HOLDER. Sir, I don't remember where my car was on the particular night you are referring to.

The CHAIRMAN. Sam Bowers, according to our information, is the Imperial Wizard of the White Knights of the Ku Klux Klan in Mississippi. Do you know him?

(Witness confers with counsel.)

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Have you ever visited Sam Bowers at his home or residence?

(Witness confers with counsel.)

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Have you met him at Klan meetings?

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Have you ever heard him make a speech or speeches

exhorting members of the White Knights of the Ku Klux Klan to violence? Our information is that you did.

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. We have information that Mr. Bowers has brought Klan members to quite a pitch of excitement; is that true?

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. You said that a day or two after the Matthews incident you heard about it in a restroom with a number of people and you said that the majority expressed the opinion that they did not believe the incident. Who made that statement?

Mr. HOLDER. I beg your pardon, sir?

The CHAIRMAN. Who made that statement?

Mr. HOLDER. Sir, I don't remember anyone in particular. It was just a gang of men, and they are as comical a bunch of men as I ever worked with and if they can get a joke or a laugh out of anything, that is as good as they want.

The CHAIRMAN. And you said that gang of men, the humorous group, expressed the opinion that it was all a joke. Is that right?

Mr. HOLDER. Would you repeat that again? I didn't understand it.

The CHAIRMAN. You said the gang of men, whom you described as being a humorous group, said they thought the Matthews incident was a joke. Is that correct?

Mr. HOLDER. Sir, I have a memory here, and I say that some didn't really think it had taken place and some was laughing about it, you know.

The CHAIRMAN. I have a note before me which I made as you were talking, saying that "I thought it was a joke," meaning that you yourself thought it was a joke. Did you?

Mr. HOLDER. Yes, sir.

The CHAIRMAN. What made you think it was a joke?

Mr. HOLDER. Well, sir, I will go back to the point again that these men around there are the most comical bunch of men I have ever worked with, and they are always starting a big thing and want to tell something to get a laugh, or something, and that is what we thought it was.

The CHAIRMAN. You mean to say you thought what had happened to Matthews was a laughing matter, something to discuss as being a laughing matter with a group of friends. Is that correct?

Mr. HOLDER. Sir, I considered it as a rumor and more or less a joke.

The CHAIRMAN. Now I am asking you this question as well: Was it said in that restroom that this action, if it had taken place, was the action of someone from out of your State, away from your area, that had performed the action in order to pin it on the Klan? We have heard that many times.

Mr. HOLDER. Sir, I don't recall a statement like that. It could have been made, but I don't recall it.

The CHAIRMAN. Isn't it a fact that on many, many occasions when acts of violence took place in your area, it was almost invariably spread about by other persons in the community that those acts of violence had happened, were made to take place by people from out of

State, out of the area, as a propoganda move to make people believe that they were Klan actions in an effort to discredit the Klan? And I will repeat to you that we have heard much of that.

Mr. HOLDER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Isn't it a fact that when certain people met with death or tragic accidents in your State, in your area, that it was the practice of the Klan to take that position?

Mr. HOLDER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Well, I will state to you as a fact that in all instances of violence, killing, when those representations were made to the effect that those things were done by persons who were foreign to the area, according to our investigation we have never found that to be true. Would you have one instance of a killing or an act of violence or a cross-burning or bombing or anything else where those acts were, in fact, performed by people away from the State or away from the area? Can you name me one such instance? If you do, we will look into it as carefully as we did the others and try to verify it. Can you name me one such instance?

Mr. HOLDER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you personally—and you are under oath and must be right with your own conscience—ever make any such statement to the effect that, "Oh, this and that happened. There they go again. It was done by somebody away from here, but they are trying to pin it on this fine, patriotic organization." Did you ever make that statement?

Mr. HOLDER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Mr. Weltner.

Mr. WELTNER. Mr. Holder, do you know the identity of any one or more of the individuals who were involved in the incident of November 16, 1964, involving Mr. Ottis Matthews?

Mr. HOLDER. No, sir.

Mr. WELTNER. You know of no person involved in that matter?

Mr. HOLDER. No, sir; I sure don't.

Mr. WELTNER. Had you ever heard any discussions concerning some kind of acts of violence or intimidation to Mr. Matthews prior to November 16, 1964?

Mr. HOLDER. What is that?

Mr. WELTNER. Prior to November 16, 1964, had you ever heard any person or persons discuss possibly bringing some action against Mr. Matthews?

Mr. HOLDER. Sir, I can't recall if I did or not.

Mr. WELTNER. You don't recall hearing any discussions about it?

Mr. HOLDER. No, sir.

Mr. WELTNER. Subsequent to that date, did you ever hear any discussion of that incident in any Klan meeting?

Mr. HOLDER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. I have no further questions.

The CHAIRMAN. Don, do you have anything more?

Mr. APPELL. No, sir.

The CHAIRMAN. The witness is excused.

Call the next witness.

Mr. APPELL. Mr. Rex Henry Pierce.

The CHAIRMAN. Will you raise your right hand. Do you solemnly swear the testimony you are about to give, sir, will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PIERCE. Yes, sir.

**TESTIMONY OF REX HENRY PIERCE, JR., ACCOMPANIED BY
COUNSEL, TRAVIS BUCKLEY AND CHARLES J. MAY III**

Mr. APPELL. Will you state your full name for the record?

Mr. PIERCE. Rex Henry Pierce, Jr.

Mr. APPELL. Mr. Pierce, are you appearing before the committee today in accordance with the subpoena served upon you on November 1, 1965, at Vicksburg, Mississippi, by John D. Sullivan, an investigator of this committee?

Mr. PIERCE. That is correct.

Mr. APPELL. Are you represented by counsel?

Mr. PIERCE. Yes, sir.

Mr. APPELL. Will counsel please identify themselves for the record?

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. MAY. Charles J. May III, attorney at law, Laurel, Mississippi.

Mr. APPELL. Mr. Pierce, when and where were you born?

Mr. PIERCE. I was born in Vicksburg 3/14 and 40.

Mr. APPELL. I didn't get it, sir. Sit a little closer to the mike.

Mr. PIERCE. March 14, 1940.

Mr. APPELL. Mr. Pierce, will you give the committee a brief résumé of your educational background?

Mr. PIERCE. I graduated from Culkin Academy in 1958.

Mr. APPELL. What year, sir?

Mr. PIERCE. 1958.

Mr. APPELL. I didn't get the year.

Mr. PIERCE. 1958.

Mr. APPELL. Thank you, sir.

Since 1960, would you give us a brief résumé of your employment background?

Mr. PIERCE. Sir?

Mr. APPELL. Since 1960, would you give us a brief résumé of your employment background?

Mr. PIERCE. I believe since 1960 I worked for the Anderson Tully Company.

Mr. APPELL. Mr. Pierce, are you presently a member of any Klan organization?

Mr. PIERCE. I respectfully decline to answer that question and invoke as defense the privileges guaranteed to me by the 5th, 1st, and 14th amendment of the Constitution of the United States of America.

Mr. APPELL. Have you held the position of investigator for the Warren County Klavern of the White Knights of the Ku Klux Klan?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Pierce, do you have a criminal record?

Mr. PIERCE. For the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Pierce.

On March 14, 1965, Rex Pierce, Jr., and Milton Stokes were in the Vicksburg Cafe in Vicksburg, Mississippi, seated on stools at the front of the counter when a 77-year-old Negro, Thomas Montgomery, entered and walked towards the rear of the cafe. As Montgomery seated himself upon a stool, either Pierce or Stokes said to the proprietor, "You don't mean that thing can eat in here?" At this point Pierce and Stokes got up, went back to where Montgomery sat, threw raw eggs in his face, knocked him to the floor, and kicked him. En route to the door they turned over some tables in the restaurant and smashed the glass out of the front door with their elbows.

On March 21, 1965, a man in an automobile owned by Milton Stokes and fitting the description of Pierce threw a Molotov cocktail from the car which broke against the wall of the cafe. He got out of the car and threw a second Molotov cocktail through the window of the cafe, causing extensive damage. At the time of this incident, both Milton Stokes and Rex Pierce, Jr., were members of the White Knights of Ku Klux Klan of Mississippi.

In July 1965, Pierce was a kleague or organizer for the Warren County Klavern of the White Knights. Harold L. Miller was the exalted cyclops of the Klavern at the same time, and Jasper Buford was its klaliff or vice president. Members of the Klavern included Beauregard Buford, Lonnie Lee Frith, and Louis M. Shaw, who were arrested for burning a cross on July 5, 1965, and all three forfeited \$100 bond.

Rex Pierce, Jr., was indicted on August 25, 1960, at Jackson, Mississippi, and on February 23, 1961, at Biloxi, Mississippi, for bootlegging. On May 15, 1961, he pleaded guilty, was fined \$500, and given 6 months in jail, with fine and sentence suspended and placed on probation for 6 months.

This information, Mr. Chairman, indicates that Mr. Pierce possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Pierce, you have heard the sworn statement of the committee's investigator. You now have the opportunity to reply to any portion of that statement, confirm or challenge the accuracy of the information, or explain any part of it. In addition, you may, if you desire, offer any other matter the committee may deem relevant to the inquiry. Do you care to avail yourself of this opportunity?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. In that case, Mr. Pierce, I must inform you that absent your rebuttal, or facts that may come to the attention of the

committee, this committee will rely upon the accuracy of its investigation. Bearing this in mind, have you anything to say?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Pierce, on August the 11th, 1964, in the Oakridge section of Warren County two Negro families were beaten by 12 to 18 men dressed in white sheets and white hoods. The families beaten were that of Lucy and Henry Ollins and Tom Hicks. The only explanation for the action by the men dressed in white sheets and white hoods was that these two families—one had been visited by COFO workers and the other had permitted a COFO worker to remain in his home overnight. Do you possess any knowledge of this incident, sir?

Mr. PIERCE. For the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Pierce, in September 1964, Buck's Store on old Highway 80, several miles east of Vicksburg towards Bovina, Mississippi, was shot into. There were nine shots fired from what was identified to be a .38-caliber weapon, and six went into the store. Do you possess any knowledge of this incident?

Mr. PIERCE. For the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. On October 4, 1964, at 2:50 a.m. the COFO house in Vicksburg, which is located on the corner of Hossley and Grove Streets, was bombed and a large portion of the house destroyed. Do you possess any knowledge of that action?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. On March 18, 1965, Mary Anderson's cafe was bombed with a jug of gasoline and it burned out the inside of the cafe. She is the colored woman who permitted COFO workers to eat in her cafe. Do you know anything about that instance?

Mr. PIERCE. For the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. On June 19, 1965, firebombs were thrown into a doorless garage at the home of Herman Varva, who was head of the personnel at the Westinghouse plant. Do you know anything about that incident?

Mr. PIERCE. For the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. In November 1965, Mr. Pierce, were you driving a 1950 Ford automobile at any time?

Mr. PIERCE. Sir?

Mr. APPELL. In November of 1965 were you driving a 1950 Ford automobile at any time?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. On November 29, 1965, a 1950 Ford automobile was loaded with dynamite and left at the corner of Halls Ferry Road and Bowmar Street in Vicksburg, Mississippi, where it exploded, wrecking the store and home of James Chiplin. Do you know anything about that incident, sir?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. This car had been taken in trade by McKay Motors in Vicksburg, Mississippi. Do you spend quite a bit of your time at McKay Motors?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Pierce, the Ford vehicle that detonated the dynamite it contained on November 29, 1965, destroyed or did damage to the home and blew the son of the investigator of this committee out of the bed.

The CHAIRMAN. Did damage to what?

Mr. APPELL. Did damage to the home and blew the son of the investigator of this committee, Mr. Sullivan, out of bed. Was that car planted to do damage to the Negro property that was damaged, or as an act against the investigator of this committee?

Mr. PIERCE. Sir, would you please repeat that question?

Mr. APPELL. Yes, sir. When this 1950 Ford car exploded on November 29, 1965, it damaged the home of the investigator of this committee, Mr. John Sullivan, and blew one of his children out of the bed. I ask you whether or not that car was placed there to destroy the property of the Negro whose property was destroyed, or whether it was placed there as an act of intimidation against an investigator of this committee?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, I have no further questions to ask Mr. Pierce.

The CHAIRMAN. The witness is excused.

Call the next witness.

Mr. APPELL. Mr. Thomas Gunter.

The CHAIRMAN. Call him again.

Mr. APPELL. Mr. Thomas Gunter.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear, sir, the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GUNTER. I do, sir.

TESTIMONY OF THOMAS A. GUNTER, ACCOMPANIED BY COUNSEL, JIM PHYFER

Mr. APPELL. State your full name for the record, Mr. Gunter.

Mr. GUNTER. Thomas A. Gunter.

Mr. APPELL. Are you appearing here in accordance with subpoena served upon you on November 8, 1965, at 227 East Pearl Street, in Jackson, Mississippi?

Mr. GUNTER. Yes.

Mr. APPELL. Are you represented by counsel?

Mr. GUNTER. I am.

Mr. APPELL. Will counsel identify himself?

Mr. PHYFER. Jim Phyfer, 518 East Pascagoula Street, Jackson, Mississippi.

Mr. APPELL. Mr. Gunter, when and where were you born?

Mr. GUNTER. I was born in Adams County, Mississippi, May 16, 1927.

Mr. APPELL. Where do you presently reside?

Mr. GUNTER. 944 Woodville Drive, Jackson, Mississippi.

Mr. APPELL. Will you give the committee a brief résumé of your educational background?

Mr. GUNTER. I have finished Utica High School.

Mr. APPELL. Will you give the committee a résumé of your employment background since 1960?

Mr. GUNTER. Sir, I respectfully decline to answer that question and invoke as defense the privilege guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States.

Mr. APPELL. Mr. Gunter, the subpoena served upon you called for you to bring with you and produce, according to attachment which was made a part of the subpoena :

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, namely Capitol Blueprint and Supply Company all printing and records concerning same for the White Knights of the Ku Klux Klan in Mississippi and Mississippi Constitutional Council, in your possession, custody or control or maintained by you or available to you as president and owner of the Capitol Blueprint and Supply Company.

In the representative capacity set forth in the subpoena, Mr. Gunter, I ask you to produce those documents.

Mr. GUNTER. Sir, I object to the introduction of any records in the proceeding on the grounds of the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States.

The CHAIRMAN. Wait a minute. You say you object. Do you mean you invoke those constitutional privileges as a basis for refusing to produce them?

Mr. GUNTER. Yes, sir.

Mr. APPELL. Mr. Chairman—

Mr. GUNTER. You are ordering me to produce those records?

The CHAIRMAN. We ordered you to produce them in the representative—have you asked him?

Mr. APPELL. I was getting ready to. Before making the demand, Mr. Chairman, I would like to ask the witness whether he received a copy of the chairman's opening statement, which contained the purposes for which these hearings were held, and whether he is acquainted with the provisions of that statement.

Mr. PHYFER. Mr. Appell, we will stipulate that he has.

Mr. APPELL. Thank you. I now ask, Mr. Chairman, the witness be directed to produce the documents called for.

The CHAIRMAN. Did you call for them?

Mr. APPELL. I did, and he invoked the constitutional privilege.

The CHAIRMAN. Mr. Gunter, I take it you understand, as does your attorney, that you were ordered by the subpoena to produce those documents in your representative capacity stated in the subpoena.

Mr. GUNTER. [Handing documents.] By introduction of these documents I do not waive any rights or legal defense I might have under the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States.

The CHAIRMAN. You mean, you are producing the documents.

(Witness offers documents.)

The CHAIRMAN. Wait a minute. Let's get it straight. I thought you had refused to produce the documents. Let's just understand each other, Counsel. You are producing them with the reservation—

Mr. PHYFER. Over our objection. We do not waive any rights.

The CHAIRMAN. I take it, Mr. Gunter, and your attorney, you understand you are ordered by this subpoena to produce certain documents in your representative capacity stated in the subpoena. Is that correct?

Mr. GUNTER. Yes.

The CHAIRMAN. That being the case, I order and direct you to produce the documents.

Mr. GUNTER. I have just given them, am turning them over, over our objection.

The CHAIRMAN. In other words, Counselor, as I understand the position of your client, in response to the subpoena he is now producing the documents he has just handed over to Mr. Appell, but he produces them today under reservation of all his rights under amendments—what?

Mr. PHYFER. First, fourth, fifth, and fourteenth amendments.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Gunter, do the two ledger books which you submitted to the committee in accordance with the provisions of the subpoena constitute records of accounts receivable and payable and describe the customers for the accounts receivable and payable according to your business records?

Mr. GUNTER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Mr. Gunter, are the documents that you have just handed over to Mr. Appell all of the documents called for by the subpoena?

Mr. PHYFER. May I have a short conference with you?

The CHAIRMAN. Yes.

(Conference off the record.)

The CHAIRMAN. The pending question is a simple one and it is this, as directed by me: Are the documents that you have produced all of the documents called for by the subpoena? It is a "yes" or "no" question I am asking.

Mr. GUNTER. Sir, I have access to additional records as implied by the subpoena, but due to the bulk and weight of individual records and the expense of bringing these records, I was physically and financially unable to bring such records with me today. I respectfully will make said records available to the committee. This committee may have access to these records.

The CHAIRMAN. Do you understand that the documents sought by the subpoena are only documents dealing with Klan operations?

Mr. GUNTER. For the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I am advising you and telling you that the only documents this committee would be interested in would be those dealing with Klan activities. And you force me to ask this question: Have your dealings with Klan activities been such that the records you have would be too voluminous, too expensive, for you to bring here?

Mr. GUNTER. Sir, for the same reasons previously stated, I respectfully decline to answer that question.

Mr. PHYFER. May I ask something, sir, off the record?

The CHAIRMAN. Off the record.

(Discussion off the record.)

The CHAIRMAN. Mr. Gunter, do I understand your business is printing, et cetera?

Mr. GUNTER. For reasons previously stated, I respectfully decline to answer this question.

The CHAIRMAN. I understand that you are the owner of the Capital Blueprint & Supply Co. I take it, therefore, and I assume, that the subpoena orders you to produce documents for Klan organizations dealing with Klan activities, and if your business is broader than that, we are not interested in those other documents.

Mr. GUNTER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Assuming again, I am presuming, I am generally following what has transpired thus far that is relative to the import of the subpoena: Then I ask you whether your printing material, documents, pamphlets, flyers, or whatever, are so extensive that it would be too bulky for you to bring to Washington?

(Witness confers with counsel.)

Mr. PHYFER. Would you repeat the question, please?

The CHAIRMAN. Read it.

(The question was read by the reporter.)

Mr. GUNTER. Sir, I have access to additional records as required by the subpoena, but due to the bulk and weight of said records and expense of bringing these records, I was physically, financially, unable to bring such records with me today. I respectfully will make said records available to this committee. This committee may have access to said records at any time.

The CHAIRMAN. If I am correct, that this type of business dealt with Klan organizations, the printing of material, flyers, pamphlets, and so on, then I ask you did you keep a copy of each set, and is it an accumulation, or the whole of these, which is so bulky that you cannot produce?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

(At this point Mr. Clawson left the hearing room.)

The CHAIRMAN. Could you produce at least the invoices that you sent in each instance to fulfill whatever order was given to you to print?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

Mr. APPELL. Mr. Gunter, from the two ledger books that you supplied this morning, have any pages been removed since the date that you received your subpoena?

(Witness confers with counsel.)

Mr. PHYFER. Would you repeat that question?

Mr. APPELL. Yes.

The two ledger books that you produced this morning or this afternoon—have any pages been removed from either of these books since the date that you received your subpoena?

(Witness confers with counsel.)

Mr. GUNTER. Not to my knowledge.

Mr. APPELL. Mr. Gunter, many entries in your sales journal are identified only by invoice numbers. Are these invoices maintained by you as a part of the records which you could not bring because of their bulk?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

Mr. APPELL. Are these invoices among the documents which you have in your possession which you offered to make available to the committee or to a representative of the committee to review in your offices in Jackson, Mississippi?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Gunter, in May 1965, did you receive a loan for the operation of your business from the Small Business Administration of the United States Government?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Could you tell us or estimate in dollars and cents the amount of business in the shape of printing that you did with the various Klan organizations?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Gunter, I hand you a document described "My Fellow American." This is on its face published in the interest—it says, "Here are Twenty Reasons WHY you should, if qualified, join, aid and support the White Knights of the KU KLUX KLAN of Mississippi."

Did you print this document?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

(Document marked "Thomas Gunter Exhibit No. 1" appears on p. 2747.)

Mr. APPELL. I hand you a copy of a printed document headed "The KLAN Ledger, Special Gulf Coast Edition, Pre-4th of July," and another, a printed "KLAN Ledger," dated July 4, 1964, both documents state on their masthead that they are official publications of the White Knights of the Ku Klux Klan of Mississippi. Did you print those documents?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

(Documents marked "Thomas Gunter Exhibits Nos. 2 and 3," respectively. See pp. 2754–2759.)

THOMAS GUNTER EXHIBIT No. 1



My Fellow American



Here are Twenty Reasons WHY you should, if qualified, join, aid and support the White Knights of the KU KLUX KLAN of Mississippi:

1. Because it is a Christian, fraternal and benevolent organization.
2. Because it is a democratic organization, governed by its members.
3. Because it is a dedicated and just organization.
4. Because it is a working organization which not only talks but ACTS.
5. Because it is a very secret organization and no one will know that you are a member.
6. Because it is a legal organization and no one can be prosecuted for being a member.
7. Because it is a politically independent organization, and is not pledged to any political party.
8. Because it is a Pro-American organization that opposes any thing, person or organization that is Un-American.
9. Because it is an organization that is sworn to uphold the lawful Constitution of the United States of America.
10. Because it is composed of native-born, white, gentile and protestant American citizens who are sound of mind and of good moral character.
11. Because the goals of the KKK are the total segregation of the races and the total destruction of communism in all its forms.
12. Because the KKK has twice saved this nation from destruction as history clearly records.
13. Because there comes a time in the life of every man when he has to choose between the right or wrong side of life.
14. Because there are today many alien forces entering the United States of America bent upon its destruction.
15. Because it informs its members, and an informed citizen is a good citizen.
16. Because a Christian-like brotherhood among men must be revived in America.
17. Because one of the goals of the KKK is States' Rights and complete State Sovereignty.
18. Because neither the Conservatives nor the Liberals will save our nation, for patriots always save a nation.
19. Because it is clear now that if communism is to be defeated in America it will be done in the South and primarily in Mississippi.
20. Because the KKK needs you today to help fight America's battles.

The White Knights of the KU KLUX KLAN of Mississippi is, of necessity, a SECRET organization. The administration of our National Government is now under the actual control of atheists who are Bolsheviks by nature. As dedicated agents of Satan, they are absolutely determined to destroy Christian Civilization and all Christians. We have nothing dishonorable to hide, but we must remain SECRET, for the protection of our lives and families.

All of our members must meet a strict set of requirements.

We are looking for, and enlisting ONLY: Sober, Intelligent, Courageous, Christian, American, White men who are consciously and fully aware of the basic FACT that their physical life and earthly destiny are absolutely bound up with the Survival of this Nation, under God. Our governmental principles are precisely those of the ORIGINAL U. S. Constitution. Our members are Christians who are anxious to preserve not only their souls for all Eternity, but who are MILITANTLY DETERMINED, God willing, to save their lives, and the Life of this Nation, in order that their descendants shall enjoy the same, full, God-given blessings of True Liberty that we have been permitted to enjoy up to now.

We do not accept Jews, because they reject Christ, and, through the machinations of their International Banking Cartel, are at the root-center of what we call "communism" today.

We do not accept Papists, because they bow to a Roman dictator, in direct violation of the First Commandment, and the True American Spirit of Responsible, Individual Liberty.

We do not accept Turks, Mongols, Arabs, Orientals, Negroes, nor any other person whose native background of culture is foreign to the Anglo-Saxon system of Government by responsible, FREE, Individual Citizens.

Our governmental system is a Constitutional Republic, primarily designed to protect the Responsible, Individual Citizens from all tyranny, which selects its representatives by both the direct and the indirect Democratic process; and recognizes the necessity for the existence of an effective Loyal Opposition to any current Administration. This type of Governmental System is unique, and found only where Anglo-Saxons control the Governmental Machinery of a Nation. With rare exceptions, people of other backgrounds simply cannot comprehend the Anglo-Saxon principle of "Equal Justice under Law" and the fact that EVERY "Right" must be balanced by an accompanying Responsibility. The inherent balance and reason of this system has little or no attraction for these persons of alien culture. They generally prefer to shirk Individual Responsibility, grab up as much material wealth as they can, and accept Centralized Authority and Dictatorship, in the hope that they can buy special favors and privileges for themselves.

The conflict between these two attitudes has now become a Life and Death matter in America. The people of the non-American cultures CAN and COULD live under the Anglo-Saxon System, but they prefer to see it destroyed. The true American Anglo-Saxons, on the other hand, CAN NOT live under a Dictatorship!

The issue is clearly one of personal, physical SELF-DEFENSE or DEATH for the American Anglo-Saxons. The Anglo Saxons have no choice but to defend our Constitutional Republic by every means at their command, because it is, LITERALLY, their Life. They will die without it.

If you are a Christian, American Anglo-Saxon who can understand the simple Truth of this Philosophy, you belong in the White Knights of the KU KLUX KLAN of Mississippi. We need your help right away. Get your Bible out and PRAY! You will hear from us.

Mr. APPELL. I hand you—I do not know what to call it—a billboard type of thing. It says, "I WANT YOU in the White Knights of Mississippi Ku Klux Klan." Did your shop print that?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

(Document marked "Thomas Gunter Exhibit No. 4," follows:)

I WANT YOU



in the **WHITE KNIGHTS
OF MISSISSIPPI**

KU KLUX KLAN

The CHAIRMAN. Is not that document a simulation or an imitation of the very familiar—of one of our most famous posters, showing a Klansman instead of Uncle Sam, “I want you”—Armed Forces poster, in effect?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Isn't that really a deliberate imitation of that famous poster—and just a few days ago there was a very enlightening review of the various posters used during several wars we were engaged

in—where this one, at least the one this poster seems to deliberately imitate, shows instead of Uncle Sam a Klansman and the familiar hat next to it, apparently simulating the flag of the United States in the form of a hat?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do these journals and books you have presented, and we will examine them, indicate on their face and to your knowledge that you were printing material for the Klans under front—phoney front—cover names?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Gunter, I am having a very difficult time understanding, and the reason I based the earlier question to you, if you want to go through this ledger book here and look at the various items, you have to keep turning it around because they read down this way, and they get into another section and they read another way. Has this book been reassembled since the date you got your subpoena?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

Mr. SENNER. Mr. Chairman, may I ask this question?

Mr. Gunter, is there anything in there, in any of these ledgers, dealing with any printing, billing, accounts receivable, accounts payable, for Klan work? If so, where would this committee find it? What page?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

The CHAIRMAN. Would you be willing to sit with a member of our staff, an investigator, and try to point out what items in the journal and the ledger have to do with billings for Klan activities, and if you are engaged in other business, billings for other matters?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

The CHAIRMAN. Then, Mr. Gunter, I tell you that you have produced these books under certain reservations, whatever they mean, whatever significance they have, and I tell you that we have made note of the offer to have your records examined, and without prejudice to the legal rights of this committee under that subpoena, we will consider what action we will take.

Mr. APPELL. Mr. Gunter, are you now, or have you ever been, a member of the White Knights of the Ku Klux Klan of Mississippi?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

Mr. APPELL. Do you employ a Karl Summers and a Joe Allen and do you know them to be members of the Klan?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Have you done printing work for the White Christian Protective and Legal Defense Fund?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. I hand you four checks, payable from the account of the White Christian Protective and Legal Defense Fund, Inc., made

payable to Thomas E. and/or Tommy Gunter, and I ask you if you are the Thomas E. Gunter to whom these checks were made payable and if it is your endorsement on the reverse thereof.

(Witness confers with counsel.)

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

(Documents marked "Thomas Gunter Exhibit No. 5" and retained in committee files.)

The CHAIRMAN. Mr. Gunter, do you understand that the committee is interested in Klan activities; that we are not the least concerned with, or interested in, whatever endeavor you engaged in outside of business activities with the Klan, but with whatever connection you had with the Klan? Do you understand that?

Mr. GUNTER. Sir, for that reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I am telling you that, because I do not or would not take it with grace on your part if outside this hearing room you would say that we are trying to interfere with the freedom of the press and private business or anything else. I am telling you this is our interest. Do you intend to make any such statement?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

Mr. SENNER. Mr. Chairman, may I ask the witness a question? Could you tell us where those checks that you received are listed in the ledger or accounts receivable?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. SENNER. Are they listed in the ledger?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Gunter, the checks made payable to you were co-signed by H[arvey] H. Heredeen and Elmore D. Greaves.

Do you know these gentlemen?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

Mr. APPELL. Mr. Gunter, I put it to you as a fact, and ask you to affirm or deny the fact, that you have held membership in the White Knights of the Ku Klux Klan of Mississippi?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. I ask you if you are today a member of the White Knights of the Ku Klux Klan of Mississippi.

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Mr. Gunter, you were served with this subpoena to produce these documents on when?

Mr. APPELL. November 8.

The CHAIRMAN. November 8, 1965, which is over 2 months ago.

I think it was only this morning—and if counsel will disagree I hope he would say so—that Mr. Appell or members of the staff were told about the so-called bulkiness of the records, and as far as this committee is concerned, it was only upon your taking the stand that

the members knew about your position that you have outlined, that the records are too bulky and it would be too expensive for you to bring them to Washington. I want to advise you that in our opinion you were under obligation a long time ago to advise the committee that would be your position. At the last minute, here is the day of compliance, here is the day on which you were required and expected to comply with the command of the subpoena, and you give that explanation. I think, if for no other reason, fairness required you to communicate with the committee before this.

So in order for the committee eventually to determine the question of possible citation for contempt, I want to ask you two or three questions. How bulky are those documents in weight since you talk about weight? For example, how many pounds?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

The CHAIRMAN. What would have been, or what would today be the cost to send them to Washington by express?

Mr. GUNTER. What was that question again, Mr. Willis?

The CHAIRMAN. What would be the cost to ship these documents to Washington by express?

Mr. PHYFER. Mr. Willis, may I say something I think will clarify this. My client, Mr. Gunter, did not employ me until Monday afternoon at 4 o'clock.

The CHAIRMAN. What I have to say never involves an attorney who represents a witness, as you are now representing one, to give him the best advice.

Mr. PHYFER. He did not have the advice to produce such records until Monday of this week. I left for Washington—

The CHAIRMAN. Say that again.

Mr. PHYFER. He did not have the advice that he has now, is one reason that he did not produce these records.

The CHAIRMAN. You mean advice from legal counsel?

Mr. PHYFER. Yes, sir.

The CHAIRMAN. But he had been subpoenaed since November. Yet he was only given the advice, did you say, not to comply since you were employed?

Mr. PHYFER. No, sir, I did not say that.

The CHAIRMAN. I do not want to put words in your mouth. Let me understand you.

Mr. PHYFER. What I tried to say, Mr. Willis, was that he only employed counsel on Monday afternoon. He just employed counsel on Monday afternoon.

The CHAIRMAN. Then I ask you to answer that question. What would be the cost to ship those documents to Washington?

(Witness confers with counsel.)

Mr. GUNTER. Mr. Willis, I do not have any idea, but I know it would be a tremendous amount to bring them in.

Mr. SENNER. Mr. Chairman, would that be \$100? What is a tremendous amount? Let us get down to dollars and cents.

Mr. GUNTER. It could be a hundred or more than a hundred.

Mr. SENNER. How much more than a hundred; two hundred?

(Witness confers with counsel.)

Mr. GUNTER. I do not know exactly, but it was more than I had the money to bring it here.

Mr. SENNER. You told this committee under oath that because of the bulkiness and the cost that you could not afford the financial burden to bring the records here. How did you determine that financial burden?

(Witness confers with counsel.)

Mr. GUNTER. I would say it is approximately around 3,000 pounds. That is just a rough guess.

Mr. SENNER. Is that the Klan records as requested by the subpoena?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. SENNER. Then I take it from your response that it would be all your records, from the previous question before you took or invoked the fifth amendment.

Mr. GUNTER. Sir, for the previous reason stated, I respectfully decline to answer that question.

The CHAIRMAN. In order to determine, we might consider sending someone to Mississippi or having the records subpoenaed sent here to determine ultimately the question of the compliance or noncompliance with the subpoena. But let me ask you this: Are your records kept in such a way that our inspectors could separate the wheat from the chaff, look at those pertaining to Klan activities, because you are in the Klan from our information, and those pertaining to other aspects of the business if you have any other aspect?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did he invoke the privilege?

Mr. PHYFER. Yes, sir.

The CHAIRMAN. I call your attention, sir, to section 1505 of title 18 of the United States Code, generally entitled "Obstruction of proceedings before departments, agencies, and committees," and call your attention to the following pertinent passage:

Mr. SENNER. [Reading:] "Whoever corruptly"—

The CHAIRMAN. I am asking Mr. Senner to read because he perused that document.

Mr. SENNER. [Continues reading:]

Whoever corruptly, * * * obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which such proceeding is being had before such department or agency of the United States, or the due and proper exercise of the power of inquiry under which such inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress—

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

Counsel and Mr. Witness, calling your attention to the United States Supreme Court case of *Arthur McPhaul*, Petitioner, versus *United States of America* on page 7 thereof—

"if [petitioner] had legitimate reasons for failing to produce the records of the association, a decent respect for the House of Representatives, by whose authority the subpoenas issued, would have required that [he] state [his] reasons for non-compliance upon the return of the writ." * * * "To deny the Committee the

opportunity to consider the objection or remedy it is in itself a contempt of its authority and an obstruction of its processes. * * *

This case involved this very committee. You made no such request of this committee for financial aid to ship those records up here, have you, Mr. Witness?

Mr. GUNTER. No, sir.

Mr. SENNER. Or have you notified this committee in any respect that you were financially unable to bring the records up here either because of its bulkiness or the cost to you?

(Witness confers with counsel.)

Mr. GUNTER. I did not know that I was supposed to.

Mr. SENNER. You do now, don't you?

Mr. GUNTER. Yes, sir.

Mr. SENNER. You say it is 3,000 pounds and approximately \$200?

Mr. GUNTER. I would say that, approximately.

Mr. SENNER. And you are not financially able to bear that cost?

Mr. GUNTER. No, sir.

Mr. SENNER. Now going back to this original question on which you do know the law, you know what you have to do in the petition, when we talk about 3,000 pounds and \$200, are we talking about records requested by this committee by virtue of the language in the subpoena concerning the Klan?

(Witness confers with counsel.)

THE CHAIRMAN. That statement, of course, does not require any response.

My statement and that of Mr. Senner was an admonition of the problem presented and the problem this committee is confronted with, and is not to be construed as a decision thus far, as a committee determination. But I will repeat that this committee does not consider that which transpired here today to be a compliance, and in the light of the offer made by you, Mr. Gunter, I repeat that the committee reserves its position as to future course of conduct pursuant to that subpoena. Furthermore, you are now continued under subpoena. You are not discharged. I order you to return before this committee on February 1, 1966, unless in the meantime you are notified to the contrary.¹ And that day, of course, have with you the records commanded by the subpoena.

Mr. GUNTER. Mr. Willis, I was not doing this in any disrespect to the committee or anything else. It was strictly in ignorance. I did not know that I could ask for the money and bring them here.

The CHAIRMAN. I do not know that if you had asked for money it would have been supplied, but at least we would have had an opportunity to have a dialogue on the subject to try to resolve what, at the last minute, is thrown in our lap. The witness is continued under subpoena until the time indicated.

Is that it?

Mr. APPELL. For this witness, yes, Mr. Chairman.

¹Mr. Gunter reappeared before this committee on February 1 in an executive session. This testimony has not been released.

(Thomas Gunter exhibits Nos. 2 and 3, introduced on p. 2746, follow:)

THOMAS GUNTER EXHIBIT No. 2

The KLAN Ledger

An Official Publication of the WHITE KNIGHTS OF THE KU KLUX KLAN of Mississippi
DEDICATED TO THE PRESERVATION OF CHRISTIAN CIVILIZATION

SPECIAL GULF COAST EDITION

PRE-4TH OF JULY

The black savages have threatened that they intend to turn the Gulf Coast into the Congo Coast on the 4th of July. All residents and merchants are hereby cautioned to be extremely careful and alert to any threat of gangsterism or hoodlumism in the Coast area on that date. We are not going to have a duplication of the street fights and chaos that have been going on in St. Augustine and Jacksonville. We are hereby advising all white persons who are not members of the duly-authorized police forces of these State and local jurisdictions, or their lawfully deputized deputies or auxiliaries, to stand back and to avoid conflict or contact with these communist-led black savages, in any way, shape, or form. National police agents, under the direction of Bobby Kennedy, will be present with cameras to take pictures of the violence which they hope to be able to provoke. These people want Mississippi placed under martial law, and they are counting on the unorganized white people on this coast to engage in open street fights with the blacks, which will provide them with an excuse. Do not fight with the blacks. Avoid trouble. Run and get the police if the blacks show up. Help the police by keeping calm and staying out of their way while they are working on the arrests. Be very careful at all times. Get women and children out of trouble areas immediately. Talk trouble DOWN, not up. PROVE your white supremacy by showing that you have Brains as well as courage. Remember that the blacks

cannot accomplish anything unless they can cause a disturbance. Remember that they WANT you to fight with them. Keep cool-headed and beat them. The White Knights of the KU KLUX KLAN makes a solemn promise to the white people of the Mississippi Gulf Coast that if they will ignore and frustrate the blacks on the 4th of July and let the duly authorized officers of the law handle them, that we Knights will deal the leaders of these mobs a true brand of justice for the humiliation and sorrow you are suffering today. We do not want open trouble and street warfare (or beach warfare) on the Coast on July 4th. We strongly advise all white people to stay out of trouble with the blacks. Needless to say, we will have our agents all over the coast on that date observing both white and black trouble makers for future reference. We repeat, we want NO open fighting with the blacks on this coast. Heed the advice of the Klan. Do not be misled by imposters.

When the black mobs come to your town, do as we hereby advise: **DO NOT go out into the streets or to town and try to fight them.** No matter how well armed you are, you should stay at home and look after the safety and welfare of your own family.

DO NOT go out looking for trouble. Protect yourself and your family. Arm yourself well and stay at home. **Do not** fire unless your home, your person or your family is attacked. **Do not** submit to having your guns confiscated. Defend

THOMAS GUNTER EXHIBIT No. 2—Continued

yourself as a Christian, American patriot should, but do not go out hunting trouble with the Communist-led black savages. **Do not get panicky and do not worry.** If our politicians haven't the courage and moral fiber to stand up and fight integration and Communism with the law as their shield, the Christian citizens of this state will form disciplined ranks to provide protection for our civilization.

Please remember: Support your local police. We must stand behind our local officers of law and against the scummy disciples of dictatorship such as Bobby Kennedy, Nick Katzenback, John Doar, McShine, Burke Marshal, Fidel Castro, St. John Borett, Phillip Savage and N. Kruschev.

"Tonight, after you read this, get a copy of the Constitution of the United States and your Holy Bible. Read and study both of them seriously and well, and keep on doing it every day, every night from now on. Then pour out your heart in prayer to Almighty God for relief and help against the forces of Satan. This is the only way in which we can win, and we will win if we align ourselves with Almighty God!

The White Knights of the Ku Klux Klan of the Sovereign Realm of Mississippi is a Christian organization. We do not believe in, nor do we commit acts of unlawful violence. We employ physical force only in defence of our Christian civilization; and even then, without malice or vengeance.

In a debate with Judge Douglas at Charleston, Illinois, September 18, 1858, Mr. Abraham Lincoln expressed his views and his stand on the racial question, in part as follows:

"I am not nor ever have been in favour of bringing about in any way the social and political equality of the white and black races! I am not nor ever have been in favour of making voters or jurors of negroes, nor of qualifying them to hold office, nor to intermarry with white people. I will say in addition to this that there is a physical difference between the white and black races which I believe will forever forbid the two races living together on terms of social and political equality; and inasmuch as they cannot so live, while they do remain together there must be the position of the inferior and superior, and I am, as much as any other man, in favour of having the superior position assigned to the white race."

Dedicated to maintain and extend the dignity, heritage and rights of the White Race of America.

Thomas Jefferson, Benjamin Franklin, John Adams, James Monroe, even Booker T. Washington favored segregation. **DON'T DESTROY—Pass it along—Enclose in your letters—Give to your pastor, your politician, your school teacher. Maintain the dignity, heritage and rights of the White Race.**

THOMAS GUNTER EXHIBIT No. 3

THE KLAN Ledger

An Official Publication of the WHITE KNIGHTS of THE KU KLUX KLAN of Mississippi

DEDICATED TO THE PRESERVATION OF CHRISTIAN CIVILIZATION

JULY 4, 1964

We are now in the midst of the "long, hot summer" of agitation which was promised to the Innocent People of Mississippi by the savage blacks and their communist masters. On this Famous Date, the Anniversary of the founding of the American Republic, under the auspices and blessings of Almighty God, we ask that each Mississippian, each American, get down upon his knees and offer up thanks to our Creator, Savior and Inspiration for his manifold grace and blessings.

THIS THEN IS OUR PRAYER

OUR FATHER, GOD OF LIFE AND LIBERTY, WE HUMBLY THANK THEE FOR THE STRENGTH, COURAGE AND INTELLIGENCE WHICH THOU HAST GIVEN TO OUR PERSECUTED PEOPLE. WE THANK THEE THAT OUR SATANIC ENEMIES, THE DOMESTIC COMMUNISTS WHO OCCUPY THE SEATS OF POWER IN OUR GOVERNMENT HAVE FAILED TO PROVOKE THE VIOLENCE IN OUR GREAT STATE WHICH WOULD BRING DOWN MARTIAL LAW AND COMPLETE DICTATORSHIP. THANK YOU O LORD, FOR OPENING THE EYES OF ALL THE GOOD PEOPLE OF OUR GREAT NATION TO THE EVIL WHICH HAS BEEN FORCED UPON US. HELP US TO OVERCOME OUR ENEMIES, KEEP OUR FEET ALWAYS UPON THE PATH OF RIGHTEOUSNESS, AND PURGE OUR HEARTS FROM MALICE AND VENGEANCE, GIVE OUR ARMS THE STRENGTH, OUR HEARTS THE COURAGE, AND OUR MINDS THE WILL TO DESTROY THESE AGENTS OF SATAN. WE THANK THEE FOR THE RAINS WHICH HAS NOURISHED OUR CROPS AND THY SPIRIT WHICH MAKES THEM GROW. BLESS AND KEEP ALL OF US, THY CHILDREN, AND MAKE US WORTHY OF THY INFINITE BLESSINGS. WE ASK, IN THE NAME OF THY SON, CHRIST JESUS, WHO TAUGHT US HOW TO LIVE AND DIE FOR THY KINGDOM HERE ON EARTH. AMEN.

The recent events in Neshoba County and Statewide call for a message to the general public and the citizens of the great State of Mississippi. The arch-traitor and long-time betrayer of patriots the world over, Dulles, has used his lying tongue to try and convince the American Public that this organization was involved in the so-called "disappearance".

We were NOT involved, and there was NO DISAPPEARANCE. Anyone who is so simple that he cannot recognize a communist hoax which is as plain as the one they pulled on Kennedy in Dallas (and which Earl Warren is working so hard to cover-up), had better do a little reading in J. Edgar Hoover's primer on communism; "MASTERS OF DECEIT".

We refuse to be concerned or upset about this fraud. What we are concerned about is the welfare of the citizens of the State of Mississippi. The trip by Dulles was calculated to bring us nothing but harm. Dulles and his communist friends insist that there is a "racial problem" in Mississippi which they want to "solve". There is no racial problem here in this state. Our system of strict se-

THOMAS GUNTER EXHIBIT No. 3—Continued

gregation permits the two races to live in close proximity and harmony with each other and eliminates any racial problem. What the communists are so anxious to do is to create a RACIAL ISSUE, and expand the issue into a bloody revolution. This is why Dulles came into this State. While here he planted the seed into the stream of our life which they hope will blossom into violence. The seed is the suave insistence that "BI-RACIAL GROUPS and COMMITTEES" be formed to "work out" a "solution" to the "racial problem". All citizens must immediately place themselves on the alert against the formation or recognition of any such group in their community. Bi-racial groups are the greatest danger we face in this State today. These groups have absolutely no legal standing whatsoever. Experience has shown that whenever they are formed, they immediately set to work and negotiate the lawful rights of the people away in phony agreements which they have absolutely no right to enter into. Bi-racial groups have brought violence and bloodshed to every area in which they have been recognized. The surest way to have violence in Mississippi is for anyone to give any weight or recognize the authority of a bi-racial group. Any public official who recognizes or negotiates with any such bi-racial group is exceeding his authority and working against the people who elected him.

We are going to serve notice that we are not going to recognize the authority of any bi-racial group, NOR THE AUTHORITY OF ANY PUBLIC OFFICIAL WHO ENTERS INTO ANY AGREEMENT WITH ANY SUCH SOVIET ORGANIZATION. We Knights are working day and night to preserve Law and Order here in Mississippi, in the only way that it can be preserved: by strict segregation of the races, and the control of the social structure in the hands of the Christian, Anglo-Saxon White men, the only race on earth that can build and maintain just and stable governments. We are deadly serious about this business. We have taken no action as yet against the enemies of our State, our Nation and our Civilization, but we are not going to sit back and permit our rights and the rights of our posterity to be negotiated away by a group composed of atheistic priests, brainwashed black savages, and mongrelized money-worshippers, meeting with some stupid or cowardly politician. Take heed, atheists and mongrels, we will not travel your path to a Leninist Hell, but we will buy YOU a ticket to the Eternal if you insist. Take your choice, SEGREGATION, TRANQUILITY AND JUSTICE, or, BI-RACISM, CHAOS AND DEATH.

Race consciousness is not racial hatred, nor is it intolerance. It is a deeply ingrained awareness of a birthright held in trust for posterity. No man is immoral who is proud of his race, his birthright, and who promotes it as a positive principle. If this has not been proven to you, then how did Israel become a great nation; why did Edom fade into oblivion? No truly intelligent person can treat with indifference the principle of race, for it is the key to history.

The Holy Writ is very clear on the master-servant relationship. Each party has his duty and responsibility, one toward the other. All true Christians are Brothers in Christ, but their social equality is determined by individual choice and voluntary association. The Scripture simply does not teach the social equality of men here on earth. Social equality simply cannot be just. One must lose, and one must gain if two men are to be socially equal. This is not to be confused with the "created equal" clause of the Declaration of Independence. That is Equality under Law which prevents the authority of government from

THOMAS GUNTER EXHIBIT NO. 3—Continued

being applied with more favor to some men than to others. Equality under Law is a benefit to all men. It helps all and hurts none, since the tyrant who enforces the unjust Law is actually just as much hurt by the injustice (although he may feel it less) as the serf upon whom the injustice may fall. Equality under the Law is Justice. Social Equality among men is bound to contradict Equality under Law and is therefore inherently unjust. Any attempt to achieve Social Equality by using the mechanism of the Law is a negation of the basic purpose of American Law. Those who believe that the majority should always rule evidently approve of the logic which led to the Crucifixion. Jesus stood alone before the mob. A street riot was threatened unless he was to be given up for death. Pilate wanted "peace" (How often have we heard this). The mob had their way. The majority ruled. Christ, the Sinless One, went to the Cross. Do not be fooled by these politicians. PURE DEMOCRACY EQUALS DICTATORSHIP. Who ever hears of a mob without a leader? Just because that leader may commit his crimes in the "name" of the majority, is the injustice any less than if he were a KING committing those same crimes in the name of Divine Right. America is not a Democracy where the mob rules. America is a Constitutional Republic where the LAW rules; and where properly, God fearing, Bible reading men, administer the governmental offices, after being duly elected to office by the Democratic PROCESS.

HISTORY SHOWS THAT THERE IS BUT ONE WAY TO DEAL WITH DICTATORS.

We must take the Constitution of the United States of America as our guide in dealing with all gangsters. That is why we have it. That is why James Madison, Ben Franklin, George Washington, Patrick Henry and the others labored so hard to build it. THEIR CONSTITUTION WAS AN UNQUALIFIED SUCCESS. Its purpose was and is to make it impossible to set up a Dictatorship in America WITHOUT VIOLATING ITS CLEAR SPIRIT, PRINCIPLES AND LANGUAGE. THE CONSTITUTION BELONGS TO THE PEOPLE. It is not the property of any Court, Congress or Executive Officer. That is why it was written in CLEAR, SIMPLE LANGUAGE and given wide distribution, so that the honest individual citizen would have a yardstick to measure the thugs and scoundrels whom the founders of our constitution knew were BOUND TO GET INTO PUBLIC OFFICE. The Constitution is the Basic Power of all governmental authority in America. It is the Supreme Law of the Land. It establishes the principle that this is a government of Laws and not of men. The Supreme Court gets all of its power from the Constitution. The Congress gets all of its power from the Constitution. The President gets all of his power from the Constitution. If those who sit on the bench of the Supreme Court depart from the Constitution then they are NOT the Supreme COURT. If the cravens who sit in the seats of Congress depart from the Constitution - then they are NOT the Congress. If the man who sits in the White House departs from the Constitution - then he is NOT the President. THIS principle is the Spirit of American Liberty. It is what government by LAW and not by men MEANS. Any officer of governmental standing who departs from the CLEAR Principles of the Constitution automatically thereby cuts off the source of his lawful power and becomes nothing more than an armed thug, regardless of how many marshalls or troops he may command. If in any such unconstitutional situation, any marshalls or troops engage in any violence against a citizen of this State while attempting to force him to comply with some unlawful order, he will be committing a FELONY against the Peace and Dignity of Mississippi and America.

THOMAS GUNTER EXHIBIT No. 3—Continued

The WHITE KNIGHTS OF THE KU KLUX KLAN are bound by oath to persevere, protect and defend the Constitution of the United States of America by reason and by force, if necessary. The Constitution is our guide, and ALMIGHTY GOD is our strengty. George Washington once said: "The people know that men cannot govern without the Bible". There never has been an atheist, no matter how intelligent, who could design a practical system of ethics which could displace the fundamental, Spiritual principles of Christian Morality as a guide for society. The failure of these atheists is everywhere around us, exposed to view in the courts and in public office. It is not America that has failed. It is not Christ that has failed. It is not the Constitution nor the Bible that has failed. It is the atheists who think that they can govern without the BIBLE and the LAW who have failed.

In regard to the actual position and intentions of the WHITE KNIGHTS OF THE KU KLUX KLAN OF MISSISSIPPI with regard to the "racial problem" and the so-called communist conspiracy we hereby issue the following statement:

"Let none forget today or ever that we are the Physical and Spiritual Heirs of the world's first and last True Revolution. Let the word pass to triend and foe alike, telling that the Torch of Liberty and Justice has been passed to a new generation of Americans, nourished in adversity - tempered in hellish and fruitless war - humbled by Christianity - aroused in militant determination to close with and destroy the enemies of America. Proud are we of our Ancient and Noble heritage, unwilling to witness or permit the slow or rapid undoing and destruction of our Inalienable rights. Secure in the knowledge that Almighty God intended for his children to live free of the malicious will of other men, we state that these rights are not negotiable, that since they are given by God, they cannot be taken from us by any man, or mob of men, calling themselves a government, a party, a proletariat or body politic. With a firm and humble reliance on the protection of Almighty God, we candidly repeat the warning of our forefathers: 'Don't tread on me'."

THIS IS WHY WE HAVE THE WHITE KNIGHTS OF THE KU KLUX KLAN OF MISSISSIPPI.

In a debate with Judge Douglas at Charleston, Illinois, September 18, 1858, Mr. Abraham Lincoln expressed his views and his stand on the racial question, in part as follows:

"I am not nor ever have been in favour of bringing about in any way the social and political equality of the white and black races! I am not nor ever have been in favour of making voters or jurors of negroes, nor of qualifying them to hold office, nor to intermarry with white people. I will say in addition to this that there is a physical difference between the white and black races which I believe will forever forbid the two races living together on terms of social and political equality: and inasmuch as they cannot so live, while they do remain together there must be the position of the inferior and superior, and I am, as much as any other man, in favour of having the superior position assigned to the white race."

Dedicated to maintain and extend the dignity, heritage and rights of the White Race of America.

The mas Jefferson, Benjamin Franklin, John Adams, James Montoe, even Booker T. Washington favored segregation. DON'T DESTROY—Pass it along—Enclose in your letters—Give to your pastor, your politician, your school teacher. Maintain the dignity, heritage and rights of the White Race.

The CHAIRMAN. Call your next witness.

Mr. APPELL. Mr. Harvey H. Heredeen.

The CHAIRMAN. As chairman of the full Committee on Un-American Activities, I hereby, for the purposes of the balance of the hearing this afternoon, constitute a special subcommittee of three composed of myself, as chairman, Mr. Weltner, and Mr. Senner.

Let it be known that all three are now present and that, as we go along, two will constitute a quorum.

Proceed.

Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HEREDEEN. I do.

TESTIMONY OF HARVEY HERMAN HEREDEEN, ACCOMPANIED BY COUNSEL, JIM PHYFER

Mr. APPELL. Would you state your full name for the record?

Mr. HEREDEEN. Harvey Herman Heredeen.

Mr. APPELL. H-e-r-e-d-e-e-n?

Mr. HEREDEEN. That is correct.

Mr. APPELL. Are you appearing here today, Mr. Heredeen, in accordance with a subpoena served upon you on November 6, 1965, at 4613 Jiggetts Road, Jackson, Mississippi, by Mr. Sullivan, an investigator of this committee?

Mr. HEREDEEN. Yes, sir, I am.

Mr. APPELL. J-i-g-g-e-t-t-s?

Mr. HEREDEEN. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. HEREDEEN. I am.

Mr. APPELL. Will counsel identify himself for the record?

Mr. PHYFER. Jim Phyfer, 518 East Pascagoula Street, Jackson, Mississippi.

Mr. APPELL. Mr. Heredeen, when and where were you born?

Mr. HEREDEEN. I was born in Eastford, Connecticut, October 9, 1898.

Mr. APPELL. Would you give the committee a brief résumé of your educational background?

Mr. HEREDEEN. I completed the ninth grade of grammar school in Saugus, Massachusetts, and since then I have studied quite a bit in the U.S. Navy.

Mr. APPELL. Would you give the committee a brief résumé of your employment background?

Mr. HEREDEEN. Since what period, sir?

Mr. APPELL. Well, you spent quite a bit of time in the U.S. Navy?

Mr. HEREDEEN. Twenty-five years active duty in the Navy.

Mr. APPELL. And I assume that covers the greater part of your employment background, so, if you will start with the number of years that you spent in the Navy, and when you retired, and your employment thereafter, I think that would take care of it, sir.

Mr. HEREDEEN. I am a veteran of World War I. I went into the Navy in 1917 and I am a veteran also of World War II. I have 25 years'

active duty, 12 years of which was submarine duty. I retired on 30 years in 1948 and went to work at that time—in '46 I went to work for the American Oil Company in Jackson, Mississippi. I worked for the American Oil Company for 17 years. The last 10 years I was office manager in the American Oil Company division office in Jackson, Mississippi.

MR. APPELL. Are you presently employed by them, sir?

MR. HEREDEEN. I am retired now. I haven't hit a lick since 1963, January 1st.

MR. APPELL. Mr. Heredeen, the subpoena served upon you, an attachment thereto made a part of the subpoena called upon you to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi and affiliated organizations namely the Mississippi Constitutional Council and the White Christian Protective and Legal Defense Fund in your possession, custody or control or maintained by you or available to you as an associate or affiliate member of the White Knights of the Ku Klux Klan of Mississippi.

I ask you, Mr. Heredeen, in the representative capacity set forth in paragraph 1, to produce the documents called for.

MR. HEREDEEN. Sir, I object to the introduction of any records in the proceeding on the grounds of the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States of America.

THE CHAIRMAN. Well, that is not an answer to the question.

MR. APPELL. Mr. Chairman, I ask the witness be directed—

THE CHAIRMAN. I suppose you mean to say that you refuse to produce them on those grounds; is that correct?

MR. PHYFER. Yes. No, sir. He said he objected.

THE CHAIRMAN. Well, your objection is overruled. This is not the subject of an objection.

MR. APPELL. I ask the witness be directed to produce the documents called for in paragraph 1 referred to.

THE CHAIRMAN. Sir, you have been ordered to produce those documents in the representative capacity indicated in the subpoena. Do you understand that?

MR. HEREDEEN. Yes.

THE CHAIRMAN. If what you mean is that you refuse to produce the documents on the basis of the constitutional provisions you referred to, then I say that we reject and do not accept those provisions as the basis for your refusal and, accordingly, I now direct and order you to produce them.

MR. HEREDEEN. By the introduction of these records, I do not waive any rights or legal defense that I have under the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States of America, sir.

MR. APPELL. Mr. Chairman, the record should show that Mr. Heredeen, in response to your direction, has produced bank ledger cards, retained copies of deposit slips, a certification of audit, copies of canceled checks and invoices.

THE CHAIRMAN. Sir, are the documents you produced all the documents called for by the subpoena?

MR. HEREDEEN. Sir, all the records that I have access of, custody or control of, have already been introduced into evidence.

(Documents marked "Harvey Heredeen Exhibit No. 1" and retained in committee files.)

The CHAIRMAN. That is not my question. My question is, Are those records all of the documents called for?

Mr. HEREDEEN. I do not have access, custody, or control over any additional records that were ordered by the subpoena issued to me.

The CHAIRMAN. In other words, your position is, if the subpoena called for more documents, those are all you have?

Mr. HEREDEEN. I have my income tax records here.

The CHAIRMAN. I am now referring to the part of the subpoena read by Mr. Appell. Your position is, as I understand it, that if the subpoena called for other records by this paragraph 1, then those you have produced are the only records you have called for by paragraph 1?

Mr. HEREDEEN. Yes, sir; that is right.

The CHAIRMAN. You said those are all the records you have. Did you have any further records since the service of the subpoena that you didn't produce for any reason, such as because you destroyed them or did away with them or by any other reason?

Mr. HEREDEEN. Mr. Willis, I do not have access, custody, or control of any additional records ordered by the subpoena issued to me.

The CHAIRMAN. Did you have access to, or control over, other documents when that subpoena was served? That is my point.

Mr. HEREDEEN. No, sir.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Heredeen, I hand you a—

The CHAIRMAN. There is not time for the staff to be expected to examine these documents in detail. After the documents have been analyzed and have served their purpose, they will be returned to you. Proceed.

Mr. APPELL. Mr. Heredeen, through a subpoena duces tecum, the committee obtained from the Jackson-Hinds Bank, Jackson, Mississippi, banking records pertaining to a checking account maintained by the White Christian Protective and Legal Defense Fund, Inc., Elmore D. Greaves, secretary-treasurer, Post Office Box 426, Jackson, Mississippi. It shows the account was opened with a deposit January 18, 1965, in the amount of \$5. The signature card signed 1/18/1965 reflects Harvey H. Heredeen, secretary-treasurer; Elmore D. Greaves, chairman.

I hand you this and ask you if the signature "Harvey H. Heredeen" is your signature?

Mr. HEREDEEN. Sir, I respectfully decline to answer that question and invoke as a defense the privilege guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

(Documents marked "Harvey Heredeen Exhibit No. 2" appear on p. 2763.)

Mr. APPELL. Now, Mr. Heredeen, the committee's investigations established that solicitations of funds, documents which set forth the purpose of the White Christian Protective and Legal Defense Fund, statements which set forth the identity of the board of directors of the organization were mailed out to people throughout the State of Mississippi.

As secretary of the organization, as the bank records reflect, to-

HARVEY HEREDEEN EXHIBIT NO. 2

WHITE CHRISTIAN PROTECTIVE and LEGAL DEFENSE FUND, INC. FLORENCE D. GRAYSON - SECT'Y. - TR. AS P. O. BOX 426 JACKSON, MISS. <i>H. H. Heredeen</i>				Husband Wife Occupation or Business	
Date Opened	Initial Deposit	Avg. Balance	Date Closed	C. D. \$	Due:
<i>1/10/65</i>	<i>5.00</i>				
Other:				Safe Deposit Box:	
Stockholder:					

NAME: WHITE CHRISTIAN PROTECTIVE & LEGAL DEFENSE FUND, INC.
 TO JACKSON-HINDS BANK 99-2436 -> Jackson, Mississippi
 I am authorized to receive any of the signatures subscribed below in the payment of
 funds or the transaction of any business for this account. It is agreed that all transactions
 involving this card and the undersigned shall be governed by the contract printed on the reverse
 side of this card.

Required
 SIGNATURE _____ A.B.A. Approved Contract
 SIGNATURE OF _____
 _____ SECT'Y. & TR. AS.
 _____ CHAIRMAN

P. O. BOX 426
 JACKSON, MISSISSIPPI
 SIGNATURE ALL DEPOSITS INITIAL DEPOSIT ACCOUNT OPENED BY
1/10/65 *5.00* *LDH*

together with being treasurer, where are the documents which your position as secretary required you to maintain?

Mr. HEREDEEN. Sir, I do not have access, custody, or control over any additional records ordered by the subpoena issued to me.

Mr. APPELL. As secretary-treasurer of the White Christian Protective and Legal Defense Fund, did you engage in any correspondence in which you signed your name as the secretary-treasurer?

Mr. HEREDEEN. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Can you advise the committee as to why copies of none of this correspondence are contained in these records?

Mr. HEREDEEN. Sir, I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. In addition to signing letters over your own name as secretary-treasurer, you sent out letters in which you signed the name of the chairman per your signature. Can you explain to the committee why copies of none of this correspondence are among the records submitted in response to the subpoena?

Mr. HEREDEEN. I must respectfully decline to answer that question for reasons previously stated.

The CHAIRMAN. Well, let me ask you this question—it would be more responsive if you said you didn't keep copies—did you keep copies?

(Witness confers with counsel.)

Mr. HEREDEEN. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Heredeen, have you attended State executive meetings—cabinet meetings of the White Knights of the Ku Klux Klan, Mississippi?

Mr. HEREDEEN. Sir, for reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Are you presently a member of the White Knights of the Ku Klux Klan in Mississippi?

Mr. HEREDEEN. Sir, for reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. As secretary-treasurer, do you know it to be a fact that the White Christian Protective and Legal Defense Fund was created as an instrumentality of the White Knights of the Ku Klux Klan of Mississippi?

Mr. HEREDEEN. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege—

The CHAIRMAN. Let me ask a question on that. Sir, I want to make it plain that to me, anyway, as chairman of this committee and as a lawyer, I am not inquiring into the propriety of anyone raising funds for the defense of anyone, but we are interested in the activities of the Klan.

Now, my question is this: Was the White Christian Protective and Legal Defense Fund, Inc., a Klan activity?

Mr. HEREDEEN. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Was the organization formed as an inducement to nonmembers of the Klans to contribute, not knowing that it was a Klan activity?

Mr. HEREDEEN. Sir, for the reasons previously stated, I must respectfully decline to answer that question.

The CHAIRMAN. Was the White Christian Protective and Legal Defense Fund, Inc., in fact formed to give it respectability, so that people who were not members of the Klan would contribute to it in the belief that it was a white Christian protective association?

Mr. HEREDEEN. Mr. Willis, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Isn't it a fact that much, if not most, of the funds collected was solicited from and received from people in the Jackson area—whatever area the fund operated in—who were not members of the Klan?

Mr. HEREDEEN. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Isn't it a fact that this was one more cover or front organization behind which the Klan organization was hiding?

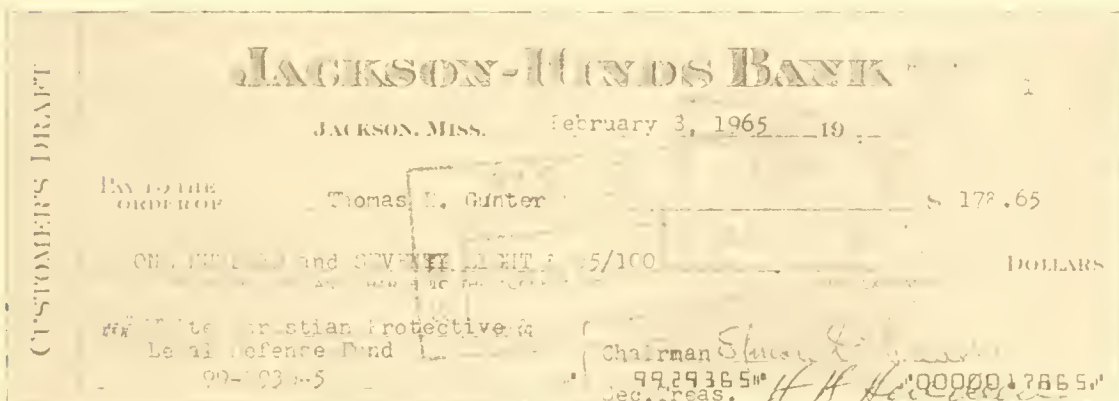
Mr. HEREDEEN. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, I would like the record to reflect at this

point, even though we will need some time to make an examination of all of these checks, that one of the checks supplied by Mr. Heredeen in response to the subpoena is against the account of the White Christian Protective and Legal Defense Fund and is payable to Thomas E. Gunter, the preceding witness, in the amount of \$178.65, cosigned by Elmore D. Greaves as chairman and H. H. Heredeen as secretary-treasurer.

(Document marked "Harvey Heredeen Exhibit No. 3" follows:)

HARVEY HEREDEEN EXHIBIT NO. 3



Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Heredeen and the White Christian Protective and Legal Defense Fund.

In January 1965, the White Christian Protective and Legal Defense Fund was organized for the purpose of raising funds for those arrested in Philadelphia, Mississippi, for involvement in the murder of the three civil rights workers and unidentified persons arrested in Meridian, Mississippi.

Present at meetings held during the period for the purpose of creating the fund were: Sam Bowers, Imperial Wizard, White Knights of the Ku Klux Klan; Elmore D. Greaves, the chairman of the fund; Julius Harper, the Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi; Gordon Lackey, a province official; J. K. Greer, a Klan official; I. H. "Pete" Shumaker; John Bostick; and E. L. "Tiny" Lewis.

On January 31, 1965, a meeting of the Klan cabinet was held in Jackson, Mississippi. Present at this meeting were Pete Shumaker, the Reverend Delmar Dennis, and Harvey H. Heredeen, all formal members of the White Christian Protective and Legal Defense Fund. Imperial Wizard Bowers stated at this meeting that the main purpose of the meeting was for raising funds for the defense of the 18 defendants who had been arrested for their participation in the murder of Schwerner, Goodman, and Chaney. Bernard L. Akin, one of the 18, was present at this meeting.

Bowers stated that the White Christian Protective and Legal Defense Fund had been formed by the White Knights and was the principal fundraising organization created and organized by the White Knights.

He further stated that only active members of the White Knights would be allowed to serve on the board of directors of the fund.

Plans already adopted for solicitation by mail and through placing of sealed jars in restaurants, filling stations, and other places of public accommodation were announced.

In February, Secretary-treasurer Heredeen reported that State Chairman Greaves had met with the representative of the Neshoba County Defense Fund. At this meeting it was agreed that the White Christian Protective and Legal Defense Fund would not solicit in Neshoba County, nor would the funds merge.

In March 1965, Imperial Wizard Bowers reported at a State cabinet meeting that the White Christian Protective and Legal Defense Fund would be a permanent organization not only to raise funds for the Philadelphia defendants, but also for the defense of any Klansman accused of committing racial violence.

Bowers reported that the Jackson-Hines Bank, which had not given its authority to mailing out its drafts, had disassociated itself in every way from this fund. Thereafter, funds should be mailed to the fund in care of its post office box.

Also in March 1965, the White Christian Protective and Legal Defense Fund held a meeting at Brookhaven, Mississippi. Heredeen and Greaves were given the right to provide funds for any white Christian who may be indicted or forced to stand trial because of a civil rights act, without prior approval of the board.

At a meeting of the White Knights in August 1965, held near Florence, Mississippi, at which H. H. Heredeen was present, Grand Dragon of the White Knights Billy Buckles requested that \$500 be sent to Greenwood, Mississippi, for the three arrested for arson.

This information, Mr. Chairman, indicates that Mr. Heredeen possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Heredeen, you have heard the sworn statement of the committee's investigator. You now have an opportunity to reply to any portion of that statement, confirm or deny the accuracy of the information, or explain any part of it. In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of this opportunity?

Mr. HEREDEEN. Sir, for reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I say to you, therefore, sir, that absent your rebuttal of the facts that have come to the attention of the committee, this committee will rely upon the accuracy of its investigation.

Bearing this in mind, do you have anything to say?

Mr. HEREDEEN. Sir, for reasons previously stated by me, I respectfully decline to answer that question.

The CHAIRMAN. Mr. Heredeen, I asked questions a while ago that Mr. Appell's sworn statement brought back to my memory, questions about certain facts of which I am aware. We have received evidence to the effect that this defense fund indeed was a coverup Klan organization or activity; that what was described as jugs were deposited in many, many, many places of business in Mississippi—restaurants, hotels, motels, stores, and what not; and that people were made to

believe that this was not a Klan activity; that contributions were made on that belief. And I recall, even, that it was stated under oath that one fruitful source of collections was in cafes and saloons where, after people had many drinks, they wanted to respond and did respond pretty heavily to the fund—people who had no knowledge that this was a Klan activity and that jugs or buckets were in fact controlled, placed, and the funds collected, by members of the Klan. Is that correct?

Mr. HEREDEEN. Sir, for reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Heredeen, do you know the Grand Dragon of the White Knights of the Ku Klux Klan, Julius Harper?

Mr. HEREDEEN. Sir, for the reasons previously stated by me, I respectfully decline to answer that question.

Mr. APPELL. Mr. Heredeen, on February 20, 1965, at approximately 6 p.m., did you meet up with Julius Harper, him driving a white 1964 Chevrolet and you driving a 1964 Oldsmobile, and thereafter go off to a secret meeting of the Klan?

Mr. HEREDEEN. Mr. Appell, for the reasons previously stated, I must respectfully decline to answer that question.

Mr. APPELL. I have no further questions, Mr. Chairman.

Mr. SENNER. Mr. Heredeen, you said you had some income tax forms. Before you deliver them to the committee, I would like to ask this question: Are they the income tax for the White Christian Protection and Legal Defense Fund, Inc., or are they your own?

Mr. HEREDEEN. Mr. Senner, these are my personal income tax records as the subpoena calls for.

The CHAIRMAN. He didn't ask you to produce them, in fact, and if he had, I would not have ordered you to produce them.

Let me ask you this: Did you ever receive any income coming from Klan activities?

Mr. HEREDEEN. Would you repeat the question, please?

The CHAIRMAN. Let me get right to the point. I have in my hand an envelope containing five checks issued by the White Christian Protective and Legal Defense Fund, payable to H. H. Heredeen or cash. Now, I say to you, of course, those checks were issued but, to be fair, did you use the moneys represented by those checks for your own use, or did you pass the funds over to anybody else?

Mr. HEREDEEN. Sir, for reasons previously stated, I respectfully decline to answer that question.

(Documents marked "Harvey Heredeen Exhibit No. 4" and retained in committee files.)

The CHAIRMAN. I said a moment ago I would not have directed the production of your personal income tax. I meant to add "if you had invoked the fifth amendment."

The subpoena called on you to produce copies of the income tax return of the White Christian Protective and Legal Defense Fund, that is, called upon to produce them in your capacity as secretary-treasurer. Did you bring them with you? If you filed it; if one was filed.

Mr. HEREDEEN. Sir, all of the records ordered by the subpoena issued to me that I have access, custody, or control of have already been introduced into evidence.

The CHAIRMAN. I say to you it is our information that this outfit did not file any income tax return. The Internal Revenue people so informed us.

Mr. APPELL. Mr. Chairman, I have no further questions.

Mr. SENNER. I think you covered it very well, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Mr. Elmore D. Greaves.

The CHAIRMAN. Raise your right hand. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GREAVES. I do.

TESTIMONY OF ELMORE DOUGLAS GREAVES, ACCOMPANIED BY COUNSEL, JIM PHYFER

Mr. APPELL. Would you state your full name for the record?

Mr. GREAVES. Elmore Douglas Greaves.

Mr. APPELL. Are you appearing before the committee in accordance with the subpoena served upon you by Investigator Sullivan of this committee on November 6, 1965, at Route 1, Box 140, Madison, Mississippi?

Mr. GREAVES. I am, sir.

Mr. APPELL. Are you represented by counsel?

Mr. GREAVES. I am, sir.

Mr. APPELL. Will counsel identify himself for the record?

Mr. PHYFER. Jim Phyfer, 518 East Pascagoula Street, Jackson, Mississippi.

Mr. APPELL. Mr. Greaves, after receipt of the subpoena served upon you, did you dispatch a Western Union telegram to the chairman of this committee with reference to the service of that subpoena?

Mr. GREAVES. Yes, I did.

Mr. APPELL. I would like to read this into the record and ask if this is the telegram you sent to the chairman:

Be advised we hereby petition the House Committee on Un-American Activities to proceed in executive sessions for the following reasons:

1. Washington, D.C. is notoriously one of the most crime ridden cities in the United States and it is placing ourselves in great personal danger to arrive in or travel about that District in our automobiles bearing Mississippi State license plates. No precautions have been made by your committee to safeguard our lives or persons or property while there.

2. Our sons and bothers now face Communist elements in Vietnam in a deadly war. These same Communist elements fill the first several rows of your committee hearings, operating tape recorders and cameras. These Communists attending these hearings include representatives of *The Worker*, Communist newspaper, and the *National Guardian*, cited by your committee, House Report Number 3123, September 21, 1950, as "a virtual official propaganda arm of Soviet Russia", as well as other un-American elements who daily pack these hearings.

3. Southern citizens who have recently appeared before your committee in Washington have revealed that these Communists in attendance have boasted to them that they "were there to identify our people so that further action could be taken against us."

4. We strongly protest the unfair and unreasonable manner of handling these subpoenas. They were issued by your committee on October 6, 1965, but were not served until November 6, 1965; late Saturday afternoon. This manner of handling is in violation of your committee's own rules of procedure, which states:

III. Subpoenaing of witnesses:

"B. Witnesses shall be subpoenaed at a reasonably sufficient time in advance of any hearing, said time to be determined by the committee or subcommittee, in order to give the witness an opportunity to prepare for the hearing and to employ counsel, should he so desire."

Your subpoena leaves only five working days of preparation and travel time from the State of Mississippi to Washington, D.C.

5. We feel that the further holding of these hearings under present conditions and in the present location is to subject the witness, his attorney and members of his family to greater danger than we would face as soldiers in Vietnam. The committee is urged to select a site and under conditions less hostile and less fraught [sic] with real and actual danger.

The congressional Committee on Un-American Activities has had a long and creditable record for its efforts in behalf of the United States and its patriots and in investigating the internal threats to our national security from Congressman Martin Dies to Congressman Francis E. Walter. We would have deemed it a privilege to have appeared before this committee in such investigations. During the past several years, however, investigations by your committee have obviously been un-American. The current hearings appear to be purely political in their purposes and carried on as a basis for un-American propaganda.

Communist demonstrators ran the committee under the bed in the San Francisco hearings and now it emerges with its front rows filled with Communists.

For these reasons patriots are uncertain of the motives behind subpoenas lately issued and so are ill-prepared to appear before this committee.

Elmore D. Greaves, Editor-Publisher The Southern Review.

Mr. Greaves, did you dispatch this telegram?

Mr. GREAVES. Yes, I sent that.

(Document marked "Elmore Greaves Exhibit No. 1" and retained in committee files.)

Mr. APPELL. Did you believe all of the contents in it to be based upon information which you had received as I set forth to the committee about the attendance of the people at the hearings and the people here with quotes and other things as you set forth in this telegram?

Mr. GREAVES. I believed this from the information I had.

Mr. APPELL. Would you advise the committee the source of your information?

Mr. GREAVES. The question you asked me is who the source of this information is?

Mr. APPELL. Yes, sir.

Mr. GREAVES. The source was given to me as a newspaper editor.

The CHAIRMAN. And?

Mr. SENNER. And you claim privilege?

Mr. GREAVES. Yes, I do.

The CHAIRMAN. You mean, you invoke the privilege of a newspaperman not to disclose your source of information?

Mr. GREAVES. Yes, I do, sir; and of the fifth amendment.

The CHAIRMAN. Of what?

Mr. GREAVES. Also of the fifth amendment.

The CHAIRMAN. This committee is not in the business of prying into legitimate operations of the press, I assure you. I am not going to order and direct you to answer the question that you reveal your sources. But when did you arrive in Washington?

Mr. GREAVES. I believe, sir, on Tuesday.

The CHAIRMAN. Did you personally experience the things which you said in that telegram your sources said they had experienced?

Mr. GREAVES. I did not.

The CHAIRMAN. Did you see in and around the hearing room, the Capitol, anywhere else, the presence of Communists influencing the committee or doing the things that you said your source told you were going on?

Mr. GREAVES. I did not see that, sir.

The CHAIRMAN. Do you have reason to believe that those things are going on?

Mr. GREAVES. From what I have seen, sir, since my presence here I have no reason to believe that is occurring at this time.

The CHAIRMAN. And you make the reservation of "at this time." So that whatever was related to you in the past would be from the sources that you cannot reveal. Is that correct?

Mr. GREAVES. That is correct.

The CHAIRMAN. You applaud in your telegram the creditable records of this committee under the regime and leadership, chairmanship, of the Honorable, my good friend, Martin Dies, and my late, lamented friend Francis Walter of Pennsylvania, and you stop there. Since your appearance in Washington and your attendance at these hearings, do you have any reason to believe that the functions of my chairmanship and the membership of the gentlemen whom you have seen are any less creditable?

Mr. GREAVES. From what I have seen, sir, I would say that they are not less so.

Mr. APPELL. Mr. Greaves, the subpoena served upon you did not in any manner or form mention the *Southern Review*: did it, sir?

Mr. GREAVES. It did not, sir.

Mr. APPELL. So that the subpoena was not served upon you as a newspaperman, nor did it call for your appearance as a newspaperman.

Mr. GREAVES. It was not served upon me in that capacity; no, sir.

Mr. APPELL. Mr. Greaves, when and where were you born?

Mr. GREAVES. Hinds County, Jackson, Mississippi, 1926.

Mr. APPELL. Month and day?

Mr. GREAVES. March 15, 1926.

Mr. APPELL. Do you presently reside at Route 1, Box 140, Madison, Mississippi?

Mr. GREAVES. That is correct.

Mr. APPELL. Are you represented by counsel?

Mr. GREAVES. I am, sir.

Mr. APPELL. Will counsel identify himself for the record?

Mr. PHYFER. Jim Phyfer, 518 East Pascagoula Street, Jackson, Mississippi.

Mr. APPELL. Would you give the committee a résumé of your educational background, Mr. Greaves?

Mr. GREAVES. I had 4 years in college.

Mr. APPELL. Graduating from where, and when?

Mr. GREAVES. I did not graduate. I withdrew from law school upon the death of my father in 1951.

Mr. APPELL. 1951?

Mr. GREAVES. Yes.

Mr. APPELL. Have you had military service, sir.

Mr. GREAVES. Two years in the Navy during the Second World War.

Mr. APPELL. During what years?

Mr. GREAVES. From 1944 to 1946.

Mr. APPELL. Give the committee a brief résumé of your employment background.

Mr. GREAVES. I have been self-employed since 1951 as an independent cotton farmer.

The CHAIRMAN. Cotton farmer?

Mr. GREAVES. Cotton farmer; yes, sir.

The CHAIRMAN. A noble occupation. I am a cotton farmer myself.

Mr. APPELL. Mr. Greaves, the subpoena served upon you contained an attachment, which was made part of the subpoena, and under the conditions of the subpoena ordered you to bring with you and to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi, and affiliated organizations, namely, White Christian Protective and Legal Defense Fund and the Mississippi Constitutional Council, in your possession, custody or control, or maintained by you or available to you as present or past member or an associate of the White Knights of the Ku Klux Klan of Mississippi.

Mr. GREAVES. All of the records ordered by the subpoena to me that I have access, custody, or control of have already been introduced into evidence.

The CHAIRMAN. Mr. Senner.

Mr. SENNER. What was the answer?

Mr. APPELL. That the documents the subpoena called upon him to produce have already been produced and are in the record, the documents available to him or in his custody or in his control.

Mr. SENNER. Mr. Greaves, who introduced those documents? Could you name those individuals?

Mr. GREAVES. That is already in the record.

Mr. SENNER. Who introduced them into the record? That was my question.

The CHAIRMAN. Let me ask you this question. Do you mean they were produced through the witness Mr. Heredeem?

Mr. GREAVES. Yes, sir.

The CHAIRMAN. Do you have any other documents in your possession not produced by Mr. Heredeem? I mean documents relating to Klan activities.

Mr. GREAVES. Sir, I have no other records in my possession called for by the subpoena.

The CHAIRMAN. Did you ever have any?

Mr. GREAVES. I never did have any.

The CHAIRMAN. Do you know of any documents called for by the subpoena that were destroyed?

Mr. GREAVES. No, sir, I do not.

The CHAIRMAN. I already indicated the documents produced by Mr. Heredeem would, of course, be examined and perused carefully and studied and will be returned after they have served their purpose.

Mr. APPELL. Mr. Greaves, in response to a question as to whether or not you ever had the documents or they were destroyed, you said, I believe, not to your knowledge. Now, this is a defense fund to which people contributed money. Some money was received in the form of

donations through the mail, accompanied by letters. Where are the records which reflect such contributions to the funds?

Mr. GREAVES. Mr. Appell, all the records issued by the subpoena issued to me that I have access to, custody or control of, all of them have already been introduced into evidence.

Mr. APPELL. Mr. Greaves, we have been advised by the Internal Revenue Service that no tax return has been filed by the fund, and there is nothing in the report submitted to us about income. These are items of disbursement. Are you testifying you have no records to justify and set forth the income which this fund has received?

Mr. GREAVES. Sir, with all due respect, I repeat the previous statement that all of the records, that is all of them, ordered by the subpoena issued to me that I have had access to, or control or custody of, have already been introduced into evidence.

The CHAIRMAN. You were chairman of that entity called the White Christian Protective and Legal Defense Fund; were you not?

Mr. GREAVES. Mr. Willis, I respectfully decline to answer that question and invoke as defense the privileges guaranteed to me in the 5th, the 1st, and 14th amendments of the Constitution of the United States.

The CHAIRMAN. As Mr. Appell said, it was our information the corporation did not, in fact, file an income tax return. Is that information correct?

Mr. GREAVES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. In soliciting funds to be used by that entity or corporation, were representations made that contributions or donations would be tax-free?

Mr. GREAVES. Mr. Willis, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Mr. Chairman and Mr. Greaves, you stated with some degree of authority in your answer that all documents of this corporation have been heretofore produced before this committee. What makes you so sure that all records and documents have been produced to this committee by the corporation?

Mr. GREAVES. Sir, all of the records ordered by the subpoena issued to me that I had access, custody, or control of have already been introduced into evidence.

Mr. SENNER. By Mr. Heredeen. That was your answer and you were very positive about that. My question to you is: How do you know that all records and documents required by the subpoena were introduced or produced by Mr. Heredeen and presented to this committee? Did you look at all of the documents and records Mr. Heredeen supplied?

Mr. GREAVES. Sir, I only know what I had access, custody, and control of.

Mr. SENNER. And then apparently you turned that over to Mr. Heredeen and then you looked at Mr. Heredeen's records and you know as a fact, and you testified to the fact, that these records you did have in your possession have been produced and delivered to this committee. Do you testify to this as a positive fact?

Mr. GREAVES. Yes.

Mr. SENNER. And you looked at those records?

Mr. GREAVES. Yes.

The CHAIRMAN. The subpoena served upon you called for, among other things, correspondence relating to the organization of and conduct of business affairs of the White Knights of the Ku Klux Klan of Mississippi and its affiliated organization, the White Christian Protective and Legal Defense Fund. As chairman of this entity did you have correspondence, engage in correspondence?

Mr. GREAVES. Mr. Willis, for the previous reasons stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you maintain files of that fund containing letters received and copies of letters sent?

Mr. GREAVES. Mr. Willis, in answer to that question let me reiterate that all of the records ordered by the subpoena issued to me that I have had access to, custody, or control have already been introduced into evidence.

The CHAIRMAN. I won't accept that because it is not responsive. What I asked you is: Did you, as chairman, keep files and do you now have in your possession files containing original letters received by you as chairman and containing copies of letters you sent out?

(Witness confers with counsel.)

Mr. GREAVES. Mr. Willis, I kept no further files.

The CHAIRMAN. That is still not responsive. I am going to hang on until you answer. Did you maintain files, did you keep files as chairman, containing letters received from anyone and copies of letters sent out by you and signed by you?

(Witness confers with counsel.)

The CHAIRMAN. In your representative capacity.

Mr. PHYFER. May we have the question reread, please, sir?

The CHAIRMAN. Read the question.

(The question was read by the reporter.)

Mr. GREAVES. Mr. Willis, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you keep in your files a copy of the telegram you sent to me?

Mr. GREAVES. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. All right.

Mr. APPELL. Mr. Graves, shortly after the fund was formed, did you send a letter to each subscriber of the newspaper, the *Southern Review*, in which the letter set forth that Elmore D. Greaves was the State chairman of the White Christian Protective and Legal Defense Fund? Did this letter also set forth the post office box as being Box 426, Jackson, Mississippi, and did it also identify as the directors Mr. Glen Swettman, Biloxi, Mississippi; Mr. I. H. "Pete" Shumaker, of Kosciusko, Mississippi; the Reverend Delmar Dennis, Meridian, Mississippi; and James M. Hooper of Sidon, Mississippi?

Mr. GREAVES. Mr. Appell, for the reasons previously stated, I respectfully decline to answer that.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the letter to which I am referring requested the receiver to contribute money to the defense of "any White Christian patriot,"

who has or may be indicted and forced to stand trial for some real or imagined infraction of the Communist-inspired Civil Rights Act. Some of these letters were accompanied by a sheet containing the articles of formation of the organization and rules and procedures for placing and collecting of jars to be used in the collection of money for the organization.

Mr. GREAVES. Mr. Appell, for the reasons previously stated, I decline to answer that question.

Mr. APPELL. At any time did you advise anyone that the White Christian Protective and Legal Defense Fund was a project of the White Knights of the Ku Klux Klan of Mississippi?

Mr. GREAVES. Sir, I respectfully decline to answer that question on the previous grounds.

The CHAIRMAN. You were in the hearing room, were you not, when I explained to the previous witness that as chairman of this committee and as a Member of Congress, as a lawyer, I have no objection, and certainly can have none, to funds being raised for the defense of anyone. But the pertinency of these questions relates to the Klan activities. Just as a fact, you were in the hearing room when I made that statement: were you not?

Mr. GREAVES. Yes, sir.

The CHAIRMAN. Do you have any comments to make upon what I just stated?

(Witness confers with counsel.)

Mr. GREAVES. Mr. Willis, I have no comments to make, sir.

The CHAIRMAN. You were in the hearing room when, along the same line, I pointed out that we were interested in and it was pertinent to this inquiry the fact, if it was a fact—and I related certain things about it to my personal knowledge—as to whether or not this entity, the White Christian Protective and Legal Defense Fund, Inc., was being used as a facade of respectability in order to hide the fact—we may as well be frank—that it was really a Klan activity. You were in the room when I made those statements and that I had personal knowledge of the activity of the fund?

Mr. GREAVES. I was here, sir.

The CHAIRMAN. Do you have any comments to make?

Mr. GREAVES. No, sir; I have no comments.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Greaves, were you also here when I read to Mr. Heredeem the committee's investigative result as to the organization of the White Christian Protective and Legal Defense Fund? Were you present?

Mr. GREAVES. Yes, I was present.

Mr. APPELL. Do you have any comment to make upon the investigative result as set forth to Mr. Heredeem?

Mr. GREAVES. I have no comment at all, sir.

Mr. APPELL. Mr. Greaves, are you a member of the White Knights of the Ku Klux Klan of Mississippi?

Mr. GREAVES. Mr. Appell, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. On January 31, 1965, did you attend a meeting of any sort held at an abandoned farm house near a lake off Raymond Road outside of Jackson, Mississippi?

Mr. GREAVES. Sir, for the reasons already mentioned, I respectfully decline to answer that.

Mr. APPELL. Mr. Greaves, according to the committee's investigation, there was a meeting held there on January 31 and it was a State Klan cabinet meeting of the White Knights of the Ku Klux Klan of Mississippi. The main purpose for the assembling of Klansmen there was an activity—other meetings in January were called—was for the purpose of discussing and talking up the White Christian Protective and Legal Defense Fund. During the course of this meeting, Imperial Wizard Bowers made a speech with respect to the danger the South was in from infiltration. Were you present when he made that speech, sir?

(Witness confers with counsel).

Mr. GREAVES. Mr. Appell, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. According to the committee's investigation, Mr. Bowers stated that he had confidential information from high influential sources that African troops were being landed in Cuba for extensive military training. This is why he and the White Knights of the Ku Klux Klan had long-range plans for a buildup of arms and a burial of such arms. He elaborated that after these troops are landed they will lead an invasion of the United States at Biloxi and Gulfport, Mississippi. When the invasion commences, Defense Secretary McNamara will nationalize the State Guard and turn the Southern States over to the Negro. Whites will be relocated and moved to the North. The Klan will be the only element to fight the invasion. Bowers concluded his remarks by stating that the choice that is available is "to be smart and move or be right and fight."

Were you present and heard that speech?

Mr. GREAVES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Greaves, I have great hesitancy to ask you because you publish a newspaper, but I have before me an article that appeared in the *Meridian*, Mississippi, *Star*, November 8, 1964. According to the article as it appeared in the *Meridian Star*, and it was a paid advertisement, there is reproduced what the paid advertisement claimed to have appeared in the October 1, 1964, issue of the *Southern Review*. It is:

On Being Investigated By The F.B.I.

"Our Washington correspondent writes the following report. In view of the fact that an increasing number of white people are being questioned in Mississippi by F.B.I. Agents, as an outgrowth of the Mississippi Summer Project, and are being harassed to an extent never before known, it is of special importance to give his conclusions:

a. When the FBI agent calls upon you, insist upon complete identification. They carry their credentials (plus a photograph), and you have a right to examine those credentials carefully and in detail. Copy down the name, address, and FBI number of the agent.

b. The FBI agent is supposed to tell you that you are not required to answer his questions. Some agents tell you that, but others do not. If the agent does not make that introductory statement, ask him if you are under a court order to provide information.

c. Say nothing to the FBI agent. When questioned, say "no comment."

d. The FBI agents are given special training in regard to the silent subject who refuses to answer questions. They will try to make you angry, in order that your

tongue may be loosened. They will play upon your sympathy. ("I don't like this assignment, Mr. ----- I am a Southerner, too—but I have been ordered by my Kennedy-appointed superior to question you."), and they will try flattery as well. The best way to defeat such training is to apply the following three rules: (1) silence; (2) more silence; (3) still more silence.

e. Be careful of the FBI man who calls you down to his automobile and opens a conversation with you at that location. There will most certainly be a tape recorder in the car, and your conversation will find its ways to Washington via air mail. * * *

This continues along this line Mr. Greaves. I ask you, do you have proof to substantiate that which was contained in this paid advertisement, which is a reproduction of an article according to the ad which appeared in the October 1, 1964, issue of the *Southern Review*?

Mr. GREAVES. Mr. Appell, may we see the ad?

Mr. APPELL. Yes, sir.

(Document handed to witness.)

Mr. GREAVES. Mr. Chairman, on the grounds of the first amendment, I object to this question and say that it is an invasion of the right of free speech and of the press.

(Document marked "Elmore Greaves Exhibit No. 2" appears on p. 2777.)

The CHAIRMAN. I assure you that there is no such intent in asking the question. We are developing activities, methods, and techniques of Klan organizations. I might tell you, Mr. Greaves, that in my opinion the greatest force of the Klan thus far has been its secrecy. If subjected to the light of day, it will fold up quickly. But I am not going to order you to answer that question. Perhaps, however, Mr. Appell might—

Mr. APPELL. I would like to now ask Mr. Greaves whether it is in there as his independent position as a newspaperman or whether it is in there because of his membership in the White Knights of the Ku Klux Klan.

(Witness confers with counsel.)

Mr. GREAVES. Mr. Willis, I object to that question again on the first amendment and I think that is a violation of the right of freedom of speech and of the press.

Mr. SENNER. Mr. Chairman, I suppose in this instance you are stressing freedom of speech rather than of press because he distinguished clearly between Mr. Greaves the newspaperman and Mr. Greaves the Klansman.

(Witness confers with counsel.)

Mr. GREAVES. In objecting to this, I am relying on the first and fifth amendments. Will you uphold it?

The CHAIRMAN. I certainly will uphold it.

Mr. SENNER. Mr. Greaves, does the *Southern Review*—

The CHAIRMAN. That respects activities as a Klansman.

Mr. SENNER. Mr. Greaves, does the *Southern Review* have a Washington correspondent?

(Witness confers with counsel.)

Mr. GREAVES. Mr. Chairman, I object to that on the grounds previously stated.

The CHAIRMAN. And that includes what?

Mr. GREAVES. That includes the first amendment and the fifth amendment.

ELMORE GREAVES EXHIBIT NO. 2

[*Meridian (Miss.) Star*, Nov. 8, 1964, p. 13-A]

The following is being reproduced from the October 1, 1964, issue of *The Southern Review*, P.O. Box 426, Jackson, Mississippi, by the Lauderdale County Citizens' Council, Inc., as a public service, in order that citizens may know their rights. In so doing the Citizens' Council does not imply that information in any real criminal investigation should be withheld from investigating officers.

On Being Investigated By The F. B. I.

"Our Washington correspondent writes the following report. In view of the fact that an increasing number of white people are being questioned in Mississippi by F.B.I. Agents, as an outgrowth of the Mississippi Summer Project, and are being harassed to an extent never before known, it is of special importance to give his conclusions:

a. When the FBI agent calls upon you, insist upon complete identification. They carry their credentials (plus a photograph), and you have a right to examine those credentials carefully and in detail. Copy down the name, address, and FBI number of the agent.

b. The FBI agent is supposed to tell you that you are not required to answer his questions. Some agents tell you that, but others do not. If the agent does not make that introductory statement, ask him if you are under a court order to provide information.

c. Say nothing to the FBI agent. When questioned, say "no comment."

d. The FBI agents are given special training in regard to the silent subject who refuses to answer questions. They will try to make you angry, in order that your tongue may be loosened. They will play upon your sympathy ("I don't like this assignment, Mr. . . . I'm a Southerner, too—but I have been ordered by my Kennedy-appointed superior to question you"), and they will try flattery as well. The best way to defeat such training is to apply the following three rules: (1) silence; (2) more silence; (3) still more silence.

e. Be careful of the FBI man who calls you down to his automobile and opens a conversation with you at that location. There will most certainly be a tape recorder in the car, and your conversation will find its way to Washington via air mail.

f. If meetings are held at your home, someone will check the numbers on the license plates in order to trace the name and address of the individual owner.

g. Your telephone could be tapped, and your house could be "bugged." You can throw a legal monkey wrench into those practices by saying, at a meeting or over the telephone, "If my conversation is being recorded, it is being done so without my permission." By recording that statement, the FBI will be destroying the court value of the "bug." (As you know, a "bug" is a small microphone.)

h. If you are under a court order to provide information to the FBI, you do not have to say anything without first consulting your attorney. In other words, you are entitled to the presence of your attorney before you make a statement.

i. FBI agents are graduates of law schools, i. e., they are lawyers. One of the weak points about the FBI is that its agents can frequently be spotted: A lawyer looks like a lawyer. The FBI uses persons other than lawyers, of course, and those persons frequently infiltrate organizations in order to engage in spy work."

The CHAIRMAN. The document attributed to you, the ad attributed to you states, "Our Washington correspondent writes the following report." Do you have a Washington correspondent?

(Witness confers with counsel.)

Mr. GREAVES. Mr. Willis, I object again on the basis of the fifth amendment and the first amendment.

The CHAIRMAN. All right.

Mr. APPELL. Mr. Greaves, the issue of November 15, 1964, contains an article captioned "A Police State Exists In South Mississippi" and quotes a resolution adopted by an organization identified in the issue as the Adams County Civic and "Bettermen" Association. I put it to you as a fact that the Adams County Civic and Betterment Association is a cover name for a Klavern of the Klan and I ask you whether you possessed the same knowledge.

Mr. GREAVES. Mr. Appell, for the reasons previously stated I respectfully decline to answer that question.

(Document marked "Elmore Greaves Exhibit No. 3" follows:)

ELMORE GREAVES EXHIBIT NO. 3

[*The Southern Review*, Jackson, Miss., Nov. 15, 1964]

A Police State Exists In South Mississippi

When the Adams County Civic and Bettermen Association passes resolutions deploring the "unlawful arrests and search by members of the Mississippi Highway Patrol", then this is a serious matter indeed; and a matter about which every patriotic citizen should concern himself: and to protest to the constituted authorities. The citizens of Adams County further charged in the resolution that "a police state now exists in this section of the State of Mississippi in direct violation of our fundamental Constitutional rights." This condition was created by the activities of the Communist directed NAACP, CORE, SNCC, COFO and the National Council of Churches—that great "Christian" body. It is a strange thing that no members of these revolutionary groups have been restrained by court orders, or, as far as can be ascertained, arrested or held for any length of time. However, there have been several instances of arrests of revolutionists and their immediate release. But there have been many instances of arrest, detention, search without warrants, harrassment, and abuse of white citizens of these communities. The incident of the so-called bombing cases is the most glaring of these violations; and the one that shows most clearly the arrogant, and tyrannical nature of the State government doing the bidding of the Lyndon Johnson apparatus.

Mr. APPELL. Mr. Greaves, are you presently a member of the White Knights of the Ku Klux Klan?

Mr. GREAVES. Mr. Appell, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Greaves, the Laurel, Mississippi, *Call-Leader*, issue of January 11, 1966—

The CHAIRMAN. That is Tuesday of this week.

Mr. APPELL. Yes, sir—contained a story from Jackson, Mississippi, AP byline:

A white supremacist editor today accused Senator James Eastland, Dem., Miss. and Governor Paul Johnson of plotting his subpoena to the Congressional Ku Klux Klan hearings to silence his newspaper.

Mr. Greaves, do you have any proof of that statement?

(Witness confers with counsel.)

Mr. GREAVES. Mr. Appell, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. That appeared in another paper and the source is yourself. Let us get that straight now. We are not stepping on your toes as a newspaperman. You are your own source here.

Mr. APPELL. Mr. Greaves, the story contained this quote:

"Although I am not a member of the Ku Klux Klan," Greaves said, "I am in sympathy with its philosophy as I understand it. That is, I believe in the Constitution, the Bill of Rights, and the principle of white supremacy. * * *"

Mr. Greaves, are you accurately quoted?

Mr. GREAVES. Mr. Appell, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I have no doubt that you have expressed yourself in similar fashion, that is, you believe in what——

Mr. APPELL. "The Constitution, the Bill of Rights, and the principle of white supremacy."

The CHAIRMAN. No, believe in the principles of the Ku Klux Klan.

Mr. APPELL. No, sir. "Although I am not a member of the Ku Klux Klan," Greaves said, "I am in sympathy with its philosophy as I understand it. * * *"

The CHAIRMAN. I will give you an opportunity in your own way, applaud it to the sky, if you want to, to tell us about the objectives, purposes, and programs of the Ku Klux Klan as you understand them.

(Witness confers with counsel.)

Mr. GREAVES. Mr. Willis, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Greaves, the constitution of the White Knights of the Ku Klux Klan supports only the Constitution of the United States as originally written. Is this the Constitution that you agree with and that you support according to the quote that appeared in the paper?

Mr. GREAVES. Mr. Appell, for the reasons previously stated, I respectfully decline to answer that.

The CHAIRMAN. Mr. Greaves, as chairman of the fund that we talked about, did you received any compensation?

Mr. GREAVES. Mr. Willis, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you receive any funds from the fund that you reported on your individual income tax return?

Mr. GREAVES. Mr. Willis, for the reasons previously stated, I respectfully decline to answer that.

Mr. SENNER. Mr. Greaves, why is it on this fund when you used the posters and circulars, and so forth, you did not put incorporated? Is there any reason?

Mr. GREAVES. For reasons previously stated, I respectfully decline to answer that.

Mr. SENNER. In the State of Mississippi, when do you have a corporation? Do you need three incorporators, or do you know?

Mr. GREAVES. Sir, I do not know.

Mr. SENNER. The head of the corporation would be the president; would he not?

(Witness confers with counsel.)

Mr. GREAVES. Sir, which corporation were you speaking of?

Mr. SENNER. I am talking about the White Christian Protective and Legal Defense Fund, Inc.

(Witness confers with counsel.)

Mr. GREAVES. Sir, for the reasons previously stated, I respectfully decline to answer that.

Mr. SENNER. Isn't it a fact that you are president of that corporation?

Mr. GREAVES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Is it true that the fund was truly set up for the purpose of raising money for Klansmen who were arrested in the acts of violence?

Mr. GREAVES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. The witness is excused and the committee will stand in recess until 10:30 tomorrow morning.

(Subcommittee members present: Representatives Willis, Senner, and Clawson.)

(Whereupon, at 6:15 p.m., Thursday, January 13, 1966, the committee recessed to reconvene at 10:30 a.m., Friday, January 14, 1966.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

FRIDAY, JANUARY 14, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 11:35 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.

Committee member also present: Representative George F. Senner, Jr., of Arizona.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; and Donald T. Appell, chief investigator.

The CHAIRMAN. The subcommittee will come to order.

Mr. Appell, call your first witness.

Mr. APPELL. Mr. J. N. Fortenberry.

The CHAIRMAN. Raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FORTENBERRY. I do.

TESTIMONY OF JAMES NOLAN FORTENBERRY, ACCOMPANIED BY COUNSEL, CHARLES G. BLACKWELL AND TRAVIS BUCKLEY

Mr. APPELL. Mr. Fortenberry, will you state your full name for the record?

Mr. FORTENBERRY. James Nolan Fortenberry.

Mr. APPELL. Your middle name is Nolan, N-o-l-a-n?

Mr. FORTENBERRY. Yes.

Mr. APPELL. And your last name is Fortenberry?

Mr. FORTENBERRY. Yes.

Mr. APPELL. Mr. Fortenberry, are you appearing here in accordance with a subpoena served upon you November 6, 1965, at 281 Mikell, Jackson, Mississippi?

Mr. FORTENBERRY. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. FORTENBERRY. Yes, sir, I am.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. BLACKWELL. Charles G. Blackwell, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Fortenberry when and where were you born?

Mr. FORTENBERRY. Jefferson Davis County, November 29, 1932.

Mr. APPELL. Would you give the committee a brief résumé of your educational background?

Mr. FORTENBERRY. Yes, sir. I finished high school at Prentiss Consolidated School, 2 years at Mississippi College before I enlisted in the Army.

Mr. APPELL. What was your Army service?

Mr. FORTENBERRY. I was 3 years in the regular Army, was overseas for a year and half with NATO.

Mr. APPELL. And what period of time did your military service cover?

Mr. FORTENBERRY. From February 18, 1953, until February 10, 1956.

Mr. APPELL. Mr. Fortenberry, under the terms of the subpoena served upon you, in an attachment thereto made a part of the subpoena you were ordered to bring with you and produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, namely The Mississippi Constitutional Council in your possession, custody or control or maintained by you or available to you as present or past member or Klan Bureau Investigator, White Knights of the Ku Klux Klan of Mississippi, also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

Mr. Fortenberry, will you produce the documents called for in the representative capacity set forth in paragraph 1 of the subpoena?

Mr. FORTENBERRY. I cannot produce such records due to the fact that such records are not in my possession, custody, and control and I did not and do not have access to such records.

Mr. APPELL. Mr. Fortenberry, you hold the position of an organizer or the klingle of the White Knights of the Ku Klux Klan of Mississippi?

Mr. FORTENBERRY. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed me by the 4th, 1st, 5th, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. Mr. Fortenberry, under the constitution and laws of the White Knights of the Ku Klux Klan, an organizer in initiating men into the White Knights of the Ku Klux Klan is supposed to prepare documents with four copies and make distribution of those documents as set forth in the constitution and laws.

Did you make such distribution of those documents?

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. After distribution, one copy of the document came back to the kleague, or organizer. What happened to the copy that came back to you?

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. To your knowledge, were any documents called for in part 1 of the subpoena destroyed by fire?

(Witness confers with counsel.)

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Fortenberry, on October 20, 1964, did you attend a province meeting of the White Knights of the Ku Klux Klan at Laurel, Mississippi?

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you did attend that meeting and at that meeting you were elected to the position of a province investigator for Province No. 1. I put it to you as a fact, and ask you to affirm it or deny it.

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer.

Mr. APPELL. Other province investigators at the same time were Jack Williams of Pelahatchie, Mississippi; H. L. Holmes of Jackson, Mississippi; Woody Mathews of Utica, Mississippi; and Gordon Lackey of Greenwood, Mississippi.

Did you know those gentlemen to hold positions similar to your own?

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I forgot to ask you, Mr. Fortenberry, would you give the committee a brief résumé of your employment background?

Mr. FORTENBERRY. Yes, sir. Since finishing—from what time, sir?

Mr. APPELL. From 1960 to date.

Mr. FORTENBERRY. I was employed by the city of Jackson as a construction inspector until February of 1965, when I went into construction.

Mr. APPELL. And who are you employed by at present?

Mr. FORTENBERRY. Enthalpy, Inc., out of Jackson, Mississippi.

Mr. APPELL. Mr. Fortenberry, as a member of the Klan and as an official, were you assigned to a Klavern of the Klan in Hinds County, Mississippi?

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Fortenberry, as an official of the province, are you familiar with any acts of violence carried out by members of the Klan in your province?

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer.

Mr. APPELL. Mr. Fortenberry, a stick of dynamite was thrown into the building or offices of Hazel Brannan Smith who publishes the

Northside Reporter. Do you possess any knowledge of this activity?
(Witness confers with counsel.)

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Fortenberry, was Julius Harper the Grand Dragon of the White Knights of the Ku Klux Klan to your knowledge?

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer.

Mr. WELTNER. What is that name again?

Mr. APPELL. Julius Harper.

Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. The witness is excused. Call the next witness.

Mr. APPELL. Mr. Harold Lloyd Delk.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DELK. Yes, sir.

**TESTIMONY OF HAROLD LLOYD DELK, ACCOMPANIED BY COUNSEL,
CHARLES G. BLACKWELL AND TRAVIS BUCKLEY**

Mr. APPELL. State your full name for the record, Mr. Delk.

Mr. DELK. Harold Lloyd Delk.

Mr. APPELL. That is D-e-l-k?

Mr. DELK. D-e-l-k.

Mr. APPELL. You are appearing here today in accordance with a subpoena served upon you on December 4, 1965, by Mr. John D. Sullivan, an investigator for this committee, at 219 Dixie Avenue, Hattiesburg, Mississippi?

Mr. DELK. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. DELK. Yes, sir.

Mr. APPELL. Will the counsel identify themselves for the record?

Mr. BLACKWELL. Charles G. Blackwell, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Delk, when and where were you born?

Mr. DELK. I was born in Laurel, Mississippi, on December 5, 1926.

Mr. APPELL. What is your educational background?

Mr. DELK. I graduated from the 10th grade at the Hattiesburg High School. Of course, there is some misunderstanding about that thing. We have been fighting over it for 20 years. They say the eighth, I believe.

Then I have a certificate from the University of Mississippi in public relations and also numerous FBI school items such as fingerprinting, collection and preservation of evidence, firearms handling.

Mr. APPELL. Under what circumstances and conditions did you receive this FBI training?

Mr. DELK. As a policeman.

Mr. APPELL. Were you a student of the police academy conducted by the—

Mr. DELK. No, sir, it was local. Our local FBI agent from Jackson—New Orleans, conducted a school in Hattiesburg.

Mr. APPELL. When did you take this series of instruction?

Mr. DELK. It was over a period from 1953 through 1958, I guess.

Mr. APPELL. Of what police force were you a member at that time?

Mr. DELK. Hattiesburg Police Department.

Mr. APPELL. Would you give the committee a brief résumé of your employment background since 1960?

Mr. DELK. West Brothers Motor Express as a supervisor and Mississippi Tank Company as a driver, Fowler Butane Gas Company as transport driver.

Mr. APPELL. And that completes your——

Mr. DELK. That completes it.

Mr. APPELL. During the course of time, have you received compensation from any other sources?

Mr. DELK. Yes, sir.

Mr. APPELL. From what sources?

Mr. DELK. A trucking business of my own.

Mr. APPELL. Have you received compensation from any other sources?

Mr. DELK. Yes, sir.

Mr. APPELL. Where?

Mr. DELK. A night patrol service in Hattiesburg, Mississippi, which we still operate.

Mr. APPELL. Would you explain to the committee what a night patrol service is?

Mr. DELK. It is contract guard duty for individual businesses.

Mr. APPELL. This is a private operation?

Mr. DELK. A private operation.

Mr. APPELL. Is this your business, or are you employed by someone?

Mr. DELK. No; it is my own business.

Mr. APPELL. Have you received income from any other sources?

Mr. DELK. No.

Mr. APPELL. Did you ever receive any income from recruiting a person into the White Knights of the Ku Klux Klan in Mississippi?

(Witness confers with counsel.)

Mr. DELK. Sir, I respectfully decline to answer that question and invoke the defense of the privileges guaranteed to me by the 5th, 1st, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I asked the witness whether he had income from any other sources. He said he had none. I then asked him whether he had any income derived from organizing men into the White Knights of the Ku Klux Klan, and he invoked constitutional privileges. I, therefore, ask that the witness be directed to answer the question.

The CHAIRMAN. Yes. I do order and direct you to answer that question. You made a representation voluntarily favorable to you on the subject and then you are confronted with this and you invoke the fifth amendment.

Mr. DELK. Would you please ask that question again?

Mr. APPELL. Yes, sir. Did you receive any income from organizing anyone into the White Knights of the Ku Klux Klan?

Mr. DELK. No, sir.

Mr. APPELL. Did you act as an organizer of the White Knights of the Ku Klux Klan?

(Witness confers with counsel.)

Mr. DELK. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

Mr. APPELL. The constitution and bylaws of the White Knights of the Ku Klux Klan provide that an organizer, until a charter is granted, receives personal compensation. You have never received such compensation?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Isn't that contradictory? The question is, Did you receive income? You might have earned it. I don't know. Did you receive income from a Klan organization for any reason? You said "no." Now you are taking a different position.

Restate that question, please.

Mr. APPELL. The constitution and bylaws provide that, until a Klavern is chartered, the organizer gets personal compensation. Did you ever receive any personal compensation as provided for by the constitution and bylaws?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman. I ask that the witness be directed to answer the question.

The CHAIRMAN. I order and direct you to answer the question.

(Mr. Blackwell confers with Mr. Willis off the record.)

(Counsel confers with witness.)

Mr. DELK. Sir, I have already stated all of the compensations that I have received, and that is all.

The CHAIRMAN. Well, is your answer that you did not receive compensation, or you did not receive any money of any kind from the Klan organizations to which you belonged? Is that what you are saying?

You are giving contradictory answers.

(Witness confers with counsel.)

Mr. DELK. No, sir, that is not what I said. I have already enumerated all the compensation that I have received.

The CHAIRMAN. And that is all you received?

Mr. DELK. That is all I have received.

The CHAIRMAN. Then ask him the specific question.

Mr. APPELL. Have you received any compensation in accordance with the constitution and bylaws of the White Knights of the Ku Klux Klan, which provide that an organizer receives a given sum of money for each person he organizes into the White Knights of the Ku Klux Klan?

(Witness confers with counsel.)

The CHAIRMAN. May I say to your counsel that the question is whether he received compensation and money. I separated that from whether he was an organizer.

Mr. BUCKLEY. We appreciate that, Mr. Chairman. We didn't understand it that way.

The CHAIRMAN. Am I correct that when asked whether he was an organizer, he invoked the privilege of the fifth amendment?

Mr. BUCKLEY. Yes, sir.

The CHAIRMAN. I know Mr. Appell didn't intend to indicate an answer to this question as to funds would be an admission that he was an organizer.

Did you, as an individual, not as an organizer, receive any compensation or funds from a Klan organization? I say that because it could be—I doubt that it would be, but it could be—that a Klan organization might hire people and pay them some money, such as lawyers. That wouldn't make a lawyer a Klansman, I hope. It is not intended that by the double-edged question, if it was, that he is admitting membership.

Did he receive any money of any kind as compensation, gift, or donation or for work performed, from any Klan organization?

Mr. DELK. No, sir.

Mr. APPELL. Mr. Delk, were you an organizer for the White Knights of the Ku Klux Klan and did you in fact help organize the Forrest County Klavern of the White Knights of the Ku Klux Klan?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Delk, we had a conversation over the telephone with respect to making arrangements to supply you with transportation. You told me on the telephone that we had made a mistake, that you had never been a member of any Klan organization.

Were the statement and representations made to me over the phone truthful?

The CHAIRMAN. I wish you would think about that. You know if it is true. Do what you want to in your answer, however.

Mr. DELK. For reasons previously stated, sir, I respectfully decline to answer that question.

Mr. APPELL. Mr. Delk, I hand you a document which has no identity as to the source of its publication, but it is a document headed "Secrecy" and it contains approximately nine paragraphs. Examine that and answer as to whether or not you have ever seen that document or a document similar in context.

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Document marked "Harold Delk Exhibit No. 1." See committee report, *The Present-Day Ku Klux Klan Movement*, p. 70.)

Mr. APPELL. Mr. Delk, I would like to read to you, not the entire document, but a few passages from it, and if you and your counsel challenge the reading, I will hand it back:

Secrecy is not only a tight lip, but a tight manner. * * * Develop your own private, substitutate [sic] names for all proper names and offices in the organization.

Secrecy is more than just not talking. True Secrecy is a Hardened Mental Attitude by which an individual convinces HIMSELF that he is not a member and that there is *no* such organization. Secrecy is Mental Discipline and necessary for Victory. When a member is so able to discipline himself, he is not going to ACCIDENTALLY make slips of tongue and manner, and until he DOES so discipline himself he will continue to make such slips.

Is this theory of secrecy, to your knowledge, taught by any organization that you ever held membership in?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I will put it to you as a fact, and ask you to affirm or deny the fact, that this is a document upon which the secrecy of the White Knights of the Ku Klux Klan is based.

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Delk, did you attend a meeting of the White Knights near Raleigh, Mississippi, June 23, 1964, at which time you were elected to the position of province KBI?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Delk, I put it to you as a fact, and ask you to affirm or deny the fact, that on June 23, 1964, at a meeting of the White Knights of the Ku Klux Klan of Mississippi, you were elected to the position of province KBI?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Delk, are you presently a member of the White Knights of the Ku Klux Klan of Mississippi?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Are you a member of the United Klans of America, Realm of Mississippi?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. At the time you were a province KBI, did you know Eddie McDaniel of Natchez, Mississippi, who is now Grand Dragon of the Realm of Mississippi, United Klans of America, to be a province KBI within the White Knights of the Ku Klux Klan?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. Mr. Delk, our investigator put to you as a fact, under oath, that you are or were a province investigator, or a member of what is called a Klan Bureau of Investigation. Was he right? Did he tell the truth or not?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. A moment ago Mr. Appell said that, in a telephone conversation you had with him, you said a mistake had been made and that you were not a member of the Klan. Now, I am simply asking this: Did you make that statement to Mr. Appell?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Were you a member of the Klan Bureau of Investigation at the same time that you were a police officer in Hattiesburg, Mississippi?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you have a telephone conversation with Mr. Appell?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you phone him in order to try to butter him up so that you wouldn't be called here today? Now, I am asking you these questions to test the accuracy of our investigators.

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I say to you that we have had such telephone conversations that have developed information to satisfy us in the belief that people have tried to ingratiate their cause with the committee investigators.

Mr. WELTNER. Mr. Delk, you testified that during the years 1953 to 1958 you attended certain training courses sponsored by the Federal Bureau of Investigation in the State of Mississippi. What was the nature of the training given in those courses over that period of time?

(Witness confers with counsel.)

Mr. DELK. The nature of these training courses was fingerprinting, classifying fingerprinting, collection and preservation of evidence, and just general police investigation work.

Mr. WELTNER. Was there any instruction in the use of firearms?

Mr. DELK. There were exhibitions.

Mr. WELTNER. Pistol exhibitions?

Mr. DELK. Yes.

Mr. WELTNER. And what would be called a submachine gun?

Mr. DELK. No, sir.

Mr. WELTNER. Pistols were the only weapons in which the instructions were given?

Mr. DELK. Yes, sir.

Mr. WELTNER. Now, what about security? Was there any instruction in either the maintenance of internal security or instruction in protective security as part of these FBI schools? For instance, were you given any instruction as to how a police organization might surround a house where someone had barricaded himself with weapons and how to disarm that person?

Mr. DELK. No, sir.

Mr. WELTNER. What was the nature of your duties with the police force of Hattiesburg, Mississippi?

Mr. DELK. I was a patrolman.

Mr. WELTNER. How long did you serve as such?

Mr. DELK. Both times that I was a member of the Hattiesburg Police Department, I believe it would add up to 6 or 7 years. I would have to go back in the dates.

Mr. WELTNER. Well, you were given training in these weapons and police procedures as a member of that police force, too, I suppose; were you not?

Mr. DELK. No, sir, I am sorry to say not. They do now, but they didn't then.

Mr. WELTNER. They gave you a badge and a gun?

Mr. DELK. A badge and a gun and go get them.

Mr. WELTNER. When you enrolled in those FBI schools, were you required to sign any kind of a statement concerning membership in subversive organizations or organizations whose names were listed on the Attorney General's list of subversive organizations?

(Witness confers with counsel.)

Mr. DELK. I really don't remember, but I don't think so.

Mr. WELTNER. When you enter the Army or the Federal service, you have to sign a statement that includes a long list of organizations, including the Communist Party and others?

Mr. DELK. Yes.

Mr. WELTNER. You don't recall having to sign any such statement?

Mr. DELK. No, sir, I don't recall having signed such a statement.

Mr. WELTNER. Do you recall making any representations at the time you enrolled in those schools, other than just to state your name and police organization with which you were affiliated?

Mr. DELK. We were sent to these schools by our superiors. They told us to go and where to go.

Mr. WELTNER. You didn't have to swear that you would uphold and defend the Constitution of the United States?

(Witness confers with counsel.)

Mr. DELK. I did that when I was sworn in as a police officer, but not at these schools.

Mr. WELTNER. When you went into the schools, you had to make no such representation with regard to the Government of the United States?

Mr. DELK. No, sir.

Mr. WELTNER. Were you a member of the Ku Klux Klan when you attended these FBI schools?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Were any other members of the Hattiesburg, Mississippi, Police Force during this period of your service, 6 or 7 years, members of any Ku Klux Klan organization?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Would the operations of the private Klan Bureau of Investigation include fingerprinting or classification of fingerprinting and collection of evidence?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. And would it involve the use of firearms, a knowledge of the nomenclature and operation of firearms, the maintenance of firearms, and the operation thereof?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Mr. Chairman, I have no further questions of the witness. I do have this comment: A few weeks ago we determined that the Federal Aviation Agency was a tenant of the Ku Klux Klan in the State of Georgia, and I think the evidence here indicates that the Federal Bureau of Investigation has, at least to some extent, imparted a knowledge of procedures and training that can be, and possibly has been, used not only as a part of the Federal Bureau of Investigation, but also the Klan Bureau of Investigation. And I think it might be appropriate to forward this testimony to the FBI and to inquire as to what procedures they may now have con-

cerning the acceptance of police officers or special training courses, with a specific suggestion that if they do not do that now, there should be some statement required by every enrollee as to membership or lack of membership in the Ku Klux Klan or other organizations similar to those listed on the Attorney General's list of subversive organizations.

I have no further questions.

The CHAIRMAN. The witness is excused.

The committee will stand in recess until 2 o'clock.

(Members present: Representatives Willis, Pool, Weltner, and Buchanan of the subcommittee, and also Representative Senner.)

(Whereupon, at 12:20 p.m., Friday, January 14, 1966, the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION—FRIDAY, JANUARY 14, 1966

(The subcommittee reconvened at 2:35 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Members present: Representatives Willis, Pool, and Buchanan of the subcommittee, and also Representative Senner.)

The CHAIRMAN. The subcommittee will come to order. Mr. Appell, call your first afternoon witness.

Mr. APPELL. Edward Willard Fuller.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear, sir, to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FULLER. I do, sir.

TESTIMONY OF EDWARD WILLARD FULLER, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Mr. Fuller, would you state your full name for the record?

Mr. FULLER. Edward W. Fuller, sir.

Mr. APPELL. "W" for Willard?

Mr. FULLER. Yes, sir.

Mr. APPELL. Are you appearing here in accordance with the subpoena served upon you on November 3, 1965, by Mr. John D. Sullivan, an investigator of this committee?

Mr. FULLER. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. FULLER. Yes, sir.

Mr. APPELL. Will counsel identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Fuller, when and where were you born?

Mr. FULLER. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer may tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Chalmers.

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. I assume, as usual, it is stipulated that your client is familiar with the opening statement I made at the beginning of the hearings.

Mr. CHALMERS. Yes, sir.

Mr. APPELL. Mr. Fuller, the subpoena served upon you called for you to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, namely the Mississippi Constitutional Council, in your possession, custody or control, or maintained by you or available to you as present or past Exalted Cyclops and member of the White Knights of the Ku Klux Klan of Mississippi.

In the representative capacity set forth in paragraph 1 of the subpoena, Mr. Fuller, I ask you to produce the documents called for.

The CHAIRMAN. It is understood, is it not, that he is responding to the request to produce the documents in the capacity stated in the subpoena?

Mr. CHALMERS. Yes, sir, Mr. Chairman; our same stipulation.

Mr. FULLER. Sir, I respectfully decline to deliver to this committee any and all documents as demanded by the committee in its subpoena dated October 6, 1965, for the reason I honestly feel that to do so might tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to this committee any and all records as requested by this committee on the subpoena dated October 6, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress in House Resolution 8, adopted January 4, 1965.

The CHAIRMAN. Mr. Fuller, in light of the stipulation made, I direct you to produce those documents.

Mr. FULLER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Fuller, paragraph 2 of the subpoena called upon you to produce:

All books, records, documents, correspondence and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member of the White Knights of the Ku Klux Klan and the Mississippi Constitutional Council which the Constitution and Laws of said organization authorize and require to be maintained by you and any other officer of said organization the same being in your possession, custody or control.

The CHAIRMAN. The same stipulation?

Mr. CHALMERS. Yes, sir.

Mr. APPELL. Mr. Fuller, in the representative capacity set forth in paragraph 2, I ask you to produce the documents called for.

Mr. FULLER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

The CHAIRMAN. Mr. Fuller, I order and direct you to produce the documents.

Mr. FULLER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Fuller, would you give the committee your educational background?

Mr. FULLER. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Fuller, do you know Mr. John D. Sullivan, an investigator of the committee, who sits on my right?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that on August 18, 1965, that Mr. Sullivan interviewed you in his motel room at the Holiday Inn Motel in Natchez, Mississippi.

Mr. FULLER. I respectfully decline to answer the question, based upon the grounds previously stated, sir.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you advised Mr. Sullivan that you had joined the White Knights, the Sligo Unit, in September 1964 and were the exalted cyclops of that Klavern; that Joe Nosser was the assistant exalted cyclops; that J. L.—who I believe is referred to as “Big Mac” McKinney, was the investigator; and that you were succeeded as the exalted cyclops by Robert Myers. Is the report of the interview made by Investigator Sullivan truthful?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, do you know Gene C. Scott?

Mr. FULLER. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, Mr. Scott, while to the best of my knowledge never having been a member of the Klan, made a tape recording for a Natchez newspaper in which he identified certain residents of the area as Klansmen. Through some method, the tape recording that he made fell into the hands of the Klan, and I hand you a copy of a document entitled “The Klan’s Rebutal [sic] to the Miss Lou’s Observer,” addressed “To All Patriotic Citizens of Adams County,” signed “United Klans of America, Inc., Knights of the Ku Klux Klan, Realm of Mississippi, Adams County Units,” and ask you if you are aware of the publication of that document.

Mr. FULLER. Sir, I respectfully decline to answer that question, based upon the grounds previously stated, sir.

(Document marked “Edward Fuller Exhibit No. 1” appears on p. 2794.)

Mr. APPELL. Following notice that Scott had engaged in this reporting to a local newspaper, I put it to you as a fact, and ask you to affirm or deny the fact, that you and James “Big Mac” McKinney, beat Scott and threatened to kill him.

Mr. FULLER. Sir, I respectfully decline to answer that question, based upon the grounds previously stated, sir.

EDWARD FULLER EXHIBIT No. 1

THE REBUTAL

THE KLAN'S REBUTAL TO THE MISS LOU'S OBSERVER

TO ALL PATRIOTIC CITIZENS OF ADAMS COUNTY:

For several weeks now we have been reading in the Miss-Lou Observer of a confession given to Mr. Forrest Johnson in the presence of a Mr. Winkler by an informer who claims to have been a Klansman. This informer's name is Mr. _____ Scott who is safely out of town in Vicksburg, Miss. driving a cab. We would like to inform the public that this confession was made with the intention of Mr. Winkler selling this confession and the proceeds being divided between Mr. Winkler and Mr. _____ Scott. This confession was made on Jan. 21 & 23, 1965.

The following questions were asked by Mr. Johnson; the answers were given by Mr. _____ Scott:

Question: Mr. Scott, you understand that the information that you are about to give us will be given under Oath?

Answer: Yes, I do. (Oath was then administered)

Question: Mr. Scott are you a member of the Klan?

Answer: Yes, I am.

Question: How long have you been a member of the Klan?

Answer: About one year.

Question: Who administered the oath of the Klan to you?

Answer: A man by the name of _____.

Question: How much does it cost to join the Klan?

Answer: \$25.00 and \$10.00 annual fee.

Question: Do you know who is the head of the Klan here in Adams County?

Answer: I am not sure but I believe that Mr. _____ is the one that gives the final orders.

Question: Mr. Scott could you tell us if Mr. _____ is a member of the Klan?

Answer: Yes, he is a member.

Question: Mr. Scott, how about Mr. _____, is he a member of the Klan?

Answer: Well, I am not sure, but I believe that he is. He has been seen at the meetings on several occasions.

Question: Mr. Scott, do you know if Mr. _____ is a member of the Klan?

Answer: Yes, he is.

Statement: I am going to call some names and I want you to tell me if they are members of the Klan. _____

Question: Are these men members of the Klan?

Answer: Yes, they are.

Our fellow citizens, we would like to inform you that Mr. _____ Scott was not a member of the Klan one year prior to Jan. 21, 1965, neither is he a member of the Klan now, nor will he ever become a member of the Klan.

Let us go further with this so called confession:

Question: Mr. Scott, do you know anything about the negro that was killed out in the Kingston area?

Answer: Yes, I do. There were four of us in the car. Myself, _____, and two men from out of town whom I did not know. We all had pistols. We went to the Kingston area to talk to this negro. When we found him he started running and one of the men from out of town shot him.

Question: Mr. Scott, when did you know that he was dead?

Answer: When I read it in the paper.

Our fellow citizens, have any of you read about a negro being killed in the Kingston area by unknown assailants in the past year? (We haven't read about it.)

Let us continue into this so called confession:

Question: Mr. Scott, do you know anything about the shooting of the sign at Dumas Hotel?

Answer: Yes, I do.

Question: Who shot it?

Answer: There were three of us in the car that night. Myself, _____ & _____.

Question: Mr. Scott, do you know about the beatings that took place here in the Natchez area?

Answer: Yes, I do.

Question: Can you tell us who done this?

Answer: Yes, it was usually four of us. Myself, _____, _____ & _____. Or it was sometimes done by _____ & _____.

Question: Mr. Scott, do you know anything about the bombing of the Meyers home and the negro Washington.

Answer: Yes, I do.

Now, Mr. Johnson and Mr. Winkler, you have boasted of your confession. You now have two alternatives. (1) you can retract your slanderous remarks about the Klan. (2) you can give to the public this so-called confession or we will expose it for you by having a public meeting and playing the entire recording.

We expect a reply within two weeks.

SIGNED:

UNITED KLANS OF AMERICA, INC.
 CHAPTERS OF THE KU KLUX KLAN
 LOCAL OF MISSISSIPPI
 ADAMS COUNTY UNITS

Mr. APPELL. Do you know Karl T. Deen of Natchez, Mississippi?

Mr. FULLER. Sir, I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, Karl Deen was trying to collect some money owed him by a friend. In trying to run this man down for the purpose of collecting the money, he trailed him to your residence, where a Klan meeting was being held. He parked his car in order to wait for his friend to get out and he was observed by you and Big Mac McKinney, and you threatened the man and fired shots at his automobile. I put it to you as a fact and ask you to affirm or deny the fact.

Mr. FULLER. Sir, I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that at a later time in order to do a favor for your friend, Donnie Clark, who did not want to repay the money owed, that you stopped by Karl Deen's home, you and Big Mac McKinney, for the purpose of taking him out and beating him.

Mr. FULLER. Sir, I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, do you know a Negro by the name of Richard Joe Butler?

Mr. FULLER. Sir, I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, were you arrested under a warrant which charged you with willfully, unlawfully, and feloniously making an assault or assault and battery upon one Richard Joe Butler, a human being, with a deadly weapon, that is, a shotgun, with the intent of him, the said Edward Fuller, to feloniously kill or murder the said Richard Joe Butler?

Mr. FULLER. Sir, I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, the constitution of the White Knights of the Ku Klux Klan sets forth in Section 10 [Article V]:

The membership of the Klan shall be composed of Christian men who meet the requirements heretofore stated and who are Twenty-One Years of Age, or older, sound of mind, sober in habits, of good moral character and not guilty of rape, murder, or treason. (Gordon Lockey Exhibit No. 2.)

Are you familiar with that provision?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, were you arrested on May 17, 1947, in an investigation for rape?

Mr. CHALMERS. May I approach the bench, please, sir?

The CHAIRMAN. Yes.

Answer the question.

Mr. FULLER. I respectfully decline to answer the question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, were you arrested on the following date for the following offenses: 10/24/47, fighting and disorderly?

Mr. FULLER. I respectfully decline to answer—

Mr. APPELL. I am going to list them all.

Mr. FULLER. Excuse me.

Mr. APPELL. 4/30/48, drunk; 9/5/48, drunk; 5/18/55, speeding; 2/27/56, carrying concealed weapons; 6/30/56, drunk; 7/27/58, fighting and disorderly; 8/12/58, fighting and disorderly; 2/15/64, reckless driving.

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, are you currently a member of the United Klans of America?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Did the United Klans of America, when they permitted you to transfer from the White Knights of the Ku Klux Klan know of your criminal background?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, in addition to the items that I have read to you, were you involved in other acts of violence which you carried out as a member of either the White Knights of the Ku Klux Klan of Mississippi or the United Klans of America?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Can you tell the committee who bombed the home of Mayor Nossier of Natchez?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Do you know James Ford Seale?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Have you ever assisted James Ford Seale in carrying out an act of violence in behalf of the White Knights of the Ku Klux Klan or the United Klans of America?

Mr. FULLER. I respectfully decline to answer that question upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, is your profession that of a gambler?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. The club in which you are now employed in Louisiana—

The CHAIRMAN. Ask that question again.

Mr. APPELL. Is the club in which you are presently employed in Louisiana one in which you operate as a gambler?

Mr. FULLER. I respectfully—

The CHAIRMAN. One in which you operate as what?

Mr. APPELL. Gambler.

The CHAIRMAN. What part of Louisiana?

Mr. APPELL. Ferriday.

The CHAIRMAN. Ferriday is right across the river in Louisiana from the Mississippi line; isn't that correct, Mr. Fuller?

Mr. FULLER. I respectfully decline to answer that question on the grounds previously stated, sir.

The CHAIRMAN. I say that it is. Go on.

Mr. APPELL. The place in which you operate your gambling is at "Blackie" Drane's.

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, are you associated while a member of the United Klans of America, Knights of the Ku Klux Klan, in the operation of houses of prostitution?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. Mr. Fuller, it is our information that in some way you transferred your membership from the White Knights of the Ku Klux Klan of Mississippi to the United Klans of America under the titular head of Imperial Wizard Robert Shelton. Is that information correct?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. POOL. I just have an observation, Mr. Chairman. It looks like the United Klans of America are not much more selective than the White Knights.

Mr. BUCHANAN. Mr. Fuller, evidence would indicate you were first a member of the White Knights and then were accepted into the membership of the United Klans. Would you consider yourself a typical member of the White Knights and of the United Klan membership?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. BUCHANAN. Are you a member in good standing of either of these organizations?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. SENNER. Mr. Fuller, do you possess a Federal gambling tax stamp?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. SENNER. Do you have slot machines on this establishment described by Mr. Appell?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. SENNER. Do you have any other gambling devices in that establishment?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. SENNER. An observation. You have been busy, Mr. Fuller. No more questions.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. James Kenneth Greer.

The CHAIRMAN. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

**TESTIMONY OF JAMES KENNETH GREER, ACCOMPANIED BY
COUNSEL, CHARLES G. BLACKWELL AND TRAVIS BUCKLEY**

Mr. APPELL. Mr. Greer, will you state your full name for the record?

Mr. GREER. James Kenneth Greer.

Mr. APPELL. You are appearing here in accordance with a subpoena served upon you on November 3, 1965, by John D. Sullivan, an investigator of this committee at the International Paper Company, Natchez, Mississippi?

Mr. GREER. Yes, sir.

Mr. APPELL. You are represented by counsel?

Mr. GREER. Yes, sir.

Mr. APPELL. Will counsel please identify themselves for the record?

Mr. BLACKWELL. Charles G. Blackwell, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Greer, when and where were you born?

Mr. GREER. December 30, 1932, Natchez, Mississippi.

Mr. APPELL. What is your educational background?

(Witness confers with counsel.)

Mr. GREER. I went to school to the 11th grade at Ruth, Mississippi.

Mr. APPELL. Have you completed your educational background?

Mr. GREER. Yes, sir.

Mr. APPELL. What is your employment background?

Mr. GREER. Since what time?

Mr. APPELL. Since 1960.

Mr. GREER. I have been an employee of International Paper Company of Natchez, Mississippi.

The CHAIRMAN. A little louder.

Mr. GREER. I have been an employee of the International Paper Company, Natchez, Mississippi, since that time.

Mr. APPELL. Have you received income from any other sources?

Mr. GREER. No, sir.

Mr. APPELL. Have you ever received any income from the White Knights of the Ku Klux Klan of Mississippi?

(Witness confers with counsel.)

Mr. GREER. No, sir.

Mr. APPELL. Mr. Greer, do you hold the position of a province giant, Province No. 9, of the White Knights of the Ku Klux Klan of Mississippi?

Mr. GREER. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendment of the Constitution of the United States of America.

Mr. APPELL. Mr. Greer, were you ever arrested along with other individuals for an assault—

The CHAIRMAN. Mr. Greer, are you familiar with the constitution or bylaws of the organization known as the White Knights of the Ku Klux Klan of Mississippi, outlining requisites for membership that a man must be sober, of good moral character, and so on? Are you familiar with that provision?

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Go on now.

Mr. APPELL. Mr. Greer, were you ever arrested for an assault upon civil rights workers in Mississippi?

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege in his refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Greer.

Mr. Greer was arrested by the Mississippi Highway Safety Patrol on October 22, 1964, under a bench warrant which charged Mr. Greer, Ernest Henry Avants, and Myron Wayne "Jack" Seale with assault and battery with the intent to kill and murder. The charge was placed following an investigation and an attack on two civil rights workers on October 31 and again on November 2, 1963. The three denied the charges, and the charges against them were dismissed when the civil rights workers failed to return to Mississippi for the trial.

Mr. POOL. Is that October 31, 1963, or 1964?

Mr. APPELL. 1963 was the assault, 1964 was the arrest.

While under arrest, James Kenneth Greer admitted that he had joined a Klan organization, which he described as the National Knights, in late 1963. Committee investigation establishes this Klan to be the Mississippi Realm of the Original Knights of the Ku Klux Klan, then under leadership of J. D. Swenson and Royal V. Young, which might then have been a part of a Klan association known as the National Knights. In December 1963, Greer stated that a group from this Klan started the formation of a new Klan which became a formal organization in February 1964 under the name of the White Knights of the Ku Klux Klan of Mississippi. Greer identified individuals whom he knew, as of November 1964, to be present or past members of the White Knights of the Ku Klux Klan of Mississippi and also identified some who affiliated with the United Klans of America after leaving the White Knights. In addition to his admissions, committee investigation established that Greer held the position within the White Knights of province giant of Province No. 9. Greer attended the original meetings of the White Knights, which established the White Christian Protective and Legal Defense Fund in January 1965.

On March 23, 1965, at a state meeting of the White Knights at Jackson, Mississippi, Dewitt Sandifer turned over to Imperial Wizard Bowers approximately \$2,500 with Bowers giving James Kenneth Greer \$700 to \$900 for legal expenses. This information, Mr. Chairman, indicates that Mr. Greer possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Greer, you have heard the sworn statement of the committee's investigator and you now have the opportunity to reply to any portion of that statement, confirm or challenge the accuracy of the information, or to explain any part of it. In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry. Do you care to avail yourself of this opportunity?

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Mr. Greer, I must inform you, therefore, that without your rebuttal or contrary facts that may come to the attention of the committee, this committee will rely on the accuracy of its investigation.

Bearing this in mind, have you anything to say?

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Greer, I put it to you as a fact that the following statement was made by you to investigators of the Mississippi Highway Safety Patrol and in the presence of agents of the Federal Bureau of Investigation:

James Kenneth Greer, Route 4, Box 101, Fenwick, Mississippi, was interviewed while in custody of the Mississippi Highway Safety Patrol. * * * Greer advised that he desired to furnish information pertaining to the organization and members of the various Ku Klux Klan (KKK) groups operating in Adams County, Mississippi.

Greer stated that to his knowledge there are three organizations presently operating in Adams County: one organization being the White Knights of the KKK of Mississippi, of which he is an active member, the United KKK, and the National KKK. Greer stated that in about June of 1964 the Mississippi KKK was broken into three different Klaverns within Adams County set up basically in the form of districts as to residence. He advised that in June of 1964 Ernest Henry Avants, who was a member of the Mississippi KKK and an active member of the Americans for the Preservation of the White Race (APWR), took it upon himself to start a feud within the various Klaverns of the Mississippi KKK. He stated that at that time Avants was dissatisfied inasmuch as certain members of the organization were failing to pay dues and were creating an ill feeling among other members of the KKK, became intoxicated one night and at about 3 a.m. in the morning went to the Klavern headquarters located on Morgantown Road, Natchez, Mississippi, and shot the lock off the Klavern headquarters door with a .44 pistol and sprayed numerous bullets throughout the headquarters. He stated that this extremely upset the Klavern and that some of the members of the Mississippi Klan left this Klavern and joined the United KKK which is under the leadership in Natchez of Ed McDaniel.

He stated that the following individuals were dissatisfied, and were dissatisfied because the Mississippi KKK did not advocate forms of violence and as such, joined the United KKK. Greer states that these individuals advocate violence and are extremely strong segregationists. Ernest Finley, F-i-n-l-e-y; Frank S. Gaston, G-a-s-t-o-n; Charles L. James, J-a-m-e-s; Jeff Luke, L-u-k-e; Cecil Roberts, R-o-b-e-r-t-s; Paul L. Foster, F-o-s-t-e-r; Nelson Haney, H-a-n-e-y; Tommy L. Jones, J-o-n-e-s; Ed McDaniel, M-c-D-a-n-i-e-l; Myron Wayne Seale, S-e-a-l-e.

He stated that he believes the United Klan Klavern in Adams County consists of less than 100 members; however, the only known active members in the Klavern to him are those mentioned above. Greer stated that he was one of the original members of the White Knights of the Ku Klux Klan of Mississippi which commenced organizing in about December 1963, in Adams County. He stated that at this time possibly numerous members of his organization were former members of the National KKK of Louisiana and that a large group decided to withdraw from the national group and form their own organization within the State of Mississippi. He stated that in February of 1964 the KKK of Mississippi was drawn up and recruiting commenced. He stated that it was established that there would be three Klaverns within Adams County and one exalted cyclops and nine officers would be appointed for each Klavern. He stated that due to the action of Avants in shooting up the Klavern headquarters, he stated that he believes that at the present time there are only two active Klaverns remaining in Adams County and that the membership is less than 100 persons and that their meetings are no longer held in any one location, but at the homes of various

individual members. He stated that at the time Avants shot up the Klavern headquarters the group was meeting at a block house on Morgantown Road in Natchez. However, to his knowledge, the Klavern has not met at this headquarters since that time. He stated that this property on which the Klavern headquarters was located was either leased or owned by Nelson Haney.

Greer advised that the following individuals are either present or former members of the White Knights of the Ku Klux Klan of Mississippi:

John William Barber, active member. J. W. Birchfield, former member, but left Klan when he obtained position as constable. John Bostick, active member. (First names unknown) Britt, two brothers who were active members at one time, but both believed inactive at present time. Douglas Byrd, active member. "Peanut" [last name] Carnell, former active member who now may be member of the United Klan. J. D. Crawford, former member who left organization shortly after joining to take constable position. (First name unknown) DeMarco, active member. Claude Fuller, active member. Ed Fuller, active member. M. L. House, active member. James L. McKinney, active member. Henry L. Moore, active member. However, due to his employment, has never been able to attend any of the KKK meetings. (First name unknown) Murray, former member who is no longer member due to his employment as a member of the Natchez Police Department. Ernest B. Parker, former member and no longer active. However, may be a member of the United Klan as he is a close associate of Myron Wayne Seale.

(At this point Mr. Weltner entered the hearing room.)

Mr. APPELL. [Continues reading:]

Joe Peoples, former member who may be associated with the United Klan. J. R. Rankin, former member, no longer affiliated, who is a deputy sheriff, Adams County. Willie Stroud, former member who left membership due to his position on the Natchez Police Department. T. L. Torgersen, former member, who may have associated himself with the United Klan. J. G. Wisner. Billy L. Wood, may presently be an active member.

Greer stated that both the sons of Mayor John Nossner were former members of the Mississippi KKK; however, he has no knowledge of Mayor Nossner ever associating with this Klan.

Mr. Greer, I have read you the statement of the interview with you by the Mississippi Highway Safety Patrol in the presence of the agents of the Federal Bureau of Investigation and I ask you to affirm or deny the fact that this is the interview that you gave.

(Witness confers with counsel.)

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I wish to state and acknowledge that the Mississippi Highway Safety Patrol under the leadership and command of Colonel Birdsong has done an excellent job in coping with Klan activities in the great State of Mississippi.

Mr. APPELL. Mr. Greer, do you know from your own personal knowledge that the Klavern of the United Klans of America in Natchez, Mississippi, is known and operates under the name of the Adams County Civic & Betterment Association?

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Paul Foster, whom you identified in your interview as having broken with the White Knights and gone over to the UKA, as you put it, because the White Knights was not violent enough, do you know him to be the first grand chaplain of the White Knights of the Ku Klux Klan of Mississippi?

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. The province of which you were the province giant—and under the White Knights constitution there are two province officers, the province giant and the province KBI—I put it to you as a fact, and ask you to affirm or deny the fact, that serving with you on the province level was E. L. McDaniel, the now Grand Dragon of the United Klans of America, Realm of Mississippi, and one of the founders of the White Knights of the Ku Klux Klan of Mississippi.

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Gerald Whitehead.

The CHAIRMAN. Do you solemnly swear, sir, to tell the the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WHITEHEAD. I do.

TESTIMONY OF WILLIE GERALD WHITEHEAD, ACCOMPANIED BY COUNSEL, CHARLES G. BLACKWELL AND TRAVIS BUCKLEY

Mr. APPELL. Mr. Whitehead, state your full name for the record.

Mr. WHITEHEAD. Willie Gerald Whitehead.

Mr. APPELL. W-i-l-l-i-e, and the last name, W-h-i-t-e-h-e-a-d?

Mr. WHITEHEAD. Right.

Mr. APPELL. Mr. Whitehead, are you appearing here today in accordance with the subpoena served upon you on December 23, 1965, by John D. Sullivan, an investigator of this committee at 207 Janet Street, Crystal Springs, Mississippi?

Mr. WHITEHEAD. Yes, sir.

Mr. APPELL. Mr. Whitehead, are you represented by counsel?

Mr. WHITEHEAD. Yes, sir.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. BLACKWELL. Charles G. Blackwell, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Whitehead, when and where were you born?

Mr. WHITEHEAD. Meridian, Mississippi, July 8, 1934.

Mr. APPELL. Give the committee a brief résumé of your educational background.

Mr. WHITEHEAD. I finished high school in 1953. That's it.

Mr. APPELL. Did you have a period of military service in either the United States or the State of Mississippi?

Mr. WHITEHEAD. Yes, sir.

Mr. APPELL. What was your period of military service?

(Witness confers with counsel.)

Mr. APPELL. I see you are having difficulty. Was it between December 1951 and September 1954?

Mr. WHITEHEAD. It was before '53. I was in the National Guard.

Mr. APPELL. I say from the period December 1951, with an honorable discharge in September 1954, because of your inability to attend drills?

Mr. WHITEHEAD. Yes, sir.

Mr. APPELL. Would you give the committee your employment background from 1960?

Mr. WHITEHEAD. I was a wholesale milk route salesman until June of last year and I became an insurance agent.

Mr. POOL. Life insurance or casualty?

Mr. WHITEHEAD. Both.

Mr. APPELL. Are you currently selling insurance?

Mr. WHITEHEAD. No, sir, not any more.

Mr. APPELL. What are you presently doing?

Mr. WHITEHEAD. Working with a drilling rig.

The CHAIRMAN. Offshore Louisiana?

Mr. WHITEHEAD. Right.

Mr. APPELL. What parish of Louisiana?

Mr. WHITEHEAD. Out of Leesville.

Mr. APPELL. Mr. Whitehead, have you held a position within the White Knights of the Ku Klux Klan as province giant of Province No. 1?

Mr. WHITEHEAD. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

Mr. APPELL. Is the Klavern of the White Knights to which you are affiliated, the Copiah Rod and Gun Club?

Mr. WHITEHEAD. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the Klavern of which you were a members does operate under the cover name of the Copiah Rod and Gun Club.

Mr. WHITEHEAD. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Another officer—the other province officer at the time—

The CHAIRMAN. Before you ask that question—Mr. Whitehead, I want to ask you a simple question. The answer is in your conscience, and you can speak the truth before this committee. Are you now a member of a Klan organization?

Mr. WHITEHEAD. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Whitehead, at the time you were the province giant of Province 1, was H. L. Holmes, Jr., of Jackson, the province KBI?

Mr. WHITEHEAD. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Julius Harper was the Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi. I put it to you as a fact, and ask you to confirm or deny the fact, that he was a member of your Klavern.

Mr. WHITEHEAD. Sir, for the reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. Mr. Whitehead, what Klaverns of the White Knights existed under the province of which you were the province giant?

Mr. WHITEHEAD. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, the staff has no further questions.

The CHAIRMAN. The witness is excused. Call your next witness.

Mr. APPELL. Charles Marcus Edwards.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EDWARDS. Yes, sir.

TESTIMONY OF CHARLES MARCUS EDWARDS, ACCOMPANIED BY COUNSEL, CHARLES J. MAY III AND TRAVIS BUCKLEY

Mr. APPELL. Mr. Edwards, would you state your full name for the record?

Mr. EDWARDS. Charles Marcus Edwards.

Mr. APPELL. That is "E-d-w-a-r-d" with an "s" on the end?

Mr. EDWARDS. Yes, sir.

Mr. APPELL. Are you appearing here today in accordance with a subpoena served upon you on November 3, 1965?

Mr. EDWARDS. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. EDWARDS. Yes, sir.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. MAY. Charles J. May III, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Edwards, when and where were you born?

Mr. EDWARDS. July 17, '33, Franklin County.

Mr. APPELL. The city of your birth would be Meadville?

Mr. EDWARDS. I am not sure, sir.

Mr. APPELL. Where do you presently reside?

Mr. EDWARDS. Route 2, Meadville, Mississippi.

Mr. APPELL. Mr. Edwards, would you give the committee a brief résumé of your educational background?

Mr. EDWARDS. I finished the 11th grade at Meadville, Mississippi.

Mr. APPELL. Would you give the committee a brief résumé of your employment background since 1960?

Mr. EDWARDS. I have been employed by International Paper Company, sir.

The CHAIRMAN. Of where?

Mr. EDWARDS. Natchez, Mississippi, sir.

Mr. APPELL. Mr. Edwards, in July of 1964, were you a member of the White Knights of the Ku Klux Klan of Mississippi?

Mr. EDWARDS. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

Mr. APPELL. Mr. Edwards, did you know two Negroes named Charles Moore and Henry Dee?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Edwards, I would like to read to you a clipping from the McComb, Mississippi, *Enterprise-Journal* of July 14, 1964.

The search for three missing Mississippi civil rights workers seems to have turned up two previously unsuspected slayings and a new mystery for officers.

Two bodies—the lower halves each—were found in a sluggish offshoot of the Mississippi River about 17 miles south of here.

They were tentatively identified as the remains of two Negro youths from Meadville, a small town near Natchez.

Sheriff Ralph Hutto at Meadville said today neither youth was known to be involved in civil rights work or any other controversial issue.

SEEN TOGETHER

The last time they were seen around Meadville was May 2, he added. They were together at the time. He said the families reported they later heard the youths were at Hammond, La., and Monroe, La.

State, federal and county officers riding in flatbottom aluminum boats, continued their search of the "Old River" loop of the Mississippi.

The bodies were at a Jackson, Miss., laboratory. Authorities declined all comment on the results of pathology reports or other investigation.

The first body, found Sunday, was tentatively identified as that of Charles Moore, 20, a former student at Alcorn A&M College at Lorman, Miss.

SECOND IDENTIFIED

Dr. J. D. Boyd, college president, said he recalled Moore as a well-behaved freshman. He said he didn't know whether Moore was among students expelled last spring for civil rights work.

The second body, found yesterday, was believed to be that of Henry Dees.

Madison Parish Sheriff W. M. Seaman discovered the second body on the Mississippi side of the sluggish stream, once the main channel of the Mississippi but now a—

I can't read the word—"with little current except during high water."

Mr. Edwards, do you know anything about the Charles Moore and Henry Dee matter?

Mr. EDWARDS. Sir, for reasons previously stated, I respectfully decline to answer that question.

(Document marked "Charles Edwards Exhibit No. 1." Not reproducible; retained in committee files.)

Mr. APPELL. Were you arrested on an affidavit which charged that you did willfully, unlawfully, and feloniously and with malice aforethought kill one Charles Moore, a human being, without authority of law, and the second warrant charging the same thing with respect to Henry Dee?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Edwards, did you make a statement to the Mississippi Highway Patrol when you were arrested?

Mr. EDWARDS. Sir, for reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Edwards, I shall read to you from a Mississippi Highway Patrol report which reads as follows:

Charles Marcus Edwards was arrested at 5:25 A.M., November 6, 1964 at his residence, Route 2, Meadville, Mississippi (Bunkley Community) by MHSP [Mississippi Highway Safety Patrol] Investigators * * * with FBI Agents * * *. Edwards answered his front door in response to a knock * * *, leaving the screen door locked. Mr. Cole, [an investigator for the Mississippi Highway Patrol], identified the officers and told Edwards he wanted to talk with him at which time, Edwards asked Cole if he had a warrant for his arrest. Cole replied

that he did have a warrant charging him with murder and instructed Edwards to open the door which he did.

Edwards was informed by Investigator Cole that he had a right to an attorney and that he had a right not to make any statement and that any statement he made might be used against him in a court of law. No threats, promises or offers of reward were made to Edwards by any of the officers.

The report tells about taking you then to headquarters at Jackson, Mississippi, where an interview commenced at 7:15 a.m.

The report reads:

He admitted being acquainted with Henry Dee, a Negro whom he stated formerly lived in the same general area where Edwards resided. He initially denied knowing anyone identifiable with Charles Moore.

I will skip:

At 9:07 A.M. Edwards volunteered that he had to move from his former address to his present location several months ago because his wife was afraid of Negroes who parked in front of their home at night. He stated that Dee was one of these Negroes and that his wife had complained that she had seen Dee on one occasion "Peeping" at her. Edwards stated that at about this time he went with James Seale and some others and picked up Dee and another Negro male at Meadville. He claimed the name and identity of this other Negro was unknown to him, stating that their intention was to whip the two men. Edwards stated they took the two men to some woods and whipped them and that the two Negroes were still alive when he left. He stated he did not know what happened to them and declined to identify the others present.

Mr. Edwards, did you make the statement I read to you to members of the Mississippi Highway Patrol and to agents of the FBI?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Was your statement to them that these two Negroes were alive when you left them true or false?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Who were the other members of the party who, along with you and, as you stated, James Seale, took the Negroes into the field? Who were they, sir? Who were the others?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Edwards, at the time you related that you picked these two boys up and took them into a field to whip them, were you a member of a Ku Klux Klan organization?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Were the others who were in the party that you describe members of a Ku Klux Klan organization?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Are you today a member of a Ku Klux Klan organization?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I have no further questions to ask this witness.

The CHAIRMAN. Mr. Edwards—I will come right down to it—did the alleged Peeping Tom incident—was the alleged Peeping Tom incident ever reported to the police? I didn't say with reference to Henry Dee.

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Now, with reference to Charles Moore, thus far anyway, according to the news accounts, the sheriff said that he was a well-behaved boy apparently, young man, and never involved in any civil rights incident or much less in any Peeping Tom activity. Under what circumstances did you pick up those two young men?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. POOL. Did you voluntarily make the statement to the Mississippi Highway Patrol that Mr. Appell read a moment ago, or was your statement made under any kind of duress or force or intimidation? This is your chance to speak up, if you want to, about that.

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. As I understand from the investigation, these Negro boys' bodies were attached to a jeep engine and thrown into the river. In view of the oath that the Klansman takes, treason, rape, and malicious murder excepted, in your opinion would this be malicious murder that would permit you to tell about the Klan activities?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. The witness is excused.

Mr. EDWARDS. Thank you, sir.

The CHAIRMAN. Call your next witness.

Mr. APPELL. James Ford Seale.

The CHAIRMAN. Raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JAMES SEALE. I do.

TESTIMONY OF JAMES FORD SEALE, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. State your full name for the record, please.

Mr. JAMES SEALE. James Ford Seale.

Mr. APPELL. Are you appearing here today in accordance with a subpoena served upon you on October 30, 1965, by John D. Sullivan, an investigator of this committee, at a UKA rally in Natchez, Mississippi, in Liberty Park?

Mr. JAMES SEALE. Yes, sir.

The CHAIRMAN. When was that?

Mr. APPELL. October 30, 1965.

Are you represented by counsel?

Mr. JAMES SEALE. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Seale, when and where were you born?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to in-

criminate me in violation of my rights as guaranteed to me by the amendments 5, 1, and 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Seale—and let me ask you the proper spelling of your last name. Is it S-e-a-l-e?

Mr. CHALMERS. Yes, sir.

Mr. APPELL. Are you acquainted with the witness that just left the stand, Charles Marcus Edwards?

Mr. JAMES SEALE. I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, are you acquainted with the late Charles Moore and Henry Dee?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, on July 14, 1964, were you a member of the White Knights of the Ku Klux Klan of Mississippi?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Are you presently a member of the United Klans of America, Knights of the Ku Klux Klan, and a member of the Realm of Mississippi, which also is known as the Mississippi Rescue Service?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, were you in the hearing room and did you hear me read to Charles Marcus Edwards a statement which he made about the bodies of—about you and he picking up Charles Moore and Henry Dee and taking them into a field to whip them?

Mr. JAMES SEALE. Sir, I respectfully—

The CHAIRMAN. Now, wait a minute.

Mr. Seale, were you in this hearing room when Mr. Charles Marcus Edwards testified?

Mr. CHALMERS. I will stipulate that he was, Mr. Chairman.

The CHAIRMAN. Now, you ask him if he heard the statement.

Mr. APPELL. Mr. Seale, did you hear the statement which I read to Mr. Edwards which was an admission on his part made to agents of the Mississippi Highway Patrol and Federal Bureau of Investigation on November 6, 1964?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Without repeating the whole thing, Mr. Seale, I will read you one paragraph of what I read previously so that you will clearly understand it.

Charles Marcus Edwards is the Edwards referred to herein by his last name.

“Edwards volunteered that he had to move from his former address to”——

The CHAIRMAN. Louder.

Mr. APPELL. I am sorry. [Continues reading:]

Edwards volunteered that he had to move from his former address to his present location several months ago because his wife was afraid of Negroes who parked in front of their home at night. He stated that Dee was one of these Negroes and that his wife had complained that she had seen Dee on one occasion “Peeping” at her. Edwards stated that at about this time he went with James Seale and

some others and picked up Dee and another Negro male at Meadville. He claimed the name and identity of this other Negro was unknown to him, stating that their intention was to whip the two men. Edwards stated they took the two men to some woods and whipped them and that the two Negroes were still alive when he left. He stated he did not know what happened to them and declined to identify the others present.

I ask you if the statement given to the Mississippi Highway Patrol by Charles Marcus Edwards is true?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Did Charles Marcus Edwards tell you that his wife had made that statement?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Did you and Mr. Edwards at the time discuss the so-called Peeping Tom incident?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Did Edwards at any time tell you that his wife had made that statement and that he believed it, or, on the other hand, did he tell you that that was to be the basis of your and his defense?

Mr. JAMES SEALE. Sir, I respectfully—

The CHAIRMAN. That he fabricated the story?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Seale, in picking up the boys, Moore and Dee, did you come upon them in a pickup truck and advise the two that you were deputy sheriffs and they were wanted for questioning?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Do you possess knowledge of what happened to Moore and Dee after they were whipped in this field as described by Mr. Edwards?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, I ask you if you in fact assisted in picking up Moore and Dee and taking them into the field and there assisted in whipping them?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Will you identify to the committee the others involved?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, after the torsos were found floating on the river, Navy divers discovered that the bodies apparently had been tied in chain, the chain hooked to the motor from a jeep, a motor block from a jeep. Do you possess any knowledge of this act happening?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Do you know Alton Alford?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. I read to you a paragraph from an investigative report :
 "James Seale beat up a man"——

The CHAIRMAN. You are reading from what?

Mr. APPELL. A committee investigative report.

The CHAIRMAN. All right.

Mr. APPELL [reading:]

James Seale beat up a man named Alton Alford who lives between Bunkley and Meadville. Alford states he was taken out of his house and whipped. Later he tried to shoot Seale [with his shotgun] but his shotgun did not go off. Seale is supposed to have taken the shotgun and beaten Alford with it, putting him in the hospital.

Is that factual, Mr. Seale?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, have you recently signed an affidavit against Charles Snodgrass and Rex Armistead of the Mississippi Highway Patrol charging them with false arrest?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Is there a basis to your charge?

Mr. JAMES SEALE. I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Do you mean false arrest——

Mr. APPELL. These are officers of the Mississippi Highway Patrol. I do not know the circumstances. I was going to ask him what the circumstances were.

Mr. Seale, were you counseled to file this charge of false arrest against the two officers of the Mississippi Highway Safety Patrol by members of the United Klans of America, Knights of the Ku Klux Klan, the Realm of Mississippi?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Did you know a man by the name of Earl Hodges?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, the committee's investigation establishes that Mr. Earl Hodges had been a member of the Klan, had fallen out with a man by the name of Clyde Seale, and that on August 16, 1965, his body was found. The man was dead. It appeared that the man had been severely beaten and, in attempting to reach a place of water to wash off his wounds, he had died, not from the beating, but from a heart attack.

Did you participate in the beating of Earl Hodges?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. For all practical purposes, prior to his death, you were neighbors; is that a fact?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, I put it to you as a fact, and ask you to affirm or deny the fact, that at the time you took Moore and Dee into the field to whip them, that you were a member of the White Knights of the Ku Klux Klan?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, the others in the group, including Charles Marcus Edwards, whose identities are unknown but that they, like yourself, were members of the White Knights of the Ku Klux Klan of Mississippi.

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, the United Klans of America in all of its literature and all of the speeches that are made about it and its membership relate to nonviolence. Do you believe this?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, I put it to you as a fact, and ask you to affirm or deny the fact, that from prior to the time that Moore and Dee were picked up to take into the field to whip, continuously through today, you are a member of the Ku Klux Klan, first with the White Knights of the Ku Klux Klan and currently with the United Klans of America.

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. In connection with your becoming a member of the White Knights of the Ku Klux Klan and then of the United Klans of America, did anyone interview you to determine background, sobriety, Christianity, and your possible involvement in the Henry Dee and Charles Moore and Hodges matter?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Has any action been taken against you by either the White Knights of the Ku Klux Klan or the United Klans of America to expel you from either or both of those organizations?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Do you know Mr. Sam Bowers?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Did you ever attend a meeting when he spoke?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Do you know Mr. Robert Shelton?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Have you ever seen him?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Have you ever heard him speak?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Have you ever attended a meeting of any Klan organization at any time in your life—

Mr. JAMES SEALE. Sir, I respectfully—

The CHAIRMAN. Wait a minute—at which meeting or meetings the alleged noble objectives of the Klans, including their alleged attach-

ment to democracy, to defense of country, and to Christianity, were discussed?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. SENNER. Is Clyde Seale your father?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. POOL. In fact, the beatings would not be carried out by the Klan if only one man were designated to do the job?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. POOL. Do they have their courage bolstered by going in greater numbers to do a job than the number of intended victims?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. POOL. They are very brave when they have a mob, when they have more people on their side than they are going to beat. Is that right?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Clyde Seale.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear, sir, to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CLYDE SEALE. I do.

TESTIMONY OF CLYDE WAYNE SEALE, ACCOMPANIED BY COUNSEL, CHARLES J. MAY III AND TRAVIS BUCKLEY

Mr. APPELL. Mr. Seale, give your full name for the record.

Mr. CLYDE SEALE. Clyde Wayne Seale.

Mr. APPELL. Mr. Seale, you are here today in accordance with a subpoena served upon you on November 2, 1965, by J. D. Sullivan, a member of the investigative staff of this committee at Middle Ford Creek Bridge on Highway 84, west of Meadville?

Mr. CLYDE SEALE. Yes, sir.

Mr. APPELL. Mr. Seale, you are represented by counsel?

Mr. CLYDE SEALE. Yes, sir.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. MAY. Charles J. May III, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Seale, when and where were you born?

Mr. CLYDE SEALE. I was born in Meadville, Mississippi, the 11th day of October 1901.

Mr. APPELL. Will you give the committee a brief résumé of your educational background?

Mr. CLYDE SEALE. I went to the ninth grade in a country school in Franklin County.

Mr. APPELL. Give the committee a brief résumé of your employment since 1960.

Mr. CLYDE SEALE. Farmer.

Mr. APPELL. Is that the only employment you have had since 1960?

Mr. CLYDE SEALE. Yes, sir.

Mr. APPELL. Mr. Seale, during the years 1964-65 were you the exalted cyclops of Franklin County Klavern of the White Knights of the Ku Klux Klan of Mississippi?

Mr. CLYDE SEALE. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, 4th, and 14th amendment to the Constitution of the United States of America.

Mr. APPELL. Mr. Seale, are you presently a member of the White Knights of the Ku Klux Klan of Mississippi?

Mr. CLYDE SEALE. Sir, for the reasons previously stated, I respectfully decline to answer this question.

Mr. APPELL. Mr. Chairman, in view of the witness' claimed privilege and his consistent refusal to answer the questions, I present to the committee the results of our investigation as they pertain to Mr. Seale.

In 1964 and '65 he was the exalted cyclops of Franklin County Klavern of the White Knights. In White Knights structure a Klavern can be and is broken into units depending upon the size of the Klavern membership. Clyde Seale was the exalted cyclops of Unit No. 2 covering the Meadville-Bunkley Community. In 1965 Clyde Seale was the province giant of Province No. 1, to which office he was elected on October 9, 1964, replacing Gerald Whitehead. On March 7, 1965, Clyde Seale attended a State meeting of the White Knights, where province officers made reports. He reported that a collection jar of the White Christian Protective and Legal Defense Fund had been placed in the Crossroads Grocery in Franklin County and, of \$12 in the jar, Negroes had put in half.

At an officers' meeting on June 27, 1964, held near Greenwood, Mississippi, Clyde Seale requested \$74 as reimbursement for expenses incurred.

On August 22, 1965, he attended an officers' meeting of the White Knights of the Ku Klux Klan of Mississippi at Florence, Mississippi. At one point of this meeting a jet flew over the area and Imperial Wizard Bowers ordered his men under trees because, he claimed, the FBI cameras could photograph a page of the Bible at 40,000 feet.

Mr. Chairman, this information indicates that Mr. Seale possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Seale, you have heard the sworn statement of the committee's investigator. You now have the opportunity to reply to any portion of that statement you wish to, confirm or challenge the accuracy of the information, or to explain any part of that statement. And you may, if you desire, offer any matter the committee may deem relevant to this inquiry. Do you care to avail yourself of this offer?

Mr. CLYDE SEALE. No, sir.

The CHAIRMAN. I must then inform you, Mr. Seale, unless other facts may come to the attention of the committee, this committee will

rely on the accuracy of its investigation. Bearing this in mind, have you anything to say?

Mr. CLYDE SEALE. No, sir.

Mr. APPELL. Mr. Seale, do you possess any knowledge of Charles Moore and Henry Dee?

Mr. CLYDE SEALE. Sir, for the same reason I previously stated, I respectfully decline to answer this question.

Mr. APPELL. Mr. Seale, did you know Earl Hodges?

The CHAIRMAN. Wait a second.

Mr. Seale, do you know Charles Marcus Edwards?

Mr. CLYDE SEALE. Sir, for the reasons previously stated, I respectfully decline to answer this question.

The CHAIRMAN. Did Charles Marcus Edwards or his wife ever tell you that Henry Dee had been, in popular parlance, a Peeping Tom?

Mr. CLYDE SEALE. Sir, for the same reasons, I respectfully decline to answer this question.

The CHAIRMAN. Was the Henry Dee and Charles Moore incident every discussed with you by anyone?

Mr. CLYDE SEALE. Sir, for the same reasons I respectfully decline to answer this question.

The CHAIRMAN. Did that subject ever come up and was it discussed at any Klan meeting that you attended?

Mr. CLYDE SEALE. Sir, for the same reason stated, I respectfully decline to answer this question.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Seale, did you ever have an argument with Earl Hodges?

Mr. CLYDE SEALE. Sir, for the same reason stated, I respectfully decline to answer this question.

Mr. APPELL. Was Earl Hodges a member of the same Klavern of which you were the exalted cyclops during the time he was living, the last few days of his life?

Mr. CLYDE SEALE. Sir, for the same reason stated, I respectfully decline to answer this question.

Mr. APPELL. Mr. Seale, Hodges' body was found on August 16, 1965. It appeared that he had walked from the place where he had been beaten to a well, apparently in an effort to wash the blood off of himself, when he died. An examination of his body showed welts from the bottom of his feet to the top of his head. There was a hole in the top of his head. There was a split from the left side of his nose to his left eye which was deep enough so that you could see the roof of his mouth. Mr. Seale, do you know anything about this?

Mr. CLYDE SEALE. Sir, for the same reasons previously stated, I respectfully decline to answer this question.

Mr. APPELL. Are you a member of the White Knights of the Ku Klux Klan today?

Mr. CLYDE SEALE. Sir, for the same reasons previously stated, I respectfully decline to answer this question.

Mr. APPELL. Mr. Seale, on behalf of any Ku Klux Klan organization, have you been a member of a team which carried out an act of violence against any human being?

Mr. CLYDE SEALE. Sir, for the same reasons I stated, I respectfully decline to answer this question.

Mr. APPELL. Mr. Chairman, I have no further questions to ask this witness.

Mr. SENNER. Mr. Seale, I thought I would never hear a son ever take the fifth amendment in acknowledging his father. Are you the father of James Ford Seale?

Mr. CLYDE SEALE. Yes, sir.

Mr. SENNER. Mr. Seale, the chairman will probably rule me out of order, but are you a religious man?

Mr. CLYDE SEALE. Yes, sir.

Mr. SENNER. I have no further questions.

The CHAIRMAN. The witness is excused.

Mr. CLYDE SEALE. Thank you, Your Honor.

The CHAIRMAN. Call the next witness.

Mr. APPELL. Julius Harper.

The CHAIRMAN. Raise your right hand. Do you solemnly swear the testimony you are about to give, sir, will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HARPER. I do.

TESTIMONY OF JULIUS HUNTER HARPER, ACCOMPANIED BY COUNSEL, CHARLES J. MAY III AND TRAVIS BUCKLEY

Mr. APPELL. Will you state your full name for the record?

Mr. HARPER. Julius Hunter Harper.

Mr. APPELL. Mr. Harper, are you appearing here today in accordance with the subpoena served upon you on December 1, 1965, by John D. Sullivan at 212 Highway 51, Crystal Springs, Mississippi?

Mr. HARPER. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. HARPER. Yes, sir.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. MAY. Charles J. May III, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Harper, when and where were you born?

Mr. HARPER. February 10, 1916, at Crystal Springs, Copiah County.

Mr. APPELL. Mr. Harper, would you give the committee a brief résumé of your educational background?

Mr. HARPER. I graduated from Crystal Springs High School in the scholastic year of 1934-35.

Mr. APPELL. Would you give the committee a brief résumé of your employment background from 1960?

Mr. HARPER. In 1960 I was working for the Mississippi Steel Corporation at Flowood, Mississippi, in the capacity of a maintenance electrician. In '62 I went in business at Crystal Springs, Mississippi, operating the J & F Grille, which is a restaurant.

The CHAIRMAN. Where?

Mr. HARPER. Crystal Springs.

Mr. APPELL. Have you had any sources of income other than the income which you received from the J &—did you say H or F?

Mr. HARPER. J & F.

Mr. APPELL. J & F diner or restaurant?

The CHAIRMAN. I think the name of the place is the J & F Cafe.

Mr. HARPER. Yes, sir. I have received compensation from my duties at the Mississippi Steel Corporation.

Mr. APPELL. And what were your duties and over what period of time did you receive such?

Mr. HARPER. That was from 1959 through 1962. Then I went in business for myself, sir.

Mr. APPELL. I probably——

The CHAIRMAN. Ask the question again.

Mr. APPELL. Other than the employment which you enumerated, have you had any sources of income since 1960?

Mr. HARPER. Sir, in conjunction with my cafe business, I own a farm on which I raise numerous things to help at the cafe with, such as cattle and other produce, and that would be a form of income.

Mr. APPELL. Have you received any other income from any other source?

Mr. HARPER. No, sir.

The CHAIRMAN. Did you receive any reimbursement of expenses incurred in any fashion in addition to your income as a worker, as a cafe operator, and from your farm?

Mr. HARPER. I do not recall having received any such income, sir.

The CHAIRMAN. All right. Proceed.

Mr. APPELL. Were you ever reimbursed for any expenses that you might have incurred in the form of travel or other expenses by an organization known as the White Knights of the Ku Klux Klan of Mississippi?

The CHAIRMAN. My question was broad enough to cover that. He can answer it.

Mr. HARPER. I have not received any income other than that that has already been mentioned, sir.

The CHAIRMAN. Let it go. That was not responsive. The question was, Did you ever receive any money as reimbursement for expenses? Did you?

Mr. HARPER. Not to the best of my knowledge, sir.

The CHAIRMAN. It seems you would have knowledge.

Mr. HARPER. I don't think there was. I don't recall.

Mr. POOL. Did you ever incur any expenses on behalf of the Klan organization in Mississippi?

Mr. HARPER. Sir, I respectfully decline to answer that question and invoke as defense the privileges guaranteed to me by the 5th, 1st, and 14th amendment to the Constitution of the United States of America.

Mr. POOL. Were you ever reimbursed for any expenses that you might have incurred on behalf of the Klan organizations of Mississippi?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer the question.

In response to the chairman's question a while ago, I can safely say "no."

Mr. POOL. But you took the fifth amendment on my questions?

Mr. HARPER. Yes, sir.

Mr. APPELL. Mr. Harper, the subpoena served upon you calls upon you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi, and affiliated organizations, namely, the White Christian Protective and Legal Defense Fund and The Mississippi Constitutional Council, in your possession, custody or control, or maintained by you or available to you as the present or former Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi.

In the representative capacity set forth in the subpoena I ask you to produce those documents.

Mr. HARPER. Sir, I could not produce such records that were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Did any record pertaining to Klan activities in the unit or Klavern to which you belonged come into your possession? And I mean *any* records, be they in the form of documents or checks or minutes, or originals or copies of applications for membership or membership lists, or any other kind of document or piece of paper having to do with your Klavern.

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer the question.

The CHAIRMAN. It is my information that you were the number two man of the whole State of Mississippi in the White Knights of the Ku Klux Klan of Mississippi. You mean to say that no such papers, resolutions, checks, application blanks, membership list, by name or numbers, ever came into your possession and never went through your hands.

Mr. HARPER. Repeat.

The CHAIRMAN. Never came into your possession or never went through your hands?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I should say that in your particular State of Mississippi, you are the Grand Dragon according to our information, but you are number two man by virtue of the fact that you have an Imperial Wizard there, whose name is or was Sam Bowers? Is Sam Bowers still Imperial Wizard?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Now I am going to ask you this question and, for the purpose of this question, I am going to assume that, through press releases, television, radio, you knew more or less about the Henry Dee and Charles Moore incident and that as Grand Dragon, through Klan sources, you in fact knew more than the normal individual, and I make that assumption because to do otherwise would simply violate common sense and would be completely incredible. Since the occurrence of the Henry Dee and Charles Moore incident, were any steps initiated to expel from membership of the White Knights of the Ku Klux Klan of Mississippi Charles Marcus Edwards and James Ford Seale or any other individual?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Go on.

Mr. APPELL. Mr. Harper, paragraph 2 of the subpoena calls upon you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by you or available to you, in your capacity as the present or past Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. HARPER. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

Mr. APPELL. Mr. Harper, paragraph 3 of your subpoena calls upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1120, "U.S. Corporation Income Tax Return," for the fiscal years 1961 through June 30, 1965, filed by you as Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi.

In the representative capacity set forth in paragraph 3, I ask you to produce the documents called for.

(Witness confers with counsel.)

Mr. HARPER. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were not and are not in my possession, custody, or control and I did not and do not have access to such records.

Mr. APPELL. To your personal knowledge, were such returns filed?

Mr. HARPER. For the same reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. As the Grand Dragon of the White Knights of the Ku Klux Klan, how are finances handled within that organization?

Mr. HARPER. Sir, for the same reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Harper, I hand you a document, which is the constitution of the White Knights of the Ku Klux Klan of Mississippi, a temporary document, which was issued prior to the constitution issued on April 19, 1964.

I ask you if you are familiar with the constitution and the attachments to it.

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

(Document marked "Julius Harper Exhibit No. 1," and retained in committee files.)

Mr. APPELL. Mr. Harper, were you ever elected to the position of sheriff in the State of Mississippi?

Mr. HARPER. Yes, sir.

Mr. APPELL. During what years did you hold the office of sheriff?

Mr. HARPER. From January 4, 1948, through January 5, 1952.

The CHAIRMAN. What county?

Mr. HARPER. Copiah County, sir.

Mr. APPELL. As a law enforcement officer and based only on what you have read in the newspaper, would you as a sheriff tolerate the existence of a Ku Klux Klan organization within your jurisdiction?

(Witness confers with counsel.)

Mr. HARPER. Restate that question, sir.

Mr. APPELL. Read the question back to the witness.

(The question was read by the reporter.)

(Witness confers with counsel.)

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Harper, I show you a document, not identified as to the author, headed "Secrecy." As the Grand Dragon of the Knights of the Ku Klux Klan of Mississippi, did you ever see that document?

(Document handed to witness.)

Mr. APPELL. Or one containing the same text?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

(Document previously marked "Harold Delk Exhibit No. 1.")

Mr. APPELL. Mr. Harper, I hand you now documents entitled "Executive Lecture of March 1, 1964," "Imperial Executive Order," May 3, 1964, and ask you if these two documents were official documents of the White Knights of the Ku Klux Klan of Mississippi.

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

(Documents previously marked "Burrel White Exhibits Nos. 2 and 1," respectively.)

Mr. APPELL. I hand you a reproduction of a document entitled merely "Harrasment."

I ask you if this is a document published—if the original of that was the document published—by the White Knights of the Ku Klux Klan of Mississippi?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

(Document previously marked "James Jones Exhibit No. 34.")

Mr. APPELL. Mr. Harper, do you today hold the position of Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege with respect to questions relating to the White Knights of the Ku Klux Klan of Mississippi and to his office of Grand Dragon, I present to the committee the results of our investigation as they pertain to Mr. Harper.

Mr. Harper, until the end of at least 1965, was Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi and a member of a White Knights Klavern known under the cover name of the Copiah Rod and Gun Club, and located on Route 1 in Crystal Springs, Mississippi. On June 7, 1964, at a State meeting of the White Knights near Raleigh, Mississippi, Mr. Harper explained to members of the Klan assembled that they should avoid the violation of Federal law at all cost.

On June 24, 1964, at a meeting of the Hinds County Klavern, Mr. Harper told the assembled that for all future "jobs" (quote and end

quote), the province giant would select the unit to pull the "job." The county coordinator would then select the meeting place, such as a motel or restaurant, and the exalted cyclops of the unit selected would then select the members to actually pull the "job."

This was to be done in order to secure maximum security.

In July 1964, at a meeting of the Hinds County Klavern, Mr. Harper stated that he was taking the necessary steps to identify FBI informants in the White Knights of the Ku Klux Klan of Mississippi and they would be severely punished when they were exposed.

Harper was present at a State executive meeting on September—
The CHAIRMAN. State that again.

Mr. APPELL. Present at a State executive meeting on September 6, 1964, held at Crystal Springs, Mississippi.

On September 20, 1964, Harper was present at another State executive meeting, at which plans were discussed concerning bombing of churches, at which COFO workers were present.

At this meeting Imperial Wizard Bowers discussed a plan to start a mass campaign against the Federal Government, the theme of which would be that the Government is aiding the Communists by pushing the Negro vote campaign. This, it was hoped, would force ignorant people into committing acts of violence.

On September 27, 1964, at a State executive meeting at Meridian, Mississippi, Harper stated that there must be no more church bombings at this time as these were hurting the White Knights expansion program. He stated, however, that Klansmen should be prepared to follow orders of Klan officials and they should possess sufficient arms and ammunitions to accomplish any assigned mission.

On September 29, 1964, Harper discussed with other Klansmen the harassment of COFO workers at the Mennonite School for Wayward Girls.

On October 11, 1964, Harper was present at an executive meeting at the White Knights at Crystal Springs, Mississippi, at which the bombing of a COFO house in Vicksburg, Mississippi, was discussed by Imperial Wizard Bowers and former lecturer McGregor from Jackson, Mississippi.

In October 1964, Harper stated at a meeting of the White Knights that Klansmen having explosives should bury them for the present time for later possible use.

Harper was present at a province meeting in Hattiesburg, Mississippi, on November 5, 1964.

Harper was present at a State meeting near Harrisville, Mississippi, where a 90-day moratorium was declared for all third and fourth degree projects. And this meeting took place on November 15, 1964.

On February 20, 1965, Harper met with H. H. Herdeen, secretary-treasurer of the White Christian Protective and Legal Defense Fund.

Harper was reelected to the position of Grand Dragon at a State meeting on December 13, 1964, southwest of Brandon, Mississippi.

Harper was present at a meeting held about January 1 at Jackson, Mississippi—

The CHAIRMAN. January 1, what?

Mr. APPELL. The date is not here, Mr. Chairman, but it is 1965. At Jackson, Mississippi, where plans were discussed for the establishment of the White Christian Protective and Legal Defense Fund.

Harper was made, by Imperial Wizard Bowers, a member of the committee of the White Christian Protective and Legal Defense Fund.

At a meeting on March 6, 1965, at Terry, Mississippi, Harper mentioned that efforts were being made to set up the White Christian Protective and Legal Defense Fund as a nonprofit organization to avoid paying Federal income tax.

This information, Mr. Chairman, indicates that Mr. Harper possesses valuable information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Harper, Mr. Appell, as you know as a former law enforcement officer, is under oath, just as you are, under pains and penalties of perjury, and he has related these facts. You now have the opportunity to reply to any portion of that statement, to confirm or challenge the accuracy of the information, or to explain any part of the statement.

In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry. Do you care to avail yourself of this opportunity?

(Witness confers with counsel.)

Mr. HARPER. No, sir.

The CHAIRMAN. I just inform you, then, sir, that absent your rebuttal, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation.

Bearing this in mind, have you anything to say?

Mr. HARPER. No, sir.

The CHAIRMAN. Mr. Harper, there is something inconsistent in the positions that you have taken, as related by Mr. Appell. On the one hand, you stated that everyone had to be very careful not to violate the Federal law, and on the other hand, you said that your organization was seeking to find out who the undercover agents of the FBI were, and that if they were found, they would be severely dealt with. Are you blowing hot and cold?

(Witness confers with counsel.)

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I do not know the exact, or I do not pretend to quote the exact verbiage of Mr. Appell's statement in that regard, but there are certain passages in the statement which you as an intelligent man understood, I know, indicating that at one time or another you were advising the Klan to go deeper underground and be more careful about exposure for security reasons. Now it has come to me, and it is my information, that the actions, both of the FBI and these hearings, are hurting—

Mr. HARPER. Repeat, sir.

The CHAIRMAN. Are "hurting," and I use that word in quotations. Isn't that true?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Is it not a fact that these hearings have been the subject of considerable discussion at higher echelons of the Klans in Mississippi?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. All right. Is there anything else?

Mr. POOL. No questions.

Mr. SENNER. I have some. Mr. Harper, you testified that the reason you refused or failed to deliver the records, documents, and other papers called for in the subpoena was due to the fact that they were not in your possession or control. I take it that statement was from the time the subpoena was served on you to the present time when you are sitting in that chair; is that correct?

(Witness confers with counsel.)

Mr. HARPER. Repeat that, sir.

Mr. SENNER. Would you read it, Mr. Reporter?

(The question was read by the reporter.)

(Witness confers with counsel.)

Mr. HARPER. Yes, sir.

Mr. SENNER. All right, I will ask you this question:

Mr. Harper, as Grand Dragon, and with that subpoena served on you and the attachment calling for those documents, from the time of the service of that subpoena to the present time, do you know of the whereabouts of the documents that are to be kept by the Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi?

Mr. HARPER. Sir, for reasons previously stated, I respectfully decline to answer the question.

Mr. SENNER. Did you have anything to do with destroying them?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. If they have not been destroyed and you do have knowledge of their whereabouts outside of your control and possession, could you have obtained those documents to comply with the subpoena and the attachment requesting those documents before this committee? I will restate the question.

Mr. Harper, have the documents been destroyed?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Do you know where the documents are now?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. If you know where the documents are now, could you have obtained those documents from the date of the service of the subpoena upon you to the present time when you are sitting in that witness chair?

Mr. HARPER. Sir, for the reasons—sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

Mr. SENNER. And you responded that that was from the date of the service of the subpoena upon you until the recent time when you are sitting in the witness chair?

Mr. HARPER. Yes, sir.

Mr. SENNER. Then I asked you if you knew where the documents are from the date of the subpoena to the present time when you are sitting in that witness chair. What is your answer?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. I will ask you again, Mr. Harper, do you know where those documents are?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Did you have the documents called for by the subpoena prior to the date of service of the subpoena?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. From the time of the announcement of this investigation by the House Committee on Un-American Activities, did you at the date prior to the subpoena have the documents called for by the subpoena served upon you in your representative capacity as Grand Dragon of the White Knights of the Ku Klux Klan in Mississippi?

Mr. HARPER. Would you repeat the date included, the date, month and year?

Mr. SENNER. The date of the announcement of the investigation of this committee of the Ku Klu Klan was March 30, 1965.

Mr. HARPER. No, sir.

Mr. SENNER. When you say "no, sir," I take it that you did not from that time until the present time, when you are in the witness chair, have in your possession the documents and the records called for by the subpoena served upon you?

Mr. HARPER. Yes, sir.

Mr. SENNER. Mr. Harper, you are under oath.

Mr. HARPER. Yes, sir.

The CHAIRMAN. Mr. Harper, to be perfectly frank about it, we have information that there was discussion of destruction of certain documents after the commission of a certain act of violence, in general. Were you present at any time when a discussion of that kind was had?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. The witness is excused.

Call your final witness.

Mr. APPELL. Mr. Billy Buckles.

The CHAIRMAN. Please raise your right hand, sir.

Do you solemnly swear, sir, that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BUCKLES. I do.

**TESTIMONY OF BILLY DOUGLAS BUCKLES, ACCOMPANIED BY
COUNSEL, CHARLES G. BLACKWELL AND TRAVIS BUCKLEY**

Mr. APPELL. Will you state your full name for the record?

Mr. BUCKLES. Billy Douglas Buckles.

Mr. APPELL. That is B-i-l-l-y?

Mr. BUCKLES. That is correct.

Mr. APPELL. Last name, B-u-c-k-l-e-s?

Mr. BUCKLES. That is correct.

Mr. APPELL. Are you appearing today, Mr. Buckles, in accordance with a subpoena served upon you by Investigator John D. Sullivan of

this committee on November 3, 1965, at the International Paper Company, Natchez, Mississippi?

Mr. BUCKLES. I am.

Mr. APPELL. Are you represented by counsel?

Mr. BUCKLES. I am.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. BLACKWELL. Charles Blackwell, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Buckles, when and where were you born?

Mr. BUCKLES. I was born in the Providence Community of Franklin County, Mississippi, September 24, 1931.

Mr. APPELL. Give the committee a brief résumé of your educational background.

Mr. BUCKLES. I graduated from Meadville High School in April 1949.

Mr. APPELL. Give the committee a résumé of your employment background since 1949.

Mr. BUCKLES. I was employed by the General Geophysical Company of Houston, Tex., from September 1949 until January 1951. From January 1951 until August 1951, I was employed at International Paper Company.

From August 1951, I served 2 years in the United States Naval Reserve—2 years active duty—and returned to International Paper Company in Natchez, Mississippi, in September of 1953. I have been in the employment of the International Paper Company at their Natchez mill, Natchez, Mississippi, since that time, and to date.

Mr. APPELL. Since January 1, 1963, from what other sources have you received income?

The CHAIRMAN. If any.

(Witness confers with counsel.)

Mr. BUCKLES. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

Mr. APPELL. Mr. Buckles, under the conditions of the subpoena served upon you contained in an attachment which was made a part of the subpoena you are called upon in paragraph 1 to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, namely, the White Christian Protective and Legal Defense Fund and the Mississippi Constitutional Council in your possession, custody or control or maintained by you or available to you as the present or Past Grand Giant of the White Knights of the Ku Klux Klan of Mississippi.

In the representative capacity set forth in paragraph 1, I ask you to produce the documents called for.

Mr. BUCKLES. Sir, I could not produce such records as ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Mr. Buckles, do you realize that whether or not an order is made upon you to produce those documents by me, that if what

you say here is not true and we find it out, that you are subject to perjury? I just want to know if you realize that?

(Witness confers with counsel.)

The CHAIRMAN. And that applies to all previous witnesses.

Mr. POOL. And, Mr. Chairman, isn't the penalty for perjury a good deal stiffer than the penalties for contempt?

The CHAIRMAN. Yes.

Mr. BUCKLES. I realize that, sir.

Mr. APPELL. Mr. Buckles, paragraph 2 of the subpoena calls upon you to produce:

All books, records, documents, correspondence and memoranda in your possession, custody or control or maintained by or available to you, in your capacity as Grand Giant of the White Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. BUCKLES. Sir, I could not produce such records as ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

Mr. POOL. You said "were, and are, not." That means they have never been in your possession, as I understand that.

(Witness confers with counsel.)

Mr. POOL. Do you want to stand on your statement?

Mr. BUCKLES. Yes, sir.

The CHAIRMAN. When you say "were not," are you trying to say "are not now and were not since the date of service of the subpoena," or do you mean at any time?

(Witness confers with counsel.)

Mr. BUCKLES. At the time I was subpoenaed, sir?

The CHAIRMAN. Were they ever in your possession?

Mr. BUCKLES. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

The CHAIRMAN. Were those documents, to your knowledge, destroyed?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. POOL. Do you mean the fifth amendment or the other reasons?

Mr. BUCKLES. The reasons of the 5th, 1st, 4th, and 14th amendments to the Constitution of the United States of America.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Buckles, paragraph 3 calls upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1120, "U.S. Corporation Income Tax Return," for the fiscal year 1961 through June 30, 1965, filed by you as Grand Giant.

In the representative capacity set forth in paragraph 3, I ask you to produce the documents.

Mr. BUCKLES. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, and control and I did not and do not have access to such records.

Mr. APPELL. As the grand giant of the organization, do you know whether or not it has ever filed corporate tax returns?

Mr. BUCKLES. Sir, for reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Buckles, do you today hold the position of grand giant of the White Knights of the Ku Klux Klan of Mississippi?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Buckles, do you possess knowledge with respect to an organization known as the Mississippi Constitutional Council?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Where does the Mississippi Constitutional Council operate, and where does the White Knights of the Ku Klux Klan of Mississippi deposit money collected from its membership?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Buckles, what knowledge do you possess of violence carried out by members of the White Knights of the Ku Klux Klan of Mississippi?

Mr. BUCKLES. Sir, for the reasons previously stated. I respectfully decline to answer that question.

Mr. APPELL. Was an approach ever made to you as the grand giant of the organization by representatives of a Klavern of the White Knights seeking permission to carry out a job or project of that organization?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Buckles, the committee has sworn testimony under oath to the effect that within the organizational structure of the White Knights, as a part of a formal procedure there were certain classifications given to various acts of harassment or acts of intimidation or more serious acts. These were known in the terminology of the Klan as projects or jobs 1, 2, 3, or 4. Have you ever heard that discussion?

Mr. BUCKLES. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. The sworn testimony that we have from a former official of the White Knights of the Ku Klux Klan of Mississippi, the sworn testimony was that there is a project known as Project 1: threatening telephone calls or visits.

[Project] 2. Burning of a cross, usually on the property of an individual.

[Project] 3. Beating or flogging; burning of properties; wild shooting into property and bombings; and

Project 4. Extermination.

I ask you to affirm or deny this sworn testimony that we have with respect to the White Knights of the Ku Klux Klan of Mississippi.

(Witness confers with counsel.)

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Buckles:

Mr. Buckles was identified through investigation and sworn testimony as the grand giant of the White Knights of the Ku Klux Klan of Mississippi.

On June 9, 1964, Mr. Buckles, at a meeting of the Hinds County Klavern, stated that the White Knights was sponsoring an ex-convict to do a job in the Jackson, Mississippi, area, which would cost the Klan \$1,200: \$400 payable in advance and \$800 upon completion. Buckles described the job as one "that would make the murder of Medgar Evers look sick."

A sum of \$100 was collected at this meeting toward the payment of the \$1,200.

Buckles was present at a meeting of the Hinds County Klavern on June 24, 1964, at which A. C. Herrington was introduced as the Klan kleagle, or organizer. Also discussed at this meeting was Klan organization and structure, security, and the performance of acts of violence.

On September 6, 1964, at a State executive meeting held in Crystal Springs, Mississippi, Buckles stated that a group of Jackson Klansmen had asked him to get permission from the State to eliminate Hazel Brannan Smith, a newspaperwoman in Jackson, Mississippi. A stick of dynamite was thrown into the office of Hazel Brannan Smith, who publishes a newspaper, the *Northside Reporter*, on August 27.

Buckles was present at a State executive meeting held on September 14, 1964, in the office of Norman Jackson in Crystal Springs, Mississippi.

At a meeting on September 20, 1964, Buckles supported a motion made by A. C. Herrington that church bombings be restricted to those churches at which COFO workers are present.

At a meeting held on January 1, 1965, at the Heidelberg Hotel in Jackson, Mississippi, Buckles was present. At this meeting the establishment and objectives of the White Christian Protective and Legal Defense Fund were discussed by Bowers and other high ranking officers of the White Knights of the Ku Klux Klan of Mississippi.

At a meeting of the Hinds County Klavern held on June 24, 1964, at Jackson, Mississippi, Buckles, the grand giant, stated that there were to be no more bombings of any type by the Klan in Mississippi as these bombings drew attention to the Klan too rapidly.

Buckles said that there are other ways to handle things and, no matter what they tell you, arson is hard to prove. Buckles suggested that all members purchase firearms and ammunition and said that Klansmen should not pay excessive prices for this material as he—Buckles—could obtain rifles for \$15 each, which included three clips of ammunition.

Buckles commented that the outside agitators must be stopped, even if it takes a few busted heads and, if necessary, the Klan would go further than this to stop these agitators.

Buckles said that when the Klansmen locate meeting places of Negroes, such as Negro churches, they should throw carpet tacks on the parking lot and disable—

The CHAIRMAN. They should what?

Mr. APPELL. They should throw carpet tacks on the parking lot and disable the assembled cars by cutting ignition wires.

Buckles suggested that gasoline operators who were members should have a good supply of sugar to pour into the tanks of cars belonging to integrationists.

Buckles said he assumed that all of the members present had read of the disappearance of the three civil rights workers in Neshoba County and said, "Now, they know what we will do. We have shown them what we will do and we will do it again if necessary."

Buckles was present at a State meeting near Raleigh, Mississippi, at which a resolution was passed to blow up the Laurel newspaper, *Leader-Call*; a short time after this meeting an explosion took place at the newspaper offices.

Buckles is known to have made reports of the financial conditions of several units of the White Knights of the Ku Klux Klan of Mississippi. At a meeting on May 2, 1965, Buckles reported at a State meeting in Pearl River County that Julius Harper received \$400 and the Greenwood Unit had \$1,000.

Buckles was present at a State meeting on June 27, 1965, near Greenwood, Mississippi, at which Devours Nix was elected to replace Ernest Gilbert as head of the State KBI.

On August 22, 1965, at a meeting near Florence, Mississippi, Buckles requested that \$500 be sent to Greenwood, Mississippi, for the men arrested for arson.

On August 8, 1965, Sam Bowers offered a resolution at a State meeting held near Byram, Mississippi, to the effect that the White Knights were forbidden to associate with the members of the UKA. Buckles spoke in opposition to this resolution.

Buckles was present at a State meeting held on May 2, 1965, at Poplarville, Mississippi, along with Sam Bowers.

On October 31, 1965, at a State meeting held in a rural area near Harrisville, Buckles announced his resignation as a State officer and said he would devote full time to operating the newspaper the *Southern Review*.

This information, Mr. Chairman, indicates Mr. Buckles possesses much additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in the enactment of remedial legislation.

The CHAIRMAN. Mr. Buckles, you have heard the sworn statement of the committee's investigator.

You now have the opportunity to reply to any portion of that statement, confirm or challenge the accuracy of the information, or to explain any part of that statement.

In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of this opportunity?

Mr. BUCKLES. No, sir.

The CHAIRMAN. In that case, Mr. Buckles, I must inform you that absent any rebuttal on your part, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation. Bearing this in mind, have you anything to say?

Mr. BUCKLES. No, sir.

Mr. SENNER. In view of the fact you answered several questions propounded either by the chairman or Congressman Pool, that you have

never had records in your possession, how could you give a financial report in either May or June of 1965?

Mr. BUCKLES. Sir, for reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Was your statement to Congressman Joe Pool truthful and honest in all respects?

Mr. BUCKLES. I respectfully submit the explanation that I did not make such statement.

Mr. SENNER. In response to Congressman Pool's question—using the words from the statement you read here, and the record will speak for itself—you said that you did not now have—would you read your statement, please, in the refusal of the documents, that you do not now have?

Mr. BUCKLES. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

Mr. SENNER. And in response to Congressman Pool's question when you used the word "were" that meant you never had them, and you responded "yes." How did you respond?

Mr. BUCKLES. I said "no, sir."

Mr. POOL. You never had the records, I suppose. I don't know what you mean.

Mr. BUCKLES. Could I please have Congressman Pool's question read back over to me, sir?

Mr. SENNER. Congressman Pool, would you state your question again?

Mr. POOL. I asked you, after you read your answer, if the use of the word "were" meant in the past tense, that you had never had the records in your possession, and you said "no."

The CHAIRMAN. And in answer to my question, it is my recollection that you said that by referring to the past tense you were indicating that you did not have the records now and they were not in your possession, meaning before and after the date of the subpoena. Was that your response to my question?

Mr. BUCKLES. That is correct, sir.

Mr. POOL. Then why can't you answer Congressman Senner's question?

Mr. BUCKLES. Possibly I misunderstood your question, sir. Would you repeat it, please?

Mr. SENNER. Did you have those records prior to the subpoena, when it was served upon you, at any time in your representative capacity as called for in the subpoena?

Mr. BUCKLES. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendment to the Constitution of the United States of America.

Mr. SENNER. Did you destroy these records? That is my question. Did you destroy those records?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Did you conceal those records?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Did you burn and/or conceal those records to impede or prevent that information from coming before this House of Congress in this committee?

Mr. BUCKLEY. May I have the question read back?

(The question was read by the reporter.)

Mr. BUCKLES. Sir, I have never done anything to impede any information from coming—

Mr. SENNER. Answer my question and don't tell me about impeding.

Mr. BUCKLES. Sir, I have never done anything to impede any records from coming before this committee.

Mr. SENNER. Did you burn or destroy any records called for by that subpoena in your official capacity? Yes or no.

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Did you burn—when I use the word “burn” I mean in any way destroy—and/or conceal those records at any time since May 30, 1965?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. POOL. May I interrupt you right here a second?

Mr. SENNER. Yes.

Mr. POOL. Perjury is a very serious offense, and in view of your answer to my question earlier, I am going to ask you one further question to kind of give you a chance to straighten it out if you want to. When was the last time you saw any of the records of this organization?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. In response to Congressman Pool's question, when he asked you were those records ever in your possession, you answered “No.” Is that a correct summation of Mr. Pool's question to you and your response to him?

Mr. BUCKLES. No, sir, that is not correct.

Mr. SENNER. Would you please correct it for the record?

Mr. BUCKLES. Sir, I could not produce such records as were requested by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

Mr. SENNER. Were such records in your possession or control or access since March 30, 1965?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Do you know where those records are?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Are those records now in existence?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I have one or two questions on this. I have a clear recollection—and correct me if I am wrong—that in one of those preliminary questions asked of you, you said that as of now, today,

you were employed by the International Paper Company. Is that your testimony?

Mr. BUCKLES. I stated that I was employed by International Paper Company to date. I assume that I am still in the employ of the International Paper Company.

The CHAIRMAN. I am not talking about any possible dismissals, nor am I suggesting anything. So far as you know, you are today employed by the International Paper Company?

Mr. BUCKLES. Yes, sir.

The CHAIRMAN. And how long have you been so employed, approximately?

Mr. BUCKLES. Since either the last of January 1951 or in early February 1951.

The CHAIRMAN. Mr. Appell, in his statement, said that on October 31, 1965, you said something to the effect that you were resigning in whatever official capacity you had then in order to be employed full time by the *Southern Review*, and in order to dispel any thought in your mind about it, I am not questioning you as a newspaperman or asking whether you now are or ever were one or ever will be. Is that a fact that you made that statement?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you tell the truth that you were going to, from then on, be employed by the *Southern Review*?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Have you been employed by the *Southern Review* in order to carry out Klan activities—that is what I am talking about—at any time since October 31, 1965?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you, in order to carry out the objectives and purposes and programs and to propagandize the activities of the Klan, contribute any articles to the *Southern Review*?

Mr. BUCKLES. For the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you know Mr. Greaves who testified yesterday?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you know him, not as an editor of the *Southern Review*, or as a newspaperman, but as a man, as a person?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you know him as a Klansman?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you ever attend any Klan meetings with him?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Mr. Buckles, would you be kind enough to tell the committee how you were able to give a financial report on May 2, Pearl River County, if you had no records?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. I expected that answer.

The CHAIRMAN. The witness is excused, and the committee will stand in recess until 10 a.m. next Tuesday.

(Members present: Representatives Willis, Pool, and Buchanan of the subcommittee and also Representative Senner.)

(Whereupon, at 6 p.m., Friday, January 14, 1966, the subcommittee recessed, to reconvene at 10 a.m., Tuesday, January 18, 1966.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

TUESDAY, JANUARY 18, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:25 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, and Buchanan.

Committee member also present: Representative George F. Senner, Jr., of Arizona.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

Are you ready, Mr. Appell? If so, call your first witness.

Mr. APPELL. Mr. Chairman, I would like to call Billy Wilson.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WILSON. I do.

TESTIMONY OF BILLY WILSON

Mr. APPELL. Mr. Wilson, will you state your full name for the record?

Mr. WILSON. Billy Wilson.

Mr. APPELL. Are you appearing here in accordance with a subpoena served upon you by Investigator John D. Sullivan of this staff on September 8, 1965?

Mr. WILSON. Yes, sir; I am.

Mr. APPELL. Mr. Wilson, when and where were you born?

Mr. WILSON. I was born in McComb, Mississippi, 1942. April 22.

Mr. APPELL. April 22. Mr. Wilson, it is evident that you are not represented by counsel before the committee this morning. Do you desire counsel?

Mr. WILSON. No, sir.

The CHAIRMAN. Mr. Wilson, I am glad you are appearing. Do you understand—and this I ask you in accordance with regular practice—do you understand that although you do not have a lawyer, and if you desire to, you could invoke the fifth amendment, if you would want to?

Mr. WILSON. Yes, sir.

The CHAIRMAN. All right. Proceed.

Mr. APPELL. Mr. Wilson, what is your educational background?

Mr. WILSON. High school equivalent.

Mr. APPELL. Where did you receive your high school equivalent?

Mr. WILSON. In the United States Army.

Mr. APPELL. What period of time did you serve in the United States Army?

Mr. WILSON. I entered the Army May 5, 1959, and was released from active duty May 7, 1962.

Mr. APPELL. Mr. Wilson, are you now, or have you ever been, a member of a Ku Klux Klan organization?

Mr. WILSON. Yes, sir.

The CHAIRMAN. Well, now, you had better split that question. I don't know whether he is saying yes to which one.

Mr. WILSON. Yes, sir; I was.

The CHAIRMAN. Yes, sir; you were.

Mr. WILSON. Yes, sir.

The CHAIRMAN. Are you now a member?

Mr. WILSON. No, sir.

Mr. APPELL. When and where—

The CHAIRMAN. You develop that further.

Mr. APPELL. When and where did you join a Ku Klux Klan organization?

Mr. WILSON. In McComb, Mississippi, on July 7, 1964.

Mr. APPELL. What Klan organization did you join?

Mr. WILSON. Well, the name I don't really know. All I knew was by Ray Smith's group.

Mr. APPELL. What was the—well, let me show you a copy of an application for membership in the United Klans of America, Inc. (Richard Constantineau Exhibit No. 3), and ask you if the application, copy which I hand you, is similar to an application you executed at the time you became a member of a Ku Klux Klan organization.

(Document handed to witness.)

Mr. WILSON. This is the one.

Mr. APPELL. Did you know prior to today that the parent organization—and I am not speaking about the Klavern—was a Klavern of the United Klans of America?

Mr. WILSON. Yes, sir.

Mr. APPELL. You knew that. Explain to the committee the steps which you took in order to join this Klavern of the United Klans of America.

Mr. WILSON. In the month of May, I would say, of 1964, I was asked by another member of the Klan, which at this time I didn't know that he was a member—he asked me would I like to be a member of the Klan, and I told him that I didn't know, that I would have to give it some thought.

I thought about it for about 2 months, and in the month of July of 1964 I told him that I was interested in it, and he said that he thought that he might be able to arrange it.

Mr. APPELL. What procedure, to your knowledge, did Billy Ainsworth follow in arranging for you to join the United Klans of America?

The CHAIRMAN. You haven't established——

(Discussion off the record.)

The CHAIRMAN. Repeat the question.

Mr. APPELL. Yes. What procedure did Billy Ainsworth follow in having you join this Klavern of the United Klans of America?

Mr. WILSON. Well, sir, he met me at my home on the night of July 7, 1964, and from there we went uptown in McComb to one building called the Hinton Building, and there we went upstairs.

The CHAIRMAN. How do you spell that?

Mr. WILSON. H-i-n-t-o-n.

The CHAIRMAN. H-i-n-t-o-n.

Mr. WILSON. Right.

Mr. APPELL. When you got upstairs, you went to a room up there. Do you know the identity of the——

Mr. WILSON. I don't know the name of the room. You might say it would be an anteroom, or some name to that effect.

Mr. APPELL. What happened when you arrived there?

Mr. WILSON. Well, sir, there were about, I would say, five or six new members that night wanting into the Klan, and——

Mr. APPELL. What happened after you got in? Did someone explain to you the principles of the Klan?

Mr. WILSON. Yes, sir; we were indoctrinated, to an extent, and from there we were administered some oaths there.

Mr. APPELL. Before we get to the oaths, prior to accompanying Billy Ainsworth to this room in the Hinton Building, had you executed this application for membership, a copy of which I showed you?

Mr. WILSON. No, sir; that was done in the anteroom.

Mr. APPELL. Was this application given to you prior to the indoctrination, or after the indoctrination were you asked and others asked whether or not they desired to join?

Mr. WILSON. I believe, sir, that that was done after—well, let me see now. Indoctrination was given. After that, it was asked if there was anyone whose mind was not made up, if they wanted to leave, that would be all right. As I recall that night, I believe there was one that left. After that, then we signed this application.

Mr. APPELL. Other than Billy Ainsworth that accompanied you, did you know the identity of any of the other people that were in this same room with you?

Mr. WILSON. No, sir; I didn't.

Mr. APPELL. Did you know at that time the identity of the person that was indoctrinating you into the principles of the Klan?

Mr. WILSON. Yes, sir. Mr. Paul Wilson.

Mr. APPELL. Did you know him at that time, or did you learn his identity later?

Mr. WILSON. I knew him at that time.

Mr. APPELL. You knew him at that time.

The CHAIRMAN. Let me ask a question.

When you say "then we signed this application," you mean you signed an application similar to the one that was handed you? That's not actually the one you signed.

Mr. WILSON. That is right.

Mr. APPELL. Then after you were given the opportunity of leaving or remaining, as I understand your testimony, you executed the application, a copy of which or the form of which I showed you.

Mr. WILSON. That is right.

Mr. APPELL. After you executed the form of application, what happened to that application?

Mr. WILSON. Well, sir, after the oaths were administered in the anteroom, we went into the large—what do you call it now?—meeting hall, I guess, and there we were administered one more oath and sworn into the Klan. After that, the applications that we had made out were—they had let us have them back, and there they were burnt.

Mr. APPELL. So that after taking the final series of oaths in the main meeting chamber, each of you had the application which you executed returned to you and thereafter each of you destroyed it.

Mr. WILSON. That is right.

Mr. APPELL. I show you a series of oaths. I ask you to look them over and to advise the committee whether the Section I, Obedience, Section II, Secrecy, Section III, Fidelity, were the oaths administered to you in this small room, and whether or not Section IV, the oath Klanishness, was administered to you after you were admitted to the main chamber.

(Documents handed to witness.)

Mr. WILSON. I would say this was a copy.

(Document previously marked "Robert Shelton Exhibit No. 4.")

Mr. APPELL. After you destroyed your application for membership, how were you known within the Klavern as a member of that Klavern?

Mr. WILSON. We were known by a number.

Mr. APPELL. What number was assigned to you?

Mr. WILSON. Number 98.

Mr. APPELL. Does that mean, Mr. Wilson, that you were the 98th member recruited into that Klavern?

Mr. WILSON. I would think so; yes, sir.

Mr. APPELL. Was the Klavern to which you were assigned known technically within the Realm of Mississippi of the United Klans of America as Klavern No. 700?

Mr. WILSON. I really couldn't say.

Mr. APPELL. Who was the exalted cyclops of the Klavern to which you were assigned?

Mr. WILSON. Mr. Ray Smith.

Mr. APPELL. Is Ray Smith a man who is employed by the telephone company in McComb?

Mr. WILSON. Yes, sir.

Mr. APPELL. Can you recall the identity of other officers of the Klavern, the Ray Smith Klavern, as we shall call it, to which you were assigned as a member?

Mr. WILSON. Well, sir, as I said, Mr. Ray Smith was the EC. I believe that Mr. Paul Wilson was the vice president, you might say. I don't know what the name is.

Mr. APPELL. In Klankraft, that is the klaliff.

Mr. WILSON. I am not very familiar with the name.

Mr. APPELL. All right, sir.

Mr. WILSON. Reverend J. C. Brown would be, now, the kludd?

Mr. APPELL. The kludd.

Mr. WILSON. I believe the minister. The chaplain. Murphy Duncan was the treasurer.

Mr. APPELL. Let me interrupt you there. Did you subsequently learn that Murphy Duncan was elected to the position of grand klabee or State treasurer of the United Klans of America in Mississippi?

Mr. WILSON. Later on, I did; yes, sir.

Mr. APPELL. Now, I interrupted you, and you had named the exalted cyclops, the klaliff or vice president, the klabee or treasurer. Who acted as the secretary?

Mr. WILSON. Ernest Zeeck.

Mr. APPELL. And that is Z-e-e-c-k?

Mr. WILSON. I believe that is correct.

Mr. APPELL. Can you recall any other officers?

Mr. WILSON. No, sir; I don't believe.

Mr. APPELL. Now, how large in membership was the Klavern, to your knowledge?

Mr. WILSON. Well, sir, to my knowledge, there again, being that my number was 98, I would say it would be well over 100 members.

Mr. APPELL. During the course of this membership, did you leave the Ray Smith Klavern and join another Klavern?

Mr. WILSON. Yes, sir. On August 11, 1964, Mr. Paul Wilson made the announcement to Mr. Ray Smith at a weekly meeting there, stating for reason, I believe, that this Klavern was a little large and there should be another one formed, and he read off a list of, I believe, seven names that would be leaving there, and we left.

Mr. APPELL. You left for the purpose of forming an additional Klavern of the United Klans of America?

Mr. WILSON. Yes, sir.

Mr. APPELL. Now, whose names did Mr. Paul Wilson call off to leave Klavern 700 for the purpose of forming this new Klavern?

Mr. WILSON. Well, sir, he read off and named another Wilson name, James Wilson, myself, Gerald Lawrence, Hilton Dunaway—

Mr. APPELL. Is that D-u-n-a-w-a-y?

Mr. WILSON. Yes, sir; I believe that is correct. Mr. Gillis, "Bubba" Gillis.

Mr. APPELL. That is Sterling Gillis, who goes by the nickname of "Bubba"?

Mr. WILSON. Yes.

Mr. APPELL. G-i-l-l-i-s?

Mr. WILSON. That is right. And Al Lee.

The CHAIRMAN. Now, as I understand, you are not related to the two other Wilsons you named; are you?

Mr. WILSON. Yes, sir; to one.

The CHAIRMAN. You are related to one?

Mr. WILSON. Yes, sir.

The CHAIRMAN. To which one, and how related? Not that we are interested in relationship; we want identity.

Mr. WILSON. Paul Wilson is my first cousin, I think.

The CHAIRMAN. And you are not related to the other Wilson? What is his name?

Mr. WILSON. No, sir; I am not related to James.

The CHAIRMAN. James.

Mr. WILSON. Right.

Mr. APPELL. Who became the temporary officers of this new Klavern?

Mr. WILSON. Paul Wilson was the elected or the temporary EC. I think that Al Lee was elected the temporary secretary, James Wilson was elected temporary treasurer. However, the next week, Mr. Murphy Ducan met with us, and he assumed these duties.

Mr. POOL. Of treasurer?

Mr. WILSON. Right; yes, sir.

Mr. APPELL. Now, did you, as long as you remained a member of the United Klans of America, continue membership in this second group, which we will call the Paul Wilson group?

Mr. WILSON. I am sorry. Would you—

Mr. APPELL. I say, as long as you continued your Klan membership, did you remain a member of the Paul Wilson Klavern, as we shall call the second group?

Mr. WILSON. Yes, sir.

Mr. APPELL. Now, Mr. Wilson, is it a fact that in October 1964 you were arrested, charged with three counts of illegal use of explosives, violation of Mississippi statutes, and one count of conspiracy in the illegal use of explosives?

Did you on October 23 plead guilty to the three counts of illegal use of explosives, and nolo contendere to the conspiracy charge, and did you receive a 5 years' sentence on each of the three counts of illegal use of explosives and 6 months plus \$500 fine on the conspiracy charge?

Mr. WILSON. That is right.

Mr. APPELL. As far as the sentences, the three 5-year terms to run concurrently and the 6 months under the conspiracy, were these sentences suspended?

Mr. WILSON. That is true.

Mr. APPELL. Were the sentences suspended under the condition that not only must you and the others so convicted not engage in any acts of violence in the future, but that if any acts of violence in the community were engaged in, that your conditions would be automatically forfeited?

Mr. WILSON. That is right.

The CHAIRMAN. And you are now under very heavy probationary conditions, are you not?

Mr. WILSON. That is right; yes, sir.

The CHAIRMAN. And you are respecting them?

Mr. WILSON. Yes, sir.

Mr. APPELL. Mr. Wilson, did any of the acts which resulted in your arrest and conviction grow out of your membership in the United Klans of America, Inc.?

Mr. WILSON. Yes, sir.

Mr. APPELL. Did all of them grow out of your membership in the United Klans of America, Inc.?

Mr. WILSON. Yes, sir.

Mr. APPELL. Mr. Wilson, the first offense involved you in the bombing of a residence of a man by the name of Charles Bryant. Would you, in your own words, tell the committee how you became involved in this act of bombing?

Mr. POOL. What was the man's name?

Mr. APPELL. Charles Bryant, B-r-y-a-n-t.

Mr. WILSON. Well, sir, as I have stated, on the night of July 7, 1964, I was sworn in as a member of this organization, and on the night of July 26, my wife and I and my little boy was over at this other guy's house, and about 8 p.m., I would say, somebody wanted me on the phone.

I didn't know at that time who it was, so I answered, and it was Mr. Wilson.

Mr. APPELL. Which Mr. Wilson?

Mr. WILSON. Paul Wilson. And he said in so many words that there was something that night that needed doing, and would I like to help, and I told him that I would.

He told me that he would meet me at my home at approximately 12 midnight. At 12:30 that night, or the early morning, he drove up there to my house there, and I got in his automobile, and we drove to the home of Mr. Hilton Dunaway, and Mr. Lawrence was also there.

Mr. APPELL. Mr. Lawrence. Is that Mr. Gerald Lawrence?

Mr. WILSON. Yes, sir.

From there we drove out of McComb, on the road known as the S-Curve Road, for, oh, a distance of 3 miles, I would say, maybe 4. There is a road that led off to the right, way back down in the woods. We went down there, and there was another automobile there, a black car, a Plymouth, about a '49 model, I would say.

We loaded up in this car and drove to the home of Mr. Byrant.

Mr. APPELL. Now as you left in the '49 Plymouth, who was driving the vehicle?

Mr. WILSON. Mr. Lawrence. Gerald Lawrence.

Mr. APPELL. Who was riding on the front seat with him?

Mr. WILSON. Mr. Dunaway.

Mr. APPELL. And that leaves you and Paul Wilson riding in the rear, on the rear seat of the automobile?

Mr. WILSON. Yes, sir, Paul was riding in the left side in the rear, and I was on the right side.

Mr. APPELL. Paul was behind the driver, and you were behind the passenger in the front?

Mr. WILSON. Right.

Mr. APPELL. Will you proceed?

Mr. WILSON. As I say, we drove to the home of Mr. Bryant, and we stopped the car. And there was another car, they were up the road from us, meeting us, and so we immediately left there, and we made—

The CHAIRMAN. I am sorry. I don't want to interfere, but I want to identify. Was Mr. Bryant a white man, or a Negro man?

Mr. WILSON. No, sir, he was not white.

We made the block. We drove back up there by his house, and we stopped the car. Mr. Dunaway got out of the car, lit the fuse—I don't know if Mr. Dunaway lit the fuse or who, but it was lit—stepped to the rear of the car on the righthand side, and over in the yard it went.

Mr. APPELL. Over in the yard what went?

Mr. WILSON. The bomb went, or the dynamite.

Mr. APPELL. And what was the composition of this bomb?

Mr. WILSON. Well, sir, I would say that it consisted of about three sticks of dynamite.

The CHAIRMAN. About how long?

Mr. WILSON. I would say they were about 1 foot long and about 1 inch around in diameter.

Mr. APPELL. Now in making one of these bombs, you take the sticks of dynamite, tie them together with masking tape as a general rule, and then cap and fuse the middle stick?

Mr. WILSON. All the ones that I saw were wrapped up in this white tape, yes, sir, the masking tape. However, how they were made, or—I don't know.

Mr. APPELL. You never participated in the manufacturing of a bomb?

Mr. WILSON. No, sir.

Mr. APPELL. At the time—

The CHAIRMAN. Let me see now. Those three sticks of dynamite, about an inch around and a foot long, were taped together?

Mr. WILSON. Yes, sir.

The CHAIRMAN. All right.

Mr. APPELL. Do you know the amount of time you had to get away from the time you threw it until the time it detonated?

Mr. WILSON. On that night that you mentioned?

Mr. APPELL. Yes.

Mr. WILSON. No, sir. However, no noise was heard. I never did hear it.

Mr. APPELL. You never heard one. You were out of hearing distance?

Mr. WILSON. Yes, sir.

Mr. APPELL. Before it went off?

The CHAIRMAN. You mean you drove off hurriedly?

Mr. WILSON. Yes, sir.

Mr. APPELL. Now were you observed, and did anyone fire upon you at that time?

Mr. WILSON. Yes, sir; just about the time that Hilton Dunaway was about halfway in the car, somebody shot at us there, from the house, and Paul Wilson, as I say, was sitting on the lefthand side in the rear, and he had a 16 over-and-under shotgun, and he returned the fire, and very hurriedly we left the scene.

The CHAIRMAN. Well, at this point, since he mentioned one piece of firing equipment, did you have any other guns, rifles, pistols, in the car?

Mr. WILSON. None that I know of.

The CHAIRMAN. All right.

Mr. APPELL. Mr. Wilson, the newspaper accounts of the damage to or the fact that a bomb exploded in the yard of Charles Bryant identified him as the brother of Curtis Bryant, who was the leader of the NAACP in the community. Did you know that at that time?

Mr. WILSON. Yes, sir.

Mr. APPELL. The newspaper accounts further stated that the first time you drove up to the house a bomb was thrown which did not detonate; that you later turned around, as you described it, and a second bomb was thrown which did explode in the yard of the Bryant residence. Did your group toss more than the bomb that you have testified to?

Mr. WILSON. No, sir.

Mr. APPELL. Mr. Wilson, what did you do after driving away from the Bryant residence?

Mr. WILSON. Well, sir, as I said, we left in rather a——

The CHAIRMAN. A hurry.

Mr. WILSON. A hurry. We returned back to the woods there, where we had——

Mr. APPELL. Left Wilson's car?

Mr. WILSON. Yes, sir; we went back to the woods, left this other car there, and got back in Mr. Wilson's car. We returned to the home of Hilton Dunaway, let him out, and returned to the home of Mr. Lawrence there, we let him out. Paul then drove me to my home, let me out, and from there he returned home.

Mr. APPELL. Did you ever learn the identity of the person that owned the '49 Plymouth that you used, that you found in the woods?

Mr. WILSON. No, sir.

Mr. APPELL. Did Paul Wilson——

The CHAIRMAN. Let me ask you—because I missed it—when you got to the place where the Plymouth, about a 1949 model, was, was there anyone in the Plymouth, or was it there by itself?

Mr. WILSON. It was there alone.

The CHAIRMAN. I see. And you don't know who drove it there, or how it happened to be there?

Mr. WILSON. No, sir.

Mr. POOL. Did you get the license number? Do you know what the license number was, or what State it was?

Mr. WILSON. No, sir.

Mr. APPELL. Mr. Wilson, did Paul Wilson ever explain to the four or to the three of you that accompanied him why you were throwing the bomb in the yard or at the residence of Charles Bryant?

Mr. WILSON. No, sir. I don't remember him mentioning anything about it. However, in my own opinion, I would say that it was for the reason that Mr. Bryant was real active in this work that was done in the area there by these, what's the name of, now, COFO workers?

Mr. SENNER. Civil rights workers?

Mr. WILSON. Yes, sir.

The CHAIRMAN. What was the occupation of Bryant, Mr. Wilson? Do you remember?

Mr. WILSON. No, sir, I don't really know. I think, however, he worked for the railroad there in McComb. The Illinois Central Railroad, I think; however, I am not sure.

The CHAIRMAN. As best as you know, now, from your knowledge, did you know or did you hear it said that he was a preacher? Bryant? I am just asking you on that.

Mr. WILSON. I sure didn't.

The CHAIRMAN. All right.

Mr. APPELL. Mr. Wilson, will you explain to the committee that which led up to the second act of violence in which you were arrested and in which you pleaded guilty?

Mr. WILSON. Well, sir, I believe we have already established as of this time we were meeting at another area, outside of McComb there, at the home of—

Mr. APPELL. This is the Klavern headed by Paul Wilson?

Mr. WILSON. Yes, sir.

The CHAIRMAN. What area were you meeting in, so we can have clearly whatever is in your mind?

Mr. WILSON. Well, sir, the meeting place was in an upholstery shop, in the back of the home of Mr. Gillis.

The CHAIRMAN. That's in the city of McComb, or near the city of McComb?

Mr. WILSON. I believe it's on the—

The CHAIRMAN. Outskirts?

Mr. WILSON. Outskirts, in a southwesterly direction. However, it wouldn't be way out of the city limits.

The CHAIRMAN. All right.

Mr. APPELL. On what nights did the Paul Wilson Klavern meet?

Mr. WILSON. On Tuesday night, the same nights that we met at the other Klavern, with the exception of one night, as I recall, we met on a Wednesday night.

Mr. APPELL. Now did you hold a meeting on September 1?

Mr. WILSON. Yes, sir.

Mr. APPELL. What happened at this meeting which led up to the second charge which you pleaded guilty to?

Mr. WILSON. Well, sir, at the end of the meeting, on September 1, 1964, Al Lee, I reckon it was Al Lee that wrote some names down on some stuff, and stuck them in his hat, and said something to the effect that there was some work that ought to be done in the area.

Mr. APPELL. Now let me see if I understand this. At the end of the meeting, Al Lee wrote something on slips of paper, and he put them in his hat and he said to the members who were there, the members of the Klavern, members of the United Klans of America, that in this hat he had put some slips which designated some work or jobs that had to be done in the area.

Mr. WILSON. That is correct.

Mr. APPELL. Will you proceed from there?

Mr. WILSON. I drew a name out of the hat, which bore the name of Alyene—

Mr. APPELL. Quinn?

Mr. WILSON. Yes, sir, Quinn.

And we decided to do this on a Saturday night of that week. This was on a Tuesday, I believe. However, the middle of the week, my grandmother wrote a letter to me and said that they would be at my house on this date. So I told Paul that since they were going to be there, that I wouldn't be able, you know, to do it.

However, he said that he would get some guys together, and would still be done. However, that night, on that Saturday night, something happened, and it wasn't done. And on September the 9th, which was another meeting there in the upholstery shop, immediately after the meeting, Paul told me that he still had the bomb and that he wanted to explode it or unload it or do something with it.

He mentioned the name of Rev. James Baker. He lived approximately 8 or 9 miles east of McComb, and from there, we went to his home.

Mr. APPELL. You went from the meeting place, which was the Gillis upholstery shop, to Paul Wilson's home?

Mr. WILSON. No, sir, the home of Rev. James Baker.

The CHAIRMAN. That's not the question. Didn't you ask if he went to the reverend's home from the upholstery shop?

Mr. WILSON. I still don't understand. I am sorry.

Mr. APPELL. No, Mr. Chairman. I asked him whether or not they went directly there, or after leaving the meeting at the Gillis upholstery shop, did they first go by the home of Paul Wilson.

Mr. WILSON. No, sir, I don't believe. I think we went straight out to the home of Rev. James Baker.

Mr. APPELL. Paul Wilson had the bomb with him when he came to the meeting?

Mr. WILSON. Yes, sir, as well as I remember.

Mr. APPELL. All right, continue.

Mr. POOL. Who was with you at that time?

Mr. WILSON. Sir?

Mr. POOL. Who went with you to the Rev. James Baker's home?

Mr. WILSON. Mr. Wilson and—

Mr. POOL. Paul Wilson?

Mr. WILSON. Yes, sir. He and I were the only ones.

Mr. POOL. Just the two of you?

Mr. WILSON. Yes, sir. We drove by the home of Rev. James Baker approximately one half a mile, on a little road there, and we backed up in the road, and returned to his home. Now his home sits a long, long way off the road. Paul lit the bomb, and I was holding it. As soon as it was lit, I moved approximately 3 yards, I guess, off the road and lobbed the bomb over in the yard, and we jumped back in the car and moved out.

The CHAIRMAN. Who threw the bomb?

Mr. WILSON. I did.

Mr. POOL. Did the bomb hit near the house?

Mr. WILSON. No, sir; nowhere near the house.

The CHAIRMAN. In the yard?

Mr. WILSON. Yes, sir. Right near the road, in fact.

Mr. APPELL. About how far from the house?

The CHAIRMAN. Just to the best of your judgment.

Mr. WILSON. Thirty yards. Maybe 35. It sets way off the road.

The CHAIRMAN. After you threw it, then you immediately jumped in the car, and lit out?

Mr. WILSON. Yes, sir.

The CHAIRMAN. Now before you proceed, did either you or Paul Wilson have any guns in the car with you?

Mr. WILSON. Yes, sir.

The CHAIRMAN. Who had it, and what was it?

Mr. WILSON. Paul Wilson had a rifle, and to the best of my knowledge, I believe it to be an Enfield model 303. And after we were in the car and left—this one we heard—and returned back to McComb, and he dropped me off at my house, and then on to his house.

The CHAIRMAN. Now did Paul tell you or did you discuss, either before going to the reverend's house or on the way there, did you talk about why you were going to throw a bomb in his yard, or on the road near his yard?

Mr. WILSON. No, sir, I don't remember anything being mentioned of that, but then again, it would be that he was active in the——

The CHAIRMAN. COFO activities?

Mr. WILSON. Yes, sir; in the area there of McComb.

Mr. POOL. Did you know whether or not the Klavern had passed on this act of violence or okayed it or told Paul Wilson to do this? Did you know whether they ever took action on it, as a Klavern?

Mr. WILSON. The one that we were in at that time?

Mr. POOL. That was the drawing?

The CHAIRMAN. There was no drawing this time, was there?

Mr. WILSON. No, sir.

Mr. POOL. No drawing?

Mr. WILSON. Not on this night. This was one that wasn't used the week before, and it was left over.

The CHAIRMAN. Oh, that was the one that was to have been thrown the Saturday night you mentioned when your grandmother or your grandparents were coming.

Mr. WILSON. Right.

Mr. POOL. That was for a fellow named Quinn, wasn't it?

Mr. WILSON. A lady by the name of Alyene Quinn.

Mr. POOL. Whatever happened to that? Are you going to come to that?

Mr. APPELL. Well, he has already testified, Mr. Pool, that because of a visit from his grandparents, that he withdrew.

Mr. POOL. I understand, but whatever happened to Quinn? They drew his name. Whatever happened to Quinn?

Mr. APPELL. We will come to it later, sir.

Mr. POOL. All right.

Mr. APPELL. All right. Now, Mr. Wilson, the night that the bomb was thrown into the yard of the Reverend James Baker, this was September the 9th, which was the Wednesday night which you earlier testified was the one occasion when this Klavern met?

Mr. WILSON. I believe that is correct; yes, sir.

Mr. APPELL. Now what was the——

The CHAIRMAN. Reverend what was his name?

Mr. APPELL. James Baker.

The CHAIRMAN. Rev. James Baker was a Negro man?

Mr. WILSON. Yes, sir.

Mr. APPELL. What was the composition of the bomb that you threw that night? Was it three sticks, or four sticks?

Mr. WILSON. It was composed of approximately three sticks of dynamite wrapped up the same way the other one was, white masking tape.

The CHAIRMAN. Now let me ask you, assuming it was three sticks, or whatever number of sticks, were they wrapped together with tape or something?

Mr. WILSON. Yes, sir; white masking tape.

The CHAIRMAN. Now was there a fuse of some kind?

Mr. WILSON. Yes, sir.

The CHAIRMAN. Of such length that you planned would be long enough for you to make a getaway before the explosion?

Mr. WILSON. Yes, sir.

Mr. APPELL. As to the manufacture of the bomb, these bombs in the two instances you have now related were supplied by Paul Wilson. In other words, he was the man that brought them to the scene.

Mr. WILSON. Yes, sir.

Mr. APPELL. Do you know where Paul Wilson got the bombs?

Mr. WILSON. No, sir.

Mr. APPELL. Is it your belief that Paul Wilson made them himself?

Mr. WILSON. I really wouldn't know. I wouldn't want to answer either way.

The CHAIRMAN. Well, that's your right. Just answer to what you know.

Mr. APPELL. All right. Now on the following Tuesday night, September the 15th, did this Klavern that met at Gillis' upholstery shop also meet?

Mr. WILSON. Yes, sir.

Mr. APPELL. Did you on that night have a drawing similar to the drawing which took place on September 1?

Mr. WILSON. Yes, sir.

Mr. APPELL. Will you describe to the committee how this drawing took place?

Mr. WILSON. This drawing took place exactly as the other one did, immediately after the meeting was adjourned. There Al Lee had some more names in a hat. I was up right near the hat. I reached in and I drew a name out and walked to the rear of the building, and outside, and looked at the name that I had drawn, and the name I had drawn still bore the name of Alyene Quinn.

I walked back into the meeting area. All the names were out of the hat. What names were on the others, I don't know.

The CHAIRMAN. Well, let me ask you this question, so I can follow you. Do you know whether in that hat there were other names, whether other Klansmen drew other names than the one you drew, the Quinn woman? Just answer to what you know.

Mr. WILSON. I would assume, sir, that there would be other names written on these—

The CHAIRMAN. Slips?

Mr. WILSON. Yes, sir, slips.

The CHAIRMAN. Now do you know whether, in fact, other members drew other names, or after drawing a name, did you walk out? I just want to know what you know.

Mr. WILSON. Well, sir, I would estimate that there would be approximately four or five slips in the hat. I drew one out and walked to the rear of the building. When I returned, they were all gone, so I would assume that they were drawn.

The CHAIRMAN. All right. So you drew the name Quinn twice?

Mr. WILSON. That is right.

Mr. APPELL. Is your knowledge with respect to the slips that were in the hat on September the 1st the same as your knowledge with respect to September the 15th, that there were more than the slip that you drew?

Mr. WILSON. Yes, sir.

Mr. APPELL. And in the September 1st, all the slips were drawn.

Mr. WILSON. Yes, sir.

Mr. APPELL. With respect to the night of September 1st, did you learn the identity of any other member of the Klavern as to the job that he drew?

Mr. WILSON. No, sir.

Mr. APPELL. Within the group, was it not a matter of operational procedure that one member never discussed with another a job that he might have drawn, or a job that he might have been on?

Mr. WILSON. That is right.

Mr. APPELL. Therefore, the only thing that you know is that following the drawing of September 1st and following the drawing of September 15th, that there were other bombings or arson in the area?

Mr. WILSON. Yes, sir.

Mr. APPELL. But yet you do not know which member of your Klavern was involved in each of the other bombings?

Mr. WILSON. That is right. I don't know which one was, or if any were.

Mr. APPELL. Now pick up again with the following of the drawing of the slip which contained Alyene Quinn's name and what procedures you followed from there on.

Mr. WILSON. Well, sir, after the meeting of September 15, 1964, at which I drew the name of Alyene Quinn for the second time, immediately after we were leaving, all of us were leaving the building, I asked Paul Wilson if he would like to help me, and he said that he would.

Mr. APPELL. Now let me interrupt you there, and correct me if I am wrong. When you drew the slip which contained the name of Alyene Quinn, it was then your responsibility to carry out the project, or the job?

Mr. WILSON. That is correct.

Mr. APPELL. And it was up to you to select the people that were going to assist you, if you needed assistance?

Mr. WILSON. That is right.

Mr. POOL. Now just a minute, now. When did you get those instructions? And where?

Mr. WILSON. Well, I don't ever remember receiving any instructions as to that effect. It was just more or less—

The CHAIRMAN. Accepted procedure.

Mr. WILSON. Yes, sir, accepted or understood.

Mr. POOL. Just talk around the Klavern.

Mr. WILSON. That is right.

Mr. POOL. Wasn't officially spelled out.

Mr. WILSON. That is right.

Mr. APPELL. Was this procedure, adopted by whatever form it was adopted, in order to maintain the security of the people who were involved in these different projects?

Mr. WILSON. That is right.

Mr. APPELL. Now you asked Paul Wilson, at the time I interrupted you, you had asked Paul Wilson if he would help you on this Aylene Quinn job, and he indicated that he would.

Mr. WILSON. Yes, sir.

Mr. APPELL. What happened after that?

Mr. WILSON. He said that he would. However, if you don't mind, I would like to go back and—

The CHAIRMAN. All right; you do whatever you want.

Mr. WILSON. And bring in something here.

During the meeting on the night of September the 15th, 1964, Al Lee mentioned the fact that Ernest Zeeck, who was a member of the Ray Smith group, what-have-you, was thinking seriously about, well, how would you say now, getting out of the Klan, because it seemed that no one had asked him in on anything. And he, Al, thought that since he wanted in on a little of the action, you might say, that one of us ought to ask him.

So, after I asked Paul to help me, I asked him if he knew of anyone else that might like to, and he said he did—James Wilson. And I asked him if he would ask him, and he said that he would.

About Wednesday of the next week—no, that was, wait a minute. The 15th was on Tuesday. Anyway, later on that week—

Mr. APPELL. The same week?

Mr. WILSON. Yes, sir, the same week, I saw Paul, and asked him if he had asked him if he wanted to go with us on this job. He said that he had asked him and that he would go.

So, going back once more to this meeting again—it seems I never will get off of it—but going back once more to this meeting on September the 15th, Sterling Gillis said that we should go to his home on Friday afternoon of that week after the bomb.

Mr. APPELL. You should pick up the bomb that you were going to use at his residence, or at his upholstery shop?

Mr. WILSON. At his home, I guess.

Mr. POOL. Who was that, now?

Mr. APPELL. Sterling "Bubba" Gillis.

Now as I understand it, the upholstery shop was in a building that was in the rear of his home: is that right?

Mr. WILSON. Yes, sir. However, on the day that we were—that I was supposed to go to his home after this bomb, I love to hunt, so I was off in the woods there hunting, and I got in late. So I waited 'til Sunday morning, September the 20th, 1964, and I went by the home of Paul Wilson and asked him if he wanted to ride out with me after it, and he did.

We went to the home there, and there was someone at his home there from out of State, or out of the area there, and he said that Al Lee had the bomb over at his home and for us to go there after it.

Mr. APPELL. Now when we talk about Al Lee, we are talking about Emery Allen Lee, who is known by the nickname of Al?

Mr. WILSON. I reckon that would be the same one; yes, sir.

From there we drove to the home of Al Lee and went in and asked him there for the bomb, and he let us have it and put it in a brown bag or a sack.

Mr. APPELL. Like a grocery sack?

Mr. WILSON. Yes, sir.

Mr. APPELL. Now where did Al Lee have this bomb?

Mr. WILSON. It was in his dining room, I guess you would say. It was a place in the wall of his home where you lifted up this lid, and he reached down in.

Mr. APPELL. In other words, he had it concealed in a hiding place in the dining room of his home.

Mr. WILSON. Yes, sir.

Mr. POOL. In the wall or the floor?

Mr. WILSON. In the wall. A cabinet was made into the wall, and he lifted up the lid on it, and it was in there.

Mr. APPELL. Was anyone present at Emery Allen Lee's home at the time you picked up the bomb from him?

Mr. WILSON. Yes, sir; Mr. Hilton Dunaway.

Mr. APPELL. Whom you also knew to be a member of the same Klavern that you were, and who also accompanied you on the night that the residence of Charles Bryant was bombed?

Mr. WILSON. That is correct. After we had received the bomb—

The CHAIRMAN. And on what day of the week was that?

Mr. WILSON. That was Sunday, September the 20th.

The CHAIRMAN. All right. Go on, in your own way.

Mr. WILSON. After we had received the bomb and had it wrapped up in a bag, I went out and laid the bomb in the rear of my car, down on the floor. From there, we went to the home of Ernest Zeeck, who lived on the corner of Fifth and Missouri, in McComb.

Mr. POOL. Now he was a member of the Ray Smith Klavern, wasn't he?

Mr. WILSON. Yes. We got out and went into his home and asked him—first we asked him was it true that what we had heard that he was getting ready to—

Mr. SENNER. Resign?

Mr. WILSON. Resign, you might say. And he said "Yes," and we asked him the reason why, and he said because that he hadn't been asked, you know, to help on anything. So we told him that if he wanted to, that he could ride along with us that night, and asked him if he wanted to, which he said he would.

However, we did not let him know what was going to happen, or where or who or anything, you know, to that effect. So he accepted, and we left and got back to my car and drove to the home of Mr. James Wilson.

The CHAIRMAN. Now who left?

Mr. WILSON. Paul Wilson and me.

The CHAIRMAN. You didn't bring Zeeck with you?

Mr. WILSON. No, sir.

The CHAIRMAN. All right.

Mr. WILSON. However, we told Zeeck that we would meet him at his home at approximately 6 o'clock that night. So Paul and I got back into my car and drove to the home of James Wilson, who wasn't home at this time. His wife said he was going down to his oil station there and said he ought to be back any minute. We waited outside for him, and in about 5 minutes, I would estimate, that he returned home.

We asked him if he wanted to ride out by the home of Alyene and look over the area there, on the layout, and see if we could arrive at any idea how it ought to be done, so he said that he did. So Paul and Jimmy and myself got into my car, and we drove to her home and looked it over and returned home, back to James Wilson's house.

Well, it was about this time that we thought, since this was going to be done that night, that we ought to have an excuse or an alibi if anything happened. So we decided we would meet on the river bank that night, about 8 or 9 miles out of McComb out there——

The CHAIRMAN. Before you arrive at that point, before going to the river bank or the creek bank, did you all buy some food, or——

Mr. WILSON. Yes, sir; I am on my way to that.

The CHAIRMAN. Are you coming to that? All right.

Mr. APPELL. On what river and at what location were you going to establish your alibi?

Mr. WILSON. The river is called Bogue Chitto River, and it is at a spot known as Hoover's Bridge.

So we went back to the James Wilson house. He said that he would bring the lines and the bait and everything that we needed there for an alibi, so we let him off. Paul—and I dropped him off at his house, and I went on home. About 4 or about 5 o'clock that afternoon, I guess, my wife and I and my small son drove into McComb, where I went to the home of Paul Wilson. From there he said that he would use his automobile that night in the action that would be taken. I transferred the bomb from my car to the trunk of his car, and we went into the house and we got two weapons. I believe there was a 16-gauge over-and-under shotgun, and again this Enfield rifle, model 303. We wrapped them up in an OD Army blanket and stuck them into his automobile, in the rear of it, in the trunk, and from there we went to the home of Ernest Zeeck.

We got him and went to a small store, where we obtained some milk and some stuff to eat that night.

However, I would like to go back here and say that James Wilson said that he would meet us that night, out there; that he would leave on earlier in the afternoon and go out and have everything, you know, ready the hooks and everything in the water.

After we had bought some food, Zeeck and Paul and myself went out to the river, and we sat around that night and we ate what we had bought and we sat around and laid out what was going to happen, and what each one of us would do on it. We decided that James Wilson would drive the automobile, and I would ride in the front right-hand side, as a guard, using the 16-gauge over-and-under shotgun. Paul would light the fuse, sitting in the lefthand side, in the rear, and

Ernest Zeeck would, I think they used the word, it would be his honor, you might say, since it was——

The CHAIRMAN. It was his first job.

Mr. WILSON. Yes, sir; that he would have the honors.

The CHAIRMAN. Would throw?

Mr. WILSON. That is right. After we had worked it all out, all of it out, we left the riverside at approximately 10 minutes to 10 that night, which we estimated the time that you might say the action would happen would be around 10 that night.

The CHAIRMAN. By the way, did you do any actual fishing, either true or as an alibi, did you throw any lines in?

Mr. WILSON. Yes, sir; we had lines and baits and everything out there. No fish was caught, though.

The CHAIRMAN. Didn't catch any fish.

Mr. WILSON. So about 10 minutes to 10, as I say, we all loaded up in Paul Wilson's automobile, in our right spots, and during the morning we had observed that the road that runs by Alyene's home runs, I believe it runs north and south, to the best of my recollection.

We came in the back way on it, and there was a road about, I would say, a block down from her home that made a loop, more or less, and a road let us out a block, about a block—let's see—south of the home. So what we had decided to do was about—we would drive this road here, down north of her home, take it on around to a block in the other direction, where, when the bomb was released, and stuff, that we would be headed out of the area, away from it.

So it was agreed. We did this and we traveled this route about four or five different times, because every time we went around, there would be someone walking up the road or there would be an automobile behind us or we would be—anyway, something always happened that it wasn't opportune at that time.

Well, finally we made a round, and everything was all right. Just before we reached her home, James Wilson switched off the lights on the car. We rolled up there by her house, in front of it, stopped the car. I opened the door and got about halfway out of the car, and the door was about halfway open, and I laid the shotgun on the door and Paul lit the fuse. Zeeck had his door open, and as it lit, he popped out of the car and took about one or two steps, and up in the yard it went.

We jumped back in the car and we had gone about 25 yards, I guess, and just as we switched the lights back on there was a Negro male, I would say in his late teens or early 20's, who was walking on the right-hand side of the road there, and meeting us, and it was real dark that night, and just as the lights was on, and the lights went right on him.

That wasn't any time there to stop, so we kept right on going. It is approximately 3 miles into Summit, and just before we reached there we heard this loud explosion. We got back on this road that led back out to there to the river, and once we reached the river we set fire to the bag that it was in, went down to the river bank and got all the lines up, and loaded up and James Wilson and I got back in his car, and Paul and Zeeck took their car, and we went on back home.

Paul followed James and I to his home, where I got out of James Wilson's car and got in the one with Paul, and from there we drove

to the home of Ernest Zeeck, let him out, went to the home of Paul Wilson, and we got out.

I went into the house and I got my little boy, who was asleep, and my wife and I went home and went to bed that night, and that's about all I can tell you.

The CHAIRMAN. Let me ask you: What type of dynamite did you use? How many, and was it the same kind of operation?

Mr. WILSON. Well, sir, the type, I don't know what type it was, but it was——

The CHAIRMAN. Well, about how many sticks were there?

Mr. WILSON. Well, the bomb consisted of, I would say, from 12 to 14 sticks of dynamite, something to that effect. It was about 8 or 9 inches around, all wrapped together, and held together by this white tape.

The CHAIRMAN. Again, you had some kind of a fuse of such a length to give you an opportunity to get away before the detonation.

Mr. WILSON. Yes, sir. I would estimate the fuse that I saw was approximately 18 inches long.

The CHAIRMAN. As a matter of fact, it was, did I understand you to say, about 3 miles of your travel before you heard the explosion?

Mr. WILSON. Yes, sir; approximately 3 miles. And that was driving real fast.

The CHAIRMAN. Real fast.

Mr. WILSON. Yes, sir.

The CHAIRMAN. What kind of car was it?

Mr. WILSON. We used Paul Wilson's car. It was a black '61 Ford.

The CHAIRMAN. And you really gave her the gun?

Mr. WILSON. Yes, sir.

Mr. POOL. Let me ask this question: Who did you say threw this last bomb?

Mr. WILSON. Ernest Zeeck.

Mr. POOL. I thought you said that Paul——

Mr. WILSON. He lit it.

Mr. POOL. Then he handed it to Ernest Zeeck; is that it?

Mr. WILSON. No, sir; Ernest Zeeck——

Mr. POOL. Was holding it?

Mr. WILSON. Yes, sir.

The CHAIRMAN. Now, I asked you this: Did you at any time during that meeting at the river bank or on the way to the house of this colored woman discuss why you were doing this job?

Mr. WILSON. No, sir; but there again, she was well known in the area for, you know, being active in this——

The CHAIRMAN. Civil rights and COFO operation?

Mr. WILSON. That is right.

Mr. POOL. What did you all expect to accomplish by throwing this bomb at Alyene Quinn's house?

Mr. WILSON. Well, sir, let's see if I can give you a suitable answer. I can only speak for my own self in there. So as far as I am concerned, these bombs or anything to that effect was done to, you might say, let them know that we knew and that we wouldn't—that I wouldn't want to hurt anyone, but to give them——

The CHAIRMAN. To frighten, to terrorize.

Mr. WILSON. That is right. To frighten. I wouldn't want anyone hurt.

Mr. POOL. In other words, none of your group—or, well, you are speaking for yourself—didn't expect the bomb to injure anyone.

Mr. WILSON. That is right.

Mr. POOL. So you didn't throw it right up to the house. You threw it in the yard.

Mr. WILSON. Well, sir, the bomb was of such size and weight, even though the house was right near the street, it was up on a high bank, you might say, or embankment, and if you wanted it in the house, you couldn't have got it there anyway.

Mr. POOL. Why didn't you stop the car when you saw the colored boy on the road there, and warn him——

The CHAIRMAN. This is a bomb. That is the other bombing you are talking about, when you saw the boy?

Mr. WILSON. You mean Alyene.

Mr. POOL. At Alyene Quinn's you say you saw a boy on the road at Alyene Quinn's, as you drove off. Is that correct?

Mr. WILSON. That is correct.

Mr. POOL. Why didn't you stop the car and warn him about the bomb there, if you say that you didn't intend to injure anyone?

Mr. WILSON. The thought never entered my mind.

Mr. POOL. How far was he from the bomb when you saw him?

Mr. WILSON. Oh, he was about a half block.

Mr. POOL. Was he walking toward Alyene Quinn's house?

Mr. WILSON. Yes, sir.

Mr. POOL. About half a block away. He could have probably made it in time, if he was going to her house.

Mr. WILSON. Yes, sir.

Mr. POOL. Did he get injured, do you know?

Mr. WILSON. No, sir.

Mr. APPELL. Mr. Wilson, did you ever return to the Quinn residence for the purpose of determining the damage which was done by that bomb?

Mr. WILSON. No, sir.

Mr. APPELL. Mr. Chairman, for the record, I would like to place in the record at this point a series of photographs which show the damage to the Quinn residence.

The CHAIRMAN. All previous documents referred to and exhibited and these photographs will be introduced in the record.

(Photographs marked "Billy Wilson Exhibit No. 1" appear on pp. 2853 and 2854:)

Mr. POOL. Let me ask you one further question: Why did you increase the size of the bomb on Alyene Quinn's bombing when you went out to her house?

Mr. WILSON. Well, sir, I didn't increase it. I had nothing to do with it. It was already made when I——

Mr. POOL. On your previous bombings, I think you said you had three sticks of dynamite. On Alyene Quinn's bombing you had 12 or 15 sticks tied together. Is that correct?

Mr. WILSON. That is right.

Mr. POOL. Well, then, the 12 or 15 sticks did all this damage that has been introduced here in evidence.

The CHAIRMAN. I would say from these photographs that it wreaked such havoc to the house that if no one who was in it was injured, it was a miracle.

Mr. APPELL. Mr. Wilson——

The CHAIRMAN. Was there someone injured?

Mr. APPELL. No, sir.

Early in October, were you and others, as a result of investigative effort on the part of Mississippi law enforcement officers, arrested?

Mr. WILSON. Yes, sir.

Mr. APPELL. At the time of your arrest, did you still have in your pocket the slip which you drew from the hat at the Klavern meeting on the night of September 15?

Mr. WILSON. Yes, sir.

Mr. APPELL. Mr. Wilson, I show you a reproduction of the words contained on that slip. Although this is not the original slip, because as I understand your testimony that was a green slip, would you tell me whether that is a reproduction of the language as contained on the slip?

(Document handed to witness.)

BILLY WILSON EXHIBIT No. 1



BILLY WILSON EXHIBIT No. 1—Continued



Photographs showing bomb damage to Alyene Quinn residence, McComb, Miss.

Mr. WILSON. Yes, sir.

(Document marked "Billy Wilson Exhibit No. 2 follows:)

BILLY WILSON EXHIBIT No. 2

*Alyene Quinn
304 Old Summit Road
South of the Border
night club*

Mr. APPELL. Do you know whether or not that writing is in the hand of Emery Allen Lee?

Mr. WILSON. No, sir.

Mr. APPELL. Did you know that Emery Allen Lee, from whose home you picked up the bomb, while in military service, had a period of duty at Aberdeen Proving Ground and received training in demolition?

Mr. WILSON. No, sir.

Mr. POOL. I didn't get the last question. What did you say?

Mr. APPELL. I asked him whether he had knowledge that Emery Allen Lee, while in the Army, had a tour of duty at Aberdeen Proving Ground and was trained in demolition.

The CHAIRMAN. Mr. Appell, will you describe the exhibit with some writing on it that you showed the witness? Say, for the record, what it is.

Mr. APPELL. Yes, sir; I will.

Mr. Chairman, the slip contained the name "Alyene Quinn, 304 Old Summit Road, South of the Border Night Club."

The CHAIRMAN. And there is a police notation on that piece of paper saying that this slip—

Mr. APPELL. Was found in the pocketbook of Billy Wilson at the time of his arrest.

The CHAIRMAN. All right.

Mr. APPELL. Mr. Wilson, did you cooperate fully with the Mississippi Highway Patrol and other law enforcement agencies with respect to your involvement in these affairs?

Mr. WILSON. Yes, sir.

Mr. APPELL. In addition to your arrest, did these agencies also arrest Paul Dewey Wilson?

Mr. WILSON. Yes, sir.

Mr. APPELL. Jimmy Prinston Wilson?

Mr. WILSON. Yes, sir.

Mr. APPELL. Ernest F. Zeeck?

Mr. WILSON. Yes, sir.

Mr. APPELL. Sterling H. "Bubba" Gillis?

Mr. WILSON. Yes, sir.

Mr. APPELL. Hilton Dunaway?

Mr. WILSON. Yes, sir.

Mr. APPELL. Jon Paul Westbrook?

Mr. WILSON. Yes, sir.

Mr. APPELL. Charles Avery Womack?

Mr. WILSON. Yes, sir.

Mr. APPELL. Gerald Lawrence?

Mr. WILSON. Yes, sir.

Mr. APPELL. And Emery Allen Lee?

Mr. WILSON. Yes, sir.

Mr. APPELL. Did you know each of them to be a member of the Klavern to which you were assigned, of which Paul Wilson was the exalted cyclops?

Mr. WILSON. Yes, sir.

Mr. APPELL. What position did the United Klans of America, of which you were all members in good standing, take after your arrest?

Mr. WILSON. Well, Mr. Appell, to the best of my knowledge I don't know of anything they done. Just let us sit there.

Mr. APPELL. Did they obtain counsel for you?

Mr. WILSON. They didn't obtain counsel for me; no, sir.

Mr. APPELL. To your knowledge, did they obtain counsel for anyone?

Mr. WILSON. No, sir.

Mr. APPELL. Did they at any time assist you or any of the other members financially?

Mr. WILSON. Well, sir, while I was in jail at Magnolia, Mississippi, Rev. J. C. Brown came there to visit us, and he—

Mr. APPELL. Now, he was the man that you knew as the kludd of the Klavern which Ray Smith was the exalted cyclops of?

Mr. WILSON. That is right.

Mr. APPELL. Your first Klavern.

Mr. WILSON. He said that he had \$1,100. He didn't say where he got it, but he had it, and I believe that there was 11 of us arrested, and he said he had \$100 for each of us.

He phoned my wife up and told her about it, and my wife was real leery, anyway, of him, so she never went over after it. However, after I received my sentence and was released, I went over after it and got \$100.

At the time of my release and sentence on the misdemeanor charge, to which I pled—

Mr. APPELL. Nolo contendere?

Mr. WILSON. Yes, sir, nolo contendere, I was sentenced to 6 months in jail and a \$500 fine. This 6 months was to be suspended, and the \$500 fine had to be paid within a week's time, plus the cost of court, which was \$78. So all told, I had to get hold of \$578, I believe, is the right amount.

About Wednesday of that week Brother Brown sent word to me for me to stop over at his home, which I did. He gave me \$250, which was half of my fine, and also gave me \$78, which was all the costs of the court. That, as far as I knew then, I was just about in the same shape as I was in before, because I didn't have the money, you know, to match the other, for the half of it.

So my granddad—I might say he is a real nice guy—let me have the other half of the money, which I went down immediately the next afternoon from work, and I paid all my fines and everything.

Mr. APPELL. What about the fee that you had to pay for an attorney to defend you in this action?

Mr. WILSON. My aunts and uncles, and what little money I had, they all went together and tried for a lawyer, and I think they asked about two, I think, and finally wound up with Mr. L. S. McClaren. As a retainer, he said he had to have \$500, which they all went together and made up the money, and they didn't have it, and he was my lawyer.

Mr. APPELL. So that of the \$500 that you had to pay your attorney and the \$500, plus court costs, that you were fined, the United Klans of America, of which you were a formal member and for which you engaged in these acts as a result of action formally taken within a Klavern chamber, paid then \$100, I guess, toward your attorney fees, one-half of your fine in the amount of \$250, and the \$78 court costs, or a total of \$428.

Mr. WILSON. As far as I know, that money that was raised that we received was raised right there, you know, in town, by—it may be some members that were in the Klan, but I imagine there was a lot of them that wasn't in the Klan that let us have some money. So far as I know, to actually say that I received money, I can't, because I don't know.

Mr. APPELL. Mr. Chairman, during the committee's investigation into Georgia, the committee obtained a document signed by Calvin Craig, the Grand Dragon for Georgia, which made an appeal to members of the Klan in Georgia for financial help for Mr. Wilson and his other codefendants. That message, signed over the name of Calvin Craig, the Grand Dragon, said that these people were not Klansmen, to the best of Mr. Craig's knowledge, but that they were innocent of any wrong and the Klan wanted to help them.

I think the record should show, from Mr. Wilson's testimony, that these men were, in fact, members of the United Klans of America and that the action of Mr. Craig could have been no more than just deceit upon the United Klans of America in the Realm of Georgia.

The CHAIRMAN. Mr. Appell, when you were conducting an investigation in the field, did you interview Mr. Robert F. Shelton?

Mr. APPELL. I did, sir.

The CHAIRMAN. In the course of your interview, did you make inquiry as to whether this young man, Mr. Wilson, and the other McComb people convicted of violence along with Mr. Wilson were members of the United Klans of America?

Mr. APPELL. Yes, sir. I interviewed Imperial Wizard Shelton in his offices in Tuscaloosa on April 14, 1965, and I brought up the incident in McComb, by reference to a newspaper article which claimed that one of the men arrested had a card of membership in the United Klans of America in his possession. Mr. Shelton advised me that the card that the man had in his possession was not a membership card, but was a calling card like salesmen handed out, and that this is all the connection that these men had with the United Klans of America.

When I asked Mr. Shelton pointblank whether or not these men were, he denied that they were, and when I told him that we could establish the fact that they were, he then referred me to the Grand Dragon of Mississippi, E. L. McDaniel.

Mr. POOL. Now, I want to ask you about, in the course of your investigation, what type of appeal was made for funds for Billy Wilson's defense?

Mr. APPELL. We know of no solicitation of funds for Billy Wilson's defense, but——

Mr. POOL. The 11 men.

Mr. APPELL. We know about the solicitation by the Grand Dragon of Georgia.

The CHAIRMAN. Craig.

Mr. APPELL. Craig, Calvin F. Craig, and we know in connection with our investigation into Louisiana that a check was written by the Realm of Louisiana to E. L. McDaniels, the Grand Dragon of Mississippi, marked "Defense Fund." Whether that money was earmarked for the defense of Mr. Wilson and the others, the investigation leaves a question mark.

Mr. POOL. Were there any letters sent out soliciting funds for the defense fund?

Mr. APPELL. Other than the letter I referred to sent out by Calvin Craig, we possess no additional knowledge.

The CHAIRMAN. You have no investigative knowledge that any of the funds solicited apparently throughout Mississippi by the—what is the name of that group?

Mr. APPELL. The White Christian Protective and Legal Defense Fund.

The CHAIRMAN. Do you have any knowledge that any of the funds—which, by the way, was a secret Klan operation, in fact—but what I am asking you is, do you have any investigative knowledge that any of the funds of that particular "Defense Fund" were used in connection with the case in which this witness was involved?

Mr. APPELL. We do not have, sir, and I might point out that the White Christian Protective and Legal Defense Fund was an instrumentality of the White Knights of the Ku Klux Klan of Mississippi, an autonomous Klan group, which was in competition with the United Klans of America for membership.

The CHAIRMAN. Well, I might say that it has come to my knowledge in connection with other matters that this is not the first defendant involved in Klan prosecution of an activity who was left in the lurch and not provided with funds or counsel in connection with their defense.

Did Mr. Shelton or Mr. Sam Bowers or high officials of the Klan organizations in Mississippi ever visit you or talk to you and say, "We are for you; we are going to help you out," and all of this stuff?

Mr. WILSON. I have never laid eyes on them.

Mr. POOL. In your course of investigation, the Calvin Craig letter you referred to a while ago, did that go through the mails?

Mr. APPELL. I possess no direct knowledge, but I see no other method by which it could be distributed as generally as it was throughout Georgia.

Mr. Wilson, I hand you a photograph, and ask you if the person you see on two profiles is the Jimmy Wilson about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I show you a photograph and ask you if that individual is the Ernest Zeeck about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I show you a photograph and ask you if this is Murphy John Duncan about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I show you a photograph and ask you if this is Paul Dewey Wilson about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I show you a photograph and ask you if this is the photograph of the 1950 Ford owned by Paul Dewey Wilson in which you went on several jobs that you have described.

(Photograph handed to witness.)

Mr. WILSON. That is a 1961 Ford.

Mr. APPELL. Or 1961. I ask that the record be corrected.

I hand you a photograph and ask you if this is the Sterling Lewis Gillis, better known as "Bubba" Gillis, about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I hand you a photograph and ask you if this is Emery Allen Lee about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I show you a photograph and ask you if this is the Hilton Dunaway about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. And I show you a photograph and ask you if this is the Jon—spelled J-o-n—Paul Westbrook about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I show you a photograph and ask you if this is the Gerald R. Lawrence about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I show you a photograph and ask you if this is the Charles A. Womack about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

(Photographs marked "Billy Wilson Exhibit No. 3" and retained in committee files.)

Mr. APPELL. Mr. Wilson, other than the people that we have identified, in the course of your membership with the Paul Wilson Klavern, as we will call it, because he was the EC, did you know Ed Wilkins to be a member of that Klavern?

Mr. WILSON. Yes, sir.

Mr. APPELL. Did you ever hear testimony that because Mr. Wilkins was in the oil business that he had access to explosives?

Mr. WILSON. Yes, sir.

Mr. APPELL. Do you possess any knowledge whether any of the explosives used were ever obtained from Ed Wilkins?

Mr. WILSON. No, sir.

Mr. APPELL. Now, Mr. Wilson, after your arrest, or after you received your sentence, probation, were you ever advised by anyone as to your status as a member of the United Klans of America?

Mr. WILSON. Yes, sir. A day or so after we was released from jail and sentenced, Mr. Jody—what's the name?—Greenlee informed me that the Klan had had a meeting, and I presume that this was the Klan in which Ray Smith was EC, since he was a member of that organization.

Mr. APPELL. You knew Jody Greenlee to be a member of the Klavern that Ray Smith was exalted cyclops of?

Mr. WILSON. Yes, sir.

Mr. APPELL. What did Mr. Greenlee tell you?

Mr. WILSON. He said that they had held a meeting, and since we were sentenced to 5 years that we would be suspended from the Klan for that length of time.

Mr. APPELL. What he advised you was not that you were banished, but, rather, that you were suspended for the period of time that you were under probation.

Mr. WILSON. That is the way I understood it; yes, sir.

Mr. APPELL. Following your arrest on, I think it was, October 2, 1964?

Mr. WILSON. 3d.

Mr. APPELL. October 3, 1964, have you ever attended a meeting of a Klavern of the United Klans of America or any other Klan organization?

Mr. WILSON. No, sir.

Mr. APPELL. Mr. Wilson, if you had to lead your life over again, would you become a member of a Klan organization?

Mr. WILSON. No, sir; I sure wouldn't. I might add that I would advise or try to talk anyone else from doing so. In my own opinion, other organizations—and these are just out of the hat, you might say, at random—like SNCC and NAACP and other groups, they feed on things that they do, and on the other hand, the Klan, it does just the same thing. The Klan—I don't know, I don't like it. The actions that it has, or anything about it, I don't like.

I don't condone, and like I say, if I had it all to do over again, I would never be a member of any organization like this, any Klan organization.

Mr. APPELL. Because of the oath that you took of secrecy, the obligation of membership, do you feel that when you are asked to go on these jobs that you had to?

Mr. WILSON. Yes, sir.

Mr. APPELL. If you had not been a member of a Klan organization and someone had approached you to go on a bombing mission, would you have done it?

Mr. WILSON. No, sir.

Mr. APPELL. Mr. Chairman, may I have a moment?

The CHAIRMAN. Yes, sir.

Mr. APPELL. Mr. Wilson, at the time you joined the Klan, were you given a document "Fifty Reasons Why You Should Be a Member of the Original Ku Klux Klan"?

Mr. WILSON. Yes, sir.

Mr. APPELL. Mr. Chairman, because that document is already in the record, I shall not reintroduce it at this time. (See Murry Martin Exhibit No. 14, p. 2389.)

Mr. Wilson, I hand you a report of Investigator Sullivan which sets forth certain phrases and expressions that appeared on a piece of paper found in the possession of Emery Allen Lee at the time he was arrested. I ask you to examine these phrases and words which appear to me to be some kind of code designations and tell us if you possess any knowledge with respect to any of the entries.

Mr. WILSON. No, sir.

(Document marked "Billy Wilson Exhibit No. 4" and retained in committee files.)

Mr. APPELL. Mr. Wilson, in addition to the Ray Smith Klavern, do you possess knowledge of other Klaverns of the United Klans of America in McComb, Mississippi?

Mr. WILSON. Yes, sir.

Mr. APPELL. What would be your statement as to the total Klan membership in McComb? In trying to work this out with Investigator Sullivan, did you arrive at an estimate of somewhere around 350 members?

Mr. WILSON. I believe I did.

Mr. APPELL. All right. Now, when you formed the new Klavern under the leadership of Paul Wilson, did you give it a name other than Klan which we have described as a cover name?

Mr. WILSON. Yes, sir.

Mr. APPELL. By what name, or what name did you assign this new group?

Mr. WILSON. The name that was assigned to this new group was called South Pike Marksmanship Association.

Mr. APPELL. South Pike, P-i-k-e, Marksmanship Association.

Mr. Chairman, the staff has no further questions to ask of Mr. Wilson.

The CHAIRMAN. Mr. Wilson, Mr. Sullivan told me, the investigator of this committee, that when you were called to appear before this committee in public session—I might say that you had already appeared in executive session—you expressed the hope, at least, that it would be on a day when no other Klansmen were subpoenaed to testify. In that correct?

Mr. WILSON. That is right.

The CHAIRMAN. Well, I can't guarantee you that no Klansmen are in town today, but you are the only witness before this committee today, and I want to tell you that whatever fears you have, I think you can forget about them. There is a lot of barking. It is like a barking dog. I doubt that members of the Klan are going to make any more than noise when it comes to witnesses that appear before this committee.

I am glad that you got out of this outfit. You have acknowledged that what you did was wrong. On the other hand, you had the stamina and the courage and the guts, after having done it and after being arrested, to face the music and to face the court, to tell the truth, and to plead guilty.

I know from what has come to me, and from your previous appearance, that you have undergone great distress, you and your wife, your child, and particularly your parents. For all that, for getting out of it, for acknowledging that it was wrong, for your appearance here, voluntary appearance under oath, and telling it all, I certainly congratulate you, and I want to tell you that we are deeply appreciative.

You and others like you, I suspect—I hope, I am confident—will be the vehicle for many others to take that attitude from here on.

I tell you that there is a Federal law which makes it a very serious offense to do anything to you, and I would say the law would be meaningless unless it applied also to people such as your family, because you have appeared. If there is anything that does happen, and my guess is that it is 100-to-1 nothing will happen, just report the incident to us.

I know you are under severe, the most severe probationary sentence I have read, and it is tough, but glory to you. I thank you.

Mr. POOL. I want to join in what the chairman just said and also tell you, Mr. Wilson, that I am also a member of the Post Office and Civil Service Committee, and the testimony that you have given here today will be helpful. I am going to ask the postal inspectors to look into the matter of the letter that was mailed in Georgia.

I understand the information I have that most of the Klansmen in Georgia received this letter, and in view of the fact that the defense fund wasn't forthcoming, I want to ask the postal inspectors to check the mailings and things like that, which they have the facilities to do, and see if any Federal law has been violated in that regard, raising money for your defense that you never did receive from the Grand Dragon of Georgia.

Mr. BUCHANAN. I just want to join the chairman in thanking you for your testimony and congratulating you for your decision to disassociate yourself with this organization. I appreciate your courage in testifying here today. We appreciate it.

The CHAIRMAN. Mr. Senner?

Mr. SENNER. Yes, Mr. Chairman. I would like to join with my other colleagues on the committee to commend you for resigning from this organization. It is too bad you didn't have the knowledge not to join in the first instance, but this is looking back in retrospect. I would like to ask you just a couple of questions.

In your meetings, when a job is decided after the meetings, were the victims or the individuals whose names appeared on the slip discussed in the Klan meetings?

Mr. WILSON. No, sir.

Mr. SENNER. Well, who would determine these names, to your knowledge? Would it be Paul Wilson?

Mr. WILSON. The names that I drew out of this hat, as I told Mr. Appell, that it was Al Lee's hat, and I reckon it was he that wrote the names down. How he arrived at these names, or anything to that effect, I don't know.

Mr. SENNER. In other words, the members didn't even have an opportunity to discuss the pros and cons of the bombings; is that right?

Mr. WILSON. That is right.

Mr. SENNER. When you received this money from J. C. Brown, the kludd, did he inform you of where the money came from?

Mr. WILSON. No, sir.

Mr. SENNER. Did he tell you how he came into possession of the money?

Mr. WILSON. No, sir.

Mr. SENNER. What is J. C. Brown's occupation?

Mr. WILSON. He is a minister.

Mr. SENNER. What would you estimate his income to be, per annum?

Mr. WILSON. I don't know.

Mr. SENNER. Well, do you think he would have this money from his own personal funds, or would he have to get it from outside sources?

Mr. WILSON. I believe it would be from outside sources. Sympathizers.

Mr. SENNER. Would you take the admonition, that given to you by Jody Greenlee, I believe it was, who said that you were out of the Klan during the period of your probation, as an indication on his part that the Klan felt that you were too hot to handle and that you might embarrass them in some way?

Mr. WILSON. No, sir, I——

Mr. SENNER. Or was it because of some oath or requirement on the part of the Klan?

Mr. WILSON. I don't remember anything in the oath about that. I don't know about me being all that hot to handle, or anything like that, but at this time, that he told me, it didn't make me mad. I mean, I was——

Mr. SENNER. In other words, you wanted out anyway.

Mr. WILSON. That is right.

Mr. SENNER. But the point is, what did he say to you in regard to being out of the Klan during the suspended sentence?

Mr. WILSON. Well, sir, he said that they had had a meeting, sometime, while we were in, or right after we were released, and it was decided that for the period that we were on this deal that we got here that we would be suspended from the Klan, for 5 years.

Mr. SENNER. Did he give you any specific reason why?

Mr. WILSON. No, sir.

Mr. SENNER. I am going to turn it over to my colleague, Mr. Buchanan.

Mr. APPELL. Mr. Senner, if I might comment on the questions that you asked, it is the public pronouncement of the Imperial Wizard of the United Klans of America, Robert Shelton, that if any Klansman is arrested that he is suspended and then after conviction, if he should be convicted, he is then supposed to be banished.

Mr. Shelton does this in order to try to emphasize that his Klan is a nonviolent organization.

Mr. SENNER. I agree with you, Mr. Appell, that this is his public statement, but I don't believe the Imperial Wizard, Mr. Shelton.

But I would like to state, too, what the chairman said, that if anybody molests you or your family, let this Congress know, please.

Mr. WILSON. Yes, sir.

Mr. BUCHANAN. Mr. Wilson, in your opinion, were you suspended because you committed the act which you were assigned in a Klan meeting, or because you were apprehended and convicted?

Mr. WILSON. In my own opinion, the reason I was suspended—and here, again, I would like to point out I think they used the wrong word

in this by saying that I was suspended, I think what he meant was, I was out. However, that is not the word that he used—was because I went up there before the judge and I said that I was guilty, and I took all my medicine.

The CHAIRMAN. In other words, it is your idea that what really caused your suspension was not so much that you had performed those acts, but that you had freely talked about them.

Mr. WILSON. That is right.

Mr. BUCHANAN. Thank you.

The CHAIRMAN. I am inclined to agree with you.

Mr. SENNER. Me, too.

Mr. BUCHANAN. Me, too.

The CHAIRMAN. Anything else?

Mr. APPELL. Mr. Chairman, I would like the record to show that following the drawing of the slips from the hat on the night of September 1st that there were five series of bombings or five separate bombings which took place in the McComb area on September 7th, 6 days later, and I wish the record also to show that while Mr. Wilson has no provable knowledge, first-hand knowledge in some of the acts engaged in by Klansmen, that in executive session Mr. Wilson has given us the full benefit of understandings that he has in these other matters.

Mr. SENNER. Don, I might add, weren't there five slips drawn from the hat, too, on that day?

Mr. APPELL. Yes, sir.

Mr. SENNER. There is a coincidence.

Mr. POOL. I want to reiterate that the record should show Mr. Billy Wilson has been very cooperative with our staff, at the executive session and here today in the public session.

The CHAIRMAN. I will say again that, in my opinion, nothing will happen to you, but the Federal law we talked about says that if anything should happen to you, you have the protection of that law, you or members of your family. I don't think the law would make any sense if it didn't say that. I haven't read it specifically with that in mind, but if anything happens to you, the child, your wife, your parents, or anyone because of your appearance, just let us know.

Mr. POOL. And that includes threats, also.

The CHAIRMAN. All right?

The committee will stand in recess until February 1, and may I say in that connection there are a number of reasons for that. In the first place, we, the members of this committee, are members of other committees. Bills are being, or certainly will shortly be, referred to these other committees. Some of them have not thus far even reorganized, committee-wise, I am talking about, for this second session, and then more immediately, we understand, or I understand, that certain measures will be coming up on the floor during that period of time, including contempt citations for which this committee will have to prepare, and in addition thereto, simply as an example, I have to appear, I think this week—tomorrow, I believe—before the House Administration Committee in connection with matters involving this committee.

It is a question of things going on, the business of Congress, the business of the Members, committee membership, and so on.

I thought I should explain that before questions are asked as to the reasons why we are now standing in recess until February 1. In the meantime, of course, investigation continues at all times, whether we are meeting or not meeting.

Things have to be verified, evidence has to be gathered, our committee investigation methods have to be tested, but all those things go on. That doesn't mean to say that our staff and the members will not have their hands full during that period.

So the committee stands in recess until February 1 at 10 a.m.

(Members present: Representatives Willis, Pool, and Buchanan, of the subcommittee, and also Representative Senner.)

(Whereupon, at 12:35 p.m., Tuesday, January 18, 1966, the subcommittee recessed, to reconvene at 10 a.m., Tuesday, February 1, 1966.)



ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

FRIDAY, JANUARY 28, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.
PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities, as reconstituted for the January 28 hearing, met, pursuant to recess, at 2:20 p.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin F. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; George F. Senner, Jr., of Arizona; and John M. Ashbrook, of Ohio.)

Subcommittee members present: Representatives Willis, Senner, and Ashbrook. Also present, Representative Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

As chairman of the full Committee on Un-American Activities, I hereby constitute, as a subcommittee for the purpose of this afternoon's hearing, the following: Myself as chairman, Mr. Ashbrook, of Ohio, and Mr. Senner, of the State of Arizona, meaning that from here on two of the three will constitute a quorum.

We now have a quorum of the regular subcommittee so we are over-quorumed.

Mr. MANUEL. Mr. Chairman, the staff would like to call at this time Mr. George Williams.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear, sir, that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WILLIAMS. I do.

TESTIMONY OF GEORGE LEONARD WILLIAMS

Mr. MANUEL. Mr. Williams, your full name for the record, please?

Mr. WILLIAMS. George Leonard Williams.

Mr. MANUEL. Mr. Williams, when and where were you born?

Mr. WILLIAMS. In Lenoir County, Kinston, North Carolina.

Mr. MANUEL. What date, sir?

MR. WILLIAMS. November 26, 1920.

MR. MANUEL. Are you appearing before the committee this afternoon in response to a subpoena served upon you by committee Investigator Neil Wetterman on the 26th of January, 1966?

MR. WILLIAMS. Yes, sir.

THE CHAIRMAN. Mr. Williams, I see you have no lawyer.

MR. WILLIAMS. No, sir.

THE CHAIRMAN. Do you desire a lawyer?

MR. WILLIAMS. No, sir.

THE CHAIRMAN. Now, I must tell you that the rule of this committee is that, whether or not one has a lawyer, he is entitled, if he wants to, to invoke the fifth amendment. Do you understand that?

MR. WILLIAMS. Yes, sir.

THE CHAIRMAN. You have that right if you want it.

All right, proceed.

MR. MANUEL. Mr. Williams, are you currently a resident of the city of Greenville, North Carolina?

MR. WILLIAMS. Yes, sir.

MR. MANUEL. Have you ever been a member of the Realm of North Carolina of the United Klans of America?

MR. WILLIAMS. Yes, sir.

MR. MANUEL. Will you please tell the committee when you first joined the United Klans of America in North Carolina?

MR. WILLIAMS. I joined the Klan July 28, 1965.

MR. MANUEL. How did you happen to become a member of the Realm of North Carolina UKA?

MR. WILLIAMS. I was at a rally that was held in Farmville and I obtained an application card there and filled it out and handed it in to the Klavern.

MR. MANUEL. Mr. Williams, why did you join the United Klans of America?

MR. WILLIAMS. In the speeches that was made at the rally, the Klan was out for politician reasons, you know—men in office work to get the color and all out of the schools and kind of work to—get the colored out of the schools and keep the races from mixing and kind of hold down the colored from mixing in the South.

MR. MANUEL. Are you currently a member of the United Klans of America or any other Klan organization in the State of North Carolina?

MR. WILLIAMS. No, sir.

MR. MANUEL. When did you sever your membership in the United Klans?

MR. WILLIAMS. About mid-November.

MR. MANUEL. So then you were a member, an active member of the United Klans of America from approximately July 28 until mid-November of 1965; is that correct, sir?

MR. WILLIAMS. That is right, sir.

MR. MANUEL. Now, what unit of the Realm of North Carolina, United Klans of America, did you have membership in?

MR. WILLIAMS. Unit 53, the Benevolent Association.

MR. MANUEL. The Klavern was called the Benevolent Association?

Mr. WILLIAMS. Well, when I got in it was called Pitt County Christian Fellowship Association.¹

Mr. MANUEL. And it was also known as the Benevolent Association?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. The unit designation was what, sir? What number?

Mr. WILLIAMS. Fifty-three.

Mr. MANUEL. How long did you remain a member of that particular Klavern?

Mr. WILLIAMS. Until October 1st.

Mr. MANUEL. 1965?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Where was that Klavern located, sir?

Mr. WILLIAMS. Three miles east of Greenville at a place known as Port Terminal in a building that was unoccupied.

Mr. MANUEL. From approximately October 1965 until you severed your membership in the Klan, did you belong to another Klavern or another unit of the Realm of North Carolina, United Klans of America?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Would you please identify that unit?

Mr. WILLIAMS. I belonged to Unit 162 at Pactolus just east of Greenville, a kind of a crossroads place with the name, and the name was Pactolus Hunting Club.

Mr. MANUEL. So during your membership in the Klan you were a member of two separate Klaverns?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. One known as the Benevolent Association in Greenville, North Carolina, and the other known as the Pactolus Hunting Club in Pactolus, North Carolina; is that correct, sir?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Going back to July 28, 1965, when you first joined the United Klans, will you please tell the committee how you obtained membership in the Klan?

Mr. WILLIAMS. I obtained this card and I had it sent in to the unit. They passed on it a week and the following week they asked me to come in.

Mr. MANUEL. Were you initiated at a meeting of the Klavern?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Did you pay an initiation fee or a klectokon, as it is known in the Klan?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. How much was that, sir?

Mr. WILLIAMS. Ten dollars.

Mr. MANUEL. Do you know where that money went after you paid it?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. To whom did you pay that?

Mr. WILLIAMS. Harry Ferguson.

Mr. MANUEL. Will you please identify for the committee Mr. Harry Ferguson?

Mr. WILLIAMS. He was the klokard in the Klavern. He was the man who swore us in.

¹ Pitt County Independent Christian Fellowship Association.

Mr. MANUEL. That is an officer in the Klavern known as the klo kard or the conductor; is that correct, sir?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Did you take any oaths as a member of the Ku Klux Klan?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Who administered your oath to you?

Mr. WILLIAMS. Mr. Ferguson.

Mr. MANUEL. Mr. Williams, I'd like to show you a series of oaths which committee investigation has revealed the oath to be administered to members of the United Klans of America and ask you if you took this oath to become a member of the United Klans of America?

Mr. WILLIAMS. Yes, sir, it is the same.

(Document previously marked "Robert Shelton Exhibit No. 4.")

Mr. MANUEL. Prior to taking that oath, Mr. Williams, did anyone explain to you the content of the oath or in any way let you know what oath you would be taking?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. In other words, you took the oath by just raising your right hand and swearing after the gentleman who gave you the oath?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. After taking the oath, did you subsequently learn what the oath meant?

Mr. WILLIAMS. No, sir. I just listened to him read and held up my hand and swore "I do," when he was through reading.

Mr. MANUEL. In practical terms, Mr. Williams, during your period of membership in the United Klans of America, in your own words, what did this oath bind you to?

Mr. WILLIAMS. Well, we was supposed to put death before us before we revealed any secrets of the Klan.

Mr. MANUEL. Now, by secrets of the Klan, sir, could you explain to the committee what you mean by that?

Mr. WILLIAMS. That is whatever went on in the Klavern at meetings.

Mr. MANUEL. Including membership and activities?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Was any part of this oath explained to you in terms of what would happen if you violated the oath?

Mr. WILLIAMS. After we were sworn in there, they had what is a runner between the man who was swearing us in and the inside. He would go in. He went in and they cut the lights off in the Klavern excepting one little light right over the officer and the cross. They had a cross made of wood with lights on it, red lights, and we were led into and around the desk in front of the officer and he stood up and explained that we were now members of the Invisible Empire and that "we believe in not revealing no one's name in here; we leave it up to you to reveal if you are a member." And he reached over and had a strap this long with a handle on the end of it and it had——

Mr. MANUEL. Was it a whip?

Mr. WILLIAMS. It was a strap with a handle on it, like a paddle. A thick leather strip about that thick and he said, "This is to remind

them that we do not have no name revealing outside of this building for what goes on here."

Mr. MANUEL. And again who was that person whom you are describing now talking to the prospective members?

Mr. WILLIAMS. EC. He was the EC.

Mr. MANUEL. What was his name, sir?

Mr. WILLIAMS. Carl Manning.

Mr. MANUEL. Can you name for the committee the other officers in the Klavern which you joined? That is Unit 53 in Greenville known as the Benevolent Association?

Mr. WILLIAMS. Yes, sir. Carl Manning is the EC.

Mr. MANUEL. EC is exalted cyclops; is that correct, sir?

Mr. WILLIAMS. Yes, sir; and the assistant was Marvin Strickland. The klokar was Harry Ferguson and the investigator, I do not know his first name, but his last name was Edwards. He worked with the Forestry Service.

The CHAIRMAN. Of the State or the Federal Government?

Mr. WILLIAMS. The State.

That was what we called the investigator.

And the inner guard, I can't think of who he was. The outer guard was the Robuck boy.

Mr. MANUEL. Do you know his first name?

Mr. WILLIAMS. Gene Robuck, I think.

Mr. MANUEL. The outer guard, was who?

Mr. WILLIAMS. The outer guard, I don't remember his name, but I know that the security guards worked as the outer guards and David Bunting was the captain.

Mr. MANUEL. He was the captain of the security guards?

Mr. WILLIAMS. At that time.

Mr. MANUEL. Who was the treasurer?

Mr. WILLIAMS. Louis Tyson.

Mr. MANUEL. Who was the secretary?

Mr. WILLIAMS. John Twel.

Mr. MANUEL. Now, at this time, Mr. Williams, did you have a State officer who was affiliated with your Klavern?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. What was his name?

Mr. WILLIAMS. His name was Charlie Edwards. He was a policeman of Grimesland. That is a town 11 miles east of Greenville.

Mr. MANUEL. What office did he hold within the State structure of the Realm of North Carolina UKA?

Mr. WILLIAMS. He always told us at every meeting he attended that he was our State officer. He was kind of in charge of the security guard.

Mr. MANUEL. Did you ever hold any office yourself in this Klavern, Mr. Williams?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Did you ever hold an office in the second Klavern which you joined, the Pactolus group?

Mr. WILLIAMS. I was the assistant treasurer and was there every night excepting one.

Mr. MANUEL. We will get to that just a bit later.

Did you purchase a robe as a Klansman?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Do you know of members in your unit who did purchase robes?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Would you tell the committee from what source the robes came?

Mr. WILLIAMS. The robes came from Bob Jones. They picked them up at rallies. He would bring them there in his truck.

Mr. MANUEL. Would you identify Bob Jones for the committee?

Mr. WILLIAMS. He is the Grand Dragon of North Carolina.

Mr. MANUEL. As a member of the United Klans, you knew him to be the Grand Dragon of the Realm of North Carolina; is that correct, sir?

Mr. WILLIAMS. That is correct.

Mr. MANUEL. Was he the Grand Dragon of the Realm of North Carolina at the time you left the United Klans of America?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. What price was paid to Mr. Jones for the robes which were purchased from him by members of the Realm of North Carolina?

Mr. WILLIAMS. They had a satin robe, what they called a satin robe was \$15. They had a cotton robe that went at \$10.

Mr. MANUEL. As a member, did you have any idea where Mr. Jones obtained the robes or the material to make the robes?

Mr. WILLIAMS. No, sir; I do not.

Mr. MANUEL. Was money for the robes paid directly to Mr. Jones?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. To whom was the money paid?

Mr. WILLIAMS. The treasurer of the Klavern.

Mr. MANUEL. And what did he do with the money?

Mr. WILLIAMS. I don't know, sir.

Mr. MANUEL. As a member of the Realm of North Carolina, did you pay dues?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. How much were the dues per member?

Mr. WILLIAMS. \$2 a month.

Mr. MANUEL. Was it ever explained to you what happened to these dues once they were paid by the membership?

Mr. WILLIAMS. Only one time I asked Louis Tyson what went with the dues that we paid in and he said that most of it went to the State office.

Mr. MANUEL. Was there ever any accounting made of the money within the Klavern that the Klavern collected in the form of dues or initiation fees or other sources of income?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Never any accounting.

Mr. WILLIAMS, have you ever heard of an organization known as the Alabama Rescue Service?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. In other words, all during the period of your membership in the United Klans of America, you never knew of the existence of the Alabama Rescue Service; is that correct?

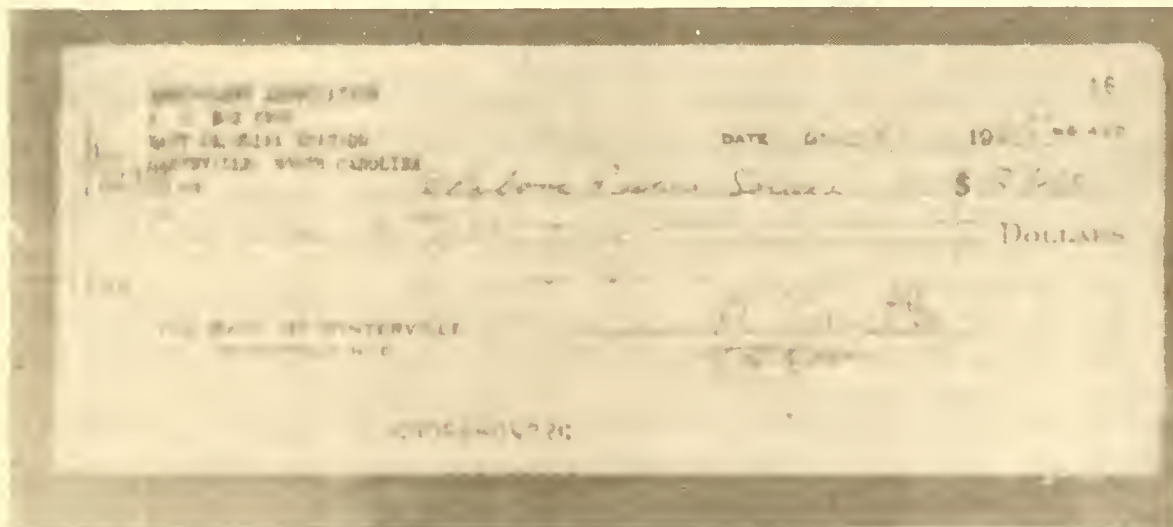
Mr. WILLIAMS. No, sir, we never heard.

Mr. MANUEL. Mr. Chairman, I would like to point out at this time that the committee has subpoenaed the bank account of the Benevolent Association, which is the Klavern to which Mr. Williams belonged in Greenville, and we have found that from April 7, 1965, until some date in September 1965, that the Greenville Klavern paid to the Alabama Rescue Service, which is the cover name of the national headquarters of the United Klans of America, paid them the amount of \$301.25. I point this out, sir, for the record, and I ask Mr. Williams if to his knowledge any of the members of the Klavern, other than the officers who signed these checks, knew of the existence of the Alabama Rescue Service and the fact that their money was being directed to that organization?

Mr. WILLIAMS. No, sir; we never heard of it mentioned on the floor.

(Checks marked "George Williams Exhibit No. 1." One of said checks follows; balance retained in committee files.)

GEORGE WILLIAMS EXHIBIT NO. 1



Mr. MANUEL. I would also like to point out for the record, Mr. Chairman, that the signatures on the checks which we have obtained by subpoena are those of R. E. Everett, L. H. Tyson, and in some cases Carl M. Manning.

Did you know Mr. R. E. Everett to be a member of the Klan?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Did you know him to be an officer of that Klavern?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. You have identified Mr. Manning as the exalted cyclops and Mr. Tyson as the treasurer; is that correct, sir?

Mr. WILLIAMS. That is right.

Mr. MANUEL. Now, Mr. Williams, shortly after you became a member of the Greenville Klavern, were you asked to perform, or were you assigned to perform, an act of violence in the town of Vanceboro, North Carolina?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Would you please tell how this assignment was made and what the circumstances were in the assignment being made?

Mr. WILLIAMS. Well, Charlie Edwards, which was the State officer at that time, came into the Klavern the second week that I was in the Klavern. The second meeting that I ever went to.

Mr. MANUEL. Would that be around August 5, 1965?

Mr. WILLIAMS. Yes. He picked eight of us along the row and he said first to come over in the corridor, that he wanted to talk to us. We went over there and he explained to us. He said, "Now, I want the mayor of Vanceboro taken out and whipped."

He said, "Now, if you don't do this, I will know of it."

He said, "I don't want to know when you are going. Work that out among yourselves, or how you do it, but I don't want to know when you go, but I want him whipped."

Mr. MANUEL. Did Mr. Edwards include himself in the group that would go down to Vanceboro?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. And he picked eight members from the Klavern; is that correct, sir?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Did he give a reason as to why he wanted the mayor of Vanceboro, North Carolina, whipped?

Mr. WILLIAMS. He was seen in the company of some colored ladies.

Mr. MANUEL. At least this is what Mr. Edwards told you?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Did you subsequently find out that the reason which Mr. Edwards gave you was not entirely correct?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. What did you find out in that regard, Mr. Williams?

Mr. WILLIAMS. Well, I found out that the mayor was trying to help the colored people get jobs.

Mr. MANUEL. And for that reason, Mr. Edwards wanted the mayor whipped, in reality; is that correct?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Did you later find that out to be true?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Did the eight persons picked by Mr. Edwards subsequently go to Vanceboro to beat the mayor?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Would you please tell the committee what happened?

Mr. WILLIAMS. We went into Vanceboro and changed our minds and come back.

Mr. MANUEL. For what reason did you change your mind?

Mr. WILLIAMS. We were scared.

Mr. MANUEL. Of the eight persons—seven others—did any of them leave the Klan as a result of this incident?

Mr. WILLIAMS. Two that I know of never came back.

Mr. MANUEL. Did Mr. Edwards have any comment after you came back, not having carried out his assignment?

Mr. WILLIAMS. No, sir; I didn't see him any more about it.

Mr. MANUEL. And why was this?

Mr. WILLIAMS. The next week we were going to Plymouth.

Mr. MANUEL. That is Plymouth, North Carolina; is that correct?

Mr. WILLIAMS. Yes.

Mr. MANUEL. You say you were going to Plymouth. Why did you go to Plymouth?

Mr. WILLIAMS. The first night I went to Plymouth was at a rally. That was along the first of August when we started going to Plymouth. Then after this incident at Vanceboro, I was called one night about 1 o'clock in the morning and told to meet at the Klavern.

Mr. MANUEL. Who called you, sir?

Mr. WILLIAMS. Louis Tyson.

Mr. MANUEL. And he was the treasurer of the Klavern?

Mr. WILLIAMS. Yes.

Mr. MANUEL. What did he say to you at that time?

Mr. WILLIAMS. He said, "Get up and come on out to the Klavern. We are needed." And so I got up and went out to the Klavern.

Mr. MANUEL. Did you ask him any other questions at that time?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. You just got up and went when he called you?

Mr. WILLIAMS. Yes.

Mr. MANUEL. And that was at 1 o'clock in the morning; is that correct?

Mr. WILLIAMS. Yes.

Mr. MANUEL. What happened when you met?

Mr. WILLIAMS. I got to the Klavern, and there was two men out there, and nobody else came for a few minutes, so we decided we would go back across the river to Mr. Tyson's office, which is a J.P.'s office.

Mr. MANUEL. He is a justice of the peace?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. In Greenville?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Proceed, sir.

Mr. WILLIAMS. And before we got to his office we come across a lot of cars parked out there, directly off from the airport, Grimesland, and so we pulled them down and asked where they were meeting at. So we all got on cars there and went to Plymouth.

Mr. MANUEL. Before you proceed, did Mr. Tyson give you any explanation at that time as to if anyone had an assignment to call the members of the Klan?

Mr. WILLIAMS. He said the chief, that is what they call Mr. Edwards at that time because he was the chief of police in Greenville, and he said the chief and Mr. Ferguson was at Plymouth and called him that we were needed at Plymouth. So we all got on cars and went to Plymouth.

Mr. MANUEL. Did he explain to you why you were needed in Plymouth?

Mr. WILLIAMS. No, he didn't.

Mr. MANUEL. For what purpose did you go to Plymouth?

Mr. WILLIAMS. They were having demonstrations down there, and we were going down to stop the demonstrations.

Mr. MANUEL. When you say "they were having demonstrations," could you identify for the committee whom you mean by "they"?

Mr. WILLIAMS. The colored people were having demonstrations in Plymouth at that time.

Mr. MANUEL. And you say that Mr. Edwards or Mr. Ferguson were the ones who called the Klansmen into Plymouth?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Did you ever find out from Mr. Ferguson where he was getting his information as to the demonstrations?

Mr. WILLIAMS. He told us that a policeman, a friend of his, was calling him from Plymouth and notifying him.

Mr. MANUEL. Do you know the identity of that policeman?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. How many separate times, Mr. Williams, beside the rally which you told us about, did you go to Plymouth to participate as a Klansman in the demonstration?

Mr. WILLIAMS. Three.

Mr. MANUEL. Can you explain to the committee what happened on the first trip concerning the demonstrations?

Mr. WILLIAMS. We went into the edges of Plymouth at a little cafe, a drive-in cafe, and we were met by Mr. Ferguson and Mr. Edwards, and they told us to go back to the edge of town and wait, and either them or this policeman would notify us.

Mr. MANUEL. Were members of the Klan armed at that time?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Were you yourself armed?

Mr. WILLIAMS. Not at that time; no.

Mr. MANUEL. Were you given a weapon?

Mr. WILLIAMS. Not on that trip.

Mr. MANUEL. Not on the first trip?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. At that time did any persons known to you to be members of the Klan make use of citizens band radios to effect communications between Klansmen?

Mr. WILLIAMS. No, sir; not at that time, but they tried to reach some of them but they couldn't reach anybody.

Mr. MANUEL. On your first trip into Plymouth, did Mr. Ferguson specifically tell you why he had ordered Klansmen into Plymouth?

Mr. WILLIAMS. Yes, sir. He said that we were called in there, that they were going to deputize us, and that we were going to stop the colored one way or the other.

Mr. MANUEL. Did you or any other Klansmen, to your knowledge, become deputized at any time?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Did you return to Greenville after your first trip to Plymouth?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. How long after that, sir, did you go back?

Mr. WILLIAMS. About a week.

Mr. MANUEL. And who notified you to make the return trip?

Mr. WILLIAMS. Louis Tyson.

Mr. MANUEL. On these trips, Mr. Williams, did you observe Klansmen from other parts of North Carolina other than Greenville?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Were these persons residents of Plymouth?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. On your trips to Plymouth, would you please tell the committee, to the best of your knowledge, how many Klansmen were involved in Plymouth during these demonstrations during the month of August 1965?

Mr. WILLIAMS. Well, I couldn't say how many was in, but the night that I was in Plymouth on the last trip over there I would say there was around a thousand.

The CHAIRMAN. How many?

Mr. WILLIAMS. A thousand.

Mr. MANUEL. Of those thousand Klansmen, to the best of your knowledge, how many were residents or active members in Plymouth?

Mr. WILLIAMS. About 25 or 30, I would say.

Mr. MANUEL. So out of the thousand, then, there were approximately 970 to 975 who had come from outside the Plymouth area?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Do you happen to possess knowledge as to how they happened to be in Plymouth?

Mr. WILLIAMS. They were called in by Mr. Ferguson.

Mr. MANUEL. Did Mr. Edwards participate in that?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. During your first two trips to Plymouth to engage in these demonstrations as a Klansman, were there any acts of violence known to you to have occurred?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. What were the activities of the Klansmen, and specifically yours, in Plymouth?

Mr. WILLIAMS. Well, on the second trip we went over there, on both trips, we were met at this same cafe and was told to go back to the edge of town and wait at the city limits, outside the city limits. The first two times.

Mr. MANUEL. I see. Were you told or ordered to do anything, carry out any action?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Was there any agitation on the part of the Klan directed against those who were demonstrating?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Did you return to Greenville after your second trip into Plymouth?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. And how long did you remain in Greenville before coming back to Plymouth?

Mr. WILLIAMS. I left Plymouth about 5 o'clock in the morning, and I got home and I worked that day, and I went back that night because Mr. Ferguson and Mr. Edwards told us that all stay who could because we would be needed in Plymouth if they did start the marching. He made the remarks that the colored had said they were going to make another Los Angeles out of Plymouth.

Mr. MANUEL. That was told to you by whom?

Mr. WILLIAMS. Mr. Ferguson and Mr. Edwards. So they said they that didn't have to go back to work, to stay, and what did to go back and come back that night.

Mr. MANUEL. What happened on your third trip into Plymouth?

Mr. WILLIAMS. I was shot.

Mr. MANUEL. Would you describe to the committee how you were shot, under what circumstances?

Mr. WILLIAMS. When we went on into Plymouth that night, and we went out and stopped first at the cafe, there was around 75 to maybe a hundred Klansmen at this cafe. And as we come by the city limits, there were some parked in this area where we had been parking the time we had been before. So we stopped at this cafe a while, and these boys that was with me had never been into Plymouth, so they said, "Let's ride up into town and see what is going on, and then we will ride through." So we rode up into town, and after we got into town we saw other men up there I knew was in the Klan, so we just parked our car by the courthouse and walked one block down and into the doorway of a store on the corner. We had been there about 15 minutes when there was a bunch of colored men come walking down the street. As they crossed the street and got on the corner, five or six white men and women were behind them, kind of heckling them, and as they got right along by us this colored man reached down in his sock and come out with a gun, and as he pulled the gun it fell over on the street by the light meter. He dropped on his knees, and when he come up with the gun he started firing across the street, and then the boys run that was with me, and he turned around and fired at them when they went around the corner. And his back was to me then, and I knew if he ever turned or if somebody didn't stop him, some innocent people was going to get hurt because they had children on there, and there was women and all. So I thought I could jump him while his back was to me, and I lunged, and as I lunged he fired and hit me in the stomach.

Mr. MANUEL. He hit you?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Were you seriously wounded?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Mr. Williams, I would like to show you a clipping, or a copy of a clipping from the Raleigh, North Carolina, *Times*, dated September 1, 1965, and in this article one passage says: "George Williams, 45, of Greenville, 50 miles away, was shot in the abdomen," and in another instance, "Clarence McCoy Adams, 27, of Pink Hill about 100 miles from Plymouth was knifed in the side."

I show you this article and ask you if you are the George Williams referred to in that?

(Document handed to witness.)

Mr. WILLIAMS. Yes, sir.

(Document marked "George Williams Exhibit No. 2" appears on p. 2879.)

Mr. MANUEL. Did you know Mr. Clarence McCoy Adams?

Mr. WILLIAMS. Only as of that night.

Mr. MANUEL. Did you know him to be a member of the Klan?

Mr. WILLIAMS. He told me he was not a Klansman, but his father and some of the Klansmen from Jones County come in and they told me they were Klansmen.

Mr. MANUEL. I see. Now, Mr. Williams, did you have occasion to know that after you were shot, wounded, Grand Dragon Jones made

Police Hold 4 in Plymouth After Last Night's Clash; Rights Marches Are Barred Police Chief Blames Klan for Night Violence

By REESE HART

Associated Press Writer

PLYMOUTH—Police arrested two heavily armed men and a civil rights worker today as officers kept a close watch on this tense North Carolina town where racial violence has flared twice within a week.

Today's arrests brought to five the number of persons charged by police since two white men were wounded in a street fight with Negroes Tuesday night. Police put a ban on all demonstrations until tensions eased. Police identified the armed white men as Jimmy Wayne Curling, 24, of Plymouth and George Brown Whitaker, Rt. 1, Washington. They were charged with carrying knives and three pistols to "terrorize people." Curlings also was charged with carrying a concealed weapon.

Free on Bond

The two were given a hearing this morning and were released on bonds of \$300 each.

The civil rights worker, Mike Farley, an 18-year-old white youth from San Francisco. Police said Farley was leading a group of children toward the Washington County Courthouse. He was carrying a placard saying: "Redeem Southern Politics. Register and Vote. Freedom for Everyone."

Police said Farley was charged with breaking a new ordinance adopted Tuesday by the Town Council. It bans marches between 6 p.m. and 8 a.m. and requires a permit for demonstrations of any type at any time.

(United Press International)

said police have charged a 33-year-old Negro logger with the pistol shooting of a white man last night. (Scripps) Paul Basnight, told to be the one used to fire into a crowd of whites was recovered. (Albion Arrington of Plymouth was charged with carrying a concealed weapon and with as-

sault with intent to kill. A preliminary hearing was scheduled for him Sept. 7 in Washington Recorder's Court.) Authorities blame the current tension on the Ku Klux Klan and persons from other towns.

Clash Thursday

Last Thursday night civil rights demonstrators and men believed to be Ku Klux Klansmen clashed in the streets. Civil rights leaders said 27 demonstrators suffered cuts and bruises. Negro leaders said they did not know when or if the marches in Plymouth would resume. They did say they planned to picket the Washington County courthouse in Plymouth protesting the pace of voter registrations. Schools in the Plymouth area were integrated last week. State troopers and other officers were in Plymouth to preserve order. A group of Negroes and whites clashed on Main Street

Tuesday night after a scheduled march was called off because of the explosive situation between the races.

Shooting, Knifing

George Williams, 45, of Greenville, 50 miles away, was shot in the abdomen. Clarence McCoy Adams, 27, of Pink Hill about 100 miles from Plymouth was knifed in the side. Col. David Lambert, commander of the North Carolina Highway Patrol, said both are in good condition at the Washington County Hospital. Police apprehended two Negroes after the fracas. A Police Department spokesman, who declined to identify the suspects, said they were being questioned and no charges had been filed. A small pistol was confiscated. Witnesses told police seven Negroes were walking down Main Street together when a group of whites moved in behind them. One of the Negroes

pulling a pistol from beneath his trouser leg and fired wildly toward the whites; they said the Negroes then fled, but ran into another group of whites near the center of town. A fight ensued, and police rushed to the scene. Mayor W. R. Flowers announced postponement of Tuesday night's march after a 40-minute meeting with Negro leaders, including Frinks and Floyd McKisick of Durham, chairman of the Congress of Racial Equality.

a statement to the Governor of North Carolina and also made a statement to the press that the man who was shot in Plymouth was not a Klansman?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. I show you a press clipping from the Raleigh, North Carolina, *Times*, dated September 2, 1965, and I quote from one paragraph of that clipping: "He," referring to Jones, "said two white men injured in street fighting there Friday night were not Klan members."

I show you this, Mr. Williams, and ask you whether, to your recollection, that statement is correct as far as Mr. Jones is concerned?

(Document handed to witness.)

Mr. WILLIAMS. Yes, sir. He made the statement the next day after I was shot, on television, and this was in the next morning's paper.

(Document marked "George Williams Exhibit No. 3" appears on p. 2881.)

The CHAIRMAN. On television he said the two men——

Mr. WILLIAMS. I was not affiliated with the Klan.

The CHAIRMAN. Yes.

Mr. MANUEL. At that time you were a member of the United Klans of America. Is that correct, sir?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. And you were ordered to Plymouth by persons known to you to be officials in the United Klans of America, Realm of North Carolina. Is that correct, sir?

Mr. WILLIAMS. Yes.

Mr. MANUEL. And also pictured on that article, Mr. Williams, along with Grand Dragon Jones are Boyd Hamby and George Dorsett. Would you please tell the committee who those two individuals are?

Mr. WILLIAMS. The Reverend Dorsett was the chaplain of the Klavern, and the day that I was in court in Plymouth—I had known Boyd Hamby had been seen a lot with Bob Jones, but the day I was in court I found out he was the grand night-hawk of the Ku Klux Klan.

Mr. MANUEL. Did you also know Reverend Dorsett to be a grand officer of the Realm of North Carolina?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Now, Mr. Williams, subsequent to Mr. Jones making this statement, did you have occasion to personally meet Mr. Jones?

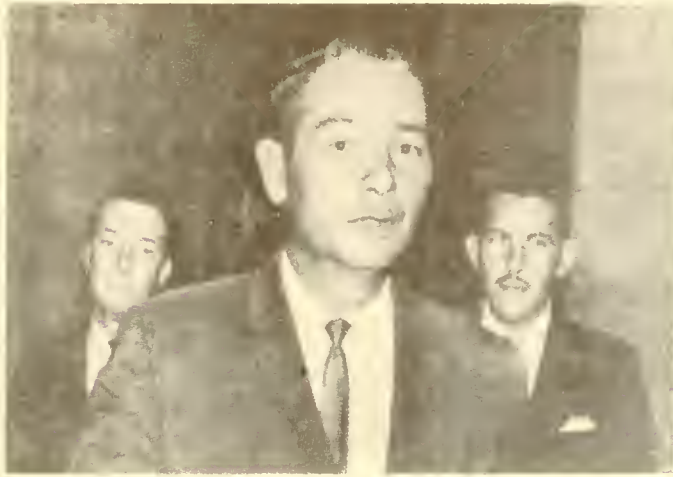
Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Would you describe to the committee the circumstances under which you met Mr. Jones?

Mr. WILLIAMS. The first day I was in court in Plymouth—I was subpoenaed as a witness over there against the colored fellow which had been charged for assault with a deadly weapon. The first day I was in court there, I left after court and went out to the edge of Plymouth to the rally site. They were going to have a rally at Plymouth at night. I went out in this pasture where the site was, and Bob Jones and Boyd Hamby came up to my car and said, "Whose car?" I said, "This is mine." He said, "Let's ride some." And so we got in the car and left.

Mr. MANUEL. And what conversation took place, Mr. Williams, between yourself and Mr. Jones while you were in the car?

GEORGE WILLIAMS EXHIBIT NO. 3

[Raleigh, N.C., *Times*, Sept. 2, 1965]

GRAND DRAGON JONES

... flanked by George Hamby and Rev. George Dorsett (Staff Photo) ...

Jones, After Seeing Moore; Says Klan Not Cause of Crisis

By SHIRLEY MUDGE
Times Staff Writer

All Ku Klux Klansmen who do not live in Plymouth have been ordered to stay out of that strife-torn community by the Grand Dragon of their organization.

Robert W. Jones, head Klansman in the State, said following a 30-minute meeting with Governor Moore today that Klansmen have not been involved in the violence in Plymouth in recent days.

Jones said he issued an order last Friday to Klan members from other areas to stay out of Plymouth.

The Grand Dragon said that his half-hour conference with Moore was beneficial because it resulted in a greater understanding between the two about what each is attempting to do.

Jones said he asked Moore about a statement recently attributed to Dr. Martin Luther King to the effect that Plymouth may become another Selma or Los Angeles which the world will long remember.

He said the Governor assured him this would not be the case.

Jones went into the conference with a list of prepared questions. He was accompanied by Rev. George F. Dorsett and Gordon Hamby, both leaders in his organization.

He said he first asked the Governor how the State will end the street demonstrations

See Klansmen, Page 3

Klansmen Told Stay Out of Town

Continued From Page One

without giving special privileges to the Negro citizens of Plymouth, but he said he got no answer.

Jones said he then asked the Governor if the Klan could do anything to help the situation and was asked by Moore to abide by the law.

Jones said he replied: "We have done that."

The Klan chief said he asked Moore, too, if the Klan had been found by the Attorney General's office to be a legal fraternal organization and was assured it is.

In answer to reporters' questions, Jones denied his organization is becoming "more politically oriented" but admitted he has been speaking in opposition to Rep. Harold Cooley.

Asked if he would support any candidate opposing Cooley he said he would have to know who the candidate would be but he said he probably would support Jim Gardner of Rocky Mount were he to challenge Cooley, again.

In summing up his meeting with the Governor, Jones said, "We both agreed that we deplored violence."

He said the Governor doesn't like some members of the Klan but Jones agreed he has some members "I'd do better without." And he said he plans to

get rid of some of them "as soon as I can."

Jones declined to name any of the members with whom he is dissatisfied.

The Grand Dragon said he expects to go ahead with plans for a rally in Washington County Oct. 13. He said he does not expect the rally to incite further violence.

Asked specifically if he would consider calling the rally off if the Governor should request him to, he said he probably would.

Questioned about statements by civil rights leaders that they will demonstrate wherever Klan rallies are held, Jones challenged the Negroes to keep up with the Klan.

"If they follow us around for 30 days they'll be too tired to demonstrate," Jones said, explaining that he has been rallying for 39 consecutive nights.

As he answered reporters' questions Jones reiterated from time to time his contention that no Klansmen were involved in the violence at Plymouth.

He said two white men injured in street fighting there Friday night were not Klan members.

Jones was in Plymouth that night and said he did not see any street fighting. He said he read in *The News and Observer* reports of a clash between Negroes and Klansmen but that he did not see any such fight.

Jones declined to say how many Klansmen live in the Plymouth area.

* * *

Jones got an unpleasant welcome to Raleigh this morning.

Police cited him with exceeding 35 miles per hour in a 35 mile zone on Glenwood Avenue near Cleveland Street. A radar unit stationed at that point made the stop, police said.

Jones was en route to his conference with Governor Moore. He told reporters later this morning he had "every intention of fighting the charge in court."

Mr. WILLIAMS. Well, he told me that he wanted to go down to the county line towards Washington to see if the highway patrol was checking cars. We rode to the county line and turned around. There was no highway patrolmen at the county line. We got back to the edge of Plymouth and he said, "Now we want to go to the county line towards Williamston," and I took him down that road.

Mr. MANUEL. What did he say to you at that time?

Mr. WILLIAMS. He got into discussion with me being shot in Plymouth, and he said, "I don't know whether they will be after you or not to go up on the committee since they found that you are affiliated with the Klan, but," he said, "if you do, get in touch with me and I will tell you what to do."

Mr. MANUEL. In other words, in discussing the possibility of your being subpoenaed before this committee, Mr. Jones told you at that time that, if you were subpoenaed, you were to contact him and he would tell you what to do. Is that correct?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Did he have any statement to make regarding your Klan membership, which he had denied publicly after the incident in Plymouth?

Mr. WILLIAMS. He said if he had knew of me personally he would have been to see me before now, but he had not knowed me personally.

Mr. MANUEL. But he did know you as a member of the Klan. Is that correct?

Mr. WILLIAMS. Yes.

Mr. MANUEL. At the time he made that statement?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Mr. Williams, I would like to show you another press clipping from the Raleigh, North Carolina, *News and Observer*, dated September 3, 1965, with the headline "Dragon Says 'Bad Ones' Spot-lighted," and then this article, one paragraph of which reads as follows:

Questioned by newsmen after the conference, Jones said: "The Governor doesn't like some members of our organization. I have some I could get along better without and I plan to get rid of them as soon as I can."¹

Asked if any Klansmen were in Plymouth during the recent outbursts, Jones said: "There were none in Plymouth that were ordered to go in. I've never ordered anybody to go anywhere. I told all of my people to stay out of there except the ones who lived there."

Mr. Williams, I would like to ask you, as a result of your activities as a Klansman in Plymouth, North Carolina, did any official of the Realm of North Carolina make any investigation? Were you reprimanded in any way by any official of the Realm of North Carolina?

Mr. WILLIAMS. No, sir.

(Document marked "George Williams Exhibit No. 4" appears on p. 2883.)

Mr. MANUEL. Were you questioned at all concerning your activities?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. To your knowledge, was any member of the Klan expelled for activities in Plymouth, North Carolina?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. To your knowledge, did Grand Dragon Jones, prior to the date that you were shot, issue an order to Klansmen to the effect

¹ Committee investigation established that no North Carolina Klansmen were banished because of criminal background or violent nature.

GEORGE WILLIAMS EXHIBIT NO. 4

[Raleigh, N.C., *News and Observer*, Sept. 3, 1965]

Dragon Says 'Bad Ones' Spotlighted

Grand Dragon Robert Jones agreed Thursday with Governor Moore that the Plymouth racial violence has spotlighted some undesirables in the North Carolina Ku Klux Klan.

The Granite Quarry salesman, accompanied by two aides, met with Moore shortly after the Governor had placed part of the blame for the Plymouth strife at the doorstep of "certain members of the Klan."

Doesn't Like Some

Questioned by newsmen after the conference, Jones said: "The Governor doesn't like some members of our organization. I have some I could get along better without and I plan to get rid of them as soon as I can."

Asked if any Klansmen were in Plymouth during the recent outbursts, Jones said: "There were none in Plymouth that were ordered to go in. I've never ordered anybody to go anywhere. I told all of my people to stay out of there except the ones who live there."

Jones, accompanied by Klan Chaplain, the Rev. George Dorsett of Greensboro, and organizer Gordon Hamby of Lexington, said he put this question to Governor Moore: "How will the State end the daily demonstrations at Plymouth without giving special privileges to the colored citizens?"

Moore, he said, "didn't answer it."

Another question to Moore, Jones said, was: "Is there anything the Klan can do to help the situation?" Moore's answer, he said, was: "Abide by the law."

Jones commented: "This we have done."

Negroes Uninvited

Jones was asked about a pledge made Monday by Edenton civil rights leader Golden Frinks to hold a march in the vicinity of every Klan rally. He replied: "They can demonstrate in the road if they want to, but that's my property at the rally site as long as the rally is going on. They'd be uninvited guests there. I think if the Negroes followed us for 30 days they'd be so tired they couldn't demonstrate."

Asked if a Klan rally scheduled for Sept. 13 near Plymouth is still on, Jones said: "Yes,

See KLAN, Page 2

KLAN

Continued from Page One

sir, it certainly is." Moore did not request cancellation of this rally, Jones said, or any others scheduled.

Several rallies are on tap, Jones said, including Henderson on Sept. 8 and Williamston on Sept. 11.

Jones said that reports of a scuffle between Klansmen and Negroes in Plymouth the night of Aug. 26 were false. A number of Negroes reported receiving injuries from a run-in with the Klan.

The Plymouth conflict exploded into gunplay and knife-wielding Tuesday night. One white man was shot and another cut.

"The man who was shot was not a Klansman," Jones said, "and the man who was cut was not a Klansman."

that, as he stated in the press, all of the people were told to get out of there except the ones who lived there?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Now, Mr. Williams, do you have any knowledge of any other act of intimidation or violence performed by persons known to you to be members of the United Klans of America, Realm of North Carolina?

Mr. WILLIAMS. There is a few incidents that was brought, but this was the only one I took part in.

Mr. MANUEL. Do you have knowledge of cross-burnings?

Mr. WILLIAMS. Of two.

Mr. MANUEL. Would you please explain to the committee what your knowledge is in that regard?

Mr. WILLIAMS. Along about mid-September, I mean October, I think it was. I ain't sure of the date. But I went to a meeting at the Pactolus Hunting Club, and they had a cross fixed in the back room, and after the meeting was over Harry Ferguson took five of the men and he went into the back room and talked, closed the door and they talked, and the next morning there was a cross burnt in Mr. John Grier's yard.

Mr. MANUEL. Would you identify for the committee Mr. John Grier?

Mr. WILLIAMS. He was a real estate rental man in Greenville, and they claimed he was the cause of them selling the first house to a colored family in the white section of the town.

Mr. MANUEL. Did you see that cross in the Klavern prior to the burning?

Mr. WILLIAMS. I saw a cross. I couldn't say it was the same one. But I know there was a cross and it was burned about an hour after we closed.

Mr. MANUEL. Prior to the burning of that cross, did you observe at the same meeting Mr. Ferguson call several Klansmen over in the corner, as was done in the incident concerning the mayor in Vanceboro?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. During the month of September, Mr. Williams, was there any other incident regarding a threatened beating or intimidation of a person in Greenville?

Mr. WILLIAMS. There was a small boy, or he was a young boy, a nian, but he was retarded.

Mr. MANUEL. Mentally retarded?

Mr. WILLIAMS. Yes, sir. I know they did not beat him. They went out and after they got him they talked to him and warned him if he was caught in the company of colored people again they would come back and get him.

Mr. MANUEL. Were Mr. Charles Edwards and Mr. Harry Ferguson the ones who did this?

Mr. WILLIAMS. Yes.

Mr. MANUEL. And they were officers, again, at that time in the Realm of North Carolina?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Mr. Williams, in November of 1965, do you have any knowledge of the beating of another Klansman from another unit?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Would you please explain to the committee your knowledge in that regard?

Mr. WILLIAMS. This was a boy, was a young fellow. He is a man, but he was a young fellow in the Greenville Unit, Benevolence Association.

Mr. MANUEL. What was his name?

Mr. WILLIAMS. All I know is Langston.

Mr. MANUEL. L-a-n-g-s-t-o-n?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Proceed.

Mr. WILLIAMS. The way I found out about this, the sheriff come to me, come to my house one night, or sent two deputies to my house to question me of a shooting between the two units along the highway, a shooting that occurred when from one car a fellow shot another one, and they indicted each other. So I——

Mr. MANUEL. You mean they made a complaint against each other?

Mr. WILLIAMS. Yes, sir. I told the sheriff I didn't know what you are talking about, and he said the shooting took place Monday night between the Klan in Pactolus Unit and the Klan in the Greenville Unit, and I said I still didn't know "what you are talking about, Sheriff."

Mr. MANUEL. Did the sheriff come to you as a suspect in this case?

Mr. WILLIAMS. Yes, sir. He said, "How about the beating, from which unit did it occur?" I said, "I don't know of no beating." Then he told me about the beating, that seven men went to this young fellow's house and whupped him. After they whupped him, the Greenville Klavern started putting guards at his house at night. While one of the guards was going off duty he started home and the car from Pactolus Unit followed him and, about 4 miles from Greenville, shot in the back of his car. And he told that they passed him and went by, and as he followed them they turned up a dirt road, which he said he knew that he had to come back out of to get out on the highway. So he parked right where they would come out and he said as they come out he threwed his lights and emptied his gun on the side of the car.

Mr. MANUEL. So one Klansman in the Pactolus Unit is shooting at another Klansman from the Greenville Unit. Is that correct?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. And this resulted, as I understand it, in the members from the Pactolus Unit beating a man named Langston from the Greenville Unit?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. For what reason was Mr. Langston beaten by Klansmen?

Mr. WILLIAMS. There was a boy in the Klan, the security guard captain, was throwed out of the Klan unit in Greenville.

Mr. MANUEL. What was his name?

Mr. WILLIAMS. David Bunting.

Mr. MANUEL. B-u-n-t-i-n-g?

Mr. WILLIAMS. That is right. They threw him out of the Klan unit in Greenville while I was in there.

Mr. MANUEL. For what reason was he expelled?

Mr. WILLIAMS. They claimed he was passing information to the law.

Mr. MANUEL. Proceed.

Mr. WILLIAMS. So after we set up the unit in Pactolus, we took David Bunting into the Pactolus Unit. So when we took him in, the Greenville Unit was discussing taking David back in the Klan. And the boy leading [the discussion] said he didn't see why because there wasn't nothing to him, "He won't even provide for his family."

Mr. MANUEL. Langston was talking about Bunting. Is that correct?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Proceed.

Mr. WILLIAMS. So somebody in that unit told David about it. So he goes to the Pactolus Unit and tells Harry Ferguson, that resulted from the beating.

Mr. MANUEL. Harry Ferguson at that time held what position in the Pactolus Unit?

Mr. WILLIAMS. He was the EC of the Pactolus Unit.

Mr. MANUEL. Now, Mr. Williams, did you subsequently find out who was involved in the beating of Mr. Langston from the Greenville Unit?

Mr. WILLIAMS. Only a few of them. I knew there was some of them, but Mr. Ferguson was the one that said didn't nobody beat him excepting him.

Mr. MANUEL. Meaning Mr. Ferguson beat him?

Mr. WILLIAMS. Yes.

Mr. MANUEL. He admitted this to you?

Mr. WILLIAMS. At my house.

Mr. MANUEL. At your house?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Who else was present, Mr. Williams, when Mr. Ferguson made this admission?

Mr. WILLIAMS. There was two, the men were arrested for the shooting.

Mr. MANUEL. Do you know the identity of those two men?

Mr. WILLIAMS. Yes, sir, but—

Mr. MANUEL. O.K.

Mr. WILLIAMS. David Bunting was there. They were at my house when it was brought out that I asked Mr. Ferguson, I said, "Harry, Mr. Ferguson, I want to know did you send seven men over after that boy?" He said, "Seven of us went, but nobody beat him but me." He said, "I told Bob Jones that nobody hit him but me."

Mr. MANUEL. So he even admitted this to Mr. Jones, who is the Grand Dragon?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. To your knowledge, Mr. Williams, what action did Mr. Jones, the Grand Dragon, take with regard to the complaints that were made by the Klansmen involved in the shooting?

Mr. WILLIAMS. He told them to withdraw the warrants and handle it among the Klan.

Mr. MANUEL. For what reason?

Mr. WILLIAMS. He didn't want the publicity.

Mr. MANUEL. He didn't want the publicity?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Mr. Williams, what was your own reaction to the admission by Mr. Ferguson that this action had been taken against a fellow Klansman?

Mr. WILLIAMS. After he told me he did, I told him, I said, "As of now, I am through with this mess. I don't want nothing to do with you-all, and you-all let me alone. I won't bother you, and don't you bother me." I said, "I am disgusted with you."

Mr. MANUEL. At that time you left the United Klans of America?

Mr. WILLIAMS. Yes.

The CHAIRMAN. About when was that?

Mr. WILLIAMS. November 15. The shooting was on November 15.

Mr. MANUEL. Mr. Williams, do you have any further knowledge of the activities of Harry Ferguson and the Pactolus Unit of the United Klans of America after you left the Klan?

Mr. WILLIAMS. Yes, sir. They turned their resignation in to the Knights of the Ku Klux Klan and have changed over to James "Catfish" Cole's Carolina Ku Klux Klan.

Mr. MANUEL. Could you identify for the committee Mr. James "Catfish" Cole?

Mr. WILLIAMS. Mr. Cole was the man that was in charge of the Klan that was in Lumberton at a rally the Indians went in to break up and they got to shooting each other.

Mr. MANUEL. Did he, as a matter of fact, serve a term in jail for that incident?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Does he now, to your knowledge, have a Klan organization in North Carolina?

Mr. WILLIAMS. Yes, sir. He has the Carolina Klan. He is the Imperial Wizard of the Carolina Klan, and Jesse MacBunning of Greenville is the Grand Dragon of the Carolina Klan.

Mr. MANUEL. As I understand, your testimony is that Mr. Harry Ferguson has left the United Klans of American with the Pactolus Unit and joined Mr. Catfish Cole's Carolina Ku Klux Klan organization?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Do you happen to know for what reason Ferguson and his group left to join Mr. Cole?

Mr. WILLIAMS. I don't know for sure, but I know that during the trouble they were having, so much trouble, and kept calling Mr. Jones, he got to the place he wouldn't pay them no mind about this trouble they were having among each other.

Mr. MANUEL. Mr. Williams, have you ever received any threats from persons known to you to be members of the Ku Klux Klan after you left the organization?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Would you please explain to the committee what threats and under what circumstances?

Mr. WILLIAMS. I have had three phone calls Sunday. Two of them I did not recognize who they were.

Mr. MANUEL. When you say Sunday, you mean last Sunday?

Mr. WILLIAMS. Yes, sir. But the third man that called me I knew just as soon as he spoke who he was.

Mr. MANUEL. Who was that man?

Mr. WILLIAMS. David Bunting.

Mr. MANUEL. Whom you knew to be a member of the United Klans of America, now a member of Mr. Catfish Cole's Carolina Ku Klux Klan organization?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. You told the committee previously that you terminated your membership in the Ku Klux Klan in November of 1965, and these threats came last Sunday—January 1966?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Would you explain to the committee why you were threatened at that particular time, since you had left the Klan in November of 1965?

Mr. WILLIAMS. I don't know for sure why, but I was at a cafe on Friday night, tonight a week ago, and it was brought out that Harry Ferguson was at a Good Neighbor Council, East Carolina College, and the chief of police recognized him, and after the chief made his speech he said, "I see we have one of our Klan leaders here." He said, "Maybe he would like to say a few words."

And he said, Ferguson said, "He had never been a leader of anything but a mule."

Mr. MANUEL. At that time, Mr. Williams, was the chief of police of Greenville speaking against the Ku Klux Klan?

Mr. WILLIAMS. No, sir. He said he recognized one of the Klan leaders, that maybe he would like to say a few words.

Mr. MANUEL. In discussing Klan activities?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. What happened after that?

Mr. WILLIAMS. The man got mad and told the chief that he had never led anything but a mule.

Mr. MANUEL. And he never led the Ku Klux Klan?

Mr. WILLIAMS. Yes, sir. I was setting in there when this man told us this, and I said—no. Some of them mentioned and said Ferguson said that he would make the chief prove that he was a leader of the Knights of the Ku Klux Klan or he would sue the city. So I made a remark. I said, "Well, they had better call me because I served under him when I was in the Klan." So the following Sunday I received these phone calls.

Mr. MANUEL. It was after this you received the threatening phone call?

Mr. WILLIAMS. Yes.

The CHAIRMAN. I think the record should be straightened a little bit. You said the chief was making a speech. Where?

Mr. WILLIAMS. At a Good Neighbor Council meeting. I don't know the name. This fellow here (indicating press) could tell you more about it.

The CHAIRMAN. As far as you know, was that or was that not a Klan meeting?

MR. WILLIAMS. No, sir; it was a Good Neighbor Council meeting.

THE CHAIRMAN. And was the chief talking, or had he said anything in favor of the Klan during his talk; do you know?

MR. WILLIAMS. No, sir. The chief is 100 percent against the Klan.

THE CHAIRMAN. I want the record to be clear either way. I am glad it is clear that way.

MR. MANUEL. Now, Mr. Williams, going to the Pactolus Unit of the United Klans of America——

THE CHAIRMAN. Let me go back to that incident. It is now related to me that probably during the talk by the chief of police he was, in fact, talking against the Klan, and then he said something like, "By the way, I see one of their leaders here who can talk." Was that about your understanding?

MR. WILLIAMS. The way this fellow said it, he said the chief said, "I see in our audience we have one of our Klan leaders" and said maybe he would like to say a few words.

THE CHAIRMAN. All right.

MR. MANUEL. Now, Mr. Williams, going back to the Pactolus Unit of the United Klans of America, which you have previously testified that you joined in approximately October of 1965, you identified Mr. Harry Ferguson as the exalted cyclops of that unit. Is that correct?

MR. WILLIAMS. Yes, sir.

MR. MANUEL. To your knowledge, is he currently acting as exalted cyclops of the Pactolus Klavern?

MR. WILLIAMS. Yes, sir.

MR. MANUEL. From your direct knowledge, sir, would you identify for the committee the other officers of the Pactolus Klavern as they were when you were a member of that organization?

MR. WILLIAMS. Yes, sir. Harry Ferguson was EC. Bobby Wadford was the assistant.

MR. MANUEL. Was the Klaliff?

MR. WILLIAMS. Yes, the assistant.

The klokard was David Bunting.

MR. MANUEL. And David Bunting, as I understand it, was one of the persons known to you to have made the threat over the telephone. Is that correct?

MR. WILLIAMS. Yes, sir.

MR. MANUEL. On your life?

MR. WILLIAMS. Yes, sir.

MR. MANUEL. What did Mr. Bunting tell you over the telephone that let you know that he was intimidating you?

MR. WILLIAMS. As soon as he spoke I told him, I said, "David, you can talk like you ought to. I know who you were when you spoke your first word." He said, "We will be looking for you." He said the big man has put the word out "to get you and we will be after you."

MR. MANUEL. Who did you take it he meant by "big man"?

MR. WILLIAMS. Harry Ferguson.

MR. MANUEL. Did he say anything else?

MR. WILLIAMS. No, sir.

MR. MANUEL. What was your reaction or your comments to Mr. Bunting?

Mr. WILLIAMS. At that time, I told him, I said, "You are not going to have to look for me." I said, "I will be in front of your brother's place in 5 minutes." I got in my car, I rode by. They were in the station. I rode by east. I went about a half a mile down the road. I turned around, came back by, I went about a hundred yards more down to the next station. I turned and come back by. They never did come out.

The CHAIRMAN. And they won't.

Mr. MANUEL. Have you received any other threats subsequent to that phone call and the subsequent incidents which you have related?

Mr. WILLIAMS. Two before.

Mr. MANUEL. And would you explain to the committee the nature of those threats?

Mr. WILLIAMS. A voice on there said—the first one, I answered the phone, and the man when I answered the phone said, "George?" I said, "Yes." He said, "The man has put the word out to get you and we will be looking for you."

Mr. MANUEL. Did you recognize in any way the person who was calling?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. What was the nature of the second call to which you referred?

Mr. WILLIAMS. My daughter answered the phone, and she said, "Daddy, some man wants to talk to you." And I went to the phone, and he said, "George, the man has put the word out. We are coming after you."

Mr. MANUEL. At the time you left the United Klans of America, and that was, as you testified, approximately November 15, 1965?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Were any threats made at that time against you?

Mr. WILLIAMS. No, sir, not directly threats. They was telling me, a few of them, what they could do, that I knew what they could do. I said, "Well, I am not afraid."

Mr. MANUEL. Did they tell you specifically what they could do? And if not, what did you take that to mean?

Mr. WILLIAMS. They didn't come out and say what they could do, they just said I knew what they could do.

Mr. MANUEL. Who were the individuals that said that?

Mr. WILLIAMS. Different ones that belong to the Klavern.

Mr. MANUEL. Did Mr. Ferguson ever directly say anything to you after you left?

Mr. WILLIAMS. Yes, sir. After the shooting, after I was questioned, that following weekend the two that was arrested was supposed to appear at the justice of the peace's office, Mr. Luther Moore. I went up there with them. After they laid the hearing over and came on outside, I said, "What are they going to do about this mess?" And Harry said, "I don't know, they laid it over."

He said about this, "What have they done to you?" I said, "They ain't done anything. They want me to take a lie test." He said, "Bob Jones said you had better take no lie test."

Mr. MANUEL. Bob Jones, the Grand Dragon, had sent that word to Mr. Ferguson?

Mr. WILLIAMS. I don't know. This is what Ferguson said to me on the street in the presence of the two men that had been arrested.

Mr. MANUEL. Did Mr. Ferguson give you a reason for this?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Did you subsequently take a lie detector test?

Mr. WILLIAMS. No, sir, but I told him, "If the sheriff takes me," I said, "I am going. If he thinks I am foolish enough to get out on the road and ride up and down the road shooting," I said, "I want to get straight of this mess and get out while the getting is good."

Mr. MANUEL. Mr. Williams, from your direct knowledge as an ex-member of the Ku Klux Klan, the United Klans of America specifically, could you tell the committee approximately how many active members currently are, to the last of your knowledge, in the area of Greenville, North Carolina?

Mr. WILLIAMS. I would say about 40 active members.

Mr. MANUEL. Do you have any knowledge as to how many the Klan itself carries on its books?

Mr. WILLIAMS. There was about 340.

Mr. MANUEL. 340?

Mr. WILLIAMS. Yes.

Mr. MANUEL. And to your knowledge, about 40 members are active?

Mr. WILLIAMS. Yes, sir. Most of the Klan, the people that get into the Klan go and join, and after they get in and find out what they are in, they don't never come back no more.

The CHAIRMAN. They go in and come out?

Mr. WILLIAMS. Yes, sir. After they go in, they have to give the \$10 to get in and they don't never see them no more. They don't never come back.

Mr. MANUEL. Mr. Williams, from your knowledge as a member of the Klan, would you please tell the committee what records are kept by Klaverns?

Mr. WILLIAMS. Well, they have a list of the names that is kept so that they can find out who is behind on their dues and such things as that. We have a list with the names that is kept.

Mr. MANUEL. Do they keep, to your knowledge, any financial records?

Mr. WILLIAMS. I have never heard any financial reports read, only what we had left in the bank, as to the Greenville Unit, but in the Pactolus Unit they read the records every night and brought in receipts and what was bought.

Mr. MANUEL. I would like to show you a photostatic copy of a check drawn on the account of the Benevolent Association of Greenville, North Carolina, dated October 22, 1965. The check is made out to cash and it is in the amount \$998.31. The notation on the check says it is for "attorney fees."

I would like to show you this check and have you tell us who signed it and what your knowledge of this particular check is.

Mr. WILLIAMS. It is signed by W. Hardin and L. H. Tyson and is for cash in the amount \$998 and some few cents for attorneys' fees. I have never heard of them.

(Check marked "George Williams Exhibit No. 5" follows:)

GEORGE WILLIAMS EXHIBIT No. 5

BENEVOLENT ASSOCIATION
P. O. BOX 2898
EAST CAROLINA STATION
GREENVILLE, NORTH CAROLINA

43

DATE 10-22 1965 55-72

PAY TO THE ORDER OF cash \$998.00
Nine hundred ninety eight and 00/100 DOLLARS
FOR attorney fees
THE BANK OF WINTERVILLE
WINTERVILLE, N. C. W. Hardin
Stitt

⑆9066⑈0472⑆

MR. MANUEL. Would you identify Mr. Hardin for the committee?

MR. WILLIAMS. I don't know him.

MR. MANUEL. You never heard of Mr. Hardin?

MR. WILLIAMS. No, sir.

MR. MANUEL. To your direct knowledge did the Klan have attorneys in the first place to whom they could pay attorneys' fees?

MR. WILLIAMS. No, sir.

MR. MANUEL. Do you know what happened to that money?

MR. WILLIAMS. No, sir.

MR. MANUEL. The check was made to cash and was cashed. You don't know what happened to the money?

MR. WILLIAMS. No, sir.

MR. MANUEL. Mr. Chairman, I would like to state to the committee that investigation has shown that on this same date, October 22, 1965, that account was closed at that particular bank.

THE CHAIRMAN. Were there any criminal cases or other matters pending in the courts when they drew that check for lawyers' fees that you know of?

MR. WILLIAMS. No, sir. It was never discussed.

MR. MANUEL. Do you know that on that particular date as a matter of fact the account was closed at the bank?

MR. WILLIAMS. No, sir.

MR. MANUEL. Was that report made to the membership?

MR. WILLIAMS. We were told we were broke.

MR. MANUEL. And as a member, you did not know of the \$998 and some odd cents that was in the account at that time; is that correct?

MR. WILLIAMS. No, sir; I didn't know about it.

MR. MANUEL. Mr. Williams, as a member of the two units of the Ku Klux Klan, did you have any knowledge of money going directly from the Klavern to the office of the Grand Dragon, Mr. James Robertson Jones?

MR. WILLIAMS. Only what Louis Tyson told me one time that he got most of the dues that were paid into the Klavern.

MR. MANUEL. That is, Mr. Jones got most of the dues?

MR. WILLIAMS. Yes.

MR. MANUEL. Was that money paid directly to Mr. Jones, to your knowledge?

MR. WILLIAMS. I don't know. He said it went to the State office.

Mr. MANUEL. Again, Mr. Williams, I would like to show you a series of checks which the committee has obtained by subpoena from The Bank of Winterville, Winterville, North Carolina, of the Benevolent Association of Greenville, North Carolina. This series of checks is all made payable to James R. Jones, the first dated April 7, 1965, and the last dated the 10th of September 1965 and they collectively total \$264.25.

I would like to show you this series of checks and ask you to identify the persons who signed those checks.

Mr. WILLIAMS. R. E. Everett and L. H. Tyson.

(Checks marked "George Williams Exhibit No. 6." One of said checks follows; balance retained in committee files.)

GEORGE WILLIAMS EXHIBIT No. 6

BENEVOLENT ASSOCIATION
 P. O. BOX 2000
 EAST CAROLINA STATION
 GREENVILLE, NORTH CAROLINA

33

DATE 9-10 19 65 65-472

PAY TO THE ORDER OF James R. Jones \$ 21.25

twenty one + 25/100 DOLLARS.

FOR _____

R. E. Everett
L. H. Tyson

THE BANK OF WINTERVILLE
 WINTERVILLE, N. C.

⑆9055⑈0472⑆

Mr. MANUEL. Were those persons known to you at that period of time to be officers in the Greenville Unit of the Ku Klux Klan?

Mr. WILLIAMS. Only one.

Mr. MANUEL. Did you know the other?

Mr. WILLIAMS. Only as a member.

Mr. MANUEL. Only as a member?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. And to your knowledge he did not have, as an ordinary member, power to sign checks?

Mr. WILLIAMS. To my knowledge he didn't.

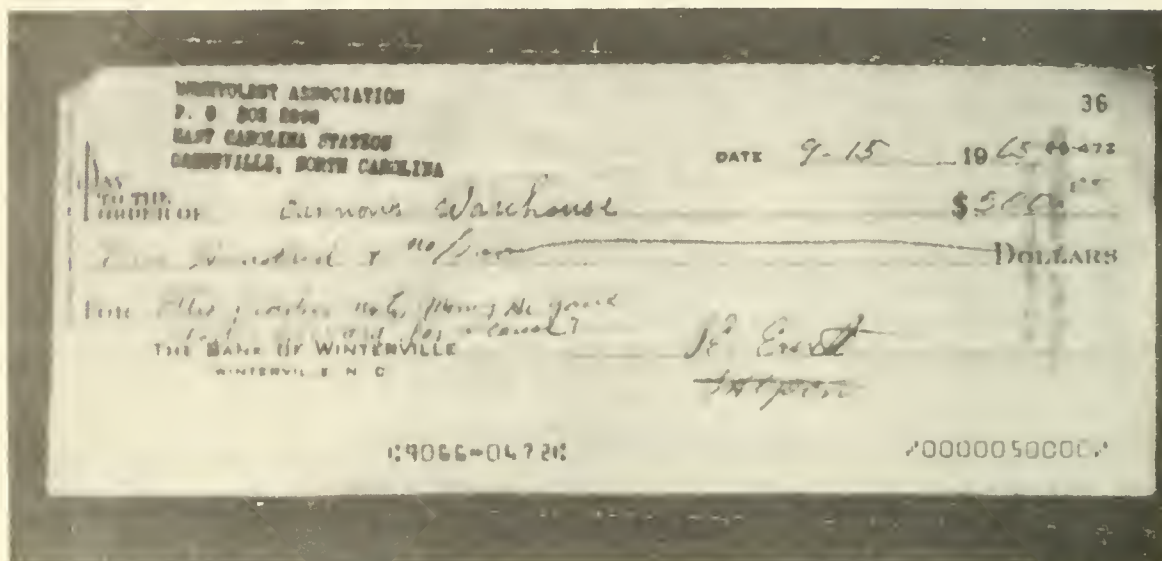
Mr. MANUEL. Thank you, sir.

Mr. Williams, I would like to show you one other check which was made on behalf of the Benevolent Association of Greenville, North Carolina, signed by R. E. Everett and L. H. Tyson in the amount of \$500, payable to Cannon's Warehouse. The notation on the check says: "Ellis Peaden note Money He gave Charles Edward for a cause" and then there is a question mark. I would like to show you that check and ask you to explain the significance of the notation and whatever other knowledge you possess of that check.

Mr. WILLIAMS. This check was paid to somebody in Greenville that had loaned Charlie Edwards \$500 that Charlie had gone to and said some of the boys in the Klan were in jail and he needed the cash money to get them out because he didn't want nobody signing no bonds. But as far as Ellis Peaden, Ellis Peaden signed a note also for Charlie for \$500 with which he bought a car from Bright Leaf Motors for \$1,000.

(Check marked "George Williams Exhibit No. 7" follows:)

GEORGE WILLIAMS EXHIBIT No. 7



Mr. MANUEL. The Charles Edwards referred to was at that time a State officer of the Realm of North Carolina of the United Klans of America?

Mr. WILLIAMS. Yes, sir. I don't know who loaned him the money. I heard it discussed whether the Klan should pay it back or let the man get it out of Charlie Edwards. The Klan paid it back to keep the publicity out of the Klan.

Mr. MANUEL. As I understand, Mr. Edwards got \$500 out of Cannon's Warehouse which the Klan got back and \$500 from Mr. Peaden, and the sum he received, which totaled \$1,000, was used to purchase an automobile?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. What action did the Klan take concerning Mr. Edwards following this discovery?

Mr. WILLIAMS. They called Bob Jones and he had Mr. Edwards removed from the Klavern.

Mr. MANUEL. In other words, Mr. Edwards was removed by Mr. Jones for misappropriation of funds?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. And although to your knowledge Mr. Edwards was a leader of the Klan in Plymouth, North Carolina, he was not removed from the Klan for that reason?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Thank you, sir.

Mr. Willis, the staff has no further questions of this witness.

The CHAIRMAN. I have just one or two questions.

Mr. Williams, you said you joined the Klan because you had attended a meeting and had heard the speeches made and discussions to the effect that they stood for segregation of the races, or not a mixing of white and colored people; is that correct?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. And you believed in that?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. Later on you went to Plymouth and I think you said an incident occurred that you have described whereby, in whatever way it happened, you were shot by a colored man?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. But, despite that, you quit the Klan?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. Is that because you don't believe that klanism is the right way to go about this problem?

Mr. WILLIAMS. I believe now that Klan life is the lowest life that you can get. I would like to see any man that thought of joining the Klan, I wish he could see me before he got in. I would like to tell him what he is getting into.

The CHAIRMAN. It is just no good?

Mr. WILLIAMS. That is right.

Mr. MANUEL. Going back to the incident in Plymouth, Mr. Williams, who paid your hospitalization and doctor bills as a result of your being wounded?

Mr. WILLIAMS. The Klan paid.

Mr. MANUEL. And how did the Klan pay for this, to your knowledge?

Mr. WILLIAMS. Louis Tyson paid it by his personal check.

Mr. MANUEL. He was treasurer of your local unit at that time?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. One other question: At the time you were a member of the Klan, was there at any time discussed in the Klan the fact that Klansmen should purchase weapons, guns?

Mr. WILLIAMS. Yes, sir. They told us we all should have a gun.

Mr. MANUEL. And for what reason were you urged to buy a gun?

Mr. WILLIAMS. For defense.

Mr. MANUEL. And how many times, approximately, did this subject come up while you were a member?

Mr. WILLIAMS. I couldn't say the exact number of times, but it was several times.

The CHAIRMAN. When you say for "defense," I would like to have you talk a little bit more about that because another witness who, like you, testified under oath and voluntarily, said that speeches were made and Klansmen were told that they had to be prepared because communism would take over and they would be the last to fight for the country, and all that claptrap. In what context, in what way, did they say you had to have guns for defense?

Mr. WILLIAMS. There were several discussions of colored people, known as the Deacons, they claimed was forming in eastern North Carolina and that they were arming to protect the colored people.

The CHAIRMAN. To protect themselves against the colored people?

Mr. WILLIAMS. No, to protect the colored people against the whites. It was discussed they were arming themselves as protectors of the colored people, who were colored people.

The CHAIRMAN. I am not sure I follow you.

Mr. WILLIAMS. There was a band of colored people known as the Deacons.

The CHAIRMAN. The Deacons. I have heard about them.

Mr. WILLIAMS. And they claimed they found out there was a unit of them formed in Elizabeth City and we should be prepared for them if they should come.

The CHAIRMAN. If the Deacons should attack the white people?

Mr. WILLIAMS. Yes.

The CHAIRMAN. I see.

Mr. MANUEL. Do you have any knowledge as to where the Klan and Klan members obtained their weapons?

Mr. WILLIAMS. No, sir; only in different places they could go where you could buy a gun without a permit. On one occasion they took up collections on the floor and sent the money to some man in Norfolk, Virginia, to get Army rifles.

Mr. MANUEL. How much money was collected at that time?

Mr. WILLIAMS. I am not sure, but I heard about \$300.

Mr. MANUEL. Do you know or had you heard they did actually order guns from Norfolk, Virginia?

Mr. WILLIAMS. I heard they did, but I never seen any.

Mr. MANUEL. Did you yourself purchase one?

Mr. WILLIAMS. No, sir.

The CHAIRMAN. I believe you also said that one of the reasons why you joined the Klan was because of something having to do with electing officials who were against integration. Is that correct?

Mr. WILLIAMS. Yes. In every rally that he goes to he is always urging them to start to voting people in office that will be white men, he said, because we need them in office now. He said to start with your little constable on up.

The CHAIRMAN. By that you mean people who believe somewhat like the Klan does?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. Maybe I am putting words in your mouth. What did they say about the election of public officials?

Mr. WILLIAMS. He said: "If you don't believe in mixing races, we want to vote out all of these colored lovers that we have in office."

The CHAIRMAN. You mean white colored lovers?

Mr. WILLIAMS. Well, he didn't come out that way.

The CHAIRMAN. What did he say?

Mr. WILLIAMS. He said he wanted to start down with the little constable and put white men in office.

The CHAIRMAN. Good red-blooded American citizens, according to his thinking?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. I don't know how much they love me, but I will tell you one thing—and I said this on the floor—there was a plan to send a Klansman in my district to defeat me, and the very first witness on the stand was Imperial Wizard Robert M. Shelton, and I read to him a report I had on that score and I told him I welcomed him and challenged him and dared him. Then I had some phone calls, too, though not as bad as yours. But the veil is off and the secret is out, and they just will make a lot of noise. They will not do a thing to me and they will not do a thing to you.

There is a Federal law, and I will read it to you. That Federal law reads—and I will omit words that are unnecessary :

Whoever * * * intimidate[s] * * * any witness * * * in connection with any inquiry or investigation being had by either House, or any committee of either House, or any joint committee of the Congress ; or

* * * * *

Shall be fined not more than \$5,000 or imprisoned not more than five years or both. * * *

Now, you are appearing here under subpoena. You have that Federal law to protect you. Nothing will happen. Don't you worry. I am glad you told that guy, "You know where I am. I will meet you in 5 minutes." Nobody showed up and nobody will show up.

I have said this before, and I will say again, I congratulate you. I think you have shown fortitude and courage and common ordinary guts in coming here and saying what you did, and you are making a great contribution to your country. And I repeat what I said on the floor yesterday, others will follow suit. I am just as sure about that as I am sitting here, and I am very sure the Klans are reducing and I hope and think they soon will be folding up. A lot of the members are not attending meetings, a lot of them are quitting, and that will continue. I appreciate your appearance.

Mr. ASHBROOK. I certainly join in what the chairman said and I would say, in your activities you have had up to this time and many beliefs you have had that we might not agree with, you stand at least 10 feet taller than those members of the Klan who will be derogatory of you.

On the one cited incident of violence you testified to, I would like some amplification. Aside from the specific instructions you received—I believe you said there were eight men appointed to carry out this specific act—was there any indication at that time or later which would lead you to believe this was at the behest of any State or national leaders of the Klan, or was it strictly a local project?

Mr. WILLIAMS. Mr. Edwards told us the Vanceboro Unit wanted this done. When they want a job done, they generally bring somebody else from another unit to do it.

Mr. ASHBROOK. So it would be your impression or understanding that this was done not by your local Klan organization, but at the behest of higher-ups, so to speak?

Mr. WILLIAMS. Yes, sir.

Mr. ASHBROOK. Then there wasn't any repercussion, I believe you stated, insofar as it was not specifically carried out?

Mr. WILLIAMS. No, sir.

Mr. ASHBROOK. That is all I had, Mr. Chairman.

The CHAIRMAN. Mr. Senner.

Mr. SENNER. Mr. Williams, what did you say Harry Ferguson's occupation is?

Mr. WILLIAMS. He is a farmer.

Mr. SENNER. And Edwards?

Mr. WILLIAMS. He was a logger and at the time he was in the Klan he was chief of police of Grimesland.

Mr. SENNER. Who was the justice of the peace?

Mr. WILLIAMS. Louis Tyson.

Mr. SENNER. Is he the individual you identified as the signatory on one of the checks?

Mr. WILLIAMS. Yes.

Mr. SENNER. Is he still a justice of the peace?

Mr. WILLIAMS. Yes.

Mr. SENNER. Is that an elective position or an appointive position?

Mr. WILLIAMS. He is elected.

Mr. SENNER. Has his identity with the Klan been publicly exposed except the speech of the chief of police that was made the other day?

Mr. WILLIAMS. No, sir.

Mr. SENNER. When you talked to Grand Dragon J. R. Jones relative to the possibility of being subpoenaed here, were you subpoenaed in fact by this committee?

Mr. WILLIAMS. Not then.

Mr. SENNER. Not then?

Mr. WILLIAMS. No, sir.

Mr. SENNER. What did Mr. Jones state to you at the time you had the conversation with him?

Mr. WILLIAMS. He said he did not know whether I would be subpoenaed or not, but if I did to get in touch with him and he would tell me what to do.

Mr. SENNER. What was the date of that conversation? What I am trying to establish is whether Mr. J. R. Jones had been subpoenaed at the time you had this conversation with him.

Mr. WILLIAMS. He had been subpoenaed.

Mr. SENNER. He had been subpoenaed?

Mr. WILLIAMS. Yes, sir.

Mr. SENNER. Do you recall the date of the conversation?

Mr. WILLIAMS. No, sir.

Mr. SENNER. But it was the date you were holding a rally?

Mr. WILLIAMS. Yes, sir.

Mr. SENNER. And had you been subpoenaed when you received the telephone call with this threat from David Bunting?

Mr. WILLIAMS. No, sir.

Mr. SENNER. Which was last Sunday?

Mr. WILLIAMS. Yes, sir.

Mr. SENNER. You had not received a subpoena at that time?

Mr. WILLIAMS. No, sir.

Mr. SENNER. And you testified under oath that to your knowledge Charles Edwards is still a Klansman although he is not in the United Klans of America but in the North Carolina Klans?

Mr. WILLIAMS. Charlie Edwards was kicked out of the Klan for misusing money.

Mr. SENNER. Has he joined Catfish Cole?

Mr. WILLIAMS. No.

Mr. SENNER. That is all.

Mr. MANUEL. Mr. Chairman, I would like to make a comment for the record that in going over certain facts with Mr. Williams he has identified for the committee additional Klaverns which operate in the

province he operated in, and I would like to identify the Klaverns he cited for us:

In Pitt County, the Pactolus Unit, of which he was a member.

In Washington County, Plymouth Unit.

In Beaufort County, Belhaven Unit.

In Hyde County, Swanquarter Unit.

In Greene County, Walstonburg Unit.

In Chowan County, a Klavern at Edenton.

I would like also to state for the record that continuing investigation of the activities of the United Klans of America by this committee has established that two individuals whom Mr. Williams touched on, Boyd Hamby and George Dorsett, both former realm officers of the North Carolina Realm of the Ku Klux Klan of America, have been assigned to act as organizers in the State of Florida and are operating out of Titusville, Florida.

The CHAIRMAN. Is Mr. Dorsett one of the Klansmen who has been cited for contempt?

Mr. MANUEL. Yes, sir; and he is also an imperial officer of the United Klans of America.

The CHAIRMAN. Mr. Buchanan.

Mr. BUCHANAN. Mr. Williams, you are obviously a man of honesty and courage and I thank you for your testimony before this committee. Frankly, sir, you have made more sense to me than the entire higher echelon of the United Klans of America put together to date, at least in their statements that have come to my attention.

One of these statements is printed here in a newspaper article I have. This is called the *Fiery Cross* and is supposed to be the official publication of the United Klans of America. It is the first one I have ever seen and may be the first one ever produced, but in it is a story from Mr. Shelton's point of view of the testimony of various members of his organization before this committee. And on the front page is a memorandum from Imperial Wizard Shelton which includes these words concerning the United Klans:

Our dedication to God, our country, our flag, our homes, and our loyalty to the principles of Constitutional Government IS NOT FOR SALE OR OPEN TO NEGOTIATION.

Steadfast in devotion to principles the UKA has been in [sic] now, and forever will be regardless of intimidation, harrassment [sic], name-calling and threats. Ours is a righteous cause, and all the Legions of Hell cannot prevail against it.

Would this, in your opinion, be an accurate picture of the United Klans of America?

Mr. WILLIAMS. No, sir.

(Document marked "George Williams Exhibit No. 8" follows:)

GEORGE WILLIAMS EXHIBIT No. 8

[The Fiery Cross, p. 1]



Memorandum

To: All Members of the United Klans of America
 Subject: THE ROAD AHEAD

HUAC (The House Committee on Un-American Activities), succumbing to the urging of a panic-stricken staff which sees its house of cards crumbling before its very eyes, has voted to recommend contempt citations against me and six other officials of the UKA.

This frantic action was taken in an effort to arm the staff with another weapon of intimidation against witnesses scheduled to appear before the Committee in the future. I confidently predict it will prove to be another dud. Klansmen — with few exceptions — are men of honor and integrity, and regard their oath as sacred.

Only a man who already has the blood of Judas running through his veins will fall for this newest intimidation gimmick and become a pitiful victim of the false promises and look-out-or-the-goblins-will-get-you threats

of the HUAC.

Over the weekend I have been in communication, by telephone and otherwise, with all Dragons and the loyal, dedicated Imperial Officers of the UKA; and instructions are going out — North, South, East and West — to step up, despite adverse winter weather conditions — rallies and public speakings. This is no time to slow down activities.

This is no time to go to sleep at the switch in the struggle against the evils of Communism, Civil Righters' defiance of law and order, draft card burners and other traitors to the principles of government upon which our nation was built.

Now IS THE TIME to re dedicate ourselves — as individuals and as a group — to the objectives which led us to become Klansmen in the first place.

Gird your loins for the continuing fight against International and native-nurtured Communism, regardless of whether it is found in government, honey-combed in Civil Rights Groups, or among card-burning, traitorous draft dodging beatniks. Let's fight, as we have never fought before, for our God-given heritage.

Let no man or group of men be misled into thinking we will be detoured from our course and dedication. Our dedication to God, our country, our flag, our homes, and our loyalty to the principles of Constitutional Government IS NOT FOR SALE OR OPEN TO NEGOTIATION.

Steadfast in devotion to principles the UKA has been in now, and forever will be regardless of intimidation, harrassment, name-calling and threats. Ours is a righteous cause, and all the Legions of Hell cannot prevail against it.

Robert M. Shelton,
 Imperial Wizard.

WE SHALL NOT BE INTIMIDATED

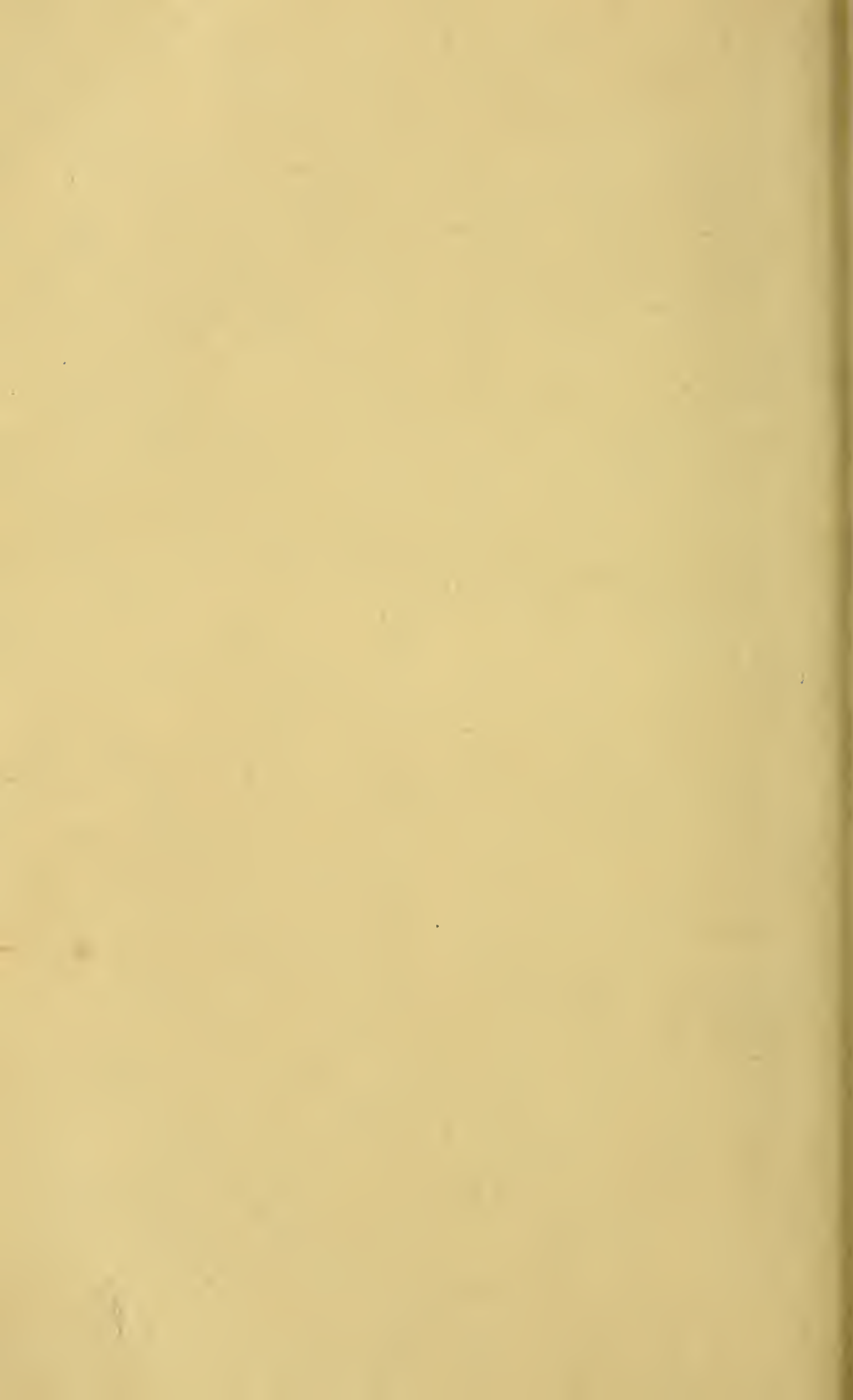
Mr. BUCHANAN. I thank you for your testimony.

The CHAIRMAN. Thank you very much, Mr. Williams. You are excused.

The subcommittee will stand in recess until 10 a.m., Tuesday, February 1, 1966.

(Whereupon, at 4 p.m., Friday, January 28, 1966, the subcommittee recessed to reconvene Tuesday, February 1, 1966.)









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