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United States Senate

COMMITTEE ON THE JUDICIARY

April 29, 1955

*Not Judiciary
Committee
Personnel.
JAD
9/14/60*

Honorable James O. Eastland
United States Senate
Washington, D. C.

Dear Senator:

I hand you herewith a confidential report from the Federal Bureau of Investigation on Peter Maxey.

With kindest regards, I am

Most sincerely yours,

H M Kilgore

no

DECLASSIFIED UNDER AUTHORITY OF THE INTERAGENCY SECURITY CLASSIFICATION APPEALS PANEL.
 E.O. 13526, SECTION 5.3(b)(3)
 ISCAP No. 2010-081, document 1



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON 25, D. C.

April 26, 1955

~~PERSONAL AND CONFIDENTIAL~~
~~BY COURIER SERVICE~~

Honorable Harley M. Kilgore
Chairman
Committee on the Judiciary
United States Senate
Washington, D. C.

My dear Senator:

By letter dated March 17, 1955, Honorable James O. Eastland, Chairman, Internal Security Subcommittee, Committee on the Judiciary, United States Senate, requested an investigation of Peter Maxey. There is enclosed a summary of the inquiries made by this Bureau concerning Maxey.

Extensive efforts have been made to locate the results of the investigation conducted by the Sixth Army in August, 1950, concerning Maxey but to date these efforts have been unsuccessful. These efforts will continue and you will be apprised of any additional information obtained relative thereto.

I wish to advise that the investigation of Maxey covered inquiries as to his character, loyalty, general standing and ability, but no inquiries were made as to the source of his income.

Sincerely yours,

J. Edgar Hoover

Enclosure



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

WASHINGTON 25, D. C.

April 26, 1955

~~PERSONAL AND CONFIDENTIAL~~

PETER MAXEY

I. BIOGRAPHICAL DATA

Birth

Peter Ulysses Maxey was born March 26, 1910, in Winston County, Mississippi, the son of Edward A. Maxey and Eva Munday Maxey. His father was born in 1880 in Mississippi and his mother was born in 1883 in Mississippi and both presently reside at Philadelphia, Mississippi. The investigation disclosed that the appointee has also been known by the name Peter Ulys Maxey and on May 19, 1954, the Superior Court, Clayton County, Georgia, ordered his name changed from Peter Ulys Maxey to Peter (no middle initial) Maxey.

Education

The appointee reportedly graduated from Zama, Mississippi, High School in 1927. Investigation disclosed that the school at Zama, Mississippi, has burned twice since the appointee attended there and no records are available for such attendance. Several persons contacted at Zama, Mississippi, recalled the appointee as having attended school at Zama from 1920 to 1927, at which time he graduated. These persons all highly recommended the appointee for a position of trust, based on their knowledge of him during the time he resided in that community.

He entered Georgia Institute of Technology, Atlanta, Georgia, in September of 1929 and was dropped from the rolls of that school for academic deficiencies on March 15, 1934. He did not receive a degree from Georgia Institute of Technology as his scholastic record

compelled him to leave the school prior to the receipt of a degree. It was noted that he was enrolled in a commercial course which has not been offered by the above school for a number of years and no one was located who recalled the appointee during the above period.

He subsequently attended evening classes at the University of Georgia, Atlanta Division, from January, 1953, to August, 1953, at which time he received a degree in business administration, majoring in real estate. It was noted that he had a satisfactory scholastic record.

Employment

Following the appointee's graduation from Zama High School, he resided for a short time with his father on a farm in Winston County, Mississippi. Although records are not now available to verify same, former fellow employees recalled Maxey as having worked during the approximate period from 1927 to 1929 in the railroad office of the Brown Wood Preserving Company, Brownville, Alabama. They said he voluntarily left the above employment and to the best of their knowledge he had been a satisfactory employee and would be eligible for rehire.

He was reportedly employed from July, 1934, to April, 1935, by the National Furniture Company at Atlanta, Georgia, and Birmingham, Alabama; however, all efforts to verify this employment were unsuccessful.

The appointee's military service record reflects the following military service for Maxey:

April 15, 1935, to October 14, 1935	Civilian Conservation Corps, District G, Florida.
April 10, 1937, to October 15, 1937	Civilian Conservation Corps, Fort Benning, Georgia.
November 16, 1937, to May 15, 1938	Camp Beauregard, Louisiana.

April 10, 1939, to July 20, 1941	District H, Alabama.
July 22, 1941, to June 23, 1942	Camp Livingston, Louisiana.
June 24, 1942, to October 24, 1945	Pacific Theater.
October 25, 1945, to February 13, 1946	Camp Shelby, Mississippi.
February 14, 1946, to August 28, 1947	Kansas Quartermaster Depot, Kansas City, Missouri.
August 29, 1947, to March 9, 1950	Overseas duty, China.
March 10, 1950, to August 1, 1950	Utah General Depot, Ogden, Utah.
August 2, 1950, to March 10, 1951	Patient, Letterman Army Hospital, San Francisco, California.
March 12, 1951, to March 31, 1951	Headquarters, Sixth Army, San Francisco, California.
June 1, 1951, to September 25, 1951	Patient, Letterman Army Hospital, San Francisco, California.
September 25, 1951, to October 15, 1951	En route to new assignment.
October 16, 1951, to March 24, 1952	Atlanta General Depot, Atlanta, Georgia.
March 25, 1952, to April 30, 1952	Patient, Fort McPherson Hospital, Atlanta, Georgia.

May 1, 1952, to August 15, 1952	Patient, United States Army Hospital, Fort Bragg, North Carolina.
August 16, 1952, to October 31, 1952	Patient, Brooke Army Hospital, Fort Sam Houston, Texas.
October 31, 1952	Retired from United States Army.

His Army file reflects that he received efficiency ratings from "excellent" through "superior" for his active military service.

On February 17, 1945, he was awarded the Bronze Star Medal and on October 10, 1948, was awarded the Special Breast Order of Yun Hui with Ribbon by Chiang Chung-Cheng, president of the National Government Republic of China.

His file also contains a report dated June 15, 1951, reflecting the clinical history of Maxey's physical disability. This history indicates in part as follows:

"On July 31, 1950, while in transit from the Utah General Depot, Ogden, Utah, he was admitted to the Hill Air Force Base Hospital. He was admitted at that time because it was feared that he had suicidal tendencies. This was incident to depression because of an allegation of improper advances made by the officer toward an eleven-year-old girl on 8, July 1950 and 16 or 18, July 1950. Prior to the time of the alleged abnormal behavior he had been under treatment at the Utah General Dispensary for episodes of unconsciousness . . ."

The Army Physical Examination Board on September 25, 1952, made the following diagnosis of Maxey's physical condition:

"Epilepsy, psychomotor type, chronic, partially controlled; manifested by episodes involving impairment of consciousness associated with purposeless activities for which the individual is amnesic and repeated electroencephalographic findings of a paroxysmal disorder compatible with a convulsive disturbance."

This diagnosis further described the appointee's condition as:

"Neurotic depressive reaction, chronic, manifested by repeated episodes of despondency, pessimism, difficulty in sleeping, difficulty in concentrating, irritability, psychomotor retardation, somatic symptoms of headache, regurgitation and fatigue."

It was noted that the above diagnosis was considered by the Army Physical Review Council at Washington, D. C., on October 8, 1952, and the findings were approved and the appointee placed on the temporary disability retired list as of October 31, 1952.

On January 15, 1954, after a later physical examination, Maxey was determined to be permanently unfit for duty by reason of a 90 per cent physical disability and effective January 31, 1954, he was retired from the military service with the rank of lieutenant colonel.

In addition to employment with the Army as set forth above, other records checked indicated Maxey was employed from January, 1936, to April, 1937, by the Firestone Tire and Rubber Company, Memphis, Tennessee, and from August, 1938, to April, 1939, by the Goodrich Tire and Rubber Company, New Orleans, Louisiana. Efforts to verify these periods of employment during this investigation were made with negative results.

Investigation at the Atlanta General Depot, Atlanta, Georgia, disclosed that Maxey has been unemployed since his retirement from the Army on October 31, 1952.

Marital Status

The appointee married Mary McKenzie and they have two daughters, Rosemary, born in 1939, and Betty Ann, born in 1943. The appointee's wife was born June 20, 1917, in Scott County, Mississippi, and is the daughter of W. H. McKenzie, Sr., who resides at Forest, Mississippi. Persons

contacted at Forest, Mississippi, said the McKenzie family has resided at Forest for many years and all members of the family have very good reputations as to loyalty, character and associates.

II. RESULTS OF INVESTIGATION

Interviews

The following social acquaintances, references, business associates and others contacted during the investigation recommended the appointee for a position of trust with the Government:

Johnnie B. Poole, sheriff, Attala County,
Kosciusko, Mississippi.

W. H. Norris, deputy sheriff, Attala County,
Kosciusko, Mississippi.

Guy Richardson, principal, Zama High School,
Zama, Mississippi.

Brady Ray, Zama, Mississippi.

Edwin L. Calvin, administrative assistant,
Army Effects Agency, Quartermaster Depot,
Kansas City, Missouri.

Clarence J. Collison, lead foreman,
Transportation Section, Quartermaster Depot,
Kansas City, Missouri.

Eleanor Donahue, secretary to the commanding
officer, Kansas City Quartermaster Market Center,
Quartermaster Depot, Kansas City, Missouri.

Ava Spainhower, supervisor of Correspondence
Section, Kansas City Quartermaster Market Center,
Quartermaster Depot, Kansas City, Missouri.

Esther Loschke, secretary, Chief of Army Map
Service, Kansas City, Missouri.

Michael A. Quinn, 22 West 54th Street,
Kansas City, Missouri.

G. W. Swanson, bookkeeper, Brown Wood
Preserving Company, Brownville, Alabama.

William Ellis, #7, Princeton Heights,
Tuscaloosa, Alabama.

Mrs. De Etta Jones, businesswoman,
Forest, Mississippi.

Arthur Craig, businessman, Forest,
Mississippi.

R. L. Thompson, Jr., cashier, Farmers
and Merchants Bank, Forest, Mississippi.

Howard McCrory, city marshal, Forest,
Mississippi.

Mrs. Georgia Sharpe, businesswoman,
Forest, Mississippi.

Thomas Laird, businessman, Morton,
Mississippi.

D. R. Ott, president, Bank of Morton,
Morton, Mississippi.

Robert Cargile, soil conservationist,
Post Office Box 98, Greensboro, Alabama.

Leon J. Brackin, former first cook with
the Civilian Conservation Corps Camp,
Linden, Alabama.

Fred Etheridge, former private with the
Civilian Conservation Corps Camp, Linden,
Alabama.

James Quinney, former enlisted man in charge of the Post Exchange at the Civilian Conservation Corps Camp, Linden, Alabama.

Mrs. W. J. Bookholt, 2275 North Decatur Road, Atlanta, Georgia.

H. Simmons, 2227 North Decatur Road, Atlanta, Georgia.

Colonel Frank E. Marchman, Atlanta General Depot, Atlanta, Georgia.

Mrs. William M. Stealey, secretary to the commanding general, Atlanta General Depot, Atlanta, Georgia.

Colonel R. W. Skinner, executive officer, Atlanta General Depot, Atlanta, Georgia.

Mildred E. Guibor, unit supervisor, Army Records Center, Kansas City, Missouri, said she had worked under the appointee for approximately three months. She said she had no reason to question his loyalty and was not acquainted with any of his associates. Mrs. Guibor said the appointee probably did a good job but he had "none of the qualities I admire." She elaborated on this point by stating that Maxey terminated the employment of older employees and retained the younger employees with less time in Government service. He expected the older employees transferred into his department to learn to do the job in thirty days when the time would ordinarily require a year to properly learn the job. She said for the above reasons she considered Maxey to be "unfair."

Colonel Luther Frierson, 97 Midlawn Drive, Atlanta, Georgia, described the appointee as a person with a very excitable nature who constantly complained of some physical disorder which in his, Colonel Frierson's, opinion was purely imaginary. He said he would not recommend the appointee for any position and certainly not for a position of trust with the Government as he does not believe Maxey could handle a position without constant supervision and would not be able to bear up under pressure in a responsible position.

Allegation Involving Improper Action by Appointee at Utah General Depot

Lieutenant Colonel James A. Mercer, Utah General Depot, Ogden, Utah, said he had known the appointee during the time he was assigned to that depot in 1950. He said his work did not bring him into close association with Maxey and he knew nothing concerning his ability, but that from his personal experience he would not recommend him for any position of trust or responsibility.

He said in the Summer of 1950, his daughter, Norma Mercer, aged twelve, attended a birthday party given for the daughter of one of the other officers. This party was held at a picnic area where the swimming pool is located on the depot and the girls were taken to this location by Maxey. A week or ten days following the party, Norma told him Maxey had taken her away from the area where the party was being held to a nearby location secluded by trees and underbrush. Colonel Mercer said his daughter told him Maxey fondled the upper part of her body and attempted to remove the shoulder straps of her swimming suit from her shoulders. She said she became frightened, broke away from Maxey and ran back to the other girls at the party. She indicated at the time that she did not report the incident sooner because she was afraid.

Lieutenant Colonel Mercer said he reported the information to the commanding officer, Colonel Holbrook,

and an immediate investigation was made by a Major Tobin who was then provost marshal of the depot. He said his daughter received information from two of her girl friends who were also daughters of officers, names not recalled, that Maxey had also made improper advances toward them and it was his understanding these girls had furnished information concerning Maxey to Major Tobin during his investigation. He said he did not know what record was made of the investigation but that as soon as it was concluded Maxey was taken to Letterman Army Hospital. In conclusion, Lieutenant Colonel Mercer said it is his understanding the appointee was suffering from some type of mental illness while at the depot.

The records of Letterman Army Hospital, San Francisco, California, were checked and found to contain identical information with that previously set forth in this summary.

Major General F. C. Holbrook, commanding officer, Fort Lee, Virginia, said during 1950 he had been commanding officer of the Utah General Depot, Ogden, Utah, and Maxey had been his executive officer for several months. He said Maxey became unconscious spontaneously on several occasions while at the depot and during the middle of 1950 an allegation was received that Maxey had been involved in improper conduct with two or three small girls. General Holbrook said he had an investigation conducted and was convinced Maxey had indecently fondled the little girls. He said the investigation by Major David P. Tobin resulted in statements being taken relative to the above acts and the information was made available to the judge advocate general of the Headquarters, Sixth Army, San Francisco, California. The judge advocate general's office subsequently advised court-martial proceedings should not be instigated until Maxey received a mental examination.

General Holbrook pointed out that Maxey had received psychiatric treatment at the Hill Air Force Base Hospital, Ogden, Utah, prior to the above allegations and after the commission of the acts was sent to Letterman Army Hospital. He said Maxey was retired from the service.

General Holbrook also pointed out that although Maxey was not executive officer under him for a very long time he did notice that Maxey appeared to be unable to remember orders given him. He said he could not recommend Maxey for a position of responsibility in view of the above information.

The investigation disclosed that Major David P. Tobin is presently overseas and is attached to the Headquarters, 8068 Army Unit, Army Post Office 719, San Francisco, California.

A confidential source, who is a high-ranking Army officer, said he was acquainted with the appointee for a short period of time in 1954 but does not feel qualified to comment concerning his character, associates or loyalty. He did point out, however, that he had heard of the above-cited incident involving Maxey at the Utah General Depot and may have been overly suspicious of his activities because of this background information. However, he said in June of 1954 he witnessed an incident in front of the residence of Maxey at the Atlanta General Depot wherein a young girl, aged nine or ten, had fallen in the street. This source said he observed the appointee run from his residence to assist the girl and it appeared to him that the appointee was improper in assisting the girl from the street and in helping her to her feet in that he spent a considerable length of time in brushing her off and apparently attempted to escort her into his home. The girl refused to so accompany him.

Incident Involving Maxey at Atlanta General Depot

Major General F. C. Holbrook, previously referred to, said when he arrived at the Atlanta General Depot as commanding general in April, 1953, housing had been secured for him and the appointee was his next-door neighbor. He said a series of events occurred shortly after his arrival at the depot, the first of which involved the appointee's

refusal to comply with a base regulation that all dogs be on a leash. Later, the appointee had two automobiles and kept one of them parked on a traffic circle which was forbidden by traffic regulations. The appointee was contacted by the provost marshal on several occasions in an effort to have him park his car in the driveway but Maxey refused to comply. Holbrook said his executive officer then contacted Maxey and Maxey told him he would not move his car.

General Holbrook said he personally contacted Maxey concerning the car and Maxey became very abusive and ordered him from the premises. General Holbrook said the appointee then contacted the commanding officer of the Third Army at Fort McPherson, Georgia, and made several accusations concerning him, Holbrook. He said as a result of this complaint an investigation was made by the Inspector General's Division of the Third Army.

General Holbrook said he believed the appointee felt that he, Holbrook, had been closely observing him because of the incident which had occurred at the Utah General Depot and was very bitter toward him.

A confidential source, who is employed by the United States Army in a responsible position, recalled the incident involving Maxey's refusal to park his automobile in the correct area of the Atlanta General Depot. He said Maxey's car was towed away on instructions from the commanding officer and Maxey took the incident as a personal affront and felt that a grudge was held against him by the commanding officer. He said an argument ensued which nearly resulted in physical blows being struck by the two men. This source said in his opinion and from conversations held with the appointee, Maxey is mentally unstable, irrational at times and holds the opinion he is being persecuted by everyone.

The files of another Government agency reflect that an investigation was conducted in March, 1954, arising out of the above incident. The appointee alleged that General Holbrook came onto his property, called him outside the house, uttered curse words to him in front of his children and guests, shoved him against the wall and threatened to strike him. He also alleged he smelled whiskey on General Holbrook's breath at the time of the incident. The file reflects that after a lengthy investigation the following conclusions were reached:

- (1) Maxey was insubordinate and disrespectful to Brigadier General Holbrook.
- (2) Maxey refused to obey a direct order given him by General Holbrook to move an illegally parked automobile.
- (3) Maxey and his wife have failed to cooperate or abide by local rules on several occasions in the past.
- (4) Brigadier General Holbrook was not intoxicated as alleged by Maxey.
- (5) Brigadier General Holbrook did not use profane or obscene language in the presence of Maxey's daughters.
- (6) Maxey's allegation that Brigadier General Holbrook pushed him around physically could not be resolved but probably is untrue.
- (7) There is no evidence that Brigadier General Holbrook discriminated against Maxey in any manner at any time nor did he exceed his authority by having Maxey's car impounded.

(8) Maxey made two false and malicious allegations against Holbrook.

Agency Checks

The records of G-2, Department of the Army, reflect that a partial background investigation was completed on Maxey in September, 1948, during which no information was developed reflecting adversely on his character, reputation or loyalty.

The records of the Investigations Division, United States Civil Service Commission; House Committee on Un-American Activities and the central files of the Federal Bureau of Investigation were checked and found to contain no record or no additional pertinent information concerning Maxey.

Credit and Criminal

The records of the law enforcement agencies and credit bureaus covering the places of residence, education and employment of the appointee in the United States were checked and found to contain no unfavorable information concerning him.

Relatives

The investigation disclosed the appointee has the following immediate relatives in addition to his wife and two daughters:

Father, Edward A. Maxey, Philadelphia, Mississippi.

Mother, Eva Munday Maxey, Philadelphia, Mississippi.

Sister, Mary Lucille Retherford, Prichard, Alabama.

Sister, Mrs. George (Margaret) Bridges,
Attala, Mississippi.

Sister, Mrs. H. C. (Ruby) Blue, Fabrica-
Occidental, Negros, Philippine
Islands.

The records of the law enforcement agencies and credit bureaus covering the present place of residence of all of the appointee's immediate relatives residing in the United States were checked and no unfavorable information concerning any one of them was obtained.

E.O. 13526, section 3.3(b)(1)

In addition, the records of the [REDACTED] [REDACTED] were checked with reference to the appointee's [REDACTED] and no pertinent identifiable security information concerning [REDACTED] was obtained.