

File #:

DO NOT  
DESTROY  
FOIPA# N/A

62-HQ-116395

Serial Scope:

943

62-116395-943

1

SENATE SELECT COMMITTEE  
REQUEST, SEPTEMBER 8, 1975

ITEM 36

RETAIN

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 12/20/00 BY SP2 ALM/1976

su  
943

FBI

Date: 6/26/64

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

Via AIRTEL AIRMAIL  
(Priority)

TO: DIRECTOR, FBI (100-3-116)  
FROM: SAC, ATLANTA (100-6520-A) (P)  
RE: COMMUNIST PARTY, USA  
NEGRO QUESTION  
COMMUNIST INFLUENCE IN RACIAL MATTERS  
IS-C

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 12/20/00 BY SP-2 ALM/STC

Re Bureau airtel to Atlanta, Charlotte, Mobile dated 6/25/64.

Enclosed herewith for the Bureau is a copy of the 6/19/64 issue of "The Herald".

Copies have been made for the Atlanta Office.

REC 14 100-3-116-1696

cc: 810RB  
3- Bureau (Enc. 1) (RM)  
1- Charlotte (Info)  
1- Mobile (100-10F)  
1- Atlanta (100-6520-A)  
CSH:elt  
(6)

Handwritten initials and date: 7/12/64 SPP/elt

JUN 29 1964

ENCLOSURE  
ENCLOSURE ATTACHED

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

C. Wick  
Approved: [Signature]  
Special Agent in Charge

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

**Crooked AME Bishops Are Protected;  
The Good Ones Framed And Suspend**

SEE STORY PAGE 2

A  
**LEE**  
Publication

THE  
**HERALD**

**15¢**  
Pay No  
More

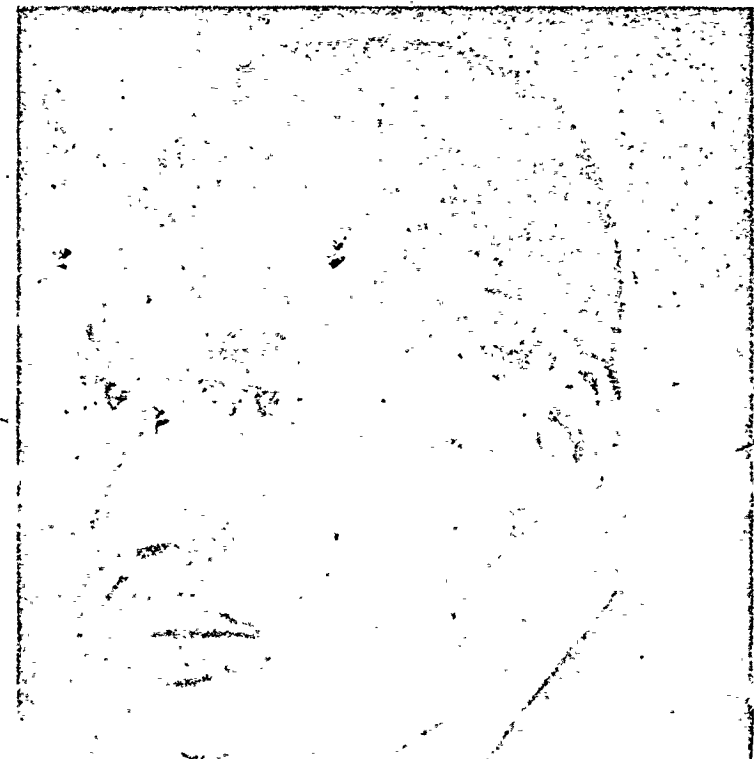
*South Carolina's Oldest Negro Newspaper*

VOL. 6 NO. 38

ANDERSON, SOUTH CAROLINA,

JUNE 19, 1964

**MARTIN LUTHER  
KING, JR. TAKES**



# Dr. Martin Luther King Jr. Rev. Ralph Abernathy

How The Dr. Martin Luther King, Jr., of Atlanta took a beautiful young lass to San Juan, recently for a brief vacation and how The Rev. Ralph Abernathy, Vice-president and Treasurer of King's Southern Christian Leadership Conference, seduced a 15 year old girl, who was a member of his church, has just been revealed.

A Miami, Florida employee of this newspaper was at the airport in Miami and saw The Dr. Martin Luther King, Jr. and his cutie when they boarded the airliner for San Juan.

How The Rev. Ralph Abernathy seduced her at age 15, while she was a member of his church, was sworn to by Mrs. Vivian McCoy Davis, as a witness for her husband who chased the noted pastor with a hatchet because he continued to annoy his wife.

Mrs. Davis declared when asked this question: "Did he ever have physical or sexual relations with you? Answer: "Yes, Sir".

Question: "Did he have normal relations or abnormal relation?"

Answer: "Both".

THE TELEGRAM is printing for the first time a transcript of the entire testimony of Mrs. Davis. It is sordid, it is shocking, but it is true. Read every word of it. We invite Rev. Abernathy to sue us if it is not true.

This testimony was given in The Circuit Court of Montgomery County, Alabama, November Term, 1958, before Judge Eugene W. Carter, Circuit Judge and a struck jury. Following the attack upon The Rev. Abernathy by Edward Davis, a school teacher in Butler County, JET MAGAZINE ran a libelous article about the incident in the September 18, 1958 issue.

and Mr. Davis sued the magazine for \$100,000 (One Hundred Thousand) in the same Circuit Court. JET paid off after the verdict had been appealed to The Alabama Supreme Court.

Mrs. Davis reported Rev. Abernathy's continued annoyance to her husband, and when Mr. Davis was arrested by The Montgomery City Police for assaulting him with a hatchet, she appeared in court and gave the following testimony:

TRANSCRIPT OF TESTIMONY OF VIVIAN McCOY DAVIS, a witness for the defendant.

VIVIAN McCOY DAVIS, having been duly sworn, was examined and testified as follows:

DIRECT EXAMINATION  
BY MR. KNABE:

Q This is Vivian Davis?

A Yes, I am.

Q And what was your name before you became Davis?

A Vivian McCoy.

Q Did you see the girl who was on the stand just before you got on?

A Yes, I did.

Q Now, who was she?

A Bernice Cooper Davis.

Q Could you speak louder so these gentlemen over here can hear it?

A Bernice Cooper Davis. She was Bernice Cooper at that time.

(Continued next page)

REIGNS OVER F  
Helen Miller wore  
nity's sweetheart



JOHN JOHN SAL  
year-old son of t  
father's grave in  
Friday. Mrs. Kenn  
neddy took her chi  
the grave on the 4

## 17 Jail Suffoca

L. O'OLDVILLE. 7  
prisoners died of suffoc  
windowless cell in the  
Ditu, the Congolese pre

# THE HERALD

A LEE PUBLICATION

Published twice monthly at 407 Butler Street, Anderson, S. C. by Lee Publications, Phone C-1752.

Subscriptions: 1 year--\$6.00; 6 months \$3.50  
8 issues \$1.00; Single copy, 15 cents.

VOL. 6 NO. 38 JUNE 19, 1964

## Abernathy Case Con't.

(Continued from page 3)

church, and in turn we went over there on Clark Street.

Q You and he went together?

A That's right.

Q How did you go?

A In his car.

Q And he parked his car in front of this house?

A No, he didn't.

Q Where did he park it?

A He parked it in the driveway.

Q In the driveway?

A Yes, sir.

Q And then the two of you went in the house?

A That's right.

Q Was there anybody in the

Q Well, when did he first ask you to go over there and have intercourse with him?

A He asked me the night we went out when we came from Birmingham to this so-called tea, but I didn't go and we went our riding.

Q He asked you would you have intercourse with him when you went out riding, you tel us, on the Atlanta Highway?

A Yes, sir. He wanted to take me over there then.

Q He wanted to take you over there then?

A He wanted to take me on Clark Street that night, but I didn't go, and in turn we went out on the Atlanta Highway riding.

Q Did you have intercourse with him out on the Atlanta Highway?

A No, sir, I didn't.

Q Then did he ask you that night to go to the house on

back to the church, or where did he take you?

A He didn't take me back to the church, he took me - I got out of the car at the corner of Union and Alabama.

Q Now, how close is that to your house?

A My house is the second from the corner, the second house form the corner.

Q Let you out around the corner from your house?

A Yes, sir.

Q Let me ask you this. Were you going with the defendant at that time?

A Yes, I was.

Q In 1952?

A Yes, sir.

Q When did you get married?

A I got married in December of '55.

Q That is three years later?

A About that.

Q Two years later?

A Yes.

Q All right. Now, you testified that you had a normal intercourse sometime in August at this house on Clark Street. That was the first time?

A Yes, sir.

Q Did you go back to that house again?

A Yes, sir, I did.

Q When?

A The same month, in August. I went there three times that August.

Q You went there three times that August?

A Yes, sir.

Q Went into the same house?

A Same house.

Q Was he expected, were both of you expected by the owner of the house each time?

A I imagine so. He had al-

A No.

Q None whatever?

A No, I haven't.

Q Have you ever been out with him alone since August of 1952?

A No, I haven't been out with him.

Q You haven't been out with him?

A No, sir.

Q Now, when did you first tell your husband about this?

A I told my husband about it approximately a year after we were married.

Q About a year after you were married, and you were married, I believe you told us, you would say in 1956?

A That is right. I remember vividly we went to New Orleans on a second honeymoon.

Q Well, now, according to your testimony did Rev. Abernathy start running after you again, telephoning you again?

A He hasn't ever stopped.

Q He hasn't ever stopped?

A No, sir. He has been to my house. He came there in '52, and came there in '54 when Bernice Cooper Davis was living with me, and she was in bed one night, her mother was in Washington, and he came by and I was ordering him out of the house and she awakened and found him in there, and he had his arms around me.

Q And that was what year?

A And that was in '54 or '53 - '53, because she went to Washington both times twice, and during that period he was coming by here, and he would

### A LEE PUBLICATION

A Well, I don't know.

Q Where did the hatchet come from?

A I don't know.

Q Have you ever seen this pistol before?

A No, I haven't seen it until - it was in the car pocket.

Q It was in the car pocket?

A It was in the car. My husband traveled, you see.

Q Did he have a license to carry it?

A Well, I don't know. (Objected to. Objection sustained)

Q Have you ever seen that hatchet before?

A No.

Q Never have seen it?

A No, sir. I saw it in Police Court.

Q You had never seen it before that?

A No. I haven't seen it either.

Q I ask you if that is his pistol, you know that is his pistol don't you?

A Yes, sir. He traveled, and he had it in the car pocket.

### RE-DIRECT EXAMINATION BY MR. KNABE:

Q You tell the jury there when you reached the age of fifteen you haven't had anything to do with Rev. Abernathy?

A No, I haven't.

Q You haven't been with him any in public since then including August 29th, 1958?

A No, sir, I haven't.

A Yes, there was.  
 Q Who was there?  
 A Mrs. Davis.  
 Q What is her first name?  
 A I said Mrs. Davis. It is C.  
 O. Davis.  
 Q Well, what did you and Robert Abernathy tell her?  
 A Well, he had already made the reservations.  
 Q Made the reservations?  
 A Advance notice.  
 Q What do you mean by advance notice?  
 A He had already contacted her.  
 Q He had already contacted her.  
 Yes, sir, he had.  
 Q Did he say anything to her when you walked in, did he knock on the door?  
 A Yes, he did.  
 Q And when you walked in what happened then, what did he say to her?  
 A He asked her how was she getting along.  
 Q What did she say?  
 A She said she was fine.  
 Q Then what did he say?  
 A Well, he just told her that he came there, he had brought me over there.  
 Q He brought you over there?  
 Yes. And he introduced me to her.  
 Q He introduced you to her?  
 A Yes, sir.  
 Q All right. What did you all do then?  
 A We went in the room.  
 Q Living room, bedroom?  
 A No. Bedroom.  
 Q In the bedroom?  
 A Yes, sir.  
 Q Now, did you know what you were going over for?  
 A Yes, sir.

Clark Street with him?  
 A He asked me that same night to go to the house on Clark Street.  
 Q Well, what did you tell him?  
 A I told him no.  
 Q All right. When did you tell him you would go?  
 A Well, I didn't tell him I would go that night. It was three times during that month.  
 Q Do you mean he asked you three times during that month?  
 A No, he didn't. On several occasions on the telephone and several times coming to my house asking me.  
 Q Asked you to go with him to this house over on Clark Street?  
 A Yes, sir, he did. And finally we got together, and he called my mother and asked her could I do some typing for him, and which was an excuse.  
 Q So you and he went in the bedroom?  
 A Yes, sir.  
 Q And you knew what you were going in there for?  
 A I guess so.  
 Q And did both of you get undressed?  
 A Yes.  
 Q Get in bed?  
 A Yes.  
 Q Did you have normal sexual relations with him on that occasion?  
 A Well, he did, yes.  
 Q What?  
 A Yes, sir.  
 Q How long were you at the house on this occasion?  
 A About an hour, or an hour and a half, something like that.  
 Q And then did he take you


we were coming.  
 Q Each time?  
 A Yes, sir.  
 Q In other words, she didn't seem surprised to see you?  
 A No, sir, she didn't seem surprised.  
 Q Did she know who you were?  
 A Yes, sir, she did. They were very close friends.  
 Q Now, you say that you have had both normal and abnormal intercourse?  
 A Yes, sir.  
 Q Where did you have the abnormal intercourse with him?  
 A The three occasions.  
 Q On all three occasions?  
 A Yes, sir.  
 Q Well, now, what do you mean by abnormal sexual intercourse?  
 A Pervertedness. He used his mouth.  
 Q He used his mouth?  
 A Yes, sir, he did.  
 Q On your private parts?  
 A Yes, sir.  
 Q Now, did he do that, you say, on each of the three occasions?  
 A No, sir.  
 Q Well, was that after he had had a normal intercourse with you?  
 A No, sir, it was before.  
 Q It was before he had a normal intercourse?  
 A That's right.  
 Q In other words, each time he used his mouth on you before and then he had a normal intercourse?  
 A That's right.  
 Q Now, that happened three times in August of 1952?  
 A Yes, sir.  
 Q Now, has he ever had intercourse with you since then?

come down there and try to get me to go out with him, but I told him that I had made the mistake, and I realized the mistake and that I didn't intend ever to go out with him again.  
 Q All right. Now, let's get down to this picnic that you and your husband went out on. You went out and got drunk, didn't you?  
 A Yes, sir.  
 Q And you got real drunk, didn't you?  
 A I wasn't out.  
 (Objected to. Objection overruled)  
 Q How much beer did you drink out there on the picnic?  
 (Objected to. Objection sustained)  
 Q Where did he get that pistol he pulled on Rev. Abernathy?

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes of testimony taken by me upon the trial of the above cause, and that this transcript is a true and correct copy of the same.

W. Hallowell Lewis  
 Official Court Reporter  
 Fifteenth Judicial Circuit  
 of Alabama.

Edward Davis was acquitted for chasing and striking Rev. Abernathy with the hatchet. He and his wife now live in Montgomery.

19	11	66	14
			
167	724	146	
DAILY FORECASTER			
16	38	29	



# Abernathy Case Con't.

(Continued from page 2)

Q Now, you say at that time, what time do you mean?

A When she was living with me.

Q Did she used to live with you?

A Yes, she did.

Q Did she know Abernathy at that time?

A Yes, sir, she did.

Q Did Abernathy know her?

A I am sure he did. He come to our house and he was acquainted with her.

Q Now, did Abernathy date you at any time?

A Yes, sir, he did.

Q Did he ever have physical or sexual relations with you?

A Yes, sir.

Q Did he have normal relations or abnormal relations?

A Both.

Q Both?

A Yes, sir.

Q Now, did you ever tell him that you wanted him to stop getting in touch with you?

A Yes, sir, I did.

Q Now, when was the last time? Let us just take the summer of 1958. I believe your husband went off to school, did he not?

A Yes, sir, he did.

Q Now, before he went off to school were you with him at any time when he had a conversation with Abernathy?

A Yes, sir.

Q Can you tell us where that occurred?

A It occurred at his house, and it occurred in - out at Loveman's in Normandale.

Q You say that there was time out at Loveman's?

A Yes, sir, it was.

Q Was it inside of Loveman's or out in front?

A It was out in front.

Q Now, who was there at that time?

A His wife.

Q And by his wife you mean Rev. Abernathy's wife?

A Rev. Abernathy's wife.

Q Abernathy's wife and Abernathy, and who else?

A And my husband.

Q Edward and you?

A Yes, sir.

Q You four?

A Yes, sir.

Q Were you all standing together talking?

A No.

Q Well, how were you arranged?

A Well, we met up in the store and he spoke, and I went over to look at some women's apparel and my husband went outside, apparently Rev. Abernathy went outside and I started out the door. His wife and myself, we were inside talking, and they were on the outside, and when I started out he was talking to Rev. Abernathy and I looked and went back inside.

Q Did you come up to them as they finished their conversation?

A No, I didn't.

Q And did you talk to anybody while they were talking, or did you just stay inside?

A I was inside talking to his wife, and she went outside.

Q Now, at the time that he married; that is Abernathy, I believe you were in the wedding, were you not?

A Yes, sir, I was.

Q Who asked you to be in the wedding, did he ask you or did his wife ask you?

A He asked first.

Q Did you know his wife?

A No, I didn't.

Q Did he live here in Montgomery?

A No, she did not.

Q Now, when he first started going with you and having these relations both proper and improper, how old were you?

A I was fifteen.

Q Fifteen at that time?

A Yes, sir.

Q Now, after this conversation that occurred out in front of Loveman's in Montgomery when was the next time that he contacted you or that you got in touch with Abernathy?

A He contacted me during the summer of '58 when he was in town this past June, July and August.

Q Now, when is the last time he contacted you before this occurrence?

A He contacted me on August 29th.

Q That is the day - - -

A That is the day that this incident occurred. The incident took place.

Q Now, about what time of day did he contact you?

A He called me approximately at two o'clock in the

afternoon.

Q And now, what went on in that conversation?

A He called and he said he had been trying to get in touch with me, and he asked me where I had been, and I told him I had been out of town, and at that time I told him, I asked him kindly not to call me again. And I said, "I told you, I told my husband, and he had told you also that I told him," and at that time I hung up in his face.

Q And then what happened after that?

A My husband was at a meeting.

Q Your husband was not home at that time?

A No, he was not at home.

Q And when did he come home?

A He came home about fifteen minutes after, about two-fifteen.

Q Then what did you and your husband do?

A We went out on a picnic.

Q And did you during that picnic any time during that afternoon tell him about this telephone call?

A Yes, I did.

Q Now, referring to that time, prior to August the 29th, when is the last time before that he had called you?

A He phoned me approximately about the 4th of August, I imagine.

Q And at that time what was your conversation?

A He asked me what was going on between me and my husband, he wanted to know, and how I had been getting along, and why can't I see him. Well, I didn't want to discuss with him those things because I had asked him not to contact me again and I didn't have any further use to talk to him.

Q I show you a picture that is marked for identification the Defendant's Exhibit No. 4 and ask you if you recognize that picture?

A Yes, I do.

Q What is that a picture of?

A That is a picture of a house, and that is the house that we went to.

Q Is that house located in the City of Montgomery?

A Yes, it is.

Q Do you know about where it is located?

A Yes, I do.

Q Do you know whether that is C. O. Davis, or not?

A I am pretty positive.

Q Is she a little woman, middle sized woman, or what?

A She is large.

Q You recognize this picture?

A Yes, I do.

Q What is that a picture of?

A That is a picture of a convention in Birmingham that I attended.

Q Where did you get this picture?

A I received that picture from him on the night we went out in Birmingham.

Q The night you went out in Birmingham?

A Yes, sir.

Q Now, just tell us what happened that night when you went out in Birmingham.

A On the night we went out in Birmingham I was on my way home, Rosemond Lowe and myself, we were asked to go out on a dinner date that night with the Rev. Abernathy and the Rev. James Dixon.

That night they came and picked us up at the house where we were living, and we went to the Afro Club in Birmingham.

Q Afro Club?

A That is right.

Q Where is that located?

A It is in some part of Birmingham.

Q Go right ahead. Now, what happened then?

A We went in and we had a couple of beers.

Q Now, that was the time when you were in Birmingham?

A Yes.

Q And you say that Abernathy was with you at that time?

A Yes, sir.

Q Now, when you came back from Birmingham did he very shortly after that or immediately after that get in touch with you again?

A No. He asked me to go out to a tea with him that night. This all was the night we got in from Birmingham.

Q The night when you got in from Birmingham, that was when you were fifteen years old?

A Yes.

Q He asked you to go out to a tea with him?

A Yes, sir.

Q All right. Now, what happened then, did you go?

A Well, I thought it was supposed to have been a tea, he

come and we rode out on the Atlanta Highway, and I haven't seen him since.

Q How late did you stay out that night?

A It was ten-thirty, about.

**CROSS EXAMINATION**

BY MR. THETFORD:

Q Vivian, you say Bernice is named what now?

A Bernice Cooper Davis.

Q Now, is she kin to this defendant?

A No, she isn't.

Q Is she related to him, or is her husband any kin to him?

A No, sir.

Q Now, you testified, I believe, that - I don't know whether you did testify - when did you first know Rev. Abernathy, what year?

A It was in '52 or '51, I imagine, when he came to the First Baptist Church. I am not sure what year it was he came there. But the first time he made approaches to me was in Birmingham in '52, July of '52.

Q Now, how old were you in 1952?

A I was fifteen then at that time.

Q Fifteen?

A Yes, sir.

Q Now, you testified that you had intercourse or sexual relations with Rev. Abernathy on several occasions?

A Yes, sir.

Q When and where did you first have relations with him?

A At the house on Clark Street.

Q The house where?

A On Clark Street.

Q House on Clark Street?

A Yes, sir.

Q Is that the house that you - - -

A That picture I just testified, the first picture I identified.

Is that the picture you pointed out?

A Yes, sir, it is.

Q Do you remember what month that was in?

A It was in August of '52.

Q August of '52?

A Yes, sir.

Q Now, did he come to your house and get you?

A No.

Q Did you meet him there?

A No.

Q How did you happen to get there?

A He called my mother and asked her to let me do some typing for him, which was the excuse, and I went up to the

(Continued next page)

SENATE SELECT COMMITTEE  
REQUEST, SEPTEMBER 8, 1975

ITEM 37

#mDR/6  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 12/20/00 BY SP-2 ALM/BJK

SAC, Atlanta (100-6520)

July 14, 1964

Director, FBI (100-3-116)

PERSONAL ATTENTION

COMMUNIST PARTY, USA  
NEGRO QUESTION  
COMMUNIST INFLUENCE  
IN RACIAL MATTERS  
INTERNAL SECURITY - C

1 - Mr. Phillips

#mde16  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 12/20/00 BY SP-2 ACM/JFS

Reurairtel 6/26/64 which furnished the Bureau a copy of the 6/19/64 issue of "The Herald." Copies were maintained by your office. The indicated issue contained data concerning a reported court action against Reverend Ralph Abernathy which took place in Alabama apparently in 1958, and which apparently involved the alleged seduction of a 15-year-old girl.

Your airtel 6/18/64 and other recent communications from other offices in above caption contained additional data concerning the reported Abernathy involvement in a court action.

REC-44 100-3-116-1714

The Bureau desires to obtain the fullest factual information available relative to the reports <sup>July 15, 1964</sup> received concerning Abernathy's escapades. Noting the apparent disreputable nature of the newspaper in question and its publisher, it is imperative that factual data be obtained from original sources. You are, therefore, instructed to furnish the Bureau information available from your files concerning Abernathy's reported involvement with a 15-year-old girl. You should also request the appropriate office to obtain full court records, including transcripts of testimony, so that the fullest facts obtainable may be in the hands of the Bureau. Of course, no action should be taken which might cause embarrassment to the Bureau. This matter must be handled in a most discreet fashion and your instructions to any offices being furnished leads in this matter should contain such caution. This matter should be handled on a need-to-know basis in your and other offices.

SFP:lat:mlf

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

MAILED 6  
JUL 15 1964  
COMM-FBI

son \_\_\_\_\_  
mont \_\_\_\_\_  
r \_\_\_\_\_  
per \_\_\_\_\_  
tation \_\_\_\_\_  
rad \_\_\_\_\_  
each \_\_\_\_\_  
ns \_\_\_\_\_  
en \_\_\_\_\_  
yan \_\_\_\_\_  
ter \_\_\_\_\_  
Room \_\_\_\_\_  
res \_\_\_\_\_  
by NW 55278

SENATE SELECT COMMITTEE  
REQUEST, SEPTEMBER 8, 1975

ITEM 39 .

#MDR/6  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 12/20/00 BY SP2 A/m/85

Sen 943

UNITED STATES GOVERNMENT

# Memorandum

*MPK*

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

TO : Mr. Belmont

FROM : C. A. Evans

SUBJECT: DR. MARTIN LUTHER KING, JR.  
INFORMATION CONCERNING

DATE: 2-6-64

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 12/20/00 BY SP2 ALM/116

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized persons without the express approval of the FBI.

UNREC COPY AND COPY OF ENCL FILED IN 101-3-116

Reference is made to Mr. DeLoach's memorandum of 2-5-64 in which he reported a conversation he had had with Ed Guthman of the Department concerning letters to members of Congress dealing with Martin Luther King. In this connection the Director has inquired as to my activities with regard to clearance of such communications.

The only letter which I had anything to do with clearing was one from the Attorney General to Senator Richard B. Russell dated 11-1-63. The circumstances surrounding this are as follows: Shortly after noon on 11-1-63 Assistant Attorney General (AAG) Marshall furnished to me the Department's file of correspondence with Senator Russell concerning the association of King with Hunter Pitts O'Dell. A proposed letter to Senator Russell for the Attorney General's (AG) signature dated 11-1-63 was attached. Marshall said he and the AG had discussed the proposed letter with the President. Marshall asked us to consider the language in the proposed letter to Senator Russell to determine if it would jeopardize our informant or otherwise interfere with our investigation of communist matters.

Since time was of the essence I took the proposed letter to Mr. Belmont's office and discussed it with him. We concluded that there were definite objections to the letter as it was written as it specifically referred to sensitive sources available to the FBI. A memorandum was prepared recommending changes in the letter. (This memorandum is attached.)

After the Director's approval had been secured, Marshall was recontacted and the undesirable language discussed with him. He said he could see our point but since the letter had been discussed with the President he thought we should go up together to

- Enc.
- Mr. Mohr
  - 1 - Mr. DeLoach
  - 1 - Mr. W. C. Sullivan

FEB 8 2 28 PM '64 REC-53

100-106670 307

MAR 3 1964

ENCLOSURE

CAE:tjm  
(8) ROX

MAR 3 1964

PERS. REC. UNIT  
100-106670

*100-3-116*

*5-10-64*  
*Phillips*  
*Ryzak*

