

THE PHILADELPHIA, MISSISSIPPI CASE  
CHRONOLOGY OF CONTACTS WITH AGENTS OF THE FEDERAL GOV'T.

SUNDAY, JUNE 21

- 10:00 PM:\* H. F. Helgesen, Jackson FBI agent, was contacted by law student Sherwin Kaplan. Helgesen was informed that the party was missing and was given the three names. An investigation was asked for; Helgesen said something like, "Keep me informed of what happens."
- 10:30 PM: A Mr. Schwelb, a Justice Department lawyer, was called from the Meridian COFO office. Schwelb was in Meridian at the time. He was informed of the disappearance of the party.
- 11:00 PM: Jackson COFO called Schwelb at approximately 11:00, but he gave no indication of having taken any action.
- 12:00 PM: Robert Weil from Jackson COFO called Schwelb and gave him the license number of the missing car and further information on the addresses of the missing people. Weil requested an investigation. Schwelb stated that the FBI was not a police force and that he was not yet sure whether any federal offense had occurred; so he could not act. He was informed of the provision in the US code providing for FBI arrests; he still insisted that he did not have authority.
- 12:00 PM: Weil also called Helgesen at this time. Helgesen took in the information curtly and did not allow a chance for further conversation. Weil also called the Mississippi Highway Patrol, with similar results.

MONDAY, JUNE 22

- 1:00 AM: Ron Carver of the Atlanta SNCC office called John Doar of (EDT, 2 hrs. the Justice Department in Washington, D.C., and informed ahead of Mississippi) ed him of the case. He said he was concerned, and asked to be kept informed. He said he would look into the case. He suggested that the Mississippi State Highway Patrol be alerted.
- 3-4:00 AM: John Doar was called again by Atlanta SNCC. He repeated (CST) that he would attempt to see what the Justice Department could do.
- 6:00 AM: On being called again, Doar replied that "I have invested the FBI with the power to look into this matter."
- 7:30 AM: Information concerning the arrest on traffic charges of the three which had been gathered from the Philadelphia jailer's wife was phoned in to the Jackson FBI office. The agent said he would give the information to FBI agent Helgesen, whom we had contacted the night before.
- 8:30 AM: New information from the jailer's wife, Mrs. Herring, to the effect that the three had been released at 6:00 PM, plus the results of phone calls to various neighboring jails were called in to Agent Helgesen. Helgesen said he could do nothing until called by the New Orleans FBI office.
- 9:00 AM: Robert Weil in Jackson called the Highway Patrol. Though they had been called at least four times during the night, they did not seem to know about the case.

\*All times are Central Standard Time (CST), except where otherwise indicated.

- 9:15 AM: Attorney Doar was called again at 9:15 from Atlanta and apprised of new developments.
- 11:00 AM: Helgesen was called and given new information reported by some white contacts in Philadelphia to the effect that the three were still in jail at 9:00 PM and appeared to have been beaten, though not seriously. Helgesen said he would "take the necessary action." He said that the alleged beating threw new light on the FBI's role in the case. He said he would call our source.
- 12:00 M: Helgesen was called again. He said that he had only called New Orleans and had not received instructions to investigate.
- 12:15 PM: Atlanta SNCC called Jackson and said they had spoken to Agent Mayner in New Orleans, who had said he had received no orders from Washington.
- 1:00 PM: Meridian informed the Jackson office that Marvin Rich, Public relations director of CORE, and James Farmer, executive director of CORE had contacted FBI Agent Delloch, second in command of the FBI, as well as Lee White, Presidential Assistant, and Burke Marshall, head of the Civil Rights Division of the Justice Department. Rich and Farmer said that if they got no action from the FBI, they would call the President. Meridian also informed us that Farmer in Washington had called the FBI in New Orleans. Henry Wolf, attorney for the Goodman family, called to say that Robert Kennedy had been contacted.
- 1:40 PM: Meridian reported that attempts had been made to call local air force bases to institute an air search, but were unsuccessful. Atlanta SNCC called John Doar; he was speaking on another line. They left word for him to call back.
- 2:10 PM: Our source with the white contacts in Philadelphia reported that as of that hour the FBI had not yet called him, as Helgesen had promised he would two hours earlier. Meridian reported that Marvin Rich was calling the Defense Department to try to institute an air search. Stormy weather developed later in the afternoon in the Meridian-Philadelphia area, however.
- 2:45 PM: Atlanta informed us that calls were made to Burke Marshall and John Doar at 2:30 and 2:45 respectively. Word was left, as the two men could not be reached by phone.
- 2:55 PM: It was reported that reporters had been permitted to go through the Philadelphia jail and were satisfied that the three were not there.
- 3:30 PM: As of this time neither the Atlanta nor the Jackson offices had received any return phone calls from Doar or Marshall, nor did the FBI office in Jackson have any word from them.
- 5:20 PM: Doar called Atlanta. He informed them that the Mississippi Highway Patrol had put out an ALL POINTS ALERT bulletin and that both the sheriff of Neshoba County and the FBI were searching. The sheriff claimed that the trio were last seen heading South on Route 19 toward Meridian.

- 8:00 PM: Bill Light in Jackson called Agent Helgesen. He was asked five times if the FBI was investigating the case. Five times Helgesen answered, "all inquiries are to be directed to the Justice Department in Washington."
- 8:45 PM: Meridian reported that they called Doar in Washington. Doar was busy. A collect call was placed to Hohn Doar at his home in Washington, fro Meridian. He would not accept the call.
- 9:30 PM: Reporters called from Philadelphia that four FBI agents from the New Orleans office were in Philadelphia. No men from the Justice Department were reported. The FBI agents reportedly were talking to people and were planning to launch a road search and investigation in the morning.
- 10:00 PM: UPI reported that Edwin Guthman of the Justice Department in Washington had announced that the FBI was ordered into the case to determine whether the trio were being held against their will or whether there was a violation of civil rights involved.

TEUSDAY, JUNE 23:

- 8:40 AM: Meridian called to say that Marvin Rich had informed them that the Air Force might come by. As of this time, nothing had been heard from them.
- 10:10 AM: Meridian informed us that John Proctor and Harry Saizan, FBI agents, were in the Meridian office. They were investigating, asking questions, and getting photographs of Schwerner. We were told that Nathan Schwerner (Mickey's father) has an appointment with Lee White, Presidential Ass't.
- 1:00PM: Meridian called to tell us that Marvin Rich had made contact with the White House (with Lee White). He was told that the Naval Air Station near Meridian was available to the FBI for an air search. Rich asked for an FBI head agent out in the field. Rich said he was going to call New Orleans. Meridian informed us that some Meridian citizens with private planes were thinking of conducting their own air search, in case of further defaulting by the Defense Department. One of these people was Negro Charles Young. Newsman Burn Rotman said helicopters are flying around the Philadelphia area. Marvin Rich said that the President was to call back to CORE in New York.
- 2:10 PM: The Naval Air Station near Meridian was called. They said that as far as they knew, no search was being conducted. There were only student flights taking place in the area.
- 2:50 PM: Mr. Henry Wolf, attorney for the Goodmans, called. He said that the Goodmans and Mr. Schwerner, accompanied by Representative William Fitz Ryan of New York and others, had spent over an hour talking to Attorney General Robert Kennedy. Kennedy assured them that all authorities were working on the case and that Navy helicopters were searching the area. He told us that they had an appointment to see Lee White soon afterward.

He also informed us that there was hope that President Johnson would make a statement to the nation.

3:55 PM: Meridian heard that local radio station WMOX broadcasted that the FBI had found the car, charred and burned and cold. There was no trace of the missing persons.

5:15 PM: Attorney Wolf informed us that Mr. and Mrs. Goodman, Mr. Schwerner, and two congressmen saw President Johnson for about 21 minutes this afternoon. While they were there, they received the news that the car had been found. Johnson assured them that the Federal Government was doing everything it could.

5:25 PM: Attorney Larry Warren heard a confirming report on local radio that a Navy Helicopter was being used in the search. The sexton of the Methodist Church which had been burned June 16 in Philadelphia informed us that the FBI had been working on the burning case since Friday, June 19.

6:00 PM: WRBC news report on Gov. Johnson's afternoon press conference; Johnson had sent two plainclothesmen into the area to assist the FBI in the search. Gov. Johnson had not called President Johnson or the Justice Department, but he was working with the FBI.

7:30 PM: Martin Popper, who is Att'y. Wolf's partner for the Goodmans called to describe the trip to Washington. On the trip were Mr. and Mrs. Goodman, Mr. Schwerner, Congressmen Ryan and Reed, and Popper.

They first went to see Kennedy. Katzenbach, Marshall and others were with him. This visit was apparently the first think on Mr. Kennedy's agenda after his arrival from Massachusetts. Mr. Kennedy told the group that the Department of Justice was doing everything possible, and that he was using the maximum resources available to him, including personal resources. He told them the President also expressed concern. The FBI, according to Mr. Kennedy, was acting on the assumption that this was a kidnapping; it was on this assumption that they are assuming jurisdiction on

Then the President himself saw them and said he was using every available force, including the Justice Department and the Defense Department for this case.

8:00 PM: The President called Goodman at his home in New York. He told him that there was no evidence that bodies had been found, but that tracks had been found leading away from the car. He said he had ordered more FBI and Defense Department personnel to "comb the countryside."  
Goodman's attorney, Popper, informed us that he had heard that 60% of the FBI on this case are special personnel from the North.

WEDNESDAY, JUNE 24

7:00 AM: Radio report: Allen Dulles, ex-chief of the CIA, is being sent to Mississippi as President Johnson's personal investigator.

8:30 AM: Dulles arrived.

1:00 PM: Meridian informed us that a young boy from Meridian who is often around the office, had seen Mickey and Andy before they had left and remembered what they were wearing. Mickey was wearing a blue shirt, blue jeans and sneakers. Andy was wearing a red shirt. This information was phoned to the FBI in Jackson, as the FBI in Meridian could not be reached.

THURSDAY, JUNE 25.

3:00 PM: Allen Dulles and Tom Finney, representatives of the President, met with leaders of the groups working in Mississippi. Dulles stated his mission was a fact-finding one. The leaders expressed the sense of frustration and isolation felt by Negroes because of police and civilian brutality of the state and the seeming unwillingness of the Federal Government to do anything about it. Dulles said he had been under the impression that the situation was improving in Mississippi, especially in the area of Education. The leaders told him all visitors were given that sort of brainwashing. They related to Dulles and Finney examples of incidents where police were involved with local citizens in committing atrocities.

Mr. Dulles was also told of the dangerous situations in various parts of the state, and was told what the leaders were demanding of the Federal Government: A. The president should meet with local leaders, as he has already been requested several times to do. B. That the Civil Rights Commission should immediately hold full hearings in the state of Mississippi. C. That the President should see to it that new Federal Judgeships were filled by men of integrity and fairness. D. Government officials should not publically state that they cannot protect people. E. There should be Marshalls and FBI Mobilized in all potentially dangerous areas.

1:15 PM: After waiting 45 minutes, Mrs. Mickey Schwerner was finally able to confer with Dulles, who said he had another meeting to attend. He expressed his sympathy. Mrs Schwerner replied, "I don't want your sympathy. I want much, much more."

## SOME PROVISIONS FOR FEDERAL PROSECUTION IN CIVIL RIGHTS

### From Title 18 U.S. Code

FBI Arrests - 18 U.S. Code, Section 3052: The Director, Associate Director, Assistant to the Director, Assistant Directors, inspectors, and agents of the Federal Bureau of Investigation of the Department of Justice may carry firearms, serve warrants and subpoena issued under the authority of the United States and make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the U.S. if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony.

Interference with the Vote - 18 U.S. Code, Section 594: Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten or coerce, any 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 vote for, any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners of the Territories or Possessions, at any election held solely or in part for the purpose of electing such candidate, shall be fined not more than \$1000 or imprisoned not more than one year or both.

Deprivation of Constitutional Rights - 18 U.S. Code, Section 242: Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any inhabitant of any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, (or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens,) shall be fined not more than \$1000 or imprisoned not more than one year, or both.

At 6:00 pm on June 26, UPI reported that the FBI had arrested three white men in Itta Bena, Mississippi. The three had threatened two SNCC summer Volunteers the day before and had tried to run them out of town.

SNCC Volunteers John Eyon Paul of Ossining, N.Y., and Roy Torkington of Berkeley, California, were canvassing on the afternoon of the 25th with SNCC staff member Willie McGee. They had informed Mr. Weber, the Itta Bena town Marshall, of their intention of doing voter registration work and had received assurance that this was "all right" and that they could "go right ahead."

While they were passing out leaflets, however, four white men drove up in two trucks. The men got out of the trucks, separated the Volunteers from McGee, and marched the students to a gas station that also serves as the bus stop. Although the men threatened the Volunteers, they were unsuccessful in getting them to leave town.

The COFO office in Jackson and the SNCC office in Atlanta began immediately to inform the FBI and the Justice Department. John Doar of the Justice Department promised to look into the incident.

The Volunteers were finally released, and despite further threats, spoke at a Mass Meeting the same night in Itta Bena. After the incident of the afternoon, they asked the town Marshall, Mr. Weber, for protection; Weber would not promise protection, but when the meeting was over the Volunteers found him outside and they believed he might have been influential in preventing trouble. There were indications that the FBI had talked to Weber and had had an influence on him.

The next morning, Paul and Torkington talked with four FBI agents in Itta Bena. One of the latter said that Burke Marshall, head of the Civil Rights Division of the Justice Department, had called him and said that he wanted them to do everything possible in the case.

Because they had both license numbers and names, the Volunteers felt there might be a good chance for an arrest. COFO and SNCC made further calls to the FBI and Justice Department relaying the information which the volunteers had; sometime around 6:00 pm on the 26th, three of the four men involved in the incident the day before were arrested, on charges of interfering with voter registration work. This is believed to be the first arrest made under this law, although it has been in effect since 1960.

The importance of this case is that it indicates that FBI pressure can offer protection to people in Mississippi, and that the Justice Department and the FBI can authorize arrests in civil rights cases.