



Office of the Attorney General
Washington, D. C.



May 23, 1961

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Dear Governor:

I am enclosing a copy of a telegram which I sent this afternoon to members of the Alabama delegation in Congress.

The telegram was sent in response to a telegram which they sent to me yesterday stating that the presence of the Marshals in Alabama was unnecessary and requesting that the Marshals be withdrawn.

Very sincerely yours,

Robert F. Kennedy
Attorney General

May 23, 1961

Thank you for your telegram of this afternoon. U.S. Deputy Marshals were sent to the State of Alabama only as a last resort. The action was taken with great reluctance.

Information came to the Federal Bureau of Investigation and the Department of Justice a week ago Sunday that there would be violence in Birmingham, Alabama. The Birmingham police and local authorities were informed. Despite this advance information, no police were present at the bus terminal. A number of the passengers were attacked and beaten severely by an uncontrolled mob. Another bus traveling in interstate commerce was attacked, burned and a number of passengers badly beaten and injured.

The following day, Monday, I requested Governor Patterson to provide protection for buses traveling through the State of Alabama. The Governor granted that request and said the buses would be protected. However, later Monday afternoon, he changed his position.

Following these events the situation slowly deteriorated over the next few days. I made numerous attempts to get in touch with Governor Patterson to discuss the situation with him. All of these attempts were unsuccessful and I was informed that the Governor was out of town and unavailable.

On Friday noon, realizing that the situation was becoming more critical, the President attempted to call Governor Patterson. The President was told the Governor was out of town and could not be reached.

Sometime later, an intermediary for the Governor called and said the Governor would like to meet with a personal representative of the President to discuss the situation in Alabama. The President designated John Seigenthaler of my staff and Mr. Seigenthaler met with Governor Patterson for two hours on Friday evening in Montgomery, Alabama. Governor Patterson stated emphatically to Mr. Seigenthaler that no help was needed to protect the buses traveling through Alabama and that the State would maintain law and order.

You state in your telegram that Governor Patterson informed you yesterday that the State of Alabama has the "means, ability and the will to keep the peace without outside help." These are virtually the same words that Governor Patterson used to Mr. Seigenthaler on Friday evening. Twelve hours later, Mr. Seigenthaler was lying unconscious in a street in Montgomery after having attempted to rescue a young girl from another armed mob. I am, therefore, not quite as impressed with these words of assurance as I might otherwise be.

Furthermore, prior to this riot, the local police as well as the other law enforcement authorities were informed by the Federal Bureau of Investigation that there was a strong possibility of violence at the bus station in Montgomery. Federal authorities were assured that the local officials had the "means, the ability and the will" to handle the situation and that Federal help was unnecessary.

No police were present at the time of the riot Saturday. They arrived only after the damage was done.

It was only after all of these events that the decision was made to send Deputy Marshals into Alabama to assist local law enforcement officials.

In this connection, for several hours Saturday after the riot, I attempted to contact Governor Patterson to find out what steps he intended to take. After I could not reach him the Marshals were dispatched.

On Sunday evening a mob advanced on the First Baptist Church in Montgomery where a large group of Negroes were holding a meeting. It is clear from newspaper reports and from the investigation conducted in the last 36 hours that had it not been for the presence of the Marshals, there would have been an extremely bloody and costly riot.

Newspaper reporters, who were present, stated that if the Marshals had not been present the church would have been burned to the ground with great loss of life.

Shortly before this riot took place, Governor Patterson stated publicly the situation was peaceful in Montgomery and in Alabama and that local law enforcement officials had the situation well in hand. Once again, this was hardly a correct appraisal of the situation when we consider that within a few hours after making that announcement, he called out the Alabama National Guard.

It should also be pointed out that the National Guard officers, as well as the officers of the State Police, requested and received the help and assistance of U.S. Marshals for the rest of the night and there has been a close cooperative effort since that time.

What is needed now is action on the part of Governor Patterson and local law enforcement officers -- not merely words of intention.

I assure you that we have no intention of permitting the Marshals to remain in Alabama a minute longer than is necessary. With your assistance and cooperation I would hope that they could be withdrawn at an early date.

ROBERT F. KENNEDY
ATTORNEY GENERAL