

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Burke Marshall
Assistant Attorney General

DATE: January 14, 1963

FROM : Director, FBI

SUBJECT: REX H. SMELSER
SOWELA TECHNICAL INSTITUTE
LAKE CHARLES, LOUISIANA
RACIAL MATTERS - CONTEMPT OF COURT

Reference is made to Bureau memorandum dated January 5, 1963, at New Orleans, Louisiana, which set forth the contents of a letter addressed by Rex H. Smelser, Director of the Sowela Technical Institute, to United States District Judge E. Gordon West. In his letter Mr. Smelser complained that following Judge West's decision of September 4, 1962, which gave the Justice Department the right to inspect his records at any time, he has been harassed and intimidated "beyond all reason."

On January 8, 1963, United States District Judge West was contacted at New Orleans, Louisiana, by Assistant Special Agent in Charge Joseph T. Sylvester, Jr., of our New Orleans Office. Judge West indicated that even prior to any contact by this Bureau he knew that no Federal Bureau of Investigation Agent would in any way harass or intimidate anyone. He stated he was fully acquainted with Mr. Smelser and that Mr. Smelser was inclined, on occasion, to make public utterances, as well as written utterances, not only against the Department of Justice but also against the courts. He indicated that he intended to give Mr. Smelser a personal hearing as requested in his letter.

It was pointed out to Judge West that there had been no harassment or intimidation of Mr. Smelser by any Agent of this Bureau.

Judge West in his comments advised there had been a complete agreement between the Department of Justice and Mr. Smelser and that this was a "two-way street" and a cooperative agreement; that his order had been broad, allowing the Department of Justice to enter the case and inspect records whenever they desired during the entire year's period, but he expected no harassment or intimidation from the Department and

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if, after hearing Mr. Smelser, Mr. Smelser was justified and has any criticism of the Department of Justice, he would revise his order and make the Department of Justice give specific dates for notice beforehand of the time the records were to be inspected so that there would be no interference with the orderly running of the school.

The above information was furnished to Mr. St. John Barrett of the Department on January 11, 1963.