



Robert Hauberg



Harold Cox

Figures in Miss. Legal Dispute

# Suspend Terms Of 9 Whites In Miss. Bombings

Combined News Services

Magnolia, Miss.—Pike County Circuit Judge W. H. Watkins Jr. suspended sentences against nine McComb men arrested in the bombings of three Negro homes yesterday. He warned them to steer clear of any further racial clashes.

After sternly warning the men, Watkins said he was suspending the penitentiary sentences because they were "mostly young; all came from good families who were shocked at their involvement; and deserved another chance." All pleaded guilty yesterday at hearings in the seat of this southwest Mississippi county, where 16 racial bombings have occurred since early summer.

Watkins said the action of the men resulted from provocation and ill advice. He said their actions were spawned in part by outside influence in the county, an apparent reference to the presence of summer civil rights volunteers. He said that regardless of the distaste and disagreement, "church burnings and bombing homes cannot be tolerated."

The judge said the presence of civil rights workers does not give the men "the right to play law enforcement officer or sheriff." Those charged with illegal use of explosives entered guilty pleas in connection with bombings at the homes of three McComb Negroes, Alyene Quin, the Rev. James Baker Sr. and Charles Bryant.

Watkins handed down three concurrent but suspended five-year penitentiary terms to Paul D. Wilson, 25; and five-year terms each to Billy Earl Wilson, Jimmy Wilson, 38, Gerald Lawrence, Hilton Dunaway and Ernest Zeeck, 25. He ordered suspended six-month sentences

and \$500 fines to those who entered no contest pleas to charges of conspiracy to use illegal explosives. They were John Paul Westbrook, Murphy Duncan, the three Wilsons and former Army munitions expert Emory Allen Lee. All were placed on probation.

Attorneys representing Sterling (Bubba) Gillis, 35, said he would enter the same pleas when he was able to face sentencing. Gillis is reported in the state mental hospital at Whitfield undergoing mental tests. Gillis also was charged with the \$40,000 holdup of the Lawrence County Bank of Monticello earlier this year.

Negro leaders reacted angrily to the suspended sentences.

"Mississippi justice is a disgrace to the nation," said Charles Evers, state field secretary of the National Association for the Advancement of Colored People. "Such a decision simply gives a license to lawlessness and violence."

"What provocation justifies the bombing of homes of innocent people?" asked the Council of Federated Organizations, a civil rights group. "We do not believe terrorism in southwest Mississippi will be halted until the men with power in the state, including local judges, realize that justice must be color blind."

A 20-year-old Long Island girl doing volunteer civil rights work in Mississippi was arrested and jailed in McComb along with nine companions last night on charges of violating Mississippi food laws. The girl was Nancy Jervis, daughter of Mr. and Mrs. Martin Jervis of 615 W. Chester St., Long Beach. She is a former Vassar College student who

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## U.S. Aide Appeals

Jackson, Miss. (UPI)—The U.S. Fifth Circuit Court of Appeals yesterday set a hearing for Monday on a petition to stay a federal judge's contempt-of-court citation against a U.S. attorney.

U.S. District Judge Harold Cox cited U.S. Attorney Robert Hauberg for contempt Thursday for refusal to draft or sign indictments returned by a grand jury investigating civil rights violations. He ordered Hauberg jailed, until he "purges himself," after a five-day grace period allowed for Hauberg's appeals. Hauberg said he was instructed not to sign the indictments by Acting Attorney General Nicholas Katzenbach. Cox then said he would issue an order requiring Katzenbach himself to appear and show cause why he should not be held in contempt.

The exact nature of the indictments remained a secret. But it was believed they concerned perjury indictments for some of the witnesses who appeared before the jury. In his contempt citation, Cox noted that Hauberg sat with the grand jury Oct. 21 "and explained in detail to the grand jury the perjury laws and

the court's construction of such laws for their information."

Cox said that on the morning of Oct. 22, Hauberg was requested "to prepare certain indictments which they desired to bring against some of the persons under consideration and about which they had heard testimony, and the United States attorney refused to draft or sign any such indictments." Cox said Hauberg could purge himself "by performing his official duty for the grand jury as requested in the several (about five) pending cases before them on Oct. 21 and Oct. 22, 1964."

Hauberg told the court that Katzenbach instructed him: "Neither you nor any of your assistants are authorized to prepare or sign indictments in matters being heard. I direct you to refrain." The appeals court in New Orleans received a request yesterday from Katzenbach to stay Cox's order "pending appellate proceedings." The court said the parties asked for an "expedited hearing," and one was set for Monday at 2 PM in Jacksonville, Fla.

## Missing Bonanno Son Was Mob 'Heir'

By Jim O'Neill and Bob Greene

Cosa Nostra chieftains Joseph (Joe Bananas) Bonanno and Joseph Magliocco had planned to install Bonanno's missing son as heir-apparent to both of their underworld families, it was learned yesterday.

Further details of the scheme, which shook the Cosa Nostra to its foundations, came to light as police pressed their search for Bonanno and his son. Bonanno was kidnaped at gunpoint on Park Avenue in Manhattan early Wednesday and his son, Salvatore, 32, has been missing from his East Meadow home for two weeks. It had been thought earlier that the duration of his absence was only a few days.

Young Bonanno's wife, Rosalie, refused to come to the door of their home at 1555 Tyler Ave., East Meadow, yesterday, but she left the house to visit a beauty parlor for several hours yesterday afternoon. Police are searching the country and watching the house in the hope that young Bonanno may turn up. His father, police believe, was executed by his gangland abductors after he was kidnaped.

Mrs. Bonanno left the house again last evening, with police watching, and returned later accompanied by another woman. The children, as earlier in the day, were left in the care of a maid. It was learned also that another son of the elder Bonanno, Joe Jr., 19, had been staying in the same house with his brother for the last six months and also has been missing from the home for two weeks. He left his pet, a small dog, with Mrs. Bonanno. Contrary to previous reports,

Salvatore's car is still at the house, in the garage.

It was learned, meanwhile, that Bonanno and Magliocco had hoped to wed their two Cosa Nostra families and install young Bonanno as the man who would take over when they retired. Another part of their grand design was to usurp control of the New York rackets from the three other Cosa Nostra families in the New York area.

To win control, they decided upon the murder of rival Cosa Nostra chieftain Thomas (Three-Finger Brown) Luchese of Atlantic Beach. The men assigned to carry out the murder contract, it was learned today, were Magliocco family caporegimes (lieutenants) Joseph Columbo of Brooklyn and John (Sonny) Franzese of Roslyn.

Franzese and Columbo, incensed over the sudden attempt to elevate young Bo-

nanno, reportedly spilled the murder plans to Luchese. Their intended victim called a meeting of the remaining New York Cosa Nostra families, consulted with other national gangland leaders and a nationwide death warrant was issued for Magliocco, Bonanno and possibly for Bonanno's son. The Gallo mob rebellion in Brooklyn had been inspired earlier by Magliocco's attempts to install relatives

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## 1st Canary Silent in His D.C. Cage

Newsday Washington Bureau

Washington—One of those perhaps most interested in the fate of Joseph (Joe Bananas) Bonanno is a squat, swarthy man named Joseph Michael Valachi.

A former narcotics runner, murderer and, finally, squealer, the now-retired Valachi resides in the District of Columbia Jail, his home since he went before a Senate committee 13 months ago to tell what he knew about the Cosa Nostra. Now 61 years old, Valachi may spend the rest of his days in the D.C. jail. "If you can think of a better place to put him," said a Justice Department official yesterday, "let us know."

For more than two years, since Valachi began talking to federal investigators, the Justice Department has been protecting Valachi from possible murder attempts. Valachi claims the Cosa Nostra has placed a \$100,000 price on his head. He has been kept in jail because it is considered the safest place for him. "He can't be

gotten," said a Justice Department official, "unless someone wants to blow up the D.C. jail."

Valachi reportedly spends his time watching television and doing calisthenics. "He's a physical culture nut," said a law enforcement official who had visited him recently. Justice Department officials still visit him regularly although he has been pretty well exhausted of his underworld information. Newsmen are not permitted to visit him, and Justice Department officials declined yesterday to discuss Valachi's reaction to the news this week that Joe Bananas had been abducted from New York's Park Avenue by two thugs. It is believed Bonanno may have been picked off by the Cosa Nostra just before he was to squeal as Valachi did.

Valachi is under a life sentence for murder. Officials said they do not want to place him in a federal penitentiary because of the possibility that another prisoner would attempt to kill him.



Joseph Valachi  
Bananas Fancier?

# Burch Hits FBI Report

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the federal government? If so, where do they work? When did Mr. Jenkins have 'limited association' with these sex deviates?"

Burch said the report also does not explain why Johnson or the public were not informed of Jenkins' January, 1959, arrest. The President has said that until the day he asked Jenkins to resign, a week after the second arrest, he had no information that would have led him to question the personal conduct of his aide. Burch said the FBI report does not explain why no adequate security check was made after Jenkins entered the White House. The latest security clearance listed for Jenkins was a clearance requested by the Atomic

## Agency Kills Barry Race Ad

Austin, Texas (AP)—A Dallas agency handling advertisements for Sen. Barry Goldwater said yesterday it canceled a newspaper ad dealing with civil rights because the copy was distributed by mistake.

The state campaign headquarters for President Johnson, which brought up the matter first, provided newsmen with copies of the advertisement and a telegram directing a newspaper to cancel it. Captioned "LBJ's Civil Rights Bill And You," the ad carried pictures of a pleased Negro youth marked "hired" and of an unhappy white youth labeled "fired."

The ad agency's telegram, made public by campaigners for Johnson and Sen. Hubert Humphrey, went to the Seguin (Tex.) Enterprise. They said similar messages went to a number of weekly newspapers. A spokesman acknowledged that the Rominger Agency in Dallas sent the advertising copy to Texas newspapers and then withdrew it. "It was an error and it was not supposed to be mailed at all," said Elby E. Rominger, head of the agency.

The advertisement urged readers to vote for Goldwater and stated in part: "Did you know that Lyndon Johnson's civil rights bill can get you fired from your job and give it to a person of another race? No matter what ability you have to do your job . . . or how much seniority you have on your job . . . you can lose your job because of Johnson's civil rights bill. This is your last chance. Vote to put an end to racial favoritism . . . Vote to protect your job . . . your family . . . your home."

Energy Commission which resulted in a full field investigation by the FBI and clearance on Feb. 20, 1958.

Meanwhile, sweeping changes for arrest procedures in morals cases were ordered by Washington Police Chief Robert V. Murray in the wake of the Jenkins case. Murray said that he is to be informed immediately of the arrest of any "important" persons. He said plans are being made to give direct notification to all federal agencies, including the White House and Congress, whenever one of their employes is arrested. He said further that a full set of fingerprints will be taken from each suspect and forwarded to the FBI, whether or not the person has been arrested before.

Secretary of the Treasury Dillon reported last Friday that the Secret Service had failed to check further into an FBI report of Jenkins' 1959 arrest before issuing him a White House pass. Last night, Dillon announced that steps have been taken to prevent recurrence of such an incident. The Secret Service is an agency of the Treasury Department.

Dillon said he had informed Johnson of the steps Thursday in giving him a report, as requested, about the issuance of the pass. Over the past months, the secretary said, the protective research section of the Secret Service has been reorganized and the scope of its responsibility clarified. Its staff, he said, has been "strengthened in quality and nearly doubled in number."

### Fingerprints Sent to FBI

The FBI report had explained, as Dillon had earlier, that the Secret Service, before issuing the pass, submitted Jenkins' fingerprints to the FBI. The FBI sent to the Secret Service Jenkins' identification record showing the 1959 charge of "investigation suspicious person." It had been noted earlier that the word "pervert," written afterward on the local police record of the arrest, was not included on the copy of the record the FBI received from the police.

Dillon said nobody in the Secret Service except the then head of the protective research section "appears to have read and considered" the FBI report on Jenkins. "The head of the PRS, which has the responsibility for the issuance of White House passes, did not evaluate the return as involving a serious matter," Dillon said, adding: "No action was taken with respect to the return. It was not brought to the attention of any higher offices of the Secret Service or of the Treasury Department. Nor was it brought to the attention of any member of the White House staff or to the attention of the then vice president (Johnson) or his staff." Dillon did not identify the former head of the protective research section who saw the report on Jenkins.



**POLITICAL BRUSHUP.** Supreme Court Justice Howard T. Hogan of Farmingdale speaks to high school teachers yesterday during a political education seminar at the Robert A. Taft Institute of Government. The seminar, sponsored by C. W. Post College, was one of a series that began Saturday. They are conducted by local political figures.

## Calif. Pleases Barry

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Spanish. Here, he was joined by his daughter, Mrs. Joanne Ross, and three of her four children—Carolyn, 6, Cynthia, 5, and Ty, 3. The crowd at the station included a real elephant. "Pick him up by his ears," Goldwater said. He told his audiences that if he was elected, "I'll level with you, I'll be honest with you." He added that, "I think people in this country want to feel free to run their own lives."

Next came San Clemente, where there is the smell of the nearby ocean, the skinny palm trees that look like emaciated scarecrows, stucco homes, and teenagers in shorts. "What I'm trying to get at is to allow the people of this country to spend more of the money they earn," he said. At the next stop, Oceanside, he switched to the theme of meeting a reunified Red world with strength. "He can do it," said a girl in the crowd as Goldwater told how to deal with Communists. "You bet he can," said her friend, and it was on to San Diego, where he addressed a screaming, stamping crowd of 15,000 persons in Westgate Park. The crowd roared approval of a catch-all speech Goldwater gave for the third time in his campaign. It attacked communism and misuse of power by the administration and Supreme Court.

# Nine Whites Freed in Miss. Bombings

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dropped out of school last spring to volunteer for the Negro voter registration project in Mississippi.

Miss Jervis and her nine companions were held overnight in the Magnolia County Jail, after they could not post \$100 bail each. They were accused of operating a food handling establishment at their "freedom house" in McComb without a health permit. A hearing was scheduled for Monday. A spokesman for the Council of Federated Organizations, which is coordinating the voter registration drive, maintained that no health laws had been violated because the "freedom house" is used solely to lodge the civil rights workers and "is not involved in public distribution of food." The health offense is punishable by a fine.

Miss Jervis' parents said she had attended a training program at Oxford, Ohio, last June, and had insisted on going to Mississippi despite the disappearance and murder of three civil rights workers near Philadelphia, Miss. She returned to Long Island for a visit in August, they said, and then returned to Mississippi. "She's very much wrapped up in the work," her father, an attorney, said. "Naturally we're worried. We're not happy. But she's at an age where she makes her own decisions. She's definitely caught up with the inhumanity of prejudice in Mississippi. We would rather have her

home, but this is what she wants to do. She's an intelligent girl."

Jervis said his daughter had told him the voter drive was a real thorn in the side of Mississippi officials. "We got a letter from her yesterday," he said. "She said everything was going fine, and that she would be home for another visit by Christmas."

Of the 10 workers arrested last night, all were white except the Rev. Terry Bowie of Lawnside, N.J., a Negro. They came from all over the country.

In other civil rights matters yesterday:

## Missing Son Was to Lead the Mob

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in high positions in his own underworld family.

Young Bonanno had been groomed carefully to take over. He had wed Rosalie Profaci, daughter of Magliocco family hoodlum Frank Profaci. It was an "alliance" marriage arranged by the Bonanno and Magliocco Cosa Nostra families. Salvatore, who had attended the University of Arizona for several years, was raised in that state. His father, despite the fact that he had a mob family in New York had lived in Tucson, Ariz., since the mid-1940s. Young Bonanno was convicted only once—for passing

• Rep. William L. Colmer (D-Miss.) said that Mississippians resent efforts to make their state the nation's "whipping boy." Colmer said in a statement in Washington for the Congressional Record that the vast majority of Mississippians stand for law and order, the Constitution and the free enterprise system. "Is it any wonder then," he asked, "that there is growing resentment on the part of the people of Mississippi at the concerted efforts of the pseudo-liberals to make of my native state of Mississippi the 'whipping boy' of the nation?"

• St. Augustine segregationist leader Halsted R. (Hoss) Manucy spent an hour in jail in Jacksonville, Fla., before deciding to name the members of his Ancient City Hunting Club. Manucy at first declined to give the names because "there's no reason something couldn't happen to me" if he did. So U.S. District Court Judge Bryan Simpson held Manucy and Jerome (Rusty) Godwin, another official of the club, in contempt of court for refusing to produce a membership list. They then listed 174 members.

a bad check in Phoenix, Ariz. He was placed on three years probation.

The elder Bonanno came to New York 18 months ago and hatched his plot to take over the New York rackets with Magliocco. A year ago young Bonanno and his wife were brought east. They lived for several months at Magliocco's fortress-like home in East Islip. But Magliocco died last Dec. 31, of a heart attack—terror stricken over the fact that the tables had been turned and he was now the target of a mob death contract.

The elder Bonanno disappeared from sight, apparently fleeing his would-be killers. His son moved to his present \$23,000 ranch home in East Meadow, re-

plete with a swimming pool in the backyard and acted the part of a genial neighbor. He has four children, the oldest 7 years old.

Neighbors never knew what Salvatore Bonanno did for a living. But police say he made frequent extended trips out of town while his father was hiding out, overseeing the elder Bonanno's vast racket operations in Wisconsin, Arizona and upstate New York. But the elder Bonanno finally was seized in Canada last May when he tried to obtain Canadian citizenship under an assumed identity. It was there that he made a deal with U.S. authorities to spill Cosa Nostra secrets in exchange for protection.