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MEXICO CITY OFFICE
PASEO DE LA REFORMA NO. 76

K-93

March 16, 1967

Mr. K. S. Pitzer, President,
William Marsh Rice University,
P. O. Box 1892,
Houston, Texas 77001.

Dear Ken:

You will note in the enclosed newspaper clipping announcing the action of The Supreme Court of Texas in denying the Application For Writ Of Error filed in behalf of John B. Coffee et al the following statement:

"Also, it has had at least one Negro graduate student since 1963 when Raymond Lewis Johnson of 5908 Ardmore was admitted after his graduation from the University of Texas."

It is my recollection that Johnson was not admitted as a graduate student in 1963. He was employed as a research assistant in some grant program of the Department of Mathematics and was an employee only, and not a graduate student, during the academic year 1963-64. His research work as an assistant may have been of the kind that would give support to a later candidacy for a Master's degree, but he was not a student or a candidate for that degree at Rice.

To me it is important to keep the record straight and if the records of the Admission Office, The Department of Mathematics or The Development Office, which may have given the above statement to the newspaper do not show that this young man came on the campus as an employee and remained in that capacity until after the judgment was obtained in the District Court of Harris County, Texas, and the period of superseding the judgment expired, then those records should be corrected.

The judgment was entered on March 9, 1964. A motion for new trial was filed and was not acted upon for several weeks. Thereafter there was a period of time during which the Intervenors could have filed a supersedeas

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Mr. K. S. Pitzer, President - 2

bond which would have had the effect of staying the effectiveness of the judgment until after the appeal had been finally decided. Although, I have not checked in detail the timing, I believe this period would have carried well into May, so to all intents and purposes the academic year had passed before Rice could have acted in reliance on the judgment. No supersedeas bond was filed, and after the period for filing the same expired, we were asked whether Negroes could be admitted as students. We advised that Rice University could properly act under the authority of the judgment until such time as it was set aside or reversed on appeal. Accordingly, Negro students were admitted in the undergraduate classes and as graduate students, and I have understood that Johnson became a graduate student at that time and not before.

Both with respect to the admission of students and the charging of tuition, I understand it was the preference of all concerned, Board members and faculty alike, to follow the traditional and orderly way of obtaining court authority for the Trustees to disregard the restrictions and until that authority was obtained and could be properly relied upon, pending a reversal on appeal, the restrictions were observed. In the interests of maintaining the splendid support which Rice has enjoyed from its friends, near and far, and the development of new friends, it is important that the Board and faculty preserve their fine record of having conformed to the provisions of the Trust Indenture, and not let the newspaper reporters rewrite it, either by reason of incorrect information or incorrect assumptions.

Sincerely yours,

J. Malcolm Lovett

HML:6
Encl.

State Court Upholds Rice Trustees' Action

The Texas Supreme Court today denied a writ of error in the lawsuit filed by two alumni seeking to prevent the trustees of Rice University from charging tuition and amending the charter to permit admission of Negro students.

The action backs the ruling of the First Court of Civil Appeals which last year affirmed a 1964 jury verdict in favor of the trustees.

John B. Coffee and Val Billups, the two alumni involved, entered the suit as intervenors when the trustees went to court seeking reinterpretation of the 1891 indenture of William Marsh Rice, founder, who left his fortune for creation of the institution for the education of white Texans and with the provision that no tuition be charged.

The trustees acted, they set forth, in the belief that changing times accented the need to modify the original stipulations

if they were to preserve "a first class university" at Rice.

Will Go Higher

William Key Wilde, who with Joe Reynolds represents Coffee and Billups, said a motion for rehearing "is the next logical step" and that "if we find there is an issue for the U.S. Supreme Court, I assume the intervenors will want to go higher if necessary."

President Kenneth S. Pitzer of Rice University said: "I am delighted with the decision. This confirms and establishes the validity of the district court decision which authorized Rice to remove racial restrictions and allows us to charge tuition."

Rice University has, in fact, been charging tuition for the past two years since the appellate court ruling was entered.

Also, it has had at least one Negro graduate student since 1963 when Raymond Lewis

Johnson of 5908 Ardmore was admitted after his graduation from the University of Texas.

Negro Freshmen

Johnson entered Rice as a research math assistant, working for a master's degree.

In the fall of 1965, Rice admitted two Negro freshmen, the first Negro undergraduates in its history and since then application forms have omitted the question of race or color.

But throughout its more than 50 years of operation, Rice has

ignored the Caucasian rule on occasion, and long before the trustees went to court, men of other races had matriculated there.

Notable among these have been the Orientals.

Charles S. Chan of 403 Woodard, an architect with Metallic Building, Inc., of Houston, was the first Chinese to graduate from Rice when he obtained a B.S. in architectural engineering in 1941.

...no local Communist party
America is even remotely in a
to make a revolution by itself,
through a fluke. They are too
numbers and otherwise. To suc-
y would have to subvert the
an unlikely possibility, and risk
tion by the United States.

...think that one North or South
n out of 100,000 knows accurately
Alliance for Progress is.

...the Alianza is difficult to de-
oes not exist as such in the usu-
izational charts showing the op-
of the United States or other
nts. It has no office under the
"Alianza," no headquarters, no
utive or governing council in
l sense of those terms. It has
atural body" of its own, and its
more than a "deputy admin-
istrator" in the Agency for International
Development (AID), a dependency of the
State Department created in 1961. Strictly
speaking the Alliance is not even a
"project."

The best answer is that it is a pro-
gram or holdall growing out of an idea.
The kernel of this idea, promoted by
President Kennedy, was to stimulate the
social and economic life of Latin Ameri-
ca by a huge multinational hemisphere
spending program under rigorous plan-
ning. It receives large financial and other
assistance from USAID, but it was not
meant to be a bilateral aid program. The
stress is, in theory, on self help; South
America is supposed to give it more the

...gust, 1961, which wrote its charter
envisaged expenditure of not less
\$100 billion in the decade to
\$80 billion of which was to come
Latin America itself, the rest from
United States and elsewhere. The
shall Plan, which paved the way
reconstruction of Europe after the
spent only about \$17 billion.

Our Alianza pledge amounts
quently to some \$2 billion a year
10 years, five of which have now p
Of this sum roughly \$1.1 billion
comes directly out of United State
lic funds, administered by AID, a
cluding such other agencies as the
Progress Trust Fund, the Export-
Bank and Food for Peace.

The rest of the \$2 billion is ma-
in principle by international
agencies (Inter-American Develo-
Bank, World Bank, International
tary Fund), to which we contribute
private American investment, which
set at \$300 million a year by the
del Este formula. Every effort was
to give the program a mixed col-
with both public and private mor-
volved, and to entice cooperation
Europe and Japan. How success-
effort has been is dubious.

But it was the vision that c-
more than the figures. The dream
wide, not merely aimed at "dem-
modernization" of the continent
making 20 countries effective pe-
Bound by centuries of inertia, t-
...you the promise of radiat-

...decisions
s no in-
...Ameri-
...h domi-
...longer
...hole but
...strument
...nt body
...or hem-
...ship in it
...ublics a
...estige it
...essential
...a cover.
...ably not.

Washington.
Little possibility exists of any direct
Communist revolution or overt takeover
in any hemisphere republic in the dis-
cernible future. Disintegration may
come; chaos may come; but Commu-
nism itself is unlikely in the short run,
even though several countries would
seem to be vulnerable. Ecuador is wild-
ly unstable, and Uruguay riven; Bolivia
is explosive, and Marxists control more
than a third of the vote in Chile. (The
long run is a different matter.)
There are two basic reasons for this
general feeling—external and internal.
Presumably, to make a successful coup
detest local Communist...



from the Desk of....

Kenneth S. Pitzer

To RHB

Please note the attached material. Mr. Lovett is entirely correct & we should verify our records & if possible, pin down the source of the erroneous statement in the press.

Please verify the registrar's records personally, check other points, & prepare a memo to the file on this matter.

Yours

From the desk of -

Rob Bunger

20 Mar 67

Lee -

Here is clipping. Please
return.

Rob

Rob,

Story was in Chronicle.
Date '63 was a typo however
Johnson was here in '63
as a Research asst. in Math
as the story indicates - they
did a feature on him in '64.

Lee

RICE UNIVERSITY
Office of the President

March 22, 1967

MEMORANDUM

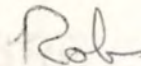
TO: President K. S. Pitzer

FROM: Robert H. Bunger

SUBJECT: Raymond Lewis Johnson

The Registrar's records show that Johnson became a student at Rice in Fall, 1964. He did receive scholastic credit by examination during 1963.

Lee Estes, in investigating this Houston Chronicle story, states that the incorrect 1963 date was caused by a typographical error.



Robert H. Bunger

RHB:mam
Attachments

Trial

March 27, 1967

Mr. H. Malcolm Lovett
Baker, Botts, Shepherd & Coates
16th Floor Esperson Building
Houston, Texas 77002

Dear Malcolm,

Thank you for your letter of March 16; I had not noted the error in the newspaper report but am glad that you pointed it out. I asked my assistant, Mr. Bunker, to look into the situation, and a copy of his report is attached. Since this was a typographical error and does not constitute any source of incorrect information on the campus, I do not believe any elaborate correction is needed. I will place the original copies of all this material in the President's Office file on the Charter action in order that it be available for any future reference.

Yours very sincerely,

COPY
Original Signed K. S. Pitzer

KSP:man
Attachment