

PART THREE: The *Brown* cases, 1950-1952

CIVIL ACTION

2657

FILED

MAR 3 - 1952

CHAMBERLAIN OF
J. WATIES WARING
DISTRICT JUDGEUNITED STATES DISTRICT COURT
EASTERN DISTRICT OF SOUTH CAROLINA
CHARLESTON, S. C.ERNEST L. ALLEN
CLERK

February 11, 1952

Honorable John J. Parker
United States Circuit Judge
Charlotte 2, North CarolinaIn re: C/A 2657
Briggs v. Elliott

My dear Judge Parker:

I am today in receipt of your letter of the 9th instant informing me of your decision to have a hearing tentatively set for February 29th in the above case and also you wish to change the venue from the Charleston to the Columbia Division for personal convenience. Since my term of active service will have expired by that time, I make no comment as to the propriety of either the place or date.

As the matters to be submitted to this proposed hearing are entirely under the separate but equal theory and seem to be entirely irrelevant to the basis of the case which is the matter of whether Racial Segregation is Constitutional, I would not be willing to accept a designation to sit with you in the case or take any part in it.

Very truly yours,



J. Waties Waring
United States District Judge

cc: Honorable George Bell Timmerman
United States District Judge
Columbia 3, South Carolina