

JURY IMPANELED ON JACKSON STATE

U.S. Judge Tells Members 'Anarchists' Are Involved

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JACKSON, Miss., June 29—

A Federal judge impaneled a special grand jury today to investigate the shooting of Negroes at Jackson State College last month by members of the State Highway Patrol.

And in a strongly worded statement, District Judge Harold Cox appeared to praise the police. He blamed "anarchists and revolutionaries" for the events that led to the deaths of two young Negroes and the wounding of seven others.

His remarks brought expressions of concern from Negro leaders in Mississippi.

"No peace officer has any right to unnecessarily kill anybody...but these representatives of the public interest and the general welfare of our law-abiding society should never be harassed or intimidated for their action in the necessary performance of their official duties under circumstances created by revolutionaries," Judge Cox said.

He asserted that "acts of anarchy" were in progress the night of May 15 when state patrolmen opened fire on a group of students and other young Negroes.

No 'Safe Sanctuary'

"This district will not provide safe sanctuary for militants or for anarchists or for revolutionaries of any race," said Judge Cox, an appointee of President Kennedy and a former college roommate of Senator James O. Eastland, Democrat of Mississippi.

"Peace officers shall not be intimidated for the performance of their duties among such rebellious groups and the processes of this court shall not be used to appease and placate such lawless pressure groups."

Warner Buxton, Jackson State student government leader, said that he doubted that the Federal grand jury could proceed with its investigation impartially after hearing the remarks of Judge Cox.

Alex Waites, executive director of the Mississippi chapter of the National Association for the Advancement of Colored People, said the Judge was "biased and incorrect." Mr. Waites made his remarks in a telephone interview from Cincinnati, where he was attending the national convention of the N.A.A.C.P.

"The Judge was entirely prejudiced in favor of the officers who did the killing and not in sympathy with the victims," he said. "A jury operating under a charge like this could condone murder."

Lack of Cooperation

The jury was convened this morning on the request of the Justice Department after Fed-

eral agents investigating the shootings said they were unable to obtain the cooperation of the Highway Patrol. Specifically, the Federal Bureau of Investigation had wanted to examine the weapons used to fire more than 200 rounds into a women's dormitory on the Jackson State campus when the deaths occurred.

Assistant United States Attorney General Jerris Leonard, head of the Civil Rights Division of the Justice Department, announced today that the weapons in question had been produced after a Federal subpoena was served.

Federal sources said the firearms carried by 37 state patrolmen who were at the scene of the shootings ranged from shotguns to automatic weapons, including a .30-caliber machinegun.

Twenty-three jurors were impaneled by mid-morning in a fifth-floor courtroom in the granite post office building in the heart of Jackson. It is directly across the street from the magnolia-shaded mansion of Gov. John Bell Williams, a possible witness in the Justice Department's effort to learn if Federal laws were violated during the Jackson State incident. Five black women, 10 white men and eight white women are on the panel.

Leonard Has No Comment

Mr. Leonard — named by Attorney General John N. Mitchell to investigate the Jackson State killings, the shootings this spring at Kent State University in Ohio, and the six deaths that resulted from a civil disorder in Augusta, Ga. — declined comment on Judge Cox's statements to the jury.

The judge has a reputation among liberals in Mississippi as an autocratic, taciturn jurist who "runs a tight courtroom" and has extensive knowledge of the law. Although not known as a friend of the civil rights movement, the 69-year-old judge won a measure of respect from Mississippi blacks — and a great deal of enmity from the Ku Klux Klan — when he presided over the Federal trial that ended in the conviction of several men in connection with the 1964 Neshoba County murders of three civil rights workers.

The judge had a successful private law practice in Mississippi before he was named to the bench in 1961 under the sponsorship of his old friend, Senator Eastland.

Mr. Leonard said the grand jury would be recessed at the end of this week and reconvened later in the summer to continue the investigation.