

## There Are Trials...

BY DAVID BREMER  
TUSCALOOSA -- "He hit me on my face and knocked me against the wall, and I went to sleep," said Mrs. Fannie Lou Dew. "When I woke up against the wall, he was still beating me."

"I didn't hit Fannie Lou Dew anywhere," said Greene County Sheriff Bill Lee. (In a statement that was struck from the court record, he added, "If I had hit her, when she went to the hospital she would have stayed

there.")  
"It didn't take a federal-court jury very long to decide whom to believe in Mrs. Dew's \$300,000 civil rights suit against Sheriff Lee. In 48 minutes, the 12 white men on the jury ruled in favor of the sheriff."

Mrs. Dew, a Negro civil rights leader in Greene County, has suffered damages resulting from the suit, she said he gave her

She testified that she went to the hospital at 10 p.m. that night. The purpose of the suit was to have the sheriff

Paul Bokulich. Lee had arrested Bokulich earlier in the day.

When she came to the door, said Mrs. Dew, she cursed, and ordered the sheriff to get out. "Get out of here I got a shot gun head off," Mrs. Dew said.

As she started to leave, she said, "We're leaving, but we're leaving." While her back was turned, she said, Lee came out, kicked her, and then knocked her against the wall.

Sheriff Lee, a former Green Bay Packers football player and professional wrestler, claimed that he used no

more than reasonable force to put Mrs. Dew off his property when she refused to leave.

"I grabbed her with my left hand in back of her neck and led her to the steps," he said on the witness stand. "I did not use any undue force."

In his final argument to the jury, Lee's attorney, Perry Hubbard of Tuscaloosa, repeatedly referred to Mrs. Dew's civil rights activity. He asked the jurors to consider the question, "Was SCLC, whose candidate Bill Lee beat in the last election, trying to stir up trouble?"

Leslie W. Finch of Belleville, New Jersey, one of Mrs. Dew's lawyers, told the jurors that Mrs. Dew "is not making trouble. She is in a court of law, asking for her civil rights and her dignity as a human being."



SHERIFF BILL LEE



MRS. FANNIE LOU DEW

## ...And There Are Trials

BY ROBIN REISIG  
SELMA--Stokely Carmichael and Joe Smitherman had another disagreement last Tuesday. It came as the SNCC chairman and the Selma mayor were telling a three-judge federal court how Carmichael came to be arrested for "inciting to riot" last Nov. 5.

When Smitherman drove downtown that day, he testified, "out-of-town agitators with big boots and (with) cameras strung around their necks were in my way. . . . I made them get out of my way, because I would have run them over if they hadn't."

The mayor said that "Carmichael led a snake-dancing, hand-clapping group around City Hall" shortly before the arrest.

"If you were clapping your hands, and singing, and hollering 'Freedom!' in front of City Hall. . . and trying to provoke an incident, I think you'd be acting defiantly," said Smitherman.

Carmichael's attorney, Donald A. Jelinek, showed the mayor several photos taken Nov. 5 by SNCC photographers. They did not seem to show



JOE SMITHERMAN

a "near-riot"--as Selma police have described the incident. Smitherman claimed the photos showed "lulls" in the action.

Smitherman said Carmichael lunged at him three times before the SNCC leader was arrested. The mayor quoted Carmichael as saying, "You've made a martyr out of me. You've played right into my hands."

When Carmichael took the witness stand, he said he was picketing City Hall alone, until the mayor and several police officers blocked his way. "I asked them why," he testified, "and. . . the mayor said, 'Arrest that son-of-a-bitch,' and they arrested me."

In his testimony Carmichael explained that SNCC was formed "because of the oppression of black people in this country." This drew a loud objection from Selma City Attorney McLean Pitts, as did Carmichael's claim that the political atmosphere in Dallas County is "most corrupt."

Carmichael and others are challenging Alabama's anti-riot law on the grounds that it is "too vague" and that it has a "chilling effect" on freedom of speech. Carmichael and SNCC field secretary William S. House were convicted under the law in a Selma court last December.

Clarence Williams, president of the Dallas County Independent Free Voters Organization, testified that the arrests -- three days before the November election -- put "the old fear back into the people."

For his appearance in court last Tuesday, Carmichael chose a green Malcolm X sweatshirt and blue jeans. House wore a gray suit, but another SNCC worker, Thomas Taylor, showed up in a black-and-orange Nigerian "dashiki."

Taylor--who was convicted in December of illegal parking and resisting arrest--testified Tuesday that he was beaten, clubbed, and kicked by police and firemen on the way to jail.

Selma Police Captain T. C. Pyron testified that Taylor came at him with a "stick," Taylor said he was holding a staff given to him by the high priest of his religion.

The judges--U. S. Circuit Judge John Godbold and U. S. District Judges Virgil Pittman and Daniel H. Thomas--said they would take the case under consideration, and issue a ruling later.



STOKELY CARMICHAEL (RIGHT) AND RAP BROWN OF SNCC

## ...But Sometimes, There Isn't a Trial

BY MARY ELLEN GALE  
TUSKEGEE--The Macon County Circuit Court meets next Monday. But it won't be hearing the case a lot of people have been waiting for--the case against Fletcher Henderson, a white store-owner.

Henderson was charged with assault with intent to murder last month. Law officers said Eddie Menefee, a Negro laborer, was shot in the mouth during a quarrel at Henderson's store. But Henderson isn't going to be tried on the charge.

The case died in the grand jury room last week, when Menefee failed to ap-

pear to testify against Henderson.

"I tried to find Menefee," said Macon County Sheriff Lucius D. Amerson this week. "But his mother said she didn't know where he was--he took off as soon as he got out of the hospital. I did my job. I don't know what else I could do."

Why did Menefee disappear? "My son was afraid," said Mrs. Eugenia Menefee at the family's home in rural Macon County.

Mrs. Menefee indicated that her son had misinterpreted the actions of the white and Negro civil rights workers who tried to persuade him to press his case. "He said too many people was bothering him," she explained. "He

was so scared he left without even a bus ticket."

Sheriff Amerson, a Negro, said he wished Menefee had come to him for help, instead of running. "If he wasn't interested enough to stick around. . ." the sheriff said, finishing his sentence with a shrug. "He had the protection of the law."

Nobody accused Henderson of trying to scare Menefee away. And Henderson said this week that he hadn't seen Menefee or any member of the victim's family since the shooting.

"I spend all day workin'," Henderson said. "I ain't got time to messin'

around."  
Is there any chance the case will be revived later? Amerson said he didn't think so. "He (Menefee) didn't show up, so that's the end of it," the sheriff said. "It would have been interesting to see what happened."

Henderson was the first white man charged with a crime against a Negro in Macon County in the last six months, and his was the first such case handled by Amerson.

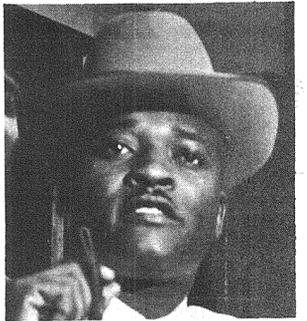
A federal court ordered a year ago, a federal court ordered Macon County officials to end racial discrimination in the selection of juries. The officials were directed to empty the

jury box and re-fill it with the names of all qualified citizens, regardless of race.

Last fall, Macon County had its first all-Negro juries in modern times. But the only case in which a white man was charged with a crime against a Negro was moved out of the county.

That was the much-discussed murder case against Marvin L. Segrest, a white man accused of killing Samuel L. Younge Jr., a Negro student. An all-white jury in Lee County set Segrest free.

People were wondering if Henderson's case would be treated the same way. But now they'll never know.



SHERIFF LUCIUS D. AMERSON

## Tuskegee Dean Says Violence Is 'Natural Reaction' to Injustice

BY MARY ELLEN GALE  
TUSKEGEE--When a Negro student was killed by a white man in Tuskegee last year, said Richard A. Wasserstrom, "almost everyone agreed that the thing to do was to let the system work, let justice take its course."

And so, Wasserstrom said, 11 months later "a jury of 12 white Alabamians had no difficulty whatsoever in finding the defendant innocent on grounds of self-defense"--although the student had been shot in the back of the head. The point is not "that a guilty man went unpunished," said Wasserstrom. The point is "the operation of institutionalized injustice--of a system which is well understood by all involved to be very different from what it purports to be."

And that, he said, is one of many reasons "why Negroes are entitled to opt out of the system, to call off all bets, and to say that, in their case at least, the price of public peace and order is just not worth paying."

Wasserstrom, dean of Tuskegee Institute's college of arts and sciences, told a bi-racial audience of about 40 people that he wasn't advocating violence.

"I am more concerned with pointing out why violence is such a natural reaction," he said, "and why the riots that do occur seem to me so much less serious than the conditions that bring them

about."  
Those conditions, he said, are a "factual racism"--"a double standard within our legal order and protected by it."

For instance, he said, the federal government has refused to enforce

criminal laws in civil rights cases, although it vigorously prosecutes violators of other federal laws.

"The FBI has insisted that it is only an investigative agency," said Wasserstrom, a former Justice Department attorney. "Yet its agents clearly have

(the) power to arrest" without a warrant. "A systematic and vicious kind of hypocrisy is at work."

Although voting registrars in the South "shamelessly ignored" court orders to register Negroes without discrimination, he said, "with but one doubtful exception, not a single registrar in a single county in a single state has been charged or convicted of contempt."

"What kind of legal order do we have," he asked, "that requires of little children that they walk to school through an angry mob--that to enjoy their constitutional rights, they must have a kind of valor very few of us adults could safely claim?"

Wasserstrom gave his talk for the first time last month at the University of Michigan. He repeated it last Monday to the local branch of the American Association of University Women.

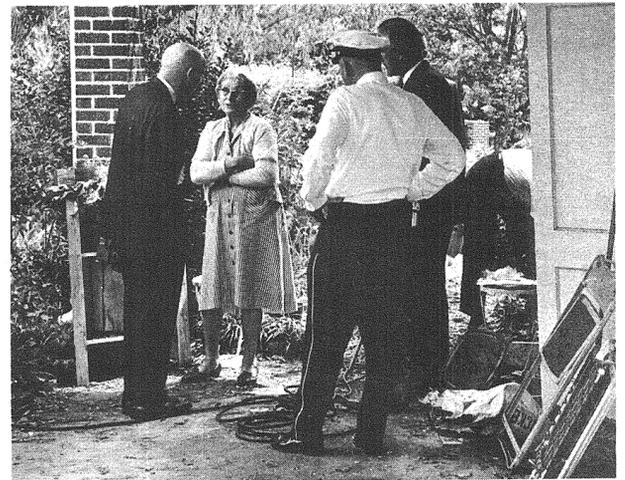
After he finished, one questioner wanted to know whether there was any hope for improvement in the situation. "I'm not a very good prophet," Wasserstrom replied. "But it seems to me it will either change by white society recognizing its flaws or by becoming bloodier."

Since violence flared up in Watts, he said, "there have been more changes (there) than in the 50 years before. The tragedy of America is that the riots work."



RICHARD A. WASSERSTROM SPEAKS IN TUSKEGEE

## Montgomery Bombing



JUDGE JOHNSON'S MOTHER TALKS TO INVESTIGATORS

MONTGOMERY--The home of Mrs. Frank M. Johnson Sr., widowed mother of U. S. District Judge Frank M. Johnson Jr., was bombed last Tuesday night. Judge Johnson was one of three judges who signed the recent order desegregating all the public schools in Alabama. In the past, he has issued many other desegregation orders.

Montgomery Fire Department officials said a bomb was either thrown or planted against Mrs. Johnson's two-story brick house. When it exploded at about 10:30 p.m. Tuesday, the blast would have killed in many areas of the city. No one was hurt in the explosion.

City, state, and federal officials investigating the bombing were joined by a special Army demolition team from Ft. Rucker.

Governor Lurleen Wallace--who has announced a plan to defy the state-wide desegregation order--offered a \$5,400 reward for finding the "malicious and flesh-eating demons" responsible for the bombing.

The governor said "this is not the American way or the Alabama way to protest" court decisions.

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Editorial Opinion

Dr. King and the War

The American press from top to bottom--in other words, from the New York Times to the Montgomery Advertiser--has attacked the Rev. Martin Luther King Jr. for coming out against the war in Viet Nam.

Letters to the Editor

To the Editor: My name is Jessie Reynolds. I am a student at Miles College, Birmingham, Ala. I read the Southern Courier every week, because I want to know what's going on in Bullock County (at home).

To the Editor: I salute the students of Alabama State College who show concern for their education. In 1957, when Dr. Martin Luther King sent the first proclamation to the Montgomery Board of Education, ASC had some of the same faculty members then that it has now.

'Three Grave Errors' Cause New CAP Fight

ABBEVILLE--"The interests of the poor have been completely disregarded in an attempt to keep this program safe for the white power structure," said Elijah Franklin, a Negro member of the Barbour-Dale-Henry Community Action Program's board of directors.

\$7,200 job on the staff--in direct violation of OEO (Office of Economic Opportunity) policy. And, finally, Stanford charged, Weston "refused to let the board comply with OEO rules about replacing board members who have missed more than four meetings."

For President Wallace Runs; King Doesn't

BY MICHAEL S. LOTTMAN

Former Governor George Wallace began to look like a real Presidential candidate this week, as he took off on a Northern speaking tour. Poll results released last weekend showed that Wallace would get 13% of the vote in a nation-wide race against President Johnson and Republican George Romney.

And Wallace sounded like a candidate on the "Meet the Press" TV show last Sunday. The former governor denied that he is a racist: "A racist is someone who dislikes people because of color. I do not dislike any handiwork of God."

He did say that "a segregated school system is in the best interest of both races in Alabama." But later he added that if local districts "want an integrated school system... that's up to them."

While Wallace was declaring himself in this week, the Rev. Martin Luther King Jr. was rejecting suggestions that he run for President in 1968 on a peace ticket.

"I understand the stirrings across the country for a candidate who will take a firm, principled stand on the question of the war in Viet Nam and the problems of the poor in urban ghettos," said Dr. King, "but I must also add that I have no interest in being that candidate."

Dear Folks, When I read in the Courier that "one by one, college presidents and school superintendents described the federal court (desegregation) order as 'unworkable' and 'impossible,'" I said to myself, without reading any further, "I know Levi Watkins is one of those presidents."

And he was. I read further down that he had said "Yes," when he was asked if his college, Alabama State, "would have some difficulty recruiting qualified white instructors."

To me, Watkins might as well be saying, "Alabama, I don't care if you and all the segregationists of this great state take my money and other Negroes' money to support your white-only schools, and to keep my children and my Negro friends' children in inferior, segregated schools."

Probably Watkins and others like him haven't been under any pressure during their period of tenure. Maybe that's the trouble. That's what they need--pressure. And I don't mean from the state. They have that already--it comes through clearly with everything Watkins says. I mean pressure from liberal-minded students and faculty members.

I know that Alabama State just received its accreditation in December, and Watkins was president at the time. But I seriously don't think the school will lose its accreditation if Watkins speaks up against the state, or if a white instructor joins the faculty.

Escaped Convicts Attend Maddox' House Party

BY JIM SMITH

ATLANTA, Ga. -- When Governor Lester Maddox announced that the April 16 house party at his mansion was going to be "open to the public," he probably had no idea how public the party would get.

Among the guests who showed up in the receiving line were four Negro convicts who had just escaped from a work camp. They had come to complain about the treatment they were getting.

Since then, a storm has been brewing over Georgia's 75 work camps. First, Maddox ordered the "biggest investigation ever" of the prison camps. Then, he threatened to close one of the camps, when it came out that a Negro prisoner had drowned there while retrieving a duck shot by a guard.

Booker T. Gary, one of the prisoners, told Maddox, "We're bein' treated wrong." Gary said he was forced to sleep in a small barracks with 30 other men, and had gone six to eight days with only one meal. He said he was not allowed to have visitors, and seldom got mail. Furthermore, he said, guards had threatened to shoot prisoners' legs off.

R. T. Bridges, warden of the Wilkinson camp, denied the complaints. "A nigger will tell a lie," he said. But Governor Maddox said he believed there was a "lot of truth" in what the prisoners said, or else they wouldn't have come to his mansion. "They could have been in Chicago by now," said Maddox.

He ordered the state Correction Department to begin investigating all 75 of the camps immediately, and to question "every prisoner in the (Wilkinson) camp" about conditions there.

The department's director, Asa Kelley, had been at work on the investigation just one day when an Atlanta newspaper disclosed that Willie James Dudley, a 22-year-old Negro prisoner at the Wilkinson camp, had drowned in a freezing duck pond last December while retrieving a duck.

Coroner's reports said a guard, Henry M. Murphy, had shot the duck, and that Dudley had "volunteered" to swim after it. Because the temperature of the water was 29 degrees, the report said, Dudley got cramps in his side and drowned.

Upon hearing this, Maddox gave the Wilkinson officials "30 to 45 days to get the camp cleaned up, or PII shut their water off."

But Kelley, who was appointed by Maddox, said he was satisfied that the guard was not to blame. He said Murphy had used poor judgment, but that Dudley shouldn't have gone into the water.

"You might say that (Dudley) was a 'go-getter,'" said Kelley. "If (Murphy) had ordered him to go, you'd have a different story."

Murphy said, "I told him not to go into the water if he couldn't swim." Asked if Murphy offered any help to Dudley, Warden Bridges answered, "Yeah, he threw in a plank." Witnesses said Dudley reached for the plank, touched it, and then went under.

But Maddox said he was skeptical about the prison officials' explanation. "The director," he said, "was ill-advised. . . . You tell me the number of people who believe that man went into that . . . water to retrieve a dead duck, and PII tell you the number of fools in Georgia."

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Birmingham Baptists, Jews, Episcopalians, and Presbyterians.

The Birmingham Alumni Chapter of Kappa Alpha Psi Fraternity hosted a banquet for 34 outstanding seniors from high schools throughout Birmingham and Jefferson County April 8 at the HIGH SCHOOL.



ESAU NICHOLS

Thomas Jefferson Hotel. The seniors were Thomas M. Alexander, Bobby Earl Gaines, and Perry F. Wilson of J. S. Abrams High School; Hiawatha Anthony of Brighton; Clarence Cuny and Matthew McNair of G. W. Carver (Bessemer); Rufus E. King and Larry J. Pugh of G. W. Carver (North Birmingham); James Pendleton Jr. of Fairfield Industrial; Johnny Carey, James L. Craig, and Tyrone Williams of Hayes; Albert L. Burton, Franz Q. Galt, and Samuel Sims of R. R. Moton; Herbert Brown, Andrew R. Chatman, Athaniel R. King, and Carl Poutney of New Castle; Larry W. Hamby and Edmond M. Jennings of North Jefferson; Roosevelt Childress, Fred Smith, and Ronald K. Washington of Parker; Curtis G. Jackson of Ramsey; Dwayne H. Brown, Michael A. Hendrix, and Carl T. Rollins of Ullman; Johnny Bradford, Larry Cockrell, and Jimmie E. Jones of Wenonah; and Kenneth M. Blackledge, Harrison D. Haygood, and Samuel L. Slaughter of Western-Olin. Featured speaker for the occasion was Esau Nichols, a senior engineering student at Tuskegee Institute and junior vice-polemarph of the Southern Province of Kappa Alpha Psi. (From Willie J. Fluker)

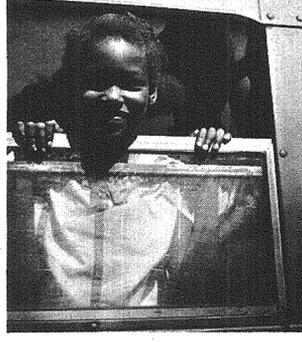
AKRON

Mrs. Allie Williams, Mrs. Lizzie Mae Bradley, Mr. and Mrs. Warren Avery, Willie Bell Carter, Hezekiah Davis, Mrs. Lily Mae Walton, Mrs. Carrie Wilson, Mrs. Betty Miller and Mrs. Clara Ryans went to visit the Greene County Development Committee's block plant in Dollar Hide on April 7. "The idea was to get our people interested and see what other people are doing," Mrs. Bradley explained.

MONTGOMERY

The formation of Montgomery's first Local Spiritual Assembly for the Baha'i faith was announced this week by its chairman, Ralph Featherstone. In any geographical unit in the world where there are nine or more Baha'is, Featherstone explained, nine are selected to administer the affairs of the community. The Baha'i faith recognizes the truth in all major religions of the world, and the Local Spiritual Assembly includes people who formerly were Catholics,

SELMA



CHILDREN ON SELMA SCHOOL BUS

Abbeville

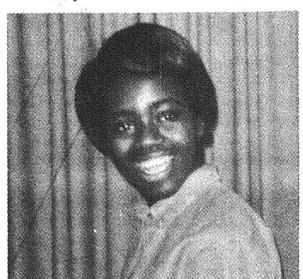
Mr. and Mrs. C. C. Stumph from Burlington, Wisconsin, are visiting Mrs. Stumph's sister, Mrs. Hortie Mae Vaughan, in Abbeville. They also visited their cousin, Mrs. Gertrude Gardner, and her husband in Slocum. They are enjoying fishing in the backwater so much that they plan to stay a month. (From James J. Vaughan)

Wetumpka

Elijah Rawls Jr. and his bride, the former Miss Alma Bozeman, were honored April 9 in the home of Mr. and Mrs. Miles Peavy. Among the guests were the groom's brother, Marvin Rawls of Cleveland, Ohio; the groom's sister, Mrs. James Williams of Cleveland, and her husband and daughter; the bride's mother, Mrs. Miami Thomas; Mr. and Mrs. Will Davis, Mr. and Mrs. James Stephens, Sister Mary, Mr. and Mrs. William Varner, Mrs. Jessie Nell Taylor, Mrs. Fannie Mae Goodwin, Mr. and Mrs. Willie Pearson, Mrs. Agnes Townsend, Mrs. Juanita Griffin, Ivory Rawls, Mrs. Anna Mae Cunningham, Mr. and Mrs. Henry Green, Mrs. Mahalia Harris, and Mrs. Edna Stevenson. (From Cornelious Peavy)

MONTGOMERY

Not so long ago, Negroes could not go bowling at all in Montgomery. But earlier this month, Miss Alexia B. Broome, a Negro, won the city and state all-



MISS ALEXIA B. BROOME

events championships in the B division of the state bowling tournament, sponsored by the Women's International Bowling Congress. First prize in the city competition was \$57, and first prize in the state event will be worth about \$100. Miss Broome, who is from New York State, has been stationed at Maxwell Air Force Base for 2 1/2 years.

SELMA

Children on School Bus 17 had quite a fright on their way home from Brantley High School several weeks ago. "Two white men passed me," recalls bus driver Johnny Stewart, 17, a senior at the school. "They came back and tried to wave me down, and tried to stop me. At the intersection they stopped, and one reached into the back seat and pulled out a gun. I stopped and ran into the stores and called the highway patrol." Children on the bus said one of the men walked toward it with a gun, but the men drove off when another school bus arrived.

Letter From Arizona

his children come up under these conditions, because he can send them away to better schools and colleges. Some people can afford this. But what about those black people who can't? What can they do? How long are they supposed to put up with schools that are not even "separate but equal"?

Diablo B.

Quilting Bee Reports On Its First Year

ALBERTA--The Freedom Quilting Bee this month reported a total income of \$10,158 for its first year of operation.

Of this amount, \$8,200 was paid directly to the members of the sewing cooperative. Two ladies earned more than \$300 apiece.

Members of the co-op heard this financial report at their first annual meeting April 15 in the Pine Grove Baptist Church. They also re-elected all their officers for another year.

The officers are Mrs. Estella Witherspoon, president; Mrs. Minda Coleman, vice-president; Mrs. Addie Nicholson, secretary; Mrs. Ruth Nicholson, assistant secretary; and Mrs. Mattie Ross, treasurer.

Four ladies were also elected to four-year terms on the board of directors. They were Mrs. Annie Spencer of Coy, Mrs. Lula McDaniell of Possum Bend, Mrs. Pollie Bennett of Alberta, and Mrs. Lucy Marie Mingo of Boykin.

The Rev. Francis X. Walter, director of the quilting bee, said he is asking for a \$10,000 foundation grant. He said this money would be used to hire a manager, and to build a sewing center.

The center, to be built on Highway 5 in Alberta, would be known as the Freedom Quilting Bee Sewing Center.

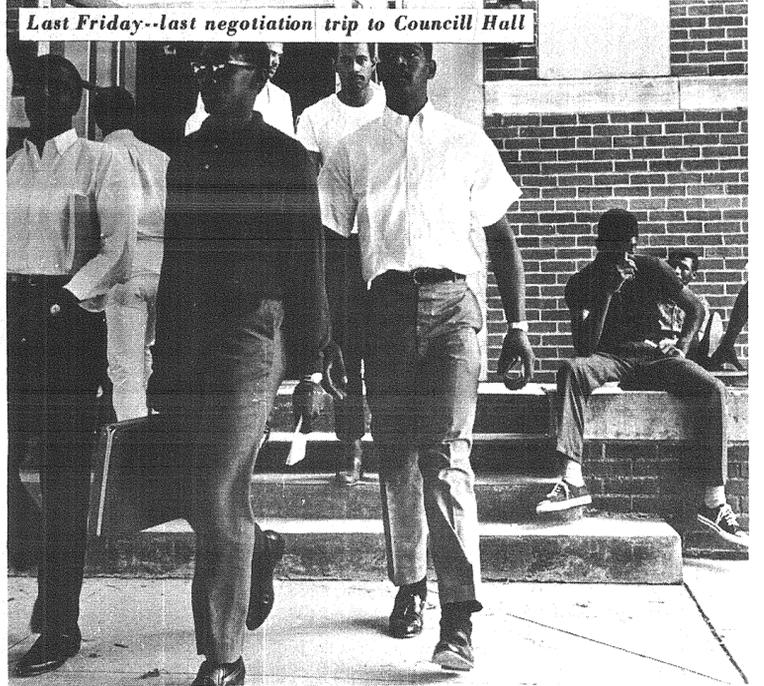
THE SOUTHERN COURIER welcomes letters from anyone on any subject. Letters must be signed, but your name will be withheld upon request.

(CONTINUED ON PAGE SIX, Col. 1)

April 18--first trip to negotiate with President Watkins

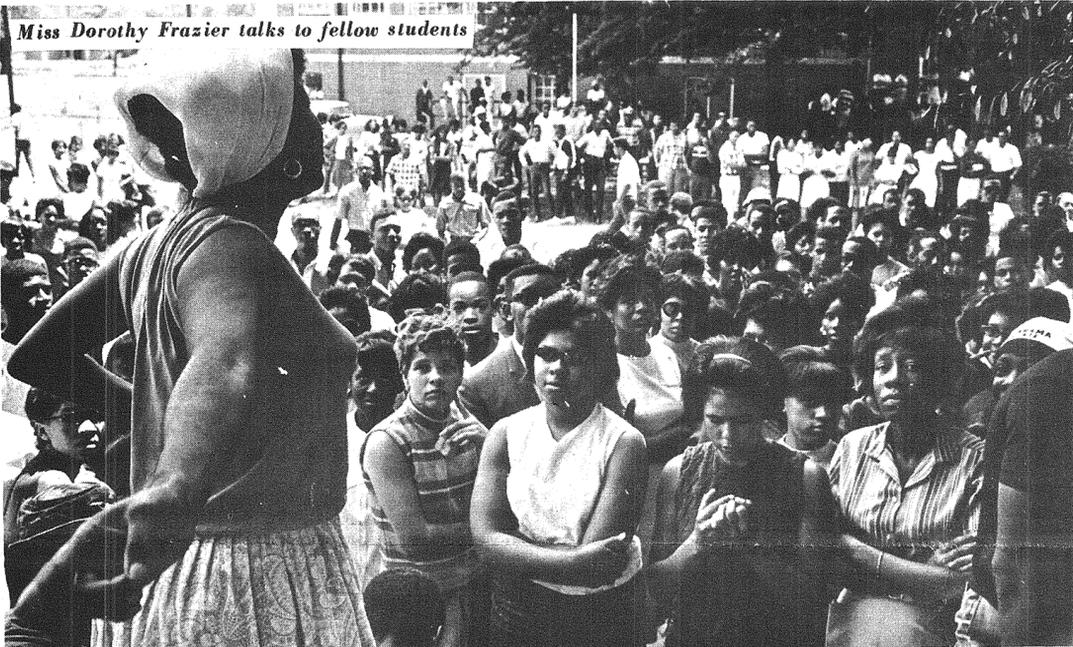


Last Friday--last negotiation trip to Council Hall



# Two Weeks of Protest at Alabama State

Miss Dorothy Frazier talks to fellow students



MONTGOMERY--The student protest at Alabama State College was still going on this week.

A boycott of the new College Union appeared to be effective. Last Monday, there were only about five to ten students eating and playing cards in the new building.

Signs outside the union urged students to stay out, "until we solve our grievances." The signs were removed early in the week--by campus police, according to witnesses.

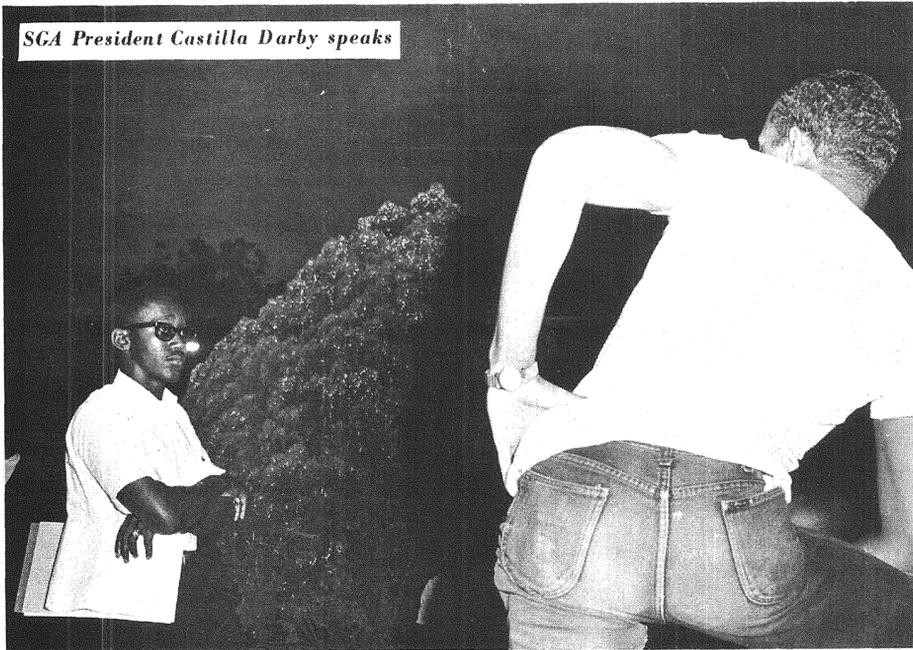
At the same time, an effort was being made to reach agreement on the list of 15 grievances presented to Watkins on April 16.

Last Friday, student and faculty representatives agreed on a revised list of 13 grievances, and sent it to the president for action. At mid-week, President Watkins had not announced his response.

Among other things, the students are seeking the right to invite any speakers they choose on campus, and they are protesting "censorship" of the college publications.

Castilla Darby, president of the Student Government Association, said this week, "I am optimistic about the outcome."

SCA President Castilla Darby speaks



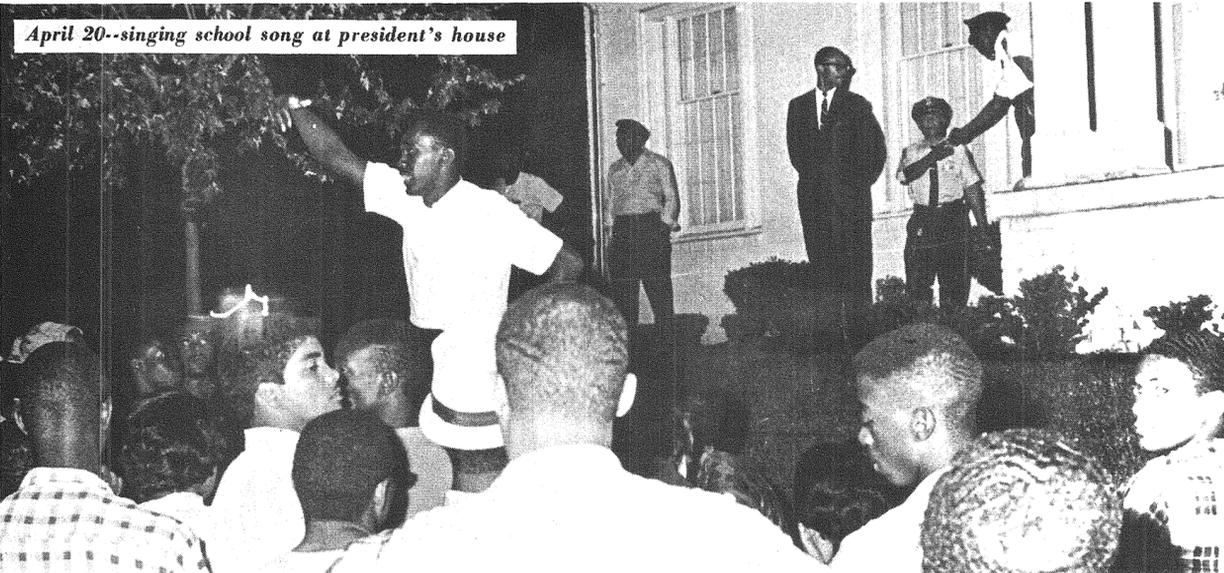
Text: Barbara Flowers

Boycott of the College Union



Photos: Jim Pepler

April 20--singing school song at president's house



College President Levi Watkins talks to reporter



# Witnesses Saw 'Blood All Over' But the Jury Set Harvey Conner Free

BY MICHAEL S. LOTTMAN

MONTGOMERY -- There is a story about a man accused of stealing and breaking an expensive antique vase. The man tells the judge he has three defenses --he never stole the vase; it was already broken when he took it; and it was in perfect condition when he returned it.

This is something like the case put on by lawyers for Harvey Conner earlier this month in federal court. Conner, a former Elmore County sheriff's deputy, was accused of violating the civil rights of James Earl Motley, who died in jail last Nov. 20.

Conner gave the jurors a choice of three theories under which they could set him free:

1. Conner struck Motley with a slapjack, drawing blood, only when Motley resisted arrest;
2. There was no bloodshed until Conner and Motley arrived at the jail, where the victim fell and suffered the injury that killed him; and
3. Motley's skull was unusually thin, so that a light blow might have crushed it.

When the jury of 11 white men and one Negro man acquitted Conner, there was no indication of which theory they believed. It was clear, though, that they were not impressed by the government's case, as presented by the local U. S. attorney, Ben Hardeman, and his assistant, J. O. Sentell.

It had been said many times since Motley's death that the Justice Department in Washington was interested in the Conner case. If this was so, there was little evidence of Washington's interest when the case went to trial.

No federal investigators of any kind testified for the prosecution, and the government's case included few details that were not general knowledge months ago.

The Justice Department did send one of its attorneys, Frank Dunbar, to assist the local prosecutors. But Dunbar collapsed while questioning the trial's first witness, and had to be carried from the courtroom. Though he returned the next day, he took little part in the case from then on.

The charge against Conner was that he did "willfully assault, strike, beat, and injure" Motley, "with the intent and purpose of imposing summary punishment upon him." This, said the federal government, deprived Motley of several rights, including:

1. The right "not to be deprived of liberty without due process of law";
2. The right "not to be denied the equal protection of the law";
3. The right "to be tried and punished in the same manner as others accused of crime are tried and punished"; and
4. The right "to be secure in his person from assault by officers holding him in custody under authority of law."

The prosecution's case depended chiefly on the testimony of Reuben Clark, a Negro airman, and Perry C. Stacks, a white state trooper.

Dunbar's questioning of Clark got off to an awkward start. After establishing that Clark was stationed at an Air Force base in Macon, Ga., Dunbar asked him a many-worded question about what he was doing the night of Nov. 19-20.

"I don't follow you," said the witness. Several more unproductive exchanges followed, before Dunbar became ill. Hardeman then took over the questioning, and Clark's story began to come more easily.

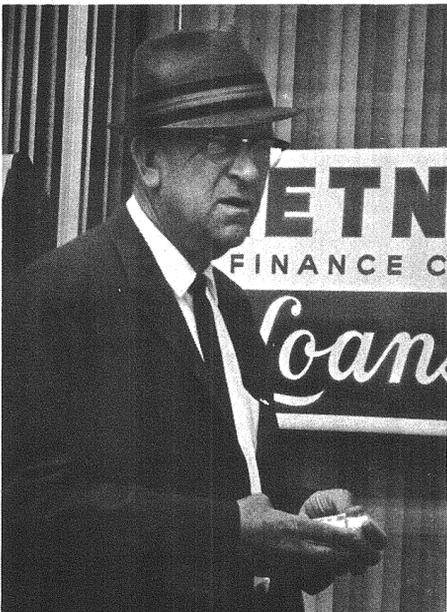
Clark said he was driving toward Wetumpka on Highway 231 at about 1:40 a.m. Nov. '60, when Conner stopped him and asked to see his driver's license. Motley was riding in the back seat of the car Clark was driving.

While Conner was questioning Clark, the airman testified, a voice--probably Motley's--said, "You don't have anything to do with this. It happened in Montgomery County, not Elmore County."

At that, said Clark, the deputy replied, "You telling me how to run my business?" Then, Clark testified, "Sheriff Conner asked Motley out of the car," and searched him.

While Conner was looking at Clark's Air Force identification, the airman said, Motley told the deputy, "You can't bother him out of it, because he's got everything that he needs." The deputy said to Motley, "I'm getting tired of your mouth. Get in the car." (Conner apparently meant his squad car, not the car Motley came in.)

But, said Clark, though "Conner kept telling Motley to get in the car, Motley kept refusing. . . . Motley kept saying, 'I haven't done anything.'" Even when Conner fired a shot, the airman testified, "Motley still refused to get in the car."



HARVEY CONNER

So Conner radioed for help, Clark said, and soon two state troopers answered his call. Motley had gotten back into his own car, but when the troopers arrived, he got out quietly.

"That's when Sheriff Conner touched him on his right shoulder," Clark testified. He said Conner asked Motley, "Why didn't you get in the car when I told you to?"

"At the same time," said Clark, "he was hitting him up side the head." "After the first blow, Motley fell back on the car--on the back glass of the car," the airman continued. "As he was falling back, the sheriff (Conner) hit him. . . .

"After the sheriff finished beating him, he was still laying back on the car. He slid off the car to the ground."

As state troopers took Motley to the deputy's car, Clark testified, "Sheriff Conner said, 'Don't get that blood on my seat.' . . . I heard a voice say, 'What's wrong with you, nigger?' . . . I heard another voice say, 'Don't call him that.'"

"Sheriff Conner told me he wouldn't make a case against me if Motley hadn't been cutting up," Clark testified. He said the deputy told him, "If anything comes up behind this, I'll help you as much as I can." Then, Clark said, "he told me to drive the car home."

On cross-examination, defense attorney Glen Curlee of Montgomery quickly put Clark on a first-name basis "Reuben," he shouted, "how old are you?" (The answer was 21.)

Curlee seemed very interested in what Clark, Motley, and their friends had been doing at Geeter's Place and the Dagger Hole, where they had spent most of the night of Nov. 19. The prosecution finally objected when Curlee asked Clark whom he had danced with at Geeter's Place, but Judge Frank M. Johnson Jr. let the witness answer.

Curlee was not allowed to ask why Motley was nicknamed "Bronco." After that, he led Clark through his story of the arrest again, turning up little that was new.

Stacks, the government's next witness, corroborated Clark on every important detail, including the manner in which Conner struck Motley--"cross-armed."

The defense really began its case with one of the witnesses the prosecution was using to tie up some loose ends. The government put Sam Cobb Jr., another former Elmore deputy, on the stand to identify Conner's slapjack--a flat leather strap with a weight at one end.

But on cross-examination, Cobb began to tell what had happened when Motley arrived at the jail. Hardeman and Sentell, the prosecutors, objected, but Judge Johnson said they could cross-examine Cobb on the new testimony.

Cobb said Motley got out of Conner's car under his own power at the jail, then "went to staggering," and fell down. When Motley fell, Cobb testified, he hit his head on a metal gate-post. The defense was later to claim that this was the injury that caused Motley's death.

Before that, though, the defense returned the prosecution's favor, by putting on a witness who helped the government's case as much as he helped Conner's. Isom Atkins, a prisoner in the jail at the time of Motley's arrest, substantiated certain details of Cobb's testimony.

But when Sentell cross-examined him, Atkins described Motley's condition in some of the most shocking and gruesome testimony courtroom observers had ever heard.

On orders from Conner, he said, "I went out there to clean up the car. There was blood on the seat. . . . There was blood up front, on the dashboard."

In the cell he shared with Motley, Atkins continued, Motley "got to coughin'." Then, said Atkins, lifting his head and feet, Motley "raised up like this."

"That's when blood came out those two wounds up there," he went on. "Stuff came out his mouth--it looked like foam." When Conner came to the cell, Atkins said, he looked at Motley's body and said, "I wonder, did he have a heart attack?"

After Atkins was excused from the stand, the defense began its major effort to show that Motley was killed by the fall outside the jail--and not by any blow that Conner may have struck.

Guy Purnell, a state toxicologist from Auburn, testified that Motley had suffered "two lacerations. . . . to the right side of the head, (that) penetrated to the skull."

Later, said Purnell, "I found that the skull was fractured. . . . Several fractures were noted on this (right) side of the head." On the left side of Motley's head, Purnell said, there was only a "mouse," that did not bleed.

Under questioning by one of Conner's lawyers, Robert Alton of Montgomery, Purnell said the appearance of the wounds "suggested" that the bump on the left side might have been inflicted before the cuts and fractures on the right.

What injury caused Motley's death? Alton asked. Purnell's opinion was that it was "the fracture to the skull that was on the right side of the head." After such an injury, Purnell said, Motley would not be able to walk or talk "for a certain amount of time."

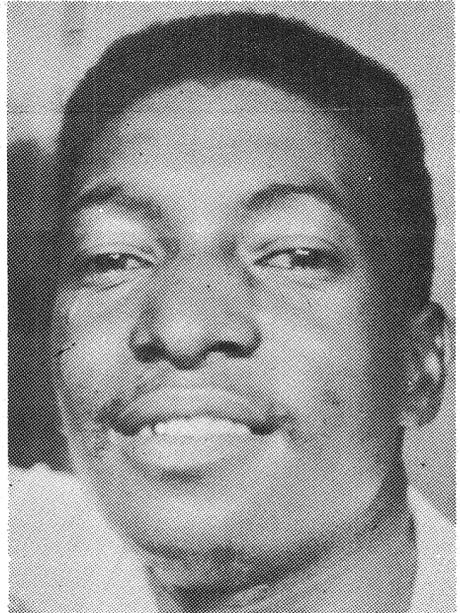
C. J. Rehling, another state toxicologist from Auburn, testified that the lacerations above the fatal fractures "would not be consistent" with a blow from a slapjack, but the "mouse" would be. The lacerations, said Rehling, "would be consistent" with a man's stumbling and hitting his head on a post.

Through most of this attempt to absolve Conner from responsibility for Motley's death, the prosecutors sat silent. But at one point, Judge Johnson took over the questioning of Purnell, and established that if Motley was bleeding "out on the highway," the blood must have come from the jagged cuts on the right side of Motley's head.

The clear implication of Johnson's questions was that all the previous testimony about blood was contradicted by the defense's contention that the bloody, fatal wounds did not occur until Motley fell at the jail.

And during Rehling's testimony, Johnson told the lawyers, "You gentlemen should not lose sight of the fact that this man is not charged with murder in this case."

In other words, Johnson was saying that Conner was being tried for violating Motley's civil rights, and the government did not have to prove that the deputy killed his prisoner.



JAMES EARL MOTLEY

When Purnell returned to the stand, Alton asked the toxicologist two additional questions, and got two answers that should have been extremely damaging to the defense case. Alton asked Purnell whether the cuts on Motley's head were consistent with a blow from a slapjack. Purnell said they were inconsistent--"if the instrument is used flat." No one--not the defense or the prosecution--ever asked if the lacerations were consistent with a blow from the edge of a slapjack.

In response to Alton's second question, Purnell said Motley "could have gotten one of the lacerations" from falling into the jail fence. But he added, "I find it hard to believe he could have gotten two."

Neither side immediately pursued the issue. When Hardeman asked Conner about it later, the defendant said Motley "might have butted his head again."

Purnell's testimony also raised the question of the thickness of Motley's skull. At the site of the fracture, said the toxicologist, Motley's skull was less than 1/8" thick.

"What is the normal thickness of a colored male's head?" Alton asked. Purnell said he didn't know, but that Motley's skull was "thinner than adults I've seen before." In fact, he said, it was the thinnest he had ever seen.

The climax of the defense's case was Conner's own testimony. The former deputy said Motley had been "mouthing off" on the highway, and was obviously drunk.

When the state troopers arrived that night, Conner said, Motley got out of the car he had retreated to. But as Motley did so, said Conner, he "grabbed me in the collar. . . . I asked him to turn me loose twice. . . . He pulled my tie loose."

So, Conner said, "I hit him twice, or three times--I think it was twice--and some blood came." The defendant admitted several times that Motley was bleeding before he was taken to jail.

On the way to the jail, Conner testified, Motley said, "I don't know what made me act this way."

In answer to a question by the third defense lawyer, George Howard of Washington, Conner said there was blood all over the car because Motley wiped his face with his hands and then smeared the blood on the seats and dashboard.

Under Hardeman's cross-examination, Conner insisted that he hit Motley with the slapjack only because "he resisted."

If Motley was able to walk and talk after Conner struck him--as the defense contended--why did the victim fall at the jail? Hardeman asked.

Conner said Motley was still able to walk when he arrived at the jail. "He got out (of the squad car) walkin' good--just like a drunk would," the deputy said.

"Now drunks don't walk good, do they?" replied Hardeman. But Hardeman never really rattled the defendant. And though the defense had opened up the issue of Conner's reputation--by putting on character witnesses to say it was "good"--the prosecution left this area strictly alone.

It took the jurors only 100 minutes to cut through the contradictions in the evidence--if, in fact, they bothered--and to find Conner not guilty.

The verdict very probably meant the end of any attempt to get legal redress for Motley's death. The federal jury's finding of innocence--and the Elmore County grand jury's earlier refusal to indict Conner for anything--would be an almost unbeatable defense to any civil damage suit that might be brought.

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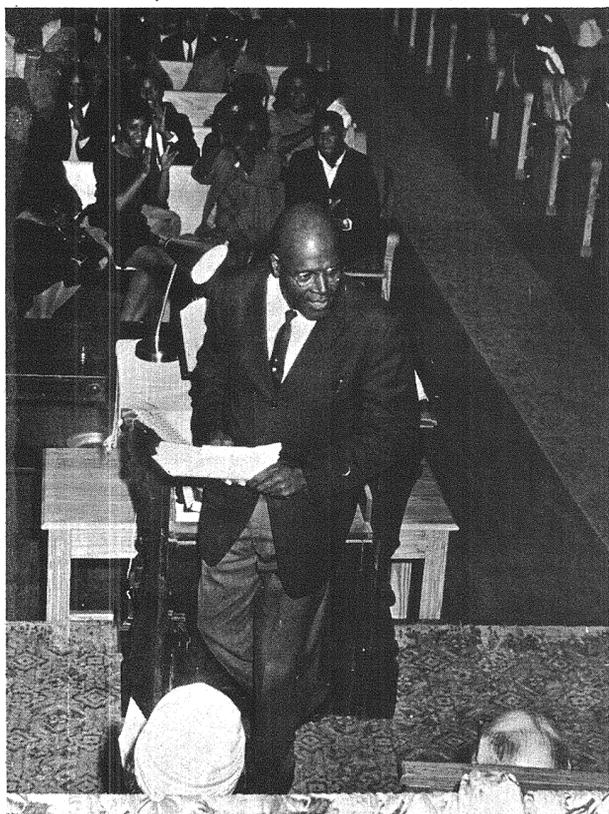
MONTGOMERY--Most cases involving shootings, beatings, and killings never reach the federal courts. There is no federal charge of murder, for example.

Harvey Conner was tried in federal court on a charge of acting "under color of law" to deprive James Earl Motley of his civil rights. If convicted, Conner could have been fined up to \$1,000, and sentenced to as much as a year in jail.

There is another federal civil rights law, that carries a much heavier sentence--up to ten years in prison. But a conviction under this law requires proof of a "conspiracy" of two or more people to deprive someone of legal rights.

In the same courtroom where Conner was acquitted, three men were convicted under the conspiracy law in 1965, in connection with the death of Mrs. Viola Gregg Liuzzo. The same judge, Frank M. Johnson Jr., sentenced them all to ten years in prison.

Next month in Philadelphia, Miss., 19 men will face trial under the conspiracy charge, in connection with the killings of three civil rights workers during the Freedom Summer of 1964.



ELMORE COUNTY'S FIRST MASS MEETING



FUNERAL IN THE RAIN

WETUMPKA--When James Earl Motley was buried here last Nov. 27, the Rev. C. B. Crockery told the mourners, "It is time to have justice." But so far, no one has been punished for Motley's death.

No one ever signed a warrant in connection with the death, although many people saw it happen. Last January, the Elmore County grand jury investigated the case anyway. But the jurors refused to indict anyone after Dr. Joseph J. Benson, Elmore County coroner, showed them a certificate listing Motley's death as "accidental."

The day after the grand jury refused to act, the federal government filed civil rights charges against Harvey Conner, the deputy who arrested Motley the night of Nov. 20.

The first mass meeting in Elmore County history was held the Sunday before Conner's pre-trial hearing, and about 75 Negroes attended his trial in federal court this month. On April 12, they heard the familiar words--"not guilty."



MOURNERS AT MOTLEY'S GRAVE

# Straight Line Many Complaints at Macon CAC Meeting

## In Meridian

BY PATRICIA JAMES  
 MERIDIAN, Miss. -- The Meridian NAACP has asked the city school board to put a "straight-line" zoning plan into effect next fall.

Under such a plan, school districts would be drawn on geographical lines, without regard to the race of the children involved.

The NAACP said it presented a resolution to Archie McDonnell, president of the Meridian school board. The resolution said the city's present freedom-of-choice plan has not worked.

"We know families who made their choice, and had to withdraw their children because of constant pressure, threats of reprisal, and even threats on their lives," said the resolution.

It said "the Meridian image could be greatly improved in the eyes of the nation" by adoption of the straight-line plan.

But William Compton, attorney for the school board, said, "All the petitions in the world don't do any good." Meridian schools are already under a federal-court order, he said, and "we have no authority to do anything unless the court tells us to."

Compton said the U. S. Justice Department has asked a federal court to make sure Meridian lives up to the recent decision of the Fifth Circuit U. S. Court of Appeals. The decision said school boards must draw up desegregation plans that work.

No date has been set for a hearing on the Justice Department's request, Compton said.

"You might say the schools are being administered by the federal courts," he added.

BY MARY ELLEN GALE

TUSKEGEE--"There's an anxiety on the part of many of us as to where we are," the Rev. Robert Smith said near the end of last week's meeting of the Macon County Community Action Committee.

"We come here month after month and make a lot of small talk," Smith continued. "When people ask, 'What is the committee doing?' I'm embarrassed."

"When are we going to become a working group and address ourselves to the real problems?" Smith asked. "We suggested in December that we must take the poverty program out to the neighborhoods, but they are still being seriously neglected."

When Smith, a Negro, sat down, John Gowan, a white member of the Community Action Committee (CAC), stood up. "I want to second everything he's said," Gowan told the acting chairman of the CAC meeting, City Councilman J. Allan Parker.

Then Gowan reminded Parker that a month had passed since the CAC elected chairmen for a group of special committees that are supposed to look into problems like legal aid, housing, and employment.

None of the committee chairmen has received a list of his members, Gowan said, "and now it's going to be another month."

"Fuss with the chairman (C. G. Gommillion) about that," Parker said, explaining that Gommillion was out of town but would be back soon.

Gowan and Smith weren't the only people who complained about the county's anti-poverty program at the CAC meeting in the courthouse the night of April 20. Several of the 30 people present said they were dissatisfied.

Mrs. Consuello J. Harper, a long-time critic of the CAC, said its chil-



REV. LAWRENCE F. HAYGOOD  
 dren's day-care centers should be located in rural areas--not in downtown Tuskegee, where they are now.

"The masses in Macon County are not being reached," Mrs. Harper said. "Let's think about the human beings, about the individual child. We should be working to improve the area where he lives--not taking him out of it--because he's coming right back there every evening," Mrs. Harper said.

The Rev. Lawrence F. Haygood, pastor of Westminster Presbyterian Church in Tuskegee, said that although there is a day-care center at his church, "I often wonder if it wouldn't be better to put it where the (rural) children wouldn't have to travel such a long distance."

Haygood asked the CAC to define the

relationship of the day-care center advisory committee (which he heads) to the Community Action Program (CAP) and its director, Mrs. Beulah C. Johnson.

The day-care committee "feels it should have more authority--the target-area (poor) people especially," Haygood said. "Mrs. Johnson and I--in a spirit of love--have tried to define these areas, but we haven't succeeded. Now we're yelling for help."

But Parker said he couldn't solve the problem. "I'll have to pass the buck to the chairman to give you an answer at the next meeting," he said.

There was a sharp debate when Mrs. Harper urged Mrs. Johnson to include rural centers in future program applications.

"When they cut it (in the Atlanta anti-poverty office), what will you do?"

### FOR A BETTER TOMORROW

In Alabama all our yesterdays are marred by hate, discrimination, injustice, and violence. Among the organizations working for a better tomorrow on the principle of human brotherhood is the Alabama Council on Human Relations. Membership in the Council is open to all who wish to work for a better tomorrow on this principle. For further information, write the Alabama Council, P.O. Box 1310, Auburn, Alabama.

Mrs. Johnson shot back. "We have to find buildings that meet certain standards."

"Keep asking," Mrs. Harper replied. "In the rural areas, they are getting tired of this... We have buildings. Come and see them."

Then Mrs. Harper turned to Parker.

"About the director's job," she snapped, "does it ever expire? Is there any way to get a new person in--new ideas--or do we have to wait until she dies?"

"The director is re-elected every year" by the CAC members, Parker responded. "Nobody's on a permanent basis with this organization."

## WJLD Radio Top 14 Hits

1. SWEET SOUL MUSIC-- Arthur Conley (ATCO)
2. EIGHT MEN FOUR WOMEN-- O. V. Wright (B. B.)
3. EVERYBODY LOVES A WINNER--Wm. Bell (Stax)
4. NOTHING TAKES THE PLACE OF YOU -- Toussaint McCall (Ronn)
5. I NEVER LOVED A MAN-- Aretha Franklin (AtL)
6. THE LOVE I SAW IN YOU-- Miracles (Tamla)
7. HIP HUG HER-- Booker T. & MG's (Stax)
8. THE HAPPENING-- Supremes (Motown)
9. AFTER LOVING YOU-- Jean Wells (Calla)
10. I FOUND A LOVE-- Wilson Pickett (AtL)
11. WHAT YOU'RE DOIN' TOME-- Rosco Robinson (Wand)
12. YOU'RE ALL I NEED-- Bobby Bland (Duke)
13. PUCKER UP BUTTERCUP -- Jr. Walker (Soul)
14. TONIGHT'S MY NIGHT-- Rosco Shelton (Snd, St.)

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## WANT ADS

**JOB OPENINGS**--The Southern Courier will soon be interviewing applicants for four positions on its business staff. Two people are needed to work on circulation and subscriptions, and two are needed to work on advertising. High pay, generous expense accounts. Applicants must be honest, responsible, and willing to work long hours, and they must be experienced or interested in business. A car is required. If interested, call 262-3572 in Montgomery to arrange an interview.

**FEIFFER ON CIVIL RIGHTS**--A collection of funny and biting cartoons by one of the leading commentators on civil rights. Feiffer shows up the hypocrisy of race relations in America today. Bayard Rustin has written the foreword. Available at \$1.00 per copy from the Alabama regional office of the Anti-Defamation League, 1715 City Federal Building, Birmingham, Ala. 35203.

**DANCE PROGRAM**--The Birmingham Creative Dance Group will present contemporary and folk dances at 8:30 p.m. Saturday, April 29, in the Miles College Student Union in Birmingham. The Dance Hol Group of Miles College will also participate. The program is open to the public, with no admission charge.

**TALLADEGA**--Make \$10 or more a week by selling The Southern Courier. Call 262-3572 in Montgomery.

**EASY MONEY**--Sell The Southern Courier in Huntsville, and make \$20 for a few hours of work. If interested, call 262-3572 in Montgomery.

**CHRISTIAN SCIENTISTS**--The parable of the Prodigal Son will be the responsive reading in a Bible Lesson on "Everlasting Punishment," to be read in all Christian Science churches this Sunday, April 30. References from the denominational textbook, "Science and Health with Key to the Scriptures," by Mary Baker Eddy, include the following: "The design of Love is to reform the sinner."

**CHURCH SERVICES**--The Bayside Church of Christ in Mobile, 713 Bayou St. at Malin, cordially invites the public to its Sunday worship at 11 a.m. Bible school is held at 10 a.m. on Sunday, and Bible classes at 7 p.m. every Wednesday evening. The Rev. J. F. Gilcrease, pastor.

**KENTUCKY EXCURSION**--A wonderful excursion trip, both religious and pleasure. See Louisville, the rolling Kentucky blue grass, and the birthplace of President Abraham Lincoln. Don't miss this great opportunity that comes only once in a lifetime. A round trip with two meals costs only \$24, and you have until July 21 to pay for your ticket. Tickets available at Low-Rate-Sav-On, at the corner of Jeff Davis and Holt St.; from the Rev. H. N. Petrie, pastor of the Union Chapel AME Zion Church, in Madison Park; and from Mrs. Olivia Boyd and others.

**FELLOWSHIP DAY OBSERVANCE**--The United Church Women of Montgomery will participate in the observance of May Fellowship Day with a program at 3 p.m. Sunday, April 30, in the Dexter Ave. Baptist Church, Montgomery. The Alabama Journal, Mrs. Clifford Durr of Montgomery, Mrs. Hattie Kelly of Tuskegee Institute, the Rev. G. Murray Branch of Dexter Ave. Baptist Church, and the Rev. John Martin of the United Church of South Montgomery will discuss the poverty people can share in eliminating poverty. A worship service will be held at 9:30 a.m., Sunday, May 5, in the Church of the Ascension.

**FOR A BETTER ALABAMA**--The Alabama Council on Human Relations has active chapters in Birmingham, Mobile, Montgomery, Huntsville, Florence-Tusculumbia-Sheffield, Auburn-Opeika-Tuskegee, Talladega, and Tuscaloosa. It has a staff that works throughout the state. The Alabama Council is integrated at all levels: its staff officers, staff, and local chapters all have people of both races working side by side. The Alabama Council wishes to establish local chapters in every county in the state. If you wish to join the Council's crusade for equal opportunity and human brotherhood, write The Alabama Council, P. O. Box 1310, Auburn, Alabama.

**JOBS OPEN**--The Interagency Board of U. S. Civil Service Examiners will examine applicants for positions as mess attendants and tray service attendants. This examination provides applicants with career employment opportunities in the federal service. The positions are located in the Montgomery area, and throughout South Alabama and Northwest Florida. Interested applicants may obtain additional information and application forms by contacting Alex Culver, Examiner in Charge, 413-A Post Office Building, Montgomery, Ala. 36104.

**ARKANSAS**--The Arkansas Council on Human Relations has affiliate councils in Conway, Fayetteville, Pine Bluff, Fort Smith, and North Little Rock. We are interested in establishing local councils throughout the state. ACHR is integrated at all levels, working in education, voter education, employment, welfare, and housing. For information, write Arkansas Council on Human Relations, 1310 Wright, Little Rock, Ark. 72206.

**CHURCH OF CHRIST**--Holt St. Church of Christ, 945 S. Holt St., Montgomery, Bro. K. K. Mitchell, minister. Weekly meetings: radio program 9-9:30 a.m., Sunday, Sunday school 9:45-11 a.m., worship service 11 a.m., classes for all ages at 5 p.m., Sunday, evening worship 6 p.m., General Bible classes for all ages at 7 p.m., Wednesday. Bible class at 2 p.m., Thursday. Personal work group meets at 7 p.m., Friday. Community Bible class at 6 a.m., Saturday. Radio group practice at 6 p.m., Saturday.

**A FREEDOM-LABOR PARTY**--Free packet of information on why we must break with the Democratic and Republican parties and seek independent working-class politics. Packet contains Spartacist #8, which includes "SNCC and Revolution." Also available--"For the Materialist Conception of the Negro Question," a Marxist critique of black nationalism, 35¢; and "Negroes on the March," a revolutionary history of the struggle for black liberation to 1951, 50¢. Order from Spartacist League, P. O. Box 8121, Gentilly Station, New Orleans, La. 70122.

**CHOIR CONCERT**--The Vanderbilt University a cappella choir, from Nashville, Tenn., will present a concert at 7:30 p.m. Saturday, April 29, in the Miles College auditorium. The concert is open to the public, and admission is free.

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# Mims: A Future Major Leaguer?

Or Is It?

# 'Massive Resistance' in Russell

BY MARY ELLEN GALE

PHENIX CITY--A white segregationist has vowed to organize "massive resistance" to school desegregation in Russell County. But school officials, white moderates, and Negro parents are replying with massive indifference.

The segregationist, Zeke Calhoun of rural Fort Mitchell, said this week that he and his friends are circulating 51 petitions which demand the resignation of Russell County Schools Superintendent Warren Richards.

"We hope to get 2,000-2,500 signatures" to present to the county school board at its next meeting May 9, Calhoun said. "If Richards' resignation is not forthcoming, we want the whole board to resign."

Richards and Reginald R. Cain Jr., chairman of the county school board, said they would have no comment on Calhoun's demands until after the school board meeting. But they indicated that they didn't plan to resign.

"We were one of the first school districts in Alabama to desegregate all 12 grades," said Cain. "We haven't had any trouble--and we don't want any."

Albert Quinn, a leader of the local NAACP, agreed that school desegregation "is getting along fine here. When they integrate the teachers," he said, "that's it--that's all that's lacking."

"The best-thinking people, they want to use their own heads. They don't want to be puppets" of Governor Lurleen Wallace, Quinn said. "So I'm not afraid

of Mr. Richards losing his job."

Quinn said that "the Richards name means money and influence in this county--no one has the power to force him out." The Rev. Donald E. Mavity, a white minister who heads Phenix City's bi-racial committee, agreed with Quinn.

"I don't think Calhoun's influence amounts to anything," Mavity said. "He may have gotten a few people, but there's no danger from that petition. I think ignoring it is the best way of defeating it."

Several Negro parents described Calhoun as a "rabble-rouser." "He's been involved in this stuff way back," one woman recalled.

Another parent pointed out that Calhoun and his son, John, were losing candidates for the school board a few years ago. "Everything he tries, he fails," the parent said.

But Calhoun said, "We wouldn't be doing it if we didn't expect to bring results.... There have been complaints about Mr. Richards from all over the county."

Calhoun charged Richards and the school board with "gullible acceptance" of the state-wide school-desegregation order handed down last month by three federal judges. (According to the U.S. Justice Department, Russell County is one of only 15 local school districts which have adopted the court's model desegregation plan without change.)

The school board should have "returned the compliance sheet with nothing on it," Calhoun said. "They're subject to us--the people--not the whim of the federal court."

Calhoun insisted that his "grass-roots movement" meant "no antagonism to the colored, no wish to see them

deprived of money for their schools."

"Only a fringe of the colored people--probably paid by some outside group" really want integrated schools, he said.

"This--especially nigras teachers with white children--is just something people will not accept."



McLAURIN RUNNER SCORES college.

JACKSON, Miss.--At least one major-league baseball prospect was on display here last Friday, when McLaurin High of Florence took on Lanier High of Jackson.

Lanier, a member of the powerful Big Eight Conference, came from behind to defeat McLaurin, 6 to 4. But the Florence team still has a perfect 3-0 record in its own league--the Highland Conference.

And McLaurin showed that it had one of the flashiest shortstops around--John Mims, a 17-year-old senior. Mims, captain of the team, is hitting .360 this season, and he already has three home runs.

McLaurin coach Robert Brady said Mims, a B student, has a good chance of getting a four-year scholarship to

college. Now that the Southeastern Conference schools and many others have started looking for Negro athletes, Mims might get an offer from a mostly-white college.

"Doesn't matter with me," he said. "If they offer the best scholarship, then I'll take it."

The coach said Mims and a teammate, Willie Willis, "could play major-league ball."

But on Friday, McLaurin's hero was Martine Johnson, who hit a homer in the third inning to put the Florence nine ahead, 4 to 0. Lanier chipped away at McLaurin's lead, however, and wound up on top.

It was Lanier's ninth win against one loss. McLaurin's over-all record is now 6-2.

## Troy Rejects Council

TROY--The city's voters this week rejected a proposal to change their governing body from a three-man commission to a six-member council. The tal-

ly was 1,135 to 658. Another 3,000 voters stayed home.

Civil rights leaders had backed the proposal, in hopes of electing a Negro to serve on the council within the next few years. Now it looks as if Troy will have an all-white city government for some time to come.

"We really lost," said Mrs. Johnnie M. Warren, president of the Pike County Voters League. "We thought if the whites split and the Negroes blocked, we might win. But the Negroes split, too--and voted against themselves."

"The change would have been better for everybody, not just the Negroes," Mrs. Warren said. But she said she doesn't plan to stop working. "Maybe," she said, "we can get one good man on the commission if we try hard enough."

## CAP Fight

(CONTINUED FROM PAGE TWO) explained, "we didn't have all the OEO regulations. Then they came in stacks, and we just had to read them as we could get around to them."

"All of a sudden we realized that Mr. Wallace--one of our most valuable board members--was on there in violation of the rules," Weston said. The fact that Wallace is a cousin of former Governor George Wallace "had nothing to do with it."

The vote at the April 20 meeting was just "to recommend to OEO that Mr. Wallace continue to serve until our annual meeting in June--at which time he will not be eligible to be re-elected," Weston said.

The CAP director agreed with Stanford that several board members have missed most of the meetings. "But if (a member is) on there because he's the mayor, for instance, and you kicked him off, who would you put on?" Weston asked.

"We have some people who don't come to meetings--but if you ask them for \$100 or for office space, they get it for you," Weston added. "If you kick them out, it's like cutting the nose off your own face. It would kill the program."

The rules about attending meetings "are just for people who don't represent any particular group," Weston maintained. "People like that--if they don't come to meetings, they're no good to you."

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--	---

**Saturday**

ALL-NIGHT SHOW  
Midnight-6 AM Lewis White  
WEEKEND SPECIAL  
6 AM-Noon Larry Hargrove  
SATURDAY SESSION  
Noon-6 PM Johnny "Jive" McClure  
SATURDAY EXPRESS  
6 PM-Midnight "Little Walter" Anglin

**Sunday**

ALL-NIGHT SHOW  
Midnight-10 AM Johnny Jackson  
FAVORITE CHURCHES  
10 AM-4 PM "Little Walter" Anglin  
SONGS OF THE CHURCH  
4-6 PM Willie McKinstry  
JOHNNY JACKSON  
6 PM-Midnight

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